



The Board's Bulletin

A Quarterly Publication for Registrants of the Oklahoma State Board of Registration for Professional Engineers and Land Surveyors

Summer 2001

Volume 15, Issue 37

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Board Rules Amended

The Board's rules regulating the practice of engineering and surveying were recently amended. A notice was mailed to all registrants outlining the major changes in the rules. If you need another copy of the mailing or if you did not receive a copy, please contact our office and we will forward a copy to you immediately. All registrants must be familiar with and abide by these rules.

As a summary, the following will address the most substantive changes for registrants:

* 245:2-1-18. Fees and penalties

Summary: Fee changes go into effect January 1, 2002. Please refer to this subchapter to review revised fees.

* 245:15-1-3. Definitions

Summary: Revised definitions as follows:

"Direct control" and *"personal supervision"* whether used separately or together mean active and personal management of the firm's personnel and practice including personal presence in the work place to maintain charge of and concurrent direction over engineering or land surveying decisions and the instruments of professional services to which the registrant affixes the seal, signature and date.

"Immediate direction" shall mean the exercise of Direct Control and Personal supervision over the personnel of a firm performing engineering or land surveying.

*245:15-13-1 through 245:15-13-3 Minimum Standards for Land Surveying

Summary: Please review the Minimum Standards in their entirety. As you will note from published disciplinary matters, violations of these standards will be prosecuted by the Board. The Oklahoma Society of Land Surveyors is offering a review December 8, 2001 and at their annual meeting in 2002 of these Minimum Standards. Contact David Anderson, Executive Director of OSLS, at 405-721-7222 or www.osls.org for more information concerning these reviews.

*245:15-17-1 through 245:15-17-2 Registrant's Seal

Summary: Please review this subchapter in its entirety.



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

Solon D. Young Broken Arrow, OK	PE 8763 11/05/00
Robert J. Elliott Oklahoma City, OK	PE 7630 1/31/01
Wendell R. Gwinn Stillwater, OK	PE 6366 1/24/01
Charles E. Martin Tulsa, OK	PE 13310 7/23/00
Hoy R. Bohanon Muskogee, OK	PE 2411 1/20/01
W. William Graham Jr. Little Rock, AR	PE 8350 2/2001
John J. Wegescheide Ballwin, MO	PE 10759 4/21/01
Willis F. Stone III Sapulpa, OK	PE 3460 2/23/01
Harold V. Ratliff Jr. Dallas, TX	PE 4214 4/11/01
Allen E. Harris Oklahoma City, OK	PE 6458 5/02/01
Desmond H. Nistetter Tulsa, OK	PE 3389 4/21/01
Robert L. Hope Tulsa, OK	PE 8057 10/5/00
Charles A. Brace Jr. Bartlesville, OK	PE 2803 7/11/00
Donald Richard Johnson Sun City West, AZ	PE 3098 1/27/01

ENGINEERING LICENSURE QUALIFICATIONS TASK FORCE

by Jon Nelson, P.E.

In the last edition of this newsletter I listed several questions concerning engineering licensure. The questions had been raised at meetings of the Engineering Licensure Qualifications Task Force. The ELQTF is an initiative of the National Council of Examiners for Engineering and Surveying formed to assess the current licensure system for its relevance, its effectiveness and its future.

The current system of engineering licensure is supported by three legs of qualification: education, experience and examination. All of the major professions in the United States have similar systems and use similar qualifications but each is different. There are different means of assessment and varying levels of rigor and formality. Some professions are more unified in their approach than others, but none seem as fractured as the engineering profession. The various engineering councils, societies, institutes, and boards that represent the profession are not well unified. Many are moving in similar directions but few are moving in concert. Some are actually moving in opposite directions on certain issues. Clearly, the profession needs to pull together.

It is also apparent that licensure is not well understood, valued or considered relevant by a large sector of the engineering profession. Only about 20 percent of the graduate engineers in this country seek licensure. It has also been concluded by some in that group that our system has not adapted to the current engineering market place and is not adequate for emerging fields of engineering. These factors plus the natural pressures of business and technology call our licensure system into question. I believe they serve to erode the very status of engineering as a profession.

The ELQTF was commissioned to assess the current licensure system and develop recommendations for enhancement or change. The goal will be to formulate viable recommendations concerning licensure qualifications and the licensure system. It is hoped that the process will produce a system that can be embraced by the entire profession.

Recognizing that there are many stakeholders in licensure, several key engineering organizations have agreed to

participate as members of the task force. The member organizations can be separated into four categories as follows:

<u>Professional/Technical</u>	<u>Professional</u>	<u>Education</u>	<u>Foreign</u>
ASCE	ACEC	ABET	CEQB
ASME	NSPE	ASEE	
IEEE		EDC	
AAEE			

The task force will also involve other engineering organizations as consultants. The consulting organizations will be solicited for information and comments and kept informed of the work of the task force. They include the following:

AICE	ASHRAE	ISMC	SME
ANS	AEI of ASCE	NICE	MMMS
ASAE	IIE	SFPE	

The task force is currently gathering baseline information in several different areas including the current system, other licensure systems, other proposed licensure systems, organizational positions, and stakeholder concerns. Later this year the group will begin the process of formulating alternatives for consideration and begin the iterative process of developing viable alternatives. It is hoped that within two or three more years of work, final alternatives will be established for formal consideration by all engineering organizations in the profession.

There is much work to do and many differences to reconcile, but the process has begun. If you are a member of any of the listed organizations be watching for information on the task force and be ready to voice your opinions. It will be an opportunity for you to let the profession know where you stand and to help shape the future of engineering licensure.

Jon Nelson, P.E., was currently elected Southern Zone Vice-President of the NCEES. He will serve a 2 year term beginning August 2001. Jon was also presented the Southern Zone Distinguished service award at the May 2001 Southern Zone Meeting for his past service to the zone.

Oklahoma is fortunate to have individuals willing and qualified to serve as leadership for the NCEES.

In Celebration of the Lives & Contributions of the Following Professionals: (cont.)

Trecka R. Jones Yukon, OK	PE 8408 8/15/98
Donald P. Helander Tulsa, OK	PE 9516 6/29/01
Norman E. Norris Lindale, TX	PE 15127 7/11/00
Larry F. York Shidler, OK	PLS 1237 7/2001
Richard Nelson Percy Streamwood, IL	PE 16168 6/2001
Bennett L. Basore Stillwater, OK	PE 9847 7/07/01
Frank E. Long Oklahoma City, OK	PE 5925 9/19/00
Ivar O. Stromberg Marlow, OK	PE 11939 6/11/01

REMAINING BOARD MEETING DATES 2001

September 20-21*
November 22-23*

*Dates amended from original calendar

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2001-2002 Board Officers

George J. Vogler, Public Member - Chairman

George Vogler has served as the Public Member of this Board since May of 1995. He previously served as Chairman from 1996-1997 and 1997-1998. Mr. Vogler is in the insurance business in Oklahoma City.

Ted Sack, P.L.S. - Vice Chairman

Ted Sack was appointed to the Board in 1997 to serve a 6 year term. He operates Sack and Associates, Inc., a family owned engineering/land surveying company located in Tulsa, Oklahoma.

George Gibson, P.E. - Secretary

George Gibson was appointed to the Board in 1998 to serve a 6 year term. Mr. Gibson is the former Assistant to the President-Oklahoma, General Manager-Network and Chief Engineer for Southwestern Bell Telephone Co. Since 1984, he has been an adjunct professor in the Industrial Engineering School at the University of Oklahoma.

It is fortunate for the Board to have such diverse and well-qualified officers willing to serve. They are to be commended for their numerous contributions.



Disciplinary Activity

May 31, 2001 - June 1, 2001

In the Matter of Duane Price, PLS 1304, Case No. 2001-05, Summary of Findings of Fact and Order:

Duane Price was convicted of a felony on February 27, 2001, by the District Court of Tulsa County. The Board found that the conviction of a felony is a violation of the engineering and land surveying registration act. Also, based on the felony conviction, the Board found Mr. Price's actions constituted dishonorable, unethical or unprofessional conduct. The nature of the felony convictions led the Board to find Mr. Price guilty of the habitual use of alcohol. Duane Price's registration as a professional land surveyor is hereby **Revoked**.

In the Matter of Whit Mauzy, PLS 900, and Mauzy Engineering, CA 2417, Case No. 2001-06, Through Consent:

Whit Mauzy and Mauzy Engineering, for failure to meet the Oklahoma Minimum Standards for the Practice of Land Surveying on two (2) separate surveys, and for Whit Mauzy failing to file six (6) corner record filings, they are assessed an administrative penalty in the amount of \$2,000.00 and warrant that all corner records required to be filed have been duly and properly filed.

In the Matter of LeRoy Mattingly, Case No. 2001-07, Through Consent:

LeRoy Mattingly performed a boundary survey on September 16, 1998. Mr. Mattingly is found guilty of performing surveying services without a certificate of registration and is fined \$750.00.

In the Matter of Buddy Hokit, PLS 1326 and M.J. Lewis and Associates, Inc., CA 1120, Case No. 2001-08, Through Consent:

Buddy Hokit failed to file five (5) corners on two (2) separate surveys. Mr. Hokit is found guilty of violating the Oklahoma Corner Perpetuation and Filing Act and is assessed an administrative penalty in the sum of \$1,250.00. Mr. Hokit warrants that all the referenced corner records have been duly and properly filed.

In the Matter of Mark S. Malone, P.E. 13599 and Malone Finkle & Associates, Inc., Case No. 2001-26, Through Consent:

Mark S. Malone is a registered professional engineer in the state of Oklahoma.

Mr. Malone performed engineering services on behalf of Malone Finkle & Associates, Inc. without the firm obtaining a certificate of authorization. Therefore, Mr. Malone is found guilty of aiding and assisting the firm, in providing engineering services in the state of Oklahoma without a license. Malone Finkle & Associates, Inc. is found guilty of performing engineering services in the state of Oklahoma without a certificate of authorization. Mr. Malone and Malone Finkle & Associates are hereby Reprimanded and assessed an administrative penalty in the amount of \$250.00.

In the Matter of Harold Hardin, PLS 1418, Case No. 2001-30. Summary of Findings of Fact and Order:

Harold Hardin, for failing and refusing to provide information requested by the Board, for failing to achieve the Oklahoma Minimum Standards for the Practice of Land Surveying on two (2) separate surveys, and for failing to file at least one (1) corner in violation of the Oklahoma Corner Perpetuation and Filing Act on two (3) separate surveys, Certificate of Registration PLS 1418 issued to Harold Hardin, is hereby **Revoked**.

District Court Rulings

In the Matter of Larry G. Fox and Fox's Land Survey:

The Board filed an application in the District Court of Pottowatamie County requesting that the Court find Larry G. Fox and Fox's Land Survey guilty of indirect contempt of a previous court order. On May 21, 2001, the Court approved an agreed journal entry of judgment between the Board, Larry G. Fox and Fox's Land Survey. Therein, the Court reset the arraignment of the Board's application to November 5, 2001. The Court ordered Larry G. Fox, within five days of the date of the judgment, to (i) remove any and all business sign from the business of Fox's Land Survey, (ii) to remove any reference to "Land Survey" from the business site of Fox's Land Survey, (iii) to remove any reference to "Land Survey" from any vehicle in Larry G. Fox's possession and (iv) to cease and desist from using the phone number of 405.275.8152 for the purpose of soliciting or providing land survey services.

(cont. on page 6)

District Court - cont.

In the Matter of Larry G. Fox and Fox's Land Survey (cont.):

The Court also ordered Larry G. Fox, and Fox's Land Survey, to abide by the provisions of the prior Consent Orders into with this Board and the prior Injunction of the Court. In the event either Larry G. Fox and/or Fox's Land Survey violate any provision of any order of the Court or the Board, then in such event the Board may elect to reset the arraignment of its Application for Contempt Citation. In the event Larry G. Fox and Fox's Land Survey comply with each and every term and condition of the Court's order, Injunction and the Boards orders, the Court will dismiss the Board's application on November 5.

In the Matter of Jem Fox:

The Board brought an action against Jem Fox for entry of a Permanent Injunction in the District Court of Pottawatomie County, Oklahoma. The Board was granted a temporary restraining order against Jem Fox providing that he not solicit, advertise, offer or perform any land surveying services in the state of Oklahoma unless otherwise ordered by the Court. On June 4, 2001, the Court entered a Permanent Injunction finding that the laws of this state have been violated resulting in harm to the citizens of this state. The Court therefore entered an order permanently enjoining Jem Fox from violating any provision of the statutes governing land surveying. The Court further permanently enjoined Jem Fox from offering or providing land surveying services unless and until he is licensed to do so by the Board. Finally, the Court did authorize Jem Fox to be employed under the supervision of a registered land surveyor as authorized by the provisions of Title 59 O.S. Sec. 475.1 et seq.

July 12-13, 2001

In the Matter of FTL Happold Architecture & Engineering PC, Ross Dalland, PE TP 533, and Lawrence Fischer, PE 17630, Case No. 2001-03, Through Consent:

FTL Happold Architecture & Engineering PC ("FTL") entered into a contract to perform engineering services for the Tulsa Airport's Improvement Trust, Roadway Canopy Project located at the Tulsa World Airport. "FTL" did not have a certificate of authorization to offer these services in the state of Oklahoma. "FTL" for performing engineering in the state of Oklahoma by and through individuals who are not licensed to do so

without a certificate of authorization is hereby reprimanded and assessed an administrative penalty in the amount of \$6,500.00.

Lawrence Fischer was acting as responsible charge engineer for this project, although he was not an employee of "FTL". Mr. Fischer reviewed, signed and sealed plans for the project which were not prepared under his direct control and supervision nor were they prepared by an out of state professional engineer. Lawrence Fischer, PE, for aiding and assisting "FTL" and other unlicensed individuals in the practice of engineering and for signing, dating, and affixing his engineer's seal to engineering plans not prepared under his direct control and personal supervision is assessed an administrative penalty in the amount of \$2,000.00.

Ross Dalland, principal and employee of "FTL" performed engineering services on the project prior to obtaining a temporary permit to do so. He is therefore Reprimanded and assessed an administrative penalty in the amount of \$1,000.00.

In the Matter of Billy Gene Knight, PLS 1244 and Knight Land Surveying Co., Case No.

2001-17, Through Consent: For preparing a survey plat which failed to achieve several minimum standards, Mr. Knight is assessed an administrative penalty in the amount of \$750.00 and placed on probation for a one year period. Mr. Knight is ordered to complete a minimum standards seminar within one year of the date of the consent order.

In the Matter of Jerry L. Headrick, PLS 873, Case No. 2001-23, Through Consent:

For preparing a plat that failed to achieve the Oklahoma Minimum Standards for the Practice of Surveying and for failing to file three (3) corner record filings in violation of the Oklahoma Corner Perpetuation and Filing Act, is assessed an administrative penalty in the amount of \$1,000.00 and is placed on probation for a one year period.

In the Matter of Bobby R. Stobaugh, PLS 1274 and Stobaugh Land Surveying CA 2589, Case No. 2001-31, Through Consent:

For preparing surveys that failed to achieve the Oklahoma Minimum Standards for the Practice of Surveying, Bobby Stobaugh and Stobaugh Land Surveying are jointly assessed an administrative penalty in the amount of \$1,000.00 and placed on probation for a period of 90 days. Bobby Stobaugh shall also complete and pass a "Land Law" class approved by the Board within one year.



License Expirations March 1, 2001 to May 31, 2001

EXPIRATION/REVOICATION - Certificates may be revoked by the Board for non-payment of renewal fees. Registrants will be notified of revocation by certified mail.*

RENEWALS - Each registration 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 renewal is sent by first class mail to the address of record in the board files.**

REINSTATEMENT - Former registrants whose certificates have expired and were revoked for failure to pay renewal fees and desire to reinstate shall make application for reinstatement within 90 days after expiration and pay the prescribed renewal fee and penalty. After 90 days, a new application will be required, which shall be considered specifically by the Board, both from the standpoint of competency and of character.

*By practice, this notification is mailed 10 days following expiration.

**In effect, provides notice two months prior to revocation.

Professional Engineers:

Tackett, Matthew H.	19460	Walker, James Don	13131	Wray, H. Lynn	18650
Talbot, Jimmie L.	17281	Walsh, Joseph Alan	15520	Wren, Michael	16773
Talbot, Joseph L. Jr.	10456	Wang, George H.	11724	Wreyford, Lauren L.	9322
Tan, Hyok Chong Stan	14386	Ward, James Dale	11073	Wylie, Allan G.	14135
Tanner, John L. III	8683	Watts, Raymond K.	12612	Yao, Leslei Ping	12250
Tate, Thomas Lee	18938	Wayne, Mark H.	19857	Yazdani, Simak	19257
Taylor, Daniel M.	17256	Webb, Terry N.	8521	Yen, Charles T.	4661
Taylor, Robert P.	19872	Wenger, James Lawrence	15994	Yiin, Kou-Chu	13258
Teakell, Albert Keith	14892	Werth, George J.	19587	Yordy, Edward L.	13973
Tebbe, Jeffrey Scott	18525	West, Jon G.	16338	Zadeh, Rahim A.	19425
Thomas, K.W.	7346	Whisonant, William Olin	19225	Zahn, Carl William	16326
Thurman, Terry L.	10284	Whitaker, Les Alan	17030	Zhou, Liang	16301
Tighe, Frank P. Jr.	8825	White, William J.	19074	Zieba, John David Sr.	9569
Toomey, Donald E.	7080	Whittington, Gary T.	13943	Zimmerman, Clarence D.	12962
Trentham, Paul	12929	Wierschem, Robert Adam	15338	ZumMallen, N. E.	7916
Tucker, C. W.	8223	Wiken, Kent Wayne	17266		
Tupper, Jan C.	11947	Wilger, Ambrose H.	12756	Land Surveyors:	
Turnbow, Daniel Leo	10536	Wilhite, John L.	8233	Uerling, P. David	995
Turner, C. Daniel	9702	Williams, Edward L.	4674	Wallis, John	1151
Turner, David Allen	13290	Wilson, Wallace W.	7353	White, Douglas C.	1488
Twiner, Michael S.	16971	Wilson, William R.	7348	Wilkins, Philip R.	1099
Tyler, Lynn D.	16909	Wineland, John D.	17137		
Uicker, Joseph B.	14168	Wojnowski, Gary	14860		
Vacek, Samuel Sidney	13771	Wood, Bryan Ware	17311		
Vasicek, Daniel Joseph	9651	Wood, Harold S.	2538	Certificates of Authorization:	
Vaughan, William W.	3158	Wood, James M.	8039	Hadji and Associates	3061 (PE)
Veatch, Judith Ann	16789	Woodrum, Robert Alonzo	13167	Allied Engineering Associates, Inc.	
Vilke, John	14162	Woodward, Rick R.	18939	dba Planners and Engineers	
Waggener, Lloyd Richard	4052	Worth, Marc R.	14239	Collaborative	1930(PE)



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