

Present

Paul Hubley, Chair
Scott McLean
Mark Goldie
John Ryder
Marco Simone
David Good
David Leng
Pizye Nankamba
Melanie Siewert
Robert Hearst
Patricia Lorenz
Kristina Small
Roger Woeller
Joanne Di Caro
Mary-Anne Hildebrandt
Siri Genik
Claire Milloy
Leon Burger

Regrets:

Laura Katz
John Ryder
Paul Connor

Staff

Tony Andrews, CEO
Aftab Khan, Registrar
Eilidh Lewis, Assistant Registrar
Marilen Miguel, Stakeholder Relations

By Invitation

Jonathan Rose
Ryan Cole
Ian Macdonald
Roger Phillips
Joanna Eyquem

1. CALL TO ORDER

The President called the virtual meeting to order at 9:02 a.m.

2. WELCOME AND ACKNOWLEDGEMENT

The Chair acknowledged and thanked everyone for their online participation. He also welcomed and acknowledged new appointed members of Council.

Approval of mid-term appointees to Council

The Chair presented the slate of nominees put forward by the Governance Committee for Council's mid-term vacancies. The nominations were made as per PGO's by-law on mid-term appointments. The nominees are Leon Burger and Laura Katz.

Motion 141 – 1: Melanie Siewert moved to approve the mid-term appointments of Leon Burger as Councillor-at-Large and Laura Katz as North East Regional Councillor. Seconded by Robert Hearst. Motion carried.

3. SAFETY MINUTE

- Siri Genik shared that with students being back to school, everyone should be more mindful of traffic rules involving school buses. Make sure to observe the school bus stop sign when children are getting off the school bus.
- Scott McLean shared about a helicopter incident that took place in Nunavut, which resulted in one fatality. He underscored the importance of proper training on the use of such aircraft as part of health and safety training.

4. CONFLICT OF INTEREST DECLARATION

None

5. APPROVAL OF AGENDA

The Council reviewed the agenda.

Motion 141 - 2: Siri Genik moved to accept the agenda as presented. Seconded by Melanie Siewert. Carried.

6. ATTENDANCE RECORD

The attendance record was noted.

7. MINUTES FROM May 21, 2021 MEETING

Council reviewed the minutes from May 21, 2021 meeting. A typo was noted on Robert Hearst's last name. No further edits were made.

Motion 141 – 3: Scott McLean moved to accept the minutes as amended. Seconded by Kristina Small. Carried.

8. MATTERS ARISING FROM May 21, 2021 MINUTES and Outstanding Items from March Council Meeting

Action item 139 – 4: Registration Committee to look at the “regulation of technologists” issue and provide recommendations to Council. **Ian Macdonald reported on behalf of John Ryder. Done.**

Action item 139 – 5: John Ryder will look at Categories 2 & 3 (Regulation of Academics) and will report back to Council. **Ian Macdonald reported on behalf of John Ryder. Done.**

Action item 140 – 1: Roger Phillips will report back to Council table on recommendations around documentation of activities to advance PGO’s legislative amendments to PGA 2000. **Done as outlined in the CEO report.**

Action item 140 – 2: Tony Andrews to assess PGO’s potential IT risks and will report back to Council on recommendations. **Done.**

Action item 140 – 3: To help Councillors keep track of polls and surveys they need to complete, Tony Andrews and Scott McLean, with staff support, will compile the list with brief description and deadline date for each item. **Done.**

9. REVIEW OF July 29, 2021 SPECIAL COUNCIL MEETING

- a) Council reviewed the minutes from July 29, 2021 special meeting. Correction made on list of attendees - Mark Goldie was not present at the meeting. Tammy Middleton was added as an attendee by invitation.

Motion 141 – 4: Roger Woeller moved to accept the minutes as amended. Seconded by Marco Simone. Carried.

- b) Matters arising from July 29, 2021 Special Meeting

Action item 1: Create a matrix for Council’s composition reflecting the diversity of PGO registrants and the public it serves. **Ongoing in collaboration with the D&I Committee.**

Action item 2: Governance Committee to develop the appointment process for mid-term vacancies as per Council’s motion. **Ongoing.**

Action item 3: The criminal record checks will be revisited at Council’s September 16th meeting. **Done.** Any action item(s) on this topic generated from today’s meeting will be listed as a new action item(s).

10. POLICY CONCEPTS

- Jonathan Rose and Ryan Cole provided a high-level overview on current political landscape at Queen’s Park.

- While legislation option is currently off the table, PGO is continuing to meet with political staff of the Ministry of Northern Development, Mines, Natural Resources and Forestry (MNDMNRF). PGO has also been meeting with the Ministry of Environment and Conservation Parks (MECP), pairing the issue of Qualified Persons with the issue of illegal practice in the environmental sphere. The meeting with MECP, along with the response letter sent by PGO, generated multiple discussions with MNDMNRF.

11. CEO REPORT

Tony Andrews, CEO, provided a summary of ongoing work in the following areas:

1. Administration and Operations

- Upgrading registrant database functionality – almost completed
- Registrant Directory – remains on to-do-list
- SaaS Online Work Experience Assessment Tool – no update
- Examining-Testing our Cyber-Security – work is ongoing to retain an IT professional to conduct the penetration test
- Redesigning Field Notes – a task group is being formed to work on this initiative
- Exploring Options for Office Space – ongoing
- Interim Staff Performance Assessments - completed
- Annual General Meeting – Executive Committee made some recommendations to improve the AGM
- Managing the Volunteer Process – Paul Hubley will report on this item
- Self-Assessment on Governance and Regulatory Procedures – Governance Committee will report on this item
- PGO Symposium 2022 – organizing committee is looking for a new chair

2. Issues and Initiatives

Government

- MNDMNRF – PGA 2000 Amendments
As reported by Policy Concepts
- Ministry of Environment and Conservation Parks (MECP)
 - ✓ Record of Site Condition (RSC) Guidance on Exemptions for Water Sampling
 - ✓ Introduction of PGO to Minister's Office (MO) executive staff
 - ✓ Climate Change Assessment

Other

- Accommodating Incidental Practice – Assistant Registrar, Eilidh Lewis to report more on this
- Appropriate Use of Geoscience QPs – an action plan is being developed to address this issue
- Meeting with the Institute of Public Administration of Canada (IPAC)
- University of British Columbia (UBC) Initiative on Geoscience Faculty and SROs – PGO will be participating in the survey that will be conducted by UBC

- Orientation Session for New Council Members
- Continuing Education for Council & Committees through access to conferences and online resources such as, but not limited to:
 - ✓ Canadian Network of Agencies of Regulation (CNAR) 2022 Conference
 - ✓ Grey Areas – online newsletter

11. REGISTRAR'S REPORT

Aftab Khan, Registrar, provided update on PGO's registration and other key activities

- A number of statistics that include, but not limited to, registration as of September 2021.

Registrant Categories	Sep 2020	Sep 2021
Full P.Ge.	2245	2340
Limited P.Ge.	77	80
Non-Practising P.Ge.	195	224
Geoscientists-in-Training	557	575
TOTAL	3074	3219
Students	427	382
Certificate of Authorization	213	220

- After five consecutive years of no appeal, PGO has received an appeal on registration decision.
- One new complaint came in this September.
- Engagement & Risk Assessment (E & RA) Files to date.
 - Total number of non-registered geoscientists who became P.Ge.'s as of September 2021 is 33.
 - Total active files subject to enforcement and compliance to date is 351.
 - 145 individuals who are practicing without registration are deemed as high risk as per the Registrar's Engagement & Risk Assessment Matrix.
- Other activities
 - Attended online meetings of Professional Practice Exam Committee (PPEC) on June 9, June 23, July 14, August 12 and September 8, 2021.
 - Attended the Canadian Geoscience Standards Council meeting on June 3, 2021.

12. COMMITTEE REPORTS

Executive Committee Report – Update by Paul Hubley, Chair

- A fulsome report will be provided by the Chair in November Council meeting.

Audit Committee (AC) – No update at this time.

Finance Committee (FC) – Update provided by Marco Simone, Chair

- Marco Simone reported that PGO's balance sheet shows a strong cash position. Most of the funds are allotted to the Contingency Fund. Funds that are invested are placed on low-risk investments.
- PGO's income statement shows a decrease in office-related expenses due to continuing work-at-home situation. He also noted that IT projects are under-budget to date.
- Overall, everything is consistent from year to year.

Registration Committee – Update provided by Ian Macdonald on behalf of Chair, John Ryder

- Ian Macdonald indicated that the Registration Committee reviewed the issue on regulating geoscience technologists in Ontario. The province already has an existing self-governing body responsible for this profession – the Ontario Association of Certified Engineering Technicians and Technologists (OACETT).
- Ian Macdonald also provided an update on the issue of regulating academics. He noted that professors getting grants to conduct geoscience research potentially blurs the line between what constitute geoscience practice and what is not. He also noted that the "medium risk" category is an area that requires further study.

Complaints Committee – Written report provided by Doug Cater, Chair

Highlights from the report:

- The Complaints Committee is currently dealing with one active case. It is following through with the review panel's recommendation to hire an investigator.
- As of September 2021, the Complaints Committee needs one more elected councillor and one non-registrant councillor to meet its minimum requirements for committee composition.

Discipline Committee – Written report provided by Tammy Middleton, Chair

Highlights from the report:

- The Discipline Committee is currently dealing with one active case with the hearing scheduled this month of September.
- As of September 2021, the Discipline Committee needs one more elected councillor and one more non-registrant councillor to meet its minimum requirements for committee composition.

- The committee is currently reviewing its Terms of Reference (ToR).

Enforcement and Compliance Committee (E&C) – Update by Roger Woeller, Chair

- Roger Woeller reported that the committee will be working with the Registrar to refine the E&C process.
- Roger Woeller also pointed out the importance of integrating succession planning to ensure that the committee is a sustainable entity.

Governance Committee – Update by Melanie Siewert, Joanne Di Caro and Paul Hubley on behalf of Paul Connor, Chair

- The Governance Committee identified the need to establish a nominations committee and as such put forward a motion to Council.

Motion 141 – 5: Robert Hearst moved to set up a nominations committee as a sub-committee of the Governance Committee. Seconded by Siri Genik. Carried.

- The Governance Committee also put forward a recommendation to adopt a criminal background check process for future applicants to Council and PGO's statutory committees and as such presented a motion to Council.

Motion: Recommendation to Council that criminal background checks be completed for all future applicants to council and statutory committees.

- Council discussed a number of potential issues related to implementing background checks such as potential exclusion of individuals who might otherwise have been qualified if not for historical blemishes that may not have anything to do with carrying out a volunteer role at PGO. There is also a concern about how background checks are conducted in each region of Ontario.
- It was proposed that background checks be conducted on a case-by-case review process approach taking into consideration two factors:
 - 1.) age of the offense
 - 2.) severity of the offense
- It was proposed that the motion presented by the Governance Committee be amended to include the development of a policy to improve the proposed background check process.

Motion 141 – 6: Scott McLean moved that Council develop a policy to improve the criminal background check process prior to implementing the background check for all future applicants to Council and statutory committees. Seconded by Marco Simone. Carried.

Action item 141 – 1: Governance Committee to develop a policy to improve the criminal background check process.

- As part of PGO's internal review prior to the 3rd party audit of PGO, the Governance Committee proposed that a risk registry be assigned to PGO's Audit Committee and as such presented a motion to Council.

Motion 141 – 7: Melanie Siewert moved to assign completion of the risk registry to the Audit Committee. Seconded by Joanne Di Caro. Carried.

- Melanie Siewert presented on the status of PGO's Governance and Regulatory Review. She went over the workplan and highlighted the activities that have been completed to date. Next steps include the development of Terms of Reference (ToR) and Request for Proposal (RFP) for the 3rd party review slated to be completed this Fall.

Motion 141 – 8: Melanie Siewert moved that PGO Staff & Governance Committee initiate the process to contract third party consultant for voluntary, third party, independent governance and regulatory review based on the preliminary TOR presented to Council. Seconded by Scott McLean. Carried.

- The Governance Committee also tabled a set of proposed actions that came out of the internal self assessment of PGO's governance and its regulatory performance. These proposed actions will be assigned to committees and staff and will include a timeline for completion.

Motion 141 – 9: Melanie Siewert moved that *follow up actions identified through the internal self assessment governance and regulatory review process be assigned to committees and staff; the priority for each action and a timeline for completion will be identified for each.*

PGO Conference Planning Committee (CPC) – No update at this time.

Communications Subcommittee – Update provided by Paul Hubley

- Zen Keizars stepped down as Chair. Paul Hubley took on the role as Interim Chair. He is actively looking for volunteer to take on the role of Chair.

PGA Amendments Ad hoc Committee – Update by Roger Phillips, Chair

- Roger Phillips provided a progress report on PGO's effort to modernize the Professional Geoscientists Act (PGA), 2000. He showed Council a historical overview of PGO's activities to push for legislative amendments and the plan for next steps.
- As it stands, MNDMNR is recommending that PGO explores non-legislative approaches to address illegal practice. Given this scenario, Roger Phillips pointed out that there is potential for the ad hoc committee duplicating the work of Enforcement and Compliance

Committee. As such, he is seeking Council's decision on whether or not the PGO Amendments Ad Hoc Committee should continue.

- Council indicated that the ad hoc committee maintains its status quo until its objectives have been achieved and proposed that Roger Phillips continues as its chair. Roger Phillips agreed to continue with the role.

Professional Practice Committee (PPC) – Update provided by Paul Hubley, Chair

- Roger Phillips agreed to take on the role of Chair of the PPC.

Environmental Geoscience (EG) Subcommittee – Written provided by Simon Gautrey, Chair.

Highlights from the report:

- Work on the guideline “Exercising Professional Judgement when Seeking Exemption from Sampling Ground Water at Record of Site Condition Properties” is nearing completion. This document was developed at the request of MECP to help professionals when making decision on whether or not their site meets the requirements to be exempt from groundwater sampling. The following were acknowledged for their contribution to the development of guidance document:
 - ✓ Walter Bailey (lead)
 - ✓ Karen Greer
 - ✓ Simon Gautrey
 - ✓ Paul Hubley
 - ✓ Doug Ritchey
- The EG subcommittee identified action items to address the issue of QPs in geoscience highlighting the use of collaborative framework in implementing the action plan.

Geology Subcommittee – No update at this time.

Geomorphology Subcommittee – No update at this time.

Geophysics Subcommittee – No update at this time.

Diversity and Inclusion (D&I) Ad hoc Committee – update by Mary-Anne Hildebrandt, Chair

- Mary-Anne Hildebrandt reported that D&I online training was made available to all staff and volunteers this summer. 45% of volunteers took part in the training.
- Outcome from the D&I survey will be shared in the November Council meeting.
- Mary-Anne Hildebrandt proposed that the D&I Ad hoc Committee be made into a standing committee. A terms of reference document was included in the package for Council's review.

Motion 141 – 10: Melanie Siewert moved that the D&I Ad hoc Committee be made into a standing committee of PGO. Seconded by Siri Genik. Carried.

Sustainability and Climate Change Risk Ad hoc Committee – Update by Joanna Eyquem, Chair

- Joanna Eyquem reported that the Sustainability and Climate Change Ad hoc committee recently participated in the Provincial Climate Change Impact Assessment – Business and Economy.
- The committee welcomed three new members.
- Joanna Eyquem proposed that the Sustainability and Climate Change Risk Ad hoc Committee be made into a standing committee separate from the Professional Practice Committee.

Action item 141 – 2: Joanna Eyquem to present to Council the terms of reference for the proposed Sustainability and Climate Change Risk Standing Committee.

Past Presidents’ Advisory Group – No update at this time.

Geoscientists Canada (GC) – No update at this time.

13. REGIONAL COUNCILLORS AND COUNCILLOR-AT-LARGE REPORTS

University Outreach

- Marilen Miguel provided an update on the University Outreach, which takes place in the Fall. She had connected with contacts at Ontario universities to firm up the schedule for the outreach.
- The regional councillors and Assistant Registrar, Eilidh Lewis, are co-leading the delivery of PGO Registration Information Session at each university. Outreach is currently being done virtually for the months of October and November. Carleton University opted to have the information session done in January 2022.
- In addition to the registration information session, PGO also provides GC’s *Qualified Person (QP) Short Course for Students: Your Career in Public Reporting* with David Leng as the PGO’s presenter. Based on the feedback received from Geoscientists Canada, PGO has been leading the pack in following through with its commitment to provide this course to geoscience students in Ontario.

Networking Event

- To date, only one networking event was held online. The event was jointly hosted by Tafa Gomwe (North East) and Pizye Nankamba (North West) in March 2021.
- A concern was raised that there are too many online CPD events taking place across the sector that registrants might be experiencing online fatigue. While there was an agreement that networking should continue to be part of PGO’s CPD programming, it was noted that it is more effective when done face-to-face.

14. BUSINESS

Procedure for Managing New Volunteers

- Paul Hubley presented on the process of volunteer management at PGO. This area will be the responsibility of incumbent Vice President and supported by PGO's Director of Stakeholder Relations (DSR).
- The volunteer process document circulated to Council members is a living document and will be updated as needed.

Incidental Practice

- Tony Andrews and Eilidh Lewis presented on the proposed incidental practise for those registered in other Canadian provinces.
- The goal for this proposal is to reduce illegal practice in Ontario by implementing a new incidental practise category of temporary registration. As well, it aims to encourage SROs over time to adopt the same program, thus potentially reducing illegal practice across Canada.
- The incidental practice program will be implemented as per the current guidelines of the Registration Regulation 324/16.
- Eilidh also reported on how the new program will be rolled out, how it will be administered and the recommended pricing schedule.
- A question was raised on whether or not the by-law concerning the fee schedule will need to be amended to reflect the proposed fee schedule for the incidental practice.

Action item 141 – 3: Tony Andrews will check with Richard Steinecke if a by-law amendment is required for adjusting the fees associated with the implementation of incidental practise program.

Motion 141 – 11: Roger Woeller moved that PGO staff, in cooperation with the Registration Committee, adjust the fees associated with the Temporary Membership category, to facilitate incidental practice in Ontario for professional geoscientists licensed in other jurisdictions. Seconded by Mary-Anne Hildebrandt. Carried.

15. OTHER BUSINESS

None.

16. IN-CAMERA SESSION

Council went for in-camera session at 1:03 p.m.

18. ADJOURNMENT

Motion 141 – 12: Roger Woeller moved to adjourn the meeting.

Meeting was adjourned at 1:12 p.m.

A handwritten signature in blue ink, appearing to read 'Roger Woeller', with a large, sweeping flourish at the end.

President

Summary of Motions and Action Items

MOTIONS

Motion 141 – 1: Melanie Siewert moved to approve the mid-term appointments of Leon Burger as Councillor-at-Large and Laura Katz as North East Regional Councillor. Seconded by Robert Hearst. Motion carried.

Motion 141 - 2: Siri Genik moved to accept the agenda as presented. Seconded by Melanie Siewert. Carried.

Motion 141 – 3: Scott McLean moved to accept the minutes as amended. Seconded by Kristina Small. Carried.

Motion 141 – 4: Roger Woeller moved to accept the minutes as amended. Seconded by Marco Simone. Carried.

Motion 141 – 5: Robert Hearst moved to set up a nominations committee as a sub-committee of the Governance Committee. Seconded by Siri Genik. Carried.

Motion 141 – 6: Scott McLean moved that Council develop a policy to improve the criminal background check process prior to implementing the background check for all future applicants to Council and statutory committees. Seconded by Marco Simone. Carried.

Motion 141 – 7: Melanie Siewert moved to assign completion of the risk registry to the Audit Committee. Seconded by Joanne Di Caro. Carried.

Motion 141 – 8: Melanie Siewert moved that PGO Staff & Governance Committee initiate the process to contract third party consultant for voluntary, third party, independent governance and regulatory review based on the preliminary TOR presented to Council. Seconded by Scott McLean. Carried.

Motion 141 – 9: Melanie Siewert moved that *follow up actions* identified through the internal self assessment governance and regulatory review process be assigned to committees and staff; the priority for each action and a timeline for completion will be identified for each.

Motion 141 – 10: Melanie Siewert moved that the D&I Ad hoc Committee be made into a standing committee of PGO. Seconded by Siri Genik. Carried.

Motion 141 – 11: Roger Woeller moved that PGO staff, in cooperation with the Registration Committee, adjust the fees associated with the Temporary Membership category, to facilitate incidental practice in Ontario for professional geoscientists licensed in other jurisdictions.

Seconded by Mary-Anne Hildebrandt. Carried.

Motion 141 – 12: Roger Woeller moved to adjourn the meeting.

ACTION ITEMS

Action item 141 – 1: Governance Committee to develop a policy to improve the criminal background check process.

Action item 141 – 2: Joanna Eyquem to present to Council the terms of reference for the proposed Sustainability and Climate Change Risk standing Committee.

Action item 141 – 3: Tony Andrews will check with Richard Steinecke if a by-law amendment is required for adjusting the fees associated with the implementation of incidental practise program.