

MINUTES OF THE REGULAR MEETING OF THE  
LOUISIANA PROFESSIONAL ENGINEERING  
AND LAND SURVEYING BOARD  
8550 UNITED PLAZA BOULEVARD, SUITE 903  
BATON ROUGE, LOUISIANA 70809-2296  
March 3, 2026

At 12:31 p.m. on March 3, 2026, Linda H. Bergeron P.E. called the meeting to order at the Hilton Garden Inn/Cajundome, 2350 Congress Street, Lafayette, Louisiana, with the following members present:

Janice P. Williams, P.E.	Chairman
James H. Chustz, Jr., P.L.S.	Vice Chairman
Vijaya Gopu, Ph.D., P.E.	Treasurer
Gordon E. Nelson, P.E.	Secretary

Susan H. Richard, P.E.  
Byron E. Trust, P.E.  
Robert L. Wolfe, P.E., P.L.S.  
Linda H. Bergeron, P.E.  
Byron D. Racca, P.E.  
Reginald L. Jeter, P.E.  
Connie P. Betts, P.E.

Also present            Donna D. Sentell, Executive Director  
                                 Chantel McCreary, Deputy Executive Director  
                                 Joe Harman, P.E., Technical Advisor

The prayer was led by Mr. Racca and the pledge by Dr. Gopu.

Chairman Bergeron acknowledged public comment time and presented the chairman's gavel to Ms. Williams.

The Board unanimously approved the motion made by Mr. Nelson, seconded by Mr. Chustz, to approve the March 3, 2026, proposed Call and Agenda for the meeting.

The Board unanimously approved the motion made by Ms. Bergeron, seconded by Mr. Trust, to approve the minutes from the February 2, 2026 Board meeting.

#### **Compliance and Enforcement**

**Case # 2025-48** – Ms. Caines reported on an unlicensed firm which practiced and/or offered to practice engineering without proper licensure. 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 \$6,000;
2. Costs of \$263.54;
3. Publication on the Board's website and in the Board's official Journal identifying Respondent by name; and
4. Report to NCEES identifying Respondent by name.

After discussion, the Board unanimously approved the motion made by the Complaint Review Committee, consisting of Ms. Richard, Mr. Trust, and Mr. Wolfe, to approve the signed consent order. The name of the respondent is **Code Red Consultants LLC**.

D. Scott Landry, Board Attorney, entered the meeting, via telephone, at 12:45 p.m.

#### **Committee Reports**

##### **Laws and Rules Committee**

The Laws and Rules Committee presented the Petition for Declaratory Order and Ruling filed by Jules A. Toups, Jr., P.L.S. After discussion, the Board unanimously approved the motion made by the Laws and Rules Committee to approve the following ruling on Mr. Toups' Petition for Declaratory Order and Ruling:

## RULING ON PETITION FOR DECLARATORY ORDER

1.

On or about January 13, 2026, Jules A. Toups, Jr., P.L.S. ("Petitioner") filed with the Louisiana Professional Engineering and Land Surveying Board (the "Board") a petition for declaratory order and ruling pursuant to LAC Title 46:LXI§727.

2.

Petitioner seeks a declaratory order as to whether plats of lease sites in Louisiana which are prepared by the Louisiana Office of State Lands in connection with leases of state land must comply with the Board's Standards of Practice for Boundary Surveys (LAC Title 46:LXI§2901 through 2913), particularly LAC Title 46:LXI§2907.

3.

La. R.S. 37:682(14) defines the "practice of land surveying" as follows:

(a) "Practice of land surveying" shall include the measuring of areas, land surfaces, streams, bodies of water, and swamps for correct determination and description, for the establishment, reestablishment, ascertainment, or description of land boundaries, corners, divisions, distances, and directions, the plotting and monumenting of lands and subdivisions thereof, and mapping and topographical work.

(b) A person shall be construed to practice or offer to practice land surveying when that person engages in land surveying and by verbal claim, sign, advertisement, letterhead, card, or in any other way represents himself to be a land surveyor, or represents himself as able to perform or does perform any land surveying service or work, or any other service designated by the practitioner which is recognized as land surveying.

4.

La. R.S. 37:682(15) defines "responsible charge" as follows:

"Responsible charge" shall mean the direct control and personal supervision of engineering or land surveying service or work, as the case may be.

5.

LAC Title 46:LXI§105(A) states, in pertinent part, as follows:

*Practice of Land Surveying*—defined in R.S. 37:682. The board recognizes that there exists a close relationship between land surveying and some areas of engineering, with some activities common to both professions; however, survey work related to property boundaries must be performed under the responsible charge of a professional land surveyor. Presented below are guidelines which shall be used as an aid in determining the types of surveying services which may be rendered by professional land surveyors or professional engineers.

a. Surveying and mapping functions which require the establishment of relationships to property ownership boundaries are unique to land surveying and must be performed by or under the responsible charge of a professional land surveyor. These functions include:

- i. boundary surveys;
- ii. subdivision surveys and plats;
- iii. public land surveys;
- iv. surveys of servitudes (easements) and rights of way;
- v. surveys of leases.

6.

LAC Title 46:LXI§2901 through 2913 set forth the Board's Standards of Practice for Boundary Surveys.

7.

LAC Title 46:LXI§2901(B) states that "[e]very professional land surveyor performing a boundary survey in Louisiana is required to follow these standards".

8.

LAC Title 46:LXI§2901(C) states as follows:

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

9.

LAC Title 46:LXI§2907(A), (B) and (C) state as follows:

A. Definition

Property Boundary Survey—a survey which, after careful study, investigation, and evaluation of major factors influencing the location of boundaries, results in the deliberate location or relocation on the ground of, and the recovery or installation of monuments that define the location and extent of, one or more boundaries. Surveying and mapping activities which meet the definition of a property boundary survey are listed in Subparagraph a of §105.A, Practice of Land Surveying. Any plat or map prepared from surveying and mapping activities listed in Subparagraph b of §105.A, Practice of Land Surveying, which does not meet the definition of a property boundary survey, shall have a note stating that it that does not represent a property boundary survey.

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

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

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

**ORDER**

After due consideration of the petition for declaratory order and ruling filed by Petitioner and after discussion by the Board during its meeting on March 3, 2026:

**IT IS THE RULING** of the Board that:

10.

When the Louisiana Office of State Lands prepares plats of lease sites in Louisiana in connection with leases of state land, such plats (a) must establish a relationship to property ownership boundaries, (b) constitute the practice of land surveying, (c) are considered to be property boundary surveys, (d) must be prepared by or under the responsible charge of a professional land surveyor and (e) must comply with the Board's Standards of Practice for Boundary Surveys, including LAC Title 46:LXI§2907.

11.

Since the Louisiana Office of State Lands leases land belonging to the citizens of Louisiana to citizens of Louisiana, it is recommended that such office go above and

beyond the normal effort to avoid harming the public as the owners/lessors of the land as well as the lessees of the land. The Louisiana Office of State Lands is acting as both the "caretaker" of the public's land, as well as the agent for the leases being issued. Any lease transaction, if not handled properly, could harm both sides of the transaction financially and otherwise.

The Board reviewed the document from the Office of the Attorney General concerning the Occupational Licensing Review Program for fiscal year 2026-2027. After discussion, the Board unanimously approved the motion made by Mr. Racca, seconded by Dr. Gopu, to request the draft participation agreement for review.

Mr. Landry exited the meeting at 1:34 p.m.

The Board recessed at 1:35 p.m. and resumed at 1:45 p.m.

#### **Finance Committee**

Chairman Williams presented the financial report for FY 26-27. After discussion, the Board unanimously approved the motion made by Mr. Racca, seconded by Ms. Betts, to accept the year-to-date budget for FY 26-27 as presented.

The Board unanimously approved the motion made by Mr. Nelson, seconded by Ms. Betts, to renew the certificate of deposit at United Community Bank when it matures on March 10, 2026.

The Board unanimously approved the motion made by Mr. Jeter, seconded by Dr. Gopu, to amend the FY 25-26 contract, beginning July 1, 2025, and ending June 30, 2026, with **D. Scott Landry of Chaffe McCall, L.L.P.** to serve as Board legal counsel and as a prosecuting attorney/hearing counsel for Board disciplinary and enforcement matters, from **\$150,000 to \$240,000.**

The Board unanimously approved the motion made by Ms. Bergeron, seconded by Mr. Chustz, to authorize the Executive Director to enter into a contract with **Celia Cangelosi** to serve as a prosecuting attorney/hearing counsel for Board disciplinary and enforcement matters. The term of the contract will be for one year, beginning **July 1, 2026, and ending June 30, 2027**, in the total amount not to exceed **\$36,000.**

The Board unanimously approved the motion made by Mr. Trust, seconded by Mr. Jeter, to authorize the Executive Director to enter into a contract with **D. Scott Landry of Chaffe McCall, L.L.P.** to serve as Board legal counsel and as a prosecuting attorney/hearing counsel for Board disciplinary and enforcement matters. The term of the contract will be for one year beginning July 1, 2026, and ending June 30, 2027, in the total amount not to exceed **\$150,000.**

The Board unanimously approved the motion made by Ms. Betts, seconded by Ms. Bergeron, to authorize the Executive Director to enter into a contract with **Red Stick Solutions, L.L.C.** to provide information technology support services for the Board. The term of the contract will be for one year, beginning July 1, 2026, and ending June 30, 2027, in the total amount not to exceed **\$21,600.**

The Board unanimously approved the motion made by Mr. Jeter, seconded by Ms. Richard, to authorize the Executive Director to enter into a contract with **Tri-Core Technologies, L.L.C.** to provide maintenance and support of the LOLA information technology system. The term of the contract will be for one year, beginning July 1, 2026, and ending June 30, 2027, in the total amount not to exceed **\$145,080.**

#### **Old Business/New Business**

The Board unanimously approved the motion made by Mr. Racca, seconded by Mr. Wolfe, to request NCEES Associate Member status for Shanna Hubble and Rhett Rayburn.

#### **Closing Business**

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

The Board unanimously approved the motion made by Ms. Bergeron, seconded by Ms. Betts, 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. Jeter, seconded by Ms. Betts, to approve all Board expenses.

The Board unanimously approved the motion made by Mr. Trust, seconded by Dr. Gopu, to adjourn.

The meeting adjourned at 2:55 p.m. on March 3, 2026.



Janice P. Williams, P.E.  
Chairman



Gordon E. Nelson, P.E.  
Secretary