

MINUTES OF THE REGULAR MEETING OF THE  
LOUISIANA PROFESSIONAL ENGINEERING  
AND LAND SURVEYING BOARD  
9643 BROOKLINE AVENUE, SUITE 121  
BATON ROUGE, LOUISIANA 70809-1433  
November 14, 2016

At 8:04 a.m. on November 14, 2016, 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:

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

Christopher P. Knotts, P.E.  
Paul N. Hale, Jr., Ph.D., P.E.  
D. Scott Phillips, P.E., P.L.S.  
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.

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 was led by Mr. Coyle and pledge was led by Dr. Hale.

The Board unanimously approved the motion made by Mr. Knotts, seconded by Mr. Carroll, to accept the November 14, 2016 proposed Call and Agenda for the Meeting.

Public comment time was recognized by Chairman Crosby.

The Board unanimously approved the motion made by Mr. Pike, seconded by Mr. Knotts, to approve the minutes from the September 19, 2016 Board meeting.

The Board unanimously approved the motion made by Mr. Krouse, seconded by Dr. Hale, to schedule the Board's next regular meeting for January 10, 2017.

Ms. Margaret Killingsworth, a 20-year Board employee, was recognized for her years of service and congratulated on her pending January 3, 2017 retirement.

### **Compliance and Enforcement**

**Case # 2013-63** – Mr. Ducote reported on a professional engineer who (a) committed fraud, deceit, material misstatement or perjury, or gave false or forged evidence, in applying for a renewal license with the Board, (b) committed gross negligence and gross misconduct in the practice of engineering, (c) approved and sealed design documents which were not safe for public health, property and welfare, which were not complete and accurate, which were not in conformity with accepted engineering standards or practice and/or which did not conform to applicable laws and ordinances, (d) sealed, signed and issued engineering documents not prepared by the licensee or



under his responsible charge and (e) failed to comply with the Board's CPD requirements. 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. Professional engineer license placed on probation for 3 years beginning January 1, 2017
2. Submit to the Board on a quarterly basis during the probation period a complete and detailed list of current projects on which respondent is providing engineering services and projects on which he provided engineering services during the preceding quarter
3. Submit to the Board, within five business days of a Board request, all documents relating to any project on any of said current or quarterly lists of projects
4. Pay-in-full any administrative costs incurred by the Board in connection with reviewing any of said documents submitted by respondent
5. Immediate suspension of professional engineer license if he fails to comply with any portion of the Consent Order, with the suspension continuing until he so complies
6. Earn an additional eight PDHs each year for the next four calendar years beginning in 2017 in Life Safety Code, building codes and/or the Americans with Disabilities Act Accessibility Guidelines, with these PDHs not being obtained online and being in addition to those PDHs which respondent is required to earn to satisfy his normal CPD requirements for active status
7. Promptly submit to the Board each year the appropriate documentation to substantiate the earning of these additional eight PDHs per year
8. Fine of \$5,000
9. Costs of \$2,366.50
10. Louisiana Laws and Rules Quiz
11. Louisiana Professionalism and Ethics Quiz
12. Publication on the Board's website and in the Journal with name
13. Report to NCEES with name

After discussion, the Board unanimously approved the motion made by the Complaint Review Committee, consisting of Mr. Moore, Mr. Crosby and Mr. Phillips, to approve the signed consent order. The name of the respondent is **Darrell R. Fussell, P.E.**

**Case # 2013-105** – Mr. Ducote reported on a professional engineering firm which (a) committed gross negligence and gross misconduct in the practice of engineering, (b) approved and sealed design documents which were not safe for public health, property and welfare, which were not complete and accurate, which were not in conformity with accepted engineering standards or practice and/or which did not conform to applicable laws and ordinances, and (c) sealed, signed and issued engineering documents not prepared by the licensee or under his responsible charge. 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. Professional engineering firm license placed on probation for three years beginning January 1, 2017
2. Submit to the Board on a quarterly basis during the probation period a complete and detailed list of current projects on which respondent is providing engineering services and projects on which it provided engineering services during the preceding quarter
3. Submit to the Board, within five business days of a Board request, all documents relating to any project on any of said current or quarterly lists of projects
4. Pay-in-full any administrative costs incurred by the Board in connection with reviewing any of said documents submitted by respondent
5. Immediate suspension of professional engineering firm license if respondent fails to comply with any portion of the Consent Order, with the suspension continuing until it so complies
6. Fine of \$5,000
7. Costs of \$1,682.30



8. Publication on the Board's website and in the Journal with name

9. Report to NCEES with name

After discussion, the Board unanimously approved the motion made by the Complaint Review Committee, consisting of Mr. Moore, Mr. Crosby and Mr. Phillips, to approve the signed consent order. The name of the respondent is **Arrow Engineering & Consulting, Inc.**

**Case # 2015-42** – Mr. Ducote reported on an unlicensed firm which practiced and/or offered to practice engineering and used the words “engineer”, “engineering” or any 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 \$708.68

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. Knotts and Dr. Hale, to approve the signed consent order. The name of the respondent is **Lamb Services, Inc.**

**Case # 2016-44** – 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 \$700.22

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. Knotts and Dr. Hale, to approve the signed consent order. The name of the respondent is **John A. Bibaeff, Jr., P.E.**

**Case # 2015-58** – Mr. Ducote reported on a professional engineer who practiced and/or offered to practice land surveying 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 \$536.47

3. Louisiana Laws and Rules Quiz

4. Cease and desist

5. Either (i) hire a Louisiana-licensed professional land surveyor to prepare a proper final subdivision plat of the property described in the consent order (with the appropriate approval and dedication signatures), properly file the new plat into the parish public record (with correction instructions to the Clerk), and provide satisfactory evidence of the accomplishment of these requirements to the Board, or (ii) provide to the Board a certified copy of a proper final subdivision plat of the property described in the consent order which has already been filed into the parish public record

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. Phillips, Mr. Crosby and Mr. Carroll, to approve the signed consent order. The name of the respondent is **James N. Garrett, III, P.E.**



**Case # 2015-78** – Mr. Ducote reported on an unlicensed individual who practiced and/or offered to practice land surveying 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 \$649.80
3. Cease and desist
4. Hire a Louisiana-licensed professional land surveyor to prepare a proper re-subdivision plat of the property described in the consent order, properly file a corrected conveyance deed with the new plat into the parish public record (with correction instructions to the Clerk), furnish a certified copy of the filed correction deed and new plat to both his clients and the professional land surveyor who previously surveyed the property, and provide satisfactory evidence of the accomplishment of these requirements to the Board
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. Crosby and Dr. Hale, to approve the signed consent order. The name of the respondent is **Leo J. Landry, Jr.**

### **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 2701(A)(3)(b)(ii), 2701(A)(4)(c), 903(B) and 909(B) to read as follows:

#### **§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:

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



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

"These standard plans have been properly examined by me, the undersigned Louisiana professional engineer. I have determined that these plans comply with all applicable Louisiana codes and have been properly site adapted to use in this area."

(c). certification of standard plans, including special details, which were initially prepared by the Louisiana Department of Transportation and Development and signed and dated by such agency's Chief Engineer, but which are not for use on such agency's projects. Such plans may then be reviewed by another professional engineer for code conformance, design adequacy, and site adaption for the specific application. The other professional engineer assumes responsibility for such plans. The plans, which already bear the signature of the agency's Chief Engineer, shall be sealed, signed and dated by the other professional engineer who is assuming responsibility. In addition to the other professional engineer's seal, signature and date, a statement shall be included on the plans as follows:

"These standard plans have been properly examined by me, the undersigned professional engineer. I have determined that these plans comply with all applicable codes and have been properly adapted to use on this project."

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

"These single family residential design plans have been properly examined by me, the undersigned professional engineer. I have determined that these plans comply with the following applicable codes for the jurisdiction in which the residence is to be located (*check all that apply*): ☐ structural; ☐ mechanical; ☐ electrical; ☐ plumbing."

iii. – iii.(c). ...

#### 4. Seal Use

a. – b.i. ...

#### c. Exempt Work

i. – i.(e). ...

ii. No seal shall be required on standard plans, including special details, which are prepared by the Louisiana Department of



1 Transportation and Development and signed and dated by such agency's  
2 Chief Engineer for use on such agency's projects.

3  
4 5. – 5.b. ...

5  
6 §903. Professional Engineer Licensure

7  
8 A. – A.6. ...

9  
10 B. The requirements for licensure as a professional engineer under  
11 the alternatives provided in R.S. 37:3651(A), (B) and (C) are as follows:

12  
13 1. the applicant for licensure as a professional engineer shall be a  
14 military-trained individual who has completed a military program of  
15 training in engineering at a level that is substantially equivalent to or  
16 exceeds the requirements for licensure under R.S. 37:693(B)(2) and  
17 Subsection A herein, who has been awarded a military occupational  
18 specialty in engineering, who has performed in that military  
19 occupational specialty at a level that is substantially equivalent to or  
20 exceeds the requirements for licensure under R.S. 37:693(B)(2) and  
21 Subsection A herein, who has engaged in the active practice of  
22 engineering, who has not been disciplined in any jurisdiction for an act  
23 that would have constituted grounds for refusal, suspension, or  
24 revocation of a license to practice engineering in Louisiana at the time  
25 the act was committed, who is an engineer intern, or an individual who  
26 meets the qualifications to be an engineer intern, who has a verifiable  
27 record of four years or more of progressive experience obtained  
28 subsequent to meeting the educational and applicable experience  
29 qualifications to be an engineer intern on engineering projects of a level  
30 and scope satisfactory to the board, who is of good character and  
31 reputation, who has passed the examination required by the board in  
32 the principles and practice of engineering in the discipline of  
33 engineering in which licensure is sought, who was recommended for  
34 licensure by five personal references, three of whom are professional  
35 engineers who have personal knowledge of the applicant's engineering  
36 experience and character and ability, who has submitted an application  
37 for licensure in accordance with the requirements of R.S. 37:694, and  
38 who was duly licensed as a professional engineer by the board; or

39  
40 2. the applicant for licensure as a professional engineer shall be a  
41 military-trained individual who holds a current, valid license to engage in  
42 the practice of engineering issued to him/her by proper authority of a  
43 state, territory, or possession of the United States, or the District of  
44 Columbia, based on requirements that are substantially equivalent to or  
45 exceed the requirements for licensure under R.S. 37:693(B)(2) and  
46 Subsection A herein, who is of good character and reputation, who has  
47 submitted an application for licensure in accordance with the  
48 requirements of R.S. 37:694, and who was duly licensed as a  
49 professional engineer by the board; or

50  
51 3. the applicant for licensure as a professional engineer shall be a  
52 military spouse who holds a current, valid license to engage in the  
53 practice of engineering issued to him/her by proper authority of a state,  
54 territory, or possession of the United States, or the District of Columbia,  
55 based on requirements that are substantially equivalent to or exceed the  
56 requirements for licensure under R.S. 37:693(B)(2) and Subsection A  
57 herein, who can demonstrate competency in the practice of engineering  
58 through an oral interview by the board, who has not been disciplined in  
59 any jurisdiction for an act that would have constituted grounds for  
60 refusal, suspension, or revocation of a license to practice engineering in  
61 Louisiana at the time the act was committed, who is in good standing  
62 with and has not been disciplined by the agency that issued the license  
63 in the other jurisdiction, 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 who was duly licensed as a professional engineer by the board.

C. - E. ...

#### §909. Professional Land Surveyor Licensure

A. - A.2. ...

B. The requirements for licensure as a professional land surveyor under the alternatives provided in R.S. 37:3651(A), (B) and (C) are as follows:

1. the applicant for licensure as a professional land surveyor shall be a military-trained individual who has completed a military program of training in land surveying at a level that is substantially equivalent to or exceeds the requirements for licensure under R.S. 37:693(B)(4) and Subsection A herein, who has been awarded a military occupational specialty in land surveying, who has performed in that military occupational specialty at a level that is substantially equivalent to or exceeds the requirements for licensure under R.S. 37:693(B)(4) and Subsection A herein, who has engaged in the active practice of land surveying, who has not been disciplined in any jurisdiction for an act that would have constituted grounds for refusal, suspension, or revocation of a license to practice land surveying in Louisiana at the time the act was committed, who is a land surveyor intern, or an individual who meets the qualifications to be a land surveyor intern, who is of good character and reputation, who has a verifiable record of four years or more of combined office and field experience in land surveying including two years or more of progressive experience on land surveying projects under the supervision of a professional land surveyor, who has passed the oral examination required by the board, who has passed the examinations required by the board in the principles and practice of land surveying and Louisiana laws of land surveying, who was recommended for licensure by five personal references (at least three of whom must be professional land surveyors who have personal knowledge of the applicant), who has submitted an application for licensure in accordance with the requirements of R.S. 37:694, and who was duly licensed as a professional land surveyor by the board; or

2. the applicant for licensure as a professional land surveyor shall be a military-trained individual who holds a current, 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, based on requirements that are substantially equivalent to or exceed the requirements for licensure under R.S. 37:693(B)(4) and Subsection A herein, who is of good character and reputation, who has passed the examinations required by the board in the fundamentals of land surveying, principles and practice of land surveying and Louisiana laws of land surveying, who has submitted an application for licensure in accordance with the requirements of R.S. 37:694, and who was duly licensed as a professional land surveyor by the board; or

3. the applicant for licensure as a professional land surveyor shall be a military spouse who holds a current, 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, based on requirements that are substantially equivalent to or exceed the requirements for licensure under R.S. 37:693(B)(4) and Subsection A herein, who can demonstrate competency in the practice of land surveying through an oral interview by the board, who has not been disciplined in any jurisdiction for an act that would have constituted



grounds for refusal, suspension, or revocation of a license to practice land surveying in Louisiana at the time the act was committed, who is in good standing with and has not been disciplined by the agency that issued the license in the other jurisdiction, who is of good character and reputation, who has passed the examinations required by the board in the fundamentals of land surveying, principles and practice of land surveying and Louisiana laws of land surveying, who has submitted an application for licensure in accordance with the requirements of R.S. 37:694, and who was duly licensed as a professional land surveyor by the board.

C. - E. ...

### **Applications**

#### **Application Appeals**

The Board approved the motion made by Dr. Hale, seconded by Mr. Pike, with Mr. Coyle, Dr. Hale, Mr. Huval, Mr. Pike, Mr. Carroll, Mr. Moore and Mr. Krouse for and Mr. Patterson, Mr. Phillips and Mr. Knotts against, to *approve* the application of Mr. Falgun B. **Surani** for licensure as a professional engineer by comity with NCEES records.

The Board unanimously approved the motion made by Mr. Moore, seconded by Dr. Hale, to table the application of Mr. William P. **Markentell** for licensure as a professional engineer by comity.

The Board approved the motion made by Mr. Krouse, seconded by Dr. Hale, with Mr. Coyle, Mr. Phillips, Dr. Hale, Mr. Moore, Mr. Patterson, Mr. Knotts, Mr. Krouse, Mr. Carroll and Mr. Huval for and Mr. Pike against, to *approve* the application of Mr. Cameron G. **LaCoste** for licensure as a professional engineer by examination.

The Board recessed at 10:35 a.m. and resumed at 10:50 a.m.

At 11:40 a.m., members from the Louisiana Council of Engineering Deans (LCED) entered the meeting to meet with the Board: Dr. Nicholas Alterio (Tulane); Dr. Mark Zappi, P.E., (UL-Lafayette); Dr. Nikos Kiritsis, (McNeese); Dr. Habib Mohamadian (Southern); and Dr. Craig Harvey (LSU).

### **Committee Reports (continued)**

#### **Land Surveying Committee**

Chairman Crosby presented the report for the Land Surveying Committee.

The Board unanimously approved the motion made by the Land Surveying Committee to request Test, Inc. to provide a proposed contract for Board review relating to psychometric review of the Louisiana Laws of Land Surveying examination.

The Board approved the motion made by Land Surveying Committee, with Mr. Coyle, Mr. Phillips, Dr. Hale, Mr. Moore, Mr. Patterson, Mr. Knotts, Mr. Krouse, Mr. Carroll and Mr. Pike for and Mr. Huval against, to extend the existing letter agreement with LSPS through June 30, 2017. LSPS would receive a total of \$5,000 for the preparation, assembly, distribution and scoring of the Louisiana Laws of Land Surveying examination for two additional exam administrations for FY 16-17 (February 10, 2017 and June 9, 2017). The Board would continue to be responsible for administering/proctoring those exams.

#### **Finance Committee**

Mr. Patterson presented the report for the Finance Committee.



1 The Board unanimously approved the motion made by the Finance Committee  
2 to renew the certificate of deposit at Iberia Bank when it matures on January 5,  
3 2017.

4  
5 The Board unanimously approved the motion made by the Finance Committee  
6 to approve the financial report for FY 16-17 as presented.

7  
8 The Board unanimously approved the motion made by the Finance Committee  
9 to approve the proposed budget for FY 17-18.

10  
11 **Nominations and Awards Committee**

12  
13 Mr. Moore, on behalf of the Nominations and Awards Committee, presented  
14 the following list of nominations for election of Board officers for 2017-18:

15  
16 David L. Patterson, P.L.S. – 6 months as Chairman/6 months as Vice  
17 Chairman  
18 Terry J. Huval, P.E. – 6 months as Vice Chairman/6 months as Chairman  
19 Christopher P. Knotts, P.E. – Treasurer  
20 Paul N. Hale, Jr., Ph.D., P.E. – Secretary

21  
22 **Old Business/New Business**

23  
24 Chairman Crosby designated Mr. Phillips and Mr. Knotts to be the Board's  
25 funded delegates to the Joint Engineering Societies Conference in Lafayette, LA  
26 on January 25-26, 2017.

27  
28 The Board unanimously approved the motion made by Mr. Huval, seconded by  
29 Mr. Krouse, to approve Board members, Emeritus members and Board staff to  
30 attend the NCEES Southern Zone meeting on April 27-29, 2017 in the U.S.  
31 Virgin Islands.

32  
33 The Board unanimously approved the motion made by Mr. Krouse, seconded  
34 by Mr. Carroll, for the Board to purchase a 6" x 6" brick at the McNeese State  
35 University College of Engineering with the inscription, "Supporting licensure  
36 since 1908".

37  
38 The Board unanimously approved the motion made by Mr. Krouse, seconded  
39 by Mr. Huval, to schedule the 2017 Board meetings as follows:

- 40  
41
  - January 10, 2017
  - March 13-14, 2017
  - May 15-16, 2017
  - July 17-18, 2017
  - September 18-19, 2017
  - November 13-14, 2017

42  
43  
44  
45  
46  
47  
48 **Applications (continued)**

49  
50 **Application Appeals (continued)**

51  
52 The Board unanimously approved the motion made by Mr. Knotts, seconded by  
53 Mr. Huval, to remove from the table the application of Mr. William P.  
54 **Markentell** for licensure as a professional engineer by comity.

55  
56 The Board unanimously approved the motion made by Mr. Knotts, seconded by  
57 Mr. Huval, to *approve* the application of Mr. William P. **Markentell** for  
58 licensure as a professional engineer by comity.  
59



**Closing Business**

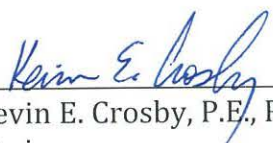
The Board unanimously approved the motion made by Mr. Phillips, seconded by Dr. Hale, to approve all committee recommendations and actions.

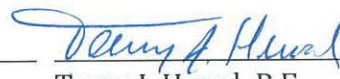
The Board unanimously approved the motion made by Mr. Krouse, seconded by Mr. Huval, to acknowledge and confirm all licenses and certificates issued by the Board.

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

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

The meeting adjourned at 2:50 p.m. on Monday, November 14, 2016.

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

  
\_\_\_\_\_  
Terry J. Huval, P.E.  
Secretary