MINUTES OF THE REGULAR MEETING OF THE
LOUISIANA PROFESSIONAL ENGINEERING
AND LAND SURVEYING BOARD
9643 BROOKLINE AVENUE, SUITE 121
BATON ROUGE, LOUISIANA 70809-1433
January 28, 2015

At 9:00 a.m. on January 28, 2015, M. Ernest Gammon, Sr., P.L.S. called the meeting to order at the Hilton Lafayette Hotel in Lafayette, Louisiana, with the following members present:

M. Ernest Gammon, Sr., P.L.S. Chairman
Theodore H. Thompson, P.E. Vice Chairman
Kevin E. Crosby, P.E., P.L.S. Secretary
John W. “Billy” Moore, P.E. Treasurer

Also present:
Ali M. Mustapha, P.E.
David L. Patterson, P.L.S.
Terry J. Huval, P.E.
Paul N. Hale, Jr., Ph.D., P.E.
Christopher P. Knotts, P.E.
D. Scott Phillips, P.E., P.L.S.
Alan D. Krouse, P.E.

Donna D. Sente ll, Executive Director
Joe H. Harman, P.E., Technical Support Staff
Tyson Ducote, Board Investigator
Richard L. Savoie, P.E., Emeritus Board Member
D. Scott Landry, Board Attorney
A. J. “Sonny” Launey, P.E., Emeritus Board Member
Paul Amyotte, Ph.D., P.Eng., Engineers Canada
Len White, P.Eng., Engineers Nova Scotia
Jim Landrigan, P.Eng., Engineers Prince Edward Island

The invocation was led by Mr. Patterson and the pledge by Mr. Knotts.

Public comment time was recognized by Chairman Gammon. Mr. David Cappel addressed the Board concerning his pending application to take the principles and practice of engineering examination.

The Board unanimously approved the motion made by Mr. Mustapha, seconded by Mr. Knotts, to accept the January 28, 2015 proposed Call for the Meeting.

The Board unanimously approved the motion made by Mr. Patterson, seconded by Mr. Crosby, to accept the January 28, 2015 proposed Board Meeting Agenda.

The Board unanimously approved the motion made by Mr. Crosby, seconded by Mr. Thompson, to approve the Minutes from the November 17, 2014 Board meeting.

The Board unanimously approved the motion made by Mr. Mustapha, seconded by Mr. Thompson, to schedule the Board’s next regular meeting for March 16, 2015 in Baton Rouge, Louisiana.

The Board reviewed the November task list.

Chairman Gammon explained that Board staff had received an inquiry concerning whether there is a conflict of interest for a professional land surveyor to survey his own property. Chairman Gammon charged the Land Surveying Committee with reviewing the question and making a recommendation to the Board at the March meeting.

Applications

Application Appeals
The Board unanimously approved the motion made by Mr. Mustapha, seconded by Mr. Crosby, to affirm the reviewing committee's decision to disapprove the application of Dr. Gunaseelan Alagappan for licensure as a professional engineer by comity based on insufficient education.

The Board unanimously approved the motion made by Mr. Crosby, seconded by Mr. Phillips, to affirm the reviewing committee's decision to disapprove the application of Mr. David Cappel to take the April 2015 principles and practice of engineering examination based on multiple failures. In order to take the October 2015 examination, Mr. Cappel must provide to the Board by June 1, 2015 documentation of the successful completion of a Board-approved review course.

Enforcement

**Case #2013-16** - Mr. Ducote reported on a professional engineering firm that provided or offered to provide engineering services in Louisiana with a firm name which was not the exact firm name contained on the firm's certificate of licensure issued by the Board. The respondent has signed and returned the proposed consent order offered by the Complaint Review Committee. The proposed consent order contains the following sanctions:

1. Fine of $4,000
2. Costs of $531.26
3. Cease and desist
4. Publication on the Board's website and in the Journal with name
5. Report to NCEES with name

After discussion, the Board unanimously approved the motion made by the Complaint Review Committee, consisting of Mr. Knotts, Mr. Gammon and Dr. Hale, to approve the signed consent order. The name of the respondent is Integrated Management Services, P.A., Inc.

**Case #2013-45** - Mr. Ducote reported on a professional engineer who (a) inadvertently assisted his professional engineering firm in providing or offering to provide engineering services in Louisiana with a firm name which was not the exact firm name contained on the firm's certificate of licensure issued by the Board and (b) inadvertently permitted the misrepresentation of an associate's academic or professional qualifications. The respondent has signed and returned the proposed consent order offered by the Complaint Review Committee. The proposed consent order contains the following sanctions:

1. Fine of $1,000
2. Costs of $520.01
3. Louisiana Laws and Rules Quiz
4. Louisiana Professionalism and 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. Gammon and Dr. Hale, to approve the signed consent order. The name of the respondent is Tommy J. Avant, P.E.

**Case #2013-67** - Mr. Ducote reported on a professional engineering firm which committed a material misrepresentation and gross misconduct in the practice of engineering in Louisiana. The respondent has signed and returned the proposed consent order offered by the Complaint Review Committee. The proposed consent order contains the following sanctions:

1. Fine of $1,000
2. Costs of $760.17
3. Cease and Desist
4. Louisiana Laws and Rules Quiz by Supervising Professional
5. Louisiana Professionalism and Ethics Quiz by Supervising Professional
6. Publication on the Board's website and in the Journal with name
7. Report to NCEES with name

After discussion, the Board unanimously approved the motion made by the Complaint Review Committee, consisting of Mr. Crosby, Mr. Mustapha and Mr. Moore, to approve the signed consent order. The name of the respondent is Gurtler Bros. Consultants, Inc.
Case #2013-101 - Mr. Ducote reported on an unlicensed individual who used the word "engineering" in conjunction with his name and business activities in Louisiana without proper licensure. The respondent has signed and returned the proposed consent order offered by the Complaint Review Committee. The proposed consent order contains the following sanctions:

1. Fine of $1,000
2. Costs of $760.17
3. Cease and Desist
4. Publication on the Board's website and in the Journal with name
5. Report to NCEES with name

After discussion, the Board unanimously approved the motion made by the Complaint Review Committee, consisting of Mr. Crosby, Mr. Mustapha and Mr. Moore, to approve the signed consent order. The name of the respondent is Michael K. A. Gurtler.

Case #2013-102 - Mr. Ducote reported on a professional engineer who unintentionally aided or assisted (a) his professional engineering firm in committing a material misrepresentation and gross misconduct in the practice of engineering in Louisiana and (b) an unlicensed employee of his firm in using the word "engineering" in conjunction with his name and business activities in Louisiana without proper licensure. The respondent has signed and returned the proposed consent order offered by the Complaint Review Committee. The proposed consent order contains the following sanctions:

1. Fine of $1,000
2. Costs of $760.17
3. Louisiana Laws and Rules Quiz
4. Louisiana Professionalism and Ethics Quiz
5. Cease and Desist
6. Publication on the Board's website and in the Journal with name
7. Report to NCEES with name

After discussion, the Board unanimously approved the motion made by the Complaint Review Committee, consisting of Mr. Crosby, Mr. Mustapha and Mr. Moore, to approve the signed consent order. The name of the respondent is Friedrich W. L. Gurtler, P.E.

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

Case #2013-78 - Mr. Ducote reported on an unlicensed firm which practiced and/or offered to practice land surveying and used the words "survey" and "surveys" in conjunction with its name and business activities in Louisiana without proper licensure. The respondent has signed and returned the proposed consent order offered by the Complaint Review Committee. The proposed consent order contains the following sanctions:

1. Fine of $900
2. Costs of $724.74
3. Cease and Desist
4. Publication on the Board's website and in the Journal with name
5. Report to NCEES with name

After discussion, the Board unanimously approved the motion made by the Complaint Review Committee, consisting of Mr. Patterson, Mr. Gammon and Mr. Knotts, to approve the signed consent order. The name of the respondent is Energy Logistics Group, LLC.

Case #2014-7 - Mr. Ducote reported on an unlicensed individual who practiced and/or offered to practice land surveying in Louisiana without proper licensure. The respondent has signed and returned the proposed consent order offered by the Complaint Review Committee. The proposed consent order contains the following sanctions:

1. Fine of $400
2. Costs of $683.95
3. Cease and Desist
4. Publication on the Board's website and in the Journal with name
5. Report to NCEES with name

After discussion, the Board unanimously approved the motion made by the Complaint Review Committee, consisting of Mr. Patterson, Mr. Gammon and Mr. Knotts, to approve the signed consent order. The name of the respondent is James T. Atkins, Jr.
Case #2013-107 - Mr. Ducote reported on a professional engineer who (a) was disciplined by the licensing authority of another state for matters recognized as grounds for disciplinary action in Louisiana at the time the action was taken and (b) committed fraud, deceit, material misstatement or perjury, or gave false or forged evidence, in applying for a renewal license with the Board. The respondent has signed and returned the proposed consent order offered by the Complaint Review Committee. The proposed consent order contains the following sanctions:

1. Fine of $750
2. Costs of $946.86
3. Louisiana Laws and Rules Quiz
4. Louisiana Professionalism and 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. Mustapha, Mr. Knotts and Mr. Krouse, to approve the signed consent order. The name of the respondent is Anan Boonjindasup, P.E.

Case #2013-109 - Mr. Ducote reported on an unlicensed firm which unintentionally practiced and/or offered to practice engineering in Louisiana without proper licensure. The firm subsequently became licensed in Louisiana. The respondent has signed and returned the proposed consent order offered by the Complaint Review Committee. The proposed consent order contains the following sanctions:

1. Fine of $5,000
2. Costs of $564.94
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. Mustapha, Dr. Hale and Mr. Krouse, to approve the signed consent order. The name of the respondent is TEEM CO, LLC.

Case #2014-33 - Mr. Ducote reported on an unlicensed individual who unintentionally practiced and/or offered to practice engineering in Louisiana without proper licensure. The respondent has signed and returned the proposed consent order offered by the Complaint Review Committee. The proposed consent order contains the following sanctions:

1. Fine of $2,500
2. Costs of $379.17
3. Cease and Desist
4. Publication on the Board’s website and in the Journal with name
5. Report to NCEES with name

After discussion, the Board unanimously approved the motion made by the Complaint Review Committee, consisting of Mr. Mustapha, Dr. Hale and Mr. Krouse, to approve the signed consent order. The name of the respondent is Keith B. Cook.

Case #2014-13 - Mr. Ducote reported on a professional engineering firm which had an employee who practiced and offered to practice engineering in Louisiana with an expired license. The respondent has signed and returned the proposed consent order offered by the Complaint Review Committee. The proposed consent order contains the following sanctions:

1. Fine of $500
2. Costs of $321.53
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. Gammon and Dr. Hale, to approve the signed consent order. The name of the respondent is Integrated Management Services, P.A., Inc.

Case #2014-14 - Mr. Ducote reported on a professional engineer who aided or assisted an employee of his professional engineering firm in practicing and offering to practice engineering in Louisiana with an expired license. The respondent has signed and returned the proposed consent order offered by the Complaint Review Committee. The proposed consent order contains the following sanctions:

1. Fine of $1,500
2. Costs of $321.53
3. Cease and Desist
4. Louisiana Laws and Rules Quiz
5. Louisiana Professionalism and Ethics Quiz
6. Publication on the Board's website and in the Journal with name
7. Report to NCEES with name

After discussion, the Board unanimously approved the motion made by the Complaint Review Committee, consisting of Mr. Knotts, Mr. Gammon and Dr. Hale, to approve the signed consent order. The name of the respondent is Tommy J. Avant, P.E.

Case #2014-24 - Mr. Ducote reported on a professional engineer who aided or assisted his professional engineering firm in practicing and offering to practice engineering in Louisiana with an expired license. The respondent has signed and returned the proposed consent order offered by the Complaint Review Committee. The proposed consent order contains the following sanctions:
1. Costs of $205.79
2. Louisiana Laws and Rules Quiz
3. Louisiana Professionalism and Ethics Quiz
4. Publication on the Board's website and in the Journal with name
5. Report to NCEES with name

After discussion, the Board unanimously approved the motion made by the Complaint Review Committee, consisting of Dr. Hale, Mr. Thompson and Mr. Krouse, to approve the signed consent order. The name of the respondent is Ballard L. Argus, P.E.

The Board recessed at 11:15 a.m. and resumed at 1:30 p.m. Mr. Crosby, Mr. Thompson, Mr. Launey, Mr. Amyotte, Mr. White and Mr. Landrigan were not present.

Mr. Savoie reported on his review of the Industrial Licensure power point presentation with the Emeritus Member Ad Hoc committee. The Board requested a preview of the Industrial Licensure power point at the March board meeting. Mr. Crosby entered the meeting at 1:50 p.m. Mr. Savoie left the meeting at 2:00 p.m.

Committee Reports

Enforcement Committee

The Board unanimously approved the motion made by Mr. Crosby, seconded by Mr. Knotts, to enter into executive session to discuss personnel matters.

The Board unanimously approved the motion made by Mr. Crosby, seconded by Mr. Knotts, to exit the executive session.

The Board unanimously approved the motion made by Mr. Crosby, seconded by Mr. Moore, to adopt a policy providing that the hiring of the Executive Director, the Deputy Executive Director and the Director of Enforcement must be approved by the Board.

The Board unanimously approved the motion made by Mr. Crosby, seconded by Mr. Knotts, to name Mr. Ducote as the Director of Enforcement effective January 28, 2015.

The Board unanimously approved the motion made by Mr. Crosby, seconded by Mr. Mustapha, to authorize the Executive Committee to fill the position of Deputy Executive Director by July 6, 2015, at an annual salary not to exceed $72,500.

Chairman Gammon appointed an ad hoc committee, comprised of Mr. Knotts, Mr. Moore and Mr. Crosby, and charged it with developing the written policy regarding the necessity of obtaining Board approval for the hiring of the Executive Director, the Deputy Executive Director and the Director of Enforcement and then incorporating the new policy into the appropriate Board policy manual.

Liaison and Law Review Committee

Mr. Moore presented the Liaison and Law Review Committee's recommendation to amend Rule 1503:

Mr. Mustapha made the motion to table the discussion for future study and review. The motion died for lack of a second.
The Board approved the motion made by the Liaison and Law Review Committee, with Mr. Phillips, Dr. Hale, Mr. Moore, Mr. Crosby, Mr. Patterson, Mr. Knotts and Mr. Krouse for, Mr. Mustapha against and Mr. Huval abstaining, to amend Rule 1503 to read as follows:

§1503. Graduate-Level Engineering Degree

A. An applicant who has obtained a master’s degree in engineering which has followed a baccalaureate degree in engineering from an EAC/ABET accredited engineering curriculum may use the master’s degree for credit for one year’s experience. An applicant who has obtained an earned doctoral degree in engineering which has followed a baccalaureate degree in engineering from an EAC/ABET accredited engineering curriculum may use the doctoral degree for credit for two years’ experience. The two-year’s credit for the doctoral degree includes the one year for a master’s degree.

B. An applicant who has obtained an earned doctoral degree in engineering which has followed either a baccalaureate degree in engineering from a non-accredited engineering curriculum or a baccalaureate degree in a related science or engineering technology curriculum may use the doctoral degree for credit for one year’s experience.

Mr. Moore reported that the Liaison and Law Review Committee’s recommendation regarding possible revisions to Rule 1303 will be postponed until the March Board meeting.

Mr. Crosby exited the meeting at 3:15 p.m.

Finance Committee

Mr. Moore presented the Finance Committee report.

The Board unanimously approved the motion made by the Finance Committee to reinvest the certificate of deposit at United Community Bank, which is set to mature on March 7, 2015.

The Board unanimously approved the motion made by the Finance Committee to reinvest the certificate of deposit at Home Bank, which is set to mature on March 9, 2015.

The Board unanimously approved the motion made by the Finance Committee to reinvest the certificate of deposit at Investar Bank, which is set to mature on March 12, 2015.

The Board unanimously approved the motion made by the Finance Committee to reinvest the certificate of deposit at Iberia Bank, which is set to mature on March 12, 2015.

The Board approved the motion made by the Finance Committee, with Mr. Phillips, Dr. Hale, Mr. Huval, Mr. Mustapha, Mr. Moore, Mr. Patterson and Mr. Knotts for and Mr. Krouse abstaining, to accept the proposed LEF building lease for 2014-2019,.

The Chairman charged the Liaison and Law Review Committee with reviewing Rule 717 concerning the signing of checks and making a recommendation for revisions to the Board at the March meeting.

Mr. Crosby entered the meeting at 3:35 p.m.

Nominations and Awards Committee

The Board unanimously approved the motion made by the Nominations and Awards Committee to elect the following Board officers for 2015-16:

Theodore H. Thompson, P.E. – Chairman
Kevin E. Crosby, P.E., P.L.S. – Vice Chairman
John W. "Billy" Moore, P.E. – Secretary
David L. Patterson, P.L.S. – Treasurer
Mr. Huval exited the meeting at 3:40 p.m.

**Old Business/New Business**

Mr. Landry reported on the status of the Board’s pending litigation with Mubashir Maqbool. Mr. Maqbool has offered to dismiss his lawsuit with prejudice through a stipulation of dismissal. The Board unanimously approved the motion made by Mr. Knotts, seconded by Mr. Krouse, to authorize Mr. Landry to accept and agree to the proposed stipulation of dismissal.

Mr. Krouse reported on the new security system which has been installed in the office. LEF was continuing to meet with contractors to receive bids and recommendations on additional office security modifications. The ad hoc committee and Ms. Sentell will continue to discuss whether additional office modifications should be made and then make a recommendation to the Board at the March meeting.

Mr. Knotts exited the meeting at 4:00 p.m.

The Board unanimously approved the motion made by Mr. Mustapha, seconded by Mr. Crosby, to amend the motion made by the Education/Accreditation Committee at the November Board meeting (regarding accepting four-year baccalaureate degrees earned from online/for-profit institutions with regional accreditation as acceptable four-year baccalaureate degrees for purposes of land surveyor intern certification) to specify that the regional accreditation must be from one of the following accreditation organizations recognized by the Council for Higher Education Accreditation (CHEA): the Higher Learning Commission (HLC); the Middle States Commission on Higher Education (MSCHE); the Commission on Institutions of Higher Education of the New England Association of Schools and Colleges (CIHE-NEASC); the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC); the Accrediting Commission for Community and Junior Colleges, Western Association of Schools and Colleges (ACCJC-WASC); and/or the Western Association of Schools and Colleges, Senior College and University Commission (WASC-SCUC).

**Closing Business**

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

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

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

The Board unanimously approved the motion made by Mr. Crosby, seconded by Mr. Phillips, to adjourn.

The meeting adjourned at 4:20 p.m. on January 28, 2015.

M. Ernest Gamm, Sr., P.L.S.  
Chairman

Kevin E. Crosby, P.E. / P.L.S.  
Secretary