

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

March 25, 2013

MINUTES – COUNCIL MEETING, March 13, 2013

A meeting of the Council of the Delaware Association of Professional Engineers was held on Wednesday, March 13, 2013, at the offices of DAPE, New Castle, Delaware.

President McAllister convened the meeting at 3:00 p.m.

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

Council Members absent: M. Mallamo, P.E. - excused

Staff present: P. Abshagen

DAG: Catherine (Terry) Hickey, Esq.

Guests: Ana E. Diaz, P.E., S. Selway (facilitator)

The Roll call was taken and a quorum was declared.

Open Forum

Law Enforcement/Ethics Committee member Anna Diaz is organizing the Committee/Council Workshop scheduled for March 22, 2013 in Dover, Delaware. Diaz introduced facilitator Selway, whose task will be to keep discussions on track. She also explained the process for submitting questions/ideas allowing voices for all.

(Guests Diaz and Selway excused from the meeting at 3:20 p.m.)

Minutes of the February 13, 2013 Council Meeting

Council reviewed the Minutes of the February 13, 2013 Council meeting. Motion by Newton, seconded by Kooker, Council approve the Minutes of the February 13, 2013 Council meeting as submitted. Approved unanimously.

D.A.G. Report

Motion by Newton, seconded by Kooker, at 3:30 p.m. to enter Executive Session for the purpose of discussing pending litigation. Approved unanimously.

Motion by Newton, seconded by Kooker, at 3:43 p.m. to enter Open Session. Approved unanimously.

Motion by Newton, seconded by Medlarz, Council reject the proposed Consent Agreement in the matter of David Johns, and proceed to a hearing. 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 83% of the fiscal year stating income actuals at 99% of projections; expenses at 70% of projections. Report will be recommended for approval subject to audit.

Employee Benefits & Compensation

- Job descriptions still under review.

Law Enforcement/Ethics Committee

Chair Kooker reviewed the report of the committee's March 6, 2013 meeting. Committee is recommending closure of the 1 case listed on Exhibit A1.

Motion by Kooker, seconded by Newton, Council approve closure of the 1 case listed on Exhibit A1. Approved unanimously.

Examining Committee

Chair Lester presented the report of the Examining Committee's meeting of February 27, 2013. Twenty-three (23) individual applications for licensure were reviewed and confidential recommendations made for Council action consisting of 21 applications for comity; 1 reapplication for an individual who has unsuccessfully attempted the PE exam four times; and 1 application for examination. The Committee also reviewed 7 applications for Certificate of Authorization; 5 applications for reinstatement; and 1 application for Temporary Permit.

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

External Affairs Committee -- JAC scheduled to meet 3/26/13.

Facilities Committee -- No report.

Public Information

Spring issue of the newsletter is scheduled for publication April/May. Will include Council seat vacancies, as well as revised CPC draft guidelines.

Government Affairs/By-laws Committee

Proposed law revisions include language to address computer-based testing, CPC requirement, retired status, etc. Language has been circulated to committee members, who will reconvene to finalize revisions.

Ad-Hoc/Policies & Procedures Manual

In progress. Finance guidelines being worked on.

Ad-Hoc/CPC

Committee met 3/11/13 to review guidelines and address comments from membership.

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

- Northeast Zone meeting registration is now open. Meeting to be held in Cape May, NJ (May 2-4, 2013) Council members Thomson, McAllister, C. Balascio and W. Balascio attending.

Correspondence -- None

Old Business -- None

New Business

- Hearing Panel has been appointed in the D. Johns matter. Alternate Hearing Panel member Hans Medlarz was appointed by Council.

Next meeting on **April 10, 2013** in Sussex County. Location to be determined.

Meeting adjourned at 4:15 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	3-1: Law rev. prep (CBT, CPC, PE renewals)	Draft language to be reviewed.
Ad-Hoc/Policy Manual	1-2: Manual under review	6/13/12: Draft received
Ad-Hoc/CPC	3-2: CPC guidelines reviewed and tweaked	Rev. guidelines to be reviewed again by membership
Ad-Hoc/Enforcement Seminar	12-3: Date 3/22/13;	Agenda prepared; working on presentations
DAG		