



## THE ASSOCIATION OF ONTARIO LAND SURVEYORS

### COUNCIL MEETING MINUTES

July 13–14, 2023 – In Person and Conference Call, Richmond Hill ON

#### Present

David Kovacs, President  
Amar Loai, Vice-President  
Andy Shelp, Past President  
Ron Berg, Senior Councillor  
Saša Krčmar, Senior Councillor  
Natalie Vibert, Intermediate Councillor  
Sophie Côté, Intermediate Councillor  
Daniel Gautron, Junior Councillor  
Robin Fleguel, Junior Councillor  
Martha George, Lay Councillor  
James Hunt, Lay Councillor  
Peter Meerveld, Lay Councillor  
Bruce Clark, Surveyor General

#### Staff

Al Jeraj, Executive Director  
Penny Connors, Registrar  
Dave Whitton, Recorder

#### Guest, Day 1

Julie Brough

#### Guests, Day 2

Hugh Coutts  
Al Buckle  
James Dorland  
Joe Young  
Peter Feren  
Gavin Lawrence  
Chris Oyler

### 1: Call to Order; Reminder of Conflicts of Interest and Confidentiality

The meeting was called to order at 9:05 a.m.

D. Kovacs, 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.

### 2: Approval of Agenda

The agenda was distributed prior to the Council meeting. No new items were added; a motion was called to approve the agenda.

Motion 23.111 MOVED: Daniel Gautron      SECONDED: Ron Berg

BE IT RESOLVED THAT Council approves the agenda.

DATE: July 13, 2023      Chair: David Kovacs      Carried: (Unanimous)

### 3: Consent Agenda

- Staff Reports
  - Executive Director
  - Registrar
- Approval of Previous Minutes
- Financial Reports



A Consent Agenda was circulated prior to the meeting. B. Clark asked for clarification about the number of MNRF Act change priorities recounted in the Executive Director's Report.

Motion 23.112 MOVED: Saša Krcmar SECONDED: Natalie Vibert

BE IT RESOLVED THAT Council approves the minutes from the meeting of June 13, 2023.

DATE: July 13, 2023 Chair: David Kovacs Carried: (Unanimous)

#### 4: Review of Action Items Arising from Previous Minutes

A. Jeraj, Executive Director, updated Council.

A revised late fee policy, which would tighten rules around changes in membership class, remains an action item; it will be brought to a future meeting for Council review. A jurisdictional scan needs to be performed as well as the possible incorporation of parental leave considerations.

The development of an OLS ring will be discussed at the next Marketing and Recruitment Committee meeting. A working group will be created to discuss materials, cost, and a rollout plan; a report will come to Council when it is ready. At S. Krcmar's request, he will be added to the working group.

#### 5: President's Remarks

D. Kovacs, President, provided an overview of his recent activities.

An article was recently circulated to Council. The article, authored by a lay member of the Association of British Columbia Land Surveyors, discussed a proposal to grant the ABSLS board the authority to pass bylaws independently, without requiring a membership vote. The proposal was narrowly rejected at their annual general meeting because inadequate information had been provided to members about the proposed change. The article has now been shared with the membership, which is helping to enhance their understanding of the matter.

AOLS has a similar policy in draft form right now. Members can give input before Council makes a decision. Communications with the membership on this proposal will be key. Council should be transparent, provide its rationale, and engage in proactive policy development.

There is legitimate discussion to be had whether the proposal is a positive one. Membership involvement is crucial, and currently robust, and while there might be challenges in achieving consensus in larger groups, there is value in collective knowledge.

It was mentioned that member involvement will not be eliminated with this proposal; however, the role of councillors will change. Members will have to be mindful of who they elect to Council. Council composition might also change in the future with the addition of more lay members.

#### 6: Surveyor General's Report

B. Clark, Surveyor General, presented his report to Council.



P. Meerveld's term on Council is set to expire, but reappointment is being worked out. A new lay member, D. Pearson, will be appointed to Council as of July 19, and two more are in front of the Appointments Secretariat.

The OSG has undertaken an initiative to digitize plans, notes, and survey records, to allow them to be searchable and accessible to the public. It is also working on digital submissions to Crown land applications and ePlans; this is on track for August.

The OSG is working on the proposed changes to the *Surveyors Act* and meeting regularly with the MNRF legal services branch, staff, and AOLS. The changes will not be on the fall bill as membership input is still needed.

D. Kovacs will be added to the legislative drafting process; although he is an OPS employee and reports to B. Clark, it is not seen as a potential problem.

## **7: Financial Report by Logan Wealth Management**

Julie Brough, Executive Vice-President and Portfolio Manager, Logan Wealth Management, gave a presentation to Council.

The presentation covered a range of topics, starting with the global economy and noting its slowdown and the easing of commodity prices. Brough also pointed out the transition occurring in the bond market, specifically the flattening of the yield curve and the widening of credit spreads. Looking ahead to the next 12 months, there are expectations for stable interest rates and a return of Canadian inflation to target levels.

While debt issues are emerging and equity markets are facing challenges, U.S. valuations suggest moderate returns. Some potential factors could alter the outcome, such as proactive central banks increasing liquidity.

In terms of strategic approach, they advised working toward full investment in fixed income, maintaining short interest rate sensitivity, having an underweight position in equities, and keeping extra cash for flexibility, with consideration of hurdle rates on cash.

The presentation included a chart displaying the bond portfolio and emphasized the importance of a fixed income strategy focused on maturity dates and resetting bonds within the next three years.

The presentation concluded with a discussion of the current asset mix, portfolio return, and cash flow in the equity strategy.

D. Kovacs, A. Jeraj, S. Krcmar, and P. Connors served as signatories on the financial strategy document.

## **8: Surveyors Act Changes – Updates Pus C of R Discussion**

A. Jeraj gave a slideshow presentation to Council offering updates to the proposed changes to the *Surveyors Act*.

During AOLS meetings with MNRF about the proposed changes, the Ministry's legal team yielded valuable insights for improvement. One such recommendation involved refining the definition of



cadastral surveying to focus on boundaries instead of surveys. Earlier definitions of cadastral surveying and professional surveying were approved by Council. However, a separate definition of professional surveying might not be needed if elements such as control points could be incorporated into the revised cadastral surveying definition. This would align with the goal of exclusively regulating cadastral surveying. It is also important to establish a clear definition of boundary, distinguishing it from others like conservation or municipal boundaries. This distinction would prevent unintended complications for entities like conservation authorities seeking to establish non-cadastral boundaries.

Council engaged in a lengthy discussion about whether the AOLS should continue to consider regulating non-cadastral disciplines such as geodesy, hydrography, photogrammetry, and GIM. It debated whether limiting the scope of practice would be valuable to the profession, and whether AOLS should remain the only Canadian association that regulates more than cadastral surveying. Challenges to regulation were considered: the relatively small number of C of Rs; developing CPD and competency standards; finding a clear path forward for AERC; and the expense associated with these initiatives.

It was decided that A. Jeraj, under the direction of Council, would craft a motion to look again at a one-licence model that would incorporate non-cadastral disciplines.

Motion 23.114 MOVED: Saša Krcmar SECONDED: Peter Meerveld

WHEREAS Council has considered the One Licence model and is of the opinion that a licence issued by the Association should include the branches of Professional Surveying as defined in the *Surveyors Act* and the Regulations under it.

AND WHEREAS Council is aware that substantial resources will be required to develop processes and materials to include the branches of Professional Surveying under the One Licence model including (but not limited to):

- Developing a core competency document for each of the branches of Professional Surveying.
- Developing a clear articling process for all branches of Professional Surveying (including developing exam content, resource materials, etc).
- Developing a self-assessment application and process for all branches of Professional Surveying to meet the requirements of the Fairness Commissioner.

AND WHEREAS an Ontario Land Surveyor understands that a licence granted by the AOLS is subject to the Codes of Ethics and Standards of Practice and that a member shall only practice within their scope of competency.

BE IT RESOLVED THAT Council directs the Executive Director to identify resources to develop processes and material to implement the One Licence model.

DATE: July 13, 2023 Chair: David Kovacs Carried: (1 absention)

## 9: Update on Path to Licensure – Blueprinting, Exam Review, Reference Material, Etc.

A. Jeraj updated Council.



When the cadastral limited licence was first considered, it seemed like a simple process. It has proven not to be as simple as making a few changes to the Surveyors Act, however. The blueprinting exercise was completed yesterday. The psychometric consultant, Marla Nayer, will write a report and new exam content will be developed out of this. The exam reviewers are currently mapping the existing questions to the core competencies. Tom Bunker has been hired as project lead; he is reaching out to subject matter experts. Consultants for PEO have been hired to help us with the development of a self-assessment tool. AOLS staff and AERC members will need training to learn how to review an application.

## 10: Committee Assignments

A. Jeraj updated Council.

Due to recent changes in committee composition, there is a need for new appointments.

Motion 23.113 MOVED: Robin Fleguel SECONDED: Saša Krcmar

BE IT RESOLVED THAT Council approve the Committee Assignments as presented and appoint the following:

- Michelle Pearson to the Discipline Committee
- Vladimir Dosen to the Discipline Committee
- Tom Packowski to the Inclusivity and Diversity Committee

Dan Dzaldov as Chair of the Insurance Advisory Committee

Laura Gibson as Chair of the AGM Committee

DATE: July 13, 2023 Chair: David Kovacs Carried: (Unanimous)

## 11: RFP for Digital Stickers

A. Jeraj updated Council.

AOLS is planning to automate the issuing of digital stickers. To do this, an RFP will be developed to find a vendor who can do this. This initiative does not require a motion, but it is being presented to ensure Council input.

This is a natural move as AOLS moves into the digital world. Physical stickers are being phased out. Issuing digital stickers like this will decrease mailing costs and staff time and will help the Survey Review Department speed up its reviews, as important information will already be uploaded.

A motion will be needed to pick a vendor.

## 12: Insurance Discussion

A. Jeraj updated Council.

Members have received unexpectedly high invoices for insurance premiums. The reason for this is that Intact Insurance had been issuing premiums and supplemental charges based on an artificial risk



assessment within the Association. Recent substantial claims underscored a heightened risk in surveying insurance compared to the past.

Council discussed the possibility of revisiting the minimum insurance requirements for surveyors in the public interest. There is a potential vulnerability of even smaller projects, much less larger construction surveys, with their associated risks.

It was suggested that Council consider increasing the minimum requirement from \$500,000 to \$1 million or \$2 million. It was further suggested that communications should be initiated with members about the possibility of this increase.

J. Hunt noted that a regulator could be sued if it failed to mandate adequate insurance minimums.

**Action item: A. Jeraj to contact M. Sampson at A.J. Gallagher and Intact Insurance to determine how an increase in mandate minimums would affect members' premiums.**

### **13: Summer Meeting with Committee Chairs – Agenda Review**

A. Jeraj advised Council about plans for the September Council meeting.

The meeting will take place at Nottawasaga Inn in Alliston, Ontario. At a previous meeting, Council discussed holding an appreciation event for AERC to acknowledge members' increased workload.

Council then considered the agenda and order of events for tomorrow's joint meeting with committee chairs.

### **14: New Business**

R. Fleguel relayed that surveyors are experiencing lengthy delays with plan reviews at Land Registry Offices. It appears to be specific to registering M-plans while simultaneously registering easement R-plans. OLSs were getting different directions depending on who they dealt with in an LRO. As this does not appear to be happening within the GTA, there might be a geographical component to the problem.

The question was presented whether Council should reconstitute the LRO Task Force to try to resolve the problem.

A. Jeraj spoke to K. Wilkinson yesterday, who advised members to use ePlans whenever possible and to inform the LROs ahead of time if a complicated plan would be submitted, so that he could give it to a specific reviewer. Staff issues are challenging. R-plans and M-plans will get priority because they are the engine of development.

It was decided that, after K. Wilkinson has a chance to address the issues, they still persist, the Task Force will be restructured.

S. Côté updated Council on developments with the Marketing and Recruitment Committee. She contacted G. Lee and C. Oyler to discuss revising the job description for the AOLS ambassador position. Revisions are in progress.



## Adjournment

Adjournment for day at 3:05 p.m.

### July 14 – Joint Meeting with Council and Committee Chairs

#### 1: Call to Order; Reminder of Conflicts of Interest and Confidentiality

The meeting was called to order at 9:03 a.m. President D. Kovacs welcomed committee chairs to the meeting. On behalf of Council, Executive Director A. Jeraj thanked the chairs for their work and acknowledge their importance to the smooth functioning of the AOLS.

#### 2: AERC

A. Buckle, Chair, addressed Council and fellow chairs.

The Committee has been busy; the workload this year has been significantly larger than usual. The typical activities of the AERC involve evaluations, exams, and administrative processes, consuming around five to six full days annually. However, this year's workload has expanded due to additional responsibilities. There have been challenges in managing this increased workload; however, consultants have helped.

Topics addressed included regular business, which has been on par with previous years; FARPACTA compliance, which requires an analysis of AERC practices to ensure they are transparent objective, impartial, and fair, and the need to accommodate foreign-trained surveyors with no Canadian experience; core competencies, which need a tune-up; and the limited licence concept, which originally had been developed to address FARPACTA, but has evolved into a way to build capacity by allowing experienced professionals to get licensed.

#### 3: Monument Protection Committee

H. Coutts, Chair, addressed Council and fellow chairs.

The Committee was tasked with considering the concept of coordinates as monuments. While the Chair believes that the AOLS should move quickly to amend the regulations to implements coordinates as monuments, there is division within the Committee, with the main objection being anticipated pushback from the government.

The Chair will write a report for presentation at a future Council meeting.

#### 4: Legislative and Regulation Review Committee

J. Dorland, Chair, addressed Council and fellow chairs.

The Committee takes recommendations for regulatory or statutory changes made by third parties such as R. Steinecke or other committees and develops policies based upon them. Examples include the Council Appointment policy, which speaks to qualifications for a member to run for Council; Control Over Practice Standards; and Control Over Regulations and Bylaws. When the Committee reviews



policies, it considers plans of action and implications of these plans for members and gauges potential membership reaction. These reviews and attendant discussions take place before policies come to Council for consideration.

A potential path forward for the Committee would be to include licensed professionals from other jurisdictions be included in discussions.

#### **5: Professional Standards Committee**

J. Young, Chair, addressed Council and fellow chairs.

The Chair offered a brief overview of the Committee's activities over the past years. The Committee is composed of the profession's senior thought leaders. Most of the Committee's work comes from third parties, such as Council requests or queries about best practices from the Survey Review Department, the Insurance Advisory Committee, or the Continuing Education Committee.

#### **6: Complaints Committee**

P. Feren, Chair, addressed Council and fellow chairs.

The Chair presented member statistics, member demographics, and complaints breakdowns, and spoke to trends in the year's numbers. He explained Committee composition and term limits, described the year's work plan and policies under development. The Committee would like to investigate a cloud-based sharing platform, as the current system is cumbersome when dealing with multiple versions of documents. There is also a need to develop a policy around publishing complaint information online, balancing the right of the public to access information with the need for discretion.

#### **7: Nominating Committee**

G. Lawrence, Chair, addressed Council and fellow chairs.

Based on a recommendation from R. Steinecke's report, the Committee is changing the process of how candidates become eligible for Council. In previous years, the Committee kept a running list of members who might be willing and able to join. This will be changed to a merit-based process in which the most qualified candidates are recommended. An online survey and self-assessment was recently sent to members, seeking interested potential candidates; it received seven responses. The new process will be superior to the old: it will be more transparent, and inclusivity and diversity are inherent.

#### **8: Marketing and Recruitment Committee**

C. Oyler, Chair, addressed Council and fellow chairs.

The Chair offered to Council some background on the MRC's recent marketing collaboration with Humber College. Graduating students in the Humber marketing program took on the promotion of the AOLS and land surveying as their capstone project. The students' final recommendations included hiring an ambassador to create social media content and engage with high school students.





Council discussed whether the position should be full-time or part-time, the budget for such a marketing effort, whether it might be better to hire a marketing firm, and the need for measurables against which a potential ambassadors' performance could be measured.

## 9: Discipline Committee

S. Krcmar, Chair, addressed Council and fellow chairs.

There are holes in how the Committee currently handles discipline, such as the way complaints are documented. To this end, the Discipline manual is being revised. The complaints process is evolving and, per R. Steinecke's recommendations, Committee members will receive training, likely in conjunction with the Complaints Committee.

An issue to consider is whether to publish Discipline decisions on CanLII, or whether the Association is fulfilling its mandate to publish by including decisions in *Ontario Professional Surveyor*.

Council discussed the pros and cons of publishing decisions on CanLII.

## Adjournment

The meeting was adjourned at 2:04 p.m.