

STATE OF DELAWARE



DELAWARE ASSOCIATION OF PROFESSIONAL ENGINEERS
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February 25, 2013

MINUTES – COUNCIL MEETING, February 13, 2013

A meeting of the Council of the Delaware Association of Professional Engineers was held on Wednesday, February 13, 2013, at the Kent County Administrative Complex, Dover, Delaware.

Vice-President Medlarz convened the meeting at 3:07 p.m.

Council Members present:	C. Balascio, P.E.	M. Lester, P.E.
	W. Balascio, P.E.	M. Mallamo, P.E.
	D. Clark, P.E.	H. Medlarz, P.E.
	S. Gharebaghi, P.E.	F. Newton
	R. Hayden, P.E.	T. Thomson, P.E.
	K. Kooker, P.E.	J. Tracey, Esq.

Council Members absent:	D. Barbato, P.E.	-	excused
	C. McAllister, P.E.	-	excused
	V. Robertson, Esq.	-	excused

Staff present: P. Abshagen

DAG: Catherine (Terry) Hickey, Esq.

Guest: Ana E. Diaz, P.E.

The Roll call was taken and a quorum was declared.

Open Forum

As a member of the Law Enforcement/Ethics Committee, A. Diaz is organizing the Committee/Council Workshop scheduled for March 22, 2013 in Dover, Delaware. Diaz presented to Council the purpose and proposed agenda for the meeting. There will be a presentation/discussion on negligence and standard of care; the DiSC program exercise; description of the investigative process, etc.

It was suggested if there are questions on negligence that they be presented to DAG Hickey before the workshop.

Motion by Tracey, seconded by Hayden, Council approves the workshop agenda. Approved unanimously.

(Guest Diaz was excused from the meeting.)

Minutes of the January 7, 2013 Council Meeting

Council reviewed the Minutes of the January 7, 2013 Council meeting. Motion by C. Balascio, seconded by Kooker, Council approve the Minutes of the January 7, 2013 Council meeting as submitted. Approved unanimously.

D.A.G. Report

Motion by Newton, seconded by Kooker, at 3:45 p.m. to enter Executive Session for the purpose of discussing pending litigation. Approved unanimously.

Motion by Newton, seconded by Kooker, at 3:55 p.m. to enter Open Session. Approved unanimously.

Motion by Tracey, seconded by C. Balascio, Council accepts the proposed new Sussex County Code draft language as presented by DAG and approved previously by the Board of Architects. Approved unanimously.

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 the income/expense activity for first nine months of fiscal year 2012/2013 reflect income actuals at 97% of projections; expenses at 59% of projections. Report will be recommended for approval subject to audit.

Council reviewed the report of the Finance Committee meeting of January 22, 2013.

- The Finance Committee will spend some quality time on the review of the Financial Guidelines.
- The FE application fee will remain unchanged when the FE exam goes to computer-based testing. (The fee to be charged when certification is ultimately applied for.)

Motion by Newton, seconded by Kooker, Council approve the FE application fee to remain unchanged. Approved unanimously.

Employee Benefits & Compensation

- Job descriptions still under review.
- Health Insurance benefits – retained broker; will maintain current health care plan for all employees at this time.

Motion by Newton, seconded by Kooker, Council approves the continued health care coverage for employees. Approved unanimously.

Law Enforcement/Ethics Committee

Chair Kooker reviewed the report of the committee's February 6, 2013 meeting. Committee discussed its investigative flow chart and is recommending closure of the 11 cases listed on Exhibit A1. The committee is in agreement with its investigative procedures as outlined in the flow chart and affirmed its continued usage.

Motion by Tracey, seconded by Newton, Council approve closure of the 11 cases listed on Exhibit A1. Approved unanimously.

Examining Committee

Chair Lester presented the report of the Examining Committee's meeting of January 30, 2013. Forty-one (41) individual applications for licensure were reviewed and confidential recommendations made for Council action consisting of 22 applications for comity; 1 application for licensure for an individual whose previous license in Delaware lapsed and required reapplication; and 18 applications for examination. The Committee also reviewed 9 applications for Certificate of Authorization.

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

Motion by Lester, seconded by Newton, Council approve the 9 applications for Certificates of Authorization as shown on Exhibit A2 of the committee's report. Approved unanimously.

External Affairs Committee -- No report.

Facilities Committee -- No report.

Public Information

Spring issue of the newsletter is scheduled for publication April/May. Our Winter issue of the newsletter and its article on CPC generated lots of feedback.

Government Affairs/By-laws Committee

Proposed legislative revisions were prepared to address CPC, computer-based testing, reapplication process (after 4 unsuccessful attempts at PE exam). With the enactment of CPC requirements, the question arose as to whether an emeritus, retired or inactive status is applicable. Neighboring states will be surveyed to determine how it is handled in those jurisdictions.

Motion by Clark, seconded by Lester, the Delaware requirements for emeritus, retired or inactive status should be as similar as possible to our surrounding states. (AYE: 8; OPPOSED: 4 – Lester, Kooker, Clark, Medlarz) Motion carried.

Ad-Hoc/Policies & Procedures Manual

In progress. Finance guidelines being worked on.

Ad-Hoc/CPC

Newsletter article and draft guidelines published in newsletter generated lots of feedback. Suggestions were to require 12 vs 15 pdh's; provide more credit for professional society involvement; etc.

Method 2 (more flexible plan) needs more discussion.

Committee will re-convene to tweak guidelines.

Ad-Hoc/Enforcement Seminar

Workshop has been confirmed for Friday, March 22, 2013 (7:30 a.m. – 6:00 p.m.) at the Dover Downs Hotel.

NCEES

- Board President's Assembly in Atlanta, GA was attended by Council member Thomson and Executive Director Abshagen. Computer-based testing consumed a majority of the discussions.
- Northeast Zone meeting registration is now open. Meeting to be held in Cape May, NJ (May 2-4, 2013)

Correspondence -- None

Old Business -- None

New Business

- Engineers' Week Banquet to be held on 2/21/13 at the Cavalier Country Club. Tickets are available for Council members.

Next meeting on **March 13, 2013** in the offices of DAPE.

Meeting adjourned at 5:35 p.m.

	<u>ACTION LIST:</u>	
COMMITTEE:	ACTION:	<u>STATUS:</u>
Finance	2-1: Financial Guidelines need overhaul	
Employee Benefits	4-2: Job descriptions pending	Under review
Law Enforcement		
Examining		
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	12-2: Law rev. prep (CBT, CPC, PE renewals)	
Ad-Hoc/Policy Manual	3-2: Manual under review	6/13/12: Draft received
Ad-Hoc/CPC	1-6: Details of CPC program in progress	9/1/12: Draft under review
Ad-Hoc/Enforcement Seminar	12-3: Date 3/22/13;	Agenda prepared; working on presentations
DAG		