

An affiliate of the National Society of Professional Land Surveyors

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Brenda S. Smith



GENERAL MEMBERSHIP MEETING

FRIDAY – MARCH 23, 2012
10:00 AM

**SYNERGY BUSINESS COMPLEX,
CONGAREE BOARD ROOM
COLUMBIA, SC**

“Every man owes a part of his time and money to the business or industry in which he is engaged. No man has a moral right to withhold his support from an organization that is striving to improve conditions within his sphere.”

President Theodore Roosevelt, 1908

**NOMINATIONS FOR 2012-13 BOARD OF DIRECTORS
BEING ACCEPTED AT THIS MEETING**

PRESIDENT’S MESSAGE

Hello Fellow Surveyors!

I have had the great fortune to have attended a number of different Conferences/Conventions over the past few weeks with our neighbors to the North and West. At the end of January, I attended Virginia’s Convention and found, to my surprise, that they have many of the same problems we have! The following week I attended North Carolina’s Conference and found, no longer to my surprise, they are also having much of the same trouble we are having here in South Carolina! Work is still difficult to come by, membership is dropping off and Legislators are trying to take our power away from us. This seems to be the common thread throughout the United States.



I have heard some encouraging news though. While work is still difficult to find, it is getting easier. Slowly but surely things are starting to come back. I have personally seen a little of that in the Coastal area also, so remain diligent and it will improve.

March will again bring ‘Survey USA’ to our doors. As I stated at our Education Conference, I encourage you all to **get involved!** It is important to our profession that we invoke interest from young folks. If we do not, we risk our profession fading away. With that we also risk members of other professions beginning to do our jobs, tasks that we have been fighting for so long to keep as ours, and it will simply be because there are no more of us to do it. Get out there and answer the questions of the youths. Show them that Surveying is a fun, worthwhile profession. They will not be our competition, they will be our future.

Our Board is working on a few items of interest to all. These will become evident over the next couple of months. Keep a lookout for emails and mailings as they will all be pertinent and will affect you both personally and professionally as well as affect our Society.

I am looking forward to the remainder of this year with anticipation as we work to accomplish more and come that much closer to reaching our goals!

Sincerely,
Frankie Manhardt, PLS
SCSPLS 2011-12 President

GENERAL MEMBERSHIP MEETING; MARCH 23, 2012

SYNERGY BUSINESS COMPLEX, CONGAREE BOARD ROOM
121 Executive Center Dr., Ste. 200, Columbia, SC – 803-750-7524

The third General Membership meeting of SCSPLS for the 2011-12 year will be held Friday, March 23, 2012 at the Synergy Business Complex, Congaree Board Room in Columbia, SC. The meeting will begin at 10:00 AM and nominations will be accepted from the nominating committee and from the floor for the following offices: Executive Board- President Elect, Vice Pres., Secretary, Treasurer and District Directors for Districts 2, 4 & 6.

How will you serve your profession? As the surveying profession is changing, we challenge you to consider becoming more active in your Society and your profession by serving on a committee on the State level or in your own chapter. Being active will be an enriching experience both personally and professionally, and we encourage you to get involved. Standing committees are appointed by the President and approved by the Board to assist the President and the Board. Their tasks are determined and assigned by the Board, working mostly as advisors to the Board by making recommendations on their

specific tasks and/or duties. The Scholarship Trustees (Committee) is the only committee able to work completely independent of Board approval by the Declaration of Trust. No committee can set its own agenda. Make sure your chapter representative is attending the four designated Board of Directors meetings as well as general membership meetings this next year in order for your chapter to be informed and updated. A few voices can sway decisions that affect all of us.

Get active and participate! By getting involved, promoting the profession, and supporting the Society and local chapters, you are building a stronger foundation for yourself and those interested in the surveying profession. If you are interested in serving in one of these positions, contact one of the following members of the nominating committee: Dale Swygert, Nominating Committee Chairman, dswygert@sms-sc.com; Thurl Amick, tamick7623@charter.net; David Youmans, david@bftsurveying.com

PERSONS NOMINATED MUST BE IN ATTENDANCE AT THE MEETING OF LETTER OF ACCEPTANCE PRESENTED.

Directions: From Charleston or Columbia Area: Take I-26 to Columbia; Merge onto I-20 W via EXIT 107A toward AUGUSTA; Take the BUSH RIVER RD. exit, Exit 63, toward IRMO; Turn RIGHT onto SC-273/BUSH RIVER RD; Turn FIRST RIGHT onto BERRYHILL RD.; Turn LEFT onto EXECUTIVE CENTER DR.; CONGAREE BUILDING is third building on left (121 Executive Center Dr.).

From Greenville: Merge onto I-385 S toward SIMPSONVILLE/COLUMBIA; I-385 S becomes I-26E; Merge onto I-20 W via EXIT 107A toward AUGUSTA; Take the BUSH RIVER RD. exit, Exit 63, toward IRMO; Follow directions from here above (from Charleston) to SCSPLS office

From Aiken: Merge onto I-20 E.; Take the BUSH RIVER RD exit, EXIT 63, toward IRMO; Follow directions from here above (from Charleston) to SCSPLS office

From Florence: Take I-20 W to COLUMBIA; Take the BUSH RIVER RD. exit, Exit 63, toward IRMO; Follow directions from here above (from Charleston) to SCSPLS office

CONGAREE BOARD ROOM: 2nd floor, first door on left after turning left from steps or elevator.

SCSPLS GENERAL MEMBERSHIP MEETING FRIDAY, MARCH 23, 2012, 10:00 A.M.

Synergy Business Complex, Congaree Board Room, Columbia, SC

- Welcome:**
Invocation:
Meeting Format: Robert’s Rules of Order,
Agenda Approval:
Approval of Minutes of GM Meeting:
CONSENT AGENDA FOR THE FOLLOWING ITEMS:
- 1. **President’s Report:**
 - 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
 - 2012 Convention
 - Education
 - Ethics & Standards of Practice
 - GPS-VRS
 - Insurance
 - Internet
 - Legal & Legislative
 - Membership
 - Newsletter, Plat Contest & Surveyor of the Year
 - Office Relocation Committee
 - PAC Research Committee
 - Past Presidents Council
 - Public Relations
 - Scholarship Committee
 - Survey Contest
 - Yearbook
- NORMAL AGENDA ITEMS:**
Old Business:
Constitution & By-Laws Motions
New Business:
Board of Prof. Eng. & Surveyors’ Report
Nomination of Officers for 2012-13
- Closing Comments**
Adjournment

- President Frankie Manhardt
- President Frankie Manhardt
President Frankie Manhardt
February 8, 2012
- President Manhardt
Lee Frank
- Carl Bostick
Henry Dingle
Bill Tripp
Aaron Taylor
- Bill Tripp
Thomas Andersen
Mike Johnson
Bobby Foster
Erwin Balk
Terry Hatchell
Greg Jenness
Tad Abraham
Earl O’Brien
Ferrell Prosser
Wayne Reynolds
Bill White
Jody Mitchell
- Chuck Dawley
Dennis Johns
Tom Abraham
Billy Martin
Burnett Jenkins
Mike Culler, Jr.
- Aaron Leach
Ronnie Tyler
Kent Hudson
Greg Jenness
Bobby Foster & All Chapter Reps.
Mark Mills
Dennis Clinkscales
Dale Swygert, Exec. Comm.
Dennis Johns & District Directors
Dennis Clinkscales
Aaron Leach
Dennis Johns
Dennis Clinkscales
Dale Swygert
Chuck Dawley
Larry Beasley
Northwest Chapter
Dennis Clinkscales

- President Manhardt/Ronnie Tyler
- Dale Swygert,
Nominating Committee Chairman
President Manhardt

MINUTES OF SCSPLS GENERAL MEMBERSHIP MEETING

Wednesday, February 8, 2012, DoubleTree by Hilton Hotel, Columbia, SC

A meeting of the general membership of South Carolina Society of Professional Land Surveyors was held on Wednesday, February 8, 2012, at 7:30 PM, at the DoubleTree by Hilton Hotel, Richland Ballroom, Columbia, South Carolina. Members in attendance were:

Officers:

President	Frankie Manhardt
President Elect	Kent Hudson, absent
Vice President	Aaron Leach
Secretary	Dennis Clinkscales
Treasurer	Lee Frank
Immediate Past President	Dale Swygert

Delegates:

SC Council of Eng. & Surv.	Carl Bostick, absent
NSPS Governor	Henry Dingle
SC Utilities Committee	Aaron Taylor
SMAC/GIS	Bill Tripp
The Auxiliary	

Chapter Representatives:

Aiken Chapter	Bill Tripp
Central Chapter	Thomas Andersen, absent
Coastal Chapter	Mike Johnson, absent
Foothills Chapter	Bobby Foster, absent
Grand Strand Chapter	Erwin Balk, absent
Low Country Chapter	Terry Hatchell, absent
Midlands Chapter	Greg Jenness, absent
Mid-State Chapter	Tad Abraham, absent
Northwest Chapter	Earl O'Brien, absent
Pee Dee Chapter	Ferrell Prosser, absent
Thomas C. Anderson Chapter	Wayne Reynolds, absent
Tri-County Chapter	Bill White
Upper Piedmont Chapter	Jody Mitchell

District Directors:

District 1	Chuck Dawley, absent
District 2	Dennis Johns
District 3	Tom Abraham, absent
District 4	Billy Martin
District 5	Burnett Jenkins
District 6	Mike Culler, Jr., absent
Executive Secretary:	Brenda Smith
Asst. to Exec. Sec.	Kim Long

OTHERS MEMBERS AND GUESTS PRESENT: Thurl Amick, Sr., Joe Baird, Bill Beardslee, Lucius D. Cobb, Phillip P. Gerard, Steve Johnson, Tom Kennedy, Ronnie L. Tyler, Andrew B. Wadsworth, Sr., Terry Watson, and David Youmans,

President Frankie Manhardt called the General Membership meeting of the SCSPLS to order Wednesday, February 8, 2012 at 7:30 PM at the DoubleTree by Hilton Hotel, Richland Ballroom, Columbia, SC. Mr. Dennis Johns opened the meeting by leading the group in the Lord's Prayer. President Manhardt stated that the meeting would be conducted under Robert's Rules of Order.



AGENDA: A motion was made to approve the agenda. Motion was unanimously approved.

CONSENT AGENDA: A motion was made to approve the reports in the Consent Agenda. Motion was unanimously approved.

APPROVAL OF MINUTES OF GM MEETING: A motion was made to approve the minutes of the November 19, 2011 General Membership meeting. Motion was unanimously approved.

PRESIDENT'S REPORT: No report.

FINANCIAL REPORT: Mr. Lee Frank submitted a written statement of accounts. The balances of SCSPLS accounts are as follows: Wachovia account ending in -1285 balance of \$176,106.62; Wachovia account ending in -7096 balance of \$38,526.70. Anyone wishing to view other financial documents may contact Mr. Frank after the meeting. All information is current as of January 24, 2012 and furnished for information purposes only.

DELEGATE REPORTS

SC COUNCIL OF ENG. & SURV. SOC.: No report.

NSPS GOVERNOR: Mr. Henry Dingle's written report stated the last NSPS meeting, held in Gaithersburg, was a very good meeting as the group addressed several issues facing surveyors today. A copy of the meeting minutes, minus all of the discussion by the Governors, have been included in the Consent Agenda and are also available by contacting the SCSPLS office. The minutes this will help members understand where we are on several issues, and what NSPS does for surveyors. Added just after these minutes is the latest update of *LightSquared*. Progress has been made, but the fight is not over. One other highlight is Item 12.3 on Page 13 of the minutes. A committee has been formed to prepare a plan to incorporate all State Association members into NSPS. I look forward to their report at our next meeting.



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MINUTES OF SCSPLS GENERAL MEMBERSHIP MEETING (CONT)

SMAC/GIS DELEGATE: No report.
SC UTILITIES COMMITTEE: Mr. Aaron Taylor’s written report stated the committee met October 11, 2011 at the SCE&G Pine Island Club in Columbia, SC. At that meeting Fernoy Strickland, with SCANA security, gave a presentation on gangs. The presentation included the names of popular gangs in South Carolina, ways to identify gang members and how to respond when gangs are encountered. Also at this meeting, a motion was passed for current SCUCC officers to move up. The officers for 2012 will be as follows: Chairperson - Mr. Frank Bouknight, SCANA; Vice Chairperson - Mr. Rob Rhodes, Greer CPW; Secretary/Treasurer – to be announced at the December 2011 meeting. For a complete copy of the minutes from the October 11, 2011 meeting, please contact the SCSPLS office.
THE AUXILIARY: No report.

CHAPTER REPORTS:

Aiken: Mr. Bill Tripp’s written report stated the Chapter has held three meetings since October with an average of six members in attendance. Meetings were as follows: October 11, 2011 and November 8, 2011 - no speaker, group discussion; January 10, 2012 – Teresa Crain, an Aiken County Construction Manager, and John Brightbill, Aiken County ROW agent speaking on Aiken County Road Rights of Way and Road Easements.
Central: Mr. Ronnie Edwards provided a written report for the Central Chapter. The Chapter met in January and had ten members present. The Chapter had a good discussion about its future with most attendees wanting to continue affiliation with the state society. The upcoming Education Conference & Trade Show was discussed, along with some technical tips on how to manipulate the local county records over the internet. Plans for the next meeting were tentatively set for Louis Tisdale’s office in Mayesville.
Coastal: Mr. Mike Johnson’s written report stated the Chapter has not met since the November 19, 2011 SCSPLS General Membership meeting. Their next scheduled meeting is January 31, 2012.
Foothills: No report.
Grand Strand: Mr. Erwin Balk’s written report stated the Chapter has met twice since last report, with an average attendance of fourteen members and ten guests. The December meeting was followed by the Christmas party. January’s meeting was a discussion on Horry & Georgetown counties’ views on “The Freedom of Information Act” when it comes to elevation certificates.
Low Country: No report.
Midlands: No report.
Mid-State: Mr. Tad Abraham’s written report stated the Chapter has met twice since last report, with an average of six members in attendance. The November meeting was used as an organizational meeting for the 2012 calendar year. The Chapter came up with many good topics and is looking forward to some fresh conversation in the upcoming months. Mid-State did not meet in December. The January meeting consisted of covering current topics such as the very recent positive developments

with the LightSquared situation and its implications to us. The ACSM newsletter was also reviewed and discussion of several of the contained legislative topics therein.
Northwest: No report.
Pee Dee: No report.
Thomas C. Anderson: No report.
Tri-County: Mr. Bill White’s written report stated the Chapter has met three times since last report with an average attendance of twelve members and two guests. They held a Christmas dinner with spouses in December.
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.

COMMITTEE REPORTS:

Activities: No report.
Constitution and By-Laws: No report.
2012 Convention: Mr. Kent Hudson’s written report stated the Annual Convention will be co-located again this year with the SC Engineering Conference, June 14th-17th 2012, at the Sheraton Myrtle Beach Convention Center Hotel, Myrtle Beach, SC. The Convention committee along with Brenda Smith and Kim Long will work close with Joe Jones and his committee to provide another great convention. We encourage all to attend. Convention information is posted on <http://www.scspe.org>
Education Committee: No report.
Ethics & Standards of Practice: No report.
GPS-VRS: No report.
Insurance: No report.
Internet: Mr. Dale Swygert’s written report stated In December 2011, SCSPLS successfully moved our website from the host server at Perigee to Windstream. There were some problems moving the email accounts to Windstream, but for the most part, that has now been resolved. We are in the process of updating the various pages and are working with Windstream to set up a “Members Only” section. Suggestions/ideas are welcomed!
Legal and Legislative: No report.
Membership: Mr. Dennis Clinkscales’ amended written report stated the society currently has 387 members: Full – 329, Associate – 13, Complimentary – 11, Emeritus – 20, Student – 2, Sustaining – 12. The following names were presented at the Board meeting on February 8th for approval and are not listed in the numbers above: **Full** - Steven Branyon, Branyon Land Surveying, Honea Path, SC; William R. (Bill) Cureton, Triad Surveyors, Greenville, SC (last a member in 2008); Timothy L. Davis, Loris, SC; James F. Drafts, Drafts Surveying, Lexington, SC (last a member in 2006); Andrew C. Gillette, Jr., Coleman Snow Consultants, N. Charleston, SC; J. Clifton Keith, Ruby, SC; Thomas W. Kennedy, Jr., Trident Technical College, Charleston, SC; Lawrence J. Kennerty, Kennerty Surveying, Inc., Charleston, SC (last a member in 2009); Mark E. Lamb,

MINUTES OF SCSPLS GENERAL MEMBERSHIP MEETING (CONT)

Atlantic Coast Land Surveying, Inc., Mt. Pleasant, SC (last a member in 2009); Keith McGuinness, Duke Energy, Rock Hill, SC (last member in 2008); Robert Brian Pate, Thomas and Hutton Engineering Co., Charleston, SC (last member in 2009); John R. Poston, Castles Engineering, Inc., Myrtle Beach, SC (last member in 2009); Michael L. Ray, EMH&T, Bluffton, SC; Michael Sawhill, The Survey Company, Inc., Charlotte, NC; Jeffrey Sawyer, R. L. A. Associates, P.A., Summerville, SC; Phillip G. Smith, Lancaster, SC; M. Kevin Wilson, Kevin Wilson Land Surveying, Kingstree, SC; **Associate** - Nathaniel W. Downing, City of Columbia, Columbia, SC; Doug M. Edwards, City of Columbia, Columbia, SC; Robert L. Thomas, City of Columbia, Columbia, SC; **Complimentary** - John M. Brightbill, Aiken, SC; **Emeritus Renewals** - No renewals at this time; **Student** - No new applications at this time; **Sustaining** - William C. (Butch) Herter, Carlson Software, Gastonia, NC; Charles W. Lawley, III, Transit and Level Clinic, Cary, NC.
Newsletter: No report.
PAC: No report.
Past President’s Council: Mr. Dale Swygert’s written report stated a Past President’s Council Breakfast/Meeting is planned for June 16, 2012 in conjunction with the SC Engineering & Surveying Conference at the Sheraton Myrtle Beach Convention Hotel in Myrtle Beach, SC. Meeting time and location will be announced soon.
Plat Contest: No report.
Public Relations: No report.
Scholarship: Mr. Larry Beasley’s written report stated the Scholarship Committee has been working on the raffle for the 2012 Education Conference and the Convention. We have put together a raffle of 3 items, a set of Adams golf clubs to be given away on Friday February 10, 2012 at the afternoon break, an IPAD3 and a Ruger 22 caliber Target Pistol. The IPAD 3 should be released in the spring and therefore we are offering it as a prize at the convention. If it is not released then we will have an IPAD 2. By having a prize to give away at the conference we think this might spur an increase in sell of tickets. We need everyone’s support for the Scholarship fund so please help us promote this raffle. Tickets are \$15.00 each or 4 for \$50.00. We are late in getting started this year but feel we have some items that will be of interest to many attendees. We hope to have next year’s raffle set by the convention so we may begin selling 2013 tickets then.
Survey Contest: No report.
Surveyor of the Year: No report.
Yearbook: No report.

OLD BUSINESS:

Insurance Update: Mr. Dennis Clinkscales reported the new, optional insurance program held open enrollment in October/ November and only one member signed up. Another enrollment period is being scheduled. Mr. Chad Smith, our insurance representative, will be at the SCSPLS booth at the Trade Show on Friday to answer any questions or offer more information to anyone interested in the current plan. Life insurance is still not available through this plan. We realize this is what is important to the majority of our members and Mr. Smith is still working to

find a plan that will accept the Society.
Constitution & By-Laws Motions: At the November 19, 2011 General Membership meeting, the membership voted to make a motion recommending the Board of Directors keep the name of the Society as is and also made a motion recommending the Board keep the term limit for NSPS Governor the same at two years. The Board unanimously agreed to accept both motions at the Board meeting held February 8, 2012, just prior to this General Membership meeting. Also at the November 19th meeting, the general membership requested Mr. Ronnie Tyler and his committee continue working on the definition and clarification of Emeritus membership. Mr. Ronnie Tyler presented the following clarification to the Board of Directors at its meeting this evening and the Board unanimously agreed to accept the wording below:

CONSTITUTION
OF THE
SOUTH CAROLINA SOCIETY
OF PROFESSIONAL LAND SURVEYORS
ARTICLE II
(MEMBERSHIP)

SECTION 4. EMERITUS MEMBER. Any full member, who has reached the age of 65, has been a full member in good standing for 15 or more consecutive years and who is retired from active practice of the Profession of Surveying¹ may apply for Emeritus Membership subject to approval by the Board. Emeritus members have all rights and privileges of full membership². Dues exempt, any supplemental benefits³ an emeritus member wishes to receive he/she would have to reimburse the cost paid for these items by the *Society*. Application and nomination for emeritus membership: Application for emeritus membership, giving the name and qualifications of the proposed candidate, shall be submitted in writing to the Membership Committee. This Committee shall review and investigate the application and report to the Board of Directors, who, upon an affirmative majority vote, will present said application to the membership present for approval/ rejection. Upon such approval, the applicant shall be advised of acceptance as an emeritus member. Emeritus members shall submit a request each year to renew their membership, *which shall be reviewed and investigated to assure that the emeritus members continues to maintain the qualifications previously approved by the Board and Membership*¹. The Board of Directors, upon an affirmative majority vote¹, will direct the Secretary to advise the emeritus member of renewal.

1 - Emeritus = retired from active practice. The word originated from Latin as the past participle of *emereri* meaning to “earn one’s discharge by service. *Emeritus* does not necessarily indicate that the person is retired from all the duties of her/his previous positions; he or she may continue to exercise some of them. An Emeritus Member is not precluded from providing limited services as a Professional Surveyor

MINUTES OF SCSPLS GENERAL MEMBERSHIP MEETING (CONT)

2 - Emeritus Members have all rights and privileges of full membership. This includes the holding of office, voting and balloting in the election of officers. Therefore as non-resident members do not have the privilege of holding office; Emeritus Members likewise must be current resident in South Carolina. (*SCSPLS Constitution Article II Sec. 4*)

3 - Supplemental benefit = something added that requires a direct payment, including any specific items paid by the Society directly from dues as an additional benefit for any member.

4 - Under the principles of res judicata; "what is done is done and it is not undone"; therefore all Emeritus Members previously approved by the Board and Membership shall be eligible for renewal provided they still meet the qualification previously submitted and approved, even if there should be Constructional changes to qualifications for emeritus membership or a re-interpretation of its meaning.

5 - Whereas, the SCSPLS Membership previously had the final vote which approved the current emeritus members and in that the Board not having the authority to overrule that vote, should the majority vote of the Board reject membership renewal of an emeritus member the Board shall send their recommendations to the membership present for their vote of approval/rejection.

This wording will be sent out to the entire membership and put on the SCSPLS website. The wording does not change the constitutional definition of Emeritus membership. It only clarifies what is currently in place. Emeritus members are dues exempt; however, if there are any benefits of being a full member that cost the Society and would normally come out of a full member's dues, then the Emeritus member would have to reimburse the Society that amount. Footnote number 4 is basically a grandfather clause stating any current emeritus member that re-applies for emeritus membership will be retain their status so long as they continue to meet the requirements they were first approved under. If an Emeritus member is no longer eligible for Emeritus status, then their application will have to go to the general membership before they can be removed. Comments on the wording are welcome. The third General Membership meeting of the year has been scheduled for March 23rd, 2012 and we would like to be ready at that point to put this in a ballot form.

The floor was opened for discussion. The question was asked if there was another state or national society with an Emeritus category similar to ours that could be used as a model. The reply was no other state or national society was found to have a completely dues exempt Emeritus category like South Carolina's. Several members then questioned how to qualify someone as "retired," if it is to be different from the LLR Board Status. A member suggested retired means the applicant could still do some work but could not actually sign a plat. Another said it would mean that an applicant was not doing substantial survey work, but would still have the opportunity to do a few small survey tasks. Mr. Tyler reiterated that our current Emeritus members are already required to be retired from

normal activities. The ones that are not retired cannot have their status revoked because they are not actually retired, but clarification is needed so we can move forward correctly.

After more discussion on how to determine if an applicant is retired, it was decided a check box will be placed next to "Emeritus" on the application confirming that the applicant is retired. Also included beside the check box will be the definition of an emeritus member. If an applicant checks the box and signs his/her name to it, but is actually not retired, they have committed fraud. We will have to rely on the integrity of our fellow professionals.

President Manhardt informed those present that earlier in the evening at the Board meeting, the Board voted to remove the \$40 Emeritus application fee put into effect a couple of years ago. Emeritus members are dues exempt and must continue to submit a new application every year.

NEW BUSINESS:

Board of Prof. Eng. & Surveyors: Mr. Thurl Amick reported that the LLR Board of Professional Engineers and Surveyors has approved Joe Jones' request for \$20,000 for the joint Engineering and Surveying Conference being held in Myrtle Beach, June 14-16, 2012.

The last written Fundamentals of Engineering and Fundamentals of Surveying exams will be in October, 2013. After that time the exams will be fully computerized. Recently, a young man took his examination in pen rather than using the pencil issued by the examiner. NCEES rejected his answer sheet and the LLR Board supported their decision. The exam was not graded.

The Construction staking motion was presented at the last LLR Board meeting. It did not receive any major opposition. A question that came up is, does this motion conflict with any other groups' codes and regulations, i.e. contractors. Council has been asked to look at that and report back to the LLR Board. Another issue that came up is interpretation. Discussion ensued on what should be considered surveying and how to determine at what point it stops being surveying. The following Position Statement was read to those present at the meeting:

POSITION STATEMENT Construction Surveys

The South Carolina Board of Registration for Professional Engineers and Surveyors makes the following interpretation of the statutes and regulations regard the Practice of Construction Surveying:

1. The practice of Construction Surveying (i.e. lay-out, stake-out, setting-out, etc.) falls within the definition of land surveying as defined in the South Carolina Codes of Laws (40-22-20-24 (al) and the South Carolina Regulations (4-202-C (al)) and shall be performed under the responsible charge of a licensed Professional Surveyor.
 - a. The practice of Constructions Surveys (i.e. lay-out, stake-out, setting-out, etc.) is not exempted under Section 40-22-280 (A) (8).
 - i. The only exemption a general contractor,

MINUTES OF SCSPLS GENERAL MEMBERSHIP MEETING (CONT)

specialty contractor, or material supplier has is "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."

- b. All construction surveys, including the layout or location of "any road, right of-way, easement, alignment, or elevation of any fixed works" must be performed under the direct supervision of a Licensed Surveyor holding a license to practice in South Carolina.
- c. The internal staking of buildings (i.e. walls, columns, footings, etc.) by contractors is an appropriate function of the contractor and is exempt.

2. MACHINE GRADING & DIGITAL TERRAIN MODELS:

The creation and design of controls, profiles and cross sections for the electronic data used in Digital Terrain Models is a service or creative work falling within the scope of the practice of engineering and/or surveying and must be conducted in accordance with South Carolina Code 40-22-2 et seq. The mere execution by a contractor with in-house staff or the work designed by the engineer or surveyor is not considered the practice of engineering or surveying.

In South Carolina all Geodetic Surveys, Terrestrial Geodetic Surveys and Global Position Systems (GPS) Surveys including, both horizontal and vertical, represented to a client as meeting first, second or third order standards, shall be performed under the direction of a licensed South Carolina Professional Surveyor and shall conform to the Standards and Specifications for Geodetic Control Networks as set forth by the Federal Geodetic Control Committee (FGCC) or its successor in the most current publication.

Possible Exemptions:

The internal staking of buildings (i.e. walls, columns, footings, anchor bolts, etc.) by contractors from site controls set by a Licensed South Carolina Professional Surveyor is an appropriate function of a contractor and is exempt.

The first portion of the statement was presented to the LLR Board. Based on a request from Mr. Gene Dinkins, Machine Grading and GPS was incorporated and added in since that meeting. Comments are welcome from members on how to determine where surveying stops and contractors can pick up. The comments need to be made before the next LLR Board meeting on February 28th.

A member asked about accident scenes with law enforcement officials using total stations. Mr. Amick suggested that is something that needs to be looked at. There has been a misconception by the LLR Board and previous boards regarding industrial exemptions for municipalities, state and federal governments; however, the only exemption from the codes and

regulations is federal employees and electric coops. Contractors are mentioned but only in preparing drawings. Surveyors need to protect their profession and not let it continue to get away.

President Manhardt encouraged more discussion on this issue outside of the general membership meeting.

Appointment of Nominating Committee: President Manhardt announced the nominating committee for the 2012-13 Board of Directors election. Mr. Dale Swygert, as immediate past-president, is Chairman. Mr. Thurl Amick and Mr. David Youmans have accepted appointment on the committee. Nominations will be announced at the third general membership meeting of the year, which has been scheduled for March 23, 2012 beginning at 10:00 AM at the conference room in the Society office in Columbia.

Closing Comments:

President Manhardt thanked everyone present.

Motion to adjourn with a second. Vote unanimous.

Respectfully submitted,
Dennis Clinkscales, SCSPLS Secretary 2011-12

WELCOME NEW MEMBERS!

The following new members were approved at the February 8, 2012 Board meeting:

Full: Steven Branyon, Branyon Land Surveying, Honea Path, SC; William R. (Bill) Cureton, Triad Surveyors, Greenville, SC (last a member in 2008); Timothy L. Davis, Loris, SC; James F. Drafts, Drafts Surveying, Lexington, SC (last a member in 2006); Andrew C. Gillette, Jr., Coleman Snow Consultants, N. Charleston, SC; J. Clifton Keith, Ruby, SC; Thomas W. Kennedy, Jr., Trident Technical College, Charleston, SC; Lawrence J. Kennerty, Kennerty Surveying, Inc., Charleston, SC (last a member in 2009); Mark E. Lamb, Atlantic Coast Land Surveying, Inc., Mt. Pleasant, SC (last a member in 2009); Keith McGuinness, Duke Energy, Rock Hill, SC (last member in 2008); Robert Brian Pate, Thomas and Hutton Engineering

Co., Charleston, SC (last member in 2009); John R. Poston, Castles Engineering, Inc., Myrtle Beach, SC (last member in 2009); Michael L. Ray, EMH&T, Bluffton, SC; Michael Sawhill, The Survey Company, Inc., Charlotte, NC; Jeffrey Sawyer, R. L. A. Associates, P.A., Summerville, SC; Phillip G. Smith, Lancaster, SC; M. Kevin Wilson, Kevin Wilson Land Surveying, Kingstree, SC. **Associate:** Nathaniel W. Downing, City of Columbia, Columbia, SC; Doug M. Edwards, City of Columbia, Columbia, SC; Robert L. Thomas, City of Columbia, Columbia, SC. **Complimentary:** John M. Brightbill, Aiken, SC. **Sustaining:** William C. (Butch) Herter, Carlson Software, Gastonia, NC; Charles W. Lawley, III, Transit and Level Clinic, Cary, NC

CONGRATULATIONS!



Newly Licensed Surveyors & Engineers at the January 2012 Licensing Ceremony

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 October, 2011:

L. Bruce Abbott
Christopher W. Bass
Todd Bryan Beam
Byron B. Berry
John M. Brightbill
Matthew G. Goodin
James L. Inbau
Wayne W. Ledbetter
Roger N. London

Robert W. Lux
Wyman L. Maner
Stevenson M. Muldrow
Brian J. Pfohl
William T. Powell
Brandon Register
Rodney K. Seymore
Joshua W. Trawick
James M. Watkins
L. Maurice Wilder
Eric N. Wilson



President Manhardt speaking at the January 2012 Licensing Ceremony

IN MEMORIAM

Jacob B. Ervin, Sr.

March 4, 1928 – December 27, 2011

Robert R. Spearman

November 10, 1939 – March 3, 2012



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Nikon Optical Instruments

Spectra Precision Products

Public Utility Solutions

Software for Surveying and Mapping

Surveying Supplies

**Rentals – Surveying Equipment,
Mapping Equipment, 3D Scanners**

***FLEX*Lease Stress-Free Lease Program**

Autodesk Software & Training



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Boundary Line Agreements

Beware the Known Boundary

By Knud E. Hermansen¹

In the January 2009 issue of *The American Surveyor* (Vol. 6, No. 1), Farris Cadle had an excellent letter to the editor on boundary line agreements. Boundary line agreements are ideal documents to employ in order to fix the uncertain boundaries for the situation he described. It is my opinion that surveyors can and should prepare boundary line agreements for the situation he described. To quote a proverb from Rosalind Ferguson in *The Facts of File, Dictionary of Proverbs*, 1983:

“A lean agreement is better than a fat judgment.”

However, not all situations may be cured by a simple boundary line agreement. The surveyor must be wary of employing the boundary line agreement where there is a known record boundary (or one that can be located). This article will explain the constraints surveyors should consider before preparing a boundary line agreement for the client and neighbor (i.e., parties in interest).

Can the Record Boundary be Located with Reasonable Certainty?

No simple boundary line agreement ² should be employed without attempting to fix the location of the record boundary using the operative records. The attempt to locate the record boundary must adhere to reasonable boundary retracement standards using the information found in the operative records coupled with evidence available in the field. This step is absolutely necessary to determine the legal requirements for the agreement and if the preparation of the agreement is within the surveyor’s scope of practice.

After the surveyor has attempted to fix the location of the record boundary using the operative records, the surveyor will face one of two situations where boundary line agreements are sought.

The Record Boundary Location is Vague or Unknown

In the first situation, the location of the record boundary is vague and cannot be reliably located with reasonable certainty by a competent surveyor based on the information in the operative records coupled with the information found in the field. (The criteria that there be reasonable certainty does not mean the surveyor does not possess some doubt about their opinion on the boundary location.) As a surveyor said to a client, “I know where the boundary isn’t but darn if I can tell

you where it is exactly.”

In this situation, the surveyor should encourage the parties in interest to agree on a boundary location. There is no reason that the surveyor cannot take a leading role in preparing and documenting the boundary line agreement in this situation.

The Record Boundary Can Be Reasonably Located

In the second situation, the location of the record boundary can be determined by a competent surveyor with reasonable certainty using the information in the operative records; yet, the parties in interest would like to place the boundary in a different location such as along an existing fence line. Also falling within the second situation is the case where the record boundary cannot be reasonably located by the surveyor but the parties in interest want to locate the common boundary in a location that the operative records clearly cannot support. As a surveyor would say to a client, “I can’t tell you where your boundary is located but I know it’s not over there where you want to put it.”

The surveyor must beware of the known boundary location where a boundary line agreement will change the location of the common boundary established by the operative documents. In this situation, a transfer of title is being contemplated. The law does not ordinarily condone the transfer of title by the simple language often employed in boundary line agreements (absent a legal doctrine such as adverse possession). Only a carefully worded boundary line agreement containing thoughtfully considered legal wording should be employed. Proper documentation of the title transfer must be prepared using the correct legal wording. Execution of the document adhering to the law of the state is required. Lien-holders should be brought in to the agreement and title transfer.³ Transfer taxes must be paid. Subdivision approval may be required. These are legal matters and an attorney should be involved. As Jeremy Benthan in the *Principles of the Civil Code*, c. 1843 stated:

“Property [title] and law are born and must die together.”

A surveyor would be wise not to take it upon their shoulder to oversee the boundary line agreement in the second situation. In the second situation, the surveyor’s involvement should be limited to providing documentation on the boundary location that will be used in the title transfer documents.

² Unless, of course, the assumption is made that a transfer of title will occur in which case a more complex agreement with words of conveyance or deeds must be employed.

³ Many mortgages expressly state that should the security (i.e., title to the property) be jeopardized the balance of the mortgage is immediately due.

¹ Knud Hermansen is a professional land surveyor, professional engineer, and attorney at law. He is a professor in the Surveying Engineering Technology program and the Construction Management Technology program at the University of Maine. Knud.Hermansen@umit.maine.edu

Legal Foundation

The surveyor’s involvement is markedly different between the two situations. The question that arises is why should the surveyor’s involvement be different?

In the first situation where the record boundary location is vague or unknown, the boundary line agreement is effective because the parties in interest are simply clarifying a location that their current deeds have already legally established (“legal” as opposed to a “practical” establishment of the boundary). In other words, the parties in interest are agreeing to a boundary location supported by their deeds. The parties in interest make the vague descriptions in the operative deeds certain. The agreement clarifies the deed but does not change the deed.

On the other hand, where the parties wish to place the boundary by agreement in a location that conflicts with their deed, the title to the property between the former and the agreed boundary location must be transferred in accord with the law. The law would not ordinarily recognize the transfer of the title using a boundary line agreement that lacks legal words of transfer in the agreement, concurrent deed deliveries, or the subsequent consummation of title through possession based upon such legal doctrines as adverse possession.

Contents of the Agreement

For the surveyor who is in the situation where a boundary line agreement is practical and the parties in interest agree

to execute one, the law tends to be lax and recognize any agreement that speaks of a clear intent to fix the location of the common boundary – making an uncertain location, clear. Where the law does not stand as a tyrant barring the way, the agreement will make the law. Most, if not all simple agreements will be upheld.

The undersigned agree the location of their common boundary is located as shown on this plat.

Prudence does suggest a more lengthy content become the agreement. Litigation surely passes by those agreements that speak words that the law has long favored.

Accordingly, words favored in an agreement should speak on the following matters:

- A reasonable and diligent record and field search was conducted by a reasonably competent surveyor adhering to the normal standard of care.
- There was uncertainty in the location of the boundary using the record and field information available.
- The parties have agreed on a location for the common boundary that is both reasonable and certain.
- Contractual requirements such as the proper and clear identification of parties in interest, subject matter identification, meeting of the minds, and consideration are stated.
- The boundary agreed upon is intended to be permanent and binding upon the heirs and assigns of the parties in interest.

BOUNDARY AGREEMENT

State of _____ County of _____

This agreement is between _____ [party 1] of _____, County of _____, State of _____, and _____ [party 2] of _____, County of _____, State of _____.

1. The parties own or have equitable interests in adjoining tracts of land in _____, County of _____, State of _____, as described in deed book _____, page _____ and deed book _____, page _____.
2. The exact location of their common boundary line as described in the records is indefinite and unascertainable by a competent surveyor and cannot be made reasonably certain by acceptable surveying efforts.
3. The parties have agreed upon the boundary line between their respective tracts of land to be fixed by a/an _____ [existing fence, marked line, surveyor, etc.]
4. The parties have each in turn viewed this agreed boundary as marked on the ground and accept and desire the same to be the true and correct boundary between them and admit this to be the location as described in their respective deeds.
5. For and in consideration of establishing the boundary line between their respective tracts of land, the parties hereto do agree that the said boundary line hereinafter specifically described is the true and correct boundary line between their respective tracts of land and the one described in their respective deeds.

[Description of Agreed Line]

6. The parties shall cause or permit this agreement along with any survey plat showing the agreed boundary to be recorded in the registry of deeds, county of _.

7. The boundary agreed upon will be permanent and binding upon the heirs and assigns of the undersigned parties.

In witness, the parties have executed this agreement at _ [place of execution], on the _ day of the month of _ in the year _.

[party 1]

[party 2]

[witness]

[witness]

Acknowledgement¹

State of _

_ County, ss

Personally appeared the above named _ [landowner]² and made oath to the truth of the foregoing statements and also acknowledged this instrument to be their free act and deed.

Notary Public

Other Considerations

Agreements can and sometimes must deviate from the example shown. Where the parties in interest cannot agree on a common boundary location, the parties in interest can sometimes be convinced to agree on a method to locate a common boundary rather than a common boundary location. The agreement could include terms to fix the common division line by an agreed area or percentage, a third party such as a surveyor to locate the common boundary, or documents that would not be admissible in evidence or ordinarily used by a surveyor to locate a boundary.

Since the location of the boundary is now in doubt, the parties agree to retain and contract with, _ [name of surveyor], a licensed surveyor in the state where the property is situated and charge such surveyor to determine and mark the location of the common boundary. The parties further agree to:
a. contribute equally to discharge the expenses incurred by reason of the making of such survey;
b. abide thereafter by the boundary established by the surveyor; and
d. relocate the fences or improvements accordingly.

Some states have adopted a short form deeds act. The short form deeds act removes the necessity of common law archaic

language requirements for a deed (e.g., “to have and to hold,” “lease and release,” “bargain and sale,” etc.) and simple words (e.g., release, grant, give, etc.) can be used in the agreement to effectuate a transfer of title within the framework of a boundary line agreement. The short form deeds act would remove the need to exchange deeds that is ordinarily required to settle the title issues. The exchange of deeds is often onerous and a deal breaker. Where parties in interest often show little reluctance to sign an agreement believing the agreement merely fixes a status quo, these same parties in interest would balk at signing a deed that appears to convey some of their property.

Where the boundary line agreement is viewed as a contract,¹ other terms may be added to the agreement that would not only settle the location of the boundary but include covenants binding the future conduct of the parties in regard to their common boundary. Additional terms in the agreement could include building setback distances, payment of attorney fees to the successful party in the event of litigation over the boundary location in the future, or boundary maintenance requirements, for some examples.

¹ Rather than holding the agreement to be binding on the basis of contract law, some states would recognize the binding effect of the agreement based on the doctrine of estoppel or practical location.

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March 2012

THE CAROLINA BENCHMARK

The undersigned parties further agree and covenant on their own behalf, their heirs, and their assigns that in the event of litigation over the location of the common boundary, the party substantially prevailing in the litigation shall be compensated by the loser for attorney fees, survey fees, and court costs.

The boundary line agreement can be placed on the plat that depicts the common boundary location. In the alternative, the diagram of the common boundary may be incorporated into the written agreement and the agreement can be recorded. Where it is not practical to have one party in interest notarize the agreement, the surveyor can still make the agreement part of the record by attaching it to an affidavit executed and acknowledged by the surveyor that is then recorded.

The boundary line agreement can be a useful tool to fix a boundary the parties in interest believe to have been already established by adverse possession, practical location, or acquiescence (thereby possibly removing the need for subdivision approval or other legal obstacles preventing a new transfer of title). The terms of the boundary line agreement

based upon one of these doctrines should clearly admit to the existence of the elements of adverse possession or the elements of other doctrines that are used as a foundation for the agreement and recognition of the status quo of the title. In these situations, the agreement should be structured and written in such a manner that a title attorney would be convinced that should the title issue be litigated, there is substantial likelihood the foundation doctrine of the agreement would be upheld and the legal obstacles to a title transfer would be overcome. The contents of the agreement and the form of the agreement should be prepared by a competent title attorney licensed in the state.

Conclusion

Boundary line agreements can be useful tools to fix vague or uncertain boundaries. The boundary line agreement should not be used to simply save surveying costs unless the surveyor is sure the record boundary cannot be located with reasonable certainty. Surveyors should tell the parties in interest to seek legal counsel when using an agreement that attempts to fix a boundary location that differs from the location that was or could be reasonably established by the operative deeds.

SC ENGINEERING & SURVEYING
CONFERENCE & TRADE SHOW
JUNE 14-16, 2012
SHERATON MYRTLE BEACH CONVENTION CENTER HOTEL

The SCSPLS Annual Convention will once again co-locate with the SC Engineers Conference and Trade Show. This conference will be held at the Sheraton Myrtle Beach Convention Center Hotel in Myrtle Beach, June 14-16, 2012. The engineer associations participating this year include SCSPLS, SCSPE, ACEC, and ASCE. This co-location will give the surveyors of South Carolina time to mix and mingle with the engineers with whom you already work.

The schedule has not been finalized but plans are forthcoming to include Panel Discussion from the Board of Professional Engineers and Surveyors on Thursday afternoon followed by 2 seminars and Trade Show Reception. On Friday, SCSPLS will provide a track of seminars being coordinated by Matt Wellslager with SC Geodetic Surveys. Friday will be a full day of seminars and you can select a variety of one hour seminar up to three hour seminars for PDH credit. A keynote luncheon speaker on Friday will be announced closer to the conference and attendees will receive 1 PDH credit for attendance. On Saturday, June 16th, SCSPLS will hold the final General Membership Meeting of the year, and install the 2012-13 officers, followed by the Survey Games. All four associations will combine for an awards banquet where our Surveyor of the Year and

other awards will be given. A complete listing of all events will be posted on the website: <http://www.scengineeringconference.org/>. You can register on line at this website after all the plans have been made. You can reserve your room now at the Sheraton Myrtle Beach Convention Center Hotel by going to the same website and clicking on Hotel Information. Don't delay getting your choice of rooms as the room block is limited.

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South Carolina Society of Professional Land Surveyors

SURVEYOR of the Year Guidelines

DEADLINE: MAY 1, 2012
(As approved by the SCSPLS Board of Directors November 7, 1997)

A. Eligibility

- 1. Licensed in South Carolina.
- 2. Resident of South Carolina.
- 3. Prior recipients are ineligible for five (5) years.
- 4. No record of administered disciplinary action by the S.C. State Board of Registration for Professional Engineers and Land Surveyors.
- 5. Must be a member of the South Carolina Society of Professional Land Surveyors.

B. Nominations

- SCSPLS Chapter
- (a) Nomination letter must have signature of Chapter President and another Chapter elected officer.
 - (b) Only one nomination per Chapter.
 - (c) Chapters may nominate same individual as other Chapters.
 - (d) Chapter members may submit letters of recommendation.

- Surveyors at Large
- (a) A nomination letter with the signature of two sponsors.
 - (b) Sponsors must be resident licensed S.C. Land Surveyors.
 - (c) Recommendation letters from 4 individuals other than the sponsors.
 - (d) A minimum of two letters of recommendation must be from SCSPLS members who have been members for at least the two preceding years.

- Data Required Regarding the Nominee in Nomination Letters
- (a) Biographic information.
 - (b) Specific contributions to the surveying profession.
 - (c) How the Chapters and/or the sponsors recognized the nominee’s contributions to the profession.

- Data Required Regarding the Nominee in Recommendation Letters
- (a) Specific contributions to the surveying profession.
 - (b) How the nominee’s contributions to the surveying profession were recognized.

All nominations and letters of recommendation must be submitted by May 1, 2012.

C. Selection of Surveyor of the Year

The Vice-President will receive the nominations, review and investigate the nominations. A report and ballot of all eligible nominees shall be mailed to each Board Member and Past President thirty days prior to the SCSPLS Annual Convention. Ballots must be returned ten days prior to convention to be counted. The Vice President, the Immediate Past Surveyor of the Year and the Executive Secretary shall serve as the tellers committee. In the event anyone of these is a nominee for Surveyor of the Year or cannot serve, a replacement shall be appointed by the President. The Surveyor of the Year Award shall be presented at the Annual Convention by the Immediate Past Surveyor of the Year if available.

NOMINATIONS AND LETTERS OF RECOMMENDATION ACCEPTED NO LATER THAN
May 1, 2012. Mail to SCSPLS, 121 Executive Center Dr., Suite 248, Columbia, SC 29210.



2012 SCSPLS PLAT CONTEST

DEADLINE: MAY 1, 2012
IN CONJUNCTION WITH THE SC ENGINEERING & SURVEYING CONFERENCE

CATEGORIES

- SUBDIVISION
- BOUNDARY/CADASTRAL
- TOPOGRAPHICAL
- ALTA/NSPS SURVEY
- MISCELLANEOUS

- DESCRIPTION:**
- SUBDIVISION: Plat of survey of boundary and division of property into two or more parcels.
 - BOUNDARY: Plat of field survey. Should not show topographic, as-built, etc., information.
 - TOPOGRAPHIC: Plat showing existing topographic information and features.
 - ALTA/ACSM: Surveys showing existing improvements and boundary information.
 - MISCELLANEOUS: Easement, mortgage, and other plats not in above categories.

- RULES:**
- 1. Entry fee of \$10.00 per plat entered in each category. (If entry fees exceed cost of awards, excess will go to the SCSPLS Scholarship Fund).
 - 2. Plat must be drawn of surveys performed after May 1, 2011.
 - 3. All entries must be submitted or sponsored by a member of SCSPLS.
 - 4. All entries must be in accordance with “Standards of Practice Manual For Surveying in South Carolina,” Article 4, Chapter 49, Code of Regulations.
 - 5. Entries must be reproduced as blue-line or black-line drawings - no originals. All plats must be reproduced to scale - no reductions or enlargements.
 - 6. Provide the following information for each plat:
 - a. Entrant
 - b. Sponsor
 - c. Company
 - d. Address
 - e. Category
 - f. Name to put on Award, i.e. Company or Individual

AWARDS: Plaques will be awarded for first place and second place in each Category to be presented at the Banquet of the Annual Convention. First place winning plats will be entered into the NSPS Annual Map/Plat Competition.

Mail to: Aaron Leach, Rowe PSC, 511 Broadway St., Myrtle Beach, SC 29577

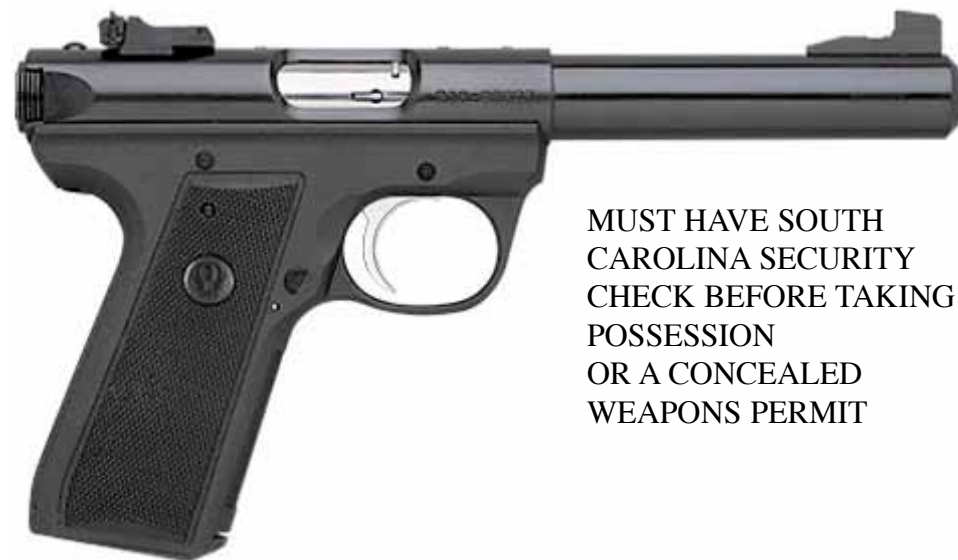
ENTRIES MUST BE RECEIVED NO LATER THAN MAY 1, 2012

SCSPLS SCHOLARSHIP RAFFLE

IPAD (CONVENTION)



RUGER 22/45 TARGET RIMFIRE PISTOL (CONVENTION)



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DO NOT HAVE TO BE PRESENT TO WIN

MIDLANDS CHAPTER CHRISTMAS BOXES



The Midlands Chapter of SCSPLS once again came together to help friends in need with the 2011 Christmas Box Program. Thank you to everyone involved in this project, whether it was a financial donation, time dedicated to organizing the project, or being there to assemble and distribute the boxes. A special

thanks to Huley and Brenda Shumpert for once again doing a fantastic job coordinating this event and also to Larry and Brenda Coker for arranging use of their church gym for packing boxes. With everyone's help, 48 boxes of food were delivered to families in need.



SCSPLS ANNUAL EDUCATION CONFERENCE AND TRADE SHOW A SUCCESS!

The SCSPLS held its annual Trade Show during the 2012 Education Conference, with over 250 registrants in attendance, 16 Exhibitors and 19 booths. The 2012 Conference and Trade Show was a true success! Thank you to all of those who attended and supported the efforts of SCSPLS!

SPECIAL THANKS...

To the SCSPLS **Education Committee** for their hard work to make this conference a success and to the **SC Board of Registration for Professional Engineers and Land Surveyors** for funding the speaker cost for the conference.

THANKS TO OUR 2011 TRADE SHOW EXHIBITORS



CARLSON SOFTWARE
CAROLINA RESOURCE MAPPING, INC.
CHAMPION INSTRUMENTS
CONTINENTAL AERIAL SURVEYS, INC.
DUKE ENERGY CORPORATION
DUNCAN-PARNELL, INC.
EAST TENNESSEE STATE UNIVERSITY
GEL GEOPHYSICS, LLC
HAYES INSTRUMENTS
INSURANCE MANAGEMENT CONSULTANTS, INC.
LEICA
NATIONAL SOCIETY OF PROFESSIONAL SURVEYORS
SMART VENT FLOOD VENTS
SC GEODETIC SURVEYS
TPM, INC.
TRANSIT AND LEVEL CLINIC, INC.

EXHIBITOR PRIZE WINNERS!

Below are the prizes won during the 2012 Conference and Trade Show Exhibitor's Social. Please forgive us if you were left out!

CARLSON SOFTWARE – HAT AND T-SHIRT – DAVID YOUMANS
CHAMPION INSTRUMENTS – SCREWDRIVER SET – LUTHER LOWN
CONTINENTAL AERIAL SURVEYS, INC. – SNAP-ON MULTI-FUNCTION TOOL KIT – RON FISHER
DUKE ENERGY – JACKET – MATT SVEJKOVSKY
DUNCAN-PARNELL, INC. – \$25 APPLEBEES GIFT CARD – MARK CARTER; \$30 WAL-MART GIFT CARD – RICHARD RHODE
GEL GEOPHYSICS, LLC – CORDLESS DRILL – MATT WELLSLAGER
HAYES INSTRUMENTS – \$50 GIFT CERTIFICATE – RON FISHER
INSURANCE MANAGEMENT CONSULTANTS, INC. – KINDLE – DAVID GASQUE
LEICA – DISTO D5 LASER RANGE FINDER – WATTS FEARRINGTON
SMART VENT FLOOD VENTS – HATS – FRANKIE MANHARDT, MATT WELLSLAGER, NANCY FRASURE; NEPHEW'S BBQ GIFT SET – LEE FRANK
TPM, INC. – \$50 OUTBACK GIFT CERTIFICATE – ROD VAUGHAN



Congratulations to Tom Kennedy winner of Adams Golf Irons! Congratulations to Silent Auction winners, Kent Hudson and David Youmans!

Thank you to Thurl & Helen Amick and Carol Baughman for contributing the silent auction items! Proceeds from the raffle tickets sold and silent auction items will benefit the SCSPLS Scholarship Trust.



Lobbyist Report

Joe S. Jones

Perhaps the most historic day in recent South Carolina politics took place today, Mar. 13, 2012. Senator Glenn F. McConnell resigned his senate seat which he has held for 32 years to become Lieutenant Governor.

This move is historic because of the events that led up to it as well as the consequences that followed. Lieutenant Governor Ken Ard resigned after his sentencing for ethics violations on campaign funding and spending. The state constitution states the Lieutenant Governor is to be replaced by the President Pro Tempore if the seat is vacated.

Senator McConnell had risen to probably the two most important positions in the state; he was the President Pro Tempore as well as Senate Judiciary Committee Chair. In these two positions, he had great control over legislation that passed through the Senate. He had a staff of 19 in these two positions. One-half of the senators serve on the Judiciary Committee and the other half serve on the Finance Committee.

Now Senator McConnell's control has greatly diminished and his responsibilities have been divided into two positions with Senator John Courson being elected to the President Pro Tempore position and Senator Larry Martin taking over the chairmanship of the Judiciary Committee. Senator Martin is the senior Republican on the committee.

The domino effect continues. Senator Martin was the former chairman of the Senate Rules Committee. After today, Senator Jake Knotts is the new Chair of the Senate Rules Committee.

Senator Knotts was the Chair of the Senate Invitation Committee, but has moved up to the Rules committee, and Senator Billy O'Dell moves to the Chair of the Invitation Committee by virtue of his seniority as a majority party member on the Invitation Committee.

These changes are significant because of the new faces in key positions, namely President Pro Tempore, Senate Judiciary Committee and Senate Rules Committee. The three positions have an incredible amount of say so on legislation moving through the Senate. For a bill to be set for special order, the Rules Committee must weigh in. Issues like tort reform, worker's compensation and other business issues have enjoyed a chairman who has supported the business philosophy, but the new chair's positions are not as well known or expected to be as business friendly as Senator Martin's positions.

Needless to say, there is a new day in the South Carolina Senate.

Another important event took place since my last report. LLR Director Katherine Templeton left LLR and was appointed by the Governor and approved by the Senate to become the Commissioner of the SC Department of Health and Environmental Control. Ms. Templeton was seen as a progressive, good administrator at LLR. In many people's minds she had fixed a number of problems and poor situations left by her predecessor.

The Governor has appointed Ms. Holly Pisarik, an LLR attorney, to replace Ms. Templeton. I do not know this young lady and do not know what to expect when she officially takes the LLR helm. She must be approved by the Senate before taking the position.

As for legislation of interest to SCSPLS, there is little going on. I have had no luck finding sponsors for the qualification base selection procurement process for surveyors and engineers. I have worked some with Senator Leatherman, but he has not agreed to support such a bill. I have talked to a number of House members, but again, no one has agreed to sponsor a bill. Furthermore, I have not gotten a position from House Labor Commerce and Industry Committee Chair, Rep. Bill Sandifer, to allow the bill, if introduced to be let out of his committee. This legislation is not very popular at this time.

There are three senate bills attempting to establish a False Claims Act. A hearing has been held on one of them. Passing a False Claims Act is bad for any business that does work for public bodies including the state, counties, municipalities, state agencies, and other political subdivisions. This legislation allows disgruntled public employees to hire private attorneys to sue businesses for alleged breaches of contract or appropriations of public funds or projects.

The Attorney General and Solicitors have this responsibility now and for your protection as a business person, that is where the responsibility and ability to bring suit should stay. I have been working with the SC Civil Justice Coalition and other business groups to keep this legislation at bay; however, another hearing is set for Wednesday, Mar. 14, which means the legislation is alive and could move.

I am hearing various business groups are beginning to make political contributions through their Political Action Committees because the primaries are around the corner, and incumbent legislators are looking for political contributions to show strength to those contemplating to challenge them in the primary as well as potential opposite party challengers in the general election.

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