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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
September 16, 2013

At 9:00 a.m. on September 16, 2013, Miles B. Williams, P.E., called the meeting to order at McNeese State University in Lake Charles, Louisiana, with the following members present:

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

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

Also present:

Donna D. Sentell, Executive Director
Joe H. Harman, P.E., Technical Support Staff
Tyson Ducote, Board Investigator
Justin Owens, Board Investigator
D. Scott Landry, Board Attorney
Richard Savoie, P.E., Emeritus Board Member
Norma Jean Mattei, Ph.D., P.E., Emeritus Board Member
Mark Jusselin, P.E., Emeritus Board Member
Allison "Sonny" Launey, P.E., Emeritus Board Member
C. L. "Jack" Stelly, P.L.S., Emeritus Board Member
Bruce Pitts, P.L.S., Director of Enforcement,
Oklahoma State Board of Licensure for Professional
Engineers and Land Surveyors

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

Sarah Hogan, Executive Assistant to President Philip C. Williams, Ph.D., welcomed the Board to the McNeese State University campus.

Chairman Williams turned over the Chairman's gavel to Dr. Bowie.

Chairman Bowie presented Mr. Williams with a plaque of appreciation for his time serving as Chairman.

The Board unanimously approved the motion made by Chairman Bowie, seconded by Mr. Moore, to amend the Board Meeting Agenda to include a report from Mr. Savoie. Public comment time was recognized by Chairman Bowie. Mr. Al Cochran addressed the Board concerning his interest in obtaining a P.E. license as a military-trained individual utilizing Act 276 of the 2012 Legislative Session.

The Board unanimously approved the motion made by Mr. Thompson, seconded by Mr. Patterson, to approve the Minutes from the July 22, 2013 Board meeting.

The Board unanimously approved the motion made by Mr. Williams, seconded by Mr. Crosby, to authorize the Executive Director to take the necessary steps for the Board to become a "paper agency" under the Division of Administration and to work directly with the Department of State Civil Service (rather than the Department of Transportation and Development) in connection with human resource matters.

Mr. Pitts gave his report concerning his recent peer review of the Board's investigative and enforcement processes.

1 The Board unanimously approved the motion made by Mr. Williams, seconded by Mr.
2 Knotts, to (a) contact the Oklahoma State Board of Licensure for Professional
3 Engineers and Land Surveyors to express the Board's appreciation for Mr. Pitt's
4 efforts and to grant the highest commendation to Mr. Pitts and the State of Oklahoma
5 for providing these services to us and (b) report this effort to NCEES.
6

7 Chairman Bowie withdrew the charge to the Liaison and Law Review Committee
8 regarding studying the "Structural Engineer" designation.
9

10 The Board recessed at 11:30 a.m. and resumed at 11:45 a.m.
11

12 At 11:50 a.m. members of the Louisiana Council of Engineering Deans (LCED) entered
13 the meeting: Nikos Kiritsis, Ph.D. (McNeese State); Richard Koubek, Ph.D. (LSU),
14 Nicholas Altiero, Ph.D. (Tulane); Mark Zappi, Ph.D. (UL-Lafayette) and Hisham Hegab,
15 Ph.D. (Louisiana Tech).
16

17 The Board recessed at 12:45 p.m. and resumed at 1:00 p.m.; the LCED members were
18 not present.
19

20 Chairman Bowie appointed an ad hoc committee, consisting of Mr. Williams, Mr.
21 Knotts and Mr. Gammon, to review NSPE Position Statement No. 1770 (Early Taking
22 of the PE Exam) and to make a recommendation to the Board at the November
23 meeting.
24

25 Chairman Bowie charged the Land Surveying Committee with reviewing the LES letter
26 dated September 13, 2013 which requested that the Board grant "four semester credit
27 hours for the math courses included in an engineering degree curriculum towards the
28 current 30 hour requirement for PLS licensure" and to make a recommendation to the
29 Board at the November meeting.
30

31 32 33 **Enforcement**

34
35 **Case #2012-80** – Mr. Owens reported on a licensed engineer who applied his seal and
36 signature to work that had not been performed by him or under his responsible
37 charge. The respondent has signed and returned the proposed consent order offered
38 by the Complaint Review Committee. The proposed consent order contains the
39 following sanctions:

- 40 1. Fine of \$1,500
- 41 2. Costs of \$1,185.36
- 42 3. Cease and desist
- 43 4. Online Louisiana Laws/Rules Quiz
- 44 5. Online Louisiana Professionalism/Ethics Quiz
- 45 6. Publication on the Board's website and in the Journal with name
- 46 7. Report to NCEES with name
47

48 After discussion, the Board unanimously approved the motion made by the Complaint
49 Review Committee, consisting of Mr. Williams, Mr. Irving, and Mr. Patterson, to
50 approve the signed Consent Order. The name of the respondent is Robert C.
51 Barrilleaux, P.E.
52

53 **Case #2012-131** – Mr. Ducote reported on an unlicensed firm which practiced and/or
54 offered to practice engineering and used the words "engineer" and "engineering" in
55 conjunction with its name and business activities in Louisiana without proper
56 licensure. The respondent has signed and returned the proposed consent order
57 offered by the Complaint Review Committee. The proposed consent order contains
58 the following sanctions:

- 59 1. Fine of \$1,500
- 60 2. Costs of \$630.39
- 61 3. Cease and desist
- 62 4. Publication on the Board's website and in the Journal with name
- 63 5. Report to NCEES with name
64

65 After discussion, the Board unanimously approved the motion made by the Complaint
66 Review Committee, consisting of Mr. Mustapha, Chairman Bowie and Mr. Irving, to
67 approve the signed Consent Order. The name of the respondent is Linx Electric, L.L.C.
68

1 **Case #2012-132** – Mr. Ducote reported on an unlicensed individual who practiced
2 and/or offered to practice engineering and used the words “engineer” and
3 “engineering” in conjunction with his name and business activities in Louisiana
4 without proper licensure. The respondent has signed and returned the proposed
5 consent order offered by the Complaint Review Committee. The proposed consent
6 order contains the following sanctions:

- 7 1. Fine of \$2,000
- 8 2. Costs of \$630.39
- 9 3. Cease and desist
- 10 4. Online Louisiana Laws/Rules Quiz
- 11 5. Online Louisiana Professionalism/Ethics Quiz
- 12 6. Publication on the Board’s website and in the Journal with name
- 13 7. 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, Chairman Bowie and Mr. Irving, to
17 approve the signed Consent Order. The name of the respondent is Brian T. Linxwiler.

18
19 **Case #2013-41** – Mr. Owens reported on an unlicensed firm which practiced and/or
20 offered to practice engineering in Louisiana without proper licensure and provided
21 false information on its application for firm licensure to the Board. The firm
22 subsequently became licensed in Louisiana. The respondent has signed and returned
23 the proposed consent order offered by the Compliant Review Committee. The
24 proposed consent order contains the following sanctions:

- 25 1. Fine of \$5,000
- 26 2. Costs of \$333.19
- 27 3. Publication on the Board’s website and in the Journal with name
- 28 4. Report to NCEES with name

29
30 After discussion, the Board unanimously approved the motion made by the Complaint
31 Review Committee, consisting of Mr. Thompson, Mr. Irving and Dr. Hale, to approve
32 the signed Consent Order. The name of the respondent is Johnson, Spellman &
33 Associates, Inc.

34
35 **Case #2013-69** – Mr. Owens reported on a licensed engineer who aided/assisted his
36 unlicensed firm in practicing and/or offering to practice engineering in Louisiana
37 without proper licensure and providing false information on the firm’s application for
38 firm licensure to the Board. The firm subsequently became licensed in Louisiana. The
39 respondent has signed and returned the proposed consent order offered by the
40 Compliant Review Committee. The proposed consent order contains the following
41 sanctions:

- 42 1. Fine of \$1,500
- 43 2. Costs of \$333.19
- 44 3. Online Louisiana Laws/Rules Quiz
- 45 4. Online Louisiana Professionalism/Ethics Quiz
- 46 5. Publication on the Board’s website and in the Journal with name
- 47 6. Report to NCEES with name

48
49 After discussion, the Board unanimously approved the motion made by the Complaint
50 Review Committee, consisting of Mr. Thompson, Mr. Irving and Dr. Hale, to approve
51 the signed Consent Order. The name of the respondent is Floyd E. Spellman III, P.E.

52
53 **Case #2012-24** – Mr. Ducote reported on the committee review of a case dealing with
54 unlicensed practice by an out-of-state firm through the use of the word “engineering”
55 in its name since 1989. The firm does not practice engineering and requested a
56 waiver to allow it to continue using the word “engineering” in its name. At the March
57 2013 Board meeting, the Board approved the continued use of the word
58 “engineering”, if the words “d.b.a. ____ Power Services” were added at the end of the
59 name. However, the Louisiana Secretary of State’s office will not allow the firm to
60 change its name in Louisiana unless the name is also changed in its state of
61 incorporation. The firm is not willing to change its name in its state of incorporation.
62 The Louisiana Secretary of State’s office has recommended that they simply register
63 and use the trade name “____ Power Services” in Louisiana. The committee,
64 consisting of Mr. Williams, Chairman Bowie and Mr. Gammon, recommends that the
65 Board approve the firm’s use of this trade name in Louisiana, as long as the firm no
66 longer uses “____ Engineering Co., Inc.” in any way or otherwise uses the word
67 “engineering” in connection with its name or business activities in Louisiana.
68

1 The Board unanimously approved the motion made by Mr. Williams, seconded by Mr.
2 Mustapha, to approve the firm's use of the trade name "____ Power Services" in
3 Louisiana, as long as the firm no longer uses "____ Engineering Co., Inc." in any way in
4 Louisiana or otherwise uses the word "engineering" in connection with its name or
5 business activities in Louisiana. The committee also requested that the enforcement
6 staff monitor and follow-up with the respondent in the future to ensure the word
7 "engineering" is not being used.
8

9 **Enforcement Ad Hoc Committee**

10 The enforcement staff was instructed to wait for a CRC form from the CRC committee,
11 and not rely on approval/disapproval from two committee members, before acting on
12 the committees' decision.
13

14 **Applications**

15 **New Applications**

16 The Board approved the motion made by Mr. Williams, seconded by Mr. Thompson,
17 with Mr. Irving, Dr. Hale, Mr. Moore, Mr. Thompson, Mr. Patterson, and Mr. Williams
18 for, Mr. Crosby, Mr. Mustapha and Mr. Knotts against, and Mr. Gammon abstaining, to
19 *approve* the application of Ms. Anna **Johnson** for licensure as a professional engineer
20 by examination.
21

22 The Board unanimously approved the motion by Mr. Thompson, seconded by Mr.
23 Crosby, to *disapprove* the application of Ms. Jennifer **Schindler** for licensure as a
24 professional engineering by examination based on insufficient experience.
25

26 Chairman Bowie appointed an ad hoc committee, comprised of Dr. Hale, Mr. Knotts
27 and Mr. Thompson, to develop a one-page policy regarding how to determine
28 progressive engineering experience earned while an applicant is in graduate school
29 and to make a recommendation to the Board at the November meeting.
30

31 Chairman Bowie appointed Dr. Hale as the Chair of the Education Ad Hoc Sub-
32 Committee.
33

34 **Finance Committee**

35 The Board unanimously approved the motion made by the Finance Committee to
36 approve the FY 13-14 budget as amended.
37

38 The Board unanimously approved the motion made by the Finance Committee to
39 authorize the Executive Director to renew the certificate of deposit at Neighbors
40 Federal Credit Union, which matures on October 16, 2013.
41

42 **Old/New Business**

43 The Board unanimously approved the motion made by a Complaint Review
44 Committee consisting of Mr. Williams, Mr. Knotts and Mr. Patterson to (a) prohibit the
45 applicant who confessed to an exam irregularity during the April 2013 fundamentals
46 of engineering examination from taking the exam again until 2014, (b) require him to
47 complete the *Gilbane Gold Ethics Course* from Texas Tech University within 6 months
48 of being notified of this motion and (c) require him to obtain at least 6 years of
49 progressive engineering experience before applying to the Board for licensure as a
50 professional engineer.
51

52 The Board unanimously approved the motion made by Mr. Mustapha, seconded by Mr.
53 Thompson, to remove the motion from the table concerning the application of Mr.
54 Travis **Estess** for licensure as a professional engineer by comity.
55

56 Mr. Mustapha made the motion to *approve* the application of Mr. Travis **Estess** for
57 licensure as a professional engineer by comity. The motion failed for lack of a second.
58

59 The Board approved the motion made by Mr. Moore, seconded by Dr. Hale, with Mr.
60 Moore, Dr. Hale, Mr. Thompson, Mr. Gammon, Mr. Knotts and Mr. Patterson for, and
61 Mr. Mustapha, Mr. Williams and Mr. Irving against, to *disapprove* the application of Mr.
62 Travis **Estess** for licensure as a professional engineer by comity based on insufficient
63 experience.
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Chairman Bowie announced that the date of the November Board meeting would be November 25, 2013.

Closing Business

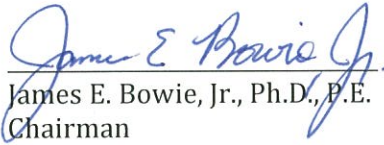
The Board unanimously approved the motion made by Mr. Mustapha, seconded by Mr. Thompson, to approve all committee recommendations and actions.

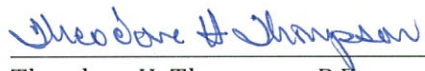
The Board unanimously approved the motion made by Dr. Hale, seconded by Mr. Gammon, to acknowledge and confirm all licenses and certificates issued by the Board.

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

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

The meeting adjourned at 3:15 p.m. on Monday, September 16, 2013.


James E. Bowie, Jr., Ph.D., P.E.
Chairman


Theodore H. Thompson, P.E.
Secretary