

**UCLS Board Meeting Minutes**  
**September 8, 2012**  
**9:00 A.M.**  
**Utah County Public Works Building**  
**2855 South State Street**  
**Provo, Utah**

**I) Welcome & Call to Order – Brad Mortensen**

Brad Mortensen called the meeting to order at 9:00 a.m.

**II) Roll Call**

**Board Members Present:**

Brad Mortensen	Chair
Ernest Rowley	State Chair-Elect
David Balling	GS President
Steve Keisel	NSPS Governor
Ron Whitehead	WestFed Representative
Ken Hamblin	CC Representative
Scott Woolsey	CC President by Proxy
Dennis Carlisle	TC President
Joe Richardson	SL Vice-President
Scott Bishop	Convention Committee
James Olschewski	Convention Committee
Ryan Petersen	Lobbyist (came at 10 a.m.)

**Board Members Absent:**

Michael Nadeau	Past State Chair
Dan Knowlden, Jr.	TC Representative
Jeff Searle	SL Representative
Dallas Buttars	GS Representative
David Mortensen	SL President
Jerry Allred	BC President
David Kay	BC Representative

Susan Merrill, Administrative Secretary, was present and Brad Mortensen presided in the chair.

**III) Additions to Agenda**

There were no additions to the agenda. The convention discussion was moved up on the agenda to occur after the Secretary Report. It was determined that a quorum is present at this meeting.

**IV) Approval of Minutes**

Steve Keisel commented on the discussion that happened in the August meeting indicating that Salt Lake County does not value corner reports. Steve wanted it to be clear that Corner Reports filed in Salt Lake County are of great value to the county. They don't get very many, but they do use them.

**Motion:** Ken Hamblin moved to approve the August 4, 2012 minutes with Steve Keisel's clarification. Ron Whitehead seconded the motion. The motion carried unanimously.

**V) Secretary Report**

a) **Budget review:** Susan provided a current balance sheet and profit and loss report. She also provided a current budget sheet from what has been submitted by the committees and chapters. These numbers will be submitted to our accountant so we can set up a budget in QuickBooks and are as follows:

Historical:	\$6,000
Publication:	\$6,250
Standards and Ethics:	\$1,000
Testing:	\$500
Legislation:	\$500
Education:	\$500

Convention:	
Fall Forum	\$5,000
Convention	\$65,000
Public Relations:	\$5,100
Trig-Star:	\$9,500
Membership:	\$500
Construction Survey:	\$500
Book Cliffs Chapter	\$1,000
Golden Spike Chapter	\$1,000 (this is flexible and will be adjusted next year)
Color Country Chapter	\$1,000
Timpanogos	\$1,000
Salt Lake Chapter	\$3,500
West Fed	\$4,800
NSPS	\$1,600

Susan will include budget numbers for our consultants and office and secretarial costs.

No money has been taken out of the scholarship fund. Scholarship income and expenses have been tracked in QuickBooks and are currently just part of the Board checking account. Some people would like to know what the original scholarship CD amount was before interest. The initial deposit was a couple of years ago. Susan will check back in the minutes to see how much was initially put into the scholarship CD.

Susan talked with Zions Bank and learned that the scholarship CD is no longer a CD, but was converted to a money market account last year, so there are no strings attached and the money can be moved without penalty. Some people feel that scholarship money needs to be kept in a separate account again and not go into the Board checking account. Mike Nadeau is working with the accountant to determine how to invest the scholarship money so it will have a better rate of return. The scholarship CD was originally intended to be invested so it will be self-sustaining in paying for scholarships.

**VI) Follow Up Items**

None.

**VII) New Items**

- a) Ryan Peterson reported that the Legislative Committee is very active and they are trying to balance what they do with the Utah County Surveyors. They would like to try to move in the right direction without opening the code and having to take legislative action. They are looking at forward thinking, thoughtful solutions without opening the code. They are keeping their eye on a group who wants to make further amendments to the condominium act. Ryan has spoken to Senator Niederhauser who is willing to meet with them, but they haven't been able to find the time. Ryan has also spoken with Craig Moody who is his counterpart with the group who is trying to make the changes. Ryan is trying to be on the inside of the discussion. Ernest reported that a few years ago UCLS was invited to one of these meetings and then were uninvited after the meeting because there was confrontation with those from our organization who attended.

Ernest Rowley mentioned that now they are going after mapping. Initially, there was no mapping requirement in their bill. Ernest's suggestions from last time were sent on to the Legislative Committee. The document was put together two days before a meeting with legislators during the legislative session. It requested that mapping be a part of their legislation. Ernest talked to Bruce Jenkins about it. He hadn't heard back from Mr. Jenkins since then. UQUOIA is the name of the act and as it currently sits, there is no mapping requirement.

Ryan Peterson suggested that we have a delegation that can go sit down with this group. Wayne Niederhauser is the sponsor of this bill. Ryan got the impression that Wayne is letting this group work on it and does not really have a good understanding of the bill. Wayne will probably get the two groups together where it can be discussed, but it cannot be combative. We could discuss our concerns and hopefully both sides will be willing to give and take on it. Wayne Niederhauser could very likely become the Senate president come November and to try to stop his bill would be suicide for Ryan and UCLS. With approval from the Board, Ryan suggested that we have more of a round table discussion with a few surveyors and a few from their group. Bruce Jenkins is the one who wrote the bill. He might be willing to get us an audience with the right people in that group.

We need to have the Legislative Committee look at this as soon as possible. Ryan Peterson is under the impression that they are still having some drafting issues on this bill. In order for a committee to take action, it needs to be drafted into a bill. We need to find out where they are in this process. Ryan will find out.

Ernest Rowley mentioned that UAC seems to be opposed to having this go through without any type of mapping. The problem with the whole bill was that all they were going to do is have a bunch of CCNR's and in the CCNR's they were going to try to describe what all of the ownership interests are going to be. How do you do that without a plat? It is almost impossible. It would be nice to have this happen soon enough to present at the UAC meeting in November.

Ryan Peterson also mentioned a preliminary discussion of the issue of the criminal trespassing. He wants to approach that one very carefully. It could end up backfiring if not handled correctly. Ryan has a good relationship with Ralph Okerland. He works for Jones and DeMille and he understand the role of the surveyor and why a surveyor needs to go onto a property. Utah is very much a private property protection state, so passing a law saying someone can go onto your property without permission is tricky and could be detrimental to us. We will not have a bill pass that says you can be anywhere you want without repercussions. Ralph Okerland understands that we can't wait three weeks to get a written response back. Ralph Okerland will understand that we need protections. Other states have the door knocker that helps with this. They can leave a door hanger on the door saying they will be in the area. Nevada and California have this. California has a statute stating that they can, but property owners have to be notified. No one has really been impacted by the law that is currently on the books, so it is not a huge problem and may not be worth going after. Ryan will check on what the law is currently.

Ryan Peterson brought up a senate golf tournament on September 21 where UCLS will have a foursome participate in the golf tournament at Wasatch Mountain State Park. What that gives us is that every single hole will have senators where you will have 5 or 10 minutes where you can talk to the senators and tell them who you are, etc. We will be able to contact all 29 senators and discuss some the messages that we want to bring to them. It is a great way to raise the awareness level of who we are as surveyors and what we do. There will be two people from the legislative committee and one from the PR committee who will be part of the foursome with Ryan. Right now it looks like the people going will be Dale Robinson, Doug Kinsman and Mike Herbst along with Ryan Peterson.

It was suggested that UCLS officers have business cards. We don't want to order a lot, but perhaps we could do some with someone's software. Brad will talk to the PR committee about this.

Brad mentioned a discussion about a suggested rule change with the four-year degree. The big hurdle with the rule change is that the head person at DOPL is reticent about imposing more regulations right now. Currently, there is only four years' experience required with the two-year degree. UCLS feels that a two-year degree should require six years' experience. Experience is the hang-up. Brad has information from NCEES about the advantages of a four-year degree. Last year the four-year degree requirement attempts were met with a lot of resistance. Ryan felt that the legislators didn't really understand what was

happening with the two-year degree issue and didn't seem to want to understand. They had the impression that you could get a two-year degree in home economics and be a surveyor. With this path, we can do it in rule and we don't have to go to the legislature. The good thing is there will be incentives for students to have the four-year degree and the way the world is now, it is hard to call yourself a professional without a four-year degree. We can implement this, and then in a few years, we can remove one of the tracks legislatively. It is cleaner this way. The director of DOPL has a problem with the six-year requirement, but if we can give him enough reasons to support it, we may be able to deal with this hurdle. The experience needs to happen after they pass their test. This would be beneficial for DOPL, but they are having a hard time knowing what to do with people who have Master's degrees and PhD's. This will help with that. This will be in addition to passing the required exams. That needs to be clear.

**Motion:** There was an informal motion to have the subcommittee go ahead with the changes discussed. The motion carried unanimously.

It was suggested that we send copies of Foresights and our calendars to the senators and legislators. A more effective approach might be each board member writing to their legislators and giving them these materials. We have surveyors all over the state who could speak with their legislators. The PR committee could help with this.

## VIII) Committee Reports

- a) **Membership:** There was no report. We need to find out what happened to the member pictures that were taken at the convention. Susan will follow-up on those.
- b) **Public Relations:** No additional report.
- c) **Legislation:** See Ryan Peterson discussion above.
- d) **Education:** The Education Committee has run the scholarship auction in the past, but has not done it the past couple of years. The last time the committee ran the scholarship auction, the committee felt that they should have the say in how the money was used instead of the Board. It was suggested that the Education Committee run the auction again. We can do a silent auction or a live auction. Live auctions typically go better if we have a bar. It was suggested that the Education Committee talk to Walt Cunningham about getting some of SLCC's old equipment that they are about to lose donated for the auction. The Education Committee needs to work with James on the auction. It was suggested that the Education Committee submit a report for the newsletter about their scholarship recipients. The Education Committee is the only one that has submitted content for the website.
- e) **Publication:** The publications are going well, but apparently more proof reading needs to happen before Foresights goes to publication. Brad said that he submitted a word document and when it was published, some of the words had been changed and he is confused about what happened there. Foresights will now be submitted to the Board members for proof reading so we can catch the errors. Steve is always looking for input. Brad has received input from several people stating it is hard to submit things every month, but it is up to the publication committee what they decide to do. Foresights came out late. It was supposed to be in August. Some people asked about publishing Foresights four times per year. The committee will review these things and decide what they want to do.
- f) **Workshop & Convention: (discussion occurred after Secretary Report)**
  - i) **Fall Forum (September 7, 2012):** Scott Bishop reported that in the past four years we have netted money from the Fall Forum as follows: 2011- \$ 580; 2010 - \$1150; 2009 - \$950, and 2008 - \$2650. Our net income from this Fall Forum was \$2,952. This does not include the reimbursement from the state. Scott will prepare a thank-you letter to the BLM. The presentations were good and everyone seemed to be happy with them. This was the first time we had invited vendors to participate at the Fall

Forum and they seemed happy about doing it. It saved them time and money. The three vendors we had there prefer St. George for the convention. We had 93 paid registrants at the convention plus the student volunteers, vendors and presenters. Historically the Fall Forum was set up to be a field personnel conference, but right now it is hard for companies to afford to send a lot of their personnel to the Fall Forum. It would take the right person to come out as a presenter. State funds can help pay for presenters. Currently, licensed surveyors are using the Fall Forum to supplement their CEU's because there are states that require more hours than does Utah and the convention does not offer all of the hours they need.

Someone asked if it would be beneficial to have the Fall Forum in conjunction with the UDOT conference. It was expressed that we would probably get lost in the shuffle of the UDOT conference. It was suggested that we could offer an instructor for a survey course at their conference. It would be too late to do that this year. The challenge is what part of surveying we would be focusing on. This year's chair is Craig Hancock. They usually ask for presenters in February. We could offer construction surveying or surveying and right of way. We could set up several different courses. We need to start somewhere and develop a better relationship with UDOT. If we could strengthen the relationship, it would be beneficial. We should start planning the Fall Forum earlier. Brad would like to keep the same convention chairs for the next year. We should start planning the Fall Forum at the convention. We will have the dates set and start the planning by then. The only issue we had this year was with UVU's parking and their internal issues. We are not bound to the colleges, but we are trying to support the colleges. The colleges offer large rooms for a minimal price. Other venues will be more expensive.

In the past we have not worried about making a profit at the Fall Forum. Having the vendors there has helped us make more money. Scott mentioned that he is considering the McDonalds approach of lowering the price to get more people to come. There was some concern that it might detract from the convention, but Scott did not feel that would be an issue, that people would come anyway. Some people thought it might be better to have the Fall Forum before school is in session; however, parking really won't be an issue in the visitor lot whether school is in session or not.

Brad made the assignment to the Convention Committee of having a date scheduled for next year's Fall Forum that can be announced at the convention. We know it will be at Salt Lake Community College.

ii) **Date, Plan and Schedule for 2013 Conference:** The convention committee sent requests to hotels. NSPS will not be having their meetings with us, but we will have their student competition. After checking on meeting space, most hotels said our group was too small and did not want to work with us because we did not have a big enough room block. We can have the convention at the South Towne Expo in Sandy. The dates they have available are January 31 through February 1 or February 25-27 if we want a 2 ½ day event. They have offered us the rooms for \$1 if we spend more than \$16,000 on food and beverage. We currently spend about \$30,000 for food and beverage, so that should not be a problem. They do not provide vendor booths and we would have to have an outside contractor do that, which is not a problem. Our other option is to go back to St. George. We have been telling people it will be in Salt Lake and budget requests have already been made with a Salt Lake convention in mind. We are having it in Salt Lake for WestFed and we can attract some of the surveyors in neighboring states. The NSPS student competition is still coming to participate with us. We have not blocked rooms for a few years because we have been burned before. We could do just a small block of rooms that are close and then get discounted rate agreements for other attendees. Our cost at the South Towne Expo Center will be reduced from what we pay at the Dixie Center.

Brad mentioned that people have said they would like to see different things at the convention, like different tracks, more on GIS and the railroad. People also have complained that the UCLS convention does not give them enough credits for their other state licenses.

We could easily do a 2 ½ day with the half day at the beginning of the convention.

**Motion:** Dave Balling moved that we take a raise of hand vote to see if the conference should be in Salt Lake or St. George. The vote was overwhelmingly for Salt Lake with one vote for St. George.

People also voted that a 2 ½ day convention is what we should do. We want to charge the vendors the same as we have been charging which is \$700. We might need to increase registration prices for the conference, but we can talk about that later. For now we will keep the fees the same as they were last year. The budget is currently \$65,000, but the committee needs to let the Board know what they think the budget really will be.

The entire convention will be focused around the railroad discussion and the committee has a speaker who will be coming in for a whole day. Charles Stormont and Brent Bateman are on track for presentations as well. The committee will still work on the other tracks. ACEC has expressed interest in piggybacking with us to offer presentations on ethics, business management or anything else we might be interested in. Our low cost for the rooms will help them save money. They would pay the admission fee. We can talk about it with them in more detail. They would be able to offer engineers CEU's. Charles and Brent will attract attorneys and suggested they might be able to bring attorneys in to earn CEU's as well.

Ron Whitehead said the delay in getting this set up has been a logistical nightmare and the delay has been through him in trying to accommodate too many requests. Scott and James are ready to do their jobs.

There was a break from about 10:10 a.m. to 10:19 a.m. and the meeting resumed with Ryan Peterson's report above.

- g) **Standards and Ethics:** The corner record report was passed at the county surveyors meeting. Now they want to submit it to the membership for approval. They handed it out at the Fall Forum and they want to try to do an electronic vote on the website. They will check with Jeff about this possibility. There might be another mailer or email going out to the membership and then a vote on the website. They would have to login and then vote. We should look at doing the elections this way as well. It would have to be limited to one vote per member.
- h) **Testing:** This committee will be busy in October.
- i) **Historical:** The historical committee mentioned in their committee minutes that they would like to have notes from people to their mentors. It was suggested that we task the Historical Committee with documenting our activities, like the Fall Forum and the Convention.
- j) **Construction Surveying:** This committee decided they want to have Lance Greer be the Chair again. They were concerned about having to meet in the summer. Brad Mortensen told them that is not a problem. They just need to make a schedule and meet. The Vice-Chairs are Russ Flint and Craig Yates. David Mortensen is the liaison. Dave Balling suggested we might be able to bolster this committee by combining it with the Education Committee. Some asked if we even need to have this committee. Training can happen in college in this area. The point of this committee was to improve the level of worth for construction surveyors.

**Motion:** Dave Balling moved to combine the Construction Committee and the Education Committee. Ernest Rowley seconded the motion. This motion did not go further.

Some felt that we should ask the committee members about this first to see how they feel about it and then vote on it later. It was then suggested that the two committees meet together and figure out what would work best.

**Amended Motion:** Ron Whitehead amended the above motion to say that the Education Committee and the Construction Committee should meet together to see if they should combine. Ernest Rowley seconded the motion. The motion carried with one opposing vote by Dennis Carlisle.

## **IX) Chapter Reports**

- a) **Salt Lake:** there were no additions to the report they submitted. They would like to invite members of other chapters to come to their meetings.
- b) **Color Country:** Color Country will have a meeting on Thursday on revamping the submittal process for planning with the city and they will be planning a couple of other seminars.
- c) **Timpanogos:** They had a good barbeque social last month, but they wish they had had more people attend. They will be having another meeting the first part of October.

Brad mentioned that nominations need to be ready by the next Board meeting in November. This means that the nominees need to have been contacted and agree to run.

## **X) NSPS Report**

NSPS's website has moved. They claim they have a proposal out for the states, but there is no official proposal on every state having their members be members of NSPS. The fee they currently want to charge per member is \$40. NSPS has not come out with a clear plan. Curt would like to come to our conference and talk about it there, but he would need to have something concrete. There have been a lot of straw poles asking states if they would support it, but they are not sure what they are supporting. There are a lot of options being discussed. There was some suggestion of earmarking some of the convention registration fees for NSPS dues. Not all members go to the convention. If we do the NSPS option, how would we handle the dues? We might end up with people who won't go to our conference because they don't want to pay the NSPS dues. Also, what happens with people who are licensed in more than one state? The current NSPS dues are \$225. When we finally make a decision, we have room in both the dues and the convention registration because our prices are so low on both.

We still need to decide on whether or not we provide a life insurance option as well. We have to provide some personal information in order to get a price on it, and we don't have that information. There are things we can add to dues to provide some type of benefit to members.

Dave Balling mentioned that school teachers pay a lot of dues to UEA because of the legal liability coverage they provide. We might be able to look into a benefit like that. There needs to be some tangible benefits we are providing.

## **XI) WestFed Report**

WestFed meets at the end of the month in Boise. The chairman has been active about talking to other organizations about working together for educational opportunities. The GLIS group has approached WestFed about doing joint conferences. WestFed has talked to the CFeds group about providing education opportunities. WestFed has also been in contact with NCEES. One thing NCEES will be doing again is the scholarship funding for the Twist program. They are providing up to 50% of the cost for two teachers to go to the training. Richard Heiren on the WestFed board from Alaska is also on the NCEES board. He is working with one of the surveyors from Idaho to try to let WestFed administer the NCEES scholarship program. NCEES has seen a drastic reduction in the student applications to take the land surveyor test. NCEES has a lot of money.

## **XII) UCS Report**

Ernest reported that the county surveyors discussed the four-year degree. His impression was that there was still going to be a movement to get a legislative change. It was suggested the surveyors sit down with some of the legislators, look at their properties and point out the problems and then ask them who they really want working on their property issues. They may still use this approach.

Ron thanked Susan for her help in getting him past convention information.

Brad Mortensen asked Susan about Ernest's request to compile the motions from past board meetings. Susan only has a few years' worth of minutes on the computer. She will work on it here and there as she has time.

### **XIII) Adjourn**

Our next meeting will be on November 17, 2012 in St. George.

**Motion:** Ken Hamblin moved to adjourn the meeting.

The meeting was adjourned around 12:11 p.m.