

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 5, 2018

At 8:35 a.m. on November 5, 2018 Christopher P. Knotts, P.E. called the meeting to order at the Board's office in Baton Rouge, Louisiana, with the following members present:

Christopher P. Knotts, P.E.	Chairman
Paul N. Hale, Jr., Ph.D., P.E.	Vice Chairman
Alan D. Krouse, P.E.	Treasurer
Thomas R. Carroll, III, P.E., P.L.S.	Secretary

D. Scott Phillips, P.E., P.L.S.  
Charles G. Coyle, III, P.L.S.  
Jeff A. Pike, P.E.  
Christopher K. Richard, P.E.  
Chad C. Vosburg, P.E.  
Edgar P. Benoit, P.E.  
Wilfred J. Fontenot, P.L.S.

Also present: Donna D. Sentell, Executive Director  
Joe H. Harman, P.E., Technical Support Staff  
Bill Tripoli, Board Staff  
William Hyatt, Board Investigator  
Chris Aaron, Board Investigator  
D. Scott Landry, Board Attorney  
Celia Cangelosi, Board Attorney  
Officer Jimson Nora, BRPD

The invocation was led by Mr. Richard and the pledge was led by Mr. Coyle.

Public comment time was recognized by Chairman Knotts.

The Board unanimously approved the motion made by Mr. Richard, seconded by Mr. Benoit, to accept the November 5, 2018 proposed Call and Agenda for the meeting.

The Board unanimously approved the motion made by Mr. Pike, seconded by Mr. Vosburg, to approve the minutes from the September 10, 2018 Board meeting.

At 8:53 a.m., Myles DeRouen and Jimmy DeRouen entered the meeting.

## **Compliance and Enforcement**

### **Case # 2016-49**

At 8:55 a.m., Mr. Krouse presented the Proposed Findings of Fact and Conclusions of Laws and Proposed Decision and Order, which were sent to the respondent and the Board's prosecuting attorney on October 8, 2018. The respondent and Board's prosecuting attorney presented their objections and requested modifications.

At 9:35 a.m., the Board unanimously approved the motion made by Mr. Richard, seconded by Mr. Fontenot, to enter into executive session to conduct deliberations on the Proposed Findings of Fact and Conclusions of Laws and Proposed Decision and Order and the objections and requested modifications presented by the respondent and Board's prosecuting attorney.

At 10:35 a.m., the Board unanimously approved the motion made by Mr. Coyle, seconded by Mr. Carroll, to exit the executive session.

The Board unanimously approved the motion made by Mr. Carroll, seconded by Mr. Richard, to make the following rulings on the Board's prosecuting attorney's objections and requested modifications to the Proposed Findings of Fact, as follows:

- a. Accept the requested modifications in paragraphs 1, 2, 4, 8, 11, 12, 14, 15, 16, 17, 20, 21, 23 and 26; and

- 1                   b.       In paragraph 6, accept the requested modifications AND correct the  
2                   spelling of Dow Chemical to add "I" at end.  
3

4       The Board unanimously approved the motion made by Mr. Carroll, seconded by Mr.  
5       Coyle, to make the following ruling on the Board's prosecuting attorney's objections to  
6       the Board's Proposed Findings of Fact, Conclusions of Law and Proposed Decision and  
7       Order objections and requested modifications to the Proposed Conclusion of Law, as  
8       follows:

- 9                   a.       In paragraph 7, accept the requested modifications.  
10

11       The Board unanimously approved the motion made by Mr. Carroll, seconded by Mr.  
12       Richard, to make the following rulings on the Board's prosecuting attorney's  
13       objections and requested modifications to the Proposed Decision and Order, as  
14       follows:

- 15                  a.       Reject the requested change to the heading of the document; and  
16                  b.       In paragraph 5, accept the requested modifications.  
17

18       The Board unanimously approved the motion made by Mr. Carroll, seconded by Mr.  
19       Fontenot, to make the following rulings on the respondent's objections to the  
20       Proposed Findings of Fact and Conclusions of Laws and Proposed Decision and Order  
21       and requested modifications to the Proposed Findings of Fact, as follows:

- 22                  a.       In paragraph 2, accept the requested modification and end the  
23                          sentence at "Lafayette";  
24                  b.       In paragraph 3, accept the requested modification and end the  
25                          sentence at "Louisiana" AND add between the words "conducted" and  
26                          "business," the words "or offered to conduct"; and  
27                  c.       Reject any modification to paragraphs 4, 6, 7, 11 and 18.  
28

29       The Board unanimously approved the motion made by Mr. Carroll, seconded by Mr.  
30       Richard, to make the following ruling on the respondent's objections and requested  
31       modifications to the Proposed Conclusion of Law, as follows:

- 32                  a.       In paragraph 7, reject any modification.  
33

34       The Board unanimously approved the motion made by Mr. Carroll, seconded by Mr.  
35       Coyle, to making the following ruling on the respondent's objections and requested  
36       modifications to the Proposed Decision and Order, as follows:

- 37                  a.       Reject any modification to paragraphs 2 and 5.  
38

39       Mr. Knotts, Mr. Pike and Dr. Hale were members of the Complaint Review Committee  
40       in this case and did not participate in the deliberations or any of the votes associated  
41       with the above motions in this case.  
42

43       Myles DeRouen and Jimmy DeRouen exited the meeting at 10:40 a.m.  
44

45       At 10:45 a.m., the Board unanimously approved the motion made by Mr. Carroll,  
46       seconded by Mr. Krouse, to enter into executive session to discuss personnel matters.  
47

48       At 11:05 a.m., the Board unanimously approved the motion made by Mr. Richard,  
49       seconded by Mr. Fontenot, to exit the executive session.  
50

## 51       **Compliance and Enforcement (continued)** 52

53       **Case # 2018-8** – Mr. Hyatt reported on an unlicensed firm for practicing and/or  
54       offering to practice engineering without proper licensure. The respondent has signed  
55       and returned the proposed consent order offered by the Complaint Review  
56       Committee. The proposed consent order contained the following sanctions:

- 57                  1.   Fine of \$3,000  
58                  2.   Costs of \$185.84  
59                  3.   Publication on the Board's website and in the Journal with name  
60                  4.   Report to NCEES with name

61       After discussion, the Board unanimously approved the motion made by the Complaint  
62       Review Committee, consisting of Mr. Carroll, Mr. Richard and Mr. Fontenot, to approve  
63       the signed consent order. The name of the respondent is **Browder + LeGuizamon**  
64       **and Associates, Inc.**  
65

66       **Case # 2018-9** – Mr. Hyatt reported on a professional engineer for aiding and  
67       assisting another person in violating the laws and/or rules of the Board in violation  
68       of La. R.S. 37:698(A)(12). 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 \$185.84
3. Louisiana Laws and 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 **Sergio LeGuizamon, P.E.**

**Case # 2018-12** – Mr. Hyatt reported on an unlicensed firm for practicing and/or offering to practice engineering, and using the words “engineer”, “engineering” or any modification or derivative thereof in a person's name or form of business or activity without proper licensure in violation of La. R.S. 37:681 and La. R.S. 37:700(A)(1),(7) and (9) and LAC Title 46:LXI§2301(B). 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 \$3,500
2. Costs of \$152.14
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 **Consulting Construction Engineering, L.L.C.**

**Case # 2018-14** – Mr. Hyatt reported on a professional engineer for aiding and assisting another person in violating the laws and/or rules of the Board in violation of La. R.S. 37:698(A)(12). 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 \$152.14
3. Louisiana Laws and 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 **Jamie L. Bailey, P.E.**

**Case # 2018-17** – Mr. Hyatt reported on an unlicensed firm for practicing and/or offering to practice engineering without proper licensure in violation of La. R.S. 37:681 and La. R.S. 37:700(A)(1), and (9) and LAC Title 46:LXI§2301(B). 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 \$178.00
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 **LEAP Associates International, Inc.**

**Case # 2018-18** – Mr. Hyatt reported on a professional engineer for aiding and assisting another person in violating the laws and/or rules of the Board in violation of La. R.S. 37:698(A)(12). 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 \$178.00
3. Louisiana Laws and 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 **Craig T. Barrett, P.E.**

**Case # 2018-19** – Mr. Hyatt reported on a professional engineer for aiding and assisting another person in violating the laws and/or rules of the Board in violation of La. R.S. 37:698(A)(12). . 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 \$178.00
3. Louisiana Laws and 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 **Bryan R. Trimbath, P.E.**

**Case # 2018-35** – Mr. Hyatt reported on an unlicensed firm for practicing and/or offering to practice engineering without proper licensure in violation of La. R.S. 37:681 and La. R.S. 37:700(A)(1), and (9) and LAC Title 46:LXI§2301(B). 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 \$259.54
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 **Reed, Wells, Benson and Company Corporation.**

**Case # 2018-13** – Mr. Hyatt reported on a professional engineer for aiding and assisting another person in violating the laws and/or rules of the Board in violation of La. R.S. 37:698(A)(12). 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 \$259.54
3. Louisiana Laws and 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 **David M. Boon, P.E.**

**Case # 2018-36** – Mr. Hyatt reported on a professional engineer for aiding and assisting another person in violating the laws and/or rules of the Board in violation of La. R.S. 37:698(A)(12). 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 \$259.54
3. Louisiana Laws and 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 **Kenneth M. Fulk, P.E.**

**Case # 2018-39** – Mr. Hyatt reported on an unlicensed firm for practicing and/or offering to practice engineering without proper licensure in violation of La. R.S. 37:700(A)(1), and (9) and LAC Title 46:LXI§2301(B). 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 \$563.10
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 **Triteq, Inc.**

**Case # 2018-40** – Mr. Hyatt reported on an unlicensed individual for practicing or offering to practice engineering without proper licensure in violation of La. R.S. 37:681 and R.S. 37:700 (A) (1) and aiding and assisting his unlicensed firm in the practice and/or offer to practice engineering in violation of La. R.S. 37:698(A)(12). 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 \$563.10
3. Louisiana Laws and 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 **John C. Anderson, P.E.**

\*see correction on case #2018-40 in the January 2019 minutes

**Case # 2018-36** – Mr. Hyatt reported on a professional engineer for aiding and assisting another person in violating the laws and/or rules of the Board in violation of La. R.S. 37:698(A)(12). 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 \$249.94
3. Louisiana Laws and 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 **Brian K. Owens, P.E.**

## **Applications**

### **Application Appeals**

The Board approved the motion made by Mr. Carroll, seconded by Mr. Pike, with Mr. Carroll, Mr. Pike, Mr. Coyle, Mr. Phillips, Dr. Hale, Mr. Krouse, Mr. Richard and Mr. Fontenot for and Mr. Vosburg and Mr. Benoit against, to affirm the reviewing committee's decision to *disapprove* the application of **Mr. Charles Byrne** for certification as an engineer intern. The applicant needs to complete his graduate engineering degree and provide a record of good character and reputation. He is encouraged to reapply after August 2020.

Mr. Benoit made the motion to *reverse* the reviewing committee's decision to *disapprove* the application of **Mr. Debabrata Khan** for licensure as a professional engineer by comity. The motion died for lack of a second.

The Board approved the motion made by Mr. Krouse, seconded by Mr. Phillips, with Dr. Hale, Mr. Carroll, Mr. Pike, Mr. Coyle, Mr. Richard, Mr. Vosburg, Mr. Fontenot, Mr. Krouse and Mr. Philips for and Mr. Benoit against, to affirm the reviewing committee's decision to *disapprove* the application of **Mr. Debabrata Khan** for licensure as a professional engineer by comity based on not meeting the requisite experience requirements of the Board. .

The Board recessed at 11:40 a.m. and resumed at 12:10 p.m.

1 **Committee Reports**

2  
3 **Finance Committee**

4  
5 Mr. Krouse presented the report for the Finance Committee.

6  
7 The Board unanimously approved the motion by the Finance Committee to accept the  
8 finance report for FY 18-19 as presented.

9  
10 **Industrial Licensure Ad Hoc Committee**

11  
12 Mr. Benoit presented the report for the Industrial Licensure Ad Hoc Committee.

13  
14 **Land Surveying Committee**

15  
16 Mr. Coyle presented the report for the Land Surveying Committee and updated the  
17 Board on the recent state specific exam administration and the subject matter expert  
18 workshop with Dr. Jack Warner.

19  
20 **Old/New Business**

21  
22 The Board unanimously approved the motion made by Mr. Richard, seconded by Mr.  
23 Coyle, to schedule the Board's next regular meeting for Tuesday, January 22, 2019.

24  
25 Chairman Knotts designated Mr. Carroll, Mr. Pike and Mr. Krouse to be the Board's  
26 funded delegates to the Joint Engineering Societies Conference in Lafayette, LA on  
27 January 23 and 24, 2019.

28  
29 The Board unanimously approved the motion made by the Mr. Fontenot, seconded by  
30 Mr. Richard, to authorize a 5% salary increase for the Executive Director, effective  
31 October 1, 2018.

32  
33 The Board unanimously approved the motion made by Mr. Carroll, seconded by Mr.  
34 Richard, to approve the payment of \$6,500 to Tri-Core Technologies, L.L.C. to update  
35 the firm and individual licensee search capabilities for the Board website.

36  
37 **Closing Business**

38  
39 The Board unanimously approved the motion made by Mr. Phillips, seconded by Mr.  
40 Krouse, to approve all committee recommendations and actions.

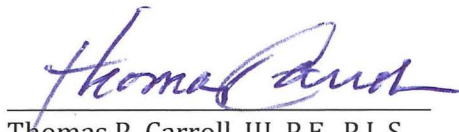
41  
42 The Board unanimously approved the motion made by Mr. Krouse, seconded by Mr.  
43 Phillips, to acknowledge and confirm all licenses and certificates issued and renewed  
44 since the last Board meeting.

45  
46 The Board unanimously approved the motion made by Mr. Carroll, seconded by Mr.  
47 Phillips, to approve all Board expenses.

48  
49 The Board unanimously approved the motion made by Mr. Fontenot, seconded by Mr.  
50 Benoit, to adjourn.

51  
52 The meeting adjourned at 3:30 p.m. on November 5, 2018.

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59 Christopher P. Knotts, P.E.  
60 Chairman

  
Thomas R. Carroll, III, P.E., P.L.S.  
Secretary