At 8:00 a.m. on April 8, 2019, Alan D. Krouse, P.E. called the meeting to order at the Board’s office in Baton Rouge, Louisiana, with the following members present:

Alan D. Krouse, P.E. Chairman
Thomas R. Carroll, III, P.E., P.L.S. Vice Chairman
Charles G. Coyle, III, P.L.S. Treasurer
Jeff A. Pike, P.E. Secretary

Christopher P. Knotts, P.E.
Paul N. Hale, Jr., Ph.D., P.E.
D. Scott Phillips, P.E., P.L.S.
Christopher K. Richard, P.E.
Chad C. Vosburg, P.E.
Edgar P. Benoit, P.E.
Wilfred J. Fontenot, P.L.S.

Also present: Donna D. Sentell, Executive Director
Bill Tripoli, Board Staff
Joe Harman, P.E., Board Staff
William Hyatt, Board Investigator
Chris Aaron, Board Investigator
D. Scott Landry, Board Attorney

The invocation and pledge were led by Mr. Carroll.

Public comment time was recognized by Chairman Krouse. Mr. Cody Todd addressed the Board concerning the October 2018 administration of the principles and practice of engineering examination in petroleum engineering.

The Board unanimously approved the motion made by Mr. Coyle, seconded by Mr. Richard, to accept the April 8, 2019 proposed Call and Agenda for the meeting.

The Board unanimously approved the motion made by Mr. Pike, seconded by Mr. Benoit, to approve the minutes from the January 22, 2019 Board meeting.

**Compliance and Enforcement**

**Case # 2014-51** – Mr. Hyatt reported on a professional engineer who (a) sealed, signed and issued engineering documents not prepared by him or under his responsible charge, (b) performed services outside of the area of his competence and when not qualified by education or experience in the specific technical fields of engineering involved, (c) sealed and signed engineering documents dealing with subject matters in which he lacked competence and (d) practiced or offered to practice engineering when not qualified. 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 $1,551.51
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. Knotts, Mr. Phillips and Dr. Hale, to approve the signed consent order. The name of the respondent is **Stewart A. Aucoin, P.E.**

**Case # 2014-52** – Mr. Hyatt reported on a professional engineering and professional land surveying firm whose representative (on behalf of and in the name of the firm) (a) sealed, signed and issued engineering documents not prepared by him or under
his responsible charge, (b) performed services outside of the area of his competence and when not qualified by education or experience in the specific technical fields of engineering involved, (c) sealed and signed engineering documents dealing with subject matters in which he lacked competence and (d) practiced or offered to practice engineering when not qualified. 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 $3,000
2. Costs of $1,514
3. Louisiana Laws & Rules Quiz by each engineering supervising professional
4. Louisiana Professionalism & Ethics Quiz by each engineering supervising professional
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. Phillips and Dr. Hale, to approve the signed consent order. The name of the respondent is Acadian Engineers & Environmental Consultants Inc.

Case # 2018-25 – Mr. Hyatt reported on an unlicensed firm for practicing and/or offering to practice engineering in Louisiana. The respondent has signed and returned the proposed consent order offered by the Complaint Review Committee. The proposed consent order contained the following sanctions:

7. Fine of $1,500
8. Costs of $63.85
9. Publication on the Board's website and in the Journal with name
10. 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 John Bertin Wintz, P.E., LLC

Case # 2018-24 – Mr. Hyatt reported on a professional engineer who aided and assisted his firm in the unlicensed practice and/or offer to practice of engineering in Louisiana. The proposed consent order contained the following sanctions:

7. Fine of $500
8. Costs of $63.85
9. Louisiana Laws and Rules Quiz
10. Professionalism & Ethics Quiz
11. Publication on the Board's website and in the Journal with name
12. 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 John B. Wintz, P.E.

Case # 2018-56 – Mr. Hyatt reported on an unlicensed firm for practicing and/or offering to practice engineering in Louisiana. The respondent has signed and returned the proposed consent order offered by the Complaint Review Committee. The proposed consent order contained the following sanctions:

Fine of $1,500
1. Costs of $129.08
2. Publication on the Board's website and in the Journal with name
3. 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 NEHIL-SIVAK, P.C.- Corporation
Case # 2018-57 – Mr. Hyatt reported on a professional engineer who aided and assisted his firm in the unlicensed practice and/or offer to practice of engineering in Louisiana. The proposed consent order contained the following sanctions:
1. Fine of $500
2. Costs of $129.08
3. Louisiana Laws and Rules Quiz
4. 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 Thomas A. Palarz Jr., P.E.

Case # 2018-30 – Mr. Hyatt reported on an unlicensed firm for practicing and/or offering to practice engineering in Louisiana. 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 $2,000
2. Costs of $207.21
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 Palmer Engineering Firm, L.L.C.

Case # 2018-31 – Mr. Hyatt reported on a professional engineer who aided and assisted his firm in the unlicensed practice and/or offer to practice of engineering in Louisiana. The proposed consent order contained the following sanctions:
1. Fine of $500
2. Costs of $207.21
3. Louisiana Laws and Rules Quiz
4. 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 E. Palmer, P.E.

Case # 2018-20 – Mr. Hyatt reported on an unlicensed firm for practicing and/or offering to practice engineering in Louisiana. 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 $3,000
2. Costs of $228.57
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 GZA Geoenvironmental, Inc.
Case # 2016-29 – Mr. Hyatt reported on an unlicensed firm which offered to practice engineering and used the words “engineer”, “engineering” or any modifications or derivatives thereof in a person’s name or form of business or activity without proper licensure. The firm subsequently became licensed as a professional engineering firm. 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 $3,500
2. Costs of $1,426.10
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 RE/SPEC Inc.

Case # 2017-2 – Mr. Hyatt reported on an unlicensed individual who offered to practice engineering and used the words “engineer”, “engineering” or any modifications or derivatives thereof in a person’s name or form of business or activity without proper licensure. The individual subsequently became licensed as a professional engineer. 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 $2,000
2. Costs of $1,444.57
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 Eric L. Krantz, P.E.

Case # 2017-25 – Mr. Hyatt reported on an unlicensed firm for practicing and/or offering to practice land surveying in Louisiana. 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 $3,000
2. Costs of $402.12
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 Energy Access Solutions, LLC.

Chairman Krouse appointed new standing Complaint Review Committees (SCRC). SCRC1 is to be comprised of Mr. Pike, Mr. Carroll and Mr. Richard. SCRC2 is to be comprised of Mr. Carroll, Mr. Vosburg and Mr. Benoit. Chairman Krouse will serve as the alternate on each committee.

At 9:40 a.m., the Board recessed and resumed at 9:55 a.m. Mr. Craig Campbell, P.E. was present.

Committee Reports

Enforcement Committee

Mr. Pike presented the report for the Enforcement Committee. After discussion, the Board unanimously approved the motion made by the Enforcement Committee to amend the sections of the Disciplinary and Enforcement Sanction Guidelines for Consent Orders and Other Administrative Matters on La. R.S. 37:700(A)(1) and La. R.S. 37:700(A)(7) to read as follows:

La. R.S. 37:700(A)(1) – Practicing or offering to practice engineering or land surveying in the state of Louisiana without being licensed in accordance with
the provisions of the licensure law. [Note: La. R.S. 37:681 is always cited in conjunction with this violation, and La. R.S. 37:700(A)(7) and Rule 2301(B) are very often also cited. In such cases, only the fines outlined in this section are applied. Non-licensees, not otherwise licensed elsewhere who has offered to practice engineering/surveying are to be handled as per the section for La. R.S. 37:700 (A) (7).]

a. Individuals and firms not licensed in any state
   • Pay fine
     o Individuals - minimum fine of $1,000
     o Firms - minimum fine of $1,500
   • Pay actual costs
   • Cease and desist
   • Have a licensee provide the professional services, when applicable
   • Publication by name on the Board's website and in the journal and report to NCEES

b. Individuals and firms licensed in another state
   • Pay fine:
     o Individuals - minimum fine of $1,500
     o Firms - minimum fine of $3,000
   • Pay actual costs
   • Cease and desist
   • Have a licensee provide the professional services, when applicable
   • Publication by name on the Board's website and in the journal and report to NCEES

La. R.S. 37:700(A)(7) - The use by any person of the words "engineer" or "engineering" or "land surveyor" or "land surveying" or any modification or derivative thereof in its name or form of business or activity except as licensed under the licensure law or in the pursuit of activities exempted by the licensure law. [Note: La. R.S. 37:681, La. R.S. 37:700(A)(1) and Rule 2301(8) are very often also cited in conjunction with this violation. In such cases, fines for these related violations are not cumulative and only the fines outlined for violations of La. R.S. 37:700(A)(1) are applied.]

If a non-licensee merely uses the words "engineer", "land surveyor", etc., is not licensed elsewhere and has not otherwise actually practiced/offered engineering/land surveying services in Louisiana, OR if a non-licensee who is licensed elsewhere, but has not actually practiced/offered engineering/land surveying services in Louisiana, uses the term P.E. or P.L.S. without indicating the jurisdiction(s) in which they are licensed, the following will apply:

a. Send cease and desist letter via USPS (with return receipt requested), email or whatever method is possible with the information available with 30 days to respond. Letter is to request details on the business activities in Louisiana in the last 5 years. If the non-licensee complies with the cease and desist letter, the matter will be considered closed.

b. At 31st day, if no response has been received, open case and send Respondent Notify letter

c. At 61st day:
   • Pay fine:
     o Individuals - minimum fine of $500
     o Firms - minimum fine of $1,000
   • Pay actual costs
   • Cease and desist
   • Publication by name on the Board's website and in the journal and report to NCEES

Industrial Licensure Ad Hoc Committee

Mr. Benoit presented the report for the Industrial Licensure Ad Hoc Committee.

Land Surveying Committee

Mr. Coyle presented the report for the Land Surveying Committee and discussed the letter received from LSPS regarding the Louisiana Forestry Association Journal.

Mr. Miles Williams, P.E. entered the meeting at 10:15 a.m.
Laws and Rules Committee

Mr. Williams discussed pending legislation.

Mr. Knotts reviewed the revisions to Board Rules 105 and 2305 which were approved at the Board's January meeting. The Board authorized staff to submit the revisions to Rule 2305 for consideration at the next meeting of the Occupational Licensing Review Commission.

Chairman Krouse charged the Laws and Rules Committee with reviewing current Board rules regarding Washington Accord accredited engineering programs, comity licensure and technology degrees.

The Board recessed for lunch at 12:05 p.m. and resumed at 12:45 p.m. Mr. Campbell, Mr. Williams and Mr. Landry were not present. Ms. Lindsey was present.

Applications

The Board unanimously approved the motion made by Mr. Richard, seconded by Mr. Knotts, to authorize the staff to work with NCEES on an auto-approval application process for applicants applying to take the Principles and Practice of Engineering examinations.

At 1:05 p.m., the Board unanimously approved the motion made by Mr. Coyle, seconded by Mr. Carroll, to enter into executive session to discuss personnel matters.

At 2:00 p.m., the Board unanimously approved the motion made by Mr. Richard, seconded by Mr. Carroll, to exit the executive session.

Committee Reports (continued)

Finance Committee

Mr. Coyle presented the report for the Finance Committee.

The Board unanimously approved the motion by the Finance Committee to accept the finance report for FY 18-19 as presented.

The Board unanimously approved the motion made by the Finance Committee to renew the certificate of deposit at Citizens Bank when it matures on May 23, 2019.

The Board unanimously approved the motion from the Finance Committee to authorize Mr. Vosburg and Mr. Fontenot to sign Board checks.

The Board unanimously approved the motion made by Mr. Coyle, seconded by Mr. Pike, to amend the Board meeting agenda to add to New Business the following items: the vacant IT Tech Support Specialist 3 position and the vacant Deputy Executive Director position.

Old/New Business

Chairman Krouse designated Mr. Richard, Mr. Benoit and Mr. Krouse to be the Board's funded delegates to the annual Gulf States Engineering Conference to be held on June 23-26, 2019 in Gulf Shores, Alabama.

The Board approved the motion made by Mr. Carroll, seconded by Mr. Richard, with Dr. Hale, Mr. Carroll, Mr. Pike, Mr. Coyle, Mr. Richard, Mr. Vosburg, Mr. Benoit, Mr. Fontenot and Mr. Phillips for and Mr. Knotts abstaining, to approve Board members, Emeritus members and Board staff to attend the NCEES Annual Meeting on August 14-17, 2019 in Washington DC and to authorize funding to cover travel, five nights lodging, five days per diem and meals.

The Board unanimously approved the motion made by Mr. Benoit, seconded by Mr. Fontenot, to amend the budget in the amount of $10,000 for FY 18-19 and $10,000 for FY 19-20, to have new office flooring installed.

The Board unanimously approved the motion made by Mr. Benoit, seconded by Mr. Coyle, to have the Executive Director advertise and fill the vacant IT Tech Support Specialist 3 position.
The Board unanimously approved the motion made by Mr. Knotts, seconded by Mr. Coyle, to have the Executive Director fill the vacant Deputy Executive Director position at a salary not to exceed $55,000.

**Closing Business**

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

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

The Board unanimously approved the motion made by Mr. Carroll, seconded by Mr. Coyle, to approve all Board expenses.

The Board unanimously approved the motion made by Dr. Hale, seconded by Mr. Knotts, to adjourn.

The meeting adjourned at 3:00 p.m. on April 8, 2019.

Alan D. Krouse, P.E.  
Chairman  

Jeffrey A. Pike, P.E.  
Secretary