

1 MINUTES OF THE REGULAR MEETING OF THE
2 LOUISIANA PROFESSIONAL ENGINEERING
3 AND LAND SURVEYING BOARD
4 9643 BROOKLINE AVENUE, SUITE 121
5 BATON ROUGE, LOUISIANA 70809-1433
6 September 9, 2019
7

8 At 8:10 a.m. on September 9, 2019, Alan D. Krouse, P.E. called the meeting to order at
9 the Board's office in Baton Rouge, Louisiana, with the following members present:

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11 Alan D. Krouse, P.E. Chairman
12 Thomas R. Carroll, III, P.E., P.L.S. Vice Chairman
13 Charles G. Coyle, III, P.L.S. Treasurer
14 Jeff A. Pike, P.E. Secretary
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16 D. Scott Phillips, P.E., P.L.S.
17 Christopher K. Richard, P.E.
18 Chad C. Vosburg, P.E.
19 Edgar P. Benoit, P.E.
20 Wilfred J. Fontenot, P.L.S.
21 Connie Betts, P.E.
22 Reginald Jeter, P.E.
23

24 Also present: Donna D. Sentell, Executive Director
25 Bill Tripoli, Board Staff
26 Joe Harman, P.E., Board Staff
27 Chris Aaron, Board Investigator
28 D. Scott Landry, Board Attorney
29 Hoang Nguyen, Tri-Core Technologies, L.L.C.
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31 The invocation and pledge were led by Mr. Pike.
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33 Public comment time was recognized by Chairman Krouse.
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35 The Board unanimously approved the motion made by Mr. Coyle, seconded by Mr.
36 Carroll, to accept the September 9, 2019 proposed Call and Agenda for the meeting.
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38 The Board unanimously approved the motion made by Mr. Carroll, seconded by Mr.
39 Coyle, to approve the minutes from the June 10, 2019 Board meeting.
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41 The Board unanimously approved the motion made by Mr. Carroll, seconded by Mr.
42 Richard, to schedule the Board's next regular meeting for November 18, 2019.
43

44 The Board unanimously approved the motion made by Mr. Benoit, seconded by Mr.
45 Vosburg, to allow the Executive Director and the IT Director to work with the
46 Executive Committee on the authorization and transition to U.S. Bank for the credit
47 card processing services through the Louisiana Department of Treasury.
48

49 **Compliance and Enforcement**
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51 The Board reviewed the request made by **Anthony R. Venson, Ph.D.** to reinstate his
52 revoked professional engineer license. After discussion, the Board unanimously
53 approved the motion made by Mr. Carroll, seconded by Mr. Fontenot, to deny the
54 request of Mr. Venson to reinstate his revoked professional engineer license.
55

56 The Board reviewed the request made by **Dalton W. Honore, II, P.E.** to reinstate his
57 revoked professional land surveyor license. After discussion, Chairman Krouse
58 charged the Land Surveying Committee with reviewing Mr. Honore's request and
59 making a recommendation to the Board.
60

61 **Case # 2018-3** – Mr. Aaron reported on an unlicensed firm which practiced and
62 offered to practice engineering without proper licensure. The respondent has signed
63 and returned the proposed consent order offered by the Complaint Review
64 Committee. The proposed consent order contained the following sanctions:
65

- 66 1. Fine of \$3,000
67 2. Costs of \$281.85
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 **A2H, Inc.**

Case # 2016-16 – Mr. Aaron reported on a professional engineer who (a) failed to produce documents requested by the Board pursuant to a subpoena, (b) failed to timely respond to inquiries and correspondence from the Board, (c) practiced and/or offered to practice engineering with an expired license and (d) failed to provide, within thirty days of receipt of notice by certified mail, information or documents requested by the Board relating to an alleged violation of the Board's laws. 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 \$4,500
2. Costs of \$2,833.63
3. Past unpaid renewal fees of \$120
4. Provide information and documents requested by the Board
5. Louisiana Laws & Rules Quiz
6. Louisiana Professionalism & Ethics Quiz
7. Immediate suspension if fail to comply with the consent order
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. Pike, Mr. Carroll, and Mr. Richard, to approve the signed consent order. The name of the respondent is **Walter F. Zehner, III, P.E.**

Case # 2018-52 – Mr. Aaron reported on a professional land surveyor who practiced and offered to practice land surveying with an expired license. 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 \$775.04
3. Louisiana Laws & 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 **James W. Townsend, P.L.S.**

Case # 2017-55 – Mr. Aaron reported on a professional engineering firm which practiced and offered to practice engineering with an expired license. 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 \$1,424.50
3. Past unpaid renewal fees of \$120
4. Louisiana Laws & Rules Quiz by each supervising professional
5. Louisiana Professionalism & Ethics Quiz by each supervising professional
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. Pike, Mr. Carroll and Mr. Richard, to approve the signed consent order. The name of the respondent is **Ross & Baruzzini, Inc.**

Case # 2018-107 – Mr. Aaron 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 \$1,424.50
3. Louisiana Laws & Rules Quiz
4. Louisiana Professionalism & Ethics Quiz
5. Publication on the Board's website and in the Journal with name

1 6. Report to NCEES with name

2 After discussion, the Board unanimously approved the motion made by the Complaint
3 Review Committee, consisting of Mr. Pike, Mr. Carroll, and Mr. Richard, to approve the
4 signed consent order. The name of the respondent is **Gregory S. Spence, P.E.**

5
6 **Case # 2014-47** – Mr. Aaron reported on an unlicensed firm, **SRF Group Consulting,**
7 **LLC**, which entered into a consent order with the Board effective June 18, 2018. After
8 discussion, the Board unanimously approved the motion made by Mr. Vosburg,
9 seconded by Mr. Jeter, to cease further efforts to enforce the consent order and to
10 close the case.

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12 At 9:25 a.m., Mr. Stan Ard, P.L.S. and Mr. Brad Holleman, P.L.S. entered the meeting.

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14 **Committee Reports**

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16 **Firm Licensure Committee**

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18 Mr. Richard presented the report for the Firm Licensure Committee.

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20 After discussion, the Board unanimously approved the motion made by the Firm
21 Licensure Committee to adopt Board Policy #27 (Policy on the Use of “Engineering”
22 and/or “Surveying” in the Company Name for Non-Engineering and Non-Surveying
23 Companies), which reads as follows:

24
25 **Policy # 27**

26 **Adopted: September 9, 2019**

27
28 **Policy on the Use of “Engineering” and/or “Surveying” in the Company Name for**
29 **Non-Engineering and Non-Surveying Companies**

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31 The purpose of this policy is to have uniformity and direction in the review of waiver
32 requests for companies or organizations which use the word, engineering and/or
33 surveying, or any derivative thereof, but do not provide or offer to provide
34 engineering or surveying services.

35 The Firm Committee can waive the requirements for licensure as an engineering
36 and/or surveying firm, for companies that meet the following criteria:

- 37 • The company or organization does not provide or offer to provide engineering
38 or land surveying services in Louisiana or any other jurisdiction;
39 • The company or organization is not a subsidiary of a company or organization
40 that provides or offers to provide engineering or land surveying services in
41 Louisiana or any other jurisdiction; and
42 • The company or organization websites, social media sites and/or brochures
43 do not mention providing or offering engineering or land surveying services.

44 For record keeping purposes, the applicant will be given the waiver
45 documentation to be able to register with the Office of the Louisiana Secretary
46 of State. A copy of the firm application and committee recommendations will
47 be kept in the LAPELS database and a WG (waiver granted) designation will be
48 assigned to the applicant

49
50 The Board recessed at 9:35 a.m. and resumed at 9:55 a.m. Ms. Liz Kearney, Executive
51 Director of the Louisiana Society of Professional Surveyors, and Mr. Ernie Gammon,
52 P.L.S. were present.

53
54 **Laws and Rules Committee**

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56 Mr. Richard presented the report for the Laws and Rules Committee.

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58 After discussion, Chairman Krouse appointed an Ad Hoc Committee, comprised of Mr.
59 Carroll, Mr. Fontenot, Mr. Coyle, Mr. Richard, Mr. Pike and representatives of the
60 Louisiana Society of Professional Surveyors, and charged it with reviewing the
61 proposed revisions to La. R.S. 37:693(B)(3) and (4) and La. R.S. 37:695 with regard to
62 the removal of references to oral exams. The Ad Hoc Committee was requested to
63 present their recommendation to Chairman Krouse by November 6, 2019.
64

After further discussion, Chairman Krouse charged the Laws and Rules Committee with reviewing the proposed revisions to La. R.S. 37:683(A)(2) with regard to the references to being “employed” and being “actively engaged”. The Laws and Rules Committee was requested to present their recommendation to Chairman Krouse by November 6, 2019.

Mr. Coyle exited the meeting at 11:10 a.m.

Mr. Ard, Mr. Holleman, Ms. Kearney and Mr. Gammon exited the meeting at 11:15 a.m.

Land Surveying Committee

Mr. Carroll presented the report for the Land Surveying Committee and discussed the letter received from the Louisiana Society of Professional Surveyors regarding the Louisiana Forestry Association Journal.

Mr. Landry exited the meeting at 11:30 a.m.

Education/Accreditation Committee

Mr. Pike presented the report for the Education/Accreditation Committee.

After discussion, the Board unanimously approved the motion made by the Education Accreditation Committee to amend Board Policy #26 (Related Science or Technology Degrees and Engineering Graduate Degrees) as follows:

Policy # 26

Adopted: September 10, 2018

Amended: September 9, 2019

Related Science or Technology Degrees and Engineering Graduate Degrees

This policy exists in part to assist staff in addressing questions regarding engineering graduate degrees that may or may not complement a related science or technology degree.

If/when staff are asked to address questions regarding those without an EAC/ABET accredited engineering undergraduate degree who are seeking a graduate degree, they should quote Rule 1105.A.*

This policy is not a stand-alone document. It is intended to be a supplement for staff-use if/when staff members are addressing questions from applicants regarding the laws and rules related to this topic.

It is in the best interest of the applicant for the applicant to review the appropriate laws and rules related to these topics rather than only relying on this policy letter.

If a potential applicant requests advice from staff prior to earning an undergraduate degree, the staff informs them that an Engineering Accreditation Commission (EAC)/ABET accredited engineering curricula of four years or more is the best choice in accordance with Rule 1101.B.** Engineering Technology Accreditation Commission (ETAC)/ABET Curricula do not meet the same criteria.

A degree program that has the word engineering in its title is not necessarily an engineering degree. Some may be. Others are not. Some examples are engineering management, construction engineering technology, electrical engineering technology, and civil engineering technology. The first example is unique in that it ends in the word management. It might be an engineering degree or it might be a management degree. The key question is whether the degree is EAC/ABET accredited. If so, it is an engineering degree, and there are several legitimate EAC/ABET engineering management degrees. The others are technology degrees. There are numerous examples of degrees like this that are not engineering degrees. They may be ETAC/ABET accredited, but that accreditation is substantially different from the EAC/ABET accreditation required by LAPELS and many other jurisdictions.

If a potential applicant is already pursuing an undergraduate degree that is non-accredited (EAC/ABET) and/or non-engineering, one reasonable option is for the

student to change majors to an EAC/ABET accredited engineering degree. Another option is for the student to pursue a second major of an accredited EAC/ABET engineering degree.

If a potential applicant has already completed an undergraduate degree that is non-EAC/ABET accredited and/or non-engineering, the staff informs that the option with the least uncertainty to resolve the problem is to go back and earn an EAC/ABET accredited engineering undergraduate degree. At first glance, this may seem unreasonable, but there is possibly less time involved in completing a second undergraduate degree, this time that is EAC/ABET accredited engineering, than in getting a graduate degree that meets the requirements of Rule 1105.A.*

The best fit for a graduate degree is one that matches the undergraduate degree. For example, a civil engineering graduate degree best follows a civil engineering undergraduate degree. Of course, if one already has an EAC/ABET accredited civil engineering degree, then a graduate degree would not be necessary to meet the educational requirement for licensure. LAPELS is considering a rule change that would allow an EAC/ABET accredited engineering master's degree to remedy the lack of an EAC/ABET accredited undergraduate engineering degree, but the issue of the appropriate number of hours of engineering science and engineering design coursework still must be remedied.

The following examples in Table 1 illustrate that some related science degrees fit better than others. This list should not be seen as approval or as a suggestion. In fact, relying on it alone may lead to a disapproved request for licensure. Instead, it should be viewed as a possible way to pursue a remedy to the problem of not having an EAC/ABET accredited engineering undergraduate degree.

Non-EAC/ABET engineering degrees are missing critical coursework in engineering sciences and engineering design. For example, an accredited construction engineering technology curricula may require algebra, trigonometry, and one 3-semester credit hour calculus overview course compared to a civil engineering curricula requirement for algebra, trigonometry, and five successive 3-semester credit hour calculus courses including differential equations.

The applicant must show evidence of the removal of deficiencies in science, mathematics, engineering sciences and engineering design as a prerequisite to the graduate courses. There is a significant difference between being admitted to a graduate engineering program and pursuing engineering licensure. The argument some applicants make, is 'my school admitted me to the program with my xxxxx degree, and they did not require all the pre-requisite courses LAPELS is requiring'. Some applicants make the same argument when LAPELS requires them to attain a credential evaluation for their unaccredited undergraduate degree. The LAPELS response is that universities and LAPELS have different requirements because each entity has a different intended purpose and/or end result. The LAPELS purpose and responsibility is to "safeguard life, health, and property and to promote the public welfare". University graduate programs do not have that same purpose or responsibility.

If an applicant does not have an EAC/ABET accredited undergraduate engineering degree then deficiencies do exist. It is insufficient and inappropriate to rely on a subjective analysis by a graduate school coordinator or even a pre-test of subject matter to justify whether or not deficiencies exist.

By definition, prerequisite means these deficiencies must be removed before beginning the graduate degree coursework. The foundational coursework required for an EAC/ABET accredited undergraduate engineering degree is the remedy for the deficiencies. Graduate degree coursework is not the remedy.

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.

*** - §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.

**** - §1101. Approved Curricula**

- A.
- B. In general, the board will recognize as approved all accredited engineering curricula of four years or more. The board may recognize as approved an engineering curriculum that was not accredited at the time of the applicant's graduation, but which became accredited within the following two years.

Table 1: Examples of Possible Engineering Graduate Degree Fit With Non-Engineering Undergraduate Degree***

Undergraduate degree	Graduate degree
Biology or Biological Sciences	Biomedical Engineering
Biology or Biological Sciences	Environmental Engineering
Physics	Mechanical, Electrical, or Civil Engineering
Chemistry	Chemical or Petroleum Engineering
Construction Engineering Technology	Construction or Civil Engineering
Civil Engineering Technology	Civil Engineering
Environmental Science	Environmental Engineering
Geology or Geological Sciences	Geotechnical Engineering
Electrical Engineering Technology	Electrical Engineering
Computer Science	Computer Engineering

***The contents of this table are not a recommendation. As the text of this policy clearly states, the recommendation is to earn an EAC/ABET accredited undergraduate engineering degree.

Mathematics, Architecture, Oceanography, or Photography are unlikely to be a good fit.

The Board recessed at 11:45 a.m. and resumed at 12:35 p.m.

Applications

Application Appeals

The Board approved the motion made by Mr. Benoit, seconded by Chairman Krouse, to *reverse* the reviewing committee's decision which had initially disapproved the application of **Brian Apple** for licensure as a professional engineer by examination.

Committee Reports (continued)

Finance Committee

Ms. Sentell presented the report for the Finance Committee.

The Board unanimously approved the motion by the Finance Committee to accept the finance report as presented.

1 The Board unanimously approved the motion made by the Finance Committee to
2 renew the certificate of deposit at Home Bank when it matures on September 20,
3 2019.

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5 **Old/New Business**

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7 The Board unanimously approved the motion made by Mr. Benoit, seconded by Mr.
8 Vosburg, to accept the proposed building lease from the Louisiana Engineering
9 Foundation for 2019–2024.

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11 The Board unanimously approved the motion made by Mr. Fontenot, seconded by Mr.
12 Vosburg, to schedule the Board Member Continuity Meeting for March 29-30, 2020.
13 Chairman Krouse appointed an Ad Hoc Committee, comprised of Mr. Carroll, Ms. Betts
14 and Chairman Krouse, to work with Ms. Sentell on the planning of this meeting.

15 **Closing Business**


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17 The Board unanimously approved the motion made by Mr. Fontenot, seconded by Mr.
18 Richard, to approve all committee recommendations and actions.


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20 The Board unanimously approved the motion made by Mr. Richard, seconded by Mr.
21 Carroll, to acknowledge and confirm all licenses and certificates issued and renewed
22 since the last Board meeting.

23
24 The Board unanimously approved the motion made by Mr. Pike, seconded by Ms.
25 Betts, to approve all Board expenses.

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27 The Board unanimously approved the motion made by Mr. Benoit, seconded by Mr.
28 Jeter, to adjourn.

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30 The meeting adjourned at 1:35 p.m. on September 9, 2019.

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37 Alan D. Krouse, P.E.
38 Chairman


Jeffrey A. Pike, P.E.
Secretary