

STATE OF DELAWARE



DELAWARE ASSOCIATION OF PROFESSIONAL ENGINEERS

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June 22, 2021

**MINUTES – JUNE 9, 2021 COUNCIL MEETING**

A meeting of the Council of the Delaware Association of Professional Engineers was held on Wednesday June 9, 2021 via teleconference (with several members in the DAPE office) at 3:00 p.m.

The Roll call was taken and a quorum was declared.

Council Members Present:	D. Barbato, P.E.	N. Dean, P.E. (3:59 PM)
	J. Hastings, P.E.	J. Jakubowski, P.E.
	J. Kalmbacher, 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.	R. Wheatley

Council Members absent:	M. Clendaniel, P.E.	W. Gamgort, Esq.
	M. Lennon, P.E.	

Exec Committee Member Present:	C. Balascio
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DAG present:	E. Kelly
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Staff present:	J. Wootten
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Meeting was called to order at 3:07 PM.

**Open Forum** – No members of the public were present

**Minutes of the May 12, 2021 Council Meeting**

Council reviewed the Minutes of the May 12, 2021 Council meeting.

*Motion by C. McAllister, seconded by D. Reinhold, to approve the minutes of the May 12, 2021 meeting. Approved unanimously.*

**D.A.G. Report**

DAG Kelly summarized the revisions to the Conflict of Interest Statement which were discussed at the May 12 meeting. DAG Kelly encouraged Council and Committee members to consult with her if they have any questions about abstaining from a vote due to a potential conflict. Going forward, this will be shared at each September Council meeting, when new Council members start their terms.

*Motion by D. Barbato, seconded by D. Reinhold, to approve the Conflict of Interest Statement with a minor edit as discussed. Approved unanimously.*

DAG Kelly will continue to monitor State rules regarding meeting in person/virtually/in a hybrid format.

## **Financial Reports**

K. Maxson summarized DAPE's finances for the one month (8.3%) of fiscal year ending April 30, 2022, which reflect income has reached 2.5% of projections and expenses 5.5%. Cover & Rossiter is scheduled for audit at the end of July. Note: Income does not yet reflect the deferred PE renewal fees from previous year, as the audit will be completed before we have that exact number. It will be approximately \$175,000, bringing income to date up to 34% of projected total.

*Motion by K. Maxson, seconded by D. Barbato, 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 June 2, 2021 and discussed the following:

- A plan to draft proposed legislative amendment language to define negligence and gross negligence clearly
- Committee guidelines – recommended for approval by LEE Committee
- NCEES announced Law Enforcement training that is typically offered during the annual meeting will be scheduled for June 15-16.
- May 18 PLS Forum Recap Discussion
- Will recommend closure of 2 files

*Motion by C. McAllister, seconded by D. Reinhold, Council approves the closure of 2 files as listed on Exhibit A of the Committee's report. Approved unanimously.*

### **Examining Committee**

K. Tadler reported that the Committee met on May 26, 2021, and discussed the following:

- Experience that takes place before graduation. Upon further discussion, the Committee decided that the current policy doesn't preclude committee members from giving candidates credit for any experience if the candidate offers a compelling case that the work fits into the definition of engineering
- Proposed CPC Guidelines Revisions
- Application Review and Communication Log (minor update for 10-Year Comity candidates)

The committee reviewed 54 individual applications for licensure and confidential recommendations were made for Council action at their meeting June 9, 2021 consisting of 46 applications for comity (45 recommended for license approval, 1 backlogged pending further review), 6 applications for examination (4 recommended for approval to take the PE exam, 2 backlogged pending further information) and 2 applications for initial licensure after successful passage of the PE exam as a decoupling candidate. All recommendations for licensure or approval to take the P&PE exam are shown on Exhibit A1 which is now ready for Council action.

Four applicants have met all requirements for licensure after successful passage of a computer-based P&PE exam, and 40 applicants have met all requirements for licensure after successful passage of the April 2021 P&PE exam. Recommendations for licensure are shown on Exhibit A2.

*Motion by K. Tadler, seconded by M. Siwek, 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 5 applications for Certificate of Authorization. Committee recommendations are noted on Exhibit A3.

*Motion by K. Tadler, seconded by M. Siwek, 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, and is tentatively planned to be at Clayton Hall.

**External Affairs/Public Information Joint Committee** – No Report

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

**Nominating Committee** – No Report

**Correspondence** – None

### **NCEES**

- Northeast Zone meeting recap.
- Reminder: Law Enforcement Program June 15-16 and NCEES has announced dates for Engineering Forum July 27, 2:00–4:00 p.m. and MBA Forum to be held prior to Annual meeting. Council members should receive invitations directly from NCEES. Email C. Balascio if you have discussion topic ideas (he'll be moderating the forum).
- Resolution of Cooperation to Facilitate Licensure

*Motion by C. McAllister, seconded by D. Reinhold, Council signs the NCEES Resolution of Cooperation to Facilitate Interstate Licensure for Professional Engineers and Professional Surveyors. Approved unanimously.*

### **Old Business**

May 18 PLS Forum – This was a good start to what will hopefully be an ongoing discussion with the PLS board, although the webinar format was not ideal.

June 8 Ethics Training – This presentation also would have benefited from being in person. Future webinars will include ground rules about respecting other participants/firms when speaking to the group, and a disclaimer at the beginning of any discussion to make it clear that participants are expressing their own opinions, not speaking for DAPE. J. Wootten will recruit more volunteers to help moderate discussions.

HB 142 Update – M. Davis provided an update. C. Balascio is on call to answer questions if needed at an upcoming House Floor vote. SB 135 (related to the Board of Geologists) is also progressing through the legislature. DAPE Council had discussed this proposed legislation in May 2018.

Council Election – J. Wootten is finalizing ballots which will be sent via email to voting members on June 15. Election will close July 15. Three seats are uncontested.

## **New Business**

Will continue to meet in hybrid format unless State does not allow.

J. Wootten is planning to send a newsletter prior to the close of the upcoming Council election (June 15-July 15).

Council will discuss an Ad Hoc Committee to plan an event for our 2022 50<sup>th</sup> Anniversary at the July 14 meeting.

*Motion by K. Tadler, seconded by C. McAllister, to adjourn. Approved unanimously. Meeting adjourned at 4:33 p.m.*

## **Upcoming Meeting: July 15, 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=RkxVZmxzemRPR2NFRytGS1VPeDlrUT09>