

STATE OF DELAWARE



**DELAWARE ASSOCIATION OF PROFESSIONAL ENGINEERS  
92 Read's Way, Suite 208, New Castle, DE 19720**

PHONE: 302-323-4588 FAX: 302-323-4590  
E-mail: [office@dape.org](mailto:office@dape.org)

April 22, 2014

**MINUTES – COUNCIL MEETING, April 9, 2014**

A meeting of the Council of the Delaware Association of Professional Engineers was held on Wednesday, April 9, 2014, at Abbott's Grill, Milford, Delaware.

President Medlarz convened the meeting at 3:12 p.m.

Council Members Present:	C. Balascio, P.E.	H. Medlarz, P.E.
	S. Gharebaghi, P.E.	F. Newton
	R. Hayden, P.E.	E. Retzlaff, P.E.
	K. Kooker, P.E.	T. Thomson, P.E.
	M. Lennon, P.E.	R. Wheatley
	C. McAllister, P.E.	

Council Members absent:	W. Balascio, P.E.	-	excused
	D. Barbato, P.E.	-	excused
	M. Lester, P.E.	-	excused
	J. Tracey, Esq.	-	excused

Staff present: P. Abshagen

DAG present: Catherine (Terry) Hickey, Esq.

The Roll call was taken and a quorum was declared.

**Open Forum** -- Nothing to report.

**Minutes of the March 12, 2014 Council Meeting**

Council reviewed the Minutes of the March 12, 2014 Council meeting. Motion by McAllister, seconded by Lennon, Council approves the Minutes of the March 12, 2014 Council meeting as submitted. Approved.

**D.A.G. Report**

- Johns' Hearing -- DAG Hickey is drafting the final Decision for Council's review next month.
- Scott Hearing – Two days of Hearing concluded on 2/7/14 and 3/19/14. Next hearing date is 4/24/14.
- Legislation -- Draft legislation formatted and forwarded to Chair Tracey.

- Partial Council term is considered the first term of office (opinion of DAG Hickey).

## **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.

### **Financial Report**

Finances for the eleven months (92%) of this fiscal year reflect income has reached 69% of projections; and expenses 87%.

Council reviewed the report of the Finance Committee dated April 4, 2014.

Proposed Budget -- Council member Kooker discussed several budget-related items and the consensus of the Finance Committee to transfer excess income to the Reserve Fund.

- Expense #653 – Council/Committee Education includes monies for quarterly ethics presentations to the membership for assistance in meeting CPC requirements.
- Income #405 – FE exam fees paid directly to NCEES with computer-based testing.

Motion by Thomson, seconded by C. Balascio, Council approve the quarterly ethics presentations for the membership. Approved unanimously.

Motion by Kooker, seconded by Newton, Council approve the draft FY 2014/2015 budget as proposed by the Finance Committee. Approved unanimously.

Motion by Kooker, seconded by Gharebaghi, Council approve Barbacane & Thornton to complete this year's audit. Approved unanimously.

### **Employee Benefits & Compensation**

Two temporary part-time employees are assisting with office duties. Have been working with two employment agencies with little success of identifying appropriate candidates. Still searching for permanent employee.

Executive Director review/salary increase -- Motion by Newton, seconded by Lennon, Council approve a 3% salary increase for the Executive Director. Approved unanimously.

### **Law Enforcement/Ethics Committee**

Council reviewed the report of the Committee's April 2, 2014 meeting. Chair Kooker reported:

- Educational Programs for Council/Committee – looking to get feedback from NCEES Annual meeting for topics to pursue and determine length of programs (half day vs. full day).

Motion by Gharebaghi, seconded by C. Balascio, educational programs be half day and located mid-state (Dover). Approved unanimously.

- DNREC – Lift Station Designs: A DAPE member has contacted the office to ascertain the position of DAPE regarding non-engineers designing lift stations. DNREC Class “B” licensees are permitted to design gravity systems. Class “C” licensees are required to be P.E.’s. New regulations have been promulgated to permit Class “B” licensees to spec out pump systems.

The committee’s position is that the design of lift stations would be construed the practice of engineering, thereby requiring design by a P.E.

- Motion by Kooker, seconded by Newton, Council approve the eight cases listed for closure on Exhibit A of the Committee’s report. Approved unanimously.

### **Examining Committee**

Council reviewed the report of the Examining Committee’s meeting of March 26, 2014. Thirty-four (34) individual applications for licensure were reviewed and confidential recommendations made for Council action consisting of **27** applications for **comity**; **3** applications for individuals that meet all requirements, but are not licensed; and **4** applications for examination. The Committee also reviewed **8** applications for **Certificate of Authorization** and **2** applications for **Reinstatement**.

Motion by C. Balascio, seconded by McAllister, Council approve the Committee’s recommendations as noted on Exhibits A1-A2 of the committee’s report dated March 27, 2014, with the exception of Reinstatement #10686, which will be referred to the LEE Committee. Approved unanimously.

Lastly, the committee is discussing traffic and software engineering and working on developing guidelines for its use in reviewing future applications.

### **External Affairs Committee**

- JAC is scheduled to meet 4/29/14.
- P. Abshagen attended the Lower Delaware Maryland Building Officials Association (LDMBOA) meeting in Fenwick. Attended by about 15 building officials. Next meeting in May.

**Facilities Committee** -- No report.

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

### **Public Information**

- Camden Wyoming Sewer & Water Authority -- developing a new water well and water storage tower and using opportunity to use the project as a learning tool for a variety of groups. Soliciting DAPE’s support. Council member Gharebaghi has offered to participate.

### **Ad-Hoc/Policies & Procedures Manual**

LE/E Committee provided their submission. Examining Committee working on its submission.

**Ad-Hoc/Green Building** -- Council member McAllister provided the minutes from the previous meeting. A report has been submitted to Sen. McDowell & Blevins.

### **Correspondence**

- Sussex Outdoors and Delaware Greenways – is organizing a “walkable bikeable Delaware” campaign and is requesting whether engineers who participate would be eligible for the professional development hours. Council does not believe this program meets the intent of CPC and this organization will be provided with a copy of the CPC guidelines.
- Delaware Rural Water Association -- is putting together technical assistance training and operational and maintenance training for water, wastewater to meet federal and state regulations. They are requesting pdh's for those engineers attending. Council is in agreement this would meet the CPC guidelines.
- Wayne Ericksen has provided copies of recent articles by an architect in Sussex County. These are the opinions of one architect. No response required.

### **NCEES**

- The Northeast Zone meeting will be held at the Greenbriar, in West Virginia in early May. Annual meeting is scheduled for Seattle, WA, in August.

**Old Business** -- No report.

### **New Business**

- 2014 Council election to fill the Industry, Civil and New Castle County seats.

Next meeting on May 14, 2014 in the offices of DAPE.

Meeting adjourned at 4:55 p.m.

/pa