



Kentucky Karst



Short Creek entrance room, Pulaski County, Kentucky
Photo by Bill Walden

The Newsletter of
The Kentucky Speleological Survey, Inc.
Volume 1, Number 1
Winter 2001

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Kentucky Karst is the official publication of the Kentucky Speleological Survey, Inc (KSS). It is published bi-annually in January and June of each year as an electronic pdf file. The purpose of the KSS is to gather and archive cave and karst data of the Commonwealth of Kentucky to further the study of cave and karst resources for conservation, research and scientific exploration. The annual meeting of the Survey is held in January and February of each year.

Information for Authors

The editor invites contributions related to all aspects of cave geology and geography, including short articles, cover photos and other graphics, book reviews, bibliographies, news and views, maps, cartoons, research reports, notices of meetings, and other items of general interest to the membership.

Authors are encouraged to submit through electronic mail or computer disk (preferably 3.5" diskettes). The newsletter is developed primarily with Adobe Pagemaker 6.5 for the PC; however, most formats are acceptable. Please send your files in a variety of formats, or contact the editor to guarantee compatibility. Rich-Text is the preferred format for digital submission (*.rtf). Maps and line drawings should be submitted in camera-ready condition at 100% of their publication size. Authors should contact the editor about submission of photographs. All manuscripts should be sent to the editor by January 1, and June 1.

Subscription Information

Kentucky Karst is sent to all members of the KSS. The individual membership fee is \$5 (U.S.) a year due in October and is payable to the treasurer. Organizational membership is \$50 annually and is extended to all qualifying organizations.

The Kentucky Speleological Survey, Inc.
The Kentucky Geological Survey
228 Mining and Mineral Resources Building
Lexington, Kentucky 40503

Interim President

Lee Florea

Board of Directors

Darrell Adkins, Central Ohio Grotto
Steve Aspery, Interim
Gary Casady, Pickney Area Grotto
Don Conover, Interim
Jim Currens, Kentucky Geological Survey
Jim Greer, Interim
Horton Hobbs, Wittenburg Underground
Patricia Kambesis, Cave Research Foundation
Randy Paylor, Blue Grass Grotto
Brent David Ray, Carter Underground
Kevin Toepke, Interim
Bill Walden, Interim

Data Access

Jim Currens, Darrell Adkins, Bill Walden

Data Administration

Randy Paylor, Chair

Membership

Steve Aspery, Chair

Kentucky Karst editor

Lee Florea

108 Westwood Dr.
Lexington, KY 40503
859-492-5145
mr_chaos@hotmail.com

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KCS@ontosystems.com

to subscribe, send a message to this address with "subscribe" in the subject line.

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Upcomming events:

KSS Annual Meeting tentatively planned for Crawlathon at Carter Caves State Park. Last Weekend of January, 2002.

Kentucky Water Resource Symposium, February 20th 2002, Lexington, KY. Hosted by the Kentucky Water Resource Research Institute and the Kentucky Geological Survey

Geological Society of America combined South-eastern and North Central section annual meeting, April 3-5, Lexington, KY.

KSS Member Organizations:

Blue Grass Grotto, NSS
Carter Underground Speleological Survey
Cave Research Foundation
Central Ohio Grotto, NSS
Kentucky Geological Survey
Pickney Area Grotto, NSS
Wittenburg Underground Speleological Survey

Editor's Note: This is the first issue of Kentucky Karst. Its intent is to introduce the documentation of the Kentucky Speleological Survey. Future issues will feature committee reports, research activities, and brief papers and reports. Please feel free to forward all information to me for consideration.



Melissa Manard at Water Exit Cave, the paleo-resurgence of the Coral Cave System in Pulaski County, Kentucky (photo by Lee Florea).

**ARTICLES OF INCORPORATION
OF THE
KENTUCKY SPELEOLOGICAL SURVEY, INC.**

WE THE UNDERSIGNED having associated for the purposes of forming a non-profit, non-stock corporation, under and pursuant to the laws of the Commonwealth of Kentucky, and more particularly Chapter 273, Kentucky Revised Statutes, hereby certify as follows:

ARTICLE I

The name of the corporation shall be KENTUCKY SPELEOLOGICAL SURVEY, INC.

ARTICLE II

The term of existence of the corporation shall be perpetual.

ARTICLE III

The address of the registered office of the corporation is: The Kentucky Geological Survey, University of Kentucky, 228 Mining and Mineral Resources Building, Lexington, Kentucky 40506-0107.

The name of the initial registered agent for service of process, located at such address is: Randall Lee Paylor.

ARTICLE IV

The corporation is organized and shall be operated exclusively for scientific and educational purposes as described within Section 501(c)(3) of the Internal Revenue Code (or the corresponding provision of any future United States Internal Revenue Laws), including for such purposes the making of distributions to organizations and individuals for the purpose of engaging in activity falling within the purposes of

the Corporation and permitted for an organization exempt under said Section 501(c)(3).

The purposes of the Corporation shall be more specifically stated as follows:

A. To gather and archive cave and karst data of the Commonwealth of Kentucky to further the study of cave and karst resources for conservation, research and scientific exploration.

B. To provide a permanent, non-profit, non-sectarian, cooperative organization that works to establish and nurture a professional atmosphere among individuals and organizations that support the foregoing purposes.

ARTICLE V

The Corporation shall be irrevocably dedicated to and operated exclusively for, non-profit purposes. No part of the net earnings of the corporation shall inure to the benefit of or be distributable to its members, trustees, officers or other private persons, except that the Corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article IV hereof.

ARTICLE VI

In carrying out the corporate purposes described in Article IV, the Corporation shall have all powers granted by the laws of the Commonwealth of Kentucky, including in particular those listed in Kentucky Revised Statutes Chapter 273.171 (or corresponding provision of any later state statute) except as follows and as otherwise

stated in these Articles:

A. No substantial part of the activities of the Corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the Corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office.

B. Notwithstanding any other provision of these Articles, the Corporation shall not carry on any other activities not permitted to be carried on:

1. by a corporation exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code, or the corresponding provisions of any subsequent Federal tax laws;

2. by a corporation, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code, or corresponding provisions of any later Federal tax laws.

C. If and so long as the Corporation is a private foundation as defined in Section 509(a) of the Internal Revenue Code, or corresponding provisions of any later Federal tax laws:

1. The Corporation shall distribute its income for each taxable year at such time and in such manner as not to become subject to the tax on undistributed income imposed by Section 4942 of the Internal Revenue Code, or corresponding provisions of any later Federal tax laws.

2. The Corporation shall not engage in any act of self-dealing as defined in Section 4941(d) of the Internal Revenue Code, or corresponding provisions of any later Federal tax laws.

3. The Corporation shall not retain any excess business holdings as defined in Section 4943(c) of the Internal Revenue Code, or corre-

sponding provisions of any later Federal tax laws.

4. The Corporation shall not make any investments in such manner as to subject it to tax under Section 4944 of the Internal Revenue Code, or corresponding provisions of any later Federal tax laws.

5. The Corporation shall not make any taxable expenditures as defined in Section 4945(d) of the Internal Revenue Code, or corresponding provisions of any later Federal tax laws.

ARTICLE VII

The name and address of the incorporator is: Randall Lee Paylor at The Kentucky Geological Survey, University of Kentucky, 228 Mining and Mineral Resources Building, Lexington, Kentucky 40506-0107.

ARTICLE VIII

The initial Board of Directors shall consist of 10 Directors. The names and addresses of the members of the initial Board of Directors are:

DIRECTOR/ADDRESS

Lee Florea
9265 Hwy 1675 Somerset, KY 42501
Randall Paylor
213 Greenbriar Rd. Lexington, KY 40503
Steve Aspery
264 Crandall Dr. Worthington, OH 43085
William Walden
1672 South Galena Rd. Galena, OH 43021
Darrell Adkins
1427 Club Dr. Mt. Vernon, OH 43050
Jim Currens
2155 Lansill Rd. Lexington, KY 40504
Jim Greer
285 Beechtree Ln. Mt. Washington, KY 40047
Kevin Toepke
3562 Rocky Rd. Columbus, OH 43323
Don Conover
467 W Krepps Rd. Xenia, OH 45385
Rickard S. Toomey, III
Ill. St. Museum, 1011 E. Ash St., Springfield, IL 62703

ARTICLE IX

The initial By-Laws shall be adopted by the initial Board of Directors. Thereafter, the Corporation shall be governed by the By-Laws.

Any Director may be removed for cause pursuant to By-Laws provisions regarding grounds and procedures for such removal.

ARTICLE X

A. The directors, officers, employees and members of this Corporation shall not be held personally liable for any debt or obligation of the Corporation solely because of their position in the Corporation.

B. Any person serving on the Board of Directors of this Corporation shall not be held personally liable for monetary damages resulting from the breach of his or her duties as a director unless such act, omission or breach:

1. concerned or concerns a transaction in which the directors' personal financial interest was or is in conflict with the financial interests of the Corporation;

2. was not in good faith or involved or involves intentional misconduct on the part of the director;

3. was known by the director to be a violation of law; or

4. resulted in an improper personal benefit to the director.

C. Any director or officer or former director or officer of the Corporation may be indemnified by the Corporation against any expenses actually and reasonably incurred by him or her in connection with the defense of any action, suit or pro-

ceeding, civil or criminal, in which she or he is made a party by reason of being or having been such director or officer, except in relation to matters as to which she or he shall be adjudged in such action, suit or proceeding to be liable for negligence or misconduct in the performance of duty to the Corporation. The Corporation may make any other indemnification permitted by law and authorized by its Articles of Incorporation, or its By-Laws or a resolution adopted after notice to members entitled to vote.

ARTICLE XI

In the event of dissolution of the Corporation, the Board of Directors shall, after paying or making provision for the payment of all liabilities of the Corporation, dispose of all assets of the Corporation exclusively for the purposes of the Corporation, in such manner, or to such organizations organized and operated exclusively for charitable or educational purposes as shall at the time qualify as an exempt organization under Section 501(c)(3) of the Internal Revenue Code (or corresponding provisions of any later Federal tax laws), as the Board of Directors shall determine.

The remaining assets, if any, shall be disposed of by the Circuit Court for the county in which the principal office of the Corporation is then located, exclusively for such purposes or to such organizations as said Court shall determine are organized and operated exclusively for such purposes.

ARTICLE XII

Amendments to these Articles shall be made pursuant to the provisions of Kentucky Revised Statutes 273.263 (or corresponding provisions of any later state statute).

**BYLAWS
OF THE
KENTUCKY SPELEOLOGICAL SURVEY, INC.**

Articles of Incorporation or the Bylaws.

CHAPTER I - PARLIMENTARY AUTHORITY

- A. The Board of Directors (herein after called the "Board") shall:
1. Act as the governing and administrative body in conducting the buiseness of the Kentucky Speleological Survey (herin after called the "KSS").
 2. Consist of the Officers and a Director from each member organization and at least two Directors at Large.
 3. Conduct business according to Robert's Rules of Order, revised as amended by these Bylaws.
 4. Conduct business only when at least two-thirds of all Directors are present in person or by proxy. A proxy shall have written authorization with him/her (at the meeting) from his/her organization, stating that he is their Director's proxy.
 5. Conduct business by mail or e-mail when necessary. At least 2 weeks notice shall be provided for all such votes. All Directors shall be considered as present for the purposes of determining majority, any Director not responding shall be considered a negative vote.
- B. If the President has been selected from the members of the Board, his/her organization shall elect or appoint a Director to fill out his/her term.
- C. Items of business shall be passed by a simple majority, except as provided elsewhere in the

CHAPTER II – DIRECTORS

A. Organizational Directors:

Each Organizational Director shall:

1. Be a member of the organization he/she represents.
2. Be elected or appointed to his/her position by the organization that he/she represents for a term to be determined by his/her organization, at a time convenient to his/her organization.
3. Not represent more than one organization.
4. Be the voting voice of his/her organization during the conduct of business at all meetings of the Board.
5. Have one vote during the conduct of business.
6. Be prepared to report to the Board at regular meetings the activities and progress of his/her organization.

B. Directors at Large:

There shall be at least two Directors at Large elected from the individual membership. An additional Director shall be elected for each 100 individual members in excess of 100.

Each Director at Large shall:

1. Be elected for a one-year term at the election meeting. Votes will be accepted by mail ballots. The nominees receiving the most votes shall be elected. The secretary shall mail ballots to all individual members 30 days prior to the election meeting.

2. Have one vote during the conduct of business.

CHAPTER III – OFFICERS

The KSS shall elect a President, Vice President, Treasurer, and Secretary. All officers, other than President, may also serve as Directors and vote if serving in that capacity. All officers shall be elected by a simple majority of the Board at the election meeting and shall serve one-year terms beginning on March 1 of each year. Any officer may be removed by a two-thirds vote of the Board. Any vacancies during the year shall be filled by appointments from the President with Board approval.

- A. The President of the Board shall:
 1. Be responsible for assembling an agenda for each meeting.
 2. Preside at all meetings.
 3. Be the official spokesperson and envoy of the KSS.
 4. Call special meetings.
 5. Vote during the conduct of KSS business only in the event of a tie.
- B. The Vice-President of the Board shall:
 1. Assist the President.
 2. Preside at all meetings in the absence of the President.
 3. Shall assume the presidency upon the death or resignation or incapacitation of the president.
- C. The Treasurer of the KSS shall:
 1. Be responsible for all the funds of the KSS.
 2. Be responsible for submitting a financial statement to the board at the election meeting.
- D. The Secretary of the KSS shall:
 1. Be responsible for the taking of minutes and the distribution of copies of

these minutes to the Board of Directors after the meeting.

2. Be responsible for all correspondence and membership records of the KSS.

CHAPTER IV – MEMBERSHIP

A. Organizational Membership:

1. Organizations wishing to join the KSS shall apply to the Membership Committee. Organizations are free to re-apply at the next Membership Committee meeting if necessary.
2. Requirements of Applicants:
The applicant shall submit the following to the Membership Committee prior to the committee meeting:
 - a. An adopted plan of organization indicating the governmental structure, name, and address of the organization.
 - b. A membership list, with a minimum of 5 members
 - c. A chosen Director.
 - d. Minutes of meetings, where appropriate, indicating that the organization has been in existence and operating actively for a period of one year or more preceding the date of application for membership.
 - e. A part of this application shall include agreement with goals of KSS, agreement not to divulge data of the corporation, and an understanding that membership does not grant specific rights to information.
3. The Board shall vote on the application for membership.
4. Privileges of member organizations shall be subject to review at the discretion of the Board.
5. Membership is not limited to Ken-

tucky organizations.

6. All member organizations shall submit a report of their activities in support of the KSS. This report shall be sent to the secretary prior to the election meeting and shall include the name of the organization's Director for the coming year.

B. Individual Membership:

Individuals wishing to join KSS shall do so by filing an application with the Secretary. A part of this application shall include agreement with goals of KSS, agreement not to divulge data held by the corporation, and an understanding that membership does not grant specific rights to information. Individual membership is not limited to residents of Kentucky.

CHAPTER V – CONFLICT OF INTEREST

No individual or organizational member shall use their membership in KSS, their office, or any promise of data access for any personal or professional gain.

CHAPTER VI - AFFILIATION AND MEMBERSHIP FEES

Each organization within the KSS shall be assessed an annual affiliation fee to provide monies to the General Fund. The amount of the fee shall be as determined by the Board and shall be due on the date of the annual meeting. Individual members shall be assessed a membership fee adequate to cover the cost of publications and finance the operations of the corporation.

CHAPTER VII - LOSS OF REPRESENTATION & MEMBERSHIP

- A. An organization may lose its right to member-

ship in the KSS if it:

1. Acts in a manner detrimental to the KSS as determined by the Board.
2. Fails to submit a report to the Board at the election meeting concerning its activities over the past year. This report shall show a constructive effort in relation to the purpose of the KSS as determined by the Board.
3. Fails to pay affiliation fee within two months from date due.
4. Fails to attend or send proxy for two consecutive meetings.
5. Disbands

B. An individual may lose their membership if they fail to pay dues or if they act in a manner detrimental to the KSS as determined by the Board.

CHAPTER VIII - MEETINGS

There shall be a minimum of two meetings a year. One of these shall be called the Election Meeting and should be held in January or February each year.

CHAPTER IX – PUBLICATIONS

The KSS shall publish such publications as deemed necessary for the accomplishment of its purposes. The editor(s) of such publications shall be appointed by the President subject to the approval of the Board. The Board shall set fees for publications.

CHAPTER X – INTERNAL PROJECTS

The Board shall approve any projects to be undertaken by the KSS, in the name of, or on behalf of the KSS. These projects shall use the data access process outlined in Chapter XII.

CHAPTER XI – COMMITTEES

The KSS shall have the following standing committees. All committee members will serve a one-year term.

A. Nominations Committee

The President shall appoint, with the Board's approval, a three member nominating committee who shall offer a slate of officers and Members at Large 45 days prior to the annual meeting. An alternative slate shall also be nominated if sponsored by at least ten Directors or members of KSS. The Nominating Committee shall oversee the election process.

B. Membership Committee

The President shall appoint, with the Board's approval, a three member Membership Committee to review and submit a report on organizations requesting membership status. The report shall make recommendations as to whether the organization should be allowed membership at that time.

C. Data Administration Committee

The President shall appoint, with the Board's approval, a Data Administration Chair to lead committee efforts dealing with the KSS library and database.

D. Appeals Committee

The President shall appoint, with the Directors' two-thirds majority approval, an Appeals Committee Chair to lead committee efforts. The balance of the committee shall consist of the President, Vice-President, Treasurer, Secretary, and Data Administration Chair.

E. Data Access Committee

The President shall appoint, with the Directors' two-thirds majority approval, a three-person committee to consider requests to the KSS for data and information.

CHAPTER XII - DATA

The data of the corporation will be held in repository by the Kentucky Geological Survey (KGS) as agreed in a Memorandum of Understanding maintained between the KGS and the Board. This Memorandum shall be included as an addendum to the Bylaws.

A. The data of the corporation will be categorized as:

1. Non-Sensitive Data:

Information for which there are no access restrictions in that it poses negligible risk of harm to cave or karst features and their contents, or to the owners of such features. This applies only to data specifically released by the Board and may include number of caves per county, cave lengths, and similar statistical data unless classified as proprietary by the land or data owner.

2. Sensitive Data:

Information restricted from distribution in that it poses possible risk of harm to cave or karst features and their contents, to the owners of such features, or to individuals that may enter such features. Such information includes but is not limited to the precise locations of the features, the names and addresses of the owners, cave maps or other specific data.

3. Proprietary Data:

Information of any kind given to this corporation by the owner of a cave or karst feature, the owner's representative, or the person who has developed the data, with the condition that it shall not be released without the prior express consent of the submitter.

B. Data shall be available for the advancement of the purposes stated in Article IV of the Articles of Incorporation of the KSS. These purposes specifically do not include recreational caving

- or commercially led trips.
- C. Anyone submitting data may restrict the data as proprietary by agreement with the KSS. Such proprietary data shall not be released without the prior express consent of the submitter. Submitters maintain ownership and distribution rights to their original data.
 - D. Requests for data, whether for internal or external use, shall be forwarded to the Data Access Committee. A person requesting data shall be required to submit a KSS request form and pertinent resume to the committee in order for the request to be evaluated. The nature of the request and an opportunity for feedback shall be distributed to the KSS member's e-mail list 5 days prior to any consideration of the Data Access Committee. The Data Access Committee shall be unanimous in their decision to approve the information request. Any Data Access Committee member involved in a request shall abstain from the vote and the Vice President shall vote in his place. The committee shall track requests and the history of member's use of information. Non-Sensitive data may be distributed without request to the Data Access Committee.
 - E. If the request is denied, appeal can be made to the Appeals Committee. Decisions of the Appeals Committee shall require a 2/3 vote of all members of the committee to release data. Decisions of the Appeals Committee may be appealed to the full board by either the requestor or the Data Access Committee. Board decisions regarding appeals shall require a 2/3 majority to overturn the Appeals Committee decision.
 - F. Ownership, distribution, and replication rights are specifically not granted to any requesters. Requesters shall sign a confidentiality agreement stating that they shall not disseminate this information without written permission of the committee. Wherever applicable the requester shall make a report stating the scope of their use of the data and any findings to the KSS in a timely manner.
 - G. The committee shall report all data requests and their disposition to the President on a monthly basis. The President shall report this information to the Board at the next Board meeting.

CHAPTER XIII – AMENDMENTS

The Bylaws of the KSS, with the exception of Chapter I, may be amended by a majority vote of the Board. Amendments to Chapter I shall require a 2/3 majority vote of the Board. All amendments shall be presented in writing to the Board at least forty-five (45) days prior to the meeting.

KSS Bylaws version 11.11.00