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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 20 - 21, 2009

At 8:08 a.m. on July 20, 2009, the Chairman called the meeting to order at 9643 Brookline Avenue, Baton Rouge, Louisiana with the following members present:

Timothy J. Allen, P.L.S.	Chairman
James D. Garber, PhD, P.E.	Vice Chairman
Mark A. Jusselin, P.E.	Treasurer
Rhaoul A. Guillaume, P.E.	Secretary

Roger D. Danzy, P.E.
Ali M. Mustapha, P.E.
Norma Jean Mattei, PhD, P.E.
Richard L. Savoie, P.E.
James E. Bowie, P.E.
Miles B. Williams, P.E.
M. Ernest Gammon, Sr., P.L.S.

Also present: Donna D. Sentell, Executive Secretary
Heidi Watts, Executive Assistant
D. Scott Landry, Board Attorney

The invocation was led by Mr. Allen and the pledge was led by Mr. Guillaume.

The Board unanimously approved the motion made by Dr. Mattei, seconded by Mr. Mustapha, to accept the July 20 -21, 2009 Call for the Meeting and the Agenda.

The Board unanimously approved the motion made by Mr. Savoie, seconded by Dr. Mattei, to approve the Minutes from the May 13, 2009 Board meeting.

The Board unanimously approved the motion made by Mr. Guillaume, seconded by Mr. Mustapha, that the Board's next regular meeting will be held on September 21- 22, 2009.

Mr. Justin Owens, Board Investigator and Ms. Victoria Hatton, Board Investigator, entered the meeting at 8:15 a.m.

Enforcement

File # 2008-109: Mr. Owens reported on a licensed engineer who (a) had been disciplined by another jurisdiction for matters recognized as grounds for disciplinary action in Louisiana at the time the action was taken and (b) made a false statement in applying for a renewal license. The respondent has signed and returned the proposed Consent Order offered by the Complaint Review Committee. After discussion, the Board unanimously approved the motion made by Mr. Mustapha, seconded by Mr. Guillaume, to approve the signed Consent Order.

File #2008-46: Mr. Owens reported that no exceptions or briefs have been filed or oral argument requested by either the respondent or the prosecuting attorney in connection with the Proposed Findings of Fact and Conclusions of Law and Proposed Decision and Order. After discussion, the Board unanimously approved the motion made by Dr. Mattei, seconded by Mr. Williams, to adopt the Proposed Findings of Fact and Conclusions of Law and Proposed Decision and Order as final.

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File # 2007-103: Mr. Owens reported that no exceptions or briefs have been filed or oral argument requested by either the respondent or the prosecuting attorney in connection with the Proposed Findings of Fact and Conclusions of Law and Proposed Decision and Order. After discussion, the Board unanimously approved the motion made by Mr. Mustapha, seconded by Mr. Guillaume, to adopt the Proposed Findings of Fact and Conclusions of Law and Proposed Decision and Order as final.

File #2008-80: Mr. Owens reported that no exceptions or briefs have been filed or oral argument requested by either the respondent or the prosecuting attorney in connection with the Proposed Findings of Fact and Conclusions of Law and Proposed Decision and Order. After discussion, the Board unanimously approved the motion made by Mr. Savoie, seconded by Mr. Gammon, to adopt the Proposed Findings of Fact and Conclusions of Law and Proposed Decision and Order as final.

Committee Reports

Continuing Professional Development Committee – Dr. Mattei reported on the proposed rule revisions drafted by Mr. Landry regarding CPD audits and license renewals.

Mr. Merritt E. McDonald, P.E. entered the meeting at 8:45 a.m.

The Board unanimously approved the motion made by Dr. Mattei, seconded by Mr. Mustapha, to accept the recommendation of the committee pertaining to a rule revision regarding CPD audits and license renewals as drafted by Mr. Landry. This will require the amendment of the following rule: Rule 3117(B).

Firm Licensure Committee – Dr. Bowie reported on the discussion and recommendations from the committee meeting that was held June 24, 2009.

The Board unanimously approved the motion made by Dr. Bowie, seconded by Mr. Guillaume, to accept the recommendation of the committee pertaining to a rule revision regarding the professional of record for design-build projects as drafted by Mr. Landry. This will require the amendment of the following rule: Rule 2505(F)(1).

Chairman Allen remanded to the committee the continuing charge of reviewing all design-build firm applications for approval.

The Board unanimously approved the motion made by Dr. Bowie, seconded by Dr. Mattei, to accept the recommendation of the committee pertaining to a rule revision regarding supervising professionals as drafted by Mr. Landry. This will require the amendment of the following rule: Rule 2305(A)(1) and (D).

The Board commended Mr. Owens on his article on firm licensure for the August 2009 journal issue.

Liaison and Law Review Committee – Mr. Landry reported on Act 12 of the 2009 legislative session, concerning mandatory publication of Board information on the Commissioner of Administration website. Mr. Allen requested that Ms. Sentell provide the information to be in compliance to the Executive Committee for review.

The Board unanimously approved the motion made by Mr. Jusselin, seconded by Mr. Guillaume, to accept the recommendation of the committee to proceed with the previously-approved amendments to La. R.S. 37:698 and La. R.S. 37:700 regarding the preferral of charges by the complaint review committee, as drafted by Mr. Landry.

1 **Applications**
2

3 The Board approved the motion made by Mr. Danzy, seconded by Mr.
4 Mustapha, with Mr. Savoie and Mr. Guillaume opposed, to reconsider the
5 comity applications of **Mr. Ramon Olivares** and **Mr. Robert Steele** that
6 were denied at the May 2009 Board meeting due to lack of experience.
7

8 The Board recessed at 10:24 a.m. for a restroom break and reconvened at
9 10:42 a.m.

10
11 Mr. Williams briefed the Board on the background of Mr. McDonald's
12 concerns with the Board regarding the restrictions other agencies have
13 placed on certain professional engineer disciplines. Mr. McDonald chose
14 not to address the Board.
15

16 The Board recessed at 10:49 a.m. for Board pictures and reconvened at
17 11:04 a.m.

18
19 **Committee Reports (continued)**
20

21 **Education/Accreditation Committee** - Dr. Bowie reported on the
22 responses received from the Louisiana ABET universities to the Board's
23 request in April 2009 regarding master's degree program requirements for
24 removing deficiencies for those students with non-ABET or non-engineering
25 undergraduate degrees.
26

27 The Board approved the motion made by Dr. Bowie, seconded by Dr.
28 Mattei, with Mr. Guillaume abstaining, to approve the Louisiana State
29 University master's degree programs in Chemical, Civil, Environmental (all
30 programs), Petroleum and Industrial engineering as being acceptable
31 engineering graduate programs as per Rule 1105.
32

33 The Board approved the motion made by Dr. Bowie, seconded by Mr.
34 Savoie, with Mr. Guillaume abstaining and Mr. Gammon not present, to
35 approve the McNeese State University master's degree programs in Civil,
36 Electrical, Mechanical and Chemical engineering as being acceptable
37 engineering graduate programs as per Rule 1105.
38

39 The Board approved the motion made by Dr. Bowie, seconded by Mr.
40 Williams, with Mr. Guillaume abstaining, to approve the University of New
41 Orleans master's degree programs in Mechanical, Electrical and Civil
42 engineering as being acceptable engineering graduate programs as per
43 Rule 1105.
44

45 The committee will correspond with those universities who have provided
46 the appropriate documentation for review. For those institutions that did not
47 provide sufficient documentation, the committee will follow-up with a request
48 for the missing documentation.
49

50 The Board approved the motion made by Dr. Bowie, seconded by Mr.
51 Williams, with Mr. Jusselin not present, that the committee will continue to
52 review the applications from individuals with degrees from acceptable
53 engineering graduate programs against the institution's requirements.
54

55 The Board approved the motion made by Dr. Bowie, seconded by Dr.
56 Garber, with Mr. Mustapha opposed, to adopt a policy under Rule 1101
57 requiring that the education credentials of all applicants with non-ABET
58 foreign degrees be evaluated by the NCEES' Center for Professional
59 Engineering Education Services.
60

61 The Board unanimously approved the motion made by Mr. Mustapha,
62 seconded by Mr. Williams, to amend the previous motion to state that the
63 education credentials must be evaluated by "an approved evaluation

1 service" (rather than by "the NCEES' Center for Professional Engineering
2 Education Services").
3

4 The Board unanimously approved the motion made by Dr. Bowie, seconded
5 by Dr. Mattei, that the NCEES' Center for Professional Engineering
6 Education Services be deemed an approved evaluation service for
7 evaluating the education credentials of applicants with non-ABET foreign
8 degrees.
9

10 The Board recessed at 12:20 a.m. and reconvened at 1:06 p.m. Mr.
11 Owens, Ms. Hatton, and Mr. McDonald were not present.
12

13 Applications (continued)

14
15 The motion was made by Mr. Danzy, seconded by Mr. Mustapha, to write a
16 letter to **Mr. Ramon Olivares** asking for residency history from 1997 to
17 present. The motion was withdrawn.
18

19 The Board approved the motion made by Dr. Bowie, seconded by Dr.
20 Mattei, with Mr. Mustapha, Dr. Mattei, Dr. Bowie, Mr. Williams, Mr. Danzy,
21 and Mr. Guillaume for and Mr. Savoie, Mr. Jusselin, Dr. Garber, and Mr.
22 Gammon against, to approve the application of **Mr. Robert Steele** to be
23 licensed as a Professional Engineer by comity.
24

25 The Board approved the motion made by Mr. Savoie, seconded by Mr.
26 Mustapha, with Mr. Jusselin, Dr. Bowie, and Mr. Gammon opposed, to
27 approve the application of **Mr. Mahmoud Hamide** to take the Civil
28 Principles and Practice of Engineering examination in October 2009 and
29 license him upon passing.
30

31 Mr. Jusselin made a motion, seconded by Mr. Williams, to adopt a rule or
32 policy limiting the number of times an applicant can take an examination.
33

34 The Board asked Ms. Sentell and staff to find out whether other Louisiana
35 professional licensing boards and other state engineering/land surveying
36 licensing boards limit the number of times an applicant is allowed to take an
37 exam.
38

39 The Board approved the motion made by Dr. Bowie, seconded by Dr.
40 Garber, with Mr. Jusselin, Mr. Savoie, and Mr. Williams opposed, to table
41 the previous motion pending further investigation by Ms. Sentell and staff.
42

43 The Chairman remanded to the Liaison and Law Review Committee the
44 charge to review the requirements for applying for a temporary permit.
45

46 The Board unanimously approved the motion made by Mr. Jusselin,
47 seconded by Mr. Mustapha, to add a paragraph to the temporary permit
48 letter of notification stating that the granting of a temporary permit does not
49 guarantee a comity license will be issued.
50

51 Mr. Jusselin exited the meeting at 2:30 p.m.
52

53 The Board approved the motion made by Dr. Bowie, seconded by Mr.
54 Mustapha, with Mr. Guillaume abstaining, to *approve* the application of **Mr.
55 Pradyot Deshpande** to take the Principles and Practice of Engineering
56 examination in October 2009 and license him upon passing.
57

58 The Board unanimously approved the motion made by Dr. Mattei, seconded
59 by Dr. Bowie, to *approve* the application of **Mr. Cecil Warbington** to be
60 licensed by comity as a Professional Engineer.
61

62 Mr. Jusselin reentered the meeting at 2:40 p.m.
63

1 The Board *approved* the motion made by Mr. Mustapha, seconded by Dr.
2 Mattei, with Mr. Jusselin and Mr. Savoie opposed, to *approve* the
3 application of **Mr. Jacob Watson** to be licensed by comity as a Professional
4 Engineer in Structural Engineering.
5

6 The Board unanimously approved the motion made by Dr. Bowie, seconded
7 by Dr. Mattei, to *approve* the application of **Mr. Brett Geesy** to take the
8 Principles and Practice of Engineering examination in October 2009 and
9 license him upon passing.
10

11 The Board approved the motion made by Dr. Mattei, seconded by Mr.
12 Mustapha, with Mr. Jusselin and Mr. Savoie opposed, to *approve* the
13 application of **Mr. Daniel Wilkins** to be licensed by comity as a Professional
14 Engineer.
15

16 Mr. Jusselin made the motion to *deny* the application of **Mr. James Martin**
17 to be licensed by comity as a Professional Engineer. The motion failed for
18 lack of a second.
19

20 The Board approved the motion made by Mr. Mustapha, seconded by Mr.
21 Guillaume, with Mr. Jusselin and Mr. Gammon opposed, to *approve* the
22 application of **Mr. James Martin** to be licensed by comity as a Professional
23 Engineer.
24

25 The Board recessed at 3:10 p.m. and reconvened at 3:15 p.m. Dr. Bowie,
26 Mr. Guillaume, Mr. Savoie, and Ms. Watts were not present.
27

28 Dr. Bowie entered the meeting at 3:25 p.m.
29

30 The Board unanimously approved the motion made by Mr. Mustapha,
31 seconded by Mr. Danzy, to *approve* the application of **Mr. Andy Hasan** to
32 be licensed by comity as a Professional Engineer.
33

34 Ms. Watts reentered the meeting at 3:30 p.m.
35

36 The Board approved the motion made by Mr. Mustapha, seconded by Mr.
37 Williams, with Mr. Jusselin, Dr. Bowie, and Dr. Mattei opposed, to *approve*
38 the application of **Mr. Eric Anderson** to be licensed by comity as a
39 Professional Engineer.
40

41 The Board unanimously approved the motion made by Mr. Danzy,
42 seconded by Mr. Williams, to *disapprove* the application of **Mr. Cameron**
43 **Craig** to be licensed by comity as a Professional Engineer due to the lack of
44 8 years of experience required for non-ABET graduates. The Board would
45 like Mr. Craig to be notified to reapply when he has reached his 8 years of
46 experience by updating the experience information and having it verified.
47

48 The Board approved the motion made by Mr. Mustapha, seconded by Dr.
49 Mattei, with Mr. Jusselin opposed, to *approve* the application of **Mr. Ivan**
50 **Gonzales** to be licensed by comity as a Professional Engineer.
51

52 The Board approved the motion made by Mr. Mustapha, seconded by Dr.
53 Mattei, with Mr. Jusselin and Mr. Gammon opposing, to *approve* the
54 application of **Ms. Melanie Giardina** to take the Principles and Practice of
55 Engineering examination and license her upon passing and updating her
56 experience.
57

58 The Board approved the motion made by Mr. Danzy, seconded by Mr.
59 Mustapha, to *approve* the application of **Mr. Andrew Vollhaber** to be
60 licensed by comity as a Professional Engineer.
61

62 The Board recessed at 4:10 p.m. and reconvened at 7:35 a.m. on July 21,
63 2009.
64

1 The Board approved the motion made by Mr. Danzy, seconded by Mr.
2 Mustapha, with Mr. Gammon not present, to *approve* the application of **Mr.**
3 **Ramon Olivares** to be licensed by comity as a Professional Engineer.
4

5 **Committee Reports (continued)**
6

7 **Land Surveying Committee** – Mr. Allen gave an overview of the
8 committee discussions from the June 24, 2009 meeting. The committee
9 has developed and is still working with a timeline reference for comity
10 applicants. The committee is reviewing overlapping of courses and is
11 making requests for syllabi and course descriptions from in-state
12 universities and the University of Wyoming. The current curriculum
13 evaluation form is also being reviewed for changes to be presented at the
14 September 2009 Board meeting.
15

16 The Board recessed at 8:30 a.m. for land surveyor oral examinations and
17 multiple test failure interviews and reconvened at 9:52 a.m.
18

19 The Board unanimously approved the motion made by Mr. Guillaume,
20 seconded by Mr. Savoie, to deny the application appeal of **Mr. Anthony**
21 **Pedonesi** to be licensed by comity as a Professional Engineer due to false
22 statements on his application regarding prior disciplinary matters.
23

24 **Journal Ad-Hoc Committee** - Mr. Savoie reported on the June 24, 2009
25 committee meeting concerning the Louisiana Engineer and Surveyor
26 Journal and raised the question of Board participation with LES now that
27 LSPS is no longer participating in the joint publication
28

29 Mr. Williams made the motion, seconded by Mr. Savoie, that the Board
30 make a friendly request to the Louisiana Board of Ethics to determine if
31 there are any ethics problems with the joint publication of the journal.
32

33 The Board approved the motion made by Dr. Bowie, seconded by Mr.
34 Mustapha, with Mr. Danzy, Mr. Gammon and Mr. Williams opposed, to table
35 the previous motion to obtain a Board of Ethics opinion concerning the joint
36 journal publication until all previous information concerning a Board of
37 Ethics opinion is presented to the Board.
38

39 The Board unanimously approved the motion made by Mr. Savoie,
40 seconded by Mr. Guillaume, to (a) continue with the joint journal publication
41 on an issue-by-issue basis using the formula spreadsheet submitted by Mr.
42 Chris Richard, (b) begin the process of emailing a journal link to all interns
43 and (c) continue mailing issues to all professional licensees.
44

45 **Finance Committee** - Mr. Jusselin announced that the next committee
46 meeting will be held on Sunday, September 20, 2009 at 6:00 p.m.
47

48 The Board unanimously approved the motion made by Mr. Jusselin,
49 seconded by Dr. Mattei, directing Ms. Sentell to purchase a \$250,000
50 certificate of deposit at an appropriate financial institution (other than one
51 which the Board is currently using). The preference of the Board is to
52 purchase a certificate of deposit with a maturity date of April and/or October
53 to assist with cash flow of the office.
54

55 **Strategic Planning Committee** - Mr. Allen began by commending Mr.
56 Danzy on his efforts putting together the strategic planning presentation.
57

58 Mr. Danzy reported on the June 24, 2009 committee meeting.
59

60 The Board approved the motion made by Dr. Bowie, seconded by Mr.
61 Mustapha, with Dr. Bowie, Dr. Garber, Mr. Guillaume, Mr. Mustapha, Dr.
62 Mattei, and Mr. Danzy for and Mr. Williams, Mr. Gammon, Mr. Savoie, and
63 Mr. Jusselin against, to accept the letter dated July 19, 2009 from Mr. Chris
64 Richard, LEF President, to begin the process for LEF to negotiate with the

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Office of Facility Planning and Control the Board's building lease agreement which is set to expire on November 30, 2009. The committee will request a report from LEF to include comparables, market value and tenant financial responsibility of the common area.

The Board recessed at 2:10 p.m. and reconvened at 2:15 p.m. Mr. Allen, Mr. Gammon, and Mr. Williams did not return due to a surveyor interview.

The Board unanimously approved the motion made by Mr. Danzy, seconded by Mr. Jusselin, to approve the Disaster and Recovery Plan. Mr. Jusselin requested that the original adoption date and subsequent revision dates be added to a cover of this document.

The Board unanimously approved the motion made by Mr. Danzy, seconded by Mr. Jusselin, to authorize Mr. Landry to draft a request for an Attorney General opinion concerning the authority of the Board to purchase and lease real property and for the Board to submit the request to the Attorney General.

Executive Secretary Report

Ms. Sentell reported that the Southern Zone and National Council were pleased with the financials of the 2009 NCEES Southern Zone meeting in New Orleans. The next Southern Zone meeting will be in Tampa, FL in conjunction with the Northeast Zone.

The Board reviewed the motions from the business agenda for the upcoming NCEES Annual meeting in Louisville, KY.

Mr. Allen, Mr. Gammon, and Mr. Williams returned to the meeting at 2:53 p.m.

The Board agreed to support Mr. Gene Dinkins as the NCEES treasurer at the annual meeting election.

Closing Business

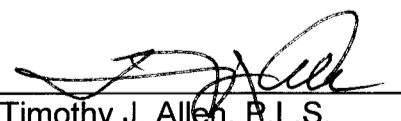
The Board unanimously approved the motion made by Mr. Mustapha, seconded by Dr. Mattei, to approve all committee recommendations and actions.


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

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

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

The meeting adjourned at 3:10 p.m. on July 21, 2009.


Timothy J. Allen, P.L.S.
Chairman


Rhaoul A. Guillaume, P.E.
Secretary