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# HOOSIER SURVEYOR

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QUARTERLY PUBLICATION OF THE INDIANA SOCIETY OF PROFESSIONAL LAND SURVEYORS, INC.

VOLUME 39 • NUMBER 1 • SUMMER 2012



***Bob Vollmer, PLS and his Jeep are each veterans of World War II. An article about the 95-year-old surveyor's career begins on page 20, and one about the Jeep begins on page 22. Photo provided by Katrina Vollmer.***

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*Front Row, L to R: Don West, Carmel; Chuck Coyle, Columbus; Sean Suttles, Chandler; Don Bengel, Valparaiso; Kevin Rowland, Carlisle; Dennis Grumpp, New Palestine; Second Row, L to R: Rich Hudson, Valparaiso; Ryan Swingley, Fortville; Bernie Guerrettaz, Bloomington; Gary Kent, Noblesville; Eric Banschbach, Indianapolis. Not pictured Perry Cloyd, Columbus. Photo provided by Henry Aldridge, PLS*

# HOOSIER SURVEYOR

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## EDITOR'S NOTES

Deadlines for copy for various planned issues of the Hoosier Surveyor are as follows:

- Winter - February 1
- Spring - May 1
- Summer - August 1
- Fall - November 1.

The Hoosier Surveyor is published quarterly by the Indiana Society of Professional Land Surveyors to inform land surveyors and related professions, government officials, educational institutions, libraries, contractors, suppliers and associated businesses and industries about land surveying affairs.

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.



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## PRESIDENT'S MESSAGE

Gary R. Kent, L.S., ISPLS President



By the time you read this, summer will be a memory - at least for school age kids - but the memory of record-breaking heat will linger with us, probably until the first frost. Notwithstanding the weather, the economy has continued a disconcerting run of fits and starts - often buffeted, frustratingly, by events well beyond our borders. As I have traveled the country this year, I've detected less optimism than I heard last year even though by most accounts the workload seems to be increasing. An interesting paradox.

In any event, your ISPLS continues to work for the benefit of the surveying profession. The first installment of the \$200,000 transfer to the Indiana Professional Land Surveyors Foundation - \$150,000 - has been completed and it is with great anticipation that we look forward to the impact the IPLSF will have on the future of our profession.

The two continuing education seminars sponsored by ISPLS in July (for those who prefer to get their hours at the last minute) were well-received by those in attendance at the Essenhaus in Middlebury and at Vincennes University.

In June, the ISPLS Board voted to support the Rhode Island Society of Professional Land Surveyors' petition to NCEES to remove reference to "engineering surveys" from the definition of the practice of engineering in the NCEES Model Law.

ISPLS Executive Director Jason Coyle is working tirelessly and energetically to represent ISPLS at every turn. He attended both of the continuing ed seminars and is doing an exceptional job providing thoughtful input as a member of the Board of Registration's subcommittee working on developing changes to the Administrative rules of the Board.

The National Museum of Surveying in Springfield, Illinois, has an offer from an anonymous donor to match up to \$200,000 in any donations received by the end of the year. If you have not visited the museum you should; by all accounts it is an extraordinary set of exhibits that does an outstanding job of representing both the heritage and the future of our profession. Please consider a tax-deductible contribution to help support the Museum! Go to [www.surveyingmuseum.org](http://www.surveyingmuseum.org) to make a contribution.

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# ISPLS BOARD OF DIRECTORS MEETING HIGHLIGHTS

by Robert "Jason" Coyle, PLS, Executive Director

## April 21, 2012

The ISPLS Board of Directors met on Saturday, April 21, 2012 at the Indianapolis Marriott East, Indianapolis, Indiana. President Gary Kent called the meeting to order at 9:08 am EDT. All board members were in attendance with the exception of Don West and Ryan Swingley. Others in attendance were Jason Coyle, Executive Director of ISPLS, Doug Herendeen, Randy Miller, Al Fabian, Frank Ballintyn, Frank Walsko and Jason Copperwaite.

President Kent briefly reviewed the ISPLS Mission and Vision Statement and noted the Rules of Order for the meeting. There were no amendments to the agenda. A motion was made by Chuck Coyle seconded by Don Bengel to accept the agenda. The motion passed by a unanimous voice vote. The minutes from the March 10, 2012 meetings were reviewed and accepted. A motion was made by Rich Hudson seconded by Eric Banschbach to accept the Board of Director's meeting minutes as presented. The motion passed by a unanimous voice vote.

The Treasurer's Reports were reviewed. As of April 15, 2012 total cash in checking account was \$17,556.16 and other assets totaling \$426,198.84 for an overall total of \$443,755.00. A motion was made by Don Bengel seconded by Rich Hudson to accept the Treasurer's report as submitted. The motion passed by a voice vote. This was followed by a preliminary review of the 2012-2013 Budget. The goal was to be conservative in projected income and liberal in expenses. Dennis Grumpp and Jason Coyle explained how some of the numbers were arrived at for the coming budget and went through some highlights. Perry Cloyd mentioned we should strive for a balanced budget with our conservative approach so there would be a more leeway in regard to contingency for unexpected expenses. Dennis Grumpp requested that suggestions to the budget be received prior to the next meeting so the budget can be approved in June.

Doug Herendeen gave an update concerning the 2013 convention which is being hosted by the Central Indiana Chapter. The chapter is current working on securing speakers. The Board heard and reviewed the Executive Director's report. The report discussed the Hoosier Surveyor and the July seminars with Larry Phipps at Vincennes University and Gary Kent in Middlebury.

ISPLS Committee reports: A written report was received from Mike Davis for the Publication and Media Committee. Kevin Rowland reviewed a Scholarship Committee report regarding the John G. McEntyre Endowment Scholarship and the Peggy Archer Memorial Scholarship. He indicated that interviews for both were conducted March 30, 2012. Five committee members were present to conduct the interviews and delivered the following recommendations: John G. McEntyre Endowment Scholarship to Scott Pruzin in the amount of \$5,000. Peggy Archer Memorial Scholarship to Keenan Mathews in the amount of \$3,200.00. A motion was made by Rich Hudson seconded by Don Bengel to accept the recommendations. The motion passed by a voice vote.

Chuck Coyle, Committee Chairman of the Past President's Council, submitted a written report. The report contained an invitation letter to all Past Presidents for their participation. The report also outlined the charges set forth by ISPLS President Gary Kent. Chuck discussed in the letter that the Past Presidents would be working on the Definition of Land Surveying, reaching out to Purdue University regarding ISPLS being of assistance in an advisory role, and perhaps being involved further with regard to the 4-year degree qualification for licensure.

A report was received from Ron Wharry, Chairman of the Membership Committee, concerning new members. Chuck Coyle made a motion and Dennis Grumpp seconded to approve the nine applications for membership received by Foster, Hause, Herceg, Kopas, Nejman, Paul, Pfohl, Quillen, and Scanlon; however, to table the application of Bud Payne to become a Life Member. The motion passed by unanimous voice vote. The By-Laws Committee was assigned the task of reviewing the Life Member requirements.

Tony Gregory submitted a written report stating the testing would be during the month of May for Trig-Star. Tony will follow up in May regarding the results, and he mentioned in his report that the first place winner from Indiana would be eligible to take the National exam. Don Bengel, NSPS Governors, stated there have been discussions regarding the establishment of State Affiliation Membership with NSPS which would greatly reduce NSPS membership fees. Don Bengel mentioned the upcoming NSPS meetings in Charlotte and said he would gather more information concerning this matter.

*(Continued on page 6)*

*(Continued from page 5)*

Unfinished Business: Chuck Coyle presented the final Memorandum of Understanding between ISPLS and IPLS Foundation. The consensus of the ISPLS-BOD was that no action was needed as the condition of the motion made at the March meeting had been carried out. Gary Kent assigned the By-Laws Committee to investigate chapter compliance regarding tax id numbers, etc. Jason Coyle said he would look into this as well. Gary Kent led a discussion about the Definition of Surveying effort. He stated that this needed to be a collaborative effort that included the ISPLS-BOD, the Past President's Committee and the Legislative Committee. Gary Kent stated that the Board of Registration had assigned a subcommittee to work on amendments to Title 865 of the Indiana Administrative Code which includes a potential four-year degree educational requirement to sit for the Professional Surveyor's Exam. He stated that two e-mails were sent from Indiana Professional Licensing Agency on the topic, and that the first one was sent in error.

New Business: Jason Copperwaite presented a written report concerning surveyor's liability. A motion was made by Chuck Coyle to direct the Legislative Committee to work with our lobbyist to develop legislation concerning this matter. The motion was seconded by Perry Cloyd and passed by voice vote. Frank Ballintyn discussed some non-agenda items during lunch. He asked if it would be appropriate for the Foundation to start up a Benevolence Fund to aid surveyors in a time of need (example: tornado victim in Henryville). He would also like the Foundation or the ISPLS to pursue the promotion of coloring books to expose young people to surveying. The meeting adjourned at 3:15 pm EDT.

## **June 9, 2012**

The ISPLS Board of Directors met on Saturday, June 9, 2012 at ISPLS Headquarters, Indianapolis, Indiana. President Gary Kent called the meeting to order at 9:00 am EDT. All board members were in attendance with the exception of Kevin Rowland and Perry Cloyd. Others in attendance were Jason Coyle, Executive Director of ISPLS, and Doug Herendeen.

President Kent briefly reviewed the ISPLS Mission and Vision Statement and noted the Rules of Order for the meeting. There were no amendments to the agenda. A motion was made by Don West seconded by Don Bengel to accept the agenda. The motion passed by a unanimous voice vote. The minutes from the April 21, 2012 meetings were reviewed and accepted. A motion was made by Rich Hudson seconded by Don Bengel to accept the Board of Director's meeting minutes as presented. The motion passed by a unanimous voice vote.

The Treasurer's Reports were reviewed. As of May 31, 2012 total cash in checking account was \$16,259.24 and other assets totaling \$409,854.72 for an overall total of \$426,113.96. A motion was made by Chuck Coyle seconded by Eric Banschbach to accept the Treasurer's report as submitted. The motion passed by a voice vote. This was followed by a review of the 2012-2013 Budget. A motion was made by Dennis Grumpp and seconded by Rich Hudson to approve the 2012-2013 budget as presented. The motion passed by voice vote.

The Board heard and reviewed the Executive Director's report. The report discussed membership renewals and a proposed Wabash Valley Chapter seminar with Tony Gregory. A motion was made by Chuck Coyle and seconded by Rich Hudson to establish a trial 60% - 40% split of the profit for the upcoming workshop with 60% going to the Chapter. The motion passed by voice vote. There was further discussion regarding the structure or level of involvement Jason Coyle should have with future chapter workshops and functions. Bernie Guerretaz suggested that for the time being they allow Jason to perform individual assessment and negotiation of fees on a case by case basis. There was discussion about the Indiana Underground Plant Protection Service with respect to when surveyors should call in tickets for routine surveys and the penalties associated with not complying. Jason Coyle has performed some research on this matter and will set up a meeting with IUPPS.

Business conducted via e-mail: A motion was made by Don Bengel to ratify the transfer of \$20,000.00 from investments to the checking account. The motion was seconded by Chuck Coyle and passed by voice vote. A motion was made by Rich Hudson and seconded by Dennis Grumpp to ratify the Board's decision to pursue all three legislative priorities during the 2013 session. The motion passed by voice vote.

ISPLS Committee reports: A report was received from Ron Wharry, Chairman of the Membership Committee, concerning two Life members. Don Bengel made a motion and Rich Hudson seconded to approve Brian Crowder and Ken Gembala for Life Membership. The motion passed by voice vote. Don West reported on the Fast-Friday Session at the Indianapolis Motor Speedway with

*(Continued on page 7)*

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American Society of Civil Engineers (ASCE). Tony Gregory submitted a written report concerning Trig-Star. A motion was made by Don Bengel and seconded by Eric Banschbach to change the policy on Trig-Star awards to cash awards per Tony Gregory's report. Doug Herendeen gave an update concerning the 2013 convention. He outlined that the format would consist of one session on Wednesday with Gary Kent and mentioned some of the proposed speakers. Don Bengel asked that we look into having courses pre-approved for engineering continuing education.

A motion was made by Eric Banschbach and seconded by Ryan Swingley to change the name of the GPS Monumentation Committee to the Geodetic Control Workgroup. The motion passed with a voice vote. Ryan Swingley reported that this committee is a joint committee with IGIC. It was mentioned that sometime late this summer there may be a grant awarded for \$350,000 for height modernization through INDOT to hire a manager to develop a plan to finish the efforts at Hamilton County. The Board discussed the Life Membership category.

Gary Kent, on behalf of the Past President's Council, met with Steve Johnson and Jim Bethel regarding the establishment of an advisory committee. Gary will work with Chuck Coyle to find volunteers to serve on the advisory committee and set up another meeting with Steve Johnson and Jim Bethel. They will also work toward establishing another committee made up of Bill Clark, Carol Morman, Bruce Franke, Tony Gregory and representatives from Purdue to get a synergy going with our education providers. Gary Kent also offered that Melba Crawford (head of Civil Engineering at Purdue) had an interest in setting up some kind of geospatial unit within the agricultural and geography areas at Purdue.

Don Bengel, NSPS Governors, reported on the approval of the merger of NSPS and ACSM; however there are still some pending legal aspects. He reported that it is still the goal of NSPS to achieve affiliate memberships with the state societies. Based on a formula, the rate could be forty dollars per state member. Don Bengel supports this effort and recommends that we give this serious consideration. Ryan Swingley suggested we take this opportunity to address chapter membership issues as well. A motion was made by Ryan Swingley and seconded by Rich Hudson that ISPLS pursue an agreement with NSPS to become an affiliate member pending the creation of said category. The motion passed by a unanimous voice vote.

Unfinished Business: Chuck Coyle gave a report concerning the IPLS Foundation. The Foundation BOD met on April 30, 2012. The \$200,000.00 has not been transferred yet as the account is still being set up. Chuck reported the Foundation Board wants to add an additional member to their board to have a total of six. He added that Dan Kovert and Eric Banschbach will serve a new 3 year term to Jan 2015. Perry Cloyd and Chuck Coyle will finish 2 year terms to Jan 2014. Dennis Grumpp and Doug Herendeen will serve 1 year terms to Jan 2013. Chuck Coyle will serve as President, Dan Kovert will serve as Vice President, Perry Cloyd as Secretary, Dennis Grumpp as Treasurer, and Eric Banschbach will be the liaison to the ISPLS BOD. A motion by Chuck Coyle and seconded by Don West to approve the board make-up as presented. The motion passed by voice vote. The meeting adjourned at 1:56 pm EDT.

## ISPLS CALENDAR & UPCOMING EVENTS

Please visit the following web link to view a list of the most current and up-to-date events: <https://m360.ispls.org/calendar.aspx>

### September 2012

September 15—Saturday  
ISPLS BOD Meeting  
Vincennes University—9:00 AM

September 22—Saturday  
PS (LS) Exam Review  
ISPLS Headquarters—Indianapolis—8:30 AM

September 28—Friday  
CIC-ISPLS Golf Outing  
Maple Creek Golf Club—9:00 AM

### October 2012

October 6—Saturday  
FS (LSIT) Exam Review  
ISPLS Headquarters—Indianapolis—8:30 AM

October 12—Friday  
Board of Registration Meeting  
Professional Licensing Agency—9:00 AM

October 26—Friday  
Wabash Valley Chapter Seminar & Golf Outing  
"From Error Analysis to RPA" w/ T. Gregory  
Anderson Country Club—8:00 AM

### November 2012

November 3—Saturday  
ISPLS BOD Meeting  
ISPLS Headquarters—Indianapolis—9:00 AM

### December 2012

December 8—Saturday  
ISPLS BOD Meeting  
ISPLS Headquarters—Indianapolis—9:00 AM

### January 2013

January 16-18  
ISPLS Annual Convention  
Indianapolis Marriott East

# BOARD OF REGISTRATION FOR LAND SURVEYORS

## MEETING HIGHLIGHTS - JULY 20, 2012

by Robert "Jason" Coyle, PLS, Executive Director

The Board of Registration for Land Surveyors (Board) met Friday, July 20, at 8:30 am EDT. The meeting was held at Indiana Government Center South, 402 W. Washington Street, Room CC4, Indianapolis, Indiana. The meeting was called to order with all Board members in attendance with the exception of Michael DeBoy and Doug Lechner. Gary Kent was not present when the meeting was called to order. Rather, Gary and Jason Coyle were finishing up an earlier meeting with Marty Allain, General Counsel for IPLA; Lisa Bentley, Deputy Director for IPLA; Christina "Tina" Wiseley, Board Director; and Christine Arnold. This meeting was called to discuss a few legislative matters. The Professional Licensing Agency was also interested in hearing what ISPLS had planned for the upcoming session. Marty Allain informed the attendees of two recently passed House Enrolled Acts, Numbers 1003 and 1116. The acts can be read in their entirety at the following web addresses:

<http://www.in.gov/legislative/bills/2012/HE/HE1003.1.html>

<http://www.in.gov/legislative/bills/2012/HE/HE1116.1.html>

House Enrolled Act No. 1003, Sections 10 through 12, amend Indiana Code 5-14-1.5-3 which deals with meetings of governing bodies of public agencies and the use of communication by electronic means (e.g., telephone, computer, and video conferencing). Basically, this amendment allow for members of a governing body of a public agency to participate in a meeting by electronic communication. The code includes particular requirements that must be met and the governing body must adopt a policy to govern participation.

*(Continued on page 9)*

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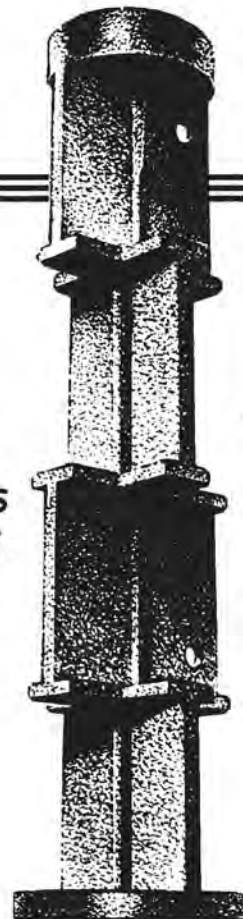
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(Continued from page 8)

House Enrolled Act No. 1116 added the following chapters to the Indiana Code: IC 21-42-7 and IC 25-1-17. IC 21-42-7 defines "Military Education," while IC 25-1-17 deals with the "Licensure of Individuals with Military Training; Licensure of Military Spouses."

*Sec. 4. Notwithstanding any other law, a board shall issue a license, certificate, registration, or permit to a military service applicant to allow the applicant to practice the applicant's occupation in Indiana if, upon application to a licensing board, the applicant satisfies the following conditions:*

*(1) Has:*

- (A) completed a military program of training;*
- (B) been awarded a military occupational specialty; and*
- (C) performed in that occupational specialty;*

*at a level that is substantially equivalent to or exceeds the academic or experience requirements for a license, certificate, registration, or permit of the board from which the applicant is seeking licensure, certification, registration, or a permit.*

*(2) Has engaged in the active practice of the occupation for which the person is seeking a license, certificate, registration, or permit from the board for at least two (2) of the five (5) years preceding the date of the application under this section.*

*(3) Has not committed any act in any jurisdiction that would have constituted grounds for refusal, suspension, or revocation of a license, certificate, registration, or permit to practice that occupation in Indiana at the time the act was committed.*

*(4) Pays the fees required by the board from which the applicant is seeking licensure, certification, registration, or a permit.*

*Sec. 5. Notwithstanding any other law, a board shall issue a license, certificate, registration, or permit to a military spouse to allow the military spouse to practice the military spouse's occupation in Indiana if, upon application to the board, the military spouse satisfies the following conditions:*

*(1) Holds a current license, certification, registration, or permit from another jurisdiction, and that jurisdiction's requirements for a license, certificate, registration, or permit are substantially equivalent to or exceed the requirements for a license, certificate, registration, or permit of the board from which the applicant is seeking licensure, certification, registration, or a permit.*

*(2) Can demonstrate competency in the occupation through methods as determined by the board, including having completed continuing education units or having had recent experience for at least two (2) of the five (5) years preceding the date of the application under this section.*

*(3) Has not committed any act in any jurisdiction that would have constituted grounds for refusal, suspension, or revocation of a license, certificate, registration, or permit to practice that occupation in Indiana at the time the act was committed.*

*(4) Is in good standing and has not been disciplined by the agency that has jurisdiction to issue the license, certification, registration, or permit.*

*(5) Pays any fees required by the occupational licensing board for which the applicant is seeking licensure, certification, registration, or a permit.*

This House Enrolled Act came as quite a surprise to several individuals, including the Professional Licensing Agency. Michael O'Brien, ISPLS Lobbyist with Bose Public Affairs, stated he did not "think anyone was aware of the scope of this bill during session. It's just now being discovered by your fellow licensed professions, I think because the boards have some obligation to adopt rules to implement this chapter. We're still working to get the story on it, but it sailed through the legislature unimpeded as you might expect given the apparent motive of increasing employment opportunities for veterans."

The Professional Licensing Agency suggested the Board give it some thought and consider adopting an unwritten/informal policy on how to weigh such an applicant's qualifications. Gary Kent said, "North Carolina dealt with this recently and one of their board members thought they were able to at least require an exam." Gary went on to say, "The law as written would allow that, although Marty [Allain] expressed concern that the author of the bill would not appreciate that as a wholesale approach." Gary spoke with two members of the NCEES Board and told them NCEES needs to formulate some thoughts and guidance for State Boards on this issue.

(Continued on page 10)

(Continued from page 9)

Gary Kent and Jason Coyle joined the Board meeting at about nine o'clock. The Board spent several minutes reviewing licensure applications, approving continuing education providers and courses. At 9:19 am, the Board began official business by adopting the agenda for this meeting and the minutes from the April 13, 2012, meeting.

The Board heard a report from Gary Kent, Board Liaison to the Attorney General's Office. Gary had very little to report on other than that the Board would be discussing a Proposed Settlement in today meeting. Natalie Stidd, Deputy Attorney General, supplied the Board with a report of Consumer Complaints and Litigation Cases. Below is a summation of that report:

Consumer Complaints			
Year	Consumer Complaints at Beginning of Year	Consumer Complaints Opened During Year	Consumer Complaints Closed <sup>1</sup> During Year
2011	33	4	15
2012	22	7	21
Complaints Currently Open as of July 19, 2012			8
Average Age of Open Complaints: 4.13 months			

1. Reasons a consumer file is closed include, but are not limited to, the investigation is complete and a litigation file is created, the investigation revealed that there was no licensing violation, or a warning letter was sent.

Litigation Cases			
Year	Litigation Cases Open at Beginning of Year	Litigation Files Opened During Year	Litigation Files Closed During Year
2011	8	5	3
2012	10	2	1
Cases Currently Open as of July 19, 2012			11
Average Age of Open Cases: 16.93 months			

Action Taken	2011	2012
Admin Complaints Filed	0	3
Cease & Desist Orders Filed	0	1
Summary Suspensions Filed	0	0
Civil Litigation	0	0
Judicial Review	0	1

Natalie Stidd also informed the Board of a Judicial Review and that they were being sued. Kenneth Ziese with A to Z Construction Layout and his representation filed a motion with the Lake County Courts to dismiss the case on the grounds of the Board acting outside of their authority.

At 9:30 am, the Board commenced with personal appearances and review of probationary reports. Stephen Brent Williams was first on the agenda but was not in attendance. A short discussion among the board member took place concerning disciplinary action for the lack of his appearance. Just prior to voting on a motion of Order to Show Cause, Mr. Williams walked through the door and joined the meeting. The Board continued with the review of probationary report of Mr. Williams. Mr. Williams requested a hearing to be held at the next Board meeting to remove him from probation. The Board, seeing very few surveys from Mr. Williams, requested that Mr. Williams perform and complete at least one additional survey before they would consider the removal.

(Continued on page 11)

(Continued from page 10)

At 9:47 am, the Board met with Carl J. Krause III to review his application for licensure by comity. The Board had tabled Mr. Krause's application at their last meeting and was requesting clarification concerning his educational background. Mr. Krause requested a personal appearance to explain his position. The Board concluded that Mr. Krause's educational background did not meet the requirements for licensure and denied his application. The Board concluded probationary reports with reviews concerning Bernard Feeney and Michael Sadlon.

At 10:04 am, an Administrative Hearing was heard in the Matter of the Registration of Roger W. Woodfill regarding Cause No. SBRLS 12-04. A complaint was brought against the land surveyor license of Mr. Woodfill by the State of Indiana, by counsel, Deputy Attorney General Natalie R. Stidd, on behalf of the Office of the Attorney General and pursuant to Indiana Code and the Administrative Order and Procedures Act. The complaint involves three surveys that Mr. Woodfill had prepared and they are noted as the "Lyons Survey," dated March 21, 2009, the "Chase Survey," dated August 27, 2007, and the "Leffler Survey," dated June 30, 2006. The complaint included nine counts and explains the errors and omissions that are in violation of Indiana Code 25-1-11-5 and Title 865 of the Indiana Administrative Code 1-12-12 and 13.

After nearly three hours of examination, cross-examination, and deliberation, the Board found Mr. Woodfill guilty of all nine counts and made the following motion:

- Mr. Woodfill's license shall be placed on probation with no petition for removal for one year.
- Require Mr. Woodfill to gain six hours of continuing education pertaining to surveyor's report and theory of location with the next year and in addition to other continuing education requirements
- Surveys prepared by Mr. Woodfill must be reviewed by a mentor. The mentor must be approved by the Board and must be compensated for their review.
- Mr. Woodfill must personally appear at each Board meeting during the probationary period.
- Mr. Woodfill must pay five dollars to the Health Records and Personal Identifying Information Protection Trust Fund.

The Board voted unanimously in favor of the motion.

At 1:15 pm, the Board reported that the administrative hearing in the Matter of the Registration of Ronald E. Morrison, Cause number: SBRLS 12-05, had been continued and would be handled in a settlement conference.

The Board then took into consideration a proposed settlement in the Matter of Registration of Frank Walsko, Cause Number: SBRLS 12-06. The matter dealt with Mr. Walsko's answer to the following question under the Personal Background section of his land surveyor license application: "Have you ever been convicted of (A) an act which would constitute a ground for disciplinary sanction under IC 25-21.5 or (B) a felony that has a direct bearing on your ability to practice competently?" Mr. Walsko answered the question "No" even though he had a prior felony conviction. Mr. Walsko felt that his felony conviction had no direct bearing on his ability to practice competently. Gary Kent noted that Mr. Walsko had appeared before the Board of Directors for ISPLS concerning the same matter. The ISPLS By-Laws, Section 1, Article 5, pertains to the expulsion of a member that has been found guilty of any felony and the process for reinstatement. Mr. Walsko appealed the expulsion notice handed down by the Board of Directors for ISPLS. Upon hearing Mr. Walsko's case in an Executive Session, the ISPLS Board voted unanimously to reinstate his membership. The proposed settlement included a Letter of Reprimand. The Board approved the settlement and noted that the language on the application concerning this question should be revised.

There was a discussion concerning competitive bidding vs. Title 865 of the Indiana Administrative Code 1-10-19. Section 19: The land surveyor shall seek professional employment on the basis of qualification and competence in the proper accomplishment of similar work. The question was asked: "Does that mean that surveyors cannot participate in competitive bidding?" In which case, the surveyor would not be seeking employment based upon qualification and competence, but rather on price alone.

The Board briefly discussed the transitioning the FS exam to a computer-based format in 2014. The Board also discussed the legislative matters that were mentioned above. The meeting adjourned at 1:46 am EDT. The next scheduled meeting is Friday, October 12, 2012 at 8:30 am EDT at Indiana Government Center South, 402 W. Washington Street, CC4, Indianapolis, Indiana 46204.

# BOARD OF REGISTRATION FOR LAND SURVEYORS RULES SUBCOMMITTEE MEETING HIGHLIGHTS - JULY 20, 2012

by Robert "Jason" Coyle, PLS, Executive Director

The Rules Subcommittee met immediately following the Board meeting. Those in attendance were as follows: From the Board of Registration: Gary Kent, Richard Hudson, Ross Holloway, and John Stephens; Gordon White, Deputy Attorney General and Attorney for the Board; From the Professional Licensing Agency: Tina Wiseley and Crystal Heard; and Jason Coyle, Executive Director of ISPLS, Inc. Jason Page and Frank Walsko were also in attendance as guests. The majority, if not the entirety, of the meeting was spent discussing the four-year degree requirement. The responses received from those commenting on the four-year degree requirement were reviewed. The meeting was cut short due to the duration of the Board meeting and due to other commitments of Board members.

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# MEET AN ISPLS MEMBER - SEAN L. SUTTLES, PLS

As told to Robert "Jason" Coyle, PLS, Executive Director



## 1. Tell us a little bit about your childhood years, your hometown and your family.

My wife Tuesdae and I have been married for 19 years and we have two kids, our Shelby is 15 and our daughter Auburn is 12. I was born in Chattanooga, Tennessee, and grew up in nearby northeast Alabama and graduated from Fort Payne High School.

## 2. Beyond high school what were some of your educational or life experiences?

I attended my first two years of college in Chattanooga, Tennessee, pursuing an engineering degree and received an associate degree in pre-engineering. I transferred to Auburn University in Alabama to obtain a degree in aerospace engineering or so I thought. After my first year at Auburn I spent the summer break working for a family friend and met my future wife. Following the end of the summer we both went back to our respective universities and tried to establish a long-distance relationship (she was attending Western Kentucky University). Well, the long-distance relationship wasn't working so I decided to transfer to Western Kentucky University and changed my major to civil engineering for which I received a bachelor's degree in December 1995. During my senior year at Western Kentucky, Bernardin Lochmueller and Associates, Inc. visited the campus looking for summer interns and I was lucky enough to be chosen as one and somehow convinced them to hire me full time pending my graduation from Western Kentucky. Upon graduation, my wife and I moved to Evansville and have been here ever since.

## 3. I am always interested in hearing how individuals were attracted to the land surveying profession. What were the factors that led you to become a land surveyor?

I was required to take two land surveying classes for my civil engineering program in college and really enjoyed being outside and working with other classmates for these classes. My first assignment at Bernardin Lochmueller was with the construction inspection department on road construction projects. I was able to use some of the knowledge I had received from the university surveying classes for my field measurements and observations and once again decided that I enjoyed working outside and not in a cubicle back at the office. I approached Matt Wannemuehler who was then running the survey department for Bernardin Lochmueller and was lucky enough to convince him to allow me transfer to his department from the construction inspection department and have worked my way up through the years from a survey instrumentmen to the chief of surveying.

## 4. You were appointed to the ISPLS Board of Directors about eight months ago; describe your experience with being a member of the Board thus far.

I consider it an honor to have this opportunity to serve our profession and am trying my best to get up to speed to be able to positively contribute to the Board. I am really excited about the newly formed IPLS Foundation and what it has the potential do for our profession in the future.

## 5. As a member of the ISPLS Board of Directors, what improvements and/or goals do you have in mind for the Society?

I think the most important goal in my mind for the Board is to work with other closely related professions in order to better inform them as well as the general public about the surveying profession and what we do on a daily basis and what we have to offer.

## 6. How can the ISPLS become more influential in promoting the land surveyor as an indispensable professional in our society?

I believe that we need to participate and better communicate with the other closely related professions like Realtors, local builders, contractors, government agencies like planning and zoning boards, utility companies, county engineers and real estate attorneys, to list a few, to better educate them on what services we can provide as land surveyors and most importantly to listen to each of them to better understand what services they need from us. One area that I would like to improve our influence as a

*(Continued on page 14)*

(Continued from page 13)

valuable profession is to be able to work with utility companies and municipal utility providers to create a better method of mapping existing utilities for future design purposes as well as improving public safety by helping to eliminate inadvertent utility encroachments resulting in bodily injury. Fellow board member Perry Cloyd has taken the lead in this endeavor and I would like to work closer with him to help in any way.

**7. You are employed by Bernardin Lochmueller & Associates, Inc.; tell us about the company, what your role is with them, and how they are succeeding during this economy.**

Bernardin Lochmueller and Associates, Inc. is a civil engineering firm with offices in Indiana, Illinois and Missouri offering road and bridge design, construction inspection, environmental science, traffic planning, water/wastewater, land surveying, right-of-way engineering and site design services with approximately 200 employees. I started with the company in 1995 and became the chief of surveying in 2008. Our best strategy for surviving in the current economy is to have a diverse client base.

**8. What is something you learned early in your career that you still apply today?**

Not to be afraid of change and to do my best to educate myself on new surveying techniques and procedures. My survey field crews have completely redefined our company survey procedures by using their experience and education and I fully believe that I have learned far more from them than they ever will from me.

**9. How can we encourage young people today to consider land surveying as a career?**

I believe that we as a society need to put more focus on introducing our profession to the younger generation before they enter high school. I also participate in the Boy Scouts and believe that this is another way for us land surveyors to promote our profession and to recruit the next generation of land surveyors.

**10. Tell us about how you spend your free time and what hobbies and outside interests you enjoy.**

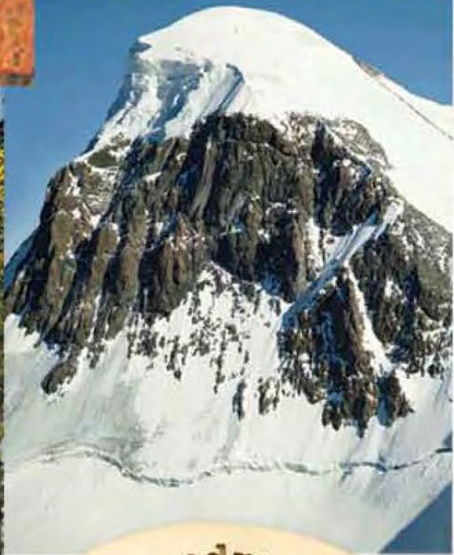
Having teenage kids playing travel soccer takes up much if not all of my spare time these days. I try to play golf here and there but wouldn't consider myself much of a golfer just yet. When I turned 35, I began to have a mild midlife crisis and chose to start running instead of buying a sports car. Guess I got on a health kick of sorts and have ran a few half marathons and finally got up courage to try a full marathon. When I turned 40 was able to start and more importantly finish one. Since then I have just tried to run enough to try to maintain my health. Like most surveyors, I like the outdoor activities like hunting, fishing, camping, etc. and currently spend most of my free time with our kids trying to enjoy them being young but they seem to grow up way too fast.

**11. What book are you currently reading? Who is your favorite author?**

I do enjoy reading and am a big history buff. I am currently reading the Time Life Old West book series. I really like American Civil War history and I guess my favorite author would be civil war historian Shelby Foote.

**12. Are you a movie buff? If so, what is your favorite movie?**

I prefer books over movies but generally like action and comedy movies. Guess my favorite would be "Caddy Shack."



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# NOW IS THE TIME!

By Donald Bengel, PLS – Indiana NSPS Governor



At the May meeting in Charlotte, North Carolina, the National Society of Professional Surveyors (NSPS) approved the merger of the American Congress on Surveying & Mapping (ACSM) into NSPS, thus providing a great opportunity for the surveyors of the United States and its territories to join together and establish a strong professional organization.

The merger between NSPS and ACSM has been concluded. NSPS is now the only national body to represent the surveying profession. Anyone who is aware of the accomplishments of NSPS understands to what extent the Society has gone to represent each and every member of the profession. I say every member because the actions of the Society have benefited small businesses as well as large firms.

NSPS is proposing that state societies that bring their total membership into NSPS membership can do so for a cost of \$40.00 per member. The current NSPS membership dues are \$225.00 per year. If all of the states join NSPS, the \$40.00 per year will be sufficient to support the programs of the Society.

Everyone wants to know the benefits of NSPS membership. In my view, if one reads the professional magazines available, it is no secret what NSPS does. The latest accomplishment is the defeat of LightSquared in its efforts to infringe upon the ability of GPS users to continue using the current GPS equipment without major retrofitting. This is just one of the battles in which our lobbying efforts have been involved.

I cannot emphasize to importance of the Government Affairs committee of NSPS. The results of the committee's activities do affect each and every surveyor in our country.

If you are interested in knowing more about the various programs of NSPS, visit the web site at [www.nspss.us.com](http://www.nspss.us.com).

In every report that I make concerning NSPS, I emphasize the great amount of work put forth by many of the members of NSPS. I really become excited when I think how many more members could become involved in NSPS and how great the results could be.

Currently, ISPLS membership is \$200 per year, and most members do not also join NSPS, which would require an additional \$225 per year. Under this proposal, members would join both ISPLS and NSPS for \$240 per year.

It is my fervent hope that the members of ISPLS will support the actions of the Board of Directors concerning full membership in NSPS. The final proposal by the Board is not yet complete, but will be presented in the near future.

As your NSPS Governor, I look forward to Indiana being one of the first states to join NSPS to produce a great and powerful national professional organization.





# TRIG-STAR IN INDIANA – 2012

By Tony Gregory, PLS – Indiana Trig-Star Coordinator



The NSPS Trig-Star Program continued to be successful in Indiana in 2012. Although the total number of schools and students participating decreased from the past couple of years, the number of ISPLS chapters involved in the program increased.

A total of 37 schools and 963 students participated in Trig-Star in Indiana during 2012. Participation in 2011 was 44 schools and 1,119 students. Chapter participation included Wabash Valley Chapter (22 schools and 582 students), Northwest Chapter (7 schools and 213 students), Southwest Chapter (3 schools and 99 students), the St. Joseph Chapter (3 schools and 41 students), and the Central Indiana Chapter (2 schools and 28 students). Local awards from ISPLS chapters to individual school winners totaled \$2,050 in cash and three \$50 gift cards. Nearly 30 land surveyors and technicians were involved in administering the test throughout the state.

The first-place winner was Stephan Hu of Penn High School in Mishawaka. Stephan scored 100 points out of 100 points in 27 minutes 30 seconds. Stephan's math teacher was Brad Grounds. The test was sponsored by Aaron Blank of Lawson-Fisher Associates, P.C. in South Bend (St. Joseph Valley Chapter). As the state winner, Stephan participated in the National Test, the second testing phase of the program. He completed the test in mid-June and placed favorably among other state winners. ISPLS provided a first-place cash award of \$500 to the student, and \$300 to the teacher.

The second-place winner was Thomas Jiang of Kokomo High School in Kokomo. Thomas scored 100 points out of 100 points in 48 minutes, 33 seconds. ISPLS provided cash awards to Thomas in the amount of \$300, and to his teacher, Becky Moulder, in the amount of \$200. Thomas' test was sponsored by Richard Ward of Richard E. Ward and Associates in Anderson (Wabash Valley Chapter).

The third-place winner was Jenny Huang, also from Penn High School in Mishawaka. Jenny scored 89 points out of 100 points in 41 minutes, 50 seconds. ISPLS provided cash awards to Jenny in the amount of \$150, and to her teacher, Brad Grounds, in the amount of \$100. As mentioned above, Aaron Blank of Lawson-Fisher Associates, P.C., was the test sponsor for Penn High School.

The long-standing goals of the Trig-Star Program in Indiana include the increase in participating schools and students, and involvement from every ISPLS Chapter. In addition to providing awards and recognition for gifted students, the program is a valuable tool for land surveyors to promote their profession to high school students. In order for the program to grow, more ISPLS members are needed to step up and become involved in the program.

ISPLS has allowed for both formal and informal presentations to be made on running a Trig-Star Program at its annual conference. At the 2012 conference, elective continuing education credits were granted for attendance. A similar session may be presented at the 2013 conference.

Anyone interested in information on what it takes to get involved in this program can contact Indiana's Trig-Star Coordinator, Tony Gregory, at [gregorylandsurveying@comcast.net](mailto:gregorylandsurveying@comcast.net).



**THE WABASH VALLEY CHAPTER OF ISPLS, INC. IS SPONSORING**  
**“FROM ERROR ANALYSIS TO RELATIVE POSITIONAL ACCURACY”**  
**A SEMINAR PRESENTED BY ANTHONY M. GREGORY, PLS**  
**& THE 2<sup>ND</sup> ANNUAL WABASH VALLEY CHAPTER GOLF OUTING**  
***October 26, 2012 at Anderson Country Club, Anderson, IN***

**Course Description: Six (6) Mandatory Continuing Education Hours**

Land surveyors have long been expected to understand how errors occur in their measurements, and how to quantify those errors. As technology has changed how a surveyor measures, and as computers have allowed for more thorough methods of error analysis and adjustment, today's land surveyor is in a position to deal with and report measurement errors in a more detailed manner than in the past.

The objectives of this workshop will be to review the fundamental principles associated with the analysis of surveying measurement errors in an effort to present a practical understanding of Relative Positional Accuracy, which is included in Title 865 IAC 1-12. Major topics covered will include:

- 1) Review of Measurement Errors;
- 2) Review of Random Errors and Random Error Propagation;
- 3) Uncertainties and Tolerances;
- 4) Adjustment Methods;
- 5) What Theoretical Uncertainty Meant;
- 6) What Relative Positional Accuracy Means;
- 7) Reporting Relative Positional Accuracy in Surveyor Reports.

Attendees will work on assigned problems. The presentation will include handout material. ***Attendees will need to bring calculator to this workshop.***

**Location:**

Anderson Country Club  
602 North Shore Blvd.  
Anderson, IN 46011  
Ph. 765-642-0100  
[www.andersonclub.com](http://www.andersonclub.com)

**Schedule:**

**October 26, 2012**  
Registration: 7:30 am - 8:00 am  
Seminar Begins: 8:00 am  
Lunch Break: 11:30 am - 12:30 pm  
Seminar Ends: 2:30 pm  
Golf Outing: 3:00 pm

**Registration Fees:**

ISPLS Members: \$165.00  
ISPLS Firm Members: \$132.00  
Non-ISPLS Members: \$225.00

**Golf Outing:** The seminar will be immediately followed by a golf outing at the exclusive Anderson Country Club. The cost for 18 holes of golf is \$57.00 or \$23.50 for 9 holes and is in addition to the cost of the seminar. Payments for the golf outing should be paid directly to the golf course the day of the event.

This event will be a great opportunity for you to expand your knowledge of error analysis and relative positional accuracy; while enjoying a round of golf at the exclusive Anderson Country Club. A percentage of the proceeds from this event will assist the Wabash Valley Chapter with promoting the land surveying profession through the NSPS Trig-Star Program. We hope you will join us!

**THE WABASH VALLEY CHAPTER OF ISPLS, INC. IS SPONSORING**  
**“FROM ERROR ANALYSIS TO RELATIVE POSITIONAL ACCURACY”**  
**A SEMINAR PRESENTED BY ANTHONY M. GREGORY, PLS**  
**& THE 2<sup>ND</sup> ANNUAL WABASH VALLEY CHAPTER GOLF OUTING**  
**October 26, 2012 at Anderson Country Club, Anderson, IN**

**Reservations:** All fees include continental breakfast, lunch, two breaks and all handout materials. Reservations and payments via Visa, MasterCard and Discover debit/credit cards can be made online at [www.ispls.org](http://www.ispls.org) or registration forms can be e-mailed to [execdir@ispls.org](mailto:execdir@ispls.org) or faxed to 317-888-4412. Additionally, registration forms can be mailed to Indiana Society of Professional Land Surveyors, Inc., 8325 S. Emerson Ave., Suite B-2, Indianapolis, IN 46237. Please make check payable to Indiana Society of Professional Land Surveyors, Inc. Reservations must be received by October 17, 2012. All inquiries concerning this seminar should be directed to Jason Coyle at 317-888-4400 or [execdir@ispls.org](mailto:execdir@ispls.org).

**Cancellation Policy:** Refund less \$25 processing fee if notified by October 17, 2012. We reserve the right to cancel the program and return all fees in the event of insufficient registrations.

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E-mail	LS Number

<b>Registration Fees:</b>	ISPLS Members:	\$165.00	_____
	ISPLS Firm Members:	\$132.00	_____
	Non-ISPLS Members:	\$225.00	_____

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# EXPERIENCES ENRICH BOB VOLLMER'S LIFE

By Michael J Davis

Bob Vollmer, PLS, has no shortage of memories when he looks back on his life and extremely varied work career.

He often says, "I'll never forget that," and it's hard to dispute.

He's an active surveyor at 95, traveling from his home in Brown County to deal with whatever issue confronts the Division of Forestry of the Indiana Department of Natural Resources.

One case that is active and shows his wide-ranging research involves an ongoing waterfront issue along Lake Michigan and the effect of "The Year Without a Summer" — 1816.

"It was the result of a volcano erupting in Indonesia," Vollmer said, describing how northern states were especially hard-hit that year by a chilling change in climate that brought snowstorms to some locations in May and June.

Lake Michigan's high water mark was also higher than ever in 1816, and that was when the Indiana Enabling Act set the state's northern boundary 10 miles north of the lake's southern extreme. Deputy Surveyor William Harris reported that the southern tip of the lake was much farther south than expected that year, something Vollmer believes will play a key role when he testifies in the waterfront case.



Wanting to know why things happened or how they worked was something he traces back to his youth. He grew up during the Great Depression in Washington, in southwest Indiana, and his father was an engineer for the B&O Railroad.

One railroad-related activity gave him an early lesson in physics: Metal expands as it heats. Early in the morning, he and his friends would drop their trousers and sit on the spaces between rails, trying to be the last one to jump up before the shrinking expansion joints gave them a good pinch.

"Borrowed" railroad handcars also provided transportation to their favorite swimming hole, but he says they were careful to lift the handcar off the tracks before swimming and always returned it to its proper place.

An early interest in electronics gave him experience that led to several jobs as a young man — but also attracted investigators from the Federal Communications Commission.

"We made radios as kids," he said, describing how they wound wire to make coils and made condensers and relays. He and a friend lived on opposite sides of town, and they sent signals to each other that unfortunately played havoc with the radio reception of residents in between. Complaints brought the FCC. . . and ended the boys' communications network.

Vollmer came away with a knowledge of Morse code, however, and it wasn't long before he had an FCC radio telephone license. He went on to manufacture and sell burglar alarms and install security systems, and he was 24 and working for ADT in Saginaw, Mich., when he heard that Pearl Harbor had been bombed. A telegram from the War Department halted his plans to join the British Army, and the U.S. Navy assigned him to an engineering battalion.

He credits two wartime experiences with stirring his interest in surveying. The first was at sea when he watched an officer use a sextant and a watch to determine their position — and the second was on a jungle island in the Pacific when he happened to see that an officer was reading a book about Thomas Jefferson and surveying.

Though the only actual surveying experience Vollmer received during World War II was when he was chosen to hold a rod for a surveyor one day, he did use a modified surveyor's technique to survive while on the Aleutian island of Attu. He was swept up in an avalanche and dug his way out by dropping handfuls of snow on his face to see which way they fell, much like a surveyor uses a plumb bob to establish a vertical direction.

*(Continued on page 21)*



**Military helmets adorn the facade of Bob's workshop.**

Photo by R. Jason Coyle, PLS

*(Continued from page 20)*

After the war he settled in Palm Springs, Calif., working in construction and learning to fly. He also built a speedboat out of cypress, powering it with an eight-cylinder Hudson engine he bought in a junkyard. It sank, though, while he was on a high-speed run. "I should have made it out of metal," he said.

His first stop in college was at Pasadena Junior College, where he brushed up his knowledge of solid geometry. "You know how it is — if you're a surveyor, you have to know your math," he said.

He then enrolled at the University of California at Berkeley, where he took his first surveying course. "It was a very good school, but I didn't like all those hippies out there," he said.

He transferred to Purdue after a professor said, "Vollmer, why don't you go to one of those Big 10 schools," adding that Purdue had a top reputation.

He went into construction and dam-building after graduating with a civil engineering degree from Purdue in 1952, serving as a project supervisor for the Department of Conversation. His work evolved into dealing with encroachments on public lands, and he says that's when he started using the tools of surveying. He became a licensed land surveyor in 1973.

In the years since then, he has:

- Seen a train shatter a surveyors chain that had been stretched across a supposedly inactive stretch of rails.
- Had to dodge an airplane while surveying across a landing strip and being given an incorrect clearance from the control tower.
- Helped set a corner point on the side of a bluff, using a saddle to lower a member of his crew. ("If you're going to put a corner in, put it where it goes," Vollmer said.)
- Used an old rifle barrel, possibly one belonging to Abe Lincoln's mother, Nancy Hanks Lincoln, to serve as a stake while working on a survey at the family's homestead in Gentryville.
- Determined that a stone marker had been pulled up and put at the bottom a newly dug hole by a landowner who wanted to put a fence post there.
- Had to take two workers to a hospital after they got in a machete fight over one who supposedly wasn't doing his part in clearing multiflora rose, a thorny shrub.
- Had another worker step on a fence post submerged in a swamp and have it pierce his foot.
- Ducked "warning" shotgun blasts from residents. ("Actually, you run into human nature a lot," Vollmer said. "You can tell whether people are lying or not . . . and about how people cheat. . . . You better be well versed in a lot of things so you can talk to anybody.")
- Witnessed the careful placing of a small statue of Purdue Pete at the site of an Indiana University archeological dig at Angel Mounds.

*(Continued on page 22)*

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- Took surveying shots at night by shining the headlights of an all-terrain vehicle on their targets.
- Barely avoided having his son (or himself) fall through a hole in a Wyandotte Cave floor that opened up when he used a sledgehammer to try to pound in a stake. (“I got a flashlight, and you couldn’t even see the bottom,” he said.)

Perhaps not surprisingly, he says he’s never had much trouble adapting to new equipment, whether it be electronic calculators that replaced hand-cranked models and slide rules — or devices using global positioning satellites.

And while retirement isn’t in his plans, Vollmer says the physical challenges of crawling over trees and logs are greater. “I can remember when you used to jump over them,” he says.

Insects are an annoyance, too.

“Most of my work is in the boondocks, and the chiggers and ticks . . . I’m getting kind of tired of it.”

He wants to end his career in style, though. “You get up there at the plate and you swing at it,” he said. “You just don’t stand there and let it go by.”

He’s not kidding, either. One project in his shop is what he calls a metal disintegrator. It will use high voltage to burn out a screw or tap that has broken off in a hole.

Having enough time is the only thing that limits his progress.



## THE JEEP HAS A STORY, TOO

By Michael J Davis

Bob Vollmer’s World War II-vintage Jeep has a few tales of its own.

Vollmer bought it after the war while he was a student at the University of California in Berkeley — getting it from someone who bought it from the person who shipped it back from overseas.

Vollmer figures whoever arranged the Jeep’s trip to California had to be a general or an admiral, and the Jeep had been assigned to him.



The vehicle had a broken right front axle and other damage, though, and his acquaintance at school couldn’t get it running. Vollmer bought it for what it had cost the middle man and soon had it running.

“I knew where I could get an axle and get all the body work done,” he said. “I drove it from California to Indiana and then drove back to California and Indiana again. It’s been in the mountains, too. It’s been around.”

When it came to the attention of a group planning to commemorate an anniversary of the New York-to-San Francisco Lincoln Highway, Vollmer’s Jeep was chosen to lead a caravan along U.S. 30 in northern Indiana.

“I went as far as Iowa with them,” said Vollmer, who has pictures and a plaque to commemorate the occasion. “In one town in Iowa they gave us all a case of SPAM.”

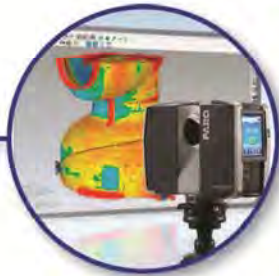
He says he couldn’t have asked for a better gift.

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# WILL UAVS FLY IN SURVEYORS' SPACE?

By Michael J Davis

Small, unmanned aerial vehicles should soon become a more familiar sight in the United States — and perhaps in the inventory of surveyors and surveying firms.

They could make it possible to survey larger areas in less time when compared with the use of total stations or real-time kinematic global positioning satellites.

They also show potential in such products as orthophotos, digital surface models and point clouds, offering an ability to fly hundreds of feet above the ground and provide data at a relatively low cost in shorter time.

The primary push to widen the use of UAVs in American airspace comes from the Federal Aviation Administration Modernization and Reform Act of 2012, which was approved in February. It set a target of 2015 to integrate unmanned aircraft into U.S. airspace.

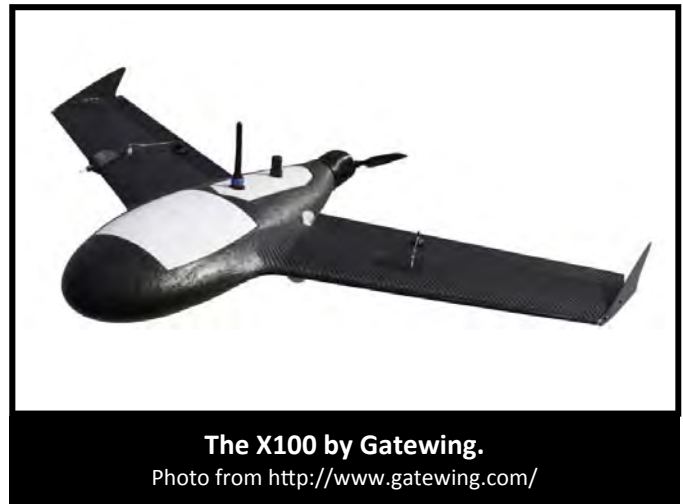
By May 2014, however, the FAA is directed to have rules in place for aircraft weighing less than about 55 pounds — and several models currently demonstrating applications of interest to surveyors are well under that limit.

While not presently allowed for commercial use in the U.S., UAVs are being used in Europe, Canada and Africa.

Trimble took a seat at the UAV table in April 2012 by buying Gatewing ([www.gatewing.com](http://www.gatewing.com)), a Belgium firm that is one of the leading developers of a complete UAV system.

“The combination of UAVs and low-altitude photogrammetry as an image collection program opens up new opportunities for surveyors to use aerial imagery for the rapid acquisition of high-density geospatial data,” said Anders Rhodin, director of Trimble’s Survey Business, in an April news release.

Gatewing’s fixed-wing X100 aircraft is a suitcase-sized model that weighs about 4 pounds and has a three-foot wingspan. It is battery powered, launched from a ramp and recovered automatically, and it offers 5-centimeter resolution from a flight altitude of about 500 feet. The cost of an entire system, including training, was quoted at less than \$67,000 in April.



Another group that is heavily involved — and also has an informative website, complete with videos of various lengths — is Utah State University’s AggieAir Flying Circus (<http://aggieair.usu.edu>), a service center at the Utah Water Research Laboratory.

The latest AggieAir model is a bit larger than Gatewing’s, but it has a number of similarities. It weighs 8 pounds, has a six-foot wingspan and also is battery powered, but it is hand-launched with a bungee cord. It has a 6-centimeter resolution at 650 feet and is not marketed for sale at this time, being primarily intended as a research vehicle.

Its website documents a variety of uses for UAVs, including:

- Riparian (map vegetation, substrate classification, fish habitat mapping, hydraulic modeling and river restoration).
- Wetland (classify invasive plant species and wetland delineation)
- Civil (monitor, survey and document construction and existing infrastructure such as roads, bridges, dams, canals, levies, pipelines and power lines, as well as land management).
- Agricultural (irrigation management, map ammonia concentrations and vegetation classification).
- Emergency response (flood management, law enforcement, and search and rescue).

Although the advantages appear to be numerous, many questions remain unanswered, including perhaps the most critical one: how to safely introduce the small aircraft into American airspace. This will be the FAA’s job.

*(Continued on page 25)*



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Another is ensuring that the devices are also used responsibly. The Association for Unmanned Vehicle Systems International ([www.auvsi.org](http://www.auvsi.org)) is addressing this, offering a code of conduct for UAV operations that commits manufacturers and users to certain practices. The International Association of Chiefs of Police ([www.theiacp.org](http://www.theiacp.org)) has also proposed guidelines.

Groups that have expressed concerns about the prospects of intrusive aerial surveillance without proper safeguards include the American Civil Liberties Union ([www.aclu.org](http://www.aclu.org)) and the Electronic Privacy Information Center ([www.epic.org](http://www.epic.org)).

Those who support expanded UAV use, however, say privacy concerns are overstated and don't reflect current technology and FAA regulations.

To keep abreast of developments, check websites of manufacturers or interest groups, and monitor articles in magazines focusing on the surveying industry.

One writer with an inside view is Joseph V.R. Paiva, a professional land surveyor, professional engineer and consultant whose credentials include being a senior scientist and technical advisor at Trimble, as well as chief operating officer at Gatewing.

"The sky's the limit, regardless of where the UAS flies," he said in an article earlier this year.

### Speaking the Language

Unmanned Aerial Vehicles are known by a variety of names, including:

- Drone – A catchall term for UAVs.
- ROA – Remotely Operated Aircraft.
- RPA – Remotely Piloted Aircraft.
- RPV – Remotely Piloted Vehicle.
- UA – Unmanned Aircraft.
- UAS – Unmanned Aircraft System (the FAA choice); consists of the unmanned aircraft and all of the support equipment, control station, data links, telemetry, communications and navigation equipment, etc., necessary to operate it.
- UASs – Unmanned Aircraft Systems.

# INDIANA PROFESSIONAL LAND SURVEYORS FOUNDATION, INC. UPDATE

By Charles M. "Chuck" Coyle, PLS., IPLSF President



Well, this seems like a good time to present an update regarding the IPLS Foundation... Going back to January when the ISPLS membership unanimously approved the transfer of \$200,000 from the ISPLS Investment Portfolio to the IPLS Foundation, the board of directors has been busy with many, many details of how this transfer should be properly made. Since the Foundation only had a few thousand dollars to manage at that point, it was difficult to make very many plans. But with the resounding vote and encouragement of the ISPLS membership we suddenly had a need to get all the details arranged and in order. Those details included the inquiry and review of any tax implications; to set up accounts with Wallington; to have a review of, and suggest revisions to our Foundation By-Laws in order to make us more consistent with the ISPLS fiscal year accounting process; and again, just to make sure that we eliminate any complex year-end filing requirements.

One of the important features required for the transfer of these funds was to create and execute a Memorandum of Understanding (MOU), between ISPLS and the Foundation. This MOU outlines the guidelines and expectations that ISPLS has with regard to the transfer and handling of those funds. In simplistic terms the MOU states that \$100,000 of the total is to be endowed... that is, to be "off-limits" to any project spending, and then the remaining funds are of an "unrestricted" category, or essentially can be available for funding scholarships, special projects, and/or grants. Earnings or growth from the endowed funds are considered funds within the unrestricted category, and thus can be available for funding as well.

Having the MOU in place and the accounts all set up, a transfer of approximately \$160,000 was made in mid-June. Why not all of the \$200,000? That became a tax filing issue. Not that any tax liability was to be encountered, but rather the complexity of the form to be filed. We discovered that if the Foundation takes in more than \$200,000 in a single fiscal year a more complex filing form is required, and thus our accountants will charge us more for that filing. Further review also revealed that our By-Laws had specified that the "fiscal" year for the foundation was January 1 thru December 31... but we had already been making filings based on a fiscal year of July 1 thru June 30 of the following year... this is consistent with the ISPLS fiscal year. Not wanting to go through the paperwork of dealing with the IRS, the Foundation board has opted to propose a change to the By-Laws. Additionally the Foundation has had some other contributions this year, so the \$160,000+/- amount was used for the initial transfer to keep total receivables below the \$200,000 amount. Once the By-Law changes are approved by the "Sole Member", that is the ISPLS BOD, and since we are past July 1, the new fiscal year, we will be able to transfer the remainder of the funds. This should likely be complete by the end of August.

Projects: Having taken care of the administrative aspects, the Foundation BOD has begun to look at meaningful projects to serve our members and our profession:

- 1) We had determined almost a year ago that we wanted to begin to fund some scholarships at Purdue University at Calumet. We are in the process of reviewing the first applicants and will be awarding up to three scholarships of up to \$750.00 each. As we are just in our initial scholarship award process, we have asked for some assistance from the Northwest Chapter Scholarship Committee to help with us with those evaluations.
- 2) In mid-June, ISPLS received a request from Abraham Lincoln's National Museum of Surveying in Springfield, Illinois, regarding a financial need that the museum was experiencing. As the ISPLS board was just wrapping up the 2012-13 budget, it was apparent that the museum was not going to make the "cut" for this next year. However, the ISPLS board did think that this might be a project to be considered by the IPLS Foundation. Many of you know Robert (Bob) Church, who has been involved with the Illinois Society for many years... well Bob is now the treasurer of the Museum, and is sharing this burden with surveyors in every state across the country. Bob has indicated that matching funds, from an anonymous donor, of up to \$200,000.00 will be given for funds received in 2012 and/or promised to be donated in 2013. All of the funds received or pledged for this fund drive will be deposited in a special escrow account. When I spoke with Bob, he had received a commitment from the Wisconsin Society of \$2,500 this year, and an additional \$2,500 per year for the next four years.

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Several members have commented that they recall that ISPLS has given funds to the Museum in the past... one individual even asked if we could find out how much ISPLS has donated. A quick review indicated that since 1997, \$4,020 has been sent to the museum. Of that, \$2,935 was given in the form of contributions or fund-raising pledges. The remainder was for annual dues for ISPLS to be a Corporate Member of the Museum. If my counting is correct, that is 16 years, or only \$251.25 per year average. So to date, ISPLS has not made huge investments in support of the museum.

Your IPLS Foundation has agreed to donate \$3,000.00 in this calendar year, 2012, and pledges to donate an additional \$3,000.00 in calendar year 2013. That \$6,000.00 will produce at least \$12,000.00 for the Museum. But the Foundation would like to see if there are others that would also like to make a "special" contribution to help keep the Museum open. The Foundation would like to challenge not only individuals, but ISPLS Chapters to rally their members to see what you might be able to do additionally. ISPLS has nearly 800 members, so if every member would contribute only \$10.00 that would be nearly \$8,000.00 all by itself... And that too can be part of the match. Many of you can do much more, but let's not let any one take on this burden alone... That's why I'm asking ISPLS Chapter Presidents to organize your members to see what your chapters might be willing to do. Maybe it partially comes from Chapter funds... maybe it comes from individual member contributions to the chapters? Maybe, and hopefully it comes by a combination of both! The Foundation will need your commitments by November 15, 2012. Remember, those commitments can be in the form of "funds now" or a commitment of funds to be given now or at least before the end of the year 2013. Money that is received and entered into the escrow account will be returned to the donor(s) if the bank determines that sufficient funds have not been given or pledged. If you have any questions about how you or your chapter can be involved you can contact me, or any of the Foundation board members, or the ISPLS office.

Disbursement Plan: For the Foundation to move forward the directors have agreed in principal on a plan for annual disbursements: First of all, the board has agreed to a limit of 5% of total assets per year for disbursements of projects that have been earmarked for funding. This 5% will be determined by taking a "snapshot" of the fund assets at the beginning of the fiscal year. A projection of what that asset value is likely to be will be made to prepare a preliminary budget, and then finalized at the beginning of the new year.

Because of the timing of our fiscal year, and not yet having all of the funds transferred, we will likely take a "snapshot" on January 1, 2013, and utilize a 2.5% value to fund projects for the remainder of the 2012-13 fiscal year. Based on expected disbursements between now and January 1, we would expect that "snapshot" to be around a value of \$210,000+/- . At 2.5% for the first 6 months of 2013, our expected disbursement allowance would be in the neighborhood of \$5,250+/-.

Expected disbursements for the remainder of this 2012 calendar year are already set with the scholarship at P.U. Calumet at a maximum of \$2,250; and the afore-mentioned gift to the National Museum of \$3,000.

Within the 2013 calendar year we will again have both of these items again, but we have some flexibility as to the disbursement timing because of the fiscal year end of June 30.

Obviously we still have some details to work out, but I hope that this report and update will help everyone to understand that this board is extremely financially conservative, and we value the trust that the ISPLS membership has bestowed upon the Foundation.

And speaking of the board... let me introduce the current members: Dan Kovert, V.P.; Perry Cloyd, Secretary; Dennis Grumpp, Treasurer; Eric Banschbach, Liaison to the ISPLS Board; Doug Herendeen; and myself. We would certainly entertain your questions or comments.



## National Museum of Surveying Update

By: John P. Wilusz, PLS, PE – Editor of *the California Surveyor*

Reprinted with permission from the *California Surveyor*, Issue # 170

In *California Surveyor* Issue #164 I reported on my visit to the National Museum of Surveying in Springfield, Illinois. I went to the museum in November 2010 to deliver a ceremonial \$25,000 check from CLSA (the real check preceded my arrival). In June 2012 I checked in with Treasurer Bob Church and Assistant Director Matt Parbs for an update.

### ***What's new at the museum?***

The good news is that we have seen a healthy upswing in daily visitors since you were here in November 2010. We had over 400 people attend our ribbon cutting ceremony in March 2011 during National Surveyors Week. We changed the name to Abraham Lincoln's National Museum of Surveying (ALNMoS) to draw more visitors in and the numbers are going up all the time. Most of our daily visitors are from the metro area, but as we continue to draw from the big attractions, we are getting more people from out-of-state. We get a lot of foreign visitors as well.

Right now, we have a Berntsen's 40th anniversary exhibit of survey monuments. We are also acquiring an Initial Points exhibit so we will soon have panels featuring every initial point of the Public Lands Survey System. We continue to collect stories from our out-of-state visitors and today we have survey-related stories to share from all around the country. We are currently coming up with a way to tell the history of Route 66; the Lincoln Highway; and the transcontinental railroad from the surveyor's point of view. Seemingly every week the museum receives a new donation. Our latest one was a William Young compass used to survey Mansfield, Illinois, by John Lutz Mansfield, the compass's owner. We were chosen by the Springfield Historic Sites Commission as the top educational site in 2011 for advancing the understanding of our historic heritage. The commission recognized and honored our commitment teaching the public about the history of surveying.



Scouts on the lawn of The Old State Capital.  
Photos provided by the National Museum of Surveying.

The Boy Scouts of America, Lincoln Heritage Council, created a badge for the museum. The Scouts earn the badge by taking a tour of the museum and then answering a questionnaire about what they learned. In April, we had surveyors on the lawn of the Old State Capitol, across the street from the museum, hosting a basic surveying seminar. Scouts also come to the museum along the way to obtaining their merit badge. The Girl Scouts will host GeoCaching and Letterboxing badge workshops at the museum starting in November and December.

Our Science on a Sphere is still a big hit with visitors of all ages. We have around twenty playlists and over 350 individual datasets that cover a wide variety of topics: The Water Crisis; Energy; Climate Change; The Pulse of Mother Earth; Intro to Earth Science; Intro to Earth System Science; Astronomy; and many more. We are creating our own datasets using ESRI. Students and teachers can create their own datasets/playlists as well. This summer we

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are looking for surveyors to participate in historical re-enactments for History Comes Alive events. (See the History Comes Alive website for more information: <http://www.visit-springfieldillinois.com/history-comes-alive.aspx>)

### ***What kind of promotional activities have you been doing?***

This season we are offering free admission (with donations requested) and that has really helped because once people visit the museum they tend to promote it to their friends and families. We also invite all volunteers and employees of the major tourist sites to visit us. They have been among our best assets because they tell tourists about the ALNMoS. That kind of word of mouth advertising has been a big benefit. We also ask our visitors to review us, and many of our guests talk about our tripadvisor.com ratings/reviews.

We are also getting more and more school groups and we are becoming a popular choice among teachers as a field trip destination. We have had over 2,000 school kids visit since you were here in 2010. Most school groups are 80 to 100 students, with our largest being 108. If our booking agent is right, the next school year will be a big year for us! We have interns from Robert Morris University (RMU) working on a marketing plan to draw more tourists into the museum, and RMU CADD students helped us find ways to make better use of our space.

Our two-year anniversary is coming up in September 2012, and we are working with multiple parties to make a big splash. There is the Route 66 Mother Road Festival, a national car show, going on at the same time. So check back with us for more information on that.



Finally, the museum asked the NSPS governors to ask their members to do ten things for the ALNMoS. Some are simple things surveyors can do right now, like visit our Facebook page and send us an interesting story and/or land description, and watch the five minute promo video on our website. Some are bigger tasks such as organizing trips to Springfield, creating exhibits for the museum, and appointing historical liaisons.

### ***How is the museum's financial situation?***

The museum has a strong commitment from an undisclosed source, and the source will match dollar for dollar up to \$200,000 any donations made to our "Reaching Our Orbit" fund-raising campaign until the end of 2012. The museum is looking for pledges of one to five years, and pledges will count towards the match. All donations will go towards paying down the mortgage. Besides the Orbit campaign, we also have memberships and regular donations constantly that go towards operating costs. The museum is able to make its monthly obligations as we speak, outside of the mortgage.



We are renting out two suites on the second floor to the Illinois State Historical Society and the Springfield and Central Illinois African-American Museum, and we have plans of renting out more office space. We are looking into endowments, and we recently made some good contacts that we hope will help us get sponsors.

For more information and a virtual tour of the museum visit the ALNMoS website:

<http://www.surveyingmuseum.org/>

Blog: <http://nationalmuseumofsurveying.blogspot.com>

Facebook: [The National Museum of Surveying](#)

**LAND SURVEYOR (PS) EXAM REVIEW SEMINAR  
SPONSORED BY THE  
INDIANA SOCIETY OF PROFESSIONAL LAND SURVEYORS**

Course Objective: To allow those individuals that have applied for examination for Professional Land Surveyor an opportunity to have a general review of the materials that may be encountered on the national and state specific examination.

**DATE:** September 22, 2012

**TIME:** 8:30 A.M. TO 5:00 P.M.

**PLACE:** ISPLS Office, 8325 S. Emerson Avenue, Suite B-2, Indianapolis, IN 46237

**COST:** \$125.00

**EXAM MATERIALS/TOPICS:**

Early Indiana Trails and Surveys	Rule 12	ALTA Surveys
GLO/USPS/Tiffin's Instructions	Sanitary Sewer Design	Indiana Law
Sequential and Simultaneous Conveyances	Unwritten Rights	
Storm Water Management	Storm Sewer Design	

Breakfast: Bagels, donuts, coffee and juice will be provided.

Lunch: Box lunches and soft drinks will be provided.

\*\*\*REMEMBER: TIME GIVEN IS EASTERN TIME\*\*\*

**REGISTRATION FORM – LAND SURVEYOR REVIEW SEMINAR- September 22, 2012.**

Reservations: All fees include breakfast and lunch.

Online Registration is available at [www.ispls.org](http://www.ispls.org) or a check can be mailed and payable to:

**Indiana Society of Professional Land Surveyors  
8325 S. Emerson Avenue, Suite B-2  
Indianapolis, Indiana 46237**

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Cancellation Policy: 100% refund if notified September 14, 2012

**LAND SURVEYOR IN TRAINING (FS) EXAM REVIEW SEMINAR  
SPONSORED BY THE  
INDIANA SOCIETY OF PROFESSIONAL LAND SURVEYORS**

Course Objective: To allow those individuals that have applied for the first 8 hour examination for registration as a Professional Land Surveyor an opportunity to have a general review of the materials that may be encountered on the national examination.

**DATE:**       **October 6, 2012**

**TIME:**       **8:30 A.M. to 5:00 P.M.**

**PLACE:**     **ISPLS Office, 8325 S. Emerson Avenue, Suite B-2, Indianapolis, IN 46237**

**COST:**       **\$100.00**

**EXAM MATERIALS/TOPICS:**

General Survey History	Survey Definitions	State Plane Coordinates
Fundamentals of GPS	Astronomic Observations	Photogrammetry
Boundary Law	Survey Computations	Survey Systems

Breakfast:     Bagels, donuts, coffee and juice will be provided.

Lunch:         Box lunches and soft drinks will be provided.

\*\*\*REMEMBER: TIME GIVEN IS EASTERN TIME\*\*\*

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**REGISTRATION FORM – SURVEYOR-IN-TRAINING SEMINAR- October 6, 2012**

Reservations: All fees include breakfast and lunch.

Online Registration is available at [www.ispls.org](http://www.ispls.org) or a check can be mailed and payable to:

**Indiana Society of Professional Land Surveyors  
8325 S. Emerson Avenue, Suite B-2  
Indianapolis, Indiana 46237**

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# LEGAL SURVEYS

Bryan F. Catlin, PLS

The goal of this column is to provide brief summaries of recent Indiana Court of Appeals and Supreme Court cases involving topics related to surveying practice, certainly not to provide legal advice. Information is gathered from the courts website at [www.in.gov/judiciary](http://www.in.gov/judiciary). Comments or suggestions for future columns are welcome by email to: [Bryan.Catlin@indy.gov](mailto:Bryan.Catlin@indy.gov).

## **Calvin Hair vs. Mike Schellenberger and Lawyers Title Insurance Corporation, Wells Fargo Bank, N.A., Felix Adejare, and Sharon Adejare, Indiana Court of Appeals Case No. 49A02-1107-PL-685, April 4, 2012**

This is a case from the Marion County Superior Court where Hair had a money judgment against the Adejares for \$136,800.89 that the Clerk of Court did not index properly (Hair was a crossclaimant in a foreclosure on another property owned by the Adejares). After a foreclosure on the Talbott Street property which had been transferred to another entity and a title search by Lawyers Title which did not find the judgment, Schellenberger bought the Talbott Street property. Hair then claimed he had a judgment lien on the property, Schellenberger filed an action to remove the cloud on the title, and the court case ensued. This case involves a series of transfers, mortgages, a possible fraudulent transfer, bankruptcy and the rights of a bona fide purchaser, which is what Schellenberger was found to be. On appeal, which affirmed the judgment for Schellenberger, the case boiled down to finding a solution between the rights of two relatively innocent parties, Hair and Schellenberger. In this case Hair, having knowledge of his claim, could have raised the question of fraudulent transfer during Sharon Adejare's bankruptcy and could have checked the court records and had the filing error corrected and his lien perfected. Schellenberger did not know what was not in public records (entering and indexing are required for public notice) and met the requirements of a bona fide purchaser under law. Hair's judgment was finally indexed, almost two years after Schellenberger purchased the property, before Hair filed counterclaims and a crossclaim in this case.

This case illustrates why title companies do judgment searches on sellers as well as why the date public records are indexed to is at least as important as the date a search was done. In addition, if Hair had been sure he received a copy of the entered and indexed judgment or acted when he did not, or filed a claim during the bankruptcy proceeding, he might have recovered part or all that was owed him. However, Schellenberger would probably still have been a bona fide purchaser.

## **Trust No. 6011, Lake County Trust Company, Trustee, Simon Beemsterboer, and Victoria J. Beemsterboer vs. Heil's Haven Condominiums Homeowners Association, Indiana Court of Appeals Case No. 43A05-1108-PL-433, April 17, 2012**

In this case a property fronting Lake Wawasee was in the past divided into two parts; the westerly contained a residence now owned by the trust for the Beemsterboers, and the easterly a motel that the common owner converted into condominiums. As a part of condominium conversion, easements per a "Cross License Agreement" for a Water and Walkway easement and a "Cross License Agreement" for a Septic easement were created to benefit both parties, and the Association was granted a three foot "Replacement Walkway Easement" and an "Encroachment Agreement", which dealt with an existing deck. The Water and Walkway easement Cross License Agreement was to terminate 10 days after the water lines to the Beemsterboer property were unavailable. The prior residence on the Beemsterboer property as well as the water lines were destroyed by a fire and a new residence was constructed with its own water supply. In March 2010, Simon Beemsterboer sent a letter to the Association stating that they planned to build a fence along the property line which would enclose the sidewalk the Association members use to access Lake Wawasee and one of the septic tanks in the Septic easement. They also began construction of a stairway from their second story deck which required removal of the edge of the sidewalk in an area not included in the Water and Walkway easement. The Association filed a complaint in Kosciusko Superior Court to enjoin construction of the fence and to stop construction of the stairway. After a temporary restraining order and preliminary injunction a bench trial was held. The court found for the Association and determined that only the portion of the Water and Walkway easement pertaining to the water supply and utility building had terminated. The Beemsterboers were ordered to remove the staircase and repair the sidewalk, even the part outside the easement, not to place a fence obstructing access to the Septic easement and not to interfere with the deck, even though its location varied somewhat from the described area. A motion by the Beemsterboers to correct error was denied but an appeal was granted.

The Appeals Court found that the trial court clearly erred in finding only a portion of the Water and Walkway easement had terminated when the water lines were destroyed and that a fence which allows ready access to the septic tank would not obstruct or block the Association's access. In short, as long as the Beemsterboers include a gate for access to the septic tank, they can build the stairway and fence.

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**The Kroger Company vs. WC Associates, LLC, as successor in interest to Metro Acquisitions, LLC, Indiana Court of Appeals Case No. 49A05-1108-PL-412, April 25, 2012**

This case from the Marion County Superior Court deals with a Kroger on Rockville Road which added a fuel center and then went onto WC Associates property where WC had constructed a pylon sign under the terms of a reciprocal easement agreement and removed signage, replaced signage, added panels for fuel prices and left other businesses' sign panels without lighting and electricity. WC filed a complaint for breach of contract, theft, criminal conversion, criminal trespass and criminal mischief. Kroger filed a counterclaim for breach of contract, conversion, criminal mischief, promissory estoppels and constructive fraud. WC filed for summary judgment. During the proceedings Kroger filed affidavits from three employees. One of the affidavits was found to misrepresent the contents of two documents to favor Kroger's argument. The trial court generally granted summary judgment on WC's claims and ordered Kroger to pay \$143,440.88 in damages. Kroger appealed. On appeal the court affirmed the summary judgment in WC's favor for Kroger's breach of contract and sanctions for the false statements, remanded the criminal charges back to Marion County saying a jury should decide if there was criminal intent on Kroger's part, and said that WC was entitled to appellate attorney fees for some, but not all, of the actions.

**Gunther Kranz and Carol Kranz vs. Meyers Subdivision Property Owners Association, Inc., Christopher Bartoszek, and Indiana Department of Natural Resources, Indiana Court of Appeals Case No. 75A03-1112-PL-577, June 27, 2012**

This case concerns owners of lots in the Meyers subdivision on Bass Lake, a public lake. The Kranzes own lot 49 subject to a 15 foot easement along the west side for lake access for property owners in the subdivision who do not have lakefront property. Mr. Bartoszek owns lot 48 which borders the Kranzes' on the west. Since 1962 when the easement was moved and the developer instructed the Association to move its pier, the Association had a pier extending from the easement. In 2007 a dispute arose between the easement holders and the Kranzes and Bartoszek. A DNR Conservation Officer examined the deed creating the easement in 2007 and determined it only created a right to a path to the lake, not to placement of a pier.

In a prior proceeding, the Natural Resources Commission (NRC) determined the easement holders had the right to place a pier subject to obtaining a Department of Natural Resources (DNR) permit. The DNR denied a permit on safety grounds. The easement holders requested a hearing before an Administrative Law Judge (ALJ) who said they could have a pier and that the Kranzes should move their pier to accommodate the group pier. The Kranzes appealed to the NRC which adopted the ALJ's position. The Kranzes then sought judicial review in the Starke Circuit Court arguing the NRC could not determine property rights, the decision was arbitrary and capricious since the NRC did not follow its own rule, the decision was not supported by substantial evidence, and the decision was an unconstitutional taking. The trial court affirmed the NRC decision and the Kranzes appealed to the Court of Appeals which also affirmed the decision.

This case deals with the rights of landowners and easement holder in a riparian zone and the right of the state to regulate public waters for the benefit of all citizens. The Kranzes and Bartoszek had moved their docks closer to the group dock reportedly to give more room to the neighbors farther away from the group dock, while the Association contended it was an effort to squeeze them out. In this case the ALJ ordered the Kranzes and Bartoszek to move their docks 10 feet farther away from the group dock to address safety and navigation concerns. As anticipated in State Law, this case was brought because the various parties could or would not arrive at a reasonable solution to share a public resource among themselves.

**Michael M. and Lana S. Ashley, et al., vs. Jeffrey and Holly Spaw, et al., Indiana Court of Appeals Case No. 02A03-1108-MI-340, April 17, 2012 - MEMORANDUM DECISION - not regarded as precedent**

This case essentially argues the facts of **Brad A. Altevoigt, et al., vs. Dennis L. Brand, et. al., Indiana Court of Appeals Case No. 44A03-1106-MI-237, March 15, 2012** about placement of docks again. I will refer you to the prior column or the full text of the decision for the details instead of listing them once more. As noted in the prior column, Back-lot owners in Long Lake Park subdivision in LaGrange County had a dispute with the Lake-view owners. In this case the Back-lot owners had filed a petition for relief with the Indiana Natural Resources Commission seeking resolution of a riparian rights dispute. The Commission found for the Back-lot owners. The Lake-view owners filed a petition for judicial review in Allen Circuit Court which affirmed the Commission's decision. The Lake-view owners appealed arguing two issues: the Back-lot owners were barred by the doctrine of laches and that the Back-lot owners had abandoned their riparian easement rights. The Appeals Court did not find evidence that the Back-lot owners had neglected to assert their rights for an unreasonable length of time nor that they had ceased all use of the easement or declared an intention to abandon their rights. The Commissions' conclusions were affirmed.

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Three of the five cases summarized this quarter involve lakefront property. This makes me wonder if the owners are unclear about the law, had bad advice, or are willing to take a chance that they will win a weak case. Anyway, it makes a good case for understanding the rights of the public as well as individuals when developing or surveying around natural lakes.

Bryan F. Catlin, PLS has been registered as a Land Surveyor in Indiana since 1991. He holds B.S. Land Surveying Engineering and M.S. Engineering (geodesy) degrees from Purdue University.

## THE NORTHWEST CHAPTER OF ISPLS 2012 ORDELL L. GERTSMEIER SCHOLARSHIP AWARDS

Provided by Alexander A. Fabian, PLS

The Northwest Chapter's 9<sup>th</sup> Annual Golf Outing was held on July 20, 2012 at Aberdeen Golf Course in Valparaiso, Indiana. We got a nice break with the weather with a high in the upper 80s. That was great considering the temps were in the upper 90s and 100s in the week prior to the outing. There was a pretty good rain the day before that helped the course conditions, which were in really nice shape. We only had 4 foursome and 8 hole sponsors this year, but we made the best of it, especially with the weather. It was a beautiful day with good friends, good food and plenty chances to keep the "drink cart girl" busy. There was a three-way tie for first place. All proceeds were used to benefit the Ordell L. Gertsmeier Memorial Scholarship.

Hole Sponsors were: Precision Midwest; DLZ Indiana LLC; Torrenga Surveying, LLC; Bengal Engineering and Surveying; Glen Boren; Rich Hudson; Rob Bakker; and the Northwest Chapter Scholarship Committee. Prizes were donated by: Alexander J. Fabian and Alexander A. Fabian. A huge thanks to all who participated and for all who helped make this year's event happen.

The Northwest Chapter of the Indiana Society of Professional Land Surveyors have awarded two scholarships in the honor of Ordell L. Gertsmeier. Brian Murray of Dyer, Indiana, was awarded a thousand dollar scholarship and attends Purdue University Calumet. Glenn Peterson of Chesterton, Indiana, was awarded a five hundred dollar scholarship and attends Purdue University West Lafayette. These are two fine young men on their way to making a difference. Congratulations to Brian and Glenn. Photos provided by Alexander A. Fabian, PLS.

Brian Murray of Dyer, Indiana

Glenn Peterson of Chesterton, Indiana



## COMPLETED CAREERS

### HARRY "JIM" CANMANN, PLS

Harry L. "Jim" Canmann, 90, life-long resident of Highland Park, passed away July 29, 2012. WWII and Korean War Veteran, an Illinois Professional Land Surveyor, and president and owner of Chicago Guarantee Survey Co. Beloved husband of Betty; loving father of Sally (Don) Lammers, David L. Canmann (Dena), Julie Kleinops (Jim) and Mary Lynn Newman; cherished grandfather of 11. A memorial service was held Thursday, August 2nd at 11:00 am at Trinity Episcopal Church, 425 Laurel Ave., Highland Park, IL. Interment private. In lieu of flowers, donations may be made to the charity of your choice.

### MICHAEL PAUL SHEEHAN

The untimely death of Mike Sheehan, 58, occurred Saturday, August 11, 2012. Mike was the Vigo County Surveyor for the past 14 years, and he worked in the office for more than 30 years. The funeral was Friday, Aug. 17, 2012 with Mass of Christian Burial at St. Margaret Mary's Church located at Seventh and Voorhees. Burial will be at Calvary Cemetery. Mike was born in Terre Haute on Nov 26, 1953; he attended St. Ann's, State High, and Indiana State. He was a loving father, first-time proud grandpa, special brother, proud owner of his companion "Dude," and was a true and loyal friend to everyone. Mike was a member of St. Ann's Catholic Church. He took particularly great pride in collecting for the soup kitchen and collecting Toys for Tots each year. He implemented the Access Cover Project, was a member of the Indiana Society of Professional Land Surveyors, County Surveyors Association, and National Association of County Land Surveyors. He had 30 years experiences in surveying in the surveyor's office and was always committed to the needs of the citizens. Mike was active in the community and volunteered with many service organizations. He also enjoyed participating in car shows. Mike was very proud of the Democratic Party, and remained active until his death. He worked hard for the Party and never refused a request to help. He was well liked and respected, and he felt the same about those he knew. The "Man Cave" was united with much commitment, joy, and laughter— it will never be the same. Mike is survived by his two sons, Michael Patrick and wife Betty, of Columbus, IN; Matthew Anthony and wife Darcie, of Terre Haute; grandson Noah, for whom he was looking forward to buying his first sling-shot and ice cream cone; sister Janice "Tootie" Morris and husband Danny; brother Patrick "Pat" Sheehan and fiancée Christi Fenton; brother Timothy "Tim" Sheehan and wife Lucy; Dude, his beloved dog; several nieces and nephews; special cousin Chuck Hanley; other relatives, and many special friends. He was preceded in death by his parents, Nelda and Francis "Buddy" Sheehan. As Mike would say, "It's a great day in paradise." Memorial contributions can be made to St. Ann's Clinic and Soup Kitchen. Expressions of sympathy may be shared with the family online at: [mattoxfuneralhomes.com](http://mattoxfuneralhomes.com).

### DALE L. GRIMES, PLS

Dale L. Grimes, 57, of Lafayette, IN, died Monday August 27, 2012 at Regency Place. He was born June 18, 1955, in Lafayette to Richard and Mary Jean Flaningam Grimes of Hot Springs, AR. Dale graduated from North Montgomery High School and Purdue University. On November 19, 1977, he married Della Short in Crawfordsville and she survives. Mr. Grimes worked for Vester and Associates, Tippecanoe County Surveyor's Office and The Schneider Corp. and retired in 2010. He was active in the ISPLS and was an avid Purdue fan. Dale enjoyed fishing, hunting and yellow labs. Surviving along with his wife are his children Stephanie D. Grimes of Huntsville, AL, J.D. Grimes (wife Ashley) of Lebanon and a granddaughter Brooklynn Grimes. Also surviving are sisters Ann Mitchell of Hot Springs, AR and Peggy Erjavec (husband Ron) of Pueblo, CO. A memorial service was held at Soller-Baker Lafayette Chapel, 400 Twyckenham Blvd., Pastor Dave Wright officiating. Those wishing may contribute to the National Kidney Foundation or Purdue Alumni Association.

### L. RANDOLPH "RANDY" COMPTON, PLS

Lost his battle with lung cancer on August 31, 2012 in Indianapolis with his wife by his side. He was born in Denver, Colorado on October 10, 1952. Randy lived his life for his family and warmed the hearts of everyone he came into contact with. He was passionate about music, especially piano. He was softball a District 7 Little League umpire for 18 years. He was also very involved with assisting with Warren Central Speech Team. His love will continue to flame for the love of his life, his wife of 32 years, Neddy. His passion for teaching, music, theatre, sports, and living life to its fullest will carry on through his surviving children and grandchildren; children, Michelle (Tim) Smith, Victoria (Mel) Novilla, Nicole (Ralph) Morgan, Danny (Andréa) Compton; grandchildren, Christopher, Austin, Nicholas, Elias, and Madeline. Calling was Tuesday, September 4, 2012 in Flanner and Buchanan - Broad Ripple, with service at 11:00 a.m. on Wednesday, September 5, 2012. Burial will be in Crown Hill Cemetery. Online condolences may be shared with the family at: <http://flannerbuchanan.tributes.com/show/L-Randolph-Compton-94355681>

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# INDIANA811 AND THE DIG LAW. . . SURVEYORS, CAN YOU DIG IT?

by Robert "Jason" Coyle, PLS, Executive Director

On June 29, 2012, Officers and Directors from the Indiana Society of Professional Land Surveyors, Inc. (ISPLS) met with representatives from Indiana811. Those in attendance from ISPLS included Perry Cloyd, Director; Chuck Coyle, Past President and President-Elect; Dennis Grumpp, Treasurer; Eric Banschbach, Director; Kevin Rowland, Secretary; and R. Jason Coyle, Executive Director. Those in attendance from Indiana811 included Connie Geiger, Director of Operations; Chuck Muller, Director of Member & Public Relations; and Aaron Holeman, Quality Control Field Representative.

The meeting was called at the request of the Board of Directors of ISPLS (Board). A central Indiana engineering and surveying company had informed the Board that they had been told several times - in no uncertain terms - that when setting hubs (or even lath) that they needed to be requesting a utility locate with Indiana811. The Board was seeking clarity concerning "The Dig Law" and the land surveyor's responsibility.

After a few opening remarks by Jason Coyle, Dennis Grumpp elaborated on the conversations that The Schneider Corporation had with the utility locating community concerning the setting of hubs and lath. Chuck Muller read the definition of "Excavate" and gave emphasis on the words "movement" and "driving" and further commented, "[When] you drive a stake in the ground; it (the ground) moves."

## **Indiana Code, Title 8: Utilities and Transportation, Article 1: Utilities Generally, Chapter 26 – Damage to Underground Facilities**

### **"Excavate" defined**

IC 8-1-26-6 Sec. 6. As used in this chapter, "excavate" means an operation for the movement, placement, or removal of earth, rock, or other materials in or on the ground by use of tools or mechanized equipment or by discharge of explosives, including augering, backfilling, boring, digging, ditching, drilling, driving, grading, jacking, plowing in, pulling in, ripping, scraping, trenching, and tunneling.

Chuck Muller gave an example of a cable company employee that drove a grounding rod into a buried gas line servicing a residence. The cable company employee pulled the ground rod allowing more gas to escape. The gas company was contacted and dispatched one of their employees. Upon arriving on site, the gas company employee attempted to secure the site. Unfortunately, while securing the site, the gas ignited causing an explosion killing a woman inside the home and the gas company employee. The woman's husband and the cable company employee were severely burned. He said this just goes to show that driving a grounding rod, rebar, or stake can have devastating consequences.

Chuck Muller and Connie Geiger continued with a discussion about general utility locate request protocol. The following is cited from the Indiana811 Excavator Handbook dated September 6, 2011. Any time you plan to dig (or apparently drive a rebar or stake into the ground per their interpretation) you should contact Indiana811 two (2) full working days (not including weekends and holidays) prior to digging. Indiana811 operating procedures require that a separate ticket be filed for each job site. The maximum distance of road footage on a single ticket is 1,500 linear feet within an incorporated area and 2,500 linear feet in an unincorporated area; IC 8-1-26-16(e)(1) and (2). The locate request must be for a single street or road (by name) and cannot turn a corner. A locate request cannot cover an entire sub-division. A single locate request can include up to five (5) addresses on one locate request on a street inside an incorporated area as long as the footages do not exceed 1,500 feet. A locate request may have up to five (5) addresses on one locate request on an unincorporated street as long as the total footage does not exceed 2,500 feet. The addresses must be listed individually – 501, 503, 507, etc. The term "through or thru" cannot be used. The addresses must be on the same side of the street – a separate locate request must be used to indicate a locate request on the other side of the street or road.

Eric Banschbach and Jason Coyle asked about utility locates for a 40- or even a 160-acre tract. The maximum linear feet per ticket is understood, but to what depth can you request from the roadway? Chuck Muller and Connie Geiger explained that there is no depth restriction. Therefore only one utility locate request would be needed for a rectangular 40-acre tract (1,320 feet x 1,320 feet) that only had one road frontage. Individuals just need to specify within the utility locate request the limits of their dig site including the distance from the roadway.

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The “Web Ticket Entry” program was also discussed. The Web Ticket Entry is a program that is offered to Contractors and Utility Companies allowing them the convenience of submitting normal utility locates online 24 hours a day and seven days a week. Those who are familiar with this program also know the frustrations that can accompany it. Most new developments and streets are not recognized by the software and entering a ticket can become nearly impossible. Connie Geiger explained that Indiana811 has the ability to insert new developments into their program. She explained that this could be done at any time during the development process by simply providing them with a sketch or proposed site plan. This would then allow all future tickets to reference this proposed and/or new development.

There was a lengthy discussion about utility locates for new residential developments which led to Jason Coyle asking about “piggybacking.” Could a general contractor make one utility locate request for multiple sub-contractors? For example, could a home builder call in a utility locate for the surveyor, plumber, electrician, excavator, etc.? Chuck Muller responded that each “person” digging is required to have their own utility locate request ticket. This is due to the fact that each “person” has their own specific locating requirements and they need a paper trail to limit their liability.

Chuck Muller further described the “approximate location” of a utility and enlightened the members of the Board on violating the hand dig zone. He said that if it is necessary to drive a stake (rebar, hub, lath, etc.) within the “approximate location” of a utility, a person should hand excavate, air cut or vacuum excavate to the depth of the stake to ensure there will be no damage to a facility.

**"Approximate location" defined**

IC 8-1-26-2 Sec. 2. As used in this chapter, "approximate location" means a strip of land at least four (4) feet wide but not wider than the width of the underground facility plus two (2) feet on either side of the outer limits of the physical plant.

**Duties of persons responsible for excavation or demolition; penalties**

IC 8-1-26-20 Sec. 20. (a) In addition to the notice required in section 16 of this chapter, a person responsible for an excavation or demolition operation under section 14 of this chapter shall do all of the following:

- (1) Plan the excavation or demolition to avoid damage to or minimize interference with underground facilities in and near the construction area.
- (2) Maintain a clearance between an underground facility, as marked by the operator, and the cutting edge or point of mechanized equipment. The clearance must be not less than two (2) feet on either side of the outer limits of the physical plant. However, if the clearance is less than two (2) feet, exposure of the underground facility may be accomplished only by the use of hand excavation, air cutting, or vacuum excavation.
- (3) Notify the association if:
  - (A) there is evidence of an unmarked pipeline facility in the area of the excavation or demolition; or
  - (B) the markings indicating the location of an underground facility have become illegible.
- (b) A person who:
  - (1) violates subsection (a); and
  - (2) causes damage to a pipeline facility in the area of the excavation or demolition; may be subject to a civil penalty in an amount recommended by the advisory committee and approved by the commission, not to exceed ten thousand dollars (\$10,000).

Perry Cloyd brought the conversation back around to the definition of “excavate” and asked if there was a legal authority behind Indiana811’s interpretation. Perry keyed in on the words “for the movement.” He explained that while setting a hub or lath may move the earth, it is not the intent or for the purpose of moving earth. Chuck Muller read the chapter from The Dig Law that explains who is exempt and noted that it does not include surveyors.

**Application of chapter**

IC 8-1-26-1 Sec. 1. (a) Except as provided by this section, this chapter does not apply to the following:

- (1) Excavation that is performed:
  - (A) only with a hand tool;
  - (B) on property owned or controlled by the person performing the excavation; and
  - (C) to a depth not greater than twelve (12) inches.

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- (2) Excavation using only animals.
- (3) Tilling of soil for agricultural purposes, such as plowing, planting, and combining.
- (4) Surface coal mining and reclamation operations conducted under a permit issued by the natural resources commission under IC 14-34.
- (5) Railroad right-of-way maintenance or operations.
- (6) Underground probing to determine the extent of gas migration.
- (b) This chapter does apply to blasting, setting drainage tile, subsoiling, and other subsurface activities.
- (c) Sections 16, 19, 20, and 22 of this chapter apply to the construction and installation of railroad signal facilities and drainage facilities at public grade crossings.

When asked if Indiana811 would be in favor or support a revision to The Dig Law that would exempt surveyors driving stakes, hubs or lath to a depth of not greater than six inches, Chuck Muller responded by saying that a decision on that matter would have to come from the Indiana811 Board and their Legislative Committee. He also said that they just went through several amendments to the law and were not interested in opening it back up at this time.

The Illinois Underground Utility Facilities Damage Prevention Act exempts land surveying operations as defined in the Illinois Professional Land Surveyor Act of 1989 when not using power equipment. Last year there was a consideration to amend the act to include "except when monuments or pins are driven into the ground at a depth of greater than six inches."

[Illinois Compiled Statutes: 220 ILCS 50/2.3](#)

**SECTION 2.3.** Excavation. "Excavation" means any operation in which earth, rock, or other material in or on the ground is moved, removed, or otherwise displaced by means of any tools, power equipment or explosives, and includes, without limitation, grading, trenching, digging, ditching, drilling, augering, boring, tunneling, scraping, cable or pipe plowing, and driving but does not include farm tillage operations or railroad right-of-way maintenance or operations or coal mining operations regulated under the Federal Surface Mining Control and Reclamation Act of 1977 or any State law or rules or regulations adopted under the federal statute, or land surveying operations as defined in the Illinois Professional Land Surveyor Act of 1989 when not using power equipment, or roadway surface milling. (Source: P. A. 94-623, eff. 8-18-05.) *Emphasis added.*

An amendment to the Indiana Dig Law similar to what was proposed in Illinois last year would be very beneficial not only to surveyors, but also to the utility locating community, the utility companies and the public. First of all, it would put surveyors on notice that when driving a monument or stake to a depth of greater than six inches that they shall request a utility locate. Secondly, it would allow the utility locating community to focus more on those higher risk notices and request. If the surveying community were to adhere to Indiana811's strict interpretation of The Dig Law, the utility locating community would be flooded with requests. Presumably, less than five percent of all surveying related projects obtain a utility locate request currently. Now consider the time, effort and money that would be required by the surveyor, the utility locating contractor and the utility company to accomplish this additional ninety-five percent. The additional time, effort and cost to the surveyor would be minimal compared to what the utility companies and utility locating contractors would absorb. This additional cost would then be passed on to the consumers of these utilities and products.

A surveyor's primary obligation is to protect the public. Title 865 of the Indiana Administrative Code 1-10-4 "Public safety, health, and welfare" states "The land surveyor shall at all times recognize the primary obligation to protect the safety, health, and welfare of the public in the performance of professional duties." An amendment similar to the one discussed above would certainly protect the public; by requiring surveyor to request a utility locate when drive a monument or stake to a depth of six inches or greater, and reducing the number of illogical request.

Another advantage for the amendment might be the fact that the utility locating contractors might actually respond to a surveyor's request. Currently, it is awfully difficult to get a utility locator to respond to surveyor's request. I have heard of surveyors going as far as saying they were blasting to get the locator's attention. Chuck Muller explained that some utility locating contractors perform a risk assessment on their locate request. They make a business decision and choose which tickets they will perform a utility locate on. If one ticket is for a surveyor and another is for a site with a backhoe ready to dig a foundation, you can bet they are going to bypass the surveyor's request and get to the site with the backhoe.

(Continued on page 41)



(Continued from page 40)

Some utility companies hire locating contractor to have their facilities/lines marked. The utility companies would have to assume that if a utility locate is requested, then it must have been marked. Surveyors know better and this is where they can assist in rectifying the problem. Indiana811 has a second and third notice procedure. If a request is made and the utilities are not marked after waiting the two full working days, a person can proceed with the work and can submit a second notice and third notice, as necessary. Indiana811 prepares a report of second and third notices. If more surveyors would follow up with second and third notices, then someone might take notice that there is a problem with the system.

The conversation led into a discussion concerning "design" tickets. Indiana811 has established a design ticket for INDOT projects. A design ticket is similar to a utility location request; however no paint or marks are put on the ground. Rather, Indiana811 supplies contact information for all those participating utility companies within the project area. The designer can then contact those companies for utility maps. Indiana811 is also working to allow it for municipal projects.

So, what does it all boil down to? There are basically two profounding aspects. 1) The whole call before you dig process is a transfer of liability from one entity to another. 2) It is a business decision. Request a utility locate, dig (*or drive*) responsibly and you pass the liability onto another. If you don't make the request and cause damage, you may find yourself in a heap of trouble and maybe worse: dead. Think of it this way; you wouldn't work in a high traffic area without the proper safety precautions. Then why would you drive a rebar at a property corner without knowing where that highly explosive gas line is?

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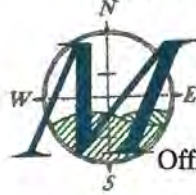
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A GLORIOUS YEAR TO CELEBRATE IN THE PAGES OF HISTORY



SEPTEMBER 13-15, 2012

**SURVEYORS RENDEZVOUS 2012**

PRESENTED BY

Surveyors Historical Society

CO-SPONSORED BY

The Society of Land Surveyors of Iowa  
The Professional Surveyors Association of Nebraska

Equipment and Methods of Lewis and Clark  
200<sup>th</sup> Anniversary of the Creation of the General Land Office  
150<sup>th</sup> Anniversary of the Homestead Act and the Pacific Railroad Act



SEPTEMBER 13-15, 2012

# SURVEYORS RENDEZVOUS 2012

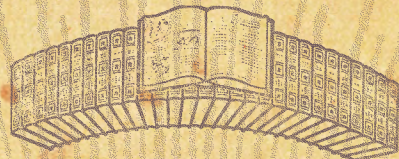
## THURSDAY SEPTEMBER 13, 2012

- 7:00 Depart Holiday Inn
- 7:45 "The Equipment and Methods used by Lewis & Clark for Navigating, Surveying, & Mapping" - Bill Weikel
- 8:45 "Looking for Council Bluff" - Bill Weikel
- 9:45 "George Drouillard: Hunter, Interpreter, and Sign Talker for the Corps of Discovery" - Darrel Draper
- 10:30 Tour Fort Atkinson
- 11:30 Depart Fort Atkinson
- 12:30 Lunch at Lewis and Clark State Park
- 1:30 Keel Boat Experience - Butch Bouvier
- 7:00 Return to Holiday Inn

## WEDNESDAY SEPTEMBER 12, 2012

5:00 PM - Welcome Weary Travelers and Managers Reception at Holiday Inn  
Registration Open

7:00 PM - Surveyors Historical Society  
Annual Membership Meeting



## SATURDAY SEPTEMBER 15, 2012

- 8:00 "Discover the REAL First Transcontinental Railroad" - Richard Leu
- 8:45 "The Corps of Topographical Engineers and the Pacific Railroad Surveys" - Don Erickson
- 10:15 Break
- 10:30 "Building the Pacific Railroad" - David Haward Bain
- 12:00 Lunch
- 1:00 Tour the Union Pacific Railroad Museum and Historic General Grenville Dodge House in Council Bluffs
- 5:30 Happy Hour
- 6:30 Annual Banquet and Benefit Auction  
After-dinner presentation - "Why Carter Lake, Iowa is in Nebraska" - Russ Kramer (Mayor of Carter Lake)

## FRIDAY SEPTEMBER 14, 2012

- 8:00 "GLO Surveys Along the Missouri River Affected by a Changing River" - Milton Denny
- 10:30 Break
- 10:45 "The Skunk River is Death on a White Man" - Richard Leu
- 11:15 "Daniel Freeman: America's First Homesteader" - Darrel Draper
- 12:00 Lunch
- 1:00 "Captain Andrew Talcott's account of his journey to, design of, and surveys at Fort Atkinson - 1819/1820" - Don Borcharding
- 2:30 Swap Meet
- 7:00 Annual Picnic

The Surveyors Rendezvous is an opportunity to obtain quality continuing education and enjoy camaraderie with fellow surveyors from around the country.

While many Rendezvous participants will dress in period clothing representing a broad range of historical time periods, just as many, if not more, will be dressed in modern casual attire.

## RENDEZVOUS HEADQUARTERS AND LODGING

All Rendezvous events will be held at or originate from the Holiday Inn Hotel and Suites. A block of rooms is reserved at the Holiday Inn at a special rate of \$102 per night for the nights of September 12-15. A second block of rooms is reserved at the nearby Hampton Inn at the same rate for the same time period.

Reservations must be made by August 21. Thereafter, reservations will be taken on a space-available basis.

To make reservations, call the appropriate number listed below. Ask for "in-house reservations" and refer to the group name Surveyors Historical Society. You will be asked to provide a credit card to confirm your reservation.

Holiday Inn Hotel and Suites  
2202 River Road  
Council Bluffs, Iowa 51501  
Phone: 712-322-5050

Hampton Inn Hotel and Suites  
2204 River Road  
Council Bluffs, Iowa 51501  
Phone: 712-328-2500



PHONE: 812-537-2000

EMAIL: shs9@embarqmail.com

**SURVEYORS HISTORICAL SOCIETY RENDEZVOUS 2012**  
**REGISTRATION FORM**

**SEPTEMBER 13-15, 2012**

Complete the Registration Form and return with your check made payable to SHS Rendezvous 2012 to:  
 SHS Rendezvous 2012, 628 Ridge Ave. Lawrenceburg, IN 47025

Name: \_\_\_\_\_ Name for Badge: \_\_\_\_\_  
 Company/Institution: \_\_\_\_\_ Business Phone: \_\_\_\_\_  
 Address: \_\_\_\_\_ Home Phone: \_\_\_\_\_  
 City/State/ZIP: \_\_\_\_\_ Email: \_\_\_\_\_  
 Spouse/Guest Name: \_\_\_\_\_ Name for Badge: \_\_\_\_\_

**AFFILIATION**

Surveyors Historical Society     Society of Land Surveyors of Iowa     NSPS  
 Professional Surveyors Association of Nebraska     Other (please specify) \_\_\_\_\_

**TICKETS & FEES**

<b>FULL REGISTRATION:</b> Includes Thursday Lewis and Clark Tour; all lecture sessions; Union Pacific Railroad Museum and Historic Dodge House tours; Friday and Saturday lunch; Friday picnic and Saturday Banquet; and Professional Development Certificate.	\$199. <sup>00</sup>	\$ _____
<b>THURSDAY ONLY:</b> Includes transportation to and from Fort Atkinson and Lewis and Clark State Park; lunch; all lecture sessions and activities and Professional Development Certificate. Space is limited and preference will be given to those who register for the full Rendezvous.	\$85. <sup>00</sup>	\$ _____
<b>FRI-SAT ONLY:</b> Includes all lecture sessions; Union Pacific Railroad Museum and Historic Dodge House tours; Friday and Saturday lunch; Friday picnic and Saturday Banquet; and Professional Development Certificate.	\$165. <sup>00</sup>	\$ _____
<b>SWAP MEET TABLE:</b> SHS members-Free Non-members registered for the Rendezvous \$10. <sup>00</sup> Non-registered non-members \$50. <sup>00</sup>		\$ _____

**EXTRA MEALS: FOR SPOUSE/GUEST AND OTHERS NOT REGISTERED FOR THE RENDEZVOUS.**

FRIDAY LUNCH    FRIDAY PICNIC    SATURDAY LUNCH    SATURDAY BANQUET    LATE FEE (After August 28<sup>th</sup>)  
 \$15     \$25     \$15     \$30     \$50

**TOTAL ENCLOSED \$** \_\_\_\_\_

Advance payment is required. Government purchase orders will be accepted. No refunds will be given after September 4, 2012.

Substitutions for registrants will be accepted. If you are a student or technician, we will work with you to see that you have an opportunity to attend this event. Call 1-812-537-2000 for assistance.

Please note that final determination of what qualifies for continuing education credit lies with the individual license holder and the license holder's state licensing board. Informal Spouse/Guest program will be arranged on site based on the preferences of those attending.