

STATE OF DELAWARE



DELAWARE ASSOCIATION OF PROFESSIONAL ENGINEERS
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October 22, 2013

MINUTES – COUNCIL MEETING, October 9, 2013

A meeting of the Council of the Delaware Association of Professional Engineers was held on Wednesday, October 9, 2013, in the Caucus Room of the Kent County Levy Court building, Dover, Delaware.

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

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

Council Members absent:	M. Lennon, P.E.
	M. Lester, P.E.

Staff present:	P. Abshagen
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DAG present:	Catherine (Terry) Hickey, Esq.
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The Roll call was taken and a quorum was declared.

Open Forum

Former public Council member Vince Robertson, Esq. stopped by to express his admiration of Council and its work during his tenure on Council. Vince worked with many Past Presidents and Council members, R. McClure, J. Billingsley, R. Harris, P. Canzano, P. Jones, G. Marcozzi to name a few, who were instrumental in reaching many goals. Legislation was undertaken to improve the law; penalty guidelines were developed; 3-person Hearing Panel was established; website was developed; new office was set up; etc. He encouraged new members to become active in NCEES activities.

Vince shared his great respect for engineers that only increased after his years of service on the DAPE Council.

New Sussex County Appointed Member Robert Wheatley was introduced to Council. He currently serves on the Sussex County Planning & Zoning Commission.

Minutes of the September 11, 2013 Council Meeting

Council reviewed the Minutes of the September 11, 2013 Council meeting. Motion by McAllister, seconded by Newton, Council approves the Minutes of the September 11, 2013 Council meeting as submitted. Approved.

D.A.G. Report

At 3:20 p.m. motion by Thomson, seconded by Newton, Council enter into Executive Session to discuss pending legal strategy. Approved unanimously.

At 3:22 p.m. motion by Newton, seconded by McAllister to return to Open Session. Approved unanimously.

- Johns hearing has been re-scheduled for November 15th as there was a potential conflict with a Hearing Panel member.
- House Bill 172 – Electricians -- only comment is that the legislation refers to electrical engineers and since Delaware does not license by discipline this reference is inappropriate. Otherwise, there were no comments on the legislation.

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 five months of this fiscal year (42%) reflect income has reached 52% of projections; and expenses 42%. Motion by Newton, seconded by McAllister, to accept the report subject to audit. Approved unanimously.

Employee Benefits & Compensation -- No report.

Law Enforcement/Ethics Committee

Council reviewed the report of the Committee's October 2, 2013 meeting.

- Guidelines Manual – Committee is reviewing its flow chart for incorporation into the Manual.
- Two cases listed on Exhibit A1 of the committee's report are recommended for closure.

Motion by Kooker, seconded by Tracey, Council approve the closure of the two cases listed on Exhibit A1 of the committee's report dated October 3, 2013. Approved unanimously.

- Case 13/114 – firm applied for Certificate of Authorization indicating they had practiced since 2007. Committee is interested in getting firm into compliance, however, recommended payment of retroactive fees as suitable evidence of reform.

Motion by Kooker, seconded by Gharebaghi, Council approve Certificate of Authorization in Case 13/114, with payment of retroactive fees. Approved unanimously.

Examining Committee

Co-Chair Balascio presented the report of the Examining Committee's meeting of September 25, 2013. Sixteen (16) individual applications for licensure were reviewed and confidential recommendations made for Council action consisting of **13** applications for **comity**; and **3** applications for **examination**. The Committee also reviewed **3** applications for **Certificate of Authorization**; and **1** application for **Temporary Permit**. Motion by W. Balascio, seconded by McAllister, that Council approve the Committee's recommendations as shown on Exhibit A1 of the committee's report dated September 26, 2013. Approved unanimously.

Examining Committee is reviewing a draft outline for the Guidelines Manual.

External Affairs Committee

- JAC is attempting to schedule a meeting in November.
- Delaware Green Council – Council member McAllister advised group has met and will reconvene a meeting on 10/30/13. Committee consists of various people throughout the state discussing better energy conservation measures.

Facilities Committee -- No report.

Government Affairs/By-laws Committee -- No report.

Public Information

Chair Gharebaghi reported that 3-4 engineers have expressed interest in mentoring.

Ad-Hoc/CPC

CPC Guidelines were approved by Council. Need minor formatting change. Council discussed educating the membership, societies, and others. It was recommended an executive summary be put together; a CPC link be available; Board members be available to visit and address CPC inquiries.

Motion by McAllister, seconded by Barbato, an Executive Summary be drafted. Approved unanimously.

Ad-Hoc/Policies & Procedures Manual -- No Report.

NCEES

Executive Director Abshagen reported that we expect about 95 PE and 375 FE examinees at the exams at month's end.

Council member McAllister advised he has been appointed to the Outreach Committee.

Correspondence

- The City of Wilmington has indicated they are preparing to adopt the 2012 International Code and they are seeking input from various organizations. The consensus of Council is that we have no position on this, other than the City should not create exceptions that would be contrary to Delaware law.

Old Business -- None

New Business

President Medlarz has appointed the following Committee Chairs:

Finance	-	Barbato, Kooker
Employee Benefits	-	Barbato, Kooker
Law Enforcement	-	Kooker, Thomson
Examining	-	C. Balascio, W. Balascio
External Affairs	-	Hayden
Facilities	-	Wheatley
Public Information	-	Gharebaghi
Government Affairs	-	Tracey
Ad-Hoc/Guidelines	-	Newton

Committee Chairs will need to present their committee membership to Council next month for appointment.

Hearing Panel -- Council member Hayden has replaced Council member Thomson on the Johns Hearing Panel scheduled to meet on November 15th and chaired by D. Barbato.

Motion by Medlarz, seconded by Tracey, Hayden be appointed to the Johns Hearing Panel. Approved unanimously.

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

Meeting adjourned at 4:30 p.m.

	<u>ACTION LIST:</u>	
COMMITTEE:	ACTION:	<u>STATUS:</u>
Finance		
Employee Benefits		
Law Enforcement		
Examining	1-4: Comm. To review guidelines for reapplication (after 4X PE Fails) 7-2: Comm. to discuss CBT/admin. policies	
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	9/11/13: Awaiting Exam. & LEE portions
Ad-Hoc/CPC	10-1: Executive Summary to be prepared	
DAG		