

STATE OF DELAWARE



DELAWARE ASSOCIATION OF PROFESSIONAL ENGINEERS
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December 28, 2015

MINUTES – COUNCIL MEETING, December 9, 2015

A meeting of the Council of the Delaware Association of Professional Engineers was held on Wednesday, December 9, 2015, in the Roma's Restaurant, Dover, Delaware.

Vice-President Thomson convened the meeting at 3:05 p.m.

Council Members Present:	C. Balascio, P.E.	J. Ludman, P.E.
	W. Balascio, P.E.	C. McAllister, P.E.
	S. Gharebaghi, P.E.	H. Medlarz, P.E.
	R. Hayden, P.E.	E. Retzlaff, P.E.
	M. Lennon, P.E.	T. Thomson, P.E.
		R. Wheatley

Council Members absent:	D. Barbato, P.E.	-	excused
	M. Lester, P.E.	-	excused
	R. Smith, Esq.	-	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 -- No report.

Minutes of the November 19, 2015 Council Meeting

Council reviewed the Minutes of the November 19, 2015 Council meeting and recommends the following correction under the Examining Committee Report (page 3, first & third paragraphs) should indicate "***The Council***" reviewed the report ...

Motion by C. Balascio, seconded by Hayden, Council approve the Minutes of the November 19, 2015 as amended. Approved unanimously (Gharebaghi abstained).

D.A.G. Report

- William Risko Intent to Deny – requesting a hearing for Council to reconsider. Hearing Panel appointed: R. Hayden (Chair), R. Wheatley, and J. Ludman. Hearing date to be scheduled.

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 seven months (58%) of this fiscal year reflect income has reached 57% of projections; and expenses 46%.

Chair Thomson pointed out that categories 901 (Membership Services) and 653 (Council Education) each includes half of the expense for the recent workshop for the membership/Council.

Motion by Retzlaff, seconded by C. Balascio, Council accept the Finance Report subject to audit. Approved unanimously.

The final audit report has been received and is available to interested Council members.

Employee Benefits & Compensation -- No report.

Law Enforcement/Ethics Committee

Committee met on December 2, 2015 and discussed:

- DNREC – Class B design for lift station/gravity on-site wastewater systems MOU under review by DNREC.
- Supplemental Legal Counsel – Committee discussed seeking an opinion for the use of supplemental legal counsel. Previous opinion by Young Conway was in 2001 and committee wants to insure it is current and to obtain another opinion. This opinion is intended to be shared with AG during an upcoming meeting.
- Revisions to list of crimes substantially related to practice of engineering – Committee is working on updating this list.
- Committee is recommending the closure of 5 cases.
- Committee would like to nominate past Chair Keith Kooker for the Distinguished Service Award.

Motion by C. Balascio, seconded by Wheatley, Council approve the closure of the five (5) cases listed on Exhibit A of the committee's report. Approved unanimously.

Examining Committee -- No report.

External Affairs Committee -- No report.

Facilities Committee -- No report.

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

Public Information

- Chair Gharebaghi reported that Mark DeVore, P.E., was the guest lecturer at the "Laboratory for Learning" session on 11/23/2015. Jim Vescovi, P.E., of DSWA is scheduled in the near future.
- Winter newsletter is being drafted and will be published before the holidays.

Ad-Hoc/Law Revision Committee

- Decoupling PE experience from exam -- to be studied and reviewed.

Correspondence -- None

NCEES

- Still awaiting PE grades from the October exam administration.
- The Ohio Board notified all boards that one of their PE licensees was indicted in U.S. District Court on charges of providing material assistance and resources to terrorists – Al-Qaeda, as well as other charges. Three others were also named in the indictment, at least two of which were engineering students. None of these individuals appear in the records of DAPE.

Old Business -- (None)

New Business

- U/D MOU Committee requires appointment. Recommendation is to appoint Council members Lester and Lennon and LEE Committee member Say.

Motion by McAllister, seconded by C. Balascio, Council approve U/D MOU Committee of Lester, Lennon and Say. Approved unanimously.

- Council member Medlarz has recently accepted the position as the Sussex County engineer.
- Council member Tracey was recognized in the 2016 Best Lawyers survey for land use and zoning law.
- Distinguished Service Award Nomination – Nomination of past LEE Chair Keith Kooker was discussed.

Motion by Thomson, seconded by Medlarz, Council approve the nomination of past LEE Chair Keith Kooker as the 2016 Distinguished Service Award recipient. Approved unanimously.

Next meeting is scheduled on **Wednesday, January 13, 2016**, in New Castle County.

Meeting adjourned at 3:40 p.m.

/pa