

## STATE OF DELAWARE



### DELAWARE ASSOCIATION OF PROFESSIONAL ENGINEERS

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May 17, 2021

### **MINUTES – MAY 12, 2021 COUNCIL MEETING**

A meeting of the Council of the Delaware Association of Professional Engineers was held on Wednesday May 12, 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.
	J. Hastings, P.E.	J. Jakubowski, P.E.
	M. Lennon, P.E.	K. Maxson, P.E.
	C. McAllister, P.E.	D. Reinhold, P.E.
	M. Siwek, P.E.	R. Smith, Esq.
	K. Tadler, P.E.	

Council Members absent:	N. Dean	W. Gamgort
	J. Kalmbacher	R. Wheatley

Exec Committee Member Present: C. Balascio

DAG present: E. Kelly

Staff present: J. Wootten

Meeting was called to order at 3:06 PM.

### **Open Forum**

Two members of the public were present and introduced themselves:

- M Davis provided a brief update of the status of HB 142, which is expected to pass the House on a consent agenda in the next week or so. C. Balascio participated in the House Committee hearing, and will speak on DAPE's behalf at the Senate Committee hearing as well. She has contacted the Governor's office regarding the Sussex County appointed seat that will be open this year.
- N. Batta has expressed interest in running for the open Chemical Engineering seat, so participated in this meeting as an observer to understand the role better.

### **Minutes of the April 14, 2021 Council Meeting**

Council reviewed the Minutes of the April 14, 2021 Council meeting.

*Motion by M. Clendaniel, seconded by C. McAllister, to approve the minutes of the April 14, 2021 meeting. Approved unanimously.*

### **D.A.G. Report**

Conflict of Interest disclosure: DAG Kelly drafted this drawing details from the DAPE bylaws and State Code of Conduct. Motion by D. Barbato to approve Conflict of Interest Policy, seconded by

M. Clendaniel. After further discussion, Council requested that DAG Kelly redraft, with the policy and disclosure form separated into two distinct documents. The policy would be added to our website, and shared with Council members each September at the annual meeting. Council members will be encouraged to disclose potential conflicts as needed. Motion withdrawn by D. Barbato without objection.

### **Financial Reports**

M. Clendaniel summarized DAPE's finances for the twelve months (100%) of fiscal year ending April 30, 2021, which reflect income has reached 98.4% of projections and expenses 74.9%. J. Wootten has scheduled our bookkeeper for bank reconciliation, then will reach out to auditors.

*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 May 5, 2021 and discussed the following:

- A plan to draft proposed legislative amendment language to define negligence and gross negligence clearly
- Draft committee guidelines
- NCEES announced Law Enforcement training that is typically offered during the annual meeting will be scheduled for June 15-16. J. Wootten will share details with all committee members.
- Will recommend closure of 10 files
- Recommends approval of 1 PE application which were referred by Examining Committee

*Motion by C. McAllister, seconded by D. Reinhold, Council approves the closure of 10 files as listed on Exhibit A of the Committee's report. Approved unanimously.*

#### **Examining Committee**

K. Tadler reported that the Committee met on March 31, 2021, and discussed the following:

- Draft Committee Guidelines
- Proposed CPC Guidelines Revisions
- HB 142 Status
- April 2021 PE Exam report
- Plan to train committee members on Certificate of Authorization review at May meeting.

The Committee reviewed 38 individual applications for licensure and confidential recommendations were made for Council action at their meeting May 11, 2021 consisting of 36 applications for comity (34 recommended for license approval, 1 backlogged pending further review, 1 referred to LEE Committee and now recommended for approval), and 2 applications for examination (both recommended for approval to take the 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.

One applicant has met all requirements for licensure after successful passage of a computer-based P&PE exam. Recommendations for licensure are shown on Exhibit A2.

*Motion by K. Tadler, seconded by K. Maxson, Council approves the Committee's recommendations for applications for licensure as noted on Exhibits A1 and A2 of the committee's report. Approved unanimously.*

The Committee also reviewed 12 applications for Certificate of Authorization and 4 applications for Certificate of Authorization Reinstatement. Committee recommendations are noted on Exhibit A3.

*Motion by K. Tadler, seconded by K. Maxson, Council approves the Committee's recommendations for Certificates of Authorization as noted on Exhibit A3 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.

Note: October 2021 PE exam is scheduled for 2 days.

#### **External Affairs/Public Information Joint Committee**

Committees met on May 6, 2021 to finalize plans for May 18, 2021 Forum regarding overlapping practice issues with Professional Land Surveyor Board.

- Registration is full
- Will record/create a brief survey that members can return to receive PDH credits
- Finalized agenda
- Need a panelist from an engineering firm
- NCEES Webinar/Meetings Department has arranged a run through on May 13.
- J. Wootten began drafting a presentation, and will distribute advanced questions from the registrants

After May 18 event, J. Wootten will reach out to these 2 committees to schedule separate meetings, review charges, complete Guidelines.

#### **Government Affairs/By-Laws Committee**

Committee met May 12 (did not have a quorum).

- Introduced Mary Davis, discussed status of HB 142 .
- Reviewed charges/Draft Guidelines
- Need to meet to discuss bylaws changes
- Briefly discussed plans for State recognition of DAPE's 2022 50<sup>th</sup> Anniversary

#### **Nominating Committee**

Committee met on April 26 & May 3:

- Discussed candidates for open council seats and reached out to potential members to fill Chemical Engineering seat.
- Reviewed Committee Guidelines
- Plan to add a meeting in the fall each year going forward

Slate for 2021 Election:

- Michael Clendaniel (Government)
- Jeremy Kalmbacher (Other Engineering)
- Neeraj Batta (Chemical Engineering)

**Correspondence** – None

**NCEES**

- Northeast Zone meeting next week (May 20 from 10:00 AM to 1:00 PM)
- Engineering/MBA Forums will be virtual and in advance of meeting
- June State of Council will be about Annual Meeting motions – DAPE Council should discuss plans for voting; July State of Council meeting will be about action items and committee reports. All Committee Chairs have interviews posted online.
- Planning a Law Enforcement Program June 15-16 from 1-4:00 PM, then a Law Enforcement Forum after the annual meeting
- NCEES has expanded funded delegates to 3 for each jurisdiction. DAPE does not have anyone attending.
- Email Carmine if you have questions for the Engineering Forum on May 20 (he's moderating).
- New record process for active military and their spouses announced. NCEES will not charge fee when military orders require them to move and get licensed in a new jurisdiction.
- Resolution of Cooperation to facilitate interstate licensure. J. Wootten will add to Council Docs/June meeting agenda.
- J. Jakubowski will vote on behalf of DAPE in Zone elections; Council discussed candidates.

**Old Business** – None.

**New Business** – None.

*Motion by M. Clendaniel, seconded by C. McAllister, to adjourn. Approved unanimously. Meeting adjourned at 4:37 p.m.*

**Upcoming Meeting: June 9, 2021 at 3:00 PM**

Hybrid: Council members can join meeting in person at 92 Read's Way New Castle DE or via Zoom +1 929 436 2866 Meeting ID: 968 485 585 Password: 851686 Browser link:

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

**SAVE THE DATE**

Tuesday June 8, 2021 from 9:00 AM to 12:00 PM: Ethics Training consisting of 2 hours on the topic of engineering/sustainability to be presented by Richard Burgess of Texas Tech College of Engineering and 1 hour of a DAPE overview of our organization and maintaining a license.

April 28-30, 2022 Northeast Zone Meeting in Providence Rhode Island