

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63

MINUTES OF THE REGULAR MEETING
LOUISIANA PROFESSIONAL ENGINEERING
AND LAND SURVEYING BOARD
9643 BROOKLINE AVENUE, SUITE 121
BATON ROUGE, LOUISIANA 70809-1433
March 8-9, 2010

At 2:15 p.m., on March 8, 2010, the Chairman called the meeting to order at the Hilton Baton Rouge Capitol Center, 201 Lafayette, Baton Rouge, Louisiana with the following members present:

| | |
|---------------------------|---------------|
| Rhaoul A. Guillaume, P.E. | Chairman |
| Mark A. Jusselin, P.E. | Vice Chairman |
| Roger D. Danzy, P.E. | Treasurer |
| Ali M. Mustapha, P.E. | Secretary |

Richard L. Savoie, P.E.
Miles B. Williams, P.E.
James E. Bowie, Ph.D., P.E.
M. Ernest Gammon, Sr., P.L.S.
Timothy J. Allen, P.L.S.
James D. Garber, P.E.

Also present: Donna D. Sentell, Executive Secretary
D. Scott Landry, Board Attorney
Victoria Hatton, Board Investigator
Justin Owens, Board Investigator
Tyson Ducote, Board Investigator

The invocation was led by Mr. Jusselin.

Dr. Norma Jean Mattei, Ph.D., P.E. entered the meeting at 2:17 p.m.

A motion was made by Mr. Savoie, seconded by Mr. Jusselin, to accept the March 8-9, 2010 Call for the Meeting and the Agenda. The Board unanimously approved the amended motion made by Mr. Williams, seconded by Mr. Mustapha, to add "Background Checks" to the Enforcement portion of the March 8-9, 2010 Call for the Meeting and the Agenda.

The Board unanimously approved the motion made by Mr. Mustapha, seconded by Mr. Danzy, to approve the Minutes from the January 18-19, 2010 Board meeting.

The Board unanimously approved the motion made by Mr. Allen, seconded by Dr. Mattei, to reschedule the Board's next regular meeting to May 10-11, 2010.

Enforcement

Survey America case: Mr. Landry briefed the Board concerning the recent ruling from the Louisiana First Circuit Court of Appeal. The Board unanimously approved the motion made by Mr. Williams, seconded by Mr. Mustapha, to not appeal or seek rehearing of the First Circuit ruling and to notify Ms. Cangelosi of this motion.

Dalton Honore case: Mr. Landry briefed the Board concerning the pending garnishment proceeding.

Case #2008-110: Mr. Owens reported on a licensed engineer who was disciplined by the licensing authority of another state for a mater recognized as grounds for disciplinary action in Louisiana at the time the actions was taken. The respondent has signed and returned the proposed Consent Order offered by the Complaint Review Committee. After discussion, the Board

1 unanimously approved the motion made by Mr. Mustapha, seconded by Dr.
2 Bowie, to approve the signed Consent Order.
3

4 **Case #2008-92:** Mr. Owens reported on a licensed engineering firm who
5 allegedly practiced and/or offered to practice engineering and used the word
6 "engineer", "engineering" or a modification or derivative thereof in its form of
7 business or activity in Louisiana without proper licensure prior to being
8 licensed by the Board. The respondent has signed and returned the proposed
9 Consent Order offered by the Complaint Review Committee. After discussion,
10 the Board unanimously approved the motion made by Mr. Allen, seconded by
11 Dr. Mattei, to approve the signed Consent Order.
12

13 **Case #2009-106:** Mr. Owens reported on a licensed engineering firm who
14 admitted to practicing and/or offering to practice engineering in Louisiana
15 with an expired license for a little over 13 months. The respondent has signed
16 and returned the proposed Consent Order offered by the Complaint Review
17 Committee. After discussion, the Board unanimously approved the motion
18 made by Mr. Savoie, seconded by Mr. Williams, to approve the signed Consent
19 Order.
20

21 The Board unanimously approved the motion made by the Executive
22 Committee for Victoria Hatton and Tyson Ducote to become Associate
23 Members of NCEES.
24

25 The Board unanimously approved the motion made by Mr. Gammon, seconded
26 by Mr. Jusselin, to (a) rescind the motion passed at the January Board meeting
27 which had required Louisiana residents submitting new applications for
28 licensure/certification to obtain from the Louisiana State Police a criminal
29 background report on themselves for submittal to the Board in conjunction
30 with their applications and (b) direct the Executive Committee to determine
31 whether to pursue obtaining criminal background reports from the Louisiana
32 State Police on all applicants for PE and PLS licensure if the reports can be
33 obtained at a reasonable cost and can be provided directly to the Board.
34

35 **Committee Reports**

36 **Policy and Procedure Ad Hoc Committee**

37
38
39 Mr. Williams reported on the continued efforts of the committee to prepare
40 Board Member Compensation Guidelines and its plan to present its
41 recommendation at the May 2010 Board meeting.
42

43 **Applications**

44
45 The Board disapproved the motion made by Dr. Bowie, seconded by Mr.
46 Williams, with Dr. Bowie in favor and Dr. Garber, Mr. Danzy, Mr. Jusselin, Mr.
47 Savoie, Mr. Williams, Mr. Gammon and Mr. Allen against, and Mr. Mustapha
48 abstaining, to *approve* the application of **Mr. Mabashir Magbool** to be licensed
49 by comity as a Professional Engineer if he will dismiss with prejudice his
50 lawsuit against the Board.
51

52 Mr. Jusselin exited the meeting at 4:40 p.m.
53

54 The Board unanimously approved the motion made by Mr. Williams, seconded
55 by Mr. Mustapha, to approve the previously disapproved comity applications
56 of Mr. **John Adler**, Mr. **Michael Daubenberger**, Mr. **Guy Nelson**, Mr.
57 **Timothy Prockish**, Ms. **Jennifer Snape**, Mr. **Jaren Tolman** and Mr. **Michael**
58 **Woods**, effective May 21, 2010.
59

60 Mr. Landry exited the meeting at 4:45 p.m.
61

62 Mr. Jusselin entered the meeting at 4:50 p.m.
63

1 Mr. Danzy made the motion to *disapprove* the application of Mr. **Peter Leptuch**
2 to be licensed by comity as a Professional Engineer. The motion died for lack
3 of a second.

4
5 The Board approved the motion made by Mr. Williams, seconded by Mr.
6 Mustapha, with Mr. Allen, Mr. Gammon, Mr. Williams, Mr. Savoie, Mr.
7 Mustapha, Dr. Mattei, Dr. Bowie and Mr. Jusselin for, and Mr. Danzy and Dr.
8 Garber against, to refer the application of Mr. **Peter Leptuch** to the
9 Education/Accreditation Committee for further review and recommendation
10 tomorrow.

11
12 Mr. Owens and Mr. Ducote exited the meeting at 5:00 p.m.

13
14 The Board recessed at 5:30 p.m. and reconvened at 8:45 a.m. on March 9, 2010.
15 Mr. Williams and Mr. Landry were not present.

16 17 **Committee Reports (continued)**

18 19 **Enforcement Ad Hoc Committee**

20
21 Mr. Danzy reported that the committee is preparing a job description for the
22 technical support staff position and will forward it to the Executive Committee
23 by the end of the month.

24
25 Mr. Danzy also reported that the committee has asked Ms. Hatton to update the
26 Complaint Review Committee case file review and recommendation form to
27 include a check box indicating "*Upload to the NCEES website*" (in the
28 Reviewer's Recommendation section) and circulate it to the committee for
29 review.

30 31 **Finance Committee**

32
33 The Board unanimously approved the motion made by Mr. Danzy, seconded by
34 Dr. Mattei, to accept the financials as reported.

35
36 The Board approved the motion made by Mr. Mustapha, seconded by Dr.
37 Mattei, to authorize the Executive Secretary to enter into a contract with **Ms.**
38 **Celia R. Cangelosi** to serve as a prosecuting attorney for Board disciplinary
39 and enforcement hearings. The term of the contract will be for one year
40 beginning **July 1, 2010 and ending June 30, 2011**, in the amount not to
41 exceed **\$36,000.00**.

42
43 The Board approved the motion made by Mr. Allen, seconded by Mr. Jusselin,
44 to authorize the Executive Secretary to enter into a contract with **Mr. D. Scott**
45 **Landry and Chaffe McCall, L.L.P.**, to provide legal services to the Board. The
46 term of the contract will be for two years beginning **July 1, 2010 and ending**
47 **June 30, 2012**, in the amount not to exceed **\$240,000**.

48
49 The Board approved the motion made by Dr. Mattei, seconded by Mr. Savoie, to
50 authorize the Executive Secretary to enter into a contract with **L.A.**
51 **Champagne & Company L.L.P.** to provide accounting services to the Board.
52 The term of the contract will be for one year beginning **July 1, 2010 and**
53 **ending June 30, 2011**, in the amount not to exceed **\$25,000.00**.

54
55 The Board unanimously approved the motion made by Mr. Mustapha,
56 seconded by Dr. Mattei, to authorize the Executive Secretary to enter into a
57 contract with the **Louisiana Society of Professional Surveyors** to:

- 58
59
- 60 • Develop and submit a semi-annual Louisiana Laws of Land Surveying
61 Examination for the Board;
 - 62 • Score and grade the examination and submit the results to the Board;
 - 63 • Maintain and expand an examination question database from which the
examination will be generated; and

- 1 • Ensure security of all examinations and the examination question
2 database.
3

4 The term of the contract will be for one year beginning **July 1, 2010 and**
5 **ending June 30, 2011**, in the amount not to exceed **\$8,600.00**.
6

7 **Applications (continued)**
8

9 The Board unanimously approved the motion made by Mr. Mustapha,
10 seconded by Dr. Mattei, to *approve* the application of Mr. **Peter Leptuch** to be
11 licensed by comity as a Professional Engineer.
12

13 **Closing Business**
14


15 The Board unanimously approved the motion made by Dr. Mattei, seconded by
16 Mr. Mustapha, to approve all committee recommendations and actions.
17


18 The Board unanimously approved the motion made by Mr. Danzy, seconded by
19 Dr. Mattei, to acknowledge and confirm all licenses and certificates issued by
20 the Board.
21

22 The Board unanimously approved the motion made by Mr. Mustapha,
23 seconded by Mr. Savoie, to approve all Board expenses.
24

25 The Board unanimously approved the motion made by Mr. Mustapha,
26 seconded by Mr. Savoie, to adjourn.
27

28 The meeting adjourned at 11:02 a.m. on March 9, 2010.
29
30

31
32 
33 Rhaoul A. Guillaume, P.E.
34 Chairman
35


 Ali M. Mustapha, P.E.
 Secretary