

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

**ARKANSAS STATE BOARD OF LICENSURE FOR  
PROFESSIONAL ENGINEERS AND PROFESSIONAL  
LAND SURVEYORS**

**COMPLAINANT**

**Case #2010-28**

**KENNETH D. STACKS AND  
STACKS ARCHITECTURAL FIRM, PLC**

**RESPONDENTS**

**FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER**

A hearing on the above-referenced matter was held before the Arkansas Board of Licensure for Professional Engineers and Professional Surveyors (“the Board”) on November 29, 2011, at the office of the Board, 623 Woodlane Drive, Little Rock, Arkansas. Kenneth Stacks and Stacks Architectural Firm, hereinafter referred to as “Respondents,” appeared before the Board represented by counsel, Glenn Lovett. On the basis of the testimony and other evidence presented, the Board makes the following findings of fact, conclusions of law, and order. This Findings of Fact, Conclusions of Law, and Order adopts the Proposal for Decision previously served upon all parties.

**FINDINGS OF FACT**

FF1. Respondent Stacks is an architect licensed in Arkansas. Stacks has never held licensure as a Professional Engineer in Arkansas.

FF2. Respondent Stacks’ firm, Stacks Architectural Firm (SAF) does not hold a valid Certificate of Authorization to offer or provide engineering services in Arkansas.

FF3. A set of plans to construct a church was submitted for code review to the City of Jonesboro on July 29, 2010.

FF4. The set of plans submitted to the City of Jonesboro was sealed by Stacks and used the title block for his firm, wherein civil, structural, mechanical, electrical, and fire protection engineering design was depicted on some of the plan sheets.

FF5. The civil and structural plan sheets were sealed by appropriately-licensed Professional Engineers. The ten plan sheets depicting mechanical, electrical, and fire protection engineering work were not.

### **CONCLUSIONS OF LAW**

CL1. Respondent Stacks' conduct as outlined in paragraphs FF2-FF5 constitutes one count of practicing or offering to practice engineering in Arkansas, within the meaning of Arkansas Code Annotated §17-30-101(4)(B)(i), without licensure by the Board, in violation of Arkansas Code Annotated §17-30-301.

CL2. The conduct of Respondent Stacks Architectural Firm as outlined in paragraphs FF2-FF5 constitutes one count of providing or offering to provide engineering services without a valid Certificate of Authorization, in violation of Arkansas Code Annotated §17-30-303.

### **ORDER**

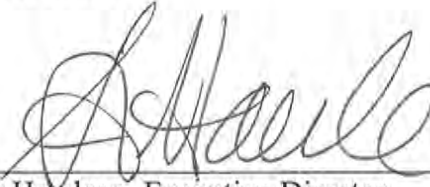
The Respondent is ordered to pay a \$50.00 fine for each of the two counts the Board found Respondents to be in violation of, for a total fine of \$100.00.

Respondents submitted two additional Proposed Findings of Fact and one additional Conclusion of Law. The Board rejected both of the Proposed Findings of Fact and the Conclusion of Law submitted by the Respondents.

This Findings of Fact, Conclusions of Law, and Order constitutes the final written decision of the Board in this matter, and it adopts the Proposal for Decision pursuant to Ark. Code Ann. § 25-15-210. In accordance with Arkansas Code Annotated § 25-15-212,

the Respondents may petition for judicial review of the final written decision by filing a petition in the Circuit Court in the county in which they reside or do business or in the Circuit Court of Pulaski County within thirty days after service of the final order.

Dated this \_\_\_\_\_ day of February, 2012.

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

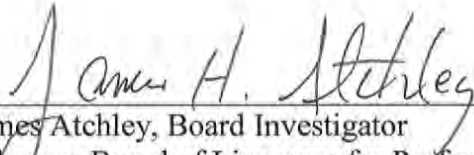
Steve Haralson, Executive Director  
Arkansas Board of Licensure for Professional  
Engineers and Professional Surveyors

Certificate of Service

I, James Atchley, Board Investigator of the Arkansas Board of Licensure for Professional Engineers and Professional Surveyors, do hereby swear and affirm that a true and correct copy of the above was sent by U.S. Mail to the following addresses with proper postage affixed on this 16th day of February, 2012.

Mr. Kenneth Stacks  
Stacks Architectural Firm, PLC  
527 West Washington Avenue  
Jonesboro, AR

Mr. Glenn Lovett, Jr. PLC  
Attorney at Law  
P.O. Box 1575  
Jonesboro, AR 72403-1575

  
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James Atchley, Board Investigator  
Arkansas Board of Licensure for Professional  
Engineers and Professional Surveyors