

STATE OF DELAWARE



DELAWARE ASSOCIATION OF PROFESSIONAL ENGINEERS

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March 12, 2020

MINUTES – March 11, 2020 COUNCIL MEETING

A meeting of the Council of the Delaware Association of Professional Engineers was held on Wednesday March 11, 2020 at DAPE (92 Read's Way Suite 208 New Castle, Delaware) at 3:00 p.m.

The Roll call was taken and a quorum was declared.

Council Members present:	C. Balascio, P.E.	D. Barbato, P.E.
	M. Clendaniel, P.E.	R. Hayden, P.E.
	J. Jakubowski, P.E.	J. Kalmbacher, P.E.
	M. Lennon, P.E.	K. Maxson, P.E.
	C. McAllister, P.E.	N. Dean, P.E.
	E. Retzlaff, P.E.	M. Siwek, P.E.
	R. Smith, Esq.	R. Wheatley

Exec Committee Member Present:	S. Gharebaghi
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Council Members absent:	W. Gamgort, Esq.
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Staff present:	J. Wootten
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DAG present:	E. Kelly
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Meeting was called to order at 3:03 PM.

Open Forum

No members of the public attended.

Minutes of the February 12, 2020 Council Meeting

Council reviewed the Minutes of the February 12, 2020 Council meeting.

Motion by C. McAllister, seconded by E. Retzlaff, to approve the minutes of the February 12, 2020 meeting. Approved unanimously.

D.A.G. Report

DAG Kelly does not believe that the law clearly states that Council term limits may include a partial term (if appointed or elected to fill a vacant seat), in addition to two full four-year terms. DAG will draft revised language for the April Council meeting (with the intention of going forward with current legislative changes for 2020, and holding this for 2021).

The synopsis for legislation amendment is complete. R. Smith reported that it has been added to legislative system. He spoke to Representative Gray regarding sponsorship and plans to connect with Senator McBride as well. J. Wootten will follow up with F. Newton.

DAG Kelly also plans to research the use of DAPE funds to sponsor STEM-related nonprofits for licensure promotion.

Financial Reports

M. Clendaniel summarized DAPE's finances for the ten months (83.3%) of fiscal year ending April 30, 2020, which reflect income has reached 109.2% of projections and expenses 67.7%.

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

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 Compensation & Benefits Committee/Facilities Committee

J. Jakubowski reported that the committee met February 19, 2020 and discussed the following:

- Update from Wells Fargo Advisors – Portfolio review; Transferred funds from operating account into investment account; will continue to reinvest in CDs as funds become due, as our bylaws specify low risk stable investments.
- Reviewed committee charges. Committee plans to work on a standardized format for Committee guidelines.
- Reviewed Income & Expense forecasts; J. Wootten to seek estimates for several items that may be included in the 2020-2021 proposed budget.
- Committee would like to expand DAPE's licensure promotion to local STEM related after-school activities (such as MathCounts), possibly designating a small portion of penalty income for this purpose, or by asking members to designate a portion of their renewal fees towards licensure promotion activities. Other licensure promotion ideas include scholarships and reducing licensure or application fees for University of Delaware students. DAG Kelly will research this more.

The Finance Committee will meet April 1 to finalize budget recommendation for April 8 Council meeting.

Motion by J. Jakubowski, seconded by M. Clendaniel, Council accept the finance committee report. Approved unanimously.

Law Enforcement/Ethics Committee

C. McAllister reported that the committee met March 4, 2020 and discussed the following:

- Committee to discuss guidelines for a consistent approach to administrative penalties for lapsed CAs
- DelDOT procurement requirements regarding disadvantaged enterprise status
- DelDOT owner signatures (Committee does not believe this falls under DAPE's purview)

Motion by C. McAllister, seconded by E. Retzlaff, Council approve the closure of 10 cases as listed on Exhibit A of the Committee's report. Approved unanimously.

Examining Committee

M. Siwek reported that the Committee met on February 26, 2020, and reviewed 55 individual applications for licensure, consisting of 6 applications for examination (all recommended for approval), and 49 applications for comity (all recommended for approval). All recommendations are shown on Exhibit A1 which is now ready for Council action.

Motion by M. Siwek, seconded by C. McAllister, Council approve the Committee's recommendations for applications for licensure as noted on Exhibit A1 of the committee's report. Approved unanimously.

The Committee reviewed 15 applications for Certificate of Authorization. Committee recommendations are noted on Exhibit A2.

Motion by M. Siwek, seconded by C. McAllister, Council approve the Committee's recommendations for Certificates of Authorization as noted on Exhibit A2 of the committee's report. Approved unanimously.

The backlog of applications (which the Committee has reviewed but are not ready for Council action) is shown on Exhibit B.

External Affairs Committee

R. Hayden reported that the Joint Advisory Committee (JAC) met on Monday March 9, 2020 in Dover.

The Committee agreed to recommend a modification to the project coordination language that was still under discussion in favor of language that addresses the issue of incidental practice and jurisdiction of the separate practices, to align with the JAC's objectives.

JAC recommends the following revised language for consideration, to replace previous language drafted under "Section III. Sealing Professional Work c)

iii) Incidental Practice. Questions concerning areas of incidental practice and jurisdiction of separate practices shall be referred to the respective boards (see contact information in Foreword).

Motion by R. Hayden, seconded by J. Kalmbacher, to approve the March 10, 2020 version of the Guidelines for Delaware Building Officials Handbook. Approved unanimously.

Public Information

M. Clendaniel reported that the Committee met on March 5, 2020 in Odessa. Committee discussed the following:

- Licensure promotion, including the MathCounts event.
- Technical Forum Workshop topics. LEE Committee suggested the topic of pedestrian fatalities, as a recent *PE Magazine* issue indicated that Delaware does not rank well in this area. Additionally, DAPE will ask for topic ideas in the upcoming newsletter. Future sessions may be telecast to multiple Delaware locations, to reach more members.
- Outreach at University Delaware: Senior Design/FE study guides
- Engineering Career Fair Fall 2020: Committee would like to organize a new DAPE-sponsored event, with a focus on engineering careers by discipline.

Council members also recommended outreach to local professional engineering societies (such as IEEE), to arrange presentations at their meetings.

Government Affairs/By-laws Committee – No Report

Nominating Committee – No Report

Ad Hoc Law & Ethics Questionnaire Committee

M. Siwek and C. McAllister reported that the Committee met on February 26, 2020. Committee continued to review questions. New questionnaire will include a preamble to explain the purpose, and emphasize that it's the applicant that should be responding. At end of the questionnaire, we can reiterate this message by having the test taker initial to verify their identity. The committee hopes to have a draft questionnaire completed at the next meeting (March 26). Council and Committee members will be asked for feedback at that time.

Correspondence -- None

NCEES

- Zone Interim Meeting is still scheduled for April 23-25 in Houston, TX. Congratulations to Carmine Balascio, who will receive the Northeast Zone award (aka the "Enny").
- Save the date for Annual meeting in Chicago: August 26-29 (funded delegates due May 1).
- NCEES is monitoring COVID-19, and keeping jurisdictions informed regarding potential impact on the April 2020 exam administration and Zone Meeting.
- The 2019 Annual Report is available online and was mailed to Council members recently.

Old Business – None.

New Business

Upcoming Events:

May 12, 2020 Ethics Course, followed by Council & LEE Committee training. J. Wootten will research webcast options/cancellation terms for the May 12 venue, just in case.

Next Meeting: April 8, 2020 (The Wheelhouse in Lewes DE).

Note: While the State requires that our Committee and Council meetings are open to the public, it's possible the Governor may allow teleconference meetings in light of the COVID-19 outbreak. DAG Kelly will keep us informed of any changes.

Motion by M. Clendaniel, seconded by N. Dean, to adjourn. Approved unanimously. Meeting adjourned at 3:55 p.m.