

STATE OF DELAWARE



DELAWARE ASSOCIATION OF PROFESSIONAL ENGINEERS
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September 21, 2012

MINUTES – COUNCIL MEETING, September 12, 2012

A meeting of the Council of the Delaware Association of Professional Engineers was held on Wednesday, September 12, 2012, in the meeting room at Bethany Blues, Lewes, Delaware.

President McAllister convened the meeting at 3:08 p.m.

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

Council Members absent:	M. Lester, P.E.	-	excused
	F. Newton	-	excused

Staff present: P. Abshagen

DAG: Catherine (Terry) Hickey, Esq.

The Roll call was taken and a quorum was declared.

Open Forum

Council Election

The slate of officers as presented by the Executive Committee:

President	-	C. McAllister, P.E.
Vice President	-	H. Medlarz, P.E.
Secretary	-	D. Barbato, P.E.
Treasurer	-	K. Kooker, P.E.

Nominations for the office of Secretary were requested from the floor. Hearing none, Motion by Robertson, seconded by Gharebaghi, nominations for the office of Secretary be closed. Approved unanimously.

Motion by McAllister, seconded by Medlarz, Council member Barbato be elected as Secretary. Approved unanimously.

Nominations for the office of Treasurer were requested from the floor. Hearing none, Motion by Robertson, seconded by Tracey, nominations for the office of Treasurer be closed. Approved unanimously.

Motion by McAllister, seconded by Tracey, Council member Kooker be elected as Treasurer. Approved unanimously.

Nominations for the office of Vice President were requested from the floor. Hearing none, Motion by Robertson, seconded by Tracey, nominations for the office of Vice President be closed. Approved unanimously.

Motion by McAllister, seconded by Tracey, Council member Medlarz be elected as Vice President. Approved unanimously.

Nominations for the office of President were requested from the floor. Hearing none, Motion by Robertson, seconded by Gharebaghi, nominations for the office of President be closed. Approved unanimously.

Motion by Medlarz, seconded by Hayden, Council member McAllister be elected as President. Approved unanimously.

President McAllister expressed his appreciation to Council for their continued support.

Minutes of the August 8, 2012 Council Meeting

Council reviewed the Minutes of the August 8, 2012 Council meeting. Council member Robertson requested his encouragement to Council members to attend NCEES zone and annual meetings be included. Minutes should also reflect that Council member Tracey was excused. Motion by Tracey, seconded by Robertson, Council approve the Minutes of the August 8, 2012 Council meeting as amended. Approved.

D.A.G. Report (presented in Executive Session)

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.

President McAllister requested each Chair to briefly describe the tasks of their committee.

Financial Report

Chair Medlarz reported on the income/expense activity for fiscal year 2012/2013. Income actuals are at 75% of projections; expenses at 30% of projections after four months of this fiscal year. Report will be recommended for approval subject to audit.

Finance Committee meets on demand to discuss budgets, monitor expenses, investments and interact with the auditors. It has convened a meeting for September 18th.

Employee Benefits & Compensation

Members of this committee overlap with the Finance Committee, and discuss benefits package for employees, annual salary increases and is currently working on job descriptions.

Law Enforcement/Ethics Committee

Chair Kooker advised this committee meets monthly to review either individual or firm complaints; evaluates the validity of the complaint, gathering evidence to determine whether to pursue or reject the complaint. Recommendations are forwarded to Council.

Kooker reviewed the report of the Law Enforcement/Ethics Committee meeting of September 5, 2012.

President McAllister summarized the NCEES Annual meeting presentations, indicating videos should be available shortly on the NCEES website.

The committee is recommending the closure of the 8 cases listed on Exhibit A1 of the report. Motion by Tracey, seconded by Robertson, Council approve the closure of the 8 cases listed on Exhibit A1 of the committee's report dated September 6, 2012.

Examining Committee

Co-Chair Balascio presented the report of the Examining Committee's meeting of August 29, 2012. Seventy-two (72) individual applications for licensure were reviewed and confidential recommendations made for Council action consisting of 41 applications for comity; and 31 applications for examination. The Committee also reviewed 17 applications for Certificate of Authorization and 1 request for reinstatement of Certificate of Authorization. All recommendations are shown on Exhibit A1-A3 of the report.

Motion by Balascio, seconded by Robertson, Council approve the Committee's recommendations as shown on Exhibits A1 –A3 of the committee's report. Approved unanimously.

Balascio also discussed a PE applicant who neglected to register with NCEES, and as a result, is now ineligible to take the October 26, 2012. This is a routine occurrence each exam administration.

Balascio also summarized the activities of this committee that reviews the credentials of applicants (education, experience and references) to determine eligibility to take the exams and license.

External Affairs Committee

Committee is chaired by Barbato and Gharebaghi. The Joint Advisory Committee interfaces with the Board of Architects to discuss pending legislation and practice issues. The committee also monitors cross-practice issues with engineers and surveyors, as well as issues with state, county and municipalities in the restriction of practice.

JAC is scheduled to meet in September.

Facilities Committee

Chair Robertson indicated committee meets on an as-needed basis. Major issues are office location and equipment replacement, etc.

Public Information

Chair Gharebaghi advised this committee is responsible for publishing the quarterly newsletter. Articles are always encouraged. The committee is also tasked with heightening the awareness of the public of DAPE's role and volunteering and mentoring at schools. Would like to develop a database of mentors.

Council member Thomson shared some of the activities that engineers have participated in with the Boy Scouts, the NCC Science Alliances, Engineers without Borders, etc. Mentors are always needed!

This issue of the newsletter will focus on the 40th anniversary of DAPE.

Government Affairs/By-laws Committee

Chair Tracey reported this committee also meets on an as-needed basis, and is typically active during the beginning of the legislative year. It reviews and comments on proposed legislative revisions with our lobbyist. It also prepares bylaw changes as necessary.

Ad-Hoc/Policies & Procedures Manual

Committee is chaired by Council member Newton. These manuals required updating and each Committee Chair is reviewing pertinent sections.

Ad-Hoc/CPC

Chair Balascio is drafting CPC requirements for the review of his committee in late September. The draft incorporates the NCEES model law, and some previous CPC work. Drafts have been circulated to the committee for review and comment.

The initial thinking is there will be two tracks: if licensed only in Delaware, project experience can be used. If licensed elsewhere, it shadows the model law. It will address issues of PDH costs. Recommending coursework and project experience be uploaded to an eportfolio, which requires link of licensee. Law will require CPC; details to be spelled out in the guidelines document.

NCEES

- Annual meeting August 22-25, 2012, St. Louis, MO, was attended by President McAllister, Executive Director Abshagen and DAG Hickey.

Old Business -- None

New Business

President McAllister appointed the following Council members as Committee Chairs:

Finance	-	Medlarz, Kooker
Examining	-	Lester, W. Balascio
Public Information	-	Gharebaghi
Law Enforcement	-	Kooker, Thomson
Gov't Affairs/Bylaws	-	Tracey, Newton
External Affairs	-	Barbato, Gharebaghi
Employee Comp.	-	Medlarz, Barbato
Facilities	-	Robertson, Mallamo
Nominating	-	C. Balascio

Ad-Hoc Committees:

Policy Manual	-	Newton
CPC	-	W. Balascio
Enforcement Seminar	-	Hayden

Motion by McAllister, seconded by Medlarz, Council approve the Committee Chair appointments as presented. Approved unanimously.

Committee Chairs will need to present their Committee membership next month for appointment. Committee charges will be distributed next month as well.

Correspondence -- None

Motion by Robertson, seconded by W. Balascio, to enter Executive Session for the purpose of discussing pending litigation. Approved unanimously.

Motion by Tracey, seconded by Thomson at 4:47 p.m. to return to Open Session. Approved unanimously.

Next meeting on **October 10, 2012** in the offices of DAPE.

Meeting adjourned at 4:49 p.m.

	<u>ACTION LIST:</u>	
COMMITTEE:	ACTION:	<u>STATUS:</u>
Finance		
Employee Benefits	4-2: Job descriptions pending	
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	6/13/12: Draft received
Ad-Hoc/CPC	1-6: Details of CPC program in progress	9/1/12: Draft under review
DAG		