

STATE OF DELAWARE



DELAWARE ASSOCIATION OF PROFESSIONAL ENGINEERS

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March 13, 2025

MINUTES – MARCH 12, 2025 COUNCIL MEETING

A meeting of the Council of the Delaware Association of Professional Engineers was held on Wednesday March 12, 2025 in hybrid format (at DAPE office, New Castle, DE and via Zoom).

The Roll call was taken and a quorum was declared.

Council Members Present:	D. Calloway, P.E.	M. Clendaniel, P.E.
	V. Fazio, P.E.	J. Kalmbacher, P.E.
	C. Lingenfelder, Esq.	J. Puddicombe, P.E.
	D. Reinhold, P.E.	M. Scarborough, P.E.
	M. Smith, P.E.	R. Smith, Esq.
	K. Tadler, P.E.	T. Thomson, P.E.
Council Members Absent:	D. Barbato, P.E.	J. Jakubowski, P.E.
DAG present:	Z. Naylor, Esq.	
Staff present:	J. Wootten	

Meeting was called to order at 3:08 PM.

Open Forum

S. Bautista attended via Zoom.

Minutes of the February 12, 2025 Council Meetings

Council reviewed the Minutes of the February 12, 2025 Council meeting.

Motion by M. Clendaniel, seconded by K. Tadler, to approve the minutes of the February 12, 2025 Council meeting. Approved unanimously.

D.A.G. Report

DAG Naylor reviewed an additional suggestion for the legislative amendment made by the examining committee and agreed with the proposed changes. K. Tadler will make a motion related to this during the examining committee report. DAG Naylor also responded to questions from the examining committee related to the Certificate of Authorization application.

Once Council votes on the Hearing Committee's recommendation in the matter of D. Johns (Old Business), DAG Naylor will work with J. Wootten to implement the recommendation.

Financial Reports

T. Thomson reported that the finances for the 10 months (83.3%) of fiscal year ending April 30, 2025 reflect income has reached 98.8% of projections and expenses 75.6%.

Motion by T. Thomson, seconded by M. Clendaniel, 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/Facilities Committee

T. Thomson reported that the Committee met on March 7, 2025 and discussed the following:

- 2025-2026 Budget Income & Expense projections
- Cash reserves balance
- Increase to current FY Member Services line item to make first payment to Albertson Consulting/Big Picture.

Motion by T. Thomson, seconded by J. Puddicombe, Council increase Members Services Expense line item budget for current fiscal year from \$41,000 to \$64,000, in order to make first payment to Albertson Consulting/Big Picture (due upon execution of software agreement prior to April 30). Approved unanimously.

Motion by T. Thomson, seconded by M. Clendaniel, Council approve proposed budget for May 1, 2025-April 30, 2026 (included as Exhibit B in the committee's report). Approved unanimously.

J. Wootten will schedule the Ad Hoc Committee to review software agreement proposed changes from Young Conaway (expected by end of this week).

Council discussed potential strategies to address an expected annual increase to the member benefit expense related to new licensing software. There was general agreement that transferring money as needed from reserves was a good strategy to pay for the one-time implementation fee for this project. Council would like the Finance Committee to explore potential solutions for anticipated future income shortfalls, such as drawing down reserves, lowering expenses, and/or increasing fees. J. Wootten will research history of past fee increases, as well as fees charged by surrounding State PE boards and other licensing boards within Delaware. DAPE's By-laws require Council to maintain a Reserve Fund that is not less than 1/2 of the sum of the operating budget for the current fiscal year and the previous fiscal year.

Law Enforcement/Ethics Committee

T. Thomson reported that the committee met on March 5, 2025 and discussed the following:

- A discussion between DNREC, DelDOT and DAPE representatives to discuss concerns raised by DelDOT related to the requirement to sign and seal CCR Reports. DNREC based their guidance on a 2005 DAPE newsletter article (shared in Council docs as an FYI). DNREC representatives noted that DelDOT is not actually required to submit CCR Reports. These reports, regardless of what they are called, do become part of public record.

Motion by D. Reinhold, seconded by K. Tadler, Council approves the closure of 1 case listed on Exhibit A of committee report. Approved unanimously.

Motion by D. Reinhold, seconded by K. Tadler, Council approve the revised consent order related to File 24-007. Approve: Calloway, Clendaniel, Fazio, Kalmbacher, Lingenfelder, Reinhold, Scarborough, M. Smith, R. Smith, Tadler; Recused: Puddicombe and Thomson.

Motion by T. Thomson, seconded by D. Reinhold, Council approve consent order related to File 25-002. Approved unanimously.

Motion by T. Thomson, seconded by K. Tadler, Council approve Certificate of Authorization 5455. Approved unanimously.

Examining Committee

K. Tadler reported that the Committee met on February 26, 2025 and discussed the following:

- COA Application (DAG Naylor recommends that we continue to collect mailing addresses for board members and officers on the COA applications, and be clearer on the website that we want firms to list all board members and officers). The Committee will also review the COA affidavit to be sure applicants are attesting to submitting complete and accurate information.
- Proposed legislative amendment suggestion: the proposed change to §2817(6)(b) should have consistent wording with §2817(6)1.4. "The professional engineering qualifications of the applicant include a minimum of 5 years of continuous and verifiable experience as a professional engineer. The applicant must meet the additional requirements of paragraph (7)a. of this section."
- The Committee also discussed maximum gaps in employment for an applicant's experience to count as continuous for the 5-year comity pathway, and agreed that they would accept up to a 3-month gap between jobs. J. Wootten will update the Application review requirements with this policy for review at the March committee meeting.

Motion by K. Tadler, seconded by T. Thomson, Council approve the proposed additional change to the legislative amendment suggested by the examining committee. Approved unanimously.

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	6	License	A1
Exam	4	Approval to take P&PE	A1
Initial	1	License	A1
Initial	1	Backlog	B
Exam (passed PE)	3	License	A2
Total Individual applications reviewed	15		

Motion by K. Tadler, seconded by M. Smith, 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	5	License	A3
Certificate of Authorization Reinstatement	1	License	A3

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:

Application Type	Total applications	Recommendation	Exhibit Reference
Model Law Engineer Comity License	25	License	D
FE Exam/P&PE Exam Decoupling	4	Approve for FE & decoupling P&PE	C
FE Exam/P&PE Exam Decoupling	1	Approve for FE waiver & decoupling P&PE	C

External Affairs/Public Information Committee – No Report

Government Affairs/By-Laws Committee – No Report

Nominating Committee

J. Wootten reported that the committee met on February 25, 2025 and discussed the following:

- 2025 Council election open seats (we do have one candidate for each open seat)
Government: Stacy McNatt, P.E.
Other: Anthony Kline, P.E.
Industry: Mark Scarborough, P.E.
Chemical: Melanie Smith, P.E.
- Governor appointed seats: looking for suggestions (Kent and NCC).
- Committee expressed preference to change Chemical seat to Other, since there is a lot of overlap between Civil and Environmental already, and Civil engineers tend to be well-represented in County/Consulting seats in addition to the Civil seat.
- 2024 Council election process, including petition form and biographical sketch for 2025 election; we'll continue to use EZ vote online ballot service.
- Committee recruitment: J. Wootten will draft a more concise version of the Council and Committee guidelines document, to use in future recruiting efforts.

The committee will meet again mid-to-late May to review the electronic ballot and discuss Governor-appointed seats.

Ad Hoc Website Committee – No Report

Correspondence -- None

NCEES

- The Northeast Zone has elections for President and Assistant Vice President, as well as NCEES President-Elect.
- DAPE Funded delegates for the upcoming Northeast Zone meeting are: V. Fazio, D. Reinhold, and K. Tadler. T. Thomson, and M. Smith are also registered. J. Wootten will also be funded by NCEES.
- Annual Meeting funded delegates are due to NCEES May 1 (final registration deadline is June 30). Annual meeting summary: August 19-22 in New Orleans. Plan to arrive August 18. August 19 schedule includes morning workshops and afternoon plenary session. August 20-21 are business meetings. August 22 is the law enforcement program.
- NCEES will fund 3 board members, in addition to any first-time attendees, MBA and 1 investigation staff member. Council members eligible for 1st-time attendee funding: D. Calloway and M. Scarborough.

Old Business

DeIDOT/DNREC/DAPE CCR Reports (included in LEE committee report).

Motion by T. Thomson, seconded by K. Tadler, Council approve the Hearing Committee's recommendation to deny PE Application 29586. Approved: Calloway, Fazio, Kalmbacher, Lingenfelder, Puddicombe, Reinhold, Scarborough, R. Smith, Tadler, Thomson; Recused: Clendaniel, M. Smith.

Public outreach update: The Engineers Week banquet was February 17, 2025. DAPE hosted 4 new PEs. FE Exam rally and MathCounts competition were on March 5. V. Fazio attended the UD Engineers week banquet. DAPE will sponsor the DeIDOT Bridge Design competition on April 10 (J. Kalmbacher will be representing DAPE at the career fair for attendees, to promote PE licensure). Other potential programs for outreach suggested: Project Lead the Way and ACE Menor Program.

New Business

Random CPC Audit: DAPE audited 100 members. One is still pending a complete response, but appears to have met the requirements. If a hearing is required, this will be combined with a hearing to deny an application for reinstatement, related to CPC requirements. The following Council members volunteered to participate on a hearing committee: T. Thomson, M. Scarborough, V. Fazio. J. Wootten will send out a scheduling poll early next week (pending response from one outstanding random audit).

Public Outreach flyer: Council asked to provide feedback on draft flyer to be used for outreach to building officials and members of the public.

Next Council Meeting

April 9, 2025 Hybrid format (Zoom or DAPE). J. Wootten will research options for a Council meeting in Kent or Sussex County later this spring.

Meeting adjourned at 4:31 PM.