

North Carolina Society of Surveyors, Inc.  
**SPRING BOARD OF DIRECTORS' MEETING**

410 Oberlin Road, Suite 304, P. O. Box 10128, Raleigh, North Carolina 27605  
Tel: (919) 833-9808 Fax: (919) 833-9848 E-Mail: [ncss@earthlink.net](mailto:ncss@earthlink.net)

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**MINUTES**

**DATE:** Saturday, May 3, 2008

**PLACE:** Outer Banks Clarion  
Kill Devil Hills, NC

**PRESIDING:** J. Chris Witherspoon, President

**INVOCATION:** Sherie M. Williard, PLS

**PLEDGE OF ALLEGIANCE**

**RECORDING SECRETARY:** Melissa Beard, Executive Director

**DIRECTORS/CHAPTERS:**

Katy Marchello	Albemarle Chapter	
Leland Strother	Cape Fear Chapter	
Tracy Skipper	Central Chapter	(PROXY)
Don Clements	Coastal Chapter	
Eddie Moore	Dan River Basin Chapter	
Hugh Clark	Eastern Chapter	
Keith Garrison	Foothills Chapter	
Benjamin Dayton	Guilford Chapter	
Randy Rambeau	Johnston County Chapter	
Steve Amos	Mecklenburg Chapter	
Joel Johnson	Nantahala Chapter	
Nathan Hymiller	Northeast Piedmont	
Frank Hayes	Northwest Chapter	
Michael Neal	NW Triangle Chapter	
Clint Osborne	Piedmont Chapter	
Benjy Brown	Southeastern Chapter	
Josh White	SW Piedmont Chapter	
Donnie Stallings	Triangle Chapter	
Dennis Campbell	Western Chapter	
Jim Davis	Yadkin Valley Chapter	

**EXECUTIVE:**

J. Chris Witherspoon, PLS	President
E. Steve Smith, PLS	President-Elect
Sherie M. Williard, PLS	Vice President
C. E. Robertson, PLS	Secretary/Treasurer
R. Mike Benton, PLS	NSPS/ACSM Delegate
Simon R. Cox, PLS	Past President

**OBSERVERS:**

Frank Mundy	David Alley	Ken Suttles	Brain Souva	Bobby Stalls
Doug Stover	Bill Owen			

**CALL TO ORDER**

**The meeting was called to order at 8:05 AM on Saturday, May3, 2008.**

**INVOCATION**

Sherie Williard gave the invocation.

**WELCOME**

President Witherspoon welcomed Board members and thanked them for coming to the Outer Banks. He reported on his recent trips to the ACSM convention in Spokane, WA and to the TAPS convention in Franklin, TN.

**ROLL CALL**

Gene Robertson, Secretary/Treasurer called the roll. All officers or their representatives were present. A quorum was established. Gene also discussed and distributed NCSS’s Anti-Trust Policy for individual Board members’ signatures. **SEE EXHIBIT A.**

**MINUTES**

The minutes of the February 8, 2008 Winter Board of Directors’ Meeting and the February 9, 2008 General Membership Meeting were approved as written.

**FINANCIALS**

A MOTION was made to approve the NCSS first quarter financials as presented. The motion received a second. After careful review, the financials were approved and the motion passed.

**ANNOUNCEMENTS**

President Witherspoon reminded the Board members about the anti-trust and conflict of interest statements while passing them around for signatures. He also explained to Board members that they would have to file 990 postcards with the IRS if they are incorporated as 501(c) 3 organizations. He added that the NCSS MAPS golf outing would be held in Morganton at Silver Creek Plantation on Friday, October 3, 2008. He informed the Board that the new NCBELS sample map was now up on their website and that David Snyder would now be serving as the NCSS – NCGS Liaison.

## **APPROVAL OF AGENDA**

Chris Witherspoon and Melissa Beard explained that NCSS would be using a consent agenda for this and future Board of Directors' Meetings. They further explained that *all items on the consent agenda are considered to be routine and may be enacted by one motion. If a member requests discussion on an item, the item will be removed from the consent agenda and considered separately. Approval of the consent agenda authorizes the Board to implement any action items without further approval.*

A motion was made to approve the consent agenda including all officers' reports, standing and special committee reports, special reports and chapter reports with the exception of items numbered 6, 8, 13, 22, 23, 24, 30 and 34. The motion received a second. The motion passed.

## **ITEMS REMOVED FROM THE CONSENT AGENDA**

**#6 NSPS Delegate's Report** Mike Benton gave a verbal report. Mike informed the Board about the Rural Surveyor Bill now being run in the Alabama State Legislature. He added that the bill would allow someone meeting minimal qualifications and living in an area with fewer than 5,000 people to become a rural land surveyor. He stated that the bill was a result of the decreasing number of surveyors.

Steve Amos stated that this bill demonstrated the need for NCSS to build up its PAC.

**#8 Bylaws Committee** Sherie Williard discussed the model chapter bylaws and asked chapter presidents to review them with their chapters and make any necessary changes to ensure that all chapter bylaws were in line with those of NCSS. Sherie emphasized that the proposed chapter bylaws are model bylaws and that NCSS must approve all chapter bylaws, model or otherwise. She asked that all chapter bylaws revisions be turned in to the Bylaws Committee by July for review and feedback. All new chapter bylaws will be voted on at the summer Board of Directors' meeting.

**#13 Finance and Budget Committee** NCSS Secretary/ Treasurer reviewed several new policies being recommended by the Finance and Budget Committee to the Board.

**MOTION #15-08** A motion was made to accept the NCSS investment policy as presented. The motion passed.

**MOTION#16-08** A motion was made to accept the NCSS reimbursement policy as presented. The motion passed.

**MOTION #17-08** A motion was made to accept the NCSS committee travel policy as presented. The motion passed.

**#22 Railroad Access Permits** Jim Davis reported on behalf of Alex Rankin. He shared Alex's progress in working with the NCRP with the Board members. He stated that Alex had been working with Scott Saylor of NCRP and Scarlett Skiba, the NCSS website consultant to work out the specifics of how NCRP's information could be posted to the NCSS website for access by NCSS members and possibly non-members.

Melissa Beard added that she would continue to work with Alex and Scarlett and would keep the Board posted about their progress.

**#23 NCSS Fellows Program / Recruiter** Frank Mundy provided the Board with an update on the Fellows program that had been previously proposed to NCBELS. He stated that idea of a Fellows Program was dead and that a new idea of a recruiter to work with NCA&T, the community colleges and the high schools. Frank added that the next NCBELS meeting would be held on June 11, 2008 in Raleigh and that we had been asked to put together a proposal outlining what types of resources – both monetary and non-monetary – NCSS would be able to contribute to a recruiter and/or a recruitment program at NCA&T.

President Witherspoon asked that Steve Amos and Frank Mundy work together on this proposal with members of the Long Range Planning Committee.

**MOTION #18-08** A motion was made to contribute \$10,000 per year for the next 3 years to contribute to the NCA&T / NCBELS recruiter program and to re-evaluate at the end of that time period for potential for renewal for an additional 2 years contingent upon approval of the program by NCBELS. The motion received a second and passed.

**#24 NCSS Education Foundation Report** Brian Souva gave a verbal report on behalf of the NCSS Education Foundation. He provided the Board with an update of their financials and fund raising activities. He added that the Foundation had also voted to provide \$10,000 in funding to the recruiter program. Brian also provided updates on the Foundation's scholarship program and reported that \$7500 had been given out in scholarships to 5 applicants from a pool of 30 applicants.

**MOTION #19-08** A motion was made to hold a cash raffle at the 2009 convention. The motion received a second and passed.

**MOTION#20-08** A motion was made to fill Linda Edmondson's vacant seat on the Foundation Board with Doug Suttles. The motion received a second and passed.

**#30 Coastal Chapter Bylaws** Don Clements brought forth a question about his chapter's bylaws and the article within mandating that no elected officer shall serve more than 2 years. He asked that this article be removed.

**MOTION #21-08** A motion was made to strike Article 4, Section 1 of the Coastal Chapter Bylaws. The motion passed.

**#34 Guilford Chapter Report** Benjamin Dayton proposed the adoption of a student chapter at NCA&T University with the Guilford Chapter as sponsor and Jerry Nave as their A&T sponsor. He reported that they had 20 members and bylaws.

**MOTION #22-08** A motion was made to accept NCA&T student group as a student chapter of NCSS. The motion passed.

## **OLD BUSINESS**

### **Matters of Survey on Final Plats**

Melissa Beard shared the survey results with the Board of Directors. Frank Mundy mentioned that the Secretary of State had taken a particular interest in the issue due to the move toward e-records which would necessitate e-signatures, etc. for all those who sign off on plats.

### **Albemarle Chapter Update**

President Witherspoon reported that the Executive Committee had met in March and voted to send a letter to the Albemarle Chapter President, Eddie Hyman and to all of the Albemarle Chapter Members in order to bring to light the level of that chapters' s inactivity to all its members. Upon receipt of the letter, Eddie Hyman resigned his position as Chapter President. The chapter members elected Katy Marchello as the new Chapter President.

### **Amicus Brief**

Melissa Beard announced that the Amicus Brief filed by ACEC, AIA, PENC, NCSS, etc. had been successful in its support of limitations of liability clauses in contracts that the Blalock case had been overturned on appeal. She explained that this would mean that limitations of liability clauses in contracts would continue to be upheld by the courts.

### **NCBELS Exam Question Writing Session**

President Witherspoon asked for volunteers to attend an NCBELS Exam Question Writing Session. He asked that Melissa Beard get more information about the Exam Question Writing Session from Andrew Ritter to share with the chapters. Clint Osborne, Mike Benton, Frank Hayes, Chris Witherspoon, Jim Davis, Joel Johnson and Donnie Stallings volunteered to participate.

## **NEW BUSINESS**

### **Policy Manual Update**

Melissa Beard and Gene Robertson reviewed the proposed policies with the Board.

**MOTION #23-08** A motion was to accept the NCSS Records Retention Policy as presented. The motion received a second. The motion passed.

**MOTION #24-08** A motion was to accept the NCSS Harassment Policy as presented. The motion received a second. The motion passed.

**MOTION #25-08** A motion was to accept the NCSS Code of Ethics as presented. The motion received a second. The motion passed.

**MOTION #26-08** A motion was to accept the NCSS Conflict of Interest Statement as presented. The motion received a second. The motion passed.

**MOTION #27-08** A motion was to accept the NCSS Disclosure Policy as presented. The motion received a second. The motion passed.

**MOTION #28-08** A motion was to accept the NCSS Endorsements Policy as presented. The motion received a second. The motion passed.

**MOTION #29-08** A motion was to accept the NCSS Member Privacy Policy as presented. The motion received a second. The motion passed.

**MOTION #30-08** A motion was to accept the NCSS Record Destruction Policy as presented. The motion received a second. The motion passed.

**MOTION #31-08** A motion was to accept the NCSS Refund Policy as presented. The motion received a second. The motion passed.

**MOTION #32-08** A motion was to accept the NCSS Whistle Blower Policy as presented. The motion received a second. The motion passed.

**MOTION #33-08** A motion was to accept the NCSS Logo Use Policy as presented. The motion received a second. The motion passed.

**MOTION #34-08** A motion was to accept the NCSS Consent Agenda Policy as presented. The motion received a second. The motion passed.

### **Statute of Limitations**

President Witherspoon stated that he had had several discussions with NCSS attorney, Jon Carr about surveyors' statutes of limitations and statutes of repose per the request of SW Piedmont Chapter President, Josh White. He added that Jon Carr had prepared a short memo of explanation that was included in the Board materials and that he would also be writing an article for publication in *The Tarheel Surveyor*.

### **County Government / NCDOT Employees Surveying "on the side"**

Katy Marchello led the Board in a discussion about whether or not government employees should be allowed to use their status within a community for personal gain and whether or not that demonstrated a clear conflict of interest. It was the feeling of the Board that county government and/or NCDOT employees should not be allowed to do that.

The Board decided that an educational piece should be published in *The Tarheel Surveyor* and that Melissa Beard should write a letter to the League of Municipalities and League of County Commissioners in order to further explain the ethical dilemmas surrounding the issue.

### **HSM Scholarship List**

Melissa Beard reported that she and Frank Mundy had met the previous week with Senator Phil Berger to discuss the placement of the surveying profession on the State Education Assistance Authority's Health, Science and Mathematics need based scholarship loan program list. She added that she would be meeting with staff from bill drafting and fiscal research the following week.

**MOTION #35-08** A motion was made to proceed with appropriate legislation to ensure placement of the surveying profession on the HSM need based scholarship loan program list. The motion received a second and passed.

### **Marketing Update**

Melissa Beard called the Board's attention to the NCSS marketing update in the Board packets. She showed photos from the recent Boy Scout Merit Badge event in Winston-Salem and provided mock-ups of the [www.beasurveyor.com](http://www.beasurveyor.com) postcard that would be available at career fairs to promote the new student-friendly website. Melissa added that window clings would also be available to help members promote the new website.

### **Election of Executive Committee Members**

Simon Cox asked for nominations for two new members of the Executive Committee. Steve Amos, Hugh Clark and Joel Johnson were nominated. Simon tallied the paper ballots. Steve Amos and Hugh Clark were elected as the new chapter representatives on the Executive Committee.

**MOTION #36-08** A motion was made to destroy the ballots. The motion received a second and passed.

### **Bodie Island Baseline**

Doug Stove, Cultural Resource Program Manager for the National Parks Service addressed the Board and provided them with information about the continued improvements to Bodie Island Baseline. Doug stated that he had been working on the nomination for the national register. He added that his request to have the site added to the national register had been denied, but only because they felt it should be a national historic landmark, which is the highest historic designation. He offered to lead any interested out to the site at 1:00PM.

### **Erosion Control**

President Witherspoon and Randy Rambeau provided an update for the Board with regard to a group that had been formed by PENC, ACEC and DEHNR in 2004 to address issues regarding erosion control design. Chris polled the Board to determine how many actively work on erosion control. He asked Michael Neal to serve as the NCSS representative with the above groups. Randy Rambeau agreed to pass all committee information along to Michael.

**A motion was made to adjourn the meeting. The motion received a second and the meeting adjourned at 11:29 AM.**

**NCSS POLITICAL ACTION COMMITTEE MEETING**  
**Saturday, May 3, 2008**  
**Outer Banks Clarion**  
**Kill Devil Hills, NC**

The NCSS PAC meeting was called to order at 11:29 AM. Brian Souva gave a verbal report and offered to answer questions from the PAC disclosure report.

Brian asked the Board for their support for the PAC and discussed several potential fundraisers for the PAC.

Brian drew a raffle ticket from those that had been purchased during the convention in order to win the framed print of the first survey of North Carolina. Michael Goodfred was the winning name.

President Witherspoon indicated that he would like to officially appoint Brian Souva as PAC Chairman and Mike Barr as PAC Treasurer.

**MOTION #37-08** A motion was made to accept Brian Souva as PAC Chairman and Mike Barr as PAC Treasurer. The motion received a second and passed.

**A motion was made to adjourn. The motion was seconded and the meeting adjourned at 11:38 AM.**