

STATE OF DELAWARE



DELAWARE ASSOCIATION OF PROFESSIONAL ENGINEERS

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February 15, 2021

MINUTES – FEBRUARY 10, 2021 COUNCIL MEETING

A meeting of the Council of the Delaware Association of Professional Engineers was held on Wednesday February 10, 2021 via teleconference at 3:00 p.m.

The Roll call was taken and a quorum was declared.

Council Members present:	D. Barbato, P.E.	M. Clendaniel, P.E.
	N. Dean, P.E.	W. Gamgort, Esq.
	J. Hastings, P.E.	J. Jakubowski, P.E.
	J. Kalmbacher, P.E.	M. Lennon, P.E.
	C. McAllister, P.E.	D. Reinhold, P.E.
	M. Siwek, P.E.	R. Smith, Esq.
	K. Tadler, P.E.	R. Wheatley

Council Members absent: K. Maxson, P.E.

Exec Committee Member Present: C. Balascio

DAG present: E. Kelly

Staff present: J. Wootten

Meeting was called to order at 3:02 PM.

Open Forum

No members of the public were present.

Minutes of the January 13, 2021 Council Meeting

Council reviewed the Minutes of the January 13, 2021 Council meeting.

Motion by M. Clendaniel, seconded by C. McAllister, to approve the minutes of the January 13, 2021 meeting. Approved unanimously.

D.A.G. Report

DAG Kelly summarized her review of a potential conflict of interest policy, and advised that the Subchapter I. State Employees' Officers' and Officials' Code of Conduct from Chapter 58 of Title 29 would apply to DAPE Council members since DAPE was created by the Delaware Assembly. Some state professional licensing boards include a specific reference to this in their Codes, but that is not necessary for it to apply. DAG Kelly will draft a Conflict of Interest Attestation to be signed by DAPE Council members and Committee members annually, using the State Employees' Code of Conduct and Article XXIII Section 3 of the DAPE Bylaws as references.

Financial Reports

M. Clendaniel summarized DAPE's finances for the nine months (75%) of fiscal year ending April 30, 2021, which reflect income has reached 91% of projections and expenses 54.6%. FE application income is below projections, which follows a national trend discussed at the Board Presidents' Assembly (likely due in part to reduced capacity at Pearson VUE testing centers). PE Registration fee projections were also impacted due to the cancellation of the April 2020 exam.

Motion by M. Clendaniel, seconded by C. McAllister, Council accepts 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—No Report

Law Enforcement/Ethics Committee

C. McAllister reported that the Committee met on February 3, 2021 and discussed the following:

- Administrative penalties for lapsed CAs: Council members are asked to review the Committee's proposal to revise delinquency fees, then discuss and vote on this proposal at the March 10 Council meeting.
- Hearing Procedures training: March 2 at 8:00 AM
- Definition of negligence
- Committee charges review

Motion by C. McAllister, seconded by M. Clendaniel, Council approves the closure of 4 files as listed on Exhibit A of the Committee's report. Approved unanimously.

Examining Committee

N. Dean reported that the Committee met on January 27, 2021, and reviewed 53 individual applications for licensure and confidential recommendations were made for Council action at their meeting February 10, 2021 consisting of 39 applications for comity (38 recommended for license approval, 1 backlogged pending further information), 11 applications for examination (10 recommended for approval to take the PE exam, 1 backlogged pending further information but eligible for exam as a decoupling candidate), 2 initial applications from decoupling candidate that successfully passed the PE exam (both recommended for license approval), 1 applicant that has now met all requirements for licensure after successful passage of a computer-based P&PE Exam. All recommendations for licensure or approval to take the P&PE exam are shown on Exhibit A1 which is now ready for Council action.

Motion by N. Dean, seconded by M. Clendaniel, Council approves the Committee's recommendations for applications for licensure as noted on Exhibit A1 of the committee's report. Approved unanimously.

Motion by N. Dean, seconded by M. Clendaniel, Council approve P.E. license number 24469 after successful passage of a computer based PE exam.

The Committee also reviewed 10 applications for Certificate of Authorization (9 recommended for approval, 1 backlogged pending approval of PE application). Committee recommendations are noted on Exhibit A2.

Motion by M. Clendaniel, seconded by K. Tadler, Council approves the Committee's recommendations for Certificates of Authorization as noted on Exhibit A2 of the committee's report. Approved unanimously.

Motion by D. Barbato, seconded by C. McAllister, Council approve 2 additional Certificate of Authorization applications (4856 and 4897).

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

J. Wootten reported that the Committee also discussed a job aid for committee members as well as requirements for a Council-approved 4-year curriculum in science related to engineering. These will be incorporated into Committee Guidelines.

Public Information/External Affairs Committees Joint Report

J. Kalmbacher reported that the joint committee meeting was held on February 8, 2021. The Committees scheduled a technical forum to discuss overlapping practice issues with the Professional Land Surveyors board on Tuesday May 18, 2021 from 9-11:00 AM. Committee members are recruiting panelists and will meet once the panel has been finalized.

A DAPE newsletter is being drafted, and J. Wootten has targeted February 18 as the date to email a newsletter to members in order to help publicize the Delaware Engineering Society's Engineers' Week event scheduled for February 25.

Motion by J. Kalmbacher, seconded by J. Hastings, Council accepts the Joint Committee Report. Approved unanimously.

Nominating Committee – No report

Correspondence – None.

NCEES

- The NCEES Board Presidents Assembly met virtually on January 29.
 - J. Wootten reported that the Member Board Administrator morning session focused on NCEES records system, which is now available for exam and initial applicants in addition to Comity.
 - J. Jakubowski reported that the afternoon session covered: an online voting demonstration for the spring Zone meetings, updates on NCEES committee and zone meetings, exam services, advocacy, outreach, Resolution of Cooperation, Question & Answer session
- NCEES posted a schedule of meetings leading up to Annual meeting (similar format to 2020), but has not yet finalized the annual meeting format
- Council members interested in joining an NCEES committee should complete the online survey ASAP
- The Northeast Zone will be electing NCEES president-elect (this rotates among zones each year). Maryland Board member Skip Harclerode shared information about his candidacy.
- C. Balascio provided an update on NCEES Exam Committee. While the remaining pencil and paper PE exams will transition to computer based format after the October 2021 administration, SE exams will remain in pencil and paper format for a few more years. NCEES may start administering

this regionally. A new mechanical PE exam discipline has been proposed by the American Society of Plumbing.

Old Business

- Random CPC audit: J. Wootten drafted a timeline and reviewed the process with DAG Kelly. DAPE will send initial emails February 15, 2021. Council President may need to appoint 2 hearing panels (likely at the March meeting) based on the number of members that do not respond to the audit. J. Wootten will share summary of the 2016 hearings with DAG Kelly. If we need more than one panel, it will be important to have consistent approaches to recommendations. In 2016, DAPE held hearings for members that did not respond to the audit. Those that provided inadequate documentation/hours were placed into delinquent status until the requirements were met.
- R. Smith reported that Representative Ronald Gray is the primary sponsor for DAPE's proposed legislative amendment, and Representative Gray is seeking a Senate sponsor.
- J. Wootten will follow up with potential new lobbyists for DAPE.

New Business

- Thanks to the Council from 2021 Distinguished Service Award winner Robert Leitsch.
- Delaware Engineering Society event on Thursday February 25, 2021 from 12:30-2:00 PM. J. Jakubowski and J. Wootten will participate. J. Wootten will post information about this event on DAPE's website, Facebook page, and in the newsletter, and email an invitation to new PEs (participation is free).
- Committees: reminder that any committee activities that will impact the 2021-2022 budget should be discussed at next meeting and sent to the Finance Committee.

Upcoming Meeting: March 10, 2021 at 3:00 PM

+1 929 436 2866 Meeting ID: 968 485 585 Password: 851686 Browser link:

<https://us02web.zoom.us/j/968485585?pwd=RkxVZmxzemRPR2NFRytGS1VPeDirUT09>

Motion by M. Clendaniel, seconded by J. Kalmbacher, to adjourn. Approved unanimously. Meeting adjourned at 4:20 p.m.