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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
April 8, 2019

At 8:00 a.m. on April 8, 2019, Alan D. Krouse, P.E. called the meeting to order at the Board's office in Baton Rouge, Louisiana, with the following members present:

Alan D. Krouse, P.E.	Chairman
Thomas R. Carroll, III, P.E., P.L.S.	Vice Chairman
Charles G. Coyle, III, P.L.S.	Treasurer
Jeff A. Pike, P.E.	Secretary

Christopher P. Knotts, P.E.
Paul N. Hale, Jr., Ph.D., P.E.
D. Scott Phillips, P.E., P.L.S.
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
Bill Tripoli, Board Staff
Joe Harman, P.E., Board Staff
William Hyatt, Board Investigator
Chris Aaron, Board Investigator
D. Scott Landry, Board Attorney

Cody Todd

The invocation and pledge were led by Mr. Carroll.

Public comment time was recognized by Chairman Krouse. Mr. Cody Todd addressed the Board concerning the October 2018 administration of the principles and practice of engineering examination in petroleum engineering.

The Board unanimously approved the motion made by Mr. Coyle, seconded by Mr. Richard, to accept the April 8, 2019 proposed Call and Agenda for the meeting.

The Board unanimously approved the motion made by Mr. Pike, seconded by Mr. Benoit, to approve the minutes from the January 22, 2019 Board meeting.

Compliance and Enforcement

Case # 2014-51 – Mr. Hyatt reported on a professional engineer who (a) sealed, signed and issued engineering documents not prepared by him or under his responsible charge, (b) performed services outside of the area of his competence and when not qualified by education or experience in the specific technical fields of engineering involved, (c) sealed and signed engineering documents dealing with subject matters in which he lacked competence and (d) practiced or offered to practice engineering when not qualified. 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 \$4,500
2. Costs of \$1,551.51
3. Louisiana Laws & 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. Knotts, Mr. Phillips and Dr. Hale, to approve the signed consent order. The name of the respondent is **Stewart A. Aucoin, P.E.**

Case # 2014-52 – Mr. Hyatt reported on a professional engineering and professional land surveying firm whose representative (on behalf of and in the name of the firm) (a) sealed, signed and issued engineering documents not prepared by him or under

1 his responsible charge, (b) performed services outside of the area of his competence
2 and when not qualified by education or experience in the specific technical fields of
3 engineering involved, (c) sealed and signed engineering documents dealing with
4 subject matters in which he lacked competence and (d) practiced or offered to
5 practice engineering when not qualified. The respondent has signed and returned the
6 proposed consent order offered by the Complaint Review Committee. The proposed
7 consent order contained the following sanctions:

- 8 1. Fine of \$3,000
- 9 2. Costs of \$1,514
- 10 3. Louisiana Laws & Rules Quiz by each engineering supervising professional
- 11 4. Louisiana Professionalism & Ethics Quiz by each engineering supervising
12 professional
- 13 5. Publication on the Board's website and in the Journal with name
- 14 6. Report to NCEES with name

15
16 After discussion, the Board unanimously approved the motion made by the Complaint
17 Review Committee, consisting of Mr. Knotts, Mr. Phillips and Dr. Hale, to approve the
18 signed consent order. The name of the respondent is **Acadian Engineers &
19 Environmental Consultants Inc.**

20
21 **Case # 2018-25** – Mr. Hyatt reported on an unlicensed firm for practicing
22 and/or offering to practice engineering in Louisiana. The respondent has
23 signed and returned the proposed consent order offered by the Complaint
24 Review Committee. The proposed consent order contained the following
25 sanctions:

- 26 7. Fine of \$1,500
- 27 8. Costs of \$63.85
- 28 9. Publication on the Board's website and in the Journal with name
- 29 10. Report to NCEES with name

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31 After discussion, the Board unanimously approved the motion made by the
32 Complaint Review Committee, consisting of Mr. Carroll, Mr. Richard and Mr.
33 Fontenot, to approve the signed consent order. The name of the respondent is
34 **John Bertin Wintz, P.E., LLC**

35
36 **Case # 2018-24** – Mr. Hyatt reported on a professional engineer who aided
37 and assisted his firm in the unlicensed practice and/or offer to practice of
38 engineering in Louisiana. The proposed consent order contained the following
39 sanctions:

- 40 7. Fine of \$500
- 41 8. Costs of \$63.85
- 42 9. Louisiana Laws and Rules Quiz
- 43 10. Professionalism & Ethics Quiz
- 44 11. Publication on the Board's website and in the Journal with name
- 45 12. Report to NCEES with name

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

51
52 **Case # 2018-56** – Mr. Hyatt reported on an unlicensed firm for practicing
53 and/or offering to practice engineering in Louisiana. The respondent has
54 signed and returned the proposed consent order offered by the Complaint
55 Review Committee. The proposed consent order contained the following
56 sanctions:

- 57 Fine of \$1,500
- 58 1. Costs of \$129.08
- 59 2. Publication on the Board's website and in the Journal with name
- 60 3. Report to NCEES with name

61
62 After discussion, the Board unanimously approved the motion made by the
63 Complaint Review Committee, consisting of Mr. Carroll, Mr. Richard and Mr.
64 Fontenot, to approve the signed consent order. The name of the respondent is
65 **NEHIL-SIVAK, P.C.- Corporation**

1 **Case # 2018-57** – Mr. Hyatt reported on a professional engineer who aided
2 and assisted his firm in the unlicensed practice and/or offer to practice of
3 engineering in Louisiana. The proposed consent order contained the following
4 sanctions:

- 5 1. Fine of \$500
- 6 2. Costs of \$129.08
- 7 3. Louisiana Laws and Rules Quiz
- 8 4. Professionalism & Ethics Quiz
- 9 5. Publication on the Board’s website and in the Journal with name
- 10 6. Report to NCEES with name

11
12 After discussion, the Board unanimously approved the motion made by the
13 Complaint Review Committee, consisting of Mr. Carroll, Mr. Richard, and Mr.
14 Fontenot, to approve the signed consent order. The name of the respondent is
15 **Thomas A. Palarz Jr., P.E.**

16
17 **Case # 2018-30** – Mr. Hyatt reported on an unlicensed firm for practicing
18 and/or offering to practice engineering in Louisiana. The respondent has
19 signed and returned the proposed consent order offered by the Complaint
20 Review Committee. The proposed consent order contained the following
21 sanctions:

- 22 1. Fine of \$2,000
- 23 2. Costs of \$207.21
- 24 3. Publication on the Board’s website and in the Journal with name
- 25 4. Report to NCEES with name

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

31
32 **Case # 2018-31** – Mr. Hyatt reported on a professional engineer who aided
33 and assisted his firm in the unlicensed practice and/or offer to practice of
34 engineering in Louisiana. The proposed consent order contained the following
35 sanctions:

- 36 1. Fine of \$500
- 37 2. Costs of \$207.21
- 38 3. Louisiana Laws and Rules Quiz
- 39 4. Professionalism & Ethics Quiz
- 40 5. Publication on the Board’s website and in the Journal with name
- 41 6. Report to NCEES with name

42
43 After discussion, the Board unanimously approved the motion made by the
44 Complaint Review Committee, consisting of Mr. Carroll, Mr. Richard, and Mr.
45 Fontenot, to approve the signed consent order. The name of the respondent is
46 **James E. Palmer, P.E.**

47
48 **Case # 2018-20** – Mr. Hyatt reported on an unlicensed firm for practicing
49 and/or offering to practice engineering in Louisiana. The respondent has
50 signed and returned the proposed consent order offered by the Complaint
51 Review Committee. The proposed consent order contained the following
52 sanctions:

- 53 1. Fine of \$3,000
- 54 2. Costs of \$228.57
- 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
59 Complaint Review Committee, consisting of Mr. Carroll, Mr. Richard and Mr.
60 Fontenot, to approve the signed consent order. The name of the respondent is
61 **GZA Geoenvironmental, Inc.**

1 **Case # 2016-29** – Mr. Hyatt reported on an unlicensed firm which offered to practice
2 engineering and used the words “engineer”, “engineering” or any modifications or
3 derivatives thereof in a person’s name or form of business or activity without proper
4 licensure. The firm subsequently became licensed as a professional engineering firm.
5 The respondent has signed and returned the proposed consent order offered by the
6 Complaint Review Committee. The proposed consent order contained the following
7 sanctions:

- 8 1. Fine of \$3,500
- 9 2. Costs of \$1,426.10
- 10 3. Publication on the Board’s website and in the Journal with name
- 11 4. Report to NCEES with name

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13 After discussion, the Board unanimously approved the motion made by the Complaint
14 Review Committee, consisting of Mr. Knotts, Mr. Krouse and Mr. Carroll, to approve
15 the signed consent order. The name of the respondent is **RE/SPEC Inc.**

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17 **Case # 2017-2** – Mr. Hyatt reported on an unlicensed individual who offered to
18 practice engineering and used the words “engineer”, “engineering” or any
19 modifications or derivatives thereof in a person’s name or form of business or activity
20 without proper licensure. The individual subsequently became licensed as a
21 professional engineer. The respondent has signed and returned the proposed consent
22 order offered by the Complaint Review Committee. The proposed consent order
23 contained the following sanctions:

- 24 1. Fine of \$2,000
- 25 2. Costs of \$1,444.57
- 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. Knotts, Mr. Krouse and Mr. Carroll, to approve
31 the signed consent order. The name of the respondent is **Eric L. Krantz, P.E.**

32
33 **Case # 2017-25** – Mr. Hyatt reported on an unlicensed firm for practicing
34 and/or offering to practice land surveying in Louisiana. The respondent has
35 signed and returned the proposed consent order offered by the Complaint
36 Review Committee. The proposed consent order contained the following
37 sanctions:

- 38 1. Fine of \$3,000
- 39 2. Costs of \$402.12
- 40 3. Publication on the Board’s website and in the Journal with name
- 41 4. Report to NCEES with name

42
43 After discussion, the Board unanimously approved the motion made by the
44 Complaint Review Committee, consisting of Mr. Carroll, Mr. Richard and Mr.
45 Fontenot, to approve the signed consent order. The name of the respondent is
46 **Energy Access Solutions, LLC.**

47
48 Chairman Krouse appointed new standing Complaint Review Committees (SCRC).
49 SCRC1 is to be comprised of Mr. Pike, Mr. Carroll and Mr. Richard. SCRC2 is to be
50 comprised of Mr. Carroll, Mr. Vosburg and Mr. Benoit. Chairman Krouse will serve as
51 the alternate on each committee.

52
53 At 9:40 a.m., the Board recessed and resumed at 9:55 a.m. Mr. Craig Campbell, P.E.
54 was present.

55 **Committee Reports**

56 **Enforcement Committee**

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58 Mr. Pike presented the report for the Enforcement Committee. After discussion, the
59 Board unanimously approved the motion made by the Enforcement Committee to
60 amend the sections of the Disciplinary and Enforcement Sanction Guidelines for
61 Consent Orders and Other Administrative Matters on La. R.S. 37:700(A)(1) and La. R.S.
62 37:700(A)(7) to read as follows:

63
64 **La. R.S. 37:700(A)(1)** – Practicing or offering to practice engineering or land
65 surveying in the state of Louisiana without being licensed in accordance with
66
67

1 the provisions of the licensure law. [Note: La. R.S. 37:681 is always cited in
2 conjunction with this violation, and La. R.S. 37:700(A)(7) and Rule 2301(B) are
3 very often also cited. In such cases, only the fines outlined in this section are
4 applied. Non-licensees, not otherwise licensed elsewhere who has offered to
5 practice engineering/surveying are to be handled as per the section for LA. R. S.
6 37:700 (A) (7).]
7

- 8 a. Individuals and firms not licensed in any state
9
 - Pay fine
 - Individuals - minimum fine of \$1,000
 - Firms - minimum fine of \$1,500
 - Pay actual costs
 - Cease and desist
 - Have a licensee provide the professional services, when applicable
 - Publication by name on the Board's website and in the Journal and
16 report to NCEES

17 b. Individuals and firms licensed in another state
18
 - Pay fine:
 - Individuals - minimum fine of \$1,500
 - Firms - minimum fine of \$3,000
 - Pay actual costs
 - Cease and desist
 - Have a licensee provide the professional services, when applicable
 - Publication by name on the Board's website and in the Journal and
25 report to NCEES

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27 **La. R.S. 37:700(A)(7)** – The use by any person of the words "engineer" or
28 "engineering" or "land surveyor" or "land surveying" or any modification or
29 derivative thereof in its name or form of business or activity except as licensed
30 under the licensure law or in the pursuit of activities exempted by the
31 licensure law. [Note: La. R.S. 37:681, La. R.S. 37:700(A)(1) and Rule 2301(B) are
32 very often also cited in conjunction with this violation. In such cases, fines for
33 these related violations are not cumulative and only the fines outlined for
34 violations of La. R.S. 37:700(A)(1) are applied.]
35

36 If a non-licensee merely uses the words "engineer", "land surveyor", etc., is not
37 licensed elsewhere and has not otherwise actually practiced/offered
38 engineering/land surveying services in Louisiana, OR if a non-licensee who is
39 licensed elsewhere, but has not actually practiced/offered engineering/land
40 surveying services in Louisiana, uses the term P.E. or P.L.S. without indicating
41 the jurisdiction(s) in which they are licensed, the following will apply:
42

- 43 a. Send cease and desist letter via USPS (with return receipt requested),
44 email or whatever method is possible with the information available with
45 30 days to respond. Letter is to request details on the business activities
46 in Louisiana in the last 5 years. If the non-licensee complies with the cease
47 and desist letter, the matter will be considered closed.
48 b. At 31st day, if no response has been received, open case and send
49 Respondent Notify letter
50 c. At 61st day:
51
 - Pay fine:
 - Individuals - minimum fine of \$500
 - Firms - minimum fine of \$1,000
 - Pay actual costs
 - Cease and desist
 - Publication by name on the Board's website and in the Journal and
57 report to NCEES

58 **Industrial Licensure Ad Hoc Committee**

59 Mr. Benoit presented the report for the Industrial Licensure Ad Hoc Committee.
60

61 **Land Surveying Committee**

62 Mr. Coyle presented the report for the Land Surveying Committee and discussed the
63 letter received from LSPS regarding the Louisiana Forestry Association Journal.
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65 Mr. Miles Williams, P.E. entered the meeting at 10:15 a.m.
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Laws and Rules Committee

Mr. Williams discussed pending legislation.

Mr. Knotts reviewed the revisions to Board Rules 105 and 2305 which were approved at the Board's January meeting. The Board authorized staff to submit the revisions to Rule 2305 for consideration at the next meeting of the Occupational Licensing Review Commission.

Chairman Krouse charged the Laws and Rules Committee with reviewing current Board rules regarding Washington Accord accredited engineering programs, comity licensure and technology degrees.

The Board recessed for lunch at 12:05 p.m. and resumed at 12:45 p.m. Mr. Campbell, Mr. Williams and Mr. Landry were not present. Ms. Lindsey was present.

Applications

The Board unanimously approved the motion made by Mr. Richard, seconded by Mr. Knotts, to authorize the staff to work with NCEES on an auto-approval application process for applicants applying to take the Principles and Practice of Engineering examinations.

At 1:05 p.m., the Board unanimously approved the motion made by Mr. Coyle, seconded by Mr. Carroll, to enter into executive session to discuss personnel matters.

At 2:00 p.m., the Board unanimously approved the motion made by Mr. Richard, seconded by Mr. Carroll, to exit the executive session.

Committee Reports (continued)

Finance Committee

Mr. Coyle 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.

The Board unanimously approved the motion made by the Finance Committee to renew the certificate of deposit at Citizens Bank when it matures on May 23, 2019.

The Board unanimously approved the motion from the Finance Committee to authorize Mr. Vosburg and Mr. Fontenot to sign Board checks.

The Board unanimously approved the motion made by Mr. Coyle, seconded by Mr. Pike, to amend the Board meeting agenda to add to New Business the following items: the vacant IT Tech Support Specialist 3 position and the vacant Deputy Executive Director position.

Old/New Business

Chairman Krouse designated Mr. Richard, Mr. Benoit and Mr. Krouse to be the Board's funded delegates to the annual Gulf States Engineering Conference to be held on June 23-26, 2019 in Gulf Shores, Alabama.

The Board approved the motion made by Mr. Carroll, seconded by Mr. Richard, with Dr. Hale, Mr. Carroll, Mr. Pike, Mr. Coyle, Mr. Richard, Mr. Vosburg, Mr. Benoit, Mr. Fontenot and Mr. Phillips for and Mr. Knotts abstaining, to approve Board members, Emeritus members and Board staff to attend the NCEES Annual Meeting on August 14-17, 2019 in Washington DC and to authorize funding to cover travel, five nights lodging, five days per diem and meals.

The Board unanimously approved the motion made by Mr. Benoit, seconded by Mr. Fontenot, to amend the budget in the amount of \$10,000 for FY 18-19 and \$10,000 for FY 19-20, to have new office flooring installed.

The Board unanimously approved the motion made by Mr. Benoit, seconded by Mr. Coyle, to have the Executive Director advertise and fill the vacant IT Tech Support Specialist 3 position.

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The Board unanimously approved the motion made by Mr. Knotts, seconded by Mr. Coyle, to have the Executive Director fill the vacant Deputy Executive Director position at a salary not to exceed \$55,000.

Closing Business


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

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

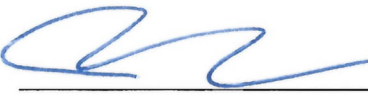
The Board unanimously approved the motion made by Mr. Carroll, seconded by Mr. Coyle, to approve all Board expenses.

The Board unanimously approved the motion made by Dr. Hale, seconded by Mr. Knotts, to adjourn.

The meeting adjourned at 3:00 p.m. on April 8, 2019.



Alan D. Krouse, P.E.
Chairman



Jeffrey A. Pike, P.E.
Secretary