

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 November 16, 2015
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10 At 8:00 a.m. on November 16, 2015, Theodore H. Thompson, P.E. called the meeting to
11 order at the Board's office in Baton Rouge, Louisiana, with the following members
12 present:

13 Theodore H. Thompson, P.E. Chairman
14 Kevin E. Crosby, P.E., P.L.S. Vice Chairman
15 John W. "Billy" Moore, P.E. Secretary
16 David L. Patterson, P.L.S. Treasurer

17 Terry J. Huval, P.E.
18 Christopher P. Knotts, P.E.
19 Paul N. Hale, Jr., Ph.D., P.E.
20 Alan D. Krouse, P.E.
21 D. Scott Phillips, P.E., P.L.S.
22 Thomas R. Carroll, III, P.E., P.L.S.
23 Wilfred J. Fontenot, P.L.S.

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26 Also present:

27 Donna D. Sentell, Executive Director
28 Richard L. Savoie, Jr., P.E., Deputy Executive Director
29 Tyson Ducote, Director of Enforcement
30 Joe H. Harman, P.E., Technical Support Staff
31 William Hyatt, Board Investigator
32 D. Scott Landry, Board Attorney
33 Bill Tripoli, Board Staff
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35 The invocation was led by Mr. Huval and the pledge by Mr. Carroll.

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37 The Board unanimously approved the motion made by Dr. Hale, seconded by Mr.
38 Carroll, to accept the November 16, 2015 proposed Call for the Meeting.
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40 The Board unanimously approved the motion made by Mr. Patterson, seconded by Mr.
41 Fontenot, to accept the November 16, 2015 proposed Board Meeting Agenda, as
42 amended.
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44 Public comment time was recognized by Chairman Thompson.
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46 At 8:07 a.m., Mr. Phillip Landry and Mr. Wayne Sledge, P.E., P.L.S. addressed the Board
47 concerning Mr. Landry's appeal of the reviewing committee's decision to disapprove
48 his application for certification as a land surveyor intern.
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50 The Board unanimously approved the motion made by Mr. Patterson, seconded by Mr.
51 Krouse, to approve the Minutes from the September 28, 2015 Board meeting.
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53 The Board unanimously approved the motion made by Dr. Hale, seconded by Mr.
54 Knotts, to schedule the Board's next regular meeting for January 19, 2016.
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56 Chairman Thompson designated Mr. Moore and Dr. Hale to be the Board's funded
57 delegates to the Joint Engineering Societies Conference in Lafayette, LA in January,
58 2016.
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60 The Board approved the motion made by Mr. Patterson, seconded by Mr. Crosby, to
61 schedule the 2016 Board meetings as follows:
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- 63 • Tuesday, January 19
- 64 • Monday/Tuesday – March 21/22
- 65 • Monday/Tuesday – May 16/17
- 66 • Monday/Tuesday – July 18/19
- 67 • Monday/Tuesday – September 19/20
- 68 • Monday/Tuesday – November 14/15
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Compliance and Enforcement

Case #2013-98 – Mr. Ducote reported on a professional engineer who (a) committed fraud, deceit, material misstatement or perjury, or gave false or forged evidence, in applying for a renewal license, (b) committed gross negligence and gross misconduct in the practice of engineering, (c) approved and sealed design documents which were not safe for public health, property and welfare, which were not complete and accurate, which were not in conformity with accepted engineering standards or practice and/or which did not conform to applicable laws and ordinances, (d) failed to comply with the Board's CPD requirements and (e) failed to provide, within 30 calendar days of receipt of notice by certified mail, information or documents requested by the Board relating to any alleged violation of the Board's laws or rules. The respondent has signed and returned the proposed consent order offered by the Complaint Review Committee. The proposed consent order contained the following sanctions:

1. Fine of \$3,000
2. Costs of \$1,593.86
3. Louisiana Laws and Rules Quiz
4. Louisiana Professionalism and Ethics Quiz
5. Earn the missing 8 hours in the Life Safety Code, building codes and/or the ADA Accessibility Guidelines
6. Publication on the Board's website and in the Journal with name
7. Report to NCEES with name

After discussion, the Board approved the motion made by the Complaint Review Committee, consisting of Mr. Knotts, Mr. Thompson and Mr. Carroll, to approve the signed consent order. The name of the respondent is David F. Boudreaux, P.E.

Case #2015-3 – Mr. Hyatt reported on a professional land surveyor who performed a property boundary survey and prepared, signed, sealed and issued a survey plat for property located in Louisiana which failed to meet the Board's standards of practice for boundary surveys. The respondent has signed and returned the proposed consent order offered by the Complaint Review Committee. The proposed consent order contained the following sanctions:

1. Fine of \$500
2. Costs of \$718.66
3. Louisiana Standards of Practice for Boundary Surveys Quiz
4. Correct the standards of practice violations on a revised survey plat, provide the revised plat for the Board for review, submit the revised plat to the applicable parish clerk of court after Board review, properly file the revised plat into the public record after clerk of court review, and provide certified copies of the filed revised plat to the Board
5. Publication on the Board's website and in the Journal with name
6. Report to NCEES with name

After discussion, the Board approved the motion made by the Complaint Review Committee, consisting of Mr. Phillips, Mr. Crosby and Mr. Knotts, to approve the signed consent order. The name of the respondent is George D. Sullivan, P.L.S.

Case #2015-12 – Mr. Hyatt reported on an unlicensed individual who (a) practiced and/or offered to practice engineering and used modifications or derivatives of the words "engineer" and "engineering" in conjunction with his business activities in Louisiana without proper licensure. The respondent has signed and returned the proposed consent order offered by the Complaint Review Committee. The proposed consent order contained the following sanctions:

1. Fine of \$1,000
2. Costs of \$586.53
3. Cease and desist
4. Publication on the Board's website and in the Journal with name
5. Report to NCEES with name

After discussion, the Board approved the motion made by the Complaint Review Committee, consisting of Mr. Patterson, Dr. Hale and Mr. Huval, to approve the signed consent order. The name of the respondent is Lee M. Alexander.

Case #2015-15 – Mr. Hyatt reported on a professional engineering firm which provided and offered to provide engineering services in Louisiana with a firm name that was different than the firm name contained on its certificate of licensure issued by the Board. The respondent has signed and returned the proposed consent order

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

- 3 1. Fine of \$1,000
- 4 2. Costs of \$482.34
- 5 3. Cease and desist
- 6 4. Publication on the Board's website and in the Journal with name
- 7 5. Report to NCEES with name

8 After discussion, the Board approved the motion made by the Complaint Review
9 Committee, consisting of Mr. Krouse, Mr. Patterson and Dr. Hale, to approve the
10 signed consent order. The name of the respondent is Leonard C. Quick & Assoc., Inc.
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13 **Case #2015-14** – Mr. Hyatt reported on a professional engineer who aided or assisted
14 another person in violating the laws and/or rules of the Board. The respondent has
15 signed and returned the proposed consent order offered by the Complaint Review
16 Committee. The proposed consent order contained the following sanctions:

- 17 1. Fine of \$500
- 18 2. Costs of \$482.34
- 19 3. Louisiana Laws and Rules Quiz
- 20 4. Louisiana Professionalism and Ethics Quiz
- 21 5. Cease and desist
- 22 6. Publication on the Board's website and in the Journal with name
- 23 7. Report to NCEES with name

24 After discussion, the Board approved the motion made by the Complaint Review
25 Committee, consisting of Mr. Krouse, Mr. Patterson and Dr. Hale, to approve the
26 signed consent order. The name of the respondent is Leonard C. Quick, P.E.
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29 **Case #2014-9** – Mr. Ducote reported on a professional engineer who was disciplined
30 by the licensing authority of another state for matters recognized as grounds for
31 disciplinary action in Louisiana at the time the action was taken. The respondent has
32 signed and returned the proposed consent order offered by the Complaint Review
33 Committee. The proposed consent order contained the following sanctions:

- 34 1. Fine of \$2,000
- 35 2. Costs of \$1,172.11
- 36 3. Probation for 5 years
- 37 4. Revocation of license if, during the probation period, the respondent is found
38 by the Board to have committed another violation of the Board's laws and/or
39 rules
- 40 5. Louisiana Laws and Rules Quiz
- 41 6. Louisiana Professionalism and Ethics Quiz
- 42 7. Publication on the Board's website and in the Journal with name
- 43 8. Report to NCEES with name

44 After discussion, the Board approved the motion made by the Complaint Review
45 Committee, consisting of Mr. Knotts, Mr. Crosby and Mr. Thompson, to approve the
46 signed consent order. The name of the respondent is Stephen P. Maslan, P.E.
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48 At 9:25 a.m., the Board approved the motion by Mr. Moore, seconded by Mr. Crosby, to
49 enter into executive session to discuss personnel matters.
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51 At 9:50 a.m., the Board approved the motion by Mr. Crosby, seconded by Mr.
52 Patterson, to exit the executive session.
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54 **Committee Reports**

55 **Enforcement Committee**

56 Mr. Phillips discussed the status of the Enforcement Committee's draft of updates to
57 the *Disciplinary and Enforcement Sanction Guidelines for Consent Orders and Other*
58 *Administrative Matters*.
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60 **Continuing Professional Development Committee**

61 Mr. Crosby presented the report for the Continuing Professional Development
62 Committee.
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64 The Board unanimously approved the motion made by the Continuing Professional
65 Development Committee for the Board to audit the CPD records of 5% of the licensees
66 per biennial renewal cycle.
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1 After discussion, Chairman Thompson charged the Liaison and Law Review
2 Committee with reviewing whether the CPD requirement for professional engineers
3 of 30 PDHs per biennial renewal cycle should be changed to 15 PDHs per calendar
4 year and making a recommendation at the January Board meeting.

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6 The Board unanimously approved the motion made by the Continuing Professional
7 Development Committee for the Board to audit the CPD records of licensees who have
8 committed CPD violations in their next biennial renewal cycle.
9 The Board approved the motion made by the Continuing Professional Development
10 Committee, with Mr. Fontenot, Mr. Phillips, Mr. Huval, Dr. Hale, Mr. Moore, Mr. Crosby,
11 Mr. Patterson, Mr. Krouse and Mr. Carroll for and Mr. Knotts abstaining, for the Board
12 to audit the CPD records of licensees who are being investigated for a possible
13 violation(s) of the Board's laws and/or rules, if the complaint review committee
14 believes the violation(s) has been substantiated and the Director of Enforcement
15 believes the audit would be appropriate.

16
17 After discussion, Chairman Thompson charged the Liaison and Law Review
18 Committee with reviewing whether licensees should be allowed to obtain up to 8
19 PDHs per calendar year for serving on technical committees (and up to 16 PDHs per
20 biennial renewal cycle).

Liaison and Law Review Committee

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25 Mr. Knotts presented the report for the Liaison and Law Review Committee.

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27 The Liaison and Law Review Committee made the motion to amend Rule
28 2701(A)(4)(b)(i) to read as follows:

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30 All preliminary documents, so marked in large bold letters, shall contain one
31 of the following two statements: "These documents are not to be used for
32 construction, bidding, recordation, conveyance, sales, or as the basis for the
33 issuance of a permit" or "These documents are only to be used as the basis for
34 the issuance of a permit." Preliminary documents are not required to have the
35 licensee's seal, signature and date affixed, but must bear the name and
36 licensure number of the licensee, and the firm's name, if applicable.

37
38 After discussion, the Liaison and Law Review Committee withdrew the motion.

39
40 Mr. Savoie discussed Rule 1505(B) concerning engineering work experience. The
41 Board unanimously approved the motion made by the ad hoc committee, comprised
42 of Mr. Savoie, Mr. Phillips and Mr. Crosby, to approve the following interim policy for
43 reviewing the engineering work experience of applicants:

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45 Engineering work experience obtained while working on projects that are
46 physically located in a state, territory, or possession of the United States or the
47 District of Columbia shall not be deemed unacceptable simply because the
48 applicant may be residing/located in another country at the time the work is
49 performed.

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51 After discussion, Chairman Thompson charged the Liaison and Law Review
52 Committee with reviewing Rule 1505 and making a recommendation at the January
53 Board meeting regarding a possible rule change to complement the above referenced
54 policy.

Land Surveying Committee

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59 Mr. Crosby presented the report for the Land Surveying Committee.

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61 After discussion, Chairman Thompson appointed an ad hoc committee, comprised of
62 emeritus Board member Tim Allen, P.L.S., Mr. Stephen Estopinal, P.E., P.L.S. and the
63 Land Surveying Committee members (Mr. Crosby, Mr. Patterson, Mr. Phillips and Mr.
64 Fontenot), and charged it with reviewing the April 28, 2015 letter from the Southeast
65 Louisiana Flood Protection Authority–East and making a recommendation to the
66 Board.

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68 At 1:00 p.m., Mr. Phillip Landry and Mr. Wayne Sledge entered the meeting.
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1 After discussion, Chairman Thompson charged the Liaison and Law Review
2 Committee with reviewing Rule 1301 concerning the application filing dates for the
3 Principles and Practice of Land Surveying exam and the Louisiana Laws of Land
4 Surveying exam and making a recommendation at the January Board meeting.
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7 **Applications**

8 **Application Appeals**

9 The Board unanimously approved the motion made by the reviewing committee,
10 comprised of Mr. Knotts and Mr. Krouse, to affirm the reviewing committee's decision
11 to *disapprove* the application of Jon Gentry for licensure as a professional engineer by
12 comity based on insufficient experience.
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15 The Board disapproved the motion made by Mr. Crosby, seconded by Mr. Phillips,
16 with Mr. Phillips, Mr. Crosby and Mr. Knotts for and Mr. Fontenot, Dr. Hale, Mr. Huval,
17 Mr. Moore, Mr. Patterson, Mr. Krouse and Mr. Carroll against, to affirm the reviewing
18 committee's decision to disapprove the application of Phillip Landry for certification
19 as a land surveyor intern based on lack of good character and reputation and to
20 request that he not reapply until at least January 2020.
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23 The Board disapproved the motion made by Mr. Huval, seconded by Mr. Carroll, with
24 Mr. Huval, Mr. Carroll, Mr. Krouse and Mr. Patterson for, Mr. Phillips, Dr. Hale, Mr.
25 Moore, Mr. Crosby and Mr. Knotts against, and Mr. Fontenot abstaining, to reverse the
26 reviewing committee's decision disapprove the application of Phillip Landry for
27 certification as a land surveyor intern, and to approve the application.
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29 The Board disapproved the motion made by Dr. Hale, seconded by Mr. Crosby, with
30 Dr. Hale, Mr. Moore, Mr. Crosby and Mr. Knotts for and Mr. Phillips, Mr. Huval, Mr.
31 Carroll, Mr. Patterson, Mr. Krouse and Mr. Fontenot against, to affirm the reviewing
32 committee's decision to disapprove the application of Phillip Landry for certification
33 as a land surveyor intern based on lack of good character and reputation and to
34 request that he not reapply until at least January 2018.
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36 Mr. Crosby made the motion to affirm the reviewing committee's decision to
37 disapprove the application of Phillip Landry for certification as a land surveyor intern
38 based on lack of good character and reputation. The motion died for lack of a second.
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40 The Board approved the motion made by Mr. Krouse, seconded by Mr. Carroll, with
41 Mr. Huval, Mr. Fontenot, Mr. Moore, Mr. Carroll, Mr. Krouse and Mr. Patterson for and
42 Mr. Phillips, Dr. Hale, Mr. Knotts and Mr. Crosby against, to reverse the reviewing
43 committee's decision disapprove the application of Phillip Landry for certification as a
44 land surveyor intern, to approve the application and to request that he not apply for
45 licensure as a professional land surveyor until at least May 2018.
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47 The Board recessed at 2:30 p.m. and resumed at 2:45 p.m.

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49 Mr. Scott Landry, Mr. Phillip Landry and Mr. Wayne Sledge were not present when the
50 Board resumed at 2:45 p.m.
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52 **Committee Reports (continued)**

53 **Finance Committee**

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55 Mr. Patterson presented the financial documents for the Board to review.
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57 The Board unanimously approved the motion made by the Finance Committee to
58 renew the certificate of deposit at Iberia Bank when it matures on January 12, 2016.
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61 The Board unanimously approved the motion made by the Executive Committee to
62 authorize a 4% salary increase for the executive director, effective December 1, 2015.
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65 The Board unanimously approved the motion made by the Finance Committee to
66 adopt the following Board Member Expense Reimbursement Policy (Policy #19):
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**Board Member Expense Reimbursement
Policy #19**

All Board member expense reimbursement claims must be submitted on the approved state reimbursement claim forms.

Expense reimbursement claims must be submitted no later than the end of the month following the month in which the expense was incurred.

Expense reimbursement claims must include itemized receipts. Examples of expense receipts include, but are not limited to: ticketed travel, parking, cab and/or shuttle services, lodging and meals. Copies of bank or credit card statements will not suffice as an itemized receipt.

It is the obligation of the Board member to obtain the required itemized receipt for reimbursement.

The only allowable expense which will be reimbursed without a receipt will be approved meals. In the event an itemized receipt is not submitted for a meal, the accounting staff will use the State Travel Guide as a model and the claimant will receive the allowable meal amount for the areas of travel.

Mileage will be reimbursed, and the State Travel Guide will be used as a model for this reimbursement.

The Board's accounting staff will be notified of those approved to attend an event, such as a Board, professional society, NCEES zone or NCEES annual meeting.

The accounting staff will not process claims for any event prior to the submittal deadline until all approved Board members attending have submitted a claim. If you are not submitting a claim for an event, please notify the accounting staff.

Once an expense reimbursement claim has been submitted, the accounting staff will return a cover sheet to the individual with any adjustments/withholdings made to the reimbursement.

If a Board member must reimburse the Board for expenses incurred by their guest, the amount must be paid to the Board no later than the end of the month following the month in which the expense was incurred.

The Board unanimously approved the motion made by Mr. Knotts, seconded by Mr. Crosby, to allocate \$3,000 to purchase portfolios for the presentations to newly-certified and licensed individuals at the licensure recognition ceremonies.

Office Security Ad Hoc Committee

The Board unanimously approved the motion made by the Office Security Ad Hoc Committee, comprised of Mr. Krouse, Mr. Patterson and Mr. Phillips, to allocate an additional \$3,000 for completing the installation of the mail slot at the Board's front door and the purchase/installation of the security cameras.

Nominations and Awards Committee

Mr. Krouse, on behalf of the Nominations and Awards Committee, presented the following list of nominations for election of Board officers for 2016-17:

John W. "Billy" Moore, P.E. – 6 months as Chairman/6 months as Vice Chairman
Kevin E. Crosby, P.E., P.L.S. – 6 months as Vice Chairman/6 months as Chairman
David L. Patterson, P.L.S. – Treasurer
Terry J. Huval, P.E. – Secretary

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Closing Business

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

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

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

The Board unanimously approved the motion made by Mr. Patterson, seconded by Mr. Krouse, to adjourn.

The meeting adjourned at 4:05p.m. on Monday, November 16, 2015.


Theodore H. Thompson, P.H.

Chairman


John W. "Billy" Moore, P.E.

Secretary