

STATE OF DELAWARE



**DELAWARE ASSOCIATION OF PROFESSIONAL ENGINEERS  
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September 3, 2013

**MINUTES – COUNCIL MEETING, August 14, 2013**

A meeting of the Council of the Delaware Association of Professional Engineers was held on Wednesday, August 14, 2013, in the Kent meeting room of the Boardwalk Plaza Hotel, Rehoboth, Delaware.

President McAllister convened the meeting at 3:15 p.m.

Council Members present:	C. Balascio, P.E.	C. McAllister, P.E.
	W. Balascio, P.E.	H. Medlarz, P.E.
	D. Barbato, P.E.	F. Newton
	D. Clark, P.E.	V. Robertson, Esq.
	S. Gharebaghi, P.E.	T. Thomson, P.E.
	R. Hayden, P.E.	J. Tracey, Esq.

Council Members absent: K. Kooker, P.E.  
M. Lester, P.E.

Staff present: P. Abshagen

DAG: Catherine (Terry) Hickey, Esq.

Guest: New Council Members: M. Lennon, P.E. & E. Retzlaff, P.E.

The Roll call was taken and a quorum was declared.

**Open Forum**

Introductions were made and incoming Council members welcomed to the meeting.

**Minutes of the July 10, 2013 Council Meeting**

Council reviewed the Minutes of the July 10, 2013 Council meeting. Motion by Newton, seconded by C. Balascio, Council approve the Minutes of the July 10, 2013 Council meeting as submitted. Approved unanimously.

**D.A.G. Report**

DAG Hickey reported:

- Johns hearing scheduled for 9/26/13
- Meeting with Sussex County officials scheduled for 9/12/13 in the Dover AG's office.

## **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 finances for 25% of this fiscal year. Income has reached 37% of projections; and expenses 26%. Motion by Newton, seconded by Balascio, approval of Finance Report pending audit. Approved.

**Employee Benefits & Compensation** -- No report.

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

Co-Chair Thomson reported on the Committee's August 7, 2013 meeting. In addition to the committee's recommendation for the closure of the six files listed on the report's Exhibit A, the committee is recommending Council approve a Consent Order in the matter of Case 11/146, revoking the license of Allan Redden.

Motion by Robertson, seconded by Tracey, Council approve the closure of the six cases listed on Exhibit A of the committee's report. Approved unanimously.

Motion by Thomson, seconded by Newton, Council approve the Consent Order in Case 11/146, whereby licensee Allan Redden voluntarily agrees to the revocation of his license. This will be reported as a disciplinary action. Approved unanimously.

### **Examining Committee**

Council reviewed the report of the Examining Committee's meeting of July, 2013. Fifty-one (51) individual applications for licensure were reviewed and confidential recommendations made for Council action consisting of **22** applications for **comity**; **2** reapplications; and **27** applications for **examination**. The Committee also reviewed **4** applications for **Certificate of Authorization**; **1** application for **Temporary Permit**; and **2** applications for **Reinstatement**.

The committee also discussed online education and has adopted the policy of accepting online education if it is ABET-accredited or for those science-related programs if they are regionally accredited. (Council member Hayden provided an article on online education.)

The Committee is drafting its guidelines for the Guidelines Manual.

Motion by C. Balascio, seconded by Robertson, Council approve the Committee's recommendations for licensure as shown on Exhibits A1-A3 of the committee's report dated August 2, 2013. Approved unanimously.

**External Affairs Committee** -- No report.

**Facilities Committee** -- No report.

## **Public Information**

Summer newsletter slated for publication in late August/early September.

## **Government Affairs/By-laws Committee**

Legislation to address computer-based testing, Continued Professional Competency, etc. has been signed by the Governor. Council extended its appreciation to Council members Newton and Tracey and all those instrumental in getting this passed.

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

Examining & Law Enforcement Committees' guidelines are in progress.

## **Ad-Hoc/CPC**

Chair W. Balascio has a few minor edits to a small section of the guidelines based on feedback from the membership and Council. Final guidelines to be presented to Council for approval at the next meeting.

## **NCEES**

- Annual meeting scheduled for 8/21 – 8/24 in San Antonio. Council members C. Balascio, W. Balascio, C. McAllister and Executive Director Abshagen will be in attendance. Motions for discussion were presented to Council and it was the consensus that those delegates in attendance would listen to all debates and vote accordingly. In voting for the President-Elect position, we will continue supporting Skip Harclerode's (MD) candidacy.

**Correspondence** -- None

**Old Business** -- None

## **New Business**

- President McAllister shared the results of the **2013 Council election**:
  - Chemical Eng. Seat - Michael A. Lennon, P.E. 259 votes
  - Gov't Employment - Hans M. Medlarz, P.E. 263 votes
  - "Other" Eng. Seat - Daniel P. Barbato, P.E. 265 votes
  - Sussex County Seat - Erik F. Retzlaff, P.E. 262 votes

Motion by Robertson, seconded by Tracey, Council ratify the results of the 2013 Council election. Approved unanimously.

Council member Robertson encourages all Council members to attend NCEES meetings during their tenure.

- President McAllister shared the results of the **revision to the bylaws**:
  - All of the proposed revisions to the bylaws were overwhelmingly approved by the membership.

Motion by Newton, seconded by C. Balascio, Council ratify the results of the revisions to the bylaws.

Approved unanimously.

- **Administrative Penalty Guidelines** – As a result of recent revisions to the law, several housekeeping revisions are required in the Administrative Penalty Guidelines. These will be forwarded to the LE&E Committee for review and recommendations.
- **Meeting with Attorney General's Office** – President McAllister requested agenda items from Council on the proposed meeting with the AG's office.
- **Slate of Council Officers** -- The Executive Committee proposes the following slate of officers:
  - President - Hans Medlarz, P.E.
  - Vice President - Daniel Barbato, P.E.
  - Secretary - Theodore Thomson, P.E.
  - Treasurer - Keith Kooker, P.E.

Nominations will be taken from the floor at the September Council meeting prior to election of officers.

- Council expressed its appreciation to departing Council member David Clark and presented him with a certificate of appreciation and a token of its thanks.

Next meeting on **September 11, 2013** in New Castle County. Location to be determined.

Meeting adjourned at 5:00 p.m.

	<b><u>ACTION LIST:</u></b>	
<b>COMMITTEE:</b>	<b>ACTION:</b>	<b><u>STATUS:</u></b>
Finance		
Employee Benefits		
Law Enforcement	4-1: Guidelines needed	
Examining	4-2: Guidelines needed	
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	5-2: Need Exam. and LEE Committee's sections	
Ad-Hoc/CPC	3-2: CPC guidelines reviewed and tweaked	Rev. guidelines in progress
Ad-Hoc/Enforcement Seminar		
DAG		