MINUTES OF THE REGULAR MEETING
LOUISIANA PROFESSIONAL ENGINEERING
AND LAND SURVEYING BOARD
9643 BROOKLINE AVENUE, SUITE 121
BATON ROUGE, LOUISIANA 70809-1433
November 21, 2011

At 8:02 a.m. on November 21, 2011, Ali M. Mustapha, P.E., called the meeting to order
at 9643 Brookline Avenue, Baton Rouge, Louisiana, with the following members
present:

Ali M. Mustapha, P.E. Chairman
Roger D. Danzy, P.E. Vice Chairman
Richard L. Savoie, P.E. Treasurer
Norma Jean Mattei, Ph.D., P.E. Secretary

Also present:
Miles B. Williams, P.E.
James E. Bowie, Ph.D., P.E.
Timothy J. Allen, P.L.S.
M. Ernest Gammon, P.L.S.
Theodore H. Thompson, P.E.
Kevin E. Crosby, P.E., P.L.S.
John W. "Billy" Moore, P.E.

The invocation was led by Mr. Gammon and the pledge by Dr. Mattei.

Public comment time was recognized by Chairman Mustapha. Mr. Dalton W. Honore' II, P.E. addressed the Board concerning his request for the reissuance of his revoked professional land surveyor license.

Mr. Honore' and Mr. Landry exited the meeting at 8:15 a.m.

The Board unanimously approved the motion made by Mr. Allen, seconded by Dr. Mattei, to accept the November 21-22, 2011 proposed Call and Agenda.

The Board unanimously approved the motion made by Dr. Bowie, seconded by Mr. Thomson, to approve the Minutes from the September 19, 2011 Board meeting.

The Board unanimously approved the motion made by Mr. Williams, seconded by Mr. Thompson, to schedule the Board's next regular meeting for January 18, 2012.

The Board's September Task List was reviewed.

Committee Reports

Nominations and Awards Committee

Mr. Danzy presented the following list of nominations for election of Board officers for 2012-13:

Norma Jean Mattei, Ph.D., P.E. - 6 months as Chairman/6 months as Vice Chairman
Richard L. Savoie, P.E. - 6 months as Vice Chairman/6 months as Chairman
Miles B. Williams, P.E. - Treasurer
James E. Bowie, Ph.D., P.E. - Secretary
Architect-Engineer Liaison Committee

Mr. Moore reported that the Architect-Engineer Liaison Committee has received comments from the LSUCCC and the Louisiana State Fire Marshal’s Office concerning the Reference Manual for Building Officials and Design Professionals. These comments will be reviewed at the December 7, 2011 committee meeting and returned to the Board for review at the January 2012 Board meeting.

The Board recessed at 9:00 a.m. and resumed at 9:08 a.m. Ms. JoDale Ales, Mr. Dennis Taylor and Mr. Karim Elkholy, representatives from Baton Rouge Community College were present. Also present was Emeritus Member Mr. Rhaoul Guillaume, P.E. Mr. Williams, Mr. Gammon, and Mr. Moore were not present.

Ms. Ales, Mr. Taylor and Mr. Elkholy addressed the Board concerning BRCC’s pre-engineering program and joint efforts with LSU College of Engineering.

Mr. Gammon entered the meeting at 9:15 a.m. and Mr. Moore entered the meeting at 9:28 a.m.

Ms. Ales, Mr. Taylor, Mr. Elkholy and Mr. Guillaume exited the meeting at 9:40 a.m.

Alan Kraus, P.E. and Chris Richard, P.E., representatives from the Louisiana Engineering Society, entered the meeting at 9:45 a.m.

Mr. Kraus and Mr. Richard discussed the LES’ proposed alternate pathway for Professional Land Surveyor licensure.

Mr. Kraus and Mr. Richard exited the meeting at 10:10 a.m. The Board recessed at 10:10 a.m. and resumed at 10:20 a.m. Ms. Evelyn Mayeux was present.

Finance Committee

Mr. Savoie presented the Finance Committee report.

The Board unanimously approved the motion made by Mr. Danzy, seconded by Dr. Mattei, to designate $525,000 for post-employment benefits.

Mr. Williams entered the meeting at 10:35 a.m.

The Board unanimously approved the motion made by Dr. Mattei, seconded by Mr. Allen, to reinvest the certificate of deposit at Synergy Bank which is due to mature on December 30, 2011.

The Board unanimously approved the motion made by Mr. Danzy, seconded by Mr. Thompson, to designate the certificates of deposit at Keypoint State Credit Union (currently valued at $247,894), Pelican State Credit Union (currently valued at $247,413) and Home Bank (currently valued at $25,219) as the designated funds for post-employment benefits.

The Board unanimously approved the motion made by Mr. Thompson, seconded by Dr. Mattei, to accept the proposed amendments to the 2011-12 budget.

The Board unanimously approved the motion made by Mr. Thompson, seconded by Dr. Mattei, to accept the proposed 2012-13 budget.

The Board unanimously approved the motion made by Mr. Moore, seconded by Dr. Mattei, to authorize the Executive Director to enter into a contract with the National Council of Examiners for Engineering and Surveying (NCEES) for the 2012 exam administration.

The Board recessed at 11:10 a.m. and resumed at 11:20 a.m.
Liaison and Law Review Committee

Mr. Savoie reviewed the proposed revisions to Rules 2305 and 2701. The Liaison and Law Review Committee will meet prior to the January 2012 Board meeting to finalize the proposed revisions and circulate them to LES, LSPS and ACEC/L for comment.

Enforcement

Ms. Hatton presented the enforcement report.

Case # 2011-46 - Ms. Hatton reported on a licensed engineer who was convicted of several felonies under the laws of the United States relative to money laundering and wire fraud. The respondent has signed and returned the proposed consent order offered by the complaint review committee. The proposed consent order contained the following sanctions: revocation of professional engineer license; forever cease & desist the practicing of and/or offering to practice engineering in Louisiana; return of licensure certificate and seal; never reapply to the Board for licensure or certification in Louisiana; and publication by name on the Board’s website, in the Journal and to NCEES. After discussion, the Board unanimously approved the motion made by Mr. Garrammon, seconded by Mr. Thompson, to approve the signed Consent Order. The name of the respondent is Alan G. Mikell, P.E.

Case # 2010-62 - Ms. Hatton reported on a licensed engineer who was convicted of a felony under the laws of the United States relative to conspiracy to solicit and give bribes involving a public official in connection with his practice of engineering and in order to secure work. The respondent has signed and returned the proposed consent order offered by the complaint review committee. The proposed consent order contained the following sanctions: revocation of professional engineer license; cease & desist the practicing of and/or offering to practice engineering in Louisiana; return of licensure certificate and seal; administrative costs of $639.78; and publication by name on the Board’s website, in the Journal and to NCEES. After discussion, the Board unanimously approved the motion made by Mr. Crosby, seconded by Dr. Bowie, to approve the signed Consent Order. The name of the respondent is Ray A. Davezac, P.E.

Case # 2011-32 - Ms. Hatton reported on an unlicensed firm which practiced and/or offered to practice engineering and used the word “engineering” in its name and in conjunction with its business in Louisiana prior to becoming licensed with the Board. The respondent has signed and returned the proposed consent order offered by the complaint review committee. The proposed consent order contained the following sanctions: fine of $1,000; administrative costs of $549.47; and publication by name on the Board’s website, in the Journal and to NCEES. After discussion, the Board unanimously approved the motion made by Dr. Bowie, seconded by Mr. Thompson, to approve the signed Consent Order. The name of the respondent is Briones Consulting & Engineering, Ltd.

Case # 2010-117 - Ms. Hatton reported on an unlicensed firm which (a) practiced and/or offered to practice engineering and used a modification of the word “engineering” in its name or form of business or activity in Louisiana and (b) represented on its website that it was licensed in Louisiana, all prior to the firm becoming licensed with the Board. The respondent has signed and returned the proposed consent order offered by the complaint review committee. The proposed consent order contained the following sanctions: fine of $2,500; administrative costs of $343.17; and publication by name on the Board’s website, in the Journal and to NCEES. After discussion, the Board unanimously approved the motion made by Mr. Crosby, seconded by Dr. Mattei, to approve the signed Consent Order. The name of the respondent is Priest Engineering, Inc.

Case # 2011-6 - Ms. Hatton reported on a licensed engineer who aided or assisted his unlicensed firm in (a) practicing and/or offering to practice engineering and using a modification of the word “engineering” in its name or form of business or activity in Louisiana and (b) representing on its website that it was licensed in Louisiana, all prior to the firm becoming licensed with the Board. The respondent has signed and
returned the proposed consent order offered by the complaint review committee. The proposed consent order contained the following sanctions: fine of $1,000; administrative costs of $343.17; successful completion of the Board's online Louisiana Laws and Rules Quiz and online Louisiana Professionalism and Ethics Quiz; and publication by name on the Board's website, in the Journal and to NCEES. After discussion, the Board unanimously approved the motion made by Mr. Crosby, seconded by Dr. Mattei, to approve the signed Consent Order. The name of the respondent is Arwin D. Priest, P.E.

Case # 2011-8 - Ms. Hatton reported on an unlicensed individual who practiced and/or offered to practice engineering and used the words "engineer", "engineering" or a modification or derivative thereof in connection with his name or form of business or activity 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 contained the following sanctions: fine of $1,000; administrative costs of $262.87; cease & desist; and publication by name on the Board's website, in the Journal and to NCEES. After discussion, the Board unanimously approved the motion made by Mr. Savoie, seconded by Dr. Mattei, to approve the signed Consent Order. The name of the respondent is Hadi Elmi.

Case # 2011-9 - Ms. Hatton reported on an unlicensed firm which practiced and/or offered to practice engineering and used the words "engineer", "engineering" or a modification or derivative thereof in connection with its name or form of business or activity 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 contained the following sanctions: fine of $2,500; administrative costs of $262.87; cease & desist; and publication by name on the Board's website, in the Journal and to NCEES. After discussion, the Board unanimously approved the motion made by Mr. Savoie, seconded by Dr. Mattei, to approve the signed Consent Order. The name of the respondent is Environmental Systems Design and Management, Inc.

Case # 2010-122 - Ms. Hatton reported on an unlicensed firm which (a) practiced and/or offered to practice engineering and used the words "engineer", "engineering" or a modification or derivative thereof in its name or form of business or activity in Louisiana and (b) represented on its website that it was licensed and able to provide engineering services in Louisiana, all prior to becoming licensed with the Board. The respondent has signed and returned the proposed consent order offered by the complaint review committee. The proposed consent order contained the following sanctions: fine of $1,250; administrative costs of $390.45; and publication by name on the Board's website, in the Journal and to NCEES. After discussion, the Board unanimously approved the motion made by Mr. Williams, seconded by Mr. Savoie, to approve the signed Consent Order. The name of the respondent is Harrison Engineering, LLC.

Mr. Gammon exited the meeting at 11:50 a.m.

Case # 2011-56 - Ms. Hatton reported on a licensed engineer who aided or assisted his unlicensed firm in (a) practicing and/or offering to practice engineering and using the words "engineer", "engineering" or a modification or derivative thereof in its name or form of business or activity in Louisiana and (b) representing on its website that it was licensed and able to provide engineering services in Louisiana, all prior to becoming licensed with the Board. The respondent has signed and returned the proposed consent order offered by the complaint review committee. The proposed consent order contained the following sanctions: fine of $500; administrative costs of $390.45; successful completion of the Board's online Louisiana Laws and Rules Quiz and online Louisiana Professionalism and Ethics Quiz; and publication by name on the Board's website, in the Journal and to NCEES. After discussion, the Board approved the motion made by Mr. Savoie, seconded by Mr. Williams, with Mr. Crosby, Mr. Allen, Mr. Williams, Mr. Savoie, Dr. Mattei, Dr. Crosby, Mr. Thompson and Mr. Moore for, Mr. Danzy against and Mr. Gammon not voting, to approve the signed Consent Order. The name of the respondent is Edsel R. Harrison, Jr., P.E.
The Board recessed at 12:05 p.m. and resumed at 12:45 p.m. Mr. Danzy, Ms. Hatton, Mr. Owens and Mr. Ducote were not present.

Mr. David Patterson, P.L.S., Mr. Tony Cavell, P.L.S., Mr. Kevin Burdeaux, P.L.S., Mr. Stephen Flynn, P.L.S., Ms. Ronda Courville, LSPS Executive Director, Mr. Ralph Gipson, P.L.S. and Mr. James Pellegrin, P.L.S., representatives from the Louisiana Society of Processional Surveyors, were present to discuss issues related to the land surveying profession.

Ms. Hatton entered the meeting at 1:00 p.m.
Mr. Danzy entered the meeting at 1:25 p.m.

The Board recessed at 1:30 p.m. and resumed at 1:45 p.m. The representatives from LSPS were not present. Mr. Owens and Mr. Ducote were present.

Land Surveying Committee

The Board unanimously approved the motion made by the Land Surveying Committee to deny the request of Mr. Dalton W. Honore' II, P.E. for the reissuance of his revoked Professional Land Surveyor license based on the report given by the committee concerning Mr. Honore's professional competency and/or negligence and his recent history of disciplinary action by the Board.

Dr. Mattei exited the meeting at 2:30 p.m.

Old Business

The Board unanimously approved the motion by Mr. Crosby, seconded by Mr. Danzy, to schedule the Board's next regular meeting for January 18, 2012 in Lafayette, Louisiana. This meeting will be in conjunction with the 16th Annual Louisiana Joint Engineering Societies Conference (JESC).

The Board unanimously approved the motion made by Mr. Crosby, seconded by Mr. Moore, to pay the JESC registration fees for the Board members attending the January 2012 conference.

New Business

The Chairman charged the Liaison and Law Review Committee with reviewing the Board's rules concerning as-built drawings and drafting a proposed advisory opinion regarding as-built drawings for Board review.

Closing Business

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

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

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

The Board unanimously approved the motion made by Mr. Savoie, seconded by Mr. Danzy, to adjourn.

The meeting adjourned at 4:01 p.m. on Monday, November 21, 2011.

Ali M. Mustapha, P.E.  
Chairman

Nanha Jean Mattei, Ph.D., P.E.  
Secretary