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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
November 5, 2018

At 8:35 a.m. on November 5, 2018 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
Joe H. Harman, P.E., Technical Support Staff
Bill Tripoli, Board Staff
William Hyatt, Board Investigator
Chris Aaron, Board Investigator
D. Scott Landry, Board Attorney
Celia Cangelosi, Board Attorney
Officer Jimson Nora, BRPD

The invocation was led by Mr. Richard and the pledge was led by Mr. Coyle.

Public comment time was recognized by Chairman Knotts.

The Board unanimously approved the motion made by Mr. Richard, seconded by Mr. Benoit, to accept the November 5, 2018 proposed Call and Agenda for the meeting.

The Board unanimously approved the motion made by Mr. Pike, seconded by Mr. Vosburg, to approve the minutes from the September 10, 2018 Board meeting.

At 8:53 a.m., Myles DeRouen and Jimmy DeRouen entered the meeting.

Compliance and Enforcement

Case # 2016-49

At 8:55 a.m., Mr. Krouse presented the Proposed Findings of Fact and Conclusions of Laws and Proposed Decision and Order, which were sent to the respondent and the Board's prosecuting attorney on October 8, 2018. The respondent and Board's prosecuting attorney presented their objections and requested modifications.

At 9:35 a.m., the Board unanimously approved the motion made by Mr. Richard, seconded by Mr. Fontenot, to enter into executive session to conduct deliberations on the Proposed Findings of Fact and Conclusions of Laws and Proposed Decision and Order and the objections and requested modifications presented by the respondent and Board's prosecuting attorney.

At 10:35 a.m., the Board unanimously approved the motion made by Mr. Coyle, seconded by Mr. Carroll, to exit the executive session.

The Board unanimously approved the motion made by Mr. Carroll, seconded by Mr. Richard, to make the following rulings on the Board's prosecuting attorney's objections and requested modifications to the Proposed Findings of Fact, as follows:

- a. Accept the requested modifications in paragraphs 1, 2, 4, 8, 11, 12, 14, 15, 16, 17, 20, 21, 23 and 26; and

- 1 b. In paragraph 6, accept the requested modifications AND correct the
2 spelling of Dow Chemical to add "l" at end.
3

4 The Board unanimously approved the motion made by Mr. Carroll, seconded by Mr.
5 Coyle, to make the following ruling on the Board's prosecuting attorney's objections to
6 the Board's Proposed Findings of Fact, Conclusions of Law and Proposed Decision and
7 Order objections and requested modifications to the Proposed Conclusion of Law, as
8 follows:

- 9 a. In paragraph 7, accept the requested modifications.
10

11 The Board unanimously approved the motion made by Mr. Carroll, seconded by Mr.
12 Richard, to make the following rulings on the Board's prosecuting attorney's
13 objections and requested modifications to the Proposed Decision and Order, as
14 follows:

- 15 a. Reject the requested change to the heading of the document; and
16 b. In paragraph 5, accept the requested modifications.
17

18 The Board unanimously approved the motion made by Mr. Carroll, seconded by Mr.
19 Fontenot, to make the following rulings on the respondent's objections to the
20 Proposed Findings of Fact and Conclusions of Laws and Proposed Decision and Order
21 and requested modifications to the Proposed Findings of Fact, as follows:

- 22 a. In paragraph 2, accept the requested modification and end the
23 sentence at "Lafayette";
24 b. In paragraph 3, accept the requested modification and end the
25 sentence at "Louisiana" AND add between the words "conducted" and
26 "business," the words "or offered to conduct"; and
27 c. Reject any modification to paragraphs 4, 6, 7, 11 and 18.
28

29 The Board unanimously approved the motion made by Mr. Carroll, seconded by Mr.
30 Richard, to make the following ruling on the respondent's objections and requested
31 modifications to the Proposed Conclusion of Law, as follows:

- 32 a. In paragraph 7, reject any modification.
33

34 The Board unanimously approved the motion made by Mr. Carroll, seconded by Mr.
35 Coyle, to making the following ruling on the respondent's objections and requested
36 modifications to the Proposed Decision and Order, as follows:

- 37 a. Reject any modification to paragraphs 2 and 5.
38

39 Mr. Knotts, Mr. Pike and Dr. Hale were members of the Complaint Review Committee
40 in this case and did not participate in the deliberations or any of the votes associated
41 with the above motions in this case.
42

43 Myles DeRouen and Jimmy DeRouen exited the meeting at 10:40 a.m.
44

45 At 10:45 a.m., the Board unanimously approved the motion made by Mr. Carroll,
46 seconded by Mr. Krouse, to enter into executive session to discuss personnel matters.
47

48 At 11:05 a.m., the Board unanimously approved the motion made by Mr. Richard,
49 seconded by Mr. Fontenot, to exit the executive session.
50

51 **Compliance and Enforcement (continued)**

52 **Case # 2018-8** – Mr. Hyatt reported on an unlicensed firm for practicing and/or
53 offering to practice engineering without proper licensure. The respondent has signed
54 and returned the proposed consent order offered by the Complaint Review
55 Committee. The proposed consent order contained the following sanctions:
56

- 57 1. Fine of \$3,000
58 2. Costs of \$185.84
59 3. Publication on the Board's website and in the Journal with name
60 4. Report to NCEES with name

61 After discussion, the Board unanimously approved the motion made by the Complaint
62 Review Committee, consisting of Mr. Carroll, Mr. Richard and Mr. Fontenot, to approve
63 the signed consent order. The name of the respondent is **Browder + LeGuizamon**
64 **and Associates, Inc.**
65

66 **Case # 2018-9** – Mr. Hyatt reported on a professional engineer for aiding and
67 assisting another person in violating the laws and/or rules of the Board in violation
68 of La. R.S. 37:698(A)(12). The respondent has signed and returned the proposed

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

- 3 1. Fine of \$500
- 4 2. Costs of \$185.84
- 5 3. Louisiana Laws and Rules Quiz
- 6 4. Louisiana Professionalism & Ethics Quiz
- 7 5. Publication on the Board's website and in the Journal with name
- 8 6. Report to NCEES with name

9 After discussion, the Board unanimously approved the motion made by the Complaint
10 Review Committee, consisting of Mr. Carroll, Mr. Richard and Mr. Fontenot, to approve
11 the signed consent order. The name of the respondent is **Sergio LeGuizamon, P.E.**

12
13 **Case # 2018-12** – Mr. Hyatt reported on an unlicensed firm for practicing and/or
14 offering to practice engineering, and using the words “engineer”, “engineering” or any
15 modification or derivative thereof in a person's name or form of business or activity
16 without proper licensure in violation of La. R.S. 37:681 and La. R.S. 37:700(A)(1),(7)
17 and (9) and LAC Title 46:LXI§2301(B). The respondent has signed and returned the
18 proposed consent order offered by the Complaint Review Committee. The proposed
19 consent order contained the following sanctions:

- 20 1. Fine of \$3,500
- 21 2. Costs of \$152.14
- 22 3. Publication on the Board's website and in the Journal with name
- 23 4. Report to NCEES with name

24 After discussion, the Board unanimously approved the motion made by the Complaint
25 Review Committee, consisting of Mr. Carroll, Mr. Richard and Mr. Fontenot, to approve
26 the signed consent order. The name of the respondent is **Consulting Construction
27 Engineering, L.L.C.**

28
29 **Case # 2018-14** – Mr. Hyatt reported on a professional engineer for aiding and
30 assisting another person in violating the laws and/or rules of the Board in violation of
31 La. R.S. 37:698(A)(12). The respondent has signed and returned the proposed
32 consent order offered by the Complaint Review Committee. The proposed consent
33 order contained the following sanctions:

- 34 1. Fine of \$500
- 35 2. Costs of \$152.14
- 36 3. Louisiana Laws and Rules Quiz
- 37 4. Louisiana Professionalism & Ethics Quiz
- 38 5. Publication on the Board's website and in the Journal with name
- 39 6. Report to NCEES with name

40 After discussion, the Board unanimously approved the motion made by the Complaint
41 Review Committee, consisting of Mr. Carroll, Mr. Richard and Mr. Fontenot, to approve
42 the signed consent order. The name of the respondent is **Jamie L. Bailey, P.E.**

43
44 **Case # 2018-17** – Mr. Hyatt reported on an unlicensed firm for practicing and/or
45 offering to practice engineering without proper licensure in violation of La. R.S.
46 37:681 and La. R.S. 37:700(A)(1), and (9) and LAC Title 46:LXI§2301(B). The
47 respondent has signed and returned the proposed consent order offered by the
48 Complaint Review Committee. The proposed consent order contained the following
49 sanctions:

- 50 1. Fine of \$3,000
- 51 2. Costs of \$178.00
- 52 3. Publication on the Board's website and in the Journal with name
- 53 4. Report to NCEES with name

54 After discussion, the Board unanimously approved the motion made by the Complaint
55 Review Committee, consisting of Mr. Carroll, Mr. Richard and Mr. Fontenot, to approve
56 the signed consent order. The name of the respondent is **LEAP Associates
57 International, Inc.**

58
59 **Case # 2018-18** – Mr. Hyatt reported on a professional engineer for aiding and
60 assisting another person in violating the laws and/or rules of the Board in violation of
61 La. R.S. 37:698(A)(12). The respondent has signed and returned the proposed
62 consent order offered by the Complaint Review Committee. The proposed consent
63 order contained the following sanctions:

- 64 1. Fine of \$500
- 65 2. Costs of \$178.00
- 66 3. Louisiana Laws and Rules Quiz
- 67 4. Louisiana Professionalism & Ethics Quiz
- 68 5. Publication on the Board's website and in the Journal with name
- 69 6. Report to NCEES with name

1 After discussion, the Board unanimously approved the motion made by the Complaint
2 Review Committee, consisting of Mr. Carroll, Mr. Richard and Mr. Fontenot, to approve
3 the signed consent order. The name of the respondent is **Craig T. Barrett, P.E.**
4

5 **Case # 2018-19** – Mr. Hyatt reported on a professional engineer for aiding and
6 assisting another person in violating the laws and/or rules of the Board in violation of
7 La. R.S. 37:698(A)(12). . The respondent has signed and returned the proposed
8 consent order offered by the Complaint Review Committee. The proposed consent
9 order contained the following sanctions:

- 10 1. Fine of \$500
- 11 2. Costs of \$178.00
- 12 3. Louisiana Laws and Rules Quiz
- 13 4. Louisiana Professionalism & Ethics Quiz
- 14 5. Publication on the Board’s website and in the Journal with name
- 15 6. Report to NCEES with name

16 After discussion, the Board unanimously approved the motion made by the Complaint
17 Review Committee, consisting of Mr. Carroll, Mr. Richard and Mr. Fontenot, to approve
18 the signed consent order. The name of the respondent is **Bryan R. Trimbath, P.E.**
19

20 **Case # 2018-35** – Mr. Hyatt reported on an unlicensed firm for practicing and/or
21 offering to practice engineering without proper licensure in violation of La. R.S.
22 37:681 and La. R.S. 37:700(A)(1), and (9) and LAC Title 46:LXI§2301(B). The
23 respondent has signed and returned the proposed consent order offered by the
24 Complaint Review Committee. The proposed consent order contained the following
25 sanctions:

- 26 1. Fine of \$3,000
- 27 2. Costs of \$259.54
- 28 3. Publication on the Board’s website and in the Journal with name
- 29 4. Report to NCEES with name

30 After discussion, the Board unanimously approved the motion made by the Complaint
31 Review Committee, consisting of Mr. Carroll, Mr. Richard and Mr. Fontenot, to approve
32 the signed consent order. The name of the respondent is **Reed, Wells, Benson and**
33 **Company Corporation.**
34

35 **Case # 2018-13** – Mr. Hyatt reported on a professional engineer for aiding and
36 assisting another person in violating the laws and/or rules of the Board in violation of
37 La. R.S. 37:698(A)(12). The respondent has signed and returned the proposed
38 consent order offered by the Complaint Review Committee. The proposed consent
39 order contained the following sanctions:

- 40 1. Fine of \$500
- 41 2. Costs of \$259.54
- 42 3. Louisiana Laws and Rules Quiz
- 43 4. Louisiana Professionalism & Ethics Quiz
- 44 5. Publication on the Board’s website and in the Journal with name
- 45 6. Report to NCEES with name

46 After discussion, the Board unanimously approved the motion made by the Complaint
47 Review Committee, consisting of Mr. Carroll, Mr. Richard and Mr. Fontenot, to approve
48 the signed consent order. The name of the respondent is **David M. Boon, P.E.**
49

50 **Case # 2018-36** – Mr. Hyatt reported on a professional engineer for aiding and
51 assisting another person in violating the laws and/or rules of the Board in violation of
52 La. R.S. 37:698(A)(12). The respondent has signed and returned the proposed
53 consent order offered by the Complaint Review Committee. The proposed consent
54 order contained the following sanctions:

- 55 1. Fine of \$500
- 56 2. Costs of \$259.54
- 57 3. Louisiana Laws and Rules Quiz
- 58 4. Louisiana Professionalism & Ethics Quiz
- 59 5. Publication on the Board’s website and in the Journal with name
- 60 6. Report to NCEES with name

61 After discussion, the Board unanimously approved the motion made by the Complaint
62 Review Committee, consisting of Mr. Carroll, Mr. Richard and Mr. Fontenot, to approve
63 the signed consent order. The name of the respondent is **Kenneth M. Fulk, P.E.**
64

65 **Case # 2018-39** – Mr. Hyatt reported on an unlicensed firm for practicing and/or
66 offering to practice engineering without proper licensure in violation of La. R.S.
67 37:700(A)(1), and (9) and LAC Title 46:LXI§2301(B). The respondent has signed and
68 returned the proposed consent order offered by the Complaint Review Committee.
69 The proposed consent order contained the following sanctions:

1. Fine of \$3,000
2. Costs of \$563.10
3. Publication on the Board's website and in the Journal with name
4. 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 approve the signed consent order. The name of the respondent is **Triteq, Inc.**

Case # 2018-40 – Mr. Hyatt reported on an unlicensed individual for practicing or offering to practice engineering without proper licensure in violation of La. R.S. 37:681 and R.S. 37:700 (A) (1) and aiding and assisting his unlicensed firm in the practice and/or offer to practice engineering in violation of La. R.S. 37:698(A)(12). 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 \$2,000
2. Costs of \$563.10
3. Louisiana Laws and Rules Quiz
4. Louisiana 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 approve the signed consent order. The name of the respondent is **John C. Anderson, P.E.**

*see correction on case #2018-40 in the January 2019 minutes

Case # 2018-36 – Mr. Hyatt reported on a professional engineer for aiding and assisting another person in violating the laws and/or rules of the Board in violation of La. R.S. 37:698(A)(12). 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 \$249.94
3. Louisiana Laws and Rules Quiz
4. Louisiana 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 approve the signed consent order. The name of the respondent is **Brian K. Owens, P.E.**

Applications

Application Appeals

The Board approved the motion made by Mr. Carroll, seconded by Mr. Pike, with Mr. Carroll, Mr. Pike, Mr. Coyle, Mr. Phillips, Dr. Hale, Mr. Krouse, Mr. Richard and Mr. Fontenot for and Mr. Vosburg and Mr. Benoit against, to affirm the reviewing committee's decision to *disapprove* the application of **Mr. Charles Byrne** for certification as an engineer intern. The applicant needs to complete his graduate engineering degree and provide a record of good character and reputation. He is encouraged to reapply after August 2020.

Mr. Benoit made the motion to *reverse* the reviewing committee's decision to *disapprove* the application of **Mr. Debabrata Khan** for licensure as a professional engineer by comity. The motion died for lack of a second.

The Board approved the motion made by Mr. Krouse, seconded by Mr. Phillips, with Dr. Hale, Mr. Carroll, Mr. Pike, Mr. Coyle, Mr. Richard, Mr. Vosburg, Mr. Fontenot, Mr. Krouse and Mr. Philips for and Mr. Benoit against, to affirm the reviewing committee's decision to *disapprove* the application of **Mr. Debabrata Khan** for licensure as a professional engineer by comity based on not meeting the requisite experience requirements of the Board. .

The Board recessed at 11:40 a.m. and resumed at 12:10 p.m.

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Committee Reports

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.

Industrial Licensure Ad Hoc Committee

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

Land Surveying Committee

Mr. Coyle presented the report for the Land Surveying Committee and updated the Board on the recent state specific exam administration and the subject matter expert workshop with Dr. Jack Warner.

Old/New Business

The Board unanimously approved the motion made by Mr. Richard, seconded by Mr. Coyle, to schedule the Board's next regular meeting for Tuesday, January 22, 2019.

Chairman Knotts designated Mr. Carroll, Mr. Pike and Mr. Krouse to be the Board's funded delegates to the Joint Engineering Societies Conference in Lafayette, LA on January 23 and 24, 2019.

The Board unanimously approved the motion made by the Mr. Fontenot, seconded by Mr. Richard, to authorize a 5% salary increase for the Executive Director, effective October 1, 2018.

The Board unanimously approved the motion made by Mr. Carroll, seconded by Mr. Richard, to approve the payment of \$6,500 to Tri-Core Technologies, L.L.C. to update the firm and individual licensee search capabilities for the Board website.

Closing Business


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

The Board unanimously approved the motion made by Mr. Krouse, seconded by Mr. Phillips, to acknowledge and confirm all licenses and certificates issued and renewed since the last Board meeting.

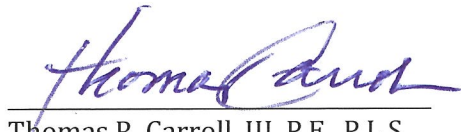
The Board unanimously approved the motion made by Mr. Carroll, seconded by Mr. Phillips, to approve all Board expenses.

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

The meeting adjourned at 3:30 p.m. on November 5, 2018.



Christopher P. Knotts, P.E.
Chairman



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