



Minutes of a meeting of **COUNCIL** of the Association of Professional Engineers and Geoscientists of the Province of Manitoba, held on **WEDNESDAY, June 12, 2013** in the Association premises at 870 Pembina Highway, Winnipeg, Manitoba R3M 2M7

PRESENT: Dawn Nedohin-Macek, presiding, Marcia Friesen, Rick Lemoine, Adam Pawlikewich, Howard Procyshyn, Roger Rempel, Sheryl Rosenberg, Don Spangelo, Steven Vieweg.

ALSO PRESENT: Grant Koropatnick, Lorraine Dupas, Mike Gregoire.
Observers: Dave Ennis, Peter Washchyshyn, John Woods, Alan Pollard, Chair of the Legislation Committee

REGRETS: Chris Beaumont-Smith, Luis Escobar, Jim Nicholson Guenter Schaub

13.04.1 CALL TO ORDER AND INTRODUCTIONS

President Nedohin-Macek called the meeting to order at 7:40 a.m.

HEALTH AND SAFETY MOMENT

- When on a plane, keep seated with your seatbelt fastened until they tell you it is safe to take off your seatbelt. An example was given where two planes collided while taxiing to the gate.

13.04.2 ADOPTION OF AGENDA

It was MOVED by Rick Lemoine and SECONDED by Don Spangelo that the agenda be approved as circulated.

CARRIED

GOVERNANCE –

13.04.3 G1. SOME QUESTIONS FOR COUNCIL TO CONSIDER

Council considered a background memorandum from President Nedohin-Macek. Councillors were asked to consider the following questions in preparation for today's meeting:

1. Does this framework, by-law and committee for advocacy support our top three strategic issues:
 - a. **Public Perception:** How do we improve the image of Engineers and Geoscientists?
 - b. **Recruitment and Retention:** How do we recruit and retain our Engineers and Geoscientists?
 - c. **Government Relations:** How can we improve our relationship with all levels of Government?

2. What will the general public and our members perceive to be the result of adding this by-law and creating the Public Interest Review Committee?
3. Is it a risk to the professions and a threat to our privilege of self-governance, if we create a by-law that could be perceived as a means to fight government?
4. What END, member need or strategic goal will this by-law satisfy?
5. Are the products of the Advocacy Task Force meeting, satisfying or exceeding the requirements of the original motion of council?

MINUTES OF MAY 12, 2011 - Original Council Motion

The original motion from Council's meeting of May 12, 2011 was posted at the Council log-in area.

Legislation Committee Advocacy Task Force

The names of the members that serve on the Legislation Committee and the members that serve on the ATF were provided to Council for information.

13.04.4 G3. ATF REPORT TO COUNCIL ADVOCACY FRAMEWORK FLOWCHART

Councillor Roger Rempel, Chair of the ATF, presented his report to Council.

Councillor Rempel provided background information on the proposed by-law. He advised that the proposed by-law has been endorsed by the Association's Legislation Committee and reviewed by legal counsel. Councillor Rosenberg's suggested revisions were incorporated into this version.

Councillor Rempel walked Council through a hypothetical scenario and how it would work its way through the proposed framework. The hypothetical scenario was Lake Winnipeg water quality related to nutrient reduction and ammonia treatment of effluent by the City of Winnipeg's wastewater treatment facilities.

Councillor Rempel answered questions.

Councillor Pawlikewich commented that engineers and geoscientists have no real authority commenting on economic issues. Councillors agreed that APEGM should be careful that it is not treading into other professional realms.

Councillor Procyshyn commented that only one side of an issue is shown in the framework. What happens when the Association wants to support an issue instead of opposing it? Other steps would have to be considered (eg. press release stating the Association's support). Councillor Pawlikewich cautioned that we don't want to always be seen as opposing issues, but there will be times to show support for some issues too.

Councillor Vieweg requested clarification on the process when an issue comes in to the Association – where does it go? Councillor Lemoine likened the process to what happens now when a public complaint comes in. It's received by the Registrar (or president) and forwarded to the Investigation Committee chair. Similarly, a potential advocacy issue can be forwarded from Registrar to PIRC to Council.

Councillor Spangelo asked when the Association takes a position on an issue, but the government over-rules and issues an RFP for engineering work, are members in violation of the Code of Ethics if they bid on that work? Grant Koropatnick responded saying that when the Association comes to a decision on an advocacy issue in the future, he will communicate it to the members and they will have the freedom to do whatever they think is right. The Association would not force members to support the decision of Council by using the Code of Ethics.

President Nedohin-Macek noted that Council has always had a process for advocacy, although it was not a structured process like the newly proposed framework.

After discussion:

It was MOVED by Don Spangelo and SECONDED by Adam Pawlikewich that Council approve the advocacy framework flowchart as presented.

CARRIED

13.04.5 G4. ADVOCACY BY-LAW PROPOSAL

President Nedohin-Macek stated that there are two options for addressing the by-law proposal today:

- 1) By-law as presented by the ATF where the Terms of Reference are embedded in the by-law.
- 2) By-law with format change as recommended by President Nedohin-Macek where the Terms of Reference are removed from the by-law and placed in governance policy.

Alan Pollard, Chair of the Legislation Committee provided Council with background information on the work of the Committee in reviewing this by-law proposal. He stated that the by-law proposal was discussed at several meetings of the Leg Committee. Both options were discussed and the committee elected to leave the Terms of Reference within the by-laws.

Grant Koropatnick reminded councillors that the Association has 3 types of documents for use by council: legal documents, policy documents and operations manuals. For example, the Investigation Committee has references in the legal documents (the Act and By-laws), governance policies and an operations manual. Operations manuals give guidance to committees on how to function. He cautioned that some clauses in the proposed by-law seemed to be operational statements typical of existing governance policies or references in an operations manual.

After discussion:

It was MOVED by Don Spangelo and SECONDED by Marcia Friesen that Council accept the by-law as proposed by the ATF on June 12, 2013.

CARRIED

Councillor Pawlikewich commented that when the public interest is at risk our only option is to inform the public and then we have met our obligation to advocate where the public interest is at risk. He asked if the government has been informed of the current status of this process?

The government has not been advised of the status of the process.

President Nedohin-Macek set an action item to request a meeting with the Minister.

13.04.6 ADJOURNMENT

President Nedohin-Macek adjourned the meeting at 9:45 a.m.

The next regular meeting of Council will be held at 12:00 noon on 13 June 2013.

Dawn Nedohin-Macek, P.Eng.
President

Grant Koropatnick, P.Eng.
Executive Director & Registrar

Ld/ 01000/01100/2013 June 12 Special Council Meeting Minutes