

Saskatchewan Land Surveyors' Association

Newsletter

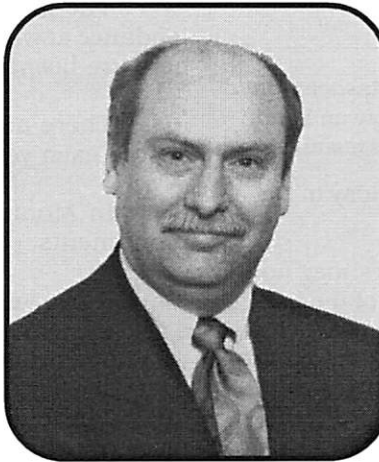
President's Message to the Membership

By G. D. Craig, SLS, P. Surv., P. Eng., President

I would like to once again thank the membership for the opportunity to serve as President of our Association. I am sure it will be a challenging and rewarding experience.

I would like to welcome our new council members: Stuart Hayward and Howard Larson. I look forward to working with them as well as the second year councillors: Jim Clarke and Alan Jensen.

I would also like to congratulate our public member Dr. Walter Streelasky on being re-appointed to our council. I also look forward to the advice and assistance that our Executive Director Carl, Executive Assistant Kathy and Past President Mike will be able to provide in the upcoming year.



Presidential travels have not yet started for this year but discussions with the out-of-province guests at our AGM shows that there are common concerns across Canada. Issues such as non-Land Surveyors laying out boundaries, continuing education of members, boundary confirmations, destruction of monuments and liability for planting monuments in the vicinity of underground utilities are just a few.

Member education issues have always been of particular interest to me. At the last AGM for New Brunswick one member questioned whether their mandatory continuing education program was still needed. After some discussion the New Brunswick membership voted to keep the education program.

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Council Highlights

By: *A. Carl Shiels, M. Sc., P. Eng.,
Executive Director*



The *Saskatchewan Land Surveyors' Association Newsletter* is published by the Saskatchewan Land Surveyors' Association for circulation to its members.

Deadlines for articles will be the last Friday in December, March, June and September.

The opinions of the contributing writers may not be consistent with those of the Council of the Saskatchewan Land Surveyors' Association. Articles may be reprinted with appropriate credit given to the authors, unless it is under copyright.

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Office hours are from 9:00 a.m. to 12:00 p.m.
and 1:00 p.m. to 5:00 p.m. on all business days.

2001/2002 Council

President	Guy D. Craig
Vice President	Barry G. Clark
Past President	Mike L. Waschuk
Councillors	D. Jim Clarke Alan I. Jensen Stu. I. Haward Howard A. Larson
Public Member	Walter M. Streelasky
Executive Director	A. Carl Shiels
Executive Assistant	Kathy Clark
Newsletter Editor	Doug A. Bouck

2001/2002 - Meeting #6, April 4, 2002

The president called the meeting to order at 7:30 p.m. and reported on his attendance at the annual general meetings of Ontario and Montana, highlights of which were:

Ontario:

- A group of members whose demands lead to the Ministerial Review of the association ran candidates for office but all were defeated.

- The Ontario president introduced a novel approach to controlling cell phone use in the meeting. The first person whose cell phone rang was fined. The second (which never occurred) was to have the cell phone confiscated and destroyed.

Montana:

- The meeting included several seminars, attendance at which was mandatory since their members are licensed by the state.

- There are a minimum number of PDC's required each year.

- In Montana, legal descriptions govern over monuments.

- Rural land in Montana has been divided into a grid system similar to Western Canada but there was no provision for road allowances.

- The business portion of the meeting took place over lunch.

- There were approximately 320 members present.

Bylaw Amendment - Professional Liability Insurance

It was agreed that a motion be placed before the membership at the next annual meeting which would amend Article XX by deleting Section 3.

SLSA News Group

G. D. Craig reported that ISC had agreed to monitor the News group and contribute when possible.

SLS vs Combined SLS/P. Surv. Designations for Out of Province Surveyors

A member had questioned whether non-resident members were gaining an advantage by registering

only as SLS's rather than as combined SLS and P. Surv.'s.

Information for AGM

It was agreed that the membership should be updated on resolutions from the last AGM as follows:

- There does not appear to be any advantage to having the Professional Corporation Act applied to our act; and

- The Land Surveys Regulation will be amended to establish a requirement that all new survey monuments be identified with the mark of the surveyor or survey company responsible for its placement. Council will be developing the identification system to bring this initiative into effect.

CAPLA Meeting

Council agreed that the President should accept an invitation to attend a Canadian Association of Petroleum Land Administration (CAPLA) meeting in Calgary dealing with issues and concerns related to the new LAND system in Saskatchewan. It was noted that this could be a valuable opportunity for the Association to provide input to the oil and gas industry about the expectations that the SLSA has with the new system.

WCBE

Council considered concerns that had been expressed by both B.C. and Alberta about the current operations of the WCBE. The recommendation from the SLSA representatives to WCBE was that we not spend a great deal of time and energy attempting to change the WCBE if it is likely to be replaced by a National Board of Examiners in the near future. It was agreed that no action would be taken on this matter pending feedback from the SLSA representatives to the WCBE following the April 9 meeting in Calgary.

SLSA Museum

The president reported on a meeting held with representative of the Western Development Museum (WDM) regarding a display on the history of surveying in Saskatchewan. A fairly significant event is being planned by the WDM for the centennial anniversary of the province in 2005 and they would be eager to include a display on the early surveys of the province. It was agreed that this matter would be followed up with the WDM after the annual meeting.

Convention Committee

The president reported that planning was well advanced but that it would be important for everyone to book their rooms early since accommodations in the Tropical Inn would be limited.

Education Committee

The president noted that plans were being made to include a half day seminar at the AGM.

Practice Committee

Council approved a request from the chairman of the Practice Committee for authority to distribute a questionnaire to all active members regarding the fees that are currently being charged for various survey services. The results of the questionnaire would be compiled by the Association office and then submitted in anonymous form to the Practice Committee for their consideration when developing the next Suggested Schedule of Fees.

Public Relations Committee

Council was advised that the cost of a portable display for use by the Association at such things as career fairs and exhibitions would be in the range of six to eight thousand dollars. It was agreed that this was probably beyond the reach of this association.

SLSA/ISC LAND Committee

The president reported on meetings held with ISC President Fraser Nicholson. He noted that these meetings seemed to be paying off and that the concerns of SLSA members were being taken quite seriously.

The meeting adjourned at 9:32 p.m.

2001/2002 - Meeting #7

The President called the telephone conference meeting to order at 9:15 a.m. The purpose of the meeting was to formally review the marks from the 2002 Professional Examinations. Based on those marks, Council concluded that two applicants were potentially eligible to apply for commissions as Saskatchewan Land Surveyors.

The meeting adjourned at 9:25 a.m.

Continued on page 48

Councillor's Report



“Fee Schedules -- are they necessary”?

By: Stu Hayward S.L.S., P. Surv.

Thanks to the membership for allowing me to serve on council for the next two years. I note there was some concern at the AGM about the schedule of fees and the means by which the practice committee goes about deriving these unit prices. A few years back we went through a considerably expensive process and had a cost analysis study done. There was even a meeting in Moose Jaw where we all went over the findings and I suspect some of the membership was hoping our fees would be tied to this report to make our Suggested Schedule of Fees better reflect the costs of business.

Contrary to the schedule and cost analysis, competition has overruled these prices. I suspect the published rates for a single parcel, plan of proposed subdivision, ISC & approval fees plus applicable taxes were not charged by anyone last year, and in fact were significantly less. I don't believe that any RPR's were marketed in Saskatoon last year for the suggested \$475 and that this year the fees will be closer to half the suggested amount. We have, or perhaps had, a great opportunity to increase our fees with the implementation of the new land titles system. Committees argued that all new subdivisions had to be done by survey and were successful. Certainly to visit the site, search for monuments for a mile in either direction, measure up the yard and prepare related documents

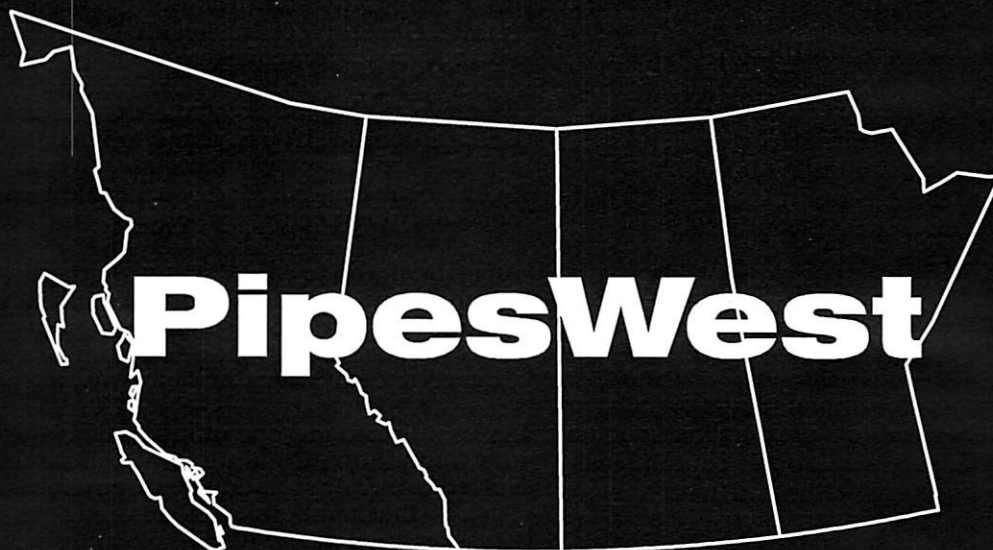
covers all the items in a complete survey except for monumenting the parcel corners. I would hope we don't collectively price this to half the regular fee just for the sake of getting out of the office.

It can be argued that all the practice committee needs to do for next year is have an independent person call selected firms for their best price on a particular type of survey and publish the lowest numbers. It doesn't reflect market realities to publish suggested schedules of fees that are completely off side with current prices. We can always argue there is something amiss with products like RPR's going for less than half what is recommended but those arguments don't change anything.

Perhaps the Suggested Schedule of Fees should be eliminated. It would open up the market to those practitioners who are adhering to the principals of the schedule and not getting any work in certain fields. Is the public being best served by the Saskatchewan Land Surveyors' Association's publishing of the Suggested Schedule of Fees? The TV jingle “the lowest price is the law”, works in every area of business and it works in our profession. It is my thought that we need to give the Practice Committee direction in determining which way to proceed in preparing next years schedule or perhaps its just time to eliminate that brochure altogether.

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BOOK REVIEW

by J.H. Webb SLS retired

The Last 300 Miles.

By G. Stewart Nash

Published by Caitlin Prom Inc.
Box 2387, Station B.,
Prince George, B.C. V2N 2S6
ISBN 0-920576-90-7 p.p. 165 & maps

The author lives in Montana, U.S.A. and was involved in last year's Montana Land Surveyors annual meeting. I gather he worked with surveyors in the interior of British Columbia. Some of the story is fictional but is believable if one lets his imagination take over. The soft coverbook contains easy reading and keeps you spellbound with various adventures.

A central theme revolves around a self-educated surveyor, named Stephen Doyle, who hires out to locate a proposed telegraph line through the northern interior of British Columbia. Using a sextant and often crude survey equipment, Doyle, sets out alone to take Latitude, and Longitude observations in an attempt to map a route for the telegraph line. Along the way Doyle runs into murder, snowstorms, friendly indians, and the famous "Bukwas" creature - today known as "Sasquatch" or "Big Foot". Historically accurate, *The Last 300 Miles* captures one of the great adventures of European exploration of the North West. Even to-day, parts of the old telegraph line can be found in the tangled underbrush.

Quoting from author William Hoffman:

I found this book fascinating. The story is outstanding and the setting is wonderful, sort of like Jack London. The ending is terrific. Nash has accomplished one of the hardest things on earth: writing a most worthwhile novel. ☺

Correction Notice - April 2002 newsletter -
The article "Death and Taxes: Are you
Prepared". By Gordon Clark, CFP, CIM
O.L.S. (Retired) was listed as being
reprinted for the ALS News. Credit should
have been given to AOLS. Sorry for any
confusion. ☺

A Letter to the Membership

I thank the membership for their attendance and their hospitality shown to our guests at our 92nd Annual General Meeting held in North Battleford. I think it was a great success.

I believe the highlight of the convention was the Recognition Award presented to Larry McLeod for all his hard work over the last year and the highlight for me was the kind words said to me during and after the meeting by some of our members.

A big thank you to Wes & Donna Jamieson for chairing the event and the help they received from their committee (Carolyn Waschuk, Phil & Rosina Hicke, Merv & Pat Zulynik, Don Hanson, Stu Hayward, Conrad & Leta Swenson, Peter Wivcharuk).

As Past President, one of my duties is to serve on the Nominating Committee. We must all stay involved in our Association so it remains strong and I ask all the membership to seriously consider running for Council.

Once again I thank you for your support last year and I hope you all have a great summer. ☺

Michael L. Waschuk, SLS., P. Surv.
Past President

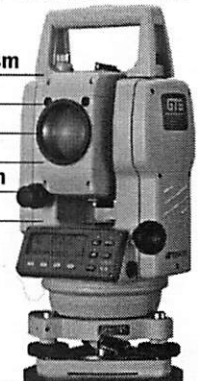
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BIOGRAPHY

By John H. Webb SLS (LM)

JOSEPH DRUMMOND SHEPLEY 1879 - 1963 D.L.S., S.L.S., A.L.S., B.A.Sc., C.L.U.



One of Mr. Shepley's favorite stories was the one where he felt he was one of the few, if not the only one, to run down an antelope. Quote:

"In the early days, shortly after Saskatchewan became a Province, he was surveying with a crew north of Swift Current. They had run out of meat and were living on porridge and pancakes until this type of food started to come out of their ears. One morning they spotted a herd of antelope in a ravine, which they knew, narrowed at one end. They sent one of the men out around to drive the antelope up the narrow end of the ravine. The rest of the men hid along the edge of the ravine until the antelope came opposite them. Then Mr. Shepley ran along the edge of the ravine and jumped on the back of one of the stragglers. The force of the fall broke the antelopes back, and needless to say one and all were happy to be back on a meat diet come supper time."

Mr. Shepley was born near Amherstburg in Essex County, Ontario on September 13, 1879. Upon graduation from high school in 1897, he obtained a teachers certificate, taught school a few years and then received his diploma from the School of Practical Science, Toronto in 1904. He continued his education with a Bachelor of Arts in Science, 1905.

In 1906 he became assistant to Mr. W.W.Meadows D.L.S., District Engineer, Department of Public Works, Saskatchewan. Another Easterner who realized the west was good for him! In 1906 he also received his commission as a Dominion Land Surveyor. This stood him in good standing with the Department and he was made District Engineer and Land Surveyor for the Battleford District, Department of Public Works, Saskatchewan. He held this position until 1912, at which time he commenced

his own private practice as an engineer and land surveyor. While with the Department he was granted commission number 5 in Saskatchewan, when the Saskatchewan Land Surveyors Association was formed in 1910. His commission as an Alberta Land Surveyor was granted to him in 1913 as numbers 101.

In 1914 Mr. Shepley wrote to the then secretary treasurer of the Saskatchewan Land Surveyor's Association, Mr. H.G.Phillips asking his advice on costs to appear in court as a professional witness. The letter read in part:

"I have to appear in court shortly as a professional witness. Once before I was called as witness and received \$5.00 per day. I've heard we could claim \$15.00 per day but I cannot point to any authority. Please advise," The author could not find any answer.

During the late 1920's and 1930's, surveying and engineering projects were non-existent, so Mr. Shepley added C.L.U. (Chartered Life Underwriter) to his name in 1926 and represented various assurance companies.

In 1929, the Rural Municipality of Paradise Hill # 501, Saskatchewan wrote to the Saskatchewan Land Surveyors Association questioning Mr. Shepley's account for work that he had performed for them. It read in part.

"The items are (A). Days with car. It is thought that with men at work, payment is being made for car standing idle, use being made for home trips only."

Maybe the present day surveyors should look into this misuse of accounting practice.

1932 was a tough year for surveyors as noted in a letter dated March 1932 from Mr. Shepley to the association. Quote:

"I've been thinking of retiring from surveying but will register another year if not too late to get in at \$10.00"

The Lieutenant Governor for Saskatchewan, in 1936, proclaimed that all persons holding a commission under the late sovereign were required, as soon as possible, to take the Oath of Allegiance. Our act said the oath could be taken either before the secretary of the association or before a judge of the Court of King's Bench or district Court. Evidently Mr. Shepley signed his before a judge who merely initialed the oath and did not sign it. This caused much bureaucratic grief.

From 1938 until 1944 Mr. Shepley left his practice and worked with the Prairie Farm Rehabilitation Act (PFRA) as a land surveyor. While with the PFRA he was elected President of the Saskatchewan Land Surveyors Association in 1941. After World War II, in 1945, he again went into private practice in North Battleford, Saskatchewan until he retired.

The biography of Mr. Shepley, as published in our association reports of 1964, shows him as a Dominion Land Surveyor in 1904 and a Manitoba and North West Territory commission in 1906. I believe these statements are in error.

Mr. Shepley was made a Life Member of our association in 1953.

I visited Mr. Shepley in 1958 when he was living at 1071 Arthur Street, North Battleford, Saskatchewan. The house, known as the "Shepley House", was built by Mr. Shepley in 1908 and is still occupied as a residence. Mr. Shepley informed me, in 1958, that his phone, which was still in use, was the oldest phone being used in the City of North Battleford.

Mr. Shepley was of the Masonic Order. He was married to Effie Hamilton and they had three children, Eva H; Marjory H. (Mrs (Dr) W.H.A. Gordon and Jean B.D. ☺

NEW DEFINITIONS

Adult - A PERSON WHO HAS STOPPED GROWING AT BOTH ENDS BUT IS NOW GROWING IN THE MIDDLE.

Mosquito - AN INSECT THAT MAKES YOU LIKE FLIES BETTER.

Council Highlights - Continued from page 43

2001/2002 - Meeting #8

The president called the meeting to order at 1:10 p.m. and reported on the ALSA annual meeting in Edmonton, highlights of which were:

- The ALSA was able to generate a great deal of media attention for their AGM. For example, the City of Edmonton declared the week ALSA Week, there were two TV crews conducting interviews of ALSA executive and officials, and there were two Provincial Cabinet Ministers present as well as the Lieutenant Governor of Alberta.

- Attendance hit a new record at 63%.

- A motion was passed requesting the elimination of Descriptive Plans.

The President also noted that ISC president Fraser Nicholson had resigned to take a job in Eastern Canada. Council agreed that a letter should be sent to Minister Axworthy, and the new CEO of ISC when appointed, promoting continuation of the close working relationship that has been developed between the SLSA and ISC.

CAPLA Meeting

President Waschuk reported on his attendance at the CAPLA Meeting in Calgary. The primary focus of the meeting was the rising cost of doing business in Saskatchewan as a result of the new fee structure for the LAND system. Most of the people present were "Land" people from oil and gas companies and they were all very upset. Of particular concern was the number of people who suggested the new system - and especially the increase in fees - was discouraging them from carrying on business in the province. The president obtained copies of most of the concerns being discussed by the representatives and passed them on to ISC.

It was hoped that representatives of ISC would probably be attending a future CAPLA meeting in an attempt to allay some of the concerns.

Unique Identifier for Survey Monuments

Council approved a system for uniquely identifying survey monuments in Saskatchewan as discussed and approved at the 2001 Annual General Meeting. The identification system would consist of the letter "S" followed by three digits which would identify the survey firm, survey office or individual surveyor which has registered with the Association

as being responsible for the survey records related to the placement of their monuments.

New Commissions

Council resolved that C. Wade Pennell and Mark A. MacDonald should be issued SLS Commission #'s 283 and 284 respectively.

Association Files To Be Removed to Provincial Archives.

The Executive Director sought approval to remove many of the older files to the Provincial Archives for permanent safe storage. It was agreed that this matter would be tabled pending a review by M. L. Waschuk to determine which files should be turned over and which should be retained.

CCLS - Proposed Fee Structure

Council agreed that a proposal from the CCLS for a revised fee structure for member associations should be discussed with the CCLS President at the AGM

Practice Committee

Preliminary Results are in from the Fees Questionnaire but the committee would like to review them before publishing any further information.

ISC/SLSA Panel

It was noted that the ISC/SLSA panel worked very well together for the past year and it should probably be continued. Although many smaller issues have been resolved, there are still several major issues that will need to be addressed once the demands of implementation have started to decline.

The meeting adjourned at 2:45 p.m.

2002/2003 - Meeting #1

The president called the meeting to order at 11:25 a.m. and welcomed the new members to council.

Letter to Minister Re: Appointment of New CEO for ISC.

Council reaffirmed the urgency of getting a letter to Minister Axworthy regarding the importance that this association places on a close working relationship with the president of ISC.

M. R. Skelton

Council learned that former Secretary Treasurer and Life Member M. R. Skelton was quite ill. It was agreed that best wishes for a complete and rapid recovery should be sent on behalf of the SLSA Council and Members.

Council Liaison On Committees

The following members of council agreed to provide liaison with standing committees:

S. I. Hayward - Public Relations
A. I. Jensen - Education
D. J. Clarke - Practice

The meeting adjourned at 11:55 a.m.

2002/2003 - Meeting #2

The President called the telephone conference meeting to order at 9:06 a.m. and noted that there had been no travel since the last meeting.

Unique Identification Numbers for Survey Monuments

Council agreed that numbers should be randomly assigned to survey companies operating in Saskatchewan. However, to minimize confusion, survey firms which also operate in Alberta should be assigned the same numeric portion as that assigned in the permits issued by the ALSA.

It was also agreed that finalization of the numbers would be postponed for thirty days to allow members to appeal the number assignments; and that survey firms would be invited to submit requests for additional numbers if they wished to have unique identifiers for individual survey offices or individual surveyors.

Re-appointment of Public Representative

Council was advised that Dr. W. J. Streelasky had been re-appointed public representative on the SLSA Council for a second, three year term. The President congratulated Dr. Streelasky on behalf of all of Council and the members.

Form 'S' Record of Real Property Reports

Council concluded that the information required on the Form 'S' Record of Real Property Reports would be essentially unchanged except:

a. The Land Registration District would become redundant since the entire province is now one district.

b. The Registered Plan Number should include all extension numbers.

Residency Requirement for Members of Council

In light of the resolution passed at the last annual meeting, it was agreed that the following request should be forwarded to the Legislature:

"The SLSA respectfully requests that subsection 8(3) of the Land Surveyors and Professional Surveyors Act be amended by replacing all words in that subsection with the following:

8(3) A majority of members elected to the council shall be residents of Saskatchewan.

C. D. Kuntz/D. J. Clarke - Land Surveyor in Training Agreement

Council approved a June 18, 2002 Land Surveyor In Training Agreement submitted by C. D. Kuntz and D. J. Clarke. Mr. Kuntz holds a degree in Geomatics Engineering from the University of Calgary.

Convention Committee

The President reported that D.A. Bouck had accepted his appointment to become Chairman of the 2003 AGM Committee and that Elaine Bouck had agreed to assist with the Accompanying Persons program. The date of the meeting has been set for May 29, 30 and 31 at the Temple Gardens Mineral Spa and Resort Hotel in Moose Jaw.

SLSA/ISC LAND Panel

The president reported that D. L. Gurnsey has agreed to replace him on the panel. However, the panel would probably be quite inactive until later in the year when all of the Land Registration Districts have been converted and the staff at ISC are able to turn their attention to making systems changes to resolve some of the outstanding problems and concerns.

The President acknowledged a motion to adjourn at 9:50 a.m. ☺

Presidents Message - Continued from page 41

I think that it is particularly telling that members value the importance of continuing education. I am sure our Association and members have benefited from our education program. It seems that the public is questioning professional competence more and more. We have a responsibility to ourselves and the public in general to maintain a high level a technical proficiency.

Speaking of education and technical competence, it is good to see the ranks of our membership increasing. We presented two new commissions this year and have several candidates that can take exams next year.

We now have one year of using the new Land System (PPS, eBS, TPS, etc) under our belt. The former Moose Jaw district has been online for more than a year and before the end of summer all of Saskatchewan will be operating under the new rules. At times it has been a painful process to change to the new system.

With the implementation of Moose Jaw it became apparent that many technical and client issues had not been addressed. Our membership became concerned about implementing other districts with these issues still outstanding. It is a direct result of the members' concerns that we met and formed a joint working panel with ISC.

The panel has worked to bring the members' concerns to the attention of ISC and has succeeded in having changes made to the new system. Dave Gurnsey has recently replaced me on the panel. The panel, which is now made up of Larry Mcleod, Ed Grenkie and Dave, are taking a summer recess. Members should still send any concerns to the panel via the Association office.

We currently have a good working relationship with the Controller's office and ISC's senior management. As moved at our AGM our Land Project Committee has been given the mandate to continue meeting with the Controller to work out remaining details of how we, as SLS, need to work under the new system. I look forward to seeing progress on these details.

As I write this article it looks like it could be another long dry summer for some areas of the Province. I hope everyone has a profitable and safe summer. ☺



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FOR IMMEDIATE RELEASE

AMERICAN CONGRESS ON SURVEYING AND MAPPING ANNOUNCES DIRECTION FOR FUTURE

Reprinted from "Treasure State Surveyor" - April, 2002

April 24, 2002 - Washington D.C. - The American Congress on Surveying and Mapping (ACSM) is going in a new and exciting direction. The association announced at its spring meeting in April that ACSM and its four member organizations have adopted a plan called "The New ACSM." Implementation of the plan is expected to begin in January, 2003.

Under the proposal, individual members will belong directly to their respective member organizations. Those organizations will be self-governing and responsible for establishing their own services and budgeting their own independent resources. The new ACSM will have no individual members. The member organizations will form a Congress of representatives to serve as a forum for activities of mutual interest. ACSM will also provide administrative services for its member organizations on a contract basis

"We are excited to implement this new plan in the coming year," said Gary Kent, chair of the committee responsible for developing the plan. "Under our new direction the member organizations will be in the forefront and ACSM will take a role as advocate for those organizations and to promote their common interests."

"The New ACSM" is responsive to the stated wishes of its current members, as well as potential members, capable of adjusting to evolving membership requirements and positioned to serve future constituents and their needs. With this new structure, it is anticipated that organizations not currently associated with ACSM may wish to become part of the Congress for specific or ongoing issues. Final approval of the plan is subject to a vote of the ACSM members this fall.

Progress on the development of the plan will be posted on the ACSM website, www.acsm.net.

Originally named the National Congress on Surveying and Mapping when it was founded in June 1941, the society sought to better coordinate the nation's surveying and mapping activities. Later the name was changed to the American Congress on Surveying and Mapping to encompass members from Canada and South America. Today, although the majority continue to come from the United States, ACSM's members include thousands of surveyors, cartographers, geodesists, and other spatial data information professionals working in both public and private sectors throughout the world.

The New ACSM

The New ACSM is responsive to the stated wishes of current and potential members, capable of adjusting to evolving membership requirements and positioned to serve future constituents and their needs.

This report was developed by an ad hoc committee of ACSM. It is an outline for the New ACSM. The New ACSM will serve the Member Organizations as a coordinator and advocate of common interests, provider of administrative functions, and forum for cross-discipline networking.*

MEMBERSHIP

ACSM will have no individual members. The membership of ACSM will be the Member Organizations. Individuals will join the appropriate MOs, and the MOs will be the members of ACSM. The membership criteria will be determined by each MO.

Continued on page 54



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Uh-oh! No cables.

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The Congress will be comprised of the President and President-Elect of each MO, or two representatives as appointed or elected in a process to be determined by each MO. The Chair of the Congress will rotate annually among the MOs.

SERVICES

The individual MOs will determine the level of services and programs to be provided specific to their membership. Examples of services and program that could be contracted with ACSM:

1. Development of public relations materials and promotional activities specific to each MO
2. Conference/convention planning and facilitating
3. Administrative services
4. Other services or programs as needed and contracted by the MOs

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The MOs will set their own dues. Collection may be contracted with ACSM. Each MO shall pay an annual fee to ACSM to provide base level services. These services may include:

1. Maintenance of a national office
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*Members of the ad hoc committee were: Sam Best, Eric Anderson, Ed McKay, Gary Kent, Joe Dolan, Curt Sumner, Gerry Curtis, Dave Danko, Steve Frank, Lynn Usery, Rebecca Somers, Frank Hissong, Steve Briggs, John Matonich, and Jon Warren.

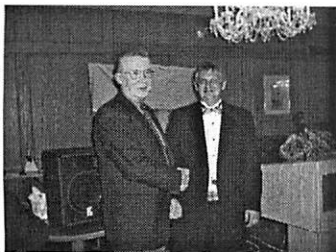
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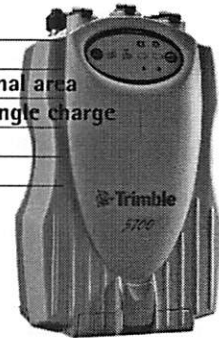
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So.. You Want to Take An On-line Course

By Jon B. Purnell, PLS, Surveying Geomatics Program Manager, Peninsula Collete, Port Angelese, Washington

Reprinted from "Evergreen State Surveyor"

One of the hottest trends in higher education today is distance learning. Distance learning takes on different forms, for example, telelearning courses use interactive video equipment to link instructors and

"For a three Credit-hour course, you can expect to spend at least three hours per week in the virtual classroom and up to 9 hours per week reading and writing as you study and complete your assignments."

students on the main campus with other students at remote sites, while on-line courses use the Internet to bring course content right into students' homes. College administrators see distance learning as a way to increase enrollments while instructors envision using elements of distance learning to enhance or completely replace their conventional face-to-face courses. Increasingly, educational institutions must offer distance learning options in order to compete in the educational marketplace and to meet the diverse needs of their students. Administrators and instructors aside though, students may have the most to gain from the addition of distance learning courses to college catalogs. What do they get? -In a word flexibility-but there can be other important benefits as well.

In a conventional face-to-face (F2F) classroom setting, students file into the classroom, take their seats, and wait for an instructor to deliver the course content. Sure, delivery varies depending on the subject matter or discipline. You could, for example, take a lecture course on art appreciation or a chemistry lab but, whatever the course, you must physically meet with your instructor and the other students at a specific time and place for a fixed number of class sessions, if you hope to earn a passing grade. This format works well enough for those students who are lucky enough to have the time to devote to a full-time program of study (ah, youth!) but, what about you? If you're reading this, you probably have a job that already takes up an inordinate amount of your time as it is. And if you're like me, you also have a family to look after, soccer and baseball and band practices to attend, a home

to maintain, bike rides to take, and... need I go on? I also suspect that if you're reading this, you recognize the need to stay current in your profession, or that perhaps you aspire to improve upon your standing in your profession. Clearly, the conventional classroom will not work well for you, even if you do live reasonably close to the classroom site. Maybe the virtual classroom, used to deliver on-line based courses, will better meet your educational needs (and lifestyle).

To take an on-line course you'll need access to a computer (a Pentium 75 will do, or consider using the computers at your local public library), Internet access, and a web browser such as Netscape's Navigator or the Microsoft Internet Explorer to enter the virtual classroom. In addition, you will want to have access to a printer. Once there, you can do many of the same things in a virtual classroom that you can do in a bricks-and-mortar setting. You can:

- Meet and get to know your classmates and instructor
- Share ideas and questions with your classmates
- Talk with your instructor, or ask him or her questions in a private setting
- Submit assignments
- Take part in discussions
- Work on group projects
- Take tests
- Check on your progress

The on-line learning environment has some advantages over F2F classes, particularly in flexibility and in enhanced opportunities for communication and discussion amongst students. For instance, you can choose when you will attend the virtual classroom, so you can do your course work whenever your hectic schedule allows. However, as in a conventional setting, students have opportunities to discuss questions and present ideas to both the instructor and their classmates. Typically, commu-

Continued on page 68



*Mark MacDonld receiving his
Commission # 284*



*Jan Craig receives flowers from
Carolyn Waschuk*

SLSA Annual General Meeting

North Battleford

2002



*Debra George-Gabruch
Geo-Gab Consulting
Guest Speaker*



*Wade Pennell receiving
his Commission #283*



*Guy Craig presents Mike Waschuk
the Past Presidents Plaque.*

Building Value

Selling a Company is a Complicated & Lengthy Process Littered With Legal & Financial Considerations

By Kay Borden

Reprinted from - The Georgia Land Surveyor - May/June, 2002

What is Your Business Worth?

If you wanted to sell, how much would someone be willing to pay? You probably think of your company as an investment-it provides a living now, and you will live off the revenue from its sale when you retire.

What if you are forced to sell? You never know when life is going to throw a curve. It could be illness or death, or a divorce, or your kid announces they'd rather do anything but take over the business.

Blurry lines between our personal life and our work, inherent to many occupations, seem especially true for business owners. Even when away from it, many can never really leave work. But, sometimes you want to or have to move on and use the proceeds from the sale to start over.

Despite all the sweat equity it takes to build a loyal customer base, a quality work force, responsive suppliers and a good reputation, it's staggering to think that without written procedures, your business is only worth the combined value of the physical assets minus outstanding debt. Selling a company is a complicated and lengthy process littered with legal and financial considerations.

According to Atlanta mergers and acquisition specialist, Chet Walden, if pertinent processes and procedures remain locked inside the owner's head, few options beyond liquidation exist. Simply put, when your business is you, there is nothing to sell. "Many small business people find that what was once a source of excitement becomes an all-consuming activity they cannot leave. In other words, the business can't run without them. When taking a day off impacts operations and taking a vacation means virtually closing down, finding an able buyer will be next to impossible," said Walden.

Building value can easily begin just by writing down what you do. By developing an operational framework based on written procedures, key employees have the tools necessary to run the business in the owner's absence, and the business becomes much more valuable.

"The best way to build value is to establish, then maintain the company in saleable condition," said Walden, who is one of only 400 certified business intermediaries in the country and owner of Walden Businesses, Inc. in Atlanta. Since long-term maintenance produces the greatest return, the sooner you set a course toward selling your business, the better. Walden suggests doing the easy things first. "A company has more value when things that need fixing, such as appearance, are easy to fix." While documenting procedures and cleaning and painting are fairly simple ways to quickly boost the value of your business, other areas also require attention. Walden stresses accurate financial information about the skills and experience of your staff, equipment value, the size of your facility, a viable business plan and an up-to-date valuation.

A valuation is a very complicated undertaking, but establishes a company's real worth. You probably won't like the results, however.

"Not knowing the real worth of their business tops the list of biggest mistakes would-be sellers make. Sellers tend to think their business is worth a great deal more than it really is," said Walden.

While Walden admits that determining company value is more of an art than a science, business valuation documents realistic information about your company's worth. Most valuation experts use a blend of numbers derived from discounted cash flow, capitalization of earnings, and multiples of book value, which would include a weighted average of the past, present and future. Despite the mind-muddling amount and kind of numbers that must be pulled together to create it, a corporate valuation is the most vital piece of evidence on which to base a selling decision, and backs up marketing claims once the for-sale sign goes up.

Walden warns that buyers want to see solid management, good earnings and growth. They expect to purchase the future, not the past. You should approach the building value the same way, and look at your company through the eyes of a potential buyer.

According to Walden, six things interest buyers most: -

- Why are you selling?
- Will management remain after the sale?
- Are financial statements accurate and current?
- Are there EPA, OSHA or EEOC violations?
- Is owner financing available?
- What is the asking price?

"It is only natural to see one's own company in a most favorable light and overlook the blemishes or problems. Sellers have to approach their com-

Not knowing the real worth of their business tops the list of biggest mistakes would be sellers make."

pany realistically, knowing that a potential buyer will be doing the same. By recognizing the deficiencies of their business, sellers are in a much better position to deal

with the concerns of a buyer," Walden says.

Outside influences, such as the economy, the stock market, availability and cost of capital, all influence the prevailing EBIT multiples - the expected rate of return - and, thus, a company's valuation.

For instance, high prices for middle market companies a couple of years ago partly reflected a "top down" reaction to a booming stock market, relatively low cost of capital, mergers and consolidations, the race for technology, excess corporate cash and confidence in the economy.

Perhaps no other component of a business will be scrutinized as carefully as its financials and according to Walden site does matter. Aside from obvious factors, such as trends in top-line and bottom-line growth, percentage of gross and operating income, and debt ratio, company size affects valuation. The larger the company in sales and EBIT, the more buyers will chase after it when it hits the market.

On the other hand, many smaller companies that depend heavily upon the CEO lack management infrastructure, national distribution or proper reporting systems and, therefore, valuations are discounted accordingly. For a company barely showing a profit, the valuation will be based on asset value or a percentage thereof, not a multiple of earnings. Once factors driving financial success or failure are discovered, the business can be strengthened, redirected or changed to become saleable.

Finding Help

Although the marketplace may ultimately determine the final selling price, business owners need to know market value before making a decision to sell. As the saying goes, the attorney who represents him or herself has a fool for a client, and the same could be said for the business owner who thinks he or she can sell their own company. Not using outside advisors is a serious mistake. So, who should you turn to?

Business valuation firms provide their service for a variety of reasons, including possible sale. However, they often are not involved in buying and selling, and cannot bring a market perspective into the equation.

Your outside accounting firm is another source for valuation, but may be hindered by lack of experience in market conditions. An experienced intermediary should have both the technical ability and market experience to produce the most realistic valuation, and the only alternative required to support his or her opinion by actually selling the business. For a hybrid solution, have an out-side accounting firm review the intermediary's conclusion. Only after getting an independent value opinion can the owner decide whether selling the company is the best option and the wisest move for everyone involved in the business.

Owners with business property should look for a representative licensed in commercial real estate and qualified to assist in getting the highest return on their real estate investment. A qualified professional should attend to details and allow you to concentrate on operating your business. Negotiations with a buyer can sometimes become tense. Negotiators skilled at keeping buyer and seller coming back to the table until resolution is reached allow owners to concentrate on operating their business.

Should you decide to sell, ask potential firms about their marketing resources and how they would handle your business. Above all, look for an established firm with an ethical reputation and strong ties to strategic executives in diversified industries. *en*

Kay Borden is a finance business writer based in Marietta, GA, and the author of Bulletproof News Releases, a publicity and media relations guidebook for small business. (For more information, contact www.waldenbus.com.)

Managing Your Money Tax Deductions

By Bogle and Zikovic Financial Planners
Reprinted from *The Link* - March 2002

By taking advantage of tax deductions, you can maximize your charitable donations, promoting both worthy causes and your own financial well-being. Following are some of the best strategies:

A Cash Gift

All donations to registered charities qualify for a federal tax credit, provided you submit the receipts to Revenue Canada. The first \$200 of accumulated donations generates a 17% credit; for total donations exceeding \$200, the credit rises to 29%. When provincial tax savings are taken into consideration, the credits are worth approximately 27% and 50%, respectively. The actual tax savings will depend on your marginal tax rate and your province of residence.

To maximize the amount over the \$200 threshold, consider claiming both spouses' donations on one tax return. You can also save your receipts for up to five years and claim them all at once for greater tax relief.

Gifts in Kind

You can donate various types of personal property such as artwork, stocks or real estate. The amount of the donation is based on the item's fair market value and the tax credit is the same as if you had donated cash. The donor, however, is deemed to have sold the item for tax purposes and so must recognize any capital gain or loss at tax time.

In the case of publicly traded stocks, bonds or mutual fund units, the capital gains tax has been decreased to encourage charitable giving. If these securities have increased in value at the time you donate them to a charity, you will be taxed on only 37.5% of the capital gain, instead of the 75% that would usually apply if you sold them.

Gifts of Life Insurance

By donating the proceeds from a life insurance policy you can make a large contribution in an economical way.

You can purchase a new policy especially for the charity or you can assign an existing policy. When

a new policy is purchased, the donor pays the yearly premiums and receives a charitable receipt for that amount each year (although in some cases, there may not be a receipt issued for the first premium payment). Upon the death of the donor, the proceeds go directly to the charity, but no tax credit is available in respect of the death benefit.

If an existing policy is assigned to the charity, the donor receives a charitable receipt for the cash surrender value of the policy plus any accumulated dividends and interest within it (also note, no receipt is issued for term policies). The transfer triggers a taxable disposition of the policy, but the tax credit usually more than offsets any tax payable.

Charitable Gift Annuities

Donors looking to maximize both retirement income and charitable giving, may wish to consider this type of donation. You give a lump sum to a charity, which it will use to purchase an annuity. In exchange, you receive a tax credit the year the annuity is purchased, as well as tax-advantaged regular payments for your lifetime. If the amount donated to the charity is greater than the total amount of the annuity payments that are expected to be paid, the excess is considered to be a gift to the charity, and a charitable donation receipt may be issued for the excess amount.

Charitable Remainder Trusts

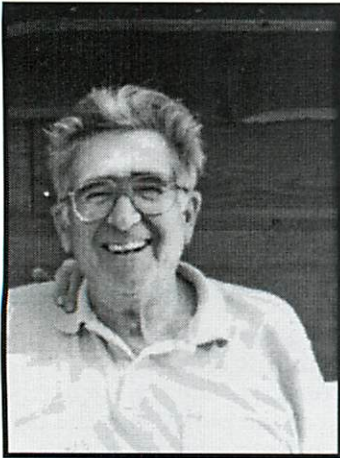
You can donate cash or other property (such as real estate or a stock portfolio) directly to a charity and still receive the income from it during your lifetime. The secret is to establish a charitable remainder trust. With this arrangement, you transfer the donation, which is the principal, into a trust, realizing an immediate tax benefit. You continue to receive the income from the trust until you die, at which point the principal is transferred to the charity.

This strategy is most beneficial to donors over the age of 69 who have at least \$200,000 to place in the trust. Set-up and administrative costs may be involved.

Continued on page 63

In Memorium

STEWART



Alex Stewart was born March 21, 1921 in Greenock, Scotland, to James and Elizabeth Stewart. He moved to the Vance/Cut knife area at the age of 2. He joined the Royal Canadian Air Force in WWII. In 1947 Alex married Eva Iona Sprague. He graduated from the University of Saskatchewan with a Electrical Engineering Degree, in 1950. In 1950 he also signed articles to Abram Issac Bereskin and received commission #127, September 27, 1954. He worked at various locations, some of which are Department of Natural Resources, Sask Tel and finally as a teacher of Surveying at STI. In 1986 Alex and Eva retired to Regina Beach.

Alex and Eva raised 3 children Sandy (John) Statz, Joanne(George) Fischer and Brian (Sherri)Stewart. Eva predeceased Alex. He also leaves grand-children, Shane, Erin, Christine (Chad), Cody and Tyler as well as one brother Bill (Dorothy) in Abbotsford, B.C..

A Memorial Service was held at the Regina Funeral Home June 13, 2002, he is interred at the Regina Memorial Gardens Cemetery. In lieu of flowers donations can be made to the Canadian Cancer Society, 1910 McIntyre Street, Regina, Saskatchewan S4P 2R3.

Kathy Clark - Executive Assistant

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CANADA'S MARITIME CADASTRE

By Jean-Claude Tetreault, Executive Director, ACLS

Reprinted from "Geomatica Volume 55, Number 4, 2001"

Introduction

Since its formation in 1985, the Association of Canada Lands Surveyors has been aware of many issues relating to boundaries of rights in the vast extent of offshore Canada Lands and the need for survey regulations. ACLS brought them to the attention of the Minister of Natural Resources Canada in 1996 and proposed a workshop or a parliamentary committee "where interested parties can define the problems and offer suggestions for solutions" but no action was forth coming.

After finally achieving its status of a self-governing profession in March 1999, the ACLS, through its Offshore Issues Committee, organized a one-day workshop in conjunction with its Annual General Meeting held in Halifax in March 2001. The Committee had invited nearly 200 stakeholders in the Canadian off-shore from oil and gas development companies to provincial coastal land administration agencies. Nearly 60 attended the workshop coming from as far away as Texas and western Canada. All of the invitees had something in common - a concern for how property rights and physical structures in Canada's offshore are surveyed, charted, and recorded. The primary goals were to heighten awareness of the responsibilities or concerns of respective stakeholders in Offshore Canada Lands and to find a common strategy to move this industry sector forward for the betterment of all.

There were many issues discussed and many of the issues were not new. However, the workshop was timely because:

- The ACLS, under new legislation as a self-governing profession, has an opportunity to take on greater responsibility for leadership in marine boundary and related issues;
- There is a growing awareness of the need for ocean management and co-management strategies;
- There is a common understanding and goal among the many offshore stakeholders for improved information management and the fact that, although we have the information technologies, we still lack the institutional programs to correlate and record the information;

- There is a critical need to develop Canada's international leadership role in the offshore, especially with economic opportunities abroad and the fact that the United Nations Convention on the Law of the Sea is coming into force.

The "Proceedings and Report on The Association of Canada Lands Surveyors (ACLS) Offshore Issues Consultation Workshop" was written by a University of New Brunswick editorial team headed by Dr. Sue Nichols and is available on the ACLS Web site at: www.acls-aatc.ca in the Offshore Issues Section.

Major conclusions of the workshop are summarized in the report and recommendations from the editorial team in a broader ocean governance perspective are also included. These recommendations represent what priority issues were (or were not) addressed and give the ACLS and other stakeholders some direction for the future.

Survey Issues

There was consensus throughout the workshop that there is a need to improve many areas surrounding the survey and registration of property rights in Offshore Canada Lands and of the physical structures built on those lands. It was generally accepted that offshore surveys be referenced to NAD83 (North American Datum 1983) CSRS (Canadian Spatial Reference System) and that consistent transformations be used.

There was agreement that non-proprietary information that would indicate any hazards to navigation, fishing or other activities in the over-laying water (e.g. structure on the seabed but not those below) should be included on survey plans. Seismic data should not be shown on survey plans. It was also agreed that structures such as pipelines and cables should have a survey plan and an easement similar to onshore property regimes.

Data Sharing/ Public Registry

There was strong consensus that more information about property rights and structures should

be publicly available (e.g. public register of plans), but less consensus on how this data could be managed and by whom. Suggestions were made that programs such as GeoConnections, working with Legal Surveys Division and the Canadian Hydrographic Service, could provide a model for bringing together the stakeholders in the provincial, federal, and private sectors. Together they would consider what information should be framework data, and also consider policy issues such as data pricing, cost-recovery, copyright and liability. It was recognized that a major component of data sharing is the set of metadata that would be required and it was recommended that international standards be used.

Jurisdiction and Property Rights Infrastructure

The workshop participants generally agreed that there was a need to improve the property rights regime offshore. There are still many unknowns, the largest being perhaps the emerging role of First Nations and the multiple layers of administrative boundaries marking federal, provincial and sometimes municipal responsibilities.

There is also growing recognition of the coastal problems and the need for many policy issues to be addressed across the land/sea interface. This is especially true of the datasets that are now collected by several levels of government. The participants argued that there needs to be education within government and industry to help understand the mosaic of public and private rights offshore. There are also issues such as pipelines and cables that need to be addressed from both property rights and navigational perspectives. Marine Cadastre and Geospatial Data Infrastructure

Many of the issues discussed during the workshop focussed on the need for better information management. These include items such as:

- updated data standards
- national public registries for all offshore survey plans
- improved data sharing and exchange
- appropriate pricing and liability strategies
- better ocean mapping information coverage

The participants agreed that there was a need to take on these issues in a more systematic and inclusive fashion. This is also the purpose of the Marine Geospatial Data Infrastructure (MGDI) as part of the national data highways being put in place through GeoConnections (NRCan). This initiative involves governments at all levels, the private sec-

tor, and academia. It is a conclusion of the UNB editorial team that there needs to be more emphasis in the national geospatial data infrastructure on Canada's vast ocean resources and spaces.

What became clear at the workshop was that property, administrative, and jurisdictional boundaries are fundamental elements in any geospatial data infrastructure, and especially in the offshore where these boundaries still have many technical and legal uncertainties. It is for this reason that the UNB editorial team strongly recommends that the concept of a 3-D Marine Cadastre be promoted. A pilot project could demonstrate some of the problems and solutions.

Conclusion

The March 2001 Consultation Workshop was a big step towards finding solutions to some of the offshore issues. ACLS has taken the lead and is acting on most of the editorial team's recommendations.

The Workshop was made possible because of the involvement of the Canadian Hydrographic Service, Natural Resources Canada (Legal Surveys Division) and a few other partners.

The consultation process is ongoing and future workshops are being planned. Anyone wanting to provide input on these matters is encouraged to forward them to the author at: jct@aclS-aatc.ca ☞

Managing Your Money - Continued from page 59

Philanthropic planning is not only as important as tax, investment or estate planning, it is an integral part of all of these strategies. By working with your accountant or an estate planning expert, you can create the plan that works best for you and the causes you care about.

The purpose is to advise you of current developments, not to provide legal advice. Clients must consult their professional advisors for advice based on their specific circumstances.

Bogle and Zivkovic, Financial Planners together with affiliated partners, provide investment management services and comprehensive financial planning. Members of the Corporation of Land Surveyors of the Province of British Columbia that are retiring within the next five years can request a free copy of our CD and manual on Financial and Retirement Planning. Send your name and address to our email address: boglekl@investorsgroup.com ☞

The Business Angle ... Stepping Up and Starting Out

By: Daniel E. Beardslee, LS

From - The Link March 2002

Daniel Beardslee has been an employee, a partner, and an owner of private land surveying firms for more than 27 years. He is also a Contributing Editor for the Professional Surveyor.

Reprinted, with permission, from the Professional Surveyor Volume 21, Number 7 ... July/August 2001

At one time or another many of us consider starting our own business. Once we get a license, it's probably the first thought that occurs. Some act on the idea but most do not.

Some of us have the right personality for it, and others do not. Those who have the right mindset and ability may be trapped by circumstance or find the risk unacceptable. Others simply enjoy life as an employee in a private firm or are better suited to situations presented in government jobs.

There are a few basic requirements for those starting out who intend to be successful - among them are:

- (1) A willingness to work very hard.
- (2) A goal that helps determine what you want to do.
- (3) A basic grasp of business principles.
- (4) The financial means to make it happen.
- (5) A bit of sales ability.
- (6) An enthusiasm for land surveying.

You must be willing to work exceptionally hard. You can expect to work very long hours with little reward early in your endeavour. If for any reason you cannot make this sacrifice, a private practice might not be a good fit. This single factor deters a good many from going forth.

No More 9 to 5

Remember that early on in developing your business, you are likely to have to do everything, including the bookkeeping, ordering materials and supplies, paying the bills, cleaning the office, in addition to doing some surveying. You'll have to keep the crew rig repaired, the instruments in adjustment and the computers working. You can for-

get about working from 9 to 5 because you will probably have to work 7 to 8, six days a week.

You should be established in a financial situation that will allow you to function without a regular paycheck for at least a year. At the end of the first year you will know whether your practice is going to work or not. If you try to make your new enterprise support you and your family in the first year or two, you are not likely to have the capital to acquire the basic necessities in order to grow your business. You're likely to experience a financial struggle for a while. The good news, of course, is that when you do get it all together, it can be a terrific experience.

You also have to be able to make a plan and stick to it. Before you ever start out in business, or if you have just started (that is, you have been in business less than three years), you need to devise a plan. If you have no idea where you want to go, it's unlikely that you'll ever arrive at your destination.

You should envision a plan in broad terms before you try to launch an individual enterprise. You'll need to develop a business plan, but even before you do that, you must consider what it is, in general terms, that you're trying to accomplish. You should consider just what is motivating you to start your own practice. For instance, are you just frustrated with your current job? If that's the situation, you need to give it more thought. Many a surveyor has started his or her own practice for all the wrong reasons.

Do you want to set a standard in your community for good service and professionalism? That's a good basis for starting your business. Are you going to try and grow a business into a substantial enterprise, or do you plan to remain a small company? If you plan on growing into a larger firm, your planning horizon must be much farther out and you can expect to sacrifice for more years than you might imagine. Growing a business is an expensive proposition and can seldom be done from cash flow. If you plan to stay small, you can expect to be an "on the ground" surveyor for a lot longer, but that just might suit your style.

Size Doesn't Matter

Whether your business is large or small will have nothing to do with how much money you make in the end. Some of the most profitable businesses are very small operations and some of the largest companies are the least profitable. A small operation is usually almost completely reliant on the principal (you). When the company is reliant on you as its sole source of income, you don't have the time to get sick or deal with unplanned occurrences that might affect your ability to produce. When you are not there, nothing happens and no revenue is generated, so keep that in mind.

Before you start out, get a basic grip of business principles. Go to seminars, take classes, read books - do something to get a grasp of the fundamental functions of business. You will be particularly surprised to learn what it costs to do business. Many of us make mental calculations that show big profits in private practice but the reality is usually much different. There are all kinds of taxes and costs you have probably not considered, so go through some basic cost analyses to get some idea of what you're up against.

Just because you are an intelligent, seasoned land surveyor does not necessarily mean you will be good at managing a land surveying enterprise. This is a sort of left-brain/right-brain concept. Very few land surveyors who are excellent technicians ever make the shift from technical considerations to the esoteric nature of management. You will have to deal with business problems on a completely different level and according to rules that might not make any sense at all to your analytical mindset. Don't be afraid to ask for advice. You can get help from an accountant, an attorney, colleagues who have been in business for a while, other business people, or anyone who has specialized knowledge.

Don't underestimate the importance of being a "sales" person. You must be outgoing and friendly, or you will not succeed. Every word you say and every action you take is a marketing tool. Hiring a surveyor is based more on perception than you might think.



Having an enthusiasm for land surveying is probably not a consideration in the case of most folks - it's a given.

Surveying tends to be a seductive, interesting, life-long pursuit for most of us.

Avoid Working From Home


It takes a fair amount of money to start up a surveying practice, and too many times that very fact gets in the way of starting the right way.

Too many surveyors start out in business with too little capital. They start working from their homes, perhaps with a spouse or children helping out. Although there are many fine surveyors who work from their homes, in the public's eye home shop surveyors are generally expected to produce the least expensive surveys. Due to their small size, those companies may also appear to be the least capable of complex work. If you have limited capital, you may want to consider waiting until you can acquire the resources to open your business.

The new business that starts out with an attractive storefront, a nice-looking survey rig, some basic materials such as business cards, letterhead stationery, and maybe even a Web Site, will have a decided advantage over the home-based operator. The public will perceive your business as one to be taken seriously and will know that your goal is to achieve longevity in the surveying industry. They will also not expect to be paying discounted rates at a "real" surveying store and will generally expect a higher quality survey product.

The net result is that you will attract the right kind of clients - those who are willing to pay a premium price for a premium product that is delivered on time and on budget.

There is a certain group of clients who prey on inexperienced surveyors who are just setting up shop. They are the ones that don't pay, are difficult to work with and will immediately victimize someone else when the opportunity arises. Be aware that these groups may be calling on you and be prepared to deal with them.

Good management is often just good common sense. Someone just needs to point it out. 

Brandt v. Johnson-Reiland Construction, Inc., Unreported, (Minn. App. 2001)

Reprinted from The Empire State Surveyor, January 2002

In early 1994, Johnson-Reiland Construction, Inc. hired Brandt, a surveyor and civil engineer, as a project engineer for a multi-family housing development. Brandt was responsible for surveying and platting the lots as well as engineering design work. Johnson-Reiland gave Brandt various floor plans for the housing development. Johnson-Reiland asserts that Brandt received all floor plans prior to platting. Brandt claims he did not receive the largest floor plan until after he finished platting. As a consequence, part of the development had to be replatted. Johnson-Reiland asserted the replatting was required because Brandt did not use the correct building setback requirements.

By mid-1998 the dispute had spoiled the working relationship. Subsequently, Johnson-Reiland hired James R. Hill, Inc, to continue with the platting. James R. Hill replatted more of the original plats for the stated reason that Brandt did not correctly establish the ordinary high water mark for the lake next to the development and the plats were improperly drawn.

Johnson-Reiland refused to pay Brandt for replatting. As a consequence, in early 1999, Brandt foreclosed his mechanic's lien against the development seeking \$3,368.24. Johnson-Reiland counterclaimed that Brandt negligently performed engineering and surveying work. In early 2000, a bench trial was conducted. At its conclusion, the court awarded Brandt \$3,368.24 (his fee), \$369.58 in interest, \$522.98 in costs and disbursements, and \$5,317.55 in attorney fees. The court dismissed Johnson-Reiland's counterclaim. The decision was upheld on appeal.

Several important points can be drawn from this case.

Litigation Costs Exceed Damages Sought:


As is so often the case with litigation, the costs incurred as part of the litigation exceeded the amount sought. In this case, the attorney fees were

\$5,317.55. The amount of damages were \$3,368.24. The attorney fees exceeded the amount that was sought. (As a result, Johnson-Reiland probably paid in excess of \$10,000 in order to avoid paying \$3,368.24.) Furthermore, experience suggests that the court awarded Brandt far less than the actual attorney fees. No fees were awarded for appeal. As a result, both sides found that justice is often obscured by the weight of the money used to obtain it. Also, it took over six years to obtain payment for the services completed.

Mechanics Lien:

This case shows the power and usefulness of a mechanics lien in forcing payment. The mechanic's lien made the surveyor a secured creditor. The security was the property. Many developers do not have assets in their corporate names other than the property that is being developed. Without the ability to secure the property, the surveyor would be without recourse to obtain the money owed from a developer.

Time Sheets:

The trial court was impressed with the detailed time sheets that Brandt kept and presented as evidence to support the fee he sought. Johnson-Reiland attempted to show that \$1,250 was a more appropriate and reasonable fee. This was rejected with the court finding that \$85 per hour to be reasonable. This case illustrates the usefulness of keeping detailed and complete records of the time and cost required for the services rendered. 



Is the Torrens System Suitable For the 21st Century?

A Review

By Carl Shiels

This thought-provoking article by S. Birrell, J. Barry, D. Hall, and J. Parker was first published in *Proceedings of 1995 New Zealand - Australia Cadastral Conference*, Wellington, New Zealand, June 14 - 16. It now appears on the University of Melbourne's Faculty of Engineering web site at:

www.sli.unimelb.edu.au/research/cad_anthology/article/articl.htm

It is particularly fitting that the suitability of the Torrens System be questioned in its birthplace of Australia but the questions raised by the authors are equally relevant to all jurisdictions that have adopted the system as their own.

The article focuses on the five key factors of the Torrens System that gave it such appeal in the late 1850's in Australia and soon thereafter in many other countries and states throughout the world including Western Canada. Those factors were **reliability, simplicity, low cost, speed and suitability.**

The authors examine each of the five factors in the context of today's technological, social and legal advancements. How do duplicate certificates of title and survey accuracy impact on the reliability of the system? Are utility easements an anachronism to the simplicity of the system? Is an integrated, national (or regional) registration system one answer to reducing costs? Can survey errors be reduced by implementation of quality assurance programs by individual surveyors augmented by simplified, computerized checks in land titles offices? Can the Torrens System be updated to take advantage of on-line plan submissions and transfer instruments, remote computer title searches, a better way to deal with easements, etc to maintain its suitability in today's high tech world?

The questions raised by the authors, and some of their suggestions for the future, are particularly salient in the context of the changes that have been taking place in Saskatchewan over the past year as we learn to work with and adapt to the new LAND system in this province. ☺

Worlds Worst Short-Sighted Statements

"I THINK THERE IS A WORLD MARKET FOR MAYBE FIVE COMPUTERS." - *THOMAS WATSON, CHAIRMAN OF IBM, 1943*

"THERE IS NO GOOD REASON ANYONE WOULD WANT A COMPUTER IN THEIR HOME." - *KEN OLSON, PRESIDENT, CHAIRMAN AND FOUNDER OF DIGITALEQUIPMENT CORP., 1977*

"THIS 'TELEPHONE' HAS TOO MANY SHORTCOMINGS TO BE SERIOUSLY CONSIDERED AS A MEANS OF COMMUNICAITON. THE DEVICE IS INHERENTLY OF NO VALUE TO US" - *WESTERN UNION MEMO, 1876.*

"WHILE THEORETICALLY AND TECHNICALLY TELEVISION MAY BE FEASIBLE, COMMERCIALY AND FINANCIALLY IT IS AN IMPOSSIBILITY." -*LEE DEFOREST, INVENTOR.*

"640K (KILOBYTES) OUGHT TO BE ENOUGH FOR ANYBODY." - *BILL GATES, 1981.*

"DRILL FOR OIL? YOU MEAN DRILL INTO THE GROUND TO TRY TO FIND OIL? YOU'RE CRAZY." - *DRILLERS WHOM EDWIN L. DRAKE TRIED TO HIRE FOR HIS OIL DRILLING PORJECT IN 1859.*

Online Classes - From page 55

nication takes place asynchronously, via a kind of electronic bulletin board. As a student, you post your responses to questions or assignments when it is convenient for you to do so. Your classmates will see your input and perhaps respond to it at their convenience. In this way, a class discussion can ensue without anyone having to meet at a specific time and place. If you like chat rooms, you'll love this! We teachers like this format because we find that students who would never participate in a F2F discussion often do so with reckless abandon in the virtual classroom!

A Few Words About Workload

An on-line course will require about the same amount of time for you to complete as would a conventional classroom-based class that covers the same amount of material. For a three credit-hour course, you can expect to spend at least three hours per week in the virtual classroom and up to 9 hours per week reading and writing as you study and complete your assignments. The on-line environment allows you to schedule your study time, but this does not necessarily mean that on-line courses are "self-paced"-many are not.

Your active participation is essential to the learning process in a conventional setting, and it is even more important in the on-line classroom. The on-line classroom is above all, a collaborative learning environment. This is one reason why it is so important for you to keep up on your assignments: if you get behind, you will miss opportunities to collaborate with your classmates. So ask questions, share your thoughts and observations and learn from each other as well as from the course content. Believe it or not, some students find the virtual classroom so captivating that they cannot stay away from it!

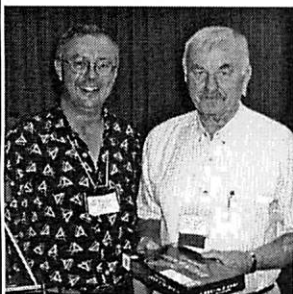
Are on-line Classes Right for Everyone?

On-line courses offer students more flexibility, but the format is not right for all students. If you have limited computer skills, you will probably find the virtual classroom intimidating. It might be wise to get some hands-on computer training prior to enrolling in an on-line course if this is your situation. On the other hand, if you can surf the Internet, use a web browser, send and read-mail, and type a little bit, you will probably do just fine. On-line courses also require a certain amount of self-discipline. Plan on devoting some time each day (even on weekends) to visiting the virtual classroom. Get started on your assignments as soon as you can. If you can do this, you'll probably enjoy the experience. If you think this will be a problem for you-it probably will be!

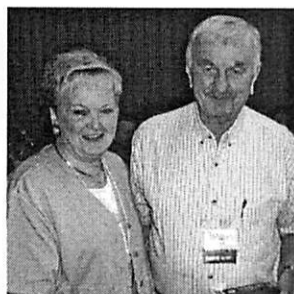
As more states require licensees to accrue continuing education credits, and as the need for professional and technical training increases, the on-line virtual classroom can offer students, professionals and technical staff alike a convenient way to attend classes and earn college credits. Is the virtual classroom right for you? Only you can answer that question, but I do hope that this article has answered some of the questions you may have had about on-line learning. You can reach me at survtech@pcadmin.ctc.edu if some of your questions have not been answered ... I'll do my best to respond promptly!

(Jon Purnell has been licensed as a professional land surveyor in Washington State since 1986. He is a tenured instructor in the Surveying-Geomatics Technology program at Peninsula Collage in Port Angeles, Washington (<http://www.pc.ctc.edu/survtech>). He plans to offer an on-line version of his land descriptions course in April of this year. He has not ridden his bicycle since he began teaching full-time in 1997.)

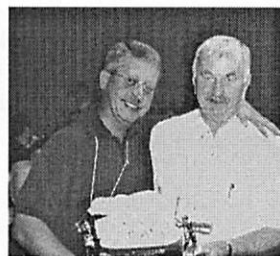
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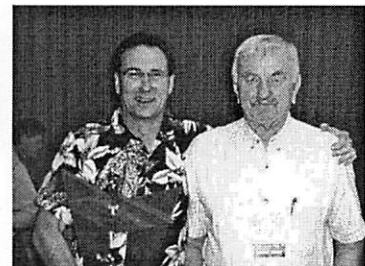
*Callaway Champion -
Bob Webster*



*Ladies Low Gross - 2nd -
Donna Jamieson*

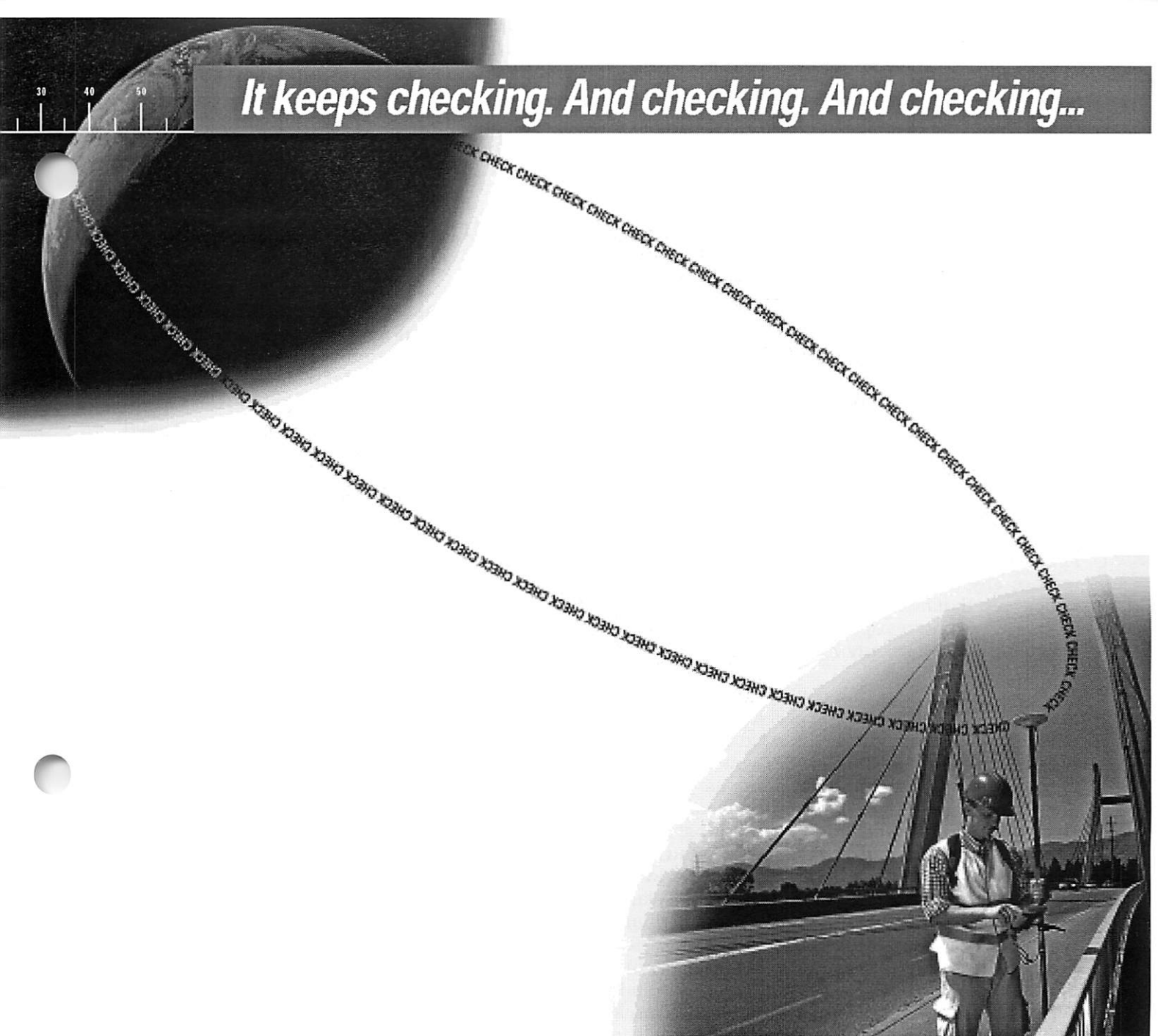


*Men's Low Net 2nd -
Barry Clark*



Men's Low Net - Vince Voss

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SJM Properties v. Kasper et la

(including Bemoco Land Surveying Ltd.) 199 ABQB 436

By - Ken Allred

Reprinted from - ALS News - March 2002

This is a rather interesting case arising out of a restrictive covenant placed on a recreational subdivision on Buffalo Lake. Among other conditions the restrictive covenant stated that *"no more than 50% of the existing tree coverage shall be removed from each lot,"* and *"any party hereto shall not alter or remove any trees, shrubs or natural features located on the municipal and environmental reserves except for cleaning up dead fall."*

In clearing the lot for house construction, the defendant Kasper instructed his contractor not to remove any trees. In trial, the contractor stated under oath that he had not removed any trees. The lot based on photographic evidence looked like a parking lot and had only 7 trees remaining.

The first challenge for the court was to define the word "tree." The plaintiff's expert attempted to establish that, in his opinion, the word tree included saplings and even seedlings. After considering the Oxford dictionary definition of a tree as "a perennial plant having a self supporting woody, main stem or trunk (which usually develops woody branches some distance from the ground) and growing to a considerable height and size," and the defendant's expert's definition as "a perennial plant, with a single, thick (usually 5 cm or more in diameter) woody stem as contrasted to a shrub, which has two or more main woody stems arising from the ground," Justice Hembroff adopted a definition of a tree as "a perennial plant with a thick woody stem" based on the context of its use in the restrictive covenant.

After production of evidence from the two experts, including introduction of pre-construction aerial photography, Justice Hembroff accepted the defendant's evidence that no trees had been removed. The defendant's expert did a physical identification and count of the trees on the aerial photograph as opposed to the extrapolative evidence of the plaintiff.

The second aspect of the case concerned a small amount of clearing and spill over onto the environmental reserve. The judge dismissed this matter

as incidental. Associated with this issue, however, was a counter-claim for trespass against the surveyors hired by the plaintiff to determine the common boundary between the plaintiff's lot and the environmental reserve. In establishing the boundary Floyd Stochinski, ALS, then of Bemoco Land Surveying Ltd. had cut a fine line through the shrubbery and had damaged one branch of a poplar tree in establishing inter-visibility between the two lot corners involved. The court established that there had been a trespass based on the case law definition of trespass as: *"Trespass to land consists of entering upon the land of another without lawful justification . . . such interference must be direct rather than consequential. To constitute trespass the defendant must in some direct way interfere with land possessed by the plaintiffs."* Justice Hembroff found that *"there was a trespass but one authorized to a limited extent by statute."* He then went on to quote sections of the Land Surveyors Act (SA1981, cL-4.1) in particular section 69(1)(b) which states: *"No action lies against ... any member, officer or employee of the Association for anything done by him in good faith and in purporting to act under this Act, the regulations or bylaws."* The charges against Bemoco Land Surveying Ltd. were thus dismissed.

The puzzling part of the counter-claim against Bemoco is why section 16 of the Surveys Act was not used as a defense. Section 16 is much more explicit as to the rights of a surveyor to enter private property stating: *"A surveyor and his authorized assistants may, using reasonable care, pass over, measure along and ascertain the bearings of any line or boundary, and for those purposes may pass over or through the land of any person, but the surveyor is liable for any damage the surveyor or his assistants cause."* It could even be argued that the Land Surveyors Act, being the professional statute governing the practice of land surveying is not even applicable to a survey conducted under the Surveys Act.

In any event, the case against Bemoco and Floyd Stochinski came out in their favour in the end. ☺

If You Ever Wondered Why...Ask Mike!

By Michael Whitting, PSM

Reprinted from "The Georgia Land Surveyor"

Why might you "put up your dukes" if someone hits you?

There are various old and colorful terms relating to a fistfight - "fisticuffs," for example - but "putting up your dukes" is the most colorful. Duke of York was once slang for "fork" and fork was slang for "hand". So "put up your dukes" (first recorded in 1874, is short for "put up your Duke of Yorks" which translates to "put up your hands".

Why is the guy who leads the football team called a "quarterback?"

The name comes from the way football teams lined up when the game was just catching on over a hundred years ago. In the back field, the furthest behind the offensive line, was a lone fullback. In front of him, closer to the line, were the two running backs, known as the halfbacks. The guy in the backfield to whom the center snapped the ball was closer yet to the offensive line say about a quarter of the way.

Why do we say that you're encroaching when you trespass on someone's space?

Because they wanted to get their hooks in us if they catch us? Well sort of. Croc or croche was French for "hook." Beginning that word with "en" gave it the meaning of taking or hooking something not belonging to you. Over time the meaning shaded to that of trespassing. By the way, the same root gives us crochet meaning a small hook.

Why is yawning contagious?

Everyone yawns - and you've probably been doing it since before you were born. In fact, most animals with backbones (fish included!) yawn from time to time. But only humans catch yawning from others. The theory is that group yawning is a leftover response from the time we were tribal creatures.

First, I must dispel a myth. We do not yawn to feed our brains more oxygen. While it's true that we yawn more when we're tired and bored, there are plenty of times we yawn when neither is true. It was found, for example, that Olympic athletes yawn before their events. So, it is theorized that yawns help our bodies change states (from inactivity to activity, from alertness to boredom).

So it is thought that yawning together helped synchronize our tribes. When we were tired, we yawned, and everyone got the idea that it was time to go to bed.

Quick Facts:

Money is the measure of all things. A dollar, for example, is 6 inches by 2 3/4 inches. Put whatever you want to measure against the long side and you have a cheap ruler. Similarly, a penny's diameter is about 3/4 inch and can be used to estimate other diameters when placed against the object to be measured.

The inclusion of hockey in the Olympic Winter Games was initially a condition imposed by managers of the indoor rink in the host city, Antwerp, who would not allow their arena to be used for figure skating unless hockey was also featured.

Three Australians die each year testing if a 9V battery works on their tongue.

Send your thoughts to mjw@miamidade.gov. ☞

AGM 2002



Larry McLeod
receives a
Special Service
Plaque ...

.. and his 25 Year Pin



Land Surveyor's Role in Subdivision Design

By Herbert W. Stoughton, Ph.D., P.E., P.L.S., C.P

Reprinted from "Tennessee Surveyor"

Introduction

In recent years, discussions have ensued concerning the role of engineering and land surveying in subdivision design. A significant reason for these discussions is an apparent ambiguity in the statutes and other "legal documents." Since our common law is based on historical precedent, it would be prudent to review the historical developments of the role of land surveying in subdivision design.

This document will outline the significant developments pertaining to surveying in the subdivision of land in the United States.

Colonial Period

The first use of the term surveyor in England appears in John Fitzherbert's *Booke of Surveying* (1523) and comes from the French word *surveleur*.¹ By 1658 seven different major works on surveying were published in England.^{2,3} These works were so popular that most went through several editions. The role of the surveyor was to measure lengths and areas of land holdings for tenures and rents.

The colonial surveyors established themselves in the English Colonies early in the colonies' settlement. Although much has been said about colonies being established for religious and political freedom, the major purpose was commercial investment. The Crown encouraged settlement to strengthen claim of title (claim to land made by various explorers, i.e. Cabot, Frobisher, etc.); additional funds for royal coffers; etc. The Crown generally issued large grants of land to relatives, political friends, and corporations (called proprietors) to develop the North American colonies. In turn, the proprietors issued patents to individuals to induce settlement in the colony, particularly for skilled craftsmen (i.e. blacksmiths, carpenters, masons, etc.). The common procedure was to grant a specific number of acres and passage to the colony in turn for services to the proprietor in the colony. A surveyor would "lay-out" and prepare the description and/or map of the grant. A letters patent would be issued by the proprietor. Ignoring royal grants, this is the first subdivision of lands in the English colonies.

Although Richard Norwood (1590-1675) is the first known surveyor to visit the English colonies, there

is no evidence remaining that he performed any surveys.⁴ Norwood wrote his book on surveying in 1637, but there is no mention of surveying in the colonies (at this time most books on surveying cited surveys performed by the author to illustrate various techniques.⁵ The next surveyor in the English colonies was William Claibourne (c. 1587 - c. 1677). In 1621, Claibourne accompanied Governor F. Wyatt to Virginia and supervised most of the surveys for the 184 patents which appear in the list of activities of the governor for the year 1625.⁶

Through the first century of Virginia's existence, the surveys of lands were a major concern in the colony. In 1624, a Surveyor General was appointed whose responsibility was to maintain the survey records. The colonial legislature established the surveyor's fees (generally in pounds of tobacco) for surveys. Besides setting the surveyor's fees, the legislature studied the matter of incompetent surveyors and enacted legislation to resolve conflicting surveys (gores, overlaps, etc.)

Virginia was not alone in employing surveyors to delineate boundaries of real property (on the ground, in maps, and deed descriptions). John Love spent several years in Carolina, and upon his return to England published *Geodaesia, Or The Art Of Surveying*. First printed in 1688, the work went through eleven editions in England and at least two editions (after 1775) in the United States. Love's work was the first book to specifically discuss procedures and problems of surveying the American colonies.⁷

The late colonial period (1740-1775) saw men like Peter Jefferson (Thomas Jefferson's father), George Washington, Daniel Boone, Thomas Hutchins, David Rittenhouse, and Park Holland performing surveys for the subdivision of large tracts of land along the frontier.

Federal Period

After the American Revolution the federal government acquired title to most of the lands west of the Appalachian Mountains (except for Kentucky and most of Tennessee), and established a system to subdivide and sell the lands. This procedure was employed for all other territorial acquisitions except Texas, Hawaii, and the territories acquired after the Spanish-American War. The territory to be surveyed usually was delineated by an act of

Continued on page 74

Survey Techniques Improving AutoCAD 14/2000 Performance

*Reprinted from the Minnesota Surveyor (Publication of the Minnesota Society of Professional Surveyors)
Volume 8 Number 1 ... Winter 2001*

We create survey drawings while performing coordinate computations at speeds that would have been unimaginable a decade ago, yet we constantly strive to do better. Some people are always hunting for that elusive tip or trick for increasing productivity, while rudimentary level practices will help to assure optimum AutoCAD performance.

Significant performance improvements can be realized by following some of the basic rules of AutoCAD. They range from simple rules on how best to open a drawing to the slightly more complex rules such as Xref demand loading.

Opening a Drawing

While browsing for drawing files using Windows Explorer, it's tempting to double click on a file to automatically launch AutoCAD and open the drawing. This procedure may not pose a problem for drawings on the computer's hard drive, but when drawings are located on some remote servers, this procedure can significantly impair AutoCAD's performance. Starting the program in that manner causes AutoCAD to set its start-in directory to the folder where the drawing resides. This forces AutoCAD to first search for support files on the remote server before the local system. Executing the program and accessing the drawing with the "Open Drawing" dialog box can improve function performances by 50% or more. A simple rule is to never open drawings from Windows Explorer.

File Storage

Remote servers are often used in the management of multiple AutoCAD workstations. Nevertheless, when actually working with a drawing, the best performance is seen when the drawing file is accessed from a local hard drive instead of the remote server. Approaches should be developed that allow the best use of the local hard drive in conjunction with the remote server.

Using the Purge Command

Unnecessary drawing objects such as unreferenced blocks, layers, dimstyles, text styles, etc., will im-

pair AutoCAD performance and cause drawing file sizes to grow. To remove unnecessary objects from drawings, use the PURGE command. Since some objects are nested within others, the PURGE command should be executed several times in succession until AutoCAD can no longer find objects to purge.

Use Demand Loading

When attaching Xrefs to drawings, AutoCAD allows you to enable demand loading, which improves performance by loading only the portions of referenced drawings. Demand loading reduces the number of objects that AutoCAD must deal with by loading only those Xref objects required to regen the display. Demand loading works in conjunction with several other AutoCAD features. If these features are not applied, improved performance will not be achieved. Specifically, demand loading works in conjunction with freezing Xref layers, applying Xclip boundary to the Xref and layer and spatial indexes that you save in the Xref drawings. By using all of these features together and then enabling demand loading, you can minimize the Xref objects that AutoCAD loads into memory, which reduces the number of objects that AutoCAD must deal with.

Conclusion

Improving the performance of AutoCAD does not have to be complicated. It can be as simple as modifying daily procedures.

- Bibliography: Optimizing AutoCAD's Performance, Inside AutoCAD, By Bill Burchard, January 2001.

Inside AutoCad is a professional publication from Element K Journals. To view a sample issue online and to take advantage of a limited time special rate on this invaluable resource -visit go.elementkjournals.com/slsa today.

Congress, and the work was supervised by a Surveyor General. The Surveyor General appointed deputy surveyors to perform the actual surveys⁸ (New York State implemented a similar program in western and other portions of the state.⁹) The deputy surveyors laid out "lots" according to instructions furnished by the Surveyor General. (Sometimes these instructions were mandated by statute.) Their field notes and/or maps of these surveys were returned to the Surveyor General, and the land were sold "unimproved" in the manner prescribed by law.

At the same time, the entrepreneurs employed similar procedures.¹⁰ In most instances, none or minor improvements were made to the land at the time of the surveys. This is due to the nature of the land tenure and settlement in the United States. In most areas, there was little regular development of "residential subdivisions" or city planning except in major metropolitan areas.

After the American Civil War, a significant portion of land surveying shifted from the agrarian-rural surveys (i.e. farm surveys) to municipal-city surveys. Early surveying textbooks omitted any discussion of "city surveys" until about 1880. Two of the earliest "systematized" city surveys resulted from the need for a national capitol and the reconstruction of a village totally destroyed by fire. Andrew Ellicott and his brothers, Benjamin and Joseph, performed surveys to execute L'Enfant's plan for the District of Columbia.

On June 11, 1805, Detroit was obliterated by fire, which is generally attributed to careless smoking of a "segar" in the stable behind John Harvey's bakery near the center of the village.¹¹ Governor W. Hull and Judges Bates and Woodward assumed their territorial duties on July 1, 1805, and immediately employed their territorial duties to implement a new revised plan for the village. The plan provided for extra-wide streets (today, these streets will accommodate from six to eight lanes of traffic), municipal parks, etc. This plan is known as the "Governor and Judges Plan" and today is the heart of the City of Detroit.

In 1887, Michigan enacted one of the first statutes concerning the subdivision of land.¹² The statute describes to size of the map, use of monuments, bearings and distances of boundaries, identification of lots and streets, and filing requirements and procedures. No mention of the design of water distribution systems, sewerage collection systems, street design, and hydrological studies appears in the legislation. Disregarding the filing requirements and procedures, the statute pertains to the monumentation of boundaries and proper identification of the original and "new" boundaries of the

subdivision.

After World War 1, the subdivision of land into "residential lots" (of a few tenths of an acre to a few acres) became a major portion of land surveying practice in metropolitan areas. Since 1920, various legislative bodies (village, town, city, county, and state) have added various requirements before acceptance and filing of subdivision maps. Most of these new requirements (i.e. sanitary sewers, storm sewers, water supply systems, highways, and environmental impact statements).

Conclusion

The work of the land surveyor is to establish and/or reestablish property lines according to law, evidence, and in cases of subdivision, proper layout of property boundaries. The most important fact the land surveyor must remember is that the work concerning boundary retracement and/or reestablishment is subject to judicial review.

Since colonial times, the land surveyor (and he/she has always been identified as a surveyor or land surveyor by custom or statute and not identified as an engineer) has subdivided and resubdivided property. It has been only in the past few decades that additional duties have been appended through legislation to subdivision work.

Footnotes

1. Thornpson , F.M.L.; Chartered Surveyors, The Growth of a P11. on (London: Routledge & Kegan Paul,1968), p. 2.

2. Ibid., pp. 10-11.

3. The authors were Leonard Digges (1556 and 1571); Ralph Agas (1596); Aaron Rathborne (1616); William Leybourne (1650) and 1653); and George Atwell (1658).

4. Robinson, W. Stitt, Jr.; Mother Earth, Land Grants In Virginia, 1607-1699 (Charlottesville: University of Press, 1957), p. 24.

5. Taylor, Eva Germain Rimington; The Mathematical Practitioners of Tudor and Stuart England, 1485-1714 (Cambridge: Cambridge University Press, 1970), pp.202,353.

6. Robinson, W. Stitt, Jr.; op cit., pp. 24-25.

7. Love's work is considered so important in retracement surveys of colonial patents that the 1688 edition has been reprinted (1977).

8. Stoughton, Herbert W.; A Goodly Heritage: Sur-

Continued on page 77

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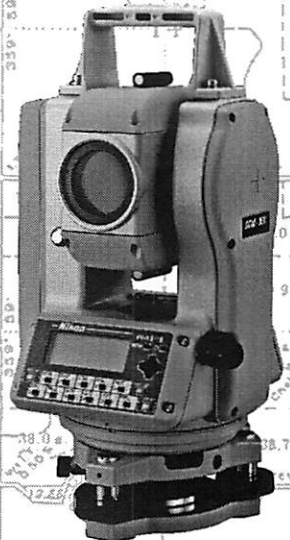
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Warning Bells

By: Deborah Long

Reprinted from - The Empire State Surveyor

R. Rushworth Kidder, noted ethicist and author of *How Good People Make Tough Choices*, tells a true story about a two pilots and their navigator who failed to listen to their aircraft's warning system. As their plane began to descend, cockpit lights and bells started to go off. The plane's navigational system had picked up indications that the plane was flying too close to the mountain range that surrounded the airport. The computer voice of the warning system called out, "Pull up! Pull up! Pull up!" Tragically, the pilots ignored those warnings and caused the plane to crash into the mountains. All aboard died. Plane crash investigators later revealed that the pilots' conversations indicated they heard and saw all the warning bells: before shutting off the warning bells, one of the pilots said aloud, "Shut up!" to the system's computer.

Most of us have a warning system, too - bells that go off when we sense a physical threat is imminent. In some cases, our response to danger is physiological: we begin to perspire, our hearts beat

louder, or our senses become more acute. When it comes to conflicts or issues that might be psychologically dangerous to us, we have an ethical warning system as well - only we usually call it a conscience. A conscience will serve to keep us from ethical temptation. Cartoonists often effectively illustrate our conscience as the little angel who sits on our shoulders and speaks to us. Gary Watterson, the creator of *Calvin and Hobbes*, used the character of a stuffed toy tiger to act as a little boy's spiritual mentor. When the little boy, Calvin, would hatch schemes that would get him in trouble, the tiger, *Hobbes*, would become life-size and attempt to steer Calvin to a higher path.

Most adults have a highly-developed conscience. It effectively warns them away from potential ethical ensnarements. Experience also teaches us that certain situations are pregnant with moral conflict. Either through experience or through our conscience, we can usually recognize situations that could cause ethical trauma. Some of these situations are:

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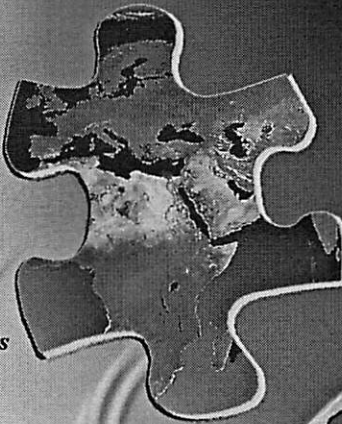
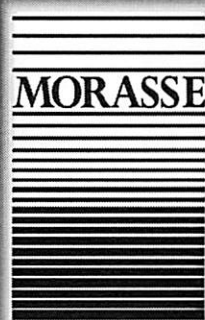
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1. Receiving freebies- when a vendor offers you a gratuity-whether it is a gift or cash-is the gift really free from obligation? Or is there an expectation that you will provide special favors in return for the gift.
2. Receiving special loans/deals- if in exchange for a service, you are offered a special loan or deal available only to you, how will that special transaction affect your conduct? What is the expectation of the party giving you the special loan? Is it fair to others that you are the only one to receive this special consideration? How will this transaction look to others if it is discovered?
3. Using company/government resources - when you use resources that are not yours, who really pays the cost of the resources? What if everyone took resources that did not belong to them?
4. Hiring relatives- what potential conflicts will arise when issues of performance, promotion or attrition are considered? How will the hiring of relatives appear to others?
5. Conflicts of interest- when you work for two or more parties with opposing interests, with whom do you side? What do you disclose and when?
6. Disclosure- what is the effect on my clients, customers, and colleagues of disclosing sensitive information? How will it appear if I do not disclose the information? What is appropriate timing of disclosure? What form should disclosure take?
7. Leaving employment- what intellectual property are you taking with you? Should you share that information with your new employer who was a former competitor? Should you inform former clients that you are newly affiliated?
8. Playing politics- what is the appropriate role of an individual in a regulated business in regard to political contributions, lobbying and other activities?

These kinds of issues should trigger our ethical warning systems. The appropriate reaction to these warning bells is first to acknowledge that a potential problem looms ahead. The next step is to deal with the problem appropriately and effectively. Ignoring our conscience-in a sense, telling it to be quiet or turning it off-means that we will be unable to keep out of harm's way.

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Continued from page 74

veying in New York State: 1776-1976 (Almond, NY Privately printed, 1976), pp. 2-3.

9. Donaldson, Thomas; *The Public Domain* (Washington: Government Printing Office, 1884). This work encompasses over 1,300 pages of material concerning the public lands acquired by the federal government. Besides the work, the annual reports of the Commissioner of the General Land office to Congress and more than one hundred other works document these surveys.

10. *The Holland Land Purchase, Phelps and Gorham Purchase, and the Macomb Purchase* (in northern New York State) are excellent examples.

11. *Proceedings of the Land Board of Detroit, Governor and Judges Journal*, p. 3. This is the reprint of 1915 edited by M. Agnes Burton.

12. Act No. 309; Laws of 1887.

AGM 2002



Men's 3rd Flight - Bill Jones

Ladies Low Net - Virginia Sanderson - Manitoba



Looking Ahead...

2002

1 Canada Day	2	3	4	5	6
7	8	9	10	11	12
13	14	15	16	17	18
19	20	21	22	23	24
25	26	27	28	29	30
31					

July

Aug.

	1	2	3	4	5
6	7	8	9	10	11
12	13	14	15	16	17
18	19	20	21	22	23
24	25	26	27	28	29
30	31				

1	2 Labour Day	3	4	5	6	7
8	9	10	11	12	13	14
AMLS AGM, Winnipeg, MB						
15	16	17	18	19	20	21
22	23	24	25	26	27 Deadline for Newsletter Submissions	28
29	30					

Sept.

Oct.

	1	2	3	4	5
6	7	8	9	10	11
12	13	14 Thanksgiving Day	15	16	17
ANSLS AGM Pictou Lodge					
18	19	20	21	22	23
24	25	26	27	28	29
30	31				

Nov.

					1	2
3	4	5	6	7	8	9
10	11 Remembrance Day	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25 Christmas Day	26 Boxing Day	27 Deadline for Newsletter Submissions	28
29	30	31				

Dec.

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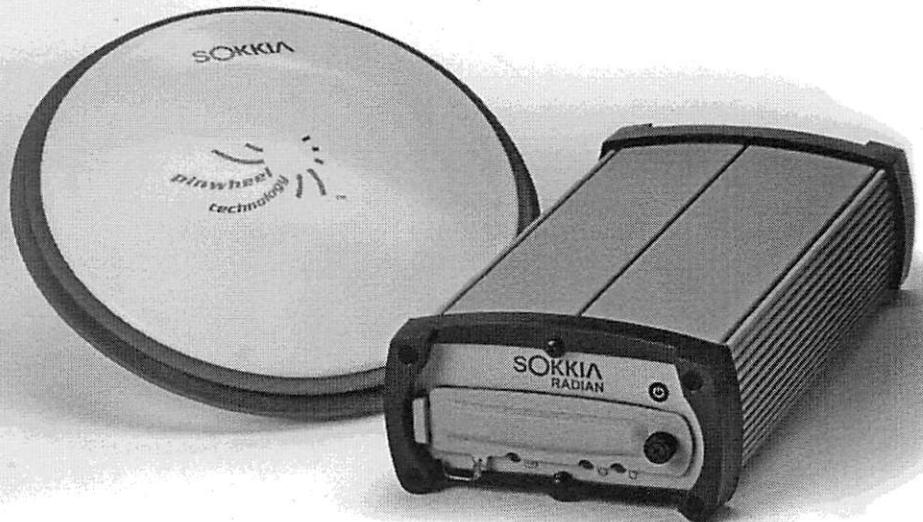
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