

STATE OF DELAWARE



DELAWARE ASSOCIATION OF PROFESSIONAL ENGINEERS

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January 23, 2023

**MINUTES – JANUARY 11, 2023 COUNCIL MEETING**

A meeting of the Council of the Delaware Association of Professional Engineers was held on Wednesday January 11, 2023 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. V. Fazio, P.E. J. Jakubowski, P.E. K. Maxson, P.E. D. Reinhold, P.E. K. Tadler, P.E.	N. Batta, P.E. J. Hastings, P.E. C. Lingenfelder C. McAllister, P.E. R. Smith, Esq.
Council Members Absent:	M. Clendaniel, P.E. W. Gamgort, Esq.	N. Dean, 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 3:06 PM.

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

**Minutes of the December 14, 2022 Council Meetings**

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

*Motion by C. McAllister, seconded by V. Fazio, to approve the minutes of the December 14, 2022 meeting. Approved unanimously.*

**D.A.G. Report**

DAG Kelly has reached out to DAGs from DelDOT and DNREC to get feedback on proposed legislative amendment. She hopes to hear from them before the February 8, 2023 Council meeting. M. Davis is also working on getting feedback/sponsors for the bill, and the information has been distributed to engineering staff at DelDOT (J. Hastings will collect and forward to E. Kelly or J. Wootten).

**Financial Reports**

K. Maxson summarized DAPE's finances for the eight months (66.7%) of fiscal year ending April 30, 2023, which reflect income has reached 88.8% of projections and expenses 60.9%.

*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 January 4, 2023 and discussed the following:

- Legislative amendment update
- PE renewal questions regarding disclosing disciplinary action
- Ethics training for spring 2023
- 1 file for closure
- Two proposed consent orders to be discussed under “New Business.”

*Motion by C. McAllister, seconded by D. Barbato, 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 January 3, 2023 and 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
Comity	1	Backlog pending further info	B
Exam	5	Approval to take P&PE	A1
Initial	3	License	A1
Exam (passed PE)	1	License	A2
Total Individual applications reviewed	16		

*Motion by K. Tadler, seconded by V. Fazio, 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	8	License	A3
Certificate of Authorization	1	Refer to LEE (not recommended for approval at this time)	A3
Total Firm Applications	9		

*Motion by K. Tadler, seconded by C. McAllister, 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
Model Law Engineer Comity License	19	License	D
Approval for Engineer Intern Certification/PE decoupling	1	Approve	C
Approval for FE Exam	1	Need additional transcript information	C

**External Affairs Committee** – No Report

**Public Information Committee** – No Report

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

**Nominating Committee** – No Report

**Correspondence** – None.

### **NCEES**

April 27-29 Zone meeting Houston: funded delegates (MBA and up to 3 Council members) need to be named by January 18. K. Maxson, D. Reinhold, and K. Tadler will be funded delegates; J. Wootten is planning to attend and funded by NCEES; C. McAllister also plans to attend.

January 9 MBA Committee meeting followed by January 10 MBA Meeting. Good attendance and discussions. J. Wootten will write a summary report for the February Council meeting. A few key takeaways:

- There is a brand new federal law requiring expedited licensure for military members and spouses that are licensed in another jurisdiction. J. Wootten will share information with DAG Kelly.
- NCEES Advocacy update regarding 19 states that now have some version of universal licensure (most with a carve-out for PEs and a residency requirement). J. Wootten will ask M. Davis to track this topic in Delaware legislature.

Annual meeting August 15-18 in Boston. DAPE will need to finalize funded delegates at April Council meeting (3 plus eligible first-time attendees).

J. Jakubowski is a member of the NCEES Finance Committee, and reported that this committee is in discussions regarding designating reserve funds for specific uses. DAPE could consider the same.

### **Old Business**

- Committee charges – J. Wootten will follow up with M. Clendaniel so these can be finalized for each committee
- 2023 Outstanding volunteer award (Carmin Balascio). May postpone this announcement and celebration for the fall again this year and going forward.

## **New Business**

### **Consent Order related to File 22-020**

*Motion by C. McAllister, seconded by D. Barbato, to approve consent order related to File 22-020. Approved unanimously.*

*Motion by K. Tadler, seconded by C. McAllister, to approve COA application 5141. Approved unanimously.*

### **Consent Order related to File 22-023**

Motion by K. Tadler, seconded by D. Reinhold, to approve consent order related to File 22-023. After further discussion, Motion by J. Jakubowski, seconded by K. Tadler, Council request that the Consent return to the Law Enforcement & Ethics Committee for review with one suggested amendment to recommendation (5) on page 4 to read as follows: "Failure to comply with this Order within 30 days from the effective date of this Order can and will result in further discipline against Respondent; and"

Amended motion was approved unanimously.

### **UD Center for Clean Hydrogen**

Senator Stephanie Hansen and her policy team recently visited the new Center for Clean Hydrogen at UD and is excited about the clean energy work the center is doing. The Center for Clean Hydrogen has received significant financial investment, including \$10 million from the Department of Defense, but the main challenge the center is facing is workforce-related. Senator Hansen has requested that DAPE representatives attend a meeting with her and a representative from the Center to discuss ideas on recruiting new or existing engineers to consider pursuing this field.

M. Clendaniel and J. Jakubowski will attend. J. Wootten will schedule a meeting in conjunction with Senator Hansen and Mary Davis.

J. Wootten will reach out to Delaware Engineering Society to see if there are plans for the Engineers' celebration.

Meeting adjourned at 4:13 PM.

**Upcoming Meeting: February 8, 2023 at 3:00 PM**, in hybrid format (Council members are encouraged to attend in person).

Save the date for Wednesday May 10, 2023 for Professional Engineers Night at the Wilmington Blue Rocks (following our regularly-schedule Council meeting at DAPE).