EXECUTIVE DIRECTOR TO RETIRE

Billy Cline, Executive Director, has informed the Board that he plans to retire in October 1998. Billy has been with the Board since April, 1989. In announcing his retirement, Billy would like to thank the engineers and land surveyors in the state for allowing him the opportunity to serve them for eight (8) years as a Board member and nearly ten (10) years as Executive Director.

President Dan Flowers stated the Board would start a search for a new Executive Director. He appointed Al Miller chairman, Don Brady and Jim Engstrom as a search committee. The Board considers the position as a part time position. It will require an average of 20-30 hours per week. This will vary according to the season and work load.

The Executive Director is responsible for the administration of the office to insure that all office procedures follow the State and Board requirements. The Executive Director is responsible for maintaining the records of all engineer-interns, land surveyors in training, professional engineers and professional land surveyors licensed in the State. The Executive Director must also do or make arrangements to have the investigations of all complaints completed in a professional manner. He must also take and maintain all minutes and records of Board meetings and activities. The Board would like to employ someone that is either licensed as a professional engineer or land surveyor or that is familiar with the professions.

The position pays a maximum salary of approximately $36,000.00 per year plus the normal State insurance, retirement, vacation and etc.

Anybody interested in details or applying for the position should contact Billy Cline, 501/324-9085.
CITY BUILDING OFFICIALS

The Board, in its desire to remove confusion between the legal services of an architect and engineer, has mailed the following letter to all city building officials in the State.

Dear Building Inspector,

It has come to our recent attention that a lot of confusion exists within the State as to the requirements for Architects or Engineers to sign and seal building plans.

The General Assembly, in 1995, tried to delineate the building by intended usage as to the requirements for an architect or an engineer to design a building. Act 860 of 1995 amended the Architectural Registration Law. A.C.A. 17-15-102.5.B. (copy attached) was added. This gives an engineer the legal authority “to provide consultation, investigation, evaluation, planning and design of buildings intended for the accommodation of equipment, vehicles, goods and/or processes or other utilitarian function, with human occupancy including office space as required for the support of these functions, provided the engineer is practicing within his or her area of competency as defined in the Arkansas Engineering Act, A.C.A. 17-30-101 et seq”.

The Arkansas Engineering Registration Act was amended by Act 834 of 1995 with the same wording A.C.A. 17-30-104 (copy attached).

Therefore, a building designed for human occupancy or habitation (such as school, motel, hospital, etc.) must have an architect on the building. A building designed for equipment, vehicle and for processes or other utilitarian functions (such as factories, storage facilities, water or sewer treatment facilities, etc.) may legally be designed by an engineer.

The Engineering Registration Act does not have an exemption based upon the cost of a building projects by private interests. However, there is a $25,000.00 exemption if the project is constructed by an arm of State, County or local government.

If you need any further clarification of this issue, please, write our office.

Sincerely,
Billy M. Cline, PE, PLS
Executive Director
A.C.A 17-30-104

17-15-102.5. (B) The provisions of this chapter affirm the legal authority of an engineer licensed under the Arkansas Engineering Act, § 17-30-101 et seq., to provide consultation, investigation, evaluation/planning, and design of buildings intended for the accommodation of equipment, vehicles, goods, and/or processes or other utilitarian function, with human occupancy including office space as required for the support of these functions, provided the engineer is practicing within his or her area of competency as defined in the Arkansas Engineering Act. § 17-30-101 et seq.

17-30-104. Construction

The provisions of this chapter affirm the legal authority of an engineer licensed under its provisions to provide consultation, investigation, evaluation, planning and design of buildings intended for accommodation of equipment, vehicles, goods and/or processes or other utilitarian functions, with human occupancy including office space as required for the support of these functions, provided the engineer is practicing within his or her area of competency as defined by this chapter.

Hopefully, this will allow the building officials in the various cities to determine what projects may require an architect and what projects may be legally completed by a competent professional engineer.

DISCIPLINARY ACTIONS

The following disciplinary actions have been taken by the Board since the last newsletter:

1. November 11, 1997 – The Board entered into a “Consent Agreement” with Rafael R. Romero for a civil penalty of $1000.00 for practicing engineering without a license.
2. November 11, 1997 – After a formal hearing against ATOKA, Inc. the Board found them guilty of having factual inaccurate or incorrect material in their mailout to solid waste landfill operators. The Board voted to put ATOKA, Inc. on probation for two (2) years with all marketing letters and brochures to be forwarded to Board office during that time. This action has been appealed by ATOKA, Inc.
3. November 11, 1997 – After a formal hearing against Mr. Jack Stiffler, PLS #772, the Board found him guilty of advertising as an engineering firm with no engineer in the firm and guilty of providing false information to the Board in its investigation. The Board voted to access a $4000.00 civil penalty against Mr. Stiffler and to revoke his Arkansas Professional Land Surveyor license #772. This action has been appealed by Mr. Stiffler.
4. November 11, 1997 – After a formal hearing against Ms. Jamie Wheat (non-registrant) the Board found Ms. Wheat guilty of advertising as an engineer when in fact she was not licensed. The Board voted to impose a $2000.00 civil penalty.
5. January 13, 1998 – The Board entered into a “Consent Agreement” with Mr. James E. Askew, PLS #1049, for a civil penalty of $500.00 and six (6) months of supervision in which all surveys would be forwarded to Board office for his violation of the minimum standards.
6. January 13, 1998 – The Board entered into a “Consent Agreement” with Mr. Curt Shaddox, PLS #209, for a civil penalty of $1500.00 for a violation of minimum standards on a survey for the Newton County Library.

During the 1997 calendar year the Board received 26 complaints and 14 were carried forward from 1996. The 40 complaints consisted of 18 against professional engineers and 22 against professional land surveyors. The disposition of the complaints were as follows; 15 were dismissed, 1 involved a court injunction, 5 were settled by consent agreement, and 5 involved disciplinary hearings. A total of 14 are still under investigation and will be carried into 1998.

CERTIFICATE OF AUTHORIZATION

A.C.A. 17-30-303 and Article 21 of the rules of the Board requires that a firm offering engineering services to the public must have a Certificate of Authorization from this agency. The Board is concerned that many firms are ignoring this requirement. The Board intends to actively pursue the enforcement of this provision. This may involve disciplinary action against the engineers that violate this provision.

The law requires that if you offer engineering services to the public through a firm, partnership, corporation or etc. you must obtain a COA from the Board. The one exception to this requirement is where the firm is a sole proprietorship practicing in the name of the registrant.

You, as an individual professional engineer, could be in violation if you are employed by a firm offering engineering services to the public without having a proper Certificate of Authorization from the Board.

If you have any questions on this call or write the Board office for a clarification.
CONTINUING EDUCATION

I am listing below some of the typical questions received at the Board office about the mandatory continuing education:

Q – What is a PDH and how many are required?
   A – A PDH is a “Professional Development Hour” which is basically a contact hour. The Board rules require 15 PDH’s per year for individuals licensed as a Professional Engineer or Professional Land Surveyor. An individual with a dual license must have 20 per year.

Q – How do I know the course will count?
   A – The Board does not approve individual seminars. However, they intend to accept any course that is relevant to your area of practice.

Q – How do I report hours?
   A – The forms mailed out for the renewals will have space for you to list the credits you have received. DO NOT send documentation to the office unless it is requested.

Q – What happens if I do not meet the requirements?
   A – You will be placed on probation and will have six (6) months to obtain the necessary credits. If you do not your license will lapse.

Q – May I keep my license without the continuing education?
   A – You may elect to go inactive if you are not practicing. The rule also has provisions for you to convert back to “active” if you choose in the future.

NEW REGISTRANTS

The following is a listing of Professional Engineers and Land Surveyors licensed by this agency since October 1997.

Professional Engineers licensed since October 1997

9329 McInturff, IV, Frank
9330 Nasheed, Hakeem
9331 Niehaus, Robert Albert
9332 Beale, David Anthony
9333 Wehner, Paul Martin
9334 Salmons, Timothy Ross
9335 Ketabi, Jalal
9336 Bohinsky, Joseph A
9337 Allison, Donald Kenneth
9338 Rawson, Douglas E
9339 Jenkins, Herbert M
9340 Dulle, James Anthony
9341 Corbett, Bobby Creig
9342 Haughton, Jeffrey William
9343 Childress, William Henderson
9344 Shambaugh, Mark Paul
9345 Chehayeb, Souheil Said
9346 Vossmeier, Thomas M
9347 West, Dennis Michael
9348 Moylan, Daniel Joseph
9349 Neher, Milton Burce
9350 Brown, Billy Don
9351 Querin, Martin Allan
9352 Tieu, Ann Ngoc
9353 Michaela, Kenneth Rains
9354 Melichar, Michael Joe
9355 Kiesel, James Anthony
9356 Fisher, Robert Gregory
9357 Donald, Victor Randall
9358 Bowman, Steven Russell
9359 Gipple, George Kelley
9360 Wagner, John Herman
9361 Rentfroe, Daniel Price
9362 Branch, Patrick Irvin
9363 Romero, Rafael E
9364 Hamilton, Kris P
9365 Debelly, Roger Dean
9366 Dacus, Sheldon Morton
9367 Curtis, Darrin L
9368 Morris, Kenneth B
9369 Luffey, William Michael
9370 Heisserer, Larry Dale
9371 Crafton, Nicholas Thornton
9372 Bassar, Nicholas Clard
9373 Richardson, Joshua Keith
9374 Conrad, Stephen William
9375 Connor, Keith R
9376 Halpin, John Albert
9377 Rich, Brett
9378 Rao, Vishwanatha
9379 Nohr, Rodney Marvin
9380 Brewer, David Scott
9381 Donohue, Timothy P
9382 Beckmann, William J.
9383 Wheaton, Bradley J
9384 Hanchev, Craig Michael
9385 Morris, Daniel Michael
9386 McCollum, Bobby Gene
9387 Wahlssted, Michael R
9388 Damrath III, John G
9389 Moore, Gregory Stanton
9390 Budke, James Edward
9391 Davidson, Samuel Harley
9392 Hedberg, Thomas William
9393 Hall, Floyd Dennis
9394 Albers, Jr., David George
9395 Borne, Christopher Robin
9396 Berge, Stacy Gene
9397 Chidester, James Stockdill
9398 Ciampi, Paul Diego
9399 Destefano, Jr., Robert Joseph
9400 Findley, Garry Paul
9401 Fligor, Pamela Sue
9402 Foster, Michael Lee
9403 Fromabarger, Don Edwin
9404 Gaither, Kyle James
9405 Gilchrist, Jr., James L.
9406 Hoey, Edward James
9407 Kelso, Jerry John
9408 Kuhn, Todd Anthony
9409 Leong, Craig Glover
9410 Lewis, Philip L
9411 Linz, Charles Stewart
9412 Mallett, Jr., Stephen Bradley
9413 Muyschondt, Arnoldo
9414 Richardson, Charles Jeffrey
9415 Robbins, Richey Eugene
9416 Sarvestani, Mehdi
9417 Saunders, Robert F
9418 Vines, Brian Lee
9419 White, Marc Wesley
9420 Wieda, Raymond Edward
9421 Williams, Rodney Dale
9422 Heinicke, John Jerome
9423 Marx, Jr., James Arthur
9424 Paul, Raymond A
9425 Jacob, Coburn Olin
9426 Robertson, Brian Allan
9427 Detlefsen, Lisa Ann
9428 Freyaldenhoven, Philip
9429 Job, Mitchell Leo
9430 Moncrief, David Bruce
9431 Smith, Robert David
9432 Daiber, Bryan John
9433 Sheppard, Jr., David Whitley
9434 Ayala, Jose Luis
9435 Clary, Noel Kilpatrick
9436 Martter, Richard P
9437 Kunstel, Jr., David Walter
9438 Wilson, Ted Ronald
9439 Wolfe, Kevin Brian
9440 Ollerich, Jr., August Williams
9441 Johnson, Harvard Benjamin
9442 Gray, Don R
9443 Forsyth, Jonathan Terry
9444 Cater Kenneth Wayne
9445 Bice, Thomas Neal
9446 Walter, Charles Dale
9447 Rickert, Charles F
9448 Hagenburger, Jr., William C
9449 Frueh, Richard H
9450 Cobb, Chris Marty

Professional Land Surveyors licensed since October 1997

9321 Caldwell, Wayne Thomas
9322 Cole, Donald Ray
9323 Dumas, Donna Sears
9324 Hall, Alan C
9325 Hauk, Kenneth Edwin
9326 Jones, Michael Otto
9327 Lamar, Clyde Scott
9328 Lindeman, David Matthew
9329 Moseley, William Kyle
9330 Penna, Albert E
9331 Richardson, Randolph Lee
9332 Robinson, Edward Dean
9333 Smith, Samuel Earl
9334 Traylor, Dale Virgil
9335 Williams, Jerry L
9336 Cleaver, Terry Wayne
9337 Collins, James Everett
9338 Donaldson, Arthur Melvin
9339 Gray, Mark A
9340 Nelson, Randall Dee
9341 Stockwell, Philip Laine
## APPROVED SPONSORS
The following organizations were approved at the March Board meeting as "approved sponsors" of continuing education seminars:

1. Professional Development Group, Inc.
2. Struckman-Thorpe Associates
3. Arkansas State Highway & Transportation Department

## IMPORTANT BOARD DATES

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