

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)

August 16, 2012

**MINUTES – COUNCIL MEETING, August 8, 2012**

A meeting of the Council of the Delaware Association of Professional Engineers was held on Wednesday, August 8, 2012, in the offices of DAPE, New Castle, Delaware.

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

Council Members present:	W. Balasico, P.E.	C.L. McAllister, P.E.
	D. Clark, P.E.	H. Medlarz, P.E.
	W.Z. Crouch, P.E.	V. Robertson, Esq.
	S. Gharebaghi, P.E.	A. Shine, P.E.
	M. Lester, P.E.	

Council Members absent:	D. Barbato, P.E.	-	excused
	K. Kooker, P.E.	-	excused
	R. Leitsch, P.E.	-	excused
	F. Newton	-	excused

Staff present: P. Abshagen

DAG: Catherine (Terry) Hickey, Esq.

Guests: C. Balascio, P.E.; R. Hayden, P.E.; M. Mallamo, P.E.; T. Thomson, P.E.

The Roll call was taken and a quorum was declared.

**Open Forum**

Introductions of Council members to the incoming Council members were made.

**Minutes of the July 11, 2012 Council Meeting**

Council reviewed the Minutes of the July 11, 2012 Council meeting. Motion by Robertson, seconded by Lester, Council approve the Minutes of the July 11, 2012 Council meeting as submitted. Approved.

**Ratification of Council Election Results**

Motion by Lester, seconded by Gharebaghi, Council ratify the results of the 2012 Council election, electing C. Balascio, R. Hayden, M. Mallamo, and T. Thomson to the DAPE Council. Approved unanimously.

## **D.A.G. Report**

DAG Hickey was requested to research the federal requirements to provide preference to active duty members of the service and spouses. The Division of Professional Regulation has adopted regulations to address this issue with those boards, but this does not apply to DAPE, and would require a legislative revision. As Executive Director offered that these could be handled as the situation arises, it was concluded legislative revisions will not be pursued.

## **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**

Chair Medlarz reported on the income/expense activity for fiscal year 2012/2013. Income actuals are at 67% of projections; expenses at 24% of projections after three months of this fiscal year. Report will be recommended for approval subject to audit.

Finance Committee to convene a meeting in September to discuss income investments, policy manual, etc.

### **Employee Benefits & Compensation**

Job descriptions for the 3 full-time employees will be discussed at the September committee meeting.

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

Co-Chair Crouch reviewed the report of the Law Enforcement/Ethics Committee meeting of August 1, 2012.

Hearing Panel Chair Tracey discussed the prosecution of the MacIntosh Engineering case (10/004) to assist the committee in its future investigations. His comments were very useful to the committee on this case which involved a significant investment of time and monies.

Committee member Diaz is organizing a workshop and is extremely interested in those topics Council would like to see discussed at this workshop.

The committee is recommending the closure of the 11 cases listed on Exhibit A1 of the report. Motion by Crouch, seconded by Robertson, Council approve the closure of the 11 cases listed on Exhibit A1 of the committee's report dated August 2, 2012.

### **Examining Committee**

Chair Lester presented the report of the Examining Committee's meeting of July 25, 2012. Thirty-seven (37) individual applications for licensure were reviewed and confidential recommendations made for Council action consisting of **19** applications for **comity**; and **18** applications for **examination**. The Committee also

reviewed **6** applications for **Certificate of Authorization**. All recommendations are shown on Exhibit A1-A2 of the report.

Motion by Lester, seconded by Robertson, Council approve the Committee's recommendations as shown on Exhibits A1 –A2 of the committee's report. Approved unanimously.

The Examining Committee will need to discuss computer-based testing (CBT), as administrative procedures will need to be worked out and put into place. Procedures such as applicants directly applying to NCEES, or continue to apply with DAPE for approval; retake and reapplication policy for multiple attempts, etc.

**External Affairs Committee** -- JAC to meet in September.

**Facilities Committee** -- No report.

**Public Information** -- Summer issue of the newsletter due August-September.

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

**Ad-Hoc/Policies & Procedures Manual** -- No report.

**Ad-Hoc/CPC** -- Work in progress. Details of CPC requirements could be included in an addenda to the law (similar to Administrative Penalty Guidelines).

## **NCEES**

- Annual meeting August 22-25, 2012, St. Louis, MO.

**Old Business** -- None

## **New Business**

President McAllister presented the Slate of officers for the 2012/2013 Council year:

President	-	C.L. McAllister, P.E.
Vice President	-	H. Medlarz, P.E.
Treasurer	-	K. Kooker, P.E.
Secretary	-	D. Barbato, P.E.

Nominations will be taken from the floor. A vote will be taken at the September Council year.

**Correspondence** -- None

## Other

- President McAllister expressed the Council's appreciation to outgoing Council members Crouch and Shine for their past eight years of service to DAPE.
- LEE Committee member Diaz questioned Council about future administrative prosecutions:
  - How should these cases be clearly presented to the Hearing Panel?
  - DAG reminded Council that the State prosecutes the case, not DAPE.
  - It was suggested P. Cottrell, Esq. be invited to attend a workshop.
  - The credentials of experts should be reviewed.
- DAG Hickey is trying to assist DAPE with getting DAPE meetings included on the state's Public Meeting Calendar on the website.

Next meeting on September 12, **2012**. Location to be determined.

Meeting adjourned at 4:55 p.m.

	<b><u>ACTION LIST:</u></b>	
<b>COMMITTEE:</b>	<b>ACTION:</b>	<b><u>STATUS:</u></b>
Finance	7-1: Comm. to meet to discuss income investments.	
Employee Benefits	4-2: Job descriptions and salary ranges for two staff positions	
Law Enforcement		
Examining	1-4: Comm. To review guidelines for reapplication (after 4X PE Fails) 7-2: Comm. to discuss CBT/admin. policies	
External Affairs	4-3: Plan for outreach workshops	
Facilities	12-3: Website Update	12/20/11: Ongoing
Public Information	3-1: Chair Gharebaghi to provide strategies for enhancing committee's work.	
Gov't Affairs		
Ad-Hoc/Policy Manual	3-2: Manual under review	6/13/12: Draft received
Ad-Hoc/CPC	1-6: Details of CPC program required	
DAG		