



COUNCIL REPORT

May 19, 2010

The Council of the Alberta Land Surveyors' Association met on May 19, 2010. Here is a summary of their discussions.

FROM THE REGISTRAR

Council approved applications from **Barry Clarkson, Ed Hodge, Monroe Kinloch** and **John Lovse** to be transferred from the active member register to the retired member register.

Council approved applications from **Kinloch Underwood & Associates Ltd.** and **Morrison Land Surveys Ltd.** to cancel their permits to practice as surveyor's corporations.

Council approved **Gener Geomatics Ltd.** as a surveyor's corporation. **Bill Mintz** will be the Alberta Land Surveyor responsible for the supervision, direction and control of the practice.

Council approved **On-Site Surveys Inc.** as a surveyor's corporation. **Byron Laurie** will be the Alberta Land Surveyor responsible for the supervision, direction and control of the practice.

Council approved **Quarmby Land Surveying Inc.** as a surveyor's corporation. **Glen Quarmby** will be the Alberta Land Surveyor responsible

for the supervision, direction and control of the practice.

Council directed the Registrar to cancel the registration of all Alberta Land Surveyors who have not paid their 2010-2011 dues pursuant to Section 31 of the *Land Surveyors Act* following the expiration of 30 days notice unless the practitioner, on whom the notice was served, complies with the notice. Three Alberta Land Surveyor's dues were outstanding at the time of the Council meeting.

Council also directed the Registrar to cancel the membership of affiliate members, articulated pupils, associate members and retired members following the expiration of 30 days notice unless the members comply with the notice. Eight individuals in these membership categories were outstanding at the time of the Council meeting.

COMMITTEE TERMS OF REFERENCE & VOLUNTEERS

Council approved the 2010-2011 terms of reference for each of the 25 statutory,

standing, and ad hoc committees.

New committees members have been advised of their appointments and departing committee members have been thanked for their service to the Association.

The terms of reference and committees is online at http://www.alsa.ab.ca/uploads/files/PDF/reference_material/2010-2011ALSATermsOfReference.pdf

The 2010-2011 calendar of events is online at <http://www.alsa.ab.ca/uploads/files/CalendarMay2010toApril2011.pdf>

CONTINUING COMPETENCY REVIEW

Council approved the framework document and procedures policy for the new Continuing Competency Review program.

The documents, with some minor clarifications, were the same ones that were presented to the membership at the annual general meeting and the regional meetings.

The new program will kick-off in June. Any currently open Systematic Practice Review file will continue under the existing SPR program.

BUSINESS ARISING FROM THE AGM

Discipline Committee

A member raised a question about how much has been spent on Discipline Committee activities and why the Discipline Committee expenditures are separate from other committee expenses.

Council decided to continue to segregate the Discipline Committee expenditures from the rest of the committee expenditures because Discipline Committee cases can spread over several years and the expenses can vary significantly from year-to-year depending on the number of complaints that come forward.

Council did decide to provide more detail about the Discipline Committee expenses in the financial statements presented to the membership.

Manual of Standard Practice

Following the AGM, the editor who assisted the Standards Committee in re-writing the Manual of

Standard Practice inserted the recommendations passed by the membership into a new MSP and updated hyperlinks and cross references.

The revised Manual of Standard Practice was reviewed by the Executive Director and the past Standards Committee chairman and approved by Council.

The 2010 Manual of Standard Practice is online at <http://www.alsa.ab.ca/uploads/files/PDF/acts%20and%20reg/2010msp.pdf>

New Business #1: Professional Practice Regulation

Review the Professional Practice Regulation within the Land Surveyors Act, in particular Section 5 dealing with surveyor's corporations – added to the Legislation Ad Hoc Committee's terms of reference.

#2: Professional Signature & Stamp

Consider doing away with affidavits, certifications, affirmations and statutory declarations. Alternatively, it is proposed the Association follow the APEGGA model, relying upon the professional's signature and permit stamp to indicate the Alberta Land Surveyor has met all obligations for the

product – added to the Legislation Ad Hoc Committee's terms of reference.

#5: New Members & the Hospitality Suite

New members must fulfill this unwritten symbolic and implied requirement of the completion of their articles by serving drinks, etc, to all guests of the hospitality suite – added to the Convention & Social Group's terms of reference.

DIRECTOR OF SURVEYS

Council welcomed the Director of Surveys to the Council meeting.

Liaison Committee

Council and the Director discussed the terms of reference for the new Director of Surveys Liaison Committee. The terms of reference will include:

1. Identify and investigate the issues concerning the introduction of integrated surveys in Alberta.
2. Review possible changes to the Area Operating Agreement (AOA) including a potential move to sketch plans at the application stage.
3. Identify and investigate the issues concerning the pros and cons of a coordinate based cadastre for public land disposition surveys

instead of statutory iron posts.

4. Investigate monumentation standards for public land surveys.

Hugo Engler will chair the liaison committee.

Statutory Declarations

The Director of Surveys has indicated that the Métis Settlements Land Registry certification and the Sustainable Resource Development certification need to be converted to statutory declarations in accordance with the *Alberta Evidence Act*. Council has questions about the interpretation of the *Alberta Evidence Act* and has requested a legal opinion from its solicitor. Council has asked that the Director of Surveys not implement the use of the statutory declarations until the legal opinion has been received and considered by Council.

Subdivision Boundaries

The Director of Surveys provided some information and a diagram concerning the proper retracement of a subdivision boundary. Council has forwarded the example to the Practice Review Board for their review.

Other Matters

Council discussed the Survey Plan Online Checker program with the Director of Surveys.

The Director of Surveys expressed concern about the use of ex parte judge's orders.

There was no new information on the Association's proposed amendment to the *Surveys Act* that would give governing status to Part 3 monuments at Part 2 positions. The proposal is being reviewed by the Alberta Law Reform Institute.

POLICY CHANGES

Council gave first reading to the following amendments to Council policy. Each policy will come back to the next Council meeting for second and final reading.

If any member has any concerns about any of the policy changes, please contact any Council member or the ALSA office.

Discipline Revolving Fund

It is proposed that Council policy 2002.05.009 be revised so that the Discipline Revolving Fund is set at \$30,000 at the start of each fiscal year instead of \$20,000.

Oath of Office

It is proposed that the oath of office for the president, members of Council and Practice Review Board members be established as policies.

President's Oath

I, state your name, do solemnly and sincerely swear, that I will execute the duties of the office of President of the Alberta Land Surveyors' Association to the best of my ability, and in accordance with the laws of the Province of Alberta; and uphold the traditions established by my predecessors.

This function I will perform without affection, partiality, or prejudice to any member of this Association; or any member of the public. The importance of the rights of the public and minorities; and the protection of these rights; will always be considered paramount in all matters brought before me.

I will treat all confidential information presented to me as privileged; and will maintain the honour and dignity of this office as if it were my own; so help me God.

Council Oath

I, state your name, do solemnly swear, that I will

fulfill the duties and responsibilities as a member of Council of the Alberta Land Surveyors' Association to the best of my ability, and in accordance with the laws of the Province of Alberta; and uphold the traditions established by my predecessors.

As a member of Council, I will serve without affection, partiality, or prejudice to any member of this Association; or to any member of the public.

I will treat all confidential information presented to me as a member of Council as privileged; and will maintain the honour and dignity of this office as if it were my own; so help me God.

Practice Review Board Oath
I, [state your name], do solemnly swear that I shall fulfill the duties and responsibilities of a member of the Practice Review Board of the Alberta Land Surveyors' Association to the best of my ability and in accordance with the laws of the Province of Alberta and the traditions established by my predecessors.

As a member of the Practice Review Board, I shall serve without affection, partiality, or prejudice toward any

member of this Association or any member of the public.

I shall hold in strict confidence all information acquired in the course of my duty and shall not make any use of such information or divulge it, except as required by the Land Surveyors Act or other law.

I shall maintain the honour and dignity of this office as if it were my own, so help me God.

Prorating Membership Fees

It is proposed that Council policy 2000.04.004 be rescinded and replaced with the following:

For pupils, associate members and retired members, membership dues are not prorated.

Practitioners receiving their certificate of registration or permit to practice between May 1 and March 15 of any given year are required to pay their annual dues for every full or partial month left until April 30, the convention levy, and any other application or registration fees as permitted by the bylaws and approved by Council, before the certificate or permit is issued.

Practitioners receiving their certificate of registration or

permit to practice between March 15 and April 30 of any given year are required to pay the full amount of following fiscal years dues and levies, the current fiscal year's convention levy, and any other application or registration fees as permitted by the bylaws and approved by Council, before the certificate of registration or permit to practice is issued.

PROFESSIONAL SURVEYORS CANADA LAUNCH

Council unanimously approved an expenditure of \$5,000 from the CCLS Reserve Fund to the Canadian Council of Land Surveyors to be used either towards professional development and/or branding for the new Professional Surveyors Canada organization.

It is estimated that a successful Professional Surveyors Canada will require yearly funding of \$350,000. Of these funds, half will be used to support the objectives set by the eleven Canadian licensing bodies and the other half will be used to provide member services, to develop and sustain the professional surveyor brand, and to promote land surveyors across Canada.



FUTURE AGMS

Council approved holding the 2013 AGM in Jasper, the 2014 AGM in Banff and the 2015 AGM in Lake Louise.

Council previously approved holding the 2011 AGM in Jasper and the 2012 AGM in Banff.

CONTINGENCY PLAN

At the 2009 AGM, the membership requested that Council prepare a contingency plan in case post sales fall 25% below budget.

For the year ending April 30, 2010, post sales were 146,885, or 91.8% of budget. This represented a shortfall of \$52,460 in the Association’s finances.

The contingency plan identified a number of areas of potential cost savings and savings totaling \$55,796 were implemented.

WHEELER HOUSE

Council received a reply from Parks Canada concerning the Association’s request not to destroy Wheeler House in Banff. Wheeler House is named after A.O. Wheeler,

an original member of the Association in 1911.

Parks Canada has indicated that it is planning to dispose of the former residence. The poor condition of the house makes it unfit for human habitation and is a continuing public safety hazard.

Parks Canada has said that the memory of the building will not be lost but is planning to create an interpretative plaque that will keep its memory alive.

The Association has requested that it be a part of any consultations regarding such a plaque.

SHORT CUTS

The Practice Review Board forwarded, through Council, several seminar suggestions for the Professional Development Committee.

The Canadian Association of Petroleum Landmen sent a letter of congratulations to the ALSA concerning the 100th anniversary of the *Alberta Land Surveyors Act*. A letter has been sent to

CAPL suggesting a meeting to discuss issues or challenges that both organizations face.

The *Condominium Act* is being reviewed and the Government of Alberta has agreed to allow the Association to participate in any discussion concerning condominium boundaries.

Council discussed the surveyors’ copyright of plans and how such rights can be protected. Individual land surveyors may be contacted about joining a group to enforce the surveyors’ copyright but Council believes the Alberta Land Surveyors’ Association does not have a mandate to represent individual members in this instance.

IMPORTANT DATES TO REMEMBER

June 1 – *ALS News* Deadline

June 24 – Council Meeting

August 20 – Golf Tournament