

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 19, 2016

At 8:00 a.m. on September 19, 2016, John W. "Billy" Moore, P.E. called the meeting to order at the Board's office in Baton Rouge, Louisiana, with the following members present:

John W. "Billy" Moore, P.E.	Chairman
Kevin E. Crosby, P.E., P.L.S.	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

The invocation was led by Mr. Coyle and pledge was led by Mr. Carroll.

The Board unanimously approved the motion made by Mr. Huval, seconded by Mr. Carroll, to accept the September 19, 2016 proposed Call and Agenda for the Meeting.

Public comment time was recognized by Chairman Moore. Mr. Adam Maywhort and Mr. Byron Berry were present but had no comments.

The Board unanimously approved the motion made by Mr. Knotts, seconded by Mr. Krouse, to approve the minutes from the July 18, 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 November 14-15, 2016.

Chairman Moore presented the Chairman's gavel to Mr. Crosby.

## **Applications**

### **Application Appeals**

The Board approved the motion made by the Land Surveying Committee to affirm the decision of the reviewing committee (comprised of Mr. Crosby, Mr. Patterson, Mr. Phillips and Mr. Coyle), with Mr. Patterson, Mr. Phillips, Mr. Coyle, Mr. Huval, Dr. Hale, Mr. Krouse, Mr. Moore, Mr. Carroll and Mr. Pike for and Mr. Knotts against, to *disapprove* the application of Adam R. **Maywhort** for licensure as a professional land surveyor by comity based on insufficient education.

The Board unanimously approved the motion made by the Land Surveying Committee to affirm the decision of the reviewing committee (comprised of Mr. Crosby, Mr. Patterson, Mr. Phillips and Mr. Coyle) to *disapprove* the application of Marshall C. **Beckwith** for licensure as a professional land surveyor by comity based on insufficient education.

Mr. Maywhort exited the meeting at 8:55 a.m.

The Board unanimously approved the motion made by the reviewing committee, comprised of Mr. Knotts and Dr. Hale, to *approve* the application of Carlos **Valenzuela**,



Jr. for licensure as a professional engineer by comity with the following five stipulations (which have already been agreed to in writing by Mr. Valenzuela):

1. His professional engineer license issued by the Board is placed on probation for a period of two (2) years from his date of licensure;
2. During the two (2) year probationary period, in the event that he is knowingly charged with or arrested for any criminal violation, as is specified within La. Rev. Stat. § 37:698 and/or involving or containing an element of being under the influence of alcohol or a controlled substance, he must report to the Board, in writing, such criminal charge or arrest and make such report immediately or as soon as he is reasonably capable of doing so under the circumstances;
3. If he makes a report to the Board under paragraph 2 above, the Board is thereafter authorized, within its discretion, to immediately suspend his professional engineer license pending a review of such report by the Board and pending the issuance of a decision by the Board with respect to the information received following an administrative adjudication pursuant to and his rights under the Louisiana Administrative Procedure Act, La. Rev. Stat. §§ 49:951, *et seq.*, the causes provided in La. Rev. Stat. § 37:698 or conviction of or entry of a plea of guilty or nolo contendere to a crime involving or containing an element of being under the influence of alcohol or a controlled substance, and the rules and regulations of the Board;
4. In the event that the Board receives apparently reliable information which indicates that he has knowingly been charged with or arrested for a criminal violation and have failed to timely report such to the Board, both under paragraph 2 above, the Board is hereby authorized, within its discretion, to immediately suspend his professional engineer license pending a review by the Board of such alleged failure to report and pending the issuance of a decision by the Board with respect to the information received and such alleged failure following an administrative adjudication pursuant to and his rights under the Louisiana Administrative Procedure Act, La. Rev. Stat. §§ 49:951, *et seq.*, the causes, if any, provided in La. Rev. Stat. § 37:698 or conviction of or entry of a plea of guilty or nolo contendere to a crime involving or containing an element of being under the influence of alcohol or a controlled substance, and the rules and regulations of the Board; and
5. At the conclusion of the two (2) year probationary period without action related to the terms hereinabove, his professional engineer license will become a full, unrestricted license without any further action or documentation necessary or issued by the Board.

Mr. Berry exited the meeting at 9:05 a.m.

## **Compliance and Enforcement**

**Case # 2014-25** – 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 \$2,500
2. Costs of \$942.61
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. Huval and Mr. Krouse, to approve the signed consent order. The name of the respondent is **L-Con, Inc.**

**Case # 2014-26** – Mr. Ducote reported on an unlicensed individual who 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 \$1,000
2. Costs of \$949.40
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. Huval and Mr. Krouse, to approve the signed consent order. The name of the respondent is **Sarmad Khan**.

**Case # 2014-35** – 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 \$950.32
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 unanimously approved the motion made by the Complaint Review Committee, consisting of Mr. Knotts, Mr. Huval and Mr. Krouse, to approve the signed consent order. The name of the respondent is **John T. Hull, P.E.**

**Case # 2015-82** – 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 \$1,500
2. Costs of \$397.35
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. Carroll, to approve the signed consent order. The name of the respondent is **NEKO Solutions, LLC**.

**Case # 2015-64** – 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 \$847.14
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. Carroll, to approve the signed consent order. The name of the respondent is **Larry J. Dupre, P.E.**

Mr. Maywhort entered the meeting at 9:15 a.m.

**Case # 2015-68** – 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 \$2,500
2. Costs of \$517.14
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. Knotts, Mr. Huval and Mr. Krouse, to approve the signed consent order. The name of the respondent is **PENTA Engineering Company LLC**.

**Case # 2015-76** – 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 \$1,000



2. Costs of \$517.14
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. Huval and Mr. Krouse, to approve the signed consent order. The name of the respondent is **Francisco M. Benavides, P.E.**

The Board recessed at 9:50 a.m. and resumed at 10:10 a.m.

Mr. Patterson and Mr. Maywhort exited the meeting at 10:10 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 Committee to amend Rules 901(A)(2), 2701(A)(3)(b)(ii) and 2701(A)(4)(b) to read as follows:

#### §901. Engineer Intern Certification

A. The requirements for certification as an engineer intern under the several alternatives provided in the licensure law are as follows.

A.1. ...

2. Graduates with Advanced Engineering Degree. The applicant shall be a graduate of a non-EAC/ABET accredited engineering or related science or engineering technology curriculum of four years or more approved by the board as being of satisfactory standing, who has obtained an engineering graduate degree in an engineering discipline or sub-discipline from a university having an undergraduate accredited engineering curriculum in the same discipline or sub-discipline, approved by the board as being of satisfactory standing and in accordance with §1105, who is of good character and reputation, who has passed the examination required by the board in the fundamentals of engineering, who was recommended for certification by a professional engineer holding 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, who has submitted an application for certification in accordance with the requirements of R.S. 37:694, and who was duly certified as an engineer intern by the board.

A.3. – B. ...

#### §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 licensee 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 licensee 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 design 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 design plans have been properly examined by the undersigned. I have determined that they comply with existing local Louisiana codes, and have been properly site adapted to use in this area."

(c). certification of standard design 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. 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 design plans have been properly examined by the undersigned. I have determined that they 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 the undersigned. I have determined that they comply with the following existing state and local building 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. – a.v.(b). ...

##### b. Preliminary Work

i. All preliminary documents shall be marked in large bold letters with one or more of the following statements:

(a). "Preliminary – Not For Construction";

(b). "Preliminary – For Permit Purposes Only";

(c). "Preliminary – For Review Only"; or



(d). "Preliminary – Not For Recordation, Conveyances or Sales".

ii. Preliminary documents are not required to have the licensee's seal, signature and date affixed, but must bear the name and license number of the licensee, and the name of the licensee's firm, if applicable.

c. – 5.b. ...

The Board recessed at 11:40 a.m. and resumed at 12:25 p.m.

Mr. Patterson entered the meeting at 12:45 p.m.

### **Applications (continued)**

#### **Application Appeals (continued)**

The Board approved the motion made by Mr. Moore, seconded by Mr. Pike, with Mr. Coyle, Mr. Phillips, Dr. Hale, Mr. Huval, Mr. Moore, Mr. Carroll, Mr. Pike and Mr. Krouse for, Mr. Knotts against and Mr. Patterson abstaining, to request Mr. Falgun B. Surani, an applicant for licensure as a professional engineer by comity with NCEES records, to provide documentation showing that he has completed the deficient 23 semester hours in mathematics and basic science.

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

#### **Education/Accreditation Committee**

The Board unanimously approved the motion made by the Education/Accreditation Committee to adopt a Board policy that applicants with engineering degrees from Canadian Engineering Accreditation Board (CEAB)-accredited schools are not required to obtain credential evaluations.

#### **Finance Committee**

Mr. Patterson presented the report for the Finance Committee.

The Board unanimously approved the motion made by the Finance Committee to purchase a \$175,000 certificate of deposit at Citizen's Bank.

The Board unanimously approved the motion made by the Finance Committee to renew the certificate of deposit at Neighbors Credit Union when it matures on October 16, 2016.

The Board unanimously approved the motion made by the Finance Committee to renew the certificate of deposit at Iberia Bank when it matures on November 12, 2016.

The Board unanimously approved the motion made by the Finance Committee to approve the financial report as presented.

### **Old Business/New Business**

The Board unanimously approved the motion made by Mr. Moore, seconded by Mr. Pike, to write a letter of support of Mr. Knotts to run for the NCEES Southern Zone Vice President position.

The Board unanimously approved the motion made by Mr. Moore, seconded by Mr. Carroll, to approve funds of up to \$1,000 for expenses associated with Mr. Knotts' campaign efforts.

The Chairman appointed Mr. Knotts and Mr. Krouse to serve on the Geoscience Ad Hoc Committee and to represent the Board at meetings with the Louisiana Board of Professional Geoscientists.

1                   **Closing Business**

2  
3                   The Board unanimously approved the motion made by Mr. Knotts, seconded by Mr.  
4                   Patterson, to approve all committee recommendations and actions.

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

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

11  
12                  The Board unanimously approved the motion made by Mr. Patterson, seconded by Mr.  
13                  Knotts, to adjourn.

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15                  The meeting adjourned at 3:10 p.m. on Monday, September 19, 2016.

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19                                 \_\_\_\_\_  
20                                 Kevin E. Crosby, P.E., P.L.S.                                 Terry J. Huval, P.E.  
21                                 Chairman   Secretary  
22  
23