



The Board's Bulletin

A Quarterly Publication for Licensees of the Oklahoma State Board of Licensure for Professional Engineers and Land Surveyors

MESSAGE FROM THE CHAIRMAN



Ted Sack, P.L.S. - Chairman

In this issue:

Message From the Chair	1-2
A/E Exchange	2
In Memoriam	3
Remembering Ross Relph	3
Compliance Guidelines/ Foundation Repairs	3
License Expirations	4-5
Sharlette Wisby Honored	6
Online Renewal Update	6
Disciplinary Activity	7-9
The Path to Compliance	10
Fiscal Activities	11
PE Continuing Ed Audit	11
Change of Address Form	12

I am honored to be elected Chairman of the 2008-2009 Board. It has been a very busy fiscal year already with the July and September Board meetings and the annual NCEES meeting held in August. On Sunday after the July Board Meeting, a Certificate Presentation was held for all newly Licensed Engineers and Surveyors. The annual NCEES meeting was held in Minneapolis this year. These NCEES meetings are so helpful in understanding what is happening across the country. The members exchange ideas on what items have and have not worked in other states. It is remarkable how pertinent the same issues are for all of us from East to West. Oklahoma is well-represented nationally and within our Southern Zone, with the following members of the Board and Staff serving on the following committees:

- Glen Smith, PE, Board Member - Southern Zone Nominations Committee Member
- Bob Zahl, PE, Board Member - Fundamentals of Engineering Committee and Examinations for Professional Engineers Committee Member
- Ted Sack, PLS, Board Chair - Examinations for Professional Surveyors Committee Member;
- George Gibson, PE, Board Vice Chair - Southern Zone Secretary Treasurer
- Roy Entz, PE, PLS - Examination Policy and Procedures Committee Member and a Resource for the Examinations for Professional Surveyors Committee;
- Bruce Pitts, PLS - Law Enforcement Committee
- Bill Dickerson, PE - Examination Audit Committee Chair and the Fundamentals of Engineering Examination Committee Member

Also, the Board is busy with education requirements for surveyors as they are increasing to two or four year degrees, with a mixture of educational core classes and experience. State Boards across the nation also continue to debate the education requirement for engineers – 4 year BS degree, BS degree + Masters, 150 hours, etc. I think the only consensus is that this item needs further discussion.

(continued on page 2)

A/E Exchange

*From the Board of Governors of Architects,
Landscape Architects, and Interior Designers
&
The Board of Licensure for Professional
Engineers and Land Surveyors*

The Joint Practice Committee, consisting of members and staff from the Board of Governors of Architects, Landscape Architects, and Interior Designers and the Board of Licensure for Professional Engineers and Land Surveyors continues to meet, share information, and work towards resolving conflicts and improving communications between the Boards and the professions. The Committee is planning to hold a joint meeting with Building Code Officials and other interested parties in the next few months.

The Enforcement Division of both Boards have begun meeting together, exchanging case information and sharing their enforcement resources. Both Boards are optimistic that this will improve the enforcement and regulation of all professions involved and will better serve to protect the health, safety, and welfare of the public.

Message from the Chair - (cont.)

Last year we went through several changes to the Board Statute. One of the changes was to establish a tier of education and experience for surveyors. Another change was to establish the capability of electronic signatures. We are now working on Board Rule changes that would set the conditions for electronic signatures. Another item that is being revised is the "presence in the workplace" statement in the definition of direct control and personal supervision. Both of these items are critical in allowing the licensees to work in the Twenty-First Century. The Board works hard to keep the Statute and Rules current to meet the needs of today's professions. Most importantly, our focus is to look out for the safety and protection of the public. The Board will hold a Public Hearing on Friday, November 14th at 2:00 p.m. for your input to the Board Rule changes. Please check the web site for a draft of these changes.

Other topics that are on the Board's agenda for this year are:

Foundation Repair Companies, Home Inspection Examiners, Engineer and Architectural roles and duties, Continuing Education, Plan Examiners and Building Officials.

Please contact me if you have other items that need our attention.

**Remaining Board Meeting
Dates 2008**

November 13-14

**Exam Dates & Cut-off Dates
for submitting applications**

**Application forms are on our
website www.pels.state.ok.us**

***Note amended cut-off date
for applications for Spring
2009 PE & LS Exams**

***Dec. 1, 2008 - cut-off date
for PE & LS applications for
the April 24, 2009 exams.
Jan. 3, 2009 cut-off date for
December graduates.**

**Jan. 3, 2009 - cut-off date for
EI & LSI applications for
non full-time students for
the April 25, 2009 exams.**

**Feb. 5, 2009 - cut-off date
for EI & LSI applications for
full-time students for the
April 25, 2009 exams**

**June 1, 2009 - cut-off date
for PE & LS applications
for Oct. 23, 2009 exams
AND
the cut-off date for EI &
LSI applications for non
full-time students for the
Oct. 24, 2009 exams.**

**Sept. 5, 2009 - cut-off date
for EI & LSI applications
for full-time students for
the Oct. 24, 2009 exams.**



In Celebration of the Lives & Contributions of the Following Professionals:

Eldred J. Cabanaw PE 5780
Bartlesville, OK 3/18/08

Ralph C. Hombsch PE 15727
Oconomowoc, WI 6/24/08

David Kanter PE 21847
Metairie, LA 9/24/07

Forrest Keene, Jr. PE 8304/LS 1207
Corinth, TX 9/8/2008

Theo Cole McCool PE 8373
Norman, OK 12/26/07

Roger H. Miller PE 5651
Tulsa, OK 5/20/08

Richard H. Peifer PE 13188
Phoenix, AZ 6/21/08

Ross Relph PE 5457/LS 66
Oklahoma City, OK 7/2/2008

Sanford W. Wells PE 7455
Broken Arrow, OK 5/2008

Linda D. Williams PE 20891
Bartlesville, OK 11/13/07

Clyde L. Young PE 16250
Venice, FL 11/8/07

Ross Relph, P.E., P.L.S. Leaves His Mark on the Board



Former Board Member Ross Relph, P.E., P.L.S., passed away on July 2, 2008. Mr. Relph served on the Board from July 2000 to June of 2002. He was appointed by former Governor Frank Keating to fill the remaining term of Bob Cornforth, P.E., who passed away while he was serving as a Board Member.

Mr. Relph was a partner in the consulting firm of Lowrie & Relph Engineering Company in Oklahoma City from 1960 to 1985. In 1988 he formed a private engineering firm, focusing on foundation reports, soils evaluations, damage reports covering fire and storm losses, and structural analyses of commercial buildings and ancillary equipment. Mr. Relph was instrumental in continuing the work that Mr. Cornforth had started on the Board with Building Code Officials and to publish the A/E Brochure.

COMPLIANCE GUIDELINES FOR FOUNDATION REPAIRS *RESCINDED*

As previously reported, *the Compliance Guidelines for Foundation Repairs* adopted by the Board were rescinded. The Oklahoma Structural Engineers Association (OSEA) is exploring other avenues to protect the public regarding foundation repairs. A committee has been formed to review the Guidelines and to determine what, if anything, can be done concerning improper, inadequate, and unethical foundation repairs that are performed in Oklahoma.

License Expirations April 1, 2008 to June 30, 2008

EXPIRATION/REVOICATION - Licenses may be revoked by the Board for non-payment of renewal fees. Licensees will be notified of revocation by certified mail. Typically this notification is mailed 10 days following expiration.

RENEWALS - Each license issued by the Board expires on the last day of the month in which renewal fees are due, and becomes invalid on that date unless paid. One notice of the renewal is sent by first class mail to the address of record in the board files. This in effect provides notice two months prior to revocation.

REINSTATEMENT - Former licensees whose certificates have expired and were revoked for failure to pay renewal fees and desire to reinstate shall make application for reinstatement within 180 days after expiration and pay the prescribed renewal fee and penalty. After 180 days, a new application will be required, which shall be considered specifically by the Board, both from the standpoint of competency and of character.

Professional Engineers:

Beamon, Lynn Maurice 23237 Buehler, Amy Kohls 20747 Hobson, Darrell E. 4927 Hoffner, Louis Lyle 12057 Hogue, Larry D. 12228 Holman, Nuel Fay Jr. 14588 Homan, Charles I. 14981 Hooper, Lee V. 18774 Hoover, Kenneth C. 16672 Hopfinger, Bernard L. 18547 Hopkins, Robert Patton 17155 Hopps, Howard B. Jr. 2199 Horne, Bruce 15840 Horne, Joe E. 13787 Hornsby, James Jr. 14675 Horton, Rodney E. 16806 Hotek, Dan Judson 16288 Hotop, Christopher G. 21367 Hough, J. Steven 21863 House, Pete E. 10098 Houser, Daniel J. 9254 Houston, Brian L. 20359 Huang, Andrew Tze-An 19908 Hudgens, Patric Dean 21957 Huffman, Michael James 12680 Hughen, Otis L. 8279 Hula, Ronald L. 6973 Humphries, Len D. 16489 Hunt, Jerry D. 22203 Hurd, Mark F. 20815 Hustad, David L. 17277 Icaza, Christian Frank 14351 Ingebretson, Curtis O. 17108 Inoue, Riichi 12981 Iwert, Lou 14170 Jack, Donald S. 19227 Janavicius, John T. 22066	Jariwala, Kalpesh M. 21192 Jasper, C. Gerald 19361 Jennings, Robert Nelson 19206 Jensen, Lawrence A. Jr. 21145 Jewell, Charles E. 18996 Johnson, Barry Franklin 15797 Johnson, Christopher T. 21593 Johnson, Jay H. 22090 Johnson, Louis C. 11883 Jones, J. P. 19858 Jones, Jeremy A. 22193 Jones, Robert L. 6905 Joye, James D. 22397 Kahmann, A. R. 2337 Kane, John Robert 19988 Karamched, Parthasarathy 14606 Kariotis, Konstantinos 21379 Kasten, David O. 18766 Kaul, Surinder K. 11528 Keathley, R. Douglas 15811 Keen, Randy Lee 19799 Keeney, Larry W. 20090 Kehler, Gerald Ian 22291 Keierleber, Brian Paul 14486 Kelly, Philip J. 16953 Kemmerly, Nathan Todd 18697 Kerns, James A. 15919 Kikugawa, Reginald T. 3457 Killian, John Frederick 13562 Kim, Raynard S.B. 22963 Kim, Seung K. 14305 Kindred, Kip Timothy 12458 King, James M. 6886 King, Michael W. 21922 Kirchhoff, James R. 12354 Kitchen, Marvin L. 13146 Kleppinger, William E. 20525 Knight, William D. Jr. 22601 Knottnerus, Brent A. 21669
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Koger, Kurtlan R. 20707 Koons, James E. 10300 Kopfer, John Albert 16400 Korista, D. Stanton 11151 Kranz, Duane J. 15067 Krenik, Gregory J. 19818 Kroll, R. E. 14271 Kroll, Russell Wayne 15392 Krywicki, John M. 15712 Kumar, Raj 15452 Kung'u, Francis T. 18965 Pourvakil, Sean 23336
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Professional Land Surveyors:

Houk, Stephen M. 1338 Jones, Boyd L. 1112 Keating, William Joseph 1405 Klingenhagen, Tom 1590



Certificates of Authorization Expirations:

A.H. OSBURN LAND SURVEYORS INC.	2229 (LS)	dba Alethian Forensic Engineering	5170 (PE)
A.L. LEVINS SURVEYING	3037 (LS)	dba Dynamic Analysis	4655 (PE)
ADAMS CONSULTING ENGINEERS, INC.	2767 (PE)	dba GODWIN & ASSOCIATES	2991 (PE)
Adams Frazier Anderson, Inc. Consltg Engrs	5160 (PE)	dba LNV Engineering	5436 (PE)
AEP-Fossil & Hydro Operations, Region 4	3016 (PE)	dba NTH CONSULTANTS, LTD.	3736 (PE)
Agricultural Engineering Assoc., Inc.	1964 (PE)	dba The Vistawall Group	4166 (PE)
Aircraft Fueling Systems, Inc.	2657 (PE)	DEMACO, INC.	3453 (PE)
Alliant Energy EPC, LLC	4616 (PE)	DMJM H&N, Inc.	1452 (PE)
Anthony R. Congram, P.E.	3041 (PE)	Dunn Associates Inc.	4727 (PE)
APPLIED ENG & MGMT CORP. (AEMC)	2694 (PE)	E.L. Baucom Engineering LLC	4595 (PE)
Arco Engineering, Inc.	5194 (PE)	E.C.E. Engineering, L.L.C.	3611 (PE)
Arkansas Precast Corporation	3014 (PE)	EDM Incorporated	3276 (PE)
Bartlesville Surveying Team	2068 (LS)	EMC2, Inc.	3334 (PE/LS)
Bartlett & West Engineers, Inc.	4885 (PE)	Energy Panel Structures, Inc.	5027 (PE)
Benchmark Design Group, LLC	4666 (PE)	Engineering Resource Center	3182 (PE)
Bentley Environ. Engineering, Inc.	1653 (PE)	Engineers Consortium, Inc.	5045 (PE)
Blair Consulting PLLC	5100 (PE)	Environmental & Chemical Technology, Inc.	4441 (PE)
Boydston Designs, Inc.	4797 (PE)	Environmental Res. Mgmt.-Rocky Mtn. Inc.	3941 (PE)
BP Engineering, LP	2305 (PE)	ERM EnviroClean-SW, LLC	4874 (PE)
Buell Fryer McReynolds Jahed, Inc.	5065 (PE)	E-W Associates	4515 (PE)
Buildings Consltg. Group, Inc.	3505 (PE)	Fashion, Inc.	3349 (PE)
Burger Engineering, PLLC	4251 (PE)	Fenix Constructors, Inc.	2180 (PE)
C & R Mechanical Company	4955 (PE)	Flack + Kurtz, Inc.	3687 (PE)
Cantrell and Associates	2151 (PE/LS)	Flintco, Inc.	4638 (LS)
Carpenter & Assoc.	2823 (PE)	Frost GeoSciences, Inc.	5137 (PE)
CCI Mechanical, Inc.	4714 (PE)	Fuller, Mossbarger, Scott & May Engrs., Inc.	5256 (PE)
Ceco Bldg Sys. A div of Robertson-Ceco Corp.	4257 (PE)	G. Shepherd & Company	2080 (PE)
Certified Facilities Corporation	3698 (PE)	GALLOWAY, ROMERO & ASSOCIATES	2124 (PE)
Charlotte Engrs, LLP	5245 (PE)	Genesis, Inc.	431 (PE)
Christison Land Surveying, Inc.	5300 (LS)	Geomatic Consultants, Inc.	4991 (LS)
Civil Point Engineers, Inc.	5408 (PE)	Geotechnology, Inc.	5146 (PE)
Cobbs Engineering, Inc.	536 (PE)	Global Enercom Management, Inc.	3396 (PE)
Cosentini Associates, Inc.	2240 (PE)	Global Inspection & Testing, PLLC	4163 (PE)
CRG Engineering, Inc.	4942 (PE)	Greg Riley, PE Struc. Engrg. Cons. Inc.	3571 (PE)
Davis Land Surveying Inc.	5052 (LS)	LP Consulting Engineers, Inc.	5437 (PE)

E-MAIL ADDRESSES MAKE A DIFFERENCE!

E-mail addresses are important to us to be able to communicate with our licensees in a timely and efficient manner. Please make sure that you keep your e-mail address current with the Board Office.

You may e-mail your current address to teresa@pels.state.ok.us

BE SURE TO INCLUDE YOUR NAME AND LICENSE NUMBER ON ALL COMMUNICATIONS WITH THE BOARD OFFICE!

Sharlette Wisby Honored by the Board

Sharlette Wisby, Administrative Assistant, recently earned her Certified Public Manager Certification with the State of Oklahoma and was honored at the September 4-5, 2008 Board Meeting. Following the meeting, Sharlette attended a ceremony at the Oklahoma State Capital where the graduates of this program were honored.

Sharlette has been with the Board since July of 2004, and has worked with application processing and currently serves as the Continuing Education Coordinator and works with firms regarding their certificate of authorizations.

We congratulate Sharlette on this outstanding achievement.



Sharlette Wisby being presented a plaque of recognition for her achievement by Ted Sack, PLS, Board Chair

USE OF ONLINE RENEWAL SYSTEM AT AN ALL-TIME HIGH

Fiscal year 2008 proved to be a record-breaking year for the Board's online renewal system. For the first time, online renewals topped 50% of total renewals. We encourage you to continue using the system and, if you haven't used the system, please give it a try.

Helpful Features of the Online Renewal System:

- Ability to keep track of your continuing education as you go;
- Cuts down on the ever-rising postage costs;
- Convenient way to update address changes and other personal contact information;
- Accepts EFT, MC, VISA and American Express
- Makes renewing fast, easy, secure, and convenient

Different than in the past, instead of receiving a full renewal packet from the Board 60 days prior to their expiration date, licensees will receive a notice that its time to go online and renew their license. Licensees over the age of 70 who pay no renewal fee will still receive a renewal notice by mail, but also will be given the option to renew online as well - just as in the past. All licensees will continue to have the option to renew by mail, but hopefully once accustomed to using the online system the benefits will speak for themselves.

We value your opinion, so once you have tried the online renewal system, if you have comments or concerns, please e-mail them to teresa@pels.state.ok.us or send regular mail to the Board office. Any other questions regarding renewals contact teresa@pels.state.ok.us or 405-521-2874 ext 23.



Disciplinary Activity of the Board

July 17 & 18, 2008

In the Matter of Carl Wayne Willyard, P.L.S. 227; Case No. 2007-029; Final Order on Show Cause; Carl Wayne Willyard is ordered to continue the probation ordered on July 12, 2007 for an additional six (6) months. During the probation period, he must take and pass the Oklahoma Law and Surveying Examination, provide satisfactory evidence of required corner filings on past surveys, and provide evidence of the review and evidence of approval by the reviewing surveyor of all surveys done in the past year to indicate compliance with the July 12, 2007 order. Also he must provide evidence of the review and approval of all surveys by the reviewing surveyor during the probationary period.

In the Matter of Edwards and Kelcey, Inc., Case No. 2007-101; Through Consent; for offering to practice engineering in the State of Oklahoma without a Certificate of Authorization to do so, Edwards and Kelcey, Inc. is found **Guilty**, assessed an administrative fine of \$1,000.00, and ordered to **Cease and Desist** from practicing and/or offering to practice engineering in the State of Oklahoma until such time as it has been issued a Certificate of Authorization in accordance with the laws of the State of Oklahoma.

In the Matter of Robert Lee Williamson, TP 706 (revoked), Case No. 2008-021; Through Consent; for failure to have made application for licensure within thirty (30) days of the date of his Temporary Permit Application and for failure within thirty (30) days to provide information requested by the Board as a result of a formal or informal complaint, Robert Lee Williamson is found **Guilty**, assessed an administrative fine of \$1,000.00, and ordered to **Cease and Desist** from practicing and/or offering to practice engineering in the State of Oklahoma until such time as he has been issued a Certificate of Licensure in accordance with the laws of the State of Oklahoma.

In the Matter of Richard L. Moore, P.E. 6077, Case No. 2008-022; Through Consent; for signing and sealing engineering plans not prepared under his direct control and personal supervision; for his undertaking the project when he was not qualified by education or experience in mechanical and plumbing; and signing and sealing documents dealing with subject matter in which he lacked competence; Richard L. Moore is found **Guilty**, assessed an administrative fine of \$1,000.00 and is hereby **Reprimanded**.

In the Matter of EMC Engineers, CA 5435 and Melvin G. Glass, P.E. 23331, Case No. 2008-037; Through Consent; for offering and practicing engineering in the State of Oklahoma without a Certificate of Authorization to do so, EMC Engineers is found **Guilty**, assessed an administrative fine of \$1,000.00 and is hereby **Reprimanded**. For aiding and assisting EMC Engineers in offering and practicing engineering in the State of Oklahoma without a Certificate of Authorization to do so and for offering and practicing engineering in the State of Oklahoma without a Temporary Permit or a Certificate of Licensure to do so, Melvin G. Glass is found **Guilty**, assessed an administrative fine of \$2,000.00 and is hereby **Reprimanded**.

(continued on page 8)



Oklahoma State Board of Licensure for Professional Engineers and Land Surveyors

Disciplinary Activity of the Board (cont.)



In the Matter of Allen R. Moore, P.E. 18951, Case No. 2008-041; Through Consent; for violating laws and rules of another state that are the same or substantially equivalent to the laws and rules of Oklahoma, in that he pled guilty to an offense in Missouri that involved moral turpitude, which was a felony, Allen R. Moore is found **Guilty** and HIS P.E. License No. 18951 is hereby **REVOKED**.

September 4 & 5, 2008

In the Matter of Wm. Alan Brooks, P.L.S. 1593 and Brooks Surveying and Mapping, Inc., CA 4450; Case No. 2007-081; Through Consent; for violation of the Oklahoma Minimum Standards for the Practice of Land Surveying, Brooks Surveying and Mapping, Inc. is found **Guilty** and is hereby **Reprimanded**. For violation of the Corner Perpetuation and Filing Act, by failing to file the Certified Corner Records within 90 days after the survey is complete, and for violation of the Oklahoma Minimum Standards for the Practice of Land Surveying, Wm. Alan Brooks is found **Guilty**, shall enroll and become certified in the Certified Federal Surveyors Program ("CFedS") within one year, and is hereby **Reprimanded**. Respondents are further ordered to pay an administrative fine of \$1,000.00, warrant that all Certified Corner Records which shall be prepared following the date of this Consent Order be duly and properly filed in accordance with the Oklahoma Corner Perpetuation and Filing Act, and shall provide proof of such filing to the Board for a period of six (6) months. Respondent's P.L.S. License No. 1593 and CA No. 4450 are hereby placed on Probation for a period of six (6) months.

In the Matter of TFK Engineering Associates, Inc., CA 3813 and Timothy K. France, P.E. 18958; Case No. 2008-023; Through Consent; for signing and sealing engineering plans not prepared under his personal supervision, Timothy K. France is found **Guilty**, assessed an administrative fine of \$500.00 and is hereby **Reprimanded**. For failing to affix its name, Certificate of Authorization number and the renewal date of the Certificate of Authorization on the final document, TFK Engineering Associates, Inc. is found **Guilty**, assessed an administrative fine of \$500.00 and is hereby **Reprimanded**.

In the Matter of Franchise Property Services, Inc. and Stan Stover; Case No. 2008-034; Summary of Findings of Fact and Order; for offering and practicing engineering in the State of Oklahoma without a Certificate of Authorization to do so by affixing a fraudulent seal to engineering plans, Franchise Property Services, Inc. is found **Guilty**, assessed an administrative fine of \$10,000.00, and ordered to **Cease and Desist** from offering and/or practicing engineering in the State of Oklahoma until such time as it has been issued a Certificate of Authorization in accordance with the laws of the State of Oklahoma. For offering and practicing engineering in the State of Oklahoma without a Certificate of Licensure to do so by affixing a fraudulent seal to engineering plans, Stan Stover is found **Guilty**, assessed an administrative fine of \$10,000.00 and ordered to **Cease and Desist** the offering and/or practicing of engineering in the State of Oklahoma until such time as he has been issued a Certificate of Licensure in accordance with the laws of the State of Oklahoma.

In the Matter of Kowalski Engineering, Inc., CA 5473 and Joseph W. Kowalski, P.E. 23449; Case No. 2008-051; Through Consent; for offering and practicing engineering in the State of Oklahoma without a Certificate of Authorization to do so, Kowalski Engineering, Inc. is found **Guilty**, assessed an administrative fine of \$750.00 and is hereby **Reprimanded**. For offering and practicing engineering in the State of Oklahoma without a Certificate of Licensure to do so, Joseph W. Kowalski is found **Guilty**, assessed an administrative fine of \$750.00 and is hereby **Reprimanded**.



In the Matter of Dressler Consulting Engineers, Inc., Robert J. Boessen and Philip W. Nigus; Case No. 2008-054; Through Consent; for offering and practicing engineering in the State of Oklahoma without a Certificate of Authorization to do so, Dressler Consulting Engineers, Inc. is found **Guilty**, assessed an administrative fine of \$1,000.00 and ordered to **Cease and Desist** from offering and/or practicing engineering in the State of Oklahoma until such time as it has been issued a Certificate of Authorization in accordance with the laws of the State of Oklahoma. For offering and practicing engineering in the State of Oklahoma without a Certificate of Licensure to do so, Robert J. Boessen is found **Guilty**, assessed an administrative fine of \$500.00 and ordered to **Cease and Desist** from offering and/or practicing engineering in the State of Oklahoma until such time as he has been issued a Certificate of Licensure in accordance with the laws of the State of Oklahoma. For offering and practicing engineering in the State of Oklahoma without a Certificate of Licensure to do so, Philip W. Nigus is found **Guilty**, assessed an administrative fine of \$500. and ordered to **Cease and Desist** from offering and/or practicing engineering in the State of Oklahoma until such time as he has been issued a Certificate of Licensure in accordance with the laws of the State of Oklahoma.

In the Matter of Zinser Grossman Structural, L.L.C., CA 5478 and Richard A. Zinser, Jr., P.E. 19288; Case No. 2008-059; Through Consent; for offering and practicing engineering in the State of Oklahoma without a Certificate of Authorization to do so, Zinser Grossman Structural, L.L.C. is found **Guilty**, assessed an administrative penalty of \$500 and is hereby **Reprimanded**. For aiding and assisting Zinser Grossman Structural, L.L.C. in offering and practicing engineering in the State of Oklahoma without a Certificate of Authorization to do so, Richard A. Zinser is found **Guilty**, assessed an administrative fine of \$500 and is hereby **Reprimanded**.

In the Matter of Brandon D. Storm, P.E. 20482; Case No. 2008-060; Through Consent; for signing and sealing engineering plans not prepared by him or under his direct control and personal supervision, Brandon D. Storm is found **Guilty**, assessed an administrative penalty of \$2,500.00 and is hereby **Reprimanded**.

LAND SURVEYOR EDUCATION REQUIREMENTS

In the 2008 - 2nd Quarter issue of "The Board's Bulletin" (pg. 5-6), the new land surveyor education requirements and core curriculum were outlined. Past issues of the "The Board's Bulletin" can be obtained online at www.pels.state.ok.us/admn/newsletter.html. If you need a copy e-mailed to you please send a request to kathy@pels.state.ok.us or contact the Board office.

Please make sure that anyone you know of who is planning to pursue licensure as a Professional Land Surveyor is aware of these new requirements.

The Path to Compliance

Proposed Rule Changes to Effect Enforcement



Bruce A. Pitts, PLS
Director of Enforcement

Each time the language of the licensing statute (Title 59 O.S. Section 475.1 et seq.) is amended by the state legislature, the Board begins the Rulemaking process to accompany the statute change. Since the statute was amended effective November 1 of this year, the Board has been engaged in writing rules to be publicly discussed in a Public Meeting at the Board office at 2:00 on November 14th. Many of the proposed changes are meant to clean-up or clarify terms in the statute, and many address specific statutory changes like electronic signatures or surveying education requirements. However, there is one change that will directly affect the issue that is a common subject of complaints: the issue of the definition of direct control and personal supervision a licensee must exert over an engineering or surveying project.

Public protection demands that our licensees, who have successfully demonstrated professional competency by experience, education and examination be in responsible charge of engineering and land surveying projects. Signing and sealing work not done under the direct and control personal supervision of a licensee, or "plan stamping", is a serious violation of the trust the public has placed on our licensees because it is not only a potential threat to the success of the project, but it is also demeaning to the profession. Two distinct and different forms of "plan stamping" exist. One is a much more flagrant violation and that occurs when an engineer or surveyor is asked to put his/her seal on plans that have been completed with a cursory review or no review of the plans. This is an obvious violation.

The less obvious violation is the scenario in which an engineer or surveyor reviews the work of others, and chooses to take the liability for the project without meeting the specifics in the definition of direct control and personal supervision. Part of the reason this type of "plan stamping" exists is that in the past our laws and rules contained provisions that allowed for the licensee to assume direct control and personal supervision over a project by just thoroughly reviewing plans done by others. That law was changed many years ago, but unfortunately the practice continues. Consequently this board has disciplined several licensees who have reviewed and signed and sealed plans prepared by others who were not under their direct control and personal supervision. When asked by this Board, the licensee could not even produce a design file or independent calculations, or answer questions relating to the design criteria, code research, or methods of analysis. In some of the cases before the board, the licensees did not have the authority to make necessary and appropriate changes to the plans they sealed.

The clarification of the definition found in the proposed rules clearly enumerates the requirements that the licensee must exercise to be in direct control and personal supervision of an engineering or surveying project, even though it allows for some "remote" direct control and personal supervision. The board believes that personal presence in the workplace is still necessary; however, in those cases where the licensee can demonstrate the capacity of instant communication and electronic transfer of data between the main office and a branch office, and where the rest of the components of direct control and personal supervision as specified are met, the board's proposed language will allow for some amount of remote direct control and personal supervision.

The proposed rule changes will impact the land surveying and engineering professions in Oklahoma. The proposed revisions have been placed on the board website: www.pels.state.ok.us for review and hopefully comment by interested licensees. Licensee input is welcome both in writing before the open meeting and in person at the 14th of November Public Meeting. As licensees working in different professions, and working in different sectors of the professions, your input is very important to this process, so please review the proposed rule revisions and submit your comments for the Board's consideration.

Fiscal Activities of the Board FY 08 (July 1, 2007 to June 30, 2008)

<u>Applications Processed</u>		<u>Current Number of Licensees:</u>		<u>Licenses Renewed</u>		<u>Exams Administered</u>	
PE	625	PE's	9,755	PE's	5100	FE	677
PLS	44	PLS's	634	PLS's	286	PE	187
EI	677	Firms	2,610	CA's	1278	FS	46
LSI	20	EI's	2,106	(664 PE's/PLS's over the age of 70 renewed without paying a fee)		PS	35
CA	268	LSI's	38			OLS	51
TP	15						

Continuing Education Audit Completed for 2008

The Board completed its FY08 audit of the continuing education documentation for Professional Engineers in September. We appreciate the compliance and cooperation of the Professional Engineering community in this endeavor.

Thank You to George Gibson, P.E., Board Member for continuing to Chair the PE Continuing Education Audit Committee.

The Board is fortunate to have volunteers from different parts of the state; practicing many disciplines of engineering; involved in consulting, education, industry, and government to participate in this annual audit.

Members of the Continuing Education Audit Committee for PE's are:

Bill McVey, P.E., Board Member, Oklahoma City
 Glen Smith, P.E., P.L.S., Board Member, Oklahoma City
 Bill Dickerson, P.E., Principal Assistant, Edmond
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