

STATE OF DELAWARE



DELAWARE ASSOCIATION OF PROFESSIONAL ENGINEERS

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April 9, 2020

**MINUTES – APRIL 8, 2020 COUNCIL MEETING**

A meeting of the Council of the Delaware Association of Professional Engineers was held on Wednesday March 11, 2020 via teleconference 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.
	M. Siwek, P.E.	R. Smith, Esq.
	R. Wheatley	
Council Members absent:	W. Gamgort, Esq.	E. Retzlaff, P.E.
Staff present:	J. Wootten	
DAG present:	E. Kelly	

Meeting was called to order at 3:05 PM.

**Open Forum**

No members of the public attended.

**Minutes of the March 11, 2020 Council Meeting**

Council reviewed the Minutes of the March 11, 2020 Council meeting.

*Motion by R. Hayden, seconded by C. McAllister, to approve the minutes of the March 11, 2020 meeting. Approved unanimously.*

**D.A.G. Report**

Due to Governor Carney's Declaration of a State of Emergency, DAPE has been authorized to hold all public meetings by means of telephone conference call, and can vote on matters before Council.

DAG Kelly researched the topic of donations to STEM-programs (such as the DeIDOT Bridge design competition). She advised that as long as DAPE is careful to avoid the appearance of impropriety (for example, making a donation in order to gain a financial advantage), then it is fine to promote licensure or other Council-related objectives in this way. Council should vote on such donations.

## **Financial Reports**

M. Clendaniel summarized DAPE's finances for the eleven months (91.7%) of fiscal year ending April 30, 2020, which reflect income has reached 109.9% of projections and expenses 73.1%.

*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 April 1, 2020 and discussed the following:

- Update on DAPE operations: All staff members are working remotely (rotating 1-2 office visits per week to get mail/checks). J. Wootten is getting email approval for payments (vs. 2<sup>nd</sup> signature in person).
- Budget: Summary of Income and expense forecast rationale for the 2020-2021 proposed budget, highlighting variations from last year's budget. There were a few final adjustments to the proposed budget, due to the cancellation of the April PE exam and Zone meeting, as well as the recent purchase of 2 laptops (originally planned for next fiscal year). DAPE's part-time staff member is going to increase hours from 24 to 30 hours/week, which will change her classification to full-time employee.

*Motion by C. McAllister, seconded by D. Barbato, Council approve the 2020-2021 budget as proposed. Approved unanimously.*

- Committee Guidelines: The Committee plans to revise guidelines, given that the Employee Handbook covers many of the topics originally included in the Employee Benefits & Compensation Committee guidelines.

*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 April 1, 2020 and discussed the following:

- Administrative penalties guidelines – committee continues to send feedback, and hopes to finalize draft in May.
- May 12 and May 14 Ethics training. May 12 afternoon session for Council and LEE Committee members. J. Wootten will share details with Council members.

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

*Motion by C. McAllister, seconded by M. Clendaniel, to amend the Agenda to add:*

*File 19-073 Recommendation and proposed order to issue a Cease & Desist Order. Approved unanimously.*

This item will be discussed under new business.

### **Examining Committee**

M. Siwek reported that the Committee met on March 25, 2020, and reviewed 31 individual applications for licensure (all applications for comity and 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 8 applications for Certificate of Authorization and 1 application for Certificate of Authorization Reinstatement. Committee recommendations are noted on Exhibit A2.

*Motion by M. Siwek, seconded by R. Smith, 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.

The Committee agreed that DAPE should remove the notarization requirement (at least temporarily), due to current State of Emergency restrictions. Committee members will have access to a secure website to review applications.

While some members may have trouble with meeting their CPC requirements leading up to the June 30 renewal due to event cancellations, there is already a provision in our current CPC guidelines that would enable us to allow an extension:

Licensees experiencing physical disability, illness, or other extenuating circumstances may apply for an exemption or an extension of time to obtain the credits, subject to the review and approval of the Council. Supporting documentation must be furnished to the Council.

Committee discussed DAPE and NCEES's criteria for candidates with degrees in science related to engineering. Committee guidelines will be reviewed, and all committee members should be trained to evaluate these candidates' credentials consistently.

**External Affairs Committee** – No Report.

**Public Information** – No Report.

**Government Affairs/By-laws Committee** – No Report

### **Nominating Committee**

K. Maxson reported that the Committee met April 2, 2020 and discussed the following:

- DAPE has received completed nomination forms from David Reinhold (Education) and Hans Medlarz (Sussex County), but still need a Mechanical nominee. Council members are encouraged to suggest potential nominees.
- The Committee drafted a questionnaire for candidates to provide biographical information. This will be distributed to nominees along with a sample biography.
- Discussed recruitment ideas for Committee/Council members.

### **Ad Hoc Law & Ethics Questionnaire Committee**

M. Siwek and C. McAllister reported that the Committee met on March 25, 2020. Committee finalized questions. Council and Committee members will be asked for feedback.

**Correspondence** -- None

### **NCEES**

- Save the date for Annual meeting in Chicago: August 26-29 (funded delegates due May 1). C. Balascio plans to attend, but will not count as one of our funded delegates since he chairs an NCEES Committee. Council members should contact J. Wootten if interested in attending the conference.
- The not yet official/finalized plan is to hold the October PE Exam on October 22 & 23 to enable sites to have the capacity for extra examinees. Nur Shrine has been reserved, and we'll need proctors both days.

**Old Business** – None.

### **New Business**

Council members reviewed and discussed Law Enforcement & Ethics Committee's Recommendation and Proposed Cease and Desist Order.

*Motion by R. Smith, seconded by R. Hayden, Council approve and sign the Cease & Desist order regarding File 19-073. Motion carried with two abstaining (J. Jakubowski and C. McAllister).*

J. Wootten will add dates and signatures, and send via certified mail (return receipt requested).

**Next Meeting**: May 13, 2020 (video conference info to follow)

*Motion by M. Clendaniel, seconded by R. Smith, to adjourn. Approved unanimously. Meeting adjourned at 3:58 p.m.*