



ARKANSAS

State Board of Registration for Professional Engineers and Land Surveyors

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William J. Driggers, P.E., L.S.

James E. McClelland, Jr., P.E.

Samuel D. Cummings, Jr., P.E.

Albert H. Miller, P.E., L.S.

Frances Schmand
Consumer Representative

Maribeth Frazer
Consumer Representative

NOVEMBER, 1991

NEWSLETTER

FOURTH EDITION

PRESIDENT VENABLE'S REMARKS

The Board meeting that was held on September 19 & 20, 1991 resulted in several items of business being accomplished and was a very productive meeting.

The first item of business on the afternoon of September 19 was a formal disciplinary hearing against Mr. Gary Whitfield, RLS #882 concerning his actions as a registered land surveyor. After hearing the testimonies presented, regarding failure of the defendants surveys to meet minimum standards and the use of his stamp on survey documents he did not actually perform, the Board found that disciplinary action should be imposed. The Board then ordered that Mr. Whitfield's registration be suspended for a period of one year and that he be required to appear before the Board before his registration is reinstated. The Board further assessed a civil penalty in the amount of \$500.00.

Following this hearing at 5:00 p.m., a formal public hearing was conducted in the Board Room to discuss the proposed changes in the Board Rules. Several engineers and land surveyors were present at this hearing.

After discussion of all items brought before the Board and after answering all questions presented, the Board adopted the revised rules as amended during the hearing to become effective January 1, 1992. The revised rules clarify some of the language used in the present guidelines and makes it easier to understand the meaning.

One area that has been a particular problem is the exemption of the registered land surveyors who have either 20 years of acceptable survey experience or is 60 years of age or older from the continuing education requirements. Article 21G of the revised rules should make this easier to administer.

The following day, the Board discussed a complaint that had been received against another registered land surveyor concerning unethical practice. At this time, a formal disciplinary hearing is scheduled for 1:00 p.m., November 5, 1991 to hear the charges and to determine what action if any is required.

The Board also received copies of the revised minimum standards for review and comment. These will be presented as soon as all members have had a chance to review.

As can be seen, the Board has been active in carrying out its duties to assure that the public interests are maintained to the highest standard and will continue to do so in the future.

I would also like to express my appreciation for everyone who attended the public hearing on the afternoon of September 19.

As has been expressed before, we would also like to hear from you regarding our newsletter. Your comments and suggestions are certainly welcome.

BOARD APPOINTMENTS

Governor Bill Clinton made the following appointments to the Board for a term to expire July 1, 1995.

Charles E. Venable, P.E., R.L.S., was reappointed to a second term. Charles is chief engineer for the Arkansas Highway and Transportation Commission.

Samuel D. Cummings, Jr., P.E., was reappointed to a second term. Sam is corporate secretary for the Pettit and Pettit Consulting Engineering Firm. They provide mechanical and electrical engineering services.

Frances Schmand was reappointed to a third term as a public member to the Board.

We welcome all three of these members back to the Board. They have all been active, hard working and conscientious Board members.

RECENT REGISTRANTS

The following individuals have completed the requirements and have been licensed since June 1, 1991.

PROFESSIONAL ENGINEERS

Adams, Thomas A.
Bowren, Kenny L.
Brisco, Jackie W.
Bryant, Robert L.
Cole, James R.
Davis, Wesley D.
Eggburn, Mitchell T.
Fischer, William G.
Fletcher, III, James J.
Fugett, Michael D.
Harris, James D.
Heinrichs, Stephen G.
Holder, Jerry D.
Hughes, Raymond A.
Ko, Ching W.
McIlroy, Charles R.
McMickle, John H.
Morse, Charles R.
Nguyen, Chuong H.
Ragsdale, Randall M.
Roberts, James J.
Selvam, Rathinam P.
Sherman, Paul S.
Siew, Kin W.
Wall, Douglas J.
Watkins, III, John T.

ACT 616 of 1989

Apparently, the article in the last newsletter confused some people. ACT 616 of 1989 sets some specific guidelines for the procurement of professional services by the State and political subdivisions. This includes both engineering and land surveying along with other professions. This ACT does not apply to private industry in their procurement of engineering or land surveying services. Hopefully, this will clarify this confusion.

PROFESSIONAL LAND SURVEYORS

Brown, Delton L.
Newton, Robert L.
Robb, Danny J.

ACT 1100 of 1991

This ACT went into effect September 1, 1991. This ACT states in part "The design of structural elements of public buildings and structures shall be performed by a Professional Engineer registered in the State of Arkansas who is competent in seismic structural design according to current standards of technical competence. The structural plans of each public building or structure shall bear the engineer's Arkansas seal and signature and a statement of reference to what seismic zone the structure is designed to satisfy."

This ACT applies to all public buildings, roads, aqueducts, parks and all other fixed works constructed for public use. This applies regardless of the ownership of the improvement.

The only exemption of this ACT are single family residences, duplexes, triplexes, fourplexes and agricultural structures.

The various seismic zones are established and defined in this ACT. All of the State is included within one of the three seismic zones.

BOARD ATTORNEY

The Arkansas Board's legal representative is the Attorney General of the State. Attorney General, Winston Bryant, has appointed Wade Hodge to represent this Board. We welcome Wade as the Board attorney and look forward to our association with him.

BOARD OFFICERS

Charles E. Venable, P.E., R.L.S., was elected as President of the Board and William J. Driggers, P.E., R.L.S., was elected as Vice-President. This term will be July 1, 1991 to July 1, 1992.

BOARD MEETINGS

The Board meets quarterly for regular meetings and as necessary for special meetings. The Board has decided to move the December meeting to various engineering schools around the State. The December 1991 meeting will be held at Arkansas State University at Jonesboro, Arkansas. Hopefully, this will enable the Board to have closer contact with engineering and land surveying students and faculty at the various universities in the State that offer approved degrees.

LAND SURVEY COMMITTEE

The Board has, for several years, appointed a committee to advise the Board on land survey matters. The committee is composed of Ronnie Hawkins (term to expire July 1, 1992), Steve Corley (term to expire July 1, 1993), Rick Hall (term to expire July 1, 1994) along with John Ed Isbell and Charles Venable of the Board. This committee also meets quarterly and interviews nearly all candidates for land survey registration.

The committee also makes recommendations to the Board on all matters relating to land surveyors. However, all action by the committee has to be approved by the Board.

Rick Hall has been elected chairman of this committee for the period of July 1, 1991 to July 1, 1992.

FILING SURVEY PLANS

ACT 645 of 1969 required that all licensed surveyors in the State shall file a plan of all surveys of property boundary lines made by them in the office of the Circuit Court Clerk wherein a survey was made within thirty (30) days after the survey is completed. The ACT 919 of 1981 gave some more requirements for information to be shown on the plan. The State Surveyors Office was created by ACT 458 of 1973 and gave him authority to prescribe reasonable rules and regulations, not inconsistent with law, designed to establish uniform professional surveying and mapping methods and standards in this state.

The State Surveyors Office on June 30, 1982 established the Arkansas Minimum Standards for Property Boundary Surveys and Plans. This requires among other things the filing of plans also with the State Surveyors Office.

It is incumbent upon all Surveyors in the State of Arkansas to conduct their business within the Laws of the State. The Board fully intends to impose disciplinary actions against any Registered Land Surveyor that does not comply with the provisions of the above law.

SOUTHERN ZONE MEETING

The Arkansas Board will be host to the NCEES Southern Zone meeting April 2, 3, & 4, 1992. The meeting will be held at the Park Hilton Hotel in Hot Springs. The Southern Zone of the National Council of Examiners for Engineering and Surveying is composed of State Boards: Arkansas, Oklahoma, Texas, Louisiana, Mississippi, Tennessee, Kentucky, Alabama, Florida, Georgia, South Carolina, North Carolina, Puerto Rico and The Virgin Islands. The Arkansas Board is looking forward to having delegates from all these States visiting Arkansas next April.

Please Take Note

Apparently, many of our registrants have been relying upon the Arkansas Society of Professional Engineers, Arkansas Society of Professional Surveyors and other organizations to forward their address change notifications to the Board of Registration. As a matter of policy, the Board must receive address change notifications in writing directly from the registrant. No other notifications of address change will be accepted. If your address on this mailing is incorrect, please complete the following and mail to the Board Office at P.O. Box 2541, Little Rock, Arkansas 72203.

IMPORTANT BOARD DATES

- Dec. 6, 1991 Board meeting,
Jonesboro, Arkansas
- Dec. 13, 1991 L.S. Committee meeting
- Jan. 1, 1992 Deadline for renewal
of P.E. license
- Feb. 1, 1992 Deadline for submiting applications
for April exam
- Feb. 27, 1992 L.S. Committee meeting
- Feb. 28, 1992 Board meeting
- April 2, 3,
& 4, 1992 Southern Zone
meeting, Hot
Springs, Arkansas
- April 11, 1992 Spring exams,
both Fundamentals
and Principle &
Practice for Engineers
and Land Surveyors



Please Type or Print Clearly

NAME _____

ADDRESS _____

CITY _____

STATE _____

ZIP _____

SOCIAL SECURITY NO. _____

PE/LS LICENSE NO. _____

SIGNATURE _____

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