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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 28, 2015

At 9:00 a.m. on January 28, 2015, M. Ernest Gammon, Sr., P.L.S. called the meeting to order at the Hilton Lafayette Hotel in Lafayette, Louisiana, with the following members present:

M. Ernest Gammon, Sr., P.L.S.	Chairman
Theodore H. Thompson, P.E.	Vice Chairman
Kevin E. Crosby, P.E., P.L.S.	Secretary
John W. "Billy" Moore, P.E.	Treasurer

Ali M. Mustapha, P.E.
David L. Patterson, P.L.S
Terry J. Huval, P.E.
Paul N. Hale, Jr., Ph.D., P.E.
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Christopher P. Knotts, P.E.
D. Scott Phillips, P.E., P.L.S.
Alan D. Krouse, P.E.

Also present: Donna D. Sentell, Executive Director
Joe H. Harman, P.E., Technical Support Staff
Tyson Ducote, Board Investigator
Richard L. Savoie, P.E., Emeritus Board Member
D. Scott Landry, Board Attorney
A. J. "Sonny" Launey, P.E., Emeritus Board Member
Paul Amyotte, Ph.D., P.Eng., Engineers Canada
Len White, P.Eng., Engineers Nova Scotia
Jim Landrigan, P.Eng., Engineers Prince Edward Island

The invocation was led by Mr. Patterson and the pledge by Mr. Knotts.

Public comment time was recognized by Chairman Gammon. Mr. David Cappel addressed the Board concerning his pending application to take the principles and practice of engineering examination.

The Board unanimously approved the motion made by Mr. Mustapha, seconded by Mr. Knotts, to accept the January 28, 2015 proposed Call for the Meeting.

The Board unanimously approved the motion made by Mr. Patterson, seconded by Mr. Crosby, to accept the January 28, 2015 proposed Board Meeting Agenda.

The Board unanimously approved the motion made by Mr. Crosby, seconded by Mr. Thompson, to approve the Minutes from the November 17, 2014 Board meeting.

The Board unanimously approved the motion made by Mr. Mustapha, seconded by Mr. Thompson, to schedule the Board's next regular meeting for March 16, 2015 in Baton Rouge, Louisiana.

The Board reviewed the November task list.

Chairman Gammon explained that Board staff had received an inquiry concerning whether there is a conflict of interest for a professional land surveyor to survey his own property. Chairman Gammon charged the Land Surveying Committee with reviewing the question and making a recommendation to the Board at the March meeting.

Applications

Application Appeals

1 The Board unanimously approved the motion made by Mr. Mustapha, seconded by Mr.
2 Crosby, to affirm the reviewing committee's decision to *disapprove* the application of
3 Dr. Gunaseelan **Alagappan** for licensure as a professional engineer by comity based
4 on insufficient education.
5

6 The Board unanimously approved the motion made by Mr. Crosby, seconded by Mr.
7 Phillips, to affirm the reviewing committee's decision to *disapprove* the application of
8 Mr. David **Cappel** to take the April 2015 principles and practice of engineering
9 examination based on multiple failures. In order to take the October 2015
10 examination, Mr. Cappel must provide to the Board by June 1, 2015 documentation of
11 the successful completion of a Board-approved review course.
12

13 **Enforcement**

14
15 **Case #2013-16** – Mr. Ducote reported on a professional engineering firm that
16 provided or offered to provide engineering services in Louisiana with a firm name
17 which was not the exact firm name contained on the firm's certificate of licensure
18 issued by the Board. The respondent has signed and returned the proposed consent
19 order offered by the Complaint Review Committee. The proposed consent order
20 contains the following sanctions:

- 21 1. Fine of \$4,000
- 22 2. Costs of \$531.26
- 23 3. Cease and desist
- 24 4. Publication on the Board's website and in the Journal with name
- 25 5. Report to NCEES with name
26

27 After discussion, the Board unanimously approved the motion made by the Complaint
28 Review Committee, consisting of Mr. Knotts, Mr. Gammon and Dr. Hale, to approve the
29 signed consent order. The name of the respondent is **Integrated Management**
30 **Services, P.A., Inc.**
31

32 **Case #2013-45** – Mr. Ducote reported on a professional engineer who (a)
33 inadvertently assisted his professional engineering firm in providing or offering to
34 provide engineering services in Louisiana with a firm name which was not the exact
35 firm name contained on the firm's certificate of licensure issued by the Board and (b)
36 inadvertently permitted the misrepresentation of an associate's academic or
37 professional qualifications. The respondent has signed and returned the proposed
38 consent order offered by the Complaint Review Committee. The proposed consent
39 order contains the following sanctions:

- 40 1. Fine of \$1,000
- 41 2. Costs of \$520.01
- 42 3. Louisiana Laws and Rules Quiz
- 43 4. Louisiana Professionalism and Ethics Quiz
- 44 5. Publication on the Board's website and in the Journal with name
- 45 6. Report to NCEES with name
46

47 After discussion, the Board unanimously approved the motion made by the Complaint
48 Review Committee, consisting of Mr. Knotts, Mr. Gammon and Dr. Hale, to approve the
49 signed consent order. The name of the respondent is **Tommy J. Avant, P.E.**
50

51 **Case #2013-67** – Mr. Ducote reported on a professional engineering firm which
52 committed a material misrepresentation and gross misconduct in the practice of
53 engineering in Louisiana. The respondent has signed and returned the proposed
54 consent order offered by the Complaint Review Committee. The proposed consent
55 order contains the following sanctions:

- 56 1. Fine of \$1,000
- 57 2. Costs of \$760.17
- 58 3. Cease and Desist
- 59 4. Louisiana Laws and Rules Quiz by Supervising Professional
- 60 5. Louisiana Professionalism and Ethics Quiz by Supervising Professional
- 61 6. Publication on the Board's website and in the Journal with name
- 62 7. Report to NCEES with name
63

64 After discussion, the Board unanimously approved the motion made by the Complaint
65 Review Committee, consisting of Mr. Crosby, Mr. Mustapha and Mr. Moore, to approve the
66 signed consent order. The name of the respondent is **Gurtler Bros. Consultants,**
67 **Inc.**
68

1 **Case #2013-101** – Mr. Ducote reported on an unlicensed individual who used the
2 word “engineering” in conjunction with his name and business activities in Louisiana
3 without proper licensure. The respondent has signed and returned the proposed
4 consent order offered by the Complaint Review Committee. The proposed consent
5 order contains the following sanctions:

- 6 1. Fine of \$1,000
- 7 2. Costs of \$760.17
- 8 3. Cease and Desist
- 9 4. Publication on the Board’s website and in the Journal with name
- 10 5. Report to NCEES with name

11
12 After discussion, the Board unanimously approved the motion made by the Complaint
13 Review Committee, consisting of Mr. Crosby, Mr. Mustapha and Mr. Moore, to approve
14 the signed consent order. The name of the respondent is **Michael K. A. Gurtler**.

15
16 **Case #2013-102** - Mr. Ducote reported on a professional engineer who
17 unintentionally aided or assisted (a) his professional engineering firm in committing a
18 material misrepresentation and gross misconduct in the practice of engineering in
19 Louisiana and (b) an unlicensed employee of his firm in using the word “engineering”
20 in conjunction with his name and business activities in Louisiana without proper
21 licensure. The respondent has signed and returned the proposed consent order
22 offered by the Complaint Review Committee. The proposed consent order contains
23 the following sanctions:

- 24 1. Fine of \$1,000
- 25 2. Costs of \$760.17
- 26 3. Louisiana Laws and Rules Quiz
- 27 4. Louisiana Professionalism and Ethics Quiz
- 28 5. Cease and Desist
- 29 6. Publication on the Board’s website and in the Journal with name
- 30 7. Report to NCEES with name

31
32 After discussion, the Board unanimously approved the motion made by the Complaint
33 Review Committee, consisting of Mr. Crosby, Mr. Mustapha and Mr. Moore, to approve
34 the signed consent order. The name of the respondent is **Friedrich W. L. Gurtler, P.E.**

35
36 The Board recessed at 10:15 a.m. and resumed at 10:35 a.m.

37
38 **Case #2013-78** – Mr. Ducote reported on an unlicensed firm which practiced and/or
39 offered to practice land surveying and used the words “survey” and “surveys” in
40 conjunction with its name and business activities in Louisiana without proper
41 licensure. The respondent has signed and returned the proposed consent order
42 offered by the Complaint Review Committee. The proposed consent order contains
43 the following sanctions:

- 44 1. Fine of \$900
- 45 2. Costs of \$724.74
- 46 3. Cease and Desist
- 47 4. Publication on the Board’s website and in the Journal with name
- 48 5. Report to NCEES with name

49
50 After discussion, the Board unanimously approved the motion made by the Complaint
51 Review Committee, consisting of Mr. Patterson, Mr. Gammon and Mr. Knotts, to
52 approve the signed consent order. The name of the respondent is **Energy Logistics**
53 **Group, LLC**.

54
55 **Case #2014-7** – Mr. Ducote reported on an unlicensed individual who practiced
56 and/or offered to practice land surveying in Louisiana without proper licensure. The
57 respondent has signed and returned the proposed consent order offered by the
58 Complaint Review Committee. The proposed consent order contains the following
59 sanctions:

- 60 1. Fine of \$400
- 61 2. Costs of \$683.95
- 62 3. Cease and Desist
- 63 4. Publication on the Board’s website and in the Journal with name
- 64 5. Report to NCEES with name

65
66 After discussion, the Board unanimously approved the motion made by the Complaint
67 Review Committee, consisting of Mr. Patterson, Mr. Gammon and Mr. Knotts, to
68 approve the signed consent order. The name of the respondent is **James T. Atkins, Jr.**

1 **Case #2013-107** – Mr. Ducote reported on a professional engineer who (a) was
2 disciplined by the licensing authority of another state for matters recognized as
3 grounds for disciplinary action in Louisiana at the time the action was taken and (b)
4 committed fraud, deceit, material misstatement or perjury, or gave false or forged
5 evidence, in applying for a renewal license with the Board. The respondent has signed
6 and returned the proposed consent order offered by the Complaint Review
7 Committee. The proposed consent order contains the following sanctions:

- 8 1. Fine of \$750
- 9 2. Costs of \$946.86
- 10 3. Louisiana Laws and Rules Quiz
- 11 4. Louisiana Professionalism and Ethics Quiz
- 12 5. Publication on the Board’s website and in the Journal with name
- 13 6. Report to NCEES with name

14
15 After discussion, the Board unanimously approved the motion made by the Complaint
16 Review Committee, consisting of Mr. Mustapha, Mr. Knotts and Mr. Krouse, to approve
17 the signed consent order. The name of the respondent is **Anan Boonjindasup, P.E.**

18
19 **Case #2013-109** – Mr. Ducote reported on an unlicensed firm which unintentionally
20 practiced and/or offered to practice engineering in Louisiana without proper
21 licensure. The firm subsequently became licensed in Louisiana. The respondent has
22 signed and returned the proposed consent order offered by the Complaint Review
23 Committee. The proposed consent order contains the following sanctions:

- 24 1. Fine of \$5,000
- 25 2. Costs of \$564.94
- 26 3. Publication on the Board’s website and in the Journal with name
- 27 4. Report to NCEES with name

28
29 After discussion, the Board unanimously approved the motion made by the Complaint
30 Review Committee, consisting of Mr. Mustapha, Dr. Hale and Mr. Krouse, to approve
31 the signed consent order. The name of the respondent is **TEEMCO, LLC.**

32
33 **Case #2014-33** - Mr. Ducote reported on an unlicensed individual who
34 unintentionally practiced and/or offered to practice engineering in Louisiana without
35 proper licensure. The respondent has signed and returned the proposed consent
36 order offered by the Complaint Review Committee. The proposed consent order
37 contains the following sanctions:

- 38 1. Fine of \$2,500
- 39 2. Costs of \$379.17
- 40 3. Cease and Desist
- 41 4. Publication on the Board’s website and in the Journal with name
- 42 5. Report to NCEES with name

43
44 After discussion, the Board unanimously approved the motion made by the Complaint
45 Review Committee, consisting of Mr. Mustapha, Dr. Hale and Mr. Krouse, to approve
46 the signed consent order. The name of the respondent is **Keith B. Cook.**

47
48 **Case #2014-13** – Mr. Ducote reported on a professional engineering firm which had
49 an employee who practiced and offered to practice engineering in Louisiana with an
50 expired license. The respondent has signed and returned the proposed consent order
51 offered by the Complaint Review Committee. The proposed consent order contains
52 the following sanctions:

- 53 1. Fine of \$500
- 54 2. Costs of \$321.53
- 55 3. Publication on the Board’s website and in the Journal with name
- 56 4. Report to NCEES with name

57
58 After discussion, the Board unanimously approved the motion made by the Complaint
59 Review Committee, consisting of Mr. Knotts, Mr. Gammon and Dr. Hale, to approve the
60 signed consent order. The name of the respondent is **Integrated Management
61 Services, P.A., Inc.**

62
63 **Case #2014-14** – Mr. Ducote reported on a professional engineer who aided or
64 assisted an employee of his professional engineering firm in practicing and offering to
65 practice engineering in Louisiana with an expired license. The respondent has signed
66 and returned the proposed consent order offered by the Complaint Review
67 Committee. The proposed consent order contains the following sanctions:

- 68 1. Fine of \$1,500
- 69 2. Costs of \$321.53

3. Cease and Desist
4. Louisiana Laws and Rules Quiz
5. Louisiana Professionalism and Ethics Quiz
6. Publication on the Board's website and in the Journal with name
7. Report to NCEES with name

After discussion, the Board unanimously approved the motion made by the Complaint Review Committee, consisting of Mr. Knotts, Mr. Gammon and Dr. Hale, to approve the signed consent order. The name of the respondent is **Tommy J. Avant, P.E.**

Case #2014-24 – Mr. Ducote reported on a professional engineer who aided or assisted his professional engineering firm in practicing and offering to practice engineering in Louisiana with an expired license. 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. Costs of \$205.79
2. Louisiana Laws and Rules Quiz
3. Louisiana Professionalism and Ethics Quiz
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 Dr. Hale, Mr. Thompson and Mr. Krouse, to approve the signed consent order. The name of the respondent is **Ballard L. Argus, P.E.**

The Board recessed at 11:15 a.m. and resumed at 1:30 p.m. Mr. Crosby, Mr. Thompson, Mr. Launey, Mr. Amyotte, Mr. White and Mr. Landrigan were not present.

Mr. Savoie reported on his review of the Industrial Licensure power point presentation with the Emeritus Member Ad Hoc committee. The Board requested a preview of the Industrial Licensure power point at the March board meeting.

Mr. Crosby entered the meeting at 1:50 p.m. Mr. Savoie left the meeting at 2:00 p.m.

Committee Reports

Enforcement Committee

The Board unanimously approved the motion made by Mr. Crosby, seconded by Mr. Knotts, to enter into executive session to discuss personnel matters.

The Board unanimously approved the motion made by Mr. Crosby, seconded by Mr. Knotts, to exit the executive session.

The Board unanimously approved the motion made by Mr. Crosby, seconded by Mr. Moore, to adopt a policy providing that the hiring of the Executive Director, the Deputy Executive Director and the Director of Enforcement must be approved by the Board.

The Board unanimously approved the motion made by Mr. Crosby, seconded by Mr. Knotts, to name Mr. Ducote as the Director of Enforcement effective January 28, 2015.

The Board unanimously approved the motion made by Mr. Crosby, seconded by Mr. Mustapha, to authorize the Executive Committee to fill the position of Deputy Executive Director by July 6, 2015, at an annual salary not to exceed \$72,500.

Chairman Gammon appointed an ad hoc committee, comprised of Mr. Knotts, Mr. Moore and Mr. Crosby, and charged it with developing the written policy regarding the necessity of obtaining Board approval for the hiring of the Executive Director, the Deputy Executive Director and the Director of Enforcement and then incorporating the new policy into the appropriate Board policy manual.

Liaison and Law Review Committee

Mr. Moore presented the Liaison and Law Review Committee's recommendation to amend Rule 1503:

Mr. Mustapha made the motion to table the discussion for future study and review. The motion died for lack of a second.

1
2 The Board approved the motion made by the Liaison and Law Review Committee,
3 with Mr. Phillips, Dr. Hale, Mr. Moore, Mr. Crosby, Mr. Patterson, Mr. Knotts and Mr.
4 Krouse for, Mr. Mustapha against and Mr. Huval abstaining, to amend Rule 1503 to
5 read as follows:
6

7 **§1503. Graduate-Level Engineering Degree**
8

9 A. An applicant who has obtained a master's degree in engineering which
10 has followed a baccalaureate degree in engineering from an EAC/ABET
11 accredited engineering curriculum may use the master's degree for credit for
12 one year's experience. An applicant who has obtained an earned doctoral
13 degree in engineering which has followed a baccalaureate degree in
14 engineering from an EAC/ABET accredited engineering curriculum may use
15 the doctoral degree for credit for two years' experience. The two-year's credit
16 for the doctoral degree includes the one year for a master's degree.
17

18 B. An applicant who has obtained an earned doctoral degree in engineering
19 which has followed either a baccalaureate degree in engineering from a non-
20 accredited engineering curriculum or a baccalaureate degree in a related
21 science or engineering technology curriculum may use the doctoral degree for
22 credit for one year's experience.
23

24 Mr. Moore reported that the Liaison and Law Review Committee's recommendation
25 regarding possible revisions to Rule 1303 will be postponed until the March Board
26 meeting.
27

28 Mr. Crosby exited the meeting at 3:15 p.m.
29

30 **Finance Committee**
31

32 Mr. Moore presented the Finance Committee report.
33

34 The Board unanimously approved the motion made by the Finance Committee to re-
35 invest the certificate of deposit at United Community Bank, which is set to mature on
36 March 7, 2015.
37

38 The Board unanimously approved the motion made by the Finance Committee to re-
39 invest the certificate of deposit at Home Bank, which is set to mature on March 9,
40 2015.
41

42 The Board unanimously approved the motion made by the Finance Committee to re-
43 invest the certificate of deposit at Investar Bank, which is set to mature on March 12,
44 2015.
45

46 The Board unanimously approved the motion made by the Finance Committee to re-
47 invest the certificate of deposit at Iberia Bank, which is set to mature on March 12,
48 2015.
49

50 The Board approved the motion made by the Finance Committee, with Mr. Phillips, Dr.
51 Hale, Mr. Huval, Mr. Mustapha, Mr. Moore, Mr. Patterson and Mr. Knotts for and Mr.
52 Krouse abstaining, to accept the proposed LEF building lease for 2014-2019.
53

54 The Chairman charged the Liaison and Law Review Committee with reviewing Rule
55 717 concerning the signing of checks and making a recommendation for revisions to
56 the Board at the March meeting.
57

58 Mr. Crosby entered the meeting at 3:35 p.m.
59

60 **Nominations and Awards Committee**
61

62 The Board unanimously approved the motion made by the Nominations and Awards
63 Committee to elect the following Board officers for 2015-16:
64

65 Theodore H. Thompson, P.E. – Chairman
66 Kevin E. Crosby, P.E., P.L.S. – Vice Chairman
67 John W. "Billy" Moore, P.E. – Secretary
68 David L. Patterson, P.L.S. – Treasurer
69

1 Mr. Huval exited the meeting at 3:40 p.m.
2

3 **Old Business/New Business**
4

5 Mr. Landry reported on the status of the Board's pending litigation with Mubashir
6 Maqbool. Mr. Maqbool has offered to dismiss his lawsuit with prejudice through a
7 stipulation of dismissal. The Board unanimously approved the motion made by Mr.
8 Knotts, seconded by Mr. Krouse, to authorize Mr. Landry to accept and agree to the
9 proposed stipulation of dismissal.
10

11 Mr. Krouse reported on the new security system which has been installed in the office.
12 LEF was continuing to meet with contractors to receive bids and recommendations on
13 additional office security modifications. The ad hoc committee and Ms. Sentell will
14 continue to discuss whether additional office modifications should be made and then
15 make a recommendation to the Board at the March meeting.
16

17 Mr. Knotts exited the meeting at 4:00 p.m.
18

19 The Board unanimously approved the motion made by Mr. Mustapha, seconded by Mr.
20 Crosby, to amend the motion made by the Education/Accreditation Committee at the
21 November Board meeting (regarding accepting four-year baccalaureate degrees
22 earned from online/for-profit institutions with regional accreditation as acceptable
23 four-year baccalaureate degrees for purposes of land surveyor intern certification) to
24 specify that the regional accreditation must be from one of the following accreditation
25 organizations recognized by the Council for Higher Education Accreditation (CHEA):
26 the Higher Learning Commission (HLC); the Middle States Commission on Higher
27 Education (MSCHE); the Commission on Institutions of Higher Education of the New
28 England Association of Schools and Colleges (CIHE-NEASC); the Southern Association
29 of Colleges and Schools Commission on Colleges (SACSCOC); the Accrediting
30 Commission for Community and Junior Colleges, Western Association of Schools and
31 Colleges (ACCJC-WASC); and/or the Western Association of Schools and Colleges,
32 Senior College and University Commission (WASC-SCUC).
33
34

35 **Closing Business**
36

37 The Board unanimously approved the motion made by Mr. Mustapha, seconded by Mr.
38 Moore, to approve all committee recommendations and actions.
39


40 The Board unanimously approved the motion made by Mr. Mustapha, seconded by Mr.
41 Phillips, to acknowledge and confirm all licenses and certificates issued by the Board.
42

43 The Board unanimously approved the motion made by Mr. Mustapha, seconded by Mr.
44 Patterson, to approve all Board expenses.
45

46 The Board unanimously approved the motion made by Mr. Crosby, seconded by Mr.
47 Phillips, to adjourn.
48

49 The meeting adjourned at 4:20 p.m. on January 28, 2015.
50

51
52 
53 _____
54 M. Ernest Gammon, Sr., P.L.S.
55 Chairman

51
52 
53 _____
54 Kevin E. Crosby, P.E., P.L.S.
55 Secretary