

**MONTANA ASSOCIATION OF REGISTERED LAND SURVEYORS
BOARD OF DIRECTORS MEETING
JUNE 14, 2003, COPPERKING INN, BUTTE, MT**

CALL TO ORDER: The MARLS Board of Directors' meeting was called to order by President Bryan Block June 14, 2003 at 10:00AM.

ROLL CALL

MARLS Board of Directors

President Bryan B. Block
President-elect Gerald A. Pavlick – proxy Tom Henesh
Vice-President Thomas M. Henesh
Past President Linda S. Smith
Secretary/Treasurer James H. Burton
Northwest Chapter President Jane Eby – designated representative Joe Kauffman
Western Chapter President Toby Dumont
South Central Chapter President Steven C. Anderson
Central Chapter President Thomas E. Stark
Southeast Chapter President – Neil A. Bratton – designated representative Randy Thomas
North Central Chapter President – Stephen D. Babb – proxy Linda Smith
Southwest Chapter President – Erland Gendreau
North Central Chapter President – Troy Jensen

Committee Chairpersons

Board of Registration – Warren Latvala
Continuing Education – Debi Anderson
Legislation – Rick Gustine
Scholarship – Bill Weikel
Standards of Practice – Craig L. Brown
Trig-Star – Randy Thomas

Administrative Secretary – Kay McDonald

DECLARATION OF QUORUM – Quorum declared.

Introduction and welcome of Guests

Jim Klembel – MARLS Lobbyist was introduced by President Block and he updated the BOD of the past legislative session; Montana growth policy statewide; legislative bills were very confusing. This will come up again in the next session.

We lost the preservation of monuments bill and will introduce this bill again in the next session.

Feedback - the calls were recognized from the MARLS membership. All participation and results were recognized from the membership during this legislative session.

Jim reviewed the bills that are listed under Legislation Committee Report by Rick Gustine below.

The BOD thanked Jim for representing MARLS as our lobbyist this legislative session and look forward to working with him in the future. Jim has done an excellent job representing MARLS during this legislative session.

Agenda Revisions:

Add "Roll Call"

Move Legislation Report to beginning of committee reports

Combine Geomatics report with Board of Registration report

Add Debi Anderson's request for newspaper articles to new business #52

Unlicensed surveyor issue

Secretary/Treasurer Report- Jim Burton

As of June 12th, 2003, Glacier Bank Checking Balance of \$6,834.63, Whitefish Credit Union Savings Account \$45,798.06
Whitefish Credit- Union Accounts are: Legislation Account \$53.87, MARLS Reserve Account \$24,966.77 and Savings Account \$20,777.42.

Scholarship accounts as of 5/31/2003 DA Davidson Pimco Low Duration CL C \$23,732.86 and Pimco Total Return CL C \$24,675.77. The total DA Davidson Scholarship account as of 5/31/2003 is \$48,408.63. Whitefish Credit Union Scholarship Account as of June 3rd is \$23,147.70. The total Scholarship Accounts are \$71,556.33.

Great Falls Seminar and Conference Budget

Income	\$55,114.50
Expenses	-\$31,612.31
Net Revenue	-\$23,504.24
10% to NCC	-\$ 2,350.42
MARLS NET REVENUE	\$21,153.82

Profit and Loss Totals for the 2002 –2003 year are as follows:

Income	\$105,203.67
Expense -	\$ 97,449.86
Net Income \$	7,753.81

CHAPTER REPORTS

Northwest Chapter – Jane Eby

The Northwest Chapter held their last meeting on Thursday, May 29, 2003 at Flathead Valley Community College.

We discussed the proposed changes to the Corner Recordation Act for input at the next Board of Directors' meeting.

Mark Burkhardt and Joe Kauffman administered the Trig Star test at Flathead High School and Columbia Falls High School. Kevin Johnson, the winner at Flathead High School, is also the 3rd place winner in the state. He was awarded the HP calculator. Britney Murphy is the winner at Columbia Falls. Both Kevin and Britney were awarded plaques and a certificate. Every student who participated was awarded certificates of participation. We greatly appreciate Mark and Joe's time administering this well received program.

We set the date of August 9th or 23rd, 2003, for our annual pig roast/pot luck/golf scramble. Locations are yet to be determined.

Our chapter received a letter from the Northwest Montana Historical Society concerning the removal of and the future of the survey exhibit at the Central School Museum. We discussed the status of this project and the storage of the display cases and instruments. It was decided to table this item as we are entering the busiest time of the year for most surveyors. We will stay in contact with the museum, but will wait until the fall and winter before we resume active work on the project.

Western Chapter – Toby Dumont

A meeting was held Thursday May 30th at the Holiday Inn Parkside to discuss the options for the 2004 MARLS convention that is to be held in Missoula. The chapter decided several issues.

Members present: Toby Dumont, Leo Sandoval, Glenn Howard, Bill Weikel, Ron Milam, Kurt Luebke, Don Patterson, Ron Pearson, Craig Schaeffer and special guest was Aaron Brannum who is the Sentinel High School Trig-Star Champion and his friend Jason Rusk.

The dates for the MARLS convention will be February 25th thru 28th 2004.

The convention will be held at the Holiday Inn Parkside, 200 South Pattee St., Missoula, MT 59802. Telephone 800-399-0408.

Chairs for the convention are as follows:

Convention Chair	Toby Dumont
Facilities	Don Patterson
Banquet and meals	Ron Pearson, Glenn Howard
Speakers/Program	Tony Bachman, Kurt Luebke
Wednesday Seminar	Charlie Wright, Dennis Applebury
Technician Program	Greg LeZerte
Auction	Ron Milam
Exhibitors	Craig Schaeffer
Registration	Kay McDonald
Spouse Program	Kim Luebke

Title of the convention is "Titles and Boundaries Past and Future"

Discussion is ongoing on topics and speakers for the convention some topics are as follows:

The chapter favors concurrent sessions on Thursday and Friday. The exhibitors prefer to be located in the Atrium of the hotel. For the Wednesday seminar a Montana topic is preferred. A mock trial and Boundary litigation session will be explored. Dennis Applebury and Charlie Wright will take the lead on this. They have made progress in lining up a judge and one attorney, they continue to work on this and will report at the next meeting.

The certified technician program was discussed at length. It was decided that Greg has to get information on the CST to Ron Milam for inclusion in the nest TSS issue. The number of students who would be willing to take the CST is critical to weather this will be held or not. The TSS will run an advertisement for the CST and request reply's to determine statewide interest. This information has to be to Ron within two weeks [June 11, 2003] in order to make the next edition, July 2003.

Don Ebbutt volunteered to take the lead on the nametags and holders of nametags.

Kurt Luebke gave a program committee report, which is moving along well.

Tony and Kurt advanced the idea of 4 tracks of speakers. The tracks would be "Lands and Boundary", "GIS & the Surveyor", "Instrumentation", "Well being". Speakers or ideas for the tracks are as follows:

Lands and Boundary – Attorney’s, Judges, etc.

GIS and the Surveyor – Geodetic control plans, I-teams, GIS survey analyst’s software. It was discussed that a separate room should be set up for demos of software and that any vendor should be able to use it for their software. (CAD, GIS, GPS etc.) Craig Schaeffer will follow up on this.

Instrumentation – Tim Kent and solar transits, Bill Weikel and instruments of Lewis and Clark, a Leica Representative (Jim Reed) on instrument care and adjustment.

Well being – Motivational speaker, personality profiles, dealing with the public type speakers.

Ron Milam gave a report on his recent trip to ACSM in Phoenix, AZ. He said it was a very good experience to go to ACSM and felt that other surveyors should make the effort to go. There are many good speakers and topics and it’s hard to get to all of the interesting things that are going on. Ron did say he found the best hamburgers around and that happened to be at HOOTER’S. He said the atmosphere of the restaurant had nothing to do with how good the food was.

The following is general discussion during the meeting.

The exhibitors fees have been too high (\$350), it was decided to limit the exhibitor fee to around \$150-\$200 range if possible.

The chapter wants to give Random point prints to the unpaid speakers, Don Ebbutt is coordinating this. It was discussed that each speaker may have different tastes and another gift of some kind would be more suitable (Dinner for two at Jakers). It was decided that after the speakers are known, gifts would be tailored to each.

Kurt Luebke gave a Trig Star report. Trig Star was held in Frenchtown (40), Drummond (8) and Sentinel (6) schools with numbers of students respectively. Kurt said the trig star test was very difficult this year and the best score was a 70. Big Congratulations to Aaron Brannum for high score at Sentinel High School. The chapter bought his dinner. Kurt said overall trig star went very well and he really enjoyed working with all the young folks. He suggested the chapter make smaller prizes available to the kids taking the test as an incentive to try, like gift certificate at McDonalds or at Bob Ward. This was generally accepted by the chapter as a good idea.

Don Ebbutt showed the chapter the two prints he has had framed and mounted, “Breakfast on the Big Horns” and “Random Point”. They were very well done and the chapter thanked him for his efforts in getting this done. Cost was approximately \$70 to do this.

Ron Milam gave a report on the Auction and a general discussion followed on the best way to go about this. It was decided that door prizes would be given out, but not until the end of each speakers talk. This will ensure good attendance and not take unnecessary time from the speaker.

Craig Schaeffer gave an update on the exhibitors and will continue to line up exhibitors with phone calls. It was discussed that the exhibitors will have access to a separate room for live demonstrations. Each vendor will have an opportunity to put on ½ day demonstrations. Craig will move forward with this.

The Hi-way cleanup committee chair, Don Ebbutt suggested a clean up of the chapters section of Hwy 93. The chapter approved, therefore there will be a Hi-way clean up next Wednesday 6/4/03, at 5pm. Everyone is to meet at the NW corner of Hwy93 and Miller Creek road. There is a grassy area in the R/W their to park inn.

Glenn Howard said that he has contacted Harry Fritz to be the speaker for the Banquet. Harry does both an Abe Lincoln or Lewis and Clark rendition. The chapter agreed this was a good idea. Glenn will move forward with this.

The next meeting all committee chairs will report on progress and firming up commitments for speakers etc. Also, OPG requirements will be discussed. The next chapter meeting will be an early evening meeting to be held June 26, 2003 at Arriba Mexican Grill at Southgate Mall at 6 pm. We will have the upstairs section for the chapter business meeting. This will be a convention coordination meeting and discussion of the program for the 2004 Convention. Program assignments will be reviewed. Bar & food will be available during the business meeting.

South Central Chapter - Steve Anderson

The chapter held one meeting this quarter on April 21, 2003, attended by 13 members. Kyle Thompson, our chapter Trig-Star coordinator, discussed this year’s program. Most of the tests had been given. We were much more successful this year. Eight schools participated with the winner being a Bozeman High School student with a score of 100 in 29 minutes. The opinion was expressed that we need to start earlier next year. Thanks to Kyle and all of the proctors. Warren Latvala gave brief report on the status of the rule change for the definition of Land Surveying. Potential nominations for MARLS Life Membership were discussed. If looking old and weathered were a qualification, we’d have a whole flock of nominees. There was productive discussion of pending Corner Recordation Rules and Form changes. I expect that most of the suggestions made by the chapter will end up on the final documents. After the meeting was adjourned, most of the licensed individuals stayed to discuss creation of new PLS test questions. Ron Allen led the discussion. The interest expressed by participants makes me proud that our chapter has so many members dedicated to our profession. As a reminder to those writing questions, Ron was hoping to have the questions submitted to him by some time in July. Keep up the great work, all of you.

Central Chapter – Tom Stark

The Central Chapter of MARLS met last Tuesday, the 10th of June for a meeting.

Rj Zimmer gave an update of the GPS Users Group and when their next meeting would be. He feels this group is a valuable resource and is showing signs of growth. There will be a workshop at the next meeting and the group is open to suggestions for future workshop ideas, which usually follow the general meeting in the morning. The workshops can be very useful and combined with the

early meeting, can make for an effective means to promote and educate GPS to new and experienced users. Their website is www.mtgps.org. There have been 20-30 people attending the past meetings and have been comprised mostly of Surveyors, GIS managers/users and vendors.

With ESRI, apparently there is an Australian business individual that Rj Zimmer is aware of who is developing survey data transfer packages and is looking for format ideas to add to the list he already has. We discussed some of our platforms that we would offer as suggestions.

Rj Zimmer prompted the idea of a CORS station located in Helena. Using the successful CORS that is now operational in Missoula, we felt that Helena is due the positive results that the Missoula users are now enjoying. Rj Zimmer mentioned that we need to explore some funding sources and maybe some donations of equipment and site suggestions from the local potential Helena users. There were some questions about availability and what this may offer some of the smaller firms, which do not have access to GPS. We had a good discussion of the potential cost vs. benefits of our own CORS. We had some positive responses from the members and look forward to this happening sometime soon.

Rj Zimmer brought a copy of the draft document of GAC Committee Guidelines. We had a few comments and Dan Dengel brought up some good points on some not so carefully worded items in the draft. Apparently the NCEES is looking for a guide to build some recommendations or just a good starting place to form and organize comments. The plan is to sort of have a reference document to provide education for other users. Their intent is to not have to go to statute. We spoke about GPS and PLSS corners and who should be able to go out and turn on a unit at a corner. The use of the information was discussed as a possible starting point on determining this answer. I have a paper copy if anyone is interested in reading and I am sure Rj Zimmer has a copy to send anyone should they want to take a look at it.

We spoke about the fact that it would be nice to have some sort of a statewide database where a surveyor could publish coordinates for a corner for others to use as they wish. A statewide control database would be very helpful for research and history. There will be another meeting July 2 - Wednesday, at 10:30 to discuss these and other topics. Call Rj Zimmer if you wish to attend.

Dennis Lay brought up some trouble he is having with subdivisions in the county. Dennis has had some problems with a lack of standards for fire protection in new subdivisions. Some areas are just requiring a flat fee per lot while other areas are requiring water storage facilities being built. He has heard that Missoula and Gallatin Counties have had to deal with this in the past. He was wondering if anyone on the board would have some direction he could follow to fix this problem. Perhaps he could write a letter to the county with backing from MARLS expressing his concerns and desires for an equitable treatment of this problem.

We discussed some minor surveying problems and thoughts about things that are going on with the recent legislation and with no more new business adjourned.

Southeast Chapter – Skip Bratton

The Southeast Chapter had no formal meetings since the conference. However, several of the members keep in touch with each other on a regular basis to discuss any problems or concerns we may have. We are in the process of scheduling a chapter meeting for some time in July. At the July meeting we will discuss Growth Policy issues and review the new legislation that pertains to our profession.

Thanks to Randy Thomas and other surveyors in our chapter we administered the Trig-Star Test in nine high schools throughout the Southeast Chapter.

North Central Chapter – Stephen Babb - no report

Southwest Chapter – Erland Gendreau – no meetings held

Northeast Chapter – Troy Jensen – no meetings held

COMMITTEE REPORTS

2004 Conference – Western Chapter – see Western Chapter report

Board of Registration - Warren Latvala

The Montana Board of Professional Engineers and Professional Land Surveyors held one meeting since the last MARLS Board meeting, on May 14th and 15th in Red Lodge, Montana. That meeting was held in conjunction with a Western Zone meeting May 15th and 16th hosted by the Montana Board. The May 14th meeting was devoted solely to an audit of continuing education.

The following items of interest to MARLS were discussed at the meeting on May 15th prior to the beginning of the Western Zone meeting.

1. The surveying application forms previously revised were not adopted prior to the move of the BEPLS from Commerce to Labor. The process must therefore start over with public notice and public meetings to hear comment on the changes. The same surveying application forms will be presented, but the public notice and hearings will be delayed until the engineering application forms are similarly revised.
2. Responsibility for the administrative rules (ARM) for certificates of survey, subdivision plats and monumentation (formerly handled by Rich Weddle, Community Technical Assistance Program @ Commerce) now resides with the BEPLS. Possible revisions of any of those rules and responses to local government questions regarding the rules were discussed. The Board attorney will soon retire, either the new attorney or Todd Boucher may handle responses, with

direction from the Board. The entire Board was not fully cognizant of all the requirements but is getting up to speed and will develop a means of dealing with revisions and/or questions.

3. The BPELS discussed the changes that will be required in the ARM to comply with the corner record in lieu of a certificate of survey resulting from SB406. The Board requested that MARLS provide suggestions and recommendations. (see ARM 24.183.1001) *Action Item for MARLS BOD*
4. Board members expressed some frustration with the current screening panel/adjudication panel process in that they are only presented a suggested resolution (by the Board attorneys) to any valid complaint, with no real knowledge of the violation. In the future the adjudication panel will receive a summary of the data and the screening panel recommendations as well as the suggested resolution.
5. Regarding an informal complaint against a “corner locator” in the Bozeman area, the title company involved in the process will not provide any documents to the Board without a subpoena. The Board moved to file their own complaint and conduct an investigation.
6. Regarding the complaint filed by the BPELS against the MDT, the MDT’s attorney has not responded to the complaint. The Board’s attorney will be instructed to pursue the matter expeditiously.
7. Regarding the *Express Map* issue brought to the Board’s attention by Dick Smith, the BPELS will send a letter to First American Title Insurance Company informing that the product advertised looks like a survey and may be a violation of Montana statutes.
8. The BPELS has received a number of informal complaints from land surveyors, engineers and from MARLS. Those complaints have taken the form of questions about current statutes and regulations or information about apparent violations. This type of communication is difficult for the Board to deal with, as, since no formal complaint has been received, the Board is reluctant to request an investigation. In the future the Board will not consider informal complaints, but will instead require formal complaints before considering such questions or information.

The BPELS elected new officers for the coming year – Jake Neil (CE), president; Haley Beaudry (Mining E.), vice-president; and Paulette Ferguson (public member), secretary.

The May meeting was the last for Ron Allen, P.L.S., who is not applying for a second term. Having witnessed the operation of the BPELS over the last two years, I have been impressed with the diligence and personal effort Ron put into his term on the board. The professions of land surveying and engineering owe Ron a debt of gratitude for his work and attention to detail. The public at large has been well served by his service.

Continuing Education - Debi Anderson

MARLS seminars are as follows:

By Dennis Moulard “PLSS 21st Century” September 17th, Sheridan Hotel, Billings and September 19th, Outlaw Inn, Kalispell and Seminar by Dennis Moulard “Retracing Mineral Surveys” September 18th at the Copper King Inn, Butte, MT. Each of the seminars are eight hour courses approved for eight PDHs each by the CPC committee.

Videos will be purchased in the 2003-2004 budget and they are: Surveying Astronomy, Reviewing professional Ethics and Responsibilities using the Internet, National Flood Insurance on how to get work, the forms, etc.

CPC Evaluation – Rick Goacher

The first item dealt with by this Committee was the controversy over the changing amount of PDH’s granted the Trimble seminar in Great Falls, last fall. Historically this seminar had been awarded 21 PDH’s, an amount I had always thought too extravagant. Last year, under different leadership this same seminar was given 8 PDH’s. An amount that was too stringent and made some people mad.

For this Committee’s inconsistencies, I would like to apologize. We feel, as a group, this type of “specific product” technology seminars lack universal application to all surveyors. However, we also recognize that these are important training sessions for this new and complex technology. After a lot of discussion the Committee came to the conclusion of awarding ½ PDH for each contact hour for these hardware and/or software specific seminars. We felt this a reasonable compromise for a seminar which tends to exclude non-user surveyors. We sincerely hope that this re-visitation of this issue will put an end to the controversy.

Furthermore, we approved 3 seminars (2 subjects) by Dennis Moulard for the East/West seminars in September. To be held in Billings, Butte and Kalispell. The subject for Billings and Kalispell will be 21st Century PLSS. The subject for Butte is mineral surveys.

Additionally, I would like to ask the BOD permission to offer a discount to providers I solicit for the review fee of \$30 per seminar subject. I would propose somewhere in the neighborhood of \$75 to review. I would like to solicit providers for all their subjects and review all at once in order to create a bank of pre-approved courses for our continuing ed. people and conference chairs. I would like an answer or suggestions at this meeting.

The BOD gave Rick the go ahead to do this.

Historical - Don Ebbutt – no report

ITWG & MGIC – Ken Jenkins (report by Tom Stark)

Dan McCauley of the BPELS attended to speak about the current situation with the discussions of Model Law definition of Land Surveying, METADATA issues, and the option of accepting the Federal Geographic Data Committee standards for Digital Geospatial Metadata.

It seems that one of the main topics regarding the Metadata issues is the determination of what data would require an LS and what would just require a GIS individual. There was discussion of the problem of the gray area of this topic.

Documenting Metadata was also discussed in terms of the additional burden and expense of taking care of the information and what will be done on past projects. There was a lot of concern on whether or not this data should be published, who would be responsible for its inclusion, and who would have to pay for the time to produce it. Apparently, some GIS software can produce its own automated Metadata sheets but those on the committee that have either seen or used it stated that it was very substandard. There were some interesting comments on the idea that it is our responsibility to the public which is to be considered when discussing this issue.

There are some changes coming to the FGDC standards. It seems there are going to be some refining of the minimum standards to protect the public.

If MGIC's recommendations were pushed to statute, how would they be enforced?

No real issues were tackled however it was agreed that a committee should be formed with members of BEPLS and MGIC to review the needs of this request and perhaps just form an opinion or recommendation. Also, that maybe ITWG should be involved. MGIC looks to have Ken involved on the Metadata issue to perhaps come up with a policy regarding Metadata and also ironing out this gray area of when it is needed and when it is not. It was agreed that Land Surveyors need to be a part of the discussion and also to continue the work on the relationship between GIS professionals and Land Surveyors. It was decided that MGIC needed to establish a basis for policy decisions or make an attempt at forming some strong recommendations on what to do with this relationship.

No formal action was taken, however the soon to be formed committee will try to work on the basics and come up with a list of issues that need to be addressed. Dan McCauley recommended Warren Latvala and Dick Smith to be heavily involved with this committee.

They discussed many other issues that I have not mentioned here due to space and they were more GIS type issues. The next meeting would be perhaps a day or two day meeting with a facilitator to help with the strategic plan.

Legislation - Rick Gustine

FINAL LEGISLATION REPORT- 2003

Rick Gustine, Chair, MARLS Legislation Committee

Following is a short summarization of bills passed by the 2003 Montana Legislature of interest to MARLS:

HB182- Additional implementation of reorganization of Department of Commerce- MARLS Supported- Transfers rule making authority for monumentation, Certificates of Survey and Subdivision Plats to the Board of Professional Engineers and Professional Land Surveyors- Effective Date 04/01/03.

HB298- County fees for processing subdivision exemptions- MARLS Opposed- The bill had too much support in both houses to try to kill it, however we did manage to get it into conference committee where we got it amended to include a maximum fee of \$200.00- Effective Date- 05/05/03.

HB669- Revise park dedication requirement for subdivisions- MARLS took no position- Allows alternate methods of meeting park dedication requirements for subdivisions- Effective Date 10/01/03.

HB680- Standards for documents filed with Clerk and Recorder- MARLS supported- Effective Date 07/01/05.

SB45- Increase limit for professional services that may be directly negotiated- MARLS Opposed- Increases limit from \$10,000 to \$20,000- Effective Date 03/28/03.

SB326- Generally revise growth policy laws- MARLS supported- was a very tough battle in both houses and went to conference committee, but passed. Effective Date 05/09/03.

SB406- Allow corner record to be filed in lieu of certificate of survey- MARLS supported- Effective Date 10/01/03.

Probably the biggest disappointment of the session was the defeat of SB355- Preservation of monuments for land surveying- we'll just have to wait until next session and try it again.

Following is a summary of some of the bills we opposed that were killed:

HB147- Allow consideration of proposed fee in selecting certain consultants.

HB324- Affordable housing criteria in subdivision review.

HB370- Revise Minor Subdivision laws.

HB530- requires transportation priorities to comply with growth policies.

HB737- Allow local government to establish impact fees.

SB227- Add hazard protection to growth policies.

SB293- Designation of and funding for quality growth areas.

All in all, I think we were very effective. Attached is the full list of legislation tracked this session. I'd like to sincerely thank those who testified at committee hearings or contacted local legislators- it takes the effort of all of us to be effective. This was the first legislative session that MARLS hired a lobbyist to represent us, and I think it was one of the most productive moves we've ever made.

Also a special thanks to Kay McDonald for her never ending help in getting the information out to the membership and constantly updating the website throughout the session.

Tech Council: CEC has hired a lobbyist so the future of tech council may not come.

Membership - Kay McDonald

MARLS Membership: Active 226, Fellow 6, Life 5, Associate & Student 114, Sustaining 10, Honorary 6, Emeritus 7, and Affiliate 3 members. MARLS total membership 399 for 2002-2003. Total dues income for 2002-2003 was \$36110.00.

Dues are coming in for the 2003 – 2004 fiscal year and ten active members qualify for Life Membership.

Two members have submitted to the BOD at this meeting requests for Life Membership per the MARLS

Newsletter - Ron Milam

From the April 2003 TSS - To the Board and members of MARLS, I sincerely appreciate the recognition of being selected MARLS Surveyor of the Year and the honor to represent MARLS and the “Treasure State Surveyor” at the ACSM conference. Thank you for the support. Also to DJ&A, PC, thank you for the financial support to attend the national conference and a special thank you for the recognition to Inland GPS; Glenn Borkenhagen and Todd Ferris for the Trimble winter jacket.

While at the conference, I listened to many surveyors discuss the status of their state survey filing, corner recordation and continuing education requirements. Many have no requirements for filing surveys and some are fighting the proposed corner recordation acts. To complete a survey, you have to visit the local surveyor and usually pay for the information. Does that protect the public?

I had felt that Montana was behind the ball on national surveying matters, until this experience. All Montana surveyors should take **great pride** in our filing requirements and the unique corner recordation act. (Thank you - Tiny!!). We are to protect the interest of the PUBLIC. Montana was well represented at the conference, I know of eight people, who attended this conference.

NSPS - Dick Smith (see Kay McDonald’s report at end of minutes).

Professional License Oversight - Dick Smith – no activity

Scholarship - Bill Weikel – see new business

Standards of Practice – Craig Brown – no activity

Trig Star - Randy Thomas

The South Central, North Central, Northwest, Western, and Southeast chapters teamed up to present the 2003 Trig-Star program at twenty six High Schools across Montana. Seven hundred and eleven students took the 2003 Trig-Star test, with seven students scoring 100%.

Erwin Dunbar, a junior at Billings Skyview High School is the 2003 Montana Trig Star, scoring 100%, solving the problem in 26 minutes, 10.94 seconds. The following are the top thirteen school winners:

<u>NAME</u>	<u>SCHOOL</u>	<u>SCORE</u>	<u>TIME</u>
Erwin Dunbar	Billings Skyview	100	26:10.94
Nicole Gihllian	Bozeman High	100	29:00
Kevin S. Johnson	Flathead High	100	29:40
Bradley Peifer	Billings Senior	100	31:51.17
Phillip Beadle	Roundup High	100	32:51.21
Jessica Gieser	Billings Central	100	34:36.94
Chi-Wai Lau	C M Russell High	100	38:18
Jacque Ausen	Billings West	94	33:17.22
Brittany Murphy	Columbia Falls	90	37:23
Lance Robbins	Winifred High	80	27:00
Greg Horton	Great Falls High	80	47:03
Colt Gill	Fergus High	77	47:00
Tara Torre	Gardiner High	71	52:32

The five chapter winners were Nicole Gihllian, South Central, Blake Hoge, Western, Chi-Wai Lau, North Central, Kevin S. Johnson, Northwest, and Erwin Dunbar, Southeast. All five-chapter winners received a Hewlett Packard 48GX calculator, donated by Jeff Butcher at Selby’s Essco. Each school winner received a plaque, which Kay McDonald had prepared in Kalispell. And all participants received a certificate prepared by Kay McDonald or the BLM.

Erwin was presented with the \$500 state prize, donated by the NorthWestern Energy Foundation and MARLS. He will also represent Montana in the National competition, taking the national test between June 4th and July 1st.

I would like to thank Kyle Tompson, Mike Wolfe, Kurt Luebke, and Dawn Marquardt, for taking the lead in their respective chapters. And to all those folks who pitched in and made the Montana 2003 Trig-Star program a success, thank you all.

Also, a special thanks to Kay McDonald, for all of her time and effort, preparing certificates, having plaques prepared, mailing, and the list goes on and on. Thank you Kay!

I have been asked to speak on the Trig-Star program to the MEA/MFT Teachers Convention on October 16th and 17th, 2003. This could spark new interest in the program.

West Fed - Dick Smith & Denis Applebury

OLD BUSINESS

MARLS Group Health Insurance – Jonathon Roen & John Cicon – Tom Henesh said the results from the inquiries BC/BS sent out to the members have been positive and they are now sending inquiries to the larger firms of the LS & ES.

Montana NGS updates - Advisor Curtis Smith (keep on agenda) Curt would be a contact for the Northeast Chapter on establishing CORS Station.

Travel Expense submittals:

Bryan submitted \$75 for reimbursed expenses for travel to GIS meeting in Helena. This was approved at the past meeting for reimbursement.

Dick Smith, MARLS delegate for Geomatics Advisory Council, Attended Board of Registration meeting as MARLS delegate on 5/15/03 submitted request for reimbursement of \$438.04. Motioned to pay bill; seconded; MOTION CARRIED

Tom Henesh submitted travel expense for \$1000 to attend summit for the Annual PNWER in Calgary July 13– 17, 2003, he said e-mail represents MARLS sufficiently and did not feel it is something he wants to go to and not sure of the effectiveness of attending representing MARLS – Debi Anderson moved not to approve travel request; seconded; QCMC

Letter of recommendation for James Hahn to fill MT Board of PE & LS position – Bryan Block

Bryan read a letter he received from Governor Judy Martz recognizing receipt of letter of recommendation from MARLS to consider James Hahn to fill the MT Board of PE & LS position.

“MARLS Outstanding Surveyor Award” nominations form – Kay sent to Chapter Presidents revised nominations form and the BOD approved the changes in this form for future use. These are to be submitted to the BOD by November 30th of each year.

Nominations for Fellow or Honorary membership 2004 – Please bring up at the chapter level and bring those nominations to the September meeting.

Life membership requests – Kay McDonald

Life membership request from Bill Johnson and Bryan Beggs were approved below by the BOD under the Bylaw Life Membership Section 2.

William H. Johnson MARLS #684, DOB 8-1-44, MARLS member since 1986, licensed in the State of Montana 4/19/75 and active until 6-30-02 – inactive since 6-30-02 for medical reasons and kept Emeritus status with MARLS for the past two years.

Tom Henesh moved; Linda Smith seconded to accept William H. Johnson as a MARLS life member; QCMC

Bryan Beggs, MARLS #531, DOB 7-18-46, MARLS member since 1980 (23 years) and licensed in the State of Montana for 27 years.

Troy Jensen moved; Toby Dumont seconded to accept Bryan Beggs as a MARLS life member; QCMC

Motion made by Tom Henesh to approve Ron Allen’s life membership upon meeting qualification requirements in the Bylaws Section 1; seconded by Linda Smith; discussion; QCMC.

Discussion reads active member of MARLS for at least 15 years (does not say consecutive).
LIFE MEMBERSHIP IS FREE.

“Debi Anderson moved to change the MARLS Bylaws to reflect that individuals licensed in other states but legally practicing in the State of Montana shall, if applying for membership to MARLS, be considered as active non-voting members and their dues shall be at the rate set by the BOD.”

This states the current Non-resident member of MARLS – MARLS wants to find a category for “a person who is licensed in another state and living in the state of Montana and working as a land surveyor.

Debi Anderson withdrew motion.

Bryan asked Craig Brown, Standards of Practice Chair, to look into a category of MARLS membership if a person is licensed in another state, living in the State of Montana and working as a land surveyor (usually for the Government). They should not qualify as an associate member. Jim Burton said he is a member of LSAW, listed in their membership as an out-of-state member (non-voting) and pays dues as a LS not practicing in Washington. LSAW LS active member is \$200 and non-resident membership is \$110.

HB 680 -Document Standards Resolution update – Linda Smith – Linda stated this will not go into effect until July 1, 2005 and the ARM needs to be rewritten to implement HB280.

Geomatics Advisory Committee

GIS/GPS Negotiated Rule Making Committee report renamed Geomatics Advisory Committee – Warren Latvala & Dick Smith

Report on Geomatics Advisory Committee (formerly GPS/GIS Negotiated Rule Committee) Meetings # 7 (Mar. 7), #8 (Mar. 26), #9 (May 2) and #10 (June 6).

As indicated above, the committee name has been changed to the Geomatics Advisory Committee at the suggestion of Dick Smith, NSPS representative.

Meetings # 7 and 8 were held in Helena from 12:30 to 5:00 p.m., meetings #9 & 10 were also held in Helena but the meetings lengthened to run from 10:30 a.m. to 5:00 p.m.

The committee continued work on definitions to separate work that requires licensure from that which does not, mainly identifying which work was and was not “authorative.” While that work was beneficial, it did not address all of the items at issue. If licensure is only required for “authorative” work, any other work could be identical in scope and use with a disclaimer that it is not an “authorative” survey product. The surveying representatives raised this issue with the idea of “cutting to the chase” on the disputed practices. The main two items in dispute being positioning services contracted out to second parties and locating and establishing positions on corners of the PLSS.

The PLSS corner issue was presented as a “chicken and egg” problem. BLM has agreed to upgrade the GCDB (the basis for all governmental GIS) by revising it to include additional control (accurately positioned) corners within an area of interest to a local government entity. I participated in a 2-hour teleconference with BLM, USFS and local GIS administrators. BLM acknowledged that they would prefer to have positions provided by licensed surveyors on corners located and identified by those surveyors, but they could not impose the use of licensed surveyors on local government. Local government representatives agreed that licensed surveyors were best qualified to locate and determine the positions of PLSS corners but they could not require BLM to only accept such data from licensees.

Geographic Information Systems are looked upon as providing inventories of natural or cultural features, spatially located. While we (the surveying community representatives) did not object to any individual or firm collecting their own data for their own GIS or LIS, we did object to unlicensed individuals offering and providing contract positioning services to locate PLSS corners and fixed works of engineering.

At meeting 8 the first issue was resolved based on who is qualified to evaluate or “certify” positional accuracy. The resolution was reached by agreeing that any contract or second party positioning services for which there is any stated or implied accuracy requirement is the practice of land surveying and must be performed by a surveyor or engineer qualified to perform the service in a fashion that will meet the accuracy requirement. With this understanding, surveyors can compete with anyone on price because neither the client nor the BPELS will hold them to a different standard than they would unlicensed individuals.

The second issue was not resolved until late in meeting #10 when it was agreed that only licensed surveyors are qualified to locate and identify corners of the PLSS, and determine the positions thereof for use in a GIS, LIS, or any other purpose. This agreement not only covers contracted work but employees of state and local government. This was the largest remaining issue before the committee. With that understanding I stated that I would present a resolution-in-principle to the MARLS Board resolving, “Professional practice, in the highest public interest, would include freely providing the coordinates of any PLSS corner whose geographic position has been determined to interested state and local government for use in improving their respective GIS and LIS.” Dick Smith and I were assigned the task of writing a position paper for the committee describing the resolution.

Warren Latvala moved to receive an agreement in principle from the MARLS BOD to present the MT Board of PE & LS: To support the following resolution, “Professional practice, in the highest public interest, would include freely providing the coordinates of any PLSS corner whose geographic position has been determined to interested state and local government for use in improving their respective GIS and LIS.”

Seconded by Linda Smith;

Tom Henesh amended to add “so long as it does not conflict with the contract obligations”;

Discussion by the BOD; favor of amendment; friendly amendment added;

Question called;

MOTION CARRIED.

That offer, along with the described resolution of the PLSS corner issue, provided a profound change in the working atmosphere of the committee. Plans were made for joint presentations (by surveyors and GIS administrators) to state and local governments, private entities, and their associations. The provision of PLSS corner positions determined in other surveys for use in GIS would represent an immediate improvement to the various GIS currently planned or in use, at no cost. With that savings, local governments could afford the higher cost of retaining licensed surveyors to locate and determine the positions of other corners necessary to any planned expansion or upgrades of their GIS.

With the resolution of the last mentioned point, the committee thought all major disagreements had been resolved. The representative from the MDT quickly quenched that thought by re-raising an issue that had thought to be settled. That issue is the inclusion (in the committee's evolving document) of geodetic control surveys in the practice of land surveying. MDT's position is that since anyone (not just a PLS) can have a position published by NGS by adhering to the NGS guidelines and providing the required documentation. Evidently, the MDT is currently contracting that service out although I have not seen an RFP for the service. This last issue, and other issues not yet described, was raised in mid-afternoon by the MDT rep. who had to leave shortly thereafter. Before leaving he agreed to identify the other issues and proposed resolutions by email prior to the next committee meeting on July 2 in Helena. I have not as yet received that email.

Certified Corner Recordation – Sub Chapter 10 – Steve Anderson

The BOD asked to strike MARLS address in section one of requirements. The BOD suggested changes to the “Suggestive language to encourage ties to accessories:”

Steve Anderson moved that the CCRF and rules be submitted by MARLS to the BPELS as agreed to at this MARLS BOD meeting as per the following; seconded by Thomas Stark; QCMC

For Public Land Survey System corners requiring recordation, sufficient information should be shown on the form to enable subsequent surveyors to verify the corner position identified on the form, and to re-establish the corner position if the monument is obliterated. It is suggested that reference ties to at least 2 identifiable accessories or surveyed dimensions to 2 survey monuments should be shown.

Sent by Adm. Secretary 6-19-03 to Steven Anderson with changes incorporated into the following to submit to the MT Board of PE & LS:

Sub-Chapter 10 Corner Recordation Requirements

24.183.1001 FORM OF CORNER RECORDS - INFORMATION TO BE INCLUDED (1) The form for recordation of corners pursuant to the Corner Recordation Act of Montana has been approved by the board of professional engineers and land surveyors. The approved version was adopted by the board on **July 1, 1981 [FILL IN]**. Blank corner record forms can be obtained from the Montana Association of Registered Land Surveyors, **82 Stonecrest Drive, Kalispell, Montana 59901 or by contacting the association directly at (406) 756-0680.**

(2) The information to be included in a corner record is as follows:

(a) Original and subsequent record: This item should describe or quote those portions of the original or subsequent record which were used in evaluating the corner position. The original record for corners of government surveys will usually be the General Land Office field notes. The original record for non-government surveys will usually be subdivision plats, certificates of survey or other surveys of record. Subsequent record can come from several sources: previously filed corner records, maps and plats, private and public records, etc. Some of the subsequent record, even though not in the public record, but known to have validity by the surveyor, may be quoted and appropriately noted. The record data helps support the reestablished corner position because they clearly show what history the surveyor based his corner position on. In some cases, however, the record may be unknown or not pertinent. A statement to that effect should appear on the corner record.

(b) Description of evidence found or method of locating corner position: This item will describe the original or subsequent record evidence found. If portions of the found evidence cannot be reconciled with the record, then the disregarded record should be noted, and if possible, an opinion as to its cause narrated. If no physical evidence of the original or subsequent monuments and accessories can be found, then the method used to reestablish the lost or obliterated corner (single proportion, fence intersection, parol evidence, terrain calls, centerline or road, etc.) shall be indicated. Measurements used to establish proportioned positions shall be shown on the corner recordation form, or on a filed certificate of survey or subdivision plat referenced on the recordation form.

(c) Description of monuments and accessories set to perpetuate the corner position: This item should list all details about the corner and its location which will help exclusively identify the corner position; including size and type of monument, how marked if not shown in sketch, and distinguishing topographic calls which help locate the corner. In many cases, instructions on how to find the corner should be included. For Public Land Survey System corners requiring recordation, sufficient information should be shown on the form to enable subsequent surveyors to verify the corner position identified on the form, and to re-establish the corner position if the monument is obliterated. It is suggested that reference ties to at least 2 identifiable accessories or surveyed dimensions to 2 survey monuments should be shown. Additional references or ties to other corners are optional and may be drawn on the face or back of the corner record form, or references to certificate of survey may be made. Separate drawings may be attached to the corner form. If state plane coordinate values for the corner position are shown, then the control upon which they are based should be indicated.

(d) Sketch of corner: This item will usually show how a found or set corner is marked or **and may also** show topography or accessory monuments found or set and their relation to the corner. There is no stipulated format; the sketch could be transcribed field note entries. For corners which were first shown on subdivision plats or on recorded or filed surveys, enough information shall be shown so that the corner can be identified.

(e) Certification: The name and signature of the ground party chief is optional. The surveyor who performed or directed the field work which is depicted on the "certified corner record" shall sign and affix his seal in the certification. The employer blank is optional but useful in tracking down original field note data or adjacent record if, in the future, questions arise about the corner.

(f) Cross index and section diagram: The **cross** index information at the bottom of the page should be completed by the surveyor. Only the single township and range index where the corner is filed or, if applicable, the Lot/Parcel number and Plat/Survey designation shall be completed. The lower righthand corner is a corner location diagram and should have the pertinent section filled in at the top and a closed circle indicating the appropriate corner position in the section filled in. This is intended to be an aid in searching the "record" once it has been filed. (History: 70-22-107, MCA; IMP, 70-22-107, MCA; NEW, 1983 MAR p. 645, Eff. 6/17/83; AMD, 2002 MAR p. 1326, Eff. 4/26/02; TRANS, from Commerce, 2002 MAR p. 1756.)

Banner for Historical Museum and request for second banner for MARLS – Kay McDonald

Jim Burton moved to order the banner for the national historical museum which has been budgeted in the 2003-2004 budget and also gave approval to order a banner for MARLS use; seconded by Debi Anderson; QCMC.

MARLS denim shirts & new MARLS hats order has been completed and ready to sell in the Marketplace. I will be ordering polo and henley shirts that I asked the BOD pick out the kind at this meeting. These will be paid in the 2002-2003 budget.

MARLS BOD requested the Certified Corner Recordation Form be available on the MARLS website free of charge and remove charges on Marketplace on web and TSS.

CST State Coordinator appointed – Bryan Block – Randy Thomas has agreed to be the Montana CST State Coordinator and will work with NSPS at the state level.

Appoint Special Awards Committee (for MARLS Awards & to submit to ACSM/NSPS National Level Awards) – Bryan Block – President Block implemented a new committee "Special Awards Committee" and the past president will be the chair of this committee. Linda Smith is the Past President of MARLS this year.

BOD approval to submit the MARLS person receiving "Outstanding Surveyor Service Award" to NSPS for "National Survey Excellence Award" – Bryan Block

The BOD approved to submit the "Outstanding Surveyor Service Award" recipient each year to the national level for their "National Survey Excellence" award.

Linda Smith, chair of Special Awards Committee needs to submit Ron Milam to NSPS for their awards request for this year.

PAC NW Econ Region update – Tom Henesh

West Fed spring meeting held at 2004 MARLS Conference – Dick Smith

The BOD asked Dick and Denis to check on this if they are still interested in holding their meeting at the 2004 MARLS conference.

TSS complimentary recipient request from BOD – none at this BOD meeting submitted

NEW BUSINESS

Correspondence

Correspondence was read from NSPS President John Fenn thanking MARLS secretary for the minutes of the conference, and he wrote that he felt we are one of the most up to date memberships in the United States, contributing so much time to your membership and the MARLS and your secretary deserve a pat on the back.

Formation of Executive Committee request – Linda Smith

The BOD expressed the need for the formation of an Executive Committee that would be able to address many items such as legislation, contracts, regarding items that come up between BOD meetings as conference calls, e-mail, etc, address these items, and have these items ready for the BOD meetings. Linda Smith is the chair of the Executive Committee – this committee will prepare the budget for the BOD each year. Don Ebbutt suggested to President Block this could be a three or four person executive committee that would stagger terms, thus overseeing, monitoring and provide direction and continuity to the operation of MARLS BOD. They could

provide the Board who are usually short-term officials with the knowledgeable source to rely on and to help form their decisions. We are fortunate to have a strong active BOD but this has not always been the case. The direction and continuity are in the best interest of MARLS. This would be separate of the budget committee. The budget committee consists this year of the President, Past President, Secretary-Treasurer, Vice President, and President Elect along with Dick Smith and Rick Goacher (past Secretary/Treasurer). The president sets these committees. President Block suggested calling this committee the Executive/Budget Committee for his term.

Corner Recordation forms

Debi Anderson moved the CCRF should be free of charge and advertised available on the Internet and MARLS marketplace for those to download; seconded; QCMC.

Administrative Secretary Contract for 2003 – 2004

Tom Henesh moved to approve the Contract Labor Agreement with Kay as written with revision to include the \$8400 and \$22,200 combined and not have consideration for rent and utility expenses mentioned for a one year term; seconded by Toby Dumont; discussion; QCMC.

Jim Burton moved the Administrative Secretary contract to read “Contract Service Agreement” NOT “Contract Labor Agreement”; Debi Anderson seconded; QCMC.

The BOD asked Kay to do the following:

- Turn in the postage machine at the end of the quarter.
- Record every postage expense sent.
- Separate MARLS phone line (this is done now but the billing is not the way the BOD wants them – instructed to make the MARLS phone line a business line.)
- Sell all MARLS owned equipment to Kay for \$1 (there isn't very much MARLS owned office equipment).
- Request of inventory of MARLS equipment.

There is no new checking account opened for each year's conference – all conference monies are done under the MARLS Glacier Bank checking account.

NSPS spring conference attendance not addressed

Contract increase request declined

Two-year contract request – not approved

2003-2004 BOD Budget approval – Budget committee

MARLS ACCOUNT	BOD APPROVED 2003 - 2004 BUDGET		
	INCOME	EXPENSES	INCOME EXPENSES
Membership dues	34,385		34,385
Marketplace supplies	3,000	(2,500)	500
Treasure State Surveyor	7,000	(8,000)	(1,000)
CE Seminars	9,500	(9,500)	0
Conferences	56,000	(40,000)	16,000
Trig-Star	0	(750)	(750)
Interest Income	1,200	0	1,200
Misc.Unforseen Income & Expenses	100	(800)	(700)
Professional Tax Preparation	0	(400)	(400)
Postage & Shipping		(1,800)	(1,800)
Telephone		(1,600)	(1,600)
Bank Charges & V/MC/AE/D		(700)	(700)
Adm. Secretary Contract Service		(30,600)	(30,600)
President		(1,500)	(1,500)
Board of Directors		(1,100)	(1,100)
West Fed		(3,100)	(3,100)
NSPS		(3,000)	(3,000)
Historical		(135)	(135)
Legislation/Tech Council 2003		(1,250)	(1,250)

Board of Registration		(1,200)	(1,200)
Committees		(600)	(600)
Historical exhibit		(100)	(100)
Prof Oversight Legal Fund		(1,750)	(1,750)
MGIC & ITWG		(800)	(800)
Total	\$111,185	(\$111,185)	\$0

Tom Henesh moved to approve the MARLS 2003-2004 budget; seconded by Linda Smith; discussion; amend the budget line items Adm. Secretary Contract Labor & Office & Equipment Rent to read one line item "Adm. Secretary Contract Services"; QCMC.

MARLS replacing "REGISTERED LAND SURVEYOR" with "LICENSED LAND SURVEYOR" discussion by the BOD and tabled until September meeting.

Committee for "Surveying and the Public" newspaper articles – Debi Anderson

As we discussed earlier I would like to start writing articles for the local newspapers called "Surveying and the Public" or something along those lines. The articles would be informative in nature to educate the public on the surveying system and possibly on state laws and rules that they should be aware of. For an example; if the monument preservation act is approved and passed by the legislature then the public can be informed of this bill which would benefit them should they have monuments destroyed. The same thing would apply if the bill passes that would make it a "criminal mischief" to move or destroy survey monuments.

I would like to start out my articles by explaining how a section of land is divided and then go on to inform the public of why most of the section may need to be surveyed in order to break out their forty acre lot. I would use and explain survey terms and try to make the articles progressive in nature. Each article written would be sent to a few members (appointed by yourself) of the Board of Directors for comment and approval on content and accuracy before being sent to any newspaper. I can foresee having different types of articles that may be historic in nature, mathematical, legal, or problematic.

My future goal would be to have others write articles also and to insert them into as many newspapers as possible throughout the state. In doing so I would like the byline to read "Submitted by Montana Association of Professional Land Surveyors". This would encompass everyone who is licensed in the state and it will not be construed as an individual trying to "drum up business".

I'm excited about this prospect and, if approved, will attempt to have a couple articles ready for the June board meeting. I thank you for your time and consideration in this matter and look forward to hearing from you in the near future.

Bryan made Debi Anderson Committee Chair and Bryan and Ron Milam will be on this committee.

Bill Weikel suggested the BOD does not have to review these articles, as Debi as committee chair has the authority along with her committee to decide which articles can be submitted. The BOD agreed.

Unlicensed Surveyor update – Troy Jensen

The BOD discussed a surveyor possibly practicing in the state of Montana without a MT LS License; documentation needs to be presented to the BOD.

Tom Henesh moved Troy Jensen compile information regarding this unlicensed LS practice and submit it to President Block and he will draft a formal complaint letter on behalf of MARLS to submit to the MT Board of PE & LS; seconded by Linda Smith; QCMC.

Scholarships – Bill Weikel

Bill Weikel passed out presented MARLS First Year Student Scholarship proposal and also a Trig Star summary of the costs of 2002-2003 Trig Star program which was funded primarily by MARLS through the use of Scholarship Funds. Also submitted to the BOD was an increase contribution by utilizing the Trig Star Program to award scholarships to worthy individuals.

Chapters please take this to your chapters and send comments or recommendations to Bill so he can come up with a finished product by the September BOD meeting.

Tom Henesh moved to table the scholarship and Trig Star questions until Old Business at the September BOD meeting; seconded; ACMC

Good of the Order

Suggested to sell MARLS logo license plates.

The BPELS discussed the changes that will be required in the ARM to comply with the corner record in lieu of a certificate of survey resulting from SB406. The Board requested that MARLS provide suggestions and recommendations. (see ARM 24.183.1001)

Action Item for MARLS BOD)

TRIP REPORTS

Alberta Conference by President Bryan Block

I want my Bullets back. Do Not, I repeat, Do Not go into Canada with your hunting truck.

Ok, stupid, I mean yeah I know, it's just that the time is so pressed. All right here is the scoop. I had one hectic week before leaving for the Alberta Conference, with a virus on my computer and just didn't get packed. People calling wanting jobs, started, completed or whatever and since it was my worse winter yet, I just need to get all the jobs that I could. I was going to leave on Tue., and found myself setting a benchmark for Les Schwab at 8:30 PM. Another job I just couldn't get to and lost it. Left on Wed. at 9AM, Found myself unloading my truck Wed. morning, equipment, tripods, guns, bullets, books, radios etc. then throwing in all my other stuff for the conference, cloths, books, briefcase, toothbrush, Breakfast on the Bighorn Print by the way which was superb, excellent, (" Thanks Steve, you did a fantastic job of framing that print, thanks Bill for getting that over to Steve and thanks Linda for getting it back") " When you make me look good, you make our Association look good." and of course I left a few things behind, one being my map. I called Linda and asked for the best route, which she so graciously provided, and I was finally on my way. Oh no, no birth certificate, pass port, oh well, no big deal, I've been to Canada a 100 times and mostly for silhouette shooting at the Bull River firing range south of Cranbrook, they'll let me in. Well I stopped at the border before I went across and walked over to the US Customs. 3 guards meet me walking straight at me, "Howdy", I was all smiles and all and they look at me real funny. Like what the heck are you doing? "WHAT DO YOU WANT?" "Well I just wanted to tell you I don't have a passport and thought if I told you before I went across, you might remember me and save a little hassle." They were not pleased, pleasant and were not in the mood. Funny, I was really expecting an overweight guard behind a box of donuts, not 3 Les Schwab employees running to do business with you. So I left, back to my truck and over to the Canada Customs. "Hi there, you know I left my passport and all I got is my driver's license and is this really a problem? ""Hey man, you shouldn't travel anywhere without a passport. I really shouldn't let you in because you might not get back out. Oh, are you carrying any weapons, alcohol, stuff to sell?"" No just going to a surveyor's conference in Calgary. Ya I'm the President of MARLS and the Alberta Land Surveyors Association invited me to come up and be part of their Celebration. Pretty cool huh." So anyway I get through Customs and now start thinking about everything that just transpired in the last 10 minutes. Gee I hope this isn't that serious, I mean I'm a pretty clean cut guy and they would have to turn over rocks that were 25 plus years old to find any reason to detain me, at least in my mind. I should have known that maybe things were not going to turn out quite like I planned.

Well Dave McWilliams, the ALS president and all of his constituents from B.C., Ontario, Manitoba, Nova Scotia, Quebec, treated me with the greatest of respect and everyone was really glad to have me up. They were all worried that I was mad at them for not supporting the WAR and were apologetic and it's all political and we support you. The Premier of Alberta, Ralf Klein opened the business session with the Mayor Dave Bronconnier and when the ambassador from Toronto was introduced as SARS. I leaned over and ask the Quebec ambassador "What, did they just say SARS?" "NO Sarge, not SARS" I tell ya, that was another clue and then it started to snow and snow and by Saturday the Freeway was closed and the Airport and more people were dying of SARS across the Country. But man, everyone was really treating me nice. Our Breakfast on the Bighorn Print, which we gave as a gift, was a huge success. The ceremonies for their officers were really something else, bagpipes, scotch, and whiskey, music, food and dance. Show Productions put on an impressive play about Butch Cassidy & the Sundance Kid, Jebb Fink is a Jay Leno of Calgary and we all had a pretty good laugh. Their education courses included effective delegation and leadership and time management seminars by Deborah Rothernel. They do it up right North of the Border. To those of you whom I met, Dave, Linda, Bernard, Brian, Ken, Jim, Ross, Dirk, Deborah, Connie, Sharon, Carl, John, Greg, Rick, Guimond, Gary, Sarge and so many more. Thank You, It was my pleasure.

I called Terri to find my birth certificate and fax it up to the motel so I'd head off that possible problem. Ok, so my plan on that Last night of the Ball, music by Dino Martinis, was to drink water instead of alcohol, checked out of my motel, figuring I would head south for a couple of hours and then find a motel. Get some of the miles knocked off. I actually drank a lot of water. That's when it really started snowing and then talking with a few of the CCLS reps, I found out Dick Smith was not going to make it to his meeting on Sunday. I thought well, I'd just stay since the girls were very nice and the freeways were now closed. I thought I would at least hit the morning session and represent Montana. So I went back to my motel to check in. Filled up, seems while I was waiting, there were hundreds, no thousands of stranded people. I checked down the block, no vacancies, just my luck. Ok back to the Ball, they have a hospitality room and it will probably last till 3AM anyway. Then the snow turned to rain and by 3:30 the roads were pretty clear, the freeway going south was not blocked off anymore or at least I didn't see that sign. Filled up with gas and coffee and headed south. I do feel bad I missed the CCLS meeting though. Pulled over a couple hours later and man there wasn't any traffic, smooth sailing, wondered if the freeway really was closed? Woke up having a nightmare that The Mounties were hauling me off to jail. Wiped the sweat off my brow and started driving again, finally at daylight I saw another car coming at me but just one. No, not a Mountie, thank God. Found my highway to head west towards Fernie and then the rain turned to snow and the snow started getting deeper. Finally got tired again and pulled over in about 15" of snow. Laid back and fell asleep. Woke up having that same nightmare, dang I got to get out of here. Finally the snow petered out and the roads dried up. Things were looking pretty good and the Border was just coming up. Checked myself out in the mirror. Huh, could use a shave, where is my comb anyway? Ah, licked my fingers and matted my hair down a little. Tried to straighten the wrinkles out of my shirt, not quite right but who would care anyway. I had kicked my shoes and socks in the back because my feet were wet from the snow and rain, slipped on my tennis shoes. Well, I'm not going to the prom, just crossing the Border in my truck. Shouldn't even have to get out. Pulled up to the guard and he signals for me to stop. "Howdy", He Stares at me for the longest time, his eyes were starting to twitch he was staring so long, or was it mine. "Just how long have you been

in Canada"" 4 days," "Got any weapons, drugs or alcohol?" "Nope. ""Unlock your passenger door," he says, as another guard comes out. He opens my door and starts going through my side panel. He pauses and his eye quickly shoot up and he stares right at me," what are these" as a box of 22 longs are exposed in his hands. "Oh, I guess I left those in from last week when I was gopher hunting". He signals to a 3rd guard who comes out. The first guard asks, "I thought you told me, NO ammunition or weapons?" "You said weapons, not ammunition," "I said weapon." "Ya, only weapons, drugs and alcohol." "Get out of the truck". Here I thought I looked like a bad date, not a Terrorist. So I step out and he says "up against the wall." The 3rd guard walks around to the back of my truck and can't get into my topper. He takes my key and tries again. The 2nd guard pulls the 2nd box of 22 longs out of my door panel. Everyone looks at me again. I feel (their) eyes start at my unlaced (tennis) shoe(s), no socks, dress pants, wrinkled dress shirt untucked, a 4 o'clock shadow protruding on my face and some matted hair that wasn't sticking down very well." Open the back ", he says as he hands me my keys. "That 's kind of a stubborn lock "I say as I fumble with the key but alas I open the back. I look around the other side of my truck as the 2nd guard dumps the 3rd box of 22 ammo on the outside table. I start to walk toward him, "It's just for gophers" and everyone yells "GET BACK, NOW..." I jumped back, scared the crap out of me, though I was up for a lead sandwich, up against the wall. The 2nd guard starts going through my driver's door. "What are these "as he pulls out a box of SKS ammo in a green carton? 7.62x39mm made and exported from China JING an Equipment IMP? EXP Corp. I thought, that's for my assault rifle, oh crap....."Gophers "I say....."I'm going to ask you one more time, Declare all weapons or ammunition." " I don't have any weapons, um I guess there are a few bullets stuffed away but I don't have any guns..... Is a knife a weapon" I asked..... They all 3 look at me like I'm Osama Bin Laudin himself. The 1st guard pulls a second 1/2 empty box of 7.62x39mm ammo from the door panel. Then I hear the 2nd guard say "Oh ----- look at this." 4 spent rounds from my 7MM mag in the bottom of my console. "Hey I shot a Bull Elk this year and it took me 4 shots, I even have his ivory teeth in the ash tray, want to see them....." "IVORY". The table on the other side of my truck is stacked with CD's, tapes, camera, and then they start dumping out all those bullets on the table. Well if anyone has ever dumped round bullets out on an uneven table you know what happens, they start rolling and roll they did and onto the ground and under the truck, I mean everywhere. An other car pulls up behind, a guy and his wife and they look at the scene. (The expression on (their) face, I wonder what that guy is smuggling). Next my hunting knife shows up, and then my hatchet. I heard the 1st guard say ouch when that treble hook stuck in his finger. "When you say weapons you don't mean knives do you?"

The 1st guard tells me, "pull your truck ahead into that stall. If we find any weapons, you're going to jail." I pulled into the stall as one guard walked along side and he said, "Don't you try driving off or you'll be in really big trouble"." Heyman, I'm a volunteer fireman, look at my license plate, Sunday school teacher, basket ball coach, Boy scout, President of MARLS, I'm a MONTANAN, I live right down the road, we hunt and fish and shoot gopher and my freaking name is all over the side of my truck.....Ok. I'm starting to sweat it now, this is not fun anymore and I want to get the hell out of here. On the right there is a gallon jar of Vaseline, half-gone and they start putting on bright blue elastic rubber gloves. My fists clench, I suck my guts in and squeeze, OVER MY DEAD BODY..... This will be an International incident after all!

I tell ya, my truck literally comes apart, everything, my clothes are all dumped on the table, my wallet, briefcase, paper work everywhere and they even take my air cleaner out. Finally after an hour which took minute by minute of me going over everything in my mind that I could imagine I had done in that truck. How many times I had taken guns in and out and stuffed them behind the seats and did I forget I had one stuffed somewhere. So this is what it's like to not be free and to not have rights.

When you leave this Country you give up your rights and you don't get them back until you see the border guards in you rearview mirror. How lucky we are boys.....I want my Bullets back.
Bryan B. Block (President MARLS)

MARLS
Kay McDonald, Administrative Secretary
Report for ACSM/NSPS Conference, Phoenix, AZ, March 28 – 31, 2003

The State Executives Forum was held at the Phoenix Civic Plaza on March 29th and attended by about 15 State Executives. Kay McDonald of MARLS will represent the societies with membership under 500 and Rollie Self of MSPLS representing the societies with membership over 500 with the NSPS Board of Governors and Board of Directors as stated in the NSPS By-laws revision specified below and approved at the General Membership meeting.

Marc Cheeves was introduced and spoke at the meeting about the "Journalism Excellence" awards, the state newsletters, and ideas in changes to judging each year. Kay McDonald moved to endorse Marc Cheeves and Ed Miller to continue judging the states' newsletters as they see fit, and contacting each state's editor of any changes; Anne Glasgow seconded; motion passed.

Speaker databases were discussed; and each state is encouraged to send their speaker database to Curt or Trish; thus being able to share info online with states that aren't able to attend the NSPS conference. Discussion of letters to the leadership of each state inviting them to send their Executive Secretary to the national conference to attend the State Executives Forum at each spring conference to share information with each state.

Requested future speakers: ASAE's Executive Director, Volunteer Leaders Symposium – Robert Harris.

ACSM/NSPS Spring conference schedule is: 2004 Nashville TN, 2005 Reno NV, 2006 Orlando FL, with a possibility of San Diego CA for 2007.

Laurence Scoci provided information on the website and requested Legislative Chairman and lobbyist names from each state. Curt Sumner reported on the "New ACSM" and President Fenn spoke to the State Executives.

The State Executives Message Board was discussed and the Executive Secretaries are not using this message board and suggested changing this to a "List Serve" type of communication instead of message board.

Encouraged each state to obtain a copy of the New Jersey Society video that was presented to use to present to High School students encouraging them to go into a career in Land Surveying.

Discussed at this meeting: Monitoring attendance at CE programs in each state and issuance of certificates; websites; online CE.

Ideas that will be included in future meetings include Online CE, State Exec travel assistance, Workshop Database progress, promotion of the profession, task committee for attendance at Executive Forum, health insurance at the state level, national speaker database, building volunteerism, emergency plan, membership recruitment and renewal issues, risk management, workshops, forms, CE PDHs, non-profit investing, conferences and entertainment.

C2Ed (the Center for Collaboration and Education in Design) presented "Why Partner with c2Ed to Provide Continuing Education for your Membership" – they provide internet delivered information and educational curriculum; they stated they support licensure for all design disciplines that affect the health, safety and welfare of the public and we encourage all design professionals to pursue and maintain professional licensure. They provide state-of-the art continuing education courses that are guaranteed to be accepted for licensure renewal.

Suggested to each state:

- Submit their "Surveyor of Year" to the NSPS level for consideration.
- Submit banner of each state to the museum.

I also attended the Awards Ceremony and installation of officers of ACSM as Ron Milam, Editor of the Treasure State Surveyor received the ACSM "Excellence in Journalism" award at this ceremony.

**NATIONAL SOCIETY OF PROFESSIONAL SURVEYORS
BOARD OF GOVERNORS MEETING Highlights
Phoenix, AZ, March 29 & 30, 2003**

NSPS Certified Survey Technician Presentation on CD - Motion passed.

NSPS Certified Survey Technician Presentation on CD Motion passed. Followed a CST Presentation – Mr. Ron Torrens presented a slide presentation outlining the CST Program. This program is available on CD for use by others wish to present this program to other groups.

NSPS Map/Plat Contest Rules Review – A committee comprised of the map/plat judges was appointed to review the operation of this contest and to make recommendations by the Fall Meeting, 2003.

Website Advertising – Cockrell – Motion was sent to task committee 4 and was returned without changes. The motion was passed.

Website Access Restriction – Cockrell – Motion was sent to task committee 2 and was returned with only minor rewording. The motion passed.

Generation of Revenue – Cockrell – Motion was sent to task committee 2 and was returned without changes. The motion passed.

NSPS Awards – Drago – Joe Baird presented his concerns about the lack of participation in various NSPS sponsored programs such as affiliate of the year and surveyor of the year. A committee including the current award judges was appointed to investigate the situation and to make recommendations by the Fall Meeting, 2003.

Restructure Committee Report for Fall Meeting Report – Beehler – This motion was split into motions 8.9 and 8.9a. Motion 8.9 refers to the Fall Meeting, 2003 meeting schedule. Motion 8.9a refers to the Spring Meeting, 2004 meeting schedule. Both motion were sent to task committee 3 and were returned unchanged. Both motions passed.

National Surveyor Hall of Fame – Scott – Dean Scott presented a report on his efforts to establish a National Surveyors Hall of Fame. He has established a web site within the South Dakota Society of Professional Land Surveyors, Inc., www.sdspls.org.

Express Map – Morgan – Discussion on the 'Express Map' product offered by First American Title Company. This product is offered as an alternative to ALTA/ACSM title surveys. Some states are taking a proactive approach against this product. For more information go to www.fatcoboundaries.com.

Flood Maps on CD – Morgan – Report on a product offering scan flood maps overlain on a 'mapquest' type map. Claims are made that an accurate flood zone determination can be made by entering a street address for the subject property.

Name Tags and Name Stands – Evers – Discussion of providing nametags to all governors. Also the stands used for state identification were discussed. Many times these stand have to be rented at the convention site. It was decide that both of these items would be purchased by the individual governors at a cost of \$5.50 each for a total of \$11.00.

Vote on 'New ACSM' – Kramer – Presented a Resolution from the Great Lakes Regional Council calling for a vote on the 'New ACSM' proposal. The resolution is as follows;

Move to Resolve for the Good of the Order:

Great Lakes Regional Council recommends the NSPS Board of Governors accept the following resolution for implementation

Whereas: The issue of financial impact (dues) cannot be answered until the question of restructuring 'ACSM' has been voted on; and Whereas: Which ever decision is made by the vote of the ACSM membership on the question, the issue of financial impact will then be addressed accordingly;

and Whereas: The issue that must be decided upon by the membership is whether to 'change' or 'not change' the ACSM structure from a "Governing Organization" to a "Consulting Services Organization";

and Whereas: It is the desire of the current ACSM Board to become a "Consulting Services Organization" i.e., "The New ACSM";

and Whereas: It is the desire of the current ACSM Board to elevate the member organizations to the "National Governing" bodies for their respective memberships;

Therefore be it Resolved: That the Great Lakes Regional Council recommends to the NSPS Board of Governors that they as individual governors communicate to the current membership of ACSM the importance of focusing only on the question of organizational change or no change at this time. The resolution was passed.

Trig-Star and CST Publication in ACSM Bulletin – Chagnon – Motion assigned to task committee 1 and was returned without changes. The motion passed.

NAFTA Meeting – Prescott – Verbal report and introduced two representatives from Mexico.

Lincoln Statue – Church – Verbal Report

Trig-Star Presentation – Chagnon – Presented the winner of the 2002 Trig-Star competition, Po-Ru Loh, James Madison Memorial High School, Wisconsin

Certified FEMA Survey – Gary Thompson gave an update on the progress of the pilot project in North Carolina.

Trig-Star Powerpoint Presentation – Armand Marios gave a PowerPoint presentation on the Trig-Star program that is directed at high school students. The presentation is available at anyone that would like to use it for a presentation. Contact Trish Milburn at ACSM.

Following are reports from both the General Membership meeting which was held on Sunday April 29, 2003 and the NSPS Board of Directors meeting held Tuesday April 1, 2003.

GENERAL MEMBERSHIP MEETING

Gerry Curtis presented Certificates for Outstanding Personal Accomplishments and Dedication to the Profession of Surveying these were presented to out going Directors Jim Dulny, Larry Boyer, and Hardy Seay.

Gerry also expressed his sincere appreciation by presenting Presidential Citations to Gary Thompson and Doug Kramer being two individuals who had made contributions to the profession and the society and have furthered the goals and aims of NSPS.

Immediate Past President Thompson was also presented with a proclamation plaque for his services to NSPS and the profession.

President Fenn stated that there was an amendment to Article IV, Section 2 of the bylaws changing number and qualifications on the NSPS board of directors.

President Fenn stated that there was an amendment to Article IV, Section 3 of the bylaws changing election and term of office on the NSPS board of directors.

President Fenn stated that there was an amendment to Article VII, Section 1 of the bylaws changing composition on the NSPS board of governors.

President Fenn stated that there was an amendment to Article VIII, Section 3 of the bylaws changing delegate selection on the NSPS board of governors.

President Fenn stated that there was an amendment to Article IV, Section 4 of the bylaws changing duties of area directors on the NSPS board of directors.

President Fenn stated that there was an amendment to Article VI, Section 2 of the bylaws changing executive committee on the NSPS board of directors.

President Fenn turned the floor over to Vice President Goodson for an additional item under New Business.

MOTION...By Vice President Goodson that the NSPS Board of Directors requests the ACSM Board of Direction amend Bylaw I, Election Procedure, to revert term of office from calendar year back to annual business meeting. Furthermore, this action is effective prior to next election. **SECONDED AND CARRIED.**

President Fenn then made a few special presentations of well-deserved awards. Gerry Curtis was presented a gavel plaque of appreciation in recognition of the service he provided as President. Mrs. Curtis was presented with a special gift of appreciation.

NSPS BOARD OF DIRECTORS MEETING

A big Thank You to Rick Allen and Pat Smith who volunteered to prepare the overview report for this meeting that goes to the ACSM Board of Direction and to work up any motions to go to the ACSM Board.

OLD BUSINESS

CST CONTRACT: A paper Power Point presentation was passed out to Board members and a brief report on current CST program activities was given by Survey Technician Certification Board (STCB) member Ron Torrence. Contract negotiations between NSPS and Vincennes University has been on-going and friendly and should be presented during the Spring STCB meeting in May for review and finalization. Final signature by the NSPS President should occur around June 1, 2003.

NSPS BOOTHS: Staff to investigate the cost to provide both table cover and backdrop cloth with NSPS logo for use at state conferences.

NAFTA: NSPS move forward and submit the draft Mutual Recognition Document (MRD 8) to the U.S. Trade Representative and NCEES for review and comment.

NSPS BOARD OF GOVERNORS & BOARD OF DIRECTORS JOINT FALL MEETING: NSPS accept the NSPS Restructure Committee Report on a Joint BoG and BoD Fall meeting schedule and recommend implementation at the 2003 Fall meeting. .

NSPS BOARD OF GOVERNORS & BOARD OF DIRECTORS JOINT SPRING MEETING: NSPS accept the NSPS Restructure Committee Report on a Joint BoG and BoD Spring meeting schedule and recommend implementation at the 2004 spring meeting.

NCEES MODEL LAW: Vice President Goodson gave a brief report on task force activities. Minor word changes have been made to the model law. The report was accepted by NCEES and has been forwarded to the Uniform Procedures and Legislative Guidelines for review and comment. The Model Law will be presented and hopefully passed by all NCEES Zones during their annual meeting in Baltimore.

NEW ACSM: NSPS Board of Directors, direct President Fenn to vote in the affirmative that the New ACSM will move forward at the ACSM Board of Direction meeting and recommend the ACSM (NSPS) directors also vote in the affirmative.

NEW BUSINESS.

ACSM DUES: that NSPS advise ACSM that, in the "New ACSM," the NSPS dues for persons from other ACSM Member Organizations are the same as the currently existing dues. .

DUES RATE FOR THE NEW JERSEY SOCIETY OF PROFESSIONAL LAND SURVEYORS (NJSPLS): NSPS Board of Directors requests the ACSM Board of Direction rescind the sliding scale dues rate of \$130 with the NJSPLS members and return to a full rate in the current billing cycle for those NJSPLS members.

TRI-PODS ACROSS AMERICA: It was reported that an idea in the works was a way to recognize newly licensed and CST certified individuals in the ACSM Bulletin. A pin would be placed in their respective states on a map of the United States. A listing of names (ACSM member or not) would also appear.

NSPS ACCREDITATION ON CONTINUING EDUCATION PROGRAMS: NSPS set up an ad hoc committee to investigate the opportunity to develop an accreditation program for continuing education programs provided to surveying professionals for credit towards mandatory continuing education for continued licensure. The committee should develop estimates for the cost of running such a program, potential for funding such a program, and ways to get such a program accepted by the licensing jurisdictions recognized by NCEES.

ACSM WEB SITE PUBLIC & MEMBERS ONLY AREA: that the NSPS investigate the possibility of splitting the web site into a public area and a members' only area.

NSPS & ACSM WEB SITE ADVERTISING: that NSPS investigate the possibility of web site advertising to help support the cost of the web site.

NSPS REVENUE GENERATION: that the NSPS investigate additional revenue generating activities including, but not limited to, member benefits.

MATERIALS FOR RECRUITING THE "BEST & BRIGHTEST" HIGH SCHOOL STUDENTS TO THE SURVEYING PROFESSION: that NSPS develop materials for young people to find out about the opportunities in the surveying profession.

NSPS: provide surveying brochures with Trig-Star packets at no charge.

GUAM SOCIETY AFFILIATION: Tom Condon, President of the Guam Society of Professional Surveyors, approached the NSPS Board for their consideration for allowing his organization to become affiliated with NSPS.

75th ANNIVERSARY OF ILLINOIS PROFESSIONAL LAND SURVEYORS ASSOCIATION: that the NSPS Board of Directors prepare an appropriate resolution and plaque honoring the 75th Anniversary of the Illinois Society of Professional Land Surveyors and that said resolution and plaque be ready for presentation.

MAP/PLAT CONTEST & NSPS AWARDS: Board of Governors Chair Evers reported on the appointment of a committee consisting of the current judges of the Map/Plat Contest to report back during the Fall meeting with a set of guidelines to be able to judge the maps. Also appointed a committee consisting of current judges for the NSPS Awards from the Board of Governors to work with the judges appointed by the NSPS Board to develop a criteria which can start promoting these awards throughout all the affiliates.

CHANGES TO THE BYLAWS OF THE NATIONAL SOCIETY OF PROFESSIONAL SURVEYORS, INC.

During the April 23, 2002 NSPS Board of Directors Meeting in Washington, D. C. an amendment was approved to the NSPS, Inc. Bylaws. This amendment is being presented to you for your ratification according to Article XIII of the NSPS Bylaws, which reads as follows:

"These Bylaws may be amended or repealed or new Bylaws adopted upon the affirmative vote of a majority of the Board of Directors present at any regular or special meeting of the Board of Directors and the affirmative vote of a majority of the Voting Members present at any regular or Special meeting of the membership or by a mail ballot conducted in the manner set forth in Section 6 of Article III of these Bylaws. ..."

The Board's intention in amending Article IV, Section 2 and 3; Article VII, Section 1; and Article VIII, Section 3 is that it is important that two members represent the state executives forum in order to adequately discuss the impact of proposed actions by NSPS on the various sizes of state organizations. Voting rights for representatives of the forum is essential for demonstrating the value of its contributions.

Amend Article IV, Section 2, to read as follows:

Number and Qualifications. The members of the initial Board of Directors of NSPS shall be those individuals named in the Articles of Incorporation of NSPS, and shall serve until their successors are elected and qualified. Thereafter, the Board of Directors of NSPS shall be composed of sixteen individuals. All members of the Board of Directors shall be Voting Members of NSPS. The President, President-Elect, Vice President, Immediate Past President, Secretary/Treasurer, and the Chair of the Board of Governors of NSPS are ~ officio directors.

There also shall be ten Area Directors elected from each Area as defined in Article IX of these Bylaws. [THE STATE EXECUTIVES FORUM WILL ELECT TWO (2) VOTING REPRESENTATIVES TO SERVE AS ADVISORY MEMBERS OF THE NSPS BOARD OF DIRECTORS.]

Amend Article IV, Section 3, to read as follows:

Election and Term of Office. The President, President-Elect, Vice President, Immediate Past President, Secretary/Treasurer, and the Chair of the Board of Governors serve on the Board of Directors for as long as they hold their respective positions. The ten Area Directors serving on the Board of Directors shall be elected in accordance with the procedure set forth in Article IX of these Bylaws. The Area Directors shall be elected for staggered terms of three years. Directors from Areas 1,4, and 10 shall be elected beginning in 1992, Directors from Areas 3,5,7, and 9 shall be elected beginning in 1993, and Directors from Areas 2, 6, and 8 shall be elected beginning in 1994. Elected Area Directors shall be limited to two consecutive three-year terms.

NSPS update by President Fenn June 2003

NSPS is setting up a recognition program to publish the names of new licensees and CSTs. We need you to forward to Trish Milburn the names of those individuals passing the respective exams. We are planning on putting a map of the US in the Bulletin will place a tri-pod on your state showing your state has someone that has passed the exam. We plan on placing their names along with their license number or CST level. We believe hard work deserves some recognitions, so please get behind this project.

Also it's not too early to plan on having the Trig-Star winner from your state. Again this is a most worthwhile project. Information is available from Trish, Susan or John Chagnon. Again, lets hear from your state.

The CST exam at least level 1 is now available through the Internet. Some procedures need to be followed, but here again, a vast amount of information is available. The paper exams for all levels including level 1 are still being offered.

I invite your state to participate in the Affiliate of the year award and to compete for the best in state magazines. This would be an honor to you and your state, here again the information is available through Pat Canfield.

Keep in mind National Surveyors Week held each year during president's week.

An idea came up at my last meeting at headquarters on public relations. What was suggested, that during your annual meeting to advertise and put on a half day or whatever time you could afford, and invite the public to "ASK A SURVEYOR" where you would have a few surveyors on hand to answer questions. Even consider having this in your exhibit hall. ANY COMMENTS???

If you have any items to share with the national membership, please forward to Bret Jefferson, he is the editor off the new newsletter "TURNING POINTS" if you have not seen this letter, let me know.

Again we encourage your membership to sign up for the legislative updates just go to the ASCM Web site.

CST REPORT, May 1, 2, and 3, 2003, by John Fenn

I attended the CST Board and spring meeting at the Kingston Plantation in Myrtle Beach, South Carolina on May 1, 2, and 3, 2003. In attendance from the board were Ed MacDonald the current CST Chair, John Meng-Frecker, Becky Braman, Donald Falken, Ronald Torrence, Art Haase, and staff Pat Canfield and Trish Milburn.

Among the items on the agenda was the contract with Vincennes. The NSPS/CST has been developing this program for a couple of years now. In essence Vincennes will or has developed online examinations for the Surveying Technician Certification Board, they will administer and maintain databases of online examinations and the scores, compile statistical data of examinees' scores, both online and paper-based.

Don Falken and Trish Milburn are tentatively scheduled to meet with Mike Clark Thursday, May 29 at 10:00 A.M. to discuss the new NICET contract.

For those who are not aware, NICET provides the paper test, test results, and statistics; they also provide seats at their test centers. The STCB is planning on the eventual administration of all paper testing; this will reduce the costs paid to NICET.

MOU with DANTES. (Defense Activity for Non-Traditional Education Support.) The MOU defines the relationship between DANTES and the National Society of Professional Surveyors (NSPS) (agency). The agency will provide professional and occupational certification examinations to military personnel according to its published examination schedules and fees applicable to the public or specifically created for military person that are in effect at the time services are performed.

State Coordinators: A few of the states already have a specific person in place that along with an active committee will find sites, set up the logistics and the proctors. Each of the states need to get behind this most important activity by finding a willing individual, however, at this time if your state does not have a named coordinator, the NSPS Governor is acting as the state's contact person. When your state has a designated person in place please forward their name to Trish. There is training available for coordinators, which will get them up and running. Also a Power Point presentation, suitable for a chapter presentation, has been given to all NSPS Governors;

please have your chapters use it. A wealth of information is available on the ACSM web site, just go to www.ACSM.net . A letter is being sent to each state explaining what is needed to bring this most vital program to fruition. The STCB is also doing a press release that will be on the ACSM web site, watch for it.

Level Challenges. I also participated in reviewing four level four papers, believe me when I say the level four problems are surely not for everyone. The persons taking the level four exams are given two months to do the research and writing necessary for their presentation. Their paper is graded on how well the subject is researched, documented, organized, content, completeness, clarity, concise, logical approach, spelling, grammar and neatness along with supporting documentation and professional appearance. I recommend you encourage your employees to take all levels of the CST Exams.

Anyone who has a question or problem with any of the questions given in the level 1, 2, and 3 exams are encouraged to write out a challenge to the question, the CST Board does review each and every challenge.

Question and Answer. The STCB will soon publish a list of frequently asked questions and their answers. There seems to be a list of questions that are always popping up such as: What is CST? How much does it cost? Are sample tests available? What calculators are allowed? What if I fail the exam and wish to retest? These and other questions with their answers will be posted to the ACSM web site.

The STCB is a very active and dedicated group of people. The board through the NSPS B of D is providing a vital service to the surveying profession. I believe that as time goes on, and the amount of folks seeking licensure, the role of certified survey technicians will be vital to the survival of our profession. Let's do something now. Later could be too late.

Debi Anderson moved to adjourn; seconded by Joe Kauffman; meeting adjourned.

Respectively submitted,
Kay McDonald
Administrative Secretary

Sent to BOD and Committee Chairs for corrections June 25, 2003.
Corrections notified to Kay by July 2, 2003.

APPROVED BY:

James Burton
MARLS SECRETARY/TREASURER
DATE: _____

**ADMINISTRATIVE SECRETARY
CONTRACT SERVICE AGREEMENT**

THIS AGREEMENT made and entered into this ___ day of _____ year of _____ by and between the **Board of Directors of the Montana Association of Registered Land Surveyors**, a nonprofit organization (hereinafter referred to as the **'Board'**) and **Kay McDonald**, an individual doing business as **KMM Secretarial and Accounting** (hereinafter referred to as the **"Administrative Secretary"**).

WITNESSETH:

WHEREAS, the **Board** desires to contract for the services of the **Administrative Secretary**

WHEREAS, it is the desire of the **Board**, to establish certain conditions for the services contracted for and provided by the **Administrative Secretary**, and

WHEREAS it is the desire of the **Board** (1) to secure and retain the services of the **Administrative Secretary**, and to provide inducement for her to remain in such employment, (2) to act as a deterrent against malfeasance or dishonesty for personal gain on behalf of the **Administrative Secretary**, and (3) to provide a just means for terminating the **Administrative Secretary's** services at such time as she may be unable to fully discharge her duties or when the **Board** may desire to otherwise terminate her employment; and

WHEREAS, the **Administrative Secretary** desires to accept a contract to perform duties as the **Administrative Secretary** for the **Montana Association of Registered Land Surveyors**

NOW THEREFORE, in consideration of the mutual conditions herein contained, the parties mutually agrees as follows:

SECTION 1. DUTIES

Board hereby agrees to contract with the **Administrative Secretary** to perform the functions and duties specified in the By-Laws of the Montana Association of Registered Land Surveyors and to perform such other legally permissible and proper duties and functions as outlined in the attached Exhibit A, **Administrative Secretary's** scope of services.

SECTION 2. TERM

- A. The **Board** hereby agrees to contract with the **Administrative Secretary** for a **one-year** term commencing on July 1, 2003 and ending June 30, 2004.
- B. Nothing in this Agreement shall prevent, limit, or otherwise interfere with the right of the **Administrative Secretary** to resign at any time from her position, subject only to the provision set forth in Section 3, Paragraph D of this agreement.

SECTION 3. RESIGNATION OR TERMINATION

A. In the event the **Administrative Secretary** voluntarily resigns her position with the association, the **Administrative Secretary** shall give the **Board a minimum of thirty (30) days written** notice, unless a shorter notice is approved by the **Board**.

B. The **Administrative Secretary** may be terminated at any time for any reason considered sufficient by the **Board** as indicated by majority vote in favor of termination. At which time, this Agreement will be deemed null and void.

C. The **Board** shall provide the **Administrative Secretary** with a **minimum of thirty (30) days written** notice upon termination and declaration that this Agreement is null and void. In the event the **Administrative Secretary** is terminated because of a felony or any inappropriate act involving personal gain, the **Board** shall have the right to terminate this Agreement immediately upon a majority vote of the **Board**, not withstanding other provisions of this paragraph. The **Board** shall have the right to terminate this agreement immediately upon a majority vote of the **Board**.

D. In the event of resignation or termination of the **Administrative Secretary**, all MARLS Market Place items, accounting documents, past records, equipment or supplies and digital data generated while under any employment or contract of the **Board**, shall be turned over to the **Board**. Compensation for services shall be prorated to the date of resignation or termination and cease for the remainder of the contract period.

SECTION 4. COMPENSATION

The **Board** agrees to compensate the **Administrative Secretary** the amount of **Thirty Thousand, Six Hundred (\$30,600.00) Dollars** per annum for the period beginning July 1, 2003 and ending June 30, 2004. Said compensation is payable in 12 equal monthly installments. The **Administrative Secretary's** annual compensation shall include any and all expenses that the **Administrative Secretary** may incur in and be incidental to the performance of her duties as outlined in the attached scope of services. The **Administrative Secretary's** annual contract renewal and compensation shall be subject to **Board** approval. No other compensation or personal financial gain shall be allowed unless approved by the **Board**.

SECTION 5 PERFORMANCE REVIEW

The **Board** will conduct evaluations of the **Administrative Secretary's** performance on an annual basis. Such evaluation will in a format that is determined by the **Board**. The review may include an assessment of whether sufficient effort is being made to provide services efficiently and effectively and if the best interest of M.A.R.L.S. is being served.

SECTION 6. TAXES, RETIREMENT AND HEALTH INSURANCE

The **Administrative Secretary** shall be responsible for the cost her own retirement and health insurance plans. The **Administrative Secretary** shall also be responsible for payment of her own taxes and unemployment.

SECTION 7. OTHER TERMS AND CONDITIONS OF CONTRACT

It is recognized that the **Administrative Secretary** must devote a great deal of time outside normal office hours to perform the business of the Association. The **Board** shall fix any such other contractual terms and conditions as it may determine from time to time, relating to the performance of the **Administrative Secretary**, provided such terms and conditions are not inconsistent with or in conflict with the provisions of this Agreement or the By-Laws of the Montana Association of Registered Land Surveyors. The **Administrative Secretary** shall protect, indemnify and hold harmless M.A.R.L.S. and its members from errors, omissions or negligent acts in the performance of her administrative duties.

SECTION 8. GENERAL PROVISIONS

A. This agreement incorporates all of the discussion and negotiations between the **Board** and the **Administrative Secretary** either express or implied, concerning the matters herein. No such discussions or negotiations shall limit, modify, or otherwise affect the provisions hereof. No modification, amendment, or waiver of any provision of this Agreement shall be effective unless executed in writing by the parties hereto.

B. If any section of this Agreement shall be held invalid by operation of a law or by any tribunal of competent jurisdiction, or if compliance with or enforcement of any section should be restrained by such tribunal pending a final determination as to its validity, the remainder of this Agreement or the application of such sections to persons or circumstances other than those as to which it has been held invalid or as to which compliance with or enforcement of has been restrained, shall not be affected thereby.

C. In the event that any section is held invalid or enforcement of or compliance with which has been restrained, as set forth in Paragraph B, the parties affected thereby shall enter into immediate negotiations upon the request of either party, for the purpose of arriving at a mutually satisfactory replacement, if any, for such section during the period of invalidity or restraint.

D. The parties warrant and represent:

- (1) that they have read and understand all of the terms and conditions of this Agreement
- (2) that they intend to be bound by the terms of this agreement
- (3) that they are executing this agreement freely and voluntarily.

In witness whereof, this agreement has been executed this ____ day of _____, 2003

Bryan Block, PRESIDENT M.A.R.L.S.

Kay McDonald, ADMINISTRATIVE SECRETARY
SCOPE OF SERVICES - EXHIBIT A
AN ATTACHMENT TO LABOR CONTRACT WITH
Kay M. McDonald
Db a KMM secretarial & Accounting
P.O. Box 359
Columbia Falls, MT 59912

BASIC FUNCTION The Administrative Secretary shall provide management and administrative services to support the regular business of the Montana Association of Registered Land Surveyors.

SERVICES TO BE PROVIDED

Administrative Secretary:

Recording Secretary
Corresponding Secretary
Membership Secretary
Assistant Editor Treasure Surveyor Editor for design, graphics, layout, coordination of printing, second class mailing and transport for delivery, advertising coordination and billing quarterly.

Board meetings:

Contract for meeting dates and facilities needed.
Prepare facility event orders with details of each meeting.
Make arrangements for special guests, speakers or programs.
Send meeting notice, agenda, action list, motions list and request for reports to all leaders in a timely fashion.
Recording minutes.
Collect, collate, and prepare reports and minutes of prior meeting to be included in Board packets to be mailed or e-mailed at least one week prior to the Board meeting.
Attend the quarterly and special MARLS Board of Directors meetings and committee meetings as requested by the Board of Directors.
Keep and prepare the minutes of the Board meetings. Minutes are to be sent out to Board within 2 weeks of the Board meeting, excepting within 3 weeks after the conference Board meeting.

MARLS Annual Conference Coordinator:

Organize and book annual conferences with hosting chapter.
Teleconference organizational meetings monthly for conference.
Make a site visit and request proposals for host hotel.
Prepare conference registration and registration packets (design, labels and mailing).
Negotiate and prepare contracts for hotel, conference center, and any special event venues.
Work with Conference Committee to develop program, auction, exhibitors and special events.
Identify speakers to provide programs selected by committee, organize speaker handouts for printing.
Work with chapters to negotiate contracts with all conference speakers.
Communicate and assist speakers with travel, lodging, audiovisual needs for presentations and any special needs with selected committee.
Work with staff and committee on exhibit sales and sponsorships.
Prepare banquet event orders for all functions with selected committee. Includes menu selections, room sets, a/v requirements, etc.
Attend the Annual Conference.
Registration at conference.
Auction accounting.
Coordinate with committee and staff to cover registration, speakers, exhibitors, guests, transportation, and any special requests.
Review all bills, process and write checks. Prepare conference financial report.
Follow-up with any invoicing, thank you's, and special requests.

Membership:

Keep current membership records.
Send dues notices and past dues.
Collect dues, process and make bank deposits.
Keep continual records of renewals and free membership for twice year LS passing State Exam.
Membership committee chair.
Maintain a vigorous and perpetual membership drive through communications of phone, e-mail and fax.
Continual maintenance of MARLS membership directory.
Maintain communications with membership, responding to phone inquiries, e-mail and written requests for information.

Metnets and Seminars

Coordinate and facilitate membership seminars with selected committee.
Metnet & Seminar registration (includes design, layout of registration brochure, bulk-mailing process and copies).
Maintain all financials regarding Metnets & Seminars.

Financial:

Accounts Payable, Accounts Receivable, and Financial statements.
Maintains all financial accounting of MARLS checking account, savings accounts, and Scholarship accounts of DAD and WCU savings.
Prepare Budgets for annual conference guidelines and MARLS guidelines.
Manage all banking & financials, credit card activity – reviewed by MARLS Treasurer.
Receive, process and pay all bills, managing the funds of the association within the guidelines of the annual budget.
Prepare all paperwork for transmittal to MARLS Treasurer for quarterly financial reporting at BOD meetings and twice annual audit by Treasurer.

Prepare and review all financial documents and reports as requested by any BOD member.
Prepare annual budget for review by Secretary/Treasurer and Budget Committee.
Coordinate with selected scholarship committee chair on all scholarship income and expenses and accounting includes sales of prints, donations and auction, and financial statements.
Obtain MARLS Secretary/Treasurer or President signature for checks written to Kay McDonald, DBA KMM Secretarial & Accounting.

Administrative:

Maintain close communication with the officers of MARLS and committees.
Address all mail and e-mail of the association.
Address all Marketplace supplies – includes ordering, inventory and sales.
Updates of Standards of Practice Manual – Manuals and website.
Advise and counsel officers on matters of association management.
Develop and support relationships with other state surveying societies.
Manage day-to-day operation of MARLS office.
Review and respond to correspondence, forwarding to appropriate officers, committee chairs or others as needed.
Assist and support committee activities and membership services.
Set up and maintain office to include necessary updated equipment and supplies.
Continuing Education
Webmaster for MARLS Website
Coordinate with Trig/Star Program selected committee – plaques, certificates and financials.
Professional guidance to all BOD, committee chair and MARLS membership.

EXTERNAL RELATIONSHIPS

Works directly and communicates with the MARLS Board of Directors and committee chairs. Regularly communicates with membership. Maintains relationships with allied societies, other state surveying associations and ACSM/NSPS officers, leaders and speakers.

QUALIFICATIONS

Knowledge/experience of professional association management required.
Competence with computer programs. Preferred knowledge of Microsoft Office Professional (Word, Excel, Outlook, PowerPoint, Access, Publisher), Quick Books Professional Accounting.
Oral and written communication skills.
Financial skills.
Computer programming, Webmaster, financial, e-mail, mailing, telephone, graphic design, and knowledgeable of surveying profession.
Telephone and E-mail etiquette.
Ability to deal effectively with changing volunteer leaders.
Experience with budget planning and financial management required.
Membership recruitment/retention experience preferred.
Meeting and events management experience.
Ability to manage a variety of projects/tasks and move rapidly from one to the next.
Ability to professionally work with membership and Board of Directors twenty-four hours a day.
Orderly files and available storage space for MARLS retired files since 1965 and MARLS supplies storage.

Included in this contract are the following:

- All office supplies (all envelopes, labels, misc. office supplies, paper, only misc. MARLS copies)
- All design, layout, graphics, copies, preparation for printing and mailings for:
 - Treasure State Surveyor (avg. 40 pages per issue)
 - Up to two Metnets per year (registration brochures)
 - Up to two East/West Seminars per year (registration brochures)

- ❑ All Administrative Secretary travel, per diem and associated expenses to BOD meetings, post office, banks, and any other meetings or conferences the Administrative Secretary chooses to attend.
- ❑ MARLS Annual Conference: all conference registration packets, preparation and copies. MARLS conference badges, conference travel, per diem and any misc. conferences expenses (except hotel room charges - this room to be paid by conference proceeds unless this room is comped by hotel)

Excepting the following items:

- ❑ Copy and assembly of handouts (proceedings) for all MARLS annual conference, Metnets and East/West Seminars
- ❑ PDH accounting, compiling and record keeping for MARLS sponsored activities. This service and all costs associated to provide the service is a separate service.