THE BOARD'S BULLETIN

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

January - June, 2011 Volume 25 Issue 71



In order to safeguard life, health and property, and to promote the public welfare, the practice of engineering and ... land surveying are declared to be subject to regulation in the public interest.

IN THIS ISSUE

Robert C. Zahl, PE Chair - Oklahoma City

Roy W. Entz, PE, PLS Vice Chair - Muskogee

Glen W. Smith, PE, PLS Secretary - Edmond

William A. McVey, Jr. , PE Oklahoma City

> Ted Sack, PLS Tulsa

George T. Gibson, PE Oklahoma City

Mark A. Fuller, Public Member Norman

KathyHart,ExecutiveDirector Newsletter Editor



Oklahoma City Skyline prior to the building of the new Devon Tower, which is expected to be the tallest building in Oklahoma when completed sometime in 2012. See page 11 for the proposed new skyline for Oklahoma City upon the completion of the Devon Tower.

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Message From The Chair



Robert C. Zahl, PE, Board Chair

WHY SPECIAL INSPECTIONS ARE NOT SO SPECIAL

The Oklahoma Board was notified recently about a disturbing issue that appears to have been a long-standing problem regarding *Special Inspections*.

What Are Special Inspections:

The 2009 International Building Code defines a Special Inspection as "Inspection as herein required of the materials, installation, fabrication, erection or placement of components and connections requiring special expertise to ensure compliance with approved construction documents and references standards..". These inspections are designated as such for the simple reason that they are intended to be of a quality that is over-and-above what would be considered a typical periodic inspection performed by a PE as part of the Construction Phase services. Periodic inspections are typically provided by the PE as part of a standard contract for a building design project, but certain portions of the construction are designated by the building codes as requiring these Special Inspections.

Some specific examples of *Special Inspections*, as related to structural items, are:

1. Inspections of concrete reinforcing placement prior to pouring concrete.

- 2. Inspections of structural steel welded connections.
- 3. Inspections of masonry reinforcing placement prior to grouting.

Problematic Issues Regarding Special Inspections:

Since the Board recently became aware of this serious issue and has not addressed this topic before, it is now trying to develop a good description and definition of the problems that exist. With input from various resources, the Board identified two specific issues, as follows:

Issue #1 - Accuracy of the Special Inspections: Special Inspections are being performed routinely by technicians in the field who have neither the education nor the experience to qualify as being capable of doing these inspections properly. Further, many of the PE's in responsible charge of the employees who are doing these inspections are signing and sealing these Special Inspection Reports without adequate knowledge as to whether the facts in the reports bear any resemblance to the conditions which actually exist in the field.

Section 1704.1 of the 2009 International Building Code states: "... The special inspector shall be a qualified

satisfaction of the building official, for the inspection of the particular type of construction or operation requiring special inspection. The registered design professional in responsible charge and engineers of record involved in the design of the project are permitted to act as the approved agency and their personnel are permitted to act as the special inspector for the work designed by them, provided those personnel meet the qualification requirements of this section to the satisfaction of the building official. ..."

Issue #2 – Conflict of Interest:

Special Inspections are being performed routinely by entities **hired by the contractor**, **not by the owner** or the registered design professional in responsible charge, acting as the owner's agent. Not only does this violate

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Board Member News

ELECTION OF OFFICERS 2011-2012



Roy W. Entz, PE, PLS - Board Chair

Roy W. Entz, P.E., P.L.S. was recently elected to serve as Board Chair beginning July 1, 2011. Serving his third term as surveyor member of the Board, Mr. Entz is retired from Entz Engineering & Associates, Inc., a Civil Engineering/Surveying firm in Muskogee.

Glen W. Smith, P.E., P.L.S.was elected to serve as Board Vice Chair beginning July 1, 2011. Mr. Smith was appointed to the Board in 2007.

William A. McVey Jr. was elected to serve as Board Secretary beginning July 1, 2011. Mr. McVey is serving his second term as a Board Member.

SACK ELECTED NCEES SOUTHERN ZONE VICE PRESIDENT



Theodore "Ted" Sack, P.L.S.

Ted Sack, P.L.S. was elected to serve the NCEES Southern Zone as its Vice President from August 2011 to July 2013. Elections were held in Austin, Texas at the NCEES Southern Zone Meeting in April. Mr. Sack has been a member of the Oklahoma Board since 1997. He has served as the NCEES Southern Zone Assistant Vice President for the past 2 years. Mr. Sack was also the recipient of the 2010 NCEES Distinguished Service Award at the August 2010 NCEES Annual Meeting held in Denver, Colorado.

ARE YOU IN COMPLIANCE WITH THE OKLAHOMA TAX COMMISSION?

By law, the Board cannot renew a professional license if the licensee is in non-compliance with the Oklahoma Tax Commission. At times is a lengthy process to get into compliance, so please make sure you allow yourself ample time prior to your renewal date to complete the process.

Practicing engineering or land surveying with an expired license, even if it is expired due to non-compliance with the tax commission, is a violation of state law and will be prosecuted by this Board.

2011 Exam Administration Dates						
<u>Examination</u>	<u>Type</u>	Exam Date	Application Deadline			
PE Examinations: Agricultural, Chemical, Civil, Control Systems, Electrical & Computer, Environmental, Fire Protection, Industrial, Mechanical, Metallurgical, Mining and Mineral Processing, Nuclear, Petroleum, 16 hour Structural	NCEES	October 28, 2011	June 1, 2011 (August 1, 2011 deadline for Summer Graduates)			
PE Examinations: Architectural, Chemical, Civil, Electrical, Environmental, Mechanical 16 hour Structural	NCEES	April 13, 2012	December 1, 2011 (Jan. 3, 2012 deadline for Fall Graduates)			
Principles of Land Surveying (PS – 6 hr)	NCEES	October 28, 2011	June 1, 2011 (August 1, 2011 deadline for Summer Graduates)			
	NCEES	April 13, 2012	December 1, 2011 (Jan. 3, 2012 deadline for Fall Graduates)			
Fundamentals of Engineering (FE) &	NCEES	October 29, 2011	August 1, 2011			
Fundamentals of Surveying (FS)	NCEES	April 14, 2012	February 1, 2012			
Please share this information with anyone who may be interested in taking examinations. All application forms are online at www.pels.ok.gov						

CONGRATULATIONS PE/PS/& OLS EXAMINEES - APRIL 2011

Principles & Practice of Engineering Exam:

Tim Blackwell William Warner Bradley, III B. J. Hawkins John Burr Joshua Matthew Cochran Michael Collins Andrew L. Craig Jared Crisp Daniel C. Dareing Peter R. Denis Niranjan Desai Marko Djukic Ryan C. Dodson Lara Mosier Edward M. Donwerth Joseph P. Edwards Ryan D. Einer Thomas S. Evans Jason Fouraker Matthew L. George

Christopher M. Harlin Matthew Hays David Paul Henke, Jr. Ellisha Gwen Johnson Nicholas Daniel Johnson Kazi R. Karim Anuradha Khanna Tarek Ahmad Maarouf Christopher R. Mackey Joshua Malwick W. J. Nedbalek, III Nathan R. Osborne Thomas William Parsons, Jr. Eric H. Wendelbo Brent Wayne Perteet Daniel J. Pokorny Amber M. Prom

Gabriel N. Provencher Michael R. Rumbaugh **Jarrod Sanders** Andrew Scherman David Schoell J. Dustin Segraves Robert Shaun Smith Andrew G. Smith Jason A. Spencer Steven M. Stegner Darin Teeman Candy June Thompson Jason L. Walker **David Isaac Waters** Abigail E. Wendt Matthew D. Whelan

Huriya Yero

Principles & Practice of Surveying Exam &/or OLS Exam:

Clinton Anthony Carroll (OLS) Micah E. Gustin, PLS (OLS & PS) Bryan Lee Hindman, PLS (PS) E. Dane Trout (PS) Beau Winfrey, PLS (OLS & PS)

Fundamentals of Engineering Exam:

Guy Abou-Nassar Ian Michael Adams Laura Koenig Adams Adelola G. Adesida Adelere Daniel Adesina Mignote A. Alemayehu Jerry Ray Allison Amr Talal Alsaati Michael Elgie Aman David Joel Ammerman John Michael Ammon Erin Nicole Amundsen Geeta Ashabi Tamara Kae Asher Jon Marc Asper Ryan Edward Atkins Andrew James Austin Elizabeth Anne Baccus Jacob Allen Bailey Collin Carter Balke Michael Micaiah Barber Hope E. Baumgarner Aaron Dale Beavers Christen Lee Belcheff Cody Lee Bishop Joshua Samuel Bond Tommy Dale Bounds Briana Marie Branesky David Matthew Brasher Andrew Martin Broussard James A. Brown Seth C. Buchanan Meagan Stephanie Busby Logan James Cabori Karishma S. Caiado Samuel M. Camp Matthew Galen Cannon **Bradley Thomas Cantrell** Chad Nathan Carroll David Paul Caskey Kevin D. Clay Marllon Daniel Cook Mason C. Copeland Kyle G.. Cortiana Gabriel Arthur Coss Travis Colin Crowder James Robert Cullin William Parker Cummings Joshua M. Cunningham Andrew Paul Curthoys Jason Robert Davis Casey Mills Davis Micah Benjamin Dawson Brian Andrew Delano Benjamin L. Dickinson Evan Penner Dicks Adam Grover Diedrich Travis J. Dill Aimee Kristine Dilley Andrew B. Dorman Gregory Flinn Douglas

James Daniel Drake Lauren Marie DuChene Marcus A. Duffv Christopher D. Duncan Jacob Matthew Duncan Loretta O. Ejakpomewhe Jacob L. Elliott William Charles Elliott Ashley Lane Enget Dereck Charles Esteph Ashley Michelle Evans David Nic Evans Cody Ryan Fields Peter Ludwig Fischaber Mindy Michelle Flaherty Robert Shawn Fleenor Nicholas Harry Flynn Kyle Brenton Forrester Ross Douglas Forsyth Brian Timothy Foster Hunter Daniel Franks Jeremy Berkeley Fraser Brent John Gasperino Gabriella May Geletzke Rabel Alemaryheu Gibbe Sean Christopher Goldman Angel A. Gonzalez Travis Brett Goucher Gary G. Gray Stephen A. Greenwood Evan R. Greer Brian Matthew Hales Gregory James Harrison Kinsey Thomas Hartman Paul Andrew Hatch Brandon W. Hawthorne Michael Jacob Haves Kevin Michael Hecksher Chad Robert Helgason Sean Robert Heller Benjamin C. Herring Todd Ernie Hill David Roger Hillstrom Anna Nicole Hoag Daniel Lee Hoel Maria Ann Holland Terri Latoyia Holley Paul Joshua Hood Richard Whan Hopper Megan J. Hose Daniel Joseph Hotz Su-min Huang-Page Taylor William Huff Steve J. Huff Daniel Stephen Hunt David R. Ibach Krishna Shashank Ivaturi Trenton Chase January Ian Edmond Jehn Ryan Lynn Jenkinson David Johnson

Tim Wayne S. Johnson Andi Kabuci Shardul Subhash Kadam Adam Joseph Kauffman Mulugeta Abay Kebede Jarrett Daniel Keck Azure Riann Kirby Matthew Joel Knofczynski Jonathan Clay Kropp James William Kucinskas **Emily Gayle Lammert** Cory Lynn Lechtenberger Wah Ann Lee Min Sum Lee Yu Jun Leong Jian Li David Benjamin Lonsdale Brittany Jean Looke Donny Lyn Lowry Alex Mwangi Macharia Tia J. Madl Trent Connor Maness Malcolm Wade Martin Jonathan Ross Martin Prapta Maulana Maddie Anne McDaniel Joseph Victor McDonald Brian McKibben Andrew Wade McPherson Paul Jorgen Melland Elizabeth Ellen Mintmire Dana Michelle Mitchell Ricardo Manuel Montoya Justin Travis Moore Maxwell Van Morris Mason Wade Morris Alexander Kennedy Morrison Pradeep Kalyani Mulage Megan Denee Mussman Vicnesh Nathan Matthew Talmage Nelson Nolan Mac Newkirk Max Leonard Newton Paul Hoag Nguyen Stephen Joseph Nimick Austin Wayne Nutter Chad Patrick O'Connor Shawna Lin Ong Tyler Joseph Osterhaus Justin Dwight Otto Bryce Anthony Pacheco Samuel Robert Parnell Justin Alfred Paulson Grant L. Pentecost Jerry Wayne Perkins Jeffrey David Perkins Vinh Dinh Pham Jason Pugh Saugata Purkait

Vijay Krishna Rachakonda

Molly Jane Ramsey

Weidong Ran Rachelle Anne Randall Stuart Michael Randel Josh Randall Raymond Derek G. Reid LeAnna Reynolds Robert Michael Rhodes Katlin DeOnne Robinson Eric Joseph Rohlman Hari Ganesh Rotithor Trevor Lee Ruffin Fifame Basito Sagbohan Marissa G. Samaripa Chia Hong Saw Matthew Robert Schlegel Haley Elizabeth Sheddy Christopher David Shobe Craig Daniel Shultz Adrian Alan Simmons Micah Daniel Smith Patrick K. Smith Anthony Blake Smith Jared Nathan Sparks John Barrett Staats Mr. Jason Anthony Erica Tiffany Stas Jeremy Wade Steeley Hasith Pavinda Hirajith John Michael Swanson Andrew Blake Swindell Abeyou Taddesse Brandon Scott Thach Mukhtaar T. Tijani Elly Corine Towns Clay Thomas Vaughan Robert David Vinson Anne Concetta Vitale Matthew Mark Walker Joshua Paul-Michael Walls Ann Michele Walta Victor Kuria Wanjiku Bryan J. Weisgerber Patrick Simank West Jerod Laurence Wilkins Alex J. Wilson David Blake Winden James Morton Woodward Jon Tyler Worden Joshua David Wright Chen Yang Oian Zhao Andrew Michel Zimmerman Cameron Richard Zlotogura

Fundamentals of Surveying Exam:

Shawn Collins Taylor Denniston

PLS Education Requirements - Reminder

This Information Is Critical to the future PLS Licensees of the Board. Because of its importance, it is being reprinted from the last edition of the Board's Bulletin. Please help future Professional Land Surveyors by sharing this information.

As we have been publicizing since our statute changed in 2005, education requirements for licensure as a PLS are changing. Since Long Established Practice (LEP) will no longer be a path to licensure after July 1, 2014, the Board is encouraging those on the path to licensure, regardless of where they are right now, to be familiar with the requirements. Furthermore, the Board strongly encourages potential licensees to begin pursuing a 2-year Surveying degree or at least taking the Core Curriculum now!

Critical Facts About Licensure as a PLS Under Long Established Practice (LEP)

- √ April 2014 is the last date to take the PS and/or OLS if admitted under LEP
- $\sqrt{}$ If the applicant has not met all of the requirements for licensure by July 2014, he/she will have to reapply with proof of sufficient education to qualify.
- $\sqrt{}$ If you plan to qualify for PLS licensure under LEP, apply as soon as you get 9 years of experience so you can begin the exam process!

Even those who will qualify for the exams by LEP are encouraged to start taking land surveying classes now. For the most part, the surveying exams are based on knowledge obtained in college level land surveying class work. Taking college classes, particularly those included in the Core Curriculum, will improve the applicant's chance of success on the examinations and improve the chance of success in their surveying practice. Furthermore, a LEP applicant who does not complete all of the examinations prior to the April 2014 deadline will be that much closer to qualifying for licensure by an education pathway.

Ronald E. Beaty Houston, TX	PE 6790 1/14/11	Robert M. Lawrence Oklahoma City, OK	PE 4902 2/21/11	Clayton A. Taylor Mustang, OK	PE 8391 12/28/10	
110031011, 121	1/14/11	Onunomu Cuy, ON	2/21/11	Musuing, OK	12/20/10	
Jacky S. Brown	PE 10149	E.C. Mlcak	PE 6022	Wm. R. Trautman	PE 1595	
Tulsa, OK	7/2011	Parker, TX	12/31/10	Oklahoma City, OK	3/7/10	
Alfred Chatenever	PE 2384	James E. Nebraska	PE 11294	Scott Robert Triphahn	PE 1944.	
Tulsa, OK	8/3/10	Columbus, OH	4/25/11	Hoffman Estates, IL	12/21/10	
David C. Cowherd	PE 19626	Bruce E. Orvis	PE 8054	F. Clay Underwood	PE 3969	
Centerville, OH	3/30/11	Jenks, OK	1/15/11	Houston, TX	11/17/10	
George William Denney	LS 384	Andrew Hobbs Osburn	LS 683	Stephen D. Webb	PE 1785	
Antlers, OK	3/29/11	Sallisaw, OK	2/25/11	Port Charlotte, FL	2/2010	
Francis H. Gunning	LS 806	John A. Palmieri	PE 17159	William Paul Wells, Jr.	PE 1282:	
Cordell, OK	5/4/2011	St. Louis, MO	2010	Belleville, IL	3/2010	
Francis J. Hoch	PE 5326	Jack Lewis Scott	PE 2064	Wallace W. Wilson	PE 7353	
Oklahoma City, OK	3/2/11	Oklahoma City, OK	2/4/11	Norman, OK	2/27/11	
Guy N. Keith	PE 1971	Ysrael Abraham Seinuk	PE 12859	J.M. Worrell	PE 8239	
Oklahoma City, OK	4/2011	Forest Hills, NY	9/14/10	Richardson, TX	12/14/10	
Thomas D.P. Kiser	PE 13968	Jack L. Stout	PE 4707	Contact tparr@pels.ok.gov to notify the board of licensees who have passed away		
Stillwater, OK	9/15/10	Monticello, FL	2/2011			

THE PATH TO COMPLIANCE

Corner Perpetuation and Filing Act Do's and Don'ts

Since 1978 Oklahoma has required that land surveyors file a Certified Corner Record (CCR) for every public land corner used as control in a land survey unless it is substantially the same as one already on file. Besides the Licensing Act, this is the single most important law governing the practice of land surveying in Oklahoma. Perpetuation and protection of public land corners is essential to the orderly development of our communities and more importantly, the permanence of our land boundaries.

While over 150,000 CCR's have been prepared and filed with the State Department of Libraries, it has come to the attention of the Board that there are still many CCR's filed that either lack necessary information or contain incorrect information. The following brief list of Do's and Don'ts is intended as a reminder of what is required to be in compliance with the law, so that surveyors following in your footsteps may confidently use your CCR.



Bruce Pitts, PLS Director of Enforcement

Do thoroughly complete the Monument Description section of the CCR form. Do not simply state "Found 5/8" iron pin" or "Set Mag Nail" without listing supporting evidence found; and, if applicable the method used for restoring a lost corner.

Monument location must be supported by evidence whether it's other monuments, fences or improvements found, record evidence like a recorded subdivision plats or even parol evidence. You are responsible for searching for and then listing enough evidence so that any surveyor following in your footsteps can be assured that your corner location has been properly researched and can be relied upon. Anything less than thorough investigation may expose the surveyor to unwarranted liability and possible result in disciplinary action by this Board.

<u>Do</u> contact the previous surveyor if you disagree with the corner position shown on their CCR. This is particularly important if the CCR was filed long ago and many surveyors have used that CCR as control in boundary surveys. Disagreement over the location of public land corners is likely to lead to boundary disputes between neighbors.

Do not be guilty of creating boundary confusion in a neighborhood without taking the professional courtesy of contacting the other surveyor involved.

Remember, contacting the other surveyor and making an effort to resolve the disagreement is a requirement of the state minimum standards.

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DISCIPLINARY ACTIVITY OF THE BOARD

January 20-21, 2011

In the Matter of Timber Systems Engineering, P.L.L.C., CA 6072 and Lawrence P. Mangindin, P.E. 24773; Case No. 2010-074; Through Consent; For offering and performing engineering services in the State of Oklahoma without a Certificate of Authorization to do so, Timber Systems Engineering, P.L.L.C. is hereby found Guilty, assessed an administrative fine of \$750.00 and is hereby Reprimanded. For offering and performing engineering services in the State of Oklahoma without a Certificate of Licensure to do so, Lawrence P. Mangindin is found Guilty, assessed an administrative fine of \$750.00 and is hereby Reprimanded.

In the Matter of Dodd and Grayson Consulting Engineers and John Franklin Germ, P.E. 14306; Case No. 2010-078; Through Consent; For offering and performing engineering services in the State of Oklahoma without a Certificate of Authorization to do so, Dodd and Grayson Consulting Engineers is hereby found Guilty, assessed an administrative fine of \$500.00 and is hereby ordered to Cease and Desist from offering and/or performing engineering services in the state of Oklahoma until such time as they are licensed to do so. Through Agreement; John Franklin Germ has surrendered his Certificate of Licensure in lieu of administrative action.

In the Matter of Micha P. Duffy, P.E. 20621; Case No. 2010-080; Through Consent; For committing the practice of fraud or deceit in obtaining or attempting to obtain or renew his Certificate of Licensure, Micha P. Duffy is found Guilty, assessed an administrative fine of \$1,300.00, is ordered to successfully complete the Intermediate Studies in Engineering Ethics course offered by the National Institute of Engineering Ethics at Texas Tech University and is hereby Reprimanded.

In the Matter of Taliaferro & Browne, Inc., CA 6091 and Hagos E. Andebrhan, P.E., Temporary Permit No. 762; Case No. 2010-082; Through Consent; For offering and performing engineering services in the State of Oklahoma without a Certificate of Authorization to do so, Taliaferro & Browne, Inc. is hereby found Guilty, assessed an administrative fine of \$1,000.00 and is hereby Reprimanded. For offering and performing engineering services in the State of Oklahoma without a Certificate of Licensure to do so, Hagos E. Andebrhan is found Guilty, assessed an administrative fine of \$1,000.00 and is hereby Reprimanded.

March 3, 2011

In the Matter of Great Plains Surveying, Drafting and Design, L.L.C., CA 4931 and Randall Campo, P.L.S., 1462; Case No. 2010-088; Through Final Order; For violation of the Corner Perpetuation and Filing Act, for failing to achieve the Oklahoma Minimum Standards for the Practice of Land Surveying, gross negligence, gross incompetence and misconduct, Randall Campo is hereby found Guilty and his Certificate of Licensure is hereby Revoked immediately. For issuing surveys prepared by Randall Campo that were in violation of the Corner Perpetuation and Filing Act, for failing to achieve the Oklahoma Minimum Standards for the Practice of Land Surveying, gross negligence, gross incompetence and misconduct, Great Plains Surveying, Drafting and Design, L.L.C. is hereby found Guilty and the Certificate of Authorization is hereby Revoked.

April 14-15, 2011

In the Matter of SEACON Engineering Associates, Inc., CA 3259 and Sam C. Wilkerson, III; Case No. 2010-102; Through Consent; For offering and performing engineering services in the State of Oklahoma without a Certificate of Authorization to do so, SEACON Engineering Associates, Inc. is hereby found Guilty, assessed an administrative fine of \$850.00 and is hereby Reprimanded. For offering and performing engineering services in the State of Oklahoma without a Certificate of Licensure to do so, Sam C. Wilkerson is found Guilty, assessed an administrative fine of \$850.00 and is hereby ordered to Cease and Desist from offering and/or performing engineering services in the state of Oklahoma until such time as he is licensed to do so.

DISCIPLINARY ACTIVITY (CONT.)

In the Matter of Haltom Engineering, L.L.C., CA 6155 and Jeffery W. Haltom, P.E. 24983; Case No. 2010-103; Through Consent; For offering and performing engineering services in the State of Oklahoma without a Certificate of Authorization to do so, Haltom Engineering, L.L.C. is hereby found Guilty, assessed an administrative fine of \$850.00 and is hereby Reprimanded. For offering and performing engineering services in the State of Oklahoma without a Certificate of Licensure to do so, Jeffery W. Haltom is found Guilty, assessed an administrative fine of \$850.00 and is hereby Reprimanded.

In the Matter of Ramsey and Associates and John Christopher Ramsey; Case No. 2010-104;

Through Consent; For offering and performing engineering services in the State of Oklahoma without a Certificate of Authorization to do so, Ramsey and Associates is hereby found **Guilty**, assessed an administrative fine of \$2,000.00 and is hereby ordered to **Cease and Desist** from offering and/or performing engineering in the State of Oklahoma. For offering and performing engineering services in the State of Oklahoma without a Certificate of Licensure to do so, by preparing a structural inspection report on numerous apartment complexes in the State of Oklahoma, and by placing an engineer's seal and signature on the reports without the knowledge of the professional engineer, John Christopher Ramsey is hereby found **Guilty**, assessed an administrative fine of \$2,000.00 and is hereby ordered to **Cease and Desist** from offering and/or performing engineering in the State of Oklahoma.

In the Matter of GPD Associates and David B. Granger, P.E. 20959; Case No. 2010-105; Through

Consent; For offering and performing engineering services in the State of Oklahoma without a Certificate of Authorization to do so, GPD Associates are hereby found **Guilty**, assessed an administrative fine of \$1,000.00 and is hereby **Reprimanded**. For performing engineering services outside his area of expertise and competence, David B. Granger is hereby found **Guilty**, assessed an administrative fine of \$1,000.00 and is hereby **Reprimanded**.

June 13-14, 2011

In the Matter of Lou Portillo and Associates, PLLC and Lou Portillo; Case No. 2010-107; Through

Consent; For offering and performing engineering services in the State of Oklahoma without a Certificate of Authorization to do so, Lou Portillo and Associates, PLLC is hereby found Guilty, assessed an administrative fine of \$850.00 and is hereby ordered to Cease and Desist from offering and/or performing engineering in the State of Oklahoma. For offering and performing engineering services in the State of Oklahoma without a Certificate of Licensure to do so, Lou Portillo is hereby found Guilty, assessed an administrative fine of \$850.00 and is hereby ordered to Cease and Desist from offering and/or performing engineering in the State of Oklahoma.

In the Matter of Husker Surveying, L.L.C., CA 5076 and Jayme Malone, P.L.S. 1544; Case No. 2011-001; Through Agreement; Jayme Malone has surrendered his Certificate of Licensure No. 1544 to the Board in lieu of administrative action that provides he will be permanently barred from reissuance of his Certificate of Licensure as a professional land surveyor in the State of Oklahoma.

In the Matter of Jamnu H. Tahiliani & Associates, Inc., CA 6185 and Michael Joseph Rose, P.E. 16763; Case No. 2011-011; Through Consent; For offering and performing engineering services in the State of Oklahoma without a Certificate of Authorization to do so, Lou Portillo and Associates, PLLC is hereby found Guilty and assessed an administrative fine of \$850.00. For aiding and assisting Jamnu H. Tahiliani & Associates, Inc. in offering and performing engineering services in the State of Oklahoma without a Certificate of Authorization to do so, Michael Joseph Rose is hereby found Guilty and assessed an administrative fine of \$850.00.

In the Matter of Gary Lynn Bratcher, P.E. 16416; Case No. 2011-018; Through Agreement; Gary Lynn Bratcher has surrendered his Certificate of Licensure No. 16416 to the Board in lieu of administrative action that provides he will be permanently barred from reissuance of his Certificate of Licensure as a professional engineer in the State of

MORTGAGE INSPECTION REPORTS

Position Statement

Adopted by the Board July 2011

Effective immediately, land surveyors must take care to only show measurements on a mortgage inspection report which are true representations of the conditions that were found. Anyone showing measurements or other representations on a mortgage inspection report that are not true representations of the conditions that were found at the time of the inspection will be in violation of the Minimum Standards for the Practice of Land Surveying.

Minimum Standards for the Practice of Land Surveying O.A.C. 245:15-13-2 (e) - (existing language – no amendments proposed)

MORTGAGE INSPECTION REPORT

'This Mortgage Inspection Report was prepared for ...(individual or firm).... It is not a land or boundary survey plat, and it is not to be relied upon for the establishment of fence, building or other future improvement lines. The accompanying sketch is a true representation of the conditions that were found at the time of the inspection, and the linear and angular values shown on the sketch, if any, are based on record or deed information and have not been verified unless noted.'

Any further statements shall be made only after proper research, investigation and boundary analysis is conducted per 245:15-13-2(a) through (d).



Renderings prepared by Designers Pickard, Chilton Architects, Inc. The Devon Tower will be a 3-sided glass tower featuring diamond-shaped faces at the top, a 100' by 100' glass rotunda just beside it and a six-story "podium" stretching to west to Hudson. The "podium" will have auditoriums, classrooms and offices. Reflecting pools will sit at the base of the tower, and a transparent wall will allow passersby to see into the tower lobby.

The project has been scaled back to 50 stories since its original design.
Photo by Studio AMD.

Corner Perpetuation and Filing Act Do's and Don'ts By Bruce Pitts, PLS (continued from page 7)

<u>Do</u> know the surveying definition of existing, obliterated and lost corner classifications so that you **<u>do not</u>** mistakenly identify an ODOT brass cap or a 3/8" iron pin as an existing corner, or classify a corner as obliterated and then state that proportional measurement was used to set the corner.

<u>Do</u> use the correct proportional measurement procedure if the corner is classified as lost. This requires special attention on the exterior of a township, on the northern or western tiers of sections within a township, in country surveyed by the 3-mile method or where the original surveyors employed special procedures.

<u>Do</u> file a CCR for all public land survey corners used as control in performing proportional measurement.

<u>Do</u> file a new CCR if the corner or its accessories (references) are substantially different from a CCR currently on file.

For example, if the existing CCR calls for a ½" iron pin, and you find a Mag nail, you are required to prepare a CCR for the Mag nail. Yes, the land surveyor who set the Mag nail should have filed a CCR and could be disciplined by the Board for not doing so; but since they didn't file, you are now responsible and you must file a CCR.

 $\underline{\mathbf{Do}}$ make it clear on your CCR that your corner is in the same position as the one shown on the previous CCR.

<u>Do</u> carefully describe the monument you set or find.

There is a difference between a 1/2" and a 5/8" iron pin and failure to note that could lead to confusion and wasted time.

<u>Do</u> consider the history of and the method used to establish a corner location with an existing CCR before you establish a new corner location in close proximity to the existing CCR.

Multiple monuments in close proximity <u>do not</u> protect the public and they make the surveying profession look inadequate.

<u>Do</u> show all monuments in the immediate vicinity on your CCR with horizontal ties and carefully describe why your position is better and, therefore necessary.

This is not a complete list of **Do's and Don'ts** because there are many other common sense examples. Using references that are in the close proximity of the corner, providing an accurate sketch with topographical features and even digging up the monument instead of just relying on the signals from the magnetic locator, are all examples of care that must be taken to ensure that our public land survey corners are perpetuated.

Establishing and re-establishing the positions of public land survey corners by painstakingly discovering an accurate and defensible trail of evidence and then publishing the results for others to follow was the purpose of this law when it was enacted 33 years ago. Protection of the public demands that surveyors go to great lengths to correctly perform this most important land surveying duty.

Why Special Inspections Are Not So Special - by Robert C. Zahl, PE

(Continued From Page 2)

the 2009 IBC, but it provides an ethical dilemma for the registered design professional when they are hired by the contractor. For example, if the Special Inspector finds too many problems with the contractor's work, this could lead to this inspector not being hired to do any further inspections, even if there are more to be done.

Section 1704.1 of the 2009 International Building Code states:

"Where application is made for construction as described in this section the owner or the registered design professional in responsible charge acting as the owner's agent shall employ one or more approved agencies to perform inspections during construction on the types of work listed under Section 1704."

Issues Are Also Potential Violation of Oklahoma Board Administrative Rules:

- 1. OAC 245:15-9-4(a) Licensees shall practice only in the areas of their competence and shall undertake assignments only when qualified by education, examination, or experience in the specific technical fields of engineering or land surveying involved...
- 2. OAC 245:15-9-4(b) Licensees shall not affix their signatures, date of signature, or seals to any plans or documents dealing with subject matter in which they lack competence, nor to any plan or document not prepared under their direct control and personal supervision.
- 3. OAC 245:15-23-7(a)(2) Acts which evidence a disregard or indifference toward the rules or statutes governing the practice of engineering ... regulations, codes, ordinances and recognized standards including but not limited to those regulating the design of facilities to be constructed.

Special Inspection Issues Addressed In NY State:

Because of problems identified regarding special inspections in other states, there are now many engineering firms whose services are composed not only of design work but of doing *Special Inspections* for both their projects and for projects that have been designed by others. New York State now requires that special inspector companies become certified and certify that their staff meets the requirements to perform special inspections. Those certified engineering firms or individuals must be hired by the **owners**. This is the way that *Special Inspections* were intended to be done, and this is what we should be striving to make happen.

The Board Needs Your Assistance: who are involved in any portion of this type of work is for you to send suggestions to this Board as to how you think this problem can be resolved in the interest of public protection. We are looking for all perspectives to ensure we are addressing the problem from all viewpoints. Now that we know about the problem and have chosen to address it, we need your input. To submit your input you may email khart@pels.ok.gov, or snail mail:

Oklahoma State Board of Licensure for Professional Engineers and Land Surveyors 201 NE 27th St., Room 120 Oklahoma City, OK 73105 ATTN: Kathy Hart

Special Inspections - To Be Continued:

The Board will continue to work towards a solution until we find one that will result in getting a proper special inspection performed without putting the firms or the individuals who are doing these inspections into situations where they are violating the licensing laws that are intended to protect the public.

CONTINUING EDUCATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS - UPDATE



George T. Gibson, PE Chair - PE Continuing Education Committee 2002 - 2011

Thank you to George Gibson, PE (pictured above) and Ted Sack, PLS (pictured page 3) for Chairing the Continuing Education Committees since their inception in 2002 and 1994 respectively.

Beginning July 1, 2011, Bill McVey, PE will serve as Chair of the PE Continuing Education Committee and Glen Smith, PE, PLS will serve as Chair of the PLS Continuing Education Committee.

When reporting professional development hours (PDH's) for PE's and PLS' at the time of your renewal, whether renewing online or by mail, you will no longer be required to submit a detailed log form of your credits earned. However, for audit purposes you must keep an up-to-date log form in your files, along with copies of all proof of attendance.

Annually, approximately 250 PE's and 50 PLS' are audited for compliance with the continuing education requirement. Typically, 95% of those audited have no problem providing the Continuing Education Committee with the appropriate proof of attendance for these professional development hours. Unfortunately there is always a very small percentage that either do not comply with the request for the audited material or cannot provide proof of their professional development hours. Occasionally the Continuing Education Committees have encountered outright fraud in the reporting of the professional development hours and these individuals have had formal disciplinary actions filed against them by the Board.

Also, after reviewing a request by the Uniform Building Code Commission, it was determined by the Board that professional development hours could be earned for writing technical standards.

Thanks to the Continuing Education Audit Committee Members for both Engineering and Surveying. Your assistance is vital to conducting a professional audit of the continuing education requirements for PE's and PLS'.

PE Continuing Education Committee Members:Julie Guy, PE; Marcia Bates, PE; Alan Bates, PE; John Veenstra, PE; Chuck Darr, PE; Glen Smith, PE; Bill McVey, PE; Jim Kersey, PE; Eric Strong, PE; Monte Tull, PE; Tommy Lear, PE; Shawn Thompson, PE; Bill Dickerson, PE; Bruce Pitts, PLS

PS Continuing Education Committee Members: Aaron Morris, PLS; Gary Brickley, PLS; Gordon Johnson, PLS; Ron Leifheit, PLS; Kelly Schmidt, PLS; Roy Entz, PE, PLS; Glen Smith, PE, PLS; Bruce Pitts, PLS;

LICENSE EXPIRATIONS - OCTOBER 1, 2010 TO MARCH 31,

Professional Engineers:

i i oicssionai Engineei	3.		
Nall, G. Scott	22673	Reddy, Junuthula N.	11031
Neyrinck, Kim	21804	Reedy, David L.	21007
Nichols, John L.	5628	Reimer, Paul H. Jr.	19274
Nicol, Joseph C.	18407	Renczarski, Albert T.	13150
Nippert, Billy G.	10321	Repp, Thomas R.	23181
Nolan, Patrick E.	22422	Rettich, Kevin Charles	21648
Nord, Daniel J.	22646	Rezabek, Colleen A.	23052
Norfolk, Ian	22425	Richards, Jeffrey Lee	21653
Norvelle, Fredrick	12688	Richards, Timothy M.	18143
Norwood, Dale	21387	Rickett, Mark Eliot	19000
Notestine, Stanley	18457	Ridenour, Thomas A.	15080
Oakes, Vance	20044	Riley, Dale	9953
O'Brien, George	5256	Ringeisen, D. G.	7913
Oby, Larry Jr.	22467	Rogal, Christopher J.	19491
Orf, Bryan	16638	Rogers, Gregory C.	23228
Orme, Robert A.	9433	Rosenberg, Jeffrey	17455
Orsi, Leo E.	8870	Rosenwinkel, Paul	23766
Palmieri, Ronald	23363	Ross, Ronald E.	19458
Panethiere, Michael	19159	Rossman, Charles W.	12375
Papademos, A.	23938	Rowe, Thurman L.	15562
Parsons, Ralph Dale	16098	Rucinski, Sheldon S.	20014
Paskowski, Thomas	8579	Ruffin, Tom	4629
Pass, Charles D.	3914	Ruggles, William L.	2084
Pastore, Dominick	22270	Ruiz, Mark J.	20783
Patel, Thakor S.	22995	Russell, Charles M. Jr.	16974
Payauys, Alison M.	19795	Russell, Fred G.	13157
Payne, Calvin Jay	19157	Russell, Thomas H.	4900
Payne, Thomas Carl	10932	Ryan, Betsy L.	17206
Pearce, Ronald W.	18992	Safley, Lawson M. Jr.	17494
Peck, Albert R.	11228	Salem, Salem Giaballa	
Pehrson, Richard	20852	Samuels, Clive	20079
Pellegrinetti, Gordon	16947	Sanford, Robert W.	22427
Penberthy, Michael	20522	Sankaran, B.	14035
Perry, Greg W.	23506	Schnur, Leon W.	20348
Pfund, Ernest M.	23252	Schomaker, Michael	9985
Piatt, John R.	8846	Schuermann, Kenneth	2885
Pitts, Joe H.	4328	Schuldt, Richard A.	15992
Pitzer, Jeffrey W.	20537	Schultz, Debbie F.	16579
Bunts, Donald H.	24757	Schultz, Eric R.	16954
Place, Karlton G.	22164	Schwarz, Charles P.	9001
Potter, Richard J.	18657	Sciabarrasi, Philip	21875
Price, Stanley D.	24721	Scoggins, C. J. Jr.	7325
	24335	Scoggins, Kenneth D.	5112
Proctor, Jasper W. Jr. Punch, Stephen	20392	Scott, Norman A.	24641
Purinton, Robert J. Jr.	12804	Semmens, Robert F.	12690
	5439	Settle, William C.	3369
Purvis, Bill D.			22736
Pyeatt, David A.	24450	Sexton, Patricia E.	5212
Race, Robert J.	15648	Shapiro, Robert Allen	
Rachal, Duane Mark	13642	Shaw, Lee	19640
Raghu, K. K.	21969	Sheffield, W. Blaine	18521
Rainey, Thomas L.	21985	Shelton, Robert Q.	7502
Rao, Arjun Babu	13870	Shelton, Steven L.	20735
Rarig, James L.	19470	Shepard, Benjamin D.	13386
Ratliff, Barton Wade	6705	Shetlar, Kenneth R.	14952
Rattenbury, Mark F.	23144	Shim, Chunbo	18426

License Expirations

EXPIRATION/REVOCATION - 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.

Shimoura, Brian Keith	24122	Sutryn, Gary E.	22229
Shipley, Robert W.	10815	Suwankosai, Wisit	16413
Simons, William L.	13543	Swim, Michael K.	18228
Sinovich, John	18371	Swinderman, Robert T.	18952
Skinner, Bradley J.	23179	Syverson, Andrew E.	22047
Slade, Ron	22002	Tarvin, Joe Elijah	10996
Smith, Brian D.	19067	Taylor, Charles R.	16751
Smith, Jedidiah	20940	Taylor, Robert C.	23724
Smith, Michael K.	19832	Teakell, Albert Keith	14892
Smith, Wiley R.	20761	Teeter, Ronald Barton	10256
Snow, Jack	24454	Thomas, Terry Lee	20500
Snow, Richard H.	13918	Thompson, Jerry L.	19723
Sonderman, John R.	19176	Thompson, Paul A.	16138
Sorben, Nathan Joel	22767	Thung, Hok Jang	10220
Southmayd, William	3446	Toler, Franklin Earl	8173
Sparks, Richard T.	5648	Tom, Manley	23279
Spotts, Gary L. II	23435	Tracy, Darel L.	22507
Spruill, Russell	23765	Tucker, Randy M.	17887
Stabenow, Jason A.	23513	Tuggle, Mark D.	22911
Stamback, Terry Ray	15881	Turner, Lewis John	22926
Staton, Eugene L.	2637	Ullrich, Ray D.	22877
Stein, Eric L.	20082	Urbon, David Charles	18526
Stevenson, James A.	20422	Urias, Stephen George	24500
Stewart, Lisa Anne	14731	Vallaster, William B.	12796
Stine, E. Allan	11788	Vigil, Mike D.	19186
Stockholm, Neil P.	20292	Vogt, Calvin O.	8953
Stoldt, Lee C.	5105	Voss, Joseph E.	22360
Stone, Robert Hughes	12564		
Strobel, David L.	18161		
Sughrue, Edward L. II	16835		

Sullivan, John M.

LICENSE EXPIRATIONS - OCTOBER 1, 2010 TO MARCH 31, 2011 (CONT.)

Certificates of Authorization:

Water Synergy, Inc. 6060(PE) SITE DEVELOPMENT ENGR, INC. 6098(PE)

Professional Land Surveyors:

Payne, Jimmy N.	360
Semke, Micheal G.	1172
Sisneros, Joe M.	1111
Streit, Charles W.	1150
Teeter, Ronald Barton	984
Vandegrift, Chris L.	1723
Verba, Donald R.	1105

RETIRED LICENSES - JANUARY 1, 2011 TO MARCH 31, 2011

Professional Engineers:

r rotessional Engi	meers.						
William R. Abbott	17645	W. J. Sleeper Jr.	4910	John Henry Sullivan	5997	James Van Hoose	9086
Edmund D. Mesloh	13460	Lee D. Smith	6981	Adolph Allen Sutko	9223	Craig K. Vance	14788
Franklin Patrick Miller	16428	Lewis Emmitt Smith	8706	Carl Sutton	6242	James R. Vaughan	7193
Lee Powell	5027	Don L. Smith	3831	William H. Swartz	15490	Rigoberto Venereo	15374
John R. Reeve Jr.	2781	Darrell Eugene Smith	18396	George R. Tait	3611	Joseph D. Vitali	7153
J. B. Roberts	8972	Bradford E. Smith	10250	Marion B. Tankersley	11086	George J. Vlay	4448
Robert Merlin R.	12416	Lieu R. Smith	4732	C. I. Taverner	3842	Jon T. Vrooman	5175
Robert S. Ryan	5334	Jerry L. Smith	11605	R. R. Taylor	9595	John Allen Wallace	9004
Jay H. Sanders	10103	Timothy Rex Smith	15879	Donald Allen Taylor	7027	Gordon K. Washburn	7069
Weaver W. Serbak	6222	Michael Hokman So	11058	Jack Rae Taylor	7106	Leon Wehmeyer	8672
Marion Richard Scalf	7558	Jerome R. Sobeczek	9184	Bruce E. Taylor	9952	Gene Ray Wells	7532
Robert F. Schaffitzel	19094	William W. Soja		E. B. Telford	5401	George E. Wells	5748
Finis G. Schell	7809	Robert G. Sompayrac	10105	Richard Tennille	7160	Robert H. Welsh	9631
Hans Schmoldt	3647	Daryl F. Southard	5177	Perry E. Tennison Jr.	4535	Leonard B. West Jr.	11344
Eldon H. Schuessler	8376	Richard W. Southard	9969	Marvin Palmer Terrell	7513	Wm. Paul Wheeler	5966
Dwight Alden Schulke	11890	Richard C. Spang		Philip O. Teter Jr.	4890	Robert C. White Jr.	5036
Ronald Anton Schuller	8710	James N. Speakman		Peter R. Thomas		Everett L. Whitney	7344
B. G. Schulz	4606	David D. Speir		Elton R. Thompson	6393	Willis O. Whitney	11948
Daniel C. Schumacher	13673	Fred J. Spencer	7113	1	9960	Donald Lee Wickens	5601
Carroll E. Scoggins	6799	Erik Paul Spicker		James Thompson Jr.	15476	Stephen F. Wickerson	18506
E. G. Scroggins	4424	Eugene A. Spinler		W. A. Thornton	20111	James R. Wilkinson	4092
Glennon C. Seitz	20192	Frederick J. Spitz	5126	Donald Thurman	9127	Keith K. Williams	10882
Eugene A. Seline	5122	Fred M. Springer	4739	Donald R. Tillery		C. J. Willis	3367
Arnol I. Sellars	12873	Thomas M. Stahl		Jim C. Tittle		L. Duane Wilson	11104
J. L. Sellers	5675	Bernhard Stahl	9430	Thomas E. Tobin Jr.		James W. Wilson	8757
R. Bruce Sellers	9247	George W. Starch III	7646	Ralph M. Tolson	4329		
Gary D. Senechal	20767	Stanley L. Staubach		Vernon J. Triebel	10930		
Max D. Shafto	6999	Alfred M. Steadley Jr.	9698	Donald B. Turkington	2213	Professional Land	Surveyors:
Robert E. Shaw	2458	Robert W. Steele II	7796	John R. Turley	4824		
David C. Shock	16132	Richard A. Stephens		Joseph D. Turner V	4624	Paul M. Ogilvie	986
Harold G. Simpson	10347	Gladstone Stevens Jr.	6900	Howard H. Turner	9705	James L. Slade	4
Carl Simpson	21996	Larry Wayne Stinnett	9949	M. J. Turnipseed	4941	Billy Wayne Stanley	1000
Robert C. Simpson	10946	D. L. Stinson	3953	W. N. Tuttle	11066	Gary J. Steigman	162
Atin K. Sinha	18107	Alf Johan Stole	3206	M. James Tweet	15802	Donald Ray Stone	1236
Sites, George K.	5492	George G. Strella	8252	W. R. Upthegrove	3695	Robert L. Stringer	580
Gerald M. Skala	17318	Robert LeRoy Stringer		Bryan D. Uredi	23799	Thomas E. Tobin Jr.	1340
Arlie M. Skov	5160	Wen-Shyong Su	9717	Stephen N. Valero	21124	Donald L. Tomlinson	718
James L. Slade	3415	K. J. Sudar	9413	Darrel Van Coevering	8096	Donald F. Turney	448

Oklahoma State Board of Licensure for Professional Engineers and Land Surveyors 201 N.E. 27th St., Room 120 Oklahoma City, OK 73105-2788

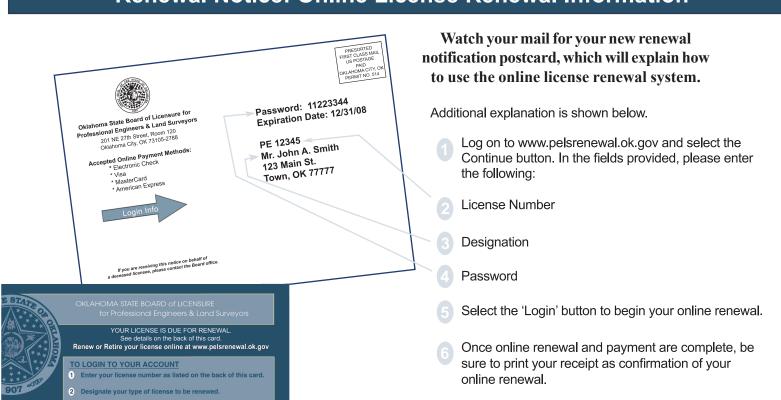
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