



# ALASKA SOCIETY OF PROFESSIONAL LAND SURVEYORS

AFFILIATE OF AMERICAN CONGRESS ON SURVEYING AND MAPPING  
AFFILIATE OF NATIONAL SOCIETY OF PROFESSIONAL SURVEYORS  
MEMBER OF WESTERN FEDERATION OF PROFESSIONAL SURVEYORS

(907) 566-1622  
P.O. BOX 101465  
ANCHORAGE, ALASKA 99510-1465

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Board Meeting  
BLM Yukon Building  
3150 C Street, Anchorage, Alaska  
Saturday November 20, 2004

## 1. Call to Order and Roll Call

President Michael Schoder called the meeting to order at 9:10 a.m. Those in attendance were:

### A. Roll Call:

Attendance as follows:

President	– Michael Schoder
Past-president	– Tuck Maakestad
President-elect	– Martin Gutoski
Treasurer	– Dean Cimmiyotti
Secretary	– Michael Spangler
WestFed Delegate “A”	– Paul Whipple
WestFed Delegate “B”	– Bud Campbell (absent)
NSPS Governor	– George Strother

### Chapter Presidents:

Anchorage	– Ken Ayers
Fairbanks	– Tim Sprout
Mat-Su	– Fred Schwaderer
Kenai	– Tim Mullikin
Student Chapter	– Brad Watts (absent)

Standards of Practice	– John Bennett (absent)
Membership	– Ron Mitchell (absent)
APDC	– Paul Whipple
Legislative Liaison	– Pat Kalen (absent)
By-Laws	– Sam Best (absent)
Executive Secretary	– Vicky Sterling
Guests	– John Kerr
	– Gary LoRusso
	– Cliff Baker

## 2. Approve Agenda

The agenda was approved with no discussion.

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### 3. Approve Previous Board Meeting Minutes – August 21, 2004

Minutes were forwarded via email and approved by electronic vote prior to meeting.

### 4. President's Report – Mike Schoder

Communications between meetings is being handled more efficiently by email, and any follow-up will be covered in agenda items. Mike noted that he had a great trip to Africa.

### 5. Treasurer's Report – Dean Cimmiyotti

Written report was distributed (attached to minutes); income to date for the year is down, and the main financial activity has been to cash in a CD to pay bills; the balance of the CD is now reflected in checking balance. Paul Whipple recommended we defer rolling funds into a new CD until after elections / new signatories to account for logistical reasons, and Dean was asked to look into interest-bearing accounts more flexible than CDs for the re-investment. *Martin Gutoski with second by Ken Ayers moved to approve the report as presented. Motion passed.*

### 6. Chapter Reports

Anchorage – Ken Ayers: The Anchorage Chapter has supported many worthwhile causes, including \$1000 to the Talcott equipment fund at UAA in support of the Geomatics program; \$500 each to Florida Surveying & Mapping Society and NSPS Foundation in support of disaster relief following Hurricanes Charley, Frances and Ivan; \$360 to the Museum of Surveying in Michigan; and over \$1000 for the display of the state Center of Population monument. The chapter has been having good meeting attendance, and discussing issues on today's agenda.

Fairbanks – Tim Sprout: The chapter has sent a letter to the borough asking them to preserve full-size archive drawings, even if redundant, expressing the opinion that archive value, not storage space, is the issue. Martin Gutoski noted that the chapter support helped resolve the issue in favor of finding file space. Also, the date for Access 2005 joint meeting with IRWA is Thursday-Friday March 24-25. The workshop generates income for the Fairbanks Chapter of ASPLS. The topics of the workshop are to include 14(c) land conveyance, the Alaska Land Transfer Acceleration Act, and Native Allotment access.

Kenai – Tim Mullikin: Meetings have been poorly attended, mostly attributed to weather, so Tim mostly distributes information via email. When the group meets on the Peninsula it is usually mid-way, in Ninilchik.

Mat-Su – Fred Schwaderer: The chapter has hosted speakers recently from ADNR and AeroMap. They also approved financial support for the Center of Population monument. They have had good meeting attendance, and have been discussing issues on today's agenda. Member Gary LoRusso reported that the borough has finished its re-write of Title 16 and the next review is the Platting Board. Mike Schoder encouraged presentation of a technical paper on the new borough code for presentation at the 2005 ASMC.

Student Chapter – Brad Watts (absent): Mike Schoder reported that students have been attending the Anchorage Chapter meeting; raising funds for national convention in Las Vegas; helping with the Anchorage chapter meetings; and having meetings of their own. They also do outreach to local high schools. High energy group!

Mike noted that he will write a newsletter article about the need for new land surveyors in the profession and the importance to practitioners of filling in behind. Also noted that NCEES is making

available a tape for Career Day presentations, etc., to help recruit younger members. There is also a CD with PowerPoint presentation and 3-ring binder available to support presenters.

## 7. Delegate Reports

NSPS Alaska – George Strother: George Strother provided a written report (attached) with information from the NSPS Board of Governor's meetings Oct. 1-3, Board of Directors Oct. 4 and ACSM Congress on the 5th. Committees he participate in were Western Federation Governors Council, Trig-Star, and NSPS Foundation. He reported that NSPS membership increased in 2004. The budget is still negative, and 5 to 10 additional members per state are needed. Dues were increased for full members to \$200/year and \$126 for associate members. Only Alaska and Maine have 100% joint membership for 50%, so Alaska dues will increase to \$100/member. Other highlights:

- A speakers' kit is forthcoming to assist with presentations to middle school, high school and college students to recruit new surveyors; it will include VHS, CD PowerPoint presentation, and instruction manual.
- Membership Development Committee has plan approved that includes ads; redesigned NSPS web page; development of new member benefits and new member categories, conference displays for Directors to use at state conferences, and other features.
- Highlights from Joint Governmental Affairs Committee (JGAC); note on Canadian Council of Land Surveyors (CCLS) professional liability insurance; NAFTA update (George can provide a copy of the latest agreement to those interested); Trig-Star report; NSPS Foundation report; disaster relief report from Florida; Museum of Surveying remodel news; Youth Outreach at Boy Scout Jamboree (NSPS sponsors Survey Merit Badge); and an update from the West Fed Governors Council.
- George was awarded the Key Governor plaque, and noted that he also received compliments on the Alaska Surveyor newsletter.

WestFed – Bud Campbell/Paul Whipple: Paul Whipple reported on the September meeting in San Francisco and noted that the next meeting will be March 5 at the ACSM meeting in Las Vegas. NAFTA was the main topic at last meeting. California has pushed some issues forward related to pending sunset of the registration board in the state; with the pending dissolution, there is a move to basically treat surveyors as technicians rather than professionals.

APDC – Paul Whipple: The issue of life safety codes at the state level continues to be a challenge. We have had limited success with a legislative approach and established a PAC to get more aggressive. He also noted that the 2005 IBC has requirements regarding vertical surveys; and that the APDC newsletter is going electronic, and they are soliciting comments. Also, a new chair is needed for the Client Contractual Task Force, which was a dynamic committee under the late Dave Adams. It was noted that more publicity is needed about how the CCTF and the Qualifications Based Selection (QBS) Committee can help APDC member societies.

AELS Board – Cliff Baker: Mike Schoder noted that members can find information about the board activities on its web site. Several handouts were distributed (attached to minutes). Cliff Baker provided some highlights from the November board meeting, including:

- Board sanctions are not well publicized; they need to find a way to get word out to platting commissions, etc., in the state so they know who has been sanctioned.

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- Board will be publicizing the need to date seals so that the date of signature touches (overlaps) the seal that contains the wet signature on the original drawing.
  - The board position on wet versus electronic signatures is that as long as there is an original drawing with wet signature in the office, it is acceptable to have only electronic signatures available on site.
  - Incidental practice continues to be an issue that requires better definition. A copy of Tennessee law is being reviewed as an example.
  - Support is needed from professional organizations for investigations. The board investigator's travel is seriously restricted, yet important for him to be effective.
  - Western Zone NCEES meeting will be in Anchorage May 19-21, 2005; the board will be looking for donations to fund activities, and soliciting a list of top 10 places for delegates to visit in the Anchorage area during their free time.
  - A bill giving the AELS Board statutory authority to develop a mandatory continuing education (CE) program became effective September 11, 2004, and a subcommittee is active developing program guidelines.
  - Scott McLane has comments to insert into the NCEES model law language.
  - There are reports of national corporations working in the state without a corporate license. Based on the sense that most are simply unaware of the requirement, the Board wants to handle first offense with a letter that gives 60 days to obtain a state license, after which a fine will be imposed.
  - New engineering disciplines are being considered for registration.
  - Next meeting will be in Juneau in February.
  - Copies were distributed of proposed changes to 12 AAC 36 that are open to public comment.

In real time, two agenda items were advanced at this point to allow non-Board presenters the flexibility to leave. They were **10. New Business**, a) Survey drawing copyright issues with ADEC and Boroughs followed by **9. Continuing Business**, d) Utility Locates.

## **8. Committee Reports**

a) Membership – Ron Mitchell/Vicky Sterling: Much work is needed to promote membership. Ken Ayers requested a list of past and current Sustaining Members so he could solicit renewals, and George Strother volunteered to help update the letters to solicit new members. Vicky will send the latest backup information to them. Mike Schoder will look into whether renewal opportunity can be included on the online conference registration form.

b) Standards of Practice – John Bennett: Mike Schoder noted that he understands an e-commerce module is available on the new web site server, and he will look into the option further regarding online renewals. He also noted the Forum board has potential, but hasn't seen much activity.

c) Trig-Star – Michael Miller: Ken Ayers reported that Anchorage has proctors lined up and Mike Miller is putting together a contact matrix. Ken has contacted companies for sponsorships and is getting contact information at the schools for arranging presentations. George Strother noted that the state license is in place, so only a proctor is needed to sign up a new school. April 21 is the date. The importance of providing the teachers with a surveyor's perspective, not just math perspective to solving the problems was underscored.

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d) Raffle Committee – Michael Spangler: Mike Spangler reported that he picked up the paperwork from Paul Whipple after the last meeting and has audited the papers and determined that the 1999 annual report was not filed for the permit, but there has been activity since then. Missing records are needed to file the old reports needed to renew. Mike continues to pursue options for renewal with the state, and will also look into the possibility and cost of running a raffle through someone else's permit, with a goal of sharing raffle proceeds this year and having our own permit in place for next year. An eVote will be taken when he has information for consideration.

e) 2005 ASMC Conference – Tuck Maakestad/Mike Schoder: The brochure will be out soon; a preliminary copy was distributed (attached). Distribution from last year's conference was \$1500. The packet will be out soon, and available on line. Paul Whipple thanked Mike Schoder for picking up for ACSM on arranging short courses.

f) Elections – Martin Gutoski: The Treasurer and West Fed B seats are open for election this year. Dean Cimmiyotti is willing to continue as treasurer, and accepted nomination by Tuck Maakestad. Paul Whipple said he believes Bud Campbell is interested in continuing in the West Fed B seat. George Strother will talk to Bud, and all chapter presidents were asked to poll their members for interest / nominations for the positions. The slate is open until December 1. Subsequent to the meeting polling was made and the candidates Dean Cimmiyotti for Treasurer and Bud Campbell and Richard Heiren for WestFed Seat B were nominated and approved by the Board for the 2005 election ballot by email vote.

g) Bylaws – Sam Best suggested changes, Paul Whipple: Two proposed changes were distributed for review (attached). Both are housekeeping measures, to strike references to "American Congress on Surveying and Mapping" and "ACSM." A correction was noted on the reference to Dues and Assessments, it should read "Article VI ..." (not Article IV). Ken Ayers made a motion with second by Fred Schwaderer to forward the by-laws amendments as corrected.

## **9. Continuing Business**

a) Proposed 2005 ASPLS Budget – Dean Cimmiyotti distributed handouts for reference (on file). The society has been in the red annually for 5 years. Various scenarios were reviewed, including dues increases, and adjustments to line items were tracked on a spreadsheet. The board voted to accept the revised budget by consensus and to bring this board-approved budget forward to the membership meeting. The BOD-accepted budget is based on an increased dues structure of \$200 for regular members; it also is based on \$1,500 of raffle income, reduced travel fees for WestFed participation, and 10 sustaining members.

The Board also approved a special assessment of \$50 to current dues until the motion of the increased dues can be voted on by the general membership at the annual meeting. There was discussion and agreement that this would be cancelled if the dues were raised by the membership at the annual meeting.

b) ASPLS Newsletter, Mike Zieserl, Next Issue Cut-off November 26, 2004 – Deadline noted.

c) Continuing Education Regulations, Status and actions needed? – It was noted that the regulation took effect in September and an AELS Board subcommittee is working on details for public notice, and is looking outside the NCEES model law.

d) Utility Locates – Report from John Kerr: John Kerr distributed copies of a position paper and related correspondence (attached) for reference. The paper is for presentation to the Regulatory Commission of Alaska (RCA) to request a regulation making a buried utility locating service

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compulsory for all buried utilities. John asked members to send him real-life examples of projects that incurred extra costs and delays attributed to inability to obtain utility locates during the design stage, and reported that he has indications of support from MOA and DOT survey officials. Some also want to require that buried utilities be surveyed in. It is considered necessary to hire an attorney in order to present to the RCA, and John has a list of attorneys with relevant experience. He requested ASPLS support to take this to the agencies and try to develop language agreeable to all parties. John Kerr agreed to chair a Utility Committee, and Mike Schoder will help. Martin Gutoski indicated Fairbanks would provide a member also.

- e) New registration requirements, how it affects comity registrations – Cliff Baker clarified that all states go back to the standards in place the year the applicant was first registered for comity.
- f) Center of Population Monument – The framework has been built for the kiosk, and the monument may be set in early May with a dedication in late May. The Valley chapter will be asked to head up the dedication.
- g) Disaster Relief for Florida Surveyors – Please refer to Anchorage Chapter report by Ken Ayers. Mike Schoder acknowledged the chapter's generosity, and thanked those who also donated individually.
- h) Mortgage Survey Standards – Mike Schoder has received little feedback, and it wasn't known whether Rep. Harris is aware that ASPLS has adopted the standard; Paul Whipple will confirm. Member Gary LoRusso suggested ASPLS establish a grievance committee (below the level of the AELS board) to resolve issues such as the one that was behind Harris's move to legislate standards. Mike Schoder noted that we do this informally, but ASPLS could only sanction its members and intervention by a committee has raised questions of liability for violating due process in the past.

## **10. New Business**

- a) Survey drawing copyright issues with ADEC and Boroughs: Gary LoRusso, member from the Mat-Su Chapter, distributed and explained a paper (attached) that outlines his issue concerning the use of as-builts obtained primarily by real estate agents from ADEC for new property closings if the bank doesn't specifically require a new as-built for the transaction. He is seeking pressure from a broader group to ask ADEC to cease and desist this practice. *Ken Ayers made a motion with second by Fred Schwaderer to ask Mike Schoder to write a letter to ADEC on behalf of ASPLS asking them to cease and desist from providing copies of as-built surveys. Motion passed unanimously.* In discussion, it was confirmed that reference is to so-called as-built or mortgage surveys, not plats. Mike Schoder will form a subcommittee on copyright issues to pursue this. Gary LoRusso will serve as chair, with Ken Ayers and Martin Gutoski on the committee.
- b) Storage of ASPLS Records – Mike Schoder noted that the ASMC now has a storage company to inventory and house records, and this service is available for ASPLS records.
- c) Mid-Year 2005 short course for fundraiser, Mike Schoder – Mike is soliciting ideas for a statewide fundraiser.
- d) Review/approve proposed changes to by-laws, Best / Whipple – Covered under item 8.g above.
- e) Schedule annual and next board meetings at Conference Feb. 23, 2005 – The annual meeting starts with breakfast at 7:30 and business at 8. (Call for papers will be issued soon!) The board meeting will convene in the back room of the Snow Goose at 12:30 pm Wednesday, Feb. 23.

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f) AELS Board Seats – Scott McLane’s seat on the board becomes vacant on March 1. Applicants are encouraged to notify ASPLS of their applications so the board can endorse them. Three other seats also turn over on March 1. Cliff Baker noted that there has been dramatic turnover in the make-up of the board recently.

**11. Announcements**

**12. Adjournment**

Meeting adjourned at 2:45 pm on a motion by Tuck Maakestad with second by Fred Schwaderer.

Respectfully submitted

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Michael Spangler, Secretary ASPLS

These minutes are as approved by the  
ASPLS Board by e-Vote in January 2005