

Agenda

Legal Issues for Tennessee Civil Engineers and Land Surveyors Day One
Tuesday, December 14, 2021 | 8:30 am - 1:00 pm EDT (including 30-mins. of break)

Complying with Rules of Professional Conduct *V. McConnell*

- Sealing of documents
- Standards for responsible charge of engineering work
- Unauthorized practice of engineering
- Complying with professional codes of conduct under Tennessee law

State and Local Tools to Address Public Nuisance Properties *S. Barlow*

- City and county code enforcement
 - Building code
 - Property maintenance
 - Abandonment/Condemnation
- Tennessee Neighborhood Preservation Act
 - In rem proceedings against public nuisance properties
 - Compliance requirements
 - Receiverships of vacant and abandoned properties

Environmental Laws and How They Work *B.H. Knight*

- Legal primer – the “basics” and the “drivers”
- Brief history and importance of CERCLA (Superfund)
- Applicability to real estate transactions – legal defenses
- Importance of due diligence – phase I and II assessments
- Limiting liability: Brownfield voluntary agreements

Legal Issues for Tennessee Civil Engineers and Land Surveyors Day Two
Wednesday, December 15 2021 | 8:30 am - 1:00 pm EDT (including 30-mins. of break)

Handling Ethical Issues *V. McConnell*

- Promoting health and welfare vs. managing risk: complimentary or conflicting duties?
- Protecting the environment: meeting or exceeding legal requirements
- Watching the bottom line: identifying and balancing economic pressures in design and construction
- Integrating new technologies: identifying and balancing the benefits and risks

Eminent Domain and Condemnation Law *J.K. Walsh*
K. Conway

- Understanding eminent domain powers
 - Source of eminent domain powers
 - History of the exercise of eminent domain powers
 - Types of eminent domain “takings”
- Participating in the condemnation process
- Understanding regulatory “takings” and inverse condemnation

Understanding Riparian and Water Rights *B. Savage*

- History and development of riparian rights
- Determining land boundaries near the water line
- Determining access rights to surface waters
- Determining rights to groundwater
- Overview of regulations restricting access to and use of surface water and groundwater

Understanding Basic Principles of Boundary Law *B. Savage*

- Determine the intent of the grantor
- Follow the steps of the original surveyor
- Evaluating boundary evidence
- Legal descriptions, natural monuments, artificial monuments, adjoining boundaries, surveys and maps, statements and testimony
- Methods for resolving boundary disputes

Legal Issues for Tennessee Civil Engineers and Land Surveyors

Online - Tue., December 14 and Wed, December 15, 2021

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Learning Objectives

You'll be able to:

Comply with rules on sealing documents, and follow standards for taking responsible charge of work performed by others.

Learn about state and local laws that address properties that are public nuisances, including vacant and abandoned properties.

Get a primer on environmental laws and learn how they affect the sale and use of real property.

Understand eminent domain powers, and explore condemnation proceedings.

Examine common sources of risk that can cause ethical dilemmas in engineering and surveying practice.

Discuss access rights to surface and ground water in Tennessee.

Evaluate boundary evidence to determine the actual boundaries of land parcels in Tennessee.



HalfMoon Education Live Webinars

Legal Issues for Tennessee Civil Engineers and Land Surveyors

Live, Interactive Webinar Series

Tuesday, December 14 and Wednesday, December 15, 2021



Comply with rules of professional conduct under Tennessee law

Discuss State and local tools to address public nuisance properties

Understand environmental laws and how they work

Learn about handling ethical issues

Understand eminent domain powers and learn how to participate in the condemnation process

Determine land boundaries near the water line

Apply principles of boundary law to resolve boundary disputes

Continuing Education Credits

Tennessee Civil Engineers & Professional Engineers
8.0 HSW PDHs

Tennessee Land Surveyors
8.0 PDHs



Faculty

Vic McConnell *Partner with Smith Cashion & Orr, PLC in Nashville, TN*
Mr. McConnell represents owners, developers, contractors, and design professionals and concentrates his practice in the areas of construction litigation and design professional defense. Prior to obtaining his law degree, he worked in the construction industry as a design engineer/project manager with several engineering-consulting firms in the southeast. Mr. McConnell is a registered professional engineer and a LEED® AP. He has co-authored several publications related to construction law. He teaches Construction Law and Contracts as an adjunct professor for Vanderbilt University's School of Engineering.

Steve Barlow *Attorney, President and Co-Founder of Neighborhood Preservation, Inc.*
Neighborhood Preservation, Inc. is a Memphis-based policy advocacy nonprofit that clears the path for neighborhood revitalization by addressing the root causes of blighted properties. Mr. Barlow has been involved in community organizing, legislative advocacy and community development efforts in Memphis since 1995 and frequently consults with local, statewide, and national leaders to develop legislative and practical resolutions to the challenges brought on by vacancy and abandonment of real estate.

Vincent Sawyer *Staff Attorney at Neighborhood Preservation, Inc., Memphis, TN*
In this position, Mr. Sawyer conducts legal research and analysis, assembles and files case materials with the courts and drafts legal agreements, motions and memoranda. He also assists with drafting and implementation strategies for local ordinances and state law. As co-chair of Memphis's Blight Elimination Steering Team's (BEST) Code Committee, Mr. Sawyer focuses on code enforcement and anti-blight interventions and coordinates public and private-sector neighborhood maintenance and community development efforts. His work deploys compatible blight fighting tools, strategies, and initiatives across different departments and agencies and in concert with nonprofit, civic and business partners.

B. Hart Knight *Attorney and Partner at Butler Snow*
Mr. Knight practices in Butler Snow's Toxic Torts and Environmental Litigation Group. He has represented a wide variety of environmental clients including construction companies, financial institutions, manufacturing facilities, electric utility systems, real estate developers

and energy companies. His experience ranges from state enforcement actions to the defense of federal citizen suits to matters of regulatory compliance and environmental remediation and brownfield projects. Throughout his practice, he has focused on issues involving the Clean Water Act, RCRA, CERCLA, ESA, TSCA (PCBs), FTC greenwashing and water allocation matters.

J. Kevin Walsh *Member at Harris Shelton Hanover Walsh, PLLC*
For over 40 years, Mr. Walsh has represented hundreds of property owners in cases involving the taking of property by governmental authorities exercising the power of eminent domain. In addition to his work with property owners, he also has significant experience representing governmental authorities in eminent domain proceedings. He is the Tennessee member of Owners' Counsel of America, a national association of leading eminent domain attorneys across the United States. Mr. Walsh frequently shares his experience with others by lecturing on eminent domain issues.

Kannon C. Conway *Attorney and Member at Harris Shelton Hanover Walsh, PLLC*
Mr. Conway defends property owners in actions in which governmental authorities exercise the power of eminent domain. He is the current Tennessee-affiliate member of the Owners' Counsel of America, a national association of lawyers dedicated to protecting the rights of property owners faced with an eminent domain action. Mr. Conway has presented at national seminars on eminent domain and land valuation litigation.

Barry Savage, PLS *Survey Products Group Manager with Tennessee Valley Authority in Chattanooga, TN*
Prior to his service at TVA, Mr. Savage was in private survey practice for 10 years specializing in dispute resolution and expert witness services. He has surveyed several disputed state boundaries to resolve jurisdictional conflicts. Mr. Savage is an adjunct professor at Cleveland State Community College where he teaches courses in boundary law, geodesy, GIS, and surveying fundamentals. He has researched and retraced the historical surveys of Henry David Thoreau and has published several articles on the subject. Mr. Savage teaches exam review and continuing education seminars at various state and local conferences across the country.

Webinar Information

Day One: Tuesday, December 14, 2021
8:30 am - 1:00 pm EST (including a 30-min. break)
Day Two: Wednesday, December 15, 2021
8:30 am - 1:00 pm EST (including a 30-min. break)
(please log into the webinar 15 - 30 minutes before start time)

Tuition
\$289 for individual registration
\$239 for three or more registrants from the same company at the same time.
Included with your registration: PDF seminar manual.

How to Register

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- Mail-in or fax the attached form to 715-835-6066
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Cancellations: Cancel at least 48 hours before the start of the webinar, and receive a full tuition refund, minus a \$39 service charge for each registrant. Cancellations within 48 hours will receive a credit toward another webinar or the self-study package. You may also authorize another person to take your place.

Continuing Education Credit Information
This seminar is open to the public and offers 8.0 HSW PDHs to civil and professional engineers in Tennessee. Educators and courses are not subject to preapproval in Tennessee.

The Tennessee Board of Examiners for Land Surveyors has approved this course for 8.0 PDHs.

Completion certificates will be awarded to participants who complete this event, respond to prompts and earn a passing score (80%) on the quiz that follows the presentation (multiple attempts allowed).

Can't Attend?
Order the Webinar as a Self-Study Package!
Recordings of this webinar are available for purchase. See registration panel for more information and please refer to specific state licensing rules or certification requirements to determine if this learning method is eligible for continuing education credit. Self-study packages do not qualify for AIA credit.

Additional Learning

Engineering Project Management
- Mon, Nov 8, 2021 | 8:30 am - 5:00 pm CST

Ethical Issues in Sustainable Design: Understanding and Preventing Greenwashing
- Tues, Nov 9, 2021 | 8:30 - 9:30 am CST

How to Design Detention Basins
- Wed, Nov 10, 2021 | 1:00 - 3:00 pm CST

Deep Foundations and Excavations
- Fri, Nov 12, 2021 | 8:30 am - 5:00 pm CST

HVAC Primer for Design Professionals
- Fri, Nov 12, 2021 | 8:30 am - 4:30 pm CST

Stream Restoration for Design Professionals
- Fri, Nov 12, 2021 | 9:00 am - 4:30 pm CST

Introduction to HEC-RAS Modeling
- Tues, Nov 16, 2021 | 8:30 am - 5:00 pm CST

Best (and Worst) Practices for Retaining Wall Success and Interactive Workshop
- Wed, Nov 17, 2021 | 10:00 am - 1:15 pm CST

For more information and other online learning opportunities visit:
www.halfmoonseminars.org

Registration

Legal Issues for Tennessee Civil Engineers and Land Surveyors
Live, Interactive Webinar Series - Tue., December 14 and Wed., December 15, 2021

How to Register		Registrant Information
Online: www.halfmoonseminars.org		Name: _____ Company/Firm: _____ Address: _____ City: _____ State: _____ Zip _____ Occupation: _____ Email: _____ Phone: _____
Phone: 715-835-5900		Additional Registrants: Name: _____ Occupation: _____ Email: _____ Phone: _____ Name: _____ Occupation: _____ Email: _____ Phone: _____ Email address is required for credit card receipt, program changes, and notification of upcoming seminars and products. Your email will not be sold or transferred.
Fax: 715-835-6066	Code:	() I need special accommodations. Please contact me.
Mail: HalfMoon Education Inc., PO Box 278, Altoona, WI 54720-0278		
Complete the entire form. Attach duplicates if necessary.		

Tuition () I will be attending the live webinar. Single Registrant - \$289.00 . Three or more registrants from the same company registering at the same time - \$239.00 each. () I am not attending. Please send me the webinar recording: ☐ Streamable MP4 Video/PDF Manual for \$299.00 . ☐ USB Video/PDF Manual for \$299.00 .
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