

# COLLEGE OF PHYSIOTHERAPISTS OF MANITOBA

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## 19th ANNUAL GENERAL MEETING MINUTES

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**Held:** Virtual Zoom Webinar  
**Date:** Thursday November 19, 2020  
**Time:** 6:30 PM  
**Present:**       92   Voting Members  
                     3   Examination Candidate Members  
                     4   Students  
                     2   Public Council Members  
                     0   Public Committee Members  
                     4   Observers (*all non-Members in attendance*)  
                     2   Secretary(s) (*CPM admin staff in attendance*)

Quorum required 47    Voting members 92

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### 1.0 Call to Order

Mark Garrett introduced himself as Chair of Council and announced that he would be chairing the meeting. The meeting was called to order at 6:30 PM.

### 2.0 Introductions and Acknowledgments

M. Garrett introduced the presenters for the evening:

- Jan Lumsden, presenting the financial documents; monitoring the Question and Answer feature and Raised Hand feature for motions.
- Susan Bowman, presenting the proposed By-Law changes
- Kelli Berzuk, presenting the proposed changes to the Code of Ethical Conduct.
- Brenda McKechnie, Registrar/Executive Director
- Pamela Dupuis CPA, CA Partner with BDO Canada LLP, presenting the 2019 Audit Report.

M. Garrett announced that the meeting was being conducted entirely as a “virtual meeting”, providing all registrants of the College with an opportunity to participate. He then welcomed all registrants attending the meeting from outside of the Winnipeg area.

#### Quorum

Quorum was determined to be 47 registrants. M. Garrett confirmed that quorum had been met for the meeting.

## **Acknowledging First Peoples and Traditional Territory**

M. Garrett made the following acknowledgement:

*I would like to begin this meeting by acknowledging that the CPM Office is located on Treaty 1 territory and that the land on which we gather is the traditional territory of Anishinaabeg, Cree, Oji-Cree, Dakota, and Dene Peoples, and the traditional homeland of the Métis Nation.*

*We respect the Treaties that were made on these territories, we acknowledge the harms and mistakes of the past, and we dedicate ourselves to move forward in partnership with Indigenous communities in a spirit of reconciliation and collaboration.*

M. Garret then introduced Brenda McKechnie, Registrar/Executive Director, to say a few words regarding voting logistics.

B. McKechnie announced that this was the official Annual General Meeting of the College and that records of this meeting and those who attended must be accurate and accountable. The unique URL hyperlink provided at the time of on-line registration to attend the AGM was described as each attendee's personal identifier. B. McKechnie then outlined the process for electronic voting and the use of the Question and Answer (Q&A) feature for questions and discussion. It was explained that the votes would be automatically tallied, displayed on attendee screens and announced by the Chair.

## **Appointment of Parliamentarian and Acknowledgments**

M. Garrett introduced the following colleagues/guests from various stakeholders:

- David Marr and Joey Pollock (not in attendance) from Marr Finlayson Pollock LLP, lawyers for CPM. M. Garrett stated that should Council require advice on issues regarding motions or procedure during this meeting Mr. Marr would be available.
- Pamela Dupuis, CPA, CA, Partner with BDO Canada LLP.
- Nancy Goodall, President of the Manitoba Physiotherapy Association
- Jim Hayes, Executive Director of the Association.
- Graduates of the 2020 class, MPT 1 and 2 students in attendance.

## **Introduction of Council Members**

The Council for the 2019 year was acknowledged:

- D'Arcy Bain, Newsletter Editor, Member of the Governance and Nominations Committee
- Kelli Berzuk, Chair of the Complaints Committee
- Susan Bowman, Chair of the Governance and Nomination Committee
- Jan Lumsden, Vice Chair and Treasurer
- Amy Sedor, Chair of the Annual General Meeting Committee
- Barry Smith, Government-Appointed Public Member (not in attendance)
- Leslie Wilder, CPM-Appointed Public Member, Member of the AGM Committee

- Ray Hoemsen, CPM-Appointed Public Member, Member of the Continuing Competence Committee (not in attendance)

Student Members:

- Rebecca Krahn
- Caylie Young
- Kyle Bergen

### **CPM Staff**

The following CPM staff were acknowledged:

- Brenda McKechnie, Registrar/Executive Director
- Jennifer Billeck, Deputy Registrar
- Christie Lamy, Executive Assistant
- Cheryl Saranchuk, Office Administrator
- Moni Fricke, Continuing Competency Program (CCP) Coordinator in 2019
- Heather Kattenfeld, CCP Coordinator (current)
- Kathy Johnson, Complaints Coordinator

### **Others employed by CPM in 2019:**

- Carol Rempel, Comptroller
- Shauna Martin, Policy Writer

### **Review of Voting and Appointment of Scrutineers**

It was announced that when a vote is taken, only those members registered on the Active Practice and Inactive Registers are eligible to vote. Instructions for electronic voting were repeated.

M. Garrett informed members that Corrine Sheffield and Quinn Taylor had agreed to serve as Scrutineers.

### **Statement of Order of Business**

M. Garrett announced that we would now proceed with the business portion of the Annual General Meeting. It was explained that the Order of Business is designed to allow the formal Annual General Meeting to complete its mandate in closing the dealings that have been completed for the previous fiscal year. Reports encompass the 2019 fiscal year.

### 3.0 Approval of the Standing Rules for the AGM as written on the agenda

M. Garrett asked if there were any changes to the standing rules for the AGM as written on the Agenda and displayed on screen.

J. Lumsden reported that there was one question: “Is there a way for people on the phone to vote?” It was explained by B. McKechnie that those registrants attending by phone would not be able to vote. This is an issue which will be examined for future virtual Annual General Meetings.

There were no further questions/comments regarding changes to the Standing Rules.

J. Lumsden made a motion to approve the standing rules for the AGM as written on the agenda.

M. Garrett announced that motion 1 had appeared on screen and explained that for each motion going forward he would be asking for those who are entitled to vote to use the raise hand feature to second the motions. He then asked for a seconder for the motion.

J. Lumsden announced that Amy Sedor seconded the motion.

M. Garrett asked for discussion. There was none.

M. Garret announced that voting members would now have an opportunity to vote on this motion and that the poll would appear on screen and be left open for approximately 30 seconds.

M. Garrett called for the vote. M. Garrett announced that the results were: 99 % in favour; 1% abstaining.

The MOTION was carried.

**19-01 Moved by:** Jan Lumsden

**Seconded by:** Amy Sedor

It was moved and seconded to approve the “Standing Rules” for the AGM as written on the agenda.

**99 % in Favour**

**0 opposed**

**MOTION Carried**

### 4.0 Agenda and Minutes

#### Approval of the Agenda

M. Garrett announced that the Agenda had been circulated in advance of the meeting and asked attendees if there were any additions under “Other Business”?

J. Lumsden announced that there were no Other Business items identified using the Q & A feature but there was a question: “Just wondering. Is voting anonymous?” B. McKechnie answered that during the meeting voting is anonymous but after the AGM, a report is

generated and this report contains the names of those who voted but not how they voted. This is a way to check that those who do not have the right to vote have not voted.

J. Lumsden explained that when questions/comments are posted, the name of the person posing the questions/comments will be read out going forward. Mark Garrett further explained: during an in-person meeting, both how you vote and the identity of the person asking a question are apparent to other attendees.

J. Lumsden made a motion to approve the Agenda.

M. Garrett asked for a seconder. The seconder was Tricia Fisher.

M. Garret asked for discussion. There was none.

M. Garrett called for the vote. M. Garrett announced that the results were 100 % in favour. The MOTION was carried.

**19-02 Moved by:** Jan Lumsden

**Seconded by:** Tricia Fisher

It was moved and seconded to approve the Agenda.

**100 % in Favour**

**0 Opposed**

**MOTION Carried**

### **Approval of the Report of the 2019 AGM Minutes Approving Committee**

M. Garrett informed the membership that the minutes for the 2019 AGM, held in April 2019, were approved by the Minutes Approving Committee. The members of that committee were Laury Jasper, Krista Paulson and Kathy Mulder. A copy of the 2019 AGM minutes was circulated to registrants by email on October 20, 2020 and was available on the CPM website.

J. Lumsden made a motion to approve the report of the Minutes Approving Committee as presented.

M. Garrett asked for a seconder. The seconder was Corrine Sheffield.

M. Garrett asked for discussion. There was none.

M. Garrett called for the vote. M. Garrett announced that the results were 95 % in favour; 5% abstaining.

The MOTION was carried.

**19-03 Moved by:** Jan Lumsden

**Seconded by:** Corrine Sheffield

It was moved and seconded to approve the report of the Minutes Approving Committee as presented.

**95% in Favour**

**0 Opposed**

**MOTION Carried**

### **Announcement of the 2020 AGM Minutes Approving Committee**

M. Garrett informed the membership that Tricia Fisher, Vincent Francisco and Katherine West had agreed to act as the Minutes Approving Committee for tonight's meeting.

### **5.0 The Annual Report**

M. Garrett announced that the Annual Report was posted to the CPM website on October 1, 2020. It was mentioned that there was an error on page 27, in the graph entitled "Registrant by Age Group", the column reads "75 plus" but should have read "65 plus". The report was sent to the Minister of Health, Seniors, and Active Living in July of 2020.

J. Lumsden made a motion to approve the Annual Report of 2019.

M. Garrett asked for a seconder. The seconder was Leslie Wilder.

M. Garrett asked for discussion. There was none.

M. Garrett called for the vote. M. Garrett announced that the results were 96 % in favour; 4% abstaining

The MOTION was carried.

**19-04 Moved by:** Jan Lumsden      **Seconded by:** Leslie Wilder

It was moved and seconded approve the Annual Report of 2019.

**96% in Favour**

**0 Opposed**

**MOTION Carried**

M. Garrett thanked all committee chairs and volunteers for their dedication and work on behalf of CPM. It was noted that the Annual Report would be placed on file.

### **2019 Financial Report**

M. Garrett introduced Jan Lumsden, Vice-chair and Treasurer of Council to present the Financial Report.

J. Lumsden announced that the next Agenda item was the presentation of the 2019 Financial Statement, which begins on page 14 of the Annual Report. On behalf of Council, J. Lumsden welcomed Pamela Dupuis, CPA, CA and Partner with BDO Canada LLP, to present the 2019 Financial Statement.

P. Dupuis presented an overview of the Financial Statement for the year ended December 31, 2019. P. Dupuis explained to attendees that as part of the audit process BDO Canada met with Council before and after the audit process to ensure understanding of the process and to answer any questions.

## **Independent Auditor's Report, Page 2**

P. Dupuis began her presentation by reading paragraphs 1 and 2, under Opinion, and drew attendees' attention to paragraph 3, Basis for Opinion. P. Dupuis also noted that the section Other Matter - Comparative Information was added as the Financial Statement for the year ended December 31, 2018 were reviewed by another accountant and are labelled unaudited, as this statement was based on a review rather than an audit.

P. Dupuis reviewed Page 4: Statement of Financial Position, and page 6, Statement of Operations in detail.

J. Lumsden thanked P. Dupuis for her presentation.

J. Lumsden read a question from Barbara Shay: "What is deferred rent payable?" P. Dupuis answered the question: this is an accounting issue. There is a provision under accounting standards where an organization can decide to take their total rent over the period of the lease and record the same amount as expense every year, and because there are going to be escalations in rent expenses, it is going to cause deferred rent payable.

J. Lumsden read a question from Elaine Nystrom: "What does write-down of property, equipment and intangible assets mean?" P. Dupuis answered the question: there were some assets recorded in the books at December 31, 2019 that were not fully amortized but were no longer owned or had to be written down because they were no longer used. This could be old desks or computer equipment. This is a clean-up of the accounting. B. McKechnie added that there were likely old computers that were written off.

J. Lumsden made a motion to accept the Financial Statements for the year ended December 31, 2019 for the College of Physiotherapists of Manitoba.

M. Garrett asked for a seconder. The seconder was Caleb Smith.

M. Garrett asked for discussion. There was none.

M. Garrett called for the vote. M. Garrett announced that the results were 98 % in favour; 2% abstaining.

The MOTION was carried.

**19-05 Moved by:** Jan Lumsden

**Seconded by:** Caleb Smith

It was moved and seconded to accept the Financial Statements for the year ended December 31st 2019 for the College of Physiotherapists of Manitoba.

**98% in Favour**

**0% Opposed**

**MOTION Carried**

## **Appointment of Auditor for 2020**

J. Lumsden made a motion to appoint BDO Canada LLP as the Auditor for 2020.

M. Garrett asked for a seconder. The seconder was Tabitha Bear.

M. Garrett asked for discussion. J. Lumsden read a question from Cathy Christie: “Is there a reason we changed auditors?” J. Lumsden answered that the previous auditor was not performing an audit and instead was doing a review. B. McKechnie agreed and explained that as we had used the same accounting firm for several years, best practice would indicate a change of auditor; an RFP process was performed and BDO Canada came up as the best firm. At that time a decision was made to do an audit and not just a review. An audit had not been done for several years.

M. Garrett called for the vote. M. Garrett announced that the results were 99 % in favour; 1% abstaining.

The MOTION was carried.

**19-06 Moved by:** Jan Lumsden

**Seconded by:** Tabitha Bear

It was moved and seconded to appoint BDO Canada LLP as the Auditor for 2020.

**99 % in Favour**

**0 Opposed**

**MOTION Carried**

J. Lumsden read a follow-up question from Cathy Christie: “Will we continue to audit vs review?”. J. Lumsden and B. McKechnie stated that this is the intention going forward.

## **6.0 Proposed Changes to the Code of Ethical Conduct and By-Laws**

### **Proposed Changes to the Code of Ethical Conduct**

M. Garrett introduced Kelli Berzuk, Council Member and Chair of the Complaints Committee, to present the proposed changes.

K. Berzuk explained that the changes are recommendations made by legal counsel. CPM lawyers suggested adjusting the name of the document and the addition of a paragraph for better clarity. In doing so, some of the bullets needed to be adjusted or eliminated since they are now covered in the added paragraph.

The title of the document previously read “Code of Ethical Conduct”; legal counsel recommends using ‘Code of Ethics’, as there are provisions in both the Act, and the Regulations, for a ‘Code of Ethics’. This name change is then reflected throughout the document for consistency.

Paragraph two is an addition to the document written by our legal counsel to increase clarity throughout the document. Specifically, the last sentence helps to increase clarity and reads as follows, “For the purpose of this Code, legislation and the policies of the College includes

but is not limited to *The Physiotherapists Act*, Regulations, By-Laws, Practice Statements/Directions, Standards of Practice, Registration and Licensing as well as Governance Directions.”

### **Under Section A. Responsibilities to the Client**

Item number 9: the additional portion reads, “or if the treatment required is beyond the competence and/or expertise of the member”.

With this addition to item 9, item number 15 became repetitive and was therefore deleted. It previously read: “Practice the profession of physiotherapy according to their own competence and limitations, referring the client to others as necessary.”

With item #15 now removed from the Code, all subsequent bullets are renumbered, i.e., #16 becomes #15, #17 becomes #16.

Item #18 becomes #17 and is reworded. It had read, “Comply with all legislation, guidelines, and regulatory requirements that pertain to the profession of physiotherapy.” And will now read as, “Comply with the relevant legislation and the policies of the College.”

A new #18 is added and reads, “Maintain the requisite integrity, professionalism, and judgement required to provide service in accordance with relevant legislation and the policies of the College and to keep his/her knowledge and skills current throughout his/her career.”

### **Under Section B. Responsibilities to the Public**

Item number 6 previously read “Assess the quality and impact of their services regularly” and was reworded to “Regularly assess the quality and impact of their services”

Items 7 and 8 will stay as they were.

Items 9 and 10 were added. These new items will read as follows:

Item 9. “Comply with the relevant legislation and the policies of the College and represent him/herself in a manner that contributes to the public’s trust and confidence or competence in a way that is truthful and professional.”

Item 10. “When entering into contracts with other parties related to the practice of physiotherapy, ensure that the terms or conditions under which he/she is practicing do not compromise his/her ability to deliver quality care.”

K. Berzuk stated that this concluded the proposed the Code of Ethical Conduct and asked if there were any questions. There were none.

K. Berzuk made a motion to accept the Code of Ethics as presented.

M. Garrett asked for a seconder. The seconder was Evelyn Lightly.

M. Garrett asked for discussion. There was none.

M. Garrett called for the vote. M. Garrett announced that the results were 95 % in favour; 3% not in favour, 3 % abstaining\*.  
The MOTION was carried.

**19-07 Moved by:** Kelly Berzuk

**Seconded by:** Evelyn Lightly

It was moved and seconded to accept the Code of Ethics as presented.

**95 % in Favour**

**3 % Opposed\***

**MOTION Carried**

\*The online platform rounds up or down which in some instances creates a total greater than or less than 100%. All vote tallies have been confirmed in the Scrutineer's Report.

### **Proposed Changes to the By-Laws**

M. Garrett introduced Susan Bowman, Council Member and Chair of the Governance and Nominations Committee, to present the proposed By-Law amendments.

S. Bowman referred to the By-Law Amendments Table 1 that was included in the meeting package and explained that to those registrants who attended the AGM last year, this table would look familiar. The Legislative Committee had brought these edits to the membership last year with new wording that had been recommended by CPM legal counsel, but the proposed By-Law change was not approved by the membership due to some questions about whether the Board of Assessors should have the same membership eligibility as that of Council, Complaints Committee and the Inquiry Committee, specifically, the criteria to have 2 years of independent practice. The feedback was taken on advisement and registrants will note that the motions have been separated and the bullet point requiring 2 years of practice from Article VIII related to the Board of Assessors was removed.

### **By-Law Amendments Table 1**

#### **By-Law Change 1**

Article V: Election of the Council, I. Elected Members, bullet 1.4 currently reads:  
"Only those members on the Active Practicing or Inactive Register who are in good standing with the College at the date of election are eligible for election or appointment to any position within the College."

Proposed change:

1.4 A member is eligible for election to Council if:

- a. at all times between the 90th day before the election and the date of the election, the member continues to be registered on the Active or In-active register;
- b. the member has a minimum two years of independent practice in physiotherapy in Canada;

- c. the member is not in default of any obligation to the College under the Regulations or the By-laws including the payment of any fees required;
- d. the member is not the subject of discipline proceedings;
- e. the member is not the subject of any inquiry by the Inquiry Committee;
- f. the member has not been found guilty of professional misconduct, to be incompetent, or to be incapacitated in the six years before the election;
- g. the member's certificate of registration has not been revoked or suspended for professional misconduct, incompetence or incapacity at any time in the six years immediately before the election;
- h. the member's certificate of registration has not been subject to a term, condition or limitation other than a term, condition or limitation prescribed by the Regulations in the six years before the election;
- i. the member is not and has not been in the 12 months before the election, a director, officer, committee member, employee, or holder of any position of decision-making influence of any other organization of physiotherapists;
- j. the member is not a participant (other than on behalf of the College) in a legal action or application against the College;
- k. the member is not and has not been in the 12 months before the election an employee of the College;
- l. the member discloses all potential conflicts of interest in writing to the registrar within five business days of being nominated and either does not have a conflict of interest to serve as a Councillor or has agreed to remove any such conflict of interest before taking office;
- m. any disputes about a person's eligibility for election shall be determined by the Nominations Committee. If the Nominations Committee determines that a member is ineligible for election, the member may appeal that decision to Council and Council's determination shall be final, without appeal.

S. Bowman made a motion that the amendment to bullet 1.4 of Article V: Election of the Council, I. Elected Members, be approved.

M. Garrett asked for a seconder. The seconder was Kelly Milan.

M. Garrett asked for discussion. J. Lumsden read a question from Kelly Milan: "Assuming finding members to volunteer is a challenge, are any of these rules too limiting with opportunities for new committee/ board members?" S. Bowman answered: any of these conditions that are being put into place are ones that have been unofficially followed for the last several decades. This wouldn't limit us going forward.

J. Lumsden read a delayed question from the membership regarding the Code of Ethics. Moni Fricke asks: "Re: The Code of Ethics, the College may wish to consider using the pronoun they/them moving forward rather than he/she and his/her." K. Berzuk stated that even if it is too late (the motion to accept the proposed changes to the Code of Ethics has already been passed) this was a good point and can be brought back for reflection in future. Candice Tremblay, Tara Klassen, Ken Grove and Carla Furkalo stated that they were in

agreement with Moni Fricke's comment. Margrét Thomas made the following comment: "That might be considered a friendly amendment under Roberts Rules".

J. Lumsden stated that there was no discussion regarding the motion on the floor, however.

M. Garrett called for the vote. M. Garrett announced that the results were 95 % in favour; 3% not in favour, 3 % abstaining\*.

The MOTION was carried.

**19-08 Moved by:** S. Bowman

**Seconded by:** Kelly Milan

It was moved and seconded that the amendment to bullet 1.4 of Article V: Election of the Council, I. Elected Members, be approved.

**95 % in Favour**

**3 % Opposed\***

**MOTION Carried**

\*The online platform rounds up or down which in some instances creates a total greater than or less than 100%. All vote tallies have been confirmed in the Scrutineer's Report.

## **Bylaw Change 2**

A proposed addition to Article VII: Complaints Committee and Inquiry Committee would read:

- 1.2 The members eligible for appointment to the Complaints Committee and the Inquiry Committee are those who meet the eligibility criteria enumerated in Article V. subsection I, paragraph 1.4.

Proposed change:

This would be an addition to this article and placed as bullet 1.2 – the current articles would then follow.

S. Bowman made a motion that the addition to Article VII: Complaints Committee and Inquiry Committee, be approved.

M. Garrett asked for a seconder. The seconder was Edward Zwingerman.

M. Garrett asked for discussion. There was none.

M. Garrett called for the vote. M. Garrett announced that the results were 96 % in favour; 1% not in favour, 3 % abstaining.

The MOTION was carried.

**19-09 Moved by:** S. Bowman

**Seconded by:** Edward Zwingerman

It was moved and seconded that the addition to Article VII: Complaints Committee and Inquiry Committee, be approved.

**96 % in Favour**

**1 % Opposed**

**MOTION Carried**

### **Bylaw Change 3**

Proposed additions to Article VIII: Committees and Board would read:

- 1.3 The Council shall appoint to the Board of Assessors only those members who meet the eligibility criteria enumerated in Article V. subsection I, paragraph 1.4, (a), (c-m).

As previously noted, we have removed item b which requires a member to have 2 years of independent practice in Physiotherapy in Canada.

- 1.4 The Council shall appoint to the Public Representatives Recruitment Committee; the Nominating Committee; and the Continuing Competency Committee members on the Active Practicing or Inactive Register who are in good standing with the College.

Proposed change:

These would be additions to this article and placed as bullet 1.3 and 1.4 – the current articles would then follow and be renumbered

S. Bowman made a motion that the additions to Article VIII: Committee and Board be approved.

M. Garrett asked for a seconder. The seconder was Kim Shaw.

M. Garrett asked for discussion. There was none.

M. Garrett called for the vote. M. Garrett announced that the results were 97 % in favour; 1% not in favour, 1 % abstaining\*.

The MOTION was carried.

**19-10 Moved by:** S. Bowman

**Seconded by:**

It was moved and seconded that the additions to Article VIII: Committee and Board be approved.

**97 % in Favour**

**1 % Opposed\***

**MOTION Carried**

\*The online platform rounds up or down which in some instances creates a total greater than or less than 100%. All vote tallies have been confirmed in the Scrutineer's Report.

S. Bowman asks registrants to refer to By-Law Amendments Table 2 in your meeting package.

## **By-Law Amendments Table 2**

### **Bylaw Change 1**

Article I: Administration of the College, IV. Banking and Financial Affairs, bullet 4.1  
Currently reads:

The signing authorities of the College shall be

- a) the Registrar and two elected Council members;
- b) any two of those three may sign on behalf of the College;

Proposed change:

The signing authorities of the College shall be

- a) the Registrar, two elected Council members, and the Deputy Registrar;
- b) any two of those four may sign on behalf of the College;

S. Bowman made a motion that the amendments to Article I: Administration of the College, IV. Banking and Financial Affairs, bullet 4.1 (a) and (b) be approved.

M. Garrett asked for a seconder. The seconder was Tara Klassen.

M. Garrett asked for discussion. There was none.

M. Garrett called for the vote. M. Garrett announced that the results were 95 % in favour; 1% not in favour, 4 % abstaining.

The MOTION was carried.

**19-11 Moved by:** S. Bowman

**Seconded by:** Tara Klassen

It was moved and seconded that the amendments to Article I: Administration of the College, IV. Banking and Financial Affairs, bullet 4.1 (a) and (b) be approved.

**95 % in Favour**

**1 % Opposed**

**MOTION Carried**

### **Bylaw Change 2**

S. Bowman explained that the next Bylaw changes are necessary to address our change to online and virtual meetings.

Article IV: Meetings, I. Annual General Meeting, bullet 1.4 currently reads:

“The quorum for an Annual General Meeting of the College shall be 5% of the membership who are entitled to vote. Electronic or mail ballots may be counted to reach a quorum only on those issues for which mail ballots have been received.”

Proposed change:

“The quorum for an Annual General Meeting of the College shall be 5% of the membership who are entitled to vote. Electronic attendance may be counted to reach a quorum for Annual General Meetings.”

S. Bowman made a motion that the amendments to Article IV: Meetings, I. Annual General Meeting, bullet 1.4 be approved.

M. Garrett asked for a seconder. The seconder was Emily Hunter.

M. Garrett asked for discussion. There was none.

While the poll was in progress a question regarding process came up. The question did not pertain to the vote so it was addressed after the vote was concluded.

M. Garrett called for the vote. M. Garrett announced that the results were 96 % in favour; 0% not in favour, 4 % abstaining.

The MOTION was carried.

**19-12 Moved by:** S. Bowman

**Seconded by:** Emily Hunter

It was moved and seconded that the amendments to Article IV: Meetings, I. Annual General Meeting, bullet 1.4 be approved.

**96 % in Favour**

**0 % Opposed**

**MOTION Carried**

J. Lumsden read the following question from Lisa Diduch: “If phone (participants) can (’t) vote will they be counted for quorum?” J. Lumsden answered: this was something we did not anticipate in the planning of the AGM and it is an issue we will revisit for the future. B. McKechnie stated that these registrants would not be counted in quorum. The phone links were given to non-voting/student members, however there may be registrants eligible to vote who have used a phone link as well. Seven registrants are attending the AGM using the phone link.

Several registrants made the following comments: “Consideration should be given to not exclude those participating by phone”, “some people may need to use a landline due to connectivity issues”, “rural regions exist with poor internet unfortunately”. J. Lumsden reiterated that these comments will be taken into consideration and a solution will hopefully be provided for the next AGM.

M. Garrett noted that the votes of the seven attendees joining by phone would not have affected the outcome of the motions that have been carried to this point, this evening.

### **Bylaw Change 3**

Article IV: Meetings, III. Voting at Annual and Special Meetings,

3.1 Currently reads:

“Each member whose name is entered on the register of practicing or inactive members and who is in good standing at the date of the meeting, shall be entitled to vote on any issue to be determined by a vote.”

Proposed change:

“3.1 Each member whose name is entered on the Active practicing or Inactive register and who is in good standing at the date of the meeting, shall be entitled to vote on any issue to be determined by a vote.”

3.2 Currently reads:

“Electronic or mail ballots may be issued only for questions that cannot be amended at the meeting.”

Proposed change:

“3.2 Each member’s entitlement to vote shall be verified prior to being given access to the voting method. Please note that the slide has been corrected due to a typo in the materials circulated.”

3.3 Currently reads:

“For adoption of any issue, a majority vote of those members present who are entitled to vote as well those who have e-mailed or mailed ballots shall be required.”

Proposed change:

“3.3 For adoption of any issue, a majority vote of those members present, either in person or virtually, who are entitled to vote, shall be required.”

3.4 Currently reads:

“Each member shall be requested to present his/her current membership certificate as evidence of his/her entitlement to vote.”

Proposed change:

This bullet will be removed as the content is addressed in 3.2.

3.5 Currently reads:

“A vote may be taken by ballot or by a show of hands at the discretion of the chair.”

Proposed change: Now numbered as 3.4,

“3.4 A vote may be taken by ballot, a show of hands, or electronic means at the discretion of the chair.”

3.6 Currently reads:

“The chair of the meeting shall appoint from amongst those assembled, two scrutineers who shall tabulate the vote and report the results to the chair.”

Proposed change: Now numbered as 3.5,

“3.5 The chair of the meeting shall appoint two scrutineers who shall tabulate the vote and report the results to the chair.”

S. Bowman made a motion that the amendments to Article IV: Meetings, III. Voting at Annual and Special Meetings be approved.

M. Garrett asked for a seconder. The seconder was Bernard Lessard-Lesk.

M. Garrett asked for discussion. There was none.

M. Garrett called for the vote. M. Garrett announced that the results were 99 % in favour; 0% not in favour, 1 % abstaining.

The MOTION was carried.

**19-13 Moved by:** S. Bowman

**Seconded by:** Bernard Lessard-Lesk

It was moved and seconded that the amendments to Article IV: Meetings, III. Voting at Annual and Special Meetings be approved.

**99 % in Favour**

**0 % Opposed**

**MOTION Carried**

J. Lumsden read a question from Elaine Nystrom: “Is it required that the 2 scrutineers are physiotherapists?” David Marr answered: it might not necessarily be a requirement but it would be wise to have the two scrutineers be members. S. Bowman answered that it is historical practice that the two scrutineers are chosen from the membership.

J. Lumsden read a follow-up question from Elaine Nystrom: “Should it then say in the by-law then that they are?” J. Lumsden answered that unfortunately the timing of the questions is not ideal and are appearing after the vote has happened. M. Garrett stated that this suggestion could be brought back to AGM for review in April.

#### **Bylaw Change 4**

Article V: Election of the Council, I. Elected Members

1.1 Currently reads:

“Election of the Council from the membership shall be held concurrently with the Annual General Meeting of the College.”

Proposed change:

“1.1 Election of the Council from the membership shall be held prior to the Annual General Meeting of the College.”

1.6 Currently reads:

“Any member eligible to vote who follows the appropriate procedures outlined by the Council may submit a mail-in ballot for the election of Council members.”

Proposed change:

“1.6 Any member eligible to vote who follows the appropriate procedures outlined by the Council may submit a ballot for the election of Council members.”

S. Bowman made a motion that the amendments to Article V: Election of the Council, I. Elected Members be approved.

M. Garrett asked for a seconder. The seconder was Monique Levesque.

M. Garrett asked for discussion. J. Lumsden read a question from Edward Zwingerman: “What is the rationale for this change?”. S. Bowman answered that after investigation we are one of the few Colleges that hold the election of Council Members during the AGM. By holding an election prior to the AGM for a longer period of time (say for a week or more), we will provide for greater participation from members, including rural members.

M. Garrett called for the vote. M. Garrett announced that the results were 96 % in favour; 3% not in favour, 1 % abstaining.  
The MOTION was carried.

**19-14 Moved by:** S. Bowman

**Seconded by:** Monique Levesque

It was moved and seconded that the amendments to Article V: Election of the Council, I. Elected Members be approved.

**96 % in Favour**

**3 % Opposed**

**MOTION Carried**

J. Lumsden read a question from Cathy Christie, that unfortunately, was not received in time, regarding Table 2 By-law Change 1: “Also a question that was too late to get to you before voting. So I will ask now. Re banking and financial affairs. Would it be prudent that the 2 signors are NOT the registrar and deputy registrar? Perhaps it should be that one of the signatures is an elected member”. J. Lumsden spoke to this as Treasurer: the reason for this change is that we felt it was important to have access to a second signature for cheque signing to discontinue a practice that was deemed less than ideal by our auditor which was that some cheques were being signed by one signatory before they were completely filled out. This provides more oversight because the cheques are signed only when they are fully filled out and as Treasurer, we can look over the list of expenditures and cheque register. It is not an uncommon practice in non-profits to do this. Especially when we have members who are bound by a Code of Ethics and Regulations of their licensing body (the Registrar and Deputy Registrar are both members of the College).

J. Lumsden read a question from Liz Harvey: “I am wondering if the practice of the Registrar launching complaints against members for lapse of professional liability insurance has decreased the number of lapses in professional liability? I.e., has this practice been successful? If so, is the plan to continue this practice and if not, is there consideration to stop the practice?” K. Berzuk answered initially: no, the number of professional liability lapses has not decreased over time. B. McKechnie then answered: unfortunately, the numbers are not going down, we are censuring people, we are trying to give reminders in newsletters but it does slip people’s minds. It is considered to be an egregious act - to be practicing without insurance, and it cannot be overlooked so we will continue this practice. J. Lumsden read a comment from Kathy Johnson, CPM Complaints Coordinator: “Lack of liability insurance contravenes a bylaw...Therefore, it must be addressed”.

J. Lumsden stated that there were no further question/comments.

## **7.0 Other Business**

M. Garrett stated that as there were no items brought forward during the approval of the agenda, we would proceed to the next item.

## **8.0 Introduction of Council Members for 2020-2021**

S. Bowman, Chair of the Governance and Nominations Committee, informed the membership that following the Call for Nominations in February of 2020, for two vacancies

on Council, only one nomination was received, the nominee is acclaimed officially tonight as no election was required. The successful candidate was Amy Sedor. Following a second call for Nominations in September of 2020 for the one remaining vacancy on Council, no nominations were received. As per the bylaws, Article VI: Council Members, 1.2 states:

“When an elected position on Council becomes vacant the Council shall appoint a member of the College to fill the vacancy for the balance of the term of office vacated.”

Therefore, Council will look to appoint an individual to this position in the coming months.

M. Garret introduced the Council for the 2020-2021 year:

**Public Representatives**

Leslie Wilder

Tara Baker

One Government Appointed Public Representative; position is currently vacant

Mark Garrett

Jan Lumsden

D’Arcy Bain

Kelli Berzuk

Amy Sedor

One vacancy to be filled by appointment

J. Lumsden read a question from Tabitha Bear: “For clarity what position remains open?”. J. Lumsden answered that it is a general Council position but not for a specific role as these are decided after, in a meeting with all of Council.

**9.0 Omnibus Motion**

M. Garrett announced that the next item on the agenda was the Omnibus Motion or Ratification Vote and invited Vice Chair Jan Lumsden to present this motion.

J. Lumsden stated that this motion demonstrates confidence in the work of the Council over the past year and asked registrants to refer to the information on the screen for further information about the Ratification Vote.

J. Lumsden made a motion to ratify all acts, resolutions, decisions and motions passed by the Council of the College of Physiotherapists of Manitoba during 2019.

M. Garrett asked for a seconder. The seconder was Debra Suderman.

M. Garrett asked for discussion. There was none.

M. Garrett called for the vote. M. Garrett announced that the results were 99 % in favour; 0% not in favour, 1 % abstaining.  
The MOTION was carried.

**19-15 Moved by:** Jan Lumsden

**Seconded by:** Debra Suderman

It was moved and seconded to ratify all acts, resolutions, decisions and motions passed by the Council of the College of Physiotherapists of Manitoba during 2019.

**99% in Favour**

**0% Opposed**

**MOTION Carried**

## 10.0 Final Remarks

M. Garrett acknowledged the work of Rebecca Krahn as the Student Representative on Council; outgoing in 2019. M. Garrett thanked members of the Council and the committees of the College who agreed to an emergency extension of their terms with the cancellation of the AGM in April of this year. M. Garrett addressed his colleagues on Council; acknowledging that without their commitment to the work of the College, this year would have been much more difficult. M. Garrett recognized, by name, the CPM staff, thanking them for their work in managing the affairs of the College.

## 11.0 Adjournment

M. Garrett thanked all attendees for their participation in the AGM and announced that attendees would be receiving a request for feedback by email on tonight's AGM. Attendees were encouraged to complete this post-AGM survey to assist in preparation for the next AGM in April of 2021.

J. Lumsden read a question from Caleb Smith: "Given our most recent CPM update. As an essential service I'm interested in how the college will look at Physiotherapists not wearing masks during practice." J. Lumsden answered that the College has aligned itself with the public health orders and that physiotherapists not wearing masks during practice is in contravention of those public health orders. If we receive calls concerning this issue they are forwarded to public health. B. McKechnie answered: that is correct. It is a requirement to wear a mask and if you are not doing that, the public health inspectors will go out; they have gone out to some clinics already. They may possibly visit yours so I would suggest you wear a mask.

J. Lumsden made a motion to adjourn the meeting.

M. Garrett asked for a seconder. The seconder was Cathy Christie.

M. Garrett called for the vote. M. Garrett announced that the results were 100 % in favour; 0% not in favour, 0 % abstaining.  
The MOTION was carried.

**19-16 Moved by:** Jan Lumsden

**Seconded by:** Debra Suderman

It was moved and seconded to adjourn the meeting.

**100% in Favour**

**0% Opposed**

**MOTION Carried**

M. Garrett, Chair of Council, adjourned the business portion of the meeting at 8:21 PM.