

**BEFORE THE ARKANSAS BOARD OF REGISTRATION FOR
PROFESSIONAL ENGINEERS AND LAND SURVEYORS**

Case #2008-31, in the matter of Robert Bannerman:

COMPLAINT

The Arkansas Board of Registration for Professional Engineers and Land Surveyors (hereinafter "the Board") registered a complaint on September 1, 2008, charging Robert Bannerman (AR-PS #1512, hereinafter "Bannerman") with violation of Arkansas Code Annotated §17-48-102. Specifically, the complaint alleges Bannerman was negligent and/or incompetent in the practice of surveying, and that he conspired with another surveyor to cover his error.

FINDINGS OF FACT

1. Bannerman is a Professional Surveyor in Arkansas, and the Board has jurisdiction over his conduct and the subject matter of this complaint.
2. The Complainant owns a parcel of real property in Monroe County, AR, adjoining a farming parcel. Adjacent to the common property boundary there are two outbuildings.
3. Another surveyor (Donald Sheffer, AR-PS #993) did the survey of the Complainant's property prior to the sale. The outbuildings were constructed after the sale of the property.
4. The farmer owning the adjoining parcel has claimed the outbuildings are on his side of the boundary. Bannerman was engaged to do a subsequent survey which indicates there may in fact be an encroachment by the outbuildings.
5. The Complainant covertly observed Bannerman and Sheffer in conversation at a local Wal-Mart and concluded they were in collusion.
6. Bannerman and Sheffer each deny knowing the other in sworn statements.
7. The survey and plat produced by Bannerman was examined and found to be in compliance with the "Arkansas Minimum Standards for Property Boundary Surveys and Plats."

CONCLUSIONS OF LAW

Upon review of the evidence in its possession, the Board finds no evidence of negligence or incompetence on the part of Bannerman, or that Bannerman's actions as described in the Findings of

Fact constitute a violation of the statutes or rules governing the Arkansas Board of Registration for Professional Engineers and Land Surveyors.

ORDER

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

SO ORDERED this 9th day of June, 2009

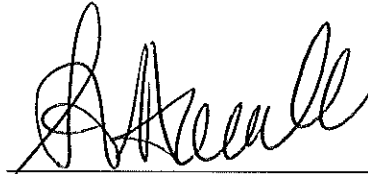


William E. Ruck, President

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 with postage prepaid, on this 17th day of June, 2009, to:

Mr. Robert Paul Bannerman, PS 1512
All Terrain Survey
7619 Parkmont Drive
Memphis, TN 38125-4782

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

Steve W. Haralson
Executive Director