

## BENCHMARK



THE NEWSLETTER OF THE SOUTH CAROLINA SOCIETY OF PROFESSIONAL LAND SURVEYORS

An affiliate of the National Society of  
Professional Land Surveyors

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## PRESIDENT'S MESSAGE



Greetings:

As I try to compose my final letter as SCSPLS President, I can't help but wonder where in the world has the year went! It seems like it was just yesterday

that I was typing up my "President's To Do List"! And looking back on that list, I hate to admit it but there are a quite of few DNFs (did not finish)! Whether I was over-optimistic on my goals or the continued negative effects of the economy on our members & associates or the unexpected battles with our insurance program, tort reform, & LightSquared, or a combination thereof contributed to some of the DNFs, it's hard to say. I just personally regret that I didn't do more!

The most difficult part of the year had to be experiencing the reality, up close, that some of my fellow surveyors (many who are also friends) were laid off from "long-held" positions while others, who were business owners, were forced to lock their doors. It's a struggle that most of us are fighting daily, hoping & praying that we're not the next victim! The goal: to SURVIVE & fight another day!

But it hasn't been all bad! I have had the opportunity to work with a wonderful group of fellow surveyors on the SCSPLS Board! There was a tremendous amount of experience on this year's Board (I didn't have to look far when I needed advise), while the energy & fresh ideas of our "younger" officers was so exciting! The Society's future is in really good hands! And I can't say enough about Brenda & Kim! What they do for the SCSPLS is absolutely outstanding!

During the year, I have traveled nearly 3900

miles while representing the Society at various events/meetings. I was truly honored to meet a group of new licensees at a ceremony at the State House and present Albert Wolfe the Life Service Award at the Upper Piedmont Chapter's Christmas Party. It was very educational & enlightening attending the SC State Board of Registration for Professional Engineers and Surveyors meetings (we are very fortunate to have Gene Dinkins & Thurl Amick as our voice on the Board). Meeting the "local" surveyors at the various Chapter meetings (I wish I had been able to visit every chapter, but I didn't) was a great pleasure. And even though I couldn't attend all 7 conventions that I was invited to, Charlotte & I did attend the 2010 SAMSOG Convention at Amelia Island, FL and the 2011 VAS Convention at Williamsburg, VA. The hospitality at both was exceptional & we had great time. And speaking of Charlotte, I am so blessed to have the love & support of a truly remarkable "first lady"!

Finally, being presented the Surveyor of the Year Award at the Convention was the most humbling experience of my 32 year career as a surveyor! I still cannot put into words what it means! All I know is that it is impossible for me to picture myself doing anything else. Back in 1998, when I was first diagnosed with cancer in my hip, the doctor told me that after the surgery, I would probably have to find a new profession (I would not be able to "perform my normal daily routines"). But I loved it too much to quit & I am so glad that I got to prove my doctor wrong!

It has truly been an honor & a privilege to serve you as President this past year and I look forward to continuing to work with the SCSPLS for years to come!

*Dale C. Swygert, PLS*  
*SCSPLS 2010-11 President*



# 2011 42<sup>nd</sup> ANNUAL

CO-LOCATED WITH THE SC ENGINEERING CONFERENCE  
MARRIOTT HILTON HEAD RESORT & SPA

## DALE C. SWYGERT SELECTED 2010-2011 SURVEYOR OF THE YEAR

The South Carolina Society of Professional Land Surveyors honored Dale C. Swygert of Gilbert, SC, by selecting him South Carolina "Surveyor of the Year" for 2011. Mr. Swygert was presented with this honor at the Society's Annual Convention on June 11th, 2011 at the Marriott Hilton Head Resort & Spa in Hilton Head, South Carolina. The Surveyor of the Year Award is presented annually by the Society to a surveyor who has made outstanding contributions to the profession of land surveying in the State of South Carolina.



Surveyor with Survey & Mapping Services, Inc. in West Columbia since 1984. He attained his South Carolina Professional Surveyor's license in 1984. Mr. Swygert is currently serving as President of SCSPLS where he also has served as President Elect in 2009-10, Vice President in 2008-09 and 1999-2000, Treasurer in 2001-2003 and Secretary in 1998-99. Dale has also served as Chairman of the Website Committee of SCSPLS, and served on many committees. He has served as President of the Midlands Chapter and has previously been elected as

the chapter Surveyor of the Year. He has been involved in his community as a member, President and Treasurer of the Hollow Creek Community Club. He attends St. Paul's Lutheran Church where he has been the Financial Secretary, a Sunday School Teacher and Youth Leader for many years. His hobbies include geocaching, camping and NASCAR. He and his wife, Charlotte, reside in Gilbert and have one son, Joshua who recently graduated from USC. Dale has shown exemplary leadership and unselfish giving to the profession of land surveying.

Mr. Swygert graduated from Midlands Technical College in 1979 with an Associate Degree in Civil Engineering Technology/Surveying. He worked with Shull & Caughman in Lexington after graduation and has been a Project Manager/

## ELECTION RESULTS 2011-12 OFFICERS:

President	-	Benjamin B. Christensen
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Secretary	-	Dennis V. Clinkscales
Treasurer	-	Francis M. A. Manhardt (Frankie)
Past President	-	Dale C. Swygert

**Following were elected for a 2 yr. term beginning 2011-12 fiscal year:**

NSPS Governor	-	Henry B. Dingle
District 1	-	Charles F. Dawley, Jr. (Chuck)
District 3	-	Thomas B. Abraham
District 5	-	E. Burnett Jenkins



From left to right: Erwin Balk, Dennis Johns, Henry Dingle, Dale Swygert, Frankie Manhardt, Dennis Clinkscales, Aaron Leach, Kent Hudson, Ben Christensen

# CONVENTION

## 2011 PLAT CONTEST WINNERS

**Congratulations to the following plat contest winners!**

**First Place winning plats will be entered in the 2012 NSPS Plat Contest. Category and Winners:**

**Boundary/Cadastral:**

First Place: URS/BP Barber

Second Place: J. Jason Cox, PLS, Cox Surveyors & Associates

**Topographical:**

First Place: Chad T. Bennett, Cox Surveyors & Associates

**ALTA/NSPS:**

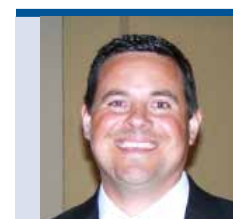
First Place: F. Elliott Quinn, PLS, Thomas & Hutton Engineering Co.

**Miscellaneous:**

First Place: Keith A. Wilson, PLS, Cornerstone Surveying & Engr., Inc.

**Color Presentation:**

First Place: URS/BP Barber



## SCHOLARSHIP RAFFLE WINNER

Winner of the iPad scholarship raffle:  
Kent C. Hudson, PLS





# 2011 42<sup>nd</sup> ANNUAL CONVENTION



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To learn more about the new  
Trimble TSC3, visit: [trimble.com/TSC3](http://trimble.com/TSC3)



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DELIVER

SUCCESS FOUND HERE



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SOUTH CAROLINA SOCIETY  
OF PROFESSIONAL LAND SURVEYORS

# NEWSLETTER / YEARBOOK ADVERTISING REQUEST

2010-11 SCSPLS Yearbook Business Card Ads  
2011-12 CAROLINA BENCHMARK Card Ads

## SCSPLS 2010-11 Yearbook and 2011-12 Newsletter Ads

The **2010-11 SCSPLS Yearbook** will be prepared in summer of 2011. Don't miss this opportunity to support your Society and your profession by having your Business Card Ad included in the Yearbook and newsletter. All newsletters will be posted to the SCSPLS website and the yearbook will be on the website for members only to view. For those members who go the extra mile to assist the SCSPLS in continuing these publications, we offer both the Yearbook and the Newsletter Business Card Ad at a price of only \$100.00. Please return two business cards with this ad form. **Deadline is September 1, 2011.**

This is my authorization to include the advertisements above.  
I have enclosed my two business cards and check.

[ ] 2010-11 Yearbook Business Card Ad **and**  
2011-2012 Newsletter Business Card Ad both for **\$100.00**

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Company: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Payment by Check # \_\_\_\_\_ Date Received: \_\_\_\_\_


Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Please mail completed form along with your check and 2 Business Cards by September 1, 2011 to:

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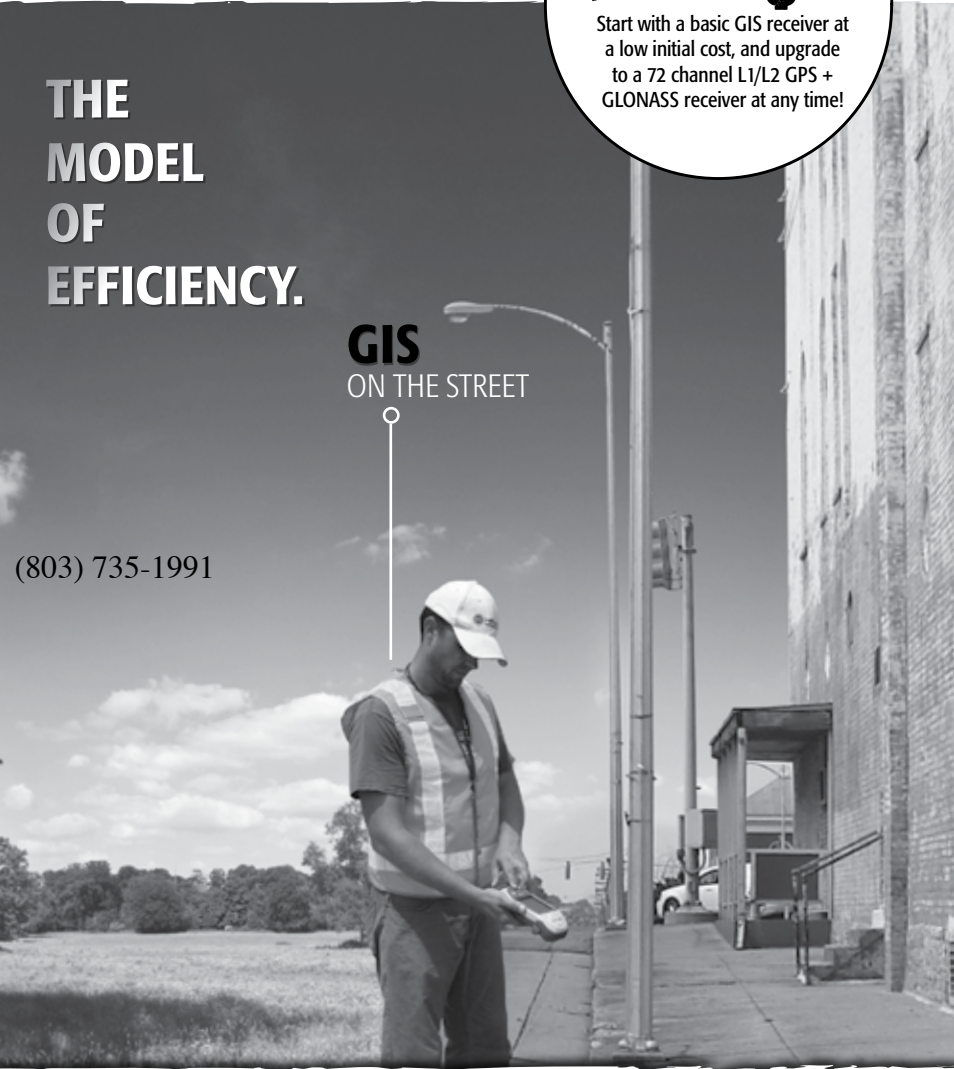
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The SCSPLS invites you to advertise in the *CAROLINA BENCHMARK*. Advertising in the *BENCHMARK* is not only reasonably priced; the *BENCHMARK* reaches the largest organized group of Surveyors in the state four times a year. Each issue of the newsletter is posted on our internet site for viewing which gains more exposure for those who advertise. Links to your company’s website and/or email address will be included with your advertisement. This is an excellent opportunity to reach those people in South Carolina who use your goods and services.

Full Page Ad	Single Issue	\$ 300.00	Yearly Rate	\$ 1200.00
½ Page Ad	Single Issue	\$ 150.00	Yearly Rate	\$ 600.00
¼ Page Ad	Single Issue	\$ 75.00	Yearly Rate	\$ 300.00

Prices subject to change without notice.

This is my authorization to include the advertisement(s) checked below. I have enclosed my black and white camera ready artwork or digital jpg, tif or pdf file. Please email your digital advertisement to kim@scspls.com by **September 1, 2011**.

Check one:

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7 ½ W x 10 H 3 ½ W x 10 H 3 ½ W x 4.75 H

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Organization: \_\_\_\_\_

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Payment by Check # \_\_\_\_\_ for the following amount \$ \_\_\_\_\_ Date \_\_\_\_\_

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SOUTH CAROLINA SOCIETY  
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**VENDOR ADVERTISING RATES  
2010-11 YEARBOOK**

The SCSPLS invites you to advertise in our upcoming 2010-11 Yearbook. Our Yearbook will be posted on the SCSPLS website for viewing in the members’ only section. The Yearbook contains valuable information about the SCSPLS, such as our member address-es, e-mail, phone numbers and SCSPLS Constitution. Surveyors, the people who use the products and services you sell, will continu-ally see your advertisement during the entire year and will have a direct link to your company’s website and/or email address. The SCSPLS constitutes the largest organized group of Land Surveyors in the State, so don’t miss this golden opportunity to promote your company! Please return your digital ad to us no later than **September 1, 2011**.

Full Page Ad (4.5” x 7”)	\$ 200.00
½ Page Ad (4.5” x 3.5”)	\$ 135.00
¼ Page Ad (4.5” x 1.75”)	\$ 90.00

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Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Email: \_\_\_\_\_

Signature: \_\_\_\_\_

Payment by Check # \_\_\_\_\_ for the following amount \$ \_\_\_\_\_ Date \_\_\_\_\_

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**Phone: (803) 750-7524**  
**E-mail: kim@scspls.com**



Section 40 22 280. Exceptions from the Application of Chapter 22

Thurl M. Amick, PS - 3/23/2011

Revised 6/13/2011

Preface:

Shortly after my appointment to the South Carolina Board of Registration for Professional Engineers and Surveyors a number of questions related to construction surveys arose. We attempted to poll other states on their codes relating to this matter. However, our results were poor. Most did not respond and the responses were mixed. At this point I began to prepare the paper below in an effort to better understand how these questions related to the Code of Laws and Regulations. As one reads this paper please understand that the opinions expressed are mine as a practicing surveyor for nearly fifty years, and not those of the South Carolina Board of Registration of Professional Engineers and Surveyors.

The current Board and previous Boards have had the following policies on exemptions to licensure;

1. Construction Surveys/Construction Layout/Construction Staking performed by the staff of a construction company is exempt from licensure. However, third parties that are not in the direct employment of the contractor must be licensed.

2. Employees of state, municipal, county governments are exempt from licensure as surveyors and engineers. However, third parties that are not in the direct employment of these agencies must be licensed.

Question; Are these policies based on correct interpretations of the Codes and are these policies appropriate under the present codes and regulations. If not what are the correct interpretations and should new policies be developed.

Below is Section 40 22 280- The exceptions from the Application of Chapter 22 along with my observations shown in red.

“Section 40 22 280. (A) This chapter may not be construed to prevent or to affect:  
(1) the practice of any other regulated profession or trade where the practice of the profession or trade may legitimately overlap the professions regulated by this chapter;”

Is there a legitimate overlap with the construction industry and would the Contractors exemption for construction surveying fall under this section. I am unable to find where surveying is regulated in the codes and regulations of this trade.

Is there a legitimate overlap here with state, municipal, county agencies? Does this exempt the engineering and surveying work of state, municipal, county staff? I am unable to find where surveying is regulated in any codes and regulations for public agencies.

“(2) the work of an employee or other subordinate of a person holding a certificate of registration under this chapter;”

This applies only to the employees or other subordinates employed by a licensed engineer or surveyor.

“(3) the engineering work of regular employees of the government of the United States officially performing their duties for their employer on federal lands within this State, in the practice of engineering for the government, and where specified by federal statute;”

There is no mention of state, municipal, or county agencies in this section. Also, this does not extend to third parties (contractors). This applies only to employees of the US government on federal lands.

“(4) the surveying work of regular employees of the government of the United States officially performing their duties for their employer on lands within this State, in the practice of surveying for the government, and where specified by federal statute;”

There is no mention of state, municipal, or county agencies in this section. Also, this does not extend to third parties (contractors). This applies only to employees of the US government on federal lands.

“(5) the work or practice of a regular employee of a public utility, a telephone utility, or an electrical utility by rendering to the employing company engineering service in connection with its facilities which are subject to regulation, supervision, and control in order to safeguard life, health, and property by the Public Service Commission of this State, so long as the person is actually and exclusively employed. Engineering work not related to the exemption in this item where the safety of the public is directly involved must be accomplished by or under the responsible charge of a professional engineer;”

Again there is no mention of state, municipal, or county agencies other than a public utility. This section exempts only those regular employed by a public utility, a telephone utility, or an electrical utility that is regulated by the State Public Service Commission. Also, this does not extend to third parties (contractors).

“(6) the work or practice of a regular employee of an electric cooperative, when rendering to the employing cooperative engineering service in connection with its facilities which are subject to regulations and inspections of the Rural Electric Administration, if the person is actually and exclusively employed. Engineering work not related to the exemption in this item where the safety of the public is directly involved must be accomplished by or under the responsible charge of a professional engineer;”

Again there is no mention of state, municipal, or county agencies. This section exempts only those regular employees of an electric cooperative as regulated by the Rural Electric Administration. Also, this does not extend to third parties (contractors).

“(7) the work or practice of a regular employee of a state authority which is licensed by and subject to the safety regulations of the Federal Energy Regulatory Commission and which sells and distributes electric power to consumers, so long as the person is actually and exclusively employed. Engineering work not related to the exemption in this item where the safety of the public is directly involved must be accomplished by or under the responsible charge of a registered professional engineer;”

Again there is no mention of state, municipal, or county agencies. This exempts only those regular employees of a state authority which are licensed by and subject to the safety regulations of the Federal Energy Regulatory Commission. Also, this does not extend to third parties (contractors).

“(8) the work of a general contractor, specialty contractor, or material supplier in the preparation and use of shop drawings or other graphic descriptions used to detail or illustrate a portion of the work required to construct the project in accordance with plans and specifications prepared under the requirements of this chapter.”

This exempts the work of a general contractor, specialty contractor, or material supplier in the preparation and use of shop drawings or other graphic descriptions used to detail or illustrate a portion of the work required to construct the project in accordance with plans and specifications. Surveying or construction surveying is not mentioned or implied. Also, this does not extend to third parties (contractors).

“(B) If drawings and specifications are signed by the authors with the true title of their occupations, this chapter does not apply to the preparation of plans and specifications for:

- (1) farm buildings not designed or used for human occupancy;
- (2) buildings and structures less than three stories high and less than five thousand square feet in area, except that buildings of assembly, educational, hazardous, and institutional occupancies as defined by the International Code Series regardless of area are not exempt from the provisions of this chapter; and
- (3) alterations to a building to which this chapter does not apply, if the alterations do not result in a change which would otherwise place the building under the application of this chapter.

(C) This subsection may not be construed to prejudice a law, ordinance, regulation, or other directive enacted by another political body or a requirement by a contracting authority which would otherwise require preparation of plans and specifications under the responsible charge of a professional engineer or professional surveyor.”

I do not see B and C above giving such an exemption or exception to contractors or state, municipal, county agencies

Another question related to Section 40-22-280. (A) (8), does surveying as defined in ”SECTION Chapter 22 of Title 40 of the Codes include Construction Staking/Surveying and does it require licensure?

First what is construction surveying? Manual FM 5-233 Titled “Construction Surveying” Prepared by the Department of the Army states the following: “In support of construction activities, the surveyor obtains the reconnaissance and preliminary data which are necessary at the planning stage. During the construction phase, the surveyor supports the effort as needed. Typical duties of the construction surveyor include—

- Determining distances, areas, and angles.
- Establishing reference points for both horizontal and vertical control.
- Setting stakes or otherwise marking lines, grades, and principal points.
- Determining profiles of the ground along given lines (centerlines and/or cross-section lines) to provide data for cuts, fills, and earthwork volumes.
- Preparing large-scale topographic maps using plane table or transit-stadia data to provide information for drainage and site design.
- Laying out structures, culverts, and bridge lines.
- Determining the vertical and horizontal placement of utilities.

A web definition of **Construction surveying**:

- Construction surveying (otherwise known as "lay-out" or "setting-out") is to stake out reference points and markers that will guide the construction of new structures such as roads or buildings. These markers are usually staked out according to a suitable coordinate system selected for the project.
- The process of establishing and marking the position and detailed layout of new structures such as roads or buildings for subsequent construction. In this sense, surveying may be regarded as a sub-discipline of civil engineering.

The Codes and Regulations do not specifically mention Construction Surveying/Stakeout. However, the Codes and Regulations mention specific work task that are describe in the above definitions of construction surveys and they are shown in red in the excerpts of the Codes and Regulations shown below:

Surveying as defined in SECTION 1. Chapter 22 of Title 40 of the 1976 Code is as follows;

“(a) Land surveyor:  
(1) locates, relocates, establishes, reestablishes, lays out, or retraces any property line or boundary of any tract of land or any road, right-of-way, easement, alignment, or elevation of any fixed works embraced within the practice of land surveying, or makes any survey for the subdivision of land;  
(2) determines, by the use of principles of land surveying, the position for any survey monument or reference point; or sets, resets, or replaces such monument or reference; determines the



topographic configuration or contour of the earth's surface with terrestrial measurements; conducts hydrographic surveys;"

Surveying as defined in the South Carolina Code of Regulations in section 49-202.

"C. TIER A Land Surveyor.

(1) The practice of TIER A land surveying consists of three separate disciplines: (a) land boundary surveying, (b) photogrammetry, and (c) geographic information systems (GIS). A land surveyor may be licensed in one or more of the disciplines and practice is restricted to only the discipline or disciplines for which the land surveyor is licensed.

(2) The scopes of authority for the individual disciplines of TIER A land surveying are identified as follows:

(a) Professional Land Boundary Surveyor (PLS).

1. Locates, relocates, establishes, re-establishes, lays out or retraces any property line or boundary of any tract of land or any road, right-of-way, easement, alignment, or elevation of any fixed works embraced within the practice of land surveying, or makes any survey for the subdivisions of land;  
2. Determines, by use of principles of land surveying, the position for any survey monument or reference point; or sets, resets, or replaces such monument or reference; determines the topographic configuration or contour of the earth's surface with terrestrial or extraterrestrial measurements; conducts hydrographic surveys;"

What in the Codes and Regulations gives reason for one to believe that Construction Surveys/Stakeout is a part of surveying as defined by the South Carolina Codes and Regulations; The Codes and Regulations state the surveyor "locates, relocates, establishes, reestablishes, lays out, any road, right-of-way, easement, alignment, or elevation of any fixed works": "determines the topographic configuration or contour of the earth's surface with terrestrial measurements."

Without using the words Construction Surveys/Stakeout, I am not sure that it could be better defined.

It is this writer's opinion;

1. That Section 40 22 280. Exceptions from the Application of Chapter 22 provides no exemptions for state, municipal, or other public agencies. They apply only to the US Government and some public utilities that are regulated under some state or federal authority.
2. That Construction Staking/Surveying does not fall under the exemptions in Section 40-22-280. (A) (8). The exemption here for contractors is very limited and specific and does not mention construction surveys.
3. That by definition, Construction Staking/Surveying is within the definition of Surveying as defined in the South Carolina codes and regulations and requires a license.

\*\*\*We would like your feedback.

Please email your comments/opinions on this article to [tamick7623@charter.net](mailto:tamick7623@charter.net).



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## Lobbyist Report

### South Carolina Society of Professional Land Surveyors

Joe S. Jones

As I write this report (June 24) the SC General Assembly is still meeting although the session was supposed to have ended the first week of June. The chambers are dealing with gubernatorial vetoes, a few bills covered in the Sine Die resolution and reapportionment. As for surveying issues, the legislation directly important to the profession is finished for the year.

Tort reform was signed into law by Governor Haley. This legislation is the only bill that passed that was being worked by surveyors. However, another bill was introduced but did not pass, and will be up for consideration next session.

Senator Ronnie Cromer (R-Newberry) introduced legislation relieving professionals (including surveyors) licensed by the SC Department of Labor, Licensing and Regulation from continuing education requirements when on active military duty serving in a combat zone. After this bill was introduced, no further action was taken. We will work to get this bill moving next January.

The session's major issue, tort reform, was decided on the last day with a lot of effort inside the State House by legislators pushing the bill inside the chambers and business lobbyists outside on the lobby floor. Furthermore, Governor Haley was meeting individually with senators persuading them to move the bill and support business community's position.

Also there were grassroots efforts by members in the form of phone calls and emails to legislators. If you made a call or sent an email during that last week, thank you. Your efforts were an important part of the puzzle.

The final version of the tort reform bill was not the very strong bill that passed the House of Representatives, but the compromise bill that passed did move the state in the right direction.

Passing this legislation brought South Carolina nearer its sister Southeastern states with regard to more reasonable laws. Getting in line with neighboring states is important to keep and grow local businesses as well as recruiting new business and industry into our state.

The section dealing with the construction/design industry was not changed from the strong House version. Strengthening the 8-year statute-of-repose was amended by adding, "a violation of a building code of a jurisdiction or a political subdivision is not per se fraud, gross negligence or recklessness but is admissible as evidence of fraud, negligence, gross negligence or recklessness." This language became necessary when plaintiffs argued building code violations were fraud, gross negligence or recklessness and attempted to have the statute of repose protection removed.

The major point of contention in the tort reform bill was

setting a cap on punitive damages. The House version had a cap of \$350,000, but the Senate amended this to a two tier cap. Tier one sets punitive damages at no greater than three times the amount of compensatory damages or \$500,000.

Tier two moves the limit to four times the amount of compensatory damages or \$2 Million. However, for the second tier to apply the following must have taken place: "The wrongful conduct proven under this section was motivated primarily by unreasonable financial gain and determines that the unreasonably dangerous nature of the conduct, together with the high likelihood of injury resulting from the conduct, was known or approved by the managing agent director, officer or the person making policy decisions on behalf of the defendant. Or the defendant's actions could subject the defendant to conviction of a felony and that act or course of conduct is a proximate cause of the plaintiff's damages."

There are specific circumstances when the cap does not apply, one of which is if the defendant was under the influence of alcohol, drugs or other mind altering substances.

The other sections of the tort reform bill are specific and hopefully not affecting surveyors. Setting limits on appeal bonds comes into play when a party wishes to appeal a lower court's decision.

An appeal bond may be set before a case may be sent to the next judicial level. Until this legislation was passed there were no limits to the bond, and these bonds could be set so high the defendant could not raise the money for the bond and thus could not appeal the verdict. Now, there is a two tier limit on appeal bonds. A bond may not be allowed to exceed the lesser of the amount of judgment, \$25 Million for businesses with 50 or more employees and gross revenues over \$5 Million in the previous year or \$1 Million for all other entities or individuals.

Another section of the law deals with Circuit Solicitors hiring outside counsel, which is important to the overall operation of the system but does not apply directly to surveyors.

A section was added to the tort reform bill passed that was strongly opposed by the business community. This section deals with automobile insurance disclosures. Now automobile insurance companies that may be liable to pay all or part of a claim have to provide the name of each insured and the limits of coverage.

It has been a privilege to represent the SC Society of Professional Land Surveyors as your lobbyist. I look forward to next year and working to defend and promote your profession and serve as your eyes and ears in the State House and state government.

"In general, the surveyor has remained aloof from politics and in so doing, he has allowed his professional status to be undermined by those with political influence. If the surveyor is to maintain his professional statute, and if he is to increase this professional statute, he must take an active part in developing legislation which will afford him professional protection."

Mr. W. H. Matheny, Surveyor  
SCSPLS Charter Member and President 1960-61, 1961-62  
Charleston, SC



## WELCOME NEW MEMBERS

### THE FOLLOWING MEMBERS WERE APPROVED AT THE APRIL 2, 2011 BOARD MEETING:

**Full:** Robert H. Lackey, Robert H. Lackey Surveying, Camden, SC; Louis W. Tisdale, Black River Land Surveying, Mayesville, SC (last a member in 2005); **Associate:** Anthony J. Seal, Shaw Power Group, Chapin, SC; **Complimentary:** Jimmy N. Faires, WSP Sells, Mooresville, NC; **Emeritus:** Terry M. Watson, Terry M. Watson, R.L.S. Land Surveying, Inc., Conway, SC (for 2011-12); **Student:** Ronald D. McCoy, ETSU, Aiken, SC

## SCSPLS MEMBERSHIP RENEWAL FOR 2011-12

Remember, your SCSPLS dues renewals are due to SCSPLS by July 1, 2011. We appreciate those who choose to invest in the surveying profession by supporting your professional societies on the local, state and national levels.

## FORMER SC STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND SURVEYORS CHAIRMAN RECOGNIZED FOR SERVICE TO NCEES SOUTHERN ZONE



At its 2011 interim meeting in Austin, TX, the NCEES Southern Zone awarded Mr. Gene Dinkins, P.E., P.L.S., its Distinguished Service Award.

The award recognizes Mr. Dinkins' service to the zone and to NCEES. He currently serves on the NCEES board of directors as its treasurer. Prior to that, he was the Southern Zone Vice President from

2007 until 2009.

Mr. Dinkins, who is president of Cox and Dinkins, Inc., a land surveying and civil engineering firm, has been a member of the SC State Board of Registration for Professional Engineers and Surveyors since 2004.

NCEES is a national nonprofit organization composed of engineering and surveying licensing boards representing all U.S. states, the District of Columbia, Guam, Puerto Rico, and the U.S. Virgin Islands. An accredited standards developer with the American National Standards Institute, NCEES develops, scores, and administers the examinations used for engineering and surveying licensure throughout the United States. NCEES


also provides services facilitating professional mobility for licensed engineers and surveyors. Its headquarters is located in Clemson, S.C.

## CONGRATULATIONS!

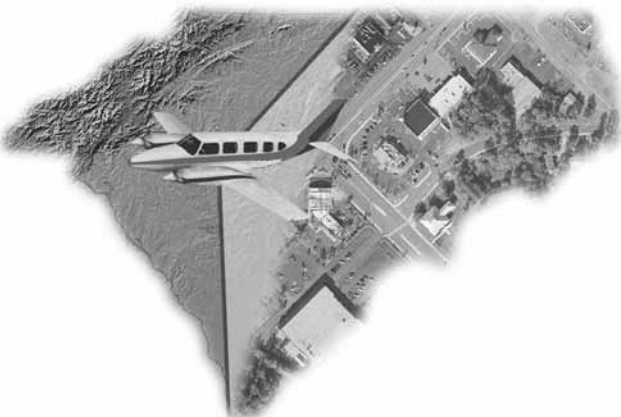
The S.C. Department of Labor and Licensing announces the following were recently licensed as a Professional Land Surveyor and Land Surveyor in Training:

### Those passing PLS exam in April, 2011:

Charles E. Bell  
Raymond W. Billbrough, III  
John B. Black  
Barry H. Brown  
Christopher L. Culbertson  
Michael Culler, III  
Jeffery E. Edmonston  
Phillip A. Harris  
Jay C. Hipp  
Joshua B. Huntley  
William C. Hutchins  
Richard (Ray) Lugar  
Stephen S. Parker  
Shawn T. Rumberger  
Floyd A. Sweatt, Jr.



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## AL WHITWORTH GIVEN LIFE SERVICE AWARD FOR THE MIDLANDS CHAPTER OF SCSPLS

On March 28th, 2011, Al Whitworth was honored with The Life Service Award by the Midlands Chapter of SCSPLS. Al has operated Whitworth and Associates Land Surveyors in the Lexington are for many years.

**Whereas,** William A. Whitworth, Sr. has served his profession for almost five decades by providing leadership, advice, and inspiration through his membership in the Midlands Chapter of Professional Land Surveyors and the South Carolina Society of Professional Land Surveyors; and,

**Whereas,** William A. Whitworth, Sr. has served his fellow professionals by mentoring numerous aspiring registrants; and, giving of his time for both local surveyors and state surveyors; and,

**Whereas,** William A. Whitworth, Sr. has served as President of the SCSPLS, has chaired numerous committees for the SCPLS, and has been honored as the SCSPLS "Surveyor of the Year" in 1979; and,

**Whereas,** William A. Whitworth, Sr. was nominated by Governor Carroll Campbell in 1988 to serve on the Board of



Registration for Professional Engineers and Surveyors; and, **Whereas,** William A. Whitworth, Sr. was a Charter member of the Midlands Chapter of Professional Land Surveyors, and served as President in 1974-75, and was awarded the MCPLS "Surveyor of the Year" honor in 1975; and, **Whereas,** William A. Whitworth, Sr. has lived a life dedicated to his family, nurturing three accomplished children, Troy Whitworth, William A. Whitworth, Jr., and Dawn Fellers, and sharing his life with his loving wife, Beverly; and,

**Be it therefore resolved** that the Board of Directors of the Midlands Chapter of Professional Land Surveyors, an affiliate of the South Carolina Society of Professional Surveyors, on this the twenty-eighth day of March in the Year of our Lord two thousand eleven. In recognition of his lifetime of service and the recognition he has brought to our profession, does hereby honor and bestow upon William A. Whitworth, Sr. PLS, the **Life Service Award** of the Midlands Chapter of Professional Land Surveyors, together with all the rights and privileges which accompany it.

## URS ACQUIRES BP BARBER

URS announced that it has acquired BP Barber—a South Carolina-based civil and environmental engineering firm. With approximately 160 employees, the firm primarily focuses on the water/wastewater market in South Carolina and the South Atlantic region.

## CONGRATULATIONS! DAN DENNIS, PRESIDENT OF DENNIS CORPORATION AND SCSPLS MEMBER, SELECTED AS SC SMALL BUSINESS PERSON OF THE YEAR



South Carolina's District Office of the Small Business Administration (SBA) is proud to announce Dennis Corporation President, Dan Dennis, as the 2011 Small Business Administration's South Carolina Small Business Person of the Year. Mr. Dennis was selected for this award due to Dennis Corporation's staying power, growth in number of employees, increase in sales, financial performance, innovativeness of product or service, response to adversity, and contributions to community oriented projects. Dennis Corporation, founded by Mr. Dennis in 2005, operates as a full service engineering, surveying and construction management firm and currently employs ninety professionals. On receiving the award, Dan Dennis stated, "Dennis Corporation would like to dedicate this award to its employees and clients, for without their hard work

and continued support, the success of the company would not be possible."

During the last five years, Dennis Corporation has managed to make a significant impact on South Carolina's economy by providing jobs, services, and giving back to the community. Dennis Corporation takes its commitment to the communities in which it works seriously and has contributed over \$250,000 to 80 charities to date.

Mr. Elliot Cooper, District Director of the Small Business Administration South Carolina District Office, said of Mr. Dennis, "Your foresight and tenacity fueled your company's phenomenal growth, and you used its growth to create good jobs and invest in your community."

Dennis Corporation is a South Carolina licensed civil engineering, surveying and construction management firm. Dennis Corporation's specific fields of expertise include water, sewer, roads, bridges, buildings, airports and other infrastructure.



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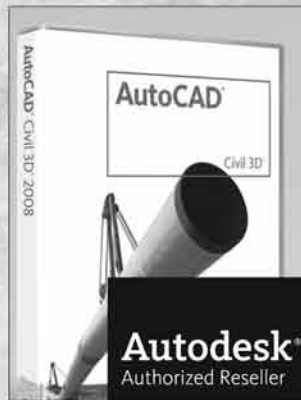
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## EXTREME HEAT

\*\*Information taken from the US Dept. of Health and Human Services Centers for Disease Control and Prevention website.  
For a complete guide to Extreme Heat, visit [http://www.bt.cdc.gov/disasters/extremeheat/heat\\_guide.asp](http://www.bt.cdc.gov/disasters/extremeheat/heat_guide.asp)

Extreme heat is defined as temperatures that hover 10 or more degrees over the average high temperature for the region for a period of several weeks.

### Precautions to take during hot weather:

- **Drink plenty of fluids.** Avoid caffeinated, sugary and alcoholic beverages. Also, be aware that extremely cold drinks may cause stomach cramps.
- **Replace Salt and Minerals.** Sports beverages can replace the salt and minerals lost in sweat. However, if you are on a low-salt diet, talk with your doctor before drinking a sports beverage or taking salt tablets.
- **Wear Appropriate Clothing and Sunscreen.** Choose lightweight, light-colored, loose-fitting clothing. Wear a wide-brimmed hat and sunglasses when going outdoors and apply sunscreen of SPF 15 or higher 30 minutes prior to going outside. Reapply according to package directions.
- **Schedule Outdoor Activities Carefully.** Limit outdoor activities to morning and evening hours and rest often in shady areas to give your body's thermostat a chance to recover.
- **Pace Yourself.** If exertion in the heat makes your heart pound and leaves you gasping for breath, STOP all activity. Get into a cool area or at least into the shade, and rest, especially if you become lightheaded, confused, weak, or faint.
- **Stay Cool Indoors.** Stay in an air-conditioned place when possible.
- **Use a Buddy System.** When working in the heat, monitor the condition of your co-workers and have someone do the same for you.
- **Monitor Those at High Risk.** The following are considered high risk: infants and children up to four years of age, adults 65 years of age or older, people who are overweight, people who overexert during work or exercise, people who are physically ill (especially with heart disease or high blood pressure, or who take certain medications, such as for depression, insomnia, or poor circulation).
- **Adjust to the Environment.** You will have a greater tolerance for heat if you limit your physical activity until you become accustomed to the heat
- **Use Common Sense!!**

### RECOGNIZING SIGNS OF HEAT STROKE, HEAT EXHAUSTION AND HEAT CRAMPS

Warning signs of heat stroke vary but may include the following:

- Extremely high body temperature (above 103 degrees Fahrenheit, orally)
- Red, hot, and dry skin (no sweating)
- Rapid, strong pulse

- Throbbing headache
- Dizziness
- Nausea
- Confusion
- Unconsciousness

### What to do:

If you see any of the signs above, you may be dealing with a life-threatening emergency. Have someone call 911 while you begin cooling the victim by doing the following:

- Get the victim to a shady area.
  - Cool the victim rapidly using whatever methods you can. For example, immerse the victim in a tub of cool water, place the person in a cool shower, spray the victim with cool water from a garden hose, sponge the person with cool water, or if the humidity is low, wrap the victim in a cool, wet sheet and fan them vigorously.
  - Monitor body temperature and continue cooling efforts until the body temperature drops to 101-102 degrees Fahrenheit.
  - If emergency medical personnel are delayed, call the hospital emergency room for further instructions.
  - Do not give the victim fluids to drink.
  - Get medical assistance as soon as possible.
- Sometimes a victim's muscles will begin to twitch uncontrollably as a result of heat stroke. If this happens, keep the victim from injuring himself, but do not place any object in the mouth and do not give fluids. If there is vomiting, make sure the airway remains open by turning the victim on his or her side.

**Heat Exhaustion** is a milder form of heat-related illness that can develop after several days of exposure to high temperatures and inadequate or unbalanced replacement of fluids. It is the body's response to an excessive loss of the water and salt contained in sweat. Those most prone to heat exhaustion are the elderly, people with high blood pressure, and people working or exercising in a hot environment.

Warning signs of heat exhaustion include the following:

- Heavy sweating
- Paleness
- Muscle cramps
- Tiredness
- Weakness
- Dizziness
- Headache
- Nausea or vomiting
- Fainting



The skin may be cool and moist. The victim's pulse rate will be fast and weak, and breathing will be fast and shallow. If heat exhaustion is untreated, it may progress to heat stroke. Seek medical attention immediately if any of the following occurs:

- Symptoms are severe
- The victim has heart problems or high blood pressure



Otherwise, help the victim to cool off, and seek medical attention if symptoms worsen or last longer than 1 hour.

- What to Do:  
Cooling measures that may be effective include the following:
- Cool, nonalcoholic beverages, as directed by your physician
  - Rest
  - Cool shower, bath, or sponge bath
  - An air-conditioned environment
  - Lightweight clothing

**Heat Cramps** usually affect people who sweat a lot during strenuous activity. This sweating depletes the body's salt and moisture. The low salt level in the muscles causes painful cramps. Heat cramps may also be a symptom of heat exhaustion. Heat cramps are muscle pains or spasms – usually in the abdomen, arms, or legs – that may occur in association with

strenuous activity. If you have heart problems or are on a low-sodium diet, get medical attention for heat cramps.

- What to do:  
If medical attention is not necessary, take the following steps:
- Stop all activity, and sit quietly in a cool place.
  - Drink clear juice or a sports beverage.
  - Do not return to strenuous activity for a few hours after the cramps subside, because further exertion may lead to heat exhaustion or heat stroke.
  - Seek medical attention for heat cramps if they do not subside in 1 hour.

Remember, your best defense against heat-related illness is prevention. Staying cool and making simple changes in your fluid intake, activities, and clothing during hot weather can help you remain safe and healthy.

# TORNADO PREPAREDNESS

The 2011 tornado season is shaping up to be the deadliest our nation has seen in decades. Do you and your staff know what to do if a tornado is heading your way? Below is a list of steps to take according to the FEMA website:

- BEFORE A TORNADO**
- Listen to NOAA Weather Radio or to commercial radio or television newscasts for the latest information.
  - Look for approaching storms
  - Look for the following danger signs:
    - o Dark, often greenish sky
    - o Large hail
    - o A large, dark, low-lying cloud (particularly if rotating)
    - o Loud roar, similar to a freight train.

If you see approaching storms or any of the danger signs, be prepared to take shelter immediately.

**DURING A TORNADO**

If you are in a structure, go to a pre-designated shelter area such as a safe room, basement, storm cellar, or the lowest building level. If there is no basement, go to the center of an interior room on the lowest level (closet, interior hallway) away from corners, windows, doors, and outside walls. Put as many walls as possible between you and the outside. Get under a sturdy table and use your arms to protect your head and neck. Do not open windows.

If you are in a vehicle, trailer or mobile home, get out immediately and go to the lowest floor of a sturdy, nearby building or a storm shelter. Mobile homes, even if tied down, offer little protection from tornadoes.

If you are outside with no shelter, lie flat in a nearby ditch or depression and cover your head with your hands. Be aware of the potential for flooding. Do not get under an overpass or bridge. You are safer in a low, flat location. Never try to outrun a tornado in urban or congested areas in a car or truck. Instead,

leave the vehicle immediately for safe shelter. Watch out for flying debris. Flying debris from tornadoes causes most fatalities and injuries.

Please continue to pray for the victims of the recent tornadoes. If you would like to help in their recovery effort visit [www.redcross.org](http://www.redcross.org).

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# SPRING IS IN THE AIR!

The Grand Strand Chapter of the South Carolina Society of Professional Land Surveyors held their Spring Outing at Jim Ellis's property in Williamsburg County on March 19th. The day included plenty of food (bar-b-q chicken, chicken bog and oysters), skeet shooting and fishing!





MINUTES OF SCSPLS BOARD AND GENERAL MEMBERSHIP MEETING

Saturday, April 2, 2011, Oconee State Park, Mountain Rest, SC

A meeting of the General Membership of the South Carolina Society of Professional Land Surveyors was held Saturday, April 2, 2011 at 10:00 AM, at Oconee State Park, Mountain Rest, South Carolina. Members in attendance were:

Officers:

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

Delegates:

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

Chapter Representatives:

Aiken Chapter	Bill Tripp
Central Chapter	Thomas Andersen, Absent
Coastal Chapter	Nancy Frasure, Absent
Foothills Chapter	Billy Martin
Grand Strand Chapter	Erwin Balk
Low Country Chapter	Ray Cook, Absent
Midlands Chapter	George 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, Absent
Upper Piedmont Chapter	Mike Byars, Absent

District Directors:

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

Executive Secretary:

Asst. to Exec. Secretary:	Brenda Smith, Absent
	Kim Long

OTHERS PRESENT: Thurl M. Amick, Joe Baird, Michael S. Culler, III, Peter Messier, Bill Seaborn, John H. Welborn,

President Dale Swygert called the General membership meeting of the SCSPLS to order on Saturday, April 2, 2011 at 10:15 AM at Oconee State Park, Mountain Rest, SC. President Swygert stated that the meeting would be conducted under Robert’s Rules of Order.

AGENDA: A motion and second was made to accept the reports in the Consent Agenda with minor corrections to the minutes from the December 4, 2010 General Membership meeting. Agenda unanimously approved.

FINANCIAL REPORT: Mrs. Frankie Manhardt’s report stated

that checking and savings account balance is \$229,788.92; subsidiary checking balance is \$665.00; and the Merrill Lynch scholarship account balance is \$51,066.03.

EXECUTIVE SECRETARY REPORT: Mrs. Brenda Smith’s written report outlined the activities in the society office since the last board meeting including the February Board meeting, working with Nominating Committee on 2011-12 slate of officers, Convention planning, Education Conference and Trade Show, membership updates, March newsletter, working with Scholarship Committee on ticket sales, website additions, input of accounts receivables and payables, review of Profit and Loss statements with budget and with Treasurer.

DELEGATE REPORTS:

SC COUNCIL OF ENGINEERING & SURVEYING SOCIETY: No report.

NSPS: Mr. Henry Dingle provided both a written and oral report. SCSPLS was 1 of only 6 states that provided more than 1 Boy Scout scholarship. In recognition of this, SCSPLS received a plaque with a medallion to hang in the business office. Mr. Dingle presented the plaque to President Swygert. Mr. Dingle’s written report updated the membership on current NSPS events. National Geospatial Advisory Committee - Secretary of the Interior Ken Salazar has appointed 15 individuals to serve three-year terms on the National Geospatial Advisory Committee (NGAC): Mr. Dick Clark, State of Montana; Mr. Jack Dangermond, ESRI; Ms. Joanne Irene Gabrynowicz, University of Mississippi; Dr. Jerry Johnston, U.S. Environmental Protection Agency; Ms. Laurie Kurilla, Ventura County, CA; Dr. E. Donald McKay, State of Illinois; Ms. Anne Hale Miglarese, Booz Allen Hamilton; Dr. Timothy Nyerger, University of Washington; Mr. Matt O’Connell, GeoEye; Mr. Pat Olson, Aero-Metric, Inc.; Mr. Mark Reichardt, Open Geospatial Consortium; Mr. Anthony Spicci, State of Missouri; Mr. Gary Thompson, State of North Carolina; Mr. Gene Trobia, State of Arizona; Mr. David Wyatt, Eastern Band of Cherokee Indians. The NGAC provides a forum to convey views representative of partners in the geospatial community. The members of the NGAC report to the chair of the Federal Geographic Data Committee (FGDC), which is the Federal interagency executive group responsible for providing leadership and direction in Federal geospatial programs. The FGDC is chaired by the Secretary of the Interior or the Secretary’s designee.

Legislation to Repeal 3% Withholding Tax Law Introduced in Congress – Three bills were recently introduced in Congress that would repeal the 3% withholding tax law, which is set to go into effect in 2012. In the Senate, S. 89, the Withholding Tax Relief Act of 2011 was introduced by Sen. David Vitter (R-LA) and S. 164, also entitled the Withholding Tax Relief Act of 2011 was introduced and co-sponsored by Senators Scott Brown (R-MA) and Olympia Snowe (R-ME). In the House of Representatives, H.R. 674 was introduced by Congressman Wally Herger (R-CA) and Congressman Earl Blumenauer (D-OR). That bill is untitled. The Withholding Relief Coalition is working to move all three bills through Congress. You can help by asking your

MINUTES OF SCSPLS BOARD AND GENERAL MEMBERSHIP MEETING

Representative to co-sponsor H.R. 674 and ask your Senator to co-sponsor S. 89 and S. 164. Meeting New Members of Congress – The 2010 election brought almost 100 new Members of Congress in the House and Senate. Since the new Congress began, we met with 53 new Representatives and 10 new Senators. During our meetings, we had a chance to introduce ACSM and tell the new Members of Congress about the work surveying professionals and the issues important to them.

President’s Budget – The President’s 2012 Budget was recently released, and as expected, it had quite a few cuts to programs that affect surveying and mapping professionals including the following:

- In the USGS, the National Map is cut \$3.5 million, the National Geospatial Program is cut \$5.38 million, National Land Imaging received an increase of \$99.8 million (of which, \$48 million is going to LandSat 9), and coastal and marine spatial planning received an increase of \$8 million.
- In FEMA, the Map Modernization program will receive \$103 million and the RiskMAP program will receive \$103 million.
- The Corp of Engineers received a cut of \$913 million, and \$27 million is dedicated to flood control and coastal emergency programs.
- The National Science Foundation received \$40 million for its STEM Teacher Training Program.
- The Department of Transportation budget includes a six-year, \$556 billion surface reauthorization plan to modernize the country’s surface transportation infrastructure, create jobs, and pave the way for long-term economic growth.
- The Administration’s six-year plan would invest \$30 billion to establish a National Infrastructure Bank (I-Bank) that will provide loans and grants to support individual projects and broader activities of significance to our Nation’s economic competitiveness. A cornerstone of the I-Bank’s approach will be a rigorous project comparison method that transparently measures which projects offer the biggest value to taxpayers and our economy. This marks a substantial departure from the practice of funding projects based on more narrow considerations.

ACSM will work with Congress as it addresses the President’s Budget and works through its own Appropriations process. You can see the full President’s Budget here: <http://www.whitehouse.gov/omb/budget/Overview>.

Legislation to Repeal Davis-Bacon Introduced – Several bills were recently introduced in Congress which would repeal the Federal Davis-Bacon prevailing wage law. Although this is not the first year this type of legislation has been introduced; it is probably the earliest in the Congressional term that this legislation has been introduced in a long time. H.R. 746, the Davis-Bacon Repeal Act was introduced by Rep. Connie Mack (R-FL) and has 15 co-sponsors. H.R. 745, also the Davis-Bacon Repeal Act was introduced by Rep. Steve King (R-IA). In the Senate, Senator Rand Paul already attempted to put Davis-Bacon repeal legislation as amendments to several spending bills. None have been successful. ACSM will continue to monitor these bills and will report on them again in the future. Surveying USA - Early indications are that this was a success. As of this date, I

have only heard from 2 surveyors in SC who participated. The next meeting will be in San Diego, CA, July 9 – 12, 2011 at the joint ESRI – ACSM Survey Summit. Mr. Dingle expects much discussion on the re-alignment of ACSM at this meeting.

SMAC/GIS DELEGATE: No report.

SC UTILITIES COMMITTEE: The SC Utilities Coordinating Committee met December 14th, 2010 at the Lakeview Steakhouse in Greer, SC. There was no guest speaker for this meeting. Instead, Colonial Pipeline sponsored a tour of the BMW Manufacturing Facility in Spartanburg County. The planned committee meetings for 2011 are as follows: February 8th, 2011; April 12th, 2011; April 27th – 29th, 2011 NC/SC Joint Meeting at Litchfield Beach, Pawley’s Island; June 14th, 2011; August 9th, 2011; October 11th, 2011; December 13th, 2011.

The full minutes of the December 14th, 2010 meeting can be obtained by contacting the SCSPLS office.

THE AUXILIARY: No report.



CHAPTER REPORTS:

Aiken: Mr. Bill Tripp’s written report stated the Chapter has met three times since November with an average of 9 members in attendance. Mr. Hamp Simpkins was the speaker at the November 9th, 2010 meeting and discussed wetlands, endangered species and historical records. Mr. Luther Lown accompanied SCSPLS President, Mr. Dale Swygert, to the February 8th, 2011 meeting and went over SCDOT internet research. Corporal Chris Griswold with the City of Aiken K-9 Unit and Surveyors was the guest speaker at the March 8th, 2011 meeting. The Chapter did not meet in December or January. The Aiken Chapter meets the second Tuesday of the month at 6:00pm at Eejay’s Restaurant in the Kalmia Mall, Aiken.

Central: No report.

Coastal: Ms. Nancy Frasure’s written report stated the Coastal Chapter has met once since her last board report, with 31 members present. The meeting was held at Breck’s in North Charleston and the Chapter held an open discussion on recent happenings within the local and state society. Each offered a summary of the classes they were involved in at the SCSPLS Education Conference and Trade Show and addressed questions/ comments.



MINUTES OF SCSPLS BOARD AND GENERAL MEMBERSHIP MEETING

**Foothills:** Mr. Billy Martin’s written report stated the Chapter has met twice since his last report, with an average of 12 members and 2 guests in attendance. The February meeting featured Tim Nanney, R.O.D Director, and his wife, Karen Nanney, State Representative for Greenville County 22. Mr. Nanney informed the Chapter that R.O.D records were on line up through 1994 except for mortgages and they could receive a personal copy of the information by bringing a 300 gig hard drive to the R.O.D office and leaving for them to copy the recorded information. Rep. Nanney encouraged members to inform her of the problem areas in the State and County which most affect the land surveyors. The March meeting featured Eddie Clark with Hayes Instruments.

**Grand Strand:** Mr. Erwin Balk’s written report stated the Chapter did not meet in February, 2011 due to the proximity of the regular chapter meeting date and the SCSPLS Education Conference and Trade Show. Chapter members were encouraged to attend the Education Conference in lieu of the Chapter meeting. A spring outing was held March 19th at chapter member Jim Ellis’ property in Williamsburg County.

**Low Country:** Mr. Ray Cook’s written report stated the Chapter has not held any meetings since its last report. 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 twice since last report, with an average of 22 members and 4 guests in attendance. Mr. Bradley thanked everyone that helped to make the Midlands Chapter’s Christmas Box Program a great success. In total the Chapter prepared 108 food boxes, each containing over 65lbs of food items that were delivered to needy families in the Midlands area.

**Mid-State:** Mr. C. A. Shealy, III’s, written report stated the Chapter has met eight times since June, 2010, with an average attendance of 7 members and 2 guests. Meeting dates and topics are as follows: June 2010 – Boy Scout Merit Badge; July 2010 – Conservation Easements Part 1; August 2010 – Conservation Easements Part 2; September 2010 – Jedediah Hotchkiss, Confederate Surveyor; October 2010 – Aerial Interpretation of Geomorphology; November 2010 – NGS Changes, Dr. Lew Lapine; January 2011 – NGS Changes Continued, Dr. Lew Lapine; March 2011 – Disaster Preparedness, FEMA. The Chapter did not meeting in December or February.

**Northwest:** No report.

**Pee Dee:** No report.

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

**Tri-County:** Mr. White’s written report stated that the Chapter has met twice since last report, with an average attendance of 12 members. Mr. Ed Williams from Duke Power was the guest speaker at the March meeting and spoke to the group about right-of-ways.

**Upper Piedmont:** No report.

DISTRICT DIRECTORS REPORTS:

**District 1:** No report.

**District 2:** No report.

**District 3:** No report.

**District 4:** No report.

**District 5:** No report.

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

COMMITTEE REPORTS:

**Activities:** No report.

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

**2011 Convention:** Mr. Ben Christensen gave an oral report.

Details noted in the “Business” portion of these minutes.

**Education:** No report.

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

**GPS-VRS:** No report.



**Insurance:** Mr. Dennis Clinkscales written report stated the Board of Directors decided at their meeting on February 16th, 2011, to further discuss and review all new proposed insurance plans that we have been provided before the April 2, 2011 meeting in Oconee State Park. Four proposals were submitted to the society to replace the \$10,000 Life and AD&D Aetna plan: Lincoln National Life Option 1 - \$10,000 Life and AD&D, rate of 0.285 per \$1000 for life and 0.020 per \$1000 of AD&D, with reductions in coverage after 65 years of age, supplemental coverage not available; Lincoln National Life Option 1.01 - \$10,000 Life and AD&D, rate of 0.260 per \$1000 for life and 0.020 per \$1000 of AD&D, reductions in coverage after 65 years of age, supplemental coverage not available; Harleysville Life - \$10,000 Life and AD&D, rate of 0.42 per \$1000 for life and 0.03 per \$1000 of AD&D, reductions in coverage after 65 years of age, 25% participation required for supplemental coverage; American General Life Insurance Company of Delaware - \$10,000 Life and AD&D, rate of 0.33 per \$1000 for life and 0.02 per \$1000 of AD&D, reductions in coverage after 65 years of age, supplemental coverage not available. Discussion on the insurance can be found in the “Business” portion of these minutes.

**Internet:** Mrs. Frankie Manhardt’s written report stated President Swygert and herself are getting the files necessary to build the new website transferred onto the SCSPLS server. Once that task is complete, the yearbook will be available to members.

**Legal and Legislative:** No report.

**Membership:** Mr. Kent Hudson’s written report stated that

MINUTES OF SCSPLS BOARD AND GENERAL MEMBERSHIP MEETING

there are currently 446 members: Full – 361, Associate – 25, Complimentary – 19, Emeritus - 25, Student – 1, Sustaining – 15. The following new members were approved at the February 16th, 2011 Board of Directors meeting: Full: Watts B. Fearington, Jr., CH Engineering, PLLC, Raleigh, NC; Peter M. Messier, Clemson University, Civil Engineering Dept., Clemson, SC; Thomas H. Robertson, Cranston Engineering Group, P.C., Augusta, GA; Associate: Michael D. Goodfred, Withers & Ravenel, Cary, NC; Complimentary: Patrick L. Hajes, Cornerstone Surveying & Engineering, Goose Creek, SC; Samuel N. Harris, Taylors, SC; Justin A. McDaniel, Greenville, SC; Ryan R. Petersen, Charleston County Public Works, Mt. Pleasant, SC; James W. Webster, Jr., Ducks Unlimited, Inc., Charleston, SC; Emeritus: Bobby L. Hicks, Lind, Hicks & Assoc., Surveyors, Inc., Florence, SC; Warren P. Jenkins, Mt. Pleasant, SC; Milledge L. Wilson, Sr., Milledge L. Wilson Land Surv., Prosperity, SC (New Application).

The following members were approved at the April 2nd, 2011 Board and General Membership meeting: Full: Robert H. Lackey, Robert H. Lackey Surveying, Camden, SC; Louis W. Tisdale, Black River Land Surveying, Mayesville, SC (last a member in 2005); Associate: Anthony J. Seal, Shaw Power Group, Chapin, SC; Complimentary: Jimmy N. Faires, WSP Sells, Mooresville, NC; Emeritus: Terry M. Watson, Terry M. Watson, R.L.S. Land Surveying, Inc., Conway, SC (for 2011-12); Student: Ronald D. McCoy, Aiken, SC, Attending ETSU (for 2011-12).

**Newsletter:** No report.

**Past President’s Council:** No report.

**Plat Contest:** No report.

**Public Relations:** No report.

**SC State Parks:** Mr. Mike Culler’s written report updated the progress being made in surveying the state parks: Kings Mountain State Park is completed according to the Tri- County Chapter; Myrtle Beach State Park is completed; Paris Mountain State Park is still waiting for the park to acknowledge back which lines need to be surveyed. The Survey is in limbo; Santee State park survey is completed and waiting for a decision on the property line discrepancy. No additional information; Sesquicentennial State Park is completed.

**Scholarship:** No report.

**Survey Contest:** No report.

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

**Yearbook:** No report.

BUSINESS:

**Board of Prof. Eng. & Surveyors:** Mr. Thurl Amick presented the recent activities of the State Board of Professional Engineers and Surveyors.

- The State Board is still waiting for a final decision from the Administrative Law Judge in the DHEC/Coastal Carolina matter.
- Catherine Templeton, the new LLR Director, has assured the State Board that the way LLR runs will change. Individual boards will be able to run themselves with only support coming from the state office.
- Three hearings were held at the last board meeting. One of

the hearings concerned the exam irregularities that showed up after the October exam. Only 1 of the 2 individuals involved appeared to defend themselves and it was evident to the board that this was not the person who cheated, but the person sitting behind him.

- The legislature took \$49,000 from the State Board in 2009, and \$48,000 in 2010. The State Board currently has a \$1.6 million cash balance and are waiting to see if and how much the legislature will take out for 2011.
- South Carolina currently has 1,075 licensed surveyors; 138 LSIT’s; and 169 dual registrants.
- Construction staking came up again at the last board meeting. The board agreed to have their legal council review board policy on construction surveying and the industrial exemption to see if the policies are still legitimate or if they need to be re-written.
- Mr. Erwin Balk asked if any more information has been received on bill H.3571. Mr. Amick stated they have not heard anymore about the bill so assumed it has been killed.
- The State Board received a letter from McNair Law Firm indicating they were representing land owners on Hilton Head Island and wanted information about the DHEC/ Coastal Carolina issue. The law firm was told that they could not discuss the case until the judge makes a final decision in the matter.

President Swygert again expressed his appreciation to LLR for funding the speaker cost for the February Education Conference and Trade Show.



**Insurance:** Mr. Dennis Clinkscales provided both a written and oral insurance report. Four insurance companies sent in proposals for blanket Life and AD&D plans set up like the previous policy that SCPLS had with Aetna. With each of these plans, there are no optional programs. He has recently been in touch with a company that offers a variety of insurance to associations and groups including limited health, dental, vision, life, disability and more. The insurance would be completely optional. SCSPLS would provide members with the insurance information and contacts, and the insurance company will handle everything from that point forward, including billing. Mr.



## MINUTES OF SCSPLS BOARD AND GENERAL MEMBERSHIP MEETING

Clinkscapes is still waiting to hear if SCSPLS has been approved by the underwriter. At the 9:00 AM called board meeting, he made a privileged motion to delay the insurance vote until the convention in June, allowing time for SCSPLS to be approved by the underwriter and work out all the details for this program. The matter was open for discussion. Mr. Billy Martin asked if there was an insurance consultant that was not selling a policy, but could simply make a recommendation to the Society on the best option for our group. While Mr. Clinkscapes did not know if someone like that existed, he did point out that the agent for the optional program, Scott Coe, was very attentive, returned calls promptly, and was easy to work with. Several members commented on the poor service received from our previous insurance company, Aetna, including optional coverage being cancelled without notice or never having received a bill for the optional coverage.

**2011 Convention:** Mr. Ben Christensen updated the membership on the SCSPLS 2011 Annual Convention, being co-located this year with the SC Engineering Conference, June 9-11, 2011, at the Hilton Head Marriott Resort & Spa Hotel. Mr. Joe Jones and his committee are handling most of the details with input from Mrs. Brenda Smith on the SCSPLS agenda. The Aiken Chapter will be coming up with survey games and everyone is encouraged to attend. Conference registration and agenda are on the website, [www.scengineeringconference.org](http://www.scengineeringconference.org).

**Nomination of 2011-12 Officers:** Nominating Committee Chairman, Mr. Lewis Moore, submitted a written report and committee member, Mr. Burnett Jenkins announced the committee's nominations for the 2011-2012 slate of officers: President Elect: Kent Hudson. With no nominations from the floor, Mr. Billy Martin made a motion to close nominations, seconded by Mr. Bill Tripp.

Vice-President: Aaron Leach. With no nominations from the floor, Mr. Mike Culler, Jr. made a motion to close nominations, seconded by Mr. Erwin Balk.

Treasurer: Frankie Manhardt. With no nominations from the floor, Mr. Mike Culler, Jr. made a motion to close nominations, seconded by Mr. Erwin Balk.

Secretary: Dennis Clinkscapes. With no nominations from the floor, Mr. John Welborn made a motion to close nominations, seconded by Mr. Mike Culler, Jr.

NSPS Governor: Henry Dingle. With no nominations from the floor, Mr. Mike Culler, Jr. made a motion to close nominations, seconded by Mr. Chuck Dawley.

District 1 Director: Chuck Dawley. With no nominations from the floor, Mr. Henry Dingle made a motion to close nominations, seconded by Mr. Mike Culler, Jr.

District 3 Director: Tom Abraham. With no nominations from the floor, Mr. Mike Culler, Jr. made a motion to close nominations, seconded by Mr. Chuck Dawley.

District 5 Director: Burnett Jenkins. With no nominations from the floor, Mr. Mike Culler, Jr. made a motion to close nominations, seconded by Mr. Chuck Dawley.

All nominees, with the exception of Tom Abraham, were present at the meeting and agreed to serve. Mr. Abraham sent a letter agreeing to serve.

**Closing Statements:** President Swygert opened the floor for

closing statements.

Mr. Peter Messier, Dept. Head of Clemson University School of Civil Engineering, received approval from the University to include a surveying curriculum in the Civil Engineering Dept., 12 hr. Tier A and 15 hr. Tier B. He has heard rumor that the curriculum submitted has been approved, but is waiting on official confirmation. The program is not intended to compete with the Surveying curriculum currently offered in the Forestry Dept, but rather to give Civil Engineering students the option to obtain a dual license and give more opportunities for a younger generation to become surveyors. His department is currently working on updating their equipment and advancing the program. Mr. Chuck Dawley asked if any of the classes were available online. Mr. Messier responded that Clemson does not offer a lot of on-line classes in general and that there are no plans at the present time for any of the surveying classes to be offered online. Summer classes will be available. Mr. Ben Christensen relayed the board's willingness to talk to students taking the surveying curriculum. President Swygert commented that SCSPLS has previously supported ETSU with a donation to their surveying program and would like to be able to support an in-state institution.

Mr. Thurl Amick addressed his continued concern over the unavailability of the SCSPLS financial reports and budget to the membership. As a non-profit, SCSPLS records are available to the public at the business office during operating hours. Mr. Henry Dingle asked if the budget could be included with the minutes. Mr. Amick stated NCEES provides members with an annual report with budgets/financials and committee reports at the end of each year and suggested the SCSPLS do the same. The budgets/financials would not have to be CPA certified, just given for information. Mr. Ben Christensen reminded the group of the new committee formed to update the SCSPLS Constitution and By-Laws and suggested that Mr. Amick's request be submitted to this committee as a needed change. Mr. Burnett Jenkins stated the committee chairs are currently required to prepare year-end reports and submit them to SCSPLS with their committee members, meetings held and actions for the year. Minutes of all SCSPLS Board and General Membership meetings are also located in the Columbia office for review during office hours. President Swygert suggested that all of the information be included in the yearbook. Mr. Bill Tripp agreed that including all of the information in the yearbook would make reporting back to chapter members easier. Mrs. Frankie Manhardt reminded them that she may be contacted anytime for a copy of the profit and loss and budget report. Mr. Billy Martin asked when the "Member's Only" section of the website would be available so the budget information could be placed there. President Swygert and Mrs. Frankie Manhardt are still working on the website, but it is a time consuming task and they are trying to do it themselves rather than hire anyone. The general consensus of those present was to not spend the money for an outside party to get the "Member's Only" section ready and continue to have President Swygert and Mrs. Manhardt work on this process. Mr. Ben Christensen made a motion that a budget report and profit and loss statement be included in the consent agenda for each board

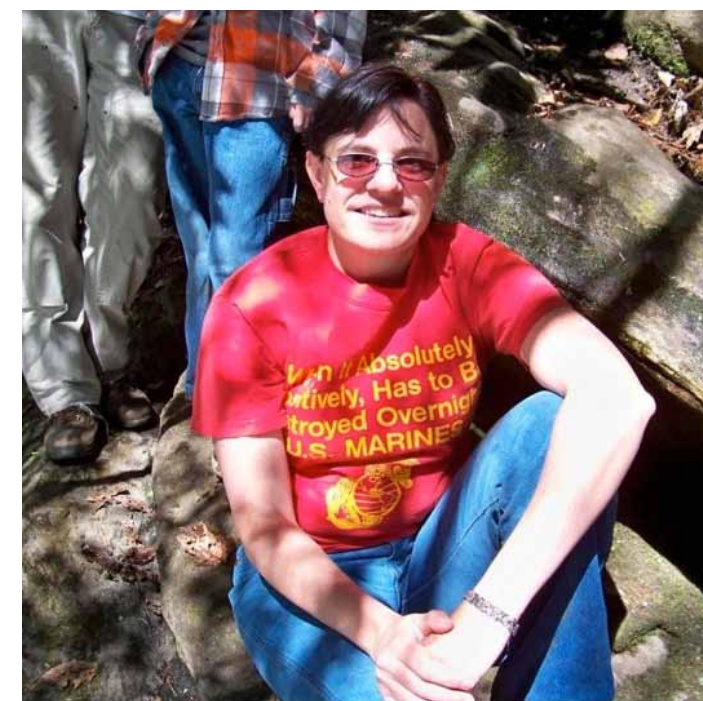
## MINUTES OF SCSPLS BOARD AND GENERAL MEMBERSHIP MEETING

meeting and distributed prior to the meeting. Motion was called for question, voted on and unanimously approved.

President Swygert thanked all those in attendance for their support of the Society and reminded them of the hike to Ellicott's Rock following lunch. 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





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