

# State of South Carolina

KENT M. WILLIAMS  
CHAIRMAN DISTRICT  
NO. 30



ROGER K. KIRBY  
DISTRICT NO. 61

J. WAYNE GEORGE  
DISTRICT NO. 57

## Marion County Legislative Delegation

November 14, 2016

The Honorable Nikki B. Haley  
Governor, State of South Carolina  
Post Office Box 11267  
Columbia, SC 29211

Dear Governor Haley:

The Marion County Legislative Delegation respectfully requests that you re-issue a "State of Emergency" for the County of Marion. The flooding from Hurricane Matthew struck the Pee Dee Region of the State a mighty blow, not once, but twice (when the floodwaters came from North Carolina via the Lumber River and the Little PeeDee).

There are still areas of Marion County that have not been assessed for damage. The original State of Emergency has expired, but we still have approximately 1,100 homes in the flood plain area that need safety assessments. FEMA also requires that damage assessments be completed before any funds are approved for the impacted citizens (under Individual Assistance). We still do not know how many homes that are not in the flood plains will require safety and/or damage assessments.

By SC Law, volunteer Engineers and Architects may be provided immunity from liability from wrongful personal injury, wrongful death, property damage, or other loss caused by the licensed Architects' or Engineers' acts, errors, or omissions in performing the architectural engineering services for a structure, building, piping, or other engineered system, either publicly or privately owned. This immunity from liability under Chapter 40-3-325 and Chapter 40-22-295 is only effective as to services rendered during the thirty days following the event that gave rise to the declared State of Emergency.

We believe that this special circumstance, wherein parts of the County have not been inspected for safety and damage due to the second flooding, warrants another State of Emergency to be declared by the Governor in order to allow Architects and Engineers to volunteer to assist the County and local officials in the tasks of assessing flood damages. Architects and Engineers providing these services are volunteering and are not receiving compensation. They simply need professional liability protection for these volunteer activities. In addition, we are requesting that you provide professional liability protection for Professional Land Surveyors who are volunteering and also not receiving compensation. We have many homeowners that do not know the finished floor elevations of their homes. Before other volunteers, such as Methodist and Baptist Disaster Relief teams, begin to assist with repairing the homes, we need to have the existing finish floor elevations per FEMA requirements to determine if the homes must be raised to meet the current codes.

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Please remember these are mostly SC registered Professional Architects, Engineers, and Land Surveyors, wanting to give back to their State. For every hour they volunteer, the State gets to count their donated labor towards the FEMA matching funds - at the typical rate for professionals.

You may be able to address this issue with an Executive Order, with a limit of 90 days. If you have any questions and or concerns, you may contact Mr. Adam Jones, [admin@jma-associations.com](mailto:admin@jma-associations.com), who is the Executive Director for the SC Society of Professional Engineers, and American Council of Engineering Companies of SC, and Allison King, [admin@jma-associations.com](mailto:admin@jma-associations.com), Executive Director for SC Society of Professional Land Surveyors, or Joe Jones at 803 .771.4271, [admin@jma-associations.com](mailto:admin@jma-associations.com).

Respectfully,

A handwritten signature in black ink, appearing to read "Kent Williams", with a stylized flourish at the end.

Senator Kent Williams, Chairman  
Marion County Legislative Delegation