

STATE OF DELAWARE



DELAWARE ASSOCIATION OF PROFESSIONAL ENGINEERS

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February 14, 2023

MINUTES – FEBRUARY 8, 2023 COUNCIL MEETING

A meeting of the Council of the Delaware Association of Professional Engineers was held on Wednesday February 8, 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.	M. Clendaniel, P.E.
	V. Fazio, P.E.	J. Jakubowski, P.E.
	C. Lingenfelder, Esq.	K. Maxson, P.E.
	C. McAllister, P.E.	D. Reinhold, P.E.
	K. Tadler, P.E.	

Council Members Absent:	N. Dean, P.E.	W. Gamgort, Esq.
	J. Hastings, P.E.	J. Kalmbacher, P.E.
	R. Smith, Esq.	

DAG present: E. Kelly, Esq.

Staff present: J. Wootten

DAPE lobbyist present: M. Davis

Meeting was called to order at 3:09 PM.

Open Forum – N. Batta attended the meeting briefly to inform Council that he has resigned from the Chemical engineering seat because he does not reside in Delaware. He intends to remain on the Nominating Committee, and has offered to help identify a replacement.

Minutes of the January 11, 2023 Council Meetings

Council reviewed the Minutes of the January 11, 2023 Council meeting.

Motion by C. McAllister, seconded by D. Barbato, to approve the minutes of the January 11, 2023 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. Representatives from DelDOT plan to attend the March 1, 2023 LEE Committee meeting. DAG Kelly relayed feedback to DAG Mulveny about the term "engineering community" used in the proposed amendment.
- DAG Kelly has researched other licensing boards in Delaware to see if they have a Delaware residency requirement and reported that most do. Government Affairs & Bylaws Committee will review data about how many members list various engineering disciplines and make a recommendation to modify the Council composition. The Committee discussed either changing the Chemical Engineering

seat to "Chemical/Environmental" or removing the Chemical Engineering seat and changing to two "Other" seats.

- DAG Kelly will provide input to the Government Affairs & Bylaws Committee on DAPE's agreement with lobbyist Mary Davis. The Committee will make a recommendation to Council for an updated contract.

Financial Reports

K. Maxson summarized DAPE's finances for the nine months (75%) of fiscal year ending April 30, 2023, which reflect income has reached 92.9% of projections and expenses 70.1%. J. Wootten will schedule a committee meeting to begin work on new budget. All committees should consider activities that will impact the budget.

Motion by K. Maxson, seconded by D. Reinhold, 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 1, 2023 and discussed the following:

- Legislative amendment update. Committee would like to receive feedback in writing.
- PE renewal questions regarding disclosing disciplinary action (question regarding COA requirements)
- Ethics training for spring 2023. Topics may include: COA requirements, requirements for disclosing discipline in other jurisdictions, LEE complaint process, recent DAPE case studies. J. Wootten will finalize a date and location, and recruit a few panelists to help with presentation. This may include additional training for LEE Committee members and Council members.
- 7 files for closure
- Amended proposed administrative order to be discussed under "Old Business."
- M. Davis recommends finalizing language by mid-April at the latest; if the successor engineer language is not resolved by then, Council could consider moving forward with only part of the amendment this year.

Motion by C. McAllister, seconded by K. Tadler, Council approve the closure of 7 files as listed on Exhibit A of Committee's report. Approved unanimously.

Examining Committee

K. Tadler reported that the Committee met on January 25, 2023 and discussed the following:

- Reapplication requirements – committee will discuss further at the February 22 meeting and make recommendations. Please review the Examining Committee report and provide feedback on this topic to K. Tadler prior to February 22.

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:

Application Type	Total applications	Recommendation	Exhibit Reference
Comity	5	License	A1
Comity	1	Backlog pending further info	B
Exam	7	Approval to take P&PE	A1
Initial	1	License	A1
Exam (passed PE)	3	License	A2
Total Individual applications reviewed	17		

Motion by K. Tadler, seconded by C. McAllister, 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:

Application Type	Total applications	Recommendation	Exhibit Reference
Certificate of Authorization	12	License	A3
Certificate of Authorization	1	Refer to LEE (recommended for approval with warning letter)	A3
Total Firm Applications	13		

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	37	License	D
Approval for FE Exam & PE decoupling	2	Approve	C

External Affairs Committee – No Report

Public Information Committee – No Report

Government Affairs/By-Laws Committee

R. Smith reported that the committee met on February 3, 2023 and discussed the following:

- Proposed legislative amendment update. Still gathering feedback (including one suggestion from this committee to change the term "engineering community").
- Amendment language should be finalized by mid-April

- NCEE Advocacy update: J. Wootten shared information related to Universal licensure laws and NCEES resources
- Committee charges, including potential legislative amendments related to Council make-up and contract with lobbyist.

Nominating Committee – No Report

Correspondence – None.

NCEES

- April 27-29 Zone meeting Houston: registration deadline is March 13.
- Annual meeting August 15-18 in Boston. DAPE will need to finalize funded delegates at April Council meeting (3 plus eligible first-time attendees).

Old Business

- Legislative amendment update: feedback at March 1, 2023 LEE Committee meeting; M. Davis recommends finalizing language by mid-April at the latest.
- Committee charges – M. Clendaniel sent charges to each committee chair
- 2023 Outstanding volunteer award (Carmine Balascio). FYI: No engineers banquet this year.
- UD Center for Clean Hydrogen – meeting on Friday February 24.

Administrative Order related to File 22-023

Motion by C. McAllister, seconded by K. Tadler, to approve consent order related to File 22-023. Approved unanimously.

New Business

- DelDOT Bridge Design Competition on April 27th at the Chase Center in Wilmington. DAPE will have a display to talk to students about pursuing a PE license. A few volunteers are needed to help with this effort. J. Wootten will order some mechanical pencils to give away at the table, and call N. Dean to discuss potential financial support from DAPE, such as funding breakfast or lunch.
- NSPE Delaware Chapter MathCounts on March 28th (location TBD). J. Wootten will reach out to J. Taylor to discuss potential financial support from DAPE, such as funding breakfast or lunch, and a DAPE display at the event.
- Random CPC Audit
 - Since June 30, 2022 we've completed 137 CPC audits, with an additional 28 in process
 - Active roster is 8016 (CPC Guidelines state that DAPE will conduct a random audit of up to 5% (approximately 400 members). J. Wootten will create a random audit list of 150 members, and send out notices in 2 batches in the upcoming weeks.
 - Discussed requiring members to upload a completed PDH log during future online renewals.
- M. Clendaniel hopes to appoint someone to the open Chemical Engineering seat at the March meeting. That individual would serve through the end of August 31. The Chemical Engineering seat will be on the 2023 Council election ballot for DAPE members to elect an individual to serve out the rest of the term, and again in 2025 when this seat was scheduled for the election. Send ideas for potential candidates to M. Clendaniel.

Meeting adjourned at 4:08 PM.

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