

STATE OF DELAWARE



DELAWARE ASSOCIATION OF PROFESSIONAL ENGINEERS

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February 19, 2019

MINUTES – FEBRUARY 13, 2019 COUNCIL MEETING

A meeting of the Council of the Delaware Association of Professional Engineers was held on Wednesday, February 13, 2019, at Frankie's at Dover Downs in Dover, DE.

President C. Balascio convened the meeting at 3:13 p.m.

The Roll call was taken and a quorum was declared.

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

Council Members absent:	D. Barbato, P.E.	M. Clendaniel, P.E.
	R. Hayden, P.E.	J. Tracey, Esq.
	R. Wheatley	

Staff present:	J. Wootten
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DAG present:	Eileen Kelly, Esq.
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Open Forum

No members of the public were present.

Minutes of the January 9, 2019 Council Meeting

Council reviewed the Minutes of the January 9, 2019 Council meeting. C. Balascio proposed an amendment as follows: in the "New Business" section regarding Decoupling, amend the discussion paragraph to read:

"M. Lennon proposed adding a clarification/corrected formatting to Section 2817. The heading of Section 2817(5) will read "Engineering Experience and Examination (Licensure Without Degree)".

Motion by M. Lennon, seconded by S. Gharebaghi, to approve the minutes of the January 9, 2019 meeting as amended. Approved unanimously.

D.A.G. Report – None.

Financial Reports

- Finances for the nine months (75%) of fiscal year ending April 30, 2019 reflect income has reached 101.4% of projections and expenses 58.7%.

Motion by E. Retzlaff, seconded by M. Lennon, Council accept the Finance Report subject to audit. Approved unanimously.

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.

Finance Committee – No Report

Employee Compensation & Benefits Committee/Facilities Committee – No Report. Committee has a meeting scheduled for February 28, 2019.

Law Enforcement/Ethics Committee

The Committee met on February 6, 2019 and discussed the following:

- Code of Ethics revision – committee discussed Delaware Engineers' Act Section 2803(29) in relation to Code of Ethics Section 6(C) and concluded that the issue of "Crimes Substantially Related to the Practice of Engineering" can be handled on a case by case basis by Council with the current regulations.
- Committee discussed several recent questions regarding building officials' PE seal requirements. DAPE Outreach efforts are needed, and PDH training opportunity should be planned.
- LEE Committee will host an Ethics training session for members May 16 (8:30 to 11:30 AM); Council and LEE members are invited to attend the 1:00-4:00 PM session on interview techniques.
- The committee is recommending closure of 11 cases as listed in its report.
- Next meeting March 6, 2019.

Motion by C. McAllister, seconded by W. Balascio, Council approve the closure of the 11 cases as listed on Exhibit A of the committee's report. Approved unanimously.

Examining Committee

Chair W. Balascio reported that the Committee met on January 31, 2019 and reviewed **81** individual applications for licensure, consisting of **41 applications for comity, 39 applications for examination and 1 application for new licensure**. All recommendations are shown on **Exhibit A1** which is now ready for Council action.

Motion by W. Balascio, seconded by C. McAllister, Council approve the Committee's recommendations for applications for licensure as noted on Exhibit A1 of the committee's report. Approved unanimously.

The Committee reviewed **9** applications for **Certificate of Authorization** and **2** applications for **Certificate of Authorization Reinstatements**. Committee recommendations are noted on **Exhibit A2**.

Motion by W. Balascio, seconded by C. McAllister, Council approve the Committee's recommendations for Certificates of Authorization as noted on Exhibit A2 of the committee's report. Approved unanimously.

External Affairs Committee – No Report.

Public Information – No Report.

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

Nominating Committee – No Report.

Correspondence – None.

NCEES

C. Balascio and J. Wootten attended the NCEES Board Presidents' Assembly in Atlanta February 8-9.

C. Balascio suggested several areas that DAPE can explore to lower barriers to licensure and/or improve licensure mobility, including:

- Washington Accord programs
- International Engineering Alliance
- NCEES Model Law Engineer designation (MLE)

J. Wootten added the idea of using the NCEES record in lieu of DAPE's full application for MLEs (approximately 14 states do this). NCEES' reference requirements do differ somewhat from DAPE's reference requirements.

The Examining Committee/Council should start researching and discussing these issues now, and consider which would require legislative vs. procedural changes.

C. Balascio asked the LEE committee to discuss the gas pipeline incident in Massachusetts, and Delaware's requirements for public utilities/licensed engineers. He plans to reach out to the Delaware branch of NSPE/DES to discuss this.

Old Business

Council discussed the draft of a Bill to amend Title 24 to allow decoupling examination and experience requirements. DAG Kelley will make two additional revisions: the heading in Section 2817(5) and a clarification in Section 2817(7)f.

Motion by M. Lennon, seconded by E. Retzlaff, to authorize President Balascio to approve the final draft with revisions as discussed to insure timely consideration. Approved unanimously.

Motion by M. Lennon, seconded by W. Balascio, Council approve the draft legislation as discussed and authorized by the President. Approved unanimously.

DAG Kelly will work with R. Smith to prepare the final draft and have DAPE's lobbyist F. Newton seek legislative sponsorship.

New Business – None.

Next Meeting -- Next meeting scheduled for Wednesday March 13, 2019 at DAPE office in New Castle, DE.

Motion to adjourn by W. Balascio, seconded by S. Gharebaghi. Approved unanimously. Meeting adjourned at 4:25 p.m.

/jw