

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

Complainant:)

REC'D JUL 14 2010

Arkansas State Board of Licensure for)
Professional Engineers and Professional)
Surveyors)

Case #2010-01

Respondent:)

Northwind, Inc)
13300 Maple Hill Road)
Alpena, AR 72611-3008)

CONSENT AGREEMENT AND ORDER

The Arkansas Board of Licensure for Professional Engineers and Professional Surveyors (hereinafter "the Board") and Northwind, Inc (non-licensee, hereinafter "Northwind") agree as follows in full settlement of the charges in this matter.

FINDINGS OF FACT

1. Northwind does not now, nor has it ever, held a valid Certificate of Authorization to provide or offer to provide engineering services in Arkansas.
2. On January 19, 2010, Board staff visited the webpage of Northwind, and noted that one of the services offered was engineering.
3. Upon inquiry by the Board, Northwind revised its webpage, substituting the word "design" where the word "engineering" was previously used.

4. While the word “design” is not specifically proscribed by Arkansas Code Annotated §17-30-101(4)(B), it was found by the Board to at least imply that Northwind was able to perform services of an engineering nature, and was therefore in violation of Arkansas Code Annotated §17-30-101(4)(B)(iv).

CONCLUSIONS OF LAW

The conduct of Northwind, as set forth above in the Findings of Fact, 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.

CONSENT AGREEMENT

In the interest of a prompt and speedy settlement, consistent with the public interest and the responsibilities of the Board, the undersigned parties enter into this Consent Agreement as a final disposition of these matters presently before the Board.

1. Northwind has been afforded an opportunity to obtain legal counsel and has chosen to proceed, with the understanding that the facts and conduct described above in the Findings of Fact are admitted.

2. In lieu of a formal hearing, Northwind agrees to the following Order and waives all rights to a hearing, appeal or judicial review relating to the Order.

3. Northwind understands that all investigative materials prepared or received by the Board concerning these allegations and all notices and pleadings relating thereto may be retained in the Board’s file concerning this matter.

(AUG 17 2010)

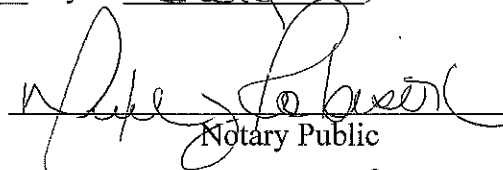
ORDER

Northwind shall obtain a Certificate of Authorization from the Board within fifty (50) days of the service of this order, or within the same time period shall cause to be conspicuously placed on its webpage a notice, in nine-point or larger typeface, the same as or substantially similar to the following text:

“Notice: Northwind does not employ Professional Engineers and is not authorized to offer or provide engineering services.”

AGREED TO BY: 
Signature of the Respondent

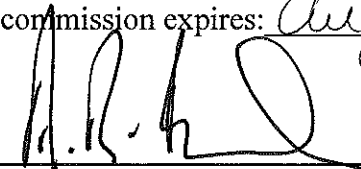
Sworn to and subscribed before me this 12th day of July, 2010


Notary Public

(SEAL)

My commission expires: Aug. 5th, 2015

AGREED TO AND ORDERED BY:


Board President

