

# **THE PELS NEWS**

An Official Publication of the Arkansas State Board of Registration for Professional Engineers & Land Surveyors

August 2003

Newsletter

**Twentieth Edition** 

# Why Do We Have a Board of Registration? <u>Willard Reese, P.E., President</u>

From time to time, after spending a few hours working on an application to sit for an examination, an applicant may wonder, "Why do I have to go through all this red tape; and why do we even have a Board of Registration anyway?"

The answer to those questions is found in the first two paragraphs of Article 1 of the Rules of the Board of Registration for Professional Engineers and Land Surveyors. These say that, "In order to safeguard the life, health and property and to promote the public welfare, the practice of engineering and surveying in the State of Arkansas is subject to regulation." Those paragraphs sum up the reason why the General Assembly of the State of Arkansas, with the concurrence of the Governor, in a process that can be traced all the way back to 1925, has seen fit to pass laws regulating who can and cannot call themselves engineers and land surveyors in the state of Arkansas. The state agency that is charged with enforcing those laws is the Board of Registration. It exists to license and police the professions of land surveying and engineering. In short we have a Board of Registration because the work done by the professionals licensed by the Board is too important to go unregulated.

With that understanding in mind, look at what the Board of Registration does. About half its time is taken up reviewing the applications of people who want to become either land surveyors or engineers. This is the process, familiar to registrants, of applying to "take the exam". That application is more than a request to take the exam, it is a summary of how well an applicant has met the requirements set by law and the rules in terms of education and experience. If found qualified, an applicant is permitted to take the examination. Upon passing the examination the applicant is registered at the appropriate professional level.

The Board also has an important function as the gatekeeper for engineers or land surveyors who have been licensed in another state who wish to practice in Arkansas. The Board requires these individuals to file applications which contain the same information required from applicants for initial licensing. To be granted an Arkansas license, a land surveyor or engineer coming from another state must show that they meet the requirements of the state of Arkansas. In addition, the Board at every meeting reviews cases where someone has been accused of violating the laws or rules governing the practice of engineering or surveying in the state. In such cases, the Board acts in a quasi-judicial manner, voting to either dismiss the charges, accept a Consent Agreement or "hear" the case at an Administrative Hearing.

Finally, the Board administers the requirement that land surveyors and engineers maintain professional competency by completing professional development hours each year.

Each of these functions contribute to the Board's Mission Statement which is to "protect the life, health, safety and welfare of the public by licensing of individuals providing Engineering and Land Surveying services in the State of Arkansas." That is a valuable reason for having a Board of Registration for Professional Engineers and Land Surveyors.

### The immediate Past President's Notes Bob Walters, P.E.

This past year has been a busy one for the Board. With the help of our Legislature, provisions were made to transition our Executive Director from a part-time position to a full-time position. We have also been able to hire additional staff for the office. These changes will help the Board process your renewals and other business in a more timely manner and allow more expeditious investigation and processing of complaints.

With the results of the recent exams in, it is good to see that our pass rates are in line with the national averages. Congratulations to all the new engineer and land surveyor registrants.

At the national level, the debate continues over what the appropriate educational and experience requirements should be for professional registration. The Board continues to be involved with NCEES activities related to testing and registration requirements and will take as active a role as possible in these discussions.

### **Board Members**

Willard Reese, PE President Engineer Member

Ken Cotter, PE, PLS Vice-President Engineer & Land Surveyor Member

Bob Walters, PE Current Past President Engineer Member

H. James Engstrom, PE Engineer Member

Donald Brady, PE, PLS Engineer Member

Mike Marlar, PE, PLS Engineer Member

Ivan Hoffman, PLS Land Surveyor Member

Woodrow Turner Consumer Member

Charles Tenney Consumer Member

### Board Staff

J.T. Clements, Jr. Executive Director

Linda S. Stone Asst. Exec. Director

Virginia S. Davis Administrative Assistant

Nancy Tell Hall Administrative Assistant

The newsletter is an official publication of the Arkansas Board of Registration for Professional Engineers and Land Surveyors

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### THE DIRECTORS CORNER by J.T. Clements, Jr.

What a difference a year makes! Last year at this time, we were in the midst of rule changes, preparing our operating budget, and getting ready for the upcoming legislative session. All of the above are now behind us. The rules became effective on October 11, 2002, our budget was approved as Act 99 of 2003 on February 10, 2003 and the general session of the Legislature finally ended in April 2003.

We have adjusted to the changes and are pushing forward under the direction of the Board. We don't stop often enough to thank the Board for the work that they do. They meet at least six and often eight or more times each year to address issues which have an impact upon your practice. Each time they meet, they bring their stacks of "home work" such as applications, action items from the National Council, Committee reports, and always with other agenda items which have been presented to them by you and others. They work hard for you.

I remind you that our newsletter is posted on the website when it is sent to the printer and for this reason, many of you will read this before the Board participates in the Annual meeting of the National Council in Baltimore, Maryland, August 12-16, 2003, and others will receive it in the mail while we are at the meeting.

I look forward to another year of serving you and the Board as a <u>full-time</u> Executive Director. One of the first steps in this different capacity is that of getting out this issue of the newsletter after too long a silence. Complaints are another item which are being worked more intensely with the aid of Ms. Melissa Gieber as a Complaints Coordinator/Investigator in a part-time position. I am pleased to announce that Ms. Nancy Tell Hall has become a full-time, permanent employee. She and Virginia Davis, along with some upgrades in our software system, have shortened the time for renewing and reissuing your annual renewals. Ms. Linda Stone, our Assistant Executive Director, continues to manage our business processes and as a result, we are better able to serve you. Please feel free to call us if you have any question or need assistance. Thank you.

# What's Happening at the National Council of Examiners for Engineers and Surveyors (NCEES)

Exams - October 2003:

- Will be the last administration of the Manufacturing Engineer Exam.
- Will be the last administration of the Structural II Exam as separate AM & PM exams. Beginning in April 2004, it will be graded as an eight hour exam, <u>pass or fail</u> (those who need either the AM or PM portion to complete the Structural II, contact the Board for additional information).

Annual meeting Hot buttons:

- Limit the types of hand held calculators in the exam room to the following models; TI series 30, HP9G, HP9S, HP32S, and HP32SII, beginning April 2004.
- Revise model Laws & Rules for Professional Surveyors.
- Establish the definition of Model Law Engineer Structural
- Establishment of a Unique National numbering system for all NCEES examination applicants.
- ADA requests must be submitted in a timely manner (about 60 days before the exam date). Late requests will be considered for the next exam.

• Proper use of seals (includes digital format). PAKS:

• A "PAKS" questionnaire for the Principals and Practice of Land Surveying exam was mailed to Land Surveyors in all Jurisdictions. Fifty-five Arkansas PLS registrants received the questionnaire. *We need a good response to this survey!* 

## NEW PROFESSIONAL REGISTRANTS

Licensed since May 2002

Land Surveyors									
Alexander, Thomas L.	1475	Day, Vincent M.	1456	Lindley, Ramona	1473	Rountree, Jr., Derwood P.	1445		
Atwell, David G.	1452	Evans, III, David A.	1442	Logan, Hershel D.	1444	Schroeder, Todd C.	1462		
Bingham, Matthew W.	1464	Hill, Ricky W.	1443	Malone, William P.	1459	Sorsby, John M.	1446		
Blackwell, Ronald T.	1479	Hodges, Jeremy D.	1450	Manley, Robert W.	1476	Tyler, James M.	1474		
Butler, Blake J.	1453	Housley, Randall L.	1457	Montgomery, Kevin J.	1460	Vanlandingham, Kelly D.	1447		
Buzzard, Charles O.	1454	Jenkins, Murry T.	1458	Pack, Johnny L.	1461	Ward, James P.	1463		
Coyle, III, Charles G.	1448	Lancaster, Jason P	1449	Raley, Richard C.	1477	Webb, Kurtis R.	1472		
Davis, Gary A.	1455	Lewis, Reginald D.	1451	Reynolds, Randy D.	1478	•	I		
Professional Engineers									
Abughazleh, Qasem M.	11316	California, James M.	11032	Didat, Jr., John F.	11304	Guntharp, Travis D.	11245		
Al-Ayubi, Ahmad	11385	Calisto, Arturo M.	11116	Dover, Steven C.	11225	Haake, David D.	11175		
Aldridge, John R.	11040	Carpenter, Steven M.	11130	Doyle, Scott E.	11047	Hagen, Phillip E.	11246		
Allen, James R.	11084	Carr, Brent D.	11042	Dunn, III, Eric A.	11471	Haisty, Jr., Ronny C.	11035		
Alley, Samuel David	11085	Carr, Frank P.	11292 11406	Dunn, Matthew D.	11048	Hakimian, Jamshid	11016 11050		
Amolochitis, George A. Anderson, Robert D.	11453 11434	Carson, David K. Casbon, Chad A.	11406	East, Jr., George H. Edmonds, Jeffrey H.	11271 11117	Hall, Justin W. Hambacher, Degan G.	11030		
Anglin, John C.	11307	Casement, Brian A.	11036	Ellis, Blake E.	11015	Hansen, Brian G.	11081		
Asche, Douglas	11218	Cassady, Charles R.	11235	Ely, Alan W.	11145	Hansen, William G.	11367		
Atkinson, John G.	11268	Cassity, Robbin K.	11220	Engell, Eric	11110	Harmon, Lisa Jeff	11438		
Avedissian, Gregory K.	11450	Castilla, Trevor L.	11123	Escalante, Jr., Hernan	11437	Harris, Benchmark H.	11333		
Azcarate, Ricardo J.	11129	Cathey, Marcus D.	11043	Evans, Jay S.	11366	Harris, Daniel C.	11051		
Baas, Kevin Randal	11451	Chambers, Thomas W.	11380	Evans, Mark A.	11407	Harshbarger, John F.	11131		
Babb, Mark T.	11359	Charles, James K.	11236	Fairbanks, Robert M.	11239	Hart, III, Joseph W.	11456		
Baker, Joseph W.	11114	Chau, Phoenix P.	11465	Falkofske, Timothy J.	11118	Hartfiel, Mark A.	11024		
Ballard, John C.	11402	Chesteen, Jr., Richard D.	11166	Faltot, John E.	11174	Hartung, Gerd W.	11029		
Barner, Nicholas H.	11231	Chop, Bert D.	11222	Fazio, Vincent D.	11182	Hawkridge, Eugene P.	11171		
Barnett, Karl D.	11086	Christine, Barry Lee	11466	Feravich, Randall A.	11091	Hays, James M.	11247		
Bartel, David L.	11360	Chu, Pau T.	11237	Fernandes, Winnibald	11003	Hazel, Charles M.	11334		
Bates, John T.	11286	Chute, Anthony W.	11087	Fisackerly, Robert B.	11293	Heiden III, William R.	11132		
Beach, Michael A. Beckham, Craig L.	11326 11386	Cingoranelli, Daniel James Clark, Lawrence J.	11454 11308	Forslund, Douglas A. Fouladgar, Amir M.	11146 11147	Heil, Robert A. Helms, Jr., E. Steven	11472 10990		
Bedinghaus, E. Matt	11181	Cleason, Steven E.	11362	Fox, James R.	11330	Hennig, Don B.	10990		
Beevers, Jonathan M.	11173	Clegg, Larry P.	11467	Francis, Jeffrey P.	11216	Herzig, Robert L.	11148		
Belanger, Thomas R.	11124	Cloutier, Eugene R.	10997	Franklin, Jr., Daniel Lee	11092	Hickman, Paul T.	11318		
Bellefeuille, David T.	11361	Colby, William F.	11033	Franklin, Juene K.	11038	Hickox, Patrick P.	11351		
Bender, James M.	11403	Collier, Jr., Fred L.	11468	Franz, Steven D.	11284	Hinojosa, Fernando I.	11285		
Benefield, John R.	11041	Cooley, Chad B.	11088	Freeling, Bryan E.	11240	Ho, Yong-Fook	11248		
Bengel, G. Kevin	11014	Cooper, Arros S.	11393	Freilinger, Michael J.	11093	Hodge, Scott A.	11409		
Bennett, Robert D.	11230	Coover, Gary R.	11469	Fryman, Ryan D.	11094	Hofmockel, Larry W.	11096		
Berndt, Daniel W.	11002	Cortright, Devon D.	11223	Fuscaldo, Peter B.	11226	Hogan, John M.	11189		
Birch, Jr., Shelton R.	11269	Corwin, Regan M.	11164	Galko, Albert J.	11023	Holloway, Jerry D.	11052		
Birge, Dennis L.	11404	Cox, Gregory S.	11363	Gallagher, Sheryl D.	11028	Holt, Joel D.	11267		
Bishop, Richard W.	11314	Craig, Brian W.	11327	Galletly, Collin	11331	Honeywell, Jon F.	11249		
Blackwell, Ronald T. Blanchard, Clifton F.	11317	Crawford, Charles L. Crawford, Susan L.	11044	Galli, Anthony W. Gangel, Leslie R.	11183 11388	Hood, Sean R. Hooker, Jr., Marcus E.	11394 10992		
Bloebaum, Jamison E.	11115 11143	Criswell, Christopher J.	11381 11328	Gangluff, Alexandra W.	11241	Hooton, II, Teddy Randall	11410		
Bowman, Larry T.	11219	Cross, Jon D.	11107	Gangluff, Randy L.	11242	Horton, Larry C.	11335		
Brady, John Thaddeus	11435	Crosslin, John R.	11108	Garcia, Juan	11352	Hostetler, Gregg A.	11392		
Bratcher, Rodney A.	11199	Crouch, Harvey A.	11022	Gardel, William	11294	House, Marvin L.	11387		
Breeds, Chris D.	11139	Crouch, James W.	11238	Garig, David W.	11243	Howe, James M.	11119		
Briggs, Bobby J.	11178	Dabney, George B.	11329	Garrett, Rose M.	11244	Hudson, Charles E.	11439		
Brogdon, James F.	11220	Daigle, David P.	11470	Garrett, William E.	11210	Hughes, Jerry D.	11140		
Brown, James A.	11232	Daniel, Chad D.	11045	Gipson, Anthony D.	11332	Hughes, Kristopher M.	11250		
Brown, Jason L.	11233	Danielson, Robert A.	11364	Goldrosen, Phillip M.	11455	Hughes, Scott M.	11336		
Brown, Jeffrey S.	11436	Darab, John D.	11109	Goodson, Mark E.	11459	Hulet, Barry L.	11149		
Brown, John H.	11205	Davies, Thomas W.	11365	Granitz, Philip H.	11202	Hyde, Harland E.	11337		
Brown, Neil J.	11037	Davis, Andre S.	11270	Greenwood, James Kelly	11309	Ibrahim, Mohamed	11390		
Bruner, Ronald S.	11144	Davis, Gary A.	11089	Gribbins, Matthew J.	11095	Ingalls, Jason E.	11411		
Bruns, Robert S. Bryant, Jr., John E.	11194 11234	Day, Charles C. Dayton, Douglas P.	11209 11195	Griffin, Gary W. Griner, III, Joseph H.	11049 11193	Ingram, Jr. Curtis P. Irminger, Steve E.	11025 10985		
Budlong, Keith J.	11234	Dayton, Douglas P. De Chavez, Roger M.	11046	Grissett, Bobby G.	11310	Jacobs, Jr. John H.	10985		
Bunch, James K.	11021	Debois, Gregory J.	11224	Gulec, Onur	11408	Jariwala, Kalpesh M.	11319		
Burgers, George W.	11128	Decker, James F.	11090	Gumeson, Charles E.	11125	Jarvis, Andrew S.	11273		
Burkett, Susan L.	11405	Decker, William A.	11188	Gunn, John A.	11272	Continued on Page 4			
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#### New Professional Engineers since May 2002 continued

Jensen, Eric D. 11120 McApine, Stanley C. 10999 Powellit, Jerry W. 11060 Tarkington, Shanno   Johnson, Ili, Waiter B. 11441 McCain, Kenneth R. 11378 Provance, James S. 11420 Tarkington, Shanno   Johnson, Mirk R. 11355 McConnell, Richard B. 11000 Rankin, Cody C. 11421 Tedstone, Michael J.   Jones, Carole D. 11251 McFarlin, David N. 11061 Ray, James C. 11070 Tharpe, Donald Eug   Jones, Scarole D. 11251 McGainis, Daniel W. 11151 Redwanly, Gaby S. 11322 Thomas, Stephen O.   Jones, Schannon W. 11057 McHale, Gary B. 11121 Reding, David R. 11322 Thomas, Stephen O.   Joyce, Richard K. 11137 McKay, Michael G. 11227 Reiding, Paul W. 11228 Thompson, Lof G.   Justice, David L. 11377 McKay, Michael B. 11255 Riegner, Thomas M. 11007 Toblesky, Kevin G.   Kaaroostas, Timothy J. 11324 Mensels, John T. 11064 Robinson, Aaron K. 11289 Tooles	11229 11452 . 11299 ene 11449 11372 11300
Johnson, III, Walter B. 11441 McCaskey, Richard D. 11030 Provance, James S. 11191 Taylor, Douglas B.   Johnson, Mark R. 11355 McConnell, Richard B. 11060 Rankin, Cody C. 11421 Tedstone, Michael, Tedstone, Michael, Tedstone, Michael, Tedstone, Michael, Tedstone, Michael, Theyton, David R.   Jones, Scarole D. 11251 McGarin, David N. 11197 Ray, Ryan S. 11070 Thexton, David R.   Jones, Scott A. 11473 McGinnis, Daniel W. 11151 Redwanly, Gaby S. 11325 Thomas, Stephen O.   Jorgensen, Patrick J. 11097 McIllwain, Frank O. 11062 Reitin, David R. 11228 Thompson, Davi R.   Jusce, Richard K. 11197 McKay, Michael G. 11277 Riden, Paul W. 11288 Thours, Olifford S. Toblesky, Kevin G.   Kapuranis, Jim J. 113121 McKay, Michael B. 11255 Riegner, Thomas M. 11007 Toblesky, Kevin G.   Karacostas, Timothy J. 11335 McNeil, Nicolaus S. 11064 Robertson, Sr., Tobin A. 11289 Toole, James M.   Keaton, II, Glen P. 1114	11452 . 11299 ene 11449 11372 11300 . 11192 11264 11112 11373 11158 11427 11428 11170 11075 11461
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### DISCIPLINARY ACTIONS taken by the Board since October 2001

- 12/18/01 In the matter of Dan Stowers, non-registrant, charged with the preparation and design of multiple drawings and placing them in the public domain without the review and seal by a professional structural engineer and without a signed and sealed seismic statement. The Board accepted a Consent Agreement which acknowledges the violation and imposes a civil penalty of \$4,000.
- 02/22/02 In the matter of Donald Sheffer, PLS # 993, charged with multiple violations of the Minimum Standards. The Board accepted a Consent Agreement which contained an admission of guilt, Respondent assessed a civil penalty of \$3,000 and be placed on probation for a period of six (6) months, during which, all surveys must be submitted to the State Surveyor's Office for review.
- 05/13/02 In the matter of Dan Ivy, PLS # 1036, charged with failure to perform work as contracted in a timely manner, A.C.A. §17-48-102 (b)(1) through (3). The Board accepted a Consent Agreement which contained an admission of guilt, acknowledges that the Respondent had previously refunded the clients \$600 fee and Respondent agreed to the issuance of letter of caution in lieu of a civil penalty.
- 4. 07/30/02 In the matter of Waste Services, Inc., non-registrant, charged with offering to practice engineering without being registered by the Board, A.C.A. §17-30-303. The Board accepted a Consent Agreement which contained an admission of guilt, Respondent was assessed a civil penalty of \$1,000 and ordered to eradicate its errors by withdrawing all advertisements offering engineering services.
- 07/30/02 In the matter of John T. Bates, d/b/a Bates Engineering, non-registrant, charged with offering to practice engineering without being registered by the Board, A.C.A. § 17-30-303. The Board accepted a Consent Agreement which contained an admission of guilt and Respondent was assessed a civil penalty of \$500.
- 08/29/02 In the matter of James C. Frazier, Jr. PLS # 86, charged with multiple violations of the Minimum Standards. The Board ordered the Respondent to prepare and file, with the County clerk and State Surveyor's Office, a corrected plat which complies with all Minimum Standards. No civil penalty was assessed.
- 09/10/02 In the matter of Martin & Blackwell, L.L.C., non-registrant, charged with offering engineering services and design without being registered by the Board, A.C.A. § 17-30-303. The Board accepted a Consent Agreement which contained an admission of guilt and Respondent was assessed a civil penalty of \$1,000.
- 8. 09/12/02 In the matter of Kenneth D. Lynch, PLS # 1129, charged with multiple violations of the Minimum Standards. The Board accepted a Consent Agreement which contained an admission of guilt, Respondent agreed to prepare a corrected and complete plat of survey for the client and furnish a copy to the State Land Surveyor, Respondent was assessed a civil penalty of \$550 and ordered to serve a six (6) month probation period, during which, all surveys must be submitted to the State Surveyor's Office for review.
- 9. 10/31/02 In the matter of William Grant Brawner, PLS # 1198, charged with multiple violations of the Minimum Standards. The Board accepted a Consent Agreement in which the Respondent was assessed a civil penalty of \$400 and ordered to serve a six (6) month probation period, during which, all surveys must be submitted to the State Surveyor's Office for review.
- 10. 10/31/02 In the matter of Paxton Singleton, PLS # 1402, charged with violating the Code of Professional Conduct. The Board accepted a Consent Agreement which contained an admission of guilt, The Board ordered a letter of caution be issued and Respondent was assessed a civil penalty of \$4,500.

Continued on back page....

### **DISCIPLINARY ACTIONS Continued**

- 11. 03/31/03 In the matter of William W. Hope Jr., non-registrant, charged with offering to practice engineering and land surveying without being registered by the Board. The Board accepted a Consent Agreement which contained an acknowledgement of responsibility; Respondent was assessed a civil penalty of \$2,000 and ordered to eradicate its errors by requesting that the advertisements be withdrawn.
- 12. 03/31/03 In the matter of Terry Gilmore, PLS # 1413, charged with violating the Code of Professional Conduct. The Board ordered a letter of reprimand be issued, no civil penalty was assessed.
- 13. 05/22/03 In the matter of David L. Carpenter, PLS # 846, charged with not filing plats in a timely manner. The Board accepted a Consent Agreement which contained an admission of guilt, Respondent was assessed a civil penalty of \$2,500, ordered to serve a one (1) year probation, such probation will require a strict compliance with Article 16(A) and it was ordered that any future late filings shall constitute an automatic \$100 sanction per instance.
- 14. 07/22/03 In the matter of Michael W. Webb, non-registrant, charged with practicing or offering to practice engineering without being registered by the Board. The Board accepted a Consent Agreement which contained an admission of guilt and Respondent was assessed a civil penalty of \$3,000.

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