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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
January 31, 2011

At 8:00 a.m. on January 31, 2011, the Chairman called the meeting to order at 9643 Brookline Avenue, Baton Rouge, Louisiana, with the following members present:

Mark A. Jusselin, P.E.	Chairman
Rhaoul A. Guillaume, P.E.	Vice Chairman
Ali M. Mustapha, P.E.	Secretary

Timothy J. Allen, P.L.S.
Richard L. Savoie, P.E.
Norma Jean Mattei, Ph.D., P.E.
James E. Bowie, Ph.D., P.E.
Miles B. Williams, 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
Justin Owens, Enforcement Officer
Tyson Ducote, Enforcement Officer
Joe Harman, P.E., Enforcement Consultant
D. Scott Landry, Board Attorney

The invocation was led by Chairman Jusselin, and the pledge by Mr. Thompson.

Public comment time was recognized by the Chairman.

Mr. Jose J. Rivera addressed the Board concerning his appeal of the denial of his application for licensure as a professional engineer by comity.

Mr. Dalton W. Honore, II, Mr. Jonathan Holloway and Mr. Dalton Honore, Sr. entered the meeting at 8:05 a.m.

Mr. Honore', II addressed the Board concerning his request that he be allowed to submit an application to reinstate his revoked professional land surveyor license.

The Board unanimously approved the motion made by Mr. Mustapha, seconded by Mr. Guillaume, to amend the January 31-February 1 proposed Call for the Meeting and Agenda to address Mr. Rivera's and Mr. Honore's requests immediately following the Administrative items.

Mr. Williams exited the meeting at 8:15 a.m.

The Board unanimously approved the motion made by Dr. Mattei, seconded by Mr. Mustapha, to approve the Minutes from the November 22-23, 2010 Board meeting.

The Board unanimously approved the motion made by Mr. Guillaume, seconded by Mr. Savoie, to schedule the Board's next regular meeting for March 21-22, 2011.

The Board's November Task List was reviewed.

1 **Applications**

2
3 **Application Appeals**

4
5 The Board discussed Mr. Jose J. Rivera's appeal of the denial of his application
6 for licensure as a professional engineer by comity. Mr. Rivera was asked by the
7 Board whether he had practiced or offered to practice engineering, in any way,
8 in Louisiana prior to January 31, 2011. Mr. Rivera responded he had only
9 worked on a federal contract at Barksdale Air Force Base in Bossier City and
10 that this work did not require him to be a licensed professional engineer in
11 Louisiana.

12
13 The Board approved the motion made by Mr. Mustapha, seconded by Mr.
14 Guillaume, with Mr. Thompson, Dr. Bowie, Dr. Mattei, Mr. Mustapha, Mr.
15 Guillaume and Mr. Savoie for and Mr. Gammon and Mr. Allen against, to *reverse*
16 the reviewing committee's decision to disapprove the application of Mr. Jose J.
17 Rivera for licensure as a professional engineer by comity.

18
19 **Committee Reports**

20
21 **Land Surveying Committee**

22
23 The Land Surveying Committee made the following recommendations with
24 respect to Mr. Dalton W. Honore, II's request that he be allowed to submit an
25 application to reinstate his revoked professional land surveyor license:

- 26
27 1. He must satisfy the conditions of the "Stipulated Final Decision and
28 Order" (Case No. 2006-66), which was signed by Honore' and the
29 Board's prosecuting Attorney on January 12, 2009. (At this time Mr.
30 Honore has complied with all the terms of this order with the exception
31 of submitting a final plat for the survey that was the basis for the
32 charges which were preferred in case No. 2006-66.)
- 33
34 2. He must submit a new application for licensure, and must meet the
35 requirements that apply to any other new applicant, including:
- 36
37 A. He must provide work references confirming the attainment of any
38 required experience, and personal references that will attest to his
39 "*good character and reputation.*"
- 40 B. He must meet all current educational requirements for licensure as
41 a PLS in the State of Louisiana, including having earned
42 a baccalaureate degree from a curriculum of four years or more and
43 having completed 30 semester credit hours of currently approved
44 surveying, mapping and real property courses, with a grade of "C" or
45 better.
- 46 C. He must sit for an oral interview and exam administered by the
47 Land Surveying Committee of the Board. He must also, if approved
48 to do so by the Land Surveying Committee, take and pass the NCEES
49 *Principles and Practices* Exam and the Louisiana state-specific *Laws*
50 *of Land Surveying* exam.
- 51
52 3. He must obtain two additional years of progressive surveying
53 experience, of a nature acceptable to the Board. This experience
54 must be obtained under the direct supervision of a PLS licensed to
55 practice in the State of Louisiana.

56
57 The Board recessed at 9:43 a.m. and resumed at 9:55 a.m.

58
59 Mr. Honore' withdrew his request to reinstate his revoked license at this time
60 and will provide additional information within the next 30 days. This
61 information will be submitted to the Land Surveying Committee for review and
62 recommendation.

1 Mr. Honore', II, Mr. Honore, Sr., Mr. Holloway and Mr. Landry exited the
2 meeting at 10:00 a.m.

3
4 Mr. Landry and Mr. Williams re-entered the meeting at 10:05 a.m.

5
6 **Applications (continued)**

7
8 **Application Reviews**

9
10 The Board unanimously approved the motion made by Mr. Williams, seconded
11 by Mr. Mustapha, to *approve* the application of Mr. Eduard **Badiu** for licensure
12 as a professional engineer by comity.

13
14 **Enforcement**

15
16 Ms. Hatton presented the enforcement report.

17
18 **Case #2010-21** – Ms. Hatton reported on an unlicensed engineering firm who
19 practiced and/or offered to practice engineering and used the word
20 “engineering” in its name in Louisiana prior to becoming licensed and who
21 mistakenly failed to disclose prior disciplinary action in another state on its
22 application for firm licensure. The respondent has signed and returned the
23 proposed Consent Order offered by the Complaint Review Committee. After
24 discussion, the Board unanimously approved the motion made by Mr.
25 Mustapha, seconded by Dr. Mattei, to approve the signed Consent Order.

26
27 **Committee Reports (continued)**

28
29 **Land Surveying Committee (continued)**

30
31 The Board unanimously approved the motion made by the Land Surveying
32 Committee to amend the Minimum Standards for Property Boundary Surveys
33 (Rules 2901- 2909) and Rule 3105, as requested by the Louisiana Society of
34 Professional Surveyors, to read as follows:

35
36 **Chapter 29. Standards of Practice for Boundary Surveys**

37
38 **§2901. Scope and Purpose**

39
40 A. The following standards of practice for boundary surveying in
41 the state of Louisiana have been adopted to help ensure that boundary
42 surveys are performed in accordance with acceptable procedures.

43
44 B. The purpose of these standards is to safeguard life, health and
45 property, and to promote the public welfare, by establishing technical
46 standards of practice for every boundary survey performed in the state of
47 Louisiana so that professional performance can be evaluated for but not
48 limited to research, field work, monuments, descriptions, plats and maps.
49 If higher standards are required by clients, or by local, state and federal
50 jurisdictions, then those standards shall govern. When a boundary survey
51 involves certain corners or lines that are covered under the appropriate
52 edition of the *Manual of Instructions for the Survey of the Public Lands of the*
53 *United States*, then the Manual’s rules or instructions for these particular
54 surveys shall apply. Every professional land surveyor performing a
55 boundary survey in the state of Louisiana is required to follow these
56 standards.

57
58 C. A boundary survey in this state shall only be performed by a
59 professional land surveyor, licensed pursuant to the laws of this state, or
60 persons under his/her responsible charge. The professional land surveyor
61 shall at all times comply with the provisions of the licensure law and the
62 rules of the board.

1
2 D. It is intended that these standards be recognized as standards of
3 practice and that they not be relied upon by the professional land surveyor
4 as a substitute for the exercise of proper individual skill, professional
5 discretion, and professional judgment in fulfilling the legal and/or
6 contractual requirements of any boundary survey.
7

8 E. When in the professional land surveyor's opinion, special
9 conditions exist that effectively prevent the boundary survey from meeting
10 these standards of practice, the special conditions and any necessary
11 deviation from these standards shall be noted upon the drawing. It shall be
12 a violation of this Chapter to use special conditions to circumvent the intent
13 and purpose of these standards of practice.
14

15 **§2903. Definitions**
16

17 A. Any terms not specifically defined herein shall be as defined in
18 the most current publication of *Definitions of Surveying and Associated*
19 *Terms* as published by the American Congress on Surveying and Mapping.
20 For the purpose of this Chapter, all the definitions listed that differ from
21 any other source are to be interpreted as written herein.
22

23 *Artificial monuments*—relatively permanent objects used to identify
24 the location of a corner. Artificial monuments shall retain a stable and
25 distinctive location and shall be of sufficient size and composition to resist
26 the deteriorating forces of nature.
27

28 *Client*—the person with whom the contract for work is made. This
29 may or may not be the owner.
30

31 *Corner*—a point on a land boundary at which two or more boundary
32 lines meet. It is not the same as a monument, which refers to the physical
33 evidence of the corner's location on the ground.
34

35 *Deed*—an instrument in writing which, when executed and
36 delivered, conveys an estate in real property or interest therein.
37

38 *Description, Legal*—a written description usually contained in an act
39 of conveyance, judgment of possession, or recognized by law which
40 definitely locates property by metes and bounds or by reference to
41 government surveys, coordinate systems or recorded maps; a description
42 which is sufficient to locate the property without oral testimony.
43

44 *Description, Metes and Bounds*—a description of a parcel of land by
45 reference to course and distances around the tract, or by reference to
46 natural or artificial monuments.
47

48 *Encroachment*—any structure or obstruction which intrudes upon,
49 invades or trespasses upon the property of another.
50

51 *May*—when used means that a choice on the part of the professional
52 land surveyor is allowed.
53

54 *Monument*—a physical object or structure which marks the location
55 of a corner or other survey point. In public lands surveys, the term *corner*
56 is employed to denote a point determined by the surveying process,
57 whereas the *monument* is the physical object installed, or structure erected,
58 to mark the corner point upon the earth's surface. Monument and corner
59 are not synonymous, though the two terms are often used in the same
60 sense.
61

1 *Natural monuments*—objects which are the works of nature, such as
2 streams, rivers, ponds, lakes, bays, trees, rock outcrops, and other
3 definitive topographic features.
4

5 *Positional Accuracy*—the difference between the actual position of a
6 monument and the position as reported on the plat or map.
7

8 *Positional Tolerance*—the distance that any monument may be
9 mislocated in relation to any other monument cited in the survey.
10

11 *Prescription*—title obtained in law by long possession. Occupancy
12 for the period prescribed by the Louisiana Civil Code, as sufficient to bar an
13 action for the recovery of the property, gives title by prescription.
14

15 *Right of Way*—any strip or area of land, including surface, overhead,
16 or underground, encumbered by a servitude. Rights are typically granted
17 by deed for access or for construction, operation and/or maintenance
18 purposes, according to the terms of the grant.
19

20 *Servitude*—an interest held by one person in land of another
21 whereby the first person is accorded partial use of such land for a specific
22 purpose. A servitude restricts but does not abridge the rights of the fee
23 owner to the use and enjoyment of his/her land. The term *easement* is
24 often used interchangeably with *servitude* and generally means the same
25 thing.
26

27 *Shall*—the subject is imperative or mandatory and must be done by
28 the professional land surveyor.
29

30 *Should*—past tense of *shall* and used to express obligation, duty or
31 desirability.
32

33 **§2905. Classification of Boundary Surveys** 34

35 A. Types of Boundary Surveys. Three types of boundary surveys,
36 which relate to or define property boundaries, are regulated by these
37 standards. These are Property Boundary Surveys, Route Surveys and
38 Mineral Unitization Surveys.
39

40 B. Presented below are categories which define the degree of
41 accuracy which shall be attained for boundary surveys performed in
42 Louisiana. These classifications are based upon the purposes for which the
43 property is being used at the time the survey is performed and any
44 proposed developments which are disclosed to the professional land
45 surveyor by the client. Refer to §2913 for accuracy standards for each of
46 the following classes of boundary surveys.
47

48 1. Class A Surveys. Boundary surveys which require maximum
49 surveying accuracy. This includes, but is not limited to, surveys of urban
50 business district properties and highly developed commercial properties.
51

52 2. Class B Surveys. Boundary surveys of properties which justify a
53 high degree of surveying accuracy. This includes, but is not limited to,
54 surveys of commercial properties and higher priced residential properties
55 located outside urban business districts and highly developed commercial
56 areas.
57

58 3. Class C Surveys. Boundary surveys of residential and suburban
59 areas. This includes, but is not limited to, surveys of residential areas
60 which cannot be classified as Class A or Class B surveys.
61

1 4. Class D Surveys. Boundary surveys of all remaining properties
2 which cannot be classified as Class A, B or C surveys. This includes, but is
3 not limited to, surveys of farm lands and rural areas.
4

5 **§2907. Property Boundary Survey**
6

7 A. Definition.
8

9 *Property Boundary Survey*—a survey which, after careful study,
10 investigation, and evaluation of major factors influencing the location of
11 boundaries, results in the deliberate location or relocation on the ground
12 of, and the recovery or installation of monuments that define the location
13 and extent of, one or more boundaries. Surveying and mapping activities
14 which meet the definition of a property boundary survey are listed in
15 paragraph (a.) of §105.A.*Practice of Land Surveying*. Any plat or map
16 prepared from surveying and mapping activities listed in paragraph (b.) of
17 §105.A.*Practice of Land Surveying*, which does not meet the definition of a
18 property boundary survey, shall have a note stating that it that does not
19 represent a property boundary survey.
20

21 B. Purpose. The primary purpose of the property boundary survey
22 is to locate or relocate the physical position and extent of the boundaries of
23 real property, and the discovery of visible evidence of prescriptive rights
24 relating thereto. A property boundary survey may also include the location
25 or relocation of the physical position and extent of political boundaries
26 which define the perimeters of public or private ownership. In addition,
27 the property boundary survey is a means of marking boundaries for
28 sufficient definition and identification to uniquely locate each lot, parcel, or
29 tract in relation to other well recognized and established points of
30 reference, adjoining properties and rights-of-way.
31

32 C. Product. A property boundary survey shall result in the recovery,
33 establishment or reestablishment of monumented corners and points of
34 curvature and tangency. Reference monuments shall be established or
35 reestablished when required by these standards (see Subsection E,
36 "Monuments"). In the event that no plat or map of survey is required, the
37 professional land surveyor shall maintain adequate records to substantiate
38 his/her professional opinion in reestablishing boundary lines and corners
39 on a survey. If requested by the client, a property boundary survey may
40 also include the following:
41

- 42 1. a signed, sealed and dated metes and bounds written description
43 depicting the surveyed boundary (see Subsection H, "Descriptions");
44
- 45 2. a certified plat or map depicting the survey as made on the
46 ground; and
47
- 48 3. a signed, sealed and dated written report of the professional land
49 surveyor's findings and determinations.
50

51 D. Research and Investigation. Where the purpose of a property
52 boundary survey neither requires nor includes research and investigation
53 of servitudes, a note to that effect shall be placed upon the plat or map of
54 survey. However, when such research or investigation is required, the
55 professional land surveyor shall request from the client or their agent the
56 most recent legal description, plats or maps describing the property to be
57 surveyed. The professional land surveyor shall then evaluate the necessity
58 to obtain the following data based on the specific purpose of the survey:
59

- 60 1. additional recorded legal descriptions and plats or maps of the
61 tract to be surveyed and tracts adjoining or in proximity to the property to
62 be surveyed;
63

1 2. the recorded legal descriptions of adjoining, severing, or
2 otherwise encumbering servitudes or rights-of-way, including but not
3 limited to, highways, roadways, pipelines, utility corridors, and waterways
4 used for drainage, navigation or flood control; and
5

6 3. grants, patents, subdivision plats or maps or other recorded data
7 that will reference or influence the position of boundary lines.
8

9 E. Monuments. The professional land surveyor shall set
10 monuments at all boundary or lot corners, including points of curvature
11 and points of tangency unless monuments already exist or cannot be set
12 due to physical obstructions. The following guidelines apply to artificial
13 monuments to be set.
14

15 1. All monuments set shall be composed of a durable material and
16 shall incorporate a ferrous material to aid in locating them by magnetic
17 locators and, if composed of a ferrous material, shall be a minimum of 1/2
18 inch outside diameter, and a minimum of 18 inches in length unless it is
19 physically impossible to set such a monument. If rebar rods are used as
20 survey monuments, the minimum size shall be a #4 bar.
21

22 2. Concrete monuments shall be at least 3 inches in width or
23 diameter by 24 inches in length, reinforced with an iron rod at least 1/4
24 inch in diameter, and may contain a precise mark on top indicating the
25 exact location of the corner.
26

27 3. Marks on existing concrete, stone, or steel surface shall consist of
28 drill holes, chisel marks or punch marks and shall be of sufficient size,
29 diameter or depth to be definitive, stable and readily identifiable as a
30 survey monument. Marks on asphalt roads may consist of railroad spikes,
31 large nails, or other permanent ferrous spikes or nail-like objects.
32

33 4. It is unacceptable to set wooden stakes as permanent boundary
34 monuments.
35

36 5. Monuments shall be set vertically whenever possible and the top
37 shall be reasonably flush with the ground when practical. Monuments
38 subject to damage from earthwork, construction or traffic should be buried
39 at a sufficient depth to offer protection.
40

41 6. When physically impossible to set a monument at the corner,
42 witness or reference monuments shall be set, preferably on each
43 converging line at measured distances from the corner and identified as
44 such in the description and on the plat or map of the property.
45

46 F. Field Procedures. All field work shall be performed in accordance
47 with accepted modern surveying theory, practice and procedures. Any
48 person in charge of a survey field party shall be well-trained in the
49 technical aspects of property boundary surveying. Every professional land
50 surveyor under whose responsible charge a property boundary survey is
51 conducted is also required to adhere to the following.
52

53 1. All field measurement procedures shall be consistent with these
54 standards and modern surveying theory, procedures and techniques.
55

56 2. In performing resurveys of tracts having boundaries defined by
57 lines established in public lands surveys, the professional land surveyor
58 shall, as nearly as possible, reestablish the original lines of any prior survey
59 made under United States or state authority. In all townships or portions
60 of townships where no property boundary survey has been made, the
61 professional land surveyor, in surveying or platting the township or
62 portion thereof, shall make it conform as nearly as practicable to the lots

1 and section indicated upon the plats or maps according to which the lands
2 were granted by the state or by the United States (R.S. 50:125).
3

4 3. Where applicable, property boundary surveys necessitating the
5 division of a section shall be performed in accordance with the appropriate
6 instructions for the subdivisions of sections as published by the United
7 States Department of the Interior, Bureau of Land Management, in its book
8 entitled *Manual of Instruction for Survey of the Public Lands of the United*
9 *States*, and all applicable federal laws.
10

11 4. Special consideration shall be afforded by the rules of evidence
12 and "hierarchy of calls" before any decision is made regarding property
13 boundaries. "... The legal guides for determining a question of boundary or
14 the location of a land line in order of their importance and value are: 1-
15 natural monuments, 2-artificial monuments, 3-distances, 4-courses, 5-
16 quantity. But the controlling consideration is the intention of the parties."
17 [See citation in *Myer vs. Comegys*, 147 La. 851, 86 So. 307, 309 (1920).]
18

19 5. A careful search shall be made for corner monuments affecting
20 the location of the boundaries of land to be surveyed. Any evidence
21 discovered shall be evaluated for its agreement in description and location
22 with the call in the relevant deeds and/or plats or maps.
23

24 6. All boundary discrepancies, visible evidence of possible
25 encroachments, and visible indications of rights which may be acquired
26 through prescription or adverse possession shall be physically located. All
27 evidence of servitudes that is visible without meticulous searching shall be
28 physically located during the survey. Furthermore, nonvisible servitudes
29 shall be located only upon the client's specific request and the client's
30 delivery of any necessary documentation.
31

32 7. All field data gathered shall satisfy the requirements of the
33 following Subsection on plats and maps.
34

35 G. Plats and Maps. Every original plat or map of a property
36 boundary survey should be a reproducible drawing at a suitable scale
37 which clearly shows the results of the field work, computations, research
38 and record information as compiled and checked. The plat or map shall be
39 prepared in conformity with the following guidelines.
40

41 1. Any reasonably stable and durable drawing paper, linen or film of
42 reproducible quality will be considered suitable material for property
43 boundary survey plats and maps.
44

45 2. The minimum dimensions for plats and maps shall be 8 inches by
46 10-1/2 inches.
47

48 3. All dimensions, bearings or angles, including sufficient data to
49 define the curve, shall be neatly and legibly shown with respect to each
50 property or boundary line. To define a circular curve, the following four
51 elements shall be shown: Chord Bearing, Chord Distance, Arc and Radius.
52 When possible, all bearings shall read in a clockwise direction around the
53 property. All lines and curves shall show sufficient data on the plat or map
54 to calculate a plat or map closure.
55

56 4. Monuments shall be labeled as "found" or "set" with a sufficient
57 description of the monument. The description shall include but not be
58 limited to the size and type of material, and relevant reference markers, if
59 any, along with their position in relation to the corner.
60

61 5. When the purpose of the property boundary survey dictates, the
62 area of the tract and all pertinent natural or man-made features located
63 during the course of the field survey (water courses, streets, visible

1 utilities, etc.) shall be labeled or represented by an appropriate symbol on
2 the plat or map in its proper location. When appropriate, the feature shall
3 be dimensioned and referenced to the nearest property line.
4

5 6. A statement indicating the origin of azimuths or bearings shall be
6 shown on each plat or map. If bearings are used, the basis of the bearing
7 shall include one or more of the following:
8

9 a. reference to true north as computed by astronomic observation
10 within one mile of the surveyed site;
11

12 b. reference to the Louisiana State Plane Coordinate System with
13 the appropriate zone and when applicable a controlling station(s) with
14 coordinates and datum noted;
15

16 c. reference to the record bearing of a well-established line found
17 monumented on the ground as called for in a relevant deed or survey plat
18 or map; or
19

20 d. when none of the above alternatives are practical, a magnetic
21 bearing (corrected for declination) may be used.
22

23 7. If a coordinate system other than the Louisiana State Plane
24 Coordinate System is used on a plat or map, that system shall be identified.
25 If that system is the Louisiana State Plane Coordinate System, the
26 appropriate zone shall be shown on the plat or map.
27

28 8. Where the new survey results differ significantly from the prior
29 deed information in regard to course, distance, location or quantity, the
30 plat or map shall indicate such differences or discrepancies.
31

32 9. Where separate intricate details, blowups or inserts are required
33 for clarity, they shall be properly referenced to the portion of the plat or
34 map where they apply. This applies particularly to areas where lines of
35 occupation do not conform to deed lines and to areas where a comparison
36 of adjoining deeds indicates the existence of a gap or an overlap.
37

38 10. Cemeteries and burial grounds known by the professional land
39 surveyor to be located within the premises being surveyed shall be
40 indicated on the plat or map. However, a detailed survey of the limits of the
41 cemetery shall not be required unless directed by the client.
42

43 11. When the purpose of the property boundary survey dictates,
44 properties, water courses and rights-of-way surrounding, adjoining, or
45 severing the surveyed site shall be identified. Private lands or servitudes
46 should be labeled with the name of the owner or with a reference to the
47 deed under which ownership is held, provided that such information is
48 furnished by the client.
49

50 12. Original section, grant, subdivision or survey lines, when an
51 integral part of the deed, shall be shown in proper location with pertinent
52 labeling. A measurement of course and distance shall be shown to a parent
53 tract corner, block corner, section corner, subdivision or grant corner, and
54 existing monuments shall be indicated.
55

56 13. Differing line weights or delineating letters or numbers (A, B, C,
57 etc. or 1, 2, 3, etc.) shall be used to clearly show the limits of what is being
58 surveyed.
59

60 14. Each plat or map shall show the following:
61

62 a. caption or title;
63

1 b. client and/or purpose;

2
3 c. vicinity map. A vicinity map will not be required if there are
4 sufficient features and landmarks (officially named streets and street
5 intersections, lots and blocks within a subdivision, adjoining subdivisions,
6 Township-Range-Section lines, etc.) on the plat or map that would
7 sufficiently enable a person to identify the location of the survey site;

8
9 d. date of the survey;

10
11 e. name, telephone number, mailing address and license number of
12 the professional land surveyor, or the firm who employs the professional
13 land surveyor;

14
15 f. signature and seal of the professional land surveyor under whose
16 responsible charge the survey was done;

17
18 g. scale, written and/or graphic;

19
20 h. north arrow, and it is recommended that the drawings be
21 oriented so that north is toward the top of the sheet; and

22
23 i. legend for symbols and abbreviations used on the plat or map.

24
25 15. Final plats or maps issued to the client shall contain a
26 certification statement by the professional land surveyor certifying its
27 authenticity (that it represents his/her survey) and stating that the
28 property boundary survey is in accordance with the applicable standards
29 of practice as stipulated in this Chapter, based on the current survey
30 "classification" (see §2905, "Classification of Boundary Surveys").

31
32 H. Descriptions. A written legal description of the surveyed tract of
33 land shall provide information to properly locate the property on the
34 ground and distinctly set it apart from all other lands. The following
35 guidelines apply.

36
37 1. When the surveyed property's dimensions, boundaries and area
38 are in agreement with the existing recorded deed or platted calls, the
39 existing recorded description may be used if it approximates the standards
40 contained herein.

41
42 2. When the property is an aliquot part of a rectangular section or a
43 lot in a platted subdivision, the aliquot method or the lot, block and
44 subdivision method (including recordation data) of describing the property
45 may be used. Metes and bounds descriptions of this type of property are
46 optional.

47
48 3. Every aliquot description shall contain the following basic
49 information: aliquot part of section, township, range, parish, land district
50 and meridian (if applicable), parish and state.

51
52 4. Every subdivision lot description shall also contain the following
53 basic information: lot, block, unit (if applicable), name of subdivision, city
54 (if applicable), parish and state.

55
56 5. Every metes and bounds description may be written in at least
57 two parts. The first part, called the "General Description," shall indicate the
58 general location of the property by naming the particular lot or block
59 within which it is located if in a subdivision or by naming the grant or
60 aliquot part of a rectangular section within which it is located, along with
61 the township, range, land district and meridian (if applicable), city (if
62 applicable), parish and state. The second part, called the "Particular
63 Description," shall logically compile and incorporate calls for the following:

1
2 a. courses and distances of the new survey, preferably in a
3 clockwise direction;

4
5 b. adjoining apparent rights-of-way or servitudes;

6
7 c. monuments (when controlling), including descriptions of type,
8 size, material, reference monuments (if applicable), and whether found, set
9 or replaced; and

10
11 d. the area, if stated, shall be in square feet or acres or hectares
12 within the tolerances specified in this Chapter.

13
14 6. The "Point of Beginning" should ideally be the property corner
15 that is most accessible and most easily identifiable by interested parties.
16 This point shall be carefully chosen and described in a manner which will
17 distinguish it indisputably from any other point. The "Commencing Point"
18 shall be any identifiable point used to locate the "Point of Beginning."

19
20 7. The courses in the written description shall be as brief and yet as
21 explanatory as the professional land surveyor can construct. Brevity
22 should not cause important locative information to be omitted, and
23 explanatory phrases should not enlarge the description to the extent of
24 confusion.

25
26 8. Curved boundaries shall be identified, and sufficient data to
27 define the curve shall be presented. To define a circular curve, the
28 following four elements shall be listed: Chord Bearing, Chord Distance, Arc
29 and Radius.

30
31 9. Each metes and bounds description shall return to the "Point of
32 Beginning" and close mathematically within the tolerances stated in this
33 Chapter.

34
35 10. A statement at the end of the description shall connect the
36 description to the specific survey on which it is based and to the plat or
37 map which depicts the survey. Such a statement may be phrased:

38
39 "This description is based on the property boundary survey
40 and plat or map made by _____(name)_____, Professional
41 Land Surveyor, dated _____."

42
43 or

44
45 "This description is based on plat or map recorded
46 _____(give recordation data) _____."

47
48 11. The metes and bounds description shall then be signed, sealed
49 and dated by the professional land surveyor.

50
51 **§2909. Route Survey**

52
53 A. Definition.

54
55 *Route Survey*—a survey performed to locate property boundary lines
56 for the purpose of enabling the owner of a proposed pipeline, power line,
57 cable, road or other facilities to acquire a servitude from the property
58 owner.

59
60 B. Scope and Product. A route survey shall, as a minimum, consist
61 of the following elements.
62

1 1. The professional land surveyor shall be furnished, or shall obtain,
2 all title information needed to define the ownership of the affected tracts of
3 land.
4

5 2. The professional land surveyor shall determine, on the ground,
6 the location of all property lines that will be crossed by the proposed
7 facilities. The professional land surveyor shall locate and make survey ties
8 to at least one corner or monument on each property line that is crossed.
9 Installation of new monuments defining the limits of the servitude is not
10 required.
11

12 3. The professional land surveyor shall prepare a plat for each tract
13 of land showing the property lines being crossed, the locations of corners
14 or monuments that were recovered, the alignment of the proposed route
15 and the length of the proposed servitude across the tract. These plats shall
16 be prepared in compliance with the requirements for property boundary
17 survey plats that are contained in §2907.
18

19 4. If requested by the client, the professional land surveyor shall
20 prepare a legal description for each tract crossed by the proposed
21 servitude. The description shall describe the alignment and length of the
22 proposed servitude and shall comply with the requirements for legal
23 descriptions for property boundary surveys that are contained in §2907.
24

25 5. The accuracy standards that are required for route surveys shall
26 be based on the property classification of the tracts being crossed, as
27 presented in §2913.
28

29 **§2911. Mineral Unitization Survey**

30

31 **A. Definition.**

32

33 *Mineral Unitization Survey*—a survey performed to define subsurface
34 mineral boundaries for the specific purpose of allocating mineral rights
35 within a mineral unit. The survey shall properly identify the geologically
36 significant wells which control the unit boundaries and their relationship
37 to the unit boundaries. This does not absolve the professional land
38 surveyor from his/her obligation to use due diligence in the practice of
39 land surveying and from complying with all applicable laws and rules
40 pertaining to the practice of land surveying.
41

42 B. Scope and Product. A mineral unitization survey shall, as a
43 minimum, consist of the following elements.
44

45 1. The professional land surveyor shall be furnished, or shall obtain,
46 all title information needed to define the ownership of the affected tracts of
47 land, along with adequate information to define the unit boundary.
48

49 2. The professional land surveyor shall determine, on the ground,
50 the location of the unit well and the location of the property lines of all
51 tracts, or portions of tracts, that will be included in the proposed mineral
52 unit. Installation of new monuments defining the limits of the unit, or of
53 the tracts which comprise the unit, is not required.
54

55 3. The professional land surveyor shall prepare a unitization plat
56 showing the ownership and limits of the tracts (or portions of tracts) which
57 are included in the proposed mineral unit. These plats shall be prepared in
58 compliance with the requirements for property boundary survey plats that
59 are contained in §2907, in addition to the Louisiana Department of Natural
60 Resources, Office of Conservation's requirements governing unit plats and
61 survey plats (LAC 43:XIX.Chapter 41). These plats shall contain bearings
62 and distance around the perimeter of the unit boundary, but are not

required to depict or list such calls for the individual tracts which comprise the unit.

4. The accuracy standards that are required for mineral unitization surveys shall be based on the property classification of the tracts which are being included in the proposed unit, as presented in §2913. However, if the mineral unitization survey is subject to higher accuracy standards than are required by the state of Louisiana or another regulatory agency, then those higher standards will apply.

§2913. Positional Accuracy Specification and Positional Tolerances

A. If radial survey methods, global positioning systems (GPS) or other acceptable technologies or procedures are used to locate or establish points on the boundary survey, the professional land surveyor shall apply acceptable surveying procedures in order to assure that the allowable positional accuracy and/or positional tolerance of such points are not exceeded. Any conversion from meters to feet shall use U.S. Survey Feet.

Condition	A	B	C	D	Remarks And Formula
	Urban Business District	Urban	Suburban	Rural	
Unadjusted Closure (maximum allowable)	1:15,000	1:10,000	1:7,500	1:5,000	Traverse Loop or between Control Monuments (closed traverse)
Angular Closure (maximum allowable)	10"√N	15"√N	25"√N	30"√N	N = Number of Angles in Traverse (closed traverse)
Accuracy of Bearing	± 15 Sec.	± 20 Sec.	± 30 Sec.	± 40 Sec.	In Relation to Source (closed traverse, radial or GPS)
Linear Distances Accurate to: (maximum allowable)	0.05 ft ± ± 0.05 ft per 1,000 ft	0.05 ft ± ± 0.1 ft per 1,000 ft	0.07 ft + ± 0.15 ft per 1,000 ft	0.1 ft + ± 0.2 ft per 1,000 ft	Applies when the Distance is not part of a Closed Traverse (radial or GPS)
Positional Tolerance and Positional Accuracy of any Monument (maximum)	0.1' + AC/15,000	0.1' + AC/10,000	0.1' + AC/7,500	0.2' + AC/5,000	AC = Length of Any Course* (closed traverse, radial or GPS)
Calculation of area - accurate and carried to nearest ____ (decimal place) of an acre (closed traverse, radial or GPS)	0.001 0.001 0.01 0.1	0.001 0.001 0.01 0.1	0.001 0.01 0.1 0.2	0.001 0.01 0.1 0.3	To 1 acre To 10 acres To 100 acres To 1,000 acres
Elevations for Boundaries Controlled by Tides, Contours, Rivers, etc. Accurate to:	0.2 ft.	0.3 ft.	0.4 ft.	0.5 ft.	Based on Accepted Local Datum (closed traverse, radial or GPS)
Location of Improvements, Structures, Paving, etc. (Tie Measurements)	± 0.1 ft.	± 0.2 ft.	± 0.5 ft.	± 1 ft.	(closed traverse, radial or GPS)

Condition	A	B	C	D	Remarks And Formula
	Urban Business District	Urban	Suburban	Rural	
Adjusted Mathematical Closure to Survey (Minimum)	1:50,000	1:50,000	1:50,000	1:50,000	(closed traverse, radial or GPS)

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*Short courses in categories "A" and "B" may generate positional errors of less than 0.01 feet. A minimum course distance of 200 feet shall be used in calculating positional error.

§3105. Requirements

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B. During each biennial licensure renewal period, every professional land surveyor licensee is required to obtain 15 PDHs in land surveying related activities.

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2. A minimum of two PDHs shall be earned in the Standards of Practice for Boundary Surveys in Louisiana.

C. During each biennial licensure renewal period, each dual licensee shall obtain 30 PDHs; however, at least one-third of the PDHs shall be obtained separately for each profession.

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2. A minimum of two PDHs shall be earned in the Standards of Practice for Boundary Surveys in Louisiana.

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D. Excess PDHs

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2. Excess PDHs may include, without limitation, those obtained in professional ethics, Standards of Practice for Boundary Surveys in Louisiana, Life Safety Code, building codes and/or Americans with Disabilities Act Accessibility Guidelines.

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The Board recessed at 10:55 a.m. and resumed at 11:10 a.m. Mr. Landry was not present.

College Deans

Mark Zappi, Ph.D., Dean of the College of Engineering/University of Louisiana at Lafayette; Warren Waggenpack, Ph.D., Associate Dean of the College of Engineering/Louisiana State University; Nicholas Altiero, Ph.D., Dean of the School of Science and Engineering/Tulane University; Stan Napper, Ph.D., Dean of the College of Engineering and Science/Louisiana Tech University; Habib Mohamadian, Ph.D., Dean of the College of Engineering/Southern University; Nikos Kiritsis, Ph.D., Dean of the College of Engineering and Engineering Technology/McNeese State University; and Balaji Ramachandran, Ph.D., Geomatics Program Director at Nicholls State University were present. Mr. Landry, Ms. Hatton, Mr. Ducote, Mr. Owens were not present.

1 Dr. Bowie led the discussion with the Deans concerning the justification for
2 engineering coursework in excess of 120 hours; associate degree programs;
3 faculty licensure; and the recent accreditation of the Geomatics Program at
4 Nicholls State University.

5
6 Mr. Savoie exited the meeting at 12:45 p.m.

7
8 In keeping with the Board's July 2010 motion to rotate the future September
9 Board meetings to meet at the various Louisiana universities with engineering
10 programs, Chairman Jusselin announced that the September 2011 Board
11 meeting would be held at the College of Engineering at the University of New
12 Orleans.

13
14 The Board recessed at 1:30 p.m. and resumed at 1:50 p.m. Dr. Zappi, Dr.
15 Waggenspack, Dr. Altiero, Dr. Napper, Dr. Mohamadian, Dr. Kiritsis and Dr.
16 Ramachandran were not present. Mr. Landry, Ms. Hatton, Mr. Ducote, Mr.
17 Owens and Mr. Savoie were present.

18
19 **Committee Reports (continued)**

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21 **Liaison and Law Review Committee**

22
23 The Board unanimously approved the motion made by the Liaison and Law
24 Review Committee to amend (a) Rules 701, 707, 709, 715, 717, 901,903, 905,
25 907, 909 and 1701 (regarding changing the titles of the Executive Secretary
26 and Deputy Executive Secretary), (b) Rule 909 (regarding experience for
27 professional land surveyor licensure), (c) Rule 707 (regarding the preferral of
28 charges by complaint review committees), (d) Rule 2301 (regarding sole
29 proprietorships) and (e) Rule 707 (regarding the election of Board officers), to
30 read as follows:

31
32 **Change of Titles of Executive Secretary and Deputy Executive**
33 **Secretary**

34
35 **§701. Board Nominations**

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39 B. The division of engineering practice classification of each board
40 member shall remain unchanged during each administrative year.

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44 3. If a board member is not a member of the Louisiana Engineering
45 Society or the Louisiana Society of Professional Surveyors, it shall be his
46 duty to notify the executive director of any significant change in his regular
47 employment; the executive director shall so advise the Louisiana
48 Engineering Society or the Louisiana Society of Professional Surveyors for
49 its action.

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53 D. In the event of death or resignation of a board member, the
54 executive director shall immediately notify the appropriate nominating
55 organization.
56

1 **707. Board Organization**

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5 D. Duties

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9 3. Secretary. The secretary shall:

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13 c. assume all responsibilities of the executive director, in the event
14 of the absence or incapacity of the executive director;

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16

17
18 E. Committees. The board may establish standing committees,
19 including but not limited to the following: Executive Committee, Civil
20 Engineering Committee, Other Disciplines Engineering Committee, Land
21 Surveying Committee, Engineer Intern Committee, Liaison and Law Review
22 Committee, Education/Accreditation Committee, Finance Committee,
23 Nominations and Awards Committee, Complaint Review Committees,
24 Continuing Professional Development Committee, and Architect-Engineer
25 Liaison Committee. The board may also establish ad hoc committees from
26 time to time as necessary.

27
28

29
30 2. Executive Committee. The chairman, vice chairman, secretary,
31 and treasurer shall constitute the Executive Committee. The chairman of
32 the board shall serve as chairman of the Executive Committee. The
33 Executive Committee shall oversee the operations of the office of the board
34 and shall advise the executive director as to the conduct of the business of
35 the board between meetings. The Executive Committee shall make
36 recommendations to the board with respect to personnel, policies and
37 procedures.

38
39

40
41 10. Complaint Review Committees. Complaint review committees
42 may be composed of two standing members (the executive director or
43 deputy executive director and the board attorney) and up to three board
44 members appointed on a case-by-case basis. It shall be the responsibility of
45 each committee to review the results of investigations against licensees,
46 certificate holders and unlicensed persons and recommend appropriate
47 action to the board.

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51 **§709. Executive Director**

52
53 A. Appointment. The board shall appoint an executive director,
54 who shall assist the board members in the performance of their duties.

55
56 B. Ex-Officio Committee Member. Although not a member of the
57 board, the executive director shall be an ex-officio member of all
58 committees.

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60 C. Duties of the Executive Director. The executive director shall:

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§715. Rulemaking Process

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C. Requirements of Proposal. Such proposal shall:

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3. be sent to the chairman and the executive director at least 30 days before the next regular meeting of the board.

D. Copies of Proposal. The executive director shall send copies of the proposal to all board members at least 10 days before the next regular meeting of the board.

.

§717. Disbursements

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C. Required Signatures on Checks. All checks must be signed by any two of the following individuals:

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- 2. executive director;
- 3. deputy executive director; or

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§901. Engineer Intern Certification

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B. The authority for the executive director to issue a certificate can only be granted by the board.

§903. Professional Engineer Licensure

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B. The authority for the executive director to issue a license can only be granted by the board.

§905. Temporary Permit to Practice Engineering

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B. The authority for the executive director to issue a temporary permit can only be granted by the board.

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§907. Land Surveyor Intern Certification

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B. The authority for the executive director to issue a certificate can only be granted by the board.

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§909. Land Surveyor Licensure

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B. The authority for the executive director to issue a license can only be granted by the board.

§1701. Applications

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H. Applicant files may be destroyed at the discretion of the executive director no earlier than five years after original submission of the application.

Experience for Professional Land Surveyor Licensure

§909. Land Surveyor Licensure

A. The requirements for licensure as a professional land surveyor under the two alternatives provided in the licensure law are as follows:

1. an applicant for licensure as a professional land surveyor shall be a land surveyor intern, or an individual who meets the qualifications to be a land surveyor intern, who is of good character and reputation, who has a verifiable record of four years or more of combined office and field experience in land surveying including two years or more of progressive experience on land surveying projects under the supervision of a professional land surveyor, who has passed the oral examination, who has passed the written examination in the principals and practices of land surveying and Louisiana laws of land surveying, and who was recommended for licensure by five personal references (at least three of whom must be professional land surveyors who have personal knowledge of the applicant), who has submitted an application for licensure in accordance with R.S. 37:694, and who was duly licensed as a professional land surveyor by the board; or

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Preferral of Charges by Complaint Review Committee

§707. Board Organization

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E. Committees. The board may establish standing committees, including but not limited to the following: Executive Committee, Civil Engineering Committee, Other Disciplines Engineering Committee, Land Surveying Committee, Engineer Intern Committee, Liaison and Law Review Committee, Education/Accreditation Committee, Finance Committee, Nominations and Awards Committee, Complaint Review Committees, Continuing Professional Development Committee, and Architect-Engineer Liaison Committee. The board may also establish ad hoc committees from time to time as necessary.

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10. Complaint Review Committees. Complaint review committees shall be composed of one standing member (the executive director or deputy executive director) and at least three board members appointed on a case-by-case basis. It shall be the responsibility of each committee to review the results of investigations against licensees, certificate holders and unlicensed persons, to prefer charges and/or to recommend

1 appropriate action to the board. Any decision, including the preferral of
2 charges, shall be made by a minimum two-thirds vote of the board
3 members serving on a committee.
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6

7 **Sole Proprietorships**

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9 **§2301. General**

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11

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13 B. A firm must be licensed with the board before it may provide or
14 offer to provide professional services in the state of Louisiana.
15

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18 2. A firm may provide or offer to provide both professional
19 engineering and professional land surveying services; provided, however,
20 that the firm must be licensed separately as an engineering firm and as a
21 land surveying firm, and the requirements of this Chapter will apply
22 separately to providing or offering to provide professional engineering
23 services and professional land surveying services.
24

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26

27 C. Unless otherwise provided, sole proprietorships which bear the
28 full name of the owner who is a licensed professional are exempt from the
29 application of this Chapter. Such sole proprietorships are not required to
30 be licensed as engineering or land surveying firms with the board. Sole
31 proprietorships that do not bear the full name of the owner who is a
32 licensed professional must be licensed with the board as an engineering or
33 land surveying firm and must comply with all the provisions of this
34 Chapter.
35

36 D. Joint ventures that provide or offer to provide professional
37 services will not be required to be licensed as separate entities.
38 Nevertheless, any firm (including those sole proprietorships otherwise
39 excluded under §2301.C) that provides or offers to provide professional
40 services in conjunction with its participation in a joint venture can do so
41 only if it complies with the provisions of these rules. In addition, any
42 supervising professional who participates in a joint venture shall be
43 responsible for assuring that all professional services performed by the
44 joint venture are rendered in conformity with the provisions of these rules.
45

46 **Election of Board Officers**

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48 **§707. Board Organization**

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52 C. Date of Elections. The election of board officers shall take place
53 not later than at the board's January meeting. In the event that an officer
54 cannot complete his/her term, an election in order to fill the unexpired
55 term shall be scheduled at the earliest practical regular or special meeting.
56

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59 The Board approved the motion made by the Liaison and Law Review
60 Committee, with Mr. Allen, Mr. Gammon, Mr. Williams, Mr. Savoie, Mr.
61 Guillaume, Mr. Mustapha, Dr. Mattei and Dr. Bowie for and Mr. Thompson
62 against, to amend Rules 3111 and 3113 (regarding CPD credit for the
63 authoring of books), to read as follows:

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§3111. Determination of Credit

A. PDHs may be earned as indicated in §3113 for the following *Acceptable Activities*:

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5. authoring and publishing articles in engineering or land surveying journals; or authoring and publishing books related to engineering or land surveying;

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§3113. Units

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B. PDH credit will be awarded as follows:

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4. authoring and publishing peer reviewed (refereed) articles/papers in engineering or land surveying journals; or authoring and publishing peer reviewed (refereed) books related to engineering or land surveying = 10 PDHs;

.

The Board approved the motion made by the Liaison and Law Review Committee, with Mr. Williams, Mr. Savoie, Mr. Guillaume, Mr. Mustapha, Dr. Mattei and Dr. Bowie for and Mr. Thompson, Mr. Gammon and Mr. Allen against, to amend Rule 1301 (regarding experience requirements and application deadlines for licensure), to read as follows:

§1301. General

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C. Timely filing of an application with the board does not assure that an applicant will be permitted to take an examination, or be scheduled for examination on a particular date. Effective until July 1, 2011 and ending with the October 2011 exam administration, to be considered for a specific examination date, the application for the following examinations should be received at the board office no later than January 1 for the April examination administration and July 1 for the October examination administration: fundamentals of engineering; fundamentals of land surveying; principles and practice of engineering; principles and practice of land surveying; and Louisiana laws of land surveying. Effective July 1, 2011 and beginning with the April 2012 exam administration, to be considered for a specific examination date, the application for the following examinations should be received at the board office no later than December 1 for the April examination administration and June 1 for the October examination administration: fundamentals of engineering; fundamentals of land surveying; principles and practice of engineering; principles and practice of land surveying; and Louisiana laws of land surveying.

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1 **§1509. Experience Should Not Be Anticipated**
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3 A. Experience should not be anticipated.
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5 B. For applicants for professional engineer licensure under
6 §903(A)(1) of these rules, the "verifiable record of four years or more of
7 progressive experience obtained subsequent to meeting the educational
8 and applicable experience qualifications to be an engineer intern" should
9 be gained by the time of licensure. Such applicant is required to have
10 gained a minimum of three years and four months of such experience by
11 the time of the application.
12

13 C. For applicants for professional land surveyor licensure under
14 §909(A)(1) of these rules, the "verifiable record of four years or more of
15 combined office and field experience in land surveying including two years
16 or more of progressive experience on land surveying projects under the
17 supervision of a professional land surveyor" should be gained by the time
18 of licensure. Such applicant is required to have gained a minimum of three
19 years and four months of such experience by the time of the application.
20

21 The Board approved the motion made by Mr. Allen, seconded by Mr. Gammon,
22 with Mr. Williams, Mr. Savoie, Mr. Guillaume, Dr. Mattei, Dr. Bowie and Mr.
23 Thompson for and Mr. Mustapha against, to adopt Rule 727 (regarding
24 declaratory orders and rulings), to read as follows:
25

26 **§727. Declaratory Orders and Rulings**
27

28 A. The board may issue, upon request, a declaratory order or
29 ruling as to the applicability of any statutory provision, rule or order of
30 the board. Declaratory orders and rulings shall have the same status as
31 board decisions or orders in disciplinary and enforcement proceedings.
32

33 B. A request for a declaratory order or ruling is made in the
34 form of a written petition to the board on a form provided by the board.
35

36 C. Said petition shall be considered by the board.
37

38 D. The declaratory order or ruling of the board on said petition
39 shall be in writing and mailed to the petitioner at the last address
40 furnished to the board.
41

42 The Board approved the motion made by the Liaison and Law Review
43 Committee, with Mr. Allen, Mr. Gammon, Mr. Williams, Mr. Mustapha, Dr.
44 Mattei, Dr. Bowie, Mr. Thompson and Mr. Savoie for and Mr. Guillaume against,
45 to amend Rule 707 (regarding Board committees), to read as follows:
46

47 **§707. Board Organization**
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51 E. Committees. The board may establish standing committees,
52 including but not limited to the following: Executive Committee, Civil
53 Engineering Committee, Other Disciplines Engineering Committee, Land
54 Surveying Committee, Engineer Intern Committee, Liaison and Law Review
55 Committee, Education/Accreditation Committee, Finance Committee,
56 Nominations and Awards Committee, Complaint Review Committees,
57 Continuing Professional Development Committee, Architect-Engineer
58 Liaison Committee, and Firm Licensure Committee. The board may also
59 establish ad hoc committees from time to time as necessary.
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1 13. Firm Licensure Committee. The chairman of the board may
2 appoint a Firm Licensure Committee composed of not less than two board
3 members. It shall be the duty of this committee to review and make
4 recommendations to the board regarding applications for firm licensure
5 and other issues relating to firm licensure.
6

7 Chairman Jusselin charged the Firm Licensure Committee with reviewing Rule
8 2305 regarding the question of whether all of a firm's licensed professionals
9 should be designated as supervising professionals. In conducting its review,
10 the committee should consider the NCEES Model Laws and Model Rules.
11

12 The Liaison and Law Review Committee made the recommendation that the
13 Board abolish the following Ad Hoc committees: Enforcement Policy, Faculty
14 Licensure, Journal, Forensic Engineering, Strategic Planning and Policy and
15 Procedure.
16

17 The Liaison and Law Review Committee made the recommendation that the
18 Board make no changes to Rule 703 concerning compensation and expenses.
19

20 Chairman Jusselin charged the Finance Committee with developing a policy for
21 Board member travel. The policy should address Board approval for
22 compensation in excess of the state travel guidelines
23

24 **Finance Committee**

25
26 The Board unanimously approved the motion made by the Finance Committee
27 to direct the Executive Director to invest \$200,000 from the checking account
28 into a Board-approved investment account.
29

30 Dr. Bowie made the motion, seconded by Mr. Mustapha, to limit the number of
31 CPD audits during the biennial licensure renewal period to 200 audits.
32

33 The Board disapproved the substitute motion made by Mr. Williams, seconded
34 by Mr. Savoie, with Mr. Allen, Mr. Williams and Mr. Savoie for and Mr. Gammon,
35 Mr. Guillaume, Mr. Mustapha, Dr. Bowie, Dr. Mattei and Mr. Thompson against,
36 to increase the number of CPD audits during each biennial licensure renewal
37 period to 300 audits.
38

39 The original motion made by Dr. Bowie and seconded by Mr. Mustapha was
40 approved with Mr. Allen, Mr. Gammon, Mr. Williams, Mr. Guillaume, Mr.
41 Mustapha, Dr. Mattei, Dr. Bowie, and Mr. Thompson for and Mr. Savoie against,
42 to limit the number of CPD audits during each biennial licensure renewal
43 period to 200 audits
44

45 **Nominations and Awards Committee**

46
47 The Board unanimously approved the motion made by the Nominations and
48 Awards Committee to elect the following Board officers for 2011-12:
49

50 Ali M. Mustapha, P.E. – Chairman
51 Roger D. Danzy, P.E. – Vice Chairman
52 Richard S. Savoie, P.E. – Treasurer
53 Norma Jean Mattei, Ph.D., P.E. – Secretary
54

55 The Board recessed at 4:10 p.m. and resumed at 4:40 p.m.
56

57 The Board unanimously approved the motion made by the Executive
58 Committee to approve \$18,000 for kitchen renovations in the Board office.
59

60 The Board unanimously approved the motion made by the Executive
61 Committee to approve \$2,500 for Board staff development training.
62

1 The Executive Committee made the motion to give the Executive Director a
2 salary increase of 4%.

3
4 The Board unanimously approved the motion made by Dr. Bowie, seconded by
5 Mr. Thompson, to enter into executive session to discuss personnel matters at
6 4:50 p.m.

7
8 The Board unanimously approved the motion made by Mr. Thompson,
9 seconded by Mr. Mustapha, to exit the executive session at 5:15 p.m.

10
11 The Board unanimously approved the motion made by Dr. Bowie, seconded by
12 Mr. Thompson, to table the motion to give a salary increase to the Executive
13 Director until after further discussions with the Department of Civil Service in
14 light of the current freeze on pay raises.

15
16 **Old Business**

17
18 Ms. Hatton shared the text of the following letter which has been sent to
19 Representative Carmody concerning HCR 263:

20
21 Representative Thomas G. Carmody, Jr.
22 5916 Fairfield Avenue
23 Shreveport, LA 71106

24
25 RE: HCR 263 of the 2010 Regular Session

26
27 Dear Representative Carmody:

28
29 During the 2010 Regular Session of the Louisiana Legislature, you introduced and
30 the Legislature adopted House Concurrent Resolution No. 263 "to urge and
31 request the Louisiana Professional Engineering and Land Surveying Board to
32 suspend charging fees from professional engineers and professional land
33 surveyors who have been classified as retired".

34
35 Please be advised that in May 2010 the Board voluntarily amended its rules in
36 order to allow the Board to waive the entire renewal fee for certain licensees who
37 are qualified for the retired status. The rule now states, in pertinent part, as
38 follows:

39
40 **LAC Title 46:LXI§2103**

41
42
43 *Retired Status*—the licensure status which exists for an individual licensee of
44 the board who has chosen not to practice or offer to practice professional
45 engineering and/or professional land surveying in Louisiana and who has
46 indicated that fact on the board biennial licensure renewal form. To qualify for
47 the *retired status*, the licensee must be at least 70 years of age or have been a
48 licensee of the board for at least 35 years. Unless the licensee is granted a
49 waiver by the board, the renewal fee for the *retired status* shall be one-half of
50 the current renewal fee for the *active status*. **A licensee qualified for the**
51 ***retired status* may be granted a waiver of this renewal fee if the licensee is**
52 **at least 70 years of age, has been a licensee of the board for at least 35**
53 **years continuously, has never been subject to disciplinary action in any**
54 **jurisdiction, has never committed any of the offenses described in R.S.**
55 **37:698(A)(3), (4) or (5), and is of good character and reputation.** A
56 licensee in a *retired status* can represent himself/herself to the public as a *P.E.*
57 *Retired*, or a *P.L.S. Retired*, but cannot otherwise practice or offer to practice
58 professional engineering and/or professional land surveying in Louisiana.

59
60 *(Emphasis added).*

1 As the mission of our Board is "to safeguard life, health, and property and to
2 promote the public welfare", we fully support your endeavor to recognize the
3 lifelong efforts and contributions of our licensees. If you have any questions, feel
4 free to contact me.
5

6 Sincerely,

7
8 Mark A. Jusselin, P.E.
9 Chairman
10

11 **New Business**

12
13 The Board unanimously approved the motion made by Mr. Savoie, seconded by
14 Dr. Mattei, to approve Board and staff travel to the 2011 NCEES Southern Zone
15 meeting in Austin, Texas on April 28-30, 2011.
16

17 **Closing Business**

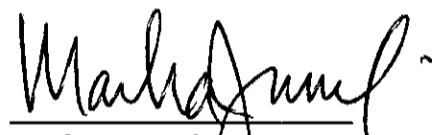
18
19 The Board unanimously approved the motion made by Dr. Mattei, seconded by
20 Mr. Mustapha, to approve all committee recommendations and actions.
21


22 The Board unanimously approved the motion made by Dr. Mattei, seconded by
23 Mr. Guillaume, to acknowledge and confirm all licenses and certificates issued
24 by the Board.
25

26 The Board unanimously approved the motion made by Mr. Savoie, seconded by
27 Mr. Williams, to approve all Board expenses.
28

29 The Board unanimously approved the motion made by Mr. Guillaume,
30 seconded by Dr. Mattei, to adjourn.
31

32 The meeting adjourned at 5:30 p.m. on January 31, 2011.
33
34

35
36
37
38 
39 Mark A. Jusselin, P.E.
40 Chairman

35
36
37
38 
39 Ali M. Mustapha, P.E.
40 Secretary