

STATE OF DELAWARE



DELAWARE ASSOCIATION OF PROFESSIONAL ENGINEERS

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March 13, 2024

**MINUTES – FEBRUARY 14 2024 COUNCIL MEETING**

A meeting of the Council of the Delaware Association of Professional Engineers was held on Wednesday February 14, 2024 in hybrid format (at DAPE office and via Zoom).

The Roll call was taken and a quorum was declared.

Council Members Present:	M. Clendaniel, P.E.	V. Fazio, P.E.
	J. Hastings, P.E.	J. Jakubowski, P.E.
	J. Kalmbacher, P.E.	J. Puddicombe, P.E.
	D. Reinhold, P.E.	M. Smith, P.E.
	R. Smith, Esq.	K. Tadler, P.E.
	T. Thomson, P.E.	

Council Members Absent:	D. Barbato, P.E.	W. Gamgort, Esq.
	C. Lingenfelder, Esq.	K. Maxson, P.E.

DAG present: E. Kelly, Esq.

Staff present: J. Wootten

Meeting was called to order at 3:11 PM.

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

**Minutes of the January 10, 2024 Council Meetings**

Council reviewed the Minutes of the January 10, 2024 Council meeting.

*Motion by T. Thomson, seconded by J. Hastings, to approve the minutes of the January 10, 2024 meeting. Approved unanimously.*

**D.A.G. Report** – None.

**Financial Reports**

V. Fazio reported that finances for the 9 months (75%) of fiscal year ending April 30, 2024 reflect income has reached 97% of projections and expenses 65.7%.

*Motion by V. Fazio, seconded by K. Tadler, 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**

D. Reinhold reported that the committee met on February 7, 2024 and discussed the following:

- Ad Hoc Successor Engineer Committee's recommendations: No further feedback.
- Offshore design and CAD work. The communication discussed at the February meeting was also sent to other State boards. DAPE delegates will raise this topic at the Zone and annual meetings.
- 11 files for closure.
- 1 proposed consent order recommended for approval.

*Motion by D. Reinhold, seconded by T. Thomson, Council approve the closure of 11 cases listed on Exhibit A of the committee report. Approved unanimously.*

*Motion by D. Reinhold, seconded by T. Thomson, Council approves proposed consent order, with amendments as discussed, related to File 23-061. Discussion: Future consent orders should include deadlines for compliance and clarifying language about other jurisdiction's disclosure requirements. Approved unanimously.*

J. Jakubowski noted that there has not been any further feedback on the proposed legislative amendment from the Ad Hoc Committee members. The next newsletter (scheduled to be sent to members the week of February 19) will include an overview of the process and link to the proposed amendment, which will be clearly marked as a draft. The proposed language related to Successor Engineer will be added to the agenda for the March 13, 2024 for a Council vote.

**Examining Committee**

K. Tadler reported that the Committee met on January 31, 2024 and discussed the following:

- Training for 1 new committee member prior to the meeting

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	8	License	A1
Exam	6	Approval to take P&PE	A1
Initial	2	License	A1
Exam (passed PE)	4	License	A2
Total Individual applications reviewed	20		

*Motion by K. Tadler, seconded by D. Reinhold, 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	18	License	A3
Certificate of Authorization Reinstatement	1		A3
Total Firm Applications	19		

*Motion by K. Tadler, seconded by T. Thomson, 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:

<b>Application Type</b>	<b>Total applications</b>	<b>Recommendation</b>	<b>Exhibit Reference</b>
Model Law Engineer Comity License	37	License	D
FE Exam/Decoupling	1	Approve	C

**External Affairs Committee** – No Report

#### **Public Information Committee**

J. Hastings reported that the committee met earlier today, and discussed the following upcoming public outreach initiatives:

- Engineers' week Banquet (February 22)
- DelDOT Bridge Design competition (April 25): DAPE will sponsor (\$1,500) and Council members are encouraged to volunteer
- ACE Mentor Program (March 6): DAPE will sponsor (\$1,500) and J. Wootten will attend)
- MathCounts Program (March 15): DAPE will sponsor (\$1,500) and Council members are encouraged to volunteer
- UD Engineers Week events – J. Wootten will attend the College of Engineering kick-off event for Engineers Week on February 19 to provide information about PE licensure. J. Wootten and K. Maxson will be attending the closing event on February 23.

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

**Nominating Committee** – No Report

**Correspondence** -- J. Wootten shared correspondence received just prior to the meeting on the topic of "Responsible Charge". This will be added to the March Council meeting agenda for discussion, so Council members are asked to review.

## **NCEES**

The deadline to register for the May 2-4, 2024 Zone Meeting in Washington, DC is **March 18, 2024**. If you plan to register, indicate you'll pay by check and forward registration confirmation to J. Wootten. All other travel expenses will be reimbursed after the meeting.

## **Old Business**

DAG Kelly reviewed DAPE's current lease and Old Town Hall Associate's proposal for a 5-year extension. DAG Kelly advised that DAPE is a State agency and must utilize Delaware's Office of Management (OMB) and Budget's Division of Facilities Management to negotiate a contract. OMB has specific requirements related to utilities, insurance and property taxes that are not included in our current lease.

J. Wootten summarized the search process and reported that she has identified a candidate to fill the role of Part-time Investigation and Outreach Assistant.

*Motion by M. Clendaniel, seconded by J. Hastings, to modify the agenda for Council to go into executive session to discuss employee compensation. Approved unanimously.*

*Motion by M. Clendaniel, seconded by J. Hastings, to enter executive session. Approved unanimously.*

*Motion by M. Clendaniel, seconded by T. Thomson, to leave executive session. Approved unanimously.*

*Motion by M. Clendaniel, seconded by V. Fazio, Council authorize J. Wootten to make a job offer to fill the part-time Investigation and Outreach Assistant position with hourly rate as approved in executive session. Approved unanimously.*

DAG Kelly reviewed our contract with inLumon and drafted a notification of DAPE's intention to terminate the contract. Once received, a second letter needs to be sent 30 days later to finalize the contract termination.

*Motion by V. Fazio, seconded by K. Tadler, DAPE notify inLumon of our intent to terminate our contract related to licensing software. Approved unanimously.*

## **New Business**

M. Clendaniel is working to finalize committee charges.

Engineers Week banquet: DAPE will host 6 new PEs and their guests at this event, with several Council members attending as well. DAPE staff will assist at the registration table. J. Wootten will send final list of attendees to the Delaware Chapter of NSPE on February 15, and DAPE has submitted an ad for the electronic program book.

Our rescheduled Council/LEE Committee training will take place at DAPE prior to the April 3 LEE Committee meeting. This will be a hybrid meeting. J. Wootten will send invitations soon (and include an optional lunch prior to the training).

DAPE's next Engineering Ethics training has been scheduled for Thursday April 18 at University of Delaware's Clayton Hall on the topic of CPC requirements/audits/hearings. J. Wootten will outline by the end of this month and J. Jakubowski will help with the presentation. A video crew will record the session to add to our online training library for members.

**Upcoming Meetings:**

March 13, 2024 at 2:30 PM, with Council meeting at 3:00 PM in hybrid format (via Zoom and at DAPE office).

**Future Events:**

- PE Night at Blue Rocks June 6
- Blue Rocks special event (max 20 attendees) on May 16. We may reschedule Council meeting that month to take place at DAPE office before this event.
- October 9 Volunteer Appreciation Banquet

Meeting adjourned at 4:19 PM.