

STATE OF DELAWARE



DELAWARE ASSOCIATION OF PROFESSIONAL ENGINEERS
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March 28, 2014

MINUTES – COUNCIL MEETING, March 12, 2014

A meeting of the Council of the Delaware Association of Professional Engineers was held on Wednesday, March 12, 2014, at the DAPE offices, New Castle, Delaware.

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

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|--------------------------|-------------------|---------------------|-----------------|
| Council Members Present: | C. Balascio, P.E. | M. Lester, P.E. | J. Tracey, Esq. |
| | W. Balascio, P.E. | C. McAllister, P.E. | R. Wheatley |
| | D. Barbato, P.E. | H. Medlarz, P.E. | |
| | R. Hayden, P.E. | F. Newton | |
| | K. Kooker, P.E. | E. Retzlaff, P.E. | |
| | M. Lennon, P.E. | T. Thomson, P.E. | |

Council Members absent: S. Gharebaghi, P.E. - 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 February 12, 2014 Council Meeting

Council reviewed the Minutes of the February 12, 2014 Council meeting. Motion by McAllister, seconded by Thomson, Council approves the Minutes of the February 12, 2014 Council meeting as submitted. Approved.

D.A.G. Report

- Johns' Hearing -- DAG Hickey reported that the Johns' denial of licensure hearing has concluded; written closing arguments submitted; and the Hearing Panel has deliberated the case. Decision to Council next month.
- Scott Hearing – Two days of Hearing concluded on 2/7/14 and 3/19/14.

- Legislation -- Draft legislation being formatted. Standard of care issue needs further research by Government Affairs Committee.

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 ten months (83%) of this fiscal year reflect income has reached 67% of projections; and expenses 80%. (Category 450 – Misc. Income represents return of exam site security deposit).

Finance Committee has scheduled a meeting in early April to discuss proposed budget, selection of auditor, etc.

Motion by Lennon, seconded by W. Balascio, to accept the report subject to audit. Approved unanimously.

Employee Benefits & Compensation -- Meeting in conjunction with Finance Committee.

Law Enforcement/Ethics Committee

Council reviewed the report of the Committee's March 5, 2014 meeting. Co-Chair Thomson reported:

- The committee's flow chart was reformatted, finalized and now ready for inclusion in the Guidelines Manual.

Motion by C. Balascio, seconded by McAllister, Council approve the committee's flow chart and its inclusion in the Guidelines Manual. Approved unanimously.

- Motion by Thomson, seconded by Kooker, Council approve the two cases listed for closure on Exhibit A of the Committee's report. Approved unanimously.

Examining Committee

Council reviewed the report of the Examining Committee's meeting of February 26, 2014. Thirty-seven (37) individual applications for licensure were reviewed and confidential recommendations made for Council action consisting of **33** applications for **comity**; **2** applications for individuals that meet all requirements, but are not licensed; and **2** applications for examination. The Committee also reviewed **6** applications for **Certificate of Authorization** and **2** applications for **Temporary Permit**.

Motion by C. Balascio, seconded by McAllister, Council approve the Committee's recommendations as noted on Exhibits A1-A2 of the committee's report dated February 27, 2014. Approved unanimously.

The committee reviewed a definition of Council-approved 4-year curriculum in science-related to engineering for use in their evaluation of such applicants. This definition will be included in the guidelines.

Lastly, the committee is discussing traffic engineering and working on developing guidelines for its use in reviewing future applications.

External Affairs Committee

- Engineers' Week Banquet – presented certificates to new PE's (Oct. 2013 exam)
- DelTech Career Fair – DAPE sponsored a table and discussed licensure with many students.
- JAC is scheduled to meet 3/17/14.

Facilities Committee -- No report.

Government Affairs/By-laws Committee

Draft law revision discussed by DAG.

Public Information -- No report.

Ad-Hoc/Policies & Procedures Manual

LE/E Committee provided their submission. Examining Committee working on its submission.

Ad-Hoc/Green Building -- Council member McAllister advised there is a House Bill to add members to this group, although the committee will dissolve if not extended by November. And it was suggested that ACEC take the place of DAPE representation.

Correspondence

- DNREC – Tank Management Section has invited DAPE to participate in the Aboveground Storage Tank Technical Advisory Committee. Council will respectfully decline, but would appreciate the opportunity to review the draft regulations once available to insure compliance with the law.

NCEES

- The Northeast Zone meeting will be held at the Greenbriar, in West Virginia in early May. Registration is open. Annual meeting is scheduled for Seattle, WA, in August.

Old Business

- PE #12687 was issued an intent to deny reinstatement. Individual has not requested a hearing to oppose this decision. Motion by Thomson, seconded by Tracey, Council deny the reinstatement of PE license #12687. Approved unanimously.

New Business

- Partial Council terms – The question arose as to whether the partial term of a Council seat counts towards the 2-term limit. This is how it has been handled in the past.
- E-portfolios/CPC – W. Balascio will investigate this a little further.

Next meeting on April 9, 2014 in Sussex County. Location to be determined.

Meeting adjourned at 4:05 p.m.

/pa