

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 September 19, 2016
7

8 At 8:00 a.m. on September 19, 2016, John W. "Billy" Moore, P.E. called the meeting to
9 order at the Board's office in Baton Rouge, Louisiana, with the following members
10 present:

11 John W. "Billy" Moore, P.E. Chairman
12 Kevin E. Crosby, P.E., P.L.S. Vice Chairman
13 Terry J. Huval, P.E. Secretary
14 David L. Patterson, P.L.S. Treasurer

15 Christopher P. Knotts, P.E.
16 Paul N. Hale, Jr., Ph.D., P.E.
17 D. Scott Phillips, P.E., P.L.S.
18 Alan D. Krouse, P.E.
19 Thomas R. Carroll, III, P.E., P.L.S.
20 Charles G. Coyle, III, P.L.S.
21 Jeffrey A. Pike, P.E.

22 Also present:
23 Donna D. Sentell, Executive Director
24 Richard L. Savoie, Jr., P.E., Deputy Executive Director
25 Tyson Ducote, Director of Enforcement
26 Joe H. Harman, P.E., Technical Support Staff
27 William Hyatt, Board Investigator
28 D. Scott Landry, Board Attorney
29 Bill Tripoli, Board Staff

30 The invocation was led by Mr. Coyle and pledge was led by Mr. Carroll.

31 The Board unanimously approved the motion made by Mr. Huval, seconded by Mr.
32 Carroll, to accept the September 19, 2016 proposed Call and Agenda for the Meeting.

33 Public comment time was recognized by Chairman Moore. Mr. Adam Maywhort and
34 Mr. Byron Berry were present but had no comments.

35 The Board unanimously approved the motion made by Mr. Knotts, seconded by Mr.
36 Krouse, to approve the minutes from the July 18, 2016 Board meeting.

37 The Board unanimously approved the motion made by Mr. Krouse, seconded by Dr.
38 Hale, to schedule the Board's next regular meeting for November 14-15, 2016.

39 Chairman Moore presented the Chairman's gavel to Mr. Crosby.

40 **Applications**

41 **Application Appeals**

42 The Board approved the motion made by the Land Surveying Committee to affirm the
43 decision of the reviewing committee (comprised of Mr. Crosby, Mr. Patterson, Mr.
44 Phillips and Mr. Coyle), with Mr. Patterson, Mr. Phillips, Mr. Coyle, Mr. Huval, Dr. Hale,
45 Mr. Krouse, Mr. Moore, Mr. Carroll and Mr. Pike for and Mr. Knotts against, to
46 *disapprove* the application of Adam R. **Maywhort** for licensure as a professional land
47 surveyor by comity based on insufficient education.

48 The Board unanimously approved the motion made by the Land Surveying Committee
49 to affirm the decision of the reviewing committee (comprised of Mr. Crosby, Mr.
50 Patterson, Mr. Phillips and Mr. Coyle) to *disapprove* the application of Marshall C.
51 **Beckwith** for licensure as a professional land surveyor by comity based on
52 insufficient education.

53 Mr. Maywhort exited the meeting at 8:55 a.m.

54 The Board unanimously approved the motion made by the reviewing committee,
55 comprised of Mr. Knotts and Dr. Hale, to *approve* the application of Carlos **Valenzuela**,

1 Jr. for licensure as a professional engineer by comity with the following five
2 stipulations (which have already been agreed to in writing by Mr. Valenzuela):
3

- 4 1. His professional engineer license issued by the Board is placed on probation
5 for a period of two (2) years from his date of licensure;
6
- 7 2. During the two (2) year probationary period, in the event that he is knowingly
8 charged with or arrested for any criminal violation, as is specified within La.
9 Rev. Stat. § 37:698 and/or involving or containing an element of being under
10 the influence of alcohol or a controlled substance, he must report to the Board,
11 in writing, such criminal charge or arrest and make such report immediately
12 or as soon as he is reasonably capable of doing so under the circumstances;
13
- 14 3. If he makes a report to the Board under paragraph 2 above, the Board is
15 thereafter authorized, within its discretion, to immediately suspend his
16 professional engineer license pending a review of such report by the Board
17 and pending the issuance of a decision by the Board with respect to the
18 information received following an administrative adjudication pursuant to
19 and his rights under the Louisiana Administrative Procedure Act, La. Rev. Stat.
20 §§ 49:951, *et seq.*, the causes provided in La. Rev. Stat. § 37:698 or conviction
21 of or entry of a plea of guilty or nolo contendere to a crime involving or
22 containing an element of being under the influence of alcohol or a controlled
23 substance, and the rules and regulations of the Board;
24
- 25 4. In the event that the Board receives apparently reliable information which
26 indicates that he has knowingly been charged with or arrested for a criminal
27 violation and have failed to timely report such to the Board, both under
28 paragraph 2 above, the Board is hereby authorized, within its discretion, to
29 immediately suspend his professional engineer license pending a review by
30 the Board of such alleged failure to report and pending the issuance of a
31 decision by the Board with respect to the information received and such
32 alleged failure following an administrative adjudication pursuant to and his
33 rights under the Louisiana Administrative Procedure Act, La. Rev. Stat. §§
34 49:951, *et seq.*, the causes, if any, provided in La. Rev. Stat. § 37:698 or
35 conviction of or entry of a plea of guilty or nolo contendere to a crime
36 involving or containing an element of being under the influence of alcohol or a
37 controlled substance, and the rules and regulations of the Board; and
38

- 39 5. At the conclusion of the two (2) year probationary period without action
40 related to the terms hereinabove, his professional engineer license will
41 become a full, unrestricted license without any further action or
42 documentation necessary or issued by the Board.
43

44 Mr. Berry exited the meeting at 9:05 a.m.

45 **Compliance and Enforcement**

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47
48 **Case # 2014-25** – Mr. Ducote reported on an unlicensed firm which practiced and/or
49 offered to practice engineering without proper licensure. The respondent has signed
50 and returned the proposed consent order offered by the Complaint Review
51 Committee. The proposed consent order contained the following sanctions:

- 52 1. Fine of \$2,500
- 53 2. Costs of \$942.61
- 54 3. Publication on the Board's website and in the Journal with name
- 55 4. Report to NCEES with name

56 After discussion, the Board unanimously approved the motion made by the Complaint
57 Review Committee, consisting of Mr. Knotts, Mr. Huval and Mr. Krouse, to approve the
58 signed consent order. The name of the respondent is **L-Con, Inc.**

59
60 **Case # 2014-26** – Mr. Ducote reported on an unlicensed individual who practiced
61 and/or offered to practice engineering without proper licensure. The respondent has
62 signed and returned the proposed consent order offered by the Complaint Review
63 Committee. The proposed consent order contained the following sanctions:

- 64 1. Fine of \$1,000
- 65 2. Costs of \$949.40
- 66 3. Cease and desist
- 67 4. Publication on the Board's website and in the Journal with name
- 68 5. Report to NCEES with name

1 After discussion, the Board unanimously approved the motion made by the Complaint
2 Review Committee, consisting of Mr. Knotts, Mr. Huval and Mr. Krouse, to approve the
3 signed consent order. The name of the respondent is **Sarmad Khan**.
4

5 **Case # 2014-35** – Mr. Ducote reported on a professional engineer who aided or
6 assisted another person in violating the laws and/or rules of the Board. The
7 respondent has signed and returned the proposed consent order offered by the
8 Complaint Review Committee. The proposed consent order contained the following
9 sanctions:

- 10 1. Fine of \$500
- 11 2. Costs of \$950.32
- 12 3. Louisiana Laws and Rules Quiz
- 13 4. Louisiana Professionalism and 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. Knotts, Mr. Huval and Mr. Krouse, to approve the
18 signed consent order. The name of the respondent is **John T. Hull, P.E.**
19

20 **Case # 2015-82** – Mr. Ducote reported on an unlicensed firm which practiced and/or
21 offered to practice engineering without proper licensure. The respondent has signed
22 and returned the proposed consent order offered by the Complaint Review
23 Committee. The proposed consent order contained the following sanctions:

- 24 1. Fine of \$1,500
- 25 2. Costs of \$397.35
- 26 3. Publication on the Board's website and in the Journal with name
- 27 4. Report to NCEES with name

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

32 **Case # 2015-64** – Mr. Ducote reported on a professional engineer who aided or
33 assisted another person in violating the laws and/or rules of the Board. The
34 respondent has signed and returned the proposed consent order offered by the
35 Complaint Review Committee. The proposed consent order contained the following
36 sanctions:

- 37 1. Fine of \$500
- 38 2. Costs of \$847.14
- 39 3. Louisiana Laws and Rules Quiz
- 40 4. Louisiana Professionalism and Ethics Quiz
- 41 5. Publication on the Board's website and in the Journal with name
- 42 6. Report to NCEES with name

43 After discussion, the Board unanimously approved the motion made by the Complaint
44 Review Committee, consisting of Mr. Knotts, Mr. Krouse and Mr. Carroll, to approve
45 the signed consent order. The name of the respondent is **Larry J. Dupre, P.E.**
46

47 Mr. Maywhort entered the meeting at 9:15 a.m.
48

49 **Case # 2015-68** – Mr. Ducote reported on an unlicensed firm which practiced and/or
50 offered to practice engineering and used the words "engineer", "engineering" or any
51 modification or derivative thereof in a person's name or form of business or activity
52 without proper licensure. 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 \$2,500
- 56 2. Costs of \$517.14
- 57 3. Publication on the Board's website and in the Journal with name
- 58 4. Report to NCEES with name

59 After discussion, the Board unanimously approved the motion made by the Complaint
60 Review Committee, consisting of Mr. Knotts, Mr. Huval and Mr. Krouse, to approve the
61 signed consent order. The name of the respondent is **PENTA Engineering Company**
62 **LLC**.
63

64 **Case # 2015-76** – Mr. Ducote reported on a professional engineer who aided or
65 assisted another person in violating the laws and/or rules of the Board. The
66 respondent has signed and returned the proposed consent order offered by the
67 Complaint Review Committee. The proposed consent order contained the following
68 sanctions:
69 1. Fine of \$1,000

2. Costs of \$517.14
3. Louisiana Laws and Rules Quiz
4. Louisiana Professionalism and 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. Huval and Mr. Krouse, to approve the signed consent order. The name of the respondent is **Francisco M. Benavides, P.E.**

The Board recessed at 9:50 a.m. and resumed at 10:10 a.m.

Mr. Patterson and Mr. Maywhort exited the meeting at 10:10 a.m.

Committee Reports

Liaison and Law Review Committee

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

The Board unanimously approved the motion made by the Liaison and Law Committee to amend Rules 901(A)(2), 2701(A)(3)(b)(ii) and 2701(A)(4)(b) to read as follows:

§901. Engineer Intern Certification

A. The requirements for certification as an engineer intern under the several alternatives provided in the licensure law are as follows.

A.1. ...

2. Graduates with Advanced Engineering Degree. The applicant shall be a graduate of a non-EAC/ABET accredited engineering or related science or engineering technology curriculum of four years or more approved by the board as being of satisfactory standing, who has obtained an engineering graduate degree in an engineering discipline or sub-discipline from a university having an undergraduate accredited engineering curriculum in the same discipline or sub-discipline, approved by the board as being of satisfactory standing and in accordance with §1105, who is of good character and reputation, who has passed the examination required by the board in the fundamentals of engineering, who was recommended for certification by a professional engineer holding a valid license to engage in the practice of engineering issued to him/her by proper authority of a state, territory, or possession of the United States, or the District of Columbia, who has submitted an application for certification in accordance with the requirements of R.S. 37:694, and who was duly certified as an engineer intern by the board.

A.3. - B. ...

§2701. Seal and Signature

A. The following rules for the use of seals to identify work performed by a professional engineer or professional land surveyor shall be binding on every licensee.

1. - 2.f. ...

3. Seal Responsibility

a. ...

b. Responsible Charge

i. - i.(d).(ii). ...

ii. No licensee shall affix his/her seal or signature to reports, plats, sketches, working drawings, specifications, design calculations, or other engineering and land surveying documents developed by others not under his/her responsible charge, except:

1 (a). in the case of an individual Louisiana licensee checking and
2 taking the professional responsibility for the work of an engineer who is not
3 licensed in this state but is properly licensed in the jurisdiction of origin of
4 such work, the Louisiana licensee shall completely check and have responsible
5 charge of the work. Such responsible charge shall include possession of the
6 sealed, signed and dated reproducible drawings, with complete sealed, signed
7 and dated calculations indicating all changes;

8
9 (b). certification of standard design plans which were initially
10 prepared, sealed and signed by an engineer who is not licensed in this state
11 but is properly licensed in the jurisdiction of origin of such plans. Such plans
12 may then be reviewed by a Louisiana professional engineer for code
13 conformance, design adequacy, and site adaptation for the specific application
14 within Louisiana. The Louisiana professional engineer assumes responsibility
15 for such plans. The plans, which already bear the seal and signature of the
16 engineer who is not licensed in this state but is properly licensed in the
17 jurisdiction of origin of such plans, shall also be sealed, signed and dated by
18 the Louisiana professional engineer who is assuming responsibility. In
19 addition to the Louisiana professional engineer's seal, signature and date, a
20 statement shall be included on the plans as follows:

21 "These standard design plans have been properly examined by the
22 undersigned. I have determined that they comply with existing local
23 Louisiana codes, and have been properly site adapted to use in this
24 area."

25
26
27 (c). certification of standard design plans, including special details,
28 which were initially prepared by the Louisiana Department of Transportation
29 and Development and signed and dated by such agency's Chief Engineer. Such
30 plans may then be reviewed by another professional engineer for code
31 conformance, design adequacy, and site adaptation for the specific application.
32 The other professional engineer assumes responsibility for such plans. The
33 plans, which already bear the signature of the agency's Chief Engineer, shall be
34 sealed, signed and dated by the other professional engineer who is assuming
35 responsibility. In addition to the other professional engineer's seal, signature
36 and date, a statement shall be included on the plans as follows:

37 "These standard design plans have been properly examined by the
38 undersigned. I have determined that they comply with all applicable
39 codes, and have been properly adapted to use on this project."

40
41
42 (d). certification of single family residential design plans for
43 conformance with applicable state and local building codes. Such plans shall
44 be sealed, signed and dated by the professional engineer who is making such
45 certification. In addition to the professional engineer's seal, signature and
46 date, a statement shall be included on the plans as follows:

47 "These single family residential design plans have been properly
48 examined by the undersigned. I have determined that they comply
49 with the following existing state and local building codes for the
50 jurisdiction in which the residence is to be located (*check all that*
51 *apply*): structural; mechanical; electrical; plumbing."

52 iii. - iii.(c). ...

53
54
55 4. Seal Use

56 a. - a.v.(b). ...

57 b. Preliminary Work

58 i. All preliminary documents shall be marked in large bold letters
59 with one or more of the following statements:

- 60
61
62 (a). "Preliminary – Not For Construction";
63 (b). "Preliminary – For Permit Purposes Only";
64 (c). "Preliminary – For Review Only"; or
65
66
67
68
69

1
2 (d). "Preliminary – Not For Recordation, Conveyances or Sales".
3

4 ii. Preliminary documents are not required to have the licensee's seal,
5 signature and date affixed, but must bear the name and license number of the
6 licensee, and the name of the licensee's firm, if applicable.
7

8 c. – 5.b. ...
9

10 The Board recessed at 11:40 a.m. and resumed at 12:25 p.m.
11

12 Mr. Patterson entered the meeting at 12:45 p.m.
13

14 **Applications (continued)**

15 **Application Appeals (continued)**

16 The Board approved the motion made by Mr. Moore, seconded by Mr. Pike, with Mr.
17 Coyle, Mr. Phillips, Dr. Hale, Mr. Huval, Mr. Moore, Mr. Carroll, Mr. Pike and Mr. Krouse
18 for, Mr. Knotts against and Mr. Patterson abstaining, to request Mr. Falgun B. **Surani**,
19 an applicant for licensure as a professional engineer by comity with NCEES records, to
20 provide documentation showing that he has completed the deficient 23 semester
21 hours in mathematics and basic science.
22
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24

25 **Committee Reports (continued)**

26 **Education/Accreditation Committee**

27 The Board unanimously approved the motion made by the Education/Accreditation
28 Committee to adopt a Board policy that applicants with engineering degrees from
29 Canadian Engineering Accreditation Board (CEAB)-accredited schools are not
30 required to obtain credential evaluations.
31
32

33 **Finance Committee**

34 Mr. Patterson presented the report for the Finance Committee.
35

36 The Board unanimously approved the motion made by the Finance Committee to
37 purchase a \$175,000 certificate of deposit at Citizen's Bank.
38

39 The Board unanimously approved the motion made by the Finance Committee to
40 renew the certificate of deposit at Neighbors Credit Union when it matures on October
41 16, 2016.
42

43 The Board unanimously approved the motion made by the Finance Committee to
44 renew the certificate of deposit at Iberia Bank when it matures on November 12,
45 2016.
46

47 The Board unanimously approved the motion made by the Finance Committee to
48 approve the financial report as presented.
49

50 **Old Business/New Business**

51 The Board unanimously approved the motion made by Mr. Moore, seconded by Mr.
52 Pike, to write a letter of support of Mr. Knotts to run for the NCEES Southern Zone
53 Vice President position.
54

55 The Board unanimously approved the motion made by Mr. Moore, seconded by Mr.
56 Carroll, to approve funds of up to \$1,000 for expenses associated with Mr. Knotts'
57 campaign efforts.
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59 The Chairman appointed Mr. Knotts and Mr. Krouse to serve on the Geoscience Ad
60 Hoc Committee and to represent the Board at meetings with the Louisiana Board of
61 Professional Geoscientists.
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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. Krouse, seconded by Mr. Carroll, to acknowledge and confirm all licenses and certificates issued by the Board.

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

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

The meeting adjourned at 3:10 p.m. on Monday, September 19, 2016.



Kevin E. Crosby, P.E., P.L.S.
Chairman



Terry J. Huval, P.E.
Secretary