

MINUTES OF THE OPEN SESSION OF THE FOURTH MEETING OF THE 2009/2010 COUNCIL of the Association of Professional Engineers and Geoscientists of British Columbia, held on APRIL 23, 2010 in the YVR BOARDROOM, AIRPORT AUTHORITY OFFICES, VANCOUVER AIRPORT, RICHMOND, BC.

Present

Council	Russ Kinghorn, PEng MBA	- President (Chair)
	Margaret Li, PhD, PEng	- Past President
	Frank Denton, PEng.	- Vice-President
	Emily Cheung, PEng	- Councillor
	John Clague, PGeo PhD	- Councillor
	Joan Hansen, OD	- Councillor
	Jeff Holm, PEng	- Councillor
	Michael Isaacson, .PEng PhD	- Councillor
	Harlan Kelly, PEng	- Councillor
	Claudia Ng, PEng	- Councillor
	Bob Patrick, PEng	- Councillor
	Ross Rettie, PEng	- Councillor
	Kevin Turner, PEng	- Councillor
	Mike Waberski, BCLS	- Councillor
Mike Wrinch, PhD PEng.	- Councillor	
Guests	Dick Fletcher, PEng	- APEGBC Director to Engineers Canada
	John Watson PEng	- APEGBC Director to Vancouver Airport Authority
	Keith Trulson ASct EngL	- ASTTBC Council Director
	Bob Cowan PEng	- Executive Vice President, Van Airport Authority
	Don Ehrenholz PEng	- Vice President Operations and Engineering, VAA
	Ray Zibrik, President,	- YVR Project Management, Van Airport Authority
Staff	Peter Mitchell, PEng	- Director, Professional Standards & Development
	Gillian Pichler, PEng	- Director, Registration & Licensing
	Janet Sinclair	- Director, Communications & Engagement
	Peter So, CMA	- Assoc. Director, Finance & IT
	Geoff Thiele, LLB	- Director, Investigation & Discipline
	Fred Wylie, CGA CMA CHRP	- Director, Internal Affairs
	Megan Archibald	- Acting Assoc. Dir. Member Svces & Communications
	Joanne Williamson, BBA	- Executive Assistant to Council (Recorder)
<u>Regrets</u>	Joe Martignago	- Councillor
	Marilyn Pattison, PhD	- Councillor
	Derek Doyle, PEng MBA	- Executive Director & Registrar

OPEN SESSION

CALL TO ORDER, OPENING REMARKS, INTRODUCTIONS

Russ Kinghorn PEng, President and Chair, called the meeting to order. He advised that Vice President Frank Denton PEng would act as parliamentarian for the meeting and Councillor Kevin Turner PEng would fill the role of Member Engagement Champion.

The following guests were welcomed: John Watson PEng, APEBBC Director to Vancouver Airport Authority and our host for this meeting, Dick Fletcher, PEng, APEGBC Director to Engineers Canada, and Keith Trulson ASct EngL, ASTTBC Council Director.

CO-10-66 OPEN CONSENT AGENDA

**MOTION It was moved and seconded that Items 8.1, 8.2, 8.4, 8.6 and 8.7 on the Open Consent Agenda be approved.
CARRIED**

Motions approved via the Open Consent Agenda:

- MOTION to approve the February 5, 2010 Open Minutes.
- MOTION that Council approve the recommended appointments and reappointments to APEGBC committees and the nominations/appointments to external boards as follows:

Individual	APEGBC Committee or Task Force	Staff Contact	Start Date	Expiry Date
Dave Ricketts, P.Eng.	Building Envelope Committee	G. Thiele	01/2010	01/2012
Will Johnston, P.Eng.	Building Envelope Committee – City of Vancouver Representative	G. Thiele	04/2010	04/2012
Patrick Shek, P.Eng.	Building Envelope Committee – City of Burnaby Representative	G. Thiele	04/2010	04/2012
Emilia Mazzonna, P.Eng.	Building Codes Committee	P. Mitchell	03/2010	03/2012
Bryan Brassington, P.Geo.	Geoscience Committee	G. Pichler	05/2010	05/2012
Ken Newbert, P.Eng.	Practice Review Committee	P. Mitchell	04/2010	04/2012
Roy Wares, P.Eng.	Discipline Committee	G. Thiele	05/2010	05/2012
Richard McWilliam, P.Eng.	Discipline Committee	G. Thiele	04/2010	04/2012
Dr. Lionel Jackson, P.Geo.	Standing Awards Committee	J. Sinclair	05/2010	07/2012
Caroline Andrewes, P.Eng.	Standing Awards Committee	J. Sinclair	05/2010	07/2012
Roy Bartholomew, P.Eng.	Standing Awards Committee	J. Sinclair	05/2010	07/2010
Phil Sunderland, P.Eng.	Standing Awards Committee	J. Sinclair	05/2010	07/2010
John Watson, P.Eng.	Standing Awards Committee	J. Sinclair	05/2010	07/2010
Michael Blackman, P.Eng.	Sustainability Committee-Chair	J. Sinclair	05/2010	05/2012
Dr. Alexander Rosemann, P.Eng.	CPD Committee	J. Sinclair	04/2010	04/2012
Dr. Mahmoud Mahmoud, P.Eng.	CPD Committee	J. Sinclair	04/2010	04/2012
Tejas Goshalia, P.Eng.	CPD Committee	J. Sinclair	04/2010	04/2012

- MOTIONS to approve the Council meeting schedule for 2010/11, to hold an additional meeting on August 9, 2010 and to approve in principle the Council meeting schedule from October 2011 to December 2012:

- MOTION – Registration Committee: that inclusion of the essay be extended to the July 2010 session of the Professional Practice examination to allow time for the English Language Competency Task Force to review the policy and to make recommendations to Council in September.
- MOTION – APEGBC Landslide Guidelines: that Council approve the attached revisions to the guidelines for legislated landslide assessments for proposed residential development in BC pending final legal and editorial review. (A copy of the revision is attached to these minutes.)

OPEN REGULAR AGENDA

**MOTION It was moved and seconded that the Open Regular Agenda be approved as circulated with addition of Items 8.3 and 8.5 from the Consent Agenda.
CARRIED**

CO-10-67 AIBC/APEGBC ENHANCED BUILDING ENVELOPE SERVICES
SPECIALIST DESIGNATION WORKING GROUP (ITEM MOVED FROM
OPEN CONSENT AGENDA)

It was noted that these terms of reference followed the AIBC format and were previously approved by their board. On a long-term basis, the Governance Committee is standardizing all APEGBC terms of reference.

**MOTION It was moved and seconded that Council approve the Terms of Reference – AIBC/APEGBC Enhanced Building Envelope Services Specialist Designation Working Group as recommended by the Governance Committee.
CARRIED**

CO-10-68 LOOKING TO EXEMPT POLICY FOR ENGINEERING APPLICANTS (ITEM
MOVED FROM OPEN CONSENT AGENDA)

**MOTION It was moved and seconded that the Looking to Exempt Policy (for Engineering Applicants) be changed to reinstate the staff (Director-approved) review of the seven years of experience required to access the interview, with a proviso that the Director will forward the review to a member of the Applications Committee in cases that are not clear cut.
CARRIED**

CO-10-69 RE-ESTABLISHING FEES COVERED BY REPEALED BYLAW 10(b)
With the recent repeal of Bylaw 10(b) by Section 8 of the Act amendments, the amount of fees must be re-established by 2/3 vote of Council. Table #1 of Annual Member Fees at the previous rates was reviewed as follows:

TABLE # 1 ANNUAL MEMBER FEES

	Member Type	Annual Fee (Excluding GST/HST and SPLI Fees)
1)	ANNUAL MEMBER FEE - PEng, PGeo or PEng/PGeo (and variations such as PEng/GIT or PGeo/Eng L)	\$279.00
2)	EIT, GIT, or EIT/GIT	\$186.00
3)	Retired or Non-Practising (PEng, PGeo, PEng/PGeo, etc.) or Inactive (EIT, GIT, etc.) Members (and variations)	\$120.00
4)	PEng StructEng APEC	\$619.00
5)	PEng StructEng	\$579.00
6)	PEng APEC	\$379.00
7)	NRL – Eng or NRL – Geo	\$547.62
8)	NRL StructEng	\$720.00
9)	Limited License	\$303.64
10)	Provisional Members	\$175.00
11)	MAPS Students (except UBC Engineering program)	\$11.90
12)	MAPS UBC Engineering Program	\$11.90

MOTION It was moved and seconded that Council approves the amount of the 2010 annual fee for registered members at \$279.
CARRIED UNANIMOUSLY

MOTION It was moved and seconded that Council approves that the amounts of all other annual fees for 2010 be at the rates listed in Table #1 above.
CARRIED UNANIMOUSLY

CO-10-70 2010/2011 BUDGET DISCUSSION

Council reviewed the 2010/2011 budget information package. It was noted that a new model of approving fee changes is required due to the recent changes to the *Engineers and Geoscientists Act* – instead of a bylaw change, a two-thirds approval of Council is required.

There was discussion regarding the optimum level of detail appropriate for review at the Council table. A suggestion was made to consider in the future the concept of an independent value for money review to ensure transparency of expenditures to the membership. It was agreed that when considering any fee changes that the fees for Engineers In Training (EITs) should remain at the current rate and not be changed. Support was voiced for continuing contributions to the Engineers Canada advertising campaign for promotion of the engineering profession.

MOTION It was moved and seconded to table budget motions to the June 18, 2010 Council meeting.
CARRIED

MOTION It was moved and seconded that Council requests that the Governance Committee review establishment of a Finance Committee.
CARRIED

During the lunch break, Keith Trulson ASct EngL, ASTTBC Council Director, left the meeting.

CO-10-71 YVR AIRPORT AUTHORITY PRESENTATION AND TOUR
John Watson PEng, APEGBC Director to the Vancouver Airport Authority, introduced members of the Vancouver Airport Authority executive administration: Bob Cowan PEng, Ray Zibrik, President Executive Vice President, Don Ehrenholz PEng, Vice President Operations and Engineering, YVR Project Management.

A presentation on the 2006-2009 capital expansion plan for Vancouver Airport was followed by a facility tour. President Kinghorn thanked the YVR presenters, who then left the meeting.

CO-10-72 OUTSTANDING INVOICE, ENGINEERS CANADA NATIONAL ADVERTISING CAMPAIGN

MOTION It was moved and seconded that Council authorizes payment to Engineers Canada of invoice # 2443 for the 2009 National Advertising Campaign in the amount of \$54,389.79.
CARRIED

CO-10-73 COUNCIL CORRESPONDENCE MANAGEMENT POLICY
Council reviewed the draft policy and requested that a section be added to advise writers when correspondence is not appropriate to be forwarded to Council (i.e., complaint, investigation or discipline case in process) including to advise where their correspondence has been directed for action.

MOTION It was moved and seconded that the Council Policy on Correspondence Management be approved as revised.
CARRIED

The finalized policy will be posted to the APEGBC website.

CO-10-74 MUNICIPAL ENGINEERS DIVISION REPORT
Eugene Wat PEng, Chair of the Municipal Engineers Division (MED), and David Pollock PEng, Vice Chair MED, were welcomed to the meeting. They provided a presentation on the activities of the MED with the following highlights:

- 360 members consisting of municipal engineers, consultants and contractors.
- the MED mandate is to provide a forum for municipal engineers to meet, discuss and debate issues specific to the public sector.

- current issues include national infrastructure gaps, climate change and environmental protection, transportation management, drinking water quality and guidelines.
- MED supports Continuing Professional Development and supported the previous APEG fee increase proposal

Council received the report with appreciation and provided some suggestions for increasing membership. President Kinghorn thanked Eugene Wat and David Pollock who then left the meeting.

CO-10-75 FINAL REPORT ON THE NOMINATING TASK FORCE
RECOMMENDATIONS

Council reviewed and considered Governance Committee recommendations regarding the identification and selection process of candidates for office, after their review of the Nominating Task Force report made in February 2009.

MOTION It was moved and seconded that the Prospect List recommendations be referred to the Nominating Committee for their future consideration.
CARRIED

MOTION It was moved and seconded that the Election Brochure should identify any write-in candidate who is facing a disciplinary inquiry.
CARRIED

It was noted that the Election Policy will be revised to reflect the new rule regarding the Election Brochure.

CO-10-76 LEGISLATIVE CHANGES – THE LEGISLATIVE FRAMEWORK AND
MISCELLANEOUS ITEMS

The relevant Task Forces/committees and Council have now considered and approved the main proposed legislative changes relating to the regulatory functions of registration, investigation and discipline and enforcement, as well as the topic of governance. The Legislative Review Task Force recently concluded its review of the various miscellaneous issues it identified previously for examination, and submitted its recommendations for the approval of Council. In addition, previously made decisions of Council regarding the legislative framework were included.

MOTION It was moved and seconded that Council accepts that the *Engineers and Geoscientists Act* be amended as follows:

- 1. Legislative Framework**
 - a. Council will make the rules for all matters related to the protection of the public interest and members will ratify the rules for all matters related to the governance of the Association.**
 - b. All rules shall require the approval of 2/3 of Council present at the meeting.**

- c. For governance matters, 50% member ratification by ballot is required.
 - d. Rules relating to governance matters shall be referred to as bylaws.
 - e. Rules relating to public interest matters shall be referred to as regulations.
2. Council Discipline
 - a. Council discipline refers to the reprimand, suspension, and/or removal of any Council member for violation of the Oath of Office.
 - b. Permit the replacement of a Council member removed from office.
3. Council Composition
 - a. Include a ratio that sets minimum and maximum proportions of government-appointed and member-elected Council members.
4. Remuneration
 - a. Create the power through bylaw to remunerate Council and Committee members, and for Council to determine the specific rate(s) from time to time
5. Advisory Committees
 - a. Empower Council to create advisory committees and sub-committees.
6. Protection of Staff, Volunteers and Complainants
 - a. Expand the immunity clause (currently s. 41) to cover staff and volunteers acting in good faith.
 - b. Expand the disclosure exemption (currently s. 46) to cover complainants.
7. One Person Discipline Panels
 - a. Empower Council to create policies for panel composition.
8. Investigation Committee Recommendations
 - a. Empower the Investigation Committee to deliver recommendations in person.
9. Definitions, Exemptions and Joint Practice Boards
 - a. Adopt the Engineers Canada definition of the practice of professional engineering.
 - b. Address the practice overlap between engineering and geosciences.
 - c. Preserve the existing exemptions in the Act.
 - d. Empower Council to create Joint Practice Boards and agreements pursuant to those boards.
10. Suspended and Cancelled Members
 - a. Prohibit members from supervising suspended and cancelled members, unless permitted by the Discipline Committee or Council.

- b. Empower the Discipline Committee to permit suspended members to work under the supervision of members on certain terms, conditions, and limits.
- c. Empower Council to grant to cancelled members applying for reinstatement, licenses with limits or conditions, with such limits or conditions to be determined by Council on a case-by-case basis.

11. Certificates of Authorization

- a. Maintain the legislative authority to issue Certificates of Authorization, but do not make them mandatory.
- b. Integrate voluntary Certificates of Authorization or Assurance into the voluntary organizational quality management program.

12. Confidentiality

- a. Permit disclosure of confidential information where necessary to the exercise of a power or to perform a duty under the Act or where it is in the public interest.
- b. Empower Council to set confidentiality rules in the public interest by resolution.

CARRIED

CO-10-77 PROCESS FOR STAKEHOLDER CONSULTATION AND SUBMISSION OF LEGISLATIVE REQUEST TO GOVERNMENT

The planned process and timeline for consulting with stakeholders (APEGBC members and the public) regarding possible legislative changes was reviewed. The three purposes of consultation are: 1) to get feedback on the legislative proposals from members and the public, including related professions and consumers of engineering and geosciences services; 2) to build support for legislative proposals, particularly with related professions; and 3) to determine the concerns regarding various legislative proposals and, if necessary, develop background information for government policy to address those concerns.

CO-10-78 PROFESSIONAL RENEWAL PROGRAM PROGRESS REPORT

Work on implementing recommendations of the Professional Renewal Task Force began in late 2009. Progress is being monitored and a draft progress report was reviewed. The report will be finalized and presented at the next Council meeting in June.

CO-10-79 ANNUAL ENFORCEMENT STRATEGY

MOTION It was moved and seconded that the 2010/2011 Enforcement Strategy be approved which details the development of the tools to gather information on unregistered practice.

CARRIED

CO-10-80 BUILDING THE ENGINEERING AND GEOSCIENCE COMMUNITY

MOTION **It was moved and seconded that Council approves the Terms of Reference for the Building the Engineering and Geoscience Community Task Force.**
CARRIED

MOTION **It was moved and seconded that Council appoints Emily Cheung PEng as Chair of the Building the Engineering and Geoscience Community Task Force, and Michael Isaacson PEng and Michael Wrinch PEng as Task Force members.**
CARRIED

The Task Force may appoint up to four additional members as provided for in the Terms of Reference.

CO-10-81 BYLAW 9(b) – FINANCIAL STATEMENTS

A recommended change recommended to allow for electronic distribution of financial statements was reviewed.

MOTION **It was moved and seconded that Council approves the following amendment to bylaw 9(b), third sentence: strike the word “sent” and replace with “made available”.**
CARRIED

The proposed amendment to Bylaw 9(b) will be presented to the membership in August, along with other bylaw changes.

CO-10-82 BYLAW 14(b) – QUALITY MANAGEMENT

Council received an overview of the draft revisions to the quality management bylaw currently under review by various APEGBC committees (Geoscience Committee, Practice Review Committee, Consulting Practice Committee, Building Codes Committee, Building Envelope Committee). After consultation, the bylaw will come forward to Council at the June meeting.

CO-10-83 FOUNDATION AND BENEVOLENT FUND TASK FORCE – STATUS REPORT

Council received a brief information status report on the activities of the Benevolent Fund and Foundation Review Task Force established at the February 5, 2010 meeting. Its mandate is to review the activities and operations of the Foundation and the Benevolent Fund and to make recommendations for improvement. A report containing recommendations will be made at the June 18, 2010 Council meeting.

CO-10-84 MEMBER ENGAGEMENTWORKING GROUP REPORT

The working group consists of five Council members, four Branch Representatives, and the Chair of the Branch Representatives. Council reviewed discussions to-date and indicated that the working group should continue in the

direction of identifying goals and priorities for branches with respect to increasing member engagement.

CO-10-85 ENGINEERS CANADA - SYNERGY TASK FORCE

Council reviewed the APEGBC recommendations to Engineers Canada on their governance framework under their Synergy Task Force. Twelve of the fourteen recommendations made by APEGBC have been incorporated into the proposed governance model.

MOTION **It was moved and seconded that Council authorizes the APEGBC Directors to Engineers Canada to convey our support for the recommendations of the Synergy Task Force of March 31, 2010 to the EC meetings and AGM in May. CARRIED**

CO-10-86 INFORMATION REPORTS

The following reports were received:

- **Financial Report** for the eight months ended February 28, 2010, and **Cash Flow Projections** to June 30, 2010.
- **Annual Report of the Fairness Panel** John Watson PEng advised that the Fairness Panel reviewed 22 cases between April 2009 and February 2010 and made recommendations to the Registration Committee. A meeting was held on March 31, 2010 for expert reviewers who participate in the Fairness Panel review process.
- **Canadian Council of Professional Geoscientists Director's Report:** CCPG will transition to a new operating name "Geoscientists Canada." Their AGM will be held in Yellowknife NWT, June 4-5, to be attended by APEGBC members James Moors PGeo, GC President elect, Lindsay Bottomer PGeo, APEGBC Director to GC, and John Clague PGeo, APEGBC Councillor.
- **Engineers Canada Directors' Report.**
- **Nominating Committee Report:** Margaret Li PEng, Chair of the Nominating Committee advised of the Nominating Committee nominees for the 2010/2011 Council elections. Names will be posted on the APEGBC website.
- **Climate Change Task Force Report:** status report on the process of consultation coming forward to future meetings.

CO-10- 87 COMMENTS OF MEETING MEMBERSHIP ENGAGEMENT CHAMPION

Kevin Turner PEng observed that the meeting was run with membership issues and focus taken into consideration on all topics discussed at the meeting.

END OF OPEN SESSION

Attachment: APEGBC Landslide Guidelines

Minutes approved as circulated at Council meeting of June 18, 2010. (CO-10-99)