

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

**IN THE MATTER OF THOMAS S. DABNEY, PE #1627, PS #482**

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER**

On October 17, 2006, the Arkansas Board of Registration for Professional Engineers and Land Surveyors (hereinafter "the Board") held a hearing on the Order and Notice of Hearing charging Thomas S. Dabney, PE #1627, PS #482 (hereinafter "Respondent") with failing to comply with the provisions of the laws governing the practice of professional surveying in the state of Arkansas, A.C.A. §17-48-101 et seq., and the Arkansas Minimum Standards for Property Boundary Surveys and Plats Standards of Practice No. 1, Revised March 14, 1996. The Respondent did not appear in person after receiving proper service of the Order and Notice of Hearing. After consideration of all evidence and testimony presented at the hearing, the Board makes the following Findings of Fact and Conclusions of Law:

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

These Orders are based upon the following findings of facts:

1. The Board has the power to take disciplinary action against a licensee who fails or refuses to comply with any laws relating to any rules or regulations of the Board. A.C.A. §17-48-101 et seq.
2. Respondent is a Professional Engineer #1627 and Professional Surveyor #482 under this Board.
3. In January 2006, Respondent completed a survey on land located in Chicot County, Arkansas. Said survey was issued and generally contains the following

deficiencies and corresponding violations of the Arkansas Minimum Standards for Property Boundary Surveys and Plats Standards of Practice No. 1, Revised March 14, 1996 (“Minimum Standards”):

<u>Alleged Deficiency</u>	<u>Violates Standard #</u>
no closure ratio	2.2
no procedural techniques using B.L.M. procedures	3.2.C.
no verification of monumentation location	3.2.E.1
no monumentation marked with registrant number	3.2.E.2.a
no proper identification of 1/16, ¼, or section corners	3.2.E.2.c
no monumentation accessories	3.2.E.3
no boundaries with distances and directions (along bayou)	3.3.A.
no ties to control	3.3.A.2.
no monument accessories	3.3.A.2.
no surveyor’s basis for acceptance shown	3.3.A.2.
no record title lines	3.3.A.3.
no description of monuments set	3.3.A.4.
no business address of surveyor	3.3.A.7.
no basis of direction	3.3.A.8.
no legend	3.3.A.10.
no day date	3.3.A.13.
revision of plats not noted	3.3.B
not filed with County Clerk	3.3.C.1.
not filed with State Surveyor’s office	3.3.C.2.

4. Respondent's failure to perform the work in accordance with the Minimum Standards constituted nineteen (19) violations of Ark. Code Ann. §17-48-102(b)(1) through (3) and under this law the Board is authorized to prescribe appropriate discipline or penalties in this matter.

ORDER

IT IS THEREFORE ORDERED:

- (1) that respondent shall pay a civil penalty of \$150 for each of the nineteen (19) violations for a total of \$2,850.00 payable to the Board within ninety (90) days;
- (2) That Respondent be placed on probation for one (1) year during which he is to file all plats with the State Surveyor's office for the State Surveyor's review;
- (3) This Order may be appealed within thirty (30) days of service upon the Respondent as specified in the Arkansas Administrative Procedure Act, Ark. Code Ann. §25-15-201, *et seq.*

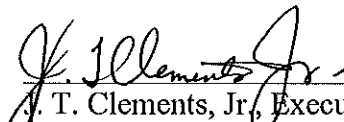
  
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Mike Marlar, President

Date 12/5/06

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 first class and certified mail, with return receipt requested and postage prepaid, on this 5<sup>th</sup> day of ~~November~~, 2006 to: DECEMBER, 20

Mr. Thomas S. Dabney, PE 1627, PS 482  
Dabney Engineering, Inc.  
PO Box 724  
Lake Village, AR 71653

  
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J. T. Clements, Jr., Executive Director