

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58

MINUTES OF THE REGULAR MEETING OF THE  
LOUISIANA PROFESSIONAL ENGINEERING  
AND LAND SURVEYING BOARD  
9643 BROOKLINE AVENUE, SUITE 121  
BATON ROUGE, LOUISIANA 70809-1433  
July 27, 2015

At 8:00 a.m. on July 27, 2015, Theodore H. Thompson, P.E., called the meeting to order at the Board's office in Baton Rouge, Louisiana, with the following members present:

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

Terry J. Huval, P.E.  
Christopher P. Knotts, P.E.  
Paul N. Hale, Jr., Ph.D., P.E.  
Alan D. Krouse, P.E.  
D. Scott Phillips, P.E., P.L.S.  
Thomas R. Carroll, III, P.E., P.L.S.  
Wilfred J. Fontenot, P.L.S.

Also present: Donna D. Sentell, Executive Director  
Richard L. Savoie, Jr., P.E., Deputy Executive Director  
Tyson Ducote, Director of Enforcement  
Joe H. Harman, P.E., Technical Support Staff  
William Hyatt, Board Investigator  
D. Scott Landry, Board Attorney  
Bill Tripoli, Board Staff  
Ugochukwu Muonwe

The invocation was led by Mr. Krouse and the pledge by Mr. Phillips.

Public comment time was recognized by Chairman Thompson.

Mr. Muonwe addressed the Board concerning the denial of his application for certification as a land surveyor intern.

The Board unanimously approved the motion made by Mr. Crosby, seconded by Mr. Knotts, to accept the July 27, 2015 proposed Call for the Meeting.

The Board unanimously approved the motion made by Mr. Patterson, seconded by Mr. Knotts, to accept the July 27, 2015 proposed Board Meeting Agenda, as amended.

The Board approved the motion made by Mr. Knotts, seconded by Dr. Hale, with Mr. Fontenot, Mr. Phillips, Dr. Hale, Mr. Huval, Mr. Moore, Mr. Crosby, Mr. Patterson, Mr. Knotts and Mr. Carroll for and Mr. Krouse abstaining, to approve the Minutes from the June 1, 2015 Board meeting.

The Board unanimously approved the motion made by Mr. Moore, seconded by Mr. Patterson, to approved the corrected Minutes from the March 16, 2015 Board meeting.

The Board unanimously approved the motion made by Mr. Knotts, seconded by Mr. Carroll, to schedule the Board's next regular meeting for September 28, 2015 at Tulane University in New Orleans, Louisiana.

## Applications

### Application Appeals

Mr. Crosby discussed the review of Mr. **Muonwe's** application for certification as a land surveyor intern and indicated the Land Surveying Committee, although not a unanimous decision, recommends that the Board affirm the committee's decision to disapprove the application based on insufficient education.

After discussion, the Board disapproved the motion made by Mr. Knotts, seconded by Mr. Patterson, with Mr. Krouse, Mr. Moore, Mr. Phillips and Mr. Crosby for and Mr.

1 Huval, Mr. Fontenot, Mr. Patterson, Mr. Knotts, Mr. Carroll and Dr. Hale against, to  
2 affirm on the Land Surveying Committee's decision to disapprove the application of  
3 Mr. **Muonwe** for certification as a land surveyor intern based on insufficient  
4 education.

5  
6 The Board approved the motion made by Mr. Patterson, seconded by Mr. Fontenot,  
7 with Mr. Fontenot, Dr. Hale, Mr. Huval, Mr. Patterson and Mr. Carroll for, Mr. Crosby,  
8 Mr. Moore, Mr. Knotts, Mr. Krouse and Mr. Phillips against and Chairman Thompson  
9 for, to *approve* the application of Mr. **Muonwe** for certification as a land surveyor  
10 intern, with the recommendation that he take a 3-hour boundary surveying course.

11  
12 The Board disapproved the motion made by Mr. Knotts, seconded by Mr. Crosby, with  
13 Mr. Knotts, Mr. Crosby and Mr. Fontenot for and Mr. Phillips, Dr. Hale, Mr. Huval, Mr.  
14 Moore, Mr. Patterson, Mr. Krouse and Mr. Carroll against, to require Mr. **Muonwe** to  
15 take a 3-hour boundary surveying course before submitting an application for  
16 licensure as a professional land surveyor.

17  
18 Mr. Tripoli and Mr. Muonwe exited the meeting at 9:05 a.m.

19  
20 The Board recessed at 9:05 a.m. and resumed at 9:15 a.m.

21  
22 Ms. Sentell gave the Executive Director's report and reviewed the June Task List.

23  
24 Chairman Thompson welcomed our newest Board members, Mr. Carroll and Mr.  
25 Fontenot.

## 26 27 **Compliance and Enforcement**

28  
29 **Case #2013-119** – Mr. Ducote reported on a professional engineering firm which (a)  
30 practiced and offered to practice engineering in Louisiana with an expired license and  
31 (b) provided engineering services in Louisiana under a firm name which was different  
32 than the firm name contained on its certificate of licensure issued by the Board. The  
33 respondent has signed and returned the proposed consent order offered by the  
34 Complaint Review Committee. The proposed consent order contained the following  
35 sanctions:

- 36 1. Fine of \$1,250
- 37 2. Costs of \$811.25
- 38 3. Past unpaid renewal fees of \$135
- 39 4. Louisiana Laws and Rules Quiz by the Supervising Professional
- 40 5. Publication on the Board's website and in the Journal with name
- 41 6. Report to NCEES with name

42 After discussion, the Board approved the motion made by the Complaint Review  
43 Committee, consisting of Mr. Phillips, Mr. Moore and Mr. Knotts, to approve the signed  
44 consent order. The name of the respondent is **Tomarco Contractor Specialties, Inc.**

45  
46 **Case #2014-29** – Mr. Ducote reported on a professional engineer who aided or  
47 assisted his professional engineering firm in (a) practicing and offering to practice  
48 engineering in Louisiana with an expired license and (b) providing engineering  
49 services in Louisiana under a firm name which was different than the firm name  
50 contained on its certificate of licensure issued by the Board. The respondent has  
51 signed and returned the proposed consent order offered by the Complaint Review  
52 Committee. The proposed consent order contained the following sanctions:

- 53 1. Fine of \$750
- 54 2. Costs of \$721.25
- 55 3. Louisiana Laws and Rules Quiz
- 56 4. Louisiana Professionalism and Ethics Quiz
- 57 5. Publication on the Board's website and in the Journal with name
- 58 6. Report to NCEES with name

59 After discussion, the Board approved the motion made by the Complaint Review  
60 Committee, consisting of Mr. Phillips, Mr. Moore and Mr. Knotts, to approve the signed  
61 consent order. The name of the respondent is **Anthony A. Rubalcava, P.E.**

62  
63 **Case #2014- 49** – Mr. Ducote reported on an unlicensed firm which practiced and/or  
64 offered to practice land surveying and used the word "surveying" in its name and in  
65 conjunction with its business activities in Louisiana without proper licensure. The  
66 firm subsequently became licensed in Louisiana and changed its name. The  
67 respondent has signed and returned the proposed consent order offered by the  
68 Complaint Review Committee. The proposed consent order contained the following  
69 sanctions:

1. Fine of \$2,000
2. Costs of \$583.20
3. Publication on the Board's website and in the Journal with name
4. Report to NCEES with name

After discussion, the Board approved the motion made by the Complaint Review Committee, consisting of Mr. Patterson, Mr. Knotts and Mr. Phillips, to approve the signed consent order. The name of the respondent is **Republic National, Inc.** (formerly known as Altamonte Surveying & Platting, Inc.)

## **Committee Reports**

### **Liaison and Law Review Committee**

Mr. Knotts presented the Liaison and Law Review Committee's recommendation to repeal Rule 1303 and amend Rule 1701(B).

After discussion, the Board unanimously approved the motion made by the Liaison and Law Review Committee to repeal Rule 1303.

After discussion, the Board unanimously approved the motion made by the Liaison and Law Review Committee to amend Rule 1701(B) to read as follows:

#### §1701. Applications

A. ...

B. Applications for licensure as a professional engineer or professional land surveyor shall be completed on the most current forms developed by the board. The application shall contain statements showing the applicant's qualifications, and the names and addresses of five personal references. None of the five personal references can be an immediate family member or business associate of the applicant. For purposes of this §1701.B, immediate family member is defined as a spouse, child, spouse of a child, sibling, spouse of a sibling, sibling of a spouse, parent, parent of a spouse, stepparent or stepchild. For purposes of this §1701.B, business associate is defined as a subordinate of the applicant, or a consultant or contractor who provides goods or services to the applicant or to a business, entity or agency in which the applicant is an owner, member, officer, director, trustee, partner, principal, manager, employee, associate, consultant or contractor. Three or more of the five personal references furnished by an applicant for licensure as a professional engineer shall be professional engineers holding valid licenses to engage in the practice of engineering issued to them by proper authority of a state, territory, or possession of the United States, or the District of Columbia. Three or more of the five personal references furnished by an applicant for licensure as a professional land surveyor shall be professional land surveyors holding valid licenses to engage in the practice of land surveying issued to them by proper authority of a state, territory, or possession of the United States, or the District of Columbia. Engineering experience shall be verified by a person having direct knowledge of the quality of the applicant's engineering work, preferably 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. Land surveying experience shall be verified by a person having direct knowledge of the quality of the applicant's land surveying work, preferably a professional land surveyor holding a valid license to engage in the practice of land surveying issued to him/her by proper authority of a state, territory, or possession of the United States, or the District of Columbia.

C. - H. ...

The Board unanimously approved the motion made by the Liaison and Law Review Committee to deny the request from F.E. Milford, III, P.E. to amend Rule 2701(A)(4)(b)(i) regarding preliminary work disclaimers.

The Board directed Ms. Sentell to notify Mr. Milford of the Board's denial of his request, but to indicate that the Board (a) believes his suggestions merit further study and (b) has referred the subject to one of its standing committees to review and report back to the Board in the future.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68

Mr. Knotts presented the request from the Louisiana Engineering Society for the Board to seek an opinion from the Louisiana Attorney General regarding the application of La. R.S. 37:3651(A) to the Board’s professional engineer licensure requirements.

The Board unanimously approved the motion made by the Liaison and Law Review Committee to seek an opinion from the Louisiana Attorney General regarding the application of La. R.S. 37:3651(A) to the Board’s professional engineer licensure requirements.

The Board recessed at 10:45 a.m. and resumed at 11:05 a.m.

Mr. Moore exited the meeting at 11:15 a.m.

**Applications (continued)**

**Application Appeals (continued)**

The Board unanimously approved the motion made by the reviewing committee, consisting of Mr. Knotts and Dr. Hale, to affirm the reviewing committee’s decision to *disapprove* the application of Samuel **Shilesh** for licensure as a professional engineer by comity based on insufficient experience.

The Board unanimously approved the motion made by Mr. Knotts, seconded by Mr. Krouse, for the Board to review Rule 1505(B) as it relates to Canadian licensure and experience.

Chairman Thompson charged the Liaison and Law Review Committee with reviewing Rule 1505(B) as it relates to Canadian licensure and experience and making a recommendation for possible revisions to the Board.

**Committee Reports (continued)**

**Finance Committee**

Mr. Patterson presented the financial documents for Board review.

The Board unanimously approved the motion made by the Finance Committee to accept the FY 2015-16 year-to-date financials as presented.

The Board unanimously approved the motion made by the Finance Committee to renew the certificate of deposit at Chase Bank when it matures on September 24, 2015.

The Board unanimously approved the motion made by Mr. Patterson, seconded by Mr. Knotts, to authorize funding of up to \$7,500 for the purchase of Board room furniture.

The Board recessed for lunch at noon and resumed at 1:10 p.m. Emeritus Board Member Norma Jean Mattei, Ph.D., P.E. and Bradley J. Roberts, P.L.S. joined the Board members for lunch.

Mr. Moore entered the meeting at 12:50 p.m.

**Old/New Business**

The Board unanimously approved the motion made by Mr. Crosby, seconded by Mr. Knotts, to have Mr. Landry review and edit the proposed Agency Participation Agreement received from the Louisiana Department of Revenue’s Office of Debt Recovery and to send the edited draft to the Executive Committee for review.

Chairman Thompson requested the ad hoc committee comprised of Mr. Krouse, Mr. Patterson and Mr. Phillips make a recommendation concerning office security at the September Board meeting.

Mr. Knotts requested that the Board consider making two campus/student outreach visits per year, but not hold those visits in conjunction with a Board meeting.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36

Chairman Thompson charged the Finance Committee with reviewing Mr. Knotts' request to determine the financial impact and make a recommendation at the September Board meeting.

The Board unanimously approved the motion made by Mr. Crosby, seconded by Mr. Huval, to hold the January, 2016 Board meeting on Tuesday, January 19, 2016.

The Board unanimously approved the motion made by Mr. Crosby, seconded by Dr. Hale, to have the staff prepare printed copies of documents for Board meetings for those members requesting the documents in this form. Board members should advise Ms. Sentell at least one week prior to a Board meeting if they desire a printed copy of these documents.

**Closing Business**

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

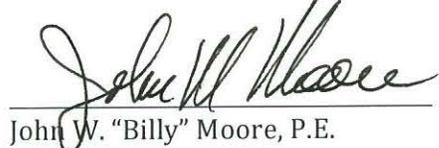
The Board unanimously approved the motion made by Mr. Knotts, seconded by Mr. Patterson, to acknowledge and confirm all licenses and certificates issued by the Board.

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

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

The meeting adjourned at 3:30 p.m. on Monday, July 27, 2015.

  
\_\_\_\_\_  
Theodore H. Thompson, P.E.  
Chairman

  
\_\_\_\_\_  
John W. "Billy" Moore, P.E.  
Secretary