



**Ontario College
of Pharmacists**

Putting patients first since 1871

MINUTES OF MEETING

OF COUNCIL

DECEMBER 10, 2018

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MONDAY, DECEMBER 10, 2018 – 9:04 A.M.

COUNCIL CHAMBERS, ONTARIO COLLEGE OF PHARMACISTS

Elected Members

District H	Dr. Régis Vaillancourt, Ottawa
District H	Ms. Nadia Facca, London
District K	Dr. Esmail Merani, Carleton Place
District K	Ms. Tracey Phillips, Westport
District L	Mr. Billy Cheung, Markham
District L	Mr. James Morrison, Burlington
District L	Dr. Sony Poulouse, Hamilton
District M	Mr. Mike Hannalah, Toronto
District M	Mr. Kyro Maseh, Toronto
District M	Ms. Laura Weyland, Toronto
District N	Mr. Tom Kontio, London
District N	Ms. Leigh Smith, Cambridge
District N	Dr. Karen Riley, Sarnia
District P	Ms. Rachelle Rocha, Sudbury
District P	Mr. Douglas Stewart, Sudbury
District T	Ms. Ruth-Ann Plaxton, Owen Sound
District TH	Mr. Goran Petrovic, Kitchener

Dr. Christine Allen, Interim Dean, Leslie Dan Faculty of Pharmacy, UofT - **Regrets**

Dr. David Edwards, Hallman Director, School of Pharmacy, University of Waterloo

Members Appointed by the Lieutenant-Governor-in-Council

Ms. Kathleen Al-Zand, Ottawa - **Regrets**
Ms. Linda Bracken, Marmora
Ms. Christine Henderson, Toronto
Mr. Azeem Khan, Pickering
Mr. James MacLaggan, Bowmanville - **Regrets**
Ms. Elnora Magboo, Brampton
Ms. Sylvia Moustacalis, Toronto
Ms. Joan A. Pajunen, Kilworthy
Ms. Joy Sommerfreund, London
Mr. Dan Stapleton, Toronto
Mr. Ravil Veli, North Bay- **Regrets**
Mr. Wes Vickers, LaSalle- **Regrets**

Staff present

Ms. Nancy Lum-Wilson, CEO and Registrar
Ms. Anne Resnick, Deputy Registrar/Director, Conduct
Ms. Connie Campbell, Director, Corporate Services
Ms. Susan James, Director, Quality
Ms. Stephenie Luciani, Executive Assistant to the CEO and Registrar

Invited Guests

Mr. Barry Horrobin, Director of Planning & Physical Resources, Windsor Police Service

1. Noting Members Present

Member attendance was noted.

2. Declaration of Conflict

There were no conflicts declared.

3. Approval of Agenda

A motion to approve the Agenda was moved and seconded. CARRIED.

4. President's Opening Remarks

Ms. Weyland welcomed Council members to the meeting. She informed Council that this is the first meeting in 26 years without the valued staff support of Council and Executive Liaison, Ms. Ushma Rajdev and that this is the first meeting since the passing of public member, Mr. Shahid Rashdi. Both will be missed for their many years of service and contribution.

Ms Weyland highlighted key changes to Committee Appointments since September Council. These include the re-appointment of Joy Sommerfreund to Council as a Public member for an additional year and Joy Sommerfreund's appointment to Accreditation and DPP Committee and the ICRC. Goran Petrovic will Chair the DPP committee in place of Regis Vaillancourt, who will continue as Accreditation Committee Chair. Linda Bracken has been appointed to the Registration Committee until the end of this Council year. The following additional Council members were appointed to the Discipline Committee to supplement elected members (due a shortage): Billy Cheung, Leigh Smith, Tracey Phillips, Sony Poulouse and Laura Weyland.

Ms. Weyland also informed Council that the Executive Committee considered the issue of issuing guidelines for pharmacists and pharmacy technicians on the use of cannabis in relation to practice at its last meeting. The Executive Committee determined that no action was required due to existing provisions in our Code of Ethics, Standards of Practice and the Professional Misconduct Regulation which stipulates that *"Practising the profession while the member's ability to do so is impaired or adversely affected by any substance, condition, dysfunction, disorder or circumstance that the member knows or ought to know impairs or adversely affects his or her ability to practise"* would be considered misconduct.

4.1 Patient Reflections

Ms. Weyland advised that it is increasingly important for Council to hear and learn from the perspectives of patients and those with lived experiences as it helps to ground discussions and reinforce the importance of the public-protection mandate.

She then introduced Mr. Todd Leach, Communications Manager at Ontario College of Pharmacists, to share Lisa Hurtubise's patient reflection on her behalf. Ms. Hurtubise experienced a severe adverse drug reaction. She appreciated that her community pharmacist took measures to ensure her safety and wellbeing.

4.2 Briefing Note – President's Report to December 2018

Ms. Weyland referred to her report which summarized her activities since the previous Council meeting. These included attending various committee meetings at the College and various meetings with the Registrar and the Vice President.

Referring to the September 2018 Council Meeting Evaluation, President Weyland thanked Council members for providing feedback, adding that this is another way for Council to hold itself accountable, ensure efficiency and enhance Council members' participation at these meetings. She encouraged Council members to continue to provide input.

Ms. Weyland explained that in response to the feedback received from the September 2018 Council Meeting, a review of the Rules of Order for Council was undertaken. She then called upon Mr. Doug Stewart, Vice President, who, as per the governance manual, serves as Council parliamentarian. Mr. Stewart described the changes based on the feedback, which focused on providing additional clarity on processes.

Mr. Stewart explained that the Rules of Order are intended to provide structure to the conversations held at Council and ensure the process includes a clarifying question period, followed by a motion made and seconded and then debate before the issue is brought to a vote.

Ms. Weyland then concluded with referencing the final appendix to her report, which provides the results of the evaluation of the CLEAR governance training that took place during the September 2018 Council.

The Briefing Note was received for information by Council.

5. Approval of Minutes of Previous Meeting

5.1 Minutes of September 2018 Council Meeting

It was moved and seconded that the Minutes of the September 2018 Council meeting be approved. CARRIED.

6. Notice of Motions Intended to be Introduced

6.1 Motion re College Name Change

To be addressed under Other Matters in Agenda Item 12.1

7. Motions, Notice of Which Had Previously Been Given

There were none.

8. Inquiries

There were none.

9. Matters Arising from Previous Meetings

9.1 Briefing Note - Model Standards for Pharmacy Compounding of Non-Sterile Preparations

Ms. Weyland invited Ms. Susan James, Director, Quality, to introduce the Briefing Note to Council.

Council was reminded that it approved the standards at the December 2017 meeting and at the June 2018 Council meeting, it was reported that implementation of the standards will be guided by a national working group with representatives from provincial pharmacy regulatory authorities and pharmacy professionals.

Ms. James described a national multi- phase implementation plan that the working group established that would allow for an opportunity to leverage resources and apply a consistent approach across the country.

A motion in respect of the recommendation in the briefing note was moved and seconded.

Council discussed the importance of education to ensure that pharmacy professionals are supported at each implementation phase. It was noted that NAPRA is developing a national education program to support implementation. Council also would like to be made aware of any challenges that pharmacy professionals are experiencing to ensure appropriate strategies can be applied if needed.

Following discussion, **the motion** that Council approve a three-phase approach to implementation of the NAPRA Model Standards for Pharmacy Non-Sterile Compounding with the following timelines for completion of each phase:

- Phase 1 – Assessing Risks and Gaps Date: January 1, 2020
- Phase 2 – Personnel Training and Quality Assurance Date: July 1, 2020
- Phase 3 – Facilities and Equipment Date: January 1, 2021, **was called to a vote.**

Council members voted in favour of the motion. **The motion CARRIED.**

9.2 Briefing Note – Consultation Feedback – By-Laws

Ms. Weyland invited Ms. Campbell, Director, Corporate Services, to introduce the Briefing Note to Council.

Council was reminded that at the September 2017 meeting, Council approved for circulation by-law amendments that:

- enable fee changes proposed in the 2019 Operations Budget;
- align the public register by-law to incorporate the impact of the Protecting Patients Act(PPA) regulations proclaimed in 2018; and
- prepare for the anticipated approval of new Quality Assurance and Registration regulations that will remove the student class for pharmacists and introduce an intern class for pharmacy technicians.

The fee changes proposed will enable the College to deliver on operational imperatives that advance the vision, mission and strategic priorities in the newly created Strategic Plan.

A motion in respect of the recommendation in the briefing note was moved and seconded.

In debating the issue, Council considered the consultation sought for the proposed by-law changes. Key themes derived from the consultation feedback was a lack of perceived benefit for the increased fees, suggestions on how to structure fees and questions regarding improving operational efficiency. Council discussed that although the budget has already been approved and the fee increases are required to enable the operational plan to be executed, the concerns of the registrants should be addressed through a series of actions moving forward. These include a continuation of the work of the College to examine work processes to find efficiencies, consideration of cost recovery options in cases of misconduct findings, alternative ways of communicating information about the College's finances and fiscal stewardship, and more information to registrants about the College's regulatory role versus that of professional bodies or associations. In addition, Council discussed that The Finance and Audit committee should examine the impact of instituting a policy that mandates annual Cost of Living Increases to fees as a means of avoiding future large fee increases following years of stable fees.

Following discussion, the **motion** that Council approve the by-law amendments in Articles 3, 12, 14, 15, 16 and 17 effective January 1, 2019 **was called to a vote**.

Council members voted in favour of the motion. **The motion CARRIED.**

10. For Decision

10.1 Briefing Note - Discipline Cost Recovery

Ms. Weyland invited Ms. Resnick, Deputy Registrar/Director, Conduct, to introduce the Briefing Note.

Ms. Resnick described that the College is proposing the development of a policy for discipline cost recovery. The College's current approach to cost awards is based on precedents and can vary depending on the details of the case. To increase the proportion of discipline costs that are recovered from subjects of disciplinary processes and to decrease the financial burden on the rest of the profession, the College is proposing the development of a policy that would formalize

the criteria and manner in which cost awards are sought when allegations of professional or propriety misconduct are proven.

A motion in respect of the recommendation in the briefing note was moved and seconded.

Council discussed that exploring cost recovery within current regulations is fiscally responsible and would like the opportunity to review and consider a policy and framework at the next Council meeting.

Following discussion, the **motion** that staff draft a policy to address cost orders at the Discipline Committee and report recommendations to Council in March 2019 **was called to a vote.**

Council members voted in favour of the motion. **The motion CARRIED.**

Ms. Weyland advised Council that Agenda Item 11.1 is to be discussed prior to Agenda item 10.2 to give background and context to the next agenda item.

11.1 Briefing Note - Update on Governance and Ministry of Health and Long-Term Care Direction

At the Chair's request, Ms. Lum-Wilson, Registrar presented the Briefing Note. It was highlighted to Council that Deanna Williams and a team from Health Workforce and Regulatory Affairs Division (HWPRAD) attended the FHRCO meeting to provide the first substantive update on the Best Practice Report subsequent to the Protecting Patients Act, 2018; and the government direction for Regulated Health Colleges further to the establishment of a new Progressive Conservative Government, respectively.

Background was given regarding international trends in self-regulation, which have helped to define best practice in governance. Locally, there is interest from the government to strengthen oversight of the sector to ensure accountability to the public protection mandate. A common set of performance indicators for colleges will be established as a mechanism to increase transparency and accountability.

Ms. Lum-Wilson provided a Ministry update, including advisement that the Ministry is planning fundamental changes in structure and management of healthcare and the Colleges should consider how the perception of large administrative structures are viewed by this government, including how regulation becomes a barrier to front-line care delivery.

The Briefing Note was received for information by Council.

10.2 Briefing Note - Executive Committee - Governance

Ms. Weyland invited Mr. Stewart, Vice President, to introduce the Briefing Note.

Mr. Stewart highlighted that a Governance Working Group of the Executive Committee was formed to examine trends and best practices in self-regulation and to identify opportunities to strengthen governance and capacity to regulate in the public interest. The College of Nurses of Ontario (CNO) completed an in-depth review of best practice in governance and published their findings in the Vision 2020 paper. The College of Physicians and Surgeons of Ontario (CPSO) has formally aligned with the concepts in the paper. The Advisory Group for Regulatory

Excellence (AGRE) has expressed interest in aligning efforts among AGRE Colleges to support the government in identifying opportunities for legislative changes that will enable implementation of best practices. There is therefore a large movement for governance reform and an opportunity for the College to participate and actively engage in shaping the future direction.

A motion in respect of the recommendation in the briefing note was moved and seconded.

Council debated the issue of how governance changes would impact current proceedings. Council discussed that it will be important for proposals to be reviewed at Council meetings such that impact to the College can be considered. Before any changes are made and as progress is made, Council should have an opportunity to review and provide input both for changes that require and do not require legislative changes. As there is already government activity on governance reform, it will be important that the College is represented as it brings our perspective to the forefront.

Following discussion, the **motion** that Council support a partnership with AGRE to help inform proposed legislative changes required to support the government in modernizing governance and that Council support the governance reform framework and principles in Appendix 1 **was called to a vote.**

Council members voted in favour of the motion. **The motion CARRIED.**

10.3 Briefing Note - Executive Committee - Preferred Provider Networks (PPNs)

Ms. Weyland invited Mr. Cheung, Elected Council Member, to introduce the Briefing Note.

Mr. Cheung noted that the College does not have any legislative or regulatory jurisdiction over the practices of employers, insurance companies or pharmaceutical manufacturers. It was highlighted that patient risks associated with PPN's include disruption of continuity of care, limiting access and patient freedom of choice.

A motion in respect of the recommendation in the briefing note was moved and seconded.

Council discussed that although the College does not have legislative or regulatory jurisdiction to restrict the use of PPNs and has not been presented with any evidence that would cause it to conclude that PPNs are in violation of any regulations or the Code of Ethics, the College would have concerns should any established or emerging business model restrict, prevent or create new barriers to pharmacies or pharmacy professionals being able to act on their professional obligations.

Council then discussed that it would be in the public's best interest to formally communicate its concerns about the impact of *closed* preferred provider networks (PPNs) on patient well-being and suggested a change to the recommendation in the Briefing Note to reflect a stronger call to action.

A motion in respect of the recommendation in the briefing note was moved and seconded.

After some discussion Mr. Kontio, Elected Council Member, **made a motion to amend the initial motion as follows:**

That Council direct the Registrar to formally communicate the College's concerns about the impact of closed PPNs on patient well-being and suggest government encourage employers and unions to support open PPN models through legislative or other means.

The motion was seconded.

Council considered that directing the government to utilize legislative or other means to encourage open PPN models would be outside of our jurisdiction. The important point is to communicate to government the impact on patients, and the potential to enhance access to care through open PPN models. This would be aligned with the College's mandate to serve the public interest and improve patients' well-being.

Council also discussed the importance of continuing to remind registrants that they are expected to practice in accordance with the Standards of Practice and to ensure that continuity of care, access to care and patient safety is not compromised, regardless of whether there are multiple providers involved in the care of a patient.

Following discussion, the **motion to amend was called to a vote. The motion was DEFEATED.**

Council then voted on the original motion, that Council direct the Registrar to formally communicate the College's concerns about the impact of closed PPNs on patient well-being and suggest government encourage employers and unions to support open PPN models.

Council members voted in favour of the motion. **The motion CARRIED.**

10.4 Briefing Note - Opioid Policy

Ms. Weyland invited Ms. James, Director, Quality, to introduce the Briefing Note.

Ms. James reminded Council that last year, the College developed an Opioid Strategy to address relevant areas of practice while considering the health and social factors that are related to opioid use disorder. One of the initiatives identified within the Strategy was the development of an Opioid Policy to outline the College's expectations for pharmacy professionals regarding opioid therapy. In September 2018, a draft Opioid Policy was circulated for consultation. Based on the analysis of the feedback received through the consultation, revisions to the policy were made and presented to Council. After outlining the consultation results and themes throughout, Ms. James highlighted the revisions which focused on editorial changes.

A motion in respect of the recommendation in the briefing note was moved and seconded.

Council discussed that pharmacy professions often experience challenges with providing clinical input on individual patients and that collaboration between pharmacy professions and prescribers will be key as there is often shared accountability. The Opioid Policy will help clarify expectations around the management of opioid prescriptions and helps to reinforce the role of the pharmacist. The College should continue to work with CPSO, who also have an opioid strategy.

Following discussion, the **motion** that Council approve the amended draft Opioid Policy to outline the College's expectations for pharmacy professionals regarding opioids **was called to a vote**.

Council members voted in favour of the motion. **The motion CARRIED.**

10.5 Briefing Note - Pharmacy Safety Initiative

Ms. Weyland invited Ms. James, Director, Quality, to introduce the Briefing Note. Ms. James provided background to the Council regarding correspondence from the Ontario Association of Chiefs of Police (OACP) on their Pharmacy Safety Initiative aimed at helping to curb the incidence and impact of robberies and thefts in pharmacies. Efforts to reduce diversion of these drugs through theft from pharmacies would be aligned with the harm reduction component of the College's Opioid Strategy.

Ms. James then introduced Mr. Barry Horrobin, Director of Planning & Physical Resources, Windsor Police Service to present to Council.

Mr. Horrobin described the current safety issues, the program in place as well as the learnings obtained from similar programs.

Following the introduction and presentation, **a motion in respect of the recommendation in the briefing note was moved and seconded.**

Council discussed the presentation and the potential for such an initiative to improve community safety. Also, that it would be worthwhile for the College to review and analyze the potential benefits of a province-wide initiative for Council consideration.

Following discussion, the **motion** that Council approve College engagement with the Ontario Association of Chiefs of Police for the purpose of exploring the most appropriate options to collaborate in a provincial pharmacy safety initiative **was called to a vote**.

Council members voted in favour of the motion. **The motion CARRIED.**

11 For Information

11.1 Briefing Note - Update on Governance and Ministry of Health and Long-Term Care Direction

Discussed before Agenda Item 10.2.

11.2 Briefing Note - Registrar's Report to Council

Ms. Weyland invited the Registrar, Ms. Lum-Wilson, to address Council. Ms. Lum-Wilson presented Attachment 1 to Appendix 11.2 "Briefing Note – Registrar's Report to Council", focusing on the College's performance against established targets in several areas of operations. She highlighted the percentage of complaints disposed of within one-hundred and fifty days, and the improvement in the number of uncontested hearings addressed within sixty days, and Registrar's inquires. Council members expressed appreciation of the approach being

taken, and acknowledged efforts being taken by staff to meet targets. Tracking of other timelines and associated indicators was also discussed. Ms. Lum-Wilson also reported that College staff are examining recent HPARB decisions.

Ms. Lum-Wilson reported on recent realignments at the Ministry, including changes to the reporting structure of the Health Workforce Planning and Regulatory Affairs Divisions, and that the Assistant Deputy Minister has been assigned to lead the ministry in setting up an expedited review of legislation and regulation to identify impediments to more effective and efficient operations of the health system and the ministry in its oversight role.

Ms. Lum-Wilson summarized the College's involvement in the inquiry into the long-term care system, and that the College has been requested to return for a consultation in January 2019.

Ms. Lum-Wilson shared discussions with the Ministry of Labour concerning collaborative efforts to improve the safety of workers within pharmacies. Discussion ensued in respect of certain situations that had become known, including safe storage and certain failures to dispose of hazardous chemicals and drugs in a timely way.

Ms. Lum-Wilson then spoke about recent changes in which veterinary antimicrobials had been moved from over-the-counter status to prescription status. The College of Veterinarians of Ontario has asked for the College's collaboration in identifying how to most effectively support veterinary care.

Ms. Lum-Wilson reported on the finalization of competencies and educational outcomes for Cannabis and Patient Care in Pharmacy, in collaboration with the Canadian Council for Continuing Education in Pharmacy (CCCEP). CCCEP is now in the process of working with continuing education providers to promote development of education programs that will satisfy the requirements for CCCEP accreditation. Discussion ensued among Council members in respect of mandated education with respect to cannabis.

Ms. Lum-Wilson provided an update of recent meetings with Health Quality Ontario concerning the establishment of quality indicators for pharmacy, and indicated that a final set of indicators should be identified by spring 2019.

In respect of discussions with Health Canada, Ms. Lum-Wilson advised that the College had received a loss and theft report from the Office of Controlled Substances and that the College is working on establishing a data-sharing agreement to allow for closer collaboration. Ms. Lum-Wilson also updated on joint visits with Health Canada at hospital pharmacies, and the recent meeting of NAPRA and efforts to create national pharmacy standards for medication safety.

MISCELLANEOUS ITEMS

In respect of the Briefing Note concerning Opioid Abuse, Ms. Lum-Wilson advised Council that certain stakeholders are lobbying the federal government in respect of decriminalization, and to investigate the role drug companies may have played in the opioid crisis.

Ms. Lum-Wilson updated Council on the progress of the Medication Safety Program. She also reported on recent meetings with the Neighbourhood Pharmacy Association.

Concerning Digital Health, Ms. Lum-Wilson discussed the "ONE ID" initiative, the College's role and collaborative work with eHealth, and PrescribeIT and the Canada Health Infoway.

In respect of the Optimizing Practice Strategy, Ms. Lum-Wilson summarized the development of the OPEN white paper, and continued collaboration with Health Quality Ontario and various primary care groups.

Dr. Riley updated Council in respect of an analysis of quality metrics concerning the PEBC.

Council discussed government initiatives directed toward expanded scope of practice for pharmacists.

Discussion ensued concerning Medical Assistance in Dying (MAiD) reporting as included in the Briefing Note, and Ms. Lum-Wilson discussed with Council the new reporting requirements.

The Briefing Note was received for information by Council

12. Other Matters

12.1 Motion re College Name Change

Ms. Weyland invited Mr. Petrovic, Elected Council Member, to present the motion.

The motion presented was to support changing the name of the College to more inclusively reflect the group the College regulates in the public interest, which include, pharmacy technicians, pharmacists as well as pharmacies. The recommendation was to change Ontario College of Pharmacists to Ontario College of Pharmacy.

A motion in respect of the recommendation was moved and seconded.

Council discussed that historically the College was called Ontario College of Pharmacy but this was changed with the Regulated Health Professional Act (RHPA) in 1992 to Pharmacists for consistency with other Colleges, which regulate professionals.

In debating the issue, Council accepted that this college was somewhat unique among health profession Colleges in that in addition to administering the Pharmacy Act which speaks to registrants, OCP also has oversight of pharmacies through the Drug and Pharmacies Regulation Act. Despite this fact, the naming convention used in the RHPA was to reference the health professional being regulated. It was further noted that Pharmacy Technicians became a regulated class with College oversight in 2010 and that following the naming convention of the RHPA would necessitate the addition of Pharmacy Technicians to the title.

After some discussion, Mr. Hannalah made a motion to amend the motion as follows:

That Council request the College change their name to the following: Ontario College of Pharmacy Professionals.

The motion was seconded.

Council debated the issue of ensuring that the name change is all-inclusive in its description. The pharmacy as a place is a component of our mandate and should be recognized. It was acknowledged that maintaining consistency across Ontario is important as is consistency across other provinces although legislation varies by province. It was noted that any name change will take time as it requires legislative change.

Following discussion, **the amendment of the original motion was called to a vote. The motion was DEFEATED.**

Council then voted on the original motion that Council request the College change their name to the Ontario College of Pharmacy.

Council members voted in favour of the motion. **The motion CARRIED.**

12.2 Presentation by Mr. Barry Horrobin re Provincial Pharmacy Safety Initiative

Presentation provided during Agenda Item 10.5.

13. Unfinished Business

Ms. Weyland reminded Council members to provide an evaluation of today's meeting, adding that the feedback will serve to ensure efficiency and enhance Council members' participation at these meetings.

Motion respecting Circulation of Minutes

A motion to approve the circulation of the draft minutes of this Council Meeting to Council members was moved and seconded. The motion CARRIED.

14. Motion of Adjournment

There being no further business, **at 3:40 p.m., a motion to adjourn the meeting was moved and seconded. CARRIED.**

Stephenie Luciani
Executive Assistant to the CEO and Registrar

Laura Weyland
President