

## STATE OF DELAWARE



### DELAWARE ASSOCIATION OF PROFESSIONAL ENGINEERS

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October 18, 2022

### **MINUTES – OCTOBER 12, 2022 COUNCIL MEETING**

A meeting of the Council of the Delaware Association of Professional Engineers was held on Wednesday October 12, 2022 in hybrid format (at DAPE office and via Zoom).

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.	V. Fazio, P.E.
	C. Lingenfelder	K. Maxson, P.E.
	C. McAllister, P.E.	D. Reinhold, P.E.
	R. Smith, Esq.	K. Tadler, P.E.

Council Members Excused:	N. Batta, P.E.	W. Gamgort, Esq.
	J. Hastings, P.E.	J. Jakubowski, P.E.
	J. Kalmbacher, P.E.	

DAG present: E. Kelly, Esq.

Staff present: J. Wootten

DAPE lobbyist present: M. Davis

Meeting was called to order at 3:05 PM.

**Open Forum** -- No members of the public were present.

### **Minutes of the September 14, 2022 Council Meeting**

Council reviewed the Minutes of the September 14, 2022 Council meeting.

*Motion by C. McAllister, seconded by K. Maxson, to approve the minutes of the September 14, 2022 meeting. Approved unanimously.*

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

### **Financial Reports**

K. Maxson summarized DAPE's finances for the five months (41.7%) of fiscal year ending April 30, 2023, which reflect income has reached 79.6% of projections and expenses 37.0%.

*Motion K. Maxson seconded by V. Fazio, Council accepts the Finance Report subject to audit and as amended to modify the expense item for Conference & Travel which was approved at the September 12 Council meeting. 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.  
Committee will meet to review audit prior to November Council meeting.

### **Law Enforcement/Ethics Committee**

C. McAllister reported that the committee met on October 5, 2022 and discussed the following:

- Approval of 1 Certificate of Authorization with warning letter
- PE Renewal Screens/disclosure of disciplinary action in other jurisdictions
- 1 case to close

*Motion by C. McAllister, seconded by K. Maxson, Council approve the closure of 1 file as listed on Exhibit A of Committee's report. Approved unanimously.*

### **Examining Committee**

K. Tadler reported that the Committee met on September 28, 2022 and discussed the following:

- Committee plans to meet in person at DAPE office on October 26.
- Reapplication guidelines and review process (will discuss further next month).

All recommendations for licensure or approval to take the P&PE exam are shown on Exhibits A1 and A2 which are now ready for Council action. The recommendations are summarized below:

<b>Application Type</b>	<b>Total applications</b>	<b>Recommendation</b>	<b>Exhibit Reference</b>
Comity	6	License	A1
Exam	4	Approval to take P&PE	A1
Exam (Reapplication)	1	Approval to take P&PE	A1
Exam (passed PE)	3	License	A2
Total Individual	14		

*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 as amended just prior to the Council meeting. Approved unanimously.*

Committee recommendations for firm licensure are noted on Exhibit A3. The recommendations are summarized below:

<b>Application Type</b>	<b>Total applications</b>	<b>Recommendation</b>	<b>Exhibit Reference</b>
Certificate of Authorization	9	License	A3
Certificate of Authorization	1	License with LEE review/approval	A3
Total Firm Applications	10		

*Motion by K. Tadler, seconded by D. Reinhold, 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.

Additional Committee Recommendations:

Application Type	Total applications	Recommendation	Exhibit Reference
Approval to take FE Exam (and decouple P&PE)	5	Approve	C
Model Law Engineer Comity License	21	License	D

**External Affairs Committee** – No Report

**Public Information Committee** – No Report

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

**Nominating Committee** – No Report

### **Correspondence**

Letter dated September 9, 2022 from E4P, a group from Canada that is “brainstorming the evolution of the engineering profession.” J. Wootten will ask for an agenda then recruit 2-3 Council members to participate in a virtual meeting with them.

**NCEES:** NCEES Committee assignments are complete.

### **Old Business**

- Next steps for proposed amendments related to definition of successor engineer and negligence: DAG Kelly will work with DAG Mulveny to draft proposed legislative amendment. This will be reviewed by LEE Committee then Council.
- Volunteer Appreciation/50<sup>th</sup> Anniversary Party recap

### **New Business**

M. Clendaniel has requested the following Council members to serve as Committee chairs:

- K. Maxson: Finance/Employee Benefits & Compensation Committee, Facilities Committee
- R. Smith: Bylaws/Government Affairs Committee
- C. McAllister & D. Reinhold: Law Enforcement & Ethics Committee
- K. Tadler: Examining Committee
- J. Hastings: Public Information Committee
- N. Batta: Nominating Committee
- J. Kalmbacher: External Affairs Committee

J. Wootten will work with M. Clendaniel to draft committee charges. Committee Chairs should confirm committee membership for Council approval at the November meeting.

Meeting adjourned at 3:31 PM.

**Upcoming Meeting: November 9, 2022 at 3:00 PM**, in hybrid format (Council members are encouraged to attend in person).

Zoom: +1 929 436 2866 Meeting ID: 968 485 585 Password: 851686 Browser link:  
<https://us02web.zoom.us/j/968485585?pwd=RkxVZmxzemRPR2NFRytGS1VPeDlrUT09>