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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
September 15, 2014

At 8:30 a.m. on September 15, 2014, M. Ernest Gammon, Sr., P.L.S. called the meeting to order at the University of Louisiana at Lafayette in Lafayette, Louisiana, with the following members present:

M. Ernest Gammon, Sr., P.L.S.	Chairman
Theodore H. Thompson, P.E.	Vice Chairman
Kevin E. Crosby, P.E., P.L.S.	Secretary
John W. "Billy" Moore, P.E.	Treasurer

Ali M. Mustapha, P.E.
Paul N. Hale, Jr., Ph.D., P.E.
David L. Patterson, P.L.S.
Christopher P. Knotts, P.E.
D. Scott Phillips, P.E., P.L.S.
Alan D. Krouse, P.E.

Also present: Donna D. Sentell, Executive Director
Joe H. Harman, P.E., Technical Support Staff
Tyson Ducote, Board Investigator
Jeff Morgan, Board Investigator
Bill Tripoli, Board Staff
A.J. "Sonny" Launey, P.E., Emeritus Board Member
Norma Jean Mattei, Ph.D., P.E., Emeritus Board Member
Kenneth L. McManis, Ph.D., P.E., P.L.S., Emeritus Board Member
Dan Mobley, ACEC/L Executive Director
Kappy Cullum, LSPS member

The invocation was led by Mr. Crosby and the pledge by Mr. Moore. The Board remembered Mr. John T. Irving, P.E., a Board member who died on August 19, 2014.

Mark Zappi, Ph.D., P.E., Dean of the College of Engineering at the University of Louisiana at Lafayette, welcomed the Board and staff members.

Public comment time was recognized by Chairman Gammon. Mr. Mark Young addressed the Board concerning the application of Chiyoda International Corporation for firm licensure.

The Board unanimously approved the motion made by Mr. Mustapha, seconded by Mr. Crosby, to accept the September 15, 2014 proposed Call for the Meeting.

The Board unanimously approved the motion made by Mr. Mustapha, seconded by Mr. Phillips, to accept the September 15, 2014 proposed Board Meeting Agenda.

The Board unanimously approved the motion made by Mr. Crosby, seconded by Mr. Patterson, to approve the Minutes from the July 21, 2014 Board meeting.

The Board approved the motion made by Dr. Hale, seconded by Mr. Patterson, with Mr. Phillips, Mr. Mustapha, Dr. Hale, Mr. Crosby, Mr. Patterson, Mr. Knotts and Mr. Krouse for and Mr. Thompson against, to schedule the Board's next regular meeting for November 17-18, 2014.

The Board reviewed the July task list.

Committee Reports

Finance Committee

Mr. Moore presented the Finance Committee report.

1 The Board unanimously approved the motion made by the Finance Committee to re-
2 invest the certificate of deposit at Chase Bank, which is set to mature on September
3 24, 2014.
4

5 The Board unanimously approved the motion made by the Finance Committee to re-
6 invest the certificate of deposit at Neighbors Federal Credit Union, which is set to
7 mature on October 16, 2014.
8

9 D. Scott Landry, Board Attorney, entered the meeting at 9:10 a.m.
10

11 Enforcement

12
13 Case #2013-53 – Mr. Ducote reported on an unlicensed firm which practiced and/or
14 offered to practice engineering and land surveying and used the words “engineering”,
15 “survey” and “surveying” in conjunction with its name and business activities in
16 Louisiana without proper licensure. The respondent has signed and returned the
17 proposed consent order offered by the Complaint Review Committee. The proposed
18 consent order contains the following sanctions:

- 19 1. Fine of \$1,000
- 20 2. Costs of \$1,018.77
- 21 3. Cease and desist
- 22 4. Publication on the Board’s website and in the Journal with name
- 23 5. Report to NCEES with name
24

25 After discussion, the Board unanimously approved the motion made by the Complaint
26 Review Committee, consisting of Mr. Patterson, Mr. Thompson and Mr. Knotts, to
27 approve the signed consent order. The name of the respondent is **Petro Land**
28 **Services South, LLC.**
29

30 Case #2013-77 – Mr. Ducote reported on a land surveyor intern who committed
31 fraud, deceit and perjury, made material misstatements and submitted false and
32 forged information and documents to the Board in connection with his application for
33 licensure as a professional land surveyor. The respondent has signed and returned
34 the proposed consent order offered by the Complaint Review Committee. The
35 proposed consent order contains the following sanctions:

- 36 1. Revocation of the respondent’s Louisiana land surveyor intern certificate
- 37 2. Publication on the Board’s website and in the Journal with name
- 38 3. Report to NCEES with name
39

40 After discussion, the Board unanimously approved the motion made by the Complaint
41 Review Committee, consisting of Mr. Gammon, Mr. Crosby and Mr. Patterson, to
42 approve the signed consent order. The name of the respondent is **Robert C. Stewart.**
43

44 Case #2013-83 – Mr. Ducote reported on a professional land surveyor who prepared
45 and issued to his client land surveying documents for property located in Louisiana
46 which did not contain either his Louisiana professional land surveyor seal and
47 signature or the requisite preliminary work disclaimer. The respondent has signed
48 and returned the proposed consent order offered by the Complaint Review
49 Committee. The proposed consent order contains the following sanctions:

- 50 1. Fine of \$1,000
- 51 2. Costs of \$533.12
- 52 3. Online Louisiana Laws and Rules Quiz
- 53 4. Online Louisiana Professionalism and Ethics Quiz
- 54 5. Publication on the Board’s website and in the Journal with name
- 55 6. Report to NCEES with name
56

57 After discussion, the Board unanimously approved the motion made by the Complaint
58 Review committee, consisting of Mr. Gammon, Mr. Moore and Mr. Knotts, to approve
59 the signed consent order. The name of the respondent is **Stephen P. Flynn, P.L.S.**
60

61 Case #2013-88 – Mr. Ducote reported on an unlicensed firm which practiced and/or
62 offered to practice engineering in Louisiana without proper licensure. The firm
63 subsequently became licensed in Louisiana. The respondent has signed and returned
64 the proposed consent order offer by the Complaint Review Committee. The proposed
65 consent order contains the following sanctions:

- 66 1. Fine of \$2,500
- 67 2. Costs of \$211.93
- 68 3. Publication on the Board’s website and in the Journal with name
- 69 4. Report to NCEES with name

1 After discussion, the Board unanimously approved the motion made by the Complaint
2 Review Committee, consisting of Mr. Knotts, Mr. Thompson, and Mr. Patterson, to
3 approve the signed consent order. The name of the respondent is **MDM Services, Inc.**
4 **of Louisiana.**

5
6 **Case #2013-89** – Mr. Ducote reported on a professional engineer who aided or
7 assisted his unlicensed firm in practicing and/or offering to practice engineering in
8 Louisiana without proper licensure. The firm subsequently became licensed in
9 Louisiana. The respondent has signed and returned the proposed consent order
10 offered by the Complaint Review Committee. The proposed consent order contains
11 the following sanctions:

- 12 1. Fine of \$1,000
- 13 2. Costs of \$219.43
- 14 3. Online Louisiana Laws and Rules Quiz
- 15 4. Online Louisiana Professionalism and Ethics Quiz
- 16 5. Publication on the Board's website and in the Journal with name
- 17 6. Report to NCEES with name

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19 After discussion, the Board unanimously approved the motion made by the Complaint
20 Review Committee, consisting of Mr. Knotts, Mr. Thompson and Mr. Patterson, to
21 approve the signed consent order. The name of the respondent is **Richard R. Morris,**
22 **P.E.**

23
24 **Case #2013-114** – Mr. Morgan reported on a professional engineering and land
25 surveying firm which practiced and offered to practice engineering and land
26 surveying in Louisiana with expired licenses. The respondent has signed and
27 returned the proposed consent order offered by the Complaint Review Committee.
28 The proposed consent order contains the following sanctions:

- 29 1. Fine of \$5,000
- 30 2. Costs of \$582.62
- 31 3. Past unpaid renewal fees of \$990
- 32 4. Cease and desist
- 33 5. Online Louisiana Laws and Rules Quiz by each supervising professional
- 34 6. Publication on the Board's website and in the Journal with name
- 35 7. Report to NCEES with name

36
37 After discussion, the Board unanimously approved the motion made by the Complaint
38 Review Committee, consisting of Mr. Knotts, Mr. Thompson and Mr. Patterson, to
39 approve the signed consent order. The name of the respondent is **Smith Engineering**
40 **Co., Inc.**

41
42 **Case #2014-1** - Mr. Morgan reported on a professional engineer and land surveyor
43 who (a) aided or assisted his professional engineering and land surveying firm in
44 practicing and offering to practice engineering and land surveying in Louisiana with
45 expired licenses and (b) practiced and offered to practice engineering and land
46 surveying in Louisiana with expired licenses. The respondent has signed and
47 returned the proposed consent order offered by the Complaint Review Committee.
48 The proposed consent order contains the following sanctions:

- 49 1. Fine of \$8,500
- 50 2. Costs of \$582.62
- 51 3. Online Louisiana Laws and Rules Quiz
- 52 4. Online Louisiana Professionalism and Ethics Quiz
- 53 5. Cease and desist
- 54 6. Ensure that the firm ceases and desists
- 55 7. Publication on the Board's website and in the Journal with name
- 56 8. Report to NCEES with name

57
58 After discussion, the Board unanimously approved the motion made by the Complaint
59 Review Committee, consisting of Mr. Knotts, Mr. Thompson and Mr. Patterson, to
60 approve the signed consent order. The name of the respondent is **Frank K. Smith.**

61
62 **Case #2013-120** – Mr. Morgan reported on a professional engineering firm which
63 practiced and offered to practice engineering in Louisiana with an expired license.
64 The respondent has signed and returned the proposed consent order offered by the
65 Complaint Review Committee. The proposed consent order contains the following
66 sanctions:

- 67 1. Fine of \$3,450
- 68 2. Costs of \$440.75
- 69 3. Past unpaid renewal fees of \$510

4. Online Louisiana Laws and Rules Quiz by supervising professional
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. Mustapha, Mr. Irving and Mr. Phillips, with Mr. Phillips, Mr. Mustapha, Mr. Thompson, Mr. Patterson, Mr. Krouse and Dr. Hale for and Mr. Moore, Mr. Crosby and Mr. Knotts against, to approve the signed consent order. The name of the respondent is **NewFields Environmental & Engineering, LLC**.

Case #2014-28 – Mr. Morgan reported on a professional engineer who aided or assisted his professional engineering firm in practicing and offering to practice engineering in Louisiana with an expired license. The respondent has signed and returned the proposed consent order offered by the Complaint Review Committee. The proposed consent order contains the following sanctions:

1. Fine of \$2,000
2. Costs of \$293.57
3. Online Louisiana Laws and Rules Quiz
4. Online 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. Mustapha, Mr. Irving and Mr. Phillips, to approve the signed consent order. The name of the respondent is **James O. Kendrick, III, P.E.**

Mr. Kam K. Movassaghi, P.E. and Mr. C.L. "Jack" Stelly, P.L.S. entered the meeting at 10:10 a.m.

Mr. Mustapha made the motion to rescind the Board's policy which requires all Board members to submit their professional development hour activity logs at the time of each of their license renewals. The motion died for lack of a second.

Dr. Habib P. Mohamadian, Dean of the College of Engineering at Southern University, entered the meeting at 10:30 a.m.

Committee Reports (continued)

Liaison and Law Review Committee

The Board unanimously approved the motion made by Mr. Mustapha, seconded by Mr. Moore, to table until the November Board meeting the discussion of possible revisions to Rule 1503.

Applications

Application Appeals

Dr. Hale presented Mr. Curt R. LaCount's appeal of the administrative decision to disapprove his application for licensure as a professional engineer by comity.

The Board *disapproved* the motion made by Dr. Hale, seconded by Mr. Thompson, with Mr. Phillips, Mr. Mustapha, Mr. Moore, Mr. Thompson, Mr. Crosby, Mr. Patterson, Mr. Knotts and Mr. Krouse for and Dr. Hale abstaining, to approve the application of Mr. Curt R. **LaCount** for licensure as a professional engineer by comity based on insufficient education.

The Board approved the motion made by the application review committee, comprised of Mr. Thompson and Mr. Knotts, with Mr. Thompson, Mr. Patterson, Mr. Knotts, Mr. Crosby and Chairman Gammon for and Mr. Krouse, Mr. Mustapha, Dr. Hale and Mr. Moore against, to affirm the reviewing committee's decision to *disapprove* the application of Mr. Nicholas P. **Gura** for licensure as a professional engineer by comity based on insufficient education.

James D. Garber, Ph.D., P.E. entered the meeting at 10:50 a.m.

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New Applications

Mr. Knotts and Mr. Mustapha presented the application for Mr. Gregory D. **Taylor** for licensure as a professional engineer by comity.

Mr. Mustapha made the motion to postpone discussion of this application until the November Board meeting. The motion died for lack of a second.

The Board unanimously approved the motion made by Mr. Knotts, seconded by Mr. Crosby, to ask Mr. Gregory D. **Taylor** to submit to the Board information related to his military service so that the Board can determine whether he can possibly be licensed as a professional engineer under Rule 903(B).

Old Business/New Business

Chairman Gammon charged the Finance Committee with reviewing the proposed office lease with the Louisiana Engineering Foundation for 2014-2019 and making a recommendation to the Board at the November meeting.

The Board unanimously approved the motion made by the ad hoc committee, comprised of Mr. Moore, Mr. Knotts and Mr. Krouse, to deny the request of Mr. Anthony R. Venson to reinstate his revoked professional engineer license.

Chairman Gammon appointed an ad hoc committee, comprised of Mr. Krouse, Mr. Phillips and Mr. Patterson, and charged it with conducting an office security assessment, determining the costs and benefits of possible modifications and making recommendations to the Board at the November meeting.

The Board unanimously approved the motion made by Mr. Thompson, seconded by Mr. Knotts, to review the proposed 2015 Board meeting dates at the November meeting.

Mr. Moore briefed the Board on the recent visit by Board representatives with representatives of Engineers Canada in Nova Scotia and discussed whether the Board could reciprocate and invite them to a future Board meeting.

The Board unanimously approved the motion made by Mr. Moore, seconded by Mr. Crosby, to have Mr. Landry research whether the Board can pay for the hotel and meal expenses of representatives of Engineers Canada to attend a future Board meeting.

The Board approved the motion made by Mr. Crosby, seconded by Mr. Knotts, with Mr. Phillips, Dr. Hale, Mr. Moore, Mr. Crosby, Mr. Patterson, Mr. Knotts and Mr. Krouse for and Mr. Thompson and Mr. Mustapha against, to table until the November Board meeting the discussion concerning the recommendations from the Education/Accreditation Committee regarding accepting degrees from online for-profit university programs.

Chairman Gammon appointed an ad hoc committee, comprised of Mr. Knotts, Mr. Mustapha and Mr. Crosby, and charged it with reviewing the application process for professional engineer licensure as it relates to the December 1, 2014 application deadline for those engineer interns applying under the new Rule 1305(B) for the April 2015 exam administration and making a recommendation to the Board at the November meeting.

The Board unanimously approved the motion made by Mr. Crosby, seconded by Mr. Mustapha, to table until the November Board meeting the discussion regarding NCEES B+30/MOE matters.

Chairman Gammon appointed an ad hoc committee, comprised of Mr. Crosby, Mr. Krouse and Mr. Knotts, and charged it with (a) reviewing the process for submitting to LES the names of recently certified and licensed individuals and inviting them to the LES certificate ceremonies and (b) making a recommendation to the Board at the November meeting.

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Closing Business

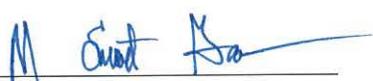
The Board unanimously approved the motion made by Mr. Thompson, seconded by Mr. Mustapha, to approve all committee recommendations and actions.

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

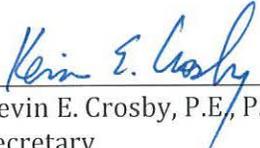
The Board unanimously approved the motion made by Mr. Moore, seconded by Dr. Hale, to approve all Board expenses.

The Board unanimously approved the motion made by Mr. Thompson, seconded by Mr. Knotts, to adjourn.

The meeting adjourned at 12:30 p.m. on September 15, 2014.



M. Ernest Gammon, Sr., P.L.S.
Chairman



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