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MINUTES OF THE REGULAR MEETING
LOUISIANA PROFESSIONAL ENGINEERING
AND LAND SURVEYING BOARD
9643 BROOKLINE AVENUE, SUITE 121
BATON ROUGE, LOUISIANA 70809-1433
July 19-20, 2010

At 8:00 a.m. on July 19, 2010, the Chairman called the meeting to order at 9643 Brookline Avenue, Baton Rouge, Louisiana, with the following members present:

Rhaoul A. Guillaume, P.E.	Chairman
Mark A. Jusselin, P.E.	Vice Chairman
Roger D. Danzy, P.E.	Treasurer
Ali M. Mustapha, P.E.	Secretary

Timothy J. Allen, P.L.S.
Richard L. Savoie, P.E.
Norma Jean Mattei, Ph.D., P.E.
Miles B. Williams, P.E.
James E. Bowie, Ph.D., P.E.
M. Ernest Gammon, P.L.S.
Theodore H. Thompson, P.E.

Also present: Donna D. Sentell, Executive Secretary
Victoria Hatton, Director of Enforcement
Justin Owens, Board Investigator
Tyson Ducote, Board Investigator
Cheron Seaman, Administrative Coordinator
Nancy Donald, Administrative Coordinator
Janet Lindsey, Administrative Coordinator

The invocation was led by Dr. Mattei and the pledge by Mr. Thompson.

The Board unanimously approved the motion made by Mr. Mustapha, seconded by Dr. Mattei, to accept the July 19-20, 2010 Call for the Meeting and the Agenda.

The Board unanimously approved the motion made by Mr. Williams, seconded by Mr. Allen, to approve the Minutes from the May 10-11, 2010 Board meeting.

In accordance with the July 2010 minutes 'for future September board meetings to be rotated between the seven universities with engineering programs', the Board unanimously approved the motion made by Mr. Jusselin, seconded by Dr. Mattei, to hold the Board's next regular meeting on September 20-21, 2010 on the LSU Campus. The meeting will be held at Patrick Taylor Hall/College of Engineering.

New Board employees, Cheron Seaman, Nancy Donald and Janet Lindsey, were introduced to the Board members and exited the meeting at 8:10 a.m.

No one requested to make a public comment during the designated public comment time.

The Board reviewed the task list from the May Board meeting.

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Committee Reports

Finance Committee

Mr. Danzy presented the financials for FY 2009-2010.

Ms. Celia Cangelosi entered the meeting at 8:50 a.m.

Enforcement

Case #2009-61 – Ms. Cangelosi reported that the respondent has signed and returned the proposed Consent Order previously offered by the Complaint Review Committee prior to the preferral of charges. After discussion, the Board approved the motion made by the Complaint Review Committee, with Mr. Allen, Mr. Gammon, Mr. Williams, Mr. Savoie, Mr. Jusselin, Mr. Mustapha, Dr. Mattei, Dr. Bowie and Mr. Thompson for and Mr. Danzy against, to approve the signed Consent Order and cancel the joint hearing (with Case #2008-148) scheduled for 9:00 a.m., July 19, 2010.

Mr. D. Scott Landry entered the meeting at 8:55 a.m.

Case #2008-148 – Ms. Cangelosi reported that the respondent has signed and returned the proposed Consent Order previously offered by the Complaint Review Committee prior to the preferral of charges. After discussion, the Board approved the motion made by the Complaint Review Committee, with Mr. Allen, Mr. Gammon, Mr. Williams, Mr. Savoie, Mr. Mustapha, Dr. Mattei, Dr. Bowie and Mr. Thompson for and Mr. Jusselin and Mr. Danzy against, to approve the signed Consent Order and cancel the joint hearing (with Case #2009-61) scheduled for 9:00 a.m., July 19, 2010.

The Board recessed at 9:20 a.m. and reconvened at 9:30 a.m. Ms. Cangelosi was not present.

Committee Reports (continued)

Strategic Planning Committee

A motion was made by Mr. Danzy, seconded by Mr. Jusselin, that the Board seek an Attorney General’s opinion concerning the use of Board funds for the promotion of licensure. The motion was withdrawn.

The Strategic Planning Committee will bring to the Board at the September meeting a list of possible options concerning the use of Board funds.

Chairman Guillaume requested that the finance committee establish a line item account for a building maintenance fund.

Chairman Guillaume exited the meeting at 10:05 a.m. Vice Chairman Jusselin presided.

Enforcement (continued)

Case #2010-49 – Ms. Hatton reported on a licensed engineering firm who admitted to practicing and/or offering to practice engineering in Louisiana with an expired license for a little over 1 year. The respondent has signed and returned the proposed Consent Order offered by the Complaint Review Committee. After discussion, the Board approved the motion made by Mr. Mustapha, seconded by Dr. Mattei, with Mr. Allen, Mr. Gammon, Mr. Williams, Mr. Savoie, Mr. Mustapha, Dr. Mattei, Dr. Bowie, Mr. Thompson for and Mr. Danzy against, to approve the signed Consent Order.

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2 **Case #2010-16** – Ms. Hatton reported on a licensed land surveyor who
3 admitted to practicing and/or offering to practice land surveying in Louisiana
4 with an expired license for over 7 years, 10 months. The respondent has
5 signed and returned the proposed Consent Order offered by the Complaint
6 Review Committee. After discussion, the Board unanimously approved the
7 motion made by Mr. Savoie, seconded by Dr. Bowie, to approve the signed
8 Consent Order.
9

10 **Case #2010-46** – Ms. Hatton reported on a licensed land surveying firm who
11 admitted to practicing and/or offering to practice land surveying and using the
12 words “land surveying” in advertising its business in Louisiana for over 11
13 years, 9 months prior to becoming licensed. The respondent has signed and
14 returned the proposed Consent Order offered by the Complaint Review
15 Committee. After discussion, the Board unanimously approved the motion
16 made by Mr. Savoie, seconded by Dr. Bowie, to approve the signed Consent
17 Order.
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20 Chairman Guillaume re-entered the meeting at 10:15 a.m.
21

22
23 **Case #2010-27** – Ms. Hatton reported on a licensed engineering firm who
24 admitted to practicing and/or offering to practice engineering in Louisiana
25 with an expired license for over 4 months. The respondent has signed and
26 returned the proposed Consent Order offered by the Complaint Review
27 Committee. After discussion, the Board unanimously approved the motion
28 made by Mr. Mustapha, seconded by Mr. Allen, to approve the signed Consent
29 Order.
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32 **Case #2009-69** – Ms. Hatton reported on a licensed engineer who practiced
33 and/or offered to practice engineering in Louisiana with an expired license for
34 over 8 years and who aided or assisted his licensed firm in violating the laws
35 and/or rules of the Board. The respondent has signed and returned the
36 proposed Consent Order offered by the Complaint Review Committee. After
37 discussion, the Board unanimously approved the motion made by Mr. Savoie,
38 seconded by Mr. Guillaume, to approve the signed Consent Order.
39

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41 **Case #2010-37** – Ms. Hatton reported on a licensed engineering firm who
42 provided false information to the Board in applying for a renewal license and
43 who practiced and/or offered to practice engineering in Louisiana for over 2
44 years without a supervising professional. The respondent has signed and
45 returned the proposed Consent Order offered by the Complaint Review
46 Committee. After discussion, the Board unanimously approved the motion
47 made by Mr. Mustapha, seconded by Mr. Jusselin, to approve the signed
48 Consent Order.
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52 **Committee Reports (continued)**

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54 **Enforcement Ad Hoc Committee**

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56 The Enforcement Ad Hoc Committee recommended revisions to the
57 Disciplinary and Enforcement Sanction Guidelines for Consent Orders and
58 Other Administrative Matters. After discussion, the Board approved the
59 motion made by the Enforcement Ad Hoc Committee, with Mr. Williams, Mr.
60 Jusselin, Mr. Mustapha, Mr. Danzy, Dr. Mattei, Dr. Bowie and Mr. Thompson for
61 and Mr. Allen, Mr. Gammon and Mr. Savoie against, to accept the following
62 recommended revisions:

1
2 **1. Practicing with an Expired License - La. R.S. 37:698(A)(9) and (16)**

3 Revised: January 2010

- 4
- 5 a. Individuals - 1-120 days after renewal deadline (March 31/September
- 6 30) (this is the 120-day grace period)
- 7 • Pay \$60 late renewal fee
 - 8 • Provide up-to-date CPD log with documentation
- 9 b. Individuals - practicing 1 or more days after the above referenced
- 10 120-day grace period
- 11 • Apply to renew an expired license - complete *Application to*
 - 12 *Renew Expired Professional License* and pay \$195 application
 - 13 fee
 - 14 • Pay actual costs including past renewal fees and penalties
 - 15 • Provide up-to-date CPD log with documentation
 - 16 • Pass online Louisiana Laws and Rules Exam with 90% score
 - 17 • Be published by name in the Journal
 - 18 • Cease and desist letter
 - 19 • Receive ethical/moral/legal letter to inform clients
 - 20 • Pay fine:
 - 21 ○ Practicing up to 6 months on an expired license - \$250 (if
 - 22 voluntarily disclosed) or \$500 (if involuntarily disclosed)
 - 23 ○ Practicing 6 months - 1 year on an expired license - \$500
 - 24 (if voluntarily disclosed) or \$1,000 (if involuntarily
 - 25 disclosed)
 - 26 ○ Practicing 1 year - 3 years on an expired license - \$1,000
 - 27 (if voluntary disclosed) or \$2,000 (if involuntarily
 - 28 disclosed)
 - 29 ○ Practicing 3 years - 5 years on an expired license - \$2,500
 - 30 (if voluntarily disclosed) or \$5,000 (if involuntarily
 - 31 disclosed)
 - 32 ○ Practicing 5 years or more on an expired license - \$5,000
- 33 c. Firms - 1-120 days after renewal deadline (March 31/September 30)
- 34 (this is the 120-day grace period)
- 35 • Pay \$60 late renewal fee
- 36 d. Firms - practicing 1 or more days after the above referenced 120-day
- 37 grace period
- 38 • Apply to renew an expired license - complete *Application to*
 - 39 *Renew Expired Firm License* and pay \$195 application fee
 - 40 • Provide documentation from Secretary of State that firm is in
 - 41 good standing
 - 42 • Pay actual costs including past renewal fees and penalties
 - 43 • Supervising professional must pass online Louisiana Laws and
 - 44 Rules Exam with 90% score
 - 45 • Be published by name in the Journal
 - 46 • Cease and desist letter
 - 47 • Receive ethical/moral/legal letter to inform clients
 - 48 • Pay fine:
 - 49 ○ Practicing up to 6 months on an expired license - \$250 (if
 - 50 voluntarily disclosed) or \$500 (if involuntarily disclosed)
 - 51 ○ Practicing 6 months - 1 year on an expired license - \$500
 - 52 (if voluntarily disclosed) or \$1,000 (if involuntarily
 - 53 disclosed)
 - 54 ○ Practicing 1 year - 3 years on an expired license - \$1,000
 - 55 (if voluntary disclosed) or \$2,000 (if involuntarily
 - 56 disclosed)
 - 57 ○ Practicing 3 years - 5 years on an expired license - \$2,500
 - 58 (if voluntary disclosed) or \$5,000 (if involuntary
 - 59 disclosed)
 - 60 ○ Practicing 5 years or more on an expired license - \$5,000
- 61

62 The Board recessed at 11:00 a.m. and reconvened at 11:10 a.m.

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1 **Continuing Professional Development Committee**

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3 The Board unanimously approved the motion made by the Continuing
4 Professional Development Committee to allow Robert Alonzo to receive only
5 10 PDHs for authoring the textbook *Electrical Codes, Standards, Recommended*
6 *Practices and Regulations: An Examination of Relevant Safety Considerations* (1st
7 Edition 2010).

8
9 The Continuing Professional Development Committee recommended that the
10 Liaison and Law Review Committee review Board Rule 3113(B)(4) to
11 determine whether "books" should be added.

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13
14 **Land Surveying Committee**

15
16 Mr. Allen reported on the Louisiana Laws of Surveying Exam Item Writing
17 Workshop held on June 10-12, 2010. He indicated that Test, Inc. led attendees
18 in writing 106 questions for the examination. A peer review committee will
19 meet on September 11, 2010 to review the questions.

20
21 **DOTD Secretary Visit**

22
23 Ms. Sherri LeBas, DOTD Secretary, entered the meeting at 11:25 a.m.

24
25 Offers of congratulations were offered to Ms. LeBas on her recent appointment
26 as the first woman DOTD Secretary.

27
28 The Board recessed at 12:45 p.m. and reconvened at 1:00 p.m. Ms. LeBas was
29 not present.

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31
32 **Enforcement (continued)**

33
34 **Deepwater Horizon Incident**

35
36 Mr. Williams reviewed the letters sent to Governor Jindal and the Texas,
37 Mississippi, Alabama and Florida state boards.

38
39 The Board requested that Ms. Sentell contact NCEES Southern Zone Vice
40 President Govind Nadkarni to have the Deepwater Horizon incident added to
41 the agenda for the upcoming interim meeting of the Southern Zone, which will
42 held during the NCEES Annual Meeting in August in Denver.

43
44 Mr. Williams advised the Board that the enforcement section has opened a case
45 on the Deepwater Horizon incident.

46
47
48 **Committee Reports (continued)**

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50 **Liaison and Law Review Committee**

51
52 Mr. Landry reviewed the state legislation of interest from the recently
53 concluded 2010 legislative session.

54
55 Mr. Landry exited the meeting at 2:10 p.m.

56
57 **Policy and Procedure Ad Hoc Committee**

58
59 Mr. Savoie presented a policy for denying licensure applications and for the
60 appeal of denied licensure application. After discussion, the Board
61 unanimously approved the motion made by Mr. Allen, seconded by Mr.
62 Mustapha, to accept this following policy:

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**Policy for Denying Licensure Applications and
for the Appeal of Denied Licensure Applications**
(Approved July 19, 2010)

1. Applications received that clearly do not meet the requirements of the Board
 - a. The application will be reviewed by the Executive Director only; it will not be reviewed by a committee of the Board.
 - b. The application will be denied and a letter of explanation will be sent by the Executive Director.
 - c. Examples include, but are not limited to (i) no degree and (ii) comity applications without required exams.
2. Applications that have been denied by the reviewing committee
 - a. Applicants will be notified in writing by the Executive Director.
 - b. The notification will include the reason(s) for denial and the applicable law(s) and/or rule(s) will be referenced.
3. Applicants that appeal to the Board the denial of an application
 - a. The applicant must submit a formal written appeal with an explanation and/or additional information as to why he/she believes the committee erred. The written appeal will be forwarded to the reviewing committee. The reviewing committee will either approve or deny the application on appeal.
 - b. If the reviewing committee denies the application on appeal, the appeal will be presented to the full Board for review at the next scheduled Board meeting
 - c. The action of the Board will be included in the Board minutes.
 - d. The applicant will be notified in writing of the Board's decision within one week of the Board meeting.
4. All documents will be retained in accordance with the approved Records Retention Schedule on file at the Board office.

33 The Board recessed at 3:10 p.m. and reconvened at 3:30 p.m. Mr. Landry was
34 present.

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37 **Applications**

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39 **Application Appeals**

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41 The Board approved the motion made by Mr. Williams, seconded by Mr.
42 Savoie, with Mr. Allen, Mr. Williams, Mr. Savoie, Mr. Jusselin, Mr. Mustapha, Dr.
43 Mattei, Dr. Bowie and Mr. Thompson for and Mr. Gammon and Mr. Danzy
44 against, to *approve* the application of Mohammad J. Lateef for licensure as a
45 professional engineer by comity.

46
47 The Board unanimously approved the motion made by Mr. Williams, seconded
48 by Dr. Bowie, to affirm the reviewing committee's decision to *disapprove* the
49 application of Melvin Glass for licensure as a professional engineer by comity,
50 based on disciplinary action by the Texas Board of Professional Engineers.

51
52 **Application Reviews**

53
54 The Board approved the motion made by Mr. Mustapha, seconded by Mr.
55 Williams, with Mr. Williams, Mr. Thompson, Dr. Mattie, Mr. Mustapha and
56 Dr. Bowie for, Mr. Allen, Mr. Gammon, Mr. Savoie, Mr. Jusselin and Mr.
57 Danzy against and Chairman Guillaume for, to *approve* the application of
58 Matthew T. Manning for licensure as a professional engineer by examination.
59

1 **Application Appeals (continued)**

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3 The Board unanimously approved the motion made by Mr. Mustapha,
4 seconded by Mr. Jusselin, to affirm the reviewing committee's decision to
5 *disapprove* the application of Patrick A. Ramirez for licensure as a professional
6 engineer by comity, based on the applicant's failure to satisfy the
7 educational requirements of the Board.

8
9 The Board recessed at 4:30 p.m. and reconvened at 8:40 a.m. on Tuesday, July
10 20, 2010. Mr. Danzy and Mr. Landry were not present.

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13 **Committee Reports (continued)**

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15 **Education/Accreditation Committee**

16
17 The Board unanimously approved the motion made by the
18 Education/Accreditation Committee to approve the leveling courses submitted
19 by Southern University.

20
21 Chairman Guillaume charged the Liaison and Law Review Committee with
22 reviewing La. R.S. 37:693(B)(1)(b) for inconsistencies as related to technology
23 degrees.

24
25 The Board unanimously approved the motion made by the
26 Education/Accreditation Committee to form an Engineering Education
27 Subcommittee. The sole responsibility of this subcommittee will be to review
28 the transcripts and curricula of applicants for engineering licensure.

29
30 The Board unanimously approved the motion made by the
31 Education/Accreditation Committee to adopt the following policy concerning
32 reviewing engineering education:

33
34 **Policy for Reviewing Engineering Education**
35 *(Approved July 2010)*

- 36
37 1) Staff will review transcripts received and determine the education type:
38 a) **Type I** - ABET accredited undergraduate engineering degree. [Rule
39 901(A)(1)]
40 **Type II** - Non-ABET accredited undergraduate engineering degree
41 (requires an additional 4 years of experience, which results in a total
42 of 8 years experience required). Any application with a foreign
43 degree and associated third party credential evaluation shall be
44 routed to the committee for review. [Rule 901(A)(3)]
45 b) **Type III** - Non-ABET accredited undergraduate engineering degree
46 with graduate degree in engineering from university with ABET
47 accredited undergraduate engineering curriculum. [Rule 901(A)(2)]
48 c) **Type IV** - Non-engineering degree (related science or technology)
49 with graduate degree in engineering from university with ABET
50 accredited undergraduate engineering curriculum with leveling.
51 [Rule 901(A)(2)]

52
53 If there is any doubt about the type of engineering degree, such as degrees in
54 construction engineering, engineering management or engineering
55 technology, the application should be referred to the *Education Subcommittee*.

- 56
57 2) If an applicant is determined to have **Type I** education, the application
58 will be sent to the appropriate reviewing committee for review (Civil,
59 Non-Civil or Engineer Intern).
60
61 3) If an applicant is determined to have **Type II, III, or IV** education, then:
62 a) The transcript(s) will be submitted to the *Education Subcommittee* for
63 review.
64 b) The *Education Subcommittee* will only review education.

- 1 c) The *Education Subcommittee* will return only the summary sheet
2 indicating approval or disapproval.
- 3 d) The *Education Subcommittee* is comprised of one Board member and
4 up to 2 academic emeritus Board members. (Actually this could be
5 any composition that the Board Chairman or current Board desire.
6 Since the disapprovals are sent through the Education/Accreditation
7 Committee (step 5) and approvals are sent through a reviewing
8 committee (step 4), we never have a decision that does not involve at
9 least two Board members. Reviewing committees are still
10 responsible for the ultimate recommendations on applications. They
11 can go against the Education Subcommittee recommendation and
12 should review the education of the applicant even though they have
13 the Engineering Subcommittee recommendation.)
- 14
- 15 4) If the *Education Subcommittee* approves the education, then:
16 a) The application and summary sheet will be forwarded to the
17 appropriate reviewing committee for review of experience,
18 references, etc. (Civil, Non-Civil or Engineer Intern).
19 b) The summary sheet will indicate that the *Education Subcommittee* has
20 reviewed and approved the education.
- 21
- 22 5) If the *Education Subcommittee* disapproves the education, then:
23 a) The application and summary sheet will be forwarded to the
24 Education/Accreditation Committee.
25 b) The summary sheet will indicate that the *Education Subcommittee* has
26 reviewed and disapproved the education and will give a rationale for
27 the disapproval.
28 c) If the Education/Accreditation Committee affirms the disapproval of
29 the education, the applicant will be so notified. No further review will
30 be required.
31 d) If the Education/Accreditation Committee approves the education,
32 then the application and summary sheet will be reviewed under step
33 4.
- 34
- 35 6) If an applicant appeals the disapproval of his/her application based on
36 education, then:
37 a) The application will be returned to the Education/Accreditation
38 Committee.
39 b) The Education/Accreditation Committee will make a recommendation
40 to the full Board for action on the appeal.
41 c) These applications will not yet have been reviewed by a reviewing
42 committee (as in step 4).
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Old Business

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46
47 Bill Tripoli, Anthony Pounders and Colin Beech entered the meeting at 9:50
48 a.m. to present the new Board website for review. Mr. Tripoli, Mr. Pounders
49 and Mr. Beech exited the meeting at 10:20 a.m.

NCEES Annual Meeting

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54 The Board reviewed the motions for the upcoming NCEES Annual Meeting
55 which are not on the consent agenda.

Technical Support Staff Interviews

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60 The Executive Committee reported that two interviews for the technical
61 support staff position have been conducted and the committee will conduct a
62 telephone interview with another candidate within the next few weeks.
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1 **Committee Reports (continued)**

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3 **Continuing Professional Development Committee (continued)**

4
5 Mr. Allen reported on the Continuing Professional Development Committee
6 recommendation that licensees in active status, regardless of age, not be
7 allowed a reduction in the required number CPD hours per biennial licensure
8 renewal period.
9

10
11 **Closing Business**

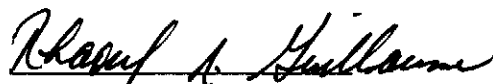
12
13 The Board unanimously approved the motion made by Mr. Mustapha,
14 seconded by Mr. Williams, to approve all committee recommendations and
15 actions.
16


17 The Board unanimously approved the motion made by Mr. Allen, seconded by
18 Dr. Mattei, to acknowledge and confirm all licenses and certificates issued by
19 the Board.

20 The Board unanimously approved the motion made by Mr. Savoie, seconded by
21 Mr. Gammon, to approve all Board expenses.
22

23 The Board unanimously approved the motion made by Dr. Mattei, seconded by
24 Mr. Williams, to adjourn.
25

26 The meeting adjourned at 12:20 p.m. on July 20, 2010
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31 Rhaoul A. Guillaume, P.E.
32 Chairman
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Ali M. Mustapha, P.E.
Secretary