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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
June 8, 2020

At 10:00 a.m. on June 8, 2020, Thomas R. Carroll, P.E., P.L.S. called the meeting to order, via Zoom video teleconferencing, with the following members present:

11 Thomas R. Carroll, III, P.E., P.L.S. Chairman
12 Charles G. Coyle, III, P.L.S. Vice Chairman
13 Christopher K. Richard, P.E. Treasurer
14 Jeff A. Pike, P.E. Secretary

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16 Alan D. Krouse, P.E.
17 Edgar P. Benoit, P.E.
18 Chad C. Vosburg, P.E.
19 Wilfred J. Fontenot, P.L.S.
20 Connie P. Betts, P.E.
21 Reginald L. Jeter, P.E.

22
23 Also present: Donna D. Sentell, Executive Director
24 Cheron Seaman, Deputy Executive Director
25 Bill Tripoli, Board Staff
26 Janet Lindsey, Application Manager
27 Joe Harman, P.E., Board Staff
28 William Hyatt, Board Investigator
29 Chris Aaron, Board Investigator
30 D. Scott Landry, Board Attorney

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32 Not present: D. Scott Phillips, P.E., P.L.S.

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34 The invocation was led by Chairman Carroll and the pledge was led by Mr. Pike.

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36 Public comment time was recognized by Chairman Carroll.

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38 The Board unanimously approved the motion made by Mr. Richard, seconded by Mr.
39 Krouse, to accept the June 8, 2020 proposed Call and Agenda for the meeting.

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41 The Board unanimously approved the motion made by Mr. Vosburg, seconded by Mr.
42 Pike, to approve the minutes from the January 28, 2020 Board meeting.

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44 **Compliance and Enforcement**

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46 **Case # 2017-67** – Mr. Hyatt reported on an unlicensed firm which practiced and/or
47 offered to practice land surveying without proper licensure. The respondent has
48 signed and returned the proposed consent order offered by the Complaint Review
49 Committee. The proposed consent order contained the following sanctions:

- 50 1. Fine of \$1,500
51 2. Costs of \$474.30
52 3. Publication on the Board's website and in the Journal with name
53 4. Report to NCEES with name

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55 After discussion, the Board unanimously approved the motion made by the Complaint
56 Review Committee, consisting of Mr. Pike, Mr. Carroll and Mr. Richard, to approve the
57 signed consent order. The name of the respondent is **Hebert Professional Services,
58 Inc.**

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60 **Case # 2017-9** – Mr. Hyatt reported on a professional land surveyor who aided or
61 assisted another person in violating the laws and/or rules of the Board. The
62 respondent has signed and returned the proposed consent order offered by the
63 Complaint Review Committee. The proposed consent order contained the following
64 sanctions:

- 65 1. Fine of \$500
66 2. Costs of \$474.30
67 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. Pike, Mr. Carroll and Mr. Richard, to approve the signed consent order. The name of the respondent is **John O. Hebert, III, P.L.S.**

Case # 2018-5 – Mr. Hyatt reported on an unlicensed firm which practiced and/or offered to practice land surveying and used the words “land surveyor”, “land surveying” or a modification or derivative thereof in a person’s name or form of business or activity without proper licensure. 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 \$1,500
2. Costs of \$522.95
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 **Bickford Surveys, LLC.**

Case # 2018-15 – Mr. Hyatt reported on a professional land surveyor who aided or assisted another person in violating the laws and/or rules of 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:

1. Fine of \$500
2. Costs of \$522.95
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. Carroll, Mr. Richard and Mr. Fontenot, to approve the signed consent order. The name of the respondent is **Michael E. James, P.L.S.**

Case # 2019-8 – Mr. Aaron reported on a professional engineer who committed fraud, deceit, material misstatement or perjury, or the giving of any false or forged evidence, in applying for a renewal license 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:

1. Permanent surrender of professional engineer license
2. Prohibition on practicing or offering to practice engineering in Louisiana
3. Return of Louisiana certificate of professional engineer licensure and all Louisiana professional engineer seals
4. Publication on the Board's website and in the Journal with name
5. Report to NCEES with name

After discussion, the Board unanimously approved the motion made by the Complaint Review Committee, consisting of Mr. Carroll, Mr. Fontenot and Mr. Benoit, to approve the signed consent order. The name of the respondent is **Chander P. Nangia, P.E.**

Case # 2019-61 – Mr. Aaron reported on a licensed firm which committed fraud, deceit, material misstatement or perjury, or the giving of any false or forged evidence, in applying for a renewal license 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:

1. Fine of \$1,000
2. Costs of \$521.04
3. Louisiana Laws & Rules Quiz by each supervising professional
4. Louisiana Professionalism & Ethics Quiz by each supervising professional
5. Immediate suspension of professional engineering firm license if it fails to comply with any portion of the consent order, with said suspension continuing until it so complies

6. Publication on the Board's website and in the Journal with name
7. Report to NCEES with name

After discussion, the Board unanimously approved the motion made by the Complaint Review Committee, consisting of Mr. Richard, Mr. Benoit and Ms. Betts, to approve the signed consent order. The name of the respondent is **Royal Engineers and Consultants, L.L.C.**

Case # 2019-62 – Mr. Aaron reported on a professional engineer who committed fraud, deceit, material misstatement or perjury, or the giving of any false or forged evidence, in applying for a renewal license 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:

1. Fine of \$1,000
2. Costs of \$521.04
3. Louisiana Laws & Rules Quiz
4. Louisiana Professionalism & Ethics Quiz
5. Immediate suspension of professional engineer license if he fails to comply with any portion of the consent order, with said suspension continuing until he so complies
6. Publication on the Board's website and in the Journal with name
7. Report to NCEES with name

After discussion, the Board unanimously approved the motion made by the Complaint Review Committee, consisting of Mr. Richard, Mr. Benoit and Ms. Betts, to approve the signed consent order. The name of the respondent is **Michael L. Pugh, Jr., P.E.**

Case # 2019-63 – Mr. Aaron reported on a professional engineer who committed fraud, deceit, material misstatement or perjury, or the giving of any false or forged evidence, in applying for a renewal license 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:

1. Fine of \$1,000
2. Costs of \$521.04
3. Louisiana Laws & Rules Quiz
4. Louisiana Professionalism & Ethics Quiz
5. Immediate suspension of professional engineer license if he fails to comply with any portion of the consent order, with said suspension continuing until he so complies
6. Publication on the Board's website and in the Journal with name
7. Report to NCEES with name

After discussion, the Board unanimously approved the motion made by the Complaint Review Committee, consisting of Mr. Richard, Mr. Benoit and Ms. Betts, to approve the signed consent order. The name of the respondent is **Beau J. Tate, P.E.**

The Board reviewed the request made by **Anthony R. Venson, Ph.D.** to reinstate his revoked professional engineer license. After discussion, the Board unanimously approved the motion made by Mr. Coyle, seconded by Mr. Benoit, to deny the request of Mr. Venson to reinstate his revoked professional engineer license.

Committee Reports

Laws and Rules Committee

Mr. Richard and Mr. Krouse presented the report for the Laws and Rules Committee.

The Board unanimously approved the motion made by Mr. Coyle, seconded by Mr. Krouse, to authorize Mr. Landry to proceed ahead with the rulemaking process involving the proposed revision to Rule 2305 relating to supervising professionals.

The Board unanimously approved the motion made by Mr. Richard, seconded by Mr. Krouse, to adopt the Emergency Policy Concerning Supervising Professionals of Licensed Firms, effective April 1, 2020 to December 31, 2020, to read as follows:

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**EMERGENCY POLICY CONCERNING
SUPERVISING PROFESSIONALS OF LICENSED FIRMS
(EFFECTIVE APRIL 1, 2020 TO DECEMBER 31, 2020)**

1. The Louisiana Professional Engineering and Land Surveying Board recognizes the significance of the COVID-19 outbreak in the State of Louisiana and the nation, and the effect it is having on engineering and land surveying businesses, especially the ability of those businesses to retain employees.

2. La. R.S. 37:689 and Board Rule 2301(B) require firms to be licensed with the Board before they may practice or offer to practice engineering or land surveying in the State of Louisiana.

3. Board Rule 2305(A)(1) requires that all licensed firms designate one or more supervising professionals who are active licensees of the Board and:

- 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

4. Board Rule 2305(E) states that compliance with these requirements cannot be met by a contractual relationship between the firm and an individual licensee in which such individual licensee is available on a consultative basis or solely in a nominal or inactive capacity.

5. Board Rule 2305(A)(3) describes the responsibilities of a supervising professional as including (a) renewal of the firm's license and notification to the Board of any change in the firm's supervising professionals; (b) institution of and adherence to policies of the firm that are in accordance with the licensure law and rules of the Board; and (c) ensuring that all professional services provided by the firm are performed by or under the responsible charge of licensed individuals.

6. During this time of the COVID-19 pandemic, licensed firms may find it financially necessary to temporarily layoff, furlough or reduce the work hours of employees, including the firm's supervising professional(s).

7. For the above reasons, between April 1, 2020 and December 31, 2020 the Board will allow licensed firms to designate supervising professional(s) whose employment is with the firm on a part-time basis, even if the supervising professional is not an owner of the firm. If a licensed firm desires to designate such an individual as a supervising professional, it must immediately notify Board staff in writing of such designation.

8. As always, licensed firms should immediately notify Board staff in writing in the event they terminate/layoff/discharge or otherwise change the firm's supervising professional(s).

9. If a licensed firm properly designates a supervising professional(s) pursuant to either Board Rule 2305 or this emergency policy, the firm can continue practicing and offering to practice engineering/land surveying in Louisiana as usual, without interruption. However, if a licensed firm cannot do so and no longer has a qualified supervising professional, then the firm's license(s) will no longer be active and it will not be allowed to practice or offer to practice engineering/land surveying in Louisiana until such time as it makes a proper designation.

10. The failure to properly notify Board staff of any change in a licensed firm's supervising professional(s) may subject the firm and its supervising professional(s) to disciplinary action by the Board.

11. This emergency policy shall terminate on December 31, 2020.

Due to the ongoing COVID-19 public health emergency, Chairman Carroll appointed Mr. Pike, Ms. Betts and Mr. Fontenot to an Ad Hoc Committee and charged it with reviewing the continuing professional development (CPD) requirements for individual licensees who will be renewing their licenses in 2021 and 2022 and making

1 a recommendation at the next Board meeting regarding the need for an emergency
2 policy on licensees satisfying the 2020 CPD requirements.

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4 **Land Surveying Committee**

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6 Mr. Coyle presented the report for the Laws and Rules Committee.

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8 Mr. Coyle provided an update on the Louisiana laws of land surveying workshop.

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10 After discussion, the Board approved the motion made by the Land Surveying
11 Committee, with Mr. Coyle, Mr. Pike, Mr. Richard, Mr. Vosburg, Mr. Fontenot, Ms. Betts,
12 Mr. Jeter and Mr. Krouse for and Mr. Benoit against, to adopt the proposed Land
13 Surveying Oral Exam interview form and Guidelines for Administration of Oral
14 Examinations which were prepared by the committee.

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16 Mr. Phillips joined the meeting at 11:05 a.m.

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18 **Applications**

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20 **Application Reviews**

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22 The Board approved the motion made by Mr. Benoit, seconded by Mr. Phillips, with
23 Mr. Benoit, Mr. Phillips, Mr. Vosburg, Mr. Fontenot and Mr. Richard for, Mr. Pike, Mr.
24 Jeter, Mr. Coyle, Ms. Betts and Mr. Krouse against, and with Chairman Carroll casting a
25 vote for, to approve the application of **Ali Ghamkhar** for licensure as a professional
26 engineer by comity.

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28 The Board disapproved the motion made by Mr. Benoit, seconded by Mr. Phillips, with
29 Mr. Benoit and Mr. Phillips for and Mr. Pike, Mr. Jeter, Ms. Betts, Mr. Fontenot, Mr.
30 Krouse, Mr. Richard and Mr. Coyle against, to approve the application of **Oliver**
31 **Williams** for licensure as a professional engineer by comity based on an incomplete
32 application.

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34 **Committee Reports (continued)**

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36 **Finance Committee**

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38 Mr. Richard presented the report for the Finance Committee.

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40 The Board unanimously approved the motion made by Mr. Richard, seconded by Mr.
41 Coyle, to authorize the Executive Director to enter into a contract with the **Louisiana**
42 **Society of Professional Surveyors (LSPS)** for assistance in developing the Louisiana
43 Laws of Land Surveying Examination. The term of the contract will be for one year
44 beginning **July 1, 2019 and ending June 30, 2020, in the amount of \$5,600.**

45
46 The Board unanimously approved the motion made by Mr. Richard, seconded by Mr.
47 Coyle, to authorize the Executive Director to enter into a contract with the **Louisiana**
48 **Society of Professional Surveyors (LSPS)** for assistance in developing the Louisiana
49 Laws of Land Surveying Examination. The term of the contract will be for one year
50 beginning **July 1, 2020 and ending June 30, 2021, in the amount of \$5,600.**

51
52 The Board unanimously approved the motion made by Mr. Richard, seconded by Mr.
53 Coyle, to authorize the Executive Director to enter into a contract with **Tri-Core**
54 **Technologies, L.L.C.** to maintain and support the Board's information technology
55 systems and provide support for 20 hours per week. The term of the contract will be
56 for one year beginning **July 1, 2020 and ending June 30, 2021, in the amount of**
57 **\$36,000.**

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59 The Board unanimously approved the motion made by Mr. Richard, seconded by Mr.
60 Jeter, to accept the finance report and the amended FY 19-20 budget as presented.

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62 The Board unanimously approved the motion made by Mr. Richard, seconded by Mr.
63 Pike, to renew the Certificate of Deposit at Citizen's Bank when it matures on June 23,
64 2020.

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Old/New Business

The Board unanimously approved the motion made by Mr. Pike, seconded by Mr. Jeter, to schedule the next Board meeting for July 27, 2020.

Closing Business

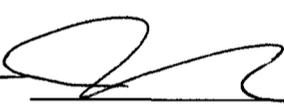
The Board unanimously approved the motion made by Mr. Richard, seconded by Mr. Pike, to approve all committee recommendations and actions.

The Board unanimously approved the motion made by Mr. Pike, seconded by Mr. Richard, 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. Richard, seconded by Mr. Vosburg, to approve all Board expenses.

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

The meeting adjourned at 12:30 p.m. on June 8, 2020.

	
_____ Thomas R. Carroll, P.E., P.L.S. Chairman	_____ Jeff A. Pike, P.E. Secretary