

MINUTES OF THE REGULAR MEETING OF THE
LOUISIANA PROFESSIONAL ENGINEERING
AND LAND SURVEYING BOARD
9643 BROOKLINE AVENUE, SUITE 121
BATON ROUGE, LOUISIANA 70809-1433
March 13, 2017

At 8:00 a.m. on March 13, 2017, Kevin E. Crosby, P.E., P.L.S. called the meeting to order at the Board’s office in Baton Rouge, Louisiana, with the following members present:

David L. Patterson, P.L.S.	Chairman
Terry J. Huval, P.E.	Vice Chairman
Christopher P. Knotts, P.E.	Treasurer
Paul N. Hale, Jr., Ph.D., P.E.	Secretary

Alan D. Krouse, P.E.
Thomas R. Carroll, III, P.E., P.L.S.
Charles G. Coyle, III, P.L.S.
Jeffrey A. Pike, P.E.
Kevin E. Crosby, P.E., P.L.S.

Not Present: John W. “Billy” Moore, P.E.
D. Scott Phillips, P.E., 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
Larry Cobb, Board Staff

The invocation and pledge were led by Mr. Crosby.

Mr. Crosby presented the Chairman’s gavel to Mr. Patterson.

The Board unanimously approved the motion made by Mr. Knotts, seconded by Mr. Carroll, to accept the March 13, 2017 proposed Call and Agenda for the Meeting.

Public comment time was recognized by Chairman Patterson.

The Board unanimously approved the motion made by Mr. Coyle, seconded by Mr. Huval, to approve the minutes from the January 10, 2017 Board meeting.

The Board unanimously approved the motion made by Mr. Carroll, seconded by Dr. Hale, to schedule the Board’s next regular meeting for May 15-16, 2017.

Chairman Patterson designated Mr. Crosby and Mr. Phillips as the Board-funded delegates for the LSPS convention on April 5-7, 2017 in Houma, Louisiana.

Compliance and Enforcement

Case # 2014-38 – Mr. Ducote reported on a professional engineering firm which had an employee who practiced engineering 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 \$670.11
3. Louisiana Laws and Rules Quiz by each of its supervising professionals
4. Louisiana Professionalism and Ethics Quiz by each of its supervising professionals
5. Ensure that none of the firm’s employees practice and/or offer to practice engineering in Louisiana without proper licensure
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. Knotts, Mr. Krouse and Mr. Phillips, to approve

the signed consent order. The name of the respondent is **Amec Foster Wheeler USA Corporation.**

Case # 2015-24 – Mr. Ducote reported on an unlicensed individual who practiced engineering 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 \$1,000
2. Costs of \$669.61
3. Cease and desist
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. Knotts, Mr. Krouse and Mr. Phillips, to approve the signed consent order. The name of the respondent is **George M. Dyer.**

Case # 2015-32 – Mr. Ducote reported on a professional engineer 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 \$670.13
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. Krouse and Mr. Phillips, to approve the signed consent order. The name of the respondent is **Jian-Ming E. Wang, P.E.**

Case # 2015-38 – Mr. Ducote 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 \$1,000
2. Costs of \$1,893.12
3. Cease and desist
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. Phillips, Mr. Crosby and Mr. Knotts, to approve the signed consent order. The name of the respondent is **DoC Mapping, L.L.C.**

Case # 2015-55 – Mr. Ducote reported on a professional engineer who failed to seal engineering documents that have been issued by the licensee to clients as completed work. 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 \$567.85
3. Louisiana Laws and Rules Quiz
4. Louisiana Professionalism and Ethics Quiz
5. Seal all engineering documents which are issued by the licensee to a client or governmental agency as completed work unless specifically exempted by applicable law or rule
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. Carroll, Mr. Knotts and Dr. Hale, to approve the signed consent order. The name of the respondent is **Friedrich W. L. Gurtler, P.E.**

Case # 2015-56 – Mr. Ducote reported on a professional engineering firm which had an employee, officer and supervising professional who failed to seal engineering documents that have been issued by the individual to clients as completed work. 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 \$567.85
3. Ensure that its employees seal all engineering documents which are issued by the firm to a client or governmental agency as completed work unless specifically exempted by applicable law or rule
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. Knotts and Dr. Hale, to approve the signed consent order. The name of the respondent is **Gurtler Bros. Consultants, Inc.**

Case # 2016-4 – Mr. Ducote reported on an unlicensed firm which practiced and offered to practice engineering and used the words "engineer", "engineering" 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 \$2,000
2. Costs of \$421.05
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. Knotts, Mr. Krouse and Mr. Coyle, to approve the signed consent order. The name of the respondent is **Blandco, L.L.C.**

Case # 2016-5 – Mr. Ducote reported on a professional engineer 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 \$421.05
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. Krouse and Mr. Coyle, to approve the signed consent order. The name of the respondent is **Melanie V. Gaspard, P.E.**

Case # 2016-18 – Mr. Ducote reported on an unlicensed firm which offered to practice engineering 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 \$250
2. Costs of \$317.29
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. Phillips, Mr. Carroll and Mr. Pike, with Mr. Coyle, Dr. Hale, Mr. Huval, Mr. Krouse, Mr. Carroll and Mr. Pike for, Mr. Crosby against and Mr. Knotts abstaining, to approve the signed consent order. The name of the respondent is **Mark J. Morvant, P.E., LLC.**

Case # 2016-19 – Mr. Ducote reported on a professional engineer 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 \$250
2. Costs of \$310.32
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 approved the motion made by the Complaint Review Committee, consisting of Mr. Phillips, Mr. Carroll and Mr. Pike, with Mr. Coyle, Dr.

Hale, Mr. Huval, Mr. Krouse, Mr. Carroll, Mr. Pike and Mr. Crosby for and Mr. Knotts abstaining, to approve the signed consent order. The name of the respondent is **Mark J. Morvant, P.E.**

Case # 2016-20 – Mr. Ducote reported on an unlicensed firm which practiced and offered to practice engineering 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 \$500
2. Costs of \$317.29
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. Phillips, Mr. Carroll and Mr. Pike, with Mr. Coyle, Dr. Hale, Mr. Huval, Mr. Krouse, Mr. Carroll and Mr. Pike for, Mr. Crosby against and Mr. Knotts abstaining, to approve the signed consent order. The name of the respondent is **Richard L Holm, LLC.**

Case # 2016-21 – Mr. Ducote reported on a professional engineer 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 \$317.29
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 approved the motion made by the Complaint Review Committee, consisting of Mr. Phillips, Mr. Carroll and Mr. Pike, with Mr. Coyle, Dr. Hale, Mr. Huval, Mr. Krouse, Mr. Carroll, Mr. Pike and Mr. Crosby for and Mr. Knotts abstaining, to approve the signed consent order. The name of the respondent is **Richard L. Holm, P.E.**

Case # 2016-22 – Mr. Ducote reported on an unlicensed firm which practiced and offered to practice engineering without proper licensure and provided false information on its application for firm licensure to 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 \$2,000
2. Costs of \$323.48
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. Phillips, Mr. Carroll and Mr. Pike, with Mr. Coyle, Dr. Hale, Mr. Huval, Mr. Krouse, Mr. Carroll, Mr. Pike and Mr. Crosby for and Mr. Knotts abstaining, to approve the signed consent order. The name of the respondent is **Peter Allain, PE, LLC.**

Case # 2016-23 – Mr. Ducote reported on a professional engineer 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 \$750
2. Costs of \$323.48
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 approved the motion made by the Complaint Review Committee, consisting of Mr. Phillips, Mr. Carroll and Mr. Pike, with Mr. Coyle, Dr. Hale, Mr. Huval, Mr. Krouse, Mr. Carroll, Mr. Pike and Mr. Crosby for and Mr. Knotts abstaining, to approve the signed consent order. The name of the respondent is **Peter A. Allain, P.E.**

Case # 2016-24 – Mr. Ducote reported on an unlicensed firm which practiced and/or offered to practice engineering 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 \$500
2. Costs of \$325.81
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. Phillips, Mr. Carroll and Mr. Pike, with Mr. Coyle, Dr. Hale, Mr. Huval, Mr. Krouse, Mr. Carroll and Mr. Pike for, Mr. Crosby against and Mr. Knotts abstaining, to approve the signed consent order. The name of the respondent is **David W. Backstedt, Jr., L.L.C.**

Case # 2016-25 – Mr. Ducote reported on a professional engineer 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 \$325.81
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 approved the motion made by the Complaint Review Committee, consisting of Mr. Phillips, Mr. Carroll and Mr. Pike, with Mr. Coyle, Dr. Hale, Mr. Huval, Mr. Krouse, Mr. Carroll, Mr. Pike and Mr. Crosby for and Mr. Knotts abstaining, to approve the signed consent order. The name of the respondent is **David W. Backstedt, Jr., P.E.**

Case # 2016-34 – Mr. Ducote reported on an unlicensed firm which practiced and/or offered to practice engineering and used the words "engineer", "engineering" 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 \$3,000
2. Costs of \$441.25
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. Phillips, Mr. Krouse and Mr. Coyle, to approve the signed consent order. The name of the respondent is **Minick Engineering, Inc.**

Case # 2016-36 – Mr. Ducote reported on a professional engineer 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 \$441.25
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. Phillips, Mr. Krouse and Mr. Coyle, to approve the signed consent order. The name of the respondent is **Mark C. Minick, P.E.**

Case # 2016-37 – Mr. Ducote reported on an unlicensed firm which practiced and/or offered to practice engineering 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 \$3,000
2. Costs of \$332.39
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. Knotts, Mr. Krouse and Mr. Pike, to approve the signed consent order. The name of the respondent is **Osmose Utilities Services, Inc.**

Case # 2016-38 – Mr. Ducote reported on a professional engineer 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 \$331.92
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. Krouse and Mr. Pike, to approve the signed consent order. The name of the respondent is **Thomas M. Gardner, P.E.**

The Board recessed at 9:45 a.m. and resumed at 10:05 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 Review Committee to amend Rules 903, 1105 and 1901 to read as follows:

§903. Professional Engineer Licensure

A. The requirements for licensure as a professional engineer under the alternatives provided in the licensure law are as follows:

1. ...

2. the applicant for licensure as a professional engineer shall be an individual who holds 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, based on requirements that do not conflict with the provisions of the licensure law, and which were of a standard not lower than that specified in the applicable licensure law in effect in Louisiana at the time such license was issued, who is of good character and reputation, who has submitted an application for licensure in accordance with the requirements of R.S. 37:694, and if the state, territory, or possession, or the District of Columbia, in which he/she is licensed will accept the licenses issued by the board on a comity basis, and who was duly licensed as a professional engineer by the board.

B. - E. ...

§1105. Acceptable Engineering Graduate Degrees

A. Acceptable engineering graduate degrees are those in an engineering discipline or sub-discipline from a university having an undergraduate accredited engineering curriculum in the same discipline or sub-discipline and which require the removal of deficiencies in science, mathematics, engineering sciences and engineering design as a prerequisite to the graduate courses; or are those found by the board to be equivalent to such degrees. The successful completion of a minimum of 48 semester credit hours of coursework in engineering sciences and engineering design is required in order to remove deficiencies in engineering sciences and engineering design.

§1901. Disciplines

A. ...

B. Each individual licensed under R.S. 37:693(B)(5) shall be listed by the board as a professional engineer in the discipline of naval architecture/marine engineering.

1
2 **Applications**
3

4 **Application Appeals**
5

6 The Board unanimously approved the motion made by the reviewing committee,
7 comprised of Mr. Knotts and Mr. Carroll, to affirm the reviewing committee's decision
8 to *disapprove* the application of Juan Carlos **Guerrero-Molano** for licensure as a
9 professional engineer by comity based on not having passed the fundamentals of
10 engineering examination.
11

12 **Committee Reports (continued)**
13

14 **Land Surveying Committee**
15

16 Chairman Patterson presented the report for the Land Surveying Committee.
17

18 The Board unanimously approved the motion made by Mr. Pike, seconded by Mr.
19 Knotts, to request a letter from Chaffe McCall (which will be shared with LSPS)
20 summarizing their conclusions regarding the ownership and copyright of the
21 Louisiana Laws of Land Surveying Examination.
22

23 The Board unanimously approved the motion made by the Land Surveying Committee
24 to authorize the Executive Director to enter into a contract with the **LSPS** to serve as
25 subject matter experts in developing the Louisiana Laws of Land Surveying
26 Examination for the Board. The term of the contract will be for one year **beginning**
27 **July 1, 2017 and ending June 30, 2018**, in the amount not to exceed **\$5,000.00**.
28

29 **Finance Committee**
30

31 Mr. Knotts presented the report for the Finance Committee.
32

33 The Board unanimously approved the motion made by the Finance Committee to
34 approve the financial report for FY 16-17 as presented.
35

36 The Board unanimously approved the motion made by the Finance Committee to
37 amend the contract for **Celia Cangelosi** to serve as a prosecuting attorney for Board
38 disciplinary and enforcement hearings. The term of the contract will be for one year
39 beginning **July 1, 2016 and ending June 30, 2017**, in the amount not to exceed
40 **\$75,000.00**.
41

42 The Board recessed at noon for lunch and resumed at 12:40 p.m.
43

44 **Closing Business**
45


46 The Board unanimously approved the motion made by Mr. Crosby, seconded by Mr.
47 Knotts, to approve all committee recommendations and actions.
48


49 The Board unanimously approved the motion made by Mr. Huval, seconded by Mr.
50 Krouse, to acknowledge and confirm all licenses and certificates issued by the Board.
51

52 The Board unanimously approved the motion made by Mr. Coyle, seconded by Mr.
53 Huval, to approve all Board expenses.
54

55 The Board unanimously approved the motion made by Mr. Crosby, seconded by Mr.
56 Knotts, to adjourn.
57

58 The meeting adjourned at 1:12 p.m. on Monday, March 13, 2017.
59

60 
61
62 David L. Patterson, P.L.S.
63 Chairman
64

65 
66
67 Paul N. Hale, Jr., Ph.D., P.E.
Secretary