

STATE OF DELAWARE



DELAWARE ASSOCIATION OF PROFESSIONAL ENGINEERS

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September 17, 2018

MINUTES – SEPTEMBER 12, 2018 COUNCIL MEETING

A meeting of the Council of the Delaware Association of Professional Engineers was held on Wednesday, September 12, 2018, at the DAPE offices in New Castle, DE.

President Gharebaghi convened the meeting at 3:10 p.m.

Council Members Present:	C. Balascio, P.E.	W. Balascio, P.E.
	D. Barbato, P.E.	M. Clendaniel, P.E.
	S. Gharebaghi, P.E.	R. Hayden, P.E.
	J. Jakubowski, P.E.	J. Kalmbacher, P.E.
	M. Lennon, P.E.	K. Maxson, P.E.
	C. McAllister, P.E.	R. Smith, Esq.

Council Members absent:	E. Retzlaff, P.E.	J. Tracey, Esq.
	R. Wheatley	

Staff present: J. Wootten

DAG present: Catherine "Terry" Hickey, Esq.

Meeting called to order 3:05

The Roll call was taken and a quorum was declared.

Open Forum

No members of the public present.

Election of Officers

The proposed slate of officers presented to Council by the Executive Committee for the 2018/2019 Council year was:

President	S. Gharebaghi, P.E.
Vice President	C. Balascio, P.E.
Secretary	C. McAllister, P.E.
Treasurer	J. Jakubowski, P.E.

President Gharebaghi opened the floor for nominations for the office of **President**. D. Barbato nominated C. Balascio. This nomination was seconded by C. McAllister. Hearing no further nominations, motion by C. McAllister, seconded by M. Lennon, the nomination for the office of President was closed. Approved unanimously.

Motion to vote by written ballot for all officer positions (unless uncontested) by M. Lennon, seconded by W. Balascio. Motion carried with three opposed (M. Clendaniel, R. Hayden and S. Gharebaghi).

Ballots for the office of President were tallied by Secretary McAllister. C. Balascio received 9 votes, S. Gharebaghi received 3 votes. Having received the majority of votes, new Council President C. Balascio took office and presided over the rest of the meeting.

President Balascio opened the floor for nominations for the office of **Vice President**. M. Lennon nominated M. Clendaniel. This nomination was seconded by R. Hayden. C. McAllister nominated J. Jakubowski. This nomination was seconded by J. Kalmbacher. Hearing no further nominations, motion by M. Lennon, seconded by W. Balascio, the nomination for the office of Vice President was closed. Approved unanimously.

Ballots for the office of Vice President were tallied by Secretary McAllister. J. Jakubowski received 7 votes, M. Clendaniel received 5 votes. Having received the majority of votes, President Balascio declared J. Jakubowski the new Vice President.

President Balascio opened the floor for nominations for the office of **Secretary**. Hearing no further nominations, motion by R. Hayden, seconded by W. Balascio, the nomination for the office of Secretary was closed. Approved unanimously.

Motion to approve C. McAllister as Secretary by acclamation by M. Lennon, seconded by M. Clendaniel. Approved unanimously.

President Balascio opened the floor for nominations for the office of **Treasurer**. D. Barbato nominated M. Clendaniel. This nomination was seconded by J. Kalmbacher. Hearing no further nominations, motion by C. McAllister, seconded by J. Kalmbacher, the nomination for the office of Treasurer was closed. Approved unanimously.

Motion to approve M. Clendaniel as Treasurer by acclamation by M. Lennon, seconded by C. McAllister. Approved unanimously.

Introductions

Council introduced themselves and welcomed new member Karen Maxson.

Minutes of the August 8, 2018 Council Meeting

Council reviewed the Minutes of the August 8, 2018 Council meeting.

Motion by M. Clendaniel, seconded by M. Lennon, to approve the minutes of the August 8, 2018 meeting. Approved unanimously.

D.A.G. Report -- None.

Financial Reports

- Finances for the four months (33%) of fiscal year ending April 30, 2019 reflect income has reached 74.8% of projections; and expenses 27.4%.

Motion by C. Balascio, seconded by M. Clendaniel, Council accept the Finance Report subject to audit. Approved unanimously.

J. Wootten reported on the number of PEs that have renewed late since June 30 (267), and have completed PDH audits (195). J. Wootten will follow up with late renewals that have not responded to the CPC audit to date.

Committee Reports

Executive Committee

The Executive Committee met just prior to the Council meeting, therefore, a written report is unavailable. Items discussed at Executive Committee meeting will be covered under the appropriate Committee reports.

Employee Compensation & Benefits Committee

The Committee met September 6. Background checks were completed for staff and will go into employee files.

J. Wootten will review existing HR information and resources from the state's website (with input from DAG Hickey) with the intent of preparing a work scope for possible solicitations of proposals by HR consultants.

Motion by M. Clendaniel, seconded by C. McAllister to go into Executive Session for the purpose of discussing employee compensation and benefits. Approved unanimously.

Motion by M. Lennon, seconded by M. Clendaniel to come out of Executive Session. Approved unanimously.

Motion by C. Balascio, seconded by R. Hayden to approve employee benefits change as discussed in executive session. Approved unanimously.

Law Enforcement/Ethics Committee

Chair McAllister reported that the Committee met on September 5, 2018.

- The Committee plans to revisit the Code of Ethics issue involving crimes substantially related to the practice of engineering; J. Wootten will research existing laws in other states and professions.
- C. McAllister, D. Reinhold and J. Wootten attended the law enforcement program at the NCEES annual meeting. C. McAllister recommended that presenter Amigo Wade be contacted for a potential training session for DAPE.
- DAPE could consider sending a representative to the Annual Meeting of FARB (Federation of Associations of Regulatory Boards) to keep up on licensure regulation news.
- The committee discussed a recent inquiry regarding whether our law requires that a PE date, sign and seal every page of a plan. The committee agreed that this is not required (although permissible).
- The committee is recommending closure of 14 cases as listed in its report.
- J. Wootten will review new disciplinary cases listed on the NCEES' enforcement exchange to be sure active members are self-reporting, and report to LEE each month.

Motion by C. McAllister, seconded by M. Lennon to hire Amigo Wade for a training session for committee, Council and membership training, using budget line item for council/committee education. Approved unanimously.

Motion by C. McAllister seconded by M. Clendaniel, Council approve the closure of the 14 cases as listed on Exhibit A of the committee's report. Approved unanimously.

Examining Committee

Co-Chair W. Balascio reported that the Committee met on August 29, 2018 and reviewed **thirty-one (31)** individual applications for licensure including **fifteen (15)** applications for **comity**; and **sixteen (16)** applications for **examination**. All recommendations are shown on **Exhibit A1** which is now ready for Council action.

The Committee reviewed **fourteen (14)** applications for **Certificate of Authorization** and **two (2)** applications for **Certificate of Authorization Reinstatements**. Committee recommendations are noted on **Exhibit A2**.

Motion by W. Balascio seconded by M. Lennon, Council approve the Committee's recommendations for applications for licensure as noted on Exhibit A1 and Certificates of Authorization as noted on Exhibit A2 of the committee's report. Approved unanimously.

External Affairs Committee -- No report. The Joint Advisory Committee has a meeting scheduled on October 22 to discuss feedback from DAPE Council and Board of Architects regarding the latest draft of the Committee's "Guidelines for Delaware Building Officials" document. J. Wootten will include the draft in the Council documents for Council review and discussion on October 10.

Facilities Committee -- No report.

Public Information -- No report. Ten new PE's were presented with their framed certificates at the Crab Feast event co-hosted by ASCE and DAPE on September 11, 2018 at White Clay Creek State Park.

Correspondence -- None.

Government Affairs/By-laws Committee -- No report.

NCEES

The NCEES Annual meeting was attended by S. Gharebaghi, C. McAllister, C. Balascio, J. Wootten, and D. Reinhold (who attended the law enforcement sessions only). C. Balascio encouraged Council members to attend a zone or annual meeting during their tenure, as it's an excellent chance to get a better understanding of the variations in licensure from board to board, and to network (particularly for Council members interested in serving on an NCEES committee). The 2019 Annual meeting will be in Washington, DC.

Old Business -- None.

New Business

M. Clendaniel asked for information regarding federal agencies' licensing requirements, and will connect with DAG Hickey to follow up.

C. Balascio will review and update committee charges. Committee chairs are also asked to review these charges and let C. Balascio know if you have any suggestions for changes.

Next Meeting -- Next meeting scheduled for October 10, 2018 in Kent County.

Motion to adjourn by M. Clendaniel, seconded by R. Hayden Approved unanimously. Meeting adjourned at 4:31p.m.

/jw