



# North Carolina Geographic Information Coordinating Council

## Minutes

August 21, 2024

### PROCEEDINGS

The Council held its quarterly meeting at Charlotte Water, 4100 West Tyvola Road, Charlotte, NC, and via virtual meeting connection.

#### **Welcome and Chair Announcements**

Ms. Hope Morgan called the meeting to order at 1pm.

The meeting began with a welcome to those attending in Charlotte. GICC Chair Morgan noted that this is part of an effort to expand access to GICC meetings beyond the usual location in Raleigh.

The chair reminded everyone that the meeting was being held in accordance with open meeting laws, aligning the GICC with other statutory boards and commissions.

This meeting is being held in accordance with the Open Meetings law, Chapter 143, Article 33C (Meetings of Public Bodies).

Heather Freeman, DIT legal counsel assigned to the GICC, read the state ethics statement below to the Council:

*In accordance with the State Government Ethics Act, it is the duty of every Council member to avoid both conflicts of interest and the appearances of conflict.*

*If any Council member has any known conflict of interest or is aware of facts that might create the appearance of such conflict, with respect to any matters coming before the Council today, please identify the conflict or the facts that might create the appearance of a conflict to ensure that any inappropriate participation in that matter may be avoided.*

*If at any time, any new matter that raises a conflicts issue arises during the meeting, please be sure to identify it at that time.*

*Council members should exercise appropriate caution in the performance of their public duties should conflicts of interest or potential conflicts of interest related to issues that come before the Council. This would include recusing themselves to the extent that their interests would influence or could reasonably appear to influence their actions.*

Ms. Morgan noted that during the voting process, members will be offered an opportunity to recuse themselves should there be a need.

Several members were acknowledged for their reappointments by the House and Senate. The chair thanked Amy Barron, Jason Dowdy, Stan Duncan, and Matt Helms for their continued participation, as well as Pokey Harris, who was unable to attend due to a prior commitment. Newly appointed member Lee Clyburn was introduced and welcomed to the Council. Lee, who serves as the executive vice president at CBRE in Raleigh and has over 21 years of experience in commercial real estate, was given an opportunity to introduce himself.

Ms. Morgan then reminded everyone about the attendance registration process, emphasizing the importance of registering their QR codes to confirm their attendance. For those attending online, Ms. Morgan acknowledged their presence, noting that they were already registered and thanked them for joining virtually.

Ms. Morgan announced that the bylaws, which had not been updated in some time, will be reviewed and revised as needed. It was announced that all boards in the state had been asked to submit their bylaws and minutes. The GICC updated its subcommittee bylaws three years ago, but did not vote on changes to the GICC bylaws. Council members were expected to receive copies of the existing bylaws and were asked to provide any revisions to Colleen Kiley by September 13th. The Management and Operations Committee (M&O) will review revisions at the next meeting on September 30th, and once finalized, the Council will vote on them. This revision process was connected to a broader review by the General Assembly, which was evaluating the activity level of boards and commissions. While the GICC was recognized as very active, the revision of bylaws will ensure the Council's work aligned with the state's requirements and that the bylaws reflect the current operation of the Council and most current statutes.

The floor was then given to Matt Helms, who welcomed everyone to Charlotte Water's facilities. Helms gave a brief overview of the facility, noting its significance to the city's stormwater and field operations. He also expressed his pride in the facility, which had been open for a year.

### **Approval of May 8th Meeting Minutes**

The May meeting minutes were motioned to be approved as written. The motion carried unanimously. There were no recusals.

### **Local Government Presentations**

#### **Unseen Patterns Related to Overdoses in Forsyth County**

Shaylee Bowen, GIS Manager for Forsyth County presented with Will Moore on a Forsyth County StoryMap detailing patterns they discovered in overdoses due to opioid and other substance abuse and accidents. The presentation centered around the complexities of gathering and analyzing data related to overdoses, particularly focusing on race, gender, age, and the substances involved. The Map Forsyth team mentioned that this is just one many planned applications presenting important community issues including suicide and domestic violence. The team demonstrated the StoryMap as they presented showing maps, text, charts, and graphs. One key issue highlighted was the difficulty in accessing comprehensive race and ethnicity data through the current system. Ms. Bowen expressed optimism about working with EMS to obtain patient data directly from their portal, which would include race and

ethnicity. This integration would allow for a more nuanced understanding of how these factors influence overdose trends.

The presentation shifted to analyzing overdose data, starting with the gender and age breakdown. For instance, it was noted that the 13-17 age group had instances of alcohol and opioids appearing in overdose cases for the first time, which was a significant finding. In the 18-24 age group, the high prevalence of unknown substances was discussed, and it was stressed that “unknown” doesn’t necessarily exclude opioids. For the 25-44 age group, which had the highest incidence of overdoses, the discussion highlighted the male population as a particular concern, with a significant number of overdoses recorded among males compared to females in this demographic. In older populations, particularly those 65 and above, the discussion emphasized the need for interventions related to prescription drugs and alcohol, noting that these cases often require assistance with tools such as medication dispensers.

Ms. Bowen discussed the importance of providing resources for medication disposal and naloxone (Narcan) use. The conversation underlined that naloxone is a temporary solution in overdose cases, blocking opioid receptors for only a short time. If an individual has consumed a substantial amount of opioids, the overdose can recur once the effects of Narcan wear off. This led to a broader discussion on the administration of Narcan, including cases where, despite Narcan being administered, fatalities still occurred.

The presenter also elaborated on community partnerships. The county’s substance use health educator, for instance, distributes Narcan, and organizations like Twin City Harm Reduction provide free needles and syringes. The county supports these efforts financially. In terms of immediate response, the county’s mobile integrated health care unit and similar programs in Winston-Salem address overdoses and behavioral health crises directly, providing crucial support across Forsyth County. A noteworthy initiative discussed was the "Never Use Alone" program, which provides a lifeline for drug users by allowing them to call a hotline before using drugs. If the individual becomes unresponsive, EMS can be dispatched to their location.

Towards the end of the meeting, the conversation shifted to how the data was collected and what surprised the team. It was noted that community workers, even those who work closely with affected populations, were surprised by the specific age and gender breakdowns of overdose victims. This revelation led to a reflection on how overdose trends don’t always align with public perceptions or the experiences of front-line workers and how the power of GIS can bring unique insights.

There were questions from the audience regarding the behavior of drug users, such as whether they use substances immediately after obtaining them or wait until they reach specific locations. The presenter speculated that usage likely occurs quickly, making it challenging to pinpoint where drugs are consumed versus where they are purchased. The conversation also touched on the possibility of narrowing down overdose locations to better understand these patterns, though such data is currently elusive.

Ms. Bowen received praise from the GICC members for the thoroughness of the project and was asked several logistical questions about the effort’s origins and staffing. She revealed that the project was initiated organically by a behavioral health team and was not funded by any grants. Three main individuals were responsible for the project, including the presenter, an intern, and another team member from the department, with support from GIS analysts and business analysts for mapping and dashboards.

On the technical side, EMS reports are the primary source of overdose data, but they are uploaded to the OD maps system, and the team hopes to eventually receive more detailed data directly from EMS reports.

The presenter confirmed that all data is sifted manually and securely, with sensitive data stored behind firewalls and deleted after use.

Further inquiries from the audience touched on potential law enforcement interest in the data. The presenter noted that while police departments have partnered with the team on other projects, there hasn't been direct involvement in this overdose data project yet. However, the data has highlighted areas for targeted community outreach, and EMS has adjusted personnel deployment to respond to hotspots more effectively. The mobile integrated health care unit, now operating under behavioral health services, is fully dedicated to overdose and behavioral health calls, allowing for more focused care.

The presentation concluded with a brief discussion of partnerships with the county health department and the involvement of epidemiologists. Since the project's success, it has attracted attention from other public health spheres, with new collaborations forming as a result.

### **Overview of GIS Activities at the Eastern Band of Cherokee Indians**

Josh Istvan, a GIS specialist from the Eastern Band of Cherokee Indians, provided a detailed overview of the tribe's Geographic Information System (GIS) activities, touching on the history, challenges, and current developments of their GIS operations. He began by explaining that he has been with the Eastern Band since 2003 and started working with GIS by taking an old AutoCAD drawing of parcel data from 1996 and digitizing it for modern use. This laid the groundwork for a GIS system that has since evolved significantly.

Istvan highlighted how in 1999, the tribe had its first color aerial photography flown, which led to the creation of digitized maps that included building footprints, roads, and other key geographical features. Over the years, the GIS system expanded to include an inventory of the tribe's sewer and road systems. He described how the 911 addressing system, initiated in 1998, was enhanced with his help by verifying and updating road centerlines and addresses using GIS.

However, collaboration between departments was not always smooth. The legal division, responsible for parcel mapping, initially had issues with accessing data reliably due to licensing problems, leading to the eventual decision to create a separate enterprise environment for operations in 2010. This allowed for better control over GIS data and services. Despite these advances, challenges remained, especially in handling legacy parcel data. Istvan recounted how, in 2019, a cyberattack disrupted operations, but due to diligent backup practices, they were able to recover quickly and use the opportunity to move their enterprise environment to the Azure cloud.

Currently, the tribe is working on a new parcel mapping system using Esri's parcel fabric to resolve long-standing issues with data accuracy, including duplications and gaps. Istvan explained that while progress is being made, there are still many gaps to fill, and the project will be ongoing for some time. He also discussed the challenges of using Bureau of Indian Affairs (BIA) parcel numbers, which are often duplicated across different communities, and his efforts to implement PIN numbers to streamline the system.

Istvan described the development of a public-facing GIS map, which allows anyone to access address data and other information as an example of how GIS provides open data and facilitates collaboration. Istvan also mentioned his work with various departments, such as the fire department, where he helped automate the burn permit application process using Power Automate, and the natural resources department, where GIS is used to consolidate various datasets for better management of natural resources.

Istvan acknowledged that staffing constraints remain one of the biggest challenges, limiting the tribe's ability to fully develop and maintain its GIS systems. He emphasized the ongoing need for more personnel to keep up with the growing demands of GIS work across multiple departments.

Land boundaries and land management within the tribe differ from how counties within North Carolina manage them. Istvan explained that deeds and land transfers are handled by the BIA, which has created complexities in record-keeping, leading to a current effort to rescan and reorganize legal documents. The tribe is working to improve this system by adopting practices similar to a traditional register of deeds, but this remains a work in progress.

Istvan responded to questions about how the tribe interacts with state datasets and the difficulties of matching the tribe's possessory holdings with the state's tax-based systems. He noted that the tribe's unique land ownership model, where only enrolled tribal citizens can hold land, poses challenges in aligning with statewide systems, especially in the absence of a traditional land value system. However, coordination with surrounding counties on 911 data has been successful.

As his presentation concluded, Istvan expressed the importance of continuing the conversation around standardization and ensuring the tribe's needs and regulations are taken into account in larger statewide GIS efforts. GICC members expressed gratitude for his insights and ongoing efforts to improve the tribe's GIS capabilities.

### **SB355 GIS Website Disclaimer: Provision and Impact on Local Governments**

Tim Johnson began with an introduction to the topic of disclaimers on GIS tools. Senate Bill 355 passed the General Assembly in late June and was signed by Governor Cooper on July 3. It included a provision related to a disclaimer requirement for local government websites that offer public access to GIS data, modifying Chapter 153A, Article 23, and Chapter 160A, Article 21, of the General Statutes, respectively. Johnson highlighted the significance of this legislation, referencing Senate Bill 355. Chris Nida from the League of Municipalities brought the bill to the CGIA's attention shortly after.

The purpose of this discussion was to gather input from the group regarding the new disclaimer requirements. A survey had already been conducted of local governments to provide information for use in the discussion. The legislation, part of a larger farm bill, included a provision that all relevant city and county websites offering GIS data to the public must include a disclaimer that meets specific language requirements. The disclaimer must be acknowledged by users, not just displayed passively. Johnson emphasized the importance of uniformity across local governments in implementation, pointing out that some municipalities already had disclaimers in place, though implementation varied widely.

Johnson described a meeting held on July 25th with a staff member from Senator Jackson's office, where they had introduced the Council's role and discussed the bill's origins. The bill stemmed from concerns about property boundaries and the use of GIS data in disputes. Senator Jackson's team was receptive and suggested a follow-up meeting in August after the GICC meeting to further discuss the bill's impact on local governments.

The key takeaway from the bill is that it applies to any city or county website that makes GIS data publicly accessible. This does not extend to internal use but specifically targets tools offered to the public. The language of the bill mandates that the disclaimer be acknowledged by users before accessing the data,

and implementation must take place by January 1, 2025. Johnson asked the group to consider if this timeline was realistic and if any technical or financial concerns might hinder compliance.

The team had independently investigated the issue and found a wide variety of approaches to disclaimers across local governments. Some had disclaimers prominently displayed, while others made them difficult to find or even optional. Senator Jackson's office appeared focused on ensuring that people seeking information such as property boundaries are directed to official sources, such as recorded plats, rather than relying on potentially inaccurate or imprecise GIS data.

The survey conducted in preparation for the meeting revealed that about 50 of the respondents felt the impact of the bill would be minimal or moderate, with a smaller number indicating significant concerns. Forty out of fifty-three respondents indicated that their local government already had a disclaimer, but only 25 of those confirmed that the disclaimer included the required language. Additionally, there was a split on whether internal legal counsel had reviewed the disclaimers, underscoring the need for further evaluation. Johnson indicated that additional data could be collected as a result of the ongoing discussion, but at some point, they would need to consolidate their findings and prepare a formal response to Senator Jackson's office.

Several key questions were raised during the discussion: readiness for implementation, technical challenges, the feasibility of the January 1st deadline, and potential cost implications. The group was encouraged to think about these factors in terms of their own jurisdictions and to voice any concerns that could be shared with Senator Jackson's office.

Natalie Walton-Corbett raised a significant point about liability. If a local government were to comply with the disclaimer requirement but an error still occurred, who would assume responsibility? Johnson acknowledged the concern and agreed that this was a critical issue that needed addressing. The group discussed the possibility of using previously reviewed disclaimers as a model for others, particularly smaller jurisdictions without dedicated legal teams. The hope was to provide a template that could be adapted to meet the needs of various local governments, ensuring consistency and legal protection.

Heather Freeman, DIT legal counsel assigned to the GICC, clarified her role, stating that while she could offer general advice on the liability issues tied to GIS data usage, she was not in a position to provide specific recommendations to local governments or counties. She emphasized that each locality should consult its own legal counsel, be it a city attorney, county attorney, or external counsel, to ensure compliance with legal standards. Her general advice was to verify if disclaimers were in place, and if there were uncertainties, to work with legal advisors to clarify liability issues.

Freeman highlighted the complexity of statutory interpretation, stating that although statutory language often carries its ordinary meaning, interpretations vary, and ultimately, the courts decide on contested matters. She also acknowledged that while many questions raised were legal in nature, the best course of action was for participants to engage with their local counsel and bring legal questions forward. She reiterated her willingness to discuss the matter with local attorneys to ensure a unified approach, particularly concerning the nature and application of disclaimers. Johnson confirmed that the disclaimer used for NC OneMap had been reviewed by DIT legal staff but admitted it was fairly generic.

The conversation then shifted to whether the disclaimer from NC OneMap could be shared along with a detailed explanation of its purpose. Participants sought clarification on why the specific language in the disclaimer was used, questioning if it was legally adequate and if there could be a broader understanding of its intended protection. The disclaimer's role in protecting against liability due to data errors was

discussed, with Johnson affirming that its purpose was largely a protective measure, as is typical with most disclaimers.

A critical point was raised about potential repercussions under the law, specifically regarding whether there was any explicit penalty for non-compliance. Heather Freeman noted that while the statute did not appear to contain specific penalties, she urged caution. She explained that even though the law did not list penalties like fines or misdemeanors, non-compliance could still result in legal consequences, particularly in the case of disputes that might involve reliance on GIS data without appropriate disclaimers.

The need to define "GIS tools" was repeatedly mentioned. Participants noted that if Senator Jackson's staff was open to working on this definition, that clarity would assist local governments in complying with statutory requirements. An example was raised about the possibility of extending disclaimers to cover more than just downloadable data, but also web-based applications. The need for education around the disclaimers, such as their purpose and the limitations of the data provided, was emphasized. There was consensus that GIS tools, as well as the data they present, should come with explanations to ensure users understand potential errors or limitations.

There was a detailed discussion on how disclaimers could be applied to GIS systems, such as pop-up notifications or interstitial web pages that users must acknowledge before accessing the data. Some participants expressed concerns about the practicality of implementing such technical solutions, particularly for smaller municipalities that might lack the infrastructure or expertise. Moreover, there was a concern that much of the GIS data currently available is in the public domain without an associated tool, making it harder to attach disclaimers.

The question of whether email communications containing GIS-related data, like tax maps sent as PDFs, should include disclaimers surfaced as well. Participants speculated that this might be necessary but agreed it added a new layer of complexity that needed further exploration. There was agreement that a more refined definition of a GIS tool was necessary to understand the full scope of the disclaimer requirement.

In the latter part of the discussion, the conversation turned toward potential financial impacts on smaller jurisdictions. Some municipalities and counties lack in-house legal staff, making the cost of legal consultations for such matters a concern. For instance, one participant mentioned that their county relies on external legal services at \$300 an hour, and each inquiry could become a financial burden.

Finally, participants discussed how data derived from parcel boundaries—like zoning maps or other geographically linked data—should be handled. Many localities have datasets based on parcel data, and there was a question of whether disclaimers applied to these derived datasets.

During the meeting, a participant expressed appreciation for the ongoing discussion and made a request to further explore the data by reaching out to counties that have had their GIS disclaimers reviewed by legal counsel. The suggestion was that if certain counties had legal reviews of their disclaimers, it might be beneficial to share those findings with the group. This way, local governments could use those legally reviewed disclaimers as templates when presenting their own cases to local legal advisors.

Jay Fowler, from ESRI, (non-GICC member) posted in the meeting chat about software limitation within ESRI products for implementation of splash screens. For instance, it was noted that ArcGIS Hub does not provide an out-of-the-box splash screen option. However, there are potential workarounds, such as directing users through a main page before accessing the hub site. Other tools like ArcGIS Experience

Builder and dashboards do offer splash screen functionalities, though the features are made more complicated by depending on the specific version of the tool being used (e.g., ArcGIS Enterprise 11.3).

The group then discussed the broader implications of incorporating such features, particularly the impact on user experience. It was pointed out that while splash screens might ensure compliance with legal requirements, there is a risk of making GIS systems more cumbersome to use. The balance between adhering to legal mandates and maintaining a positive user experience was recognized as a critical consideration.

The discussion pivoted to an update from Senator Jackson's staff regarding the timeline for the legislative process. The senator's staff member had indicated that the legislature would reconvene in November, giving the group time to provide feedback before then. A suggestion was made to request an extension of the compliance deadline to either July 1<sup>st</sup> of 2025 or January 1st of 2026, allowing more time to resolve the outstanding questions, especially concerning the definition of GIS tools.

The next steps were identified, including the need to compile a list of baseline questions for the Council's feedback. The group also planned to review disclaimers from counties that had undergone legal review, with the intention of seeking permission from those counties to share their findings. Participants were reminded that many of the questions raised during the meeting were already included in a previous survey, and they were encouraged to review that list to identify any additional concerns. The discussion ended with a commitment to draft a set of questions to seek further clarity, particularly on how GIS tools are defined, and to survey municipalities and counties on their use of disclaimers to gather a clearer picture of current practices and potential gaps.

### **NSDI Strategic Plan: GICC Comments**

The meeting then shifted to a brief discussion on the National Spatial Data Infrastructure (NSDI) comments submitted by the group. It was noted that a document from the Federal Geographic Data Committee (FGDC) had been released in July, and the group had submitted 17 comments. Key concerns included the lack of clarity on governance, particularly how the standards would be implemented by state and local governments. There were also questions about maintaining the currency of data sets, resource allocation, and the role of artificial intelligence in managing GIS data. While AI was mentioned in the document, the group expressed reservations about its readiness for widespread implementation due to the lack of established rules and guidelines. The meeting concluded with a reminder to stay updated on the progress of the NSDI comments and other GIS-related developments.

### **Announcements**

The NC GIS Conference will be held in Winston-Salem in March of 2025, and GICC members were reminded to stay alert for announcements for registration and updates.

The City of Raleigh and others will be holding GIS Day celebrations in November, and members were encouraged to participate in GIS Day events.

### **Adjournment**

Ms. Morgan thanked the Council members for their participation and adjourned the meeting at 3:00 PM.



**2025 Proposed GICC Quarterly Meeting Dates**

March 18-21(Winston –Salem at NC GIS Conference)

May 14th (Raleigh)

August 20<sup>th</sup> (Raleigh)

November 12<sup>th</sup> (Raleigh)

Member Attendance

<b>Last Name</b>	<b>First Name</b>	<b>Present</b>	<b>Agency/Organization</b>	<b>Proxy</b>
Averett	Steve	Yes	City of Greensboro	
Badr	Paul	Yes	GPI, Geospatial Division	
Baker	David	V-Yes	NC Association of County Commissioners	
Barron	Amy	Yes	Duke Energy	
Baynes	Jeremy	V-Yes	US EPA	
Coats	Bob	Yes	Office of State Budget & Management	
Dowdy	Jason	V-Yes	CACI, Inc.	
Clyburn	Lee	Yes	CBRE	
Duncan	Stan	Yes	Retired, State and Local Government	
Enright	Dianne	Yes	Department of Health & Human Services	
Grantham	Dean	V-Yes	Department of Environmental Quality	
Halls	Joanne	V-Yes	UNC Wilmington	
Harris	Pokey	No	NC 911 Board	
Hedley	Jason	V-Yes	Colliers Engineering and Design	
Helms	Matthew	Yes	Charlotte Water	
Kempton	Dan	Yes	Department of Information Technology	Christie Burriss
Koonts	Sarah	No	Dept of Natural and Cultural Resources	
Marshall	Elaine F.	Yes	Office of Secretary of State	Rich Elkins
McCracken	Marty	No	Department of Justice	
Morgan	Hope	Yes	AECOM	
Nida	Chris	Yes	NC League of Municipalities	
Cox	John	V-Yes	Department of Administration	
Sandoval	Allan	V-Yes	Department of Commerce	
Serkin	Allen	No	Cape Fear Council of Governments	
Simpson	Tony	V-Yes	Department of Revenue	Michael Connolly
Spitler	Ed	No	NC Community College System	
Winstead	Ann	No	NC Utilities Commission	
Thompson	Gary	Yes	Department of Public Safety	
Thurman	Linda	Yes	UNC Charlotte	
Vaughn	Sallie	Yes	Person County	
Vose	Christian	V-Yes	Dept of Agriculture and Consumer Services	
Walton-Corbett	Natalie	Yes	City of Greenville - LGC representative	
Williams	Melanie	Yes	NCDEQ - SGUC Chair	
Wilson	Eric	V-Yes	Department of Transportation	David Chrest
Wrenn	Vanessa	V-Yes	Department of Public Instruction	Jeremiah Jackson