

DISCIPLINARY ACTIVITY OF THE BOARD (CONT.)

King's PLS 1534 was **Suspended** for two (2) years with suspension being stayed for the entirety of the two (2) year period provided King performs professional land surveying duties within the constraints imposed by the Board and complete the on-line class in Surveying Ethics at New Mexico State University. The constraints imposed by the Board during and following the cessation of King's suspension are as follows: King will only be permitted to utilize his Oklahoma PLS license to offer and perform mortgage inspection reports.

In the Matter of Allen & Shariff Engineering, LLC, CA 5420 and Donald K. Beyer, PE 27918, Case No. 2015-014; Through Consent; For offering and/or practicing engineering in the State of Oklahoma without a Certificate of Authorization, Allen & Shariff Engineering, LLC was found **Guilty**, assessed an administrative fine of \$500, and **Reprimanded**. For offering and/or practicing engineering in the State of Oklahoma without a Certificate of Licensure, Beyer was found **Guilty**, assessed an administrative fine of \$500 and **Reprimanded**.

In the Matter of Pacific Aquascape International, Inc., CA 5838, Case No. 2015-016; Through Consent; For offering and/or practicing engineering in the State of Oklahoma without a Certificate of Authorization, Pacific Aquascape International, Inc. was found **Guilty**, assessed an administrative fine of \$750, and **Reprimanded**.

In the Matter of Sherwood Design Engineers, Case No. 2015-017; Through Consent; For offering and/or practicing engineering in the State of Oklahoma without a Certificate of Authorization, Sherwood Design Engineers was found **Guilty**, assessed an administrative fine of \$1,000, and ordered to **Cease & Desist**.

In the Matter of Bradley Garrett Wells, PLS 1575, Case No. 2015-028; Through Agreement; Bradley Garrett Wells elected to **Surrender** his PLS Certificate of Licensure No. 1575 to the Board in lieu of administrative action. Further, he shall be permanently barred from reissuance of his Certificate of Licensure as a Professional Land Surveyor in the State of Oklahoma.

In the Matter of Alber Engineering, Inc. and Jerry Wayne Alber, PE 15354, Case No. 2015-035; Through Consent; For offering and/or practicing engineering in the State of Oklahoma without a Certificate of Authorization, Alber Engineering, Inc. was found **Guilty**, assessed an administrative fine of \$1,000, and **Reprimanded**. For aiding and assisting Alber Engineering, Inc. in the unlicensed practice of engineering without a Certificate of Authorization, Jerry Wayne Alber was found **Guilty**, assessed an administrative fine of \$750, and **Reprimanded**.

November 19 – 20, 2015

In the Matter of Waylen Pont Wiseman, PE 17189, Case No. 2015-061; Through Consent; For failing to comply with the Board's continuing education requirements to obtain thirty (30) PDH's for the twenty-four month renewal period and to provide acceptable proof of attendance if audited, Wiseman was found **Guilty** and assessed an administrative fine of \$750. For certifying that he had completed the continuing education requirements of the Board when in fact he had not, Wiseman was found **Guilty** of providing false information to the Board when renewing his Certificate of Licensure, assessed an administrative fine of \$750, and will be audited in the next renewal cycle of his license.

COMPLIANCE WITH THE OKLAHOMA TAX COMMISSION REQUIRED FOR RENEWAL OF ALL PROFESSIONAL LICENSES...

Oklahoma Statutes require that a licensee must be in compliance with the Oklahoma Tax Commission to qualify to renew their professional license. If you are notified by the tax commission that you are in non-compliance, please act immediately. The Board does not have the authority to waive this requirement, so CONTACT THE OKLAHOMA TAX COMMISSION if you are notified.

THE PATH TO COMPLIANCE



Bruce Pitts, PLS

JUST ASK

Or Seldom Asked Questions That May Lead to Disciplinary Action

Asking for help (or directions for that matter) is often not a strong suit among engineers and land surveyors. It's not because we are 'know it all's'; it's more because of our independent and self-reliant attitude that brought us to these professions in the first place. This attitude instructs us that we should be able to apply reason, logic and calculations, if necessary, and solve any question without having to seek assistance. Experience has taught us, however, that in this 'Age of Information', there is just too much knowledge to digest and retain to keep up with the rapid rate of change. This applies equally to Board Statutes and Oklahoma Administrative Rules (OAR), which govern the practice of engineering and surveying. So, to aid our 'question asking challenged' licensees, here are some of the seldom asked questions that often lead to disciplinary action.

What Documents need to be signed and sealed?

OAR, Section 245:15-17 is dedicated to signing and sealing regulations. This office receives more signing and sealing questions than any other topic. Yet with all the questions we do receive and answer, there are still many violations stemming from improper signing and sealing. For example, a fairly common misunderstanding among engineers and/or surveyors is that plans are the only documents that are required to be signed and sealed. That is simply not the case. Documents required to be signed and sealed can be plans, surveys, specifications, reports, drawings, or any engineering or surveying work product furnished to a client, a user, or any public agency. REMINDER: The licensee's signature and seal constitutes certification that the work thereon was done by the licensee or under the licensee's direct control and personal supervision, and that the licensee accepts full responsibility and liability for the professional work represented thereon.

As a Professional Engineer - May I Practice in a Discipline that I have not listed with the Board?

The answer is unequivocally – NO. All Oklahoma PE's have been asked to list with this Board the discipline(s) of engineering in which they are competent to practice. In order to list those areas of practice, the PE's demonstrated competence in each area by one or more of the following three pathways: examination, education and experience. The Board recognizes that engineers can, and do, obtain new areas competence, and has provided the necessary form on its website for those wishing to do so. This simple process eliminates the potential of disciplinary action and harm to the public.

As a Professional Land Surveyor – How Does the Board Determine My Area(s) of Competence?

The answer to this is not quite as clear-cut. However, it should be clear-cut to the PLS who is ethically bound to make this determination. A PLS who contracts to perform a river survey, who has no education or experience regarding river surveys, is most likely practicing outside of his or her area(s) of competence.

Certificate of Authorization (CA) Requirements - In General Terms

You may practice as an individual in this state as long as you practice in your own name and do not use a fictitious name. For example, you may practice as *Jerry Jones, P.L.S.* However you may not practice as *Jerry Jones Surveying* unless you have a CA. Furthermore, the PLS or PE who signs and seals plans as a Consultant must have been hired to do work on behalf of the firm and must sign, seal and date their work and include their title block, contact information, and CA information (if applicable) on the work. Consultants may not sign and seal as the responsible charge PE or PLS for the firm to which they are consulting. As a reminder, the responsible charge PE or PLS for a firm must be a full-time employee of that firm and must meet the criteria for being in responsible charge of the professional activities of the firm listed in 245: 15-17-2 of the Board Rules. **(Continued on next page)**

Professional Engineers

Roger L. Adam	12807	Gerald Henry Britsch	16865	Les Crawford	26722
John Andrew Adamchik	18267	Lynn E. Brown	21244	Richard L. Creek	12608
John Steven Almon	15311	Bradley Dean Brunkow	15186	William Treadwell Cronenwett	9246
L. Lyeal Amos	10115	Russell C. Burnham	14980	Jose N. Cuevas Jr.	19834
Gary Scott Anderson	20069	Charles B. Burris	21492	Daniel R. Cunningham	22455
Jon Robert Averhoff	14670	Timothy Keith Busing	18075	Jack L. David	21682
Sabri Ayaz	17307	David L. Byers	11513	Carlos Davila	4409
John C. Baisden	24796	John J. Byeseda	12603	Darold Dean Davis	10084
Clayton D. Bankson	24961	Jerry Dean Byrd	12367	Anthony Joseph DeLisio	19204
Ralph L. Barnett	10246	John Robert Campbell	11898	Steven R. Denevan	19098
Robert J. Bartoy	22103	R. Ben Canfield III	23975	Leo Joseph Dimmer	12056
Edwin R. Basinger	12259	R. Alan Cannon	26381	Vicente Bortone DiMuro	19886
Ronald Eugene Baucom	10217	E. Reid Carlson	15720	Maurice E. Dingler	11502
John Lee Bearden	11230	Gary L. Carnahan	20150	Gary A. Ditty	12360
Max H. Beasley Jr.	9436	Rosemarie Lynn Case	15868	G. W. Dunkelberger	11572
Brian K. Beaufeaux	23539	Gerald R. Chartrand	19393	Christopher Frederick Dunn	11233
Scott E. Beck	21564	Souheil S. Chehayeb	18570	Eddie L. Dunn	17590
Leonard E. Bensch	11338	Kenneth Q. Chen	25460	William Edberg	24979
W. Andrew Berky	18771	Richard I. Chenoweth	16104	Larry W. Finney	13236
Michael G. Bernart	18306	Robert J. Cieslik	25029	George H. Fischer	22257
Thomas G. Bertenshaw	17900	David W. Clapp	19647	DeLon Flinchum	15817
Jerry Birdsong	19345	Bobby L. Clary	9316	Pratap D. Ganti	16821
Delvin Black	8981	Steven G. Cleason	22968	Michael Burton Tibbits	12452
Miles L. Blackman	12401	David A. Cline	13663	L. Carl Yates	6187
Jon K. Blickenstaff	11887	John D. Coad Jr.	16264		
Shawn P. Bodine	20254	Gary A. Cobo	22410		
Michael Bolin	10755	Duane Cochran	25561		
David C. Bowen	24704	Lincoln D. Cochran	26300		
Robert Merritt Brady	18464	Gary Kent Cohea	13308		
Robert T. Brannan	19502	Ronald B. Coker	14924		
Michael S. Brannan	13878	James J. Colantonio	10193		
Martin M. Braun	19503	Samuel Walter Collins	17903		
Charles F. (Nick) Breese	9827	James Edward Cooper Jr.	27676		
Roger L. Bridges	13169	Neel Cotten	4098		

Professional Land Surveyors

Don E. Baskin	1126
William D. Brollier	1129
Troy Cobb	1448
Thomas E. Cossin	1334
Neel Cotten	508
Sam Edward Cox	1332
Carlos Davila	37

JUST ASK.... (continued from page 11)

Cutting “Corners” for Professional Land Surveyors

PLS’ need to ask more questions, also, especially when it comes to the filing Certified Corner Records (CCR’s). One common problem that leads to disciplinary action is when the professional land surveyor fails to file a CCR where the monument is different from that shown on the existing CCR. Failure to file a CCR for that kind of substantial change can lead to confusion and ambiguity. Another seldom asked question about CCR’s is exactly which corners are to be filed? The law reads in part that a record must be filed if the corner is “used as control” in a survey. Therefore, Board Rules require that CCR’s must be filed for corners used in proportional measurements.

Disciplinary actions based on failure to ask questions not knowing the rules are easily avoidable. Asking other practitioners is a good idea if you are certain they are knowledgeable about the statutes and rules. Directly contacting the board, or even reading the discipline section of the Board’s newsletter and learning from the mistakes of others, are both pathways to improving professional practice.

LICENSE EXPIRATIONS - January 1, 2015 -- October 31, 2015

Professional Engineers

Adams, Gregg Batchelder	19474	Bray, Don E.	10240	Coombe, John P.	17813
Adams, Sherman W.	22483	Breu, Thomas J.	25149	Cooper, Robert M.	19825
Aikins, J. E.	19914	Bright, Charlie	26636	Coppoc, William Louis	15593
Alberswerth, Michael L.	22593	Brown, Robert H.	25249	Costa, Jose Manuel	23781
Albertson, Tyler J.	22734	Brown, Ronald E.	13731	Covarrubias, Jesse S.	14639
Allen, Chad Anthony	26913	Browne, M. Gates	27307	Cox, Brent C.	22118
Allen, Thomas W.	25569	Brownwood, Robert C.	21619	Harmon, John	27911
Alper, Marc H.	17258	Bryan, Shawn R.	26378	Mitchell, Aaron James	28034
Altman, Duke Galen	19039	Bryant, Matthew W.	24788	Saathoff, Christopher L.	26689
Ancell, Larry E.	14185	Buchanan, Randell Todd	26258	Sallak, Hussein Mustafa	12865
Anderson, Alan John	10477	Bunch, Mandy Rae	20528	Sarmeidani, Foroud Moradi	24643
Anderson, Brent Alan	26613	Bunn, Richard L.	11341	Sarver, James R.	21266
Anderson-Ashford, Sandra	16684	Burleigh, Lawrence Hugh	18320	Sass, Robert H.	22198
Annunziata, Michael A.	17956	Burnett, William F.	19899	Saunders, Samuel E. III	26373
Anzia, Thomas W.	17462	Bussell, Dennis	26374	Savage, Jerl W.	16203
Archila, Roberto	21941	Bussell, Scott	24073	Sawicki, Maggie Thomas	25581
Arias Paic, Miguel Salvador	26016	Cadwell, Warren David	13315	Scheurer, Mark	26553
Arnold, Jeffrey L.	25090	Caffey, Dale W.	16446	Schirato, Ronald Mario	23335
Ashworth, John W. III	26008	Cain, Samuel F.	26720	Schlechter, Richard L.	26437
Bailey, Bert E.	6867	Callahan, Johnny	19192	Schlegel, Robert E.	14001
Bailey, Bruce	13888	Calongne, Daniel T.	22882	Schlosser, Leonard	24197
Baker, Brad K.	23681	Calvino, Mark G.	23319	Schmidt, Michael L.	16781
Baker, Bruce W.	12860	Campbell, Bruce	25970	Schmitt, Gerald	19358
Baker, Joe M.	10401	Canelli, William J.	18002	Schmitz, Joseph C.	24216
Baker, Travis	24577	Cantrell, C. J. Jr.	8565	Schmucker, Douglas G.	24333
Bankobeza, Greyson	27389	Carillo, Jay	27182	Schweikhard, William Wayne	11810
Barfield, Billy J.	17054	Carlsen, Chris	26877	Schwieger, Kent J.	11463
Barnett, Michael P.	26454	Carlson, John A.	20831	Schwieterman, Joseph	26597
Barnett, Richard C.	24408	Carrara, Kris S.	18397	Schwinger, Charles M.	25706
Base, Michael Ray	19311	Carroll, George H. Jr.	21285	Sells, John N.	21247
Bastianen, Marc V.	20228	Carter, Glenn	23350	Selvam, Panneer N.	26279
Baudoin, Scotty J.	25843	Carter, Martin E.	20483	Shamburg, Jeffrey	25014
Bauer, Steven J.	22866	Carter, Thomas S. Jr.	2483	Sharp, Thomas Allen	18223
Bays, Clyde V. Jr.	13702	Carter, Tom	18299	Shekerlian, Steven P.	22304
Beard, Jacob E.	27744	Case, Angela K.	26421	Sheleheda, Frank III	25045
Beaudin, Denis Michel	17661	Case, Leonard R.	13635	Shelton, James Kenneth Jr.	11046
Beech, John Frederick	17245	Cassel, Kenneth J.	13843	Sheth, Jayantkumar N.	14921
Beighle, Trent E.	23233	Chabino, Doug	20896	Shirmohammadi, Farman	25964
Benak, Matthew J.	25393	Chadwick, Carol	25845	Short, Glenn Lyle	21781
Benitez, Raul	26337	Chandra, Dipankar	25082	Simpson, Walter L.	25411
Bennett, E. M.	11286	Chang, Ming-Ming	16826	Sivakumar, Bala	24839
Bennington, C. Stephen	18987	Chang, Richard Tzu-Tung	23624	Sloan, Marty	23365
Berry, Jimmy Dale	16008	Chapin, Ryan C.	27404	Smith, Alan Grant	3512
Bertheau, Steven R.	23486	Chapman, Melvin D. Jr.	13531	Smith, Dan Karl	15713
Bieberly, Gregory E.	19642	Chishti, K.A.	25449	Smith, Jeff R.	25362
Biegalski, Amy K.	24368	Chitwood, Kevin	25065	Smith, Justin	26330
Bishop, Walter Peter	10213	Christensen, Steven Lee	14522	Smith, Scott M.	19508
Bittick, Carolyn D.	20677	Clark, Nathan B.	25890	Smith, Sheldon Orlando	25223
Black, John P.	21143	Clark, Patrick A.	21524	Smith, Troy L.	25350
Blair, John Anthony	11037	Clark, Thomas C.	24246	Smith, Wesley P.	25303
Blake, Steven Bruce	15657	Clausner, Michael J.	22634	Snead, Daniel Baldwin	21306
Blankenship, Bret Allen	27387	Clinehens, Chad	20674	Solomon, Noble	25509
Blenden, Todd	22393	Coday, N. C. Jr.	14039	Soriano, Manuel J.	21740
Bohachick, Daniel	23410	Coder, Terry L.	26452	Spargo, John D.	27185
Bohinsky, Joseph A.	20714	Coduri, Stephen A.	27637	Spence, Kraig L.	20036
Bolduc, Laura	26640	Cody, Benjamin M.	27490	Spencer, Alan C.	25056
Bommarito, Clement Bruce	24473	Colandrea, Aldo	25939	Spinazzola, R. Stephen	22474
Borthwick, John Charles	18542	Collier, Kenneth L.	13213	Spinks, Melvin Gerald	16608
Bowes, Keith W.	26346	Collins, Brett R.	14550	Spitzer, Philip L.	22506
Bowman, Larry T.	20837	Collins, Wesley	24572	Spradlin, B. Charles	9884
Bradley, Mark	24297	Colvin, Steve	22179	Stanford, Kerry L.	13287
Braithwaite, Jeremy Andrew	24811	Connell, James Cody	28160	Steede, Joseph W. Jr.	19901
Brandon, Greg R.	22277	Cook, Kevin Ray	18520	Stevenson, Keith C.	18635