

1 MINUTES OF THE REGULAR MEETING
2 LOUISIANA PROFESSIONAL ENGINEERING
3 AND LAND SURVEYING BOARD
4 9643 BROOKLINE AVENUE, SUITE 121
5 BATON ROUGE, LOUISIANA 70809-1433
6 January 18, 2012
7

8 At 8:30 a.m. on January 18, 2012, Ali M. Mustapha, P.E., called the meeting
9 to order at 2032 NE Evangeline Thruway, Lafayette, Louisiana, with the
10 following members present:

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12 Ali M. Mustapha, P.E. Chairman
13 Roger D. Danzy, P.E. Vice Chairman
14 Richard L. Savoie, P.E. Treasurer
15 Norma Jean Mattei, Ph.D., P.E. Secretary
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17 Miles B. Williams, P.E.
18 James E. Bowie, Ph.D., P.E.
19 Timothy J. Allen, P.L.S.
20 M. Ernest Gammon, P.L.S.
21 Theodore H. Thompson, P.E.
22 Kevin E. Crosby, P.E., P.L.S.
23 John W. "Billy" Moore, P.E.
24

25 Also present: Donna D. Sentell, Executive Director
26 Joe H. Harman, P.E.
27 Raymond Reaux, P.E.
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29 The invocation was led by Mr. Allen and the pledge by Mr. Williams.
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31 The Board unanimously approved the motion made by Mr. Savoie,
32 seconded by Dr. Mattei, to accept the January 18, 2012 proposed Call and
33 Agenda.
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35 The Board unanimously approved the motion made by Mr. Danzy,
36 seconded by Mr. Williams, to approve the Minutes from the November 21,
37 2011 Board meeting.
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39 The Board unanimously approved the motion made by Mr. Williams,
40 seconded by Mr. Allen, to schedule the Board's next regular meeting for
41 March 19-20, 2012.
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43 The Board's November Task List was reviewed.
44

45 Public comment time was recognized by Chairman Mustapha. Mr.
46 Raymond Reaux, P.E., addressed the Board concerning professional land
47 surveyor alternative pathway to licensure for engineers.
48

49 **Committee Reports**

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51 **Nominations and Awards Committee**
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53 The Board unanimously approved the motion made by the Nominations
54 and Awards Committee to elect the following Board officers for 2012-13:
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1 Norma Jean Mattei, Ph.D., P.E. - 6 months as Chairman/
2 6 months as Vice Chairman
3 Richard L. Savoie, P.E. - 6 months as Vice Chairman/
4 6 months as Chairman
5 Miles B. Williams, P.E. - Treasurer
6 James E. Bowie, Ph.D., P.E. - Secretary
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8 Applications

9 Application Appeals

10 The Board unanimously approved the motion made by Dr. Bowie,
11 seconded by Mr. Thompson, to *affirm* the reviewing committee's decision to
12 *disapprove* the application of Mr. Melvin **Glass** for licensure as a professional
13 engineer by comity.
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17 Committee Reports (continued)

18 Finance Committee

19 The Board unanimously approved the motion made by the Finance
20 Committee to reinvest the certificates of deposit at United Community
21 Bank, which is due to mature on March 7, 2012, and Investar Bank, which is
22 due to mature on March 10, 2012.
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26 Ms. Victoria Hatton, Board Director of Enforcement, entered the meeting at
27 9:35 a.m.
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29 Mr. D. Scott Landry, Board attorney, entered the meeting at 10:00 a.m.
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31 The Board recessed at 10:10 a.m. and resumed at 10:30 a.m.
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33 Enforcement

34 Ms. Hatton presented the enforcement report.
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36 **Case # 2010 – 118** – Ms. Hatton reported on a licensed engineer who was
37 convicted of a felony under the laws of the State of Louisiana. The
38 respondent has signed and returned the proposed consent order offered by
39 the complaint review committee. The proposed consent order contained
40 the following sanctions:
41

- 42 • Suspension of professional engineer license for 1 year
- 43 • Administrative costs of \$2,024.85
- 44 • Successful completion of the Board's online Louisiana Laws and
45 Rules Quiz
- 46 • Successful completion of the Board's online Louisiana
47 Professionalism and Ethics Quiz
- 48 • Submission of updated violence risk assessments at the five-month
49 and ten-month intervals during the suspension period
- 50 • Fine of \$2,000 and additional 1-year suspension if either of the
51 updated violence risk assessments show a higher risk for violence
52 perpetration
- 53 • Submission of updated violence risk assessments at the five-month
54 and ten-month intervals during any additional suspension period

- Revocation of professional engineer license if either of the updated violence risk assessments during any additional suspension period show a higher risk for violence perpetration
- Publication by name on the Board's website, in the Journal and to NCEES

After discussion, the Board approved the motion made by Mr. Williams, seconded by Mr. Thompson, with Mr. Savoie, Mr. Allen, Mr. Moore, Dr. Bowie, Dr. Mattei and Mr. Danzy for and Mr. Gammon and Mr. Crosby against, to approve the signed Consent Order. The name of the respondent is Jeffrey J. Loup, P.E.

Case # 2010 – 116 – Ms. Hatton reported on an unlicensed firm which, prior to becoming licensed with the Board, (a) practiced/offered to practice engineering and used a modification of the word "engineer" in its name or form of business or activity in Louisiana and (b) represented on its website that it was licensed as a professional engineering firm in Louisiana. The respondent has signed and returned the proposed consent order offered by the complaint review committee. The proposed consent order contained the following sanctions:

- Fine of \$2,500
- Administrative costs of \$773.28
- Publication by name on the Board's website, in the Journal and to NCEES

After discussion, the Board unanimously approved the motion made by Mr. Crosby, seconded by Mr. Williams, to approve the signed Consent Order. The name of the respondent is Beaudette Consulting Engineers, Incorporated.

Case # 2011-40 – Ms. Hatton reported on a licensed engineer who aided or assisted his unlicensed firm in (a) practicing /offering to practice engineering and using a modification of the word "engineer" in its name or form of business or activity in Louisiana prior to becoming licensed with the Board and (b) representing on its website that it was licensed as a professional engineering firm in Louisiana prior to becoming licensed with the Board. The respondent has signed and returned the proposed consent order offered by the complaint review committee. The proposed consent order contained the following sanctions:

- Fine of \$1,000
- Administrative costs of \$773.28
- Successful completion of the Board's online Louisiana Laws and Rules Quiz
- Successful completion of the Board's online Louisiana Professionalism and Ethics Quiz
- Publication by name on the Board's website, in the Journal and to NCEES

After discussion, the Board unanimously approved the motion made by Mr. Allen, seconded by Mr. Thompson, to approve the signed Consent Order. The name of the respondent is Matthew J. Schmidt, P.E.

Case # 2011-59 – Ms. Hatton reported on an unlicensed firm which, prior to becoming licensed with the Board, practiced/offered to practice engineering and used the word "engineers" in its name and in conjunction with its business in Louisiana. The respondent has signed and returned the proposed consent order offered by the complaint review committee. The proposed consent order contained the following sanctions:

- Fine of \$2,500;
- Administrative costs of \$521.39
- Publication by name on the Board's website, in the Journal and to NCEES

After discussion, the Board unanimously approved the motion made by Mr. Allen, seconded by Mr. Thompson, to approve the signed Consent Order. The name of the respondent is CBC Engineers & Associates Ltd. L L C.

Committee Reports (continued)

Architect-Engineer Liaison Committee

The Board unanimously approved the motion made by the Architect-Engineer Liaison Committee to approve the latest revised draft of the *Information on Architecture and Engineering Licensure Laws and Rules* document.

Emeritus Board member, Kenneth McManis, PhD., P.E., P.L.S., entered the meeting at 11:40 a.m.

The Board recessed for lunch at 11:45 a.m. and resumed at 1:15 p.m. The following representatives from LSPS and LES were present: Mr. Steven Flynn, P.L.S., Mr. Chris Richard, P.E., Mr. Jason Thornhill, P.E., and Ms. Brenda Gajan.

Liaison and Law Review Committee

The Board unanimously approved the motion made by Mr. Savoie, seconded by Mr. Williams, to amend Rules 2305 and 2701 to read as follows:

§2305. Supervising Professional

A.1. Each firm licensed with the board shall designate one or more supervising professionals. Each supervising professional shall be a licensed professional:

a. whose primary employment is with the firm on a full-time basis;
or

b. whose secondary employment is with the firm, provided the supervising professional is an owner of the firm.

2. The supervising professionals of an engineering firm shall be a professional engineers. The supervising professionals of a land surveying firm shall be professional land surveyors.

3. The responsibilities of a supervising professional include:

a. renewal of the firm's license and notification to the board of any change in the firm's supervising professionals;

b. institution and adherence of policies of the firm that are in accordance with the licensure law and the rules of the board; and

c. ensuring that all professional services provided by the firm are performed by or under the responsible charge of a licensed professional.

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2 B. Nothing herein shall prohibit a supervising professional from also
3 being in responsible charge of professional services provided by the firm.
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5 C. A failure to comply with any of the provisions of this Chapter may
6 subject both the licensed firm and the supervising professional to
7 disciplinary action by the board.
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9 D. Compliance with this Section will not be met by a contractual
10 relationship between the firm and a licensed professional or a firm of
11 licensed professionals in which such licensed professional or firm of
12 licensed professionals is available on a consultative basis. Nor will it be
13 considered compliance if a licensed professional is related to the firm
14 solely in a nominal or inactive capacity.
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16 **§2701. Seal and Signature**
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18 A. The following rules for the use of seals to identify work performed
19 by a professional engineer or professional land surveyor shall be binding
20 on every licensee.
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24 4. Seal Use

25 a. Completed Work
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30 iii. Drawings and Plats
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32 (a). In the case of multiple sealings, the first sheet or title page
33 shall be sealed, signed and dated by the licensee or licensees in responsible
34 charge. In addition, each sheet shall be sealed, signed and dated by the
35 licensee or licensees responsible for each sheet.
36

37 iv. Specifications, Reports, Design Calculations and Information
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39 (a). In the case of specifications or reports of multiple pages, the
40 first sheet or title page of each document shall be sealed, signed and dated
41 by the licensee or licensees in responsible charge. Subsequent revisions
42 shall be dated and initialed by the licensee in responsible charge whose
43 seal, signature and date appears on the first sheet or title page.
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47 Mr. Leroy Gary, P.L.S. entered the meeting at 1:55 p.m.
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49 Mr. Thompson exited the meeting at 2:00 p.m.
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51 The Board unanimously approved the motion made by Dr. Mattei,
52 seconded by Mr. Danzy, to appoint Emeritus Board members, Mr. Kenneth
53 McManis, Ph.D., P.E., P.L.S. and Mr. A. J. "Sonny" Launey, P.E. to the
54 Alternative Pathway to Professional Land Surveyor Licensure Ad Hoc
55 Committee.
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57 The Board unanimously approved the motion made by Mr. Savoie,
58 seconded by Dr. Mattei, to approve Board and staff members to attend the
59 April 19-21, 2012 NCEES Southern Zone meeting in Huntsville, Alabama.

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Mr. Gary exited the meeting at 2:45 p.m.

The Board unanimously approved the motion made by Mr. Moore, seconded by Mr. Danzy, to have the Liaison and Law Review Committee review the language in the Board's rules relating to experience requirements for foreign/non-ABET degrees coupled with an ABET master's degree.

Closing Business

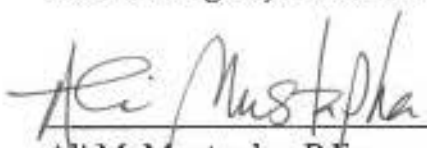
The Board unanimously approved the motion made by Mr. Danzy, seconded by Dr. Mattei, to approve all committee recommendations and actions.

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

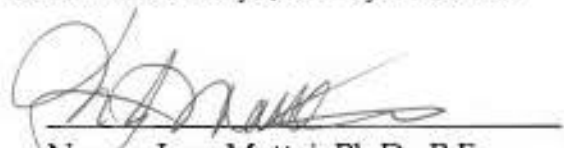
The Board unanimously approved the motion made by Dr. Mattei, seconded by Mr. Savoie, to approve all Board expenses.

The Board unanimously approved the motion made by Dr. Bowie, seconded by Mr. Danzy, to adjourn.

The meeting adjourned at 3:40 p.m. on Wednesday, January, 18, 2012.



Ali M. Mustapha, P.E.
Chairman



Norma Jean Mattei, Ph.D., P.E.
Secretary