

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

IN THE MATTER OF WILLIAM O. BRYANT, PLS #1347

CONSENT AGREEMENT

A complaint charging WILLIAM O. BRYANT, PLS #1347 (hereinafter "Respondent"), with violations of the statute governing registered Land Surveyors in the State of Arkansas has been received by the Arkansas Board of Registration for Professional Engineers and Land Surveyors (hereinafter "the Board"). In the interest of a prompt and speedy settlement of the above-captioned matter, consistent with the public interest, statutory requirements and the responsibilities of the Board, the undersigned parties enter into this Consent Agreement as a final disposition of matters presently before the Board.

Based upon the evidence before it, the Board makes the following Findings of Fact and Conclusions of Law:

1. Respondent is Professional Land Surveyor #1347 in the State of Arkansas. The Arkansas Minimum Standards for Property Boundary Surveys and Plats Standards of Practice No. 1, Revised March 14, 1996, provide for the protection of the public by requiring certain actions on the part of a surveyor.
2. On September 5, 2001, Respondent completed a survey on land located in Boone County for Bennie Milam (attachment 1). The survey contains eight (8) alleged deficiencies which, if proven, would constitute corresponding violations of the Arkansas Minimum Standards for Property

Boundary Surveys and Plats Standards of Practice No. 1, Revised March 14, 1996.

3. Respondent's violations of the Arkansas Minimum Standards for Property Boundary Surveys and Plats Standards of Practice No. 1, Revised March 14, 1996, if proven, would constitute eight (8) violations. Each violation would also constitute a violation of Ark. Code Ann. §17-48-102(b)(1) through (3), which gives the Board the authority to assess a civil penalty of \$25 to \$2,000 against any professional land surveyor who is found guilty of any gross negligence, competence, or misconduct.

CONCLUSIONS OF LAW

The actions cited in the Findings of Fact constitute the violation of Arkansas Board of Registration for Professional Engineers and Land Surveyors Rules, Article 16.A and Arkansas Minimum Standards §3.3 C.

CONSENT

1. Respondent admits five (5) of the allegations contained in the Board's Findings of Fact and Conclusions of Law and offers to pay to the Board within thirty (30) days of the Board's acceptance of this Consent Agreement a civil penalty of a total of Eight Hundred dollars (\$800.00).

2. In lieu of a formal hearing on these issues, Respondent agrees to issuance of the attached Order and waives all rights to a hearing, appeal or judicial review relating to the Order. If not accepted by the Board, this offer shall be null and void and the matter shall be scheduled by the Board for full hearing.

- 3. Respondent understands that all investigative materials prepared or received by the Board concerning these violations and all notices and pleadings relating thereto may be retained in the Board's file concerning these matters.
- 4. Respondent understands that those admissions are conclusive evidence of a prior violation of the rules and regulations governing registered land surveyors in the State and may be used for purposes of determining sanctions in any future disciplinary matter.
- 5. Respondent acknowledges that he has consulted legal counsel prior to entering this Consent Agreement.
- 6. Respondent understands that this Consent Agreement will be presented to the Board on October 19, 2004, and is effective upon signatures of the proper parties to this Agreement

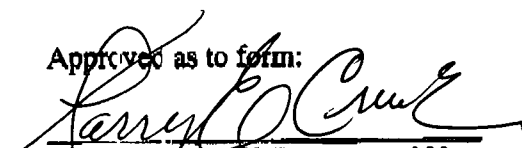

 WILLIAM O. BRYANT, RESPONDENT

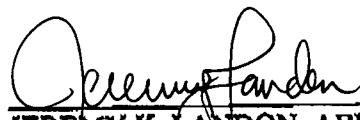
Dated: 10/12/04


 KEN COTTER, PRESIDENT

Dated: 10/19/04

Approved as to form:


 LARRY E. CRANE, ABN 75023
 Assistant Attorney General
 323 Center Street
 Little Rock, AR 72201
 501-682-3122


 JEREMY K. LANDON, ABN 97127
 Attorney for Respondent
 224 East Railroad Avenue
 Morrilton, AR 72110
 (501) 354-1193

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ORDER

In view of the Findings of Fact, Conclusions of Law and the Consent of the Respondent as stated in the Consent Agreement filed herein, the Board hereby issues the following Order:

1. It is ordered that Respondent pay a civil penalty of \$800.00, to be paid in full thirty (30) days from the effective date of this Consent Agreement.

ARKANSAS STATE BOARD OF REGISTRATION FOR PROFESSIONAL
ENGINEERS AND LAND SURVEYORS

BY: 

KEN COTTER, President

Dated: 10/19/04

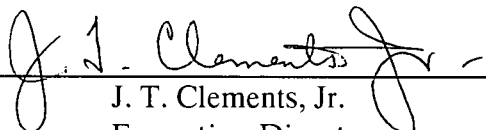
CERTIFICATE OF SERVICE

I, J. T. Clements, Jr., 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 same, by certified mail, with return receipt requested and postage prepaid, on this 20th day of October, 2004, to:

Mr. William O. Bryant, PLS # 1347
208 Hunters Rd.
Center Ridge, AR 72027-8507

and, by First Class Mail, to:

JEREMY K. LANDON
Attorney for Respondent
224 East Railroad Avenue
Morrilton, AR 72110



J. T. Clements, Jr.
Executive Director