

**BEFORE THE ARKANSAS STATE BOARD OF LICENSURE FOR
PROFESSIONAL ENGINEERS AND PROFESSIONAL SURVEYORS
IN THE MATTER OF GREGORY G. HERNDON, PE 16670, RESPONDENT**

Case #2019-5

CONSENT AGREEMENT

The Arkansas State Board of Licensure for Professional Engineers and Professional Surveyors (hereinafter referred to as “the Board”) received a Complaint alleging that Gregory G. Herndon, PE 16670, (hereinafter referred to as “the Respondent”) violated the Board’s statutes and/or rules. In lieu of a formal hearing on these issues, and in the interest of 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 this matter.

The Respondent, agrees to the following:

1. Respondent, having read the proposed Consent Agreement, acknowledges his/her/their right to consult with counsel, and enters into this Consent Agreement on Respondent’s own volition and without any reliance upon any representations by the Board or any officer, employee, agent or other representative thereof, other than expressly set forth herein.
2. Respondent hereby waives any further procedural steps including, without limitation, Respondent’s right to a hearing and all rights to seek judicial review or to otherwise challenge or contest the validity of this Consent Agreement.
3. Respondent agrees that the Board will review and determine whether to approve this Consent Agreement. Furthermore, Respondent agrees that should this Consent Agreement not be approved by the Board, the presentation and consideration of this Consent Agreement by the Board shall not unfairly or illegally prejudice the Board or any of its

members from further participation, consideration or resolution of the matters involved herein at any subsequent hearing.

4. Respondent understands and agrees that approval and entry of this Consent Agreement shall not preclude additional proceedings by the Board against Respondent for acts or omissions not specifically addressed herein.
5. Respondent understands and acknowledges that this Consent Agreement and the Board's records concerning this matter are public records and available to the public pursuant to the Freedom of Information Act, Ark. Code Ann. §25-19-101, et seq.
6. This agreement shall not become a valid and enforceable order of this Board unless and until accepted and approved by the Board at an official meeting and executed by the President of the Board or his designee.

FINDINGS OF FACT

1. On February 18, 2019, April 3, 2019 and April 9, 2019 Respondent represented himself as a licensed Professional Engineer in an email signature.
2. Respondent failed to renew his Professional Engineering license on December 31, 2016 and was placed on Non-Renewed status. Respondent's license is currently Non-Renewed.

CONCLUSIONS OF LAW

1. Respondent's actions, as set forth in Findings of Fact 1-2, above, constitute violations of Ark. Code Ann. §17-30-102(b)(1), §17-30-305(a)(1)(C), & Board Rule 1, Article 16.A.

ORDER

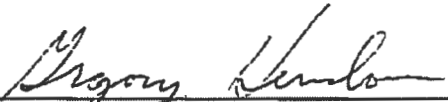
THEREFORE, IT IS SO ORDERED THAT:

1. For the violation described above, the Respondent shall pay to the Board a civil penalty of Two hundred fifty (\$250) dollars. The total civil penalty shall be paid to the Board within Thirty (30) days of service of this fully executed Order.

IT IS FURTHER ORDERED that the Board shall retain jurisdiction of this matter for purposes of implementing and enforcing this Consent Order and Respondent's failure to comply with any term or condition of this Consent Order shall constitute grounds to impose disciplinary action pursuant to Ark. Code Ann. § 17-30-305.

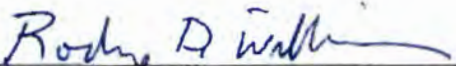
IT IS SO ORDERED.

AGREED this 21 day of April 2020.



Gregory Herndon

21 APR 2020
Date



Dr. Rodney Williams, PS, PE, PHD, President
Arkansas State Board of Professional Engineers
And Professional Surveyors

05/12/2020
Date