The Council of the Alberta Land Surveyors’ Association met on October 3, 2019. Here is a summary of Council’s discussions.

From the Registrar
Council is pleased to welcome Fares Mattrwd as an associate member. Mr. Mattrwd works for the Alberta Energy Regulator and was nominated by Alberta Land Surveyors Reid Egger and Al Flim.

Council approved an application from Mark Theuerkauf, ALS to cancel Cleanline Geomatics Ltd. as a surveyor’s corporation.

Council approved Olsen North Land Surveying Ltd. as a surveyor’s corporation under the supervision, direction and control of Jeff Olsen, ALS.

Council approved the cancellation of the registration of Can-Am Geomatics Corp. as a surveyor’s corporation, effective upon the date of registration of West Geomatics Ltd. Council then approved West Geomatics Ltd. as being eligible to be registered as a surveyor’s corporation and being under the supervision, direction and control of Jason Attwood, ALS. West Geomatics Ltd. will use the permit number, P026, previously issued to Can-Am Geomatics Corp.

Council approved the reinstatement of a member to the register of retired members. The retired member’s annual dues had not been paid on time.

Adverse Possession
Council accepted the adverse possession position paper commissioned by the ALSA’s Future Committee and written by Dr. Brian Ballantyne.

Based on the report, the Alberta Land Surveyors’ Association wrote a letter to the Alberta Law Reform Institute who had published their own discussion paper on adverse possession.

The ALSA letter says, in part,

In summary, surveyors play an important role in preventing and identifying adverse possession. In 2003, the Alberta Law Reform Institute (ALRI) noted that “surveying is an expert science and it is not necessarily a simple matter to identify bounds” owing to legal descriptions and to fences not on boundaries. In 2019, ALRI noted that a claimant might rely on “advice given by a surveyor regarding the location of property boundaries.” In another jurisdiction, applicable in Alberta, “a survey often sheds light on a state of affairs which is not consistent with the extent of title … but with which neighbours have been naively content.”

Historically, adverse possession has been used as a mechanism for settling the boundary dispute. Recall that land title legislation guarantees title (with reservations and exceptions); it does not guarantee boundaries (i.e. the spatial extent of title).

The Alberta Land Surveyors’ Association supports, in principle, ALRI’s six recommendations, with the caveat that ALSA has not examined s. 69 of the Law of Property Act with the same rigor as it has examined adverse possession.

We recommend establishing a working relationship with ALRI so that ALSA researches the interplay between adverse possession and riparian rights (such analysis is sought by ALRI – para 31), particularly the potential for a parcel to get larger though accretion and smaller through erosion. In
particular, riparian boundaries only shift gradually and imperceptibly and that erosion/accretion is distinct from avulsion (para 28-31; 124-127).

See the ALSA paper - *Adverse Possession: Land Grab or Quieting of Title?*

**Manual of Standard Practice**

Council discussed the role of the Manual of Standard Practice and what type of information should and should not be included in the MSP.

In particular, Council discussed a concern that the Manual of Standard Practice may contain information that is duplicated in other documents (such as references to the Land Titles Procedures Manual). There was also discussion that the Manual of Standard Practice includes more than just survey standards and that changes to government policies and procedures could force the ALSA to change its own MSP because of references to product (as opposed to survey) standards.

Council tabled discussion on this matter until the next meeting. Members are encouraged to contact any Council member or the ALSA office with any thoughts or suggestions on this topic.

**Ethics and Professionalism**

Council approved a recommendation from the Director of Education to develop a seminar series that focuses on professionalism and the code of ethics.

The proposed framework is each seminar that is developed will directly relate to an item in the code of ethics.

Some seminars will include technical survey concepts but most will be focused entirely on ethics.

Whenever possible, examples, case studies, etc. will be drawn from ‘real world situations’ encountered by professional land surveyors working in private practice.

There will be a variety of seminar delivery methods used. These may include: face-to-face seminars, webinars, short videos, special *ALS News* articles, news bulletins, etc. Seminar formats will be determined based on content and will be designed to effectively communicate key seminar messages.

This is a long-term project. It is anticipated that the seminar series will take five years to complete. At the end of the first run the material can be updated and the series repeated from the beginning.

The goal is to hold two major sessions per year in addition to several webinars, etc.

Codes of ethics from other associations and professions will be reviewed and relevant items in other codes will be reviewed and incorporated.

Opportunities to incorporate seminar content into a comprehensive learning management system could be explored.

It was recommended that discussions about making the seminars mandatory should be held in the next few years.

**Year-End Finances**

Council approved the review engagement report as prepared by the Association’s accountant, Tom Gee of RSM.

For the year ending April 30, 2019, the accountant is reporting that the ALSA had a surplus of $267,470 – primarily due to the association’s investment return being $247,753 over budget.
The Association’s net assets were $3,887,585 up from $3,620,115 at the same time last year.

The Boundary Panel had a surplus $10,699 for the year offset by previous years’ deficits of $15,609.

The accountant did not express any concerns about the ALSA’s financial statements or position.

The entire review engagement report is on [ALSA website](https://www.alsa.org).

**Length of Project Reports**

The Registration Committee had recommended that the Pupil Handbook and the Qualifying Examination Procedures Manual be updated to allow for a maximum of nine pages for a resubmitted project report.

However, Council determined that project reports must be a maximum of eight pages regardless of whether it is a first submission or a resubmission. Council said that this keeps the playing field the same for everyone.

The length of project reports has slowly increased over the years but Council felt that eight pages was long enough for a pupil to be able to demonstrate their ability to communicate.

**P.Surv Trademark**

Professional Surveyors Canada has trademarked “P.Surv” in order to create an identifiable brand akin to P.Eng. In land surveying, there are eleven different professional designations.

PSC is expecting the trademark to be ready to roll out in the early part of 2020.

During this time, PSC has been working on a sub-licensing agreement to be used between PSC, who will own the trademark, and all of the land surveying associations across Canada in order to allow and manage the use of the term P.Surv.

PSC needs this agreement signed and in place prior to the roll-out of the trademark, as PSC needs to protect it and ensure that it will be for the exclusive use of professional licensed surveyors. The agreement has been drafted with the help of the PSC lawyer and the content must conform to their co-existence agreement with the SLSA.

The ALSA Council will respond to Professional Surveyors Canada that the ALSA will not sign a sub-license agreement. Individual land surveyors are members of Professional Surveyors Canada but not the Alberta Land Surveyors’ Association. It was Council’s opinion that, while there is benefit in a common land surveying designation across Canada, any agreement should be with the land surveyor and PSC and not the regulatory body and PSC. There is increasing scrutiny by government and the public to ensure there is a clear distinction between a regulatory body and an advocacy body.

**Plan Corrections**

Council authorized John Broderick, ALS to consent to the correction of plans 172 1564, 172 1565 and 162 4339 (Ross Metcalfe, ALS (Retired)) as per Section 92 of the *Land Titles Act*.

**National Syllabus**

The Canadian Board of Examiners for Professional Surveyors (CBEPS) is looking at updating its syllabus!

Council is looking for an Alberta Land Surveyor to volunteer to represent the ALSA on a CBEPS stakeholders committee that will be reviewing the syllabus.
Similar to the Pathway to Foreign Credentials Recognition project committee model - one representative from each land surveying association and from educational institution with an executive committee which worked very well, CBEPS is eager to use the same format to start looking at the syllabus and would like to add all the special examiners that currently set the CBEPS exams to the committee.

The committee would be called the Stakeholders Committee and would use a number of sub-committees composed of one land surveyor and one academia to look at each CBEPS subject on the syllabus to see what needs updating, what may be missing and what could be dropped if anything. The Stakeholders Committee would also look at what may be missing from the syllabus as a whole - for example project management maybe.

Once a report has been received for every subject, a plan of action can be developed and brought to the Stakeholders Committee for review and then submission to their respective associations. We expect the plan to include numerous consultations with associations, academia and industry.

There is a proposal with the federal government for funding that would cover this and CBEPS is still waiting for an answer. In the meantime, an update to the syllabus is becoming critical and therefore we need to get on with this.

CBEPS is calling for volunteers to:
1. Populate the Stakeholders Committee
2. Review and report on CBEPS subjects

All volunteers would participate in the development of an action plan.

If you are interested in volunteering, please email ALSA Executive Director Brian Munday.

Welcome Government
Council welcomed Scott Milligan, (Executive Director, Environment and Parks) and Ali Flim (Manager, Land Surveys Unit, Surveys Section, Environment and Parks) to the meeting.

Mr. Milligan reported that Alberta Environment & Parks is being through a restructuring but nothing has been finalized and no details are available.

Council learned that the ALSA working group with Alberta Environment & Parks and the Director of Surveys Office has been a great partnership and the discussions have been productive. The entire Surveys Act is being reviewed. Izaak deRijke’s report, the Governance and Leadership in the Land Surveying Profession, commissioned by the ALSA, has been the starting point for discussions of roles and responsibilities between the ALSA and the Director of Surveys Office in an updated Surveys Act. The act will also be updated to reflect new technologies.

The Assistant Deputy Minister of Environment & Parks reported that, upon conclusion of an investigation by the Director of Surveys, an error in survey may have been made at the E1/4 2-104-15-W5 and has appointed a board under Section 9(3) of the Surveys Act.

Council also received acknowledgement of a request for an investigation under Section 9(2) of the Surveys Act for an alleged error in survey in sections 1 and 2, 47-28-W4.

Short Cuts
Council appointed Tyler Robinson, ALS as vice-chair of the Registration Committee.
Council approved two housekeeping amendments to the bylaws. Part 1, Section 3.2 and Form B were amended to make the statements gender neutral.

The Registration Committee updated the Pupil Handbook, Jurisdictional Handbook and the Qualifying Exam Procedures Manual to make them gender neutral. The Registration Committee is continuing to look at its processes when it comes to diversity and inclusion.

Based on their recommendation, Council directed the Future Committee to explore preparing a paper on Smart cities – Where would land surveying fit? How would smart cities affect land surveying?

**NEXT COUNCIL MEETING DATE**
November 7, 2019

Council meetings are open to the membership. Certain portions of a Council meeting may be held in camera for confidentiality reasons.

If you are planning on attending a Council meeting, please notify the ALSA office to ensure there is adequate space.