

STATE OF DELAWARE



**DELAWARE ASSOCIATION OF PROFESSIONAL ENGINEERS**  
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May 23, 2012

**MINUTES – COUNCIL MEETING, MAY 9, 2012**

A meeting of the Council of the Delaware Association of Professional Engineers was held on Wednesday, May 9, 2012, in the conference room of the Sheraton Hotel, Dover, Delaware.

President McAllister convened the meeting at 3:15 p.m.

Council Members present:	D. Clark, P.E.	H. Medlarz, P.E.
	S. Gharebaghi, P.E.	F.A. Newton
	K. Kooker, P.E.	V. Robertson, Esq.
	M. Lester, P.E.	A. Shine, P.E.
	C.L. McAllister, P.E.	

Council Members absent:	W. Balascio, P.E.	-	excused
	D. Barbato, P.E.	-	excused
	W.Z. Crouch, P.E.	-	excused
	R. Leitsch, P.E.	-	excused
	J. Tracey, Esq.	-	excused

Staff present: P. Abshagen

DAG: Catherine (Terry) Hickey, Esq.

The Roll call was taken and a quorum was declared.

**Open Forum** -- No members of the public present.

**Minutes of the April 11, 2012 Council Meeting**

Council reviewed the Minutes of the April 11, 2012 Council meeting. Motion by Robertson, seconded by Newton, Council approve the Minutes of the April 11, 2012 Council meeting as submitted. Approved unanimously.

Council member Robertson expressed his appreciation to President McAllister for arranging the tour of the Gore facility last month.

## **D.A.G. Report**

DAG Hickey expressed her thanks for the opportunity to attend the recent NCEES NE Zone meeting held in Dover. She found the meeting valuable in the discussion of other states' issues.

- University Consulting Engineers (UCE) – appeal still pending decision in Superior Court
- MacIntosh Hearing – drafting Hearing Panel Report
- Hearing Procedure Guidelines -- in progress

## **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 on the income/expense activity for fiscal year 2011/2012. Income actuals are at 80% of projections; expenses at 99% of projections. Rental space changes, investigative services and office expenses account for some of the larger expenditures. Report recommended for approval subject to audit.

The Finance Committee has recommended Council action on two items:

- Approval of auditing firm for 2012
- Approval of PE application fee increase of \$25 (from \$75 - \$100)

Motion by Medlarz, seconded by Newton, Council approve the independent auditing firm of Barbacane and Thornton for auditing fiscal year ending 2012. Approved unanimously.

Motion by Medlarz, seconded by Newton, Council approve increasing the PE application fee by \$25 (from \$75 - \$100) effective immediately. Approved unanimously.

Motion by Medlarz, seconded by Newton, the CBT fee for the FE effective Jan. 2014 be approved at \$250. Approved unanimously.

### **Employee Benefits & Compensation**

Working on job descriptions. Review of Executive Director completed and a 2% salary increase is recommended for the exceptional work by the Director.

Motion by Medlarz, seconded by Newton, Council approve a 2% salary increase for the Executive Director effective immediately. Approved unanimously.

### **Law Enforcement/Ethics Committee**

Chair Kooker presented the report of the committee's meeting on May 7, 2012.

- Exhibit A-1 of the committee's report includes nine (9) cases for closure.

Motion by Kooker, seconded by Robertson, Council approve closure of the nine cases recommended for closure on the committee's report. Approved unanimously.

- Consent Agreement to be drafted for the withdrawal of a license and a condition of no reinstatement for 10 years. (This action to be reportable to NCEES' Enforcement Exchange.)
- President McAllister indicated that during 2012, 107 cases have been opened.

### **Examining Committee**

Chair Lester presented the report of the Examining Committee's meeting of April 25, 2012. Thirty (30) individual applications for licensure were reviewed and confidential recommendations made for Council action consisting of **27** applications for **comity**; and **3** applications for **examination**. The Committee also reviewed **14** applications for **Certificate of Authorization**; and **3** requests for **Reinstatement of Certificate of Authorization**

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

### **External Affairs Committee**

- JAC is scheduled to meet on May 24<sup>th</sup>.
- Council member Barbato has offered to assist with the outreach efforts. President McAllister indicated he can assist as well.

### **Facilities Committee**

Website work on the C/A portion of the database has recently been completed. There had been a payment processing issue, but that has since been resolved.

### **Public Information**

Chair Gharebaghi is drafting an article for the Spring issue of the newsletter.

### **Government Affairs/By-laws Committee**

No pending legislation. It was recommended the DAPE membership be invoiced electronically for renewals, to eliminate paper mailings. For future legislative consideration: shortening the renewal period (lessen the current 90 days grace period) and changing the C/A expiration date so as not to coincide with the PE expiration date.

### **Ad-Hoc/Policies & Procedures Manual**

Chair Newton indicated he may have a draft next month.

## **Ad-Hoc/CPC**

Meeting scheduled for 5/22/12 in the DAPE office. At the recent NE zone meeting, the Delaware Surveying Chair discussed CPC requirements for dual licensees. And the Maryland Chair discussed the number of hours required (36 vs. 24).

## **NCEES**

- NE Zone meeting at the Dover Downs Hotel was well attended. Delaware had 12 attendees.

## **Old Business**

- DNREC issue of requiring the employment of both a PE and PG for a firm's certification as an environmental consultant was discussed. This was not viewed as infringing upon a PE's work. Council member Lester to follow up.

## **New Business**

- Nominating Committee – no petitions received for either the Civil or Mechanical seats.
- President McAllister appointed Council member Newton as the Chair of the Nominating Committee. He to recruit 6 additional DAPE members.

Motion by Medlarz, seconded by Gharebaghi, Council approve the appointment of Frank Newton as Chair of the Nominating Committee and will pre-approve the Chair's selection of committee members. Approved unanimously.

## **Correspondence**

- DAPE donation acknowledgement in the memory of Doris Billingsley received from her church.
- Sussex County letter from attorney will be forwarded to DAG Jamison.

## **Other**

- Funeral service for former Council member Snell is on Saturday, May 12, 2012.
- Council approved \$100 gifts to P. Abshagen, E. Abshagen, S. Shimomura, and M. Savona as appreciation for all the work done to make the NE zone meeting a successful one.
- Council member Shine requested business cards from Council members for a gift for former Council member Pawlowski.

Next meeting on **June 13, 2012** to be held in the DAPE offices.

Meeting adjourned at 4:45 p.m.

	<b><u>ACTION LIST:</u></b>	
<b>COMMITTEE:</b>	<b>ACTION:</b>	<b><u>STATUS:</u></b>
Finance		
Employee Benefits	4-2: Job descriptions and salary ranges for two staff positions	
Law Enforcement		
Examining	1-4: Comm. To review guidelines for reapplication (after 4X PE Fails)	
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		
Ad-Hoc/Policy Manual	3-2: Manual under review	
Ad-Hoc/CPC	1-6: Details of CPC program required	
DAG	12-6: DAG Hickey to draft hearing procedure guidelines 4-4: MacIntosh Hearing Decision to be drafted	