

**BEFORE THE ARKANSAS BOARD OF LICENSURE FOR
PROFESSIONAL ENGINEERS AND PROFESSIONAL SURVEYORS**

Case #2009-15, in the matter of Gray Hodge:

COMPLAINT

The Arkansas Board of Licensure for Professional Engineers and Professional Surveyors (hereinafter "the Board") registered a complaint on April 10, 2009, charging W. Gray Hodge (AR-PE #12881, hereinafter "Hodge") with failing to exercise responsible charge of a design project in another jurisdiction, in violation of Arkansas Code Annotated §17-30-305(a)(10).

FINDINGS OF FACT

1. Hodge did a foundation design for a communications tower for a regional utility in Florida, and he also sized the structural members. Hodge did not contract to do the connection designs.
2. The connection designs were found to be unsatisfactory, and a complaint was brought against Hodge before the Florida Board.
3. Hodge settled the complaint with the Florida Board, and as part of the action, Hodge was directed to report the violation to other states in which he was licensed.
4. Arkansas Code Annotated §17-30-305(a)(5) provides the Board may discipline any registrant found in violation in another jurisdiction, if that violation would also be a violation in Arkansas.
5. By rule, the Florida Board requires a structural engineer to be responsible for all aspects of the structural system. There is no corresponding rule in Arkansas.

CONCLUSIONS OF LAW


Upon review of the evidence in its possession, the Board finds Hodge's actions as described in the Findings of Fact do not constitute a violation of the statutes or rules governing the Arkansas Board of Licensure for Professional Engineers and Professional Surveyors.

SEP 28 2009

ORDER

Based on these findings, the complaint against Hodge is dismissed without further action by the Board.

SO ORDERED this 15th day of September, 2009

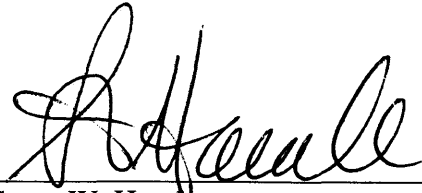


Frank Vozel, President

CERTIFICATE OF SERVICE

I, Steve W. Haralson, Executive Director of the Arkansas State Board of Registration for Professional Engineers and Land Surveyors, do hereby certify that I have served a copy of the foregoing order by mailing a copy of the same by first class mail on this 30th day of September, 2009, to:

Mr. W. Gray Hodge, PE
Hodge Design Associates PC
22 Chestnut St
Evansville, IN Evansville

A handwritten signature in black ink, appearing to read 'S. Haralson', written over a horizontal line.

Steve W. Haralson
Executive Director