



COUNCIL MEETING

March 20, 2019

Calgary (APEGA Office)

Windsor Room (22nd floor)

12:00 p.m. – 4:40 p.m.

MINUTES

PRESENT

Council Executive:

Nima Dorjee, P.Eng., FEC., FGC (Hon.) – President

George Eynon, P.Geo., FGC, FEC (Hon.) – President-Elect

Tim Joseph, P.Eng., PhD, FCIM – Vice-President

Jane Tink, P.Eng., FEC, FGC (Hon.) – Past-President

Councillors:

Natasha Avila, P.Eng.

Jennifer Enns, P.Eng.

Darren Hardy, P.Eng.

Tim Hohm, P. Eng.

RaeAnne Leach, P.Eng., PMP, FEC, FGC (Hon.)

Wally Kozak, P.Eng.

Manon Plante, P.Eng., MDS

Jason Vanderzwaag, MASC, P.Eng., LEEDS AP, PMP

Emily Zhang, P.Eng., PMP

Public Members:

Mary Phillips-Rickey, FCA

Georgeann Wilkin RN, LI.B

Engineers Canada Directors:

Lisa Doig, P. Eng., MBA, FEC, FGC (Hon.)

David Lynch, FCAE, FEIC, FCIC, FEC, FGC (Hon.), PhD, P.Eng.

Connie Parenteau, P.Eng., FEC, FGC (Hon.)

Geoscientists Canada Director:

Colin Yeo, P.Geo., FGC, FEC (Hon.)

Staff:

Jay Nagendran, M.Sc., P.Eng., QEP, BCEE, FEC, FGC (Hon.), Registrar & CEO (RCEO)
Jill Arbuthnott, Executive Assistant to Council
Nancy Biamonte, ABC, Director of Communications
John Corriveau, P.Eng., Director of Regulatory Affairs (item 11.0)
Sloan d'Entremont, P.Eng., CPCC, Senior Advisor & Director of Council Relations
Colette Fernandes, Executive Assistant to Senior Advisor & Director of Council Relations
Sharilee Fossum, MBA, CPA, CMA, ICD.D, Chief Financial & Corporate Officer (CFCO)
Matt Oliver, CD, P.Eng., Deputy Registrar & Chief Regulatory Officer (CRO)
Zac Parsons, B.Comm, Senior Advisor, Business Planning (item 10.0)
Heidi Yang, P.Eng., FEC, FGC (Hon.), Chief Membership Services Officer (CMSO)

Special Guests:

Melanie Popp, P.Eng. (incoming Council member)
Kjersti Powell MA, Strategic Retreat Facilitator (item 10.0)

Regrets:

Brad Hayes, P.Geol., PhD, FGC, FEC (Hon.)
Bob Rundle, P.Eng., PMP
Claudia Villeneuve, P.Eng., M.Eng., PMP, ACG

1.0 CALL TO ORDER

The Chair called the meeting to order at 12:10 p.m.

2.0 COUNCIL MEETING CONDUCT

- 2.1 Council Code of Conduct
- 2.2 Code of Ethics
- 2.3 Declaration of Conflict of Interest

There were no conflicts of interest declared.

3.0 ADOPTION OF MEETING AGENDA

MOTION 19-04

MOVED by Jennifer Enns and seconded by Darren Hardy, THAT the March 20, 2019, Council agenda be adopted as presented.

Number of votes in favour: 14/14
Necessary for adoption: 8/14
Motion unanimously adopted.

4.0 COUNCIL MINUTES APPROVAL – DECEMBER 4-5, 2018

MOTION 19-05

MOVED by Wally Kozak and seconded by Jennifer Enns, THAT the minutes of the December 4-5, 2018, Council meetings be approved, by Council.

Number of votes in favour: 14/14

Necessary for adoption: 8/14

Motion unanimously adopted.

5.0 CONSENT AGENDA

The following Consent Agenda item was approved as presented.

5.1 Statutory Board Appointments

Moved and Seconded That

The recommended Statutory Board Appointments reviewed and endorsed by the Governance Committee on January 29, 2019, be approved by Council.

6.0 REPORTS

The following reports were presented for information purposes and required no further discussion.

6.1 Registrar & CEO's Report

6.2 President's Report

6.3 Consulting Engineers of Alberta Report

6.4 Joint PRB Terms of Reference

6.5 Council Attendance

7.0 REVIEW OF AGM AGENDA

MOTION 19-06

MOVED by RaeAnne Leach and seconded by Georgeann Wilkins, THAT Council approves the 2019 AGM Agenda as presented in the March 20, 2019, agenda package.

Number of votes in favour: 14/14

Necessary for adoption: 8/14

Motion unanimously adopted.

8.0 CENTENNIAL 2020 UPDATE

The Chief Membership Services Officer (CMSO) and the Director of Communications provided an update on the Centennial 2020 activities and asked for feedback on the logo and taglines that have been developed for APEGA's Centennial year. April 10, 2020, marks APEGA's Centennial date, being the day the Government of Alberta passed the original act.

9.0 ITEMS FROM CONSENT AGENDA AND REPORTS THAT REQUIRE DISCUSSION

There were no items pulled for discussion.

10.0 DRAFT STRATEGIC PLAN FROM STRATEGIC RETREAT

Council held an Executive (in-camera) Session. A summary was not provided.

11.0 QUALIFICATION BASED SELECTION TASK FORCE FINAL REPORT OUT

Council held an Executive (in-camera) Session. The following motions were presented once the regular meeting resumed:

MOTION 19-07

MOVED by RaeAnne Leach and seconded by Jason Vanderzwaag, THAT Council directs the Practice Review Board to update the “Guideline for Selecting Engineering and Geoscience Consultants.”

Number of votes in favour: 12/14

Number of votes opposed: 2/14

Necessary for adoption: 8/14

Motion adopted.

MOTION 19-08

MOVED by RaeAnne Leach and seconded by Jason Vanderzwaag, APEGA play a supporting role for CEA, as CEA promotes QBS legislation with the Province of Alberta.

- CEA will take the lead in setting up the meetings with the GoA and drafting the key messages
- APEGA and CEA would then agree on the messaging to be used in any specific event or meeting involving GoA elected members or staff

There was a discussion on whether APEGA should play a supporting role to the Consulting Engineers of Alberta (CEA) on promoting QBS legislation with the Province of Alberta. Several members of Council were uncomfortable with putting APEGA in this position.

Number of votes in favour: 1/14

Number of votes opposed: 13/14

Necessary for adoption: 8/14

Motion defeated.

MOTION 19-09

MOVED by Jason Vanderzwaag and seconded by RaeAnne Leach, THAT APEGA will participate in the development of educational materials as a key component in ensuring all stakeholders in the procurement process understand the QBS process as outlined in the APEGA “Guideline for Selecting Engineering and Geoscience Consultants.” Specifically:

- APEGA professional discipline system education: APEGA only
- APEGA member and Permit Holder presentations: Jointly with CEA.
- All other Stakeholders: CEA would take the lead in drafting the key messages and material. APEGA and CEA would then agree on the messaging and materials to be used at any specific event where CEA requests APEGA support.

Discussion focussed on amending the motion to create a motion that the Council members were comfortable with approving. The amendment to the motion was eventually withdrawn, and the original motion was voted on and defeated.

Number of votes in favour: 2/14
Number of votes opposed: 12/14
Necessary for adoption: 8/14
Motion defeated.

There was further discussion on how to move forward with the CEA and to present an alternative to what the original motion proposed. The following new motion captures the intent of this discussion. The new motion states that APEGA will work towards developing educational materials in support of the Qualitative Based Selection (QBS) process in the “Guideline for Selecting Engineering and Geoscience Consultants.”

MOTION 19-10

MOVED by Jason Vanderzwaag and seconded by George Eynon, THAT APEGA will develop educational materials as a key component in support of the QBS process in conjunction with updating the APEGA “Guideline for Selecting Engineering and Geoscience Consultants.”

Number of votes in favour: 13/14
Number of votes opposed: 1/14
Necessary for adoption: 8/14
Motion adopted.

Staff were directed to review all Memorandum’s of Understanding that are currently in effect to identify where APEGA may be inadvertently in an advocacy position, and, to bring back any recommendations to a future Council meeting.

12.0 ADJOURNMENT

The meeting adjourned at 4:50 p.m.



COUNCIL MEETING

March 21, 2019

Calgary (APEGA Office)

Windsor Room (22nd floor)

8:30 a.m. – 4:15 p.m.

MINUTES

PRESENT

Council Executive:

Nima Dorjee, P.Eng., FEC., FGC (Hon.) – President

George Eynon, P.Geo., FGC, FEC (Hon.) – President-Elect

Tim Joseph, P.Eng., PhD, FCIM – Vice-President

Jane Tink, P.Eng., FEC, FGC (Hon.) – Past-President

Councillors:

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Jennifer Enns, P.Eng.

Darren Hardy, P.Eng.

Brad Hayes, P.Geol., PhD, FGC, FEC (Hon.)

Tim Hohm, P. Eng.

RaeAnne Leach, P.Eng., PMP, FEC, FGC (Hon.)

Wally Kozak, 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:

Mary Phillips-Rickey, FCA

Georgeann Wilkin RN, LI.B

Engineers Canada Directors:

Lisa Doig, P. Eng., MBA, FEC, FGC (Hon.)

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.Geo., FGC, FEC (Hon.)

Staff:

Jay Nagendran, M.Sc., P.Eng., QEP, BCEE, FEC, FGC (Hon.), Registrar & CEO (RCEO)
Jill Arbuthnott, Executive Assistant to Council
Erum Afsar, P.Eng., Director of Compliance
Nancy Biamonte, ABC, Director of Communications
Sloan d'Entremont, P.Eng., CPCC, Senior Advisor & Director of Council Relations
Colette Fernandes, Council Relations Coordinator
Sharilee Fossum, MBA, CPA, CMA, ICD.D, Chief Financial & Corporate Officer (CFCO)
Gisela Hippolt-Squair, BA, Assistant Director, Communications
Matt Oliver, CD, P.Eng., Deputy Registrar & Chief Regulatory Officer (CRO)
Heidi Yang, P.Eng., FEC, FGC (Hon.), Chief Membership Services Officer (CMSO)

Special Guests:

Ahmed Ali, P.Eng., Chair – Lethbridge Branch
Anmol Bansal, P.Eng., Chair – Lakeland Branch
Kimberly Chin, E.I.T., Chair – Peace Region Branch
Siddarth Gautam, P.Eng., Chair – Fort McMurray Branch
Tibor Kaldor, P.Eng., FEC, FGC (Hon.), Chair – Calgary Branch
Jeff Krehmer, P.Eng., Chair – Central Branch
Andrew Liu, P.Eng., Chair – Edmonton Branch

Regrets:

Bob Rundle, P.Eng., PMP

1.0 CALL TO ORDER

The Chair called the meeting to order at 8:35 a.m.

2.0 COUNCIL MEETING CONDUCT

- 2.1 Council Code of Conduct
- 2.2 Code of Ethics
- 2.3 Declaration of Conflict of Interest

There were no conflicts of interest declared.

3.0 ADOPTION OF MEETING AGENDA

MOTION 19-11

MOVED by Darren Hardy and seconded by Claudia Villeneuve, THAT the March 21, 2019, Council agenda be adopted as presented.

Number of votes in favour: 13/13
Necessary for adoption: 7/13
Motion unanimously adopted.

4.0 REGISTRAR & CEO's ORAL REPORT

The Registrar & CEO (RCEO) provided Council with a brief update on the work being done within the organization. The following items were highlighted:

- Two of APEGA's employees have been recognized for their hard work and dedication in their respective areas:
 - Erum Afsar, Director of Enforcement, was chosen as one of 125 Outstanding Queens University Graduates from the past 125 years.
 - Alissa Boyle, Outreach Manager, was chosen as part of a select group of Alberta innovators to pilot the first Canadian chapter of SHEInnovates Alberta, which is connected to the UN Women's innovation strategy, and specifically the Global Innovation Coalition for Change.
- For the first time in the past five years, our Professional Member growth rate has shown a decrease of 1%. However, the 2019 data is not a full year, and staff will watch this closely as the year progresses.
 - The Registration backlog has gone from a low of 291 in Q3 of 2017 to 947 in Q1 of 2019.
 - Backlog is defined as files in the system for more than 90 days for Canadian graduates and more than 180 days for international applicants. Three new Registration staff members are being hired and 33 new volunteers are being added to the Board of Examiners, which will reduce the backlog.
 - The Competency Based Assessment (CBA) process – which is a superior way to assess candidates, has been implemented and will help to decrease the timelines as staff increase their proficiency with the tool.
- The lease for additional space on the 10th floor of Scotia Tower in Edmonton has been signed. Morguard (the building manager) has provided APEGA with swing space on the 13th floor of the building until the 10th floor space is renovated and ready, which is slated for Fall 2019.

5.0 STAT. BOARD UPDATED

5.1 Discipline Committee

The purpose of the Discipline Committee (DC) is to determine, at the conclusion of an investigation, if the allegations of unskilled practice or unprofessional conduct are substantiated.

The Chair of the DC explained the process that the DC follows once they have received a case(s) from the Investigative Committee. In 2018 the DC completed nine of eleven Recommended Discipline Orders, from the Investigative Committee. A total of eleven hearings were scheduled and of those three were completed and five were adjourned.

The DC Chair also provided insight into how APEGA staff assist the Committee in preparing for hearings.

5.2 Enforcement Review Committee

The purpose of the Enforcement Review Committees (ERC) is to objectively review all compliance cases brought forward by the Compliance department to provide majority consent before staff pursue legal action through the provincial court system. The Compliance department sends cases to the ERC that are in contravention of Part 1 of the EGP Act, and that are not following the requests of APEGA's Compliance department. In 2018 the ERC closed 346 cases, five of those cases went to provincial court and APEGA was successful in all of them.

The Chair of the ERC played a news clip of an actual event in the United States which highlighted how the misuse of the title of Engineering impacts the public and professions.

6.0 ENGINEERS CANADA UPDATE

The Engineers Canada (EC) Directors spoke to the report that was provided, and also made mention that EC has a national position statement prepared on Qualifications Based Selection (QBS). The paper endorses their position, which states that QBS be adopted by companies and governments in the procurement of engineering services, as it maximizes the value of engineers and their contributions to projects (posted on the EC public website in 2017). Also available on the EC site is a complimentary paper on procurement.

7.0 GEOSCIENTISTS CANADA UPDATE

The Geoscientists Canada (GC) Director spoke to his presentation, which focused on the last meeting of GC and the Implementation Table (also known as the strategic plan). GC will also be creating a Geoscience Admissions Officer Group, which will increase efficiency.

8.0 ROUTINE BUSINESS OF COUNCIL

8.1 Audit Committee Report

The Chair of the Audit Committee spoke to the report provided. It was noted that the year-end numbers for 2018 came in at or close to forecasts. Revenue was ahead of budget by 2.4%, expenses were below budget by 2.8%, and net income overall was ahead by 3.6%. Investment gains/losses were below budget by 1.6%.

The following motions were presented:

MOTION 19-12

MOVED by Darren Hardy and seconded by Claudia Villeneuve, THAT Audit Committee recommends that APEGA Council approve the 2018 Draft Audited Financial Statements.

Number of votes in favour: 13/13
Necessary for adoption: 7/13
Motion unanimously adopted.

MOTION 19-13

MOVED by Darren Hardy and seconded by Wally Kozak THAT the Audit Committee recommends that APEGA Council approve the Draft Summary Financial Statements and include the statements in the 2018 Annual Report.

Number of votes in favour: 13/13
Necessary for adoption: 7/13
Motion unanimously adopted.

MOTION 19-14

MOVED by Darren Hardy and seconded by Manon Plante, THAT the Audit Committee recommends that Council recommends to the membership at the 2019 Annual General Meeting, the re-appointment of PricewaterhouseCoopers (PwC) as the 2019 auditors.

Number of votes in favour: 13/13
Necessary for adoption: 7/13
Motion unanimously adopted.

8.1.1 Draft Financial Statements

8.1.2 Draft Summary Financial Statements

8.1.3 December 31, 2018 Year End Management Financial Statements and Variance Analysis

Note: The number of voting members increased after item 8.1, due to late arrivals.

8.2 Governance Committee Report

The Chair spoke to the report provided and presented the following motions:

MOTION 19-15 (*Filling Vacancies on Council Policy*)

MOVED by Jane Tink and seconded by Natasha Avila, THAT Council approve the "Filling Vacancies on Council" policy as recommended by the Governance Committee.

Number of votes in favour: 15/15
Necessary for adoption: 8/15
Motion unanimously adopted.

MOTION 19-16 (*Volunteer Eligibility Policy*)

MOVED by Jane Tink and seconded by Manon Plante, THAT Council approve the recommendation of the Governance Committee to rescind Motion #15-28 regarding the “Volunteer Selection Policy CORP-PL-061”.

Number of votes in favour: 15/15
Necessary for adoption: 8/15
Motion unanimously adopted.

This policy still exists, however, it is now an operational policy managed by APEGA staff.

MOTION 19-17 (*Committee of Inquiry*)

MOVED by Jane Tink and seconded by Tim Joseph THAT Council approve, as recommended by the Governance Committee, that the Policies & Standards Task Force will take responsibility to form the Committee of Inquiry on behalf of Council.

Number of votes in favour: 15/15
Necessary for adoption: 8/15
Motion unanimously adopted.

8.3 Nominating Committee Report

The Chair spoke to the report provided and noted that updates to the roster had been made since the posting of the package. The following motion was presented:

MOTION 19-18

MOVED by Jane Tink and seconded by Jason Vanderzwaag, THAT Council recommend that the Membership approve the Nominating Committee roster for the 2019/20 Council Term, as presented.

Number of votes in favour: 15/15
Necessary for adoption: 8/15
Motion unanimously adopted.

8.4 Policy Standards Task Force (PSTF)

The Chair of the PSTF presented the following motions:

MOTION 19-19 (*CPD Reporting Non-Compliance*)

MOVED by Tim Joseph and seconded by RaeAnne Leach, THAT Members listed in the CPD Non-Compliance Reporting List January 2019 be struck from the register for CPD reporting noncompliance.

There was discussion on the process and due diligence that is done for each of the members who are being struck for CPD Non-Compliance.

Number of votes in favour: 16/16
Necessary for adoption: 9/16
Motion unanimously adopted.

MOTION 19-20 (*Reinstatements of Individuals*)

MOVED by Tim Joseph and seconded by Manon Plante, THAT The members presented be reinstated with conditions as recommended by the Practice Review Board and endorsed by the PSTF.

Number of votes in favour: 16/16
Necessary for adoption: 9/16
Motion unanimously adopted.

MOTION 19-21 (*Practice Standard for Authenticating Professional Work Products*)

MOVED by Tim Joseph and seconded by RaeAnne Leach, THAT Council approve the Practice Standard for Authenticating Professional Work Products as presented for June 2020 enforcement, per the practice standard development timeline.

There was discussion regarding responsible members (RM) and what type of “employee” is included under the title of RM. Council asked that additional work be done to the wording in the standard as it is not clear. A decision was made to table the motion, and the PSTF will bring the standard and motion back to the June 13, 2019, meeting of Council.

MOTION 19-22 (*Good Standing Policy*)

MOVED by Tim Joseph and seconded by RaeAnne Leach THAT Council approve the Good Standing Policy POL-REGL-EXT-8011 as presented.

Number of votes in favour: 16/16
Necessary for adoption: 9/16
Motion unanimously adopted.

MOTION 19-23 (*Cancellation of Professional Memberships or Permits*)

MOVED by Tim Joseph and seconded by Manon Plante, THAT Council approve the Cancellation of Professional Membership or Permits policy POL-REGL-ALL-8012 as presented.

Number of votes in favour: 16/16
Necessary for adoption: 9/16
Motion unanimously adopted.

MOTION 19-24 (*Reinstatement of Professional Memberships or Permit*)

MOVED by and Tim Joseph seconded by Wally Kozak, THAT Council approve the Reinstatement of Professional Membership or Permits policy POL-REGL-ALL-8013 as presented.

Number of votes in favour: 16/16
Necessary for adoption: 9/16
Motion unanimously adopted.

8.5 Executive Committee Report

The Chair spoke to the report provided and supplied information about how the Executive Committee meetings are conducted.

9.0 APEGA FOUNDATION UPDATE AND INPUT

The Chief Membership Services Officer (CMSO) spoke to the provided report. Council discussed the different opportunities that are available to APEGA and the APEGA Foundation (the Foundation) for the future. The CMSO will take the thoughts of Council back to the Foundation for their awareness.

10.0 LEGISLATIVE UPDATE

10.1 EGBC

Council held an Executive (in-camera) Session. A summary was not provided.

10.2 ASET

Council held an Executive (in-camera) Session. A summary was not provided.

11.0 EXECUTIVE SESSION DISCUSSION (Council Only)

Council held an Executive (in-camera) Session.

12.0 EXECUTIVE SESSION DISCUSSION (Council & RCEO Only)

Council held an Executive (in-camera) Session.

13.0 EXECUTIVE SESSION SUMMARY

A summary was not provided.

14.0 ADJOURNMENT

The meeting adjourned at 4:15 p.m.