



**COUNCIL MEETING**  
**June 14, 2017**  
**Edmonton (APEGA Office)**  
**Lindberg Conference Centre (15<sup>th</sup> floor)**  
**9:00 a.m. – 12:30 p.m.**

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## **MINUTES**

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### **PRESENT**

**President:** Jane Tink, P.Eng., FEC, FGC (Hon.)  
**President-Elect:** Nima Dorjee, P.Eng.  
**Vice-President:** John Rhind, P.Geol.  
**Past-President:** Steve Hrudey, P.Eng., PhD, DSc(Eng.), FEC, FCAE, FSRA  
**Councillors:** Natasha Avila, P.Eng.  
Jeff DiBattista, P.Eng., PhD, MBA  
Jennifer Enns, P.Eng.  
George Eynon, P.Geol., FGC, FEC (Hon.)  
Darren Hardy, P.Eng.  
Brad Hayes, P.Geol., PhD, FGC, FEC (Hon.)  
Tim Joseph, P.Eng., PhD, FCIM  
RaeAnne Leach, P.Eng.  
Manon Plante, P.Eng., MDS  
Jason Vanderzwaag, MASC, P.Eng., LEEDS AP, PMP  
Claudia Villeneuve, P.Eng., M.Eng., PMP, ACG  
Emily Zhang, P.Eng., PMP

**Public Members:** Susan McRory, B.A., LI.B., A.R.C.T.  
Mary Phillips-Rickey, FCA  
Georgeann Wilkin RN, LI.B

**Engineers**  
**Canada Director:** Gary Faulkner, PhD, P.Eng.  
Connie Parenteau, P.Eng., FEC, FGC(Hon.)

<b>Staff:</b>	Jay Nagendran, M.Sc., P.Eng., QEP, BCÉE, Registrar & CEO Heidi Yang, P.Eng., FEC, FGC(Hon.), Chief Operating Officer Sharilee Fossum, MBA, CPA, CMA, ICD.D John Corriveau, P.Eng., Director of Regulatory Operations and Sr. Advisor to Registrar & CEO Pam Cholak, MBA, Director of Stakeholder & Council Relations Jill Arbuthnott, Executive Assistant to Council Colette Fernandes, Executive Assistant, Stakeholder & Council Relations
<b>Subject Matter Presenters:</b>	Dianne Johnstone, CPP, Director of Legislative Review Krista Nelson-Marciano, Director of Operation Mark Tokarik, P.Eng., LL.B., FEC, Deputy Registrar
<b>Regrets:</b>	Lisa Doig, P. Eng., MBA, FEC, FGC (Hon.) David Lynch, FCAE, FEIC, FCIC, FEC, FGC (Hon.), PhD, P.Eng. Colin Yeo, P.Geo., FGC, FEC(Hon)

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## **1.0 CALL TO ORDER**

The President called the meeting to order at 9:00 a.m.

## **2.0 RISK ALIGNMENT**

Ms. Nelson-Marciano conducted a conversation with Council on aligning risk within APEGA. Council asked that Risk Alignment be assigned to the Audit Committee and added to the Council agenda as a standing agenda item.

## **3.0 LEGISLATIVE REVIEW**

An update was provided on the legislative review process and the developments since the March 23, 2017, Council meeting.

### **3.1. ASET**

#### **3.1.1. Mediation Report**

The Registrar & CEO provided a presentation and information regarding The Association of Science and Engineering Technology Professionals of Alberta (ASET) and the mediation process.

#### **3.1.2. Path Forward**

There was a high-level discussion on what the path forward should look like and the options APEGA should consider.

### 3.2. Round 5

#### 3.2.1. Consultations

There was discussion on the following Round 5 Consultation topics:

- Permit to Practice – Registration
- Permit to Practice – Reinstatement
- Investigative Panels – Interim Suspensions and Restrictions
- Practice Prohibitions
- Amendment: Professional Limited Licensee
- Examination Candidates
- Code of Ethics

#### 3.2.2. Exemptions 2.4.a

#### 3.2.3. Exemptions 2.4.b

#### 3.2.4. Exemptions 2.4.d

The President-Elect provided explanation of his concerns with the above items (Exemptions 2.4.a, 2.4.b and 2.4.d.)

#### 3.2.5. Joint Investigations

There was no discussion on this item.



**COUNCIL MEETING**  
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**8:30 a.m. – 4:30 p.m.**

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## **MINUTES**

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### **PRESENT**

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**President-Elect:** Nima Dorjee, P.Eng.  
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Jennifer Enns, P.Eng.  
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Darren Hardy, P.Eng.  
Brad Hayes, P.Geol., PhD, FGC, FEC (Hon.)  
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**Canada Director:** Gary Faulkner, PhD, P.Eng.  
David Lynch, FCAE, FEIC, FCIC, FEC, FGC (Hon.), PhD, P.Eng.  
Connie Parenteau, P.Eng., FEC, FGC(Hon.)

**Geoscientists**  
**Canada Director:** Colin Yeo, P.Geol., FGC, FEC(Hon.)

- Staff:** Jay Nagendran, M.Sc., P.Eng., QEP, BCEE, Registrar & CEO  
Heidi Yang, P.Eng., FEC, FGC(Hon.), Chief Operating Officer  
Sharilee Fossum, MBA, CPA, CMA, ICD.D  
John Corriveau, P.Eng., Director of Regulatory Operations and Sr. Advisor to Registrar & CEO  
Pam Cholak, MBA, Director of Stakeholder & Council Relations  
Jill Arbuthnott, Executive Assistant to Council  
Laura Beatson, Executive Assistant to Chief Regulatory Officer
- Subject Matter Presenters:** Dianne Johnstone, CPP, Director of Legislative Review (items 5.1 to 5.7)  
Matthew Oliver, P.Eng., Director of Registration (item 6.0)  
Mark Tokarik, P.Eng., LL.B., FEC, Deputy Registrar (items 5.1 to 5.7)  
Monica Varga, P.Eng., PhD, FEC, FGC(Hon.), (item 6.0)
- Guests:** Ken Pilip, P.Eng., CEO & Registrar, Consulting Engineers of Alberta  
Sheldon Hudson, P.Eng., MBA, Past President, ACEC Liaison, Consulting Engineers of Alberta
- Regrets:** Lisa Doig, P. Eng., MBA, FEC, FGC (Hon.)
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### 1.0 CALL TO ORDER

The Chair called the meeting to order at 8:32 a.m.

### 2.0 DECLARATION OF CONFLICT OF INTEREST

There were no conflicts of interest declared.

- 2.1 Council Code of Conduct
- 2.2 Code of Ethics

### 3.0 ADOPTION OF MEETING AGENDA

***MOVED by Tim Joseph, and seconded,*** THAT the June 15, 2017 Council agenda be adopted as presented. ([Council Motion #17-56](#))

Number of votes cast: 16  
Necessary for adoption: 9  
In favour: 16  
Opposed: 0  
Abstained: 0  
Motion unanimously adopted.

#### 4.0 CONSENT AGENDA

- 4.1 Council Attendance
- 4.2 Council Self-Assessment Survey
- 4.3 President's Report
- 4.4 Executive Committee Report
- 4.5 Registrar & CEO Report
- 4.6 Council Minutes – March 23 and 31, 2017
- 4.7 Engineers Canada Report
- 4.8 Geoscientists Canada Report
- 4.9 Statutory Board Appointments
- 4.10 Reinstatement Recommendations
- 4.11 APEGA Foundation – New Board Members

***MOVED by Darren Hardy, and seconded by Natasha Avila***, THAT the Consent Agenda in the June 15, 2017, Council Agenda be adopted as presented.  
[\(Council Motion #17-57\)](#)

Number of votes cast: 16  
Necessary for adoption: 9  
In favour: 16  
Opposed: 0  
Abstained: 0  
Motion unanimously adopted.

#### 5.0 LEGISLATIVE REVIEW

A detailed presentation was made to Council on, June 14, 2017.

##### 5.1 Mediation Report

***MOVED by George Eynon, and seconded by Jeff DiBattista***, THAT Council approves that mediation between APEGA and ASET is no longer an option and a different path forward will need to be considered by Council.  
[\(Council Motion #17-58\)](#)

There was discussion regarding possible repercussions APEGA may be faced with, should it be decided to move in another direction.

Number of votes cast: 16  
Necessary for adoption: 9  
In favour: 16  
Opposed: 0  
Abstained: 0  
Motion unanimously adopted.

## 5.2 Path Forward

Council went into an Executive (In-camera) Session for this item.

***MOVED by George Eynon, and seconded, by Tim Joseph***, THAT Council approves as amended, that APEGA ask the government to move forward and modernize the *EGP Act* and *General Regulation* for all the sections that apply only to APEGA and leave current ASET legislation as is. ([Council Motion #17-59](#))

There was discussion on the merits of moving forward with the sections that apply only to APEGA and leave the current ASET (The Association of Science & Engineering Technology Professionals of Alberta) legislation as is.

Number of votes cast: 16  
Necessary for adoption: 9  
In favour: 16  
Opposed: 0  
Abstained: 0  
Motion unanimously adopted.

## 5.3 Round 5 Consultations

### [Permit to Practice – Registration](#)

***MOVED by Brad Hayes, and seconded by John Rhind***, THAT Council endorses the proposed recommendation that the legislation be amended to explicitly:

- authorize practice review panels, rather than Council, to be the decision maker and consider applications for registration of Permit Holders in accordance with the legislation and criteria approved by Council.
- authorize practice reviewers to evaluate the appropriateness of an applicant's PPMP and whether it can and will be properly implemented and to make recommendations to practice review panels.
- authorize practice review panels to perform the following actions (in accordance with criteria approved by Council): approve the application with or without conditions and restrictions; or refuse the application.
- grant an applicant the right to appeal a decision to the Appeal Committee.
- indicate that in addition to the other requirements, an applicant must satisfy the practice review panel that it has a PPMP that is appropriate to its professional practice and that it can and will be properly implemented, in accordance with criteria approved by Council.
- authorize the Practice Review Committee to delegate to the Registrar's office the ability to review applications for registration as a Permit Holder and make recommendations to practice review panels, in accordance with criteria approved by Council. ([Council Motion #17-60](#))

There was discussion on the criteria of reinstatement and how it would affect permit holders and what the risks would be moving forward with this recommendation.

Number of votes cast: 17  
Necessary for adoption: 9  
In favour: 17  
Opposed: 0  
Abstained: 0  
Motion unanimously adopted.

[Permit to Practice – Reinstatement](#)

**MOVED by Tim Joseph, and seconded by Jennifer Enns**, THAT Council endorses, as amended, the proposed recommendation that the *EGP ACT and General Regulation* be amended to remove all reference to reinstatement and to require that a Permit Holder whose registration has been cancelled for any reason, initiate re-registration the same as any other applicant in accordance with criteria approved by Council. ([Council Motion #17-61](#))

There was discussion on the reinstatement of permit holders and how the process needs to be reviewed by staff.

Number of votes cast: 17  
Necessary for adoption: 9  
In favour: 17  
Opposed: 0  
Abstained: 0  
Motion unanimously adopted.

[Investigative Panels – Interim Suspensions and Restrictions](#)

**MOVED by Natasha Avila, and seconded by Claudia Villeneuve**, THAT Council endorses, as amended, the proposed recommendation that the *EGP Act* be amended to explicitly indicate the authority to impose interim suspensions and interim restrictions on Members and Permit Holders will rest with investigative panels (rather than with the Registrar or Investigative Committee).

It is recommended that the *General Regulation* be amended to add a section describing the circumstances under which investigative panels can impose interim suspensions and restrictions on Members and Permit Holders pending the outcome of preliminary investigations or discipline proceedings. These circumstances would include:

- when there are reasonable grounds to believe that a serious and imminent risk exists to life, personal safety, or health of the public or environment, in accordance with criteria approved by Council;
- when a delay in holding proceedings under this part would be prejudicial to the public interest, in accordance with criteria approved by Council;
- when a Member is convicted of an offence that would render a Member unsuitable to practise engineering or geoscience or adversely affect the reputation of the professions, in accordance with criteria approved by Council. ([Council Motion #17-62](#))



Number of votes cast: 17  
Necessary for adoption: 9  
In favour: 17  
Opposed: 0  
Abstained: 0  
Motion unanimously adopted.

#### Practice Prohibitions

**MOVED by Steve Hrudehy and seconded by George Eynon**, THAT Council endorses the proposed recommendation that the *EGP Act and General Regulation* be amended to clarify that the existing practice prohibition sections only apply to Members and Permit Holders whose licences or permits have been suspended or cancelled because of disciplinary or practice review proceedings. ([Council Motion #17-63](#))

Number of votes cast: 18  
Necessary for adoption: 10  
In favour: 18  
Opposed: 0  
Abstained: 0  
Motion unanimously adopted.

#### Examination Candidate

**MOVED by Jennifer Enns, and seconded by Jason Vanderzwaag**, THAT Council endorses the proposed recommendation that the *EGP Act and General Regulation* be amended to remove the examination candidate category. ([Council Motion #17-64](#))

Number of votes cast: 18  
Necessary for adoption: 10  
In favour: 18  
Opposed: 0  
Abstained: 0  
Motion unanimously adopted.

#### Code of Ethics

There was discussion on the proposed rewording of Rule 1 of the APEGA Code of Ethics. A decision was made to table the original motion and that the Policies and Standards Task Force (PSTF) will take on the responsibility of the rewording. The PSTF has committed to bring back the proposed wording, using the Engineers Canada and our sister Associations Code of Ethics as guidelines, to the November 30, 2017, Council meeting.

**MOVED by RaeAnne Leach and seconded by Claudia Villeneuve**, THAT the proposed motion:

“Council endorses the proposed recommendation that Rule 1 of the APEGA *Code of Ethics* be amended to read:

“Professional engineers and geoscientists shall, in their areas of practice, hold paramount the health, safety and welfare of the public and ~~have regard for the protection of~~ the environment.”

be tabled until the November 30, 2017, Council meeting.  
([Council Motion #17-65](#))

Number of votes cast: 18  
Necessary for adoption: 10  
In favour: 18  
Opposed: 0  
Abstained: 0  
Motion unanimously adopted.

Code of Ethics

**MOVED by John Rhind and seconded by Claudia Villeneuve**, THAT the Policies and Standards Task Force will take accountability to develop the wording for the amendment to the Code of Ethics and bring the proposed wording back to the November 30, 2017, Council meeting.  
([Council Motion #17-66](#))

Number of votes cast: 18  
Necessary for adoption: 10  
In favour: 18  
Opposed: 0  
Abstained: 0  
Motion unanimously adopted.

The following agenda items:

5.4 Exemptions 2.4.a;  
5.5 Exemptions 2.4.b;  
5.6 Exemptions 2.4.d; and  
5.7 Joint Investigations

were tabled. A meeting will be organized prior to the September 21, 2017, Council meeting to discuss them.

**MOVED by Emily Zhang and seconded by Natasha Avila**, THAT agenda items:

5.4 Exemptions 2.4.a;  
5.5 Exemptions 2.4.b;  
5.6 Exemptions 2.4.d; and  
5.7 Joint Investigations

be tabled and that an additional day be added prior to the September 21, 2017, Council meeting. ([Council Motion #17-67](#))

Number of votes cast: 18  
Necessary for adoption: 10  
In favour: 17  
Opposed: 1  
Abstained: 0  
Motion unanimously adopted.

## 6.0 BOARD OF EXAMINERS RESTRUCTURE

Dr. Varga and Mr. Oliver presented the timeline for the Board of Examiners restructure and spoke to the terms of reference for *Registration Executive Committee* and *Board of Examiners – Registration Committee Subject Matter Experts (SMEs) – Members at Large & Others*, and the Registration Risk Management Model Policy.

### 6.1 Terms of Reference – *Registration Executive Committee* and *Registration Committee Subject Matter*

**MOVED by Steve Hrudey, and seconded by John Rhind**, THAT the two recommended Terms of Reference: *Registration Executive Committee* and *Board of Examiners – Registration Committee Subject Matter Experts (SMEs) – Members at Large & Others*, as approved in principle by the Governance Committee on May 17, 2017, be approved by Council. ([Council Motion #17-68](#))

Number of votes cast: 18  
Necessary for adoption: 10  
In favour: 18  
Opposed: 0  
Abstained: 0  
Motion unanimously adopted.

### 6.2 Registration Risk Management Model Policy

**MOVED by John Rhind, and seconded by Darren Hardy**, THAT Council approve the REGT-BOE-POL-0017 Registration Risk Management Model Policy that is unanimously endorsed by the Policies and Standards Task Force. ([Council Motion #17-69](#))

Number of votes cast: 17  
Necessary for adoption: 9  
In favour: 17  
Opposed: 0  
Abstained: 0  
Motion unanimously adopted.

## 7.0 REGISTRAR & CEO'S VERBAL UPDATE

The Registrar & CEO (RCEO) provided a verbal update on current operations. It was noted that this was the first report for the RCEO. There was an Executive (In-Camera) Session.

## 8.0 STAKEHOLDER PRESENTATION

### 8.1 Qualifications Based Selection

Mr. Hudson and Mr. Pilip from Consulting Engineers of Alberta (CEA) presented on Qualifications Based Selection. CEA requested that APEGA convert the practice guideline into a practice standard. There was discussion after the presentation.

## 9.0 ROUTINE BUSINESS OF COUNCIL

### 9.1 Governance Committee Report

The Governance Committee Chair provided an overview of the Committees report. The final report from the Council Self-Assessment that was conducted by the University of Alberta Research department will be presented at the September 2017 Council meeting.

### 9.2 Nominating Committee Report

The Nominating Committee Chair provided an update on the upcoming Nominating Committee cycle. There will be a full committee meeting on June 21, 2017. The Committee welcomes Councillor input on potential Council and executive candidates. The Chair also spoke to the limited candidate selection that APEGA has for the Executive of the Council and provided a few ideas that are being explored.

### 9.3 Audit Committee Report

The Audit Committee Chair gave a brief update on the activities of the Committee. Mr. Hughes will be resuming his role as the Subject Matter Expert (SME) for the Audit Committee.

#### 9.3.1 Financial Statements for Defined Pension Plan and Defined Contribution Plan for Employees of APEGA

***MOVED by Jeff DiBattista, and seconded by Mary Phillips-Rickey, THAT the financial statements for the Pension Plan for the Employees of Professional Engineers and Geoscientists of Alberta as of December 31, 2016, be approved. ([Council Motion #17-70](#))***

Number of votes cast: 16  
Necessary for adoption: 9  
In favour: 16  
Opposed: 0

Abstained: 0  
Motion unanimously adopted.

***MOVED by Jeff DiBattista, and seconded by Mary Phillips-Rickey***, THAT the financial statements for the Defined Contribution Pension Plan for APEGA Employees as of December 31, 2016, be approved. ([Council Motion #17-71](#))

Number of votes cast: 16  
Necessary for adoption: 9  
In favour: 16  
Opposed: 0  
Abstained: 0  
Motion unanimously adopted.

#### 9.3.2 Fee Setting Policy – CORP-PL-049

***MOVED by Jeff DiBattista, and seconded by John Rhind***, THAT The Fee Setting Policy, CORP-PL-049, with the amendments made by the Audit Committee on May 9, 2017 be approved. ([Council Motion #17-72](#))

Number of votes cast: 18  
Necessary for adoption: 10  
In favour: 18  
Opposed: 0  
Abstained: 0  
Motion unanimously adopted.

#### 9.4 Policy Standards Task Force

The Chair spoke to his report and introduced the members of the Committee. The Chair recommends that a long-term plan for the future of the Policies Standards Task Force be developed.

##### 9.4.1 Rescind Council Motion 15-27 “Good Standing” Definition

***MOVED by John Rhind, and seconded by Jennifer Enns***, THAT Council rescind Motion 15-27 “Good Standing” definition, as it is no longer needed due to approval of the CORP-PL-050 Good Standing Policy for Members. ([Council Motion #17-73](#))

Number of votes cast: 18  
Necessary for adoption: 10  
In favour: 18  
Opposed: 0  
Abstained: 0  
Motion unanimously adopted.

##### 9.4.2 Permit Application/Reinstatement Form

***MOVED by John Rhind, and seconded by Tim Joseph***, THAT Council approve the “Permit Application/Reinstatement Form” that is unanimously endorsed by the Policies and Standards Task Force.  
[\(Council Motion #17-74\)](#)

Number of votes cast: 18  
Necessary for adoption: 10  
In favour: 18  
Opposed: 0  
Abstained: 0  
Motion unanimously adopted.

#### **10.0 AGM FEEDBACK**

The Past-President, Dr. Hrudehy, provided feedback from the 2017 AGM.

#### **11.0 PRESIDENT’S INITIATIVE**

The President communicated her initiative which will engage our professional members and rural communities. Past-President Hrudehy has offered to speak to these small towns and Municipal Districts about water processes.

#### **12.0 EXECUTIVE SESSION (IN-CAMERA) DISCUSSION (Council Only)**

#### **13.0 EXECUTIVE SESSION (IN-CAMERA) (Council Registrar & CEO Only)**

#### **14.0 EXECUTIVE SESSION (IN-CAMERA) SUMMARY**

Council moved out of the Executive Session and asked Ms. Cholak to re-join the meeting for discussion on the APEGA-CEA joint task force as presented in agenda item 8.1 Qualifications Based Selection.

***MOVED by Steve Hrudehy, and seconded by Emily Zhang***, THAT APEGA engage a task force that examines procurement, ensuring decision making based on qualifications and competency. [\(Council Motion #17-75\)](#)

Number of votes cast: 18  
Necessary for adoption: 10  
In favour: 16  
Opposed: 1  
Abstained: 1  
Motion adopted.

The following items also came out of the Executive Session:

- The Director, Stakeholder and Council Relations will arrange an event that includes Council and Senior APEGA staff to have APEGA to become more engaged with the Government of Alberta.
- Communications are being tasked with coming up with a new strategy to engage and communicate with rural communities on the issues with ASET/APEGA.

## **15.0 ADJOURNMENT**

Meeting adjourned at 4:30 p.m.