



THE PELS NEWS

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

November 2007

Newsletter

Twenty-First Edition

The Presidents' Message

William F. "Bill" Fletcher, P.E. P.S., President

I will never forget my first Board meeting in July of 2004 after being appointed to the Board by Governor Mike Huckabee. I started hearing acronyms like NCEES, ABET, EAC of ABET and ELSESES. I had no idea what these terms meant. I thought that they were probably acronyms, but in fear of showing my ignorance, I was ashamed to ask. I soon learned that these were organizations that have played a major role in the licensure process for professional engineers and professional surveyors in our country for the past 100 years. Since I may not be the only professional engineer or professional surveyor in Arkansas that did not know what these organizations are and their relationship to our licensure process, I will attempt to give a brief description of each of these organizations.

First, I will give you a little history. The State of Wyoming passed the first engineering registration law in 1907. In 1920, seven of the ten state boards with engineering and surveying laws met in Chicago and established the Council of State Boards of Engineering Examiners. Thus, after several name changes, the birth of NCEES. The first law requiring licensure of engineers in Arkansas was in 1925 and we became a member of NCEES in 1926. Our state licensure law for surveyors was passed in 1969.

The National Council of Examiners for Engineers and Surveyors (NCEES) is an organization made up of all of the State Licensure Boards of all the states and territories in the United States. It currently has a staff of approximately 65 people in Clemson, SC. It is an organization through which state boards may act and counsel together to better discharge their responsibilities in regulating the practice of engineering and surveying. The NCEES has developed what is commonly referred to as the Model Law and Model Rules for licensure of professional engineers and professional surveyors. The closer Arkansas' Rules and Laws are to the Model Rules and Laws, the more likely our Arkansas registrants will not have a problem getting registered in other states. NCEES also provides many other services for its member boards.

The Accreditation Board for Engineering and Technology, Inc. (ABET) is a board that provides leadership and quality assurance in applied science, computing, engineering, and technology education. ABET was organized in 1932. The Engineering Accreditation Commission (EAC) is a branch of ABET that is made up of 24

technical societies or organizations such as NSPE, NCEES, ASCE, ASEE, ASME, ACSM, SAE, etc. EAC of ABET is the organization that provides the evaluation and accreditation of engineering degrees offered in our Colleges and Universities located in the United States. The Model Rule currently requires that all new applicants for professional engineer licensure have an EAC of ABET accredited degree.

The Engineering and Land Surveying Examination Services (ELSESES) is a branch of NCEES that was established in 2000 to provide exam administration services to its Member Boards. Along with increased technology has come an increased concern of exam security and control of cheating on exams. Each state board that administers its own exams is assuming a higher risk of exam theft which could result in a six digit liability exposure. Our Arkansas Board began contracting with ELSESES for the administration of our exams in the April of 2006 exams.

ELSESES NOW ADMINISTERS EXAMS

Why use ELSESES, LLC to administer the NCEES examinations in Arkansas? The Board has addressed this question and had decided that it needed to be relieved of the potential liability which could result from a compromise of the exam by a breach of security or the loss of an exam booklet. As a Member Board of the NCEES, we share in the responsibility of developing, maintaining and administering the examinations. However, should a compromise or loss of an exam occur, the liability is that of the administering board alone. ELSESES, LLC is a subsidiary of NCEES which administers the exams for the Member Boards using uniform procedures nationwide. About 40 Of the 70 boards now use ELSESES for this service and the number is growing with each exam administration.

There are at least 2 changes which impacted the examinees when we started using ELSESES for the April 2006 examinations. They are; the cutoff dates are one month earlier (January for the April exams and July for the October exams), and once the examinee is approved by the Board, they pay an administration fee of \$70.00 directly to ELSESES. The transition has been very smooth and many of the sites and proctors remain the same.

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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.

"Here today, gone tomorrow". This article has two purposes, first, to express my thanks for the opportunity of having served as your executive director for nine plus years; and second, to introduce my successor.

When the Board interviewed me for this position in the summer of 1998, they asked "how long do you intend to work?" to which I replied "about 10 years". Little did we know that this job would evolve into a full-time position, that we would move the office three times (the last time into a building we purchased and remodeled) and that we would have an all new and enlarged staff. "How may I help you" is my response on the telephone and it has become the attitude of the staff and as a result our responsiveness and level of service has been greatly improved. Many things can be accomplished when you are not concerned about who gets the credit and I believe the accomplishments of this Board are because of the staff which is blessed with the full cooperation and support of our very hard working Board Members. Finally, Julie and I thank you for the many friendships which we will continue into our retirement.

Mr. Stephen W. Haralson, P.E #5893, has accepted the position of Executive Director of this Board and by the time you review this newsletter, he will have assumed these duties. Steve comes to the Board with BSCE (1977) and MSCE (1978) degrees from the University of Arkansas at Fayetteville together with a Juris Doctorate (1996) from the University of Arkansas at Little Rock School of Law. He has been licensed as a professional engineer in Arkansas since 1984 and as an attorney since 1996. He has worked for several engineering consulting firms, law firms (including a sole practice), Federal and State Government agencies, and is presently the Director of Public Works for the City of Little Rock. I am confident that under his directorship the Board will continue to advance and serve the needs of both the engineering and surveying professions of Arkansas.

"BS + 30" A Hot Topic at National Level

What is "B + 30" and why is it such an issue? The concept of requiring a Bachelors degree plus 30 hours of advanced studies was developed to assure that the professional engineers of the future would have at least 150 hours of acceptable engineering education. This requirement, which has been adopted as a part of the NCEES (Council) definition of "Model Law Engineer" (to become effective on January 1, 2015), represents a need to supplement the diminishing number of hours for a Bachelors of Engineering degree which is projected to become 120 hours. Based upon this projection, an amendment to the requirement was passed by the Council to grant credit toward the 30 hour requirement for hours in excess of 120 that a bachelors degree holder may have. Herein lies the rub. How do you quantify and credit the hours in excess of 120? Further, what are creditable hours in excess of the BS which may be applied toward the + 30 requirement? Toward that end NCEES has established a task force to establish guidelines and identify acceptable sources to meet the Plus 30 requirement.

Much has been written on this subject in recent years by the professional and technical societies and more will be written before all the issues of implementing this requirement comes to pass. My suggestion to those who are interested is "stay tuned".

DISCIPLINARY ACTIONS **since the 20th Edition (2003)**

- 07/21/2003 – In the matter of Everett Hogan Construction Co, non-registrant.** Charged with practicing or offering to practice engineering without a COA or engineer. The Board accepted a Consent Agreement which contained an admission of guilt and required a \$1,000 civil penalty.
- 09/16/2003 – In the matter of In the matter of Mike Lee, non-registrant.** Charged with practicing or offering to practice engineering without a license or COA. The Board accepted a Consent Agreement which required a \$2,000 civil penalty.
- 09/23/2003 – In the matter of Terry Gilmore, PS 1413.** Charged with taking money for a survey and not delivering. After a formal hearing, license revoked and civil penalty of \$50.00 assessed. Respondent has appealed.
- 10/02/2003 – In the matter of James Neely, AIA.** Architect charged with practicing engineering without a license. After a formal hearing, respondent was ordered to pay a \$500 civil penalty.
- 10/07/2003 – In the matter of HDC Engineering, non-registrant.** Charged with providing engineering services without a COA. The Board accepted a Consent Agreement which contained an admission of guilt and required a \$2,000 civil penalty.

DISCIPLINARY ACTIONS

Continued...

- 11/13/2003 – In the matter of United Insulated Structures, Inc, non-registrant.** Charged with offering engineering services without a COA. Board accepted a Consent Agreement which contained an admission of guilt, and required a \$6,000 civil penalty.
- 02/17/2004 – In the matter of Fred P. Dunn, PS 1289.** Charged with multiple violations of the Minimum Standards for Surveys. He was already on probation from an earlier action for the same offense. Show Cause Hearing held and license revoked.
- 02/17/2004 – In the matter of James W. Cook, PS 43.** Charged with 23 counts of surveying with a lapsed license. After a formal hearing, found guilty and assessed a \$1,500 civil penalty.
- 02/17/2004 – In the matter of Bradley Clark, non-registrant.** Charged with practicing and offering to practice surveying without a license. Found guilty during a formal hearing, and assessed a \$4,000 civil penalty.
- 04/06/2004 – In the matter of William Rudasill, PS 1423.** Charged with incompetence and Minimum Standards violations (failure to seal or file). After a formal hearing, the Board found him guilty and ordered him to pay a \$4,000 civil penalty.
- 05/20/2004 – In the matter of Robert D. French, PS 1363.** Charged with practicing engineering without a license or COA. The Board accepted a Consent Agreement with an admission of guilt and requiring an \$875 civil penalty.
- 07/13/2004 – In the matter of Lewis Steenken, PS 910.** Charged with multiple violations of the Minimum Standards for Surveys. The Board accepted a Consent Agreement which contained an admission of guilt and required a \$1,000 civil penalty.
- 07/13/2004 – In the matter of Carl Tanner, PS 610.** Charged with multiple violations of the Minimum Standards for Surveys. After a formal hearing, the Board assessed a civil penalty of \$500, ordered to file a corrected plat, and given 6 months supervised probation.
- 10/19/2004 – In the matter of William Bryant, PS 1347.** Charged with multiple violations of the Minimum Standards for Surveys. The Board accepted a Consent Agreement which required an \$800 civil penalty.
- 10/19/2004 – In the matter of Steven Beadle, PS 819.** Charged with multiple violations of Minimum Standards for Surveys. After a formal hearing, the Board found him guilty of five counts and assessed a civil penalty of \$425.
- 10/19/2004 – In the matter of Willie G. Oyler, PS 532.** Charged with multiple violations of the Minimum Standards for Surveys. After a formal hearing, the Board found him guilty of five counts and assessed a \$500 civil penalty.
- 10/19/2004 – In the matter of Timothy Tyler, PS 1243.** Charged with multiple violations of the Minimum Standards for Surveys. Board accepted a Consent Agreement with admission of guilt and a \$500 civil penalty.
- 02/18/2005 – In the matter of Claude Summers, PS 1103.** Charged with multiple violations of the Minimum Standards for Surveys. The Board accepted a Consent Agreement which contained an admission of guilt and required a \$1,850 civil penalty and 6 months supervised probation.
- 04/25/2005 – In the matter of Cary Metz, PS 1368.** Charged with multiple violations of the Minimum Standards for Surveys. The Board accepted a Consent Agreement which required an admission of guilt, a civil penalty of \$1,500, and supervised probation for six months.
- 07/19/2005 – In the matter of Dwayne Tennant/SEAS, Inc, non-registrant.** Charged with practicing (or offering to practice) engineering and surveying without a license or COA. The Board accepted a Consent Agreement which provided an admission of violations, imposed a \$3,500 civil penalty, and required immediate end to further violations.
- 11/08/2005 – In the matter of Bobby Shaw, PS 598.** Charged with a violation of the Minimum Standards for Surveys (no tie to corner). After a formal hearing, found guilty and ordered to pay a \$200 civil penalty, which would be waived upon filing a corrected plat.
- 01/10/2006 – In the matter of Claude Summers, PS 1103.** Charged with multiple violations of the Minimum Standards for Surveys. The Board accepted a Consent Agreement which contained an admission of guilt and required a \$1,625 civil penalty and 6 months supervised probation.
- 04/03/2006 – In the matter of Cary Metz, PS 1368.** Failed to meet the terms of an earlier probation. Show Cause Hearing held and license revoked.
- 04/06/2006 – In the matter of Frank Blew, PS 56.** Charged with violations of the Minimum Standards for Surveys. After a formal hearing, found guilty, assessed a civil penalty of \$600, and required to file a corrected plat within 60 days.
- 05/09/2006 – In the matter of James R. Cole, PS 526.** Charged with violations of the Minimum Standards for Surveys. After a formal hearing, found guilty and license suspended indefinitely.
- 05/09/2006 – In the matter of ALTA Refrigeration, Inc, non-registrant.** Charged with practicing and offering to practice without a COA. After a formal hearing, found guilty of one count, and assessed a civil penalty of \$500. ALTA was later granted COA #1392 after proper application.
- 10/17/2006 – In the matter of Paul Gunn, PS 845.** Charged with violations of the Minimum Standards for Surveys. After a formal hearing, found guilty of 55 violations, assessed a civil penalty of \$5,000, and one year of supervised probation.
- 10/17/2006 – In the matter of James L. Butler, PS 261.** Charged with surveying on a lapsed license and violations of the Minimum Standards for Surveys. After a formal hearing, found guilty, assessed a \$1,400 civil penalty, and ordered to cease surveying.
- 10/17/2006 – In the matter of Thomas Dabney, PS 482.** Charged with multiple violations of the Minimum Standards for Surveys. After a formal hearing, found guilty of 19 violations and assessed a civil penalty of \$2,850.
- 01/09/2007 – In the matter of Thomas Strode, PS 172.** Charged with practicing on a lapsed license, and Minimum Standards violations. The Board accepted a Consent Agreement with an admission of guilt, 6 months supervised probation, and a civil penalty of \$2,000.
- 05/08/2007 – In the matter of Joseph P. Russ, non-registrant.** Charged with practicing engineering without a license or COA. After a formal hearing, found guilty of both charges and assessed a \$500 civil penalty for each one, for a total of \$1,000.

Changes to the Rules of the Board New definition of Surveying, exam fee increases and Certificate of Authorization (COA) requirements for Surveying firms

Since our last newsletter we have completed changing the Rules of the Board. The public notice for the changes was published on September 23, 24, and 25th, 2005. They were also posted on our website and the Secretary of State's website for review and comments. The public comment period ended on October 24th and the Public Hearing was held on October 26, 2005. The legislative review occurred on November 3, 2005 with an effective date of November 17, 2005.

The primary reason for changing the rules at that time were to revise the definition of surveying as revised in Act 1178 of 2005. Along with that, we doubled the annual renewal fees of the Professional Engineers and Professional Surveyors to \$40.00 and \$30.00 respectively. This increased the percentage of income from renewal fees from 55% to 85% of our annual budget, and reduce our reliance upon the application fees from reciprocal applicants. We did not change the renewal fees for Intern and COA registrants. However, in 2006, COA registrants started paying a penalty for renewing late.

Due to the increased cost of the exam booklets and grading fees by NCEES, we had to increase the examination fees for the Professional Engineer and Professional Surveyor exams from \$125.00 to \$150.00. While on the subject of exams, the changes also provide for the administration of the exams by ELSESES, LLC, a subsidiary of NCEES. This requires each applicant, who has been approved by the Board to sit for the exam, to pay an administration fee before being admitted to the exam site. The Board will not accept this fee, it must be paid directly to ELSESES, LLC. This administrative fee of \$70.00 became effective with the April 2006 examinations.

Another of the changes required that surveying firms obtain a COA just like the engineering firms have been doing. This was necessitated by complaints about surveying firms which were owned and operated by non-registrants. A firm is required to have at least one of the principles be a P.E. or P.S. in any jurisdiction and that the P.E. or P.S. responsible for the engineering or surveying in Arkansas by a registrant of this Board. Many of the firms which have COA's have amended their file to add their PS registrants which will permit them to continue to offer engineering and surveying services to the public. Their COA number will not change however they may wish to obtain a COA seal which does not have "ENGINEER" upon it. The Professional Surveyors are reminded of the COA requirement when they renew their licenses or receive their registration just as we remind the Professional Engineers now.

This summarizes the more significant changes to the Rules and as always, we incorporated a number of minor items, edits, etc., which have accumulated since 2002 when the last changes were effective.

Meet your 2006 – 2007 Board Members



Left to Right Back Row –Tommy Bond, Mike Marlar, Woodrow Turner, Frank Vozel,
Front Row, Ivan Hoffman, Bill Ruck, Vice President, Bill Fletcher, President, Barbara Smith and Jim Engstrom

Examinees who passed the April 2007 exams

Arkansas 2 Hour Law Exam

Ray, MichaelChristopher
Axton,Shaun Christopher
Martinek, Darrell Thomas
Phillips, Donald Scott
Hogan, Jerrod Lee
Holt, Mark Benton
Beckwith, Earl T
Burns, Danny Ray
Hines, Charles Kevin
Hamm, Robert L
Adamson, Bradley Dale
Taylor, Jr., Thomas Paul
Brewer, Jr., Charles Edwin
Scott, David
Martin, Josh
Fox, Chad David
Bolin, Steven Jarrod
Williams, PhD, Rodney Dale
Veach, John Carl
Branch, Jason Harris
Goff, Robert Lee
Daake, Jeffrey Alan
Phipps, Nicholas Cole
Bennett, Ronald Wesley
Ballard, James Walter

Principles of Surveying

Bolin, Steven Jarrod
Branch, Jason Harris
Fox, Chad David
Goff, Robert Lee
Martin, Josh
Nix, Joshua Lynn
Olivier, Douglas Penn
Scott, David
Veach, John Carl
Williams, Rodney Dale

Fundamentals of Surveying

Allbritton, Bradley Dewayne
Bell, Justin DeWayne
Blees, Shawn Patrick
Burkem, Clayton Monroe
Fontenot, Timothy Paul
Graber, James Scott
Holland, Clifford Donnie
Horton, Aaron Dean
Jones, Jeffery Allen
McClimon, Allen Eugene
McCord, Drew Sheffield
Moll, John Anthony
Tucker, Nicholas Brandt
Tyler, Anthony Warren

Principles of Engineering

Adams, Jason Tyler
Ali, Shawkat Md
Azmat, Zeeshan
Beshoner, Lee J
Brannen, Jason Wayne
Bridges, David Kyle
Bullen, Robert Howard
Castaneda-Menendez, Jaime Andres
Clauson, Aaron Drew
Cusher, Carol Annette
Davenport, Heather Merwin
Drye, Luther Thomas
Edgar, Nathan Bradford
Edrington, Christopher Shannon
Ferguson, John Dale
Fisher, Thomas Gregory
Francis, Mark Douglas
Frost, Devin Werner
Good, Maxwell Alexander
Graves, Rhett David
Hartsell, JohnThomas
Higginbotham, Keli Lynn
Hogue, Blake Edward
Hughey, Jason Todd
Jackson, Brian Thomas
Jacobs, Tammy
Jacuzzi, Anthony Gordon
Jobe, Andrea Roso
Johnson, Alan Michael
Kelly, Michael Shane
Lane, Jordan Wheeler
Lay, Landon Matthew
Miller, Jonathan Bradley
Moore, Jeffrey Edward
Odom, Michael Owen
Pappur, ManjunathV
Pope, Mason Charles
Powell, Richard Lance
Prejean, Ryan Joseph
Roberts, Hugh Alex
Roubique, Benjamin Lane
Signorelli, Bryan Andrew
Sjulin, Jason Randall
Stringer, James Todd
Teo, PhD, Jiunn Yeong
Walker, Scott Alan
Williams, Jason Hugh
Zank, Derrick Charles

Fundamentals of Engineering

Ball, Jonathan Matthew
Basham, JosephRyan
Betnar, Marvin Scott
Bradford, Bethany Renae
Butcher, Ben Harrison
Bynum, Brandon David
Casey, Benjamin Carl
Cope, James Wesley
Cornett, Kimberly June
Correnti, Matthew Joseph
Davis, James Allen
Deal, Christopher Norman
Derrington, Dana Lynne
Dorn, David Andrew
Dorsey, Matthew Edward
Duck, Jeremy H
Durham, Joshua Samuel
Fletcher, Ryan E
Griffin, Meredith Jayne
Hall, Luke James
Hanson, Phillip Andrew
Heck, Michael V
Hentschel, Brandon Matthew
Hilborn, Aaron Ray
Hill, Robert Charles
Holland, Chris Charles
Hollingsworth, Jerod Chase
Hou, Zhiqiong
Jackson, Jessica S
Jacks, Terry James
Johnson, Erik Darnell
Johnson, Matthew Thomas
Jones, Ryan L
Kaufman, Adrian Joseph
Kelly, Margaret Kathleen
Kincannon, Pettus Andrew
Lieux, Stephen Thomas
Mattox, Richard Valen
Mazurek, Jason Monroe
Moore, Bryant Ross
Mueller, Michael Christopher
Murray, Shanique Julie
Neph, Elliot Brandon
Nichols, Jared Carl
Parker, Dorian Ramond
Parker, Jeffrey Gilbert
Peacock, Toni Michelle
Pool, James Yelton
Richey, Shelby A
Richardson, William James
Sandlin, Matthew James
Scott, Nathaniel Paul
Semones, Paul T
Shelton, Joseph Luke
Srivastava, Richa
Teeter, John Milton
Temple, Jessica Rene
Ugalde, Gerardo
Vining, Drew Christopher
Vinyard, Matthew Ryan
Walker, Freddie Lee



– “623 Woodlane Drive, Little Rock, AR 72201” –

We moved! We purchased and remodeled this building in 2005 and moved in January 2006. It has been a lengthy process but we believe it will be well worth the effort to be able to settle into a permanent location. We are located near the Martin Luther King exit on I-630 at the intersection of West Seventh and Woodlane Dr., across from the southeast corner of the Capitol grounds. We have limited parking on the east side of the building accessible from Seventh St.

Let me remind you that our mailing address, fax and telephone numbers did not change when we moved. Our physical address for surface and express deliveries is 623 Woodlane Dr, Little Rock, Arkansas 72201 and the Board’s e-mail has changed from joseph.clements@arkansas.gov to stephenw.haralson@arkansas.gov .

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