



RANDOM PLOTS



**NEWSLETTER
of the
N. C. STATE BOARD OF REGISTRATION FOR FORESTERS
Post Office Box 27393
Raleigh, NC 27611
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Board Members Re-Appointed

Governor Easley reappointed Richard Braham and Clifford Lewis to new terms on the Board of Registration. Braham currently serves as Vice-Chairman and Lewis is Secretary-Treasurer. It is the second term for both members. Their new terms will expire June 30, 2006.

SAF Appoints New CFE Coordinator

Moreland Gueth (RF #1329) has been named the NC CFE Coordinator for 2004. Gueth replaces Cabe Speary (RF #899). All CFE requests should be made to Moreland at Moreland.Gueth@ncmail.net or you can call him at 919-733-2162 (ext. 255)

Board Revises Regular Meeting Schedule

The Board has altered its regular quarterly meeting schedule. Meetings will now be held in January, April, July, and October. The new schedule will facilitate quarterly reports, review of examinations, and registration renewals.

Dates of Board meetings are posted on the website. The next Board meeting will be on April 20, 2004 in Asheboro.

Attorney Shortage?

It has come to the attention of the Board that some registered foresters may be practicing law without a license.

According to the Board's attorney, providing legal services such as the preparation of timber deeds, cutting or thinning contracts, or title opinions is the work of licensed attorneys, not registered foresters. NC Courts have ruled that "A person, firm, or corporation having a **primary interest** (not merely an incidental interest) may prepare legal documents necessary to the furtherance or completion of the transaction." Consequently, a landowner or timber buyer can legally prepare a timber deed or cutting contract without an attorney because they have a primary interest. However, a forestry consultant, whose interest is only secondary, cannot draft them.

The negotiation of easement agreements to remove timber (whether temporary or permanent), if not done by the primary parties, requires a licensed real estate broker (or real estate salesperson who acts under the supervision of a licensed broker). An easement to remove timber conveys part of the "bundle of rights" that are a part of the ownership of real estate.

Just as forest landowners are encouraged to seek the advice of professional foresters, so too should foresters seek legal advice from their attorneys.

New Registrants

Since June 2003, 14 new Registered Foresters have been added to the roster. They are:

Harry H. Crosby, III	#1504
Britt A. Feldner	#1505
Nathan J. Farrior	#1506
Angus B. Lafaye	#1507
Donald F. Riley	#1508
Michael S. Windhorn	#1509
Thomas A. Gerow, Jr .	#1510
David W. Green	#1511
Everett C. Jenkins	#1512
Michael A. Berzinis, II	#1513
Stephen R. Colbert	#1514
Dennis F. Desmond	#1515
Norman N. Pate	#1516
Jonathan Barnes	#1517

Additionally, Robin Gelbert (RF #491) and Richard Sluss (RF #1004) were re-instated.

Forester Examinations

The most recent examination for registration was given on September 5, 2003 in Morganton. The results of the examination are provided below:

	<u>Pass</u>	<u>Fail</u>
Pre-Qualifying (Level I)	0	1
Qualifying (Level II)	14	7

To become registered, all graduates with a forestry degree from a SAF-accredited school must pass the comprehensive Qualifying examination.

Individuals without a forestry degree must pass both the Pre-Qualifying (Level I) and Qualifying (Level II) examinations. The Pre-Qualifying examination is a closed book exam designed to test the knowledge approximating that obtained through graduation from a four-year curriculum in forestry.

The Board offers both examinations twice a year. The examination dates for 2004 are February 27, 2004 (Kinston, NC) and August 27, 2004 (Morganton, NC).

Registration By the Numbers

The number of registered foresters now totals 959. Of these foresters, 911 are active and 48 have retired status. The number of consulting foresters changed very little: 255 RFs filed affidavits with the Board to qualify as Consulting Foresters (2 more than in 2002-2003). There are 713 RFs residing in North Carolina while 245 live in other states. Seventy-eight RFs reported they are SAF Certified Foresters.

Enforcement Action

The Board has taken the following action concerning complaints filed since June:

Levy H. Roebuck, Jr., (Williamston, NC)

Mr. Roebuck represented himself as a forester without being registered. The Board has notified Mr. Roebuck that he is in violation of the Forester Registration Act and must stop representing himself as a forester immediately.

The Board requests that all RFs be alert to violations of the registration law and report any infractions to the Board. The Board can only take action when a complaint is filed. The registration law must be fully and fairly enforced if it is to be effective.

The Board welcomes any comments or suggestions that you may have regarding the administration of the registration law.

NC Board Budget Woes

The Board faces budget challenges as expenses continue to increase while revenues have declined. The Board is supported exclusively by fees assessed for registration and renewals. Collected fees have remained relatively constant; however, gross income had been supplemented by interest earned on its cash reserves. The low interest rates over the past several years have resulted in less interest income. The Board has experienced net operating losses for the past two years.

The Board currently has cash reserves of approximately \$45,000. In a recent meeting with the Board's auditors, they recommended that the Board make an effort over the next several years to increase its cash reserves to a target of \$100,000. These reserves are necessary if the Board enters into litigation to enforce the law. Legal services are provided by the State's Attorney General office, but the Board must pay the State for any services rendered.

The Board is currently exploring ways of reducing costs. Board meetings are being held at a more central location to reduce travel costs. Printing and mailing costs are also a significant expense. We may be able to reduce some of these costs by delivering copies of the newsletter and roster electronically. If you are willing to receive Board communications by e-mail, please let us know. We would also appreciate any other suggestions for cutting costs (or increasing revenues).

For more information concerning the Board's financial condition, please consult the budget and financial reports that are published annually in the front of the roster.

2003 ASBORF Meeting

The Association of Southeastern Boards of Registration for Foresters (ASBORF) met in Opelika, Alabama on August 21 and 22, 2003. ASBORF was established in 1992 for the purpose of discussing ideas of mutual interest that transcend state boundaries, to promote where possible uniformity among boards and to assist in investigation and conviction of persons violating the laws of one or more states by conducting interstate activities. States active as members in ASBORF are Alabama, Arkansas, Georgia, South Carolina, Mississippi and North Carolina. A representative from the State of Pennsylvania was also present since they are considering a licensing law.

The meeting hosts of Auburn University made presentations about their forestry programs with the Association. At the business meeting members discussed reciprocity agreements. Member states are in favor of reciprocity with states with similar registration requirements. Some states are interested in further formalizing their reciprocity agreements. Also discussed was the SAF Certified Foresters Program, specifically their testing effort. Only one state was familiar with the CF Program's test. Members discussed how their states handle registered forester exams. It was noted the examination pass/fail rates were similar among all of the states requiring an examination for registration. Each state reported on recent activities in their state with an interchange of ideas occurring throughout the states' reports.

New officers were elected for the coming year. North Carolina Board member Mike Thompson was elected Secretary-Treasurer for ASBORF. Lehman Bass from Alabama was elected Chair and Pat Straka from South Carolina was elected Vice-Chair. Georgia will host the 2004 meeting.

EXPIRED REGISTRATIONS **(Effective January 15, 2004)**

Listed below are the names of individuals whose registrations expired June 30, 2003. Some of these individuals have retired, changed careers, or moved. Others have allowed their registrations to lapse for failing to meet the CFE requirements. None of these individuals can represent themselves as foresters or consulting foresters in North Carolina.

Delton R. Alderman, Jr., RF 676	Princeton, WV
Gary T. Allred, RF 796	Apex, NC
R. Keith Baker, RF 1156	Grantsboro, NC
Ronald D. Blackburn, RF 1061	Barhamsville, VA
Celeste E. Burns, RF 1393	Durham, NC
Heather A. Campbell, RF 1410	Fairfax, VA
Lloyd A. Casteloe, RF 1180	Windsor, NC
L. William Conrad, RF 1418	Corinth, MS
Sam Cooke, RF 1327	Riegelwood, NC
Jesse T. Crawford, RF 843	Walkerton, VA
John D. Deans, RF 1256	Whiteville, NC
Joseph C. Floyd, RF 1490	Little River, SC
C. Mitch Gurganus, RF 501	Highlands, NC
Bruce W. Hamrick, RF 173	Shelby, NC
H. Grady Harris, RF 270	Garner, NC
Larry L. Hawley, RF 120	Murfreesboro, NC
Thomas E. Huffman, RF 1282	Conover, NC
Matthew B. Krawiec, RF 1283	Duncan, SC
Mitchell L. Ludwig, RF 1461	Wilmington, NC
Kyle H. Mallas, RF 1412	Suffolk, VA
Dale Martin, RF 986	Pawleys Island, SC
Kevin R. McCormack, RF 692	Franklin, VA
Andrea L. Mercurio, RF 1451	Rome, NY
Christian J. Mercurio, RF 1452	Rome, NY
William R. Nettles, IV, RF 1462	Durham, NC
Victor W. Owen, RF 993	Thomasville, NC
George L. Pace, RF 98	Nashville, NC
John Read, RF 1128	Jonesboro, GA
James K. Reavis, RF 617	Roaring River, NC
Kevin E. Schaack, RF 842	Hendersonville, NC
Gary I. Seiler, RF 388	Weaverville, NC
Craig Allen Senter, RF 734	Kings Mountain, NC
Danny L. Sewell, RF 138	Sanford, NC
Michael L. Shuman, RF 903	Chadbourn, NC
Bruce M. Stevens, RF 1463	Camden, SC
Phillip R. Whitfield, RF 1324	Mebane, NC
Gregory W. Williams, RF 776	Atlanta, GA

CONTINUING EDUCATION REMINDER

The Board reminds all registered foresters of the Continuing Forestry Education (CFE) requirements necessary to maintain their current registration.

Regulations require that every non-retired Registered Forester earn at least 10 hours of CFE per year (6 SAF category 1, & 4 SAF cat. 1, 2, 3, or 4), between July 1, 2003 and June 30, 2004. All retired foresters wishing to remain on registered status must have at least 3 credit hours per year. RF's will be required to certify their CFEs when they renew their application. Any CFEs earned prior to July 1, 2003, cannot be used to satisfy the June 30, 2004 requirements.

A copy of the CFE Contact Hours Notice (Category I Hours Only) MUST be submitted with your registration renewal.

We have updated the information on the CFE page of the Board's web site. Please check it out.

Board Web Page

The web site of the State Board of Registration for Foresters provides RFs with instant access to various forms, current roster, registration information, past newsletters, Board member information, exam information, and continuing education opportunities.

<http://members.aol.com/ncbrf/>
E-mail address ncbrf@aol.com

We encourage all RFs to take advantage of this service.

We want to encourage all Registered Foresters to be advocates for a strong forestry profession.

If the Board or its members can be of assistance, please contact them directly or through the Board office.