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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
January 22, 2019

At 8:03 a.m. on January 22, 2019, Christopher P. Knotts, P.E. called the meeting to order at the Board's office in Baton Rouge, Louisiana, with the following members present:

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

D. Scott Phillips, P.E., P.L.S.
Charles G. Coyle, III, P.L.S.
Jeff A. Pike, P.E.
Christopher K. Richard, P.E.
Chad C. Vosburg, P.E.
Edgar P. Benoit, P.E.
Wilfred J. Fontenot, P.L.S.

Also present: Donna D. Sentell, Executive Director
Bill Tripoli, Board Staff
William Hyatt, Board Investigator
Chris Aaron, Board Investigator
D. Scott Landry, Board Attorney

Jack Coyle
Cody Todd

The invocation was led by Mr. Carroll and the pledge was led by Dr. Hale.

Public comment time was recognized by Chairman Knotts. Mr. Cody Todd addressed the Board concerning the October 2018 administration of the principles and practice of engineering examination in petroleum engineering.

The Board unanimously approved the motion made by Mr. Richard, seconded by Mr. Fontenot, to accept the January 22, 2019 proposed Call and Agenda for the meeting.

The Board unanimously approved the motion made by Mr. Benoit, seconded by Mr. Fontenot, to approve the minutes from the November 5, 2018 Board meeting.

Compliance and Enforcement

The Board unanimously approved the motion made by Mr. Coyle, seconded by Mr. Fontenot, to deny the request of **Anthony R. Venson** to reinstate his revoked professional engineer license.

Case # 2018-40 – Mr. Carroll reported that the summary of Consent Order in Case No. 2018-40, presented to the Board for ratification at the November 5, 2018 meeting contained an error. Therefore, upon motion of the Complaint Review Committee, the Board was asked to recall its November 5, 2018 ratification of Consent Order in Case No. 2018-40 and ratify the Consent Order for Case No. 2018-40 as follows: "Consent Order issued to engineer for aiding and assisting his firm in the unlicensed practice and/or offer to practice engineering in Louisiana.

1. Fine of \$2,000
2. Costs of \$563.10
3. Louisiana Laws and Rules Quiz
4. Professionalism & 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. Carroll, Mr. Richard and Mr. Fontenot, to recall its ratification of the Consent Order in Case No. 2018-40 made on November 5, 2018,

1 and to approve the signed Consent Order as set forth above. The name of the
2 respondent is **John C. Anderson, P.E.**

3
4 **Case # 2018-53** – Mr. Hyatt reported on an unlicensed firm for practicing and/or
5 offering to practice engineering in Louisiana; and for using the words “engineer” or
6 “engineering” in its firm or business activity in Louisiana. The respondent has signed
7 and returned the proposed consent order offered by the Complaint Review
8 Committee. The proposed consent order contained the following sanctions:

- 9 1. Fine of \$2,000
- 10 2. Costs of \$145.39
- 11 3. Publication on the Board’s website and in the Journal with name
- 12 4. Report to NCEES with name

13 After discussion, the Board unanimously approved the motion made by the Complaint
14 Review Committee, consisting of Mr. Carroll, Mr. Richard and Mr. Fontenot, to approve
15 the signed consent order. The name of the respondent is **Hitachi Architects &**
16 **Engineers Co. Ltd.**

17
18 **Case # 2018-54** – Mr. Hyatt reported on a professional engineer who aided and
19 assisted his firm in the unlicensed practice and/or offer to practice of engineering in
20 Louisiana. The proposed consent order contained the following sanctions:

- 21 1. Fine of \$500
- 22 2. Costs of \$145.39
- 23 3. Louisiana Laws and Rules Quiz
- 24 4. Professionalism & Ethics Quiz
- 25 5. Publication on the Board’s website and in the Journal with name
- 26 6. Report to NCEES with name

27 After discussion, the Board unanimously approved the motion made by the Complaint
28 Review Committee, consisting of Mr. Carroll, Mr. Richard, and Mr. Fontenot, to
29 approve the signed consent order. The name of the respondent is **Eric J. Kirstein,**
30 **P.E.**

31
32 Doreen Brasseaux of the American Council of Engineering Companies of Louisiana
33 entered meeting at 8:35 a.m.

34 35 **Committee Reports**

36 37 **Enforcement Committee**

38
39 Mr. Pike presented the report for the Enforcement Committee, which included
40 suggested edits to the Disciplinary and Enforcement Sanction Guidelines for Consent
41 Orders and Other Administrative Matters.

42
43 Craig Campbell, P.E. entered the meeting at 8:45 a.m.

44 45 **Industrial Licensure Ad Hoc Committee**

46
47 Mr. Benoit presented the report for the Industrial Licensure Ad Hoc Committee.

48 49 **Laws and Rules Committee**

50
51 Mr. Knotts presented the report for the Laws and Rules Committee.

52
53 After discussion, the Board unanimously approved the motion made by Mr. Richard,
54 seconded by Mr. Carroll, to amend Rules 105 and 2305 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 * * *

61 *Practice of Engineering—*

62 a. practice of engineering is defined in R.S. 37:682. The board
63 recognizes in the design of buildings and similar structures that there is overlap
64 between the work of architects and professional engineers. It is recognized
65 that an architect who has complied with all of the current laws of Louisiana
66 relating to the practice of architecture has a right to engage in some activities
67 properly classifiable as the practice of engineering insofar as it is necessarily

1 incidental to his/her work as an architect. Likewise, it is recognized that the
2 professional engineer who has complied with all of the current laws of
3 Louisiana and is properly licensed has the right to engage in some activities
4 properly classifiable as architecture insofar as it is necessarily incidental to
5 his/her work as a professional engineer. Furthermore, the architect or the
6 professional engineer, as the case may be, shall assume all responsibility for
7 compliance with all the laws or ordinances relating to the designs or projects in
8 which he/she may be engaged.

9 b. an architect may perform minor mechanical, electrical-or civil-
10 structural engineering work necessarily incidental to his/her practice of
11 architecture, but such incidental engineering work shall not include a complete
12 engineering system unless such complete engineering system does not exceed
13 the area thresholds under the occupancy types listed in clause v below. The
14 incidental engineering work shall be of a secondary nature and shall be
15 substantially less in scope and magnitude when compared to the architectural
16 portion of the work. Incidental engineering work includes renovations or
17 alterations of any size building that do not require significant adjustments to
18 the engineering calculations for the changes to the engineering system(s) or
19 component(s). The incidental work must be safely and competently performed
20 by the architect without jeopardizing the life, health, property and welfare of
21 the public. The incidental engineering work must also satisfy all of the
22 following conditions in new or renovated projects:

23 i. the total occupant load must not exceed 49 individuals. The
24 occupant load is defined and determined by the method set forth in the
25 currently enforced building code;

26 ii. the construction value of the incidental engineering work must
27 not exceed 15% of the total construction value for new construction;

28 iii. any addition to a building or structure must not cause the gross
29 floor areas of the entire building or structure to exceed those listed in clause v
30 below;

31 iv. any renovations or alterations must not cause the overall
32 construction cost to exceed \$125,000, exclusive of building finishes and
33 furnishings; and

34 v. any incidental engineering work must not exceed the area
35 thresholds under the following occupancy types:

36 (a), storage—6,250 sq ft

37 (b). factory and industrial—5,000 sq ft

38 (c). mercantile—4,000 sq ft

39 (d). residential (excluding single family)—4,000 sq ft

40 (e). educational—2,500 sq ft

41 (f). institutional—2,500 sq ft

42 (g). high hazard—1,500 sq ft

43 (h). assembly—2,650 sq ft

44 (i). business—4,000 sq ft

45 (j). utility and maintenance—5,000 sq ft

46 Professional judgment should be exercised in determining the need for
47 an architect or professional engineer on complex projects that do not exceed
48 these area thresholds.

49 * * *

50
51 **§2305. Supervising Professional**

52 A.1. Each firm licensed with the board shall designate one or more
53 supervising professionals. Each supervising professional shall be a licensed
54 professional:

55 a. whose primary employment is with the firm, provided the
56 supervising professional works for the firm for a 12-month average of at least
57 30 hours per week or 130 hours per month; or

58 b. whose employment is with the firm, provided the supervising
59 professional has at least a 25 percent ownership interest in the firm.

Ms. Sentell was directed to share these amended rules with the Louisiana Engineering Society, the Louisiana Society of Professional Surveyors and the American Council of Engineering Companies of Louisiana and to bring any comments received to the April Board meeting.

At 10:20 a.m., the Board recessed and resumed at 10:30 a.m. Ms. Brasseaux and Mr. Campbell were not present. LaTasha Andrews was present.

Applications

The Board unanimously approved the motion made by Mr. Knotts, seconded by Mr. Krouse, to *invalidate* the results of the October 2018 principles and practice of engineering examination in petroleum engineering of **Cody Todd** based on violations of the NCEES exam protocol.

Committee Reports (continued)

Firm Licensure Committee

Mr. Knotts discussed issues related to firm licensure. Ms. Sentell and Ms. Andrews were directed to draft letters for the Firm Licensure Committee to review. Then, work with the Enforcement Committee on the procedures for processing a firm application.

The Board recessed for lunch at 11:45 a.m. and resumed at 12:20 p.m. Mr. Todd was not present. Janet Lindsey was present.

Ms. Andrews exited the meeting at 12:25 p.m.

Applications (continued)

Application Reviews

The Board unanimously approved the motion made by Mr. Vosburg, seconded by Mr. Carroll, to *approve* the application of **Charles Morton** for licensure as a professional engineer by examination.

The Board approved the motion made by Mr. Fontenot, seconded by Mr. Phillips, with Mr. Pike, Mr. Richard, Mr. Fontenot, Mr. Phillips, Mr. Coyle and Mr. Krouse for and Mr. Carroll, Dr. Hale, Mr. Benoit and Mr. Vosburg against, to *disapprove* the application of **Derek Jarrell** for licensure as a professional engineer by examination based on not satisfying the experience requirements of the Board.

Application Appeals

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

The Board recessed at 1:20 p.m. and resumed at 1:35 p.m.

Committee Reports (continued)

Finance Committee

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 United Community Bank when it matures on March 7, 2019.

1 The Board unanimously approved the motion made by the Finance Committee to
2 renew the two certificates of deposit at Investar Bank when they mature on March 12,
3 2019.

4
5 The Board unanimously approved the motion by the Finance Committee to accept the
6 proposed budget for FY 19-20 as presented.

7
8 The Board unanimously approved the motion made by the Finance Committee to
9 authorize the Executive Director to enter into a contract with **Celia Cangelosi** to serve
10 as legal counsel and as a prosecuting attorney for Board disciplinary and enforcement
11 hearings. The term of the contract will be for three years **beginning July 1, 2019 and**
12 **ending June 30, 2020**, in the annual amount not to exceed **\$36,000.00**.

13 14 **Nominations and Awards Committee**

15
16 The Nominations and Awards Committee presented the following list of nominations
17 for election of Board officers for 2019-20:

18
19 Alan D. Krouse, P.E. – Chairman
20 Thomas R. Carroll, III, P.E., P.L.S. – Vice Chairman
21 Charles G. Coyle, III, P.L.S. – Treasurer
22 Jeff A. Pike, P.E. – Secretary
23

24 The Board unanimously approved the motion made by the Nominations and Awards
25 Committee to elect the Board officers for 2019-20 as nominated.

26
27 At 1:50 p.m. the Board unanimously approved the motion by Mr. Richard, seconded by
28 Mr. Carroll, to enter into Executive session, to discuss personnel matters.

29
30 The Board unanimously approved the motion made by Mr. Carroll, seconded by Mr.
31 Richard, to exit the executive session at 2:00 p.m.

32
33 The Board unanimously approved the motion made by Mr. Vosburg, seconded by Mr.
34 Pike, to ratify the response as discussed.

35 36 **Old/New Business**

37
38 The Board unanimously approved the motion made by Mr. Krouse, seconded by Mr.
39 Coyle, to schedule the 2019 Board meetings as follows:

40
41 Monday/Tuesday – April 8/9
42 Monday/Tuesday – June 10/11
43 Monday/Tuesday – September 16/17
44 Monday/Tuesday – November 18/19
45

46 Chairman Knotts designated Mr. Coyle and Mr. Carroll to be the Board's funded
47 delegates to the Louisiana Society of Professional Surveyors annual convention in
48 Marksville, LA on April 10-12, 2019.

49
50 The Board unanimously approved the motion made by Mr. Krouse, seconded by Mr.
51 Carroll, to approve Board members, Emeritus members and Board staff to attend the
52 NCEES Southern Zone meeting on May 16-18, 2019 in Boise, Idaho. The Board
53 authorized funding to cover travel, 3 nights lodging, 4 days per diem, and meals.

54
55 Mr. Phillips exited the meeting at 2:15 p.m.

56 57 **Closing Business**

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

61
62 The Board unanimously approved the motion made by Mr. Carroll, seconded by Mr.
63 Pike, to acknowledge and confirm all licenses and certificates issued and renewed
64 since the last Board meeting.


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

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

The meeting adjourned at 2:40 p.m. on January 22, 2019.



Christopher P. Knotts, P.E.
Chairman



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