



**COUNCIL MEETING** Thursday, December 6, 2012 **Windsor Conference Centre** Calgary, Alberta

## **MINUTES**

## **PRESENT**

**President** Leah Lawrence, P.Eng. **Past President** Jim Smith, P.Eng., FEC **President-Elect** Colin Yeo, P.Geo.

**Vice-President** Chan Wirasinghe, P.Eng., PhD, FEC, FCAE

Councillors George Eynon, P.Geo.

Allin Folinsbee, P.Geoph., PhD, FEC (Hon.)

Steve Hrudey, P.Eng., PhD George Jergeas, P.Eng., PhD Suzanne Kresta, P.Eng., PhD Craig McFarland, P.Eng. Brian Pearse, P.Eng. Ginger Rogers, P.Geo. Terri Steeves, P.Eng.

John Van der Put, P.Eng., FEC Heidi Yang, P.Eng., FEC

**Public Members** 

Mary Phillips-Rickey, CA

Fred Stewart, QC

Gary Campbell, QC

**Engineers Canada** 

**Director** Jim Beckett, P.Eng., FEC

> Larry Staples, P.Eng., FEC Dick Walters, P.Eng., FEC

**Branch Observers** 

Sean Lockhart, P.Eng., Central Alberta Estela Zavala, P.Eng., Edmonton Aditya Nookala, P.Eng., Fort McMurray Mitch Cardno, P.Eng., Lakeland

Ahmed Ali, P.Eng., Lethbridge

Craig Maunder, P.Eng., Medicine Hat Tanis Searle, P.Eng., Peace Region

Staff Mark Flint, P.Eng., Chief Executive Officer

Malcolm Bruce, Chief Planner

Sharon Graham, Executive Assistant Kate Handford, Manager Calgary Office

George Lee, FEC (Hon.), Manager Editorial Services

Ross Plecash, P.Eng., FEC, Director Corporate Affairs & Investigations

Bill Santo, P.Eng., FEC, Director Registration

Al Schuld, P.Eng., FEC, Registrar Chris Shelton, Interim Finance Manager

Len Shrimpton, P.Eng., FEC, Chief Operating Officer Mark Tokarik, P.Eng., LLB, FEC, Deputy Registrar

#### **REGRETS**

Councillor

Chris Ketchum, P.Eng.

Geoscientists

Canada Director John Hogg, P.Geo.

Branch Observers Justin McCrea, E.I.T., Vermilion River

Manfred Czerwinski, P.Eng., Calgary

## 1. CALL TO ORDER

#### 2. APPROVAL OF THE MEETING AGENDA

The meeting was called to order at 8:30 a.m. The President chaired the meeting, and the Executive Assistant recorded the minutes.

Motion No. 12-49 MOVED BY GINGER ROGERS AND SECONDED BY GEORGE EYNON THAT the Meeting Agenda be approved as modified (items 5.1 and 5.2 moved to 11.2 and 11.3) Motion No. 12-49 CARRIED

## 3. DECLARATION OF CONFLICT OF INTEREST

Attendees were directed to the Volunteer Code of Conduct. Section C.

Steve Hrudey, Suzanne Kresta, and Leah Lawrence recused themselves from Item 11.1 Honors & Awards Committee.

#### 4. CONSENT AGENDA

Motion No. 12-50 MOVED BY JIM SMITH AND SECONDED BY HEIDI YANG THAT the Consent Agenda be accepted as modified with items 4.1.3 and 4.3.1 lifted.

Motion No. 12-50 CARRIED

#### 5. BUSINESS LIFTED FROM THE CONSENT AGENDA

Items lifted from the Consent agenda will be dealt with as items 11.2 and 11.3

## 6. REGULATORY INFLUENCE AND LEADERSHIP

## 6.1 Canadian Engineering Accreditation Board (CEAB)

Malcolm Reeves, Chair, CEAB at Engineers Canada, gave a presentation on outcomesbased assessments.

There was discussion regarding the strengths and challenges of outcome based assessments including: accreditation procedures, transparency, substantive vs. surface program changes, program termination, and training of educators to apply outcomes-based assessment programs within the classroom

All members of Council were encouraged to put their names forward to participate in the audit experience when accreditation audits are done at local educational institutions (a few members of the local regulatory body are always invited to take part).

## 6.2 Inter-Provincial Transfers

President-Elect, Colin Yeo, gave a verbal update on inter-provincial transfers.

Motion No. 12-51 MOVED BY COLIN YEO AND SECONDED BY JOHN VAN DER PUT THAT Council amend the position taken in 2010 regarding the continued scrutiny of credentials of professionals applying to transfer to Alberta from another professional regulatory organization in a province or territory of Canada.

The amendment of this position would bring APEGA's registration process in line with section 31(1) of The Engineering and Geoscience Professions Act.

Motion No. 12-51 CARRIED

CEO, Mark Flint, gave background on the situation. During process reviews by APEGA's Registration Department two applicants were denied registration, and both were registered in another province. The challenge is that in our ACT it specifies that these applicants are entitled to registration once registered in another province.

There was discussion that included the following points:

- Past legal opinion suggests that APEGA must register professionals transferring from within Canada under the Agreement on Internal Trade
- Work needs to be done to mitigate the risk of the small percentage of professionals who do not meet the Board of Examiner's criteria, and develop accredited licensing processes to address those issues
- Council must uphold the legislation that governs its professions
- One set of risks financial, reputational and potential loss of the right to self-regulate were compared with the risk to public safety if a transfer applicant is licensed without being deemed competent to practice in Alberta
- Use of the existing mandatory professional development reporting process as a monitoring tool vs. it being perceived as racial profiling
- Liability for a professional would be assumed by the constituent association that licenses them to begin with
- There will be fewer concerns as the standards of licensure are raised nationally and internationally
- Over the past three years there have been 3 cases, out of approximately 17,000, that have caused concern
- It would be expedient for APEGA to gather statistics from the Investigative and Discipline committees to see if there is any pattern over time of those accredited outside the province that were considered to have incompetencies.

## 6.3 Harmonization under the New West Partnership Agreement

President, Leah Lawrence, summarized this topic, and referred to a draft letter she wrote to Enterprise and Advanced Education Minister Stephen Kahn. There has been interest shown by the Saskatchewan and British Columbia associations in piloting the Canadian Framework for Licensure through the North West Partnership Agreement. President Lawrence asked members of Council to email her with any comments they may have.

## 6.4 Framework for Legislative Review

CEO, Mark Flint, and Deputy Registrar, Mark Tokarik, presented the Legislative Review Timeline, the goal of which is to have a draft of APEGA's new legislation by 2016 and royal assent by 2017. ASET will be involved, as the two Acts are entwined, and all stakeholders will be contacted.

#### 7. POLICY AND ENGAGEMENT

# 7.1 Canadian Framework for Licensure

CEO, Mark Flint, and Deputy Registrar, Mark Tokarik, made a presentation on the progress of the Canadian Framework for Licensure (CFL).

There was discussion on the CFL elements, license requirements, and policy direction as well as variances and alignments with other constituent associations.

ACTION ITEM: Mark Flint and Mark Tokarik were asked to provide an assessment on options to the proposed changes concerning licensing requirements for review at the February Council meeting.

# Concerns expressed:

- The key consideration that "before becoming licensed as a professional engineer, all applicants must first be registered as an engineer-in-training" could result in a negative impact for both foreign and domestic applicants.
- Loss of a provisional license would have a negative impact on internationally educated graduates.

Council members were encouraged to ask questions and express concerns to staff so issues could be researched and reported on.

ACTION ITEM: The suggestion was made to present a National Code of Ethics at the Annual General meeting for member's consideration and approval.

7.2 Report from World Federation of Engineering Organizations (WFEO) Darrel Danyluk, WFEO Committee Chair, Engineering and the Environment, gave a presentation on his work with the WFEO.

# 8. ATTRACTION, RETENTION AND ADVANCEMENT OF INDIVIDUALS IN OUR PROFESSIONS

There was nothing to report

## 9. ORGANIZATIONAL RENWAL AND CONTINUITY

There was nothing to report

#### 10. COUNCIL COMMITTEE REPORTS

# 10.1 Audit Committee

Chair of the Audit Committee, Craig McFarland, summarized his report, and Chris Shelton, Interim Finance Manager, provided additional details.

#### 10.2 Compensation Committee

There was nothing to report

#### 10.3 Finance Committee

John Van der Put, Chair of the Finance Committee, gave an overview of the Quarter Three financial report and the 2013 budget.

Motion No 12-52 Moved by JOHN VAN DER PUT and Seconded By TERRI STEEVES
That Council approve the APEGA 2013 Operating and Capital budgets as presented
Motion No 12-52 Carried

Council was advised to prepare for questions at the Annual General Meeting in regards to the difference of ten million dollars between the budgeted and actual amounts for this year (\$7 million for the unrestricted reserve and \$3 million for capital assets).

**NOTE:** assuming the Audit Committee adopts the new accounting changes, the 2013 unrestricted reserve would be reduced by a minimum of \$2.3 million. Further reductions may occur when the unfunded pension liability is recalculated at the end of 2012.

#### 10.4 Geoscience Committee

Ginger Rogers, Chair of the Governance Committee, reported that progress is being made on incidental practice, and something should be finalized by the 2013 AGM. Originally there were three associations involved, and now two others have asked to be included.

## 10.5 Governance Committee

Chair of the Governance Committee, Jim Smith, presented this report.

Motion No. 12-53 MOVED BY JIM SMITH AND SECONDED BY HEIDI YANG THAT Council approve the terms of reference of the Pension Committee as presented.

Motion No. 12-53 CARRIED

#### 10.6 Nominating Committee: Jim Smith

Jim smith gave a verbal update on the work of the committee.

#### 10.7 Pension Committee: Allin Folinsbee

Allin Folinsbee, member of the Pension Committee, reported that there is currently \$12.5 million in the APEGA pension fund, with an unfunded liability of an additional \$2.5 million (subject to a large number of assumptions). There was a review of management companies and annual fees charged, as well as options going forward (defined contribution and defined benefit plans).

## 10.8 Public Issues Committee: Leah Lawrence

There has been no meeting since September Council, but the report from the sub-group looking at the US Transportation Safety Report is anticipated.

#### 10.9 Strategic Planning Committee

Colin Yeo, Chair of the Strategic Planning Committee, advised that the Strategic Retreat dates for 2013 would be May 3<sup>rd</sup> to 5<sup>th</sup>.

#### 10.10 Summit® Awards Task Force

Colin Yeo, member of the Summit® Awards Task Force, advised that their report should be posted by mid-January.

## 10.11 Women in APEGA

Heidi Yang, a member of the Women in APEGA Committee, presented this report.

Motion No. 12-54 MOVED BY HEIDI YANG AND SECONDED BY FRED STEWART THAT Council reappoint Gail Powley, P.Eng. as the chair for the Women in APEGA Committee for another year ending December 31, 2013.

Motion No. 12-54 CARRIED

#### 11. OTHER COMMITTEE REPORTS

#### 11.1 Honours & Awards Committee

Len Shrimpton, COO, presented this report. Leah Lawrence, Suzanne Kresta and Steve Hrudey recused themselves from this section of the meeting.

Motion No. 12-55 MOVED BY BRIAN PEARSE AND SECONDED BY JOHN VAN DER PUT THAT Council approve the recommendations of the Honours and Awards Committee for the 2013 recipients of the APEGA Summit Awards®.

Motion No. 12-55 CARRIED

Motion No. 12-56 MOVED BY CRAIG MCFARLAND AND SECONDED BY HEIDI YANG THAT Council approve the recommendations of the Honours and Awards Committee for the 2014 nominees of the Canadian Engineers' Awards.

Motion No. 12-56 CARRIED

In answer to the question of why so many awards had no nominees, Len Shrimpton, COO, replied that due to administrative issues, the usual annual notices encouraging members to nominate their peers did not get sent out.

# 11.2 Executive Committee Minutes Oct 24 2012

As a typo correction it was noted that on page two, paragraph four, of the October 24, 2012, Executive Committee Minutes, APENS should read APEGS.

## 11.3 APEGA ASET Joint Board of Examiners

The comment was made that work has been done in the past in creating timelines for the registration process to become a professional engineer or geoscientist, and it would be appropriate at some point in the future to track the same process for applications of PTechs.

#### 12. REPORT FROM ENGINEERS CANADA

Jim Beckett, President-Elect of Engineers Canada, made a presentation on behalf of Engineers Canada to APEGA regarding the EnGenius program. Mr. Beckett presented the MOU of Support to CEO Mark Flint, and a cheque for \$50,000 to President, Leah Lawrence.

A written report was provided for information on activities of Engineers Canada.

#### 13. REPORT FROM GEOSCIENTISTS CANADA

A written report was submitted by Geoscientists Canada Director, John Hogg.

## 14. BRANCH CHAIRS' REPORT

Mitchell Cardno, Chair of the Lakeland Branch, gave a verbal report on the December 5, 2012 Branch Chairs' Meeting which included the following topics:

- Strategic Plan and feedback
- Outreach workshop opportunities and up-coming EnGenius launch
- Implementation of a volunteer management system
- The working relationship with Alberta Science Literacy Association, Engineers without Borders, and local groups such as Fort Mac's Girls Inc.
- Started discussions about obtaining local news from Branches to publish as news clippings in upcoming media releases

#### 15. CHIEF EXECUTIVE OFFICER'S REPORTS

Mark Flint, CEO, gave a presentation that included updates on the 2012 Business Plan Priorities, the 2013 Business Plan, and the CEO's assessment.

In answer to the question of feedback from the Government of Alberta as to what their expectations are in terms of compliance and enforcement in the regulatory environment, Mark Flint, CEO, replied that the government's Occupations and Professions department would like to see APEGA do its Act review by late 2014. APEGA has concluded that this will not be possible, and the loop has to be closed with the government concerning this. APEGA has a clear indication from the government that in terms of aligning the association's legislation with others, they are happy that we are working towards aligning with other sister or constituent associations, rather than trying to align within our province with similar, like-minded associations.

## 15.3 Public Member Recommendations

The report was referred to as presented by CEO, Mark Flint.

Motion No. 12-57 MOVED BY SUZANNE KRESTA AND SECONDED BY JIM SMITH THAT Council approve the nomination to the Minister Enterprise and Advanced Education the following public member reappointments:

- 1. Mr. Steven Jewell to the ASET/APEGA Joint Board of Examiners for a three year term from June 2013 to May 2016;
- 2. Mr. Lucien Villeneuve to the Board of Examiners for a three year term from May 2013 to April 2016:

Mr. Harold Neth to the Appeal Board for a three year term from May 2013 to April 2016. Motion No. 12-57 CARRIED

# 16. PRESIDENT'S REPORT

President, Leah Lawrence, referred to the President's visits and mentioned a website for a Medicine Hat Permit holder (search: meggitt discovery channel video)

# 17. COMPLETION OF SELF-ASSESSMENT FORM

Everyone in attendance was asked to complete a Council Self-Assessment form and hand it in to Past President, Jim Smith, Chair of the Governance Committee.

#### 18. NEXT MEETING

The next meeting of APEGA Council will be Thursday, February 21, 2012 in Edmonton

#### 19. ADJOURNMENT

Motion No. 12-58 MOVED BY COLIN YEO AND SECONDED BY SUZANNE KRESTA THAT Council adjourn the December 6, 2012 meeting at 3:55 p.m.

Motion No. 12-58 CARRIED

Signed by President, Leah Lawrence, P.Eng.

Signed by Chief Executive Officer, Mark Flint, P.Eng.