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# HOOSIER SURVEYOR

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(see pages 16-20 for program)

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# HOOSIER SURVEYOR

VOLUME 37 NUMBER 2 WINTER 2010

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## EDITORS NOTE

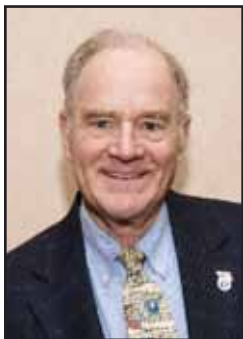
Deadlines for copy for various planned issues of the Hoosier Surveyor are as follows: Winter - December 31; Spring - March 31; Summer - June 30; Fall - September 30.

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Articles and columns appearing in this publication do not necessarily reflect the viewpoints of ISPLS or the Hoosier Surveyor staff, but are published as a service to its members, the general public and for the betterment of the surveying profession. No responsibility is assumed for errors, misquotes or deletions as to its contents.

David B. H. Best - Editor  
5402 Washington Boulevard  
Indianapolis, IN 46220  
Phone: (317) 251-5136  
E-Mail: [dbest.tj.gw@att.net](mailto:dbest.tj.gw@att.net)

Editorial Advertising Offices  
8325 S. Emerson Avenue, Suite B-2  
Indianapolis, IN 46237  
Phone: (317) 888-4400 Fax: (317) 888-4412  
Web Page: [www.ispls.org](http://www.ispls.org) EMail: [ISPLS@aol.com](mailto:ISPLS@aol.com)



**David B.H. Best**  
ISPLS Editor



**Dianne Bennett**  
ISPLS  
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---

## PRESIDENT'S THOUGHTS

by James C. Tibbett, P.L.S., Linton, Indiana



Serving as president of the Indiana Society of Professional Land Surveyors during 2010 has been a pleasure and a challenge. The ISPLS Board of Directors has devoted considerable time in dealing with issues and in focusing on a change of direction. Change is not easy, especially when a dozen board members passionate about their profession attempt to reach a consensus on important issues.

The operation of ISPLS just as the operation of a surveying company is not the same as it was twenty years ago. We must meet the challenge of the times. The challenge today is that of the computer age. We call it the "informational highway." We must adapt to it and redefine our role as a profession. We find ISPLS at a crossroads with its Board of Directors accepting the challenge of reorienting our Society in a new direction. Change is difficult. Movement is slow. In the coming year we look forward to the leadership of Charles M. Coyle, Jr., President Elect.

As I have before I remind members of ISPLS of our Mission Statement which reads as follows: "As a not-for-profit service organization, we seek for the growth and development of our profession. Our primary mission is to provide our membership a professional identity, professional guidelines and direction, and educational services, and to promote the interests of the profession. The philosophy of ISPLS is to encourage all who are in the surveying profession to value professional ethics in thought and deed, to maintain competency in the performance of duties, to insure trustworthiness, to provide quality in work, and to constantly protect the public interest."

With the elements of the Mission Statement in mind ISPLS must remain focused on a number of legislative issues including the work of unlicensed practitioners and the problem of right of entry. We must wrestle with the problem of redefining our profession and of how we can wisely commit the funds we have to meet the objectives of our Mission Statement. The ISPLS scholarship program represents a wise investment of ISPLS funds.

ISPLS should continue to support the Vincennes University Surveying Foundation. We applaud the fund raising efforts of the ISPLS Southwest Chapter through its annual golf outing. Through the Foundation nine (9) total stations, three (3) digital levels, and a number of tripods and prisms are now a part of the Surveying Program's equipment. Once the need to update the equipment in the Surveying Program became apparent the University added a scanner and several new GPS units. The Vincennes University Surveying Program now is a leader in providing a state-of-the-art education for future surveyors in Indiana. For the first time the Vincennes University Surveying Department is replacing its older surveying equipment with the new state-of-the-art equipment. The investment by the Foundation in the new equipment will assure many years of useful service. This equipment will serve some 35 students in the school's surveying program. Consideration should be given to extending this program to other Indiana colleges and universities.

On another note at the upcoming ISPLS annual convention in January attendees will receive copies of the 2010 ISPLS Membership Roster and a CD containing the updated Law Manual No. 3. Your ISPLS membership dues underwrite these products. I encourage all ISPLS members to attend the 59th Annual ISPLS Convention. The dates are January 12 – 14, 2011 at the Indianapolis Marriott East located at 7202 East 21st Street. The Board plans to schedule future conventions at this facility. Scheduled as presenters will be local and national speakers and representatives from NGS and ACSM.

Wednesday evening festivities will include an Exhibitors party, alumni parties, and a Las Vegas Night. Featured speaker at Thursday night's annual banquet will be Curtis Sumner, executive director of ACSM. We encourage your attendance at the convention. Details of the convention and the registration form are in this issue of the Hoosier Surveyor.

Again, please accept my thanks for the help of the many people who have supported me during my term as president of ISPLS. It has been an honor and a pleasure to work with the ISPLS Board of Directors and members of ISPLS.

# ISPLS BOARD OF DIRECTORS MEETING HIGHLIGHTS

by Dianne Bennett, Executive Director

## August 7, 2010

The ISPLS Board of Directors met on Saturday, August 7, 2010 at the new ISPLS headquarters. President Tibbett called the meeting to order at 9:07a.m. The minutes and treasurer's report were reviewed and approved as amended.

The Wallington Asset Management quarterly report was submitted and reviewed.

Indiana PLA/BOR - A report was given listing five areas that ISPLS can assist PLA. A letter of support will be sent to PLA.

Fixed Operations Cost/ISPLS Operational Structure - A motion was made and passed to retain Dianne Bennett, Executive Director through the 2010/2011 Society year.

Convention 2011 Update - The preliminary schedule for the 2011 convention was presented.

Nominations President Elect - The committee submitted a nominee for President Elect.

Membership - A motion was made and passed to approve new memberships applications.

Sweeper - After discussion the purchase of a sweeper was approved.

Surveying Educational Guide for The Web Page - An update was given by Chuck Coyle.

ISPLS Roster/Web Page Search and Printing - An update was presented.

ISPLS Constitution and By-Laws - An Ad-Hoc committee will work on the Constitution and By-Laws.

Indiana/Michigan Line - An update was given by Dan Kovert.

Goals and Finance - Executive Session for Goal Setting will be Friday, Oct. 8, 2010.

Vincennes - The Vincennes review has been scheduled for September 18th at ISPLS headquarters.

Manual #3 - The manual is almost complete.

New Business - ISPLS headquarters sign.

Announcements - The next BOD meeting will be September 18, 2010.

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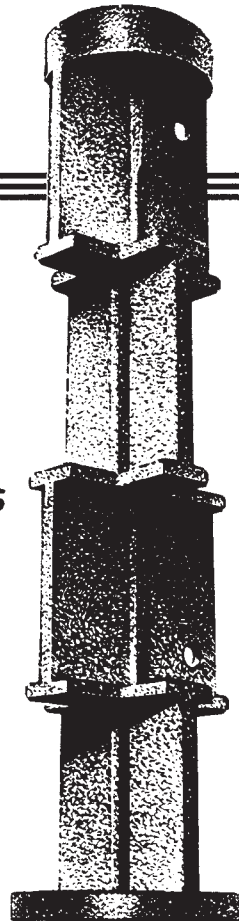
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## Completed Careers

### **Charles W. Cole Jr., (95) PE-PLS (Life Member)**

South Bend - Charles W. Cole Jr., 95, passed away Sunday, July 18, 2010 in his home surrounded by family. He was born to Chareles W. Cole Sr. and Hazel Fern Cole on June 25, 1915, in Mishawaka, Indiana. After graduating from Culver Academy in 1933, he attended Purdue University, graduating with a degree in Civil Engineering in 1939, and returned to South Bend to join his father in the firm Chas. W. Cole & Son, Engineers & Architects. During WW II he served in Indiana and Kodiak, Alaska with the U.S. Navy's English Construction Battalion, before returning to the South Bend area and Chas. W. Cole & Son. Charles and Barbara Southard were married from 1947 to 1970. They honeymooned in Europe where Charles' love of travel began. Throughout his life he traveled extensively, especially after his retirement from Chas. W. Cole & Son in 1973. Charles and Barbara had three Children, Candace Cole Leonard (Doug) of Columbus, Indiana, Henry Cole (Becky) of Glenn, Michigan and Penelope Cole (Rick Xaver ) of Mishawaka, Indiana. Also surviving are four grandchildren.

The Cole family wishes to express their love and appreciation to Linda Szabo for her loving care and concern for our father for the past 12 years. Her dedication and devotion to Charles greatly enriched the quality of his life, and the Cole family is forever grateful. Thank you, Linda, for taking such good care of all of us! The family would also like to extend their gratitude to the nurses of Memorial Health Care, who provided quality home care to Charles during the last years of his life. Beyond expert nursing care, their kind words and sincere love for Mr. Cole nurtured him in body and in spirit.

Charles Cole traveled widely; he was uniquely adept at meeting new people wherever his travels took him. He held an astonishing level of knowledge of history, places and events; he could easily initiate a conversation with almost anyone, and often astonished his new acquaintances with facts about their hometown that even they didn't know. Charles was an avid horseback rider. He began riding during his youth on the family farm of New Carlisle. Later he rode through many National Parks and forests in the Badlands of South Dakota, the mountains of Montana, and the trails of western Michigan and southern Indiana. Charles was a member of the Indiana Society of Professional Engineers, a life member of the Indiana Society of Professional Land Surveyors, The Indiana Society of Chicago, the Edward Frederick Sorin Society, and the American Society of Civil Engineers. He was a patron of the arts and of local culture. Over the years, many students and educational institutions benefited from Charles Cole's support of education and scholarship. Students at Indiana University of South Bend and Purdue University have been beneficiaries of scholarships established by Mr. Cole and his father.

Memorial contributions may be made to the Community Foundation of St. Joseph County for Chas. W. Cole Scholarship Fund at Indiana University South Bend, P O Box 837, South Bend, IN.

### **Mayer Goloubow (84) PE-PLS (Life Member)**

South Bend - Mayer Goloubow, 84, passed away peacefully after a long courageous battle against non-Hodgkins Lymphoma. He will first and foremost be remembered as a loving husband to his best friend and wife of 61 years, Sally. He was a loving father to his children, Linda (Dr. Mark Toth), Diane (Dick Evans) and Ron (Christine Schenone), and a big brother to Mrs. Rae Smith.

Mayer served proudly in the armed forces during World War II and was a graduate of Purdue University, class of 1949. He was highly regarded as a civil engineer and land surveyor in northern Indiana and southern Michigan. His professionalism and attention to detail made him well-respected in the engineering field and all over the South Bend planning department.

His wisdom, guidance, and charitable contributions will form the lives of his surviving children and their children, Sam, Abigail, Lisa, Scott, Garrett, Gabrielle and Jillian.

A funeral service was held at Sinai Synagogue. The burial was at Hebrew Orthodox Cemetery.

Memorial contributions may be made to the Sinai Synagogue, to the Jewish Federation, or to the charity of your choice.

### **Gerhard "Gary" Lengemann (77)**

Mr. Gerhard Adam Lengemann, age 77, born Dec. 31, 1932 in Dis-sen, Germany, passed away Thursday, Oct. 14, 2010. He began his apprenticeship at the age of 14 as a precision mechanic for optical instruments. This was the beginning of his lifelong involvement with surveying instruments. Growing up in a war torn Germany and experiencing the later difficult economic times, Gerhard and his wife, Hannelore, decided to leave Germany for a better future. He moved his family first to Canada in 1958 and then to Michigan in 1962, where he started his own business, G Lengemann Co in Niles, MI. Tiring of the cold Michigan winters, he brought his family to Altoona, FL in 1975 and started Lengemann of Florida, Inc. He was a loving man who believed family was the most important thing in life. Gerhard truly lived the "American Dream" and was most proud of his citizenship and new country. He is an inspiration to us all and will always be remembered for his generosity, wisdom and humor. Contributions may be directed to the Florida Society of Surveyors and Mappers, 1689-A Mahan Center Boulevard, Tallahassee, FL 32308-5454, for the Gerhard Lengemann Scholarship; or Cornerstone Hospice, 2445 Lane Park Road, Tavares, FL 32778. Online condolences may be made at [www.beyersfuneralhome.com](http://www.beyersfuneralhome.com). Beyers Funeral Home, Umatilla.

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# Surveyor Prop Boxes

by Glen E. Boren, PLS

On September 1, 2010, the Northwest Chapter donated two “Surveyor Prop Boxes” to the Charlotte R. Riley Child Center located on the Purdue University Calumet campus in Hammond, Indiana. The Riley Center provides preschool, kindergarten, and child care services for children of University students, faculty, staff and the community while also providing experience and training of University students enrolled in programs that include early childhood development.

The Riley Center utilizes children’s dramatic or pretend play as part of their program and recently solicited the campus and community for help in obtaining items to fill “Prop Boxes.” “Prop Boxes” are theme filled boxes filled with realistic, safe items that allow small groups of children to pretend that they are a part of a specific occupation or place. For example a doctor’s “Prop Box” might contain real x-rays, bandages, lab coats, stethoscopes, medical bags, etc. Several predetermined “Prop Box” themes that the Riley Center was looking for included Teacher, Firefighter, Construction Worker, Veterinarian, Repair Shop, Policeman, Restaurant and many others. The Chapter contacted the Riley Center and offered to supply a “Surveyor” themed “Prop Box” in a continued effort to our mission statement of trying to educate the public (including children) of what the profession does.

The Chapter purchased and collected from private firms and vendors enough items to fill two large plastic totes. Some of the collected items included hard hats, orange t-shirts with “Surveyor” printed on them, tool belts, measuring tapes, stick rules, fiberglass reel tapes, a walking wheel, a hand level, a plumb bob (minus the tip), magnetic compasses, miniature field books, pencils, templates, plastic identification caps, kid friendly monuments in carpeted blocks of wood, wire marker flags, rolls of ribbon, 9x9 black and white aerial photographs, USGS color quad maps, various reduced plats and construction plans, geometry drafting kits, rulers, and pocket magnifiers. A “Surveyor Prop Box” document was also prepared, printed, bound, and included with the items. The document contains pictures of the items with simple descriptions of what they are used for along with some “challenge” questions to create a little interaction with the teachers.

The donation led to an invitation by the Riley Center to participate in future surveyor-themed visits to demonstrate the items and possible career days. The “Prop Box” effort by the Chapter is something that can easily be replicated and expanded throughout the State. The Northwest Chapter gives thanks to the following for their generous contributions and continued support: Kara Company, Positioning Solutions, Williams Aerial Mapping, Bonar Group, and Torrenga Surveying.





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# Eminent Domain - Has the Sovereign Gone Too Far?

by Terry W. McHenry, PSM

Often referred to as condemnation, the power of federal, state, local governing bodies or other authorized entities to exercise their sovereign right to take private real property has recently received a more liberal boost in the arm.

In *Kelo, et al., v city of New London, et al.*, heard before the Supreme Court of Connecticut, No. 04-108, and then argued before the U.S. Supreme Court in February 2005, being decided in June 2005, it has been determined to be permissible to use eminent domain to encourage economic development, even if private business benefits. The rationale seemingly is increased tax revenues (for the condemning local governing body) coupled with a projected improved local economy.

The two-pronged question that has been mounting for at least two decades is this: has the “public use” intent expressed in the Fifth and Fourteenth Amendments to our Constitution been abused? And are we seeing an escalating scope in the power of eminent domain, in particular, from a branch of government not vested with the granting authority (viz., the Judicial Branch)?

Since the 5 to 4 decision of the High Court was handed down, more than one commentator whose profession deals in real property in one form or another has opined on the substance of *Kelo*. This commentator now adds to that mounting collection of concerns.

## BACKGROUND

Conceived at the time of the Roman Empire, the power to seize private land by the sovereign was absolute, containing none of the protectionary clauses we know today. Condemnation as a concept wound its way through history up to the beginning of the British Empire, primarily on the merits of takings for public use. As the Colonies were formed, and independence declared from the British Crown, the concept of eminent domain was carried forward into the Constitution of the United States of America. Being addressed initially in the Fifth Amendment to the Constitution, the verbiage reads in part as follows:

*No person...shall be compelled in any criminal case to be a witness against himself nor be deprived of life, liberty, or property, without due process of law, nor shall private property be taken for public use, without just compensation.*

Here we see a tacit recognition of a preexisting power (in the Crown), but with an amended provision for just compensation and due process of law.

As has been aptly pointed out by Jeffery N. Lucas, PLS, Esq., in a recently published commentary<sup>1</sup>, the Fifth Amendment in terms of eminent domain has been made applicable to the individual states by the Fourteenth Amendment to the Constitution, which is the source of private property rights for U.S. citizens. This amendment reads, in part, as follows:

*No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law.*

Thus, the right to own real property and the right to have it involuntarily divested are sourced in the state. This granting and divesting authority is vested in the Congress at the Federal level, and in the individual state’s legislature at the state level.

For Nevada, the power of eminent domain is codified primarily in NRS Chapter 37. Here we see outlined the parameters for taking of private property by the state and its political subdivisions (i.e., counties, cities), plus other statutorily authorized entities. Statute law is law derived by the people represented in Senate and Assembly in the legislative process.

The branch of government assigned responsibility under our Constitution for interpreting statutes passed by Congress at the Federal level, and by the states’ legislatures at the state level, is the Judicial Branch, which is tiered downward in a strict system of hierarchy from the U.S. Supreme Court to the state’s Supreme Courts and finally the District (or trial) Courts at the county level.

## DISCUSSION

The three key criteria of a valid taking under the power of eminent domain are *due process of law*, *just compensation*, and *public use*. The first two criteria are fairly well settled, although the second (just compensation) most often becomes a matter of contention in a takings proceeding. The third, public use, warrants our attention. It was the substantive element in *Kelo*, and is the principal thrust of this commentary.

### Due Process of Law

Due process of law has been defined as follows:

*A course of legal proceedings according to those rules and principles which have been established in our systems of jurisprudence for the enforcement and protection of private rights. Due process of law implies the right of the person affected thereby to be present before the tribunal which pronounces judgment upon the question of life, liberty, or property, in its most comprehensive sense; to be heard, by testimony or otherwise, and to have the right of controverting, by proof every material fact which bears on the question of right in the matter involved.<sup>2</sup>*

### Just Compensation

As regards property taken for public use, the term is comprehensive and includes all elements.

*Just compensation is the fair market value of property taken at time of taking, plus compensation for delay in payment. It requires that the owner be put in as good a position pecuniarily as he would otherwise have been.*

### Public Use

The question of whether a particular use is a ‘public use’ is a judicial one. See, e.g., *City of Cincinnati v. Vester*, 281 U.S.

...continued Page 13



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*439.444(1930)*. However, the court has historically insisted on a high degree of judicial deference to legislative determination. “The role of the judiciary in determining whether that power is being exercised for a public purpose is an extremely narrow one.” See *Berman v. Parker*, *348 US.26.32(1954)*. When it is a state action being challenged under the Fourteenth Amendment, there is the additional factor of the Court’s willingness to defer to the highest court of the state in resolving such an issue. See *Hawaii Housing Authority v. Midkiff* *467 US.229 (1984)*. “We think that it is the function of Congress to decide what type of taking is for public use and that the agency authorized to do the taking may do so to the full extent of its statutory authority.” *United States ex rel. TVA v. Welch*, *327 US.546.551-552 (1946)*.

At an earlier time the prevailing judicial view was that the term “public use” was synonymous with “use by the public”, and if there was no duty upon the taker to permit the public a right of use or enjoyment of the property taken, the taking was regarded as invalid. However this view was rejected some time ago. See, e.g., *Mt. Vernon-Woodberry Cotton Duck Co. v. Alabama Interstate Power Co.*, *240 US.30.32 (1916)*.

The more modern concept of public use seems to have evolved and broadened into a more subjective definition, incorporating such things as economic development, urban renewal and beautification, erection of low-cost housing developments and, generally, promotion of aesthetic values as well as economic ones. Additionally, it has been determined that there is no requirement “that government possess and use property at some point during the taking”. See *467 US.243*. Instead, properties have, and do, pass into private hands as a result of some takings.

The term ‘public use’, it seems, has evolved into ‘public interest’ or ‘public welfare’, as the more correct phraseology.

Two contributing factors bear down on the public use debate. One, it is known that many agencies granted the power of eminent domain have in recent years seen funding become tighter, and thus are seeking alternative methodologies in reducing expenditures and expanding incomes sources. Two, it is no secret that the judicial branch of government has been accused in recent years of stepping into that gray band (if not over the distinct line intended by the founding fathers) which separates the legislative from the judicial branches of government. Moreover, we are all well aware of the intense debates over Presidential nominees to the U.S. Supreme Court, for example. Distilled down to the core elements, these debates are over the proper judicial role, of which there are varying opinions, both within the stream of judicial candidates, and the Congressional leaders conducting the hearings. These opinions run the gamut from interpreting the words of the law broadly or loosely, to narrowly or strictly. Chief Justice John Marshall stated 200 years ago in *Marbury v. Madison* that it is the duty of the judge to say what the law is, not what it *ought* to be (which is the province of the legislature.) The proper meaning of the law, whether construing the Constitution, the law of statute or contracts, policies or deeds, is found in the plain words of the law itself. In each instance, it is the duty of a judge to give faithful meaning to the words as written.

Challenges to the U.S. Constitution itself have surfaced, in recent times, with increasing intensity. The debate has been over the question of whether the Constitution was intended to be a living document, in which judges should “update” its provisions according to the “needs” of the times. Or, was it intended to be an enduring document, in which its original meaning and principles were to be permanently maintained, subject only to changes adopted in accordance with amending clauses (themselves being brought about through due process)? Our Constitution would become an historical artifact if its original sense became irrelevant, to be replaced by the views of successive waves of justices intent on “updating” it with contemporary moral values and theory. This is precisely what the Founding Fathers, the crafters of the words of our constitutional form of government, sought to avoid when they instituted a “government of laws, not of men”.

The question that begs an answer is whether the current judicial interpretation of ‘public use’ are within the parameters envisioned by the framers of our Constitution, and the Fifth and Fourteenth Amendments thereto, or has the sovereign extrapolated their intent?

*“I believe there are more instances of the abridgment of the freedom of the people, by gradual and silent encroachments of those in power, than by violent and sudden usurpations.” - James Madison*

## CONCLUSION

Certainly every citizen who owns real property should be aware of the evolving patterns in matters of law that condone more liberal interpretations and, in this case, can result in the disenfranchisement of private property rights. In Justice O’Connor’s dissenting opinion (joined by Justice Rehnquist, Scalia and Thomas) on *Kelo* there was a clear warning that no private property is now safe from the pressures of development.

The reader can draw his or her own opinion and conclusions. Bear in mind that at the state level, it is the legislature where parameters for eminent domain are established, and first weighed if challenged. If you have concerns, these should be expressed in writing to your elected representatives and the New York State Association of Professional Land Surveyors to effect change.

*“Government is not reason; it is not eloquence; it is force. Like fire, it is a dangerous servant and a fearful master.”*

-George Washington

## Endnotes

<sup>1</sup>Trampling Private Property Rights? POB Magazine, Vol. 31, No. 1, Oct. 2005, Pg. 58.

<sup>2</sup>Black’s Law Dictionary, Rev. 4th Ed., West Publishing Co. 1968.

Terry W. McHenry is a licensed professional land surveyor in Nevada, the principal of a land and water boundary consulting firm, and editor of the Nevada Traverse. The article first appeared in Vol. 32, No. 4, December 2005, of The Nevada Traverse. Mr. McHenry may be contacted at [editornvtraverse@sbcglobal.net](mailto:editornvtraverse@sbcglobal.net).



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# THE NSPS TRIG-STAR PROGRAM

By David B. H. Best, P.L.S.

The National Society for Professional Surveyors (NSPS) “Trig-Star” program is active in several, but not all, Indiana Society of Professional Land Surveyors (ISPLS) chapters under the leadership of Trig-Star Committee chairman Anthony M. (Tony) Gregory, P.L.S. The purpose of this article is to acquaint ISPLS members with the “Trig-Star” program and its history and to encourage ISPLS chapters not currently involved in the program to contact local high schools about participation in this remarkable mathematical competition.

The purpose of the Trig-Star Program as stated by NSPS is three-fold: 1) To promote the study of trigonometry in high schools and to promote excellence in the mastery of trigonometry by honoring the individual student who has demonstrated superior skill among classmates at the high school level; 2) To acquaint the high school trigonometry students with the use and practical application of trigonometry in the surveying profession; and 3) To build an awareness of surveying as a profession among the mathematically-skilled high school students, career guidance counselors and high school mathematics teachers.

Creation of the “Trig-Star” program is attributed to Russell E. Kastle, RLS, a member of the North Dakota Society of Professional Land Surveyors. In 1983 Kastle was the ACSM delegate and NSPS Governor from North Dakota. He asked himself what he could do of some significance during his tenure as NSPS Governor. The conception of Trig-Star was the result of the success of Engineer’s Week nationally. What could be done to promote the surveying profession among the younger generation? Kastle prepared a proposal for what he called a “Trig-Star” program. He presented the proposal to the NSPS Board of Governors in Salt Lake City, Utah in the fall of 1983. The idea was immediately endorsed by the Board. The following fall land surveyors throughout the country received Trig-Star contest packets. Today the contest is still conducted essentially as Kastle conceived it.

Originally it was a local contest with high school winners. Surveyors were matched with high schools. It evolved into a National contest with scholarship awards. The prime mover to carry the contest to a national level was Kent Green, a member of the North Central Florida Chapter of the Florida Society of Professional Surveyors. Green had had great success in promoting the contest at the local level. In 1993 he proposed that NSPS sponsor the program as a national contest. Assisting Green in his efforts was Richard Lomax, president of NSPS in 1993. That year “Trig-Star” became a national contest! NSPS formed a Trig-Star Committee chaired by Larry Doss of Tennessee. NSPS provided funds for the scholarship awards and to pay for the national winner and his/her teacher to appear at the ACSM Annual Convention to receive the award. John Chagnon, NSPS Trig-Star Chairman 1998-2008, was instrumental in standardizing and improving the contest materials. Assisted by Don Murphy of Cedar Rapids, Iowa, Chagnon has noted test improvements yearly. The Trig-Star format permits teachers to teach for the test. This means that students of varying abilities will score and that the exceptional students will

excel. Instructions for the contest available on the NSPS website are all-inclusive and easy to follow.

In 2000 the NSPS Trig-Star Committee created the NSPS Foundation Trig-Star Scholarship Endowment Fund. As a 501c(3) entity contributions to the Fund are fully tax deductible. The Fund provides financial assistance to high school graduates who exhibit outstanding proficiency in trigonometry. It is also a means of strengthening the Trig-Star program. Scholarships from the Fund may be designated only to high school graduates who are initially Trig-Star winners of their high school contests, who are then State Trig-Star winners, and finally are those who place First, Second, or Third in the National Trig-Star competition. The annual budget of the Trig-Star program is \$12,000. The scholarship awards are \$7,000 of the annual budget. The key to success of the Trig-Star program is the volunteer effort at all levels—local, state, and national.

As noted above all information regarding the Trig-Star competition is available on line at the NSPS website. Included are suggestions about how surveyors can contact high school math departments and present to teachers and students alike the subject of surveying and mapping. One page on the NSPS website is devoted to “Preparation for the Local Contest.” Emphasized is the importance of an in person presentation to students of the relationship of trigonometry and surveying. Suggested is a demonstration in the classroom of the use of a total station. Critical in the presentation is a discussion of how students can prepare for the examination.

Also detailed on the NSPS website are the following: 1) Guidelines for contest administration; 2) Local contest rules; 3) The Trig-Star contest report form; 4) Sponsorship applications; 4) The Trig-Star contest sign in sheet; 5) A Trig-Star news release; 6) A plaque order form; 7) A certificate of participation; and 8) A set of sample local contest problems. All aspects of the local contest are covered thoroughly by the NSPS website.

The 1st Place Winner of the Richard E. Lomax National Trig-Star Award was Jiyong Shim, Cherokee Trail High School, Aurora, CO. He received a \$2000 scholarship. His teacher, Dotty Dady, of Aurora, CO received the Richard E. Lomax Teaching Excellence Award of \$1000. The 2nd Place Winner was Tyler Fugere, Flower Mound High School, Flower Mound, TX. He received a \$1000 scholarship. His teacher, Mary Walker, of Flower Mound, TX received a \$500 award. The 3rd Place Winner was Nikhil Das, Rancho Buena Vista High School of Vista, CA. He received a \$500 scholarship. His teacher, Linda Van Solkema, of Vista, CA received a \$250 award.

For ISPLS chapters not currently involved in the Trig-Star program we encourage your participation. For further information you may contact Tony Gregory, the ISPLS Trig-Star Committee chairman, at [gregorylandsurveying@comcast.net](mailto:gregorylandsurveying@comcast.net).



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## MEET A MEMBER

### Daniel R. Woo, P.L.S. as told to David B. H. Best, P.L.S.

Daniel Woo is a past president of ISPLS and has been president of USI Consultants, Inc. since 1982. In our conversation this is what we found out about this dedicated member of ISPLS:



1. Tell about your early years: About your family and where were you born and raised.

**ANS.:** My father was born in China and came to the United States at the age of ten. My mother was born in Louisville, KY where she and my father met and where they were married. I have three brothers. We were all born in Louisville. In the mid 1950s our family moved to Detroit where we lived until we moved to Indianapolis in 1963. I have lived in Indianapolis ever since. My wife Rhonda, the most wonderful woman in the world, and I have two sons, two daughters, two step-daughters, and six grandchildren.

2. What is your educational background?

**ANS.:** I started high school the year my family moved to Indianapolis, graduating from Arsenal Technical High School in 1967. Although I did not go to college full time, I was very fortunate to work for a company, United Consulting Engineers, Inc., that allowed me to attend the Purdue Regional Campus in Indianapolis and IUPUI in the evenings. After completing my classes the company reimbursed me for my expenses. In 1982 after completing my courses at the Purdue Regional Campus and IUPUI and gaining experience as a member of a survey party I qualified to take the Indiana state examination for land surveyors. That same year I became president of USI Consultants, Inc.

3. What circumstances or individuals influenced your decision to select land surveying as a profession?

**ANS.:** I first became involved with engineering and land surveying while I was in high school. A drafting teacher arranged for me to work part time for a local engineering firm as a draftsman and a

surveying technician while going to school. I worked for that firm until 1969 when I took a position at United Consulting Engineers, Inc. It was there, with Jacob Hall, P.E. and P.L.S., as my mentor, that I decided to make land surveying as my profession. I cannot thank Jake Hall enough for the guidance and help he has given me over the years.

4. Explain your principal responsibilities and/or positions with USI Consultants, Inc.

**ANS.:** As president of USI Consultants, Inc. I oversee the daily operation and development of the firm, including marketing and surveying cost proposals. I also maintain control over all land surveying, construction engineering, and right-of-way projects completed by the firm.

5. You are a past president of ISPLS (1999). What important issues were dealt with during your tenure as ISPLS president?

**ANS.:** The signing of Senate Bill 32 that covered six (6) very important matters benefiting all land surveyors in Indiana and the passing of the Mandatory Continuing Education Act for land surveyors were the two (2) most important issues dealt with during my term of office.

6. ACSM and its member organizations recently commissioned a marketing report. Among the perceptions that the report revealed was a “negative stereotype of the term ‘surveyor’.” Do you find this to be true and if so, why?

**ANS.:** First, I would like to say that I am very proud to be a professional land surveyor. I feel that it is one of the most honorable professions a person can choose as a career. But yes, I feel that there is some negative stereotyping of surveyors. With that said, I feel that one of the reasons is that many surveyors do not present themselves as the professionals they claim to be. If I were to ask you to close your eyes and picture a professional land surveyor working in his office or sitting in a business meeting with a client, would that vision be of a person in blue jeans, work boots, and a flannel shirt or would it be of someone in a coat and tie and shoes that shine? Well, if it's the latter, you haven't been to an ISPLS Conference recently. If you want to be treated like a professional, you need to look and act like one. I also feel that surveyors need to demand to be selected for a project based on their qualifications rather than who has provided the cheapest quote. Most projects that architects and engineers are selected for are based on their qualifications, not on their fees. I feel that surveyors should refrain from bidding work unless the client they are providing a fee to is bidding the work.

7. In your opinion what can ISPLS do to influence members of the younger generation to pursue land surveying as a profession?

**ANS.:** A continued expansion of the Trig-Star program would be good for high school students. Also, setting up a Merit Badge Program for Girl and Boy Scouts would be good for

...continued Page 21

# PROGRAM SCHEDULE 2011 ISPLS CONVENTION

Indianapolis Marriott East, Indianapolis, IN (January 12-14, 2011)

## Wednesday, January 12, 2011

### InCORS Indiana's Statewide CORS and GPS/GNSS Real Time Network InCORS

Eric Banschbach et al (3 CEH Elective)

This program is designed as an introduction to Real Time Networks and the InCORS Network, as presented by the staff of the Land & Aerial Survey Office with the Indiana Department of Transportation. The Land & Aerial Survey Office is responsible for administering, managing and maintaining the statewide CORS and GPS/GNSS Real Time Network. There will be a presentation on RTN's in general and the background, implementation and operation of the INDOT network. Attendees will be provided information on the various applications, benefits, available broadcast corrections, and instruction on accessing the network. In addition, information on the proposed improvements to the INDOT Benchmark Network, Indiana's Height Modernization project and the Tie-Card scanning project will be presented.

### Hydrology-Hydraulics and the History of Development Urbanization in the U.S. -Robert Barr (3 CEH Elective)

This will be a 4-part lecture series. Topics covered will be:

1. Introduction to Indiana's Natural Landscape
2. Historic Modification of Indiana's Landscape
3. Effect of Landscape Modification on the Hydrologic Cycle
4. Re-naturalizing Indiana's Streams and Wetlands

### Real Time GNSS Positioning - William Henning (3 CEH Elective)

Topic discussed will be: How does RT Positioning Work? Real Time Networks (RTN); The role of the NGS in RT; Best methods for RT Positioning. Discussion and questions will follow.

### Access 2007: Basic - Casey Glanders (3 CEH Elective)

The course will discuss: Section 1: Getting started; Section 2 : Creating a Table; Section 3: Creating a Query; Section Prerequisites: Windows XP Foundation, Windows Vista Foundation, or commensurate knowledge and experience.

### Why Data Prep for Machine Control is Important to the Surveyor Sitech (3 CEH Elective)

Data Prep presents new opportunities for surveyors. Data Prep is an area that is growing while construction staking is becoming less common. Using the equipment and software you may already have, you can generate and provide contractors the data they need for machines equipped with machine control.

### Title and Survey Issues - Wendy Gibbons (3 CEH Elective)

The attendees will learn title guarantees vs. title policy coverage; types of surveys and legal description issues, resolving access, encroachments, and boundary dispute issues; title company survey requirements for providing affirmative coverage; title endorsements relating to surveys and survey requirements.

### Upcoming Changes to NPDES Phase II Rules & Corresponding Watershed Management Techniques

Ted Blahnik, et al (3 CEH Elective)

USEPA is developing changes in NPDES Phase II requirements to expand the regulation and level of control required for non-point source runoff control. This presentation will provide up to date information on the status of the rulemaking, on the likely changes to current rules, and on both structural and institutional controls that can be used to meet the anticipated requirements.

## Thursday, January 13, 2011

### So You've Discovered a Conflict, Now What? - John Stahl (6 CEH Mandatory)(Conflict Resolution for the Surveyor) **Part 1 of 2**

We will begin with a review of the fundamental aspects of evidence relied upon by the surveyor to determine boundary locations. The court's view of evidence will be examined and comparisons between the role of the surveyor and the role of the courts will be drawn. We will look at problems with deeds, common transcription mistakes, conflicts in writings, and conflicts in evidence. We will discuss the distinct differences between written conflicts, adjoiner conflicts, and occupational conflicts. Statutory and common law presumptions, rules and principles which provide direction to the surveyor for conflict resolution will be reviewed and discussed. We will also review some real life examples of projects and court cases involving deed interpretation and resolution of conflicting terms.

### So You've Discovered a Conflict, Now What?

John Stahl (Resolving Boundary & Title Problems) **Part 2 of 2**

We will start the discussion with a review of the authority of the land surveyor and the effect of the land surveyor's opinion upon the client, the adjoining landowners and the courts. Our discussion will then focus upon the various methods available to the surveyor for resolving conflicts through the Alternative Dispute Resolution (ADR) process and the surveyor's role in formal and informal mediation. Specific examples for documentation of conflict resolution will be reviewed and discussed including specific advantages and disadvantages between various forms.

### Strategies for a Successful Surveying Business

John Matonich (3 CEH Elective)

Most Surveyors who run a surveying business do so because they love surveying, not because they want to be business owners. This session is intended to provide a better understanding of the aspects of managing a successful business. The presentation will cover various tools, principles and theories used to improve the performance of a business. No matter the size of your firm, this presentation will cover many things that can help you have a more successful business. It will cover topics including knowing your clients and your employees. Also, the financial factors such as billing rates, overhead factors and chargeability will be covered. Finding, hiring and releasing employees will be discussed along with your legal responsibilities affecting each of them. The presentation will also cover the aspects of a good contract and some of the pitfalls of contract negotiation.

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**Program Scheduled Thursday, January 13, 2011  
continued from Page 14**

**Influencing Government Decisions**

John Matonich (3 CEH Elective)

Working with your legislators is paramount to moving key initiatives forward. This presentation will explain the legislative practices and some of the necessary steps to take to successfully interact with legislators and their staff. The presentation will also cover the current government affairs program being undertaken by the National Society of Professional Surveyors (NSPS) in Washington D.C. NSPS, through its involvement with the Joint Government Affairs Committee has advanced many of the programs directly affecting surveyor's across the country. Past, present and future initiatives will be presented

**Real Time GNSS Positioning (RT)**

William Hennin, (3 CEH Elective)

- I. Introduction- Change as a Way of Life
- II. How Does RT Positioning Work? Beyond the Black Box
  - A. Principles of RT- Ambiguity Resolution Equipment
  - B. Planning
  - C. Caveats
- III. Real Time Networks (RTN)
  - A. Types
  - B. Techniques peculiar to RTN
  - C. Issues
  - D. Advantages/Disadvantages to Single Base RT.
- IV. The Role of the NGS in RT – 45 minutes
  - A. Guidelines
  - B. Goals in Support of RTN
- V. Best Methods for RT Positioning – A Field Guide
- VI. Discussion & Questions

**Height Modernization (HTMOD)**

William Henning (3 CEH Elective)

- I. Introduction – Why HTMOD is important
- II. Passive Marks, NAVD 88 and leveling
- III. Active Reference Stations - NAD 83, ITRF and new datums (Will Post Processing Vanish?)
  - A. CORS & OPUS
  - B. RTN
- IV. NGS 58 Document- Static GPS Derived Ellipsoid Heights
- V. NGS 59 Document – Static GPS Derived Orthometric Heights Using the NGS Geoid Model

**Ethics for the Professional PLS (Doing The Right Thing Even When You Aren't Sure What That Is)**

Larry Phipps (3 CEH Mandatory)

Students will discuss the meaning of professional ethics and its importance to land surveying. The group will review and discuss the three areas of professional obligation: Obligation to the public, obligation to the client, and obligation to other professionals. For classes given in specific states, the local code will be compared and contrasted with the NCEES Model code.

**The Seven Deadly Sins of Surveying**

Larry Phipps (3 CEH Elective)

This class will discuss the seven mistakes most commonly made by surveyors. Each mistake will be illustrated by an example pulled from the files of an E. & O. Insurance company. The goal of this class is to help the students learn from the most common mistakes of others so they can identify them, avoid them, and keep their names off the list.

**Friday, January 14, 2011**

**The First Surveyor Doctrine-Facts & Fallacies**

John Stahl (6 CEH Mandatory)

**Part 1 of 2** Whose Monuments Control and Why?

We all think we understand the distinction between the original surveyor and the retracing surveyor, but do we really? When there is no "original" surveyor, where does the "first" surveyor fit into the picture? Is their monument the "original" monument, or are they simply putting forth their "best effort" to establish the monument? What if their "best effort" isn't good enough? What if they failed to follow the instructions properly? What if they blundered? When are these good reasons to reject their monuments and when are they not reason enough? How is the surveyor to evaluate the evidence necessary to resolve these important questions? Is there a set process we can use? What do the courts say about the process and how do we as surveyors apply it? There are many answers to these questions.

**The First Surveyor Doctrine-Facts & Fallacies**

**Part 2 of 2** Uncalled for Monuments - Do We Accept or Reject? All surveyors are faced with decisions on a daily basis. Do we accept or reject that uncalled-for monument? How do we arrive at our decision? What factors enter into our decision? What practical measures should we undertake in reaching our decision? What liabilities do we face for making the proper or improper decision? How can we best protect ourselves from liability when we make that difficult decision? This workshop will explore many of those questions. We will discuss recent court developments clarifying the principles surveyors can apply when making their decisions. Through this workshop you will have an opportunity to examine your methods and compare them with the methods used by others. Is there more than one way to handle them? Are there better ways? We can all learn alternative methods to approach age-old decisions.

**Strategies for a Successful Surveying Business**

John Matonich (3 CEH elective) **Repeat**

Most Surveyors who run a surveying business do so because they love surveying, not because they want to be business owners. This session is intended to provide a better understanding of the aspects of managing a successful business. The presentation will cover various tools, principals and theories used to improve the performance of a business. No matter the size of your firm, this presentation will cover many things that can help you have a more successful business. It will cover topics that include knowing your clients and your employees. Also, the financial factors such as billing rates, overhead factors and chargeability will be covered. Finding, hiring and releasing employees will be discussed along with your legal responsibilities affecting each of them. The presentation will also cover the aspects of a good contract and some of the pitfalls of contract negotiation.



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**Program Scheduled  
continued from Page 15**

**Friday, January 14, 2011**

**Billing & Collection of Fees**

John Matonich (3 CEH Elective)

This presentation will explain all aspects of billing and collection for your business. You will learn the full impact overhead has on a company. What is overhead? Why is it important? How can it be computed and how can you charge for it? You will be given basic calculations to help you arrive at the figures you need to successfully invoice and add profit. Also addressed will be the collections of accounts and how to avoid receivables. Finally, you will be given options when you have receivables and what to do when clients don't pay.

**2011 ALTA/ACSM Land Title Survey Requirements**

Curt Sumner (3 CEH Mandatory)

This course will outline the changes and additions incorporated into the 2011 version of the ALTA/ACSM standards by the joint committee composed of representatives from ALTA, ACSM, and the Lenders Council. The 2011 version is scheduled to go into effect February 23, 2011.

Participants will be given an explanation for the logic behind the changes and additions, and will be able to discuss them with the presenter.

Each participant will receive a copy of the 2011 version with changes and additions shown in red letters for easy reference when discussing them with prospective clients, and in preparing proposals to perform the surveys.

There will also be discussion regarding the use of the ALTA/ACSM Land Title Survey Requirements as a Risk Management tool in developing a scope of work, and thus establishing clear expectations for the client.

**The Seven Deadly Sins of Surveying**

Larry Phipps (3 CEH Elective) **REPEAT**

This class will discuss the seven mistakes most commonly made by surveyors. Each mistake will be illustrated by an example pulled from the files of an E. & O. insurance company. The goal of this class is to help the students learn from the most common mistakes of others so they can identify them, avoid them, and keep their names off the list

**Pricing Professional Services**

Larry Phipps (3 CEH Elective)

This 4-hour class will discuss various methods for pricing professional services. We will look at how a service business differs from a retail product business. We will discuss client motivations and how these motivations affect pricing techniques. We will discuss the role price plays in the perception of quality.

**Technician Program**

**Thursday, January 13, 2011**

**Why Data Prep for machine control is important to the Surveyor**

Sitech (3 CEH Elective) **REPEAT** of Wed. Class

Data Prep presents new opportunities for surveyors. Data Prep is an area that is growing while construction staking is becoming less common. Using the equipment and software you may already have, you can generate and provide contractors the data they need for machines equipped with machine control.

**Safety for Surveying Field Technicians**

Ronald Koons (3 CEH Elective)

This presentation will give surveying field technicians a broad introduction to field safety procedures and OSHA requirements.

**Friday, January 14, 2011**

**Surveying Measurement Back-to-Basics**

Wesley Crawford (6 CEH Elective)

Back-to-Basic seminar is an in-depth look at the mistakes and errors that occur either in the field or on the construction jobsite.

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**SPOUSE/GUEST PROGRAM**

Welcome to the 59th ISPLS Convention. For your convenience we have arranged to have a Hospitality Room at the Marriott Hotel for your enjoyment. Here you will find coffee, assorted soft drinks, a place to catch up with old friends and make new ones.

The Hospitality Room will be available on Thursday from 7:00 a.m. to 5:00 p.m. and on Friday from 7:00 a.m. to 3:00 p.m. You will meet in the Hospitality Room Thursday morning at 8:00 a.m. prior to your departure from the hotel to Studio 2000 Salon & Day Spa. On Friday morning you meet in the Hospitality Room at 8:00 a.m. prior to your departure from the hotel to Lucas Stadium. A continental breakfast will be available in the Hospitality Room on Thursday and Friday morning.

An itinerary of fun, interesting and educational activities is planned for this year's ISPLS Spouse/Guest program. Please see the following schedule :

**Thursday, January 13, 2011**

8:00 a.m. Meet in Hospitality Room

9:00 a.m. Board Bus for Studio 2000

9:30 a.m. Studio 2000 Salon & Day Spa

12 Noon Catered lunch at the Spa

1:30 p.m. Board Bus for Fountain Square Merchants (Shops)

3:30 p.m. Board Bus for Return to Marriott

**Friday, January 14, 2011**

8:00 a.m. Meet in Hospitality Room

9:30 a.m. Board Bus for Tour of Lucas Stadium

10:00 a.m. Tour Stadium and visit Gift Shop

12:30 p.m. Lunch at Weber Grill

2:00 p.m. Board Bus for Return to Marriott



# CONVENTION REGISTRATION FORM

## Wednesday, January 12, 2011

8:00 - 12:00 p.m. Board of Directors Meeting (Patriot Boardroom)

12:00 - 6:00 p.m. **\*\*Registration\*\* Atrium \*\***

1:00 - 4:00 p.m. Indiana Statewide CORS & GPS/GNSS Real Time Network InCORS

Eric Banschbach, et al (3 CEH Elective)

1:00 - 4:00 p.m. Hydrology-Hydraulics & the History of Development-Urbanization in the US  
Robert Barr (3 CEH Elective)

1:00 - 4:00 p.m. Real Time GNSS Positioning  
William Henning (3 CEH Elective)

1:00 - 4:00 p.m. Access 2007: Basic  
Casey Glanders (3 CEH Elective)

1:00 - 4:00 p.m. Why Data Prep for Machine Control is Important to the Surveyor  
Sitech (3 CEH Elective)

1:00 - 4:00 p.m. Title and Survey Issues  
Wendy Gibbons (3 CEH Elective)

1:00 - 4:00 p.m. Upcoming Changes to NPDES Phase II Rules & Corresponding Watershed Management Techniques  
Ted Blahnik, et al (3 CEH Elective)

12:00 - 6:00 p.m. Exhibit Hall Opens (Grand Ballroom)

4:00 - 6:00 p.m. Exhibitor Reception (Exhibit Hall Grand Ballroom)

6:00 - 8:00 p.m. Vincennes, Purdue, Ferris State Alumni & Friends, Reunion Veteran's Hall 1 through 5

7:00 - 9:00 p.m. Las Vegas Casino Party (Indianapolis Ballroom A)

## Thursday, January 13, 2011

All seminars will be pre-registered. Classroom space may be limited. Please indicate first choice ( ✓ ) and alternate (A). NOTE: Seminars must be attended in full to receive CEH credit.

**Registration in a seminar that is a Part 1 of 2 automatically registers you in Part 2.**

7:00 - 5:00 p.m. **\*\* Registration \*\* Atrium\*\***

7:00 - 5:00 p.m. Exhibit Hall Open (Grand Ballroom)

8:00 - 11:00 a.m. So, You've Discovered a Conflict, Now What? Conflict Resolution for the Surveyor  
John Stahl (6 CEH Mandatory) Part 1 of 2

8:00 - 11:00 a.m. Real Time GNSS Positioning  
William Henning (3 CEH Elective)

8:15 - 11:15 a.m. Strategies for a Successful Surveying Business  
John Matonich (3 CEH Elective)

8:30 - 11:30 a.m. Ethics for the Professional PLS  
Larry Phipps (3 CEH Mandatory)

11:00 - 1:00 p.m. Lunch (Liberty Hall ) Staggered

12:15 - 3:15 p.m. So You've Discovered a Conflict, Now What? Resolving Boundary & Title Problems  
John Stahl (Part 2 of 2)

12:30 - 3:30 p.m. Influencing Government Decisions  
John Matonich (3 CEH Elective)

12:45 - 3:45 p.m. The Seven Deadly Sins of Surveying  
Larry Phipps (3 CEH Elective)

1:00 - 4:00 p.m. Height Modernization HTMOD  
William Henning (3 CEH Elective)

4:00 - 5:30 pm. ISPLS Business Meeting (Indpls Ballroom B-E)

6:00 p.m. Social & Banquet (Liberty Ballroom)

## Friday, January 14, 2011

All seminars will be pre-registered. Classroom space may be limited. Please indicate first choice ( ✓ ) and alternate (A). NOTE: Seminars must be attended in full to receive CEH credit. **Registration in a seminar that is a Part 1 of 2 automatically registers you in Part 2.**

7:00 - 12:00 p.m. **\*\*Registration\*\* Atrium\*\***

7:00 - 8:00 a.m. Past Presidents Breakfast (Library)

7:00 - 9:00 a.m. Exhibit Hall Closes at 9:00 a.m.

8:45 - 11:45 a.m. The First Surveyor Doctrine Facts and Fallacies  
John Stahl (6 CEH Mandatory) Part 1 of 2

8:45 - 11:45 a.m. Strategies for a Successful Surveying Business  
John Matonich (3 CEH Elective) **Repeat**

8:45 - 11:45 a.m. 2011 ALTA/ACSM Land Title Survey Requirements  
Curt Sumner (3 CEH Mandatory)

8:45 - 11:45 a.m. The Seven Deadly Sins of Surveying  
Larry Phipps (3 CEH Elective) **Repeat**

12:00 - 1:00 p.m. Lunch (All Together- Liberty Hall)

1:30 - 4:30 p.m. The First Surveyor Doctrine Facts and Fallacies  
John Stahl (Part 2 of 2)

1:30 - 4:30 p.m. Billing and Collection of Fees  
John Matonich (3 CEH Elective)

1:30 - 4:30 p.m. ALTA/ACSM Land Title Survey Requirements  
Curt Sumner (3 CEH Mandatory) **REPEAT**

1:30 - 4:30 p.m. Pricing Professional Services  
Larry Phipps (3 CEH Elective)

## Technician Program

Participants signed up for the Technician Program are not eligible to attend the other convention sessions. If you wish to attend the other sessions you must pay the full or 1 day convention fee. If you are a licensed land surveyor and wish to attend the Technician Program for credit you must pay the full or 1 day convention fee. The Technician Program fee includes meetings, handouts and luncheons only.

### Thursday, January 13, 2011

8:00 - 11:15 a.m. Why Data Prep for Machine Control is Important to the Surveyor  
Sitech (3 CEH Elective)

12:30 - 3:30 p.m. Safety for Surveying Field Technicians  
Ronald Koons (3 CEH Elective)

### Friday, January 14, 2011

8:45am - 4:30pm Surveying Measurement Back-to-Basics  
Wesley Crawford (6 CEH Elective)

## LODGING

Indianapolis Marriott East  
7202 East 21st Street  
Indianapolis, IN 46219  
(800) 228-9290 or (317) 352-1231

Convention rates (below) have been arranged. **Please indicate you are attending the 2011 ISPLS Convention when making reservation.** Reservations must be received by 12/31/10 in order to guarantee room and availability.

Single: \$109.00 Double: \$109.00  
Triple: \$109.00 Quad: \$109.00

Registrations received after 12/31/10(including walk-in's) will include a **\$50.00 late fee**, and will be accepted based on available space, and will not be guaranteed handouts or meals. Refund requests received before 1/04/11, a 50% discount will be made. **After 1/04/11, no refunds will be made.**

**No further Registration will be accepted after 1/02/11.**  
After 1/02/11 registration will be at the door with availability of seating.

The **full time registration** fee for the convention includes all handouts, refreshment breaks, two luncheons and the banquet. The registration fee for **spouses** includes a like number of meals. The **student** (full time) registration fee includes meetings and luncheons only. **One-day** registrant fee includes handouts and luncheons for the day registered.

The **technician/technical program** fee includes technician/technical meetings, technician/technical handouts and luncheons only. Participants signed up for the technician/technical program are not eligible to attend the other convention sessions. If you wish to attend the other sessions you must pay the full or 1 day convention fee. If you are a licensed land surveyor and wish to attend the Tech program for credit you must pay the full or 1 day convention fee.

As a reminder indicate your first choice with an (✓) and an Alternate (A).

We will appreciate it, if you will indicate by a (✓) that you plan on attending the Banquet on Thursday Night.

The Better Half of the Tecumseh Chapter of ISPLS will once again be having its Silent Auction for the Margaret Cunningham Scholarship Fund.

Mail to: **ISPLS**  
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### SINGLE REGISTRANT & SPOUSE FORM

For additional registrants please make copies of this form or contact ISPLS for additional forms.

	Fee
<input type="checkbox"/> Member	\$340.00
<input type="checkbox"/> Non-Member	\$725.00
<input type="checkbox"/> Spouse	\$150.00
<input type="checkbox"/> Student (Full Time)	\$ 40.00
<input type="checkbox"/> 1 Day (Member)	\$250.00
<input type="checkbox"/> 1 Day (Non-Member)	\$600.00
<input type="checkbox"/> 1 Day Technician/Technical Program	\$ 75.00
<input type="checkbox"/> 2 Day Technician/Technical Program	\$150.00
<input type="checkbox"/> Late Fee (After 12/31/10)	\$ 50.00
<input type="checkbox"/> ACSM/NSPS Member (Full Convention)	\$340.00
<input type="checkbox"/> ACSM/NSPS Member (One Day)	\$250.00
<input type="checkbox"/> Extra Banquet Ticket Thursday Night	\$ 50.00

ACSM/NSPS Member- Membership # \_\_\_\_\_

TOTAL \_\_\_\_\_

Firm Member – Deduct 20% \_\_\_\_\_

TOTAL AMOUNT ENCLOSED \_\_\_\_\_

Method of Payment

\_\_\_\_\_ Check (Please make check payable to ISPLS)

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Signature: \_\_\_\_\_

## Meet A Member

...continued from Page 15

younger children. We must continue to offer and increase the number of scholarships available to students graduating from high school.

8. In your years as a land surveyor what do you consider to be the most significant innovation to occur in the profession?

**ANS.:** There have been so many different innovations all stemming from the electronic age. This applies to computers and printers, to calculators, to total stations, and, of course, to GPS and communications.

9. In our current economic downturn what must owners of surveying firms do to assure continued success?

**ANS.:** Over the years I have noticed that so many firms seem to lock themselves into furnishing one or two services. They seem to be content in doing those services very well. Then when we experience a downturn in the economic climate and those services are no longer in demand, these firms then start scrambling around trying to find other services they can provide. The successful firm must expand the types of services it furnishes during good economic times. It's the good economic times that allow for easier growth and change. A few years ago I read a book titled "What Got You Here Won't Get You There." It explains how people get comfortable with their current success and how that comfort zone may keep them from taking the next big step in their career.

10. Tell about your hobbies and interests.

**ANS:** Since high school I have always been a big Purdue fan. I make it a point to attend all the home football and basketball games. I also take in a few road trip games during the season as well. I like to collect antique surveying instruments and equipment. Another interest of mine is a love for the game of golf. I am ready to play a round of golf anytime.

11. What is your favorite movie?

**ANS:** I've never been able to stay awake long enough to watch a movie from beginning to end. But, if I have to pick one, it would have to be "Caddyshack!"



# Leica Geosystems to Partner with Vincennes University Land Surveying Program Foundation

By James C. Tibbett, P.L.S.

Announced recently by Alex Cherchian of Leica Geosystems is a partnership with the Vincennes University Land Surveying Program Foundation to provide equipment for the program. In participating with the Foundation the University's Surveying Program will receive from Leica two (2) TS02 Power seven (7)-second Basic Total Station Packages and three (3) Sprinter 250M Electronic Level Packages with internal memory and new tripods. The list value of this equipment is \$21,000. This equipment will permit the introduction of digital leveling into the Surveying Program. The Program's digital level has been inoperative for several years. Students in the Program will now have the opportunity to work with digital levels.

Funds for the new equipment are provided by the Foundation. Energetically supporting the Foundation is the ISPLS Southwest Chapter. Leadership in establishing the Foundation in 2007 is attributed to Edward J. Sweetland, P.L.S. and this article's author James C. Tibbett, P.L.S., President of ISPLS. Since its formation the Foundation has received contributions from several surveying companies and many Indiana land surveyors. Contributors to the Foundation understand the importance of equipping the Vincennes Surveying Program with state-of-the-art equipment. Students in the program who will become Indiana's future land surveyors recognize that they are on the cutting edge of an outstanding profession.

Since 2007 the spotlight has shown brightly on the Vincennes Surveying Program. Included in its equipment are also several GPS units and a Laser Scanning instrument. William L. Clark, P.L.S., who heads the Surveying Program, is currently creating a Laser Scanning curriculum for students with majors in the Surveying Program and for non-majors alike. The value of equipment funded by the Foundation and ISPLS is \$75,000. The twenty-two first-year students and the nineteen second-year students in the Surveying Program are actively using this state-of-the-art equipment. The Surveying Program now provides an optional four-year degree.

Expressions of appreciation are extended to the ISPLS Southwest Chapter, to surveying companies, and to Indiana land surveyors for their generous contributions to the Foundation. We also extend a "thank you" to Leica Geosystems for the equipment it has provided for the Vincennes Surveying Program. Next on the list for purchase when Foundation funds permit will be new levels to replace the one dozen conventional levels now in use. If you wish to contribute to the Foundation, please send your check payable to the Surveying Foundation to: Vincennes University Foundation, 1002 North First Street (DC-38), Vincennes, Indiana 47591. Questions regarding contributions to the Foundation may be addressed to James C. Tibbett at (812) 847-1952.

*Pictured at left are Vincennes University surveying program students with James Tibbett, ISPLS President (second from left) and Austin Yake, instructor (third from left) with recently acquired surveying equipment.*



# WORST OF THE WORST (AND MOST COMMON) JOB INTERVIEW MISTAKES

by Karen Burns - U.S. News and World Report, On Wednesday March 10, 2010, 11:56 a.m. EST

You may have heard the horror stories - job hunters who take phone calls or text during an interview, or bring out a sandwich and start chomping, or brush their hair, or worse. You wouldn't do any of those things would you? Of course not.

But there are tons of other job interview no-no's you may have thought of. Or that you've forgotten. The job hunting trail is long and arduous, and a little refresher course can't hurt. So for your edification and enjoyment, here are 50 (yes, 50!) of the worst and most common job interview mistakes:

1. Arriving late.
2. Arriving too early.
3. Lighting up a cigarette, or smelling like a cigarette.
4. Bad-mouthing your last boss.
5. Lying about your skills/experience/knowledge.
6. Wearing the wrong (for this workplace!) clothes.
7. Forgetting the name of the person you're interviewing with.
8. Wearing a ton of perfume or aftershave.
9. Wearing sunglasses.
10. Wearing a Bluetooth earpiece.
11. Failing to research the employer in advance.
12. Failing to demonstrate enthusiasm.
13. Inquiring about benefits too soon.
14. Talking about salary requirements too soon.
15. Being unable to explain how your strengths and abilities apply to the job in question.
16. Failing to make a strong case for why you are the best person for this job.
17. Forgetting to bring a copy of your resume and/or portfolio.
18. Failing to remember what you wrote on your own resume.
19. Asking too many questions.
20. Asking no questions at all.
21. Being unprepared to answer the standard questions.
22. Failing to listen carefully to what the interviewer is saying.
23. Talking more than half the time.
24. Interrupting your interviewer.
25. Neglecting to match the communication style of your interviewer.
26. Yawning.
27. Slouching.
28. Bringing along a friend, or your mother.
29. Chewing gum, tobacco, your pen, your hair.
30. Laughing, giggling, whistling, humming, lip-smacking.
31. Saying "you know", "like," "I guess," and "um."
32. Name-dropping or bragging or sounding like a know-it-all.
33. Asking to use the bathroom.
34. Being falsely or exaggeratedly modest.
35. Shaking hands too weakly, or too firmly.
36. Failing to make eye contact (or making continuous eye contact).
37. Taking a seat before your interviewer does.
38. Becoming angry or defensive.
39. Complaining that you were kept waiting.
40. Complaining about anything!
41. Speaking rudely to the receptionist.
42. Letting your nervousness show.
43. Over explaining why you lost your last job.
44. Being too familiar and jokey.
45. Sounding desperate.
46. Checking the time.
47. Oversharing.
48. Sounding rehearsed.
49. Leaving your cell phone on.
50. Failing to ask for the job.

*Reprinted from the Georgia Land Surveyor, Vol. 49, Issue 3, November/December 2010.*

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# On the Road

By Ronald E. Koons, RoSaKo Safety

By now most of you know through my articles that my wife Sandee and I do a lot of traveling around the country. While I enjoy flying occasionally, much more can be seen while driving. Sometimes I think of Charles Kuralt and his “On the Road” segments. There are so many amazing things to see in this country. However, I do find that what Sandee thinks is amazing may be totally different than from my perspective. She loves traveling the back roads of New England, the streets of Charleston, and just about anyplace in Savannah. I will say that she can find something that interests her just about anyplace we go. Give me an aging aircraft carrier, battleship or submarine and I can stay entertained for hours. Being in the safety business we also just can’t help ourselves from making comments every few miles about someone or something that stands out safety wise. Let’s look at some of those safety observations as they relate to surveying.

We stopped at a McDonalds a few weeks ago to get some coffee. I stayed in the vehicle and I noticed what appeared to be a one man surveying operation in the parking lot of a shopping center next door. He was using a robotic unit and was moving over quite a large area for the short period of time I was present. The portion of the lot he was traversing was being used by a number of cars as a shortcut to McDonalds and another restaurant. He had placed several cones around the tripod and even had a couple of small flags sticking in top of the cones. Evidently he really didn’t want the equipment to get hit. I guess the equipment was more important to him than his own safety. He was wearing dark clothing which tended to blend in around the asphalt, some vegetation and the vehicles. There was no vest, brightly colored shirt or even a high visibility cap! At one point I even observed him so wrapped up in what he was doing that he walked right out in front of a car! The driver hit her brakes and gave a good old honk on the horn and it didn’t even seem to both the surveyor. In fact, he seemed agitated at her for getting in his way. No matter where you or your crews are working it is vitally important to remain visible at all times and to pay attention to your surroundings. While traffic in a parking lot may not get to 70 miles per hour you can still get seriously injured or even killed by the low speed traffic. You can also cause a driver to swerve hitting someone else. That could get you tied up in a nasty liability case even if you aren’t injured.

Our next situation was on an interstate highway. I could see some orange signs ahead along with amber strobes and flashing lights. I instinctively slow down when flashing lights are ahead and as I got closer we saw a sign on each side of the road that said “Workers Ahead” and then a little more down the road there were two more signs that said “Survey Crew”. There was a worker who had just got out of an ATV. The worker had on a Class III vest, a high visibility cap and even high visibility shorts!! The

ATV had strobes on each corner and even a strobe bar on top. The back of the vehicle had reflective striping. On the right hand side of the road was the tripod along with a worker who was similarly dressed. His vehicle was next to him and also had strobes in each corner along with a strobe bar on top. About ½ mile down the road we saw another set of signs on the other side of the interstate and then more signs just beyond that location. This is a classic example of a company making a strong effort to protect its workers.

My next case is on a multi-family construction site. We perform safety audits on several of these projects each month. We were out of state and when I arrived on the project I observed what appeared to be a surveying company vehicle setting just off the entry road. Footings and some underground slab work were underway along with several pieces of equipment doing utility work. The worker was alone and it appeared he may have been staking for the next building. The excavation equipment was moving all

around the site as they had to take dirt one direction and then trucks were bringing fill back in. I approached the worker and identified myself as the safety person for the project and I questioned who he worked for and what he was doing that day. My hunch on his activity was correct and he said that he would just be there

a couple of hours. I asked him if he had a high visibility shirt or vest and I was shocked when he said that he didn’t. I asked if he had anything brightly colored he could wear and he said his vest ripped a couple of weeks before and he asked his boss to get another vest. He supposedly ordered one from a supply house. The worker just guessed that it hadn’t come in yet. He indicated that the previous vest was ripped so bad he just threw it away. So here we have a worker who worked for two weeks without any high visibility clothing. I asked him where he was going after he left that jobsite and he indicated he was going to do some work for a deceleration lane on another project. I asked him if he did just construction staking and he indicated that was just about all that he had been doing for several weeks. In this case the project superintendent had an extra vest the worker was able to wear while on site. To think that someone would allow a worker to go at least two weeks without any high visibility protection is just unbelievable. Even if they couldn’t get the correct vest anything is better than nothing!

I can honestly say that safety in the surveying profession has taken a tremendous leap in the right direction over the past 10-15 years. There is still a lot to be done, but every vest worn, every cone put in place and every safety class attended just increases the chances that your workers will have the opportunity to go “On the Road” again.

No matter where you or your crews are working it is vitally important to remain visible at all times and to pay attention to your surroundings.

## CALENDAR

### November 6, 2010

ISPLS Board of Directors meeting  
Indianapolis Headquarters

### December 11, 2010

ISPLS Board of Directors meeting  
Indianapolis Headquarters

### January 12-14, 2011

ISPLS 59th Convention  
Indianapolis Marriott East, 7202 E. 21st Street, Indianapolis

### Feb. 9-12, 2011

Ohio 36th Annual Conference  
InterContinental Hotel & Conference Center  
at the Cleveland Clinic, Cleveland, Ohio

### Feb. 16-19, 2011

Illinois 54th Annual Conference  
Crown Plaza, Springfield, IL

### Feb. 23-25, 2011

Michigan 70th Annual Meeting  
Bavarian Inn Lodge and Conference Center, Frankenmuth, MI

### Feb. 24-26, 2011

Kentucky Annual Conference  
Crown Plaza, Louisville, KY

## WELCOME NEW ISPLS MEMBERS

Aldridge, Henry - Professional	Johnson, Willard - Professional
Ashton, Haldon - Life	Koehne, Steven - Professional
Buehler, Philip - Professional	Lee, Chris - Associate
Butler, Fairman & Seufert - Firm	Livingston, Terry - Professional
Couts, Joseph - Professional	McMahan, Mark - Professional
Daugherty, Thomas - Life	Morris, Linda - Professional
Dobrawski, Lisa - Professional	Nagel, Michael - Professional
Domelle, Tony - Associate	Oprisu, Stevan - Associate
Durham, Richard - Professional	Rainey, Brad - Associate
Eckerle, Bradley - Professional	Shannon, Stephen - Associate
Gordon, Jr., Keith - Associate	Star, Colin - Life
Hanna, Mark - Associate	Sudhoff, Warren - Professional
Heeke, Clint - Associate	Thomson, Paul - Affiliate
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Dial Direct: (317) 577-3402 Fishers, IN 46038  
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