

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

August 31, 2015

MINUTES – COUNCIL MEETING, August 12, 2015

A meeting of the Council of the Delaware Association of Professional Engineers was held on Wednesday, August 12, 2015, in the meeting room of The Georgia House, Milford, Delaware.

Vice-President Barbato convened the meeting at 3:00 p.m.

Council Members Present:	D. Barbato, P.E.	M. Lester, P.E.
	C. Balascio, P.E.	R. Smith, Esq.
	W. Balascio, P.E.	T. Thomson, P.E.
	S. Gharebaghi, P.E.	E. Retzlaff, P.E.
	K. Kooker, P.E.	
	M. Lennon, P.E.	C. McAllister, P.E.

Council Members absent:	R. Hayden, P.E.	-	excused
	J. Ludman, P.E.	-	excused
	H. Medlarz, P.E.	-	excused
	J. Tracey, Esq.	-	excused
	R. Wheatley	-	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 July 8, 2015 Council Meeting

Council reviewed the Minutes of the July 8, 2015 Council meeting and recommends approval as submitted. Under New Business the use of a blog was briefly discussed. Council member Lennon noted that monitoring a blog is absolutely necessary.

Motion by Lennon, seconded by C. Balascio, Council approve the Minutes of the July 8, 2015 as submitted. Approved unanimously.

D.A.G. Report

- Gregory Scott hearing -- Final decision to be distributed to the Hearing Committee within the next week.
- Matthew Szayna hearing – Hearing Panel decision regarding the Cease & Desist has been issued for comment.

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 first three months of this fiscal year reflect income has reached 45% of projections; and expenses 22%. Income category #435 (penalties) has far exceeded projections.

Audit for fiscal year 2014/2015 has been completed by Barbacane & Thornton. Awaiting draft report.

Investments: Financial advisor has indicated a \$100K investment will be maturing in October. Will discuss strategy for this investment at that time.

Employee Benefits & Compensation -- No report.

Law Enforcement/Ethics Committee

Committee met on August 5, 2015 and discussed:

- DNREC – Class B design for lift station/gravity on-site wastewater systems MOU under review by DNREC. Co-Chair Thomson to follow-up.
- University of Delaware/MOU – After another round of revisions to the draft MOU, the LEE Committee is in agreement and have advised UD's legal counsel Larry White for forwarding to appropriate individuals at the University.
- Committee Education Program -- Committee member Diaz sought agenda topics to incorporate into the program's agenda. DAG Jarosz has offered to participate.
- Committee is recommending the closure of 9 cases.

Motion by Kooker, seconded by C. Balascio, Council approve the closure of the nine (9) cases listed on Exhibit A of the committee's report. Approved unanimously.

Examining Committee

The Executive Committee reviewed the report of the Examining Committee's meeting of July 29, 2015. Thirty-seven (37) individual applications for licensure were reviewed and confidential recommendations made for Council action consisting of **26** applications for **comity**; and **11** applications for examination. The Committee also reviewed **9** applications for **Certificate of Authorization** and **1** application for **Temporary Permit**.

Motion by C. Balascio, seconded by Lester, Council approve the Committee's recommendations as noted on Exhibits A1-A2 of the committee's report dated July 30, 2015. Approved unanimously.

External Affairs Committee

- Joint Advisory Committee (JAC) with Architects is to be re-scheduled.
- Fire Regulations revisions are out for comment.
- Laboratory for Learning will start up in September. October session is scheduled for Thursday, 10/22/15 in Camden, DE.
- ASCE's annual crab feast is scheduled in September. Newly licensed PE's have been invited to attend to receive their wall certificates.

Facilities Committee -- No report.

Government Affairs/By-laws Committee

Awaiting the Governor's signature on SB #86 (legislation to clarify the voting eligibility of inactive and retired members).

Public Information -- No report.

Ad-Hoc/Law Revision Committee

- Decoupling PE experience from exam -- This discussion was tabled.
- Progressive engineering experience – Discussion to follow.

Correspondence

- Email was received from a Delaware licensee who is employed by the military full-time. He is asking whether this qualifies for a waiver of the CPC requirements. Council discussed that deployment in a capacity that would prohibit a licensee from obtaining the necessary courses would be considered. However, full-time military employment (non-deployment) would not. Clarification of the CPC guidelines may need to be considered to address this particular issue.

NCEES

- Annual meeting in Williamsburg, VA on 8/19 – 8/22/15. Representatives: C. Balascio, W. Balascio, T. Thomson, C. McAllister, P. Abshagen.
- The NC Dental Examiners Supreme Court decision resulted in the Oklahoma Board sharing an Executive Order from their Attorney General indicating that “any licensure or prohibition of actions taken by the board will now be reviewed by the Oklahoma Attorney General prior to becoming final.”

Old Business -- None

New Business

✓ Results of the 2015 Council election and revisions to the bylaws:

- | | | | |
|-------------------------------|---|------------------------------------------------------------------------------|----------------------------------------------|
| ▪ Electrical Engineering Seat | - | William D. Balascio, P.E. | (231 voters) |
| ▪ Kent County Seat | - | Soheil Gharebaghi, P.E.
Ashton N. McLaughlin, P.E. | (153 voters)
(89 voters) |
| ▪ Private Consulting Seat | - | Charles L. McAllister, P.E.
Joseph Jakubowski, P.E.
Jill Voeller, P.E. | (96 voters)
(88 voters)
(57 voters) |
| ▪ Bylaws Revisions | - | Accept all of Board’s recommendations | (212 voters) |

Motion by Lester, seconded by Lennon, Council ratify the results of the 2015 Council election and revisions to the bylaws.

✓ Slate of Officers proposed by the Executive Committee for Council year 2015/2016:

- | | | |
|----------------|---|---------------------|
| President | - | D. Barbato, P.E. |
| Vice President | - | T. Thomson, P.E. |
| Secretary | - | S. Gharebaghi, P.E. |
| Treasurer | - | C. McAllister, P.E. |

(Nominations will be taken from the floor at the September meeting.)

✓ University of Delaware – Fall Visitation

Council member Lester will arrange for DAPE’s representatives to visit with UD students in the Fall to discuss licensure and the FE exam.

Next meeting is scheduled on **Wednesday, September 9, 2015**, in the offices of DAPE.

Meeting adjourned at 4:05 p.m.

/pa