The Council of the Alberta Land Surveyors’ Association met on December 5, 2019. Here is a summary of Council’s discussions.

From the Registrar
Council approved the cancellation of the registration of Explore Surveys Inc. as a surveyor’s corporation, effective upon the date of registration of Explore Geomatics Inc. Council then approved Explore Geomatics Inc. as being eligible to be registered as a surveyor’s corporation and being under the supervision, direction and control of Katie Hunter, ALS. Explore Geomatics Inc. will use the permit number, P242, previously issued to Explore Surveys Inc.

Council approved CJ Geomatics Ltd. as eligible to be registered as a surveyor’s corporation under the supervision, direction and control of Real Comeau, ALS.

Council approved MH Surveys as a trade name for Brian Ball, ALS.

Communicating with Council – and Making Council More Efficient
Council gave second and final reading to a policy to align committee and Council structure with the strategic plan to expedite decision making and maximize resources.

The most significant change to the way matters are dealt with now is that the number of face-to-face Council meetings will be reduced to five per year which is offset by a number of short online Council meetings throughout the year.

The proposed policy is:
• Council shall hold a series of meetings in early May after the AGM in order to orient new Council members, conduct an environmental scan to identify issues, set priority strategic objectives and action items, and establish committees and terms of reference for the upcoming year.
• Council shall ask for committee volunteers after the strategic plan has been set.
• Committee chairs shall participate in an online orientation session.
• Council shall schedule at least five face-to-face meetings each year (strategic planning in May, guest speakers [i.e.: Logan Wealth Management, Land Titles, ASSMT] in August, committee chair update in November, budget in January, Council nominees in March).

• Council shall schedule online meetings every 2-3 weeks at other times throughout the year. These online meetings would be limited to a strict maximum of one hour in length. Anything that is not dealt with at these meetings is deferred to the next meeting. All information items are in a separate file for Council members to review. Council members are expected to have read the information items and may ask questions of anything in the information items but Council members are not to present their information items. The agenda for these one-hour online meetings would be published only a day or two before the meeting.
• Statutory committees shall meet throughout the year and statutory committee members remain in their positions until Council otherwise directs.
• Non-statutory committees shall generally have their first meeting of the term in June and will continue to meet until the following February or March. Non-statutory committees will generally not meet in April and May.
• The president shall communicate the Association’s strategic plan through a webinar toward the end of
May and provide an update to the membership via another webinar in October (approximately six months after and six months before the annual general meeting).

- The ALSA shall hold formal regional meetings in Calgary, Edmonton and Grande Prairie and informal regional meetings in other centres in March to give the members an opportunity to learn more about the AGM recommendations, get an update on Council activities, and ask any other questions they might have.

The draft policy is the result of a new business motion at the 2019 AGM that the ALSA consider holding some meetings each year online. The policy is also part of Council's strategic objective to formally adopt and improve on the 2018 communications strategy with Council, committees and the membership.

Iron Post and Marker Post Price Increase Effective January 1, 2020
Effective January 1, 2020, the price for a bundle of ten iron posts will increase to $129.50 and the price for a kit of five marker posts will increase to $104.50.

The increase is due to an increase in the price that Russel Metals charges the ALSA for iron posts and marker posts.

There will be a further price increase on July 1, 2020.

As per the ALSA's agreement with the government (“the ministerial order”), the price the members pay for posts is the cost of the post plus a $4.00 mark-up for activities identified in the agreement, plus $2.50 for investigating boundary uncertainties plus the cost of freight and other incidentals.

Ministerial Order Reporting
Mr. Scott Milligan (Executive Director, Environment and Parks) asked for additional detail in the ministerial order reporting. He acknowledged that the biannual report meets the requirements of the ministerial order, provides an appropriate level of information, and the financial statements are done in accordance with generally accepted accounting principles.

Mr. Milligan said that it would be helpful for the ALSA to include information such as how many posts were sold, at what price, and at what mark-up. He also requested a further breakdown of Boundary Panel spending showing what was spent on items like research and investigation and defining what is included in “indirect Boundary Panel expenses.”

Council approved the additional reporting. It is also available on the ALSA website.

Plan Correction Appointment
Council authorized Jason Attwood, ALS to consent to the correction of plan 991 1614 (Blaine Benson, ALS (Retired)) as per Section 92 of the Land Titles Act.

2021 AGM in Calgary
The 2021 AGM will be held in Calgary in April. It will be a joint meeting with the Association of Canada Lands Surveyors and Professional Surveyors Canada.

Council reviewed a general outline of the event and a draft budget and directed administration to proceed.

Financial Transparency
Council directed the secretary-treasurer, with the assistance of administration, to develop a financial transparency policy.
While the ALSA has a privacy policy, it does not have a policy that provides guidance on what financial information is made publicly available and to what level of detail.

Welcome Committee Chairs
Council welcomed ALSA committee chairs to the meeting. The intent of inviting the committee chairs to attend the Council meeting is for the committee chairs to provide:

- a mid-term report on how they are doing with the terms of reference
- identify any additional supports needed by the committee
- identify any clarification on their terms of reference
- make any preliminary recommendations for change for next year

A Letter for Dormant Plans
Council approved a recommendation from the Practice Review Board that it send a letter to each of the five firms holding 73% of the dormant plans. The letter will address the following:

1. firm’s volume of dormant plans;
2. the obligation to complete the outstanding plans; and
3. request to provide a strategy and timeline to register the dormant plans.

Commercial/Industrial RPRs
Council removed “Review and recommend whether there should be separate standards for commercial/industrial RPRs” from the Standards Committee’s terms of reference.

The Standards Committee had advised that, rather than having separate standards for commercial/industrial real property reports, the practitioner would be better served by talking to their client to determine what the client requires and whether or not a real property report is the correct product for the work required.

Boundary Panel 2.0
Council approved a concept for a Boundary Panel 2.0.

In general, the Boundary Panel 2.0 process is very similar to what the Boundary Panel was doing before. However, potential cases will now be classified into three streams using established criteria and flowcharts.

Stream 1 cases are generally straightforward, the solution is obvious, and a simple plan correction will resolve all uncertainty.

Cases classified into Stream 2 are ‘typical’ cases involving a possible error(s) or a difference of opinion between two or more surveyors. These situations are more complex than cases classified into Stream 1 and a detailed initial investigation into the uncertainty and a Boundary Panel review of all possible solutions will be required.

Stream 3 is for cases that are going to be very difficult to resolve and where some ‘teeth’ may be required.

Lot Grading Certificates
Council referred a recommendation from the Standards Committee to develop draft standards for lot grading certificates back to the Standards Committee for additional work.

The Standards Committee indicated that there seems to be confusion on the part of both members and non-members regarding the preparation of lot grading certificates and, although these products do not fall under the exclusive scope of practice of Alberta Land Surveyors, adding standards
to the MSP can help to set the expectation for lot grading certificates across the board.

The intent is to provide clarity for both members and the public of what is to be expected from an Alberta Land Surveyor's lot grading certificate, helping to set the ALSA apart as leaders in both land surveying.

Council referred the term of reference back to the Standards Committee asking the committee to focus on vertical accuracies and horizontal accuracies and loops and place less emphasis on what is shown on the certificate itself.

**Welcome Government**

Council welcomed Scott Milligan, (Executive Director, Environment and Parks) and Ravi Shrivastava (Director of Surveys, Surveys Section, Environment and Parks) to the meeting.

**CAPP Geomatics**

Council agreed to write a letter to the Canadian Association of Petroleum Producers (CAPP) in support of them resurrecting their Geomatics Committee.

The professional survey community had representation on the CAPP Geomatics Committee whose purpose was to advise on all issues related to geomatics in the Oil and Gas industry. It was felt that professional surveyors have a legitimate and valuable place at the table despite not being members of CAPP. Due to inactivity, the committee was dissolved in 2016.

More recently, there appears to be some important issues and concerns transpiring where CAPP may need the advice of subject matter experts, particularly when it comes to the regulation of surveying, mapping, geomatics, spatial data and land tenure.

The Alberta Land Surveyors' Association would like to see the CAPP Geomatics Committee revived and ramp up these sorts of discussions in the new year.

Since CAPP represents the oil and gas industry nationwide, the ALSA will ask if its sister associations would also be interested in providing their support and representation.

**Adverse Possession**

At its last meeting, Council asked Dr. Brian Ballantyne to commission research into Alberta Land Surveyors' experience with Section 69 of the *Law of Property Act*, when retained either by the possessor/improver or by the true owner of the parcel in order to supplement the research done by the Alberta Law Reform Institute.

Based on Dr. Ballantyne's research, the Alberta Land Surveyors' Association will advise the Alberta Law Reform Institute that it supports its recommendation to clarify Section 69 of the *Law of Property Act* as an alternative to adverse possession but that Section 69 be further amended to allow for an easement as a remedy and to provide clarification within Section 69 when courts “craft a range of solutions” as the courts can be inconsistent.

The Alberta Land Surveyors' Association looks forward to continuing to work with the Alberta Law Reform Institute on this and other legal boundary questions.

**What Makes a Good Regulator?**

Council reviewed a recent newsletter article entitled “What makes a good regulator?”

The newsletter is called *Grey Areas* and it is a monthly commentary on legal issues.
affecting professional regulation. It is published by the law firm of Steinecke Maciura LeBlanc. Richard Steinecke will be a speaker at the 2020 AGM at River Cree.

Highlights included risk-based regulation, performance measures, complaints, governance, public expectations and oversight and transparency.

The United Conservative Party recently held its AGM and the following resolution was put forward for the UCP members to consider:

Professional governance should be mandatory with scope of, or shared scope of, practice when Public Safety, economy, Health, environment, personal finances, or education are involved or at risk of being involved. Structure and mechanisms of professional regulatory organizations should be clear and transparent to the public including members.

Mechanisms for registration, practice review, discipline and complaint processes should be clear to the public across differing professional organizations so as not to confuse the public in the protection of the public interest. Professional organizations should be grouped under legislative mechanisms so as to lower burden on the administration of professionals on the public finances.

Professional organizations should be scrutinized for protecting their own professions or their own organizational interests above that of the public interest. The cost of implications is low to none. The cost saving in Government resources is obtained by putting costs to Regulatory Organizations. The risk of not accepting this proposal is the continued unchecked and ambiguous self-regulation of professions to their own interests versus the public interest - this is the intended back-bone of self-regulation.

Time ran out at the AGM before the resolution could be brought to the floor and debated.

Short Cuts
Council removed “provide a recommendation and rationale to Council regarding what types of books and other printed materials should be included in the ALSA library and what type of books should not be in an ALSA library” from the Historical & Biographical Committee's terms of reference.

Council received a letter from a practitioner regarding the Director of Surveys Office call for members to sit on a potential Section 9 of the Surveys Act board.

NEXT COUNCIL MEETING DATE
January 30, 2020

At this meeting, Council will be discussing the first draft of the 2020-2021 budget.

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.