



# THE PELS NEWS

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

May 2008

Newsletter

Twenty-Second Edition

### FROM THE PRESIDENT Bill Fletcher, P.E., P.S.

A Look Back.....and Ahead.

We have all heard of people on their death beds stating that, "I wish I had spent more time with my family and less time at the office". I am in the twilight phase of my professional career. As I look back, I wish I had been more concerned with what was happening with my chosen professions of Professional Engineer and Professional Surveyor. Like most other people, once I became registered as a "Professional", I buried my head in my own projects and business.

In July of 2004 I was appointed to serve on this Board by Governor Huckabee and soon began to realize that we, the Professional Engineers in the United States of America, have allowed the universities and colleges to lower the bar for registration in our profession. The number of college hours required for BS Degree in most fields of engineering has been reduced from approximately 150 hours to 120 hours. Their objective was to attract more students into their Colleges of Engineering.

While the education requirement for licensure in Engineering has been reduced, the education requirements for other professions (ie. Architecture, Medical, Accounting) has increased. How did we let this happen? Too many of us just stood by and let it happen! Now we have the "BS+30" issue to deal with which is a bitter pill intended to fix something that should have never been allowed to break. So, my advice to Engineers is, stay on top of what is happening in your profession and get involved in your professional organizations.

There is an issue in the horizon that could have a major impact on our professions here in Arkansas. The State Legislature is evaluating the possibility of consolidating State Licensing Boards. No one knows what direction this will go at this time, but our professional organizations need to stay on top of this in order to assure that we, the Professional Engineers and Professional Surveyors, do not lose control over licensure in our respective professions in Arkansas.

I cannot end this letter without saying what a joy and privilege it has been to serve on this board while Joe Clements was our Director. To describe his accomplishments would require volumes, so I will sum it up by saying you have got to appreciate and respect what he did for our professions here in Arkansas. I am also very impressed with Joe's replacement, Steve Haralson. Steve has hit the ground running and I look forward to having another outstanding director leading our Board and Staff.

Since this will be my last opportunity to write this column, I have got to say something about the other great staff members we have serving our Board. They are Linda Stone, Virginia Davis, James Atchley and Cindy Gunther. I believe you will find all of them very friendly and enjoyable to work with. I can assure you that they are very dedicated and do a great job for our Board.

### FROM THE VICE-PRESIDENT Bill Ruck, P.E., P.S.

NCEES Squares Up a Round World

Government Land Office surveyors of the early 1800's laid out a grid of square parcels so that settlers could locate, own, and manage a definable piece of land. The task was made much more difficult because the grid converged to a single point at the north pole. NCEES finds its role in the engineering and surveying professions to be similar. It must organize two constantly changing professions, define patterns which can bridge great divides, while allowing local variation in practice and principle. In essence, NCEES squares up for these professions a "round world."

Your Board of Registration is presently traversing through the following new territories of NCEES and local business:

1. Increased Education Requirements for Licensing: The education of engineers has weakened at the college level, and a corrective measure has been proposed by the membership of NCEES. Most commonly referred to as "B + 30" or "Bachelors + 30 Hours." (See President Fletcher's remarks.) You might think that we could get a college degree problem corrected at the source, but that's like thinking the world is flat. NCEES recognizes that the political and economic causes are not likely to change on their own. The other initiatives discussed below are likely to be tabled until we come out of the woods on B+30.

2. Professional Competency Exams: The licensing exam process may in the future require proof of minimal competency in the delivery of professional services. Topics for exams might include ethics, construction services, regulatory compliance, contract law, tort law, arbitration, expert witness services, business principles, etc. NCEES has spent 4 years studying the value of exchanging technical issues for practical knowledge.

3. Discipline Specific Registration: There is movement and study in making every engineer a specialist in a particular branch of engineering. Presently about 20% of Boards allow this type of narrow engineering license. We can easily list 15 to 20 branches of engineering in which one may be examined.

4. Computer Based Testing: NCEES sees that it's just a matter of time before this comes on line, but give us a few more years to figure this one out. Recall that the average age of NCEES members must be 75!

5. Board Rule Changes: The Board will discuss improvements in the Rules of the Board at its July meeting. These changes will be minor, and registrants will be advised of any changes which affect their status.

Please remember that the above issues are being debated in professional journals and organizations throughout the country, and every professional has an opportunity to shape his own future in these debates.

## **Board Members**

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**Frank Vozel, PE**  
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**Woodrow Turner**  
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**Barbara Smith**  
Consumer Member

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**Linda S Stone**  
Asst. Exec. Director, Editor

**James Atchley, PE**  
Professional Engineer

**Virginia S Davis**  
Administrative Assistant

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

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**Office hours Monday-Friday**  
8:00 a.m. – 4:30 p.m.

## **THE DIRECTOR'S CORNER** by Steve Haralson, PE

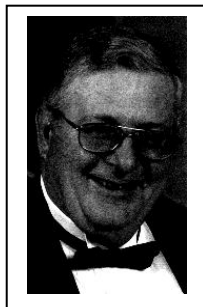
At every meeting attended since the first of the year, I have announced that the Board is now "Joe-less", meaning, of course, that long-time Executive Director Joe Clements' retirement became fully effective on December 31, 2007. Even though gone from the Board's day-to-day activities, however, we will all continue to benefit from Joe's many accomplishments for years to come. For example, all of us (and especially me) have the benefit of an outstanding, knowledgeable and competent staff Joe assembled and our new quarters at the corner of Woodlane and 7<sup>th</sup> Streets across from the Capitol finally gives the Board a permanent home after years of renting space. Joe also ably represented our Board and license holders nationally and you will see in another article that he has been awarded a prestigious award by NCEES. There are too many other good things to mention them all here but suffice it to say that the Engineers and Surveyors of the State of Arkansas owe a large debt of gratitude to Joe Clements and we wish him the best on his well deserved retirement.

In other news, the Board voted at its March meeting to renew all licenses every 2 years beginning in 2009 and there is an article in this newsletter with more details on how that will be implemented. Making the change from annual to bi-yearly brings Arkansas in line with most other States. And speaking of renewals, we are asking that you take advantage of our on-line renewal feature – just visit the website at [www.arkansas.gov/pels](http://www.arkansas.gov/pels) and it will take you step by step through the process. Renewing on-line will insure that your license renewal is processed in about 24 hours instead of the sometimes up to 3-4 weeks it can take with paper renewals.

Also, while you are at the website, take a look at the new section with pictures and biographies of current Board members - just click on "Staff" from the home page.

Finally, we have just convened a Rules Committee to review the Board's laws and rules. If you know of some topic you would like considered, please e-mail me or give me a call with your suggestions.

Feel free to call on us anytime we can help and in particular thanks for your help and support in my first few months on the job.



### **Former Executive Director**

### **Joe Clements**

### **Receives National Award**

The National Council of Examiners for Engineers and Surveyors (NCEES) announced recently that Joe Clements has been awarded a Meritorious Service Award. This award will be presented to him on August 16, 2008 during the NCEES annual meeting in Minneapolis.

The Meritorious Service Award is given only to current or former associate members of NCEES that are nominated by their Boards and have demonstrated positive contributions to the advancement of the engineering or surveying profession, participated in the promotion of licensure and provided distinguished service on an NCEES Committee.

In nominating Joe for the award, the Arkansas State Board of Registration for Professional Engineers and Land Surveyors noted Joe's many activities during his 9 plus years as its Executive Director. These included being a frequent speaker promoting licensure, representing the Board at state and national meetings, and participating in numerous NCEES activities including multiple terms on its Uniform Procedures and Legislative Guidelines Committee.

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**COMPLAINT RESOLUTION PROCESS OVERVIEW**  
**By James Atchley, PE**

The complaint resolution process used by the Board is mandated by the Administrative Procedures Act of 1967, adopted as Article 15 of the Rules of the Board:

- \* Any person, including the Executive Director acting on behalf of the Board, may bring a complaint of fraud, deceit, gross negligence, incompetence, misconduct or violation of the statutes and Rules of the Board against any respondent. The charges must be in writing and signed by the person or persons making them.
- \* A copy of the complaint shall be sent to the respondent, along with a request for an answer to the charges within 20 days.
- \* A preliminary investigation shall be conducted by a Complaint Committee appointed by the President to determine recommended action to the Board. By vote of the Complaint Committee that probable cause exists to believe that a violation may have occurred, the Complaint Committee may direct the Executive Director to set the matter for hearing before the Board.
- \* At the hearing, the respondent shall have the right to appear in person, to be represented by counsel, to cross examine witnesses in his defense, and to produce evidence and witnesses in his defense.
- \* If, after hearing the evidence, three-fifths (3/5) of the Board members present and participating vote in favor of sustaining the charges, the Board shall reprimand, suspend, refuse to renew, or revoke the respondent's registration. A civil penalty may also be imposed by the Board.
- \* Any respondent aggrieved by any action of the Board may appeal to the proper court as outlined in the Administrative Procedure Act.

That should give you a picture of the overall complaint resolution process. In future newsletters, we will look at each of the components of the process in more detail.

**REPORT ON DISCIPLINARY ACTIONS**  
**taken by the Board since November 2007**

- 7/10/2007** **In the matter of Todd Jacobs dba Appian Design Center.** Charged with providing or offering to provide engineering services without a Certificate of Authorization. The Board accepted a Consent Agreement which required a \$10,500 civil penalty.
- 9/11/2007** **In the matter of Earl McKinney, PE #5497.** Charged with operating a "mail -order stamping mill" from Lexington, KY. After a hearing by the Board, found guilty of improper use of seal and failure to respond to a request for information. Registration revoked and assessed a civil penalty of \$20,000.
- 11/13/2007** **In the matter of Ed Buzbee.** Charged with unregistered practicing and offering to practice surveying. After a hearing by the Board, found guilty and assessed a civil penalty of \$400.
- 11/13/2007** **In the matter of Daniel F. Wilkins.** Charged with unregistered practice of engineering and offer to practice engineering without a Certificate of Authorization. The Board accepted a Consent Agreement which required an admission of guilt and assessed a \$2,000 civil penalty.
- 5/13/2008** **In the matter of Denis John Radecki.** Charged with unregistered engineering practice and offer to practice engineering without a Certificate of Authorization. The Board accepted a Consent Agreement which required an admission of guilt and assessed a \$2,000 civil penalty.
- 5/13/2008** **In the matter of Jeffrey Dallas Schauer.** Charged with unregistered engineering practice on two projects in Arkansas. The Board accepted a Consent Agreement which required an admission of guilt and assessed a \$2,000 civil penalty.

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## **The Electronic Age and Your Board**

We would love to hear any comments you may have about these, or any other issues, via "contact us" at <http://www.arkansas.gov/pels/contact.html>

### **WELCOME TO THE BOARD'S FIRST ELECTRONIC NEWSLETTER**

This edition of the PELS News marks the first time the newsletter has been totally electronic. The use of electronic newsletters is a growing local and nation-wide trend and several other Engineering and Surveying Licensing Boards have already switched to a similar format.

The benefits to you and the Board are largely financial. The cost of producing and mailing the newsletter for the Board's 10,000 license holders is a significant expense and much greater than the cost of the post card you received. Saving money on the newsletter is just another way the Board is trying to control its costs and maintain the lowest license renewal fees in the region. Another advantage is that the electronic newsletter consumes a lot less resources than the several pages of paper required for the paper copy.

Feel free to send us an e-mail to let us know what you think about this first edition of the electronic newsletter. Our goal is to make it better and more useful to you.

### **RENEWING YOUR LICENSE ON-LINE BENEFITS YOU AND THE BOARD**

Something you can do to benefit you and the Board is to renew your license on-line. A few years ago, the Board obtained on-line license renewal capabilities through its website at [www.arkansas.gov/pels](http://www.arkansas.gov/pels) where individuals can renew licenses and report professional development hours electronically.

Benefits to registrants are that payments and continuing education hours are updated in the Board's system in a matter of hours rather than the several weeks it can take to process a paper renewal. This means the on-line roster will reflect the renewal payment much more quickly.

The Board also benefits by your renewing electronically because administrative staff time is greatly reduced. In the past, it has been necessary to hire additional help during renewal cycles to handle the increased workload due solely to the volume of paper renewals – the Board renews approximately 10,000 licenses every year!! While not totally automatic, an electronic renewal requires only about 5-10% of staff time as compared to a paper renewal.

A small fee is required for those paying electronically - the fee goes to the provider that developed the application and not to the Board. Please call the Board at (501) 682-2824 if you have questions or comments.

### **YOUR ADDRESS OF RECORD AND THE INTERNET**

Reprinted courtesy of the California Board for Professional Engineers and Land Surveyors

Do you know what your "address of record" is? Do you know that it is public information and that it can be located by anyone who cares to look for it?

Your address of record is your official address on file with the Board. It is part of your license record. It is the address you give the Board to send any official mailings, such as your renewal notice or this newsletter. (In some rare occasions, letters and other documents about complaints and disciplinary actions are also sent there.) It is also the address that the Board is required to provide to the public – and to include on the Online Roster feature on the Board's Web site.

Many licensees think that their address of record has to be their home address. However, your address of record can be your home address, a business address, or a postal box. It can be any address you'd like it to be, as long as it is an address where you can receive mail on a timely basis. You are required to notify the Board, in writing, of a change of address. It is also your responsibility to know when your license expires and to pay your renewal fee on time.

So, if you do not want your home address to be included in the Online Roster on the Board's Web site or to be given out to the public, you might want to consider changing your address of record to your work address or to a postal box address. Just remember – you must be able to receive mail at whatever address you use as your address of record, and you must notify the Board in writing of any change in your address of record.

### **BOARD TO POST PASSING EXAMINEES ON WEBSITE**

In order that examinees may get test results quicker, the Board will begin posting those receiving passing grades on the most recent examinations on its website within 24 hours of those results being obtained. **ONLY THOSE PASSING THE EXAMINATIONS WILL BE LISTED ON THE WEBSITE.**

The results can be accessed from the "Hot Topics" section on the website ([www.arkansas.gov/pels](http://www.arkansas.gov/pels)) and will be reported according to the examinee's prior assigned ELSE ID number and a unique identifier consisting of the first 4 letters of the last name followed by the first letter of the first name. (i.e. Joe Smith would be reported as "SMITJ")

**THE WEBSITE POSTING IS ONLY A REPORTING OF EXAM RESULTS** – there may be some other requirements remaining for licensure. Examinees will be notified later regarding licensure status or if additional information or requirements are needed.

## Examinees who passed the April 2007 exams

### AR 2 Hour Law Exam

Cagle, James M  
Graber, James Scott  
Hannan, Ryan Edward  
Hendrix, John Chadd  
Johnson, Ricardo M  
Jones, Jeffery Allen  
Martin, Charles Joe  
McCaskill, Timothy E  
McCord, Drew Sheffield  
Olivier, Douglas Penn  
Poret, Jason J  
Riley, Dustin Gene  
Thomas, Derrick Lynn  
Westerman, Jason Lee

### Fundamentals of Surveying

Cooke, John Alexander  
DeMoss, Adam Kruger  
Finkbeiner, Jonathan C  
Flores, Juan Carlos  
Hargrove, Matt Lewis  
Harton, Roy Douglas  
Seifert, Jarrod Edward  
Wedgeworth, Mark Truett

### Principles of Surveying

Cagle, James M  
Carabajal, Ronnie  
Fletcher, Wesley David  
Graber, James Scott  
Hannan, Ryan Edward  
Hendrix, John Chadd  
Hicks, Charles Kevin  
Hillman, Bradley Joshua  
Holland, Clifford Donnie  
Jenkins, Dan  
Jones, Jeffery Allen  
Madison, Robert Clinton  
Martin, Charles Joe  
Poret, Jason J  
Riley, Dustin Gene  
Robinson, Aaron Keith  
Westerman, Jason Lee

### Principles of Engineering

Allred, Roger Blake  
Barnes, Roger Henry  
Barr, Hayden Grant  
Bradshaw, Bradley Scott  
Browning, Benjamin Charles  
Browning, Samuel Caleb  
Bufmack, Aaron Edward  
Campbell, Patricia Jane Peterson  
Cathey, Casey Ryan  
Covington, Casey Russ  
Easley, Tamara Annette  
Faries, Matthew Michael  
Feighl, Sagrario Lizzette  
Fleming, Paul D  
Fuller, Kimberly Anne  
Fullerton, Eric Michael  
Gillip, Jacob Andrew  
Hardin, Larry Craig  
Hood, Ricky Scott  
Kinder, Noah Duane  
Leiffer, David Micah  
Loop, Stephen Jay  
Marsh, Emily Jan  
Mattson, Gregory Allen  
Morris, Mark Brandon  
Moss, Bill Claude  
Murtha, Lorraine Annette  
Oree, Kenneth Stephen  
Palmer, Jon David  
Peterson, Bradley Alan  
Renfro, Phillip R  
Rogers, Patrick Keith  
Sengupta, Dipankar  
Shaddox, Jonathan Ab  
Siebler, Jeffrey E  
Story, Jonathan Leigh  
Terrell, Ricky Nolan  
True, John David  
Vinson, Bryant Finley  
Wald, Christopher Wayne  
Warford, Eric Austin  
Westcott, Cynthia LuAnn  
Woolverton, Kevin Scott  
Young, Nathan Cline

### Fundamentals of Engineering

Baker, Daniel Seth  
Beggs, Steven Michael  
Bennett, Jason Don  
Berlau, Meagan Kiley  
Bihlman, Jeff Gregory  
Borkar, Sandeep  
Brock, William Joseph  
Burchfield, Shiloh J  
Burgess, Robert D  
Burns, Jeffrey Martin  
Byers, Joe M  
Campbell, Billy Edward  
Cates, Charles C  
Chavez, Brandon Leland  
Clement, David Taylor  
Compton, Maxwell Lyons  
Courtney, Daniel Joseph  
Couts, Robert J  
Degges, Matthew Joseph  
Durkee, Josef Raymond  
Ellis, Trenton Blake  
Emberton, Matthew Ryan  
Eppinette, Ryan Joseph  
Francis, Theodore Burrows  
Fritsche, Matthew Glen  
Godeaux, James Kurt  
Gracy, Joseph Douglas  
Grant, William Charles  
Harlan, David Matthew  
Hartley, Matthew D  
Hawkins, Derek Wayne  
Hill, John Edward  
Hogan, Jeffrey Jeu  
Jampana, Deepika  
Johnson, Latosha Marie  
Kile, Daniel A  
McRorey, Jacob Lee  
Koehler, Jeffrey Robert  
Lewis, Mathew Bryan  
Litterst, Nathan Boone  
Manning, Jeremy Daniel  
Marisetty, Sreeram C  
Marler, William Clark  
Meyer, Aron Micah  
Moore, Andrew Michael  
Mullapudi, Taraka Ravi Shankar  
Nguyen, Hai Ngoc  
Ofosu-Afriyie, Jude  
Park, Megan Victoria  
Penick, Jonathan Cole  
Perez Sandi, Gustavo Adolfo  
Pierce, Ryan Jerome  
Pruitt, John Andrew  
Reynolds, Benjamin Paul  
Reynolds, Steven Edward  
Richardson, Eric Ryan  
Rollow, Brett David  
Ryan, John Leonard  
Schoolcraft, Aaron Paul  
Shelton, Paul Blair  
Shirgur, Preeti  
Slagle, Kyle C  
Smith, Aaron Michael  
Steed, Joshua Ronald  
Tackett, Andrew Max  
Tan, Aik Jong  
Tate, Russell David  
Thurber, Aaron Dale  
Walker, Matthew Charles  
White, Jonathan Charles  
Williams, Thomas Anthony  
Willis, Nicholas Allen  
Xie, Haiyan

### **Need Your Licensure Status Verified?**

If you are applying for licensure in another state and need us to complete a Board Verification Form (to verify exams, current status etc.), please complete the applicant portion and mail the form to us at: AR Brd of Reg for Prof Engrs & Land Surveyors, PO Box 3750, Little Rock, AR 72203. Be sure to include all license numbers, and enclose a postage paid envelope addressed to the receiving Board. There is no fee for this service and requests are processed within 24 to 48 hours of receipt.

### **Need a Replacement Wall Certificate?**

If you need a replacement or extra copy (for whatever reason, name change, misplaced, damaged etc.), you can order one. For each replacement certificate requested, send a \$5.00 check or money order to: PE & PLS Fund, PO Box 3750, Little Rock, AR 72203. Be sure to include your name, license type and number in your request and you should receive the certificate in about eight weeks.

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**IS THERE A “GRACE PERIOD” AFTER MY LICENSE EXPIRES  
AND CAN I KEEP PRACTICING?**

The answer to the above question is “yes” & “no”. As explained in more detail below, the Board Rules do have a grace period for paying renewal fees, but it does not extend the time for expiration.

Professional Engineers/Surveyors have a “grace period” of 180 days after their licenses expire to renew their license by paying the renewal fee and late penalties. After that time, it is necessary to “reinstate” the license which may mean additional fees, and possibly a new application which must be voted on by the Board.

The “grace period” does NOT apply to continued practice, however. Once the expiration date has passed, the license is considered expired and not valid. This means any type of practice after expiration is a violation, including signing and stamping documents, until the renewal fee is paid.

A Professional Engineer’s license expires on December 31 and Professional Surveyor’s on June 30. If the renewal fees are not paid on or before those dates, the licenses expire even though the rules provide an additional 180 days to pay fees and late penalties. If not paid within the 180 days, the license holder will receive a cease and desist letter.

So be sure to take note of the expiration date and plan ahead. Don’t wait until the last minute to pay the renewal fee. A renewal notice is mailed to each license holder’s address of record (*see article on page 4*) approximately 60 days before the expiration date. But even if the notice isn’t received, it is still the licensee’s responsibility to pay the renewal fee before the expiration date. For those not receiving a notice, the Board’s on-line roster at [www.arkansas.gov/pels](http://www.arkansas.gov/pels) has a listing of each registrant’s mailing address. If the mailing address is not correct, please visit the “Contact Us”, on our home page, to send address corrections and request a duplicate renewal notice. Please call the Board at (501) 682-2824 with any questions.

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