

**BEFORE THE ARKANSAS STATE BOARD OF LICENSURE FOR
PROFESSIONAL ENGINEERS AND PROFESSIONAL SURVEYORS**

Complainant:)	
)	
Arkansas State Board of Licensure for)	
Professional Engineers and Professional)	
Land Surveyors)	
)	Case #2008-40
)	
Respondent:)	
)	
Mr. Clyde S. Lamar, PS)	
Lamar Surveying)	
PO Box 20256)	
Hot Springs, AR 71903-0256)	
)	
)	

DISMISSAL ORDER

The Arkansas Board of Licensure for Professional Engineers and Professional Surveyors (hereinafter "the Board") recorded a complaint on October 29, 2008, alleging that Clyde Scott Lamar (PS #1327, hereinafter "Lamar") violated Arkansas Code Annotated §17-48-303 (entering property without properly announcing or identifying himself).

FINDINGS OF FACT

1. Lamar was retained to survey a parcel adjacent to that of Edye Portwood ("Portwood"). In order to complete the survey, his crew needed access to and entered upon land owned by Portwood.
2. During the course of the fieldwork, a member of Lamar's survey crew rode through Portwood's yard on an all-terrain vehicle without stopping or speaking.
3. In his answer to the complaint, Lamar claims to have spoken with Portwood about access, but that statement could not be confirmed or refuted.

CONCLUSIONS OF LAW


Upon review of the evidence in its possession, the Board finds the conduct by Lamar described in the Findings of Fact does not warrant further investigation or disciplinary action.

The Board, however, is concerned that some surveyors may not be fully aware of their obligations when entering private properties, and therefore asked that the letter notifying Lamar of dismissal of the action explain compliance with Arkansas Code Annotated §17-48-303.

ORDER

Based on these findings, the complaint against Lamar is dismissed without further action by the Board, and a letter of explanation will be issued by the Executive Director.

SO ORDERED this 19th day of February, 2010



Frank Vozel, Board President

AMMA

CERTIFICATE OF SERVICE

I, Steve W. Haralson, Executive Director of the Arkansas State Board of Licensure for Professional Engineers and Professional Surveyors, do hereby certify that I have served a copy of the foregoing order by mailing a copy of the same by first class mail on this 18th day of March, 2010, to:

Mr. Clyde S. Lamar, PS
Lamar Surveying
PO Box 20256
Hot Springs, AR 71903-0256

A handwritten signature in black ink, appearing to read "S. Haralson", written over a horizontal line.

Steve W. Haralson
Executive Director