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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
March 17, 2014

At 8:05 a.m. on March 17, 2014, James E. Bowie, Jr., Ph.D., P.E., called the meeting to order in Baton Rouge, Louisiana, with the following members present:

James E. Bowie, Jr., Ph.D., P.E.	Chairman
Miles B. Williams, P.E.	Vice Chairman
M. Ernest Gammon, Sr., P.L.S.	Treasurer
Theodore H. Thompson, P.E.	Secretary

Ali M. Mustapha, P.E.
Kevin E. Crosby, P.E., P.L.S.
John W. "Billy" Moore, P.E.
David L. Patterson, P.L.S.
John T. Irving, P.E.
Paul N. Hale, Jr., Ph.D., P.E.
Christopher P. Knotts, P.E.

Also present: Donna D. Sentell, Executive Director
Joe H. Harman, P.E., Technical Support Staff
Tyson Ducote, Board Investigator
D. Scott Landry, Board Attorney
Richard L. Savoie, P.E., Emeritus Board Member
Daniel Mobley, ACEC Executive Director
D. Scott Phillips, P.E.

The invocation was led by Dr. Bowie and the pledge by Mr. Harman.

Dr. Bowie presented the Chairman's gavel to Mr. Gammon. Chairman Gammon on behalf of the Board expressed appreciation to Dr. Bowie and Mr. Williams for their years of service to the Board.

Public comment time was recognized by Chairman Gammon. Mr. Mobley and Mr. Phillips were recognized.

The Board unanimously approved the motion made by Mr. Mustapha, seconded by Mr. Williams, to accept the March 17, 2014 proposed Call for the Meeting.

The Board unanimously approved the motion made by Mr. Patterson, seconded by Mr. Knotts, to accept the March 17, 2014 proposed Board Meeting Agenda.

The Board unanimously approved the motion made by Mr. Thompson, seconded by Mr. Mustapha, to approve the Minutes from the January 22, 2014 Board meeting.

The Board unanimously approved the motion made by Mr. Mustapha, seconded by Mr. Knotts, to schedule the Board's next regular meeting for Monday and Tuesday, May 19-20, 2014 in Baton Rouge, Louisiana.

The Board's January task list was reviewed.

Mr. Williams exited the meeting at 8:35 a.m.

Chairman Gammon charged the Enforcement Committee with evaluating whether the Board needs a Director of Enforcement and, if so, the qualifications for the position.

Chairman Gammon charged the Liaison and Law Review Committee with reviewing and evaluating the current Board policy regarding who can submit personal reference forms for individual certification/licensure applicants. Currently, the Board policy allows family members and subordinate employees to complete personal reference forms on behalf of an individual certification/licensure applicant.

Mr. Landry exited the meeting at 8:40 a.m.

1 **Committee Reports**

2
3 **Finance Committee**

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5 Mr. Moore presented the report for the Finance Committee.

6
7 The Board unanimously approved the motion made by the Finance Committee to cash
8 in the certificate of deposit at Iberia Bank, set to mature on May 2, 2014.

9
10 The Board unanimously approved the motion made by the Finance Committee to
11 authorize the Executive Director to enter into a contract with **L.A. Champagne & Co.,**
12 **L.L.P.** to provide accounting services to the Board. The term of the contract will be for
13 one year beginning **July 1, 2014 and ending June 30, 2015**, in the amount not to
14 exceed **\$28,000.00**.

15
16 The Board unanimously approved the motion made by the Finance Committee to
17 authorize the Executive Director to enter into a contract with **Tri-Core Technologies,**
18 **L.L.C.** to provide IT support services to the Board. The term of the contract will be for
19 one year beginning **July 1, 2014 and ending June 30, 2015**, in the amount not to
20 exceed **\$82,110.00**.

21
22 The Board unanimously approved the motion made by the Finance Committee to
23 authorize the Executive Director to enter into a contract with **Joe H. Harman &**
24 **Associates, LLC** to serve as a technical support staff for the Board. The term of the
25 contract will be for one year beginning **July 1, 2014 and ending June 30, 2015**, in
26 the amount not to exceed **\$60,000.00**.

27
28 The Board unanimously approved the motion made by the Finance Committee to
29 authorize the Executive Director to enter into a contract with **Chaffe McCall, L.L.P.** for
30 legal services. The term of the contract will be for two years beginning **July 1, 2014**
31 **and ending June 30, 2016**, in the amount not to exceed **\$300,000.00**.

32
33 The Board unanimously approved the motion made by the Finance Committee to
34 authorize the Executive Director to enter into a contract with **Celia Cangelosi** to serve
35 as a prosecuting attorney for Board disciplinary and enforcement hearings. The term
36 of the contract will be for one year beginning **July 1, 2014 and ending June 30,**
37 **2015**, in the amount not to exceed **\$36,000.00**.

38
39 The Board unanimously approved the motion made by the Finance Committee to
40 charge the Land Surveying Committee with reviewing and evaluating the proposed
41 contract with Louisiana Society of Professional Surveyors for FY 14-15.

42
43 The Board unanimously approved the motion made by the Finance Committee to
44 designate Mr. Knotts as a co-signer on the Board checking account with Regions Bank.

45
46 The Board recessed at 9:20 a.m. and resumed at 9:30 a.m.

47
48 Mr. Landry entered the meeting at 9:30 a.m.

49
50 **Enforcement**

51
52 Mr. Ducote presented the enforcement report.

53
54 **Case #2012-97** - Mr. Ducote reported on a dual licensee who performed property
55 boundary surveys and prepared, signed, sealed and issued survey plats for property
56 located in Louisiana which failed to meet the Board's standards of practice for
57 boundary surveys. The respondent has signed and returned the proposed consent
58 order offered by the Complaint Review Committee. The proposed consent order
59 contains the following sanctions:

- 60 1. Fine of \$4,500
61 2. Costs of \$2,184.81
62 3. PLS license placed on probation for two years beginning November 26, 2013
63 4. During the first year of the probation period, the respondent shall ensure that
64 all land surveying documents which require the application of his PLS seal and
65 which are issued by him as completed work in Louisiana are also sealed,
66 signed and dated by another Louisiana-licensed PLS
67 5. PLS license shall be revoked if, during the probation period, the respondent is
68 found by the Board to have committed another violation of the Board's

- standards of practice or he fails to comply with any portion of the consent order
6. Respondent shall hire a Louisiana-licensed PLS to correct the above-described standards of practice violations on revised survey plats, provide the revised survey plats to the Board for review, provide the revised survey plats to his clients after Board review and provide satisfactory evidence of the accomplishment of these requirements to the Board within 60 days
 7. Online Louisiana Standards of Practice for Boundary Surveys Quiz
 8. Online Louisiana Professionalism/Ethics Quiz
 9. On line Louisiana Laws/Rules Quiz
 10. Publication on the Board's website and in the Journal with name
 11. Report to NCEES with name

After discussion, the Board unanimously approved the motion made by the Complaint Review Committee, consisting of Mr. Crosby, Chairman Gammon and Mr. Thompson, to approve the signed consent order. The name of the respondent is **William J. Bodin, Jr., P.E., P.L.S.**

Case #2012-73 - Mr. Ducote reported on a licensed engineer who practiced and/or offered to practice land surveying in Louisiana without proper licensure. The respondent has signed and returned the proposed consent order offered by the Complaint Review Committee. The proposed consent order contains the following sanctions:

1. Fine of \$500
2. Costs of \$333.74
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. Mustapha, Mr. Crosby and Mr. Patterson, to approve the signed consent order. The name of the respondent is **Stephen D. Field, P.E.**

Case #2012-74 - Mr. Ducote reported on a licensed engineer who practiced and/or offered to practice land surveying in Louisiana without proper licensure. The respondent has signed and returned the proposed consent order offered by the Complaint Review Committee. The proposed consent order contains the following sanctions:

1. Fine of \$500
2. Costs of \$333.74
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. Mustapha, Mr. Crosby and Mr. Patterson, to approve the signed consent order. The name of the respondent is **Mary M. Field, P.E.**

Case #2013-60 - Mr. Ducote reported on a licensed engineering firm which practiced and/or offered to practice land surveying in Louisiana without proper licensure. The respondent has signed and returned the proposed consent order offered by the Complaint Review Committee. The proposed consent order contains the following sanctions:

1. Fine of \$1,900
2. Costs of \$333.74
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. Mustapha, Mr. Crosby and Mr. Patterson, to approve the signed consent order. The name of the respondent is **Compliance Consultants, Inc.**

Case #2013-54 - Mr. Ducote reported on an unlicensed/uncertified individual who used a modification or derivative of the word "engineer" in connection with his name and business activity in Louisiana without proper licensure. The individual subsequently became licensed in Louisiana. The respondent has signed and returned

1 the proposed consent order offered by the Complaint Review Committee. The
2 proposed consent order contains the following sanctions:

- 3 1. Fine of \$150
- 4 2. Online Louisiana Laws/Rules Quiz
- 5 3. Online Louisiana Professionalism/Ethics Quiz
- 6 4. Publication on the Board's website and in the Journal without name
- 7 5. No report to NCEES

8
9 After discussion, the Board disapproved the motion made by the Complaint Review
10 Committee, consisting of Mr. Knotts, Chairman Gammon and Dr. Hale, with Mr. Knotts
11 and Dr. Hale for, Mr. Patterson, Mr. Crosby, Mr. Thompson, Mr. Moore, Mr. Mustapha
12 and Dr. Bowie against and Mr. Irving abstaining, to approve the signed consent order.

13
14 Mr. Mustapha made the motion, seconded by Dr. Bowie, to amend the previous motion
15 and dismiss Case #2013-54.

16
17 After discussion, Mr. Mustapha withdrew the motion.

18
19 The Board approved the motion made by Mr. Mustapha, seconded by Mr. Crosby, with
20 Dr. Bowie, Mr. Crosby, Mr. Irving, Mr. Thompson and Mr. Mustapha for and Mr. Knotts,
21 Dr. Hale, Mr. Moore and Mr. Patterson against, to dismiss Case #2013-54.

22
23 Mr. Williams entered the meeting at 10:30 a.m.

24
25 **Case #2013-66** – Mr. Ducote reported on a licensed engineer and land surveyor who
26 committed a material misrepresentation or gross misconduct and a conflict of interest
27 in the practice of engineering or land surveying in Louisiana. The respondent has
28 signed and returned the proposed consent order offered by the Complaint Review
29 Committee. The proposed consent order contains the following sanctions:

- 30 1. Fine of \$1,000
- 31 2. Costs of \$931.05
- 32 3. Avoid all conflicts of interest in the practice of engineering and land surveying
- 33 4. Online Louisiana Laws/Rules Quiz
- 34 5. Online Louisiana Professionalism/Ethics Quiz
- 35 6. Publication on the Board's website and in the Journal without name
- 36 7. No report to NCEES

37
38 After discussion, the Board disapproved the motion made by the Complaint Review
39 Committee, consisting of Mr. Irving, Mr. Knotts and Mr. Patterson, with Mr. Mustapha,
40 Mr. Irving and Mr. Patterson for and Mr. Moore, Dr. Bowie, Mr. Thompson, Mr. Crosby,
41 Mr. Knotts, Mr. Williams and Dr. Hale against, to approve the signed consent order.

42
43 **Case #2013-100** – Mr. Ducote reported on a licensed engineering and land surveying
44 firm which committed a material misrepresentation or gross misconduct and a
45 conflict of interest in the practice of engineering or land surveying in Louisiana. The
46 respondent has signed and returned the proposed consent order offered by the
47 Complaint Review Committee. The proposed consent order contains the following
48 sanctions:

- 49 1. Fine of \$1,000
- 50 2. Costs of \$931.05
- 51 3. Ensure that its employees and representatives avoid all conflicts of interest in
52 the practice of engineering and land surveying
- 53 4. Online Louisiana Laws/Rules Quiz by supervising professionals
- 54 5. Online Louisiana Professionalism/Ethics Quiz by supervising professionals
- 55 6. Publication on the Board's website and in the Journal without name
- 56 7. No report to NCEES

57
58 After discussion, the Board disapproved the motion made by the Complaint Review
59 Committee, consisting of Mr. Irving, Mr. Knotts and Mr. Patterson, with Mr. Mustapha,
60 Mr. Irving and Mr. Patterson for and Mr. Moore, Dr. Bowie, Mr. Thompson, Mr. Crosby,
61 Mr. Knotts, Mr. Williams and Dr. Hale against, to approve the signed consent order.

62
63 Chairman Gammon charged the Enforcement Committee with reviewing and
64 evaluating the Board's guidelines regarding publication of disciplinary and
65 enforcement actions with name.

66
67 Mr. Moore requested that the Board's enforcement staff broaden the enforcement
68 report for each Board meeting to include a summary report of cases dismissed by
69 Complaint Review Committees and the number of letters of caution sent.

1
2 Chairman Gammon charged the Enforcement Committee with working with Mr.
3 Landry to develop an enforcement policy on the reporting of this information to the
4 Board.

5
6 Mr. Crosby requested that the guidelines being developed by the various engineering
7 disciplines and Mr. Harman be reviewed by the Enforcement Committee.

8
9 The Board recessed for lunch at noon and resumed at 12:55 p.m.

10
11 **Committee Reports (continued)**

12
13 **Liaison and Law Review Committee**

14
15 Mr. Moore presented the report for the Liaison and Law Review Committee.

16
17 The Board approved the motion made by the Liaison and Law Review Committee,
18 with Mr. Mustapha, Dr. Bowie, Dr. Hale, Mr. Irving, Mr. Moore, Mr. Knotts, Mr. Crosby
19 and Mr. Patterson for and Mr. Thompson against, to amend Rules 1305 and 1509 to
20 read as follows:

21
22 **§1305. Approval to Take the Examination in the Principles and Practice**
23 **of Engineering**

24
25 A. An applicant who meets all of the other requirements for licensure as a
26 professional engineer may be permitted to take the examination in the
27 principles and practice of engineering in the discipline in which he/she seeks
28 licensure.

29
30 B. An applicant who has already been duly certified as an engineer intern by
31 the board, but has not yet met the experience requirement for licensure as a
32 professional engineer, may be permitted to take the examination in the
33 principles and practice of engineering in the discipline in which he/she seeks
34 licensure.

35
36 **§1509. Experience at Time of Application**

37
38 A. ...

39
40 B. For applicants for professional engineer licensure under §903.A.1 of
41 these rules who have not already been duly certified as engineer interns by the
42 board, the "verifiable record of four years or more of progressive experience
43 obtained subsequent to meeting the educational and applicable experience
44 qualifications to be an engineer intern" must be gained by the time of
45 application. However, for any such applicant who has already been duly
46 certified as an engineer intern by the board, such experience may be gained up
47 to the time of licensure, rather than by the time of application.

48
49 C. For applicants for professional land surveyor licensure under §909.A.1 of
50 these rules, the "verifiable record of four years or more of combined office and
51 field experience in land surveying including two years or more of progressive
52 experience on land surveying projects under the supervision of a professional
53 land surveyor" must be gained by the time of application.

54
55 Mr. Moore presented various possible amendments to Rules 3111(A) and 3113(B)
56 which would allow continuing professional development credit for Board meeting
57 attendance. The Liaison and Law Review Committee will review and evaluate the
58 points raised during the discussion and will make a recommendation at the next Board
59 meeting.

60
61 Mr. Thompson and Mr. Mustapha agreed to be the Board's representatives to work
62 with the Louisiana Engineering Society, the Louisiana Department of Veterans Affairs
63 and the original bill sponsors in connection with pursuing a revision to La. R.S.
64 37:3651 during the 2014 legislative session.

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66 The Board recessed at 2:30 p.m. and resumed at 2:40 p.m.
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Architect-Engineer Liaison Ad Hoc Committee

Mr. Moore reported on the recent meeting with representatives of the Louisiana State Fire Marshal, the Louisiana State Board of Architectural Examiners and the Louisiana State Board of Examiners of Interior Designers.

Industrial Licensure Ad Hoc Committee

Mr. Irving reported that the Industrial Licensure Ad Hoc Committee held a teleconference to discuss the development of talking points to present a consistent message to industry and academia.

Structural Engineer Designation Ad Hoc Committee

Mr. Irving presented the report of the Structural Engineer Designation Ad Hoc Committee. The committee's recommendation is that professional engineers should be able to describe their structural engineering expertise if that is an area of their competence (e.g., "Expert in Structural Engineering", "Years of Structural Engineering Experience" or some other similar descriptor), even if they are not listed by the Board in the discipline of structural engineering. However, only professional engineers who are listed by the Board in the discipline of structural engineering should be permitted to use the designation "Structural Engineer" or "S.E." in conjunction with their name.

The Structural Engineer Designation Ad Hoc Committee will work with Mr. Landry to draft a ruling on the Petition for Declaratory Order and Ruling filed by Norma Jean Mattei, Ph.D., P.E.

Education/Accreditation Committee

Mr. Thompson reported that the Education/Accreditation Committee is gathering information to make a recommendation to the Board regarding online degree programs from for-profit universities.

Old Business/New Business

Chairman Gammon charged an ad hoc committee, comprised of Mr. Thompson, Mr. Knotts and Mr. Crosby, with reviewing the request of **Ray A. Davezac** to reinstate his revoked professional engineer license and making a recommendation at the May Board meeting.

Mr. Landry briefed the Board on legislation which is pending during the 2014 Louisiana legislative session. The bills include SB 158 (relating to comity licensure for professional engineers) and SB 416 (relating to Board appointments and membership).

Chairman Gammon presented the request from Atchley & Atchley, Inc. for an extension of the 120-day period previously granted by the Board in which the firm was permitted to have supervising professionals who are not employees or owners of the firm.

Mr. Mustapha made the motion to grant Atchley & Atchley, Inc. a 30-day extension. The motion died for lack of a second.

The Board approved the motion made by Mr. Crosby, seconded by Mr. Moore, with Dr. Hale, Dr. Bowie, Mr. Irving, Mr. Moore, Mr. Thompson, Mr. Crosby, Mr. Knotts and Mr. Williams for and Mr. Patterson and Mr. Mustapha against, to deny Atchley & Atchley, Inc.'s request for an extension. Ms. Sentell was directed to remind Atchley & Atchley, Inc. of the March 25, 2014 deadline to have supervising professionals who comply with all requirements of the Board's laws and rules, including those that require supervising professionals to be a full-time employee or a part-time employee/owner.

At 4:25 p.m., the Board unanimously approved the motion made by Mr. Thompson, seconded by Dr. Hale, to enter into executive session to discuss personnel matters.

At 5:10 p.m., the Board unanimously approved the motion made Mr. Moore, seconded by Mr. Mustapha, exit the executive session.

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The Board unanimously approved the motion made by Mr. Williams, seconded by Dr. Bowie, to authorize the Executive Committee to handle the personnel matter to the proper conclusion.

Closing Business

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


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

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

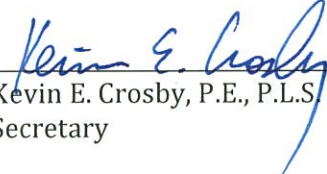
The Board unanimously approved the motion made by Mr. Crosby, seconded by Mr. Thompson, to request that the NCEES Board of Directors grant Emeritus Status to Mr. Williams and Dr. Bowie.

The Board unanimously approved the motion made by Mr. Williams, seconded by Dr. Bowie, to adjourn.

The meeting adjourned at 5:20 p.m. on Monday, March 17, 2014.



M. Ernest Gammon, Sr., P.L.S.
Chairman



Kevin E. Crosby, P.E., P.L.S.
Secretary