

1 MINUTES OF THE REGULAR MEETING OF THE
2 LOUISIANA PROFESSIONAL ENGINEERING
3 AND LAND SURVEYING BOARD
4 9643 BROOKLINE AVENUE, SUITE 121
5 BATON ROUGE, LOUISIANA 70809-1433
6 September 10, 2018
7

8 At 8:00 a.m. on September 10, 2018 Christopher P. Knotts, P.E. called the meeting to
9 order at the Board's office in Baton Rouge, Louisiana, with the following members
10 present:

11 Christopher P. Knotts, P.E.	Chairman
12 Paul N. Hale, Jr., Ph.D., P.E.	Vice Chairman
13 Alan D. Krouse, P.E.	Treasurer
14 Thomas R. Carroll, III, P.E., P.L.S.	Secretary

15
16 D. Scott Phillips, P.E., P.L.S.
17 Charles G. Coyle, III, P.L.S.
18 Jeff A. Pike, P.E.
19 Christopher K. Richard, P.E.
20 Chad C. Vosburg, P.E.
21 Edgar P. Benoit, P.E.
22 Wilfred J. Fontenot, P.L.S.
23

24 Also present: Donna D. Sentell, Executive Director
25 Joe H. Harman, P.E., Technical Support Staff
26 Bill Tripoli, Board Staff
27 William Hyatt, Board Investigator
28 Chris Aaron, Board Investigator
29 D. Scott Landry, Board Attorney
30

31 The invocation was led by Mr. Carroll and the pledge was led by Mr. Vosburg.
32

33 Public comment time was recognized by Chairman Knotts.
34

35 The Board unanimously approved the motion made by Mr. Richard, seconded by Mr.
36 Pike, to accept the September 10, 2018 proposed Call and Agenda, as amended, for the
37 meeting.
38

39 The Board unanimously approved the motion made by Mr. Krouse, seconded by Mr.
40 Carroll, to approve the minutes from the June 18, 2018 Board meeting.
41

42 The Board unanimously approved the motion made by Mr. Carroll, seconded by Mr.
43 Vosburg, to schedule the Board's next regular meeting for November 5, 2018.
44

45 Chairman Knotts presented the proposed LAPELS Travel Policy for NCEES Interim
46 and Annual Meetings. After discussion, the Board unanimously approved the motion
47 made by the Executive Committee to adopt the LAPELS Travel Policy for NCEES
48 Interim and Annual Meetings (Policy #24), to read as follows:
49

50 **LAPELS Travel Policy for NCEES Interim and Annual Meetings**
51 **Policy # 24**
52

53 **NCEES INTERIM ZONE MEETINGS**
54

- 55 ■ Interim Zone meetings are typically held annually in April or May.
- 56 ■ NCEES will fund four (4) attendees (MBA + 3 designated attendees);
57 LAPELS may fund up to three (3) attendees.
- 58 ■ Enforcement staff will not attend the Zone meetings.

59 **NCEES funding for zone meetings:**
60

61 In accordance with policy, NCEES will pay the meeting registration, travel, and
62 lodging expenses (number of nights may vary year to year) for four attendees
63 (MBA + 3 designated attendees) from each eligible member board to attend the
64 zone interim meeting. Attendees must be members or associate members.
65 LAPELS hereby adopts the NCEES policy for payment of registration, and
66 duration of lodging expenses.

1 Outgoing and the newly appointed board members will not be designated to
2 travel to these meetings.

3
4 Only executive staff, the Executive Director or the Deputy Executive Director,
5 may travel to the interim zone meeting.

6
7 Maximum of eight (8) attendees, which includes the MBA, three (3) NCEES
8 funded attendees and four (4) LAPELS funded attendees* may attend the zone
9 meetings, not including any board member(s) that would be funded due to a
10 leadership role in the zone or council.

11
12 **Emeritus Members may be considered for approval to be an additional LAPELS*
13 *funded delegate if they are members of a NCEES standing committee and making*
14 *that committee's presentation at the meeting.*

15 16 **NCEES ANNUAL MEETINGS**

- 17
18
- 19 ■ Annual meetings are typically held in August.
 - 20 ■ NCEES will fund four (4) attendees, (MBA + three (3) designated members)
21 plus all first time attendees, within 24 months of appointment or hire, and
LAPELS may fund up to three (3) attendees.

22 **NCEES funding for annual meetings:**

23
24 In accordance with policy, NCEES will pay the meeting registration, travel, and
25 lodging expenses (number of nights may vary year to year) for three attendees
26 from each eligible member board to attend the annual meeting. Attendees
27 must be members or associate members. LAPELS hereby adopts the NCEES
28 policy for payment of registration, and duration of lodging expenses.

29
30 NCEES will also pay the meeting registration, travel, and lodging expenses of
31 all members and member board administrators who have never attended a
32 NCEES annual meeting and were appointed to or hired by their boards 24
33 months before the upcoming NCEES annual meeting. To receive this funding, a
34 first-time attendee must attend the First-Time Attendee Luncheon and the
35 Business Sessions.

36
37 Only executive staff, the Executive Director or the Deputy Executive Director,
38 may travel to the Annual Meeting.

39
40 Enforcement staff may be approved to attend the Enforcement portion of the
41 meeting, which meets Friday afternoon and all day Saturday of the Annual
42 meeting.

43 Maximum of nine (9) people may attend Annual Meetings, not including any
44 board member(s) that would be funded due to a leadership role in the zone or
45 council.

46 47 Other considerations:

- 48
- 49 ■ In the event any board member is funded through the zone/council due to
50 leadership role, the chairman can appoint another board member to fill
that funded position.
 - 51 ■ In the event the board member in the designated year to attend is unable to
52 attend, the board chair can appoint another board member to fill that
53 funded position.
 - 54 ■ In the event a board staff member is unable to attend, the chairman can
55 appoint another board or staff member to fill that funded position.

56 Chairman Knotts appointed an ad hoc committee, comprised of Mr. Krouse, Mr.
57 Carroll and Mr. Pike, to work with the Executive Director on matters related to the
58 2019 contract with the Louisiana Engineering Foundation.

59 60 **Committee Reports**

1 **Enforcement Committee**
2

3 Mr. Pike presented the report for the Enforcement Committee about the volume of
4 work generated by the standing complaint review committees.
5

6 After discussion, the Board approved the motion made by the Enforcement
7 Committee, with Dr. Hale, Mr. Krouse, Mr. Carroll, Mr. Coyle, Mr. Pike, Mr. Vosburg, Mr.
8 Richard, Mr. Fontenot and Mr. Benoit for, and Mr. Phillips against, to approve the
9 following process due to the volume of work generated by the standing complaint
10 review committees: current contract attorneys, Scott Landry and Celia Cangelosi, will
11 each serve one standing complaint review committee and also serve as their
12 respective standing complaint review committee’s prosecutor if necessary during a
13 formal hearing. In the event of a formal hearing, the hearing panel would be
14 counseled by an Assistant Attorney General.
15

16 The Board approved the motion made by the Enforcement Committee, with Dr. Hale,
17 Mr. Krouse, Mr. Carroll, Mr. Coyle, Mr. Pike, Mr. Vosburg, Mr. Richard, Mr. Fontenot
18 and Mr. Benoit for, and Mr. Phillips abstaining, to authorize the Executive Director to
19 enter into a contract with the **Office of the Attorney General** to provide assistance,
20 advice, and all necessary legal representation to the Board in the capacity of Special
21 Counsel in connection with advising the hearing panel for disciplinary/enforcement
22 hearings. The term of the contract will be for one year **beginning July 1, 2018 and**
23 **ending June 30, 2019** in the annual amount not to exceed **\$20,000.00**.
24

25 The Board recessed at 9:00 a.m. and resumed at 9:45 a.m.
26

27 **Compliance and Enforcement**
28

29 **Case # 2014-42** – Mr. Hyatt reported on a professional engineer who **(a)** was
30 engaged to complete, correct, revise or add to the engineering work of another
31 licensee or other related design professional, but failed to provide immediate written
32 notice of his engagement to the other licensee or other related design professional
33 and **(b)** made exaggerated or deceptive statements or claims about professional
34 qualifications in correspondence or other public communications. The respondent
35 has signed and returned the proposed consent order offered by the Complaint Review
36 Committee. The proposed consent order contained the following sanctions:

- 37 1. Fine of \$4,500, with 25% down and 3 payments of 25% on a schedule
- 38 2. Costs of \$2,552.79, with 25% down and 3 payments of 25% on a schedule
- 39 3. Louisiana Laws & Rules Quiz
- 40 4. Louisiana Professionalism & Ethics Quiz
- 41 5. Cease and desist
- 42 6. Publication on the Board’s website and in the Journal with name
- 43 7. 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. Pike and Mr. Fontenot, to approve the
46 signed consent order. The name of the respondent is **Roy M. Carubba, P.E.**
47

48 **Case # 2015-11** – Mr. Hyatt reported on a professional engineering firm which **(a)**
49 was engaged to complete, correct, revise or add to the engineering work of another
50 licensee or other related design professional, but failed to provide immediate written
51 notice of its engagement to the other licensee or other related design professional and
52 **(b)** made exaggerated or deceptive statements or claims about professional
53 qualifications in correspondence or other public communications. The respondent
54 has signed and returned the proposed consent order offered by the Complaint Review
55 Committee. The proposed consent order contained the following sanctions:

- 56 1. Fine of \$2,000, with 25% down and 3 payments of 25% on a schedule
- 57 2. Costs of \$2,495.83, with 25% down and 3 payments of 25% on a schedule
- 58 3. Louisiana Laws and Rules Quiz by its supervising professional
- 59 4. Louisiana Professionalism & Ethics Quiz by its supervising professional
- 60 5. Cease and desist
- 61 6. Publication on the Board’s website and in the Journal with name
- 62 7. Report to NCEES with name

63 After discussion, the Board unanimously approved the motion made by the Complaint
64 Review Committee, consisting of Mr. Knotts, Mr. Pike and Mr. Fontenot, to approve the
65 signed consent order. The name of the respondent is **Carubba Engineering, Inc.**
66

67 **Case # 2018-4** – Mr. Hyatt reported on an unlicensed firm for practicing
68 and/or offering to practice engineering in Louisiana. The respondent has

1 signed and returned the proposed consent order offered by the Complaint
2 Review Committee. The proposed consent order contained the following
3 sanctions:

- 4 1. Fine of \$3,000
- 5 2. Costs of \$159.42
- 6 3. Publication on the Board's website and in the Journal with name
- 7 4. Report to NCEES with name

8 After discussion, the Board unanimously approved the motion made by the
9 Complaint Review Committee, consisting of Mr. Carroll, Mr. Richard, and Mr.
10 Fontenot, to approve the signed consent order. The name of the respondent is
11 **Acertus Consulting Group, LLC.**

12
13 **Case # 2018-7** – Mr. Hyatt reported on a professional engineer who aided and
14 assisted his firm in the unlicensed practice and/or offer to practice of
15 engineering in Louisiana. The proposed consent order contained the following
16 sanctions:

- 17 1. Fine of \$500
- 18 2. Costs of \$159.42
- 19 3. Louisiana Laws and Rules Quiz
- 20 4. Professionalism & Ethics Quiz
- 21 5. Publication on the Board's website and in the Journal with name
- 22 6. Report to NCEES with name

23 After discussion, the Board unanimously approved the motion made by the
24 Complaint Review Committee, consisting of Mr. Carroll, Mr. Richard, and Mr.
25 Fontenot, to approve the signed consent order. The name of the respondent is
26 **Brian J. Timmons, P.E.**

27
28 **Case # 2018-26** – Mr. Hyatt reported on an unlicensed firm for practicing
29 and/or offering to practice land surveying in Louisiana. The respondent has
30 signed and returned the proposed consent order offered by the Complaint
31 Review Committee. The proposed consent order contained the following
32 sanctions:

- 33 1. Fine of \$1,500
- 34 2. Costs of \$185.84
- 35 3. Publication on the Board's website and in the Journal with name
- 36 4. Report to NCEES with name

37 After discussion, the Board unanimously approved the motion made by the
38 Complaint Review Committee, consisting of Mr. Carroll, Mr. Richard, and Mr.
39 Fontenot, to approve the signed consent order. The name of the respondent is
40 **Lester Martin, Jr. & Associates, LLC.**

41
42 **Case # 2018-27** – Mr. Hyatt reported on a professional land surveyor who
43 aided and assisted his firm in the unlicensed practice and/or offer to practice
44 of land surveying in Louisiana. The proposed consent order contained the
45 following sanctions:

- 46 1. Fine of \$500
- 47 2. Costs of \$159.42
- 48 3. Laws and Rules Quiz
- 49 4. Professionalism & Ethics Quiz
- 50 5. Publication on the Board's website and in the Journal with name
- 51 6. Report to NCEES with name

52 After discussion, the Board unanimously approved the motion made by the
53 Complaint Review Committee, consisting of Mr. Carroll, Mr. Richard, and Mr.
54 Fontenot, to approve the signed consent order. The name of the respondent is
55 **Lester H. Martin, Jr., P.L.S.**

56
57 **Case # 2018-41** – Mr. Hyatt reported on an unlicensed firm which had
58 practiced and/or offered to practice engineering in Louisiana. The respondent
59 has signed and returned the proposed consent order offered by the Complaint
60 Review Committee. The proposed consent order contained the following
61 sanctions:

- 62 1. Fine of \$3,000
- 63 2. Costs of \$110.52

1 3. Publication on the Board’s website and in the Journal with name

2 4. Report to NCEES with name

3 After discussion, the Board unanimously approved the motion made by the
4 Complaint Review Committee, consisting of Mr. Carroll, Mr. Richard, and Mr.
5 Fontenot, to approve the signed consent order. The name of the respondent is
6 **United Consulting Group, LTD.**

7
8 **Case # 2018-42** – Mr. Hyatt reported on a professional engineer who aided or
9 assisted his firm in the unlicensed practice and/or offer to practice of
10 engineering in Louisiana. The respondent has signed and returned the
11 proposed consent order offered by the Complaint Review Committee. The
12 proposed consent order contained the following sanctions:

- 13 1. Fine of \$500
- 14 2. Costs of \$110.52
- 15 3. Louisiana Laws and Rules Quiz
- 16 4. Louisiana Professionalism and Ethics Quiz
- 17 5. Publication on the Board’s website and in the Journal with name
- 18 6. Report to NCEES with name

19 After discussion, the Board unanimously approved the motion made by the
20 Complaint Review Committee, consisting of Mr. Carroll, Mr. Richard, and Mr.
21 Fontenot, to approve the signed consent order. The name of the respondent is
22 **Santanu Sinharoy, P.E.**

23
24 **Case # 2018-46** – Mr. Hyatt reported on an unlicensed firm which had
25 practiced and/or offered to practice engineering in Louisiana. The respondent
26 has signed and returned the proposed consent order offered by the Complaint
27 Review Committee. The proposed consent order contained the following
28 sanctions:

- 29 1. Fine of \$3,000
- 30 2. Costs of \$107.71
- 31 3. Publication on the Board’s website and in the Journal with name
- 32 4. Report to NCEES with name

33 After discussion, the Board unanimously approved the motion made by the
34 Complaint Review Committee, consisting of Mr. Carroll, Mr. Richard, and Mr.
35 Fontenot, to approve the signed consent order. The name of the respondent is
36 **Ward, Getz & Associates, LLP.**

37
38 **Case # 2018-47** – Mr. Hyatt reported on a professional engineer who aided or
39 assisted his firm in the unlicensed practice and/or offer to practice of
40 engineering in Louisiana. The respondent has signed and returned the
41 proposed consent order offered by the Complaint Review Committee. The
42 proposed consent order contained the following sanctions:

- 43 1. Fine of \$500
- 44 2. Costs of \$107.71
- 45 3. Louisiana Laws and Rules Quiz
- 46 4. Louisiana Professionalism and Ethics Quiz
- 47 5. Publication on the Board’s website and in the Journal with name
- 48 6. Report to NCEES with name

49 After discussion, the Board unanimously approved the motion made by the
50 Complaint Review Committee, consisting of Mr. Carroll, Mr. Richard, and Mr.
51 Fontenot, to approve the signed consent order. The name of the respondent is
52 **Steven R. Ward, P.E.**

53
54
55 **Case # 2018-62** – Mr. Hyatt reported on an unlicensed firm which had
56 practiced and/or offered to practice engineering in Louisiana. The respondent
57 has signed and returned the proposed consent order offered by the Complaint
58 Review Committee. The proposed consent order contained the following
59 sanctions:

- 60 1. Fine of \$3,500
- 61 2. Costs of \$226.92
- 62 3. Publication on the Board’s website and in the Journal with name
- 63 4. Report to NCEES with name

1 After discussion, the Board unanimously approved the motion made by the
2 Complaint Review Committee, consisting of Mr. Krouse, Mr. Vosburg, and Mr.
3 Fontenot, to approve the signed consent order. The name of the respondent is
4 **Commercial Site Design, PLLC.**
5

6 **Case # 2018-63** – Mr. Hyatt reported on a professional engineer who aided or
7 assisted his firm in the unlicensed practice and/or offer to practice of
8 engineering in Louisiana. The respondent has signed and returned the
9 proposed consent order offered by the Complaint Review Committee. The
10 proposed consent order contained the following sanctions:

- 11 1. Fine of \$500
- 12 2. Costs of \$226.92
- 13 3. Louisiana Laws and Rules Quiz
- 14 4. Louisiana Professionalism and Ethics Quiz
- 15 5. Publication on the Board’s website and in the Journal with name
- 16 6. Report to NCEES with name

17 After discussion, the Board unanimously approved the motion made by the
18 Complaint Review Committee, consisting of Mr. Krouse, Mr. Vosburg, and Mr.
19 Fontenot, to approve the signed consent order. The name of the respondent is
20 **William B. Burchett, P.E.**
21

22 The Board recessed at 11:05 a.m. and resumed at 11:15 a.m.
23

24 At 11:15 a.m., the Board unanimously approved the motion by Mr. Krouse, seconded
25 by Mr. Carroll, to enter into executive session, to discussion personnel matters.
26

27 The Board unanimously approved the motion by Mr. Carroll, seconded by Mr. Krouse,
28 to exit the executive session at 12:05 p.m.
29

30 The Board unanimously approved the motion made by Mr. Richard, seconded by Mr.
31 Benoit, to approve a Policy on Time and Leave for Unclassified Employees (Policy
32 #25), to read as follows:
33

34 **Policy on Time and Leave for Unclassified Employees Policy #25** 35

36 **Appointing Authority** – means the agency department, board or commission,
37 or the employees thereof, authorized by statute or lawfully delegated authority
38 to make appointments to positions in state service. (Based on definition from
39 JBE 2016-75)
40

41 **Unclassified Employee** – means an officer or employee who serves at the
42 pleasure of the appointing authority and whose position is designated as such
43 by Civil Service rules 4.1, section (C)-(e), and Louisiana Constitution Article X,
44 Section 2. (Based on definition from JBE 2016-75)
45

46 An unclassified employee can earn annual and sick time, based on days
47 worked, but cannot earn comp time for hours worked in excess of 40 hours per
48 week.
49

50 An unclassified employee must work 80 hours per pay period, or take annual
51 or sick leave for time not at work.
52

53 Demands and responsibilities of the unclassified positions often times require
54 work to be performed outside the typical 8 hour day work schedule. The
55 unclassified employee’s timesheet should indicate the number of hours
56 worked during a pay period. These hours may be more or less than 8 hours a
57 day.
58

59 Excess hours worked during an 80 hour period cannot be carried over to
60 another pay period.
61

62 In the event an employee does not work 80 hours during a pay period, leave,
63 either annual or sick, must be taken.
64

The Board recessed at 12:05 p.m. and resumed at 12:50 p.m.

1 **Laws and Rules Committee**

2
3 Chairman Knotts presented the report for the Laws and Rules Committee. After
4 discussion, the Board unanimously approved the motion made by the Laws and Rules
5 Committee to amend Rules 707, 709, 2701 and 3107 as follows:
6

7 **§707. Board Organization**

8 A. - C. ...

9 D. Duties

10 1. Chairman. The chairman shall preside at all meetings, appoint all
11 committees, except as otherwise provided, and shall, together with the
12 secretary, sign all certificates issued by the board. The chairman shall, with the
13 assistance of the executive director, compile the agenda for each regular and
14 special meeting.

15 2. ...

16 3. Secretary. The secretary shall:

17 a. - b. ...

18 c. sign the minutes of the board meetings after approval of the
19 minutes by the board.

20 4. Treasurer. The treasurer shall be responsible for the annual budget
21 of the board. The treasurer shall present a financial report to the board at each
22 regular meeting.

23 E. Committees. The board may establish standing committees, including
24 but not limited to the following: executive committee, engineering committees,
25 land surveying committee, engineer intern committee, laws and rules
26 committee, education/accreditation committee, finance committee,
27 nominations and awards committee, complaint review committees, continuing
28 professional development committee, firm licensure committee, and
29 enforcement committee. The board may also establish ad hoc committees from
30 time-to-time as necessary.

31 1. - 3.b. ...

32 4. Land Surveying Committee. The chairman of the board shall
33 appoint a land surveying committee composed of not less than two board
34 members. At least two of the board members on the land surveying committee
35 shall be professional land surveyors. The land surveying committee shall:

36 a. - c. ...

37 d. conduct oral examinations or interviews of applicants, as
38 necessary; and

39 e. supervise the development and administration of examinations on
40 the Louisiana laws of land surveying.

41 5. - 13. ...

42 **§709. Executive Director**

43 A. - B. ...

44 C. Duties of the Executive Director. The executive director shall:

45 1. - 13. ...

46 14. assist the board in the adoption and amendment of rules and
47 bylaws in accordance with the state law;

48 15. represent the board at meetings of technical and professional
49 societies and appear before student groups and legislative committee meetings;

50 16. write articles for publication to inform licensees, certificate holders
51 and the public of activities and actions of the board;

52 17. be an associate member of NCEES;

53 18. assist the finance committee in the preparation of the budget;

54 19. assist in ensuring that expenditures are within the budget;

55 20. receive and account for all monies derived from the operation of
56 the board;

1 21. comply with R.S. 37:690 in all matters relating to receipts and
2 disbursements;

3 22. audit all bills and accounts covering expenditures and prepare all
4 vouchers and checks for payment of approved bills;

5 23. keep a register of receipts and expenditures, maintaining such
6 financial books, and show the financial condition of the board and the validity
7 of the licenses and of the certificates which have been issued;

8 24. assist in the legislative audit made of all receipts and disbursements
9 at the close of each fiscal year by a certified public accountant; and

10 25. assist the chairman with planning and compiling the agenda for
11 each regular and special meeting of the board.

12 **§2701. Seal and Signature**

13 A. – A.3.b,ii.(d). ...

14 * * *

15 iii. – iii.(c). REPEALED

16 4. Seal Use

17 a. Completed Work

18 i. - iv. (a). ...

19 v. Compiled As-Built Record Drawings

20 (a). The preparation of compiled engineering as-built record
21 drawings is not considered to be the practice of engineering and such drawings
22 are not required to be sealed or signed by a professional engineer. If the
23 professional engineer was in responsible charge of the original underlying
24 engineering work, he/she should (in lieu of a seal) include on the title page of
25 the compiled engineering as-built record drawings a disclaimer (with date)
26 which incorporates the following:
27
28

29 These compiled engineering as-built record drawings are a compilation of a
30 copy of the original sealed engineering design drawings for this project,
31 modified by addenda, change orders and information furnished by the
32 contractor or others associated with the construction of the project. The
33 information shown on these compiled engineering as-built record drawings
34 that was provided by the contractor and/or others cannot be verified for
35 accuracy or completeness. The compilation of this information does not
36 relieve the contractor or others of responsibility for errors resulting from
37 incorrect, incomplete or omitted data on their as-built record drawings - nor
38 does it relieve them of responsibility for non-conformance with the original
39 contract documents. The original sealed engineering drawings are on file in
40 the offices of (name of professional engineer).

41 4.a.v.(b).- 5.b. ...

42 * * *

43 **§3107. Reciprocity/Out-of-Jurisdiction Resident**

44 Repealed.

45
46 The Board recessed at 2:00 p.m. and resumed at 5:45 p.m.

47 **Formal Hearing in Case #2016-49**

48 Ms. Celia Cangelosi, Esq. and Ms. Rachel Torres entered the meeting at 2:15 p.m.

49
50 Mr. Knotts, Mr. Pike, Dr. Hale and Mr. Hyatt exited the meeting at 2:15 p.m. Mr.
51 Knotts, Mr. Pike and Dr. Hale were members of the Complaint Review Committee in
52 this case and did not participate in the deliberations or any of the votes associated
53 with the hearing.

54
55 The formal hearing began at 2:30 p.m.

56
57 At 4:31 p.m., the Board unanimously approved the motion made by Mr. Richard,
58 seconded by Mr. Coyle, to enter into executive session to conduct deliberations.

59
60 At 5:31 p.m., the Board unanimously approved the motion made by Mr. Richard,
61 seconded by Mr. Coyle, to end the executive session.
62
63

1
2 After hearing all the evidence and arguments, the Board unanimously approved the
3 motion made by Mr. Carroll, seconded by Mr. Richard, that **Myles DeRouen** be found
4 *guilty* of offering to practice engineering in Louisiana by a non-licensee in violation of
5 La. R.S. 37:681 and La. R.S. 37:700(A)(1) and using the words “engineer” and
6 “engineering” in connection with his name and form of business or activity in
7 Louisiana, without being licensed as a professional engineer in Louisiana, or
8 otherwise exempt from licensing, in violation of La. R.S. 37:700(A)(7).
9

10 The Board also unanimously approved the motion made by Mr. Carroll, seconded by
11 Mr. Richard, that **Myles DeRouen** be found *not guilty* of violating La. R.S.
12 37:700(A)(11).
13

14 Additionally, the Board unanimously approved the motion made by Mr. Carroll,
15 seconded by Mr. Richard, that **Myles DeRouen** be assessed the following sanctions:

- 16 • Fine of \$1,500
- 17 • Actual administrative costs of \$13,219.08, plus any additional costs through
18 the date of the hearing
- 19 • Cease and desist
- 20 • Publication on the Board’s website and in the Journal with name
- 21 • Report to NCEES with name
22

23 The formal hearing ended at 5:36 p.m.
24

25 **Committee Reports (continued)**

26 **Education/Accreditation Committee**

27 Mr. Pike presented the proposed Board policy on Related Science or Technology
28 Degrees and Engineering Graduate Degrees. After discussion, Mr. Benoit made the
29 motion to not adopt this policy. The motion failed for lack of a second.
30

31 The Board approved the motion made by the Education/Accreditation Committee,
32 with Dr. Hale, Mr. Krouse, Mr. Carroll, Mr. Phillips, Mr. Coyle, Mr. Pike, Mr. Vosburg,
33 Mr. Richard and Mr. Fontenot for, and Mr. Benoit against, to adopt the Related Science
34 or Technology Degrees and Engineering Graduate Degrees (Policy #26), to read as
35 follows:
36

37 **Related Science or Technology Degrees** 38 **and Engineering Graduate Degrees Policy #26** 39

40 This policy exists in part to assist staff in addressing questions regarding
41 engineering graduate degrees which may or may not complement a related
42 science or technology degree.

43 If/when staff are asked to address questions regarding those with an
44 engineering undergraduate degree who are seeking a graduate degree,
45 they should quote Rule 1105.A.*

46 This policy is not a stand-alone document. It is intended to be a supplement
47 for staff-use if/when staff members are addressing questions from applicants
48 regarding the laws and rules related to this topic.

49 It is in the best interest of the applicant for the applicant to review the
50 appropriate laws and rules related to these topics rather than only relying
51 on this policy letter.

52 If a potential applicant requests advice from staff prior to earning an
53 undergraduate degree, the staff informs them that an accredited engineering
54 curricula of four years or more is the best choice in accordance with Rule
55 1101.B.**

56 A degree program which has the word engineering in its title is not
57 necessarily an engineering degree. Some examples are engineering
58 management, construction engineering technology, electrical engineering
59 technology, and civil engineering technology. The first example is a
60 management degree. The others are technology degrees. There are numerous
61 examples of degrees like this which are not engineering degrees.

1 If a potential applicant is already pursuing an undergraduate degree that is
 2 non-accredited and/or non-engineering, one reasonable option is for the
 3 student to change majors to an accredited engineering degree. Another option
 4 is for the student to pursue a second major of an accredited engineering
 5 degree.

6 If a potential applicant has already completed an undergraduate degree
 7 which is non- accredited and/or non-engineering, the staff informs that the
 8 option with the least uncertainty to resolve the problem is to go back and
 9 earn an accredited engineering undergraduate degree. At first glance, this
 10 may seem unreasonable, but there is possibly less time involved in
 11 completing a second undergraduate degree, this time that is accredited
 12 engineering, than in getting a graduate degree which meets the requirements
 13 of Rule 1105.A.*

14 The best fit for a graduate degree is one which matches the undergraduate
 15 degree. For example, a civil engineering graduate degree best follows a civil
 16 engineering undergraduate degree. Of course, if one already has an
 17 accredited civil engineering degree then a graduate degree would not be
 18 necessary to meet the educational requirement for licensure. LAPELS is
 19 considering a rule change which would allow an accredited engineering
 20 master’s degree to remedy the lack of an accredited undergraduate
 21 engineering degree, but the issue of the appropriate number of hours of
 22 engineering science and engineering design coursework still must be
 23 remedied.

24 The following examples in Table 1 illustrate that some related science
 25 degrees fit better than others. This list should not be seen as approval or as
 26 a suggestion. In fact, it may lead to a disapproved request for licensure.
 27 Instead, it should be viewed as a possible way to pursue a remedy to the
 28 problem of not having an accredited engineering undergraduate degree.

29 **Table 1: Examples of Possible Engineering Graduate Degree Fit**
 30 **With Non- Engineering Undergraduate Degree*****

Undergraduate degree	Graduate degree
Biology or Biological Sciences	Biomedical Engineering
Biology or Biological Sciences	Environmental Engineering
Physics	Mechanical, Electrical, or Civil Engineering
Chemistry	Chemical or Petroleum Engineering
Construction Engineering Technology	Construction or Civil Engineering
Civil Engineering Technology	Civil Engineering
Environmental Science	Environmental Engineering
Geology or Geological Sciences	Geotechnical Engineering
Electrical Engineering Technology	Electrical Engineering
Computer Science	Computer Engineering

31

32 ***The contents of this table are not a recommendation. As the text of this
 33 policy clearly states, the recommendation is to earn an accredited
 34 undergraduate engineering degree.

35 Mathematics, Architecture, Oceanography, or Photography are unlikely to be a
 36 good fit.

1 Non-engineering degrees are missing critical coursework in engineering
2 sciences and engineering design. For example, an accredited construction
3 engineering technology curricula may require algebra, trigonometry, and one
4 3-semester credit hour calculus overview course compared to a civil
5 engineering curricula requirement for algebra, trigonometry, and five 3-
6 semester credit hour calculus courses including differential equations.

7 The applicant must show evidence of the removal of deficiencies in science,
8 mathematics, engineering sciences and engineering design as a prerequisite
9 to the graduate courses. There is a significant difference between being
10 admitted to a graduate engineering program and pursuing engineering
11 licensure. The argument some applicants make, is 'my school admitted me to
12 the program with my xxxxx degree, and did not require all the pre-requisite
13 courses LAPELS is requiring'. Some applicants make the same argument
14 when LAPELS requires them to attain a credential evaluation for their
15 unaccredited undergraduate degree. The LAPELS response is that universities
16 and LAPELS have different requirements because each entity has a different
17 intended purpose and/or end result. The LAPELS purpose and responsibility
18 is to "safeguard life, health, and property and to promote the public welfare".
19 University graduate programs do not have that same purpose or
20 responsibility.

21 If an applicant does not have an accredited undergraduate engineering
22 degree then deficiencies do exist. It is insufficient and inappropriate to rely on
23 a subjective analysis by a graduate school coordinator or even a pre-test of
24 subject matter to justify whether or not deficiencies exist.

25 By definition, prerequisite means these deficiencies are removed before
26 beginning the graduate degree coursework. The coursework required for
27 an undergraduate degree in engineering is the remedy for the
28 deficiencies. Graduate degree coursework is not the remedy.

29 The successful completion of a minimum of 48 semester credit hours of
30 coursework in engineering sciences and engineering design is required in
31 order to remove deficiencies in engineering sciences and engineering
32 design.

33 *** - §1105. Acceptable Engineering Graduate Degrees**

34 A. Acceptable engineering graduate degrees are those in an engineering discipline or sub-
35 discipline from a university having an undergraduate accredited engineering curriculum in
36 the same discipline or sub-discipline and which require the removal of deficiencies in
37 science, mathematics, engineering sciences and engineering design as a prerequisite to the
38 graduate courses; or are those found by the board to be equivalent to such degrees. The
39 successful completion of a minimum of 48 semester credit hours of coursework in
40 engineering sciences and engineering design is required in order to remove deficiencies in
41 engineering sciences and engineering design.

42
43 **** - §1101. Approved Curricula**

44 A.

45 B. In general, the board will recognize as approved all accredited engineering curricula of
46 four years or more. The board may recognize as approved an engineering curriculum that
47 was not accredited at the time of the applicant's graduation, but which became accredited
48 within the following two years.

49
50 **Laws and Rules Committee (continued)**

51
52 Chairman Knotts continued with the report for the Laws and Rules Committee. After
53 discussion, the Board unanimously approved the motion made by the Laws and Rules
54 Committee to amend Rules 105, 1101 and 1107 as follows:

55
56 **§105. Definitions**

57 A. The words and phrases defined in R.S. 37:682 shall apply to these rules.
58 In addition, the following words and phrases shall have the following meanings,
59 unless the content of the rules clearly states otherwise.

60 * * *

1 *Practice of Land Surveying*—defined in R.S. 37:682. The board recognizes
2 that there exists a close relationship between land surveying and some areas of
3 engineering, with some activities common to both professions; however,
4 survey work related to property boundaries must be performed under the
5 responsible charge of a professional land surveyor. Presented below are
6 guidelines which shall be used as an aid in determining the types of surveying
7 services which may be rendered by professional land surveyors or professional
8 engineers.

9 a. Surveying and mapping functions which require the establishment of
10 relationships to property ownership boundaries are unique to land surveying
11 and must be performed by or under the responsible charge of a professional
12 land surveyor. These functions include:

- 13 i. boundary surveys;
- 14 ii. subdivision surveys and plats;
- 15 iii. public land surveys;
- 16 iv. surveys of servitudes (easements) and rights of way;
- 17 v. surveys of leases.

18 b. Surveying and mapping functions not unique to land surveying must be
19 performed by or under the responsible charge of a professional land surveyor
20 whenever they require the establishment of relationships to property
21 ownership boundaries. These functions include:

- 22 i. topographical surveys;
- 23 ii. surveys for record drawing;
- 24 iii. layout surveys for construction;
- 25 iv. hydrographic surveys;
- 26 v. mine surveys;
- 27 vi. mapping.

28 c. Surveying and mapping functions which do not require the
29 establishment of relationships to property ownership boundaries must be
30 performed by or under the responsible charge of either a professional engineer
31 or a professional land surveyor. These surveying and mapping functions
32 include:

- 33 i. topographical surveys;
- 34 ii. surveys for record drawing;
- 35 iii. layout surveys for construction;
- 36 iv. hydrographic surveys;
- 37 v. mine surveys;
- 38 vi. mapping;
- 39 vii. geodetic surveys;
- 40 viii. cartographic surveys;
- 41 ix. horizontal and vertical control surveys;
- 42 x. quantity and measurement surveys;
- 43 xi. profiles and cross-sections;
- 44 xii. site grading plans.

45 d. Professional services which require the application of engineering
46 principles and the interpretation of engineering data must be performed by or
47 under the responsible charge of a professional engineer.

48 * * *

49 *Topographical Survey*—the measurement by any method of natural or man-
50 made features in the air, on the surface or in the subsurface of the earth, or
51 within bodies of water for the purpose of determining or establishing their
52 size, shape, grade and/or contour. This also includes the preparation of any
53 data depicting the above-described features. Such surveys may include the use
54 of conventional survey methods, LIDAR and scanning technologies, and
55 hydrographic survey methods to gather this data.

56 * * *

1 **§1101. Approved Curricula**

2 A. - C. ...

3 D. To qualify for certification as an engineer intern pursuant to §901.A.2
4 or §901.A.3, a graduate of a non-accredited engineering or related science or
5 engineering technology curriculum must submit to the board an evaluation of
6 the curriculum prepared by a board-approved education credential evaluation
7 service.

8 E. In general, the board will recognize as approved all accredited land
9 surveying curricula of four years or more. The board may recognize as
10 approved a land surveying curriculum that was not accredited at the time of
11 the applicant's graduation, but which became accredited within the following
12 two years.

13 F. Based on an investigation by a committee of the board, the board may,
14 by a majority vote at a regular meeting, recognize as an approved curriculum a
15 non-accredited land surveying curriculum of four years or more from a school
16 of satisfactory standing that does not meet the specifications of §1101.D. The
17 board shall keep a record of the land surveying curricula thus approved.

18 **§1107. Land Surveying, Mapping and Real Property Courses**

19 A. To qualify for certification as a land surveyor intern pursuant to
20 §907.A.1, the "30 semester credit hours, or the equivalent, in land surveying,
21 mapping, and real property courses approved by the board" shall include:
22

- 23 1. 15 semester credit hours, or the equivalent, in land surveying courses,
24 at least three of which shall be in boundary surveying;
- 25 2. three semester credit hours, or the equivalent, in mapping courses;
- 26 3. three semester credit hours, or the equivalent, in real property
27 courses; and
- 28 4. nine semester credit hours, or the equivalent, in either land surveying
29 or mapping courses.

30 After discussion, the Board unanimously approved the motion made by the Laws and
31 Rules committee to table the discussion of an amendment to Rule 105 regarding
32 architects performing incidental engineering work.
33

34 **Applications**

35 **Application Appeals**

36 The Board unanimously approved the motion made by Mr. Carroll, seconded by Mr.
37 Coyle, to affirm the Land Surveying Committee's decision to *disapprove* the
38 application of Terry **Faul** for licensure as a professional land surveyor by examination
39 based on not satisfying the educational and experience requirements of the Board.
40
41

42 The Board unanimously approved the motion made by Mr. Carroll, seconded by Mr.
43 Coyle, to affirm the Land Surveying Committee's decision to *disapprove* the
44 application of Wesley **Eustis** for licensure as a professional land surveyor by
45 examination based on not satisfying the educational requirements of the Board.
46
47

48 Mr. Carroll and Mr. Coyle exited the meeting at 6:55 p.m.
49

50 The Board approved the motion made by Mr. Pike, seconded by Dr. Hale, with Mr.
51 Vosburg, Mr. Phillips, Mr. Krouse, Mr. Pike, Mr. Richard, Mr. Fontenot and Dr. Hale for,
52 and Mr. Benoit against, to affirm the reviewing committee's decision to *disapprove* the
53 application of Justin **Biller** for licensure as a professional engineer by comity based on
54 not satisfying the educational requirements of the Board.
55

56 The Board unanimously approved the motion made by Mr. Pike, seconded by Dr. Hale,
57 to affirm the reviewing committee's decision to *disapprove* the application of Wayne
58 **Roy** for licensure as a professional engineer by comity based on not satisfying the
59 educational requirements of the Board.

60 **Committee Reports (continued)**

61 **Finance Committee**

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63

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Mr. Krouse presented the report for the Finance Committee.

The Board unanimously approved the motion by the Finance Committee to accept the finance report for FY 18-19, as presented.

The Board unanimously approved the motion made by the Finance Committee to renew the certificate of deposit at Neighbor's Credit Union when it matures on October 18, 2018.

Closing Business

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

The Board unanimously approved the motion made by Mr. Krouse, seconded by Mr. Fontenot, to acknowledge and confirm all licenses and certificates issued and renewed since the last Board meeting.

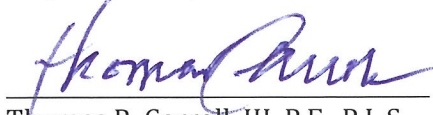
The Board unanimously approved the motion made by Mr. Krouse, seconded by Mr. Vosburg, to approve all Board expenses.

The Board unanimously approved the motion made by Mr. Fontenot, seconded by Mr. Benoit, to adjourn.

The meeting adjourned at 7:35 p.m. on September 10, 2018.



Christopher P. Knotts, P.E.
Chairman



Thomas R. Carroll, III, P.E., P.L.S.
Secretary