At 8:03 a.m. on January 22, 2019, Christopher P. Knotts, P.E. called the meeting to order at the Board’s office in Baton Rouge, Louisiana, with the following members present:

Christopher P. Knotts, P.E. Chairman
Paul N. Hale, Jr., Ph.D., P.E. Vice Chairman
Alan D. Krouse, P.E. Treasurer
Thomas R. Carroll, III, P.E., P.L.S. Secretary

Also present:
D. Scott Phillips, P.E., P.L.S.
Charles G. Coyle, III, P.L.S.
Jeff A. Pike, P.E.
Christopher K. Richard, P.E.
Chad C. Vosburg, P.E.
Edgar P. Benoit, P.E.
Wilfred J. Fontenot, P.L.S.

Donna D. Sentell, Executive Director
Bill Tripoli, Board Staff
William Hyatt, Board Investigator
Chris Aaron, Board Investigator
D. Scott Landry, Board Attorney

Jack Coyle
Cody Todd

The invocation was led by Mr. Carroll and the pledge was led by Dr. Hale.

Public comment time was recognized by Chairman Knotts. 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. Richard, seconded by Mr. Fontenot, to accept the January 22, 2019 proposed Call and Agenda for the meeting.

The Board unanimously approved the motion made by Mr. Benoit, seconded by Mr. Fontenot, to approve the minutes from the November 5, 2018 Board meeting.

Compliance and Enforcement

The Board unanimously approved the motion made by Mr. Coyle, seconded by Mr. Fontenot, to deny the request of Anthony R. Venson to reinstate his revoked professional engineer license.

Case # 2018-40 – Mr. Carroll reported that the summary of Consent Order in Case No. 2018-40, presented to the Board for ratification at the November 5, 2018 meeting contained an error. Therefore, upon motion of the Complaint Review Committee, the Board was asked to recall its November 5, 2018 ratification of Consent Order in Case No. 2018-40 and ratify the Consent Order for Case No. 2018-40 as follows: "Consent Order issued to engineer for aiding and assisting his firm in the unlicensed practice and/or offer to practice engineering in Louisiana.

1. Fine of $2,000
2. Costs of $563.10
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 recall its ratification of the Consent Order in Case No. 2018-40 made on November 5, 2018,
and to approve the signed Consent Order as set forth above. The name of the respondent is John C. Anderson, P.E.

Case # 2018-53 – Mr. Hyatt reported on an unlicensed firm for practicing and/or offering to practice engineering in Louisiana; and for using the words “engineer” or “engineering” in its firm or business activity 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 $145.39
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 Hitachi Architects & Engineers Co. Ltd.

Case # 2018-54 – 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 $145.39
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 Eric J. Kirstein, P.E.

Doreen Brasseaux of the American Council of Engineering Companies of Louisiana entered meeting at 8:35 a.m.

Committee Reports

Enforcement Committee

Mr. Pike presented the report for the Enforcement Committee, which included suggested edits to the Disciplinary and Enforcement Sanction Guidelines for Consent Orders and Other Administrative Matters.

Craig Campbell, P.E. entered the meeting at 8:45 a.m.

Industrial Licensure Ad Hoc Committee

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

Laws and Rules Committee

Mr. Knotts presented the report for the Laws and Rules Committee.

After discussion, the Board unanimously approved the motion made by Mr. Richard, seconded by Mr. Carroll, to amend Rules 105 and 2305 as follows:

§105. Definitions

A. The words and phrases defined in R.S. 37:682 shall apply to these rules. In addition, the following words and phrases shall have the following meanings, unless the content of the rules clearly states otherwise.

Practice of Engineering—

a. practice of engineering is defined in R.S. 37:682. The board recognizes in the design of buildings and similar structures that there is overlap between the work of architects and professional engineers. It is recognized that an architect who has complied with all of the current laws of Louisiana relating to the practice of architecture has a right to engage in some activities properly classifiable as the practice of engineering insofar as it is necessarily
incidental to his/her work as an architect. Likewise, it is recognized that the professional engineer who has complied with all of the current laws of Louisiana and is properly licensed has the right to engage in some activities properly classifiable as architecture insofar as it is necessarily incidental to his/her work as a professional engineer. Furthermore, the architect or the professional engineer, as the case may be, shall assume all responsibility for compliance with all the laws or ordinances relating to the designs or projects in which he/she may be engaged.

b. an architect may perform minor mechanical, electrical or civil-structural engineering work necessarily incidental to his/her practice of architecture, but such incidental engineering work shall not include a complete engineering system unless such complete engineering system does not exceed the area thresholds under the occupancy types listed in clause v below. The incidental engineering work shall be of a secondary nature and shall be substantially less in scope and magnitude when compared to the architectural portion of the work. **Incidental engineering work includes renovations or alterations of any size building that do not require significant adjustments to the engineering calculations for the changes to the engineering system(s) or component(s).** The incidental work must be safely and competently performed by the architect without jeopardizing the life, health, property and welfare of the public. The incidental engineering work must also satisfy all of the following conditions in new or renovated projects:

i. the total occupant load must not exceed 49 individuals. The occupant load is defined and determined by the method set forth in the currently enforced building code;

ii. the construction value of the incidental engineering work must not exceed 15% of the total construction value for new construction;

iii. any addition to a building or structure must not cause the gross floor areas of the entire building or structure to exceed those listed in clause v below;

iv. any renovations or alterations must not cause the overall construction cost to exceed $125,000, exclusive of building finishes and furnishings; and

v. any incidental engineering work must not exceed the area thresholds under the following occupancy types:

(a). storage—6,250 sq ft
(b). factory and industrial—5,000 sq ft
(c). mercantile—4,000 sq ft
(d). residential (excluding single family)—4,000 sq ft
(e). educational—2,500 sq ft
(f). institutional—2,500 sq ft
(g). high hazard—1,500 sq ft
(h). assembly—2,650 sq ft
(i). business—4,000 sq ft
(j). utility and maintenance—5,000 sq ft

Professional judgment should be exercised in determining the need for an architect or professional engineer on complex projects that do not exceed these area thresholds.

§2305. Supervising Professional

A.1. Each firm licensed with the board shall designate one or more supervising professionals. Each supervising professional shall be a licensed professional:

a. whose primary employment is with the firm, provided the supervising professional works for the firm for a 12-month average of at least 30 hours per week or 130 hours per month; or

b. whose employment is with the firm, provided the supervising professional has at least a 25 percent ownership interest in the firm.
Ms. Sentell was directed to share these amended rules with the Louisiana Engineering Society, the Louisiana Society of Professional Surveyors and the American Council of Engineering Companies of Louisiana and to bring any comments received to the April Board meeting.

At 10:20 a.m., the Board recessed and resumed at 10:30 a.m. Ms. Brasseaux and Mr. Campbell were not present. LaTasha Andrews was present.

Applications

The Board unanimously approved the motion made by Mr. Knotts, seconded by Mr. Krouse, to invalidate the results of the October 2018 principles and practice of engineering examination in petroleum engineering of Cody Todd based on violations of the NCEES exam protocol.

Committee Reports (continued)

Firm Licensure Committee

Mr. Knotts discussed issues related to firm licensure. Ms. Sentell and Ms. Andrews were directed to draft letters for the Firm Licensure Committee to review. Then, work with the Enforcement Committee on the procedures for processing a firm application.

The Board recessed for lunch at 11:45 a.m. and resumed at 12:20 p.m. Mr. Todd was not present. Janet Lindsey was present.

Ms. Andrews exited the meeting at 12:25 p.m.

Applications (continued)

Application Reviews

The Board unanimously approved the motion made by Mr. Vosburg, seconded by Mr. Carroll, to approve the application of Charles Morton for licensure as a professional engineer by examination.

The Board approved the motion made by Mr. Fontenot, seconded by Mr. Phillips, with Mr. Pike, Mr. Richard, Mr. Fontenot, Mr. Phillips, Mr. Coyle and Mr. Krouse for and Mr. Carroll, Dr. Hale, Mr. Benoit and Mr. Vosburg against, to disapprove the application of Derek Jarrell for licensure as a professional engineer by examination based on not satisfying the experience requirements of the Board.

Application Appeals

The Board unanimously approved the motion made by Mr. Carroll, seconded by Mr. Richard, to affirm the reviewing committee’s decision to disapprove the application of Wayne Roy for licensure as a professional engineer by comity based on not satisfying the educational requirements of the Board.

The Board recessed at 1:20 p.m. and resumed at 1:35 p.m.

Committee Reports (continued)

Finance Committee

Mr. Krouse 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 United Community Bank when it matures on March 7, 2019.
The Board unanimously approved the motion made by the Finance Committee to renew the two certificates of deposit at Investar Bank when they mature on March 12, 2019.

The Board unanimously approved the motion by the Finance Committee to accept the proposed budget for FY 19-20 as presented.

The Board unanimously approved the motion made by the Finance Committee to authorize the Executive Director to enter into a contract with Celia Cangelosi to serve as legal counsel and as a prosecuting attorney for Board disciplinary and enforcement hearings. The term of the contract will be for three years beginning July 1, 2019 and ending June 30, 2020, in the annual amount not to exceed $36,000.00.

Nominations and Awards Committee

The Nominations and Awards Committee presented the following list of nominations for election of Board officers for 2019-20:

- 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

The Board unanimously approved the motion made by the Nominations and Awards Committee to elect the Board officers for 2019-20 as nominated.

Old/New Business

The Board unanimously approved the motion made by Mr. Krouse, seconded by Mr. Coyle, to schedule the 2019 Board meetings as follows:

- Monday/Tuesday – April 8/9
- Monday/Tuesday – June 10/11
- Monday/Tuesday – September 16/17
- Monday/Tuesday – November 18/19

Chairman Knotts designated Mr. Coyle and Mr. Carroll to be the Board’s funded delegates to the Louisiana Society of Professional Surveyors annual convention in Marksville, LA on April 10-12, 2019.

The Board unanimously approved the motion made by Mr. Krouse, seconded by Mr. Carroll, to approve Board members, Emeritus members and Board staff to attend the NCEES Southern Zone meeting on May 16-18, 2019 in Boise, Idaho. The Board authorized funding to cover travel, 3 nights lodging, 4 days per diem, and meals.

Closing Business

The Board unanimously approved the motion made by Mr. Richard, seconded by Mr. Coyle, 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. Vosburg, seconded by Mr. Fontenot, to approve all Board expenses.
The Board unanimously approved the motion made by Mr. Fontenot, seconded by Mr. Benoit, to adjourn.

The meeting adjourned at 2:40 p.m. on January 22, 2019.

Christopher P. Knotts, P.E.  
Chairman

Thomas R. Carroll, III, P.E., P.L.S.  
Secretary