



AMERICAN COUNCIL OF ENGINEERING COMPANIES  
of South Carolina

**American Council of Engineering  
Companies of South Carolina  
Board of Director's Meeting  
December 6, 2018  
Parrish & Partners  
10:00 AM  
Call In Info: 855-814-2467,  
Code 7207877373, Leader Pin 6780**

#### **Board of Directors**

\_\_\_\_ Cameron Nations, Chair  
\_\_\_\_ Keith Overstreet Vice Chair  
\_\_\_\_ Jason Eppley, *Sec./Treasurer*  
\_\_\_\_ Chuck Black, Director  
\_\_\_\_ Petrina Butler, Director  
\_\_\_\_ Matt Gehman, Director  
\_\_\_\_ Jeff Mulliken, Director  
\_\_\_\_ Kevin Shoemake, Director  
\_\_\_\_ Mike Wooten, Director  
\_\_\_\_ Kylie Page, Past Chair\*  
\_\_\_\_ Rick Fauteux, Nat. Director \*  
\_\_\_\_ Jerry Carter, Affiliate National Director\*

#### **Committee Chairs:**

\_\_\_\_ Emily Swearingen, Transportation Committee\*  
\_\_\_\_ Ricky Ward, Communications  
\_\_\_\_ Caleb Pozick, EEA

#### **ACEC-SC Staff**

\_\_\_\_ Adam B. Jones Executive Director\*  
\_\_\_\_ Elaine Mikell, Account Executive \*  
\_\_\_\_ Other\*

\* denotes non-voting

#### **Agenda**

- Call to Order – Cameron Nations
- Approve Consent Agenda (Motion Required)
  - Board Meeting Minutes, November 1, 2018
  - Membership Report
    - GHD (no application yet Adam will explain)
    - Affiliate Membership Application
      - Subsurface Utility Solutions
- Financial Report – Jason Eppley
  - Financial Report (Motion Required)
- Chair's Report – Cameron Nations
  - Strategic Plan Progress
    - ✓ Grow/Diversify Membership – Kevin Shoemake
    - ✓ Grow the Brand – Kylie Page / Keith Overstreet
    - ✓ Legislative Influence - Adam Jones / Matt Gehman
    - ✓ Energize & Engage Membership – Adam B. Jones
  - ACEC Leadership Orientation in Washington DC
- Executive Director's Report – Adam B. Jones/Joe Jones
  - Legislative Report
    - Joint & Several Liability – SCCJC
    - Plastic Pipe Bill (will be reintroduced)
    - Building Code Adoption (will be reintroduced)
    - Business Lobbyist Round Table
  - NAECE Winter Meeting
    - What's expected around country
    - Steve Hall's Outlook
  - ACEC-SC/SCDOT Annual Meeting
  - ACEC-SC/SCSPE Winter Meeting
    - Environmental Committee Working on Track
    - Business Track
      - Issues in the Design/Build Construction Management Era w/ Jay Mathews, JD
      - Legislative Outlook in 2019 w/ E. Hunter & Jones
      - Ethics for Design Professionals (2 hrs) w/ Dr. Dennis Fallon
      - Marketing (possibly)
- ACEC National/National Directors Report – Rick Fauteux
  - ACEC Ballot
- Committee Reports:
  - Transportation Committee – Swearingen
  - Environmental Committee – Overstreet
  - B.R.E Committee – Black
  - Communication Committee – Ward
  - Membership – Shoemake
  - Advocacy/PAC – Gehman/Williams
  - EEA Awards Gala – Caleb Pozick
- Other Business
- Next Meeting: January 3, 2018 Parrish & Partners

The mission of ACEC-SC is to promote and protect the business interests and professional standards of engineers in the state of South Carolina; and to improve member firms' ability to profitably provide quality services to their clients.

**American Council of Engineering Companies of South Carolina**  
**Board of Directors Meeting**  
**November 1, 2018**  
**Parrish & Partners, Columbia SC**

**Call to Order:** ACEC-SC Chair, Cameron Nations, PE, called the meeting to order at 10:01AM.

The following were in attendance: Keith Overstreet, PE, Jeff Mulliken, PhD, PE, Kevin Shoemake, PE, Matt Gehman, Kyle Page, PE, Adam Jones and Elaine Mikell. On conference call were: Jason Eppley, PE, Chuck Black, PE, Petrina Butler, PE, Rick Fauteux, PE. Also, in attendance were committee chairs: Emily Swearingen, PE and Ricky Ward, PE.

**Consent Agenda:** Motion was made, seconded and passed to approve the October 4 Board of Director's meeting Minutes

The following firms were approved for membership.

- Applied Control Technologies, Inc.
- ABS Engineering Inc. d/b/a Applied Building Sciences

Executive Director Jones added ACEC-SC was recognized at the ACEC convention last week for more than 3% growth in the past year.

**Financial Report:** Secretary Treasurer Jason Eppley reported on the financial statement.

- Year to date income is \$287,261.15, expenses of \$97,923.46, net income is \$189,337.69.
- Jones added that ACEC-SC has contracted with Ben Fanning for the keynote address at the Annual Meeting
- A motion was made seconded and approved to accept the Financial Report as reported.
- Eppley reported the Minute Man fund has an income of \$1,329.75. This was briefly discussed at the last Board Meeting to remind everyone the monies are there.
  - Jones reviewed the reasons for the grant.
  - Nations reviewed the ACEC guidelines for the Minute Man Fund.
  - Jones spoke to the uses of the Minute Man fund and the grant the state of California received.
  - Jones said he will do the research and uses of the Minute Man fund prior to the next meeting.
  - Eppley asked if there were pressing issues to use the money.
  - Jones said we will use the money for QBS in the future and there will also be Practice Act issues.
  - Shoemake suggested we send something to the municipalities about the requirements of QBS. Have a ground attack of educating municipalities first rather than reactionary.
  - Page said Fauteux brought this point up last time to simply remind everyone the money was there and to use it on a meaningful purpose. If the money is not used, ACEC national may be less inclined to give money next time.

### **Chairman's Report (Cameron Nations):**

#### Strategic Plan Progress

- *Grow / Diversify Membership-Chair Kevin Shoemake*
  - No formal report given from Shoemake.
  - Nations said glad to hear we have grown.
  - Gehman has meetings with Woolpert and Berenyi and Associates about membership.
- *Grow the Brand-Page/Overstreet*
  - No report.
- *Legislative Influence-Gehman*
  - Gehman will be attending Katie Arrington fundraiser tomorrow and has three extra tickets should anyone wish to attend. Alan Wilson will also be in attendance.
- *Energize and Engage Membership-Jones*
  - New members are coming.

### **Executive Directors Report (Adam Jones):**

- Jones and Nation met with Congressman Rice at the ACEC-SC office.
  - Rice was appreciative of the PAC check presented.
  - Jones told him Mike Wooten was a new Board member from the Myrtle Beach area.
  - Discussed the Tax bill with him and gave him information concerning the issues ACEC asked Jones to discuss with him.
- Jones met with Senator Timmons, who is running for Trey Gowdy's open seat.
  - Jones spoke with the Senator Timmons about the issues ACEC is facing and gave him information.
  - Timmons said he would like to meet with Steve Hall and ACEC staff before being sworn in in January.
  - Steve Hall is interested in this as well.
- ACEC also donated another \$3,000.00 to Katie Arrington's race as it has gotten a little closer. That check was mailed due to time constraints.
- Jones has been making the off-season lobbying contacts.
  - Met briefly with future Representative William Bailey, of North Charleston, at the SC FOR meeting.
  - The other candidates have asked me to call back after the election next week.
- The Legislative Reception has been moved to January 29, 2018 due to the Governor's inauguration being held on the same day that was originally scheduled.
- Jones attended the South Carolina Alliance to Fix Our Roads Annual Meeting October 23.
  - There was good attendance from the ACEC-SC membership.

- Secretary Hall gave a good update on how the new motor fuel user fee is being put to use.
  - Hall said since the Act 40, (The Gas Tax), the SCDOT has tripled the SCDOT's program.
  - Hall said after the last commission meeting they approved the first widening programs. Much the funds for this will come after the sunset of the tax rebate.
- Robby Robbins gave a SC DOT Commission update.
  - One thing he stressed is that projects are chosen by need not by politics.
  - There is public perception it is by politics and not needed and we should set the record straight.
  - It is up to ACEC to change the narrative.
- The money has come in from the 2018 SC Engineering Conference.
  - Preparing for the 2019 Conference in Greenville at the Hyatt Regency. Please submit a topic you would like and mark your calendars for June 6-8, 2019.
  - Board members now on the conference committee are: Kylie Page, Cameron Nations and Keith Overstreet.
- The 2020 Engineering Conference will be going back to Charleston. We're finalizing that now. PENC has decided not to come back.
- Jones attended the ACEC Fall Conference in Vegas.
  - ACEC is starting to push private market info out to the membership.
  - They realized that the Private market is a huge market share for engineering, and ACEC has not been stressing it as much.
  - In the Consent Agenda Packet there is info on this.
  - They are focusing on:
    - Commercial & Residential Real Estate
    - Intermodal planning and Logistics
    - Energy Utilities
    - Health Care
    - As this grows with national we may want to look at forming an ACEC-SC Private Industry Committee.

Jones thanked Keith Overstreet and Design South for the increase in government bodies asking for price in their PFPs.

- Jones requested those inquiries be forwarded to him so he can send a letter.
- Overstreet has been helpful with this and Jones has received some responses.
- One response a couple of months ago said the public body would amend the RFP.
- Another response said the government had a fiduciary responsibility to their citizens and that a PE had made the scope of work.
- Regardless, it is a way to get our message out.

### **National Director's Report (Rick Fauteux):**

- Chair Fauteux attended the ACEC national conference in Las Vegas earlier in the week.
- Fauteux congratulated Jerry Carter, PE, F.ACEC on getting his Fellow at the Fall conference.
- Fauteux said this was Linda Darr's (ACEC President and CEO) first meeting.
- Darr has hired a full-time membership director and staff.
- Darr wants ACEC to be more visible, and to change the narrative.
- He said the staff is energized about the new changes.
- He will submit a full report later.
- Fauteux reminded everyone there will be Toys For Tots collection bins at the ACEC-SC/SC DOT Annual Meeting December 4, and encouraged everyone to bring a toy.

### **Committee Reports:**

- Transportation Committee (Emily Swearingen)
  - The agenda is finished. It is on the website and in the Board packet.
  - A postcard invitation will be sent out.
  - Swearingen said the committee did a good job with recommendations.
  - Transportation Sub-Committee members are being selected
  - The Design Build subcommittee members have been selected.
    - Elham Farhzam, ICE, and Paul Raad from CECS will be on the DB Committee.
    - Swearingen will email those not selected to serve.
  - Transportation Committee meeting on DB today.
  - Cameron Nations nominated Ricky Ward to serve on the Partnering Committee representing ACEC-SC Board of Directors.
- Environmental Committee (Keith Overstreet)
  - Meeting will be held Monday, November 5
    - Will discuss topics/speakers for the Winter Meeting
- Communications Committee (Ricky Ward)
  - Not much to report.
  - Ward is going through information produced by the committee and information he has received from ACEC.
- Membership (Shoemake)
  - Nothing to report
- Advocacy/PAC (Matt Gehman)
  - Action items from last meeting. Looked at holding Oyster Roast at Dunes West instead of Sunrise Marina but cost was greater.
  - Talked to Independent Beverage service about pricing for alcohol.
  - Cost for the bar for beer, wine liquor would be around \$400.00, for a cash bar.
  - Teresa McClure is available to run the silent auction.
    - Date Feb 28, 2019 – PAC Oyster Roast Sunrise Marina, Mount Pleasant, SC, 4:00 PM – 8:00 PM

- Engineering Excellence Awards
  - After discussion the EEA Gala will be at the USC Alumni Center in Columbia.
    - Discussion ensued on how we can make it nicer and better.
      - Different emcee
      - Possibly Todd Ellis or a local personality to emcee
        - Gehman suggested Admiral Harold W. Gehman, Jr., a retired 4-star admiral as a speaker. He was also an industrial engineer.
  - Judges have been selected.
    - MAKE SURE THE MEMBERSHIP KNOWS IT IS AT ALUMNI CENTER.

**Other Business:** None

**Next Meeting:** December 6, 2018 at Parrish and Partners.

Motion made to adjourn the meeting at 11:41 am.

Respectfully submitted by:

Elaine Mikell  
Account Executive  
ACEC-SC

Company Name	ACEC DUES	SC DUES	MINUTE MAN	ACEC-SC PAC	TOTAL DUES	AMOUNT REC'D	ED FUND	REASON DUES & AMOUNT	DUES PAID
ADC Engineering, Inc. -NOT RENEWING	\$2,540.00	\$2,306.94	\$35.00	\$230.69	\$5,112.63				
AECOM	\$0.00	\$6,423.30	\$63.00	\$642.22	\$7,128.52				
Alliance Consulting Engineers, Inc.	\$4,598.00	\$3,853.98	\$39.00	\$385.40	\$8,876.38	\$8,876.38			yes
American Engineering Consultants, Inc.	\$2,398.00	\$2,141.10	\$23.00	\$214.11	\$4,776.21	\$4,776.21			yes
Applied Building Sciences	\$871.00	\$721.29	\$23.00	\$72.12	\$1,687.41	\$1,687.41			yes
Applied Control Technologies, Inc.	\$426.00	\$433.18	\$15.00	\$43.31	\$917.49	\$917.49			yes
Bunnell-Lammons Engineering, Inc.	\$1,936.00	\$1,585.65	\$47.00	\$158.56	\$3,727.21	\$3,727.21			yes
Calys Engineers & Consultants (Formerly Mulkey)		\$856.44	\$11.00	\$85.64	\$953.08	\$953.08			yes
Cardno USA, Inc. NEW MEMBER		\$433.18	\$43.31		\$476.49	\$476.49		did not pay minute man	yes
Carper Civil Consulting, LLC - let her member ship dues from March	\$335.00	\$290.12	\$7.00	\$29.01	\$661.13			Paid in March so dues went for this year	yes
Carlisle Associates, Inc.	\$1,969.00	\$2,141.10	\$23.00	\$214.11	\$4,347.21	\$4,347.21			yes
CDM Smith		\$4,282.20	\$43.00	\$428.22	\$4,753.42	\$4,753.42			yes
CEMS ENGINEERING INC	\$3,810.00	\$2,997.54	\$31.00	\$299.75	\$7,138.29				
Century Southern, Inc.	\$503.00	\$428.22	\$7.00	\$42.82	\$981.04	\$981.04			yes
CH Engineering, PLLC		\$1,284.66	\$15.00	\$128.47	\$1,428.13	\$1,428.13			yes
Civil Engineering Consulting Service, Inc.	\$2,975.00	\$2,388.34	\$27.00	\$256.93	\$5,647.27	\$5,647.27		pay pay fees	yes
Clark Patterson Lee		\$866.35	\$0.00	\$0.00	\$866.35	\$866.35		did NOT pay PAC or minute	yes
Collins Engineers, Inc.		\$1,712.88	\$19.00	\$171.29	\$1,903.17	\$1,903.17			yes
Construction Science and Engineering, Inc.	\$1,368.00	\$1,284.66	\$35.00	\$128.46	\$2,816.12	\$2,816.12			yes
Cox and Dinkins NEW MEMBER	\$1,038.00	\$865.35	\$31.00	\$86.53	\$2,020.88	\$2,020.88			yes
Davis & Floyd, Inc.	\$7,215.00	\$5,566.86	\$55.00	\$556.69	\$13,393.55	\$13,393.55			yes
DDC Engineers, Inc.	\$2,511.00	\$2,569.32	\$27.00	\$256.93	\$5,364.25	\$5,364.25			yes
Design South Professionals, Inc.	\$2,511.00	\$2,569.32	\$27.00	\$256.93	\$5,364.25	\$2,682.12		pays dues quarterly	partial
ECS Carolinas, LLP		\$3,425.76	\$35.00	\$342.58	\$3,803.34	\$3,803.34			yes
eMuWave	\$486.00	\$578.24	\$11.00	\$57.82	\$1,133.06				
ESP Associates, PA		\$5,995.08			\$5,995.08	\$5,995.08		didn't pay minute man or	yes
F&ME Consultants	\$3,689.00	\$3,425.76	\$35.00	\$342.58	\$7,492.34	\$7,492.34			yes
Forsberg Engineering & Surveying, Inc.	\$2,223.00	\$2,141.10	\$23.00	\$214.11	\$4,601.21	\$4,601.21			yes
Foth Infrastructure & Environment, LLC		\$866.35		\$86.64	\$952.99	\$952.99		didn't pay minute man	yes
Froehling & Robertson, Inc.		\$2,141.10			\$2,141.10	\$2,355.21	\$214.11	ask pac go to Ed Fund, didn't	yes
Gaines Engineering & Design, LLC	\$581.00	\$856.44	\$11.00	\$85.64	\$1,534.08	\$1,534.08			yes
GWA, Inc.	\$1,368.00	\$1,284.66	\$15.00		\$2,667.66	\$2,796.13	\$128.47		yes
HDR (ICA Engineering has merged with HDR)		\$5,138.64	\$51.00	\$513.86	\$5,703.50				
Holt Consulting Company, LLC		\$1,284.66	\$15.00	\$128.47	\$1,428.13	\$1,428.13			yes
Hussey Gay Bell		\$2,596.32	\$27.00	\$256.93	\$2,880.25	\$2,880.25			yes
GPI Geospatial (formerly Independent Mapping Consultants)		\$1,284.66	\$15.00	\$128.47	\$1,428.13	\$1,428.13			yes
Infrastructure Consulting & Engineering		\$5,138.64	\$51.00	\$513.86	\$5,703.50	\$5,703.50			yes
Infrastructure Engineers, Inc.		\$1,731.88	\$19.00	\$171.29	\$1,922.17	\$1,922.17			yes
Insight Group, A Christopher Company NEW MEMBER	\$286.00	\$289.12	\$11.00	\$28.91	\$615.03	\$615.03			yes
IPW Construction Group	\$652.00	\$866.35	\$15.00	\$86.64	\$1,619.99	\$1,619.99			yes
John Davenport Engineering Incorporated		\$290.12	\$7.00	\$29.01	\$326.13				
Johnson, Mirmiran & Thompson		\$2,141.10	\$23.00	\$214.11	\$2,378.21	\$2,378.21			yes
KCI Technologies, Inc.		\$2,569.32	\$27.00	\$256.93	\$2,853.25	\$2,853.25			yes
Keck & Wood, Inc.		\$1,712.88		\$171.29	\$1,884.17	\$1,884.17		didn't pay minute man	yes
Kimley-Horn and Associates, Inc.		\$1,646.93			\$1,646.93	\$1,818.22	\$171.29	didn't pay minute man	yes
Life Cycle Engineering, Inc.	\$14,129.00	\$5,138.64	\$51.00	\$513.86	\$19,832.50	\$19,832.50			yes
MA Engineering Consultants		\$1,284.66		\$128.47	\$1,413.13	\$1,413.13		didn't pay minute man	yes
McCormick Taylor		\$428.22	\$7.00	\$42.82	\$478.04	\$478.04			yes
Mead & Hunt, Inc.		\$2,997.54	\$31.00	\$299.75	\$3,328.29	\$3,328.29			yes
Michael Baker International		\$4,282.20	\$43.00	\$428.22	\$4,753.42	\$4,753.42			yes
MLB Engineering, LLC	\$503.00	\$428.22	\$7.00	\$42.82	\$981.04	\$981.04			yes
A Morton Thomas and Associates, Inc. (AMT)		\$557.88	\$11.00	\$57.82	\$626.70	\$626.70			yes
Neel-Schaffer, Inc.		\$856.44	\$11.00	\$85.64	\$953.08				
NOVA Engineering		\$856.44	\$11.00	\$85.64	\$953.08	\$953.08			yes
OLH, Inc.	\$1,833.00	\$1,712.88	\$19.00	\$171.29	\$3,736.17	\$3,736.17			yes
WSP Parsons Brinkerhoff (formerly PB Americas)		\$2,141.10	\$23.00	\$214.11	\$2,378.21	\$2,378.21			yes
Parrish and Partners, LLC		\$2,569.32	\$27.00	\$256.93	\$2,853.25	\$2,853.25			yes
POND		\$556.67	\$19.00	\$57.72	\$633.39	\$633.39		paid with paypal	yes
Professional Engineering Associates, Inc.	\$1,762.00	\$1,712.88	\$19.00	\$171.29	\$3,665.17	\$3,665.17			yes
Ramey Kemp & Associates Inc		\$833.27	\$11.00	\$85.64	\$929.91	\$929.91			yes
RX&K-Rummel, Klepper & Kahl, LLP		\$866.35	\$15.00	\$86.64	\$967.99	\$967.99			yes
Rowe Professional Services Company		\$856.44	\$11.00	\$85.64	\$953.08	\$953.08			yes
RS&H		\$1,284.66	\$15.00	\$128.47	\$1,428.13				
S&ME, Inc.		\$6,851.52	\$67.00	\$685.15	\$7,603.67	\$7,603.67			yes
SAM, LLC (merged with So-Deep)		\$1,284.66	\$15.00	\$128.47	\$1,428.13	\$1,428.13			yes
Sims Group Engineers, Inc		\$844.49			\$844.49	\$844.49			yes
Stantec Consulting		\$2,997.54	\$31.00	\$299.75	\$3,328.29	\$3,328.29			yes
Stevens & Wilkinson SC, Inc. -Payment on the Way		\$2,569.32	\$27.00	\$256.93	\$2,853.25				
STV Incorporated		\$2,141.10	\$23.00	\$214.11	\$2,378.21	\$2,378.21			yes
SynTerra	\$4,383.00	\$3,853.98	\$39.00	\$385.40	\$8,622.38	\$8,622.38		did not pay minute man	yes
Terracon Consultants, Inc.		\$5,566.86	\$55.00	\$556.69	\$6,178.55	\$6,178.55			yes
The Sheridan Corporation	\$503.00	\$428.22	\$7.00	\$42.82	\$981.04	\$981.04			yes
Thomas & Hutton Engineering Co.		\$3,425.76	\$35.00	\$342.58	\$3,803.34	\$3,803.34			yes
Three Oaks Engineering		\$826.59	\$11.00		\$837.59	\$923.23	\$85.64	PAC money went to Ed Fund	yes
TransSystems Corporation		\$2,141.10	\$23.00	\$214.11	\$2,378.21	\$2,378.21			yes
TRC Environmental Corporation		\$3,425.76	\$35.00	\$342.58	\$3,803.34	\$3,803.34			yes
Vaughn & Melton Consulting Engineers		\$1,712.88	\$19.00	\$171.29	\$1,903.17	\$1,903.17			yes
W. R. Riggs And Associates, Inc.	\$729.00	\$856.44	\$11.00	\$85.64	\$1,682.08	\$1,682.08			yes
Weston & Sampson		\$1,712.88	\$19.00	\$171.29	\$1,903.17	\$1,903.17			yes
Wurster Engineering- NOT RENEWING	\$969.00	\$1,154.47	\$19.00	\$115.45	\$2,257.92				
	\$71,100.00	\$166,564.47	\$1,765.31	\$15,272.36	\$254,702.14	\$217,923.88	\$599.51		

AFFILIATE MEMBERS									
Advance Drainage Systems, Inc.		\$650.00		\$65.00	\$715.00	\$715.00			yes
ITS Deemer Dana LLP Not (renewing)		\$650.00		\$65.00	\$715.00				
Edwards-Pitman Environmental, Inc.		\$650.00		\$65.00	\$715.00	\$715.00			yes
Gibbes Burton, LLC		\$650.00		\$65.00	\$715.00	\$715.00			yes
Insurance Management Consultants, Inc.		\$650.00		\$65.00	\$715.00	\$715.00			yes
O R Colan Associates, LLC		\$650.00		\$65.00	\$715.00	\$715.00			yes
SC Asphalt Pavement Association		\$650.00			\$650.00	\$715.00	\$65.00		yes
ACEC Business Insurance Trust									
Primacq Group, Inc.		\$650.00		\$65.00	\$715.00	\$715.00			yes
Mar Mac Construction Products Co.		\$650.00		\$65.00	\$715.00				
Oldcastle-Adams Products		\$627.53		\$65.00	\$692.53	\$692.53		paid with paypal	yes
T. Wayne Owens & Associates, PC		\$650.00			\$650.00	\$650.00			yes
Tindall Corporation		\$650.00		\$65.00	\$715.00	\$715.00			yes
The Canaan Agency		\$650.00			\$650.00				
Utility Coordination Consultants, LLC		\$650.00		\$65.00	\$715.00	\$715.00			yes
THC, Inc.		\$627.53		\$65.00	\$692.53	\$692.53		paid with paypal	yes
Enterprise Fleet Management		\$650.00		\$65.00	\$715.00	\$715.00			yes
Burkett Burkett & Burkett Certified Public Accountants, PA		\$650.00		\$65.00	\$715.00	\$715.00			yes
						\$9,900.00			



AMERICAN COUNCIL OF ENGINEERING COMPANIES  
of South Carolina

**American Council of Engineering Companies of South Carolina  
Application for Affiliate Membership**

Name of Firm: Subsurface Utility Solutions, LLC

Business Location Address: 4288 Club Course Drive

City: North Charleston State: SC Zip: 29420

Mailing Address: (If Different): \_\_\_\_\_

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

Phone: 7033367818 Fax: \_\_\_\_\_ Email: rock.tom@outlook.com

Field of Service: Utility Designating, Locating and Consulting

Website: www.subsurfaceutilitysolutions.com

**(Please attach brochure or other literature describing services)**

Firm Representative: Tom Rock Title: President

Email: rock.tom@outlook.com

Alternate: Janet Rock Title: CEO

Email: janet.rock@outlook.com

**Sponsor:** One ACEC-SC member firm principal who is familiar with your firm and endorses your application for Affiliate Membership.

Name: I know many members, but am just starting the LLC Firm: \_\_\_\_\_

**Certification:** By signing below, the applicant agrees to uphold the Bylaws and Policies and Procedures of ACEC-SC, as they apply to Affiliate Members (Should the applicant firm be accepted for Affiliate Membership). See enclosed Bylaws.

Signed: Tom Rock Date: 11/24/18

Name: \_\_\_\_\_ Date: \_\_\_\_\_

**Annual Dues: \$650.00-Payable to American Council of Engineering Companies of SC.**

ACEC-SC Office Use Only

Received: \_\_\_\_\_

ACEC-SC Accepted: \_\_\_\_\_



# ACEC

AMERICAN COUNCIL OF ENGINEERING COMPANIES  
of South Carolina

## ARTICLE XI AFFILIATE MEMBERSHIP

### Section 1 - Purpose

Certain providers of goods and services commonly employed by members in conduct of their work are known to be highly reliable sources of information useful to consulting engineers. The same providers are in a position to act as informal liaisons between ACEC-SC and organizations and individuals with whom they work. By permitting appropriate representatives of provider organizations to participate more substantially in ACEC-SC activities, the potential for enhanced communication, cooperation and coordination can be realized. Accordingly, ACEC-SC has established an affiliate membership category.

### Section 2 - Eligibility

Any organization, other than consulting engineering firms, which provides products and/or services routinely used, specified or recommended to clients by members of ACEC-SC may be eligible for affiliate membership.

### Section 3 - Election to Affiliate Membership

1. Procedure. Any organization desirous of becoming an affiliate member of ACEC-SC may make its wishes known in writing to the Board. Before being considered, such organization shall provide the name of at least one ACEC-SC member who shall sponsor the potential affiliate member. Each such request for affiliate membership shall be reviewed by the Board of Directors. If the Board believes that granting affiliate membership to the interested party will be in the best interest of ACEC-SC, members shall be advised in writing and shall be given a period of three weeks to comment on the applicant. Failing any negative comment, an invitation to become an Affiliate member of ACEC-SC shall be issued to the interested party.
2. Review Considerations. In reviewing the desirability of issuing an invitation to any given prospective affiliate member firm, a member of the board shall first speak with the sponsoring ACEC-SC member to determine the basis for such sponsorship. The board shall review the composition of the current affiliate membership to determine the extent to which a given product or service category already is represented by existing affiliate membership, to help assure that any available affiliate memberships are used to enhance diversity of services and products represented by affiliate members. If the review indicates it would be desirable to include the prospect among the ACEC-SC affiliate membership, the Board shall contact other ACEC-SC members and nonmembers identified as references by the prospect, to help assure the prospect is known for conducting itself in a professional manner.
3. Member Comment. If after notification, a board member shall voice negative comments about the prospective affiliate member within the time period provided, an invitation shall not be issued to the prospective affiliate member until the Board obtains more information about the basis of the negative comment.
4. Rejection. If for any reason an invitation shall not be extended to an organization seeking affiliate membership in ACEC-SC, the organization shall be so informed.

### Section 4 - Duration of Membership

An organization's affiliate membership shall continue only through the last day of the fiscal year during which affiliate membership was conferred. The Board shall issue invitations for annual

affiliate membership renewal only to those organizations which, in the opinion of the Board, enrich the value of membership for ACEC-SC members.

#### Section 5 - Limited Number

The number of affiliate members permitted to belong to ACEC-SC at any given time shall be determined by the Board on an annual basis and as a general rule should not exceed 25-35 percent of the number of ACEC-SC member firms. No affiliate member shall be asked to leave during a fiscal year solely because a loss of ACEC-SC members reduces the number of affiliate members who may belong to ACEC-SC.

#### Section 6 - Representation

Each affiliate member shall be permitted three representatives. As part of the review process, prospective affiliate member shall identify who these three representatives shall be, and provide biographical information about each. At such time as representatives are changed, biographical information shall be furnished to and reviewed and approved by the Board before the replacement is accorded official representative status.

#### Section 7 - Participation in ACEC-SC Affairs

An affiliate member representative may serve on any ACEC-SC committee, and may attend and participate in ACEC-SC membership meetings. In all such activities, however, the affiliate member representative involved shall serve without vote, in an advisory capacity only.

#### Section 8 - Dues and Fees

There shall be no affiliate membership application fee because organizations may become members and maintain membership from year-to-year only at the invitation of the Board. However, affiliate members shall be required to pay dues to the ACEC-SC. Such dues shall be established each year by the Board of Directors.

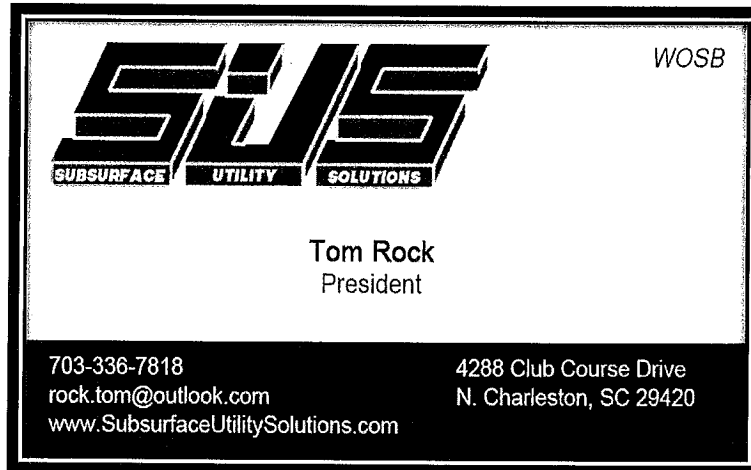
#### Section 9 - Relationship to ACEC

ACEC-SC is a member organization of the American Consulting Engineers Council, and as such, each ACEC-SC member also is a member of the American Consulting Engineers Council. Affiliate members may not belong to the American Consulting Engineers Council, however, and therefore no benefits accorded to members of the American Consulting Engineers Council shall be afforded to affiliate members of ACEC-SC.

#### Section 10 - Notice of Affiliate Membership

An affiliate member may not use affiliate membership status in the organization for any commercial purpose, except it may list its affiliate membership in proposals and similar documents of short-term longevity. In that affiliate membership in ACEC-SC may not be renewed by the Board from one year to the next, use of symbols and/or words indicating affiliate membership on or in materials such as brochures, letterheads, and business cards is expressly forbidden. In all cases, an affiliate member shall obtain permission for a specific application or category of application prior to implementing such application, and shall receive written permission for the application prior to implementing it.

Subsurface Utility Solutions is a newly formed consulting firm focusing on issues associated with underground utilities. Primary services include utility designating/locating on private property, Subsurface Utility Engineering (SUE) technical support, business development, reporting and expert witness testimony. Tom Rock, President, is a subject matter expert with 27 years of experience in SUE.



# Thomas (Tom) R. Rock

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## SUBSURFACE UTILITY SOLUTIONS

### EXPERIENCE

For the past 26 years, I worked for the So-Deep family of companies in various positions starting as a Project Manager Trainee to the position of President, with the goal of continuing to develop the standard of care for the SUE profession founded by So-Deep in 1981.

#### **PRESIDENT | NOVEMBER 2016 – MARCH 2018**

- Led the direction and financial success of the So-Deep family of companies within the new structure under venture-backed Survey and Mapping (SAM) LLC.
- Worked closely with the SAM senior management team developing equitable solutions to integrating two companies with differing organizational structures, means/methodologies, growth models, and employee benefits. Responsible for relaying these to So-Deep employees in a manner to facilitate the company's future success.

#### **PRESIDENT | 2009 – NOVEMBER 2016**

- Oversaw and/or performed all duties related to costs and pricing, employee benefits, business development, safety, quality, and scopes of work.
- Oversaw the purchase process, transitioned, and integrated So-Deep through the merger into SAM LLC retaining all key So-Deep employees.
- Principal in Responsible Charge for all on-call DOT contracts and other local municipalities.
- Increased contract revenue and net income each year over the previous year an average of 12% as President.
- Led company expansion into Minnesota, Illinois, and Pennsylvania while continuing to grow within So-Deep's existing Southeast client base.
- Introduced Utility Coordination, Utility Construction Inspection, Conventional Survey service lines to complement Subsurface Utility Engineering.

#### **EXECUTIVE VICE PRESIDENT | 2008 - 2009**

- Performed the duties of the President, at the time, in his absence, with a terminal illness.
- Coordinated and published internally three manuals still used today: *So-Deep Safety Initiative*, to provide guidelines and procedures for improving safety measures, the *So-Deep Master Quality Management Plan*, to provide employees with a comprehensive manual outlining step-by-step procedures for all aspects of SUE, and the *So-Deep Equipment Procedures Manual* to outline all pieces of equipment used by the company field personnel.
- Created the current in-house *Skills Certification Program*, including training modules and tests.
- Significantly improved the company quality and safety rating to ensure So-Deep's ability to provide services in multiple states and markets.

### **SENIOR VICE PRESIDENT | 2007 - 2008**

- Performed all Vice President Southeast duties while developing consistencies across offices within the company for improved efficiencies and negotiated prices for all on-call contracts in the Southeastern District. Participated in monthly Senior staff meetings to provide input to the President for decision making.

### **VICE PRESIDENT | 2004 - 2007**

- Authorized the scope and fee for all projects within the Southeastern District (NC, SC, and GA) and forged relationships that are still in-tact with the NCDOT, SCDOT, and GDOT.

### **DISTRICT DIRECTOR SOUTHEAST | 2000 - 2004**

- Developed the South Carolina and Georgia market while directing ongoing business in North Carolina.

### **RALEIGH, NC BRANCH MANAGER | 1996 - 2000**

- Developed the North Carolina market, including business development, schedules, scope, fee and QA/QC for all NC projects, supervision of personnel, and staffing and training,

### **PROJECT MANAGER | 1994 - 1996**

- Performed field evaluations to determine quantities for cost estimations, managed projects with responsibility for productivity and quality of all aspects of the project.

### **PROJECT MANAGER TRAINEE | 1992 - 1994**

- Obtained all certifications for designating, locating, and surveying through field and office training in a company record 18 months.

## **EDUCATION**

### **BACHELOR OF SCIENCE DEGREE | MAY 1986 | EAST CAROLINA UNIVERSITY, GREENVILLE, NORTH CAROLINA**

- Major: Industrial Technology
- Minor: Mathematics

	Jul '18 - Jun 19	Budget	\$ Over Budget	% of Budget	Jul '18 - Jun 19	DELTA	notes
<b>Income</b>							
4010 · ACEC-SC DUES	141,696.33	153,000.00	-11,303.67	92.61%	137,517.30	4,179.03	dues
4020 · ACEC-SC PAC	13,878.35	16,100.00	-2,221.65	86.2%	13,454.78	423.57	pac
4030 · ACEC DUES	61,704.50	61,000.00	704.50	101.16%	58,455.75	3,248.75	dues
4040 · ACEC MINUTE MAN FUND (TORT)	1,431.50	1,500.00	-68.50	95.43%	1,329.75	101.75	minute mar
4045 · EDUCATION FUND	664.51	500.00	164.51	132.9%	664.51	0.00	ed fund
4050 · AFFILIATE DUES	7,755.06	8,000.00	-244.94	96.94%	7,755.06	0.00	aff dues
4070 · ACEC ROYALTIES	0.00	0.00	0.00	0.0%	0.00	0.00	
4130 · MEMBER MEETINGS						0.00	
4130.1 · ENGINEERING EXCELLENCE AWARDS						0.00	
4130.11 · ENTRY FEES	6,626.60	7,000.00	-373.40	94.67%	5,308.10	1,318.50	eea entry fe
4130.12 · PLAQUES	0.00	700.00	-700.00	0.0%	0.00	0.00	
4130.13 · EE BANQUET	0.00	5,000.00	-5,000.00	0.0%	0.00	0.00	
4130.1 · ENGINEERING EXCELLENCE AWARDS - Other	0.00	10,000.00	-10,000.00	0.0%	0.00	0.00	
Total 4130.1 · ENGINEERING EXCELLENCE AWARDS	6,626.60	22,700.00	-16,073.40	29.19%	5,308.10	1,318.50	eea entry fe
4130.2 · WINTER MEETING	0.00	21,000.00	-21,000.00	0.0%	0.00	0.00	
4130.3 · SCDOT MEETING						0.00	
4130.31 · SCDOT MEETING EXHIBITORS	4,979.20	8,000.00	-3,020.80	62.24%	3,350.20	1,629.00	DOT exhib
4130.32 · SCDOT MEETING SPONSORS	60,985.20	65,000.00	-4,014.80	93.82%	43,141.10	17,844.10	DOT sponsc
4130.33 · SCDOT MEETING REGISTRANTS	35,743.76	55,000.00	-19,256.24	64.99%	4,864.98	30,878.78	DOT registr
4130.3 · SCDOT MEETING - Other	0.00	5,000.00	-5,000.00	0.0%	0.00	0.00	
Total 4130.3 · SCDOT MEETING	101,708.16	133,000.00	-31,291.84	76.47%	51,356.28	50,351.88	DOT total
4130.4 · BOARD RETREAT	0.00	9,000.00	-9,000.00	0.0%	0.00	0.00	
4130.5 · SUMMER ENGINEER'S CONFERENCE	9,779.62	10,000.00	-220.38	97.8%	9,779.62	0.00	
4130.6 · MEMBER GOLF TOURNAMENTS						0.00	
4130.61 · FALL PAC GOLF TOURNAMENT	1,640.00	10,000.00	-8,360.00	16.4%	1,640.00	0.00	
4130.62 · SPRING SCHOLARSHIP TOURNAMENT	0.00	15,000.00	-15,000.00	0.0%	0.00	0.00	
4130.6 · MEMBER GOLF TOURNAMENTS - Other	0.00	0.00	0.00	0.0%	0.00	0.00	
Total 4130.6 · MEMBER GOLF TOURNAMENTS	1,640.00	25,000.00	-23,360.00	6.56%	1,640.00	0.00	
4130 · MEMBER MEETINGS - Other	0.00	0.00	0.00	0.0%	0.00	0.00	
Total 4130 · MEMBER MEETINGS	119,754.38	220,700.00	-100,945.62	54.26%	68,084.00	51,670.38	member mt
4130.8 · FAR program	0.00	0.00	0.00	0.0%	0.00	0.00	
4140 · FUTURE LEADERS PROGRAM	0.00	0.00	0.00	0.0%	0.00	0.00	
4200 · PAYPAL CREDITS	0.00	0.00	0.00	0.0%	0.00	0.00	
Total Income	346,884.63	460,800.00	-113,915.37	75.28%	287,261.15	59,623.48	
is Profit	346,884.63	460,800.00	-113,915.37	75.28%	287,261.15	59,623.48	TOTAL
<b>Expense</b>						<b>0.00</b>	
6010 · ACEC NATIONAL DUES						0.00	
6010.1 · MINUTE MAN CONTRIBUTIONS	0.00	1,500.00	-1,500.00	0.0%	0.00	0.00	
6010.2 · NATIONAL DUES	16,702.50	61,000.00	-44,297.50	27.38%	16,702.50	0.00	
6010.3 · EXECUTIVE DIRECTOR/NAECE DUES	0.00	200.00	-200.00	0.0%	0.00	0.00	
Total 6010 · ACEC NATIONAL DUES	16,702.50	62,700.00	-45,997.50	26.64%	16,702.50	0.00	
6015 · ACEC-SC PAC Transfer	128.84	0.00	128.84	100.0%	128.84	0.00	
6020 · ACEC TRAVEL						0.00	
6020.2 · EXECUTIVE DIRECTOR	2,987.29	8,000.00	-5,012.71	37.34%	1,655.38	1,331.91	travel
6020.3 · NATIONAL DIRECTOR	1,695.62	5,000.00	-3,304.38	33.91%	425.78	1,269.84	travel
6020.4 · PRESIDENT	0.00	5,000.00	-5,000.00	0.0%	0.00	0.00	
6020.5 · PRESIDENT ELECT	0.00	4,000.00	-4,000.00	0.0%	0.00	0.00	
6020.6 · AFFILIATE NATIONAL DIRECTOR	0.00	4,000.00	-4,000.00	0.0%	0.00	0.00	
6020 · ACEC TRAVEL - Other	0.00	500.00	-500.00	0.0%	0.00	0.00	
Total 6020 · ACEC TRAVEL	4,682.91	26,500.00	-21,817.09	17.67%	2,081.16	2,601.75	travel
6030 · BOARD EXPENSE	42.80	2,000.00	-1,957.20	2.14%	42.80	0.00	
6045 · EDUCATION FUND EXP	0.00	0.00	0.00	0.0%	0.00	0.00	
6050 · COMMITTEE ACTIVITY						0.00	
6050.1 · MEMBERSHIP	2,600.29	5,000.00	-2,399.71	52.01%	2,600.29	0.00	
6050.2 · TRANSPORTATION	74.61	7,200.00	-7,125.39	1.04%	74.61	0.00	
6050.3 · ENVIRONMENTAL	0.00	250.00	-250.00	0.0%	0.00	0.00	
6050.4 · COMMITTEE ACTIVITY - OTHER	0.00	250.00	-250.00	0.0%	0.00	0.00	
Total 6050 · COMMITTEE ACTIVITY	2,674.90	12,700.00	-10,025.10	21.06%	2,674.90	0.00	
6120 · LEGISLATIVE ACTIVITY						0.00	
6120.2 · LOBBY FEES	0.00	416.00	-416.00	0.0%	0.00	0.00	
6120.3 · ACTIVITIES EXPENSE	0.00	500.00	-500.00	0.0%	0.00	0.00	
6120.4 · SC PAC CONTRIBUTIONS	0.00	16,100.00	-16,100.00	0.0%	0.00	0.00	
6120 · LEGISLATIVE ACTIVITY - Other	0.00	0.00	0.00	0.0%	0.00	0.00	
Total 6120 · LEGISLATIVE ACTIVITY	0.00	17,016.00	-17,016.00	0.0%	0.00	0.00	
6130 · MEMBER MEETING EXPENSES						0.00	
6130.1 · ENG. EXCELLENCE AWARDS						0.00	
6130.15 · EAA PRINTING	2,717.96	2,800.00	-82.04	97.07%	2,717.96	0.00	

6130.1 · ENG. EXCELLENCE AWARDS - Other	2,500.00	15,000.00	-12,500.00	16.67%	0.00	2,500.00	EEA
Total 6130.1 · ENG. EXCELLENCE AWARDS	5,217.96	17,800.00	-12,582.04	29.31%	2,717.96	2,500.00	EEA
6130.2 · WINTER MEETING EXPENSE	0.00	12,000.00	-12,000.00	0.0%	0.00	0.00	
6130.3 · SCDOT MEETING EXPENSE	33,239.21	54,000.00	-20,760.79	61.55%	2,000.00	31,239.21	DOT mgt
6130.4 · BOARD RETREAT EXPENSE	0.00	10,000.00	-10,000.00	0.0%	0.00	0.00	
6130.6 · GOLF TOURNAMENT EXPENSES						0.00	
6130.61 · FALL PAC GOLF TOURNAMENT EXP.	2,140.00	10,000.00	-7,860.00	21.4%	2,140.00	0.00	
6130.62 · SPRING GOLF TOURNAMENT EXPENSE	7,072.91	15,000.00	-7,927.09	47.15%	7,072.91	0.00	
6130.6 · GOLF TOURNAMENT EXPENSES - Other	0.00	0.00	0.00	0.0%	0.00	0.00	
Total 6130.6 · GOLF TOURNAMENT EXPENSES	9,212.91	25,000.00	-15,787.09	36.85%	9,212.91	0.00	
6130.70 · LEGISLATIVE RECEPTION	0.00	2,700.00	-2,700.00	0.0%	0.00	0.00	
6130.80 · REGIONAL MEETINGS	438.99	0.00	438.99	100.0%	438.99	0.00	
6130 · MEMBER MEETING EXPENSES - Other	30.04	3,500.00	-3,469.96	0.86%	30.04	0.00	
Total 6130 · MEMBER MEETING EXPENSES	48,139.11	125,000.00	-76,860.89	38.51%	14,399.90	33,739.21	mtg expens
6130.8 · FAR PROGRAM EXP	0.00	0.00	0.00	0.0%	0.00	0.00	
6140 · FUTURE LEADERS PROGRAM EXPENSE	888.95	0.00	888.95	100.0%	888.95	0.00	
6160 · DUES AND SUBSCRIPTIONS	884.00	900.00	-16.00	98.22%	884.00	0.00	
6170 · SCCJC DUES	0.00	2,500.00	-2,500.00	0.0%	0.00	0.00	
6200 · MANAGEMENT FEES	70,868.00	170,083.20	-99,215.20	41.67%	56,694.40	14,173.60	mgt fee
6210 · MISCELLANEOUS OPERATIONS						0.00	
6210.1 · PHOTOCOPIES	2,227.40	0.00	2,227.40	100.0%	1,806.37	421.03	copies
6210.2 · POSTAGE	148.87	0.00	148.87	100.0%	135.94	12.93	postage
6210.3 · FAXES	0.00	0.00	0.00	0.0%	0.00	0.00	
6210.4 · LONG DISTANCE	153.24	0.00	153.24	100.0%	66.84	86.40	calls
6210.5 · GOT COMPANY.COM	0.00	0.00	0.00	0.0%	0.00	0.00	
6210.6 · OFFICE SUPPLIES	28.03	0.00	28.03	100.0%	28.03	0.00	
6210.8 · WEBSITE	335.00	5,000.00	-4,665.00	6.7%	335.00	0.00	
6210 · MISCELLANEOUS OPERATIONS - Other	366.48	12,000.00	-11,633.52	3.05%	366.48	0.00	
Total 6210 · MISCELLANEOUS OPERATIONS	3,259.02	17,000.00	-13,740.98	19.17%	2,738.66	520.36	total
6410 · BANK CHARGES / CREDIT CARD FEES						0.00	
6410.1 · CAROLINA FIRST SERVICE FEE	16.00	48.00	-32.00	33.33%	12.00	4.00	bank fee
6410.2 · PAYPAL EXPENSE	180.00	500.00	-320.00	36.0%	120.00	60.00	paypal fee
6410.3 · REGONLINE EXPENSE	364.39	528.00	-163.61	69.01%	364.39	0.00	
6410 · BANK CHARGES / CREDIT CARD FEES - Other	-30.00	12.00	-42.00	-250.0%	-30.00	0.00	
Total 6410 · BANK CHARGES / CREDIT CARD FEES	530.39	1,088.00	-557.61	48.75%	466.39	64.00	total
6510 · LEGAL AND PROFESSIONAL SERVICES						0.00	
6510.1 · ACCOUNTING & PROFESSIONAL SVCS	0.00	2,500.00	-2,500.00	0.0%	0.00	0.00	
6510.2 · LEGAL & PROFESSIONAL SVCS FOR I	0.00	2,500.00	-2,500.00	0.0%	0.00	0.00	
6510.5 · LIABILITY INSURANCE	0.00	350.00	-350.00	0.0%	0.00	0.00	
6510 · LEGAL AND PROFESSIONAL SERVICES - Other	0.00	0.00	0.00	0.0%	0.00	0.00	
Total 6510 · LEGAL AND PROFESSIONAL SERVICES	0.00	5,350.00	-5,350.00	0.0%	0.00	0.00	
6610 · PUBLIC RELATIONS						0.00	
6610.4 · AWARDS	192.60	200.00	-7.40	96.3%	192.60	0.00	
6610 · PUBLIC RELATIONS - Other	161.23	3,500.00	-3,338.77	4.61%	28.36	132.87	SCFOR
Total 6610 · PUBLIC RELATIONS	353.83	3,700.00	-3,346.17	9.56%	220.96	132.87	
6999 · UNCATEGORIZED EXPENSES	0.00	0.00	0.00	0.0%	0.00	0.00	
7000 · MINUTE MAN MATCH	29.95	5,146.77	-5,116.82	0.58%	0.00	29.95	MM MATCH
Total Expense	149,185.20	451,683.97	-302,498.77	33.03%	97,923.46	51,261.74	TOTAL
Net Income	197,699.43	9,116.03	188,583.40	2,168.7%	189,337.69	8,361.74	NET INCOME

**ACEC-SC**  
**Balance Sheet**  
**As of June 30, 2018**  
**Jun 30, 18**

**ASSETS**

**Current Assets**

**Checking/Savings**

1001 · ACEC-SC	284,694.41
1010 · PAC	13,259.42
1015 · ACEC-SC Education Foundation	8,442.54
1110 · CD - MERRILL LYNCH	3,435.85
1120 · SCHO CD - CAROLINA FIRST	12,603.60

**Total Checking/Savings** 322,435.82

**Accounts Receivable**

11000 · Accounts Receivable	-5,708.21
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**Total Accounts Receivable** -5,708.21

**Other Current Assets**

12000 · Undeposited Funds	7,725.29
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**Total Other Current Assets** 7,725.29

**Total Current Assets** 324,452.90

**TOTAL ASSETS** **324,452.90**

**LIABILITIES & EQUITY**

**Equity**

3000 · OPENING BAL EQUITY	27,760.23
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3900 · RETAINED EARNINGS	195,160.78
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Net Income	101,531.89
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**Total Equity** 324,452.90

**TOTAL LIABILITIES & EQUITY** **324,452.90**



As of: 4-1-2018

Strategy	Objective	Tactics (How)	Measures of Success	Who's Accountable	Resources (Who/What)	Timeframe	Progress Update
Grow and Diversify Membership	Diversify Membership	Form a Membership Committee	Increase in Membership 2018 vs 2017. (Certain % wanted?)	Kevin Shomaker	Michigan and Louisiana approaches	6/15/2018	Q1: Q2: Q3: Q4:
Grow the Brand	Transparency	Revisit and Publish Bylaws	Bylaws published to membership	Kylie Page	Current bylaws	5/3/2018	Q1: Q2: Q3: Q4:
Grow the Brand	Transparency	Board Meeting review and discussion	Review completed and revisions proposed	Kylie Page	Current and proposed revised bylaws	5/3/2018	Q1: Q2: Q3: Q4:
Grow the Brand	Effective Communication	Investigate other Member Org's communication and duplicate where advantageous	Communication Plan developed	Keith Overstreet	Other Communication Plans	6/15/2018	Q1: Q2: Q3: Q4:
Legislative Influence	Educate on Legislative process	Legislative Sessions at Conference	Session scheduled and delivered	Adam Jones		June	Q1: Q2: Q3: Q4:
Legislative Influence	Educate on Legislative process	Keynote Speaker at all conferences	Speakers scheduled	Adam Jones		June	Q1: Q2: Q3: Q4:
Legislative Influence	Develop Tools to aid members	Videos/Reference Cards	Plan developed and tools produced	Adam Jones		7/1/2018	Q1: Q2: Q3: Q4:

Strategy	Objective	Tactics (How)	Measures of Success	Who's Accountable	Resources (Who/What)	Timeframe	Progress Update
Legislative Influence	PAC Growth through Member Donations	Develop a fundraiser strategy that maximizes potential	Fundraiser plan developed	Adam Jones		4/1/2018	Q1: Q2: Q3: Q4:
Legislative Influence	PAC Growth through Member Donations	Form Advocacy Committee	Committee formed and producing	Matt Gehman		7/1/2018	Q1: Q2: Q3: Q4:
Impactful Committees	Examine Committee Structure	Determine which Committees need to active to drive organization towards Vision, forming those that are needed and disbanding those that aren't	New Committee structure proposed	Kevin Overstreet		April Board Meeting	Q1: Q2: Q3: Q4:
Energize and Engage Membership	Develop Social Media Strategy	Social Media Training for Board Members	Strategy Developed and Training Delivered	Adam Jones		6/1/2018	Q1: Q2: Q3: Q4:
Energize and Engage Membership	Membership Fun Event	Develop and budget for event. Board members responsible for bringing a potential member to event	Event held	Adam Jones		8/2/2018	Q1: Q2: Q3: Q4:



## South Carolina Civil Justice Coalition

826 Assembly Street Columbia, SC 29201 P: (803)771-0008 F: (803)771-4272  
www.sccjc.org

November 20, 2018

Joe Jones  
ACEC-SC  
P.O. Box 11937  
Columbia, SC 29211

Subject: SCCJC 2019 Membership

Dear Mr. Jones:

I want to sincerely thank you for your past support of the SC Civil Justice Coalition (SCCJC) and strongly encourage you to continue your support in 2019. We strongly value your continued support.

Tort reform was and will continue to be a major issue for business and industry in our state. As you know, we had success in recent years, such as the passage of the Trespasser Responsibility Act and preventing the passage of a state False Claims Act. We also blocked attempts to stop regulation of the lawsuit lending industry. We will be filing several tort reform bills for the upcoming 2019 session concerning several important tort matters, including: Joint and Several Liability Reform, Seatbelt Non-Use Admissibility; Transparency in Private Attorney Contracting; and Asbestos Trust Transparency.

Our coalition fully anticipates attempts to undo our successful tort reform efforts of the past decade or so and efforts to increase the liability of companies through passage of legislation harmful to businesses in our state. We will continue to fight these bills every step of the way.

We only benefit by having strength in numbers to fight those that attempt to create more opportunities for frivolous suits and to exert control over the different branches of government. We need your continued support!

Please find enclosed an invoice for your 2019 membership. If you have questions, please contact me at (803)260-5258 (mobile), 803-771-0008 (office), or at [ehunter@sccjc.org](mailto:ehunter@sccjc.org).

Sincerely,

Earl Hunter  
Executive Director

### SC Joint & Several Liability info:

South Carolina abolished joint and several liability in 2005 when the South Carolina General Assembly adopted South Carolina's Uniform Contribution Among Tortfeasors Act, located at S.C. Code § 15-38-10 *et seq.* <http://www.scstatehouse.gov/code/t15c038.php>.

The Act addresses:

1. The allocation of fault and damages between a plaintiff and one or more defendants; and
2. The right of contribution among joint tortfeasors.

#### **Allocation of fault between a Plaintiff and Defendant(s)**

Under the Act:

- Joint and several liability does not apply to any defendant whose conduct is less than 50% of the total fault for the plaintiff's indivisible damages. Such a defendant is liable for only the percentage of fault attributed to him by the fact finder. If the defendant is more than 50% at fault, he will be jointly and severally liable.
- In a jury trial, the jury shall determine liability and damages.
- If the jury finds faults and damages, **upon motion by a defendant**, the jury shall allocate the damages between the parties.
- The Court may determine that two or more persons be treated as a single party.

#### **The empty chair defense applies**

The South Carolina Contribution Among Tortfeasors Act envisions that one or more potentially liable parties may settle with a plaintiff. Section 15-38-15(D) provides: (D) A defendant shall retain the right to assert that another potential tortfeasor, whether or not a party, contributed to the alleged injury or damages and/or may be liable for any or all of the damages alleged by any other party.

In recent cases, the South Carolina Supreme Court expressly indicated that the "empty chair defense" is available to a defendant that has not settled. In *Machin v. Carus Corp.*, Slip. Op. No. 27714 (April 26, 2017), the South Carolina Supreme Court held that a non-settling defendant can introduce evidence at trial that another person (including the plaintiff's employer) was the cause of the plaintiff's injuries, provided that such evidence relates to a defense in the case. For example, *Machin* involved a products liability action. Evidence that the employer had altered the machine was relevant to the defense that when the machine was sold it was not in a defective condition and unreasonably dangerous.

Likewise, in *Smith v. Norman K. Tiffany*, Slip. Op. No. 27715 (April 26, 2017), the South Carolina Supreme Court held that Section (D) codifies the empty chair defense; "[T]he General Assembly took steps to protect nonsettling defendants by codifying a nonsettling defendant's right to argue the so-called empty chair defense in subsection (D)..."

Therefore, if a person or entity settles with a Plaintiff, a non-settling defendant may present evidence and argue at trial facts to support its defenses, including facts that show that a settling person or entity caused the plaintiff's injuries.

#### **There is a right to offset amounts collected from settling defendants.**

Section 15-38-15(E) provides:

Notwithstanding the application of this section, setoff from any settlement received from any potential tortfeasor prior to the verdict shall be applied in proportion to each defendant's percentage of liability as determined pursuant to subsection (C).

The right to setoff amounts paid by other parties arises by operation of law. *Smith v. Widner*, 397 S.C. 468, 724 S.E.2d 188 (Ct. App. 2012). Based upon South Carolina cases, the trial court must reduce the verdict by the amount paid in settlement by another party before entering judgment. For setoff to apply as a matter of law, the settlement funds must have been paid to compensate the same plaintiff on a claim **for the same injury**.

However, when a settlement involved two claims, one of which involves the same injury as the claim tried to verdict and one of which does not, the trial court must make the factual determination of how to allocate the settlement between the two claims. Presumably, if the settlement agreement with the settling party does not allocate the settlement proceeds between injuries or damages, the trial court must hold an evidentiary hearing to determine which claims for damages were settled and how the settlement proceeds must be allocated.

### **The verdict form will not include a party that has settled.**

The only parties that will appear on the verdict form are those that are still in the case at the time it is sent to the jury. In *Smith v. Norman K. Tiffany*, the South Carolina Supreme Court strictly interpreted the statute and indicated that 100% of the fault would be allocated among the plaintiff and the defendants. Likewise, the *Machin* court stated the rule as follows:

*In describing the allocation of fault among parties and the format of the jury form, if the legislature intended to allow non-parties to be included on the jury verdict form, it would have used terms other than "defendant" and "defendants" in drafting subsection C, just as it used the different term – potential tortfeasor – in subsection (D). .... Giving the words 'defendant' and 'defendant' a plain and ordinary reading, we find that subsection (C) allows only a "defendant" or "defendants" to be listed on the jury form and included in the allocation of fault.*

## **ACEC OFFICER NOMINEES FOR 2020-2022**

### Charles J. Gozdziwski for Chair-elect

Mr. Gozdziwski is Executive Chairman of Hardesty & Hanover in New York, New York. He is serving as vice chair of the Council from 2017 to 2019. He is Chair of the ACEC/PAC Champions Committee and he is a member of the ACEC/PAC Capitol Club. He belongs to the Design Professionals Coalition (DPC) and ACEC's Transportation Committee and Budget Committee. He holds a Bachelor of Science in Aerospace Engineering from Polytechnic Institute of Brooklyn.

### John L. Carrato for Vice Chair

Mr. Carrato is President and CEO of Alfred Benesch & Company in Chicago, Illinois. He is Co-Vice Chair of the ACEC/PAC Champions Committee and a member of the ACEC/PAC Capitol Club. He is Co-Vice Chair of the Management Practices Committee, and a member of the Transportation Committee and Design Professionals Coalition (DPC). He is a past President and National Director of ACEC/Illinois. Mr. Carrato holds a Bachelor of Science and a Master of Science, both in Structural Engineering from the University of Illinois, Urbana-Champaign.

### Keith A. London for Vice Chair

Mr. London is President and CEO of Kennedy/Jenks Consultants in Murrieta, California. He is currently serving as a Vice Chair on ACEC's Executive Committee. He has been active in ACEC's Design Professionals Coalition as a member of its Executive Committee, as well as the Planning Cabinet, Environment and Energy Committee, and Tax and Regulatory Affairs Committee. He also contributes to ACEC/PAC at the Millennium Club level. He holds a Bachelor of Science in Civil Engineering from Purdue University.

### Kenneth Wm. Smith for Vice Chair

Mr. Smith is CEO of T. Baker Smith in Houma, Louisiana. He is ACEC/PAC Champion for ACEC/Louisiana and is a member of the ACEC/PAC Capitol Club. He serves on the Planning Cabinet, and is a graduate of the Senior Executives Institute (SEI). He chaired the Business Resources and Education Committee through the development of the Pathways to Executive Leadership program. He holds a Bachelor of Science in Civil Engineering from Louisiana Tech University.

## **BALLOT**

### **AMERICAN COUNCIL OF ENGINEERING COMPANIES OFFICERS FOR TERMS COMMENCING MAY 2019**

#### **CHAIR-ELECT/CHAIR**

Nominee                    ☐     Charles J. Gozdziwski

Write-in                   ☐     \_\_\_\_\_

#### **OTHER OFFICERS**

(Please vote for three.)

Nominees:                ☐     John L. Carrato as Vice Chair

☐     Keith London as Vice Chair

☐     Kenneth Wm. Smith as Vice Chair

Write-ins:                ☐     \_\_\_\_\_

☐     \_\_\_\_\_

☐     \_\_\_\_\_

### **EXECUTE AND RETURN BALLOT FOR RECEIPT BY JANUARY 9, 2019**

**(Only Ballots received by January 9 are valid.)**

Member Organization                    \_\_\_\_\_

National Director                        \_\_\_\_\_  
(Please Print)

Signature                                    \_\_\_\_\_

Please complete and return this [ballot](#) for ACEC national officers (listed below) who have been put forward by the ACEC Nominating Committee:

Charles J. Gozdziwski, New York	Chair-elect Chair	2019-2020 2020-2021
John L. Carrato, Illinois	Vice Chair	2020-2022
Keith London, California	Vice Chair	2020-2022
Kenneth Wm. Smith, Louisiana	Vice Chair	2020-2022

The terms of office commence at ACEC's Spring Convention at the close of the Board of Directors meeting on May 5, 2019. [Biographical information on each nominee is here.](#)

ACEC Bylaws call for the Ballot to be cast and signed by the National Director and to be returned to the Secretary. Ballots must be returned by **January 9, 2019** to Melissa Thompson, ACEC, 1015 15<sup>th</sup> St., N.W., 8<sup>th</sup> Floor, Washington, D.C. 20005,