

WSPE eNews

A monthly publication from the Wisconsin Society of Professional Engineers

December 2012 Edition

1. [President's Message](#)
By Frederick W. Groth, P.E., S.E.
2. [Importance of Using the Full Corporate Name](#)
By Attorney Randall J. Andersen
3. [Tips from HVAC Pro \(and WSPE member\) Dave Jones in *The Family Handyman* magazine](#)
4. [Continuing Education Member Involvement](#)
5. [More Common Continuing Education Questions](#)
6. [Digital Engineer's Seal \(Stamp\) Usage](#)
7. [Job Board Postings](#)
8. [Welcome New WSPE Members!](#)
9. [Invitation to ASCE/STEM Forward December Luncheon to Discuss the Zoo Interchange](#)

1. President's Message

By Frederick W. Groth, P.E., S.E.

Winter is definitely right around the corner. I already miss the 60 degree days we saw last week, but these are probably gone for a while. Let's hope for a white Christmas and some snow this winter. I am a cross country skier, so I'm happy in the snow.

It seems the Badgers football team is doomed once we get to overtime. I hope that changes the rest of the season. Losing two games in a row in overtime was very painful.



*Frederick W. Groth, P.E., S.E.
WSPE President for 2012 – 2013*

We've set a date for our WSPE **Discovery Conference: May 2, 2013**, in the Milwaukee area. The Metro Chapter will be handling hotel arrangements and location. We'll let everyone know the location in our January newsletter. The planning committee has tentatively decided that the Discovery Conference will be a one-day conference featuring the following:

- A general morning session
- 1-hour technical sessions (two morning and two afternoon; total of 12 speakers) on various topics
- One session on AE 13 Continuing Education (CE) requirements
- One ethics general session in afternoon
- NSPE President speech
- Exhibitors at breaks
- Awards at lunch
- And More!!!!

Please mark your calendars for the May 2, 2013 WSPE Discovery Conference and earn up to 6 Personal Development Hours by attending conference and technical sessions. WSPE Executive Director Ed Rodden is chairman of the Discovery Conference Planning Committee and is looking for volunteers to help finalize speakers. Volunteer your services by emailing Ed at ExecDir@wspe.org.

Since our last newsletter, we were asked several questions regarding Continuing Education requirements. We will soon post commonly asked questions from WSPE members and answers to these questions on the WSPE website. We hope to have this page up and ready before January. We'll include a link to this "CE FAQ" site in the next eNews.

Until then, **please help by becoming involved in WSPE so WSPE can be become your valued organization again.** If you have questions about how you can be become involved, please email me at fred.groth@graef-usa.com or

call (608) 335-2978. You can also email our Executive Director Ed Rodden at ExecDir@wspe.org.

[TOP](#)

2. Importance of Using the Full Corporate Name

By Attorney Randall J. Andersen

One of the advantages of conducting business through the use of a corporation or a limited liability company is that the shareholders (in the case of a corporation) and the members (in the case of an LLC) are ordinarily not personally liable for the debts, obligations and liabilities of the corporation or the LLC.

There are, of course, exceptions. Shareholders and members frequently are asked to sign personal guaranties. Shareholders and members are also normally responsible for their own negligent conduct, even if it occurs in the course of acting on behalf of the corporation or LLC. For example, attorneys, physicians, architects and engineers, normally cannot avoid personal responsibility for their own negligence by conducting business through a corporation or LLC. Personal liability can also arise if the shareholder or member fails to keep his personal financial affairs separate from the business or otherwise fails to observe corporate formalities.

Business owners can also become personally liable for the debts and obligations of the corporation or LLC if they fail to disclose to the persons with whom they do business that their business is organized as a corporation or LLC.

A good way to put the public on notice that you are conducting business as a corporation or LLC is to use the full legal name, including the "Inc.", "LLC" or other designation indicating the entity is a corporation or LLC as was included as a part of the name when the corporation or LLC was organized with the Wisconsin Department of Financial Institutions. In the case of [Benjamin Plumbing, Inc. v. Barnes](#), 162 Wis. 2d 837 (1991), the Wisconsin Supreme Court addressed the consequences of not using the full legal name. In [Benjamin Plumbing](#), the Court held that a director of a corporation could be held personally liable for a contractual obligation of a corporation when the director entered into a contract on behalf of the corporation but failed to disclose that the business was incorporated. The Court held that the creditor was free to assume that the business was an unincorporated entity, and that the director was the owner and was personally responsible for the claim. The Court held that the creditor had no duty or obligation to investigate whether the business was in fact incorporated, and that the burden was on the director to disclose that the business for which he was contracting was in fact a corporation.

The lesson from the [Benjamin Plumbing](#) case is that when conducting business as a corporation or limited liability company, it is important to use the full legal name, including the words or letters at the end of the name which identify it as a corporation or limited liability company.



Attorney Randall J. Andersen represents professional engineers, architects, contractors, materials suppliers and owners of construction projects, and is with the law firm of Kay & Andersen, LLC. Please feel free to contact him at (608) 833-0077 or visit www.kayandandersen.com.

[TOP](#)

3. Tips from HVAC Pro (and WSPE member) Dave Jones in *The Family Handyman* magazine

An article from the October 2012 issue of *The Family Handyman* titled "Time for a New Furnace?":

Contractor markup makes a difference

"The heating contractor actually pays about \$300 to \$500 more for a 95 percent furnace than he does for a 90 percent furnace. So, if that added cost is passed through with little markup, you might be able to cost-justify it. If the contractor marks up the price a whole bunch, then you have no chance of making a payback in your lifetime."



Dave Jones

WSPE Southwest Chapter Member

Don't go with the lowest bidder

"Service calls are twice as likely to be related to poor installation as to defective equipment. The guy with the lowest bid often makes the biggest

mistakes.”

Have a pro install a new thermostat

“Furnaces and thermostats, just like cars, have gotten increasingly computerized, and they can require some pretty serious know-how to get them to work right.”

High vs. very high efficiencies

“Higher efficiency means higher complexity, and I like to keep the machinery as simple as possible. The more complex it is, the more expensive it is, and the more it will cost to fix when it breaks. Generally, your very best value is to get a 92 percent efficiency furnace with one of the new ECM fan motors.”

Get a proposal, not a bid

“Go with someone who provides a detailed written proposal that outlines exactly what he will and won't do. He should list the manufacturer and model number of the proposed equipment as well as the cost of any plumbing, venting changes or electrical work required.”

Buy a reputable brand

“Stick with the major brands or one of their subsidiaries. If you don't recognize the brand, don't trust what the contractor says about it. Do your own checking online before you buy.”

You may need a smaller furnace

“Older furnaces were usually oversized so that the house was always warm enough. But new higher efficiency furnaces can have a lower Btu rating and still put out the same amount of heat. For example, a new 94 percent efficient furnace that is rated at 80,000 Btu puts out as much heat as an old 75 percent efficient 100,000 Btu furnace.”

Click here to read the rest of *The Family Handyman* section titled “Do I Need a New Furnace?”:

<http://www.familyhandyman.com/DIY-Projects/Heating--Cooling/Heating/do-i-need-a-new-furnace/View-All#step2>

[TOP](#)

4. Continuing Education Member Involvement

Several WSPE members have expressed interest in presenting Continuing Education seminars and would be willing to travel to other chapters to help WSPE members fulfill their Continuing Education requirements.

If you would like a WSPE member to give a presentation near you so that you and other WSPE members or fellow engineers can fulfill your CE requirements, please email WSPE Secretary Angela Hanz, P.E., (secr@wspe.org) from the Wisconsin Valley chapter.

Also contact Angela if you are willing to conduct a Continuing Education session for other WSPE members. We'd like to know the topic of your CE session so that we can spread the word to members in other areas of the state. Keep in mind that engineers that present Continuing Education seminars receive **double** the number of Personal Development Hours when they are presenting.

Hosting a fellow WSPE member for a Continuing Education session or presenting at other chapters are great ways to get to know more members of WSPE. It's also a great way to tap into WSPE's extensive and valuable knowledge base.

There will be a section on the WSPE.org website that lists Continuing Education Opportunities soon!

[TOP](#)

5. More Common Continuing Education Questions

Question #1: Do you have to have speakers and/or organizations pre-approved by Professional Engineer Section ?

Answer: No

Courses, providers, and activities do not need to be pre-approved to meet the continuing education requirements. Also, the Professional Engineer Section does not pre-approve any courses, activities, or providers for continuing education. It is up to each licensee to become familiar with the rules and statutory requirements and to determine for themselves whether or not a particular course or activity meets those requirements.

The Professional Engineer Section has final discretion as to whether a course provider or activity meets the criteria.

Question #2: Are there standard forms that can be used for tracking

PDH's ?

Answer: Yes

Please note that the standard PDH tracking forms are on the new **Department of Safety and Professional Services** website, which is the name of the new state department that handles professional licensing. All *former*dr1.wi.gov websites are no longer valid and have found a new home at dsps.wi.gov.

[Click here for a link to Safety and Professional Services website.](#)

[Click here to download the spreadsheet that can be used to track PDH's](#)

[Or click here to download the pdf of the form that can be used to track PDH's.](#)

Question #3: If you are registered in another state can you same continuing education courses and (PDH's earned) for Wisconsin?

Answer: Yes, with the following requirements.

First these continuing education credits must have been earned (course taken) from **Aug. 1, 2012 thru July 31, 2014**. **Second, continuing education courses must meet the requirements of Wisconsin Administrative Code Sub-Chapter AE 13.**

[TOP](#)

6. Digital Engineer's Seal (Stamp) Usage

For information regarding the use of digital seals or signatures, download the pdf from this Wisconsin.gov website:

http://docs.legis.wisconsin.gov/code/admin_code/a_e/2.pdf

You can find digital seal acceptance regulations for other states here:

<http://www.arx.com/industries/digital-signature-for-engineering-regulatory-compliance>

[TOP](#)

7. Job Board Postings

These job postings can also be found at: http://www.wspe.org/job_board.shtml
To place an opening on our website the nominal fee is \$50 for members and \$100 for non-members for both a job opening or a resume.

Waster, WasteWater, Municipal

Immediate Opening for a Civil Engineer with 5 years of experience in general water, wastewater and municipal engineering with emphasis on stormwater management. WI P.E. within 6 months required. Project Engineer overseeing projects from start to finish with direct client contact.

We offer a great place to live and a relaxed work atmosphere at a company with over 80 years of business experience and excellent benefits. Resume to jobs@davyinc.com or Davy Engineering Co. 115 6th St S La Crosse WI 54601. "Equal Opportunity Employer. M/F/V/D www.davyinc.com

Technical Services Manager

Waukesha Water Utility – Serving a population of 70,000, has a position available for an experienced manager and proven leader to manage engineering and technical services. This position will manage employees and outside engineering services related to water main design, construction, inspection and easement acquisition. Also has responsibility for regulatory cross connection control program, water quality and conservation efforts. Requires B.S. in Civil Engineering, WI. P.E. and 4 years of management level engineering experience. Salary DOQ.

Send resume, references, and salary history by 9/7/12 to Lynn Nelson:
WAUKESHA WATER UTILITY
115 Delafield Street
P. O. Box 1648
Waukesha, WI 53187-1648
Email: LNELSON@WAUKESHA-WATER.COM
www.ci.waukesha.wi.us/waterhome

Forensic Engineer

Growing forensic engineering firm in Midwest has immediate full and part time positions available. Seeking experienced, licensed structural (SE) and professional (PE) engineers. Knowledge of roofing and waterproofing is important (RRC or RRO designations a plus). Positions available in St. Louis, MO, Minneapolis, MN and Milwaukee, WI. Some relocation assistance available.

Competitive salary and benefits for both full and part-time positions based on qualifications. Positions do require travel. Candidates must hold current PE license and must be able to become licensed throughout the midwest.

Please e-mail CV and contact info to: engineerjob227@yahoo.com

If you are interested in posting a job or your resume on our website, contact Ed Rodden at ExecDir@wspe.org.

[TOP](#)

8. Welcome New WSPE Members!

Please join us in welcoming our new WSPE members!

Metro Chapter

Jonathan Schapenkahm, PE	Licensed Member	City of Waukesha
Andrew Millsbaugh, EIT	Member	Natural Resource Technology
Grege Strick, PE	Licensed Member	
Zaid Ali	Student Member	Crest Health Care Supply
David Travanty, PE	Licensed Member	
Mark Webster, PE	Licensed Member	Pflow Industries, Inc
Mike Cocking	Member	

Fox River Valley Chapter

Bradley Champeau, PE	Licensed Member	Jacobs
----------------------	-----------------	--------

Southwest Chapter

Robert Blok, PE	Licensed Member	IIW, P.C.
-----------------	-----------------	-----------

Wisconsin Valley Chapter

David Mohr, PE	Licensed Member	Krause Power Engineering
----------------	-----------------	--------------------------

Interested in becoming a member?

Check out the member benefits at the following links:

<http://www.wspe.org/joinwspe.shtml>

<http://www.nspe.org/Membership/index.html>

Contact Ed Rodden at ExecDir@wspe.org with any questions regarding membership.

[TOP](#)

9. Invitation to ASCE/STEM Forward December Luncheon to Discuss the Zoo Interchange

Zoo Interchange Update

Join ASCE and STEM Forward for a presentation from Bob Gutierrez, P.E., Chief of SE Freeways, with a Zoo Interchange Update

The Zoo Interchange is the busiest interchange in the state with 350,000 vehicles using the interchange each day. The Interchange provides vital access to the regional medical center, tourism, jobs and education institutions. The \$1.7 billion infrastructure project is currently one of the state's largest and includes the full modernization of the system interchange, six service interchanges and three major local roads.

[View the full ASCE/STEM Forward invitation by clicking here.](#)

[TOP](#)

We Need Your News!

- Is your chapter hosting an event?
- Did your chapter get some new members?
- Have you started your own business?
- Is your company taking on a really challenging project?

If you said "yes" to any one of these questions, or would like to share anything even remotely newsworthy with the rest of WSPE, please send your articles to Clayton Grow, WSPE eNews Editor, clayton@thewritingengineer.com.

We look forward to including your news in our monthly updates!



Join the discussion at [WSPE's LinkedIn Group](#) or



["Like" us on Facebook.](#)

We Need Your Email Address!

If you are reading a paper copy of the WSPE eNews, you're missing out! Send your email address to Ed Rodden, WSPE Executive Director, at ExecDir@wspe.org or call him at (414) 531-1129 to receive electronic eNews.

Advertisers Wanted!

If you are interested in advertising in the WSPE eNews, please contact Ed Rodden, WSPE Executive Director, at ExecDir@wspe.org or (414) 531-1129.

Update Your Information with WSPE

Did you...

- ...get a new job?
- ...get promoted?
- ...get a new phone number or email address?
- ...get your PE license?

Tell us about it! Send your new information to Ed Rodden, WSPE Executive Director, at ExecDir@wspe.org or call him at (414) 531-1129 and he'll make sure your information is updated in both the WSPE and NSPE databases. We'd also like to include an article in the next eNews summarizing your recent change or accomplishment to inform your fellow WSPE members.

[TOP](#)

[Contact Us](#) | [FAQ](#)

© copyright 2012 | wspe | all rights reserved