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BEFORE THE OREGON STATE BOARD OF EXAMINERS
FOR ENGINEERING AND LAND SURVEYING

In the Matter of:

BART GIB ANDERSON

Case No. 3103

FINAL ORDER INCORPORATING
SETTLEMENT AGREEMENT

Based on the attached Settlement Agreement, incorporated herein, the Oregon State Board of Examiners for Engineering and Land Surveying (Board) finds that Anderson did not cooperate with the Board by failing to respond to multiple requests and thus violated OAR 820-020-0015(8).

IT IS HEREBY ORDERED that pursuant to ORS 672.325 and ORS 183.745, the Board assesses Anderson a civil penalty of \$500, subject to the payment schedule contained in the attached settlement agreement.

DATED this 12 day of November, 2019.



Daren L. Cone, PE, PLS, President
Oregon State Board of
Examiners for Engineering
and Land Surveying

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SETTLEMENT AGREEMENT

The Board, by and through its President, Daren L. Cone, PE, PLS, and Bart Gib Anderson (Anderson), do hereby agree and stipulate as follows:

1. The Board and Anderson agree to settle this matter in accordance with ORS 183.417(3).

2. Anderson became an Oregon Professional Engineer, registration number 80234PE in November 13, 2007.

3. On November 17, 2015, Anderson applied for renewal of his professional engineering registration. As required with his renewal application, Anderson submitted a Continuing Professional Development (CPD) form to OSBEELS, on which he claimed to have earned a total of 30 professional development hours between March 2014 and October 2015, Anderson’s professional engineering registration was renewed accordingly.

4. In July of 2017, Anderson was randomly selected for the Board’s CPD Audit, to verify the professional development hours he had claimed on his CPD form in November 2015.

5. Anderson failed to respond to three requests by the Board to provide documentation supporting his claimed CPD hours.

6. On June 19, 2019, the Board issued a Notice of Intent to Assess Civil Penalty and Suspend Professional Registration (Notice) assessing a civil penalty of \$1500 and a 30 day professional engineering license suspension. The Board charged Anderson with the following:

6.1. Because Anderson failed to submit supporting documentation to verify the PDH units recorded on his CPD Organizational when requested to participate in the July 2017 Board CPD audit, he violated 820-010-0635(1)(e).

1 6.2. Because Anderson failed to respond to written requests to comply with Board audit
2 requirements on at least three occasions, Anderson failed to cooperate with the Board and
3 again violated rule of professional conduct OAR 820-020-0015(8).

4 6.3. By failing to submit supporting documentation to verify that he had, in fact, obtained the
5 PDH units he claimed, Anderson failed to establish that he obtained the continuing education
6 required for every registrant, as well as failed to establish obtaining the PDH required to
7 renew his registration. Anderson also thereby violated OAR 820-010-0635(1)(a).

8 6.4. By failing to obtain the required continuing education for an entire biennium, Anderson
9 failed to continue his professional development throughout his career, thereby violating OAR
10 820-020-0015(7).

11 7. On October 10, 2019, the Law Enforcement Committee (LEC) and Anderson met in an
12 informal conference to discuss a settlement. At the LEC meeting, Anderson provided
13 documentation of the professional development hours he had claimed for the 2014-2015
14 registration biennium. Anderson and the LEC agreed to settle this matter at that time.

15 8. The Board finds Anderson admits that, because Anderson failed to respond to written requests
16 to comply with Board audit requirements on at least three occasions, Anderson failed to
17 cooperate with the Board and violated rule of professional conduct OAR 820-020-0015(8).

18 9. The Board and Anderson agree that Anderson is assessed a civil penalty in the amount of \$500
19 for violating OAR 820-020-0015(8) on at least three occasions.

20 10. Payment of the civil penalty shall be made in five equal, consecutive, monthly payments of
21 \$100, with the first monthly payment due no later than December 1, 2019, and each subsequent,
22 consecutive monthly payment due no later than the first day of the month it is are due.

1 11. Payment shall be made to the "Oregon State Board of Examiners for Engineering and Land
2 Surveying" and delivered or mailed to 670 Hawthorne Street SE, Suite 220, Salem, Oregon
3 97301.

4 12. The full \$500 civil penalty shall be paid no later than April 1, 2020.

5 13. If Anderson fails to pay any part of the civil penalty due by its due date, the Board will assess
6 a 9% interest rate on any unpaid balance, and the unpaid balance will become immediately due.

7 14. Any violation of this order may result in further discipline.

8 15. Anderson acknowledges that the Final Order Incorporating Settlement Agreement is a public
9 record and may be disclosed in accordance with Oregon's public records law.

10 16. The Final Order Incorporating Settlement Agreement sets forth the entire agreement of the
11 parties. Anderson agrees that the determination of any violation of this settlement agreement is
12 entirely within the Board's discretion.


13 17. Anderson represents that he has carefully read this Settlement Agreement and Consent Order,
14 understands the intent and content of the document, and signs below of his own free will,
15 without coercion or duress. Anderson understands this Settlement Agreement and Consent
16 Order is a final order and hereby waives any and all rights to appeal or challenge this
17 Settlement Agreement and Consent Order.

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19 
20 _____
Bart Gib Anderson

10/23/19

Date

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22 _____
Daren L. Cone, PE, PLS, President
Oregon State Board of Examiners
23 for Engineering and Land Surveying

11/12/2019

Date