



ARKANSAS

State Board of Registration for Professional Engineers and Land Surveyors

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North Little Rock, Arkansas 72114

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Vice President

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May 1998

Newsletter

Fifteenth Edition

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

Enclosure: A.C.A. 17-15-102.5.B
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 assess 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	9378	Rao, Vishwanatha
9330	Nasheed, Hakeem	9379	Nohr, Rodney Marvin
9331	Niehaus, Robert Albert	9380	Brewer, David Scott
9332	Beale, David Anthony	9381	Donohue, Timothy P
9333	Wehner, Paul Martin	9382	Beckmann, William J.
9334	Salmons, Timothy Ross	9383	Wheaton, Bradley J
9335	Ketabi, Jalal	9384	Hanchey, Craig Michael
9336	Bohinsky, Joseph A	9385	Morris, Daniel Michael
9337	Allison, Donald Kenneth	9386	McCollum, Bobby Gene
9338	Rawson, Douglas E	9387	Wahlstedt, Michael R
9339	Jenkins, Herbert M	9388	Damrath III, John G
9340	Dulle, James Anthony	9389	Moore, Gregory Stanton
9341	Corbett, Bobby Creig	9390	Budke, James Edward
9342	Haughton, Jeffrey William	9391	Davidson, Samuel Harley
9343	Childress, William Henderson	9392	Hedberg, Thomas William
9344	Shambaugh, Mark Paul	9393	Hall, Floyd Dennis
9345	Chehayeb, Souheil Said	9394	Albers, Jr., David George
9346	Vossmeyer, Thomas M	9395	Borne, Christopher Robin
9347	West, Dennis Michael	9396	Berge, Stacy Gene
9348	Moylan, Daniel Joseph	9397	Chidester, James Stockdill
9349	Neher, Milton Burce	9398	Ciampi, Paul Diego
9350	Brown, Billy Don	9399	Destefano, Jr., Robert Joseph
9351	Querin, Martin Allan	9400	Findley, Garry Paul
9352	Tieu, Ann Ngoc	9401	Fligor, Pamela Sue
9353	Michaels, Kenneth Rains	9402	Foster, Michael Lee
9354	Melichar, Michael Joe	9403	Fronabarger, Don Edwin
9355	Kiesel, James Anthony	9404	Gaither, Kyle James
9356	Fisher, Robert Gregory	9405	Gilchrist, Jr., James L.
9357	Donald, Victor Randall	9406	Hoey, Edward James
9358	Bowman, Steven Russell	9407	Kelso, Jerry John
9359	Gipple, George Kelley	9408	Kuhn, Todd Anthony
9360	Wagner, John Herman	9409	Leone, Craig Glover
9361	Renfro, Daniel Price	9410	Lewis, Philip L
9362	Branch, Patrick Irvin	9411	Linz, Charles Stewart
9363	Romero, Rafael, E	9412	Mallett, Jr., Stephen Bradley
9364	Hamilton, Kris P	9413	Muyshondt, Arnaldo
9365	Debelly, Roger Dean	9414	Richardson, Charles Jeffrey
9366	Dacus, Sheldon Morton	9415	Robbins, Richey Eugene
9367	Curtis, Darrin L	9416	Sarvestani, Mehdi
9368	Morris, Kenneth B	9417	Saunders, Robert F
9369	Luffey, William Michael	9418	Vines, Brian Lee
9370	Heisserer, Larry Dale	9419	White, Marc Wesley
9371	Crafton, Nicholas Thornton	9420	Wieda, Raymond Edward
9372	Bassar, Nicholas Clard	9421	Williams, Rodney Dale
9373	Richardson, Joshua Keith	9422	Heinicke, John Jerome
9374	Conrad, Stephen William	9423	Marx, Jr., James Arthur
9375	Connor, Keith R	9424	Paul, Raymond A
9376	Halpin, John Albert	9425	Jacob, Coburn Olin
9377	Rich, Brett	9426	Robertson, Brian Allan

9427	Detlefsen, Lisa Ann
9428	Freyaldenhoven, Philip Charles
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

1321	Caldwell, Wayne Thomas
1322	Cole, Donald Ray
1323	Dumas, Donna Sears
1324	Hall, Alan C
1325	Hauk, Kenneth Edwin
1326	Jones, Michael Otto
1327	Lamar, Clyde Scott
1328	Lindeman, David Matthew
1329	Moseley, William Kyle
1330	Pennequin, Albert E
1331	Richardson, Randolph Lee
1332	Robinson, Edward Dean
1333	Smith, Samuel Earl
1334	Traylor, Dale Virgil
1335	Williams, Jerry L
1336	Cleaver, Terry Wayne
1337	Collins, James Everett
1338	Donaldson, Arthur Melvin
1339	Gray, Mark A
1340	Nelson, Randall Dee
1341	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

- | | | |
|--------------------|---|---|
| May 12, 1998 | - | Board meeting - Board office |
| July 1, 1998 | - | Renewal Land Surveyor License |
| July 14, 1998 | - | Board meeting - Board office |
| August 1, 1998 | - | Deadline to apply for October Exams |
| August 12-15, 1998 | | Annual meeting NCEES
Honolulu, Hawaii |
| September 15, 1998 | | Board meeting - Board office |
| October 30, 1998 | - | Principle & Practice of Engineering &
Land Surveying exams |
| October 31, 1998 | - | Fundamentals of Engineering &
Land Surveying exams |
| November 10, 1998 | | Board meeting - Board office |

**ARKANSAS STATE BOARD OF
REGISTRATION FOR PROFESSIONAL
ENGINEERS AND LAND SURVEYORS
P.O. BOX 3750
LITTLE ROCK, ARKANSAS 72203**

Bulk Rate U.S. Postage Paid Little Rock, AR 72201 Permit No. 207
