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MINUTES OF THE REGULAR MEETING
LOUISIANA PROFESSIONAL ENGINEERING
AND LAND SURVEYING BOARD
9643 BROOKLINE AVENUE, SUITE 121
BATON ROUGE, LOUISIANA 70809-1433
March 21, 2011

At 8:00 a.m. on March 21, 2011, Mark A. Jusselin, P.E. called the meeting to order at 9643 Brookline Avenue, Baton Rouge, Louisiana, with the following members present:

Ali M. Mustapha, P.E. Chairman
Roger D. Danzy, P.E. Vice Chairman
Richard L. Savoie, P.E. Treasurer
Norma Jean Mattei, Ph.D., P.E. Secretary

Mark A. Jusselin, P.E.
Rhaoul A. Guillaume, P.E.
James E. Bowie, Ph.D., P.E.
M. Ernest Gammon, P.L.S.
Theodore H. Thompson, P.E.

Also present: Donna D. Sentell, Executive Director
Victoria R. Hatton, Director of Enforcement
Joe Harman, P.E., Enforcement Consultant
D. Scott Landry, Board Attorney
Kevin E. Crosby, P.E., P.L.S.

Not present: Miles B. Williams, P.E.
Timothy J. Allen, P.L.S.

The invocation was led by Dr. Bowie and the pledge by Ms. Sentell.

Mr. Jusselin and Mr. Guillaume were recognized for their service to the Board.

Mr. Jusselin presented the Chairman's gavel to Mr. Mustapha.

Tyson Ducote and Justin Owens entered the meeting at 8:15 a.m.

Public comment time was recognized by the Chairman.

The Board unanimously approved the motion made by Mr. Thompson, seconded by Dr. Mattei, to amend the March 21-22, 2011 proposed Call for the Meeting and Agenda to add an item addressing expenses for the new Board members' orientation and to add the Land Surveying Committee report.

The Board unanimously approved the motion made by Mr. Guillaume, seconded by Mr. Thompson, to approve the Minutes from the January 31, 2011 Board meeting.

The Board unanimously approved the motion made by Mr. Thompson, seconded by Dr. Mattei, to schedule the Board's next regular meeting for May 16-17, 2011.

The Board's January Task List was reviewed.

Enforcement

Ms. Hatton presented the enforcement report.

Case #2009-92 - Ms. Hatton reported on an unlicensed engineering firm which practiced and/or offered to practice engineering in Louisiana prior to becoming licensed. The respondent has signed and returned the proposed Consent Order offered by the Complaint Review Committee. After discussion, the Board approved the motion made by Dr. Bowie, seconded by Dr. Mattei, with Mr. Danzy, Mr. Guillaume, Mr. Jusselin, Mr. Mustapha, Mr. Thompson for and Mr. Savoie and Mr. Gammon against, to approve the signed Consent Order.

Case #2010-66 - Ms. Hatton reported on a licensed engineer who aided or assisted his unlicensed engineering firm in practicing and/or offering to practice engineering in Louisiana prior to becoming licensed. The respondent has signed and returned the proposed Consent Order offered by the Complaint Review Committee. After

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discussion, the Board unanimously approved the motion made by Dr. Bowie, seconded by Dr. Mattei, to approve the signed Consent Order.

Mr. Harman updated the Board on his ongoing work on the proposed Standards of Practice for Electrical Engineering and indicated that he would soon begin work on the proposed Standards of Practice for Mechanical Engineering.

The Board unanimously approved the motion made by Mr. Jusselin, seconded by Mr. Savoie, to resume the use of Lexis-Nexis for PE and PLS exam and comity applicants by utilizing the database that is Fair Credit Report Act-compliant, effectively immediately, for which the Board will bear the costs.

The Board recessed at 9:00 a.m. and resumed at 9:15 a.m.

Mr. Williams entered the meeting at 9:30 a.m.

Applications

Application Reviews

The Board approved the motion made by Mr. Savoie, seconded by Dr. Mattei, with Mr. Savoie, Dr. Mattei, Dr. Bowie, Mr. Thompson, Mr. Jusselin and Mr. Danzy for, Mr. Guillaume against and Mr. Gammon and Mr. Williams abstaining, to *approve* the application of Mr. Adarsh **Shah** for licensure as a professional engineer by comity.

The Board unanimously approved the motion made by Mr. Danzy, seconded by Dr. Mattei, to *approve* the application of Mr. Simon **Bellemare** for licensure as a professional engineer by comity.

Application Appeals

The Board unanimously approved the motion made by Mr. Guillaume, seconded by Mr. Savoie, to *affirm* the reviewing committee's decision to *disapprove* the application of Mr. Nima **Shiehbieki** for licensure as a professional engineer by examination.

The Board unanimously approved the motion made by the Land Surveying Committee to *affirm* the committee's decision to *disapprove* the application of Mr. Kenneth **Bryant** for certification as a land surveying intern.

The Board recessed at 10:15 a.m. and resumed at 10:35 a.m.

Committee Reports

Industrial Advisory Ad Hoc Committee

Mr. Williams updated the Board on the status of the formation of the committee and stated that he had received names from LES of individuals interested in serving on the committee.

Firm Licensure Committee

Mr. Williams updated the Board on a letter received from Fenstermaker & Associates, Inc. and the need to address Rule 2305 to clarify the definition of supervising professionals and responsible charge. The Board directed Ms. Sentell to respond to the letter, indicating that the Firm Licensure Committee would review the rule and make a recommendation to the Board concerning any possible rules changes.

The Board recessed for lunch at 11:35 a. m. and resumed at 12:15 p.m. Dr. Mattei. Dr. Bowie and Mr. Landry were not present.

Dr. Bowie entered the meeting at 12:35 p.m.

Finance Committee

Mr. Savoie reviewed the financial documents.

The Board unanimously approved the motion made by the Finance Committee directing Ms. Sentell to reinvest the funds in the CDs that will mature on March 24, 2011.

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2 The Board unanimously approved the motion made by Mr. Guillaume, seconded by
3 Mr. Savoie, to authorize the Executive Director to enter into a contract with the
4 **National Council of Examiners for Engineers and Surveyors (NCEES)** for
5 administration of examinations for the Fundamentals of Engineering; Principles and
6 Practice of Engineering; Structural Engineering; Fundamentals of Surveying; and
7 Principles and Practice of Surveying. The term of the contract will be for one year
8 beginning **February 1, 2011 and ending January 31, 2012.**
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10 The Board unanimously approved the motion made by Mr. Williams, seconded by Mr.
11 Thompson, to authorize the Executive Director to enter into a contract with **Ms. Celia**
12 **R. Cangelosi** to serve as a prosecuting attorney for Board disciplinary and
13 enforcement hearings. The term of the contract will be for one year beginning **July 1,**
14 **2011 and ending June 30, 2012,** in the amount not to exceed **\$36,000.00.**
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16 The Board unanimously approved the motion made by Mr. Guillaume, seconded by
17 Thompson, to authorize the Executive Director to enter into a contract with **Harman**
18 **and Associates** to serve as a technical support staff for the Board. The term of the
19 contract will be for one year beginning **July 1, 2011 and ending June 30, 2012,** in
20 the amount not to exceed **\$80,000.00.**
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22 The Board unanimously approved the motion made by Mr. Savoie, seconded by Mr.
23 Williams, to authorize the Executive Director to enter into a contract with **L.A.**
24 **Champagne & Company L.L.P.** to provide accounting services to the Board. The term
25 of the contract will be for one year beginning **July 1, 2011 and ending June 30,**
26 **2012,** in the amount not to exceed **\$25,000.00.**
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28 The Board unanimously approved the motion made by Mr. Williams, seconded by Mr.
29 Savoie, to authorize the Executive Director to enter into a contract with the **Louisiana**
30 **Society of Professional Surveyors** to:
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- 32 • Develop and submit a semi-annual Louisiana Laws of Land Surveying
33 Examination for the Board;
- 34 • Score and grade the examination and submit the results to the Board;
- 35 • Maintain and expand an examination question database from which the
36 examination will be generated; and
- 37 • Ensure security of all examinations and the examination question database.
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39 The term of the contract will be for one year beginning **July 1, 2011 and ending June**
40 **30, 2012,** in the amount not to exceed **\$5,600.00.**
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42 **Strategic Planning Committee**

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44 Mr. Danzy discussed the opinion received from the Attorney General concerning the
45 use of Board funds to promote licensure.
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47 Mr. Williams suggested a \$40.00 reduction in renewal fees and Dr. Bowie suggested
48 maintaining at minimum, \$1,000,000 in reserve, for annual operational funds. The
49 finance committee will bring a recommendation to the Board at the May 2011
50 meeting.
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52 **Land Surveying Committee**

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54 Mr. Gammon reported that the Land Surveying Committee was working on modifying
55 the recommended sanctions in the Disciplinary and Enforcement Sanction Guidelines
56 concerning minimum standards violations and would bring a recommendation to the
57 May Board meeting.
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59 The Board recessed at 2:00 p.m. and resumed at 2:10 p.m.
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61 **Old Business**

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63 Mr. Mustapha updated the Board on details from the NCEES Board President's
64 Assembly. He reported that NCEES is projecting mid-2013 as the target date to begin
65 Computer Based Testing for applicants taking the Fundamentals of Engineering and
66 Fundamentals of Surveying examinations. Also, beginning with the April 2011 exam
67 administration, the 16-hour Structural Engineering Examination will replace the
68 Structural I and II examinations. Candidates must complete both components of the
69 examination in order to be licensed.

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New Business

The Board unanimously approved the motion made by Dr. Bowie, seconded by Mr. Thompson, to request approval from the NCEES Board of Directors for Emeritus Status for Rhaoul A. Guillaume, P.E. and Mark A. Jusselin, P.E.

Closing Business

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


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


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

The Board unanimously approved the motion made by Mr. Thompson, seconded by Dr. Bowie, to approve the travel expenses for Kevin E. Crosby, P.E., P.L.S. and John W. Moore, P.E. for the new Board member orientation.

The Board unanimously approved the motion made by Mr. Guillaume, seconded by Mr. Jusselin, to adjourn.

The meeting adjourned at 3:10 p.m. on March 21, 2011.


Al-M. Mustapha, P.E.
Chairman


Norma Jean Mattei, Ph.D., P.E.
Secretary