



COUNCIL MEETING **MINUTES**

June 1, 2021
9:00 a.m.- 12:00 p.m. (EST)
Zoom Video Conference

Present: Denis Gagnon, R.P.F., President
Chris McDonell, R.P.F., Vice-President
David Goldsmith, Public Councillor
Sally Krigstin, Public Councillor
Peter Street, R.P.F., Past-President-left at item 2k.
Waseem Ashiq, R.P.F.
Scot Rubin, R.P.F.
Neil McLean, R.P.F.
Larry McDermott, Public Councillor-joined at item 2f.
Gordon King, R.P.F.
Sarah Todgham, R.P.F.
Douglas Reynolds, Public Councillor

Fred Pinto, R.P.F., Executive Director and Registrar
Louise Simpson, Registration Manager
Priscilla Doyle, Office, and Registration Coordinator

Regrets: Carol Walker, R.P.F.

Absent: Daniela Corapi, Public Councillor

1. Call to Order- D. Gagnon-

- a) Opening Remarks-Denis Gagnon called the meeting to order at 9:03 a.m.
- b) Record Attendance and Confirmation of Quorum- the attendance was recorded as above. As quorum is $\frac{1}{3}$ the membership of Council or 5 Council members, a quorum was confirmed.
- c) Conflict of Interest Declaration- The President asked that if anyone had a conflict of interest with any item on the agenda to please declare it. There were none.

- d) Determine if there are any other business items. One item was discussed:
Q: Does the OPFA require the competency of Professionalism & Ethics?
A: Yes, OPFA members must meet the Professionalism and Ethics standard. For CAP applicants it is standard 3 under the 2017 CFPFA certification standards (formerly, Standard 7 of 2008 CFPFA certification standards). For BC applicants, the CAP assessors don't assess for this standard as the CFPFA (& the ABCFP Board of Examiners) have accepted that ABCFP workshops and modules are sufficient to meet this standard. So, in case CAP assessors don't evaluate this standard for Ontario applicants the OPFA's Registration Committee evaluates it. Fred will discuss this with the Registrars of the other Canadian forest regulators and determine what needs to be done. That is, do we always have CAP assessors not evaluate this competency or identify when it needs to be done during the CAP assessment.
- e) Finalize and approve the agenda (an attachment was provided)
Motion: Reynolds/Ashiq -That the agenda is accepted as circulated.
All in favour. Carried.
- f) Approve the minutes of April 6, 2021 (an attachment was provided)-
Discussion: The secretary's note on Item 2a. (Business arising from the Minutes) on Page 2 will be revised based on Council discussion. The page numbering will be corrected.
Motion: Street/Rubin- That the minutes of the April 6, 2021 meeting are accepted as amended and will be made available to OPFA members on the website.
All in favour. Carried.

2. Discussion Items

- a) **Business Arising from the Minutes-** D. Gagnon

Action Item: Peter Street, Fred Pinto, and David Goldsmith will develop an alternate format in which to display the financial information and investment policy.

Person/people responsible: Peter Street, Fred Pinto, Denis Gagnon, and David Goldsmith

Date actioned: October 10, 2019

Investment Policy

Discussion:

- The Investment Policy was accepted by the Royal Bank of Canada (Dominion Securities) and TD Canada Trust both of whom submitted proposals;
- The Finance Committee reviewed each proposal based on the Investment Policy and accepted the proposal from the Royal Bank. The necessary forms are being completed to formalize the agreement;
- The Investment Policy will be reviewed annually. The proposal from the Royal Bank includes an annual briefing on the investment;
- The financial statements that are provided to Council before each meeting will include the information on these investments.

Status: Complete.

Alternate Format for Financial Information

- This is still being developed;
- Peter Street will submit an article to the June 2021 issue of *The Professional Forester* newsletter to inform members of the investment policy;
- The Finance Committee will work on this over the summer and will bring it to Council for their review at the September meeting.

Status: In progress.

b) 2020 Annual General Meeting Minutes (an attachment was provided)- D.Gagnon/F.Pinto-

- Council was provided with a draft of the minutes of the Annual General Meeting for the 2020 fiscal year held April 7, 2021, via Zoom. These have been reviewed by Council through Google Drive;
- The minutes will remain as a draft until approved by the Membership at the 2021 Annual General Meeting;
- A minor revision was made to reflect that the minutes will be approved at the 2021 Annual General Meeting which will be held in 2022.

Motion: Ashiq/Reynolds: That the draft minutes of the 2020 Annual General Meeting on April 7, 2021, are approved as amended and will be made available to all members on the OPFA website.

All in favour. Carried.

c) Resolution 2020-1 (an attachment was provided)- F. Pinto

- Council was provided with Resolution 2020-1 that was moved by Michael Rosen, R.P.F., and seconded by Joel McCracken, R.P.F. and was presented at the Annual General Meeting (AGM) on April 7, 2021. The motion was voted upon and carried by the Membership at the AGM;
- Fred Pinto has discussed the resolution with Sarah Bros, R.P.F., Chair of the Awards and Recognition Committee, who will begin an objective and comprehensive review which will include looking into how other regulators who have encountered issues have dealt with it, keeping in mind the legislation under which the OPFA must abide;
- Consideration must be given to the risk factor of awards. Other regulators do have awards; however, they may not have considered the repercussions should an awarded member come under professional scrutiny;
- There may be value in awards of some kind such as fellowships for young foresters;
- If the awards continue, a risk management policy will be required that identifies the low, medium, and high risk and what would happen if an awarded member falls into ill repute;
- Fred Pinto will offer assistance to Sarah Bros over the summer and will bring the result or update of the review to Council in September.

d) 2021 Annual Conference Report (attachments were provided)- F. Pinto

- Council was provided with the 2021 Annual Conference Working Group's report and the results of the survey of conference attendees;

- The survey results show that the participants in the conference were very satisfied and the results have been shared with the 2022 Annual Conference Working Group in Sudbury;
- While some trade booths had as many as 200 visitors, some only had 20. This is a common problem with other virtual conferences. Incentives may be considered to increase participation at future conferences;
- The financial statements provided to Council at this meeting reflect the revenue (\$23,000) and expenditures (\$7000) of the conference;
- The \$7000 in expenditures include the cost of Pheedloop of \$3,500. Due to the unanticipated large number of participants, the subscription had to be increased from 300 to 400, adding to the cost.

e) Changes to the Professional Foresters Act (PFA)- F. Pinto/P. Street-

- The submission to the Ministry of Natural Resources and Forestry (MNRF) was completed and submitted after Councillors reviewed the draft. There has been no further contact from them;
- A presentation was given to Hydro One staff. They understand that their work related to clearing utility corridors as utility arborists is not professional forestry, but they may benefit by having a professional forester on staff;
- The International Society of Arborists Ontario (ISAO) still intends to provide more feedback, but none has been received;
- Fred Pinto spoke to the provincial NDP Natural Resource critic who now understands that the OPFA is not attempting to regulate arborists or any other occupation;
- The next step is for the MNRF to inform the OPFA whether they intend to make any changes to the Act. If they do, more work will be required by the OPFA.

f) Terms of Reference Statutory Committees (attachments were provided)- F. Pinto

- Council was provided with the Terms of Reference (ToR) for the Registration Committee, Complaints Committee, Discipline Committee, and the Executive Committee and was asked to determine if they are needed or if these documents should become information sheets that inform committee members of their responsibilities. There are no suggested changes to them;
- These committees' responsibilities and actions are described in the *Professional Foresters Act, 2000* and it would not be considered appropriate to have ToR's for them that could potentially contradict the act;
- ToRs do provide more details and clarity on the role of the Committee and its members;
- As an alternative, these ToR's will be compiled into an operating manual;
- Doug Reynolds agreed to begin a draft operating manual for Complaints and Discipline Committees.

Motion: Street/Ashiq- That the Terms of Reference for the Registration, Complaints, Discipline, and Executive Committees will become information sheets and will be placed in an operating manual.

All in favour. Carried.

g) Terms of Reference-Working Groups, Committees, Task Teams (attachments were provided)- F. Pinto

- Council was provided with the ToRs for the Finance Committee, Registration Appeal Committee, Nominating Committee, Awards and Recognition Committee, Editorial Board Working Group, and the Social Media Working Group as Council had asked to review these annually. There are no recommended changes at this time;
- Staff will remove the list of Committee members from the ToR's, as a list of all committee, working group, and task team members are kept in an Excel spreadsheet on Google drive and are updated regularly. Council will be given access to the spreadsheet.

Motion: Ashiq/Reynolds- That the Terms of Reference of the Finance Committee, Registration Appeal Committee, Nominating Committee, Awards and Recognition Committee, Editorial Board Working Group, and the Social Media Working Group are approved as amended.

All in favour. Carried.

h) Help New Members Develop Their Professional Network-(attachments were provided)-F. Pinto

- A task team will be struck to develop strategies/action plans to help new OPFA Provisional, and Student Members develop their professional social network. A draft Terms of Reference (ToR) was provided to Council;
- This has been initiated by a new Full Member(who will chair the task team) who found the job shadowing that he provided was helpful and he would like to make it available to others. A lack of a professional network is a major barrier for new members to get their start in the profession in which they can acquire the required 18 months of mentored forestry experience;
- OPFA members will be invited to join the task team that will be managed by members. An Expression of Interest (also provided to Council) similar to the one used by the Equity and Inclusion Task Team, will be sent to all members and those selected will form the task team;
- Related to the work of the Task Team there is no expected cost to the OPFA;
- The task team will likely be in place for 1-2 years and will then be dissolved;
- Council asked that the ToR be revised to include how the program will be implemented;
- There may be funding required to help candidates take part in job shadow opportunities.
- Funding for employers to offset their costs will also be sought;
- Sarah Todgham agreed to provide help and advice to the task team.

i) Performance Reviews-D. Gagnon

- Denis Gagnon informed Council that Fred Pinto has completed performance reviews for Louise Simpson and Priscilla Doyle. Chris McDonnell has completed a performance review for Fred Pinto;
- On May 4, the Executive Committee had an in-camera meeting in which it unanimously agreed to adjust staff remuneration retroactive to December 1, 2020. These changes will be reflected in the financial statements that are provided to Council.

j) Bylaw Revision (attachments were provided)-D. Goldsmith

- Council was provided with a revised By-law in which only the format was altered;

- Unlike the Bylaw of other organizations, the OPFA Bylaw is often revised annually, which must be then confirmed by the Membership at the Annual General Meeting. As many of the changes are operational, removing some of the extraneous material could reduce the frequency of amendments. This extraneous material could then be put into the operation manual that was discussed in item 2f;
- A review was conducted by Dave Payne, Enforcement Coordinator, at the request of Fred Pinto. His full report was also provided to Council;
- Dave Payne considered the Acts of two non-health professional regulators and two forestry regulators in Canada. What they are permitted to do is determined in their legislation and only the Council of one of the four was permitted to change their bylaw without the concurrence of its members;
- Dave Payne also contacted legal counsel and was advised that creating operating guides and policies in place of bylaws is not possible. Her reply was: *"The statute is very specific in that a bylaw is not effective until it is approved by the membership so any attempt to put the substantive parts of the bylaws into a Schedule that gets passed by Council (and acted upon prior to approval by the membership) would be seen as invalid."* She went on to say that the only way to do so would require an amendment to the Act, which will, in turn, make changes to items like membership very difficult as those changes would require a change to the law
- An alternative may be to have two Bylaws. Bylaw 1 could have the main content and Bylaw 2 could have the content (e.g. qualifications for membership) that changes more regularly;
- David Goldsmith agreed to look into what that would look like and will do a more fulsome review of the Bylaw as a whole. He will make the revised Bylaw available to Council on Google Drive and it will be on the September Council agenda.

k) **2021-2026 Strategic Plan** (an attachment was provided)-F. Pinto

- The Strategic Plan was reviewed by Council previously on Google Drive and comments were incorporated. A presentation was then made to Council and staff by Carla Rhyant and the reformatted version was made available to Council and staff again via Google Drive for review:
 - Comments and suggested edits were reviewed by the author;
 - Missing periods were added where indicated.;
 - The goals list is in the same order throughout the document and there is a purpose to that order. It has not been changed;
 - The suggestion to left justify a certain sentence was used once but not in other cases.
- Another version was sent to Council after this meeting materials were sent which had additional edits made by a Council member and accepted by the Executive Director;
- The Strategic Plan will be placed on the website and Fred Pinto will send a message to members to bring it to their attention;
- The implementation of the strategic plan is the next step and will be reflected in the next fiscal year Work Plan;
- At its August 17 meeting, the Executive Committee will determine the priority of the many tactical goals and will report back to Council in September.

3. **Information Items** (not for discussion unless elevated to 2. Discussion Items)

- a) **Membership Statistics** (an attachment was provided)- submitted by F. Pinto- Council was provided with membership statistics as of April 30, 2021.

- b) **Financial Statement as of April 30, 2021** (an attachment was provided)-submitted by F. Pinto-Council was provided with the financial statements as of April 30, 2021.
 - c) **Fair Registration Practices Report** (an attachment was provided)- submitted by F. Pinto-Council was provided with the 2020 Fair Registration Practices Report which must be submitted to the Office of the Fairness Commissioner (OFC) and it has been posted on the OPFA website.
 - d) **Executive Committee Minutes** (an attachment was provided)- submitted by F. Pinto- Council was provided with the Executive Committee Minutes of the May 4 Executive Committee meeting.
 - e) **Next Scheduled Meeting-** (an attachment was provided)- submitted by F. Pinto-Council was provided with the meeting dates for 2021. The next scheduled Executive Committee is August 17. The next Council meeting is scheduled for September 15.
4. **Termination of Meeting** – Denis Gagnon thanked everyone and asked for a motion to terminate the meeting at 11: 47 a.m.

Motion- McDonell/Reynolds - That the Council meeting of June 1, 2021, is terminated.
All in favour. Carried.