

MINUTES
COUNCIL OF THE ASSOCIATION OF ONTARIO LAND SURVEYORS
Tuesday, April 12, 2022
9:00 AM – 1:00 PM
Zoom Conference Call

Chair:

Andy Shelp	President	Ottawa
David Kovacs	Vice-President	Thunder Bay
Gavin Lawrence	Past President	Newmarket
Simon Kasprzak	Intermediate Councillor	Barry's Bay
Saša Krcmar	Junior Councillor	Toronto
Ron Berg	Junior Councillor	St. Catharines
Sophie Côté	Junior Councillor	Dartmouth
Natalie Vibert	Junior Councillor	Thunder Bay
John General	Lay Councillor	London
James Hunt	Lay Councillor	Port Hope
Peter Meerveld	Lay Councillor	Kitchener
Bruce Clark	Surveyor General (SG)	Peterborough

Staff:

Brian Maloney	Executive Director (ED)	North Kawartha
Kevin Wahba	Registrar	Vaughan
David Whitton	Recorder	Toronto

Regrets:

Martha George	Lay Councillor	Kitchener
Andrew Dowie	Lay Councillor	Tecumseh
Amar Loai	Intermediate Councillor	Toronto

1. Call to Order; Reminder of Conflicts of Interest and Confidentiality

The meeting was called to order at 8:59 AM.

The President provided a Land Acknowledgement prior to the start of the meeting.

Council was reminded to declare conflicts of interest and maintain the confidentiality of this meeting.

The President welcomed Sophie Côté and Natalie Vibert to their first meeting as Junior Councillors.

The President thanked outgoing councillors Andrew Mantha and Trevor McNeil for their service to the profession.

2. Review Agenda

The agenda was distributed prior to the Council meeting; a motion was called to approve the agenda.

Motion 22.1 MOVED: David Kovacs SECONDED: Simon Kasprzak

BE IT RESOLVED THAT Council approves the agenda.

DATE: April 12, 2022 Chair: Andy Shelp Carried: (Unanimous)

The motion was carried.

3. Approval of Previous Minutes/Review of Action Items

A motion to approve the minutes of the previous meeting was called.

Motion 22.2 MOVED: Gavin Lawrence SECONDED: Saša Krcmar

BE IT RESOLVED THAT Council approves the Minutes from the meeting of March 1, 2022, as amended.

DATE: April 12, 2022 Chair: Andy Shelp Carried: (Unanimous)

The I & IT Strategy is in progress. Glacier Digital is waiting for sample data, which we will provide by the end of the week.

The forms for SRD comprehensive reviews will be changing. Paul Wyman has been reviewing the material.

The Discipline Committee recommendations have been delayed but are still ongoing. David Kovacs will update Council later.

Brian Maloney contacted an analyst with the Information and Privacy Commissioner of Ontario about the cautionary note for use on plans that go to municipalities. The analyst declined to comment. The office will get back to us soon.

The SRD Committee has not met since the last Council meeting. There is a meeting coming up in which it will consider the broader use of stickers. We have a position paper that will go to the Committee. It will also look at consolidating the comprehensives to ease the burden on larger firms. The consultants have already met, and this issue was raised. We have recommended that the Committee establish a policy for practices around scheduling reviews and the number of files that are reviewed.

The mentorship piece has been launched. We have yet to receive an update on it.

The letter to the Department of Foreign Affairs was mailed and we got a response back. The letter was forwarded to the Department of Immigration.

The issue regarding plans and the lack of requirements for as-builts in the city of Mississauga has fallen to the wayside. It might need to be removed from future agendas.

David Kovacs updated Council on the Discipline Committee manual. A subcommittee was struck to review the manual. Progress is slower than anticipated. It has borrowed the discipline

manual from Professional Engineers Ontario. PEO broke the manual into two sections: terms of reference and rules of procedures. AOLS's manual might borrow this format. It should be a comprehensive rewrite.

4. President's Remarks

President Andy Shelp updated Council on recent developments.

AOLS sent a letter to the Department of Foreign Affairs expressing support for Ukrainian surveyors and offering to provide opportunities. We did get a response, but the situation is in limbo.

For the first time in two years, an in-person AGM took place. It was for the Association of British Columbia Land Surveyors. One speaker at the meeting addressed the issue of diversity, inclusivity, and equality. Six of the new surveyors were female. Attendees had access to a phone app that would allow them to vote. They also presented the demographics of the Association: 364 members and 135 C of A holders; Ontario has more surveyors, but BC has more companies on a per capita basis. They have a 50% failure rate on average for their professional exams. They have competency profiles in place for their Council, appointments rather than a voting process. Surveyors are not currently under the BC Professional Governance Act but are preparing to be. They are very concerned about the separation of regulatory processes from membership services.

The President will attend the AGM for the Alberta Land Surveyors' Association next week. Their Surveyors Act is no longer in force; they are under a PGA with engineers and geologists. There is another PGA in Alberta for the medical professions.

Council discussed regulatory trends across the country. In Alberta's healthcare sector, legislation forcibly separates association activities. Quebec has had more regulation control over the last number of years. FARPACTA indicates increasingly strong control. It is important that AOLS, in response, take a proactive role, undergo external review, and look at how we govern.

At the President's Forum, there was discussion about separating regulatory and membership services, and whether Professional Surveyors Canada (PSC) should take more of an advocacy role. All the provinces are in the same position. There are not enough surveyors to meet demand. In Quebec, SRPRs are required for every real estate transaction; Quebec is thousands of SRPRs behind.

B. Maloney, M. Mountjoy, and A. Shelp attended a meeting with the provost of York University.

5. Staff Reports

- **Executive Director**

Brian Maloney shared his report with Council.

The FARPACTA regulations are now out. Brian will have a meeting with the Ministry of Labour next Wednesday to go through the details of the changes, specifically regarding timing and English language requirements. We want our students to achieve the appropriate competencies and have the time they require to do it; applying for articles will not be done in a year. We have invited Ministry

representatives to participate in the next AERC meeting because we need to understand our options around the elimination of mandatory Canadian experience for internationally trained applicants, and their involvement would be helpful. To prepare, we have been providing statistics about how many of our members are domestically or internationally trained. They will come back to us with another rating of our risk factor. There was a suggestion that we might have work outstanding on this issue.

AOLS employees are returning to the office; a related COVID policy was circulated in the briefing material.

Brian met yesterday with MPAC. We have kicked off the renewal process for the PSRI, so MPAC needs to go back and think about it. It was a positive meeting. The orthophotography is costing us more money. If we don't renew with MPAC, Teranet is a possibility. We will hear back from MPAC in a month. We will likely have a PSRI Committee meeting in which we come up with some solutions that are fair for both sides and that will keep the orthophotography going.

Brian sent some letters last week to firms that have not been inputting records into the PSRI. A few firms have submitted their records as a result, and a few have yet to respond. They will receive a phone call next week.

Staff has renewed the contract for the printers in the office and were able to lower the price substantially.

As mentioned, Brian and A. Shelp met with the provost of York University. The program there is defunct; if it comes back, it will be as part of a civil program. We presented a good argument about how we fit with the strategic objectives of the province. We will continue to work with Ryerson and UNB. The geomatics programs in GIS at Waterloo and Carlton are not an option.

- **Registrar**

Kevin Wahba shared his report with Council.

The Registrar's annual review was circulated prior to the meeting.

Thirteen academic evaluations will be coming to AERC. They will be reviewed next week. There are also three articling applications. The upcoming professional exams will once again be online.

Representatives from the Fairness Commissioner's office will be joining us to offer guidance on the changes relating to Canadian experience.

We reached out to Professional Testing Inc., the organization that undertook the psychometric analysis for AERCs processes a few months ago. We asked them to consider assisting AERC with creating an exam blueprint. The Fairness Commissioner had recommended developing a blueprint that would describe how exam questions would be equivalent in difficulty and fair from one individual to the next and one exam sitting to the next. It would be a thorough analysis and would cost over \$100,000US. We will be considering other quotes as well.

We can try to extract information that we have already developed through the 2014 Pathways Project related to how we develop the EAKs and how we provide those competencies to our students.

Kevin will bring the proposal to AERC next week to ensure that it covers everything the Committee feels is important, while conforming to the Fairness Commissioner's recommendations. He will bring it to Council after that.

Based on R. Steineke's recommendation, the Complaints Committee is drafting a guideline that will allow the subject of a complaint to go to mediation rather than bringing the issue to Council.

There have been three complaints in 2022.

The Registration Committee is in the process of finalizing a manual for the Committee. Once it is approved, it will be brought to Council.

6. Surveyor General's Report

Surveyor General Bruce Clark presented his report to Council.

The Office of Surveyor General has created two new generic email addresses to ensure that it does a better job of tracking incoming requests.

Employees have returned to the workplace, one or two days a week. The vault remains off limits, but this will change after April 16.

Prakhar Shrivastava will serve as the acting coordinator for the Office of Surveyor General for the next four months. He started April 4. A competition for a permanent replacement will start this month. A new Crown surveyor, Jennifer Humber, will be joining the office on May 2. The senior Crown competition closes this Friday.

The Ministry of Environment, Conservation and Parks has updated a process involving provincial conservation areas and parks. It has instituted a vendor record arrangement, which will assist with regulation plan development. It is hoped that this will relieve the current backlog.

7. Financial Reports – Budget Review

Executive Director Brian Maloney presented his report to Council.

A note was added to the investment tracker indicating that the current position is overly pessimistic due to the current value of the bond market. Current values are based on market value at the time of the report. It looks like we are in a much more negative position, however we won't be cashing those bonds prior to maturity.

Brian performed a calculation based on the policy that Council approved two years ago for the self-insured retention fund; we will likely offset that by about \$350,000 this year.

We are seeing the kind of expenditures and revenues that we expected. The AGM turned a profit again this year. We do have two large bills incurred after this report was written, one from Redstone and another for AGM transcription services.

8. Risk Summary/Strategy Update/Dashboard Review

Brian Maloney updated Council.

AOLS saw an uptick in membership numbers. We still have a huge demographic bulge working its way through the system.

Council discussed whether it would be profitable to gather statistics regarding the diversity of the membership. Our database does have the capacity to track this information. The Inclusivity and Diversity Committee has discussed the possibility. If you don't have the data, you won't know if you are making progress. However, the data would have to be protected. Since 2009, 26 percent of our members were internationally trained, higher than any one Canadian university.

Our general operating funds have increased over the last couple of years. Our reserves are in a good position.

Our committees are moving forward, it is pretty positive.

The overall revenue of the industry is continuing to grow. Sticker sales were higher last year, which we might see reflected this year, but because we get our information from insurance applications, our insurance information will always lag behind. We might see a 20 to 30 percent increase when we see the numbers late this year.

The increase in sticker sales is directly related to the increase in sticker prices. However, the expected drop didn't occur. Firms kept buying more stickers. This is indicative of the volume of work being done. There is concern that if this trend continues, surveyors won't be able to meet public demand.

The Risk Summary has been updated. We are continuing to move forward with the Steineke recommendations. At least three more of the recommendations will be presented to Council at the next meeting.

Brian and Kevin have reached out to some former surveyors for consulting help to move along some of the recommendation items. We are putting together a construction course; we are hoping to offer it as CPD and hopefully see fewer claims come in.

Council discussed whether it has been considered that members be given the option to declare their gender when taking the salary survey. It could indicate whether there is a gender gap in salaries within the profession. It might help to promote survey-technology careers.

9. AGM Review

Brian Maloney updated Council.

Feedback on the AGM was largely positive. There were some complaints that the sessions were not left online long enough. About two-thirds of the membership would prefer that the meeting

be held in person. Next year's meeting is scheduled for Niagara Falls and will hopefully be in person. We have agreements in place after that for London and Ottawa.

Council discussed whether members had ample opportunity for feedback during the open forum. It might be better to discuss fewer topics next time. Virtual platforms are not ideal for open discussion.

B. Clark expressed his appreciation for Marisa Sterling's keynote speech; it is relevant to what many organizations are talking about internally.

10. Administrative and Appointment Approvals

Brian Maloney updated Council.

One change was made to the document that was distributed to Council. R. Berg will continue to sit on the Professional Standards Committee.

We made a call for members; everyone who applied to get on a committee has been placed.

Council discussed councillor appointments to committees. S. Kasprzak and S. Krcmar switched their initial placements between University Liaison and Website Maintenance. B. Clark requested placement on Monument Protection.

Experience on different committees is beneficial to councillors who move to Executive Committee or President.

At some point it would be worthwhile to talk about the value of commissions within the Association's structure. Commissions were intended to search out duplication in committee work, and to report committee activities to Council. These functions have been replaced by the dashboard. Now the commissions meet just twice a year and present reports at the AGM. Committee structure and commissions should be discussed at the next strategic planning session. Some committees that fulfill similar functions might be merged.

We need to be cognizant of the divide between regulatory work and membership service. If a committee undertakes membership service, it should be looked at.

The next regional group meeting might be a joint meeting between all the groups. Currently there are no meetings scheduled; ERG recently cancelled their upcoming Training Day.

Council discussed whether it would be a conflict for a regional group chair also to serve as Council representative; no conflict was identified.

S. Kasprzak was moved to Kawartha-Haliburton in his role as Council liaison and S. Côté was moved to Eastern.

Motion 22.3 MOVED: Gavin Lawrence SECONDED: Bruce Clark

BE IT RESOLVED THAT Andrew Shelp be appointed Chair of Council.

DATE: April 12, 2022 Chair: Andy Shelp Carried: (Unanimous)

Motion 22.4 MOVED: Bruce Clark SECONDED: Gavin Lawrence

BE IT RESOLVED THAT Councillor Saša Krčmar be appointed as Finance Councillor.

DATE: April 12, 2022 Chair: Andy Shelp Carried: (Unanimous)

Motion 22.5 MOVED: Sophie Côté SECONDED: Gavin Lawrence

BE IT RESOLVED THAT The signing officers of the Association for the 2022 Council term be:

- President Andy Shelp
- Vice-President David Kovacs
- Finance Councillor Saša Krčmar
- Executive Director Brian Maloney
- Registrar Kevin Wahba

And that two signatures be required on all cheques exceeding \$5,000.00 and that a digital approval via confirmation email be required from one of the Council signing officers.

And that an expense cheque is not signed by the recipient.

DATE: April 12, 2022 Chair: Andy Shelp Carried: (Unanimous)

Motion 22.6 MOVED: Sophie Côté SECONDED: Simon Kasprzak

BE IT RESOLVED THAT Council appoints the following to the Executive Committee in addition to the statutory appointments of the Past President, President, and Vice-President:

- Executive Director Brian Maloney
- Finance Councillor Saša Krčmar
- Lay Councillor Peter Meerveld.

DATE: April 12, 2022 Chair: Andy Shelp Carried: (Unanimous)

Motion 22.7 MOVED: Peter Meerveld SECONDED: James Hunt

WHEREAS: The *Surveyors Act* requires that Councillors appointed by the Lieutenant Governor be appointed to statutory committees, therefore,

BE IT RESOLVED THAT Council approves the following appointments for the 2022 Council term.

- James Hunt – Discipline Committee, Complaints Review Councillor
- Peter Meerveld – Executive Committee, Nominating Committee, Complaints Committee
- Martha George – Fees Mediation Committee, Academic and Experience Requirements Committee
- Andrew Dowie – Discipline Committee, Registration Committee
- John General – Complaints Committee, Registration Committee

DATE: April 12, 2022 Chair: Andy Shelp Carried: (Unanimous)

Motion 22.8 MOVED: Saša Krcmar SECONDED: David Kovacs

BE IT RESOLVED THAT Council approves the following Regional Group Liaison assignments for elected Councillors for the 2022 Council term:

North Western Regional Group	Vibert
North Eastern Regional Group	Kovacs
Eastern Regional Group	Côté
Kawartha-Haliburton Regional Group	Kasprzak
South Central Regional Group	Loai
Georgian Bay Regional Group	Lawrence
Hamilton & District Regional Group	Krcmar
South Western Regional Group	Berg

DATE: April 12, 2022 Chair: Andy Shelp Carried: (Unanimous)

Motion 22.9 MOVED: Simon Kasprzak SECONDED: Natalie Vibert

BE IT RESOLVED THAT the committee assignments attached and updated be approved by Council.

DATE: April 12, 2022 Chair: Andy Shelp Carried: (Unanimous)

Motion 22.10 MOVED: Natalie Vibert SECONDED: Sophie Côté

BE IT RESOLVED THAT the commission assignments attached be approved by Council.

DATE: April 12, 2022 Chair: Andy Shelp Carried: (Unanimous)

Motion 22.11 MOVED: Gavin Lawrence SECONDED: Sophie Côté

BE IT RESOLVED THAT Benveen Selvanayakam, Chartered Accountant be appointed as Financial Auditors for the financial year 2022 and as auditors with respect to the requirements of the Office of the Fairness Commissioner for 2022.

DATE: April 12, 2022 Chair: Andy Shelp Carried: (Unanimous)

Motion 22.12 MOVED: David Kovacs SECONDED: Gavin Lawrence

BE IT RESOLVED THAT Council authorize the acquisition by contract to the following Ontario Land Surveyors of the Peer Review Inspectors to assist the Survey Review Department in carrying out inspections as per O.R. 1026 S.40.

- D. Annable
- C. Stanton
- P. Hofmann
- D. Quinlan
- E. Sperling
- T. Packowski

DATE: April 12, 2022 Chair: Andy Shelp Carried: (Unanimous)

Motion 22.13 MOVED: Gavin Lawrence SECONDED: Saša Krcmar

BE IT RESOLVED THAT the 2022 and 2023 Council meeting dates and locations be approved as follows:

April 12	1/2 day	Council Meeting – Zoom
May 31	1 day	Council Meeting – in-person, Toronto
July 13/14	2 day	Council Meeting & Strategic Planning – in-person, Kingston
September 7	1/2 day	Council Meeting – Zoom
October 25	1/2 day	Council Meeting – Zoom
November 28, 29	2 days	Council Meeting – in-person, Toronto
Jan 31, 2023	1 day	Council Meeting – in-person, Toronto
Feb 28, 2023	1 day	Council Meeting – in-person, Niagara Falls

DATE: April 12, 2022 Chair: Andy Shelp Carried: (Unanimous)

Motion 22.14 MOVED: Gavin Lawrence SECONDED: Natalie Vibert

BE IT RESOLVED THAT Grant Lee be appointed as a consultant to support committees.

DATE: April 12, 2022 Chair: Andy Shelp Carried: (1 abstention)

Motion 22.15 MOVED: David Kovacs SECONDED: Natalie Vibert

WHEREAS: The Canadian Board of Examiners for Professional Surveyors (CBEPS) allows two representatives per Association and the AOLS has only had one member, Kevin Wahba, participating

BE IT RESOLVED THAT Kevin Wahba, Registrar and Brian Maloney, Executive Director be appointed to represent the AOLS on CBEPS.

DATE: April 12, 2022 Chair: Andy Shelp Carried: (Unanimous)

11. AOLS Office COVID Policy

Brian Maloney updated Council.

We are opening the AOLS office to the public and to members. We will not be asking for vaccine passports. We are hoping that visitors declare that they are healthy and that when they enter they will keep a reasonable distance from others and wear a mask. There are exceptions; if the parties involved agree not to wear masks in proximity, they are free to do so. The priority is to protect staff.

This policy is subject to change depending on the state of the pandemic and changes in provincial law.

Motion 22.16 MOVED: Gavin Lawrence SECONDED: Natalie Vibert

WHEREAS: The Ontario Government has lifted most of the mandatory COVID-19 protections

AND WHEREAS: There is a desire to reopen the AOLS Office to members and to the public

AND WHEREAS: Council recognizes that some protections are still required to protect workers and visitors

BE IT RESOLVED THAT: Council approves the AOLS COVID-19 Policy v4.

DATE: April 12, 2022 Chair: Andy Shelp Carried: (1 against; 2 abstentions)

12. Best Practices for Municipalities to Protect the Survey Fabric of Ontario

Brian Maloney updated Council.

This comes from the Municipal Surveyors Committee; it is being presented here so that Council is aware of it going out. The options are to send it to the clerks of the municipalities directly and/or place an item in Municipal Monitor, a quarterly publication circulated to municipality treasurers, building officials, and some publicly elected officials. It will cost \$800 to place an item.

S. Krcmar suggested we should pay the fee out of the AOLS surplus so that surveyors can be reassured the AOLS is working on the issue.

Council discussed the wording of the letter itself, particularly regarding title insurance, widening, and municipal severance processes.

It was agreed that the letter be sent back to A. Jeraj so that the wording can be reworked.

13. Disciplinary Matter

A disciplinary matter was address in-camera.

President A. Shelp thanked everyone for attending.

The meeting was adjourned at 12:16 PM