



# Minutes of the 82nd Annual Business Meeting

SATURDAY, APRIL 24, 2004—CHAIR: K.C. MCMARTIN, P.ENG.

The 82nd Annual Meeting, Professional Engineers Ontario, was held in Salon A/B of the Eaton Centre Marriott Hotel, Toronto, Ontario, on Saturday, April 24, 2004. The meeting was called to order by President K.C. McMartin, P.Eng.

Before declaring the business meeting open, the President thanked the Regional Councillors Committee for its work in organizing and hosting Friday's conference.

He advised the meeting that, early in January, Council had passed a motion recognizing the role of chapters as a vehicle to help PEO deliver its strategic objectives and the additional objects as prescribed in the *Professional Engineers Act*. Council instructed the Regional Councillors Committee to define clearly the roles and responsibilities of the chapters, based on the principle of the START (Chapter Structure and Revitalization Team) reports. These roles and responsibilities were determined on Friday at the Chapter Leaders Conference held in conjunction with this Annual General Meeting and will be presented to Council at its June meeting for approval.

The President reminded the members that the 2004 Order of Honour gala would be held later in the evening, at which time 10 exceptional individuals would be recognized for their significant lifetime contributions to the engineering profession in Ontario, principally through PEO.

## Introduction of Council

As the first order of business, the President introduced the members of the 2003-2004 Council.

The Executive Committee: Kenneth McMartin, P.Eng., President; George Comrie, P.Eng., President-elect; Robert Dunn, P.Eng., Vice President (elected); Allen Lucas, P.Eng., Vice President (appointed); Richard Braddock, P.Eng., Past President; Bruce Clarida, P.Eng., Northern Region Councillor; and David Sims, QC, Lieutenant Governor Appointee.

The remaining members of Council: Councillors-at-Large Monique Frize, P.Eng.

(absent), Denis Dixon, P.Eng., and Roydon Fraser, P.Eng.; Regional Councillors Bruce Clarida and Seimer Tsang, P.Eng. (Northern Region); Colin Cantlie, P.Eng., and Allen Lucas (Eastern Region); Daniela Iliescu, P.Eng., and Santosh Gupta, P.Eng. (East Central Region); David Adams, P.Eng., and Diane Freeman, P.Eng., (Western Region); and Colin Moore, P.Eng., and Phil Maka, P.Eng. (West Central Region). Lieutenant Governor-in-Council Appointees Michael Butt, P.Eng. (absent), James Dunsmuir, P.Eng., Peter Frise, P.Eng., Ravi Gupta, P.Eng., Nancy Hill, P.Eng., LLB, Gul Nawaz, FCA, Nicholas Monsour, P.Eng., Laurier Proulx, C.E.T., (absent), Catherine Redden, David Rees, David Sims, and Derek Wilson, P.Eng.

PEO's Directors to the Canadian Council of Professional Engineers (CCPE) for 2003-2004 are: Past President Richard Braddock, former PEO President Gordon Sterling, P.Eng., and President McMartin.

## Order of business

President McMartin said that there was a full business agenda. He then referred to the order of business for the meeting as outlined in Section 22 of *By-law No. 1* and in the agenda distributed at the meeting.

## In Memoriam

The President then asked all present to stand for a minute of silence to honour the members of the association who had passed away during the past year.

## Adoption of the Minutes

President McMartin referred the members to the Minutes of the 2003 meeting, which had been published in the January/February 2004 issue of *Engineering Dimensions* and distributed at the meeting. It was moved by P. Ballantyne, P.Eng., seconded by C. Roney, P.Eng., that the Minutes of the 2003 meeting, published in the January/February 2004 issue of *Engineering Dimensions* and distributed at this meeting, be adopted.

*Motion Carried*

## Greetings from Guests

Invitations to attend the Annual General Meeting had been extended to CCPE, PEO's counterparts in the other provinces and territories, the Ontario Society of Professional Engineers (OSPE), and other professional organizations. Throughout the meeting, the following representatives brought greetings from their respective associations/ordre and provided a brief update on important current issues in the engineering profession in their jurisdictions:

- Bill Gilmartin, P.Eng., President, Association of Professional Engineers and Geoscientists of British Columbia;
- Dennis Paddock, P.Eng., Executive Director, Association of Professional Engineers and Geoscientists of Saskatchewan;
- Allen Silk, P.Eng., President-elect, Association of Professional Engineers and Geoscientists of Manitoba;
- Gaetan Lefebvre, ing., President, Ordre des ingénieurs du Québec;
- Gervase White, P.Eng., President, Professional Engineers and Geoscientists Newfoundland and Labrador;
- Marie Lemay, ing., P.Eng., Chief Executive Officer, CCPE; and
- Danny Young, P.Eng., President and Chair, OSPE.

## Business arising from the Minutes

The President outlined actions taken by Council in response to the resolutions presented by members.

### Resolution No. 2

The resolution read: "That PEO should immediately withdraw its support of CCPE's proposal for new administrative provisions in the immigration regulations with respect to the assessment of credentials of foreign-trained engineers."

On September 27, 2003, CCPE's Board of Directors approved a motion that the educational assessment of international engineering graduates would be done only by the provincial and territorial licensing bodies. CCPE's role is to be a central point of

contact through its Engineering International Education Assessment program.

CCPE will cease performing educational assessments as soon as:

- all provinces and territories have made the necessary arrangements to perform the educational assessment for prospective immigrants, and
- operational and funding adjustments, and the roles of CCPE, its boards and committees, and the associations and ordre are defined.

A CCPE report, *From Consideration to Integration, Phase 2*, to be completed in May 2004, will outline a revised admissions model which, it is hoped, will better meet the needs of immigrants, CCPE constituent members, and CCPE itself.

#### **Resolution No. 4**

The resolution read: "That PEO should not accept any increase in CCPE fee assessment on PEO members, as a means to compensate CCPE for lost revenues on the International Assessment Program, until CCPE has clearly demonstrated to PEO that it has made significant expenditure curtailments in other areas and cannot make any further cuts without impacting on CCPE programs beneficial to PEO members."

Kim Allen, PEO's CEO and Registrar, prepared a paper (*An Approach for PEO to Support National Regulatory Services*), and distributed it for comment.

At present, CCPE and other constituent members are considering PEO's suggestions that:

- the assessment fee of CCPE constituent members (or CMs) be set so as not to exceed their proportion of the total spent by CCPE on regulatory activities;
- CCPE use the CMs' assessment fee revenue to fund only the regulatory programs desired by all constituent members;
- CMs have the option of remitting fees to CCPE according to their individual billing cycles from the fees received during a billing period;
- the Ontario Society of Professional Engineers obtain a seat on the CCPE Board to represent the non-regulatory interests of the profession; and
- CCPE's letters patent and by-laws be amended however necessary to effect the above.

A small task force of members of PEO's and CCPE's Executives was formed to discuss these issues, so that a resolution acceptable to all might be reached.

The President noted that there would be a little further discussion on the matter later in the meeting.

#### **Resolution No. 6**

The resolution read: "That no further PEO increase to CCPE Member Assessment be enacted without a members' approval and a referendum."

At this time, there are no plans for a referendum.

#### **Resolution No. 7**

The resolution read: "That PEO's representatives on CCPE's Board be elected by PEO members, through a procedure similar to the election of Councillor-at-Large, and that this commence and be concurrent with the elections to PEO Council, and that these PEO Directors of CCPE be given space in *The Link* and *Engineering Dimensions* to report at least three times a year to members."

The resolution was tabled until 2004, and will be discussed a little later in the meeting.

In the meantime, however, PEO has requested CCPE to provide updates on activities for continuing coverage in *Engineering Dimensions*. A standing item on Council agendas—a report by the CCPE directors or one of the directors—has been introduced.

A Member Survey will be conducted by PEO to provide a baseline measurement of the membership's awareness of the respective roles of PEO, CCPE and OSPE.

#### **Resolution No. 8**

The resolution read: "That a \$20 fee reduction will be implemented at such time as the term of funding to OSPE ends, and there is no further payment from PEO to OSPE."

Since 2001, PEO's reserve has been reduced from approximately \$9.6 million to \$5.4 million, as a result of increased program costs, such as implementation of the approved recommendations of the Admissions, Complaints, Discipline and Enforcement Task Force, increases in the number of applicants, a new licensing hearing process, and PEO's funding of OSPE.

Support for these new initiatives requires an increase in funding, since fee increases have not equaled the rise in expenditure.

Council also wants to rebuild its reserve to approximately \$10 million by 2007.

#### **Resolution No. 9**

The resolution read: "That PEO with OSPE develop a process by which the two organizations take a position on issues of public concern."

Issues of mutual concern are still being discussed jointly with OSPE through the Negotiating Team. The next step is the formation of an ongoing Joint Relations Committee. Terms of Reference for this committee have been drafted, and are to go to the respective Boards.

#### **Resolution No. 10**

The resolution read: "That in view of the legislative changes that have separated PEO's regulatory activities from advocacy activities, Council shall establish the appropriate definition of and roles for chapters in the Act, Regulation and By-laws, and that this motion be dealt with at the next Council meeting following this AGM, and that the report on the actions undertaken shall be made at the East Central Congress at the next congress meeting."

The following motion was passed at the 419th Meeting of Council:

"Be it resolved that:

"PEO Council shall officially recognize the role of the chapters of the Association of Professional Engineers of Ontario, as a vehicle of the association to deliver on the strategic objectives and to further the additional objects as prescribed in the *Professional Engineers Act*.

"PEO Council to ask the Regional Councillors Committee to clearly define the Roles and Responsibilities of PEO Chapters, based on the START principles."

The President noted that, in addition to this motion, a Chapter Leaders Conference had been held on Friday, during which the roles and responsibilities of the chapters were determined. These roles and responsibilities will be presented to Council at its June meeting for approval.

#### **Resolution No. 11**

The resolution read: "That PEO institute a single, toll-free telephone line with a single extension number assigned to each chapter, and that each chapter be able to call in to record a greeting and also be able to call in to retrieve voicemail messages."

PEO has upgraded its telephone switchboard, where needed, and included the ability to accommodate this request. Negotiations between PEO and its telephone service provider are under way to ensure that an affordable service can be delivered.

At the November Chapter Leaders Conference, a possible cost for budgeting purposes of \$25,000 was discussed, but viewed by the chapter leaders as too expensive. With the introduction of new Voice over Internet Protocol, a more affordable solution may be available in the future.

#### **Resolution No. 12**

The resolution read: "That PEO review the process for dealing with all motions to come before an Annual General Meeting."

A guideline for submission of AGM Resolutions was drafted by Vice President Bob Dunn, and presented to the August 12, 2003 Executive Committee meeting. It was also sent to Engineers Linseman and Knox (the original mover and seconder) for comment and input, as well as to Chapter Chairs. The draft was then discussed at the fall Regional Congresses and by the Regional Councillors Committee.

Since the draft is still being revised in light of comments received, no change to the procedures for submission of resolutions was implemented for this AGM.

The President concluded the business arising from last year's meeting by noting that members could monitor further progress on the resolutions by checking PEO's website, where updates are published periodically.

#### **Audited Financial Statements**

President McMartin drew members' attention to their registration package and the booklet *Questions and Answers on PEO Operations*. The booklet was compiled to address questions raised on all aspects of PEO operations. As a timely and thorough communication, it will be published on the website. Chapters can obtain additional copies by contacting their Regional Councillor.

The President then referred to the Audited Financial Statements, which appeared in the *2003 Annual Report* and had been distributed in the agenda for the AGM.

It was moved by Cliff Knox, P.Eng., seconded by John Turner, P.Eng., that the 2003 audited financial statements as presented be received.

*Motion Carried*

#### **Canadian Council of Professional Engineers**

Prior to introducing Marie Lemay, Chief Executive Officer of CCPE, the President referred to his report on the action taken on the resolutions from last year's AGM. Since September, PEO's Executive Committee had

been working to develop a framework to bring PEO and CCPE closer. At a special meeting, the Executive endorsed a report, prepared by the CEO of CCPE and PEO's CEO Kim Allen, which provides such a framework. The CCPE Executive recommended adoption of the report, which would be presented to the CCPE Board in May, and PEO Council in June. This is an important step for both organizations and, more importantly, for Professional Engineers Ontario and the profession.

#### **Appointment of auditors**

It was moved by Chris Roney, seconded by Len King, P.Eng., that the firm of Deloitte and Touche be appointed as auditors of the association for the 2004 financial year.

*Motion Carried*

#### **Keynote address**

President McMartin introduced David Zimmer, the Member of the Legislature for Willowdale, and Parliamentary Assistant to the Attorney General.

Mr. Zimmer said he had specifically been asked by Premier McGuinty and Attorney General Michael Bryant, who is the regulator of engineers, to bring their greetings to the meeting.

He congratulated professional engineers and recognized their immense contribution to the province and the world we live in, through industry, business, government and research. Public confidence in the profession is crucial and, as the regulatory body (under the *Professional Engineers Act*) overseeing the licensing and discipline of engineers, PEO ensures that public confidence is maintained. The association also shares the government's interest in and concern for public safety, health, the environment, and all other aspects of the province's communities.

Other points raised during Mr. Zimmer's address included:

- devolution of non-regulatory functions to the Ontario Society of Professional Engineers. Separation of the regulatory and non-regulatory functions strengthens the role of PEO and enhances its mandate, while providing engineers with a voice to promote their own individual, corporate and business interests;
- PEO's leadership role in eliminating barriers and helping foreign-trained engineering graduates integrate into the Ontario workplace. Changes to the *Professional Engineers Act* permit the

issuing of provisional licences to qualified licence applicants, providing a better opportunity for employment while completing the one-year Canadian work experience;

- PEO's contributions to the Ontario Regulators for Access Steering Committee, and its participation in the recently created Toronto Region Immigrant Employment Council;
- PEO's role in assisting the government in its infrastructure efforts. Public facilities that people depend on (hospitals, highways, water and sewage treatments, schools, universities, public transit systems) all demand high levels of public investment. Engineers have a real role to play in infrastructure renewal and in planning to accommodate a tremendous population influx. The government will welcome input from the engineering profession; and
- the Ministry of the Attorney General's and PEO's long and fruitful relationship, which will continue. The government wants to engage with the creative minds of engineers who have a pivotal role to play in helping the government rebuild the province.

Mr. Zimmer closed by commending PEO on its values and hard work, and stating that the government is keen to continue dialogue with PEO and to work with it in building a strong Ontario and giving all a chance to lead a really good life in Ontario.

#### **Resolutions and open discussion**

The President referred to the resolutions at each place, which had been submitted in writing in advance of the meeting by the deadline of 4:00 p.m., Friday, April 16, 2004.

Before the first motion was presented, President McMartin read the following statement:

*As noted in section 17 of By-law No. 1, which relates to the association's administrative affairs, PEO's Annual Meeting is held for the following purposes:*

1. to lay before members reports of the association's Council and committees;
2. to inform members of matters relating to the affairs of the association; and
3. to ascertain the views of the members present at the meeting on matters relating to the affairs of the association.

*Resolutions presented to the AGM serve as a vehicle for members, in attendance, to express*

their views on matters relating to the affairs of the association.

Members submitting resolutions to the AGM for consideration were requested to describe clearly the issues being addressed.

They were also asked to indicate how the motion advanced the objects of the Professional Engineers Act.

This Annual General Meeting provides a forum to assess whether the views of the motions are shared by those members present at the meeting.

All of the resolutions discussed at this AGM, and the outcome of the voting, are expected to be published in the July/August issue of Engineering Dimensions, and will be available on the PEO website within the next two weeks.

Members' resolutions passed at the AGM will be referred to PEO Council for consideration at a future meeting of Council. The mover and seconder of a member resolution that is passed at the 2004 AGM may be invited by Council to address their resolution in detail at a future Council meeting. The secretary to Council will contact those individuals to make the appropriate arrangements, if necessary. Council considers the issues raised at our Annual General Meeting to be very important, and will address the resolution passed in an expeditious manner.

In dealing with the resolutions at this AGM, I will give the mover and seconder of each resolution an opportunity to speak to their resolution.

I would ask that all speakers use one of the floor microphones and identify themselves prior to beginning their remarks. I will then invite discussion from the floor.

When I feel that the viewpoints on a resolution have been given a fair airing, I will call for a vote.

#### **Resolution No. 1**

Whereas members-at-large often feel disenfranchised when the various motions and resolutions passed by them at such forums as Regional Congresses, Chapter Leaders Conferences and especially at PEO Annual General Meetings are not implemented by the Council, and

Whereas even considerations of such motions and resolutions are at the Council discretion,

Therefore, it is moved:

That from now on, the motions and resolutions passed at Annual General Meetings should be binding on Council and implemented no later than one year from their passage, and

That for those motions and resolutions that have not been implemented within one year of their passage, the full reason should be given for failure to do so at least two months before the election of the new Council so that members-at-large may be able to take it into consideration before voting.

*(Moved by Nick Gurevich, P.Eng., seconded by Jeff Mark, P.Eng.)*

Prior to commenting on his motion, Mr. Gurevich congratulated the people responsible for the last edition of *Engineering Dimensions*, which was very comprehensive and informative. He said it seemed to anticipate all the questions members might have in mind, and gave concise and to-the-point answers.

During lengthy discussion, points raised, both for and against the resolution, included:

- The resolution is offered not in the spirit of confrontation but of cooperation, and is intended to unite the profession. It is intended to symbolically redistribute the power of Council slightly and to formalize the input of the membership.
- The resolution is a request for more communication between Council and the members on what is happening with resolutions, rather than what has happened to them.
- Whether or not it is legal for the AGM to make issues binding on Council, the spirit should be binding on Council. The more the membership is brought into the discussion and deliberations of Council, the stronger the association is.
- As presented, the resolution would make it mandatory for the association to abide by a resolution passed at the AGM. If the resolution has not been well considered in terms of implication and implementation, it could cause serious difficulties in the association's operation.
- This resolution seems to tie in with Resolution No. 12, from the 2003 AGM, that PEO review the processes for dealing with all resolutions coming before the Annual General Meeting.

It was then moved by Ray Linseman, P.Eng., seconded by Nick Colucci, P.Eng., that the resolution be tabled until Resolution No. 12 has been addressed by Council.

In response to a comment that Resolution No. 12 had not been dealt with, it was point-

ed out that a draft procedure had been developed and distributed to the Regional Congresses for comment prior to finalization.

*Upon a vote being called, the motion to table was defeated.*

Following further discussion, suggestions were made to amend the original wording, to which the mover agreed. The motion, as amended, then read:

Whereas members-at-large often feel disenfranchised when the various motions and resolutions passed by them at such forums as Regional Congresses, Chapter Leaders Conferences and especially at PEO Annual General Meetings are not implemented by Council, and

Whereas even considerations of such motions and resolutions are at Council discretion,

Therefore, it is moved:

That from now on, the motions and resolutions passed at Annual General Meetings should be binding on the Council for response and/or implementation no later than one year from their passage, and

That for those motions and resolutions that have not been responded to or implemented within one year of their passage, the full reason should be given for failure to do so at least two months before the election of the new Council so that members-at-large may be able to take it into consideration before voting.

*Upon a vote being called, the resolution as amended was carried.*

#### **Resolution No. 2**

The contamination of the Walkerton water supply was a result of unethical actions, and incorrect technical judgment that affected the safety of the public. The outcome of the resulting investigation was the implementation of legislative and regulatory requirements to ensure that safe drinking water is provided. With hindsight, PEO could have played a critical, more proactive role in the mitigation of, or even prevention of, this event.

The current situation with the stability of Ontario electrical supply is a situation that also affects the safety of the public. Without electricity in Ontario, summer and winter, the health and safety of the public will again be compromised and members of the Ontario public may die. The lack of proper technical evaluation, maintenance and testing, cost assessments, and political and corporate uncertainties have created a

situation in Ontario where we are desperately short of reliable and sustainable long-term electrical supply to meet the needs of the Ontario public.

The above are two examples of technical issues that can and have affected the health and safety of the public. PEO chapters and members want to see PEO take a more proactive role to identify and provide direction for practice to deal with these and future issues in a timely manner and before a situation becomes a crisis.

With this view, it is moved that:

PEO create one or more task forces to review and identify critical technical or engineering-based issues, policies, or practices that are, or may, affect the health, safety or well-being of the public, and

Prepare a formal briefing on such identified issues to form a basis to educate, promote and develop within the various levels of government, regulatory agencies and the public a feasible and timely policy or practice to address a situation that may adversely affect the health, safety or well-being of the Ontario public.

*(Moved by Paul Ballantyne, seconded by Ken Serdula, P.Eng.)*

Several members spoke in favour of the resolution. It was pointed out that, while PEO is proactive in its practice guidelines and enforcement process, many of its activities are reactive, such as the discipline process and preparation of reports regarding public protection in incidents such as Walkerton and the 407. PEO should become more proactive, and suggest issues that might be reviewed, including electrical power generation and conservation, highways, and waste management.

In response to a comment that the matter could fall within the jurisdiction of OSPE as well as PEO, Danny Young, President and Chair of OSPE, stated that OSPE would be quite prepared to work jointly with PEO.

Concern was expressed about the amount of human and monetary resources that would be required, and whether PEO possesses sufficient resources to execute such a serious and arduous task. In response, Mr. Ballantyne suggested that all the resources might not have to come from PEO. If PEO can identify the issues and educate the public that there is an issue, perhaps public funding might be available.

As a self-regulating association, a proactive role for PEO is important. Passage of the resolution and action on it by Council will enhance the image of the profession to all stakeholders.

*Upon a vote being called, the resolution carried.*

### **Resolution No. 3**

The Act says that the practice of professional engineering in Ontario can be carried out only by a holder of a licence, a temporary licence, a provisional licence, or a limited licence.

PEO has expended a great deal of effort trying to define what engineering or engineering work is. The words that resulted from this are "...application of engineering principles..." This does not clarify the understanding for even an engineer, let alone a member of the public.

Consider the following:

1. Without a clear understanding of what work should be done by an engineer, enforcement and the need for registration are poorly understood except in a few traditional areas;
2. Use of the term engineering by non-engineers;
3. The soft requirements for job applicants to be eligible for registration as a P.Eng. but not actually required to be registered;
4. Filling of these same jobs by non-engineering graduates;
5. The performing and application of engineering principles by non-registered individuals, including the use of prepackaged, computer-assisted, engineering design applications by untrained individuals.

These activities continued to erode the integrity and respect for the engineering profession.

The future of professional engineering in Ontario relies on a clear understanding of what work or activity requires the use of a P.Eng.

Therefore, to provide a basis for educating employers, non-members and the public and, eventually, as a tool in the enforcement of the *Professional Engineers Act* and advancement of the safety of the public,

It is moved that:

PEO prepare a guideline that *provides examples* of activities that must be performed by a professional engineer registered in Ontario, including a list of work covered by

existing acts and regulations (demand-side legislation) and where a P.Eng. seal is required for work affecting the safety of the public.

*(Moved by Paul Ballantyne, seconded by Ken Serdula)*

During lengthy discussion, points raised, both for and against the resolution, included:

- Professional engineering is the application of engineering principles. However, people other than engineers apply engineering principles (building inspectors, road superintendents, etc.). Without a clear definition of professional engineering, professional engineering's scope of practice will continue to erode;
- Technicians, technologists and scientists can assist P.Engs, but the role of P.Engs must be defined;
- PEO must define engineering in succinct, concise, relatively constraining terms, which would be the cornerstone of the division between engineering technology and professional engineering;
- The issue is both regulatory- and advocacy-oriented. OSPE has several members with problems in their fields. They are looking for definitions/regulations and have asked OSPE to advocate on their behalf;
- This first step on the regulatory side of having a clear framework and guidelines of what engineering is or isn't would be extremely helpful. OSPE would be willing to work with PEO on a task force;
- No one is happy with the present definition of professional engineering; some think it's too broad and far too open to interpretation; others argue that a specific definition would exclude things. As the profession develops and engineering changes over time, an overly constrictive definition would be difficult;
- The resolution isn't about redefining what is or is not the practice of engineering. It is to provide examples of activities that have been or must be performed by professional engineers. The list should be non-exclusive, so that PEO can expand it as new fields are developed;
- In investigating cases before the Enforcement and the Complaints committees, expert opinions are obtained as

to whether a particular activity is the practice of engineering. These cases could form a guideline database, which could be added to. The proposed guidelines would then be part of a communications package, providing a basis for educating employers, non-members, the public, and eventually used as a tool for enforcement. There would have to be a lot of discussion about the legal aspects of such a list;

- The Canadian Engineering Accreditation Board understands what an engineer is and what universities should teach engineering students. Perhaps it would be a starting point.

*Upon a vote being called, the resolution carried.*

#### **Resolution No. 4**

That Bill 124 regarding the changes to the Building Code be vehemently opposed by PEO and that PEO should do everything in its power to stop its implementation.

(The resolution was originally moved by Kevin J. Lockey, P.Eng. However, since he was absent, the President asked for a mover who was present. It was moved by a member, seconded by Chris Kan, P.Eng.)

Before opening the meeting to discussion, the President explained that PEO had opposed the bill. However, Bill 124, the *Building Code Statute Law Amendment Act*, and its Regulation 305/03, were proclaimed by the Government of Ontario in 2003. The qualification requirements will become effective July 1, 2005. The Ministry of Municipal Affairs and Housing has established exam centres across the province to allow practitioners the opportunity to meet these requirements.

Some of the points raised during lengthy discussion included the following:

- Engineers are responsible for protecting public health and safety. Under the changes to the Building Code, people with no engineering background or training can be certified (although not to do work that requires an engineer under the *Building Code Act*), and this will actually impact on the health and safety of the public;
- It is not in the best interest of engineers to design buildings or structures that will be endorsed by someone who has been certified by the Ontario Building Code Standards but who is not an engineer. This would be detrimental to the engineering profession;

- Since Bill 124 covers matters not being discussed at this meeting, the resolution should be more restrictive to deal specifically with what is being opposed, not the entire bill;

- As a possible amendment to the Building Code, the Chief Building Official should be either an engineer, an architect, or qualified in some technical manner. At present, the bill allows the Chief Building Official to have only one short course in the legal responsibilities in fulfilling the code and no technical competence;

- The bill represents a trend in government of replacing professional engineers with so-called qualified persons. It should be PEO's role to set the standards and qualifications for engineers involved in the building industry. In this case, the Ministry of Municipal Affairs and Housing is saying that it will set its own qualifications. PEO is becoming irrelevant;

- Concern was expressed about the high cost of mandatory liability insurance, which has increased 144 per cent since 2001 for some practitioners. With Bill 124 coming into effect, insurance costs could increase by 354 per cent over what was paid three years ago. As a result, many small engineering firms offering professional engineering services could fail, which would not be in the public interest;
- The previous government was pretty adamant in its policies. PEO attempted to work with it to make Bill 124 acceptable to engineers. Unfortunately, placating, negotiating and accommodating tactics were unsuccessful. The new government might be willing to take a second look at the bill, and now might be an appropriate time for PEO to take more positive actions, by preparing a rational response to the government, indicating serious concerns regarding the bill and regulations and how they impinge on public safety, which is PEO's regulatory role;

- A suggestion was made that perhaps individual PEO members should contact their MPPs to express their concerns.

Some changes and additions to the resolution were suggested, followed by a lengthy discussion as to whether the amend-

ments were appropriate and whether they could be accepted. Following a show of hands, the President ruled that he would accept the amendment and that the members would vote on the following motion:

That Bill 124 regarding changes to the *Ontario Building Code* be vehemently opposed by PEO and that PEO *and all members* should do everything in *their* power to stop its implementation *and that PEO seek amendments to Bill 124 (referring to Ontario Building Code) to allow professional engineers a better opportunity to serve the interests of the public*

*Upon a vote being called, the amended resolution carried.*

#### **Resolution No. 5**

President McMartin noted that the following resolution had been tabled from last year's AGM.

Be it Resolved:

That PEO's representatives on CCPE's Board be elected by PEO members, through a procedure similar to the election of Councillor-at-Large, and that all this commence and be concurrent with the next elections to PEO Council, and that these PEO Directors of CCPE be given space in *The Link* and *Engineering Dimensions* to report at least three times a year to members.

*(Moved by Michael Hogan, P.Eng., seconded by John Clayton, P.Eng.)*

Before opening the meeting to discussion, President McMartin outlined the following background.

The tabled resolution dealing with CCPE has two key points:

- that members directly elect the representatives to sit on CCPE, and
- that more frequent reporting occur on CCPE activities.

PEO has three seats on the CCPE Board. CCPE has requested that the Board members be appointed for three years; PEO Council appoints its representative to the CCPE Board on an annual basis.

The practice has been the appointment of the Past President, the Penultimate Past President, and the Past Penultimate Past President, providing the continuity desired by CCPE. It also provides someone who has knowledge of PEO operations and allows a sitting member of Council to report on CCPE activities. All of the Presidents have been directly elected by the membership, although not as a CCPE Board member.

Richard Braddock did an outstanding job of reporting on CCPE activities during the year; Gordon Sterling, President of CCPE, attended most Council meetings and provided Council with updates. The minutes of Council meetings are available on PEO's website; the highlights, often including salient CCPE activities, are published in *Engineering Dimensions*.

President McMartin has been appointed to the CCPE Board and will report to each Council meeting on CCPE activities.

CCPE and PEO have been working extremely hard to develop a mutually beneficial relationship. As leaders of the profession, what is best for the public interest and the profession is foremost.

John Clayton, the seconder, noted that the original motion had been unsatisfactory and was to be rewritten, in order to clarify certain issues. This had not been done, but the seconder was satisfied that the issues had been taken care of.

During discussion, the following points were raised:

- There is discontent in how the membership and CCPE interact and relate. This motion would permit members to express ideas at election time about where they see CCPE going. There would be an opportunity to put forward ideas of the members and keep them informed as to what are the debatable and leadership issues relating to CCPE;
- While directors may bring representations of members to CCPE, their role is really to do what is best for CCPE;
- The probable nomination process would be that candidates would be nominated in the same way as Councillors-at-Large;
- The ability of PEO to continue a constructive relationship with CCPE depends very much on cementing a personal relationship at the organizational leadership level between the two bodies. The way to make that work is to continue the current arrangement of having Council choose people with experience in PEO, to ensure continuity, and to make sure that the direction and management steps that PEO takes internally are in step with the things it is trying to do with CCPE;
- Council is far better equipped to choose the delegate than the member-at-large.

Past President Richard Braddock, a CCPE Director, referred to a paper written a couple of years before, which had exploded the myth that there is a conflict of interest between provincial representation on the Board, and being a member of the Board of Directors.

He also said that Council had taken steps not to appoint people for a three-year period, but to reaffirm appointments on a year-by-year basis. Council is not bound by any previous protocol of appointing Past Presidents or Penultimate Past Presidents, but can appoint anyone it chooses. Also, Council passed a resolution to the effect that any representative on the CCPE Board from Ontario who did not accurately represent Council's views would be subject to recall.

The membership should make known to PEO what they expect, in order that there can be a fruitful dialogue between CCPE and PEO. There have been some structural problems that still must be overcome, but the present Council is aware of them and is doing its best to overcome them. There is more dialogue now between the two organizations than there has ever been, and he was looking forward to taking a bigger role in the affairs of CCPE.

*Upon a vote being called, the resolution was defeated.*

## President's Report

Due to time constraints, President McMartin explained that he would not give the formal address that he had planned. However, by reading his President's Messages in *Engineering Dimensions*, from this past year, members would be provided a brief outline of some of the achievements of PEO during his term of office.

The President said that it had been a very interesting journey for him. It had had its ups and downs, and its triumphs and tragedies. Perhaps if he had had a crystal ball and had the ability to look into the future, he might not have let his name stand for office. However, he would not have given up the opportunity for the world, and it had been a wonderful experience.

During the past two years, he said his family had gone through a number of personal, financial and health issues but, as the saying goes, adversity makes one stronger and builds character, to which he would certainly attest. Members who do not think

the profession is properly managed should walk in the President's shoes and meet the dedicated engineers across the country. Although some members may not agree with the decisions, or lack of decisions, made, these engineers, mostly volunteers, work for the profession to make it stronger, more inclusive and more relevant.

President McMartin said that as part of his duties, he had attended many provincial annual meetings. These visits are very important because they build personal friendships that remain for a lifetime, but they also build association friendships and understanding.

In closing, he expressed his personal thanks for all the support he had received from so many individuals:

- his family—his wife Liz, who had supported him from the start when he first joined the Ottawa Chapter, their son Kyle, and their two daughters Shawna and Kelsey;
- the excellent and dedicated staff at PEO;
- the Council—a dedicated group of individuals, each of whom brought a unique viewpoint to meetings; it had been an honour and privilege to work with them;
- the members, for their overwhelming support;
- Carleton University, for allowing a staff member to pursue the position of President of PEO; the support had come from the president, the dean, and several department chairs. Carleton had allowed President McMartin to spend a third of the year carrying out PEO activities, which ranged from Council meetings, committee meetings, representing PEO at other associations, at CCPE, and other invited functions.

## Presentation to outgoing Councillors

In recognition of their past service, President McMartin presented certificates and desk plaques to retiring members of Council: Richard Braddock, Robert Dunn, Gul Nawaz, David Adams and Colin Cantlie. Monique Frize was also retiring, but was unable to be present.

## Installation of the new President

President McMartin called upon David Zimmer, Parliamentary Assistant to the

Attorney General, who swore in George Comrie as President for the 2004-2005 term, and presented the gavel of office to him.

### Introduction of the 2004-2005 Council

Members continuing on the 2004-2005 Council are:

President George Comrie, and Past President Kenneth McMartin. Appointed Councillors: James Dunsmuir, Peter Frise, Ravi Gupta, Nancy Hill, Nicholas Monsour, Laurier Proulx, Catherine Redden, David Rees, David Sims and Derek Wilson. Councillors-at-Large: Bruce Clarida, Denis Dixon and Roydon Fraser. Regional Councillors: Allen Lucas, Eastern Region; Daniela Iliescu and Santosh Gupta, East Central Region; Phil Maka and Colin Moore, West Central Region; Dianne Freeman, Western Region; and Seimer Tsang, Northern Region.

New members of the 2004-2005 Council were introduced: President-elect Robert Goodings, P.Eng., Vice President Kenneth Lopez, P.Eng., Eastern Region Councillor Cliff Knox, P.Eng., Western Region Councillor John Vieth, P.Eng., and Northern Region Councillor David Robinson, P.Eng.

### Closing Remarks

President Comrie presented Mr. McMartin with a ceremonial gavel of office, a certificate of lifetime membership, a sculpture and a name badge as Past President.

He concluded the meeting by thanking the Past President, on behalf of the association, for his service during the past year and for a job well done. Due to the timing for lunch, he deferred his closing remarks until sometime later. He reminded Council that there would be a short meeting at 3:00 p.m., and invited members to attend if they so wished. The Awards Ceremony would take place in the evening and he hoped to see the members then.

### Adjournment

The 82nd Annual General Meeting adjourned at 12:42 p.m.

*Kim Allen, P.Eng.,  
CEO and Registrar*