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## GENERAL MEMBERSHIP MEETING

**SATURDAY – DECEMBER 4th, 2010**

**11:00 AM**

**ISLAND VISTA RESORT  
MYRTLE BEACH, SC**



**Golf Outing**

**Friday, December 3rd, 2010**

**River Oaks Golf Plantation**

**Myrtle Beach**

PRESIDENT’S MESSAGE

Greetings to all:

First, I would like to say “Thanks” to Kent Hudson, Bill Hipp, Al Crouch and the Tri-County Chapter for hosting our Fall General Membership Meeting at Landsford Canal State Park and providing the wonderful BBQ lunch. It was outstanding! If you’ve never been to Landsford Canal, it’s definitely worth the trip (especially if you enjoy nature & history). Also, “Thanks” to Luther Lown for presenting the “Teaching Cub Scout Engineer Badge and Boy Scout Surveying Merit Badge” Seminar. The Cub Scout and Boy Scout programs provide excellent opportunities to introduce young people to our surveying profession. It’s up to us to “always be prepared” to utilize those opportunities whenever possible! Looking back on our Fall Meeting, I think it was unique that we met in a cabin that was over 200 years old and the majority of our discussions were about the future of our profession. Being a bit of a history buff, I can’t help but wonder what kind of struggles the families, whose lives were an intricate part of the building, endured during the nearly two centuries of its use. As we continue with struggles of our own in the “down” economy, history tells us that it will get better. But as a profession,



will we be ready for a new and emerging economy? John F. Kennedy once said, “For time and the world do not stand still. Change is the law of life. And those who look only to the past or the present are certain to miss the future.” Even though our business has been slow the past few years, technology is still changing almost daily. And with changes in technology, we find other disciplines (such as GIS, scanning, machine grading, etc.) overlapping and intergrading into our once sacred “land surveying” niche! Will we fight to hang onto the past or will we embrace change and position ourselves to be prepared for the future? That’s our challenge!

Our Winter General Membership Meeting will be on December 4th, at Island Vista Resort (<http://www.islandvista.com>), in Myrtle Beach. Since we moved the 2010 Convention from Myrtle Beach to the Charleston area, we felt it was only fair move the December Meeting back up the coast! There will be a golf outing on Friday, December 3rd and the General Membership meeting will be held Saturday morning, December 4th followed maybe by a Christmas Show at one of the Dinner Theaters that night. More information to come soon, but mark your calendar now for a fun weekend in Myrtle Beach! Hope to see you there!

Sincerely,  
Dale C. Swygert  
SCSPLS 2010-11 President

Suggested Accommodations for the December 4th Meeting

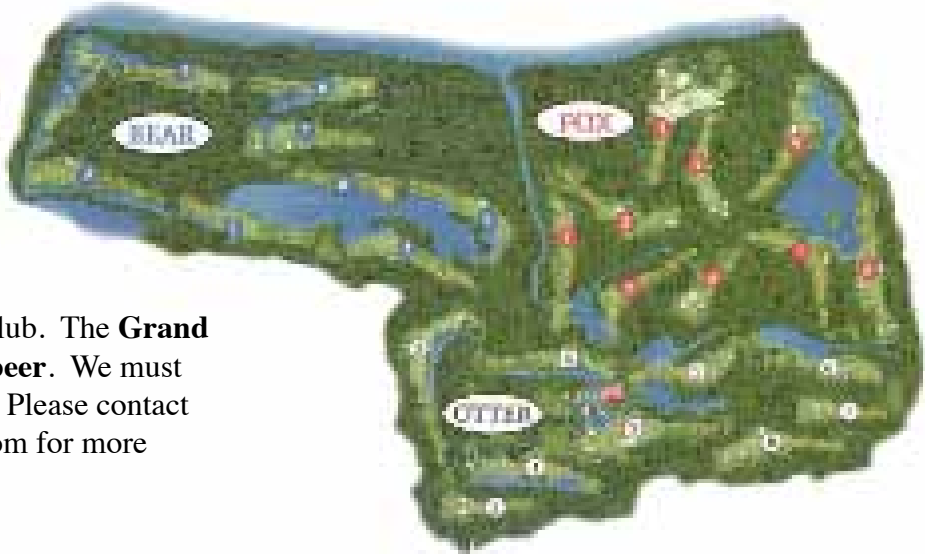
ISLAND VISTA RESORT

6000 N. Ocean Blvd., Myrtle Beach, SC 29577

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GOLF OUTING

A golf outing has been planned for Friday, December 3rd at River Oaks Golf Plantation, Myrtle Beach. Tee times start at 12:20pm and the cost is \$35, payable at the club. The **Grand Strand Chapter is providing the beer**. We must have a count of the people playing. Please contact Aaron Leach at [aleach@rowepsc.com](mailto:aleach@rowepsc.com) for more information or to sign up.



SCSPLS GENERAL MEMBERSHIP MEETING SATURDAY, DECEMBER 4, 2010

11:00 A.M. Island Vista Resort, Myrtle Beach, South Carolina

- Welcome:**

**Meeting Format:** Robert's Rules of Order,

**Agenda Approval:**

**CONSENT AGENDA FOR THE FOLLOWING ITEMS:**

**1. Minutes of General Membership Meeting:** October 16, 2010  
Frankie Manhardt

**2. Financial Report:**

**3. Delegate Reports:**

  - SC Council of Eng. & Surv. Soc.
  - NSPS Governor
  - SMAC/GIS Delegate
  - SC Utilities Committee
  - The Auxiliary

**4. Chapter Representative Reports:**

  - Aiken Chapter
  - Central Chapter
  - Coastal Chapter
  - Foothills Chapter
  - Grand Strand Chapter
  - Low Country Chapter
  - Midlands Chapter
  - Mid-State Chapter
  - Northwest Chapter
  - Pee Dee Chapter
  - Thomas C. Anderson Chapter
  - Tri-County Chapter
  - Upper Piedmont Chapter

**5. District Director’s Reports:**

  - District 1
  - District 2
  - District 3
  - District 4
  - District 5
  - District 6

**6. Committee Reports:**

  - Activities & Programs
  - Constitution & By-Laws
  - 2011 Convention
  - Education
  - Ethics & Standards of Practice
  - GPS-VRS
  - Insurance
  - Internet Committee
  - Legal & Legislative
  - Membership
  - Newsletter, Plat Contest, Surveyor of the Year
  - Past Presidents Council
  - Public Relations
  - SC State Parks Committee
  - Scholarship Committee
  - Survey Contest
  - Yearbook

**NORMAL AGENDA ITEMS:**

**Business:**

Board of Prof. Eng. & Surveyors’ Report

**Closing Comments**

**Adjournment**
- President Dale Swygert  
President Dale Swygert  
President Dale Swygert

Carl Bostick  
Henry Dingle  
Ben Christensen  
Aaron Taylor  
Charlotte Swygert

Bill Tripp  
Thomas Andersen  
Nancy Hopper  
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THE CAROLINA BENCHMARK



The Island Vista is located in a superb location, with Award-Winning Dining, tasteful surroundings and friendly efficient service. Island Vista offers luxurious one, two, three and four bedroom suites with interior appointments, such as granite counter tops, full efficiency kitchens, tray ceilings, and Jacuzzi tubs in some of the larger units. The units also include large living rooms, and each bedroom is equipped with a TV & DVD player, in room safes, along with gathering areas and a private bath for each bedroom. The variety of accommodations offers something for everyone!

The modern facility has all the amenities you would expect, including a lovely pool complex. It offers indoor and outdoor pools and hot tubs and our lazy river is enclosed in the winter months for indoor use. The indoor lounge and fitness facility is located Oceanfront. The parking garage, and corridors are enclosed and climate controlled, and non-smoking. The new amenities complement the long established traditions of Island Vista, from a warm reception by our familiar friendly staff, to a relaxed unhurried atmosphere.

The Island Vista offers a wonderful Oceanfront Dining Room the "Cypress Room" that is available for breakfast and dinner daily; It serves a cooked to order breakfast in the mornings to a four course gourmet meal in the evening.

**Location, location, location!** The Island Vista is only 10 minutes from an array of off site activities and events. **Restaurants in the area:** Bonefish Grill, Collector's Café, Flamingo Grill, and the Melting Pot to name a few. **Shopping:** Tanger Outlets, Colonial Square and Barefoot Landing. **Theater and attractions:** Carolina Opry, Dixie Stampede, Alabama Theater, and House of Blues! Discount tickets are available; please advise which shows/attractions you are interested in.

Your golf selection is huge based on the type of courses that you prefer. All of these are only within 15 miles of the property. The Island Vista on site Golf Office will be happy to assist you with any of your needed tee times! Golf for Friday and Saturday in the afternoon will be approximately \$44 per person and includes cart and green fee at Aberdeen or Waterway Hills course. Kings North will be \$91pp and Myrtlewood will be \$52 pp.

Fishing is just a few miles away and Island Vista will be delighted to set up an afternoon with the Sea Captain of your choice. Little River has several fishing outings each day that will take a group or single from half day to full day, the choice is yours! No fishing license or gear needed – just bring yourself!

For more information or to make your reservation, visit the Island Vista website, [www.islandvista.com](http://www.islandvista.com) or call the main reservation line at 888-733-7581.



### Guest Rooms

Friday – Sunday, December 3rd – 5th, 2010

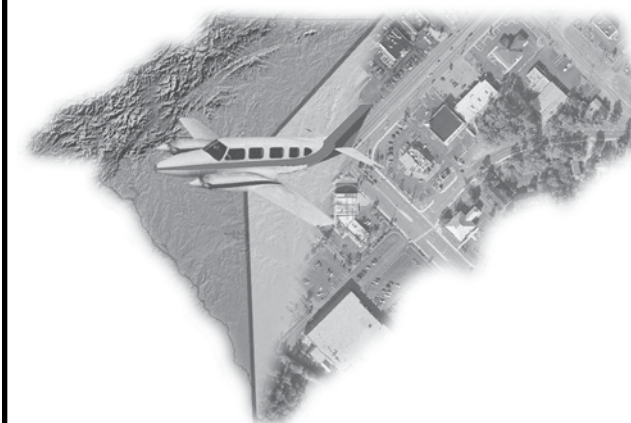
One Bedroom, One Bath Suites	\$67.00/night
One Bedroom, One Bath Grand Suite	\$99.00/night

*The above rates do not include the 13% tax, 6% resort fee and \$2.38 access fee per room per night. All units are oceanfront and offer fully equipped kitchen, living area and balcony.*



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ELECTRONICALLY TRANSFERRING INFORMATION:  
“BEHOLD YOUR EXPOSURES”

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The use of Computer Aided Design & Drafting software has been an effective tool by professional service firms to help explore the options for serving a client while minimizing potential conflicts. And, clients have become accustomed to requesting CADD information as a means of producing documents more quickly, less expensively, and in a re-useable format which they want. Unfortunately, the expectations of clients in using CADD information have created unique challenges to the professional in protecting its intellectual property rights and managing its professional liability exposures. This article is designed to outline some of the more typical concerns which can develop when information is electronically transferred to others and what risk management strategies can be considered in order to minimize the potential exposure to a professional firm.

SPECIFIC CONCERNS TO THE PROFESSIONAL FIRM

When a surveyor agrees to electronically share information which was developed for a certain client or project, it can effectively lose control as to how the information will be subsequently used. The issues to a surveyor are numerous if it does not take a diligent approach to managing the potential exposures. For example, a number of key questions can develop which could lead to disputes, conflicts, or even an unjustified claim. Consider the following:

- What does the surveyor do when there is a question raised over the accuracy of electronically transferred information and the original documents?
- While the electronically transmitted information may have been created for the benefit of a certain client, how does the surveyor ensure that his intellectual property is not used by others or even changed in some fashion after being released?
- When asked to transfer information to a third party with whom the surveyor has no contractual relationship, does the surveyor have the legal right to transfer such information when it may be contractually owned by the client?
- By transferring information electronically, how does this affect the license agreement with the underlying software?

While these questions are not designed to suggest a legal basis for which this article is being prepared or that legal advice in

any fashion is being offered, the questions are designed more to help a professional stop and think first about the possible consequences of yielding to a request to electronically transfer information.

RISK MANAGEMENT STRATEGIES

A surveyor who uses CADD or some other similar software based format that incorporates its professional services and or opinions in documents that are released to others should be entitled to certain rights to protect them against the improper use of the documents by clients or other third parties. While it would be wise to consult with an attorney who can provide appropriate counsel about any rights and privileges, there are certain strategies which a professional should consider to guard against the inappropriate use of electronically transferred information. Consider the following strategies:

1. **USE A ‘TRANSFER AGREEMENT’** - One of the more commonly recommended strategies is to use a ‘Transfer Agreement’ which will outline the terms and conditions upon which information is being released and used. Naturally, it would be wise to first consult with a competent attorney about the drafting of any such agreement. While an attorney can provide an Agreement with more complete terms and conditions, the following are just a few suggestions of certain points which should be considered:
  - a) Firstly, the Agreement should clearly state that any re-use of information, without the professional’s agreement and approval, will be solely at the risk of the client or other third parties.
  - b) Secondly, the Agreement should also clearly state that the client shall indemnify and hold harmless the professional for all claims and losses which can develop from the re-use of such information. This is particularly important because of the potentiality of electronic information being modified, altered, or renovated, upon re-use by clients or other third parties, which can result in unwarranted claims against the professional.
  - c) Thirdly, the Agreement should clearly state that nothing in the transfer should be construed to provide any right to a third party to rely on the information provided or that the use of the information implies that the surveyor has reviewed and approved the information or any subsequent rendering of the information.

- d) Fourthly, the Agreement should state that the electronic information provides certain information as of the date of its release and that it is the responsibility of the user to arrange for any updates which may be required subsequent to the preparation date of the transferred information. This condition can become critically important if the client should request CADD files or other software based formats used by surveyors that will be transferred to a contractor who may rely on this information.

2. **REMOVE FIRM SPECIFIC INFORMATION** - When negotiating or outlining the scope of service which will be provided, it is recommended that the surveyor or engineer reserve the right to remove any professional seal and title block from the documents which will be turned over to the client. Naturally, some professionals may view this strategy as a technique that will reduce the authenticity or creativity of their work. It is important to note, however, that this recommendation is not suggesting that site-specific information be adjusted. By removing any firm-specific information, the chance of an unjustified claim being developed can be hopefully reduced.

3. **‘HARD COPY’ RETAINS CONTROL** - One of the potentially critical issues which can develop when electronically transferring information is losing control over the possibility that changes might be introduced by others in the transfer or re-use of the information. While some firms may be able to use electronic software which prevents the alteration to the documents, this may not be possible with other formats used by professionals. Accordingly, a common risk management strategy is to issue a statement that a ‘Hard Copy’ will be retained by the professional and will prevail over any changes subsequently made to the electronic information or any questions which may develop between the electronic information and the original work of the professional. As previously suggested with using a ‘Transfer Agreement’, it should specifically state that if a conflict should develop between the ‘Hard Copy’ and the electronically transferred information or if a variance is introduced from any source, then the ‘Hard Copy’ will govern or prevail over any disputes.

Another risk management strategy used by some professionals is to produce two reprints of the ‘Hard Copy’ and provide one to the client who must compare it to a facsimile of the electronically transferred information. If their ‘Hard Copy’ is consistent with the electronic information, then the client will be asked to acknowledge in writing that the copies are identical and return it’s reprint of the ‘Hard Copy’ to the professional with a release from any future claims. Finally, a professional should consider using an agreement which requires indemnity for the time

and costs to a professional who becomes involved in a controversy regarding electronically transferred information. Again, a competent attorney should be consulted who can draft an agreement or provide appropriate language which can be incorporated into the professional’s standard contract.

4. **USE ‘DISCLAIMER LANGUAGE’** – It can be argued that documents provided by professionals are ‘instruments of service’ and are not products. Therefore, it is important to recognize that the continued and uncontrolled re-use of information may lead some to construe the documents as ‘products’ with a product liability exposure, which may not be insured. And, it could be construed that a warranty or guarantee exists, which it is important to mention is not an insurable exposure under Professional Liability insurance policies. Therefore, it would be prudent to consult with an attorney on developing ‘Disclaimer’ language to prevent ‘instruments of service’ from being mis-interpreted as a product with an accompanying warranty or guarantee.

OTHER RESOURCES FOR GUIDANCE

The Engineers Joint Contract Documents Committee (EJCDC) provides additional guidance on the ownership and re-use of plans in its standard agreement 1910-1, *Standard Form of Agreement Between Owner and Engineer*. Their website is [www.ejcdc.org](http://www.ejcdc.org) which will permit the purchase of certain documents. No matter what guidelines are followed when asked to electronically transfer information, it is prudent to consider the exposures that are created when releasing information which can potentially be re-used by others. The strategies outlined above are some suggestions to consider; but, in all cases involving contractual matters, it is wise to first seek the counsel of a competent attorney.

(This article contains information from a Management Advisory published by Victor O. Schinnerer & Company, Inc. It is being provided as risk management information and guidance, only. It



is not intended as legal advice nor should it be construed in anyway as a legal opinion or whether insurance will apply for any specific claim.)

This article is presented by Robert H. Cooper, Jr., *Certified Insurance Counselor*, with **R. H. COOPER & COMPANY, LLC**; a Sustaining Member of the Professional Land Surveyors of Ohio, Inc. His firm is an independent insurance broker dedicated to providing risk management service and PROFESSIONAL LIABILITY insurance to Architects, Engineers, and Land Surveyors. He can be reached by electronic mail at [rhcooperjr@rhcooperandcompany.com](mailto:rhcooperjr@rhcooperandcompany.com) and by telephone at 614-761-8808.



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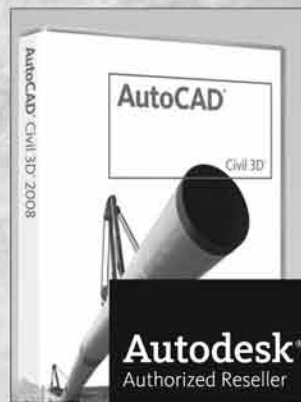
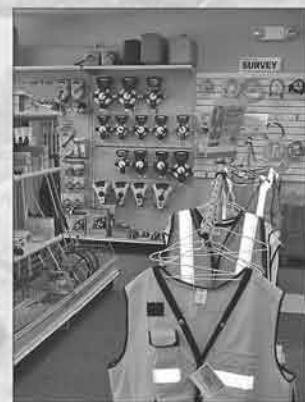
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## WORKING ON RAILROAD PROPERTY

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At some time during your career as a Professional Surveyor or Engineer, you might be presented with an opportunity to work on property owned by a railroad. While your services might be requested by a contractor who is responsible for obtaining the right to enter the railroad property, you could also be engaged directly by the railroad which will create unique exposures to risk and result in you having to comply with certain insurance requirements that are the subject of this article.

The railroad understands that it operates in a high risk environment and that it is prudent to exercise certain risk management strategies. While one of those strategies is to require the execution of a formal agreement for the delivery of your services, the railroad will also require that you obtain at your expense certain types of insurance prior to the commencement of any work and to maintain the insurance until the entire work is completed and accepted by the railroad. Each railroad may have slightly different requirements which could be affected by the type of work and scope of services that are being requested. More importantly though, you should inquire about these requirements before submitting your proposal because you may find that you do not meet the requirements set forth by the railroad and need to include a cost in your proposal for being able to become compliant if you are awarded a contract. In general, you will likely find the following requirements for insurance:

**1.COMMERCIAL GENERAL LIABILITY** insurance with a combined single limit of liability of not less than \$2,000,000 per occurrence for all loss, damage, cost and expense, including attorney's fees, which arise out of bodily injury and or property damage liability during the policy period. Some of the other key points regarding this requirement for coverage which deserve your attention are as follows:

- The railroad will likely require that your insurance be endorsed to provide coverage for products and completed operations exposures.
- It may also require coverage for explosion, collapse, and underground hazards.
- The railroad will most likely require you to endorse this policy of coverage to name it as an additional insured which is a customary risk management strategy. By doing so, the railroad will also want you to provide contractual liability coverage for the liability you assume for another party, namely, the railroad, as a result of operations within the railroad property which cause or contribute to claims for bodily injury or property damage. Perhaps, more importantly, it should

be noted that this coverage is typically carved out of most standard Commercial General Liability insurance policies. So, you will have to request your insurance company to specifically remove the exclusion. While not all insurance companies will agree to do so, you should expect to pay an additional premium if your insurance company agrees to accommodate your request. This coverage will need to be on an approved form that does not exclude coverage for operations that are performed within fifty (50) feet of a railroad hazard. If your insurance company agrees to remove the exclusion, then the railroad might waive the requirement for a Railroad Protective Liability insurance policy which will be described later in this article.

- If your insurance company will not remove the exclusion for contractual liability from your Commercial General Liability insurance policy, then the railroad may offer to list your contract on its Master Railroad Protective Liability insurance policy if it has one. In this way, the railroad can be assured that it will be indemnified for claims involving bodily injury or property damage for operations within the railroad property that would be ordinarily excluded under your Commercial General Liability insurance policy. It is important that you understand, however, that this arrangement will not provide indemnity for you, as it is only for the benefit of the railroad. And, your exposure for operations within railroad property will still be uninsured, as your Commercial General Liability insurance policy will consider the exposure excluded from coverage. In return for listing your contract on the Master Railroad Protective Liability insurance policy, the railroad will ask you to pay a risk financing fee which could be as little as \$1,000.00.
- Finally, the railroad will likely require that your policy include a 'severability of interests' provision which would clarify that, with exception to the coverage limits, the insurance would apply to each insured as though a separate insurance policy was issued to each insured. In essence, a policy with this clause will respond to a claim made by one insured against another insured.

**2.RAILROAD PROTECTIVE LIABILITY** insurance may be required, possibly, if the railroad does not require contractual liability insurance under your Commercial General Liability insurance policy. There are a number of key points regarding this type of policy which deserve your attention:



- This will be a stand alone insurance policy strictly for the sole benefit of the railroad as the 'Named Insured'. The limits of liability could be as little as \$2,000,000 for each occurrence subject to an annual aggregate of \$6,000,000 with a minimum premium that is customarily about \$2,500.00.
- This insurance will provide coverage for all loss, damage or expense arising from bodily injury and or property damage liability, and physical damage to the railroad's property at the job site during the time in which the work is being performed. It assures the railroad that there is a project specific policy with limits of liability that will be dedicated to handling claims within the railroad property for the length of your engagement. It also assures the railroad that the insurance will not be adversely affected from claims as a result of operations elsewhere as if the railroad relied solely on being named as an additional insured under your Commercial General Liability insurance policy.
- As previously mentioned, this policy is strictly for the benefit of the railroad and cannot be relied upon by any other party. It is important to mention that the railroad will likely provide very specific guidelines on what is considered to be an approved policy. For example, the railroad will require the insurance company that issues the policy to maintain a certain rating by A.M. Best Company and that the policy is written on an approved form by Insurance Services Office (ISO). It is also important to determine if the railroad requires the policy be issued by an insurance company which is licensed and authorized to conduct business in the state where the professional services are being performed, otherwise commonly known as an 'admitted' company, or whether the railroad will accept a policy from an insurance company that is not licensed but authorized to conduct business in the same state, otherwise more commonly known as a 'non-admitted' company.
- If you are presented with the requirement of providing a Railroad Protective Liability insurance policy, it would be wise to first check with the insurance market place in order to obtain a proposal for the cost of a policy and to know in advance whether the issuing insurance company will require you to arrange for the contractual liability exclusion under your Commercial General Liability insurance policy to be removed; just like the railroad may require in some cases. More and more, the issuing insurance companies for Railroad Protective Liability insurance policies want the exclusion removed as a condition of providing the required policy for the railroad so that it can exercise its right to subrogate if necessary and move against you, with the idea that you would be indemnified by the insurance company for

your Commercial General Liability insurance policy, if you are found liable for a claim that is paid under the Railroad Protective Liability insurance policy.

- If your insurance company will not remove the exclusion, then the insurance company behind the Railroad Protective Liability insurance policy will not be able to seek subrogation and recourse for any payment made on behalf of the railroad for operations within the railroad property and for which you are considered liable. Without the removal of the contractual liability exclusion in your Commercial General Liability insurance policy, the Railroad Protective Liability insurance policy will probably not be issued.

**3. WORKERS COMPENSATION** insurance which will provide required compensation in connection with the death, disability or injury of your employee(s) which arise directly or indirectly out of the performance of your services. This coverage will need to comply with all applicable state workers compensation laws.

**4. EMPLOYERS LIABILITY** insurance with limits of liability of generally not less than \$1,000,000 for each accident and \$1,000,000 for each employee. This insurance is designed to defend and indemnify an employer for alleged negligence and or wrong doing which leads to the death, disability or injury of an employee. It can be included under the Workers Compensation policy or under the Commercial General Liability insurance policy (Stop Gap).

**5. COMMERCIAL AUTOMOBILE LIABILITY** insurance if your vehicle will be used in the course of performing your services. The railroad will require evidence that you maintain insurance with a combined single limit of not less than \$1,000,000 for each occurrence for bodily injury to or death of persons and damage to or loss of destruction of property. The railroad will probably ask to be named as an additional insured on this policy of coverage.

**6. ERRORS & OMISSIONS** insurance which is more commonly referred to as 'Professional Liability' insurance. While this insurance is typically not required of construction companies working on railroad property, the railroad will likely require this insurance of a Professional Surveyor and or Engineer with a limit of liability of not less than \$1,000,000 for each claim. It is important to remember that this policy is typically written on a 'claims-made' basis and will apply to claims first made and reported while the insurance is in effect; provided, that the incident which gives rise to the need to file a claim occurred after the retro active date and before the policy expires. If you do not have a policy and intend to purchase one as a condition to accepting an engagement with the railroad or any other party in general, it would be wise to delay performing any

work until the policy is actually made effective.

Before you can begin work for the railroad, it will require that you provide a Certificate of Insurance as evidence that you comply with the insurance requirements. It will also require you to deliver the original Railroad Protective Liability insurance policy, if one is required, on which it will need to be listed as the 'Named Insured'. It would be wise to follow the directions of the railroad carefully, particularly, as respect the delivery of the Certificate of Insurance because it will be rejected if not properly prepared; thereby, delaying the start of your engagement or, in some cases, from being compensated for services which may have already been delivered.

In addition to the unique insurance requirements described above, it is possible that the railroad may also require you, your employees, and any sub-consultants you retain to comply with all the applicable Federal Railroad Administration Railroad Workplace Safety Rules. This could include additional training at your expense to become compliant with the rules of Roadway Worker Protection. Again, it would be wise to determine the potential cost for training and becoming pre-qualified to do business with the railroad so you can include the cost with your proposal. The requirements of the Federal Railroad Administration are better described at its website which can be found at [www.fra.dot.gov](http://www.fra.dot.gov).

As stated at the onset of this article, working with a railroad can present very unique exposures and requirements for insurance which you may not commonly find with other engagements. It is for this reason that it would be wise to carefully approach any opportunity to work on railroad property and to rely on the guidance of an insurance professional who can provide appropriate counsel and help you save money and reduce your chance of having to finance the risk of loss with your own funds.

(This article contains information which is intended as risk management guidance, only. It is not intended as legal advice nor should it be construed in anyway as legal opinions or whether insurance will apply for any specific claim or situation.



For questions of a legal and insurance nature, contact an attorney and insurance professional, respectively.)

This article is presented by Robert H. Cooper, Jr., *Certified Insurance Counselor*, with **R. H. COOPER & COMPANY, LLC**; a Sustaining Member of the Professional Land


Surveyors of Ohio, Inc. and an independent insurance broker dedicated to providing risk management service and Professional Liability insurance to Architects, Engineers, and Land Surveyors. He can be reached by electronic mail at [rhcooperjr@rhcooperandcompany.com](mailto:rhcooperjr@rhcooperandcompany.com) and by telephone at 614-761-8808.

# SAVE THE DATE

## Education Conference and Trade Show

February 17th - 18th, 2011  
Radisson Hotel, Columbia

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IMPORTANT ANNOUNCEMENTS FROM YOUR SOCIETY

THE EDUCATION CONFERENCE & TRADE SHOW

The 2011 Education Conference and Trade Show will be held February 17th-18th, 2011 at the Radisson Hotel and Conference Center, Columbia, SC. Early registration cut-off date is January 27, 2011. Register early to ensure your first choice of seminars! Look for your brochure coming soon.

SCSPLS ANNUAL CONVENTION JOINING THE ENGINEERS CONFERENCE FOR 2011

The SCSPLS 42nd Annual Convention will join with the 2011 SC Engineers Conference. The date is set for June 9th-11th, 2011 at The Marriott on Hilton Head Island, SC. You can make your hotel reservations now by calling the Marriott at 843-686-8400. Use the group name “SC Engineering Conference.”  
Convention Committee: Ben Christensen, Chairman, Dale Swygert, Lewis Moore, Lee Frank

MARK YOUR CALENDARS NOW FOR FEBRUARY 17th-18th, 2011 AND JUNE 9TH-11TH, 2011 AND PLAN TO BE WITH US FOR THESE EXCITING EVENTS!

Lobbyist Report

Joe S. Jones  
October/November, 2010

There has been little lobbying activity as the General Assembly is not in session.

However, you may have read the House Republican Caucus is pushing for more seats in the November election. Also, the Caucus has placed Tort Reform on its 2011 agenda, and House Judiciary Committee Chair, Rep. Jim Harrison, has indicated his committee will deal with the legislation expeditiously.

Lobbyists and others talk about the elections frequently, and as predicted, Rep. Nikki Haley is our first woman chief executive officer.

I have been meeting with AIA-SC and Carolinas AGC discussing 2011 issues. Collectively, we have been considering the following issues that the construction industry, including surveyors, may be able to agree and work with each other when possible. They are infrastructure funding/bond bill, transportation funding, budget and control board – keeping state engineer’s office, geodetic survey and materials management office, qualification based selection, tort reform and worker’s compensation.

SCSPLS should be looking at issues that are of interest for the 2011 session.

*This Society and its Code of Ethics is the beginning of professionalism in land surveying in South Carolina. We must recruit the surveyors who want to be professional. We must gain the strength to fight for enactment of reasonable legislations and gain the backing of the faculties of all engineering schools in the State. Each of us must be a responsible citizen and earn a local reputation as a professional.*  
-Legare Hamilton, C.E., L.S.  
SCSPLS Charter Member, President 1955-1957

Welcome New Members!

The following new members were approved at the September 17, 2010 Board Meeting held in Columbia:

**Full:** Henry A. Shumpert, Florence & Hutcheson, West Columbia, SC

**Complimentary:** Ryan A. Edwards, Edwards Land Surveyors, Inc., Sumter, SC; James C. Gray, Jr., (Jamey), ESP Associates, PA, Gastonia, NC; Thomas M. Green (Mike), Delta Land Services, Charlotte, NC; William T. Lavender, Greer, SC; Kevin D. Medeiros, ESP Associates, PA, Wendell, NC; Nathaniel J. Pettit, Solan Associates, PC, Conway, SC; Joel B. Russell, JBR Construction Services, LLC, Ravenel, SC; Teodoro L. Silva (Lloyd), Easley, SC

**Emeritus:** Lucian D. Adams, Greenwood, SC; Thurl M. Amick, Sr., Simpsonville, SC; Carol B. Baughman, Palm Coast, FL; William A. Blackwood, Jr., Blackwood Associates, Inc., Spartanburg, SC; Carl W. Bostick, PLS, Bostick Surveying; Martyn J. Cavanaugh, Newberry, SC; Michael S. Culler, Jr., Culler Land Surveying Co., Inc., Surfside Beach, SC; Archie S. Deaton, Spartanburg, SC; Billy M. Duncan, Whiteville, NC; Jacob B. Ervin, Sr., Ervin Engineering Co., Inc., Florence, SC; John Quinn Hall, York, SC; Robert L. Hiers, Walterboro, SC; Bobby J. King, Summerville, SC; Heinz B. Krause, Hawley, PA; Robert K. Leake, Greenwood, SC; Murdoch E. Lind, Jr., Lind Hicks & Assoc. Surveying, Inc., Timmonsville, SC; Carl Maness, Maness Surveying, Bennettsville, SC; Joe E. Mitchell, Sr., Mitchell Surveying, Woodruff, SC; William Porcher, Charleston, SC; Ferrell J. Prosser, Prosser Surveying Co., Inc., Florence, SC; W. Gene Whetsell, W. Gene Whetsell Land Surv., Walterboro, SC; William A. Whitworth, Sr., Whitworth & Associates, Inc., Lexington, SC; G. Albert Wolfe, Inman, SC

SCSPLS BOARD OF DIRECTORS July 1, 2010 to June 30, 2011

<b>President</b> Dale C. Swygert Surv & Mapping Serv. of SC 3368 Augusta Hwy. Gilbert, SC 29054-9200 803-796-8214 Fax 803-796-0903 dswygert@sms-sc.com	<b>President Elect</b> Benjamin B. Christensen Christensen Land Co. Inc. 698 Pintail Drive Aiken, SC 29803 803-641-1844 Fax 803-641-0425 cle53@bellsouth.net	<b>Vice President</b> Kent C. Hudson Pittman Prof. Land Surveying 4033 Reid Rd. Rock Hill, SC 29730-8374 803-329-3856 Fax 803-547-0766 kent@pplssurvey.com	<b>Treasurer</b> Frances M. A. Manhardt CHE Surveying 3251 Landmark Dr., Ste.142 N. Charleston, SC 29418 843-576-2520 Fax 843-576-2521 fmanhardt@ch-engr.com	<b>Secretary</b> Aaron F. Leach Rowe Prof. Svcs. Co. Carolinas 511 Broadway St. Myrtle Beach, SC 29577 843-444-1020 Fax 843-448-3936 aleach@rowepsc.com
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<b>DISTRICT 4</b> Dennis V. Clinkscales Freeland-Clinkscales of NC 440 St. Andrews Street Spartanburg, SC 29306 864-542-1540 / F-864-542-1545 freeclink@aol.com	<b>DISTRICT 5</b> E. Burnett Jenkins Jenkins Land Surveying 208 Kings Mountain Rd. Clover, SC 29710 803-242-8219/F-803-684-2975 jls-inc@hotmail.com	<b>DISTRICT 6</b> Michael S. Culler, Jr. Culler Land Surveying Co. PO Box 14327 Surfside Beach, SC 29587 843-238-2333 / F-843-238-1711 cullerlandsurveying@sc.rr.com

CHAPTER REPRESENTATIVES

<b>AIKEN</b> William R. Tripp Tripp Land Surveying, Inc. 916 Dougherty Rd. Aiken, SC 29801 803-642-5776 / F-803-649-5381 tls@gforcecable.com Pres: Mark Graham mgraham@southernpartners.net	<b>CENTRAL</b> Z. Thomas Andersen 1547 Clarence Coker Hwy. Turbeville, SC 29162 843-659-5083 Andersen@ftc-i.net	<b>COASTAL</b> Nancy F. Hopper Thomas & Hutton Engineering Co. 2427 Stingray Blvd. Charleston, SC 29406 843-849-0200 frasure.holler@hotmail.com Pres. Frankie Manhardt fmanhardt@ch-engr.com
<b>FOOTHILLS</b> William C. Martin SynTerra Corp. 150 Waldrep Rd. Enoree, SC 29335 864-527-4611/ F-421-9909 bmartin@synterracorp.com	<b>GRAND STRAND</b> F. Erwin Balk Rockland Surveying, LLC 4600 Murrells Inlet Rd. Murrells Inlet, SC 29576 843-357-1901 erwinbalk@yahoo.com Pres: Robert Praete rap17227@yahoo.com	<b>LOW COUNTRY</b> D. Ray Cook, Jr. Cook Land Surveying 23 Trotting Hill Lane Bluffton, SC 29910 843-815-5263 /F 843-815-5264 cooklandsurvey@hargray.com Pres: Terry Hatchell thatchell@surveyingconsultants.com
<b>MID-STATE</b> C. A. Shealy , III C. A. Shealy, III, PLS PO Box 248 Prosperity, SC 29127 803-276-8686/ F-803-364-3001 casurvey@bellsouth.net	<b>MIDLANDS</b> George L. Bradley, Jr. Belter & Assoc., Inc. PO Box 731 Irmo, SC 29063 803-732-4004/ F-732-2891 Gbradley-belter@sc.rr.com	<b>NORTHWEST</b> John R. Long John R. Long & Assoc. PO Box 981 Clemson, SC 29633 864-654-5033/ F-864-654-5031 john@johnrlong-pls.com Pres: Greg Sosebee gregsosebee@bellsouth.net
<b>PEE DEE</b> Ferrell J. Prosser Prosser Surveying Co., Inc. PO Box 12097 Florence, SC 29504 843-669-536 1/ F-843-676-0916 jabo29505@aol.com	<b>THOMAS C. ANDERSON</b> N. Wayne Reynolds, Sr. N.W. Reynolds Land Surv. PO Box 302 Ware Shoals, SC 29692 864-456-3506 / F-864-456-2381 Pres:John H. Welborn, Sr. johnwelborn@earthlink.net	<b>TRI-COUNTY</b> Bill White White Land Surveying PO Box 685 Rock Hill, SC 29731 803-327-5758 bwhitesurvey@yahoo.com Pres: Kent Hudson kent@pplssurvey.com
<b>UPPER PIEDMONT</b> Mike Byars Mike W. Byars & Assoc. 117 Michael James Rd. Gaffney, SC 29340 864-487-4236 / F-864-487-4236 linerner@aol.com Pres.: John Gooch, Jr. jgoochjr@gmail.com	<b>IMMEDIATE PAST PRESIDENT</b> Lewis S. Moore Forsberg Eng. & Surv., Inc. PO Box 30575 Charleston, SC 29417 843-571-2622/ F 843-571-6780 lmoore@forsbergengineering.com	<b>NSPS DELEGATE</b> Henry B. Dingle B. P. Barber P O Box 1116 Columbia, SC 29202 803-254-4400/ F- 771-6676 hdingle@bpbbarber.com



# CONFERENCE & TRADE SHOW SCHEDULE

•Registration, coffee, breaks, and lunches are included in registration fee.  
Thursday's Exhibitor's Social is included in Thursday's registration fees.

**WEDNESDAY, FEBRUARY 16, 2011:**

2:00 – 6:00 PM: Trade Show Set-up – Congaree A & B, Radisson Hotel  
6:30 – 8:30 PM: SCSPLS Board Meeting, Columbo's Restaurant, Radisson Hotel

**THURSDAY, FEBRUARY 17, 2011:**

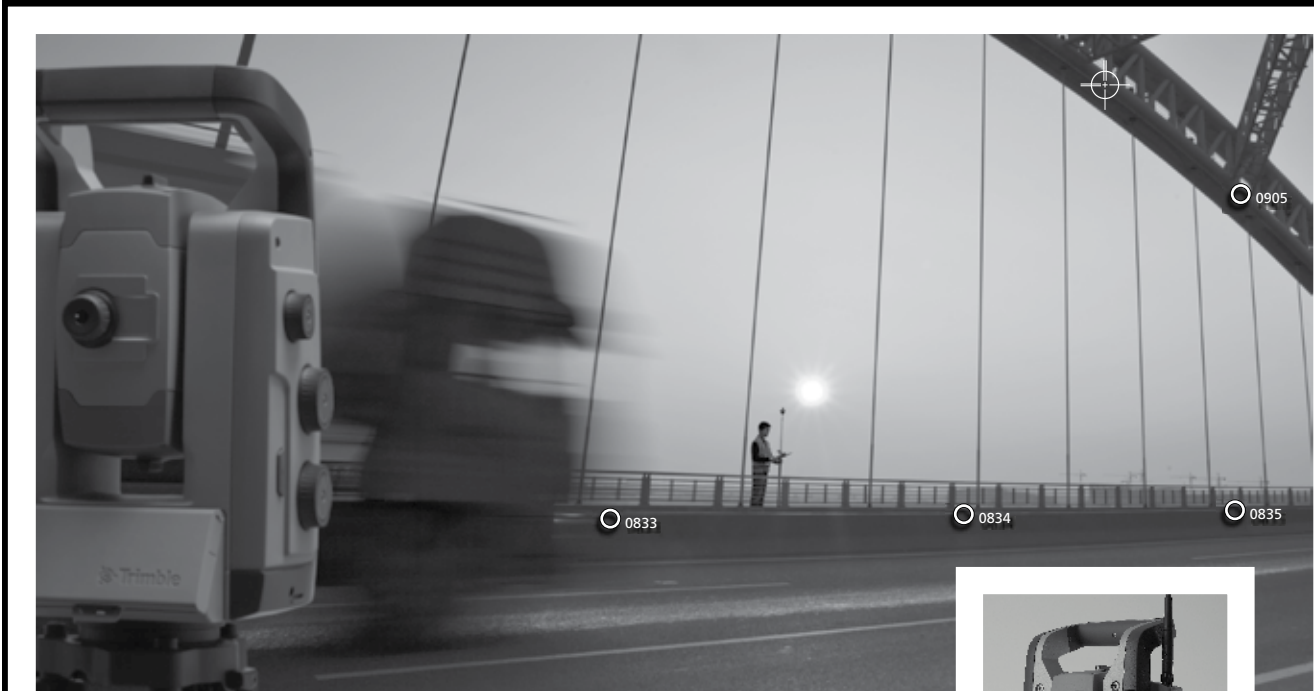
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3:00 PM – 3:30 PM  
3:30 PM – 4:00 PM  
3:30 PM – 5:00 PM  
4:00 PM – 5:00 PM  
5:00 PM – 7:00 PM

REGISTRATION- Coffee with Exhibitors- **CONGAREE A & B**  
SESSION 1: Big Mistakes Made by Many Surveyors and Most Others – Donald A. Wilson, LLS, RPF  
SESSION 2: Forensic Surveying – Bernard M. Telatovich, P.E., Esq.  
SESSION 3: Emerging Technologies – Daniel J. Bonenfant, PLS  
Morning break with Exhibitors-Session 1 **CONGAREE A & B**  
Morning break with Exhibitors-Sessions 2 & 3 **CONGAREE A & B**  
Continuation of Morning Session 1  
Continuation of Morning Sessions 2 & 3  
Lunch with Exhibitors - **CONGAREE A & B**  
SESSION 1: (Cont'd) Big Mistakes Made by Many Surveyors and Most Others  
SESSION 2: (Cont'd) Forensic Surveying  
SESSION 3: (Cont'd) Emerging Technologies  
Afternoon break with Exhibitors- Session 1 **CONGAREE A & B**  
Afternoon break with Exhibitors- Sessions 2 & 3 **CONGAREE A & B**  
Continuation of Afternoon Session 1  
Continuation of Afternoon Sessions 2 & 3  
**EXHIBITOR SOCIAL** – Radisson Conference Center – **CONGAREE A & B**  
*Prize Drawings- Bring 35 of your business cards - (name badge required for entrance)*

**FRIDAY, FEBRUARY 18, 2011:**

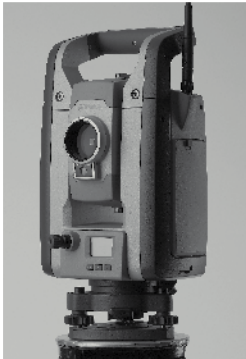
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3:30 PM – 4:00 PM  
4:00 PM – 5:30 PM  
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4:00 PM – 5:00 PM

REGISTRATION - Coffee with Exhibitors  
SESSION 1: Resolving Conflicts of Evidence – Donald A. Wilson, LLS, RPF  
SESSION 2: OSHA Compliance/Safety Plan – David J. De Vita  
SESSION 3: Elevation and other FEMA Certificates – Lisa Jones  
SESSION 4: Consolidated Exam Review – Kristopher M. Kline, PLS, GSI  
Morning Break with Exhibitors- Sessions 1 & 2 **CONGAREE A & B**  
Morning Break with Exhibitors- Sessions 3 & 4 **CONGAREE A & B**  
Continuation of Morning Sessions 1 & 2  
Continuation of Morning Sessions 3 & 4  
Lunch with Exhibitors- **CONGAREE A & B**  
SESSION 1: (Cont'd) Resolving Conflicts of Interest  
SESSION 2: Call to Action: Surveyors 3D Surface Prep for Machine Control - Adam Arrington, PE  
SESSION 3: (Cont'd) Elevation and other FEMA Certificates  
SESSION 4: (Cont'd) Consolidated Exam Review  
Afternoon break - Sessions 1 & 2 **CONGAREE A & B**  
Afternoon break- Sessions 3 & 4 **CONGAREE A & B**  
Trade Show Break Down  
Continuation of Afternoon Sessions 1 & 2  
Continuation of Afternoon Sessions 3 & 4



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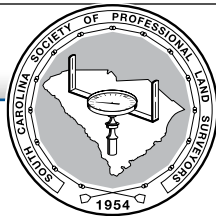


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**BENEFITS OF MEMBERSHIP**

**Annual Convention**

The SCSPLS holds an annual convention each year. Attendees exchange ideas, hear guest speakers for related professions and socialize at planned events and meals. The annual business meeting is also held during the convention, and at this time, officers and directors are named for the coming year. Lifelong friendships are begun and renewed at the Convention. This event is planned to benefit each category of membership and is the highlight of our year. A variety of events, from leisure to technical, are planned for everyone. Individuals, couples or families with children can obtain tremendous benefits from this event. Out-of-state guests are always in attendance with current activities and information from our Colonial States.

**Education**

Educational seminars and workshops are conducted at various regional locations around the State. Continuing education units may be earned through these programs to meet the SC State Board of Registration requirements. These educational programs are designed to provide a wide variety of topics including business, legal aspects, as well as surveying technology. SCSPLS is an Approved Sponsor for the presentation of Continuing Professional Competency courses or programs by the N.C. Board of Registration for Professional Engineers and Land Surveyors. While the SC State Board of Registration does not pre-qualify providers, programs sponsored by the SC Society of Professional Land Surveyors are designed to fulfill the requirements for Continuing Professional Competency in South Carolina.

**Insurance**

Full, Sustaining, Associate, Emeritus, and Honorary Members will be entitled to a \$10,000 Life Insurance and \$10,000 Accidental Death and Dismemberment insurance policy as member of the SCSPLS (Be sure to mail insurance application to insurance agent listed.)

**Membership Directory**

A directory of the current members and officers of the SCSPLS is accessible to SCSPLS members only on the website at [www.scspls.com](http://www.scspls.com). The SCSPLS Constitution, By-Laws and information on state SCSPLS Chapters are listed in the directory.

**Newsletter**

The newsletter, The Carolina Benchmark, contains articles of interest to the membership including activities of the Society, general business tips, and timely topics of interest to surveyors. This is also an excellent opportunity for Sustaining members to advertise their equipment and services. Newsletters are accessible on the SCSPLS website at [www.scspls.com](http://www.scspls.com).

**Scholarship**

The Society is proud of the scholarships awarded in the past and will continue this program to assist land surveying students in their educational goals.

**Trade Show**

SCSPLS will hold the annual trade show along with the Education Conference to be held annually. This affords members an opportunity to see the most current equipment and services on the market for the surveying profession.

**National and State Affiliations**

*SCSPLS is an affiliate member of the American Congress of Surveying and Mapping and sponsors delegates to:*  
National Society of Professional Surveyors  
State Mapping Advisory Committee  
SC Council of Engineering and Surveying Societies  
GIS Advisory Committee  
SC Utilities Committee  
(Contact the SCSPLS office for more information on any of the benefits listed above.)

**SCSPLS COMMITTEES  
COMMITTEE CHAIRMEN FOR 2010-11**

Activities & Programs*	Aaron Leach	Membership*	Kent Hudson
Auxiliary•	Charlotte Swygert	Newsletter*	Kent Hudson
Constitution & By-Laws*	Ronnie Tyler	Past Presidents Council	Lewis Moore
Education*	Bruce King	Plat Contest	Kent Hudson
NSPS Delegate•	Henry Dingle	Public Relations*	Chuck Dawley
Convention*	Ben Christensen	SC Utilities	Aaron Taylor
Council of Engrs. & Surveyors Soc.	Carl Bostick	Scholarship*	Robert Praete
Ethics & Standards of Practice*	Bobby Foster & All	SMAC/GIS Committee	Ben Christensen
	Chapter Representatives	State Parks Committee	Mike Culler, Jr.
GPS-VRS	Chuck Dawley	Survey Contest	Aiken Chapter, Bill Tripp
Insurance	Dennis Clinkscales	Surveyor of the Year	Kent Hudson
Internet	Frankie Manhardt	Trade Show	Executive Board
Legal & Legislative*	Dennis Johns & All	Yearbook	Aaron Leach
	District Directors		

\*Standing Committees (10) •Elected Position

**2010-11 CHAPTER MEETINGS**

Chapter	Representative	Phone	Date	Location
Aiken	Bill Tripp	803-642-5776	2nd Tues.	EeJay's Restaurant, Kalmia Mall, Aiken
Central	Thomas Andersen	843-659-5083	2nd Wed.	Various Locations, Sumter
Coastal	Nancy Hopper	843-849-0200	Last Tues.	Various Locations., Charleston
Foothills	Billy Martin	864-527-4611	2nd Tues.	Golden Corral, Greenville
Grand Strand	Erwin Balk	843-357-1901	3rd Tues.	T-Bones, Murrells Inlet, SC
Low Country	Ray Cook	843-815-5263	2nd Tues.	Various Locations, Beaufort
Mid-State	C. A. Shealy, III	803-276-8686	3rd Thurs.	Stable Steak House Rest., Prosperity
Midlands	George Bradley, Jr.	803-732-4004	4th Mon.	Carolina Wings, Irmo
Northwest	John R. Long	864-654-5033	2nd Tues.	Circle M BBQ, Anderson
Pee Dee	Ferrell Prosser	843-669-5361	1st Mon.	Thunderbird, I-95 & #52, Florence
Thomas				
Anderson	Wayne Reynolds	864-456-3506	2nd Tues.	Fatz Cafe, Greenwood
Tri-County	Bill White	803-327-5758	2nd Tues.	Old Town Bistro, Rock Hill
Upper				
Piedmont	Mike Byars	864-487-4236	3rd Tues.	Billy D's, S. Pine St., Spartanburg

MINUTES OF SCSPLS GENERAL MEMBERSHIP MEETING

Saturday, October 16, 2010 Landsford Canal State Park, Catawba, SC

A meeting of the Board of Directors of South Carolina Society of Professional Land Surveyors was held Saturday, October 16, 2010 at 1:00 PM, at Landsford Canal State Park, Catawba, South Carolina.

Members in attendance were:

**Officers:**

• President	Dale Swygert
• President Elect	Ben Christensen
• Vice President	Kent Hudson
• Secretary	Aaron Leach
• Treasurer	Frankie Manhardt
• Imm. Past President	Lewis Moore, Absent

**Delegates:**

• SC Council of Eng. & Surv.	Carl Bostick, Absent
• NSPS Governor	Henry Dingle, Absent
• SC Utilities Committee	Aaron Taylor, Absent
• The Auxiliary	Charlotte Swygert

**Chapter Representatives:**

• Aiken Chapter	Bill Tripp, Absent
• Central Chapter	Thomas Andersen, Absent
• Coastal Chapter	Nancy Hopper, Absent
• Foothills Chapter	Billy Martin
• Grand Strand Chapter	Erwin Balk
• Low Country Chapter	Ray Cook, Absent
• Midlands Chapter	Geroge Bradley, Jr., Absent
• Mid-State Chapter	C. A. Shealy, III, Absent
• Northwest Chapter	John R. Long, Absent
• Pee Dee Chapter	Ferrell Prosser, Absent
• Thomas C. Anderson Chapter	Wayne Reynolds, Absent
• Tri-County Chapter	Bill White
• Upper Piedmont Chapter	Mike Byars, Absent

**District Directors:**

• District 1	Chuck Dawley, Absent
• District 2	Dennis Johns, Absent
• District 3	Tom Abraham, Absent
• District 4	Dennis Clinkscales
• District 5	Burnett Jenkins
• District 6	Mike Culler, Jr. , Absent

**Executive Secretary:** Brenda Smith

**OTHERS PRESENT:** Thurl Amick, David Ballard, Bill Hipp, Luther Lown, Jetter Pittman.

President Dale Swygert opened the meeting with prayer and called the General membership meeting of the SCSPLS to order on Saturday, October 16, 2010 at 1:00 PM at Landsford Canal State Park, Catawba, SC. President Swygert stated that the meeting would be conducted under Robert’s Rules of Order. He thanked the Tri-County Chapter for the barbeque lunch for those attending. President Swygert went over a few items in the agenda and previous September board meeting motion approvals including change of location for December meeting at Island Vista in Myrtle Beach, change in Executive Board, committees and meeting dates. **AGENDA:** A motion and second was made to accept the reports

in the Consent Agenda. Agenda unanimously approved.

**FINANCIAL REPORT:** Mrs. Frankie Manhardt’s report stated that checking and savings account balance was \$189961.40; scholarship account - \$51,202.48. The annual membership dues were raised to cover a deficit which has been building over the past few years due to inflation. Some major changes were made to certain budget line items to account for losses incurred in the previous year. The items of note were significant expense cuts in the newsletter and yearbook production. These publications are going to be online only from now on. A hard copy can be requested from the office.

**DELEGATE REPORTS:**

**SC COUNCIL OF ENGINEERING & SURVEYING SOCIETY:** No report.

**NSPS:** No report.

**SMAC/GIS DELEGATE:** No report.

**SC UTILITIES COMMITTEE:** No report.

**THE AUXILIARY:** The Auxiliary is working on activities for the Oconee April meeting and convention in June.

**CHAPTER REPORTS:**

**Aiken:** Mr. Bill Tripp’s written report stated the Chapter has met four times since the last General Membership Meeting, with an average of 8 members in attendance. Mr. Gene Dinkins was the program speaker at the July 13, 2010, meeting and spoke on Board issues affecting SC surveyors. Mr. Ken Montgomery from DHEC was the program speaker at the August 10, 2010 meeting and went over DHEC regulations for S/D’s with septic tanks. Mr. Eddie Clark of Hayes Instruments will be presenting “New Technology in Survey Equipment” at the September 14, 2010, meeting. The Aiken Chapter meets the second Tuesday of the month at 7:00pm at Eejay’s Restaurant in the Kalmia Mall, Aiken.

**Central:** No report.

**Coastal:** Mrs. Nancy Hopper’s written report stated the Coastal Chapter met September 28, 2010 at the West Ashley Crab Shack. Twenty-six members and 1 guest were in attendance. Tommy Peters with Charleston Contractor’s Association was the guest speaker. The current mission statement for the CCA is “Keep the work local.” He spoke of the upcoming Legislative Session meeting on Monday, October 4, 2010 at Hibernian Hall. Some representatives to be in attendance are Tim Scott and Glenn McConnell. Mr. Peters strongly encouraged those planning to attend the meeting to talk to representatives face to face so they would know who we are and what we stand for. He also encouraged attendees to pass out as many business cards as possible.

**Foothills:** Mr. Billy Martin’s written report stated the Chapter has met two times since his last report, with an average attendance of 10 members and 1 guest. The Chapter had a presentation from Nate McNamara with Leica Geosystems. The October meeting will feature Lew Lapine and Dick Woods with the South Carolina Geodetic Survey. The Chapter is still in the process of renewing the agreement between Greenville County and the Foothills Chapter of the SCSPLS to allow the Surveyors to have a free copy of the County Data.

**Grand Strand:** Mr. Erwin Balk’s written report stated the chapter

MINUTES OF SCSPLS GENERAL MEMBERSHIP MEETING (CONT)

has met once since last report, with 15 members in attendance and 1 guest. The meeting topic was “Stress Relief for Surveyors.” Mrs. Frankie Manhardt gave an update from the State Society. The Grand Strand Chapter held an 8-hour seminar in Conway on September 25, 2010. The seminar topics included “Being Better at the Business of Surveying” and “Contracts.” Carol Hiatt-Huff and Larry Phipps were the instructors. The seminar had seventeen attendees, including four non-chapter members.

**Low Country:** Mr. Ray Cook’s written report stated that the Chapter has not held any meetings since his last report in May. The next meeting will be at the Golden Coral in Bluffton. The date and time will be announced.

**Midlands:** Mr. George Bradley’s, written report stated the chapter has met three times since July, with an average of 21 members and 3 guests present. The Midlands Chapter Christmas Box program is in full swing. They are seeking donations, and are anticipating 108 boxes of food with over 70 items to be assembled and delivered on Saturday, December 18, 2010 beginning at 9:30am at the MSI Construction warehouse located at 75 Old Barnwell Road, in West Columbia, South Carolina.

**Mid-State:** No report.

**Northwest:** No report.

**Pee Dee:** No report.

**Thomas C. Anderson:** No report.

**Tri-County:** Mr. Bill White’s written report stated the Chapter met in September with 15 members in attendance. Plans for the year were discussed at the meeting along with planning the luncheon for the upcoming SCSPLS General Membership meeting. Mr. Burnett Jenkins reported on a discussion at the last meeting on taxing services in the state of South Carolina. This has been referred to our Legal and Legislative Committee.

**Upper Piedmont:** Mr. Mike Byars’ report stated that the chapter has met three times since the last general membership meeting, averaging 10 in attendance and 2-3 guests at the meetings. Charleigh Elebash, Coordinator for Palmetto Utility Protection Service (PUPS), gave a presentation and discussion of the important service PUPS provides. September’s meeting had a presentation of the SC Geodetic Survey.

**DISTRICT DIRECTORS REPORTS:**

**District 1:** No report. Defer to Chapter reports.

**District 2:** Mr. Dennis Johns’ written report stated he initiated a food drive at the Midlands Chapter, asking that donations of food or money be given to a local food bank in the name of the Midlands Chapter of SCSPLS. He plans to initiate a similar drive with the Aiken Chapter.

**District 3:** No report. Defer to Chapter reports.

**District 4:** No report.

**District 5:** No report. Defer to Chapter reports.

**District 6:** No report. Defer to Chapter reports.

**COMMITTEE REPORTS:**

**Activities:** Mr. Aaron Leach reported that he is working on a golf outing for the December meeting in Myrtle Beach for Friday, December 3, at River Oaks. Further information to come when final plans are made.

**Constitution and By-Laws:** No report.

**2011 Convention:** At the last SCSPLS Board a motion was approved to combine the SCSPLS Convention with the SC Engineering Conference and Trade Show for this year’s convention, citing the relevance of seminars to engineers and surveyors, an opportunity to attend a Trade Show with the convention, and benefits to dual licensees. This conference will be held June 9th-11th, 2011 at the Marriott Hilton Head Resort and Spa on Hilton Head Island. Mr. Joe Jones, SCSPLS Lobbyist and also Director of the SCSPE, met with this convention committee and it was agreed that they would invite SCSPLS to be a part of that convention with no upfront outlay of contribution. Meeting space will be made available to the surveyors each day of the conference and many of the engineering tracks will be applicable to both engineers and surveyors. Room reservations will be on a first-come basis. A listing of area hotels will be provided to those that are not able to secure a reservation at the Marriott. The three organizations that are currently joined for this conference are SCSPE, ACEC-SC, and ASCE-SC.

**Education:** Mr. Bruce King’s written report stated the committee has executed a contract with the Radisson in Columbia to host the 2011 Education Conference and Trade Show. The dates for the Conference will be February 17th and 18th. The committee is actively pursuing speakers for the conference and hopes to have a complete slate of speakers and proposed budget for presentation in the near future. SCSPLS will ask the LLR to assist in funding of the speakers for this year’s conference. Potential speakers for the conference are as follows: Kris Kline – Consolidated Exam Review, Don Wilson – topics to be determined, Bernard Telatovich – Forensic Surveying, Duncan Parnell – Laser Scanning and BIM Modeling, Carolina Safety Consultants – OSHA Compliance and Safety Plans. President Swygert thanked Mr. Luther Lown for presenting the Boy Scout merit badge seminar just before this meeting which was very informative.

**Ethics & Standards of Practice:** No report.

**GPS-VRS:** Mr. Chuck Dawley confirmed the group was receiving information from the SC Geodetic Society and reminded all in attendance that dues for the Geodetic Society are due by October 15, 2010.

**Insurance:** No report.

**Internet:** Mrs. Frankie Manhardt’s written report stated at the June Board Meeting it was agreed to change the name of the Committee from ‘Website’ to ‘Internet’ as the whole platform of the Committee was to change, with the yearbook and newsletter going onto the website and a Facebook Page was to be created. The Facebook page was created on July 10, 2010 and is now fully up and running, search for ‘South Carolina Society of Professional Land Surveyors’ on Facebook and ‘Like’ us for updates on current events. Or follow the link: [http://www.facebook.com/pages/South-Carolina-Society-of-Professional-Land-Surveyors/134564476561548?v=app\\_2373072738&ref=sgm#!/pages/South-Carolina-Society-of-Professional-Land-Surveyors/134564476561548?v=wall&ref=sgm](http://www.facebook.com/pages/South-Carolina-Society-of-Professional-Land-Surveyors/134564476561548?v=app_2373072738&ref=sgm#!/pages/South-Carolina-Society-of-Professional-Land-Surveyors/134564476561548?v=wall&ref=sgm)

Shortly there will be a ‘Members Only’ section on the website. This is where the yearbook will be published. You will need to be a paid member in good standing to have access to this section. Once we have it ready you will receive an e-mail directing you to register.



MINUTES OF SCSPLS GENERAL MEMBERSHIP MEETING (CONT)

**Legal and Legislative:** Mr. Dennis Johns report stated the Legal and Legislative Committee held an organizational meeting before the last board meeting. Mr. Johns would like this to become a standing committee comprised of all six Director Directors and the Chairman and plans to hold a meeting before each board meeting. Topics discussed at this first meeting included the following: possibility of losing LLR, Qualification Based Selection, and Survey Affidavits. A form was created for members to fill out letting the committee know who their representatives are and their level of contact with them. Board members were asked to fill out the forms and take some back for their Chapter members to fill out. The committee will be forming a pack to help make a stronger impact on legislatures. The committee is also working on revisions to the "Facts You Need Before Calling a Surveyor" brochure. Mr. Ben Christensen stated that he, Mr. Dennis Johns, Mr. Henry Dingle and Mr. Gene Dinkins are meeting with the chairman of the Real Estate Committee of the SC Bar Association to discuss survey affidavits. Mr. Joe Jones, SCSPLS lobbyist, sent a written report stating that the General Assembly s not in session. Report commented on push for more Republican seats in November election, Caucus placing Tort Reform on its 2011 agenda, as well as his meeting with AIA-SC and Carolinas AGC discussing issues dealing with construction industry including surveyors and their working with each other when possible. Other discussions on infrastructure funding/bond bill, transportation funding, budget and control board, and keeping state engineer's office, geodetic survey and materials management office, qualification based selection, tort reform and worker's compensation for the 2011 session.

**Membership:** Mr. Kent Hudson's written report stated that there are currently 410 members: Full – 339, Associate – 21, Complimentary – 13, Emeritus -23, Student – 1, Sustaining – 13. The following members were approved at the September 17th meeting: Full: Henry A. Shumpert, Florence & Hutcheson, West Columbia, SC (member in 2008) Complimentary: Ryan A. Edwards, Edwards Land Surveyors, Inc., Sumter, SC; James C. Gray, Jr., (Jamey), ESP Associates, PA, Gastonia, NC; Thomas M. Green (Mike), Delta Land Services, Charlotte, NC; William T. Lavender, Greer, SC; Kevin D. Medeiros, ESP Associates, PA, Wendell, NC; Nathaniel J. Pettit, Solan Associates, PC, Conway, SC; Joel B. Russell, JBR Construction Services, LLC, Ravenel, SC; Teodoro L. Silva (Lloyd), Easley, SC Emeritus: Lucian D. Adams, Greenwood, SC; Thurl M. Amick, Sr., Simpsonville, SC; Carol B. Baughman, Palm Coast, FL; William A. Blackwood, Jr., Blackwood Associates, Inc., Spartanburg, SC; Carl W. Bostick, PLS, Bostick Surveying, Irmo, SC; Martyn J. Cavanaugh, Newberry, SC; Michael S. Culler, Jr., Culler Land Surveying Co., Inc., Surfside Beach, SC; Archie S. Deaton, Spartanburg, SC; Billy M. Duncan, Whiteville, SC; Jacob B. Ervin, Sr., Ervin Engineering Co., Inc., Florence, SC; John Quinn Hall, York, SC; Robert L. Hiers, Walterboro, SC; Bobby J. King, Summerville, SC; Heinz B. Krause, Hawley, PA; Robert K. Leake, Greenwood, SC; Murdoch E. Lind, Jr., Lind Hicks & Assoc. Surveying, Inc., Timmonsville, SC; Carl Maness, Maness Surveying, Bennettsville, SC; Joe E. Mitchell, Sr., Mitchell Surveying, Woodruff, SC (\*\*new for 2010-11); William Porcher, Charleston, SC; Ferrell J. Prosser, Prosser Surveying Co., Inc., Florence, SC; W. Gene

Whetsell, W. Gene Whetsell Land Surv., Walterboro, SC; William A. Whitworth, Sr., Whitworth & Associates, Inc., Lexington, SC; G. Albert Wolfe, Inman, SC.

At present, 100 members from 2009-10 have not renewed. Termination letters were sent 10-13-10.

**Newsletter:** The first newsletter is now on the website for review. **Past President's Council:** No report.

**Plat Contest:** No report.

**Public Relations:** No report.

**SC State Parks:** Mr. Mike Culler' written report stated that no activity has been done since the June 18, 2010 report.

**Scholarship:** No report.

**Survey Contest:** No report.

**Surveyor of the Year:** No report.

**Yearbook:** Mr. Kent Hudson's written report stated work on the 2009-10 is completed. The first draft is currently being proofed in-house and will next go to the graphics designer for ad insertion. It is expected to be on the website for members only to view by mid-October. No yearbooks will be printed this year in order to save Society finances.

**BUSINESS:**

**Board of Prof. Eng. & Surveyors:** Mr. Thurl Amick gave an oral report of the activities of the State Board of Registration for Engineers and Surveyors. In August, the National Council voted to move toward computer based testing. Within the next 2-3 years the FE and FS exams will be computer-based. Eventually all exams are scheduled to switch to computer-based, offering applicants a window of time to take the exams and not one particular day in April and October. As a result of the change, the cost of testing will increase. Anyone currently signed up to take the October, 2010 exam must register with the Examinee Registration System. They will receive unique number that will follow them the rest of their life. Licensing awards and ceremonies will still take place twice a year.

In December, DHEC put out an RFP to gather information on the Dunes lines. The RFP indicated a PLS was not required, however, the information they are asking for is equivalent to a hydrographic/topographic survey. The Board of Registration sent a letter to DHEC notifying them a PLS was required for the information they were requesting. Despite the opinion of the Registration Board, Coastal Carolina University was awarded the contract by DHEC. Coastal Carolina University does not have a PLS on staff and does not have a COA. Because of advanced technology, students are able to do the work for this project at a low price. The data being collected will be used in long range hurricane and emergency preparedness plans. After several letters between DHEC and the Board of Registration for Engineers and Surveyors, DHEC continued with the project using Coastal Carolina University students. A Cease and Desist letter was sent to Coastal Carolina University. After repeated contact between DHEC and the State Board, DHEC has issued a Request for Contested Case hearing. They do not see the value in having a professional surveyor in charge of the project. There will be a hearing on December 2nd where testimony to be heard from professional associations, firms, and individuals at the hearing. An organized, concerted, professional effort is needed to fight this potentially detrimental case to the surveying profession.

MINUTES OF SCSPLS GENERAL MEMBERSHIP MEETING (CONT)

Several companies that advertise to coordinate surveying services, sending leads to surveyors that have registered with them for a fee. That fee can be tied to being a commission and it is illegal for surveyors or engineers to pay a commission to bring in work. Companies like this are packaging surveyors' fees and taking their money. This matter will be brought before the State Board but currently there are not enough resources to investigate and fight this issue extensively. Other states have taken action against these type companies who do not have a state COA or licensed surveyor in their firms. Surveyors should not use this process in obtaining work.

A committee has been appointed to rewrite and update the questions on the State Specific Exam. This committee met last week to begin this process. Mr. Amick has just attended the Colonial States Registration Board for Surveyors two-day meeting to help rewrite questions for their exam.

**Committee Appointments for 2010-11:** The Executive Board made a motion to appoint Mr. Chuck Dawley, Jr. as chairman of the Public Relations committee. Motion with a second was passed unanimously. President Swygert encouraged members to volunteer on a state committee by contacting the committee chairman, the state office, or himself.

**Board and General Membership Meeting Dates:** The Executive Board made a motion to approve the following meeting dates:

**Board Meetings:**

February 16, 2011 – Radisson Hotel, Columbia - This will be a supper meeting the Wednesday evening prior to the Continuing Education Conference and Trade Show at the Radisson Hotel in Columbia.

April 2, 2011 – Oconee State Park, Mountain Rest – The board meeting originally set for April 8, 2011 will be moved to April 2, 2011 and will be combined with the General Membership meeting unless a pressing issue comes up that would require the board to meet separately before the membership meeting. Cabins and campsites are available for rent at this state park.

**General Membership Meetings:**

October 16, 2010 - Landsford Canal State Park, Catawba – This meeting will include a 1 hour Scouting Seminar that is free to members attending the meeting. The Tri-County Chapter will provide lunch for the meeting.

December 4, 2010 – Island Vista Resort Hotel, Myrtle Beach – Possible seminar before meeting, golf on Friday.

April 2, 2011 - Oconee State Park, Mountain Rest – A hike to Ellicott's Rock will be arranged as well as something for the members in attendance that does not want to make the hike.

June 11, 2011 – Marriott Hilton head Resort and Spa, Hilton Head Island

President Swygert thanked those in attendance for their support of the Society. With there being no further business, motion was made to adjourn with a second. Motion unanimously approved.

Respectfully submitted,

Aaron F. Leach, SCSPLS Secretary 2010-11

GENERAL MEMBERSHIP MEETING – LANDSFORD CANAL STATE PARK OCTOBER 16, 2010







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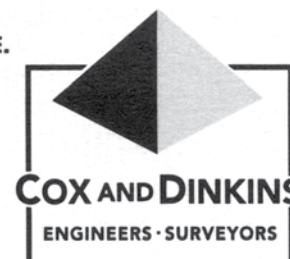
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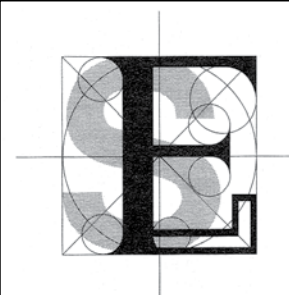
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