

**NEWS RELEASE**

**OHIO STATE BOARD OF REGISTRATION FOR  
PROFESSIONAL ENGINEERS AND SURVEYORS**

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**State Board Disciplinary Actions for November 2008**

At its meeting on November 13, 2008 the Ohio State Board of Registration for Professional Engineers and Surveyors issued final orders in cases involving **Randall R. Myers, P.S. of Markleysburg, Pennsylvania, Donald E. Flynn, P.E. of Eustis, Florida and Dennis S. Nelson, P.E. of Eau Claire, Wisconsin.**

**Randall Myers**

In September 2008 the Board received a copy of an *Agreement Modifying the Final Order* involving Randall R. Myers, P.S. issued by the West Virginia Board of Professional Engineers. The agreement stated that Myers' professional surveyor license had been suspended for one (1) year, with all but the first ninety (90) days stayed for misconduct, intentionally deficient or grossly negligent performance, thirty-six (36) counts of minimum standards violations and failure to respond to the Board's inquiry. Additionally, Mr. Myers was required to pay a \$9,000 fine and successfully complete courses in Surveying Ethics and Boundary Law.

Based upon the actions taken by the West Virginia Board, the Ohio Board charged Mr. Myers with violations of the O.R.C. Sections 4733.20 (A) (2) and (5) and O.A.C. Sections 4733-35-07 (D) and 4733-35-08. A hearing was conducted in November 2008 in Columbus, Ohio. The Board issued a final order indefinitely suspending Mr. Myers professional surveyors license until he can show evidence that his West Virginia license has been reinstated.

**Donald E. Flynn**

In November 2007 the Oklahoma Board of Registration for Professional Engineers suspended Donald E. Flynn's professional engineer license until he provides proof of compliance with a disciplinary order for ethics violations issued by the Florida Board of Registration for Professional Engineers in December 2006. Additionally, on December 24, 2008 the Ohio Board received an annual license renewal from Mr. Flynn where he had failed to report the prior disciplinary actions as required by Ohio Law.

In May 2008 Flynn was charged with violations of Ohio Revised Code Sections 4733.20 (A) (1) and (5), 4733.22 and Ohio Administrative Code Sections 4733-35-07 (D) and 4733-35-08 for having his license suspended or revoked in another jurisdiction and for failing to report on his Ohio annual renewal the disciplinary actions taken by the Oklahoma and Florida Boards. A hearing was held and based on the hearing examiner's recommendation the Board issued a final order suspending Flynn's professional engineer registration in Ohio for three (3) months, he must pay a fine of one thousand (\$1000.00) dollars and he received a written reprimand.

**Dennis Nelson**

It was reported in the NCEES Enforcement Exchange that Dennis Nelson, P.E., had entered into a Consent Order with the West Virginia Board of Professional Engineers in November 2005 for non-compliance with a

Board request and practicing engineering without a license in West Virginia. Based upon the West Virginia discipline, Nelson's Wisconsin professional engineer license was reprimanded on August 16, 2007 and he was ordered to complete the Texas Tech Ethics Course within one year of the Order. Nelson also falsely reported on his 2007 Oklahoma professional engineer renewal that he had not been disciplined by another state and failed to report the disciplinary action taken by the West Virginia Board.

In January 2008 Nelson entered into a Consent Order with the Oklahoma Board of Registration for Professional Engineers. Mr. Nelson agreed to the suspension of his Oklahoma P.E. license until he shows proof of compliance and completion of all terms of the Final Orders issued by the West Virginia and Wisconsin Boards.

In September 2008 the Ohio Board charged Nelson with violations of Ohio Revised Code Sections 4733.20 (A) (4) and (5) and Ohio Administrative Code Sections 4733-35-07 (D) and 4733-35-08 based on the actions taken by the West Virginia and Oklahoma Boards. After a hearing, the Ohio Board suspended Nelson's registration as a professional engineer until he can provide evidence that his registrations in Oklahoma, West Virginia and Wisconsin have been reinstated.

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