



# THE PELS NEWS

## A Publication of the State Board of Licensure For Professional Engineers & Professional Surveyors

October 2011

Newsletter

Twenty-Ninth Edition

### THE PRESIDENT'S MESSAGE

By Sherman Smith, P.E., P.S.

Greetings to all of you surveyors and engineers both license and license bound. The weather is changing with the high in the mid sixties later this week. This kind of weather reminds me of a time when I worked on a survey crew "cutting line". Cutting line meant using a chain saw and/or blade to clear a sight line for the "gun". This usually lasted most, if not all the day and was unbearable during the Arkansas summers. That is why we always welcomed these beautiful cooler days.

As the days turn from cooler to cold; we all wanted to cut line just to stay warm. Anyway, this change in the weather and season reflects more in one's mind as they get older and reminisce about their youth.

Now to the present; I would like to personally thank two important parts that make up the Arkansas State Board of Engineers and Surveyors; fellow Board members and the staff.

Your Board members are very competent and display a high degree of integrity. They meet every two months for regular meetings with additional time required by some for interviews and complaint committee meetings. All the information provided to the Board, by the staff, requires several days of reading, scrutinizing and analyzing before the meetings. The decisions and actions taken by the Board are not reached quickly or without detail decisions. We all may not agree; but we press forward in a professional manner due to the critical impact to the health and safety to the public and the lives and careers of individuals and related businesses.

The second, but perhaps the most important part of this organization is the staff of the Board. They do a wonderful job for not only the Board members by preparing and organizing enormous amounts of data but responding to you. We constantly receive compliments from engineers and surveyors not only here in Arkansas but from the rest of the United States and even other countries. The people constantly state how nice and helpful the staff members are. This reflects wonderfully not only on the staff but for all of us.

I look forward to serving you as President of the Board and invite you to attend the board meetings as they are always open to the public.

Please contact us or the staff if you have any questions and please visit the web site.

~ Sherman D. Smith

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### REPORT ON DISCIPLINARY ACTIONS by the Board since April 2011

#### **2009-11 in the matter of John C. Williams, PS**

Charged with fraud or deceit in the practice of surveying. After a formal hearing on 9/13/2011, the Board revoked his Professional Surveyor license.

#### **2010-20 in the matter of Robert Fureigh, PE**

Charged with multiple violations of practicing or offering to practice engineering on a lapsed license. After a formal hearing on 5/10/2011, the Board imposed a civil penalty of \$15,000.

#### **2010-21 in the matter of FAA Consultants, LLC**

Charged with providing or offering to provide engineering services in Arkansas without a valid Certificate of Authorization. After a formal hearing on 5/10/2011, the Board imposed a civil penalty of \$4,500.

#### **2010-26 in the matter of Charles Michael Bolin, PE**

Charged with placing his seal on instruments of practice which had not been prepared by him, or under his responsible charge, and aiding/assisting another to evade the Rules of the Board. After a formal hearing on 5/10/2011, the Board reprimanded his Professional Engineer license and imposed a civil penalty of \$1,500.

#### **2011-03 in the matter of Terry McKinney**

Charged with representing himself as an engineer when not licensed by the Board. After a formal hearing on 5/10/2011, the Board imposed a civil penalty of \$100

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## Board Members

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Engineer Member

**Ronald R Hawkins, PE PS**  
Vice-President  
Engineer & Surveyor  
Member

**H James Engstrom, PE**  
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**Ivan Hoffman, PS**  
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**Robert Holloway, PE**  
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**Dan Young**  
Consumer Member

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Professional Engineer

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**Marilyn F Smith**  
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The newsletter is an official publication of the State Board of Licensure for Professional Engineers and Professional Surveyors

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**Office hours Monday-Friday**

8:00 a.m. – 4:30 p.m.

## THE DIRECTOR'S CORNER

by Steve Haralson, PE

### UNINTENDED BUT SPLENDID APPLICATION MALAPROPISMS

**Mal-a-prop-ism** (mäl'ə-pröp-iz'əm) n. *Ludicrous misuse of a word, especially by confusion with one of similar sound.*

You young guys likely won't remember Norm Crosby, a comedian in the 1960's, 1970's and 1980's who made a career out of saying things incorrectly. For example, one of Crosby's sayings was that he liked listening to the "blabbing brook". The second President Bush was also credited with a number of malapropisms (by liberals no doubt) like "natural gas is hemispheric... because it is a product that we can find in our neighborhoods".

Just call me weird – you wouldn't be the first - but one of the things I have done while reviewing thousands of applications over the last almost 4 years is to record what I think are some of the better gaffes and I thought you might enjoy them too. 'And just so you know, this is not an attempt to pick on anyone because I only copied them while reviewing, and don't have a clue who wrote any of what follows. And just so you know too, I do not share or point these out to the Board as they occur.

Most involve the misuse of a particular word. For example, the following were taken from references and their descriptions of the applicant's qualifications:

*"[Applicant] is through with his work . . ."*

*"[Applicant] is self conscious about his work . . ."*

*"[Applicant] is a very thorough and contentious engineer . . ."*

Some are a little more complicated but the end result is the same:

*"[Applicant] is a good retail prototype . . ."*

*"Applicant's] work is good technically and he remains flexible ..."*

*"[Applicant's] abilities are technically and theoretically strong . . ."*

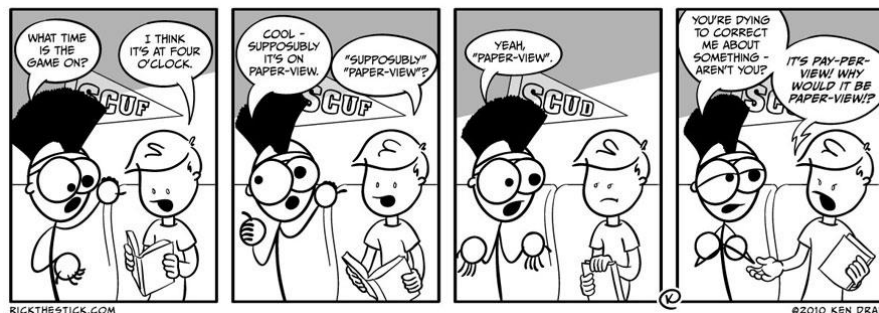
Some are just hard to figure out if complimentary:

*"[Applicant's] character and reputation is defined by his application of balance of assertiveness, finesse, and trustworthiness . . ."*

*"[Applicant] is experienced, has excellent engineering judgment, and is smarter than I ever will be ..."*

*"[Applicant] is trainable and after appropriate training is fully functional . . ."*

I hope no one recognizes any as-their-own, but thanks for letting me share if you do. And keep them coming!



### Board Elects New Officers for 2011-2012

At its May, 2011 meeting the Board elected Sherman Smith, P.E., P.S., as its President and Ronnie Hawkins, P.E., P.S. as its Vice-President for the June 2011 to July 2012 term.

Mr. Smith has been Public Works Director for Pulaski County since 1997. Becoming a Professional Surveyor in 1984 and a Professional Engineer in 1989.

Mr. Hawkins is the founder and President/CEO of Hawkins-Weir Engineers, Inc., in Van Buren, Arkansas. He became a Professional Engineer in 1976 and a Professional Surveyor in 1980.



## FOR IMMEDIATE RELEASE

### Can **FIRST® LEGO® League** teams improve the quality of food by finding ways to prevent food contamination?

Meredith Novak  
Science and Technology Group, Inc.  
**FIRST® LEGO® League**  
(870) 404-3260  
meredithn@suddenlink.net

*More than 600 Arkansas elementary and middle-school students apply creativity and science to improve people's lives during the 2011-2012 FIRST® LEGO® League season*

**Mountain Home, AR (August 24, 2011)** – The Science and Technology Group, Inc., in partnership with Baxter Healthcare Corporation, brings the **FIRST® LEGO® League (FLL)** and Junior **FIRST® LEGO® League (JrFLL)** season to Arkansas with the 2011-2012 “Food Factor” Challenge and 13th annual Arkansas Championship Tournament series. Host venues include Mountain Home High School, Mid America Science Museum and the Clinton Presidential Center.

**FIRST®** (For Inspiration and Recognition of Science and Technology) is an organization founded by inventor Dean Kamen to inspire young people's interest and participation in science and technology. Teams of up to ten 9 to 14 year-old children will explore the topic of food safety and examine the possible points of contamination our food encounters and find ways to prevent or combat these contaminants.

In the “Food Factor” Challenge, teams will build, test, and program an autonomous robot using **LEGO MINDSTORMS® NXT** to solve a set of food safety missions as well as research, develop, and share their innovative food safety solutions. Throughout their experience, teams will operate under FLL's signature set of Core Values. By embracing the Core Values, participants learn that friendly competition and mutual gain are not separate goals, and that helping one another is the foundation of teamwork.

All Arkansas FLL teams will be required to compete at an Arkansas Regional Tournament. The top thirty-two teams will advance and showcase six months of research and design at the 13th Annual Arkansas **FIRST® LEGO® League** State Championship Tournament to be held at the Clinton Presidential Center in Little Rock.

The Clinton Presidential Center will be hosting FLL workshops and demonstrations, an FLL Regional and the Arkansas FLL Championship in conjunction with Nathan Sawaya's “The Art of the Brick Exhibition” that will be on display October 1, 2011 through February 12, 2012.

The following **FIRST® LEGO® League** events are planned for the Arkansas “Food Factor” season:

**October 14-15, October 28-29, November 11-12, 2011** - **LEGO®** robotics demonstrations and workshops by Arkansas **FIRST® LEGO® League** teams, Clinton Presidential Center, Little Rock, Arkansas

**December 2-3, 2011** – Arkansas **FIRST®** Tech Challenge Championship (Dec. 2) and Mountain Home FLL Regional Tournament and Jr FLL Expo (Dec. 3), Mountain Home High School, Mountain Home, Arkansas

**January 21, 2012** – Central Arkansas FLL Regional Tournament and Jr FLL Expo, Clinton Presidential Center, Little Rock, Arkansas

**January 28, 2012** – FLL Regional Tournament and Jr FLL Expo, Mid America Science Museum, Hot Springs, Arkansas

**February 25, 2012** – 13th Annual Arkansas FLL State Championship, Clinton Presidential Center, Little Rock, Arkansas

FLL is an international program for 9 to 14 year-old children created in a partnership between **FIRST®** and The **LEGO®** Group in 1998 based on their common belief that fun and learning go hand-in-hand, and that an inspired mind can accomplish anything. Each September, **FIRST®** announces the annual challenge to teams, engaging them in authentic scientific research and hands-on robotics design.

“Every **FIRST® LEGO® League** challenge helps students discover how imagination and creativity, combined with science and technology, can solve real-world problems,” says Dean Kamen, **FIRST®** founder. Using **LEGO MINDSTORMS®** bricks, motors, gears and software, children work alongside adult mentors to design, build, and program robots to solve real-world challenges. The competition season culminates at high energy sports-like tournaments.

With an age-appropriate “Snack Attack” Challenge based on the same theme as FLL, the Junior **FIRST® LEGO® League** program introduces 6 to 9 year-olds to the wonders of science and technology as they build models and create a poster depicting their research journey.

For more information about the tournaments, go to <http://www.arkansaslegoleague.org> to learn more about **FIRST**, go to <http://www.usfirst.org/> To learn more about the “Food Factor” Challenge, go to <http://firstlegoleague.org/challenge/2011foodfactor>

## BOARD AUTHORIZES TRANSITION FROM PAPER TO ELECTRONIC CORRESPONDENCE, FULL IMPLEMENTATION TO BEGIN 2013!

At its May meeting, the Board authorized staff to begin transitioning to electronic correspondence with applicants and licensees. In doing so, it continued its push to go “paperless”. Prior to this, the Board had authorized: mailing a postcard instead of the traditional paper form to encourage online license renewals; development and implementation of PELS to allow receipt of online applications and payments; scanning old licensee files; and approved rules to generate and keep electronic copies of any record or document traditionally kept in paper form.

“Engineers and Surveyors have long been leaders in the use of technology in their professions so we believe it is only fitting that the Board do so too” said Board President Sherman Smith, P.E., P.S., “My fellow members and I believe that continuing to move toward electronic communications and records will benefit our applicants and licensees for many years to come.”

Certain correspondence with applicants and examinees will continue to be via electronic mail during 2012. Also during 2012, license renewal reminders and newsletter announcements will continue to be sent by postcard, transitioning over to all electronic notification by 2013.

To insure a successful transition, it's important that each licensee/applicant verifies that we have a current e-mail address on file by utilizing the Roster Search feature located under “Online Services” on the Board's website ([www.pels.arkansas.gov](http://www.pels.arkansas.gov)). Online Services also has a link (Update Contact Information) that all applicants and licensees can use to keep their contact information up-to-date. If you see that a correction is needed, login to PELS and if this is your first time visiting PELS, you'll need to create a userid and password. If you have questions or comments, staff may be contacted by e-mail [pelsboard@arkansas.gov](mailto:pelsboard@arkansas.gov) or phone (501) 682-2824 between 8:00 a.m. to 4:30 p.m. More information to come in 2012.

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# THE WAY WE WERE

## *A history of the Arkansas Board of Licensure for Professional Engineers and Professional Surveyors*

### ***The Beginning . . .***

The Arkansas Board was established by Act 202 during the 1925 legislative session and signed into law on March 21<sup>st</sup> of that year. In doing so, Arkansas joined a growing list of states that saw a need and chose to regulate the engineering profession.<sup>1</sup> Wyoming was the first to pass an engineer licensing law in 1907<sup>2</sup>, and Louisiana followed the next year. By 1920, five (5) years before the Arkansas law was enacted, twenty (20) states had passed engineer licensing laws, and the State Council of Engineering Examiners, the predecessor to NCEES, had just been formed.

Act 202 was fairly straightforward in directing how the Board was to be formed and organized. The Governor (Thomas Jefferson Terral) was to appoint 5 members with staggered terms of 2 to 4 years and grant each a certificate of licensure when appointed. The required qualifications for the initial appointments were not much different from those now for professional Board members – at least thirty five (35) years of age with 10 years of “active experience”. There was also a requirement that each be a state resident for the preceding three (3) years.

The Governor’s initial appointments were James H. Rice, Fred J. Herring, William N. Gladson, James R. Rhyne, and Roy E. Warden. A later article will have more information on these gentlemen.

The Act also prescribed the members initial duties as well. The first meeting was to be held within 30 days of appointment to elect a President and Vice President. Rules and bylaws were to be adopted not later than 60 days after the first meeting, and thereafter the Board was to hold at least 2 meetings a year. The Board was also required to hire a secretary and treasurer which could, but was not required to, be a Board member.

The first meeting was held June 20<sup>th</sup>, 1925 and it apparently followed the Act’s requirement to the letter. After being sworn into office by the Chief Justice of the Supreme Court, the members appointed a temporary chair (Gladson) and temporary secretary (Rhyne) from among themselves, elected a president (Warden) and vice president (Rhyne), appointed a committee to develop rules and bylaws within 60 days (Rhyne and Herring), interviewed and hired a secretary (a Mr. Bair), selected a bank (Union Trust Co.), and appointed a committee to design a seal (Rice and Gladson). Assistant Attorney General Brooks Hays<sup>3</sup> later observed in a letter to President Warden that the Board’s initial procedures have “apparently been in strict compliance with the law and it is our opinion that you may proceed to enforce the provisions of the Act.”

And so the Board was up and running and apparently got right to work carrying out its charge. In a Foreword to the initial roster dated June 1, 1926, President Warden noted it had issued certificates to 219 “bona fide Registered Engineers”. President Warden also pledged:

*All applicants for registration will receive the careful and conscientious consideration of the Registration Board, without fear or favor, and certificates will be issued only to engineers whose character and standing is unquestioned. Thus the reputable and competent engineer will be protected against spurious competition and the public will be assured of the highest competence.*

Next time . . . “The First Five”

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<sup>1</sup> Licensing Surveyors was yet to be on the horizon and it would be over forty (40) years before that legislation was passed.

<sup>2</sup> The initial Wyoming statute is credited to the efforts of State Engineer Clarence T. Johnson because of his frustration with inaccurate maps submitted with permits to irrigate land. Soon after passage of the Act, Johnson was quoted as saying “A most astonishing change took place within a few months in the character of the maps and plans. “

<sup>3</sup> Although of no particular relevance to this story, Brooks Hays would later run unsuccessfully for Governor a couple of times and then later be elected to Congress where he served for many years.

## Examinees Passing the April 2011 exams

### Fundamentals of Surveying

Kevin Beadle	Michael Lindsey
Michael Bright	Carroll Moreland
Brad Farmer	Alan Nix
Kevin Hall	Andrew Waits
Kirk Harvey	Adam Whitlow
Brandon Herpin	

### Principles of Surveying

Tim Blankenship
Randall Cloud
Shawn Hime
Kevin Owens
Kenneth Heithaus

### State Specific Exam

John Cooke	Joshua Hendricks
Randall Cloud	Michael McNeese
Jason Flamm	Jason Pellin
Patrick Fox	Justin West
Michael Wright	

### Fundamentals of Engineering

Joseph Aldrich	Kevin Carlson	Robert Hayes	Christopher Lindsey	Vithiea Peang	Josh Starch
Benjamin Anderson	Bryan Clark	Vicki Hayes	Antoine Lucas	Justin Phillips	Benjamin Stark
Jarvie Arnold	Sean Coakley	Jeremy Heatley	Camila Maldonado	Jessie Philpot	Matthew Strasser
Nathan Ashley	Christopher Copeland	Timothy Herr	Matthew Margis	Joseph Pohlman	William Strnad
William Baker	Colton Cowles	Nathan Holeman	Benjamin Marts	Jacob Post	Tim Stults
David Barnard	Philip Crabtree	Daniel Hollinger	Daniel Mccaalley	Nicolas Queen	Derik Trowler
Brent Barron	Garrett Crowson	Layne Holman	Joseph Miller	Michael Rappold	David Trulove
Jonathan Baugh	Jessica Digby	Muhammad Hossain	Curtis Mize	Josh Robertson	Steve Turnbaugh
Adrian Beirise	Sarah Dunn	Samantha Hovis	Charlotte Moore	Ruth Romero	Philip Varney
Cristina Belew	Micah Edwards	Cory Johnson	Jamelle Moore	Andrew Rose	Jeremy Verzosa
Matt Blanchard	Robert Erickson	Erica Jones	Christopher Nail	Moses Rotich	Adrian Villalobos
Nicholas Blazic	Randy Frederick	Heather Keathley	Brandon Neel	Steven Schmidt	Troy Walbaum
Deshinka Bostwick	David Fryauf	Brandon Kendrick	Robert Newcomb	Samuel Schneider	Vincent Webb
Jack Branscum	Joshua Gibb	Ezekiel Lancaster	Marshall Nicholson	Michael Scott	Susanna Whittaker
Jarrold Brightwell	Jonathan Gibson	Nathan Lancaster	Natalie Nill	William Scott	Joshua Willis
Allen Busick	Thomas Gilbert	Chris Lax	James Norris	Michelle Shepherd	Joshua Wilson
Zach Callaway	Caleb Gutshall	Bradley Leslie	Kyle Ogden	Dylan Shirey	William Wimpee
Milton Canizares	Randall Hall	Max Light	David Page	Benjamin Smith	Trevor Wisdom
					Stuart Zurga

### Principles of Engineering

Amin K Akhnoukh	Lorraine A Burke	Vinod Eadavalli	Daniel Bright Huett	Nathan A Mahurin	David Lee Romine
Raymond S Avery	Britney F Burns	Joshua E Eversoll	Yeonsang Hwang	Leslie J Marshall	Samuel P Scalfano
Ravi Tej Bandi	Thomas A Burry	Earl A Fleagle	Jay A Keazer	Stephen D McLaughlin	Paul W Tharp
Joshua P Barger	Sarah L Chitwood	Amanda Aycock Gallagher	Jason W Leeper	Daniel E. Miles	Brian S Wagaman
Russell L Bartlett	David A Dorn	Logan Q Hardin	Adam J Lesso	Joseph T O'Hara	David W Winston
David Beltran	Brahm M Driver	John W Harris	Michael McNeill Linebarier	Benjamin P Reynolds	Sarah M Wrede
				Adam P Roberson	Nathan D Young

### PS Education Requirements – Reminder Experience Path to Licensure will Expire, July 1, 2016!

The education requirements for licensure as a PS are changing. Beginning January 1, 2017, the 6 years of active experience will no longer be a path to licensure. The Board wishes to encourage those on the path to licensure, regardless of where they are right now, to be familiar with the new requirements.

Under Hot Topics, we have posted a link (“Want to be a SI or PS? Click here.....”) to a document titled “Surveyor Experience Chart”. This chart summarizes the Surveyor Intern & Professional Surveyor experience requirements which are in effect until January 1, 2017.

An applicant qualifying on experience who does not complete all the examinations prior to the January 1, 2017 deadline will need to qualify for licensure by one of the education pathways (see Article 8.D. for S.I. & Article 8.E. for PS requirements).

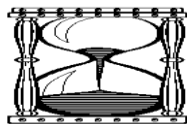
This information is critical to the future Professional (PS) licensees of the Board. Because of its importance, it will be reprinted several times prior to January 1, 2017. Please help future PS’s by sharing this information.

#### Critical Facts about Licensure as a PS Under The Six (6) Year Experience Path.

→October 2016 is the last date to take the PS and/or AR State Specific Exam(s) if admitted under experience.

→If the Applicant has not met all the requirements for licensure by the July 1, 2016 cutoff date; he/she will need to provide proof of sufficient education to qualify.

→If you plan to qualify for PS licensure under the experience path, apply as soon as you get six years of experience so you can begin the exam process!



time is  
Running  
out



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## Governor Reappoints Bond and Vozel to the Board

Recently Governor Beebe reappointed Tommy Bond, P.E., P.S. and Frank Vozel, P.E. to second terms as Engineer members.

Mr. Bond graduated from the University of Arkansas at Fayetteville in 1961 and has been a Professional Engineer since 1965, and a Professional Surveyor since 1967. He founded Bond Consulting Engineers, Inc., and is a Past-President (1979) of ACEC of Arkansas, Past-President (1991) of the Associated General Contractors of Arkansas, and was Surveyor of the Year for the Arkansas Society of Professional Surveyors in 1975.



Mr. Vozel graduated from the University of Arkansas at Fayetteville in 1970 and has been a Professional Engineer since 1975. Upon graduation, he went to work for the Arkansas State Highway and Transportation Department in the Traffic Division. Since that time he has held the positions of Section Head of the Highway Safety and Traffic Engineering Sections, Assistant Division Head of the Traffic Division, Division Head of the Programs and Contracts Division, Assistant Chief Engineer – Planning, and Assistant to the Director and finally in December of 2006, he was promoted to his current position as Deputy Director and Chief Engineer.

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Return Service Requested

STATE BOARD OF LICENSURE  
FOR PROFESSIONAL ENGINEERS  
AND PROFESSIONAL SURVEYORS  
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