

**BEFORE THE ENGINEERING AND LAND SURVEYING EXAMINING BOARD
OF THE STATE OF IOWA**

IN THE MATTER OF:)	
)	CASE NO. 96 - 19
Kenneth N. Dinges, PE #06873)	
1226 Gainsborough Drive)	STATEMENT OF
Houston, TX 77031)	CHARGES
RESPONDENT)	

COMES NOW, the Complainant, Patricia M. Peters, and states:

- 1) She is the Executive Secretary of the Engineering and Land Surveying Examining Board and files this complaint solely in her official capacity.
- 2) The Board has jurisdiction in this matter pursuant to Iowa Code Chapter 17A and 272C (1995).
- 3) On September 27, 1972, Kenneth N. Dinges, the Respondent, was issued Iowa professional engineering license number 06873 by the Board.
- 4) License number 06873 is currently in good standing until December 31, 1997.

Count I

The Respondent is charged with a violation of Iowa Code section 542B.21(6) as he was disciplined by the Arizona Board of Technical Registration on December 10, 1995.

The Circumstances

1. On December 10, 1995, the Arizona Board of Technical Registration (Arizona) issued a Decision(by Consent) in the Matter of Kenneth N. Dinges.
2. Arizona found probable cause to believe that the Respondent did not apply technical knowledge and skill by sealing incomplete plans for a "pre-engineered" metal building. Respondent sealed incomplete drawings to an approving agency. The wind lock on the building did not conform to code specified in the calculations. The cross brace loads were not specified on the drawings.
3. In the December 10, 1995, Decision, Arizona reprimanded the Respondent.
4. Arizona further required Respondent, during a one-year period, to employ on a consultant basis a registered civil engineer, approved in advance by Arizona, to review and evaluate

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IN THE MATTER OF:)	
)	CASE NO. 96 - 19
Kenneth N. Dinges, PE #06873)	
1226 Gainsborough Drive)	SETTLEMENT AGREEMENT &
Houston, TX 77031)	CONSENT ORDER
RESPONDENT)	

The Iowa Engineering and Land Surveying Examining Board (Board) and Kenneth N. Dinges (Respondent) enter into this Settlement Agreement and Consent Order (Agreement), pursuant to Iowa Code section 17A.10(1995) and 193C Iowa Administrative Code 4.10.

1. The Board has jurisdiction of this matter pursuant to Iowa Code Chapters 17A, 542B, and 272C (1995).
2. Respondent is a licensed professional engineer in Iowa.
3. A Statement of Charges was filed against the Respondent on Sept. 19, 1996, charging a violation of Iowa Code section 542B.21(6) (1995) as he was disciplined by the Arizona Board of Technical Registration on December 10, 1995.
4. Respondent has a right to a hearing on the charges, but waives his right to hearing and all attendant rights by freely and voluntarily entering into this Agreement.
5. Respondent agrees the State's counsel may present this Agreement to the Board and may have ex parte communications with the board while presenting it.
6. This Agreement shall be part of the permanent record of Respondent and shall be considered by the Board in determining the nature and severity of any disciplinary action to be imposed in the event of any future violations. In addition, the Board shall advise the National Council of Examiners for Engineering and Surveying of the disposition of this matter.
8. This Agreement and the Statement of Charges are public records available for inspection and copying in accordance with the requirement of Iowa Code Chapter 22.
9. Failure to comply with the provisions of this Agreement shall be considered prima facie evidence of a violation of Iowa Code section 542B.21(3) and 193C Iowa Administrative Code 4.2, and shall be grounds for disciplinary action pursuant to Iowa Code section

272C.3(2)(a)(1995). However, no action may be taken against Respondent for violations of these provisions without a hearing as provided in Iowa Code section 542B.22.

9. This Agreement is subject to approval of the Board:

(a) If the Board fails to approve this Agreement, it shall be of no force or effect on either party, and it shall not be admissible for any purpose in further proceedings in this matter.

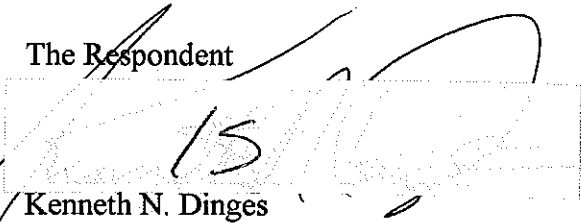
(b) If the Board approves this Agreement, it shall fully dispose of all issues in this case.

IT IS THEREFORE ORDERED:

Respondent is hereby reprimanded.

AGREED AND ACCEPTED:

The Respondent


Kenneth N. Dinges

8/21/96
Date

The Iowa Engineering and Land
Surveying Examining Board


Chair

9-19-96
Date

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PROOF OF SERVICE

The undersigned certifies the foregoing instrument was served upon all parties to the above cause by depositing a copy thereof in the U.S. Mail, postage prepaid, in envelopes addressed to each of the attorneys of record herein at their respective addresses disclosed on the pleadings, on _____