

STATE OF DELAWARE



DELAWARE ASSOCIATION OF PROFESSIONAL ENGINEERS
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May 29, 2015

MINUTES – COUNCIL MEETING, May 13, 2015

A meeting of the Council of the Delaware Association of Professional Engineers was held on Wednesday, May 13, 2015, at the Trevi Restaurant, Smyrna, Delaware.

Treasurer Kooker convened the meeting at 3:10 p.m.

Council Members Present:	C. Balascio, P.E.	M. Lennon, P.E.
	W. Balascio, P.E.	J. Ludman, P.E.
	S. Gharebaghi, P.E.	E. Retzlaff, P.E.
	R. Hayden, P.E.	
	K. Kooker, P.E.	C. McAllister, P.E.

Council Members absent:	D. Barbato, P.E.	-	excused
	M. Lester, P.E.	-	excused
	H. Medlarz, P.E.	-	excused
	R. Smith, Esq.	-	excused
	T. Thomson, P.E.	-	excused
	J. Tracey, Esq.	-	excused
	R. Wheatley	-	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 April 8, 2015 Council Meeting

Council reviewed the Minutes of the April 8, 2015 Council meeting and recommends approval as submitted. Motion by C. Balascio, seconded by Gharebaghi, Council approve the Minutes of the April 8, 2015 as submitted. Approved unanimously.

D.A.G. Report

- Scott Hearing Panel decision in progress.

- Matthew Szayna hearing – Hearing Panel convened on 5/4/15 to deliberate written arguments. Draft decision in progress.
- Council discussed a number of proposed revisions to the bylaws. Several housekeeping and other revisions to align the bylaws with the law including:
 - Replacing “registered” with “licensed” throughout.
 - Combining the Law Enforcement and Ethics, as well as the Finance and Employee Benefit & Compensation committees.
 - Reducing the period of “Inactive” status from 10 years to 4 years (or 2 renewal cycles)
 - Updating required application information to include email addresses, etc.

Motion by C. Balascio, seconded by Hayden, Council approve the proposed revisions to the bylaws as discussed. Approved unanimously.

- SB #86 (legislation to clarify the voting eligibility of inactive and retired members) is in the Sunset 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 end of this fiscal year reflect income has reached 116% of projections; and expenses 68%.

Motion by W. Balascio, seconded by C. Balascio, Council approve the monthly financial report subject to audit. Approved unanimously.

- Executive Director Abshagen advised the audit of the fiscal year ending 4/30/2015 finances will begin on 6/22/15.

Employee Benefits & Compensation

Employee evaluations scheduled for 5/19/15.

Law Enforcement/Ethics Committee

Chair Kooker presented the report of the committee’s meeting on 5/6/2015.

- A draft Memorandum of Understanding (MOU) between DNREC and DAPE on the Class B designs has been reviewed and will be shared with DNREC and Council in the near future.
- Committee Education Program -- Committee member Diaz has organized an education program, of which the morning session will be a continuing education opportunity for the membership and the afternoon portion is intended for both committee and Council members.

- Morning session will include: a legal baseline; law of negligence; professional liability insurance/ethics/standard of care.
- Afternoon session will include: a more in-depth legal baseline; professional negligence case studies; ethical issues for engineers.
- Committee is recommending Council closure of thirteen (13) cases listed on Exhibit A1 of its report dated May 8, 2015.

Motion by C. Balascio, seconded by Retzlaff, Council approve the closure of the thirteen (13) cases listed on Exhibit A1 of its report. Approved unanimously.

Examining Committee

The Executive Committee reviewed the report of the Examining Committee's meeting of April 29, 2015. Forty (40) individual applications for licensure were reviewed and confidential recommendations made for Council action consisting of **29** applications for **comity**; **1** application for initial licensure; and **10** applications for examination. The Committee also reviewed **12** applications for **Certificate of Authorization**, and **1** application for Reinstatement.

Motion by C. Balascio, seconded by Retzlaff, Council approve the Committee's recommendations as noted on Exhibits A1-A2 of the committee's report dated May 4, 2015. Approved unanimously.

External Affairs Committee

Joint Advisory Committee (JAC) with Architects is scheduled to meet next week.

Facilities Committee -- No report.

Government Affairs/By-laws Committee

(Proposed revisions to the bylaws discussed under the DAG Report.)

Public Information

- Laboratory for Learning -- Chair Gharebaghi shared with Council that Dan Ridgely of Davis, Bowen and Friedel is scheduled to provide a presentation in the "Laboratory for Learning" project. And on 5/28/15 a DNREC representative from the Air Quality section is the guest speaker. The program will then shut down for the summer and start up again in September.

Ad-Hoc/Law Revision Committee

- Decoupling PE experience from exam -- This discussion was tabled.
- Progressive engineering experience – Discussion to follow.

Correspondence

- Brandywine School District is looking for an engineer to attend a STEM camp for 2nd-5th graders (July 6-10th). Will seek volunteers. Council member Lennon will try to solicit volunteers from his office.

NCEES

- Joint Zone Meeting held on April 30-May 2, 2015 in Hershey, PA. Council members Barbato, Thomson and McAllister, as well as Executive Director Abshagen and Executive Assistant Thomson were in attendance.
 - Computer-based testing statistics were shared:
 - 2014: 29,710 FE / 754 FS
 - 2015: (thus far) 8,138 FE
 - 20% decrease in exam takers was expected
 - 4,000 examinees registered, but not scheduled date for exam
 - \$50 penalty for rescheduling has resulted in \$245,925 added revenue for NCEES
 - Will be recommending year-round testing vs. 2-mth windows
 - State-specific FS exams:
 - Variety of different exams – costly
 - Boards will need to resolve
 - Emerging Leaders Committee to involve students, Engineer Interns and young professionals (up to age 35) – 600 applications received.
 - Call Center over 5-mth period received 3,865 calls/month.
 - Committee on Education (CPC) – mobility obstacles include varying renewal periods and state specific requirements. Recommendation is to accept NCEES standard (15 pdh/calendar year (1 ethics))
 - 42 states are on 2-year cycle
 - 31 states require 15 pdh/year
 - 39 states have no ethics requirements or state-specific ethics
 - NCEES is developing a CPC registry:
 - Will track CPC credits
 - Provide uploading of documents
 - Open to all (not just record holders)
 - Categorize courses
 - Made clear it is not an approval system – it's a repository.
 - Discussed Joint Southern Zone meeting in 2017 in Virgin Islands (DE co-hosting) and the financial impact as well as projected attendance.
 - Council members Thomson and McAllister moderated the Engineer's forum at the meeting.

Old Business -- None

New Business -- None

Next meeting is scheduled on **Wednesday, June 10, 2015**, in the DAPE offices.

Meeting adjourned at 4:20 p.m.

/pa