

STATE OF DELAWARE



DELAWARE ASSOCIATION OF PROFESSIONAL ENGINEERS
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October 2, 2017

MINUTES – COUNCIL MEETING, September 13, 2017

A meeting of the Council of the Delaware Association of Professional Engineers was held on Wednesday, September 13, 2017, in the meeting room of Fraiser's Restaurant, Dover, Delaware

President Barbato convened the meeting at 3:02 p.m.

Council Members Present:	C. Balascio, P.E.	J. Jakubowski, P.E.	J. Tracey, Esq.
	D. Barbato, P.E.	J. Kalmbacher, P.E.	
	M. Clendaniel, P.E.	M. Lester, P.E.	
	S. Gharebaghi, P.E.	J. Ludman, P.E.	
	R. Hayden, P.E.	C. McAllister, P.E.	

Council Members absent:	W. Balascio, P.E.	-	excused
	M. Lennon, P.E.	-	excused
	E. Retzlaff, P.E.	-	excused
	R. Smith, Esq.	-	excused

Staff present: P. Abshagen

DAG present: Catherine "Terry" Hickey, Esq.

The Roll call was taken and a quorum was declared.

Open Forum -- No members of the public present.

Election of Officers

The proposed slate of officers presented to Council for the 2017/2018 Council year:

President	-	S. Gharebaghi, P.E.
Vice President	-	C. Balascio, P.E.
Secretary	-	C. McAllister, P.E.
Treasurer	-	J. Jakubowski, P.E.

Motion by Lester, seconded by Clendaniel, the nominations for Council officers be closed. Approved unanimously.

Motion by Hayden, seconded by Clendaniel, the 2017/2018 slate of Council officers be approved. Approved unanimously.

Minutes of the August 9, 2017 Council Meeting

Council reviewed the Minutes of the August 9, 2017 Council meeting and recommends approval of the Minutes as submitted.

Motion by Tracey, seconded by McAllister, Council approve the Minutes of the August 9, 2017 meeting, as submitted. Approved unanimously.

D.A.G. Report -- No report.

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.

Finance/Employee Benefits & Compensation

- Finances for the first four months (33%) of fiscal year ending April 30, 2018 reflect income has reached 40% of projections; and expenses 30%.
- EB&C Committee has revised the Executive Director job description to require a degree and that ED has oversight of an Administrative Assistant and Receptionist.
 - Job titles for the staff positions will remain Executive Assistant and Administrative Coordinator.
 - Qualifications will indicate that a degree is preferable/desirable.
 - Will also require a minimum of 10 years' experience + 2 years' supervisory experience.
 - Council also discussed developing a job posting/description to be used for the metrics of evaluation as well as developing a qualifications statement separately.
 - Four perspective candidates for the Executive Director position have been identified and will meet with a sub-committee prior to a recommendation to Council.

Motion by Hayden, seconded by Clendaniel, Council accept the Finance Report subject to audit. Approved unanimously.

Motion by Gharebaghi, seconded by Clendaniel, Council approve retaining the position titles of Executive Assistant and Administrative Coordinator in job descriptions; qualifications will indicate a degree is preferable; and minimum of 10 years' experience + 2 years' supervisory experience to be required. Approved unanimously.

Motion by Tracey, seconded by Lester, Council approves developing a job posting and a qualifications statement for the Executive Director position. (Hayden opposed) Motion carried.

Law Enforcement/Ethics Committee

Chair McAllister reported:

- DNREC proposed MOU is still pending.
- Code of Ethics proposed revisions are still pending.
- Committee member Diaz provided some additional information on the Oregon board decision alleging unlicensed practice for an individual who provided proof of the mis-timings of traffic lights.
- Committee member Kiefer shared that he attended an ethics session presented by an attorney who indicated many sections of states' Codes of Ethics would be difficult to support.
- Committee has proposed the closure of 4 cases as listed in its report.

Motion by McAllister, seconded by Tracey, Council approve the closure of the 4 cases as listed on Exhibit A of the committee's report. Approved unanimously.

Examining Committee

Chair Lester reported the Examining Committee met on August 30, 2017 and reviewed **forty (40)** applications for licensure including **20** for **comity**; **1** application for **initial** licensure; and **19** applications for **examination**. The committee also reviewed **13** applications for **Certificates of Authorization**; and **4** applications for **reinstatement of Certificates of Authorization**.

Proposed revisions to CPC Guidelines were distributed to Council for review and comment. (Council member W. Balascio will not be present at today's meeting to discuss. Will table discussion until next meeting.)

Motion by Lester, seconded by C. Balascio, Council approve the Committee's recommendations for applications for licensure and Certificates of Authorization as noted on Exhibits A1-A2 of the committee's report. Approved unanimously.

Motion by Lester, seconded by Clendaniel, Council appoint D. Barbato to the Examining Committee. (Barbato abstained) Motion carried.

Chair Lester advised that she has attended the senior design class and reminded students of the importance of registering for the FE exam and licensure. On 9/24 and 10/11, she has been provided 30 minutes to work with students to get them registered for the FE exam and will provide a free reference book to those that indicate Delaware as their state. (Council member C. Balascio offered to assist.)

External Affairs Committee

The Architects/Engineers' Joint Advisory Committee (JAC) met on September 7, 2017. The Committee discussed:

- Inviting the Fire Marshal to attend a future meeting of the JAC
- Master HVAC firms performing design – a practice overlap issue, assuming the marketplace will sort it out
- No specific incidental/overlapping practice issues to discuss
- Proposed legislation of the respective boards
- Building Officials Handbook – additional revisions to be incorporated and distributed to the respective boards for further comment

- Oregon board decision on unlicensed practice – first amendment case of individual reporting on the mis-timings of a traffic signal. And the resulting HR 3446 draft legislation “to help states combat abuse of occupational licensing laws ...”

Facilities Committee -- No report.

Public Information -- Fall newsletter due September/October. Chair Gharebaghi is ascertaining interest in Laboratory for Learning program with Caesar Rodney High School.

Government Affairs/By-laws Committee

- HB 197 is still awaiting the signature of the Governor.

Correspondence -- None.

NCEES

- NCEES Annual meeting was held in Miami, August 23-26, 2017. Council member McAllister reported:
 - Nebraska board presented a motion to limit emeritus membership participants on NCEES committees. This motion failed.
 - Jim Purcell from NJ was installed as President-Elect.

Old Business -- None

New Business -- None

Next meeting is scheduled on **Wednesday, October 11, 2017 in the offices of DAPE.**

Meeting adjourned at 4:10 p.m.

/pa