

**LOUISIANA PROFESSIONAL ENGINEERING
AND LAND SURVEYING BOARD
9643 BROOKLINE AVENUE, SUITE 121
BATON ROUGE, LOUISIANA 70809-1443
(225) 925-6291**

IN THE MATTER OF:)	CASE NO. 2015-37
)	
LURRIE B. MAYEUX, JR., P.E.)	
)	
RESPONDENT)	
)	
)	
)	

CONSENT ORDER

The Louisiana Professional Engineering and Land Surveying Board [hereinafter the “Board”], by and through its Executive Director, pursuant to authorization by the Board, and Lurrie B. Mayeux, Jr., P.E. [hereinafter “Respondent”] hereby agree to the following:

At all times material hereto, Respondent was licensed in the State of Louisiana as a professional engineer, number PE-13831. At all times material hereto, Respondent was not licensed in the State of Louisiana as a professional land surveyor and, therefore, was not authorized to practice and/or offer to practice land surveying in the State of Louisiana.

An investigation was opened based upon the Board’s receipt of information and documents which suggested that Respondent may have committed various violations of the Board’s laws and/or rules in connection with his practice of engineering in Louisiana. The investigation disclosed that:

- (a) in or about July 2013 Respondent sealed, signed and issued a set of engineering design plans for a renovation of the Candy Land Day Care facility in Jena, Louisiana;
- (b) in or about July 2014 Respondent sealed, signed and issued a set of engineering design plans for an addition to the Deville First Pentecostal Church in Deville, Louisiana;
- (c) in or about July 2014 Respondent sealed, signed and issued a set of engineering design plans for a new building for Hopewell Baptist Church in Colfax, Louisiana;
- (d) in or about August 2014 Respondent sealed, signed and issued a set of engineering design plans for a new building for Henry’s Burger Inn in Oakdale, Louisiana;

- (e) in or about November 2014 Respondent sealed, signed and issued a set of engineering design plans for a renovation of the Medi-Thrift Pharmacy building in Harrisonburg, Louisiana;
- (f) in or about December 2014 Respondent sealed, signed and issued a set of engineering design plans for an addition to the Napa building in Marksville, Louisiana;
- (g) in or about January 2015 Respondent sealed, signed and issued a set of engineering design plans for a new building for Karri Family Chiropractic in Pineville, Louisiana;
- (h) in or about January 2015 Respondent sealed, signed and issued a set of engineering design plans for a new building for Landmark Tabernacle in Pineville, Louisiana;
- (i) in or about January 2015 Respondent sealed, signed and issued a set of engineering design plans for a renovation of a State Farm building in Columbia, Louisiana;
- (j) in or about March 2015 Respondent sealed, signed and issued a set of engineering design plans for a renovation of the El Parian Mexican Grill building in Pineville, Louisiana;
- (o) in or about March 2015 Respondent sealed, signed and issued sets of engineering design plans for a new building for Summerville Baptist Church in Olla, Louisiana;
- (k) in or about April 2015 Respondent sealed, signed and issued a set of engineering design plans for an addition to and a new building for the Brisket House in Jena, Louisiana;
- (l) in or about May 2015 Respondent sealed, signed and issued a set of engineering design plans for a new building for the New Natchitoches Industrial Park in West Monroe, Louisiana;
- (m) in or about April 2015 Respondent sealed, signed and issued a set of engineering design plans for a new building for State Farm in Olla, Louisiana;
- (n) in or about May 2015 Respondent sealed, signed and issued a set of engineering design plans for an addition to the Timmons International building in Alexandria, Louisiana;
- (p) in or about May 2015 Respondent sealed, signed and issued sets of engineering design plans for a new building for Yankee Clipper in Alexandria, Louisiana;
- (q) in or about June 2015 Respondent sealed, signed and issued a set of engineering design plans for a renovation of the Town and Country General Store building in Jena, Louisiana;

(r) in or about July 2015 Respondent sealed, signed and issued a set of engineering design plans for a renovation of and an addition to the Pineville Citgo building in Pineville, Louisiana;

(s) in or about August 2015 Respondent sealed, signed and issued a set of engineering design plans for a new building for Billy Thompson in Alexandria, Louisiana; and

(t) in or about September 2015 Respondent sealed, signed and issued a set of engineering design plans for an addition to the Temple Christian Academy building in Jena, Louisiana.

The plans for all of the projects, which were submitted to the Louisiana State Fire Marshal for review, included numerous material deficiencies related to the National Fire Protection Association Life Safety Code, the International Building Code, the ADA and ABA Accessibility Guidelines, and/or Louisiana state statutes and regulations.

Additionally, the investigation disclosed that **(a)** all of the plans were prepared by unlicensed individuals (Anthony T. Ducote, James H. Deason, Jerry V. Deason, Don R. McGlothlin, Robert K. Mayo, Jeffrey R. Burns, Gary D. McCann and Jimmy R. Breland) who were not employed by Respondent, **(b)** Respondent did not exercise responsible charge over the preparation of the plans by the unlicensed individuals and **(c)** Respondent failed to maintain any evidence of his responsible charge over the preparation of the plans outside of his office by the unlicensed individuals.

Furthermore, the investigation disclosed that (a) the plans for the Yankee Clipper project contained a “property plot” which included boundary bearings and distances and other property boundary information and constituted a property boundary survey and (b) the plans for the Billy Thompson project contained a “site plan” which included boundary bearings and distances, a boundary table and other property boundary information and also constituted a property boundary survey.

La. R.S. 37:681 and La. R.S. 37:700(A)(1) prohibit the practicing of and/or offering to practice land surveying without proper licensure. La. R.S. 37:698(A)(2) prohibits licensees from committing any gross negligence, gross incompetence or gross misconduct in the practice of engineering. La. R.S. 37:698(A)(6), *to wit* LAC Title 46:LXI§2503(C), require licensees to

approve and seal only those design documents which are safe for public health, property and welfare, which are complete and accurate, which are in conformity with accepted engineering standards or practice, and which conform to applicable laws and ordinances. La. R.S.

37:698(A)(6), *to wit* LAC Title 46:LXI§2503(C) and (D), 2505(C) and 2701(A)(3), prohibit licensees from sealing, signing or issuing engineering documents not prepared by the licensee or under their responsible charge. La. R.S. 37:698(A)(6), *to wit* LAC Title 46:LXI§2505(A) and (B), require licensees to perform services only in the area of their competence and when qualified by education or experience in the specific technical fields of engineering involved. La. R.S.

37:698(A)(6), *to wit* LAC Title 46:LXI§2505(C), prohibit licensees from sealing or signing engineering documents dealing with subject matters in which they lack competence. La. R.S.

37:698(A)(6), *to wit* LAC Title 46:LXI§2701(A)(3)(b)(i)(d), require licensees to maintain all appropriate evidence of their responsible charge over the preparation of engineering documents outside of their office. La. R.S. 37:698(A)(18) prohibits licensees from practicing or offering to practice engineering when not qualified. La. R.S. 37:698(H) permits the Board to take

disciplinary action against persons who violate La. R.S. 37:698(A)(2), La. R.S. 37:698(A)(6), *to wit* LAC Title 46:LXI§2503(C) and (D), 2505(A), (B) and (C), 2701(A)(3), and

2701(A)(3)(b)(i)(d), and La. R.S. 37:698(A)(18), upon a finding of guilt following the preferral of charges, notice and hearing and a majority vote of its entire membership authorized to

participate in the proceeding. La. R.S. 37:700(H) permits the Board to take enforcement action against persons who violate La. R.S. 37:681 and La. R.S. 37:700(A)(1), upon a finding of guilt

following the preferral of charges, notice and hearing and a majority vote of its entire

membership authorized to participate in the proceeding. La. R.S. 37:681, La. R.S. 698(A)(2), (6)

and (18), La. R.S. 37:698(H), La. R.S. 37:700(A)(1), La. R.S. 37:700(H) and LAC Title

46:LXI§2503(C) and (D), 2505(A), (B) and (C), 2701(A)(3), and 2701(A)(3)(b)(i)(d) were in

effect at all times material hereto.

It is undisputed that **(a)** between July 2013 and September 2015 Respondent sealed, signed and issued sets of engineering design plans for twenty (20) projects in Louisiana, each of which contained material deficiencies, **(b)** the plans were prepared by unlicensed individuals who were not employed by Respondent, **(c)** Respondent did not exercise responsible charge over the

preparation of the plans by the unlicensed individuals, **(d)** Respondent failed to maintain any evidence of his responsible charge over the preparation of the plans outside of his office by the unlicensed individuals, **(e)** Respondent has never been licensed to practice and/or offer to practice land surveying in Louisiana and **(f)** in or about May 2015 and August 2015 Respondent practiced and/or offered to practice land surveying in Louisiana without proper licensure.

By letter dated October 24, 2017, the Board gave notice to Respondent that it was considering the preferral of charges against Respondent on the grounds that he may have violated **(a)** La. R.S. 37:681 and La. R.S. 37:700(A), relative to practicing and/or offering to practice land surveying without proper licensure, **(b)** La. R.S. 37:698(A)(2), relative to gross negligence, gross incompetence and/or gross misconduct in the practice of engineering, **(c)** La. R.S. 37:698(A)(6), *to wit* LAC Title 46:LXI§2503(C), relative to approving and sealing only those design documents which are safe for public health, property and welfare, which are complete and accurate, which are in conformity with accepted engineering standards or practice, and which conform to applicable laws and ordinances, **(d)** La. R.S. 37:698(A)(6), *to wit* LAC Title 46:LXI§2503(C) and (D), 2505(C) and 2701(A)(3), relative to sealing, signing or issuing engineering documents not prepared by the licensee or under their responsible charge, **(e)** La. R.S. 37:698(A)(6), *to wit* LAC Title 46:LXI§2505(A) and (B), relative to performing services only in the area of the licensee's competence and when qualified by education or experience in the specific technical fields of engineering involved, **(f)** La. R.S. 37:698(A)(6), *to wit* LAC Title 46:LXI§2505(C), relative to sealing or signing engineering documents dealing with subject matters in which the licensee lacks competence, **(g)** La. R.S. 37:698(A)(6), *to wit* LAC Title 46:LXI§2701(A)(3)(b)(i)(d), relative to maintaining all appropriate evidence of the licensee's responsible charge over the preparation of engineering documents outside of their office, and **(h)** La. R.S. 37:698(A)(18), relative to practicing or offering to practice engineering when not qualified.

Wishing to dispense with the need for further disciplinary or enforcement action and to conclude the instant proceeding without further delay and expense, for the purpose of this proceeding only, Respondent and the Board do hereby enter into this Consent Order, in which Respondent of his own free will consents to the issuance of a Consent Order by the Board,

wherein Respondent agrees to **(a)** pay a fine of nine thousand and no/100 (\$9,000.00) dollars, **(b)** pay administrative costs of three thousand one hundred forty-nine and 35/100 (\$3,149.35) dollars, **(c)** immediately cease and desist preparing, sealing, signing or issuing “property plots”, “site plans” or other documents containing boundary bearings and distances, boundary tables and other property boundary information or otherwise practicing and/or offering to practice land surveying in Louisiana until such time as he is duly licensed by the Board, **(d)** only practice and/or offer to practice engineering in Louisiana in the area(s) of engineering in which he is competent, **(e)** successfully complete the Board’s online Louisiana Laws and Rules Quiz, **(f)** successfully complete the Board’s online Louisiana Professionalism and Ethics Quiz and **(g)** the publication of this Consent Order on the Board’s website and a summary of this matter in the Board’s official journal, the *Louisiana Engineer and Surveyor Journal*, and the reporting of this matter to the National Council of Examiners for Engineering and Surveying (NCEES), identifying Respondent by name.

Respondent admits that his conduct as set forth above constitutes violations of the above referenced laws and/or rules as stated herein. Respondent acknowledges awareness of said laws and/or rules and states that he will comply with all applicable laws and rules henceforth. Respondent has been advised of his right to be represented by counsel before the Board and/or to appear at any hearing personally or by counsel and present witnesses and evidence in his own behalf, he hereby waives this right and his right to appeal, and he states affirmatively that he has been afforded all administrative remedies due him under the law. Respondent further acknowledges awareness of the fact that the signed original of this Consent Order will remain in the custody of the Board as a public record and will be made available for public inspection and copying upon request.

Therefore, in consideration of the foregoing and by signing this Consent Order, Respondent does hereby waive his right to a hearing before the Board, to the presenting of evidence and witnesses in his behalf, to Findings of Fact and Conclusions of Law in this case, and to judicial review of this Consent Order.

Respondent hereby represents that **(a)** he fully understands the meaning and intent of this Consent Order, including but not limited to its final and binding effect, **(b)** he has voluntarily

entered into this Consent Order and that no other promise or agreement of any kind has been made to or with him by any person whatsoever to cause the execution of this instrument and (c) the sanctions set forth in this Consent Order do not prevent the Board from taking further disciplinary or enforcement action against Respondent on matters not specifically addressed in this Consent Order.

WHEREFORE, the Louisiana Professional Engineering and Land Surveying Board and Respondent agree that:

1. Respondent shall pay a fine of nine thousand and no/100 (\$9,000.00) dollars, which shall be tendered to the Board by certified check payable to the Board, due upon the signing of this Consent Order; and
2. Respondent shall pay administrative costs of three thousand one hundred forty-nine and 35/100 (\$3,149.35) dollars, which shall be tendered to the Board by certified check payable to the Board, due upon the signing of this Consent Order; and
3. Respondent shall immediately cease and desist preparing, sealing, signing or issuing "property plots", "site plans" or other documents containing boundary bearings and distances, boundary tables or otherwise practicing and/or offering to practice land surveying in Louisiana until such time as he is duly licensed by the Board; and
4. Respondent shall only practice and/or offer to practice engineering in Louisiana in the area(s) of engineering in which he is competent; and
5. Respondent shall successfully complete the Board's online Louisiana Laws and Rules Quiz with a score of 90% or higher and return it to the Board within sixty (60) days of the effective date of this Consent Order; and
6. Respondent shall successfully complete the Board's online Louisiana Professionalism and Ethics Quiz with a score of 90% or higher and return it to the Board within sixty (60) days of the effective date of this Consent Order; and
7. This Consent Order shall be published on the Board's website and a summary of this matter shall be printed in the official journal of the Board, the *Louisiana Engineer and Surveyor Journal*, and reported to the National Council of Examiners for Engineering and Surveying (NCEES), identifying Respondent by name; and

8. This Consent Order shall not become effective unless and until it is accepted and signed by and on behalf of the Board. Should the Board not accept and sign this Consent Order, it is agreed that presentation of this matter to the Board shall not prejudice the Board or any of its members, staff, attorneys or representatives from further participation, consideration, or resolution of any further proceedings herein.

LOUISIANA PROFESSIONAL ENGINEERING
AND LAND SURVEYING BOARD

DATE: 1-30-18

BY: Donna D. Sentell
DONNA D. SENTELL, Executive Director

DATE: 11-6-17

Lurrie B. Mayeux Jr.
LURRIE B. MAYEUX, JR., P.E., Respondent

Witnesses to the signature of
Lurrie B. Mayeux, Jr., P.E.

Chelsea Thomas
Print Name: Chelsea Thomas

Brandi Sebren
Print Name: Brandi Sebren