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MINUTES OF THE REGULAR MEETING OF THE
LOUISIANA PROFESSIONAL ENGINEERING
AND LAND SURVEYING BOARD
9643 BROOKLINE AVENUE, SUITE 121
BATON ROUGE, LOUISIANA 70809-1433
May 16, 2016

At 8:00 a.m. on May 16, 2016, John W. "Billy" Moore, P.E. called the meeting to order at the Board's office in Baton Rouge, Louisiana, with the following members present:

John W. "Billy" Moore, P.E. Chairman
Kevin E. Crosby, P.E., P.L.S. Vice Chairman
David L. Patterson, P.L.S. Treasurer
Terry J. Huval, P.E. Secretary

Christopher P. Knotts, P.E.
Paul N. Hale, Jr., Ph.D., P.E.
Alan D. Krouse, P.E.
D. Scott Phillips, P.E., P.L.S.
Thomas R. Carroll, III, P.E., P.L.S.
Wilfred J. Fontenot, P.L.S.
Theodore H. Thompson, P.E.

Also present: Donna D. Sentell, Executive Director
Richard L. Savoie, Jr., P.E., Deputy Executive Director
Tyson Ducote, Director of Enforcement
Joe H. Harman, P.E., Technical Support Staff
William Hyatt, Board Investigator
D. Scott Landry, Board Attorney
Bill Tripoli, Board Staff

The invocation and pledge was led by Mr. Crosby.

The Board unanimously approved the motion made by Mr. Knotts, seconded by Dr. Hale, to accept the May 16, 2016 proposed Call for the Meeting.

The Board unanimously approved the motion made by Mr. Thompson, seconded by Mr. Carroll, to accept the May 16, 2016 Board Meeting Agenda.

Public comment time was recognized by Chairman Moore. Mr. Cong Nguyen was present.

Mr. Nguyen addressed the Board concerning his engineering experience record and his desire to become licensed as a professional engineer.

The Board unanimously approved the motion made by Mr. Thompson, seconded by Mr. Knotts, to approve the Minutes from the March 21, 2016 Board meeting.

The Board unanimously approved the motion made by Mr. Carroll, seconded by Mr. Thompson, to schedule the Board's next regular meeting for July 18, 2016.

Compliance and Enforcement

Case # 2015-31 - Mr. Ducote reported on an unlicensed firm which practiced and/or offered to practice engineering and used the words "engineer", "engineering" or any modification or derivative thereof in a person's name or form of business or activity without proper licensure. The respondent has signed and returned the proposed consent order offered by the Complaint Review Committee. The proposed consent order contained the following sanctions:

1. Fine of \$2,500.00
2. Costs of \$669.98
3. Cease and desist
4. Publication on the Board's website and in the Journal with name
5. Report to NCEES with name

After discussion, the Board unanimously approved the motion made by the Complaint Review Committee, consisting of Mr. Phillips, Mr. Knotts and Dr. Hale, to approve the signed consent order. The name of the respondent is **Magnum Geo-Solutions, LLC**.

1 **Case # 2015-30** – Mr. Ducote reported on a professional engineer who (a) aided or
2 assisted another person in violating the laws and/or rules of the Board and (b) failed
3 to seal, sign and place the date of execution on engineering documents that were
4 issued by the licensee to a client as completed work. The respondent has signed and
5 returned the proposed consent order offered by the Complaint Review Committee.
6 The proposed consent order contained the following sanctions:

- 7 1. Fine of \$1,000
- 8 2. Costs of \$970.74
- 9 3. Louisiana Laws and Rules Quiz
- 10 4. Louisiana Professionalism and Ethics Quiz
- 11 5. Cease and desist
- 12 6. Publication on the Board’s website and in the Journal with name
- 13 7. Report to NCEES with name

14 After discussion, the Board unanimously approved the motion made by the Complaint
15 Review Committee, consisting of Mr. Phillips, Mr. Knotts and Dr. Hale, to approve the
16 signed consent order. The name of the respondent is **Howard A. Perko, P.E.**
17

18 **Case # 2015-67** – Mr. Ducote reported on an unlicensed firm which practiced and/or
19 offered to practice engineering and used the words “engineer”, “engineering” or any
20 modification or derivative thereof in a person’s name or form of business or activity in
21 Louisiana without proper licensure. The respondent has signed and returned the
22 proposed consent order offered by the Complaint Review Committee. The proposed
23 consent order contained the following sanctions:

- 24 1. Fine of \$2,000
- 25 2. Costs of \$250.54
- 26 3. Publication on the Board’s website and in the Journal with name
- 27 4. Report to NCEES with name

28 After discussion, the Board unanimously approved the motion made by the Complaint
29 Review Committee, consisting of Mr. Knotts, Mr. Krouse and Dr. Hale, to approve the
30 signed consent order. The name of the respondent is **Progressive Engineering &
31 Construction, Inc.**
32

33 **Case # 2015-74** – Mr. Ducote reported on a professional engineer who aided or
34 assisted another person in violating the laws and/or rules of the Board. The
35 respondent has signed and returned the proposed consent order offered by the
36 Complaint Review Committee. The proposed consent order contained the following
37 sanctions:

- 38 1. Fine of \$500
- 39 2. Costs of \$250.54
- 40 3. Louisiana Laws and Rules Quiz
- 41 4. Louisiana Professionalism and Ethics Quiz
- 42 5. Publication on the Board’s website and in the Journal with name
- 43 6. Report to NCEES with name

44 After discussion, the Board unanimously approved the motion made by the Complaint
45 Review Committee, consisting of Mr. Knotts, Mr. Krouse and Dr. Hale, to approve the
46 signed consent order. The name of the respondent is **Bridget S. Morello, P.E.**
47

48 **Case # 2015-71** - Mr. Ducote reported on a professional engineering firm which
49 practiced and offered to practice engineering with an expired license. The respondent
50 has signed and returned the proposed consent order offered by the Complaint Review
51 Committee. The proposed consent order contained the following sanctions:

- 52 1. Fine of \$500
- 53 2. Costs of \$228.25
- 54 3. Past unpaid renewal fees of \$120
- 55 4. Louisiana Laws and Rules Quiz by its supervising professional
- 56 5. Publication on the Board’s website and in the Journal with name
- 57 6. Report to NCEES with name

58 After discussion, the Board unanimously approved the motion made by the Complaint
59 Review Committee, consisting of Mr. Knotts, Mr. Huval and Mr. Carroll, to approve the
60 signed consent order. The name of the respondent is **Trinity Consultants, Inc.**
61

62 **Case # 2015-72** - Mr. Ducote reported on a professional engineer who aided or
63 assisted another person violating the laws and/or rules of the Board. The respondent
64 has signed and returned the proposed consent order offered by the Complaint Review
65 Committee. The proposed consent order contained the following sanctions:

- 66 1. Fine of \$500
- 67 2. Costs of \$228.25
- 68 3. Louisiana Laws and Rules Quiz
- 69 4. Louisiana Professionalism and Ethics Quiz

5. Publication on the Board's website and in the Journal with name
6. Report to NCEES with name

After discussion, the Board unanimously approved the motion made by the Complaint Review Committee, consisting of Mr. Knotts, Mr. Huval and Mr. Carroll, to approve the signed consent order. The name of the respondent is **Hung-Ming Sung, P.E.**

Case # 2015-73 - Mr. Ducote reported on a professional engineer who aided or assisted another person violating the laws and/or rules of the Board. The respondent has signed and returned the proposed consent order offered by the Complaint Review Committee. The proposed consent order contained the following sanctions:

1. Fine of \$500
2. Costs of \$228.25
3. Louisiana Laws and Rules Quiz
4. Louisiana Professionalism and Ethics Quiz
5. Publication on the Board's website and in the Journal with name
6. Report to NCEES with name

After discussion, the Board unanimously approved the motion made by the Complaint Review Committee, consisting of Mr. Knotts, Mr. Huval and Mr. Carroll, to approve the signed consent order. The name of the respondent is **Paul F. Greywall, P.E.**

The Board recessed at 9:45 a.m. and resumed at 9:55 a.m.

The Board unanimously approved the motion made by Mr. Crosby, seconded by Mr. Patterson, to table until after lunch the request of Express Oil Change, L.L.C. to use the name "Tire Engineers" in its trade name in Louisiana.

Committee Reports

Liaison and Law Review Committee

Mr. Knotts presented the report for the Liaison and Law Review Committee.

The Board disapproved the motion made by Mr. Knotts, seconded by Mr. Fontenot, with Mr. Krouse for and Mr. Fontenot, Mr. Phillips, Dr. Hale, Mr. Huval, Mr. Crosby, Mr. Patterson, Mr. Knotts, Mr. Carroll and Mr. Thompson against, to refer Rule 2509 to the Liaison and Law Review Committee for review.

Applications

Application Appeals

The Board unanimously approved the motion made by the reviewing committee, comprised of Mr. Thompson and Mr. Knotts, to affirm the reviewing committee's decision to *disapprove* the application of Kenneth D. **Franch** for licensure as a professional engineer by comity based on not having passed the fundamentals of engineering examination.

The Board recessed at 11:40 a.m. and resumed at 12:20 p.m.

Compliance and Enforcement (continued)

The Board unanimously approved the motion made by Mr. Crosby, seconded by Mr. Knotts, to remove from the table the request of Express Oil Change, L.L.C. to use the name "Tire Engineers" in its trade name in Louisiana.

The Board approved the motion made by Mr. Crosby, seconded by Mr. Phillips, with Mr. Fontenot, Mr. Phillips, Dr. Hale, Mr. Huval, Mr. Crosby, Mr. Patterson and Mr. Krouse for, Mr. Thompson against and Mr. Knotts abstaining, to approve the request of Express Oil Change, L.L.C. to use the name "Tire Engineers" in its trade name in Louisiana, with the following stipulations:

1. The company obtains and maintains the appropriate authorization from the Louisiana Secretary of State to transact business in Louisiana;
2. The company only uses the name "Tire Engineers" in its trade name in Louisiana in conjunction with its company name of "Express Oil Change" and only in the context of providing tire and automotive repair and maintenance services;
3. The company does not practice or offer to practice engineering in Louisiana;

4. No individual employed by EOC is titled or referred to as an "engineer" in Louisiana;
5. Within fifteen (15) days of its receipt of the approval letter from the Board, the company provides to the Board a written statement confirming its intention to comply with the terms of the letter; and
6. The approval will be voided in the event that the company fails to comply with any of these stipulations.

Finance Committee

The Board unanimously approved the motion made by the Finance Committee to approve the amended FY 15-16 budget.

The Board unanimously approved the motion made by the Finance Committee to renew the two certificates of deposit at Investar Bank when they mature on May 24, 2016.

The Board unanimously approved the motion made by the Finance Committee to renew the certificate of deposit at Red River Bank when it matures on June 4, 2016.

The Board unanimously approved the motion made by the Finance Committee to authorize the Executive Director to enter into a contract with **Tri-Core Technologies, L.L.C.** to provide IT support services to the Board. The term of the contract will be for one year beginning **July 1, 2016 and ending June 30, 2017**, in the amount not to exceed **\$90,780.00**.

Enforcement Committee

Mr. Phillips presented the Enforcement Committee's draft of the updated *Disciplinary and Enforcement Sanction Guidelines for Consent Orders and Other Administrative Matters*. After discussion, the Board unanimously approved the motion made by Enforcement Committee to approve the updated document.

Old/New Business

The Board unanimously approved the motion made by Mr. Patterson, seconded by Mr. Knotts, to approve funding of up to \$1,500 for the NCEES Future of Surveying Task Force meeting in Baton Rouge on June 9-10, 2016.

Chairman Moore designated Mr. Phillips to be the Board-funded delegate for the LSPS convention in Lafayette, LA on April 20-22, 2016.

Chairman Moore designated Mr. Knotts and Mr. Krouse to be the Board-funded delegates for the LES Annual Multi-State Engineering Conference in Pensacola, FL on June 5-7, 2016.

The Board unanimously approved the motion made by Mr. Thompson, seconded by Mr. Patterson, to approve travel for Board members, staff and emeritus members to attend the NCEES Annual Meeting in Indianapolis, Indiana in August.

The Board unanimously approved the motion made by Mr. Patterson, seconded by Mr. Knotts, with Mr. Patterson, Mr. Huval, Mr. Knotts, Dr. Hale, Mr. Krouse, Mr. Fontenot and Mr. Carroll for and Mr. Thompson abstaining, to request Emeritus Status with NCEES for Mr. Thompson.

Closing Business

The Board unanimously approved the motion made by Mr. Thompson, seconded by Mr. Patterson, to approve all committee recommendations and actions.

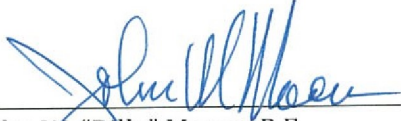
The Board unanimously approved the motion made by Dr. Hale, seconded by Mr. Thompson, to acknowledge and confirm all licenses and certificates issued by the Board.

The Board unanimously approved the motion made by Mr. Thompson, seconded by Mr. Carroll, to approve all Board expenses.

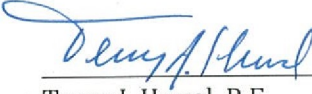
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The Board unanimously approved the motion made by Mr. Thompson, seconded by Dr. Hale, to adjourn.

The meeting adjourned at 1:55 p.m. on Monday, May 16, 2016.



John W. "Billy" Moore, P.E.
Chairman



Terry J. Huval, P.E.
Secretary