

HOOSIER SURVEYOR

WINTER 2022

BROUGHT TO YOU BY THE INDIANA SOCIETY OF PROFESSIONAL LAND SURVEYORS



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Cover Image

Incoming ISPLS President Eric Meeks presents Past President Norman Hiselman with the ceremonial gavel in thanks for his service as the Society's president in 2021.

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From the Editor

Deadlines for the Hoosier Surveyor:

- Winter: **February 1**
- Spring: **May 1**
- Summer: **September 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

Eric Meeks, PS, ISPLS President

First and foremost, a sincere Thank You to the ISPLS membership as I humbly accept the gavel from Norm Hiselman as we carry into 2022. Some may not be aware that Norm and I share also in the lineage of public service with our beloved United States Marine Corps. A significance I point out is that even in serving decades apart, the spirit that comes from following the example set by those who have gone before is rooted in the traditions and experiences that remain constant, although ever growing into new scope. This very similar experience is also found in our great profession and gives a shared connection to all those who find satisfaction in our work. The mentoring in professional surveying and the lineage it provides is sometimes looked past with many days filled with deadlines and quotas, and a desire to race to a finish line. As we visit this opportunity, our strength is in our membership coming together to endure challenges as they arise.

A question that has been on a lot of minds, I am certain, is where lies the future of Professional Surveying? With "Who" being likely the simplest answer. This topic has been at the forefront of efforts of the ISPLS directors and IPLSF directors alike. ISPLS has officially organized the Workforce Development Committee to further the outreach and recruitment endeavors to bring new generations into the Professional Surveying discipline. Taking from experience gained from past and current efforts, we look to enhance those compelled into the profession with an abundance of opportunity. Every ISPLS member has the opportunity to add in this success. Please continue to take the time to contribute towards this common goal and add where you can.

Over the next year and as we move forward in our mission, the identified common goals and the new goals to be set in serving the members of ISPLS will be met with my enthusiasm in the opportunity to serve.

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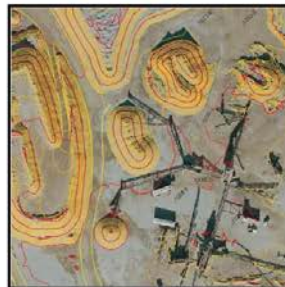
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ISPLS Convention Recap



2022 - 2023 ISPLS Board Members: Ryan Swingley, Eric Meeks, Alex Daugherty, Matt Badger, Ryan Selby, Norman Hiselman, Zach Beasley, Nolan Mark, Rich Hudson, Jacob Hoffman, Jason Copperwaite, Vincent Barr



ISPLS Atlas Award Recipient Tony Gregory with Past-President Norman Hiselman



ISPLS President's Award Recipient Jessica Hess with Past-President Norman Hiselman

Not pictured: ISPLS President Award Recipient Carol Morman



IPLS Foundation officers with "Surveying Instruments of the 1950s" art prints recognizing their service: (from left) Bryan Catlin, Vince Barr, Eric Meeks and Perry Cloyd. Not pictured: Ed Sweetland. ISPLS Past-President Norman Hiselman (right) presented the awards.



Peggy Archer Memorial Scholarship
Recipient Karissa Gayer with Ryan Selby



Benchmark Scholarship Recipient Luke
Batdorff with Ryan Selby



Southwest Chapter Scholarship Recipient
Karissa Gayer with Southwest Chapter
President Alex Daugherty



YSN Topgolf Outing

In-Person Convention Launches Young Surveyors' Year

Levi Radnour, SIT

The 70th annual ISPLS convention was held in person this year and I could tell that most who attended the convention were thrilled to have the in-person option available. For those who did not attend the in-person convention, ISPLS will be hosting a virtual conference over the four Fridays in March.

This year's conference was co-hosted by the Northwest Chapter and the Young Surveyors Network (YSN). The Northwest Chapter allotted their funds from the conference to YSN. These funds will greatly help YSN in their future endeavors such as NSPS business meetings and social events held throughout the year. I for one was happy to be in person after attending board and foundation meetings from a computer this past year to actually meeting the faces I have been seeing on my monitor. YSN held a sponsoring event on Thursday night at TopGolf that had an amazing turnout. The number of

members and supporting members who attended this event really shows the support the YSN for Indiana has been receiving.

Being a member of YSN has allowed me to meet a lot of surveyors in the industry that aren't just in my area but statewide. YSN has been great for myself and others that may find it hard to be more involved in local chapters. Being on the younger end of the industry, it can be difficult to voice opinions with surveyors who have never heard of you. YSN has allowed not just myself but others to prepare for leadership roles in the future.

What is expected for YSN in 2022?

March 29- April 2, Arlington, Va.

NSPS Spring Business Meeting will be held in Arlington, Virginia. There is a student competition each day of the conference. This meeting is open and available for anyone who wants to go. I

strongly suggest going to one of these meetings at least once.

October 12-15, Tulsa, Okla.

NSPS Fall Business Meeting will be in Tulsa, Oklahoma. This meeting is open and available for anyone who wants to go. I strongly suggest going to one of these meetings at least once.

TBD, YSN Social Event

A summer social for this year is in the works. This is an event we would like to co-sponsor with either another chapter or even a different organization. We have had great attendance the past two years with events that we have either held or cosponsored.

Roundtable Tuesdays, Second Tuesday of Each Month

A Zoom presentation with Professional Surveyors giving insight into topics like Boundary Law, Scanning, and Surveyor's Reports. This has gotten some great attention from surveyors across Indiana as well as other states.

Study Sessions

Last year we put together a study session for the Fundamentals of Surveying Exam. This year we would like to do the same, whether it's for the FS, PS or State Specific exams.

Event reminders will be sent via email and presented on social media platforms.

Who is Welcome?

Whether you are a field crew chief, CAD technician, SIT or PS, all surveyors are welcome to join. If you are someone who is interested in participating, please email inyoungsurveyors@gmail.com. We are looking for active members who want to be included in emails for future events as well as Professional Surveyors who may be willing to lead a Roundtable Tuesday.



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Legal Surveys

Bryan F. Catlin, PS

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. Because of the recent changes to the court's website, I use Google Scholar to search for Indiana cases. Once cases were found, I search for a case by a party's name or case number on the Indiana site to obtain a more conveniently formatted document at www.in.gov/judiciary. Comments or suggestions for future columns are welcome by email to: Bryan.Catlin@indy.gov.

Since the cases I found this quarter are all memorandum decisions, it is a good time to remind readers that those are decisions that are based on what is currently considered settled law. The court's website includes many "Memorandum Decisions" which are not published in West's Northeastern Reporter and, in general, are not to be used as precedent or cited before any court. However, they still show a court's reasoning and may be of interest, especially regarding the law applied and prior cases they cite. This column looks at some such decisions related to surveying.

Daniel S. McCain and Joseph D. Derozier v. Stephen J. Presley, Indiana Court of Appeals Case No. 21A-MI-567, October 20, 2021 - MEMORANDUM DECISION - not regarded as precedent

This is a second appeal from the Miami Superior Court over this issue. As a reminder, the 2019 appeal follows in italics.

Stephen J. Presley v. Daniel S. McCain and Joseph D. DeRozier, Indiana Court of Appeals Case No. 19A-MI-88, October 11, 2019

From the Miami Superior Court comes this case where two areas of Presley's property per plat were awarded by adverse possession to

neighboring owners. The "Dog Run" and "Flower Bed" were both used jointly by Presley and the respective adjoining owner. Significantly, the dual use of the "Dog Run" continued until November 2016, when DeRozier placed a lock on the gate to the area after his tenant notified him a man was using the area to access the Presley's backyard. McCain maintained a "Flower Bed" area next to Presley's garage but allowed Presley access. In the last 10 years, McCain had attempted to build a shed in the "Flower Bed" area. Presley contacted the City of Peru to prevent this. The City determined that McCain could not build the shed. After that, McCain did not maintain the area and installed a planter box that interfered with Presley's maintenance and upkeep of the garage.

In May 2017, Presley filed a complaint for ejectment and damages against DeRozier and McCain. After several motions, etc., McCain and DeRozier ended up arguing they had acquired ownership through adverse possession. After a bench trial on Oct. 31, 2018, the court issued a Nov. 2, 2018 order finding DeRozier and McCain had acquired title by adverse possession but granted Presley an easement to access the two parcels. Both sides moved to correct error, and the trial court granted DeRozier and McCain's motion and vacated the easement awarded to Presley. Presley appealed this ruling.

On appeal, the court found that both DeRozier and McCain had not met the 10-year duration of exclusive adverse control to prove ownership. As such, the judgment of the trial court was reversed and remanded with instructions to enter judgment in favor of Presley.

McCain and DeRozier filed a petition for rehearing which was denied on Dec. 12, 2019. Since they did not seek transfer to the Indiana Supreme Court, the case was certified on Jan. 21, 2020. There was also a six-inch strip that Presley's garage encroached on DeRozier that was awarded to Presley based on adverse

possession at the original trial which was not a part of the first appeal.

On Feb. 12, 2021, Presley filed a motion for order in the trial court and the defendants objected on multiple grounds. On March 1, 2021, the trial court issued a final order providing that Presley had acquired title to the six-inch strip, that title to the Dog Run was quieted in favor of Presley and he could eject DeRozier and any structures or improvements, that title in the Flower Bed was quieted in favor of Presley and he could eject McCain and any structures or improvements, and that Presley could retain a licensed surveyor to create new legal descriptions of the Presley and DeRozier properties to reflect Presley acquiring title to the six-inch strip. DeRozier and McCain appealed again.

McCain and DeRozier argued that the trial court had exceeded the Court of Appeals directives on remand by allowing Presley to retain a surveyor and to remove any structures or improvements from the Dog Run and Flower Bed. The Court found that they were ignoring a provision in the original order allowing Presley to retain a licensed surveyor to create a legal description consistent with the order. Presley was also found to have made it clear that he wanted to quiet title in the Dog Run and Flower Bed and eject the defendants. The defendants also tried to claim that their improvements couldn't be removed because of the property codes statute of limitations governing improvements to the land. However, the court pointed out that they were attempting to use the 10-year statute of repose protecting engineers, architects, contractors and others involved in the design and construction of improvements to real property from claims to apply to the actual improvements, so the statute did not apply here. The judgment of the trial court was affirmed.

J2 Systems and Supply, LLC v. Palmer Properties, LLC and White Castle Systems, Inc., Indiana Court of Appeals Case No. 21A-PL-164, October 21, 2021 - MEMORANDUM DECISION - not regarded as precedent

This appeal from the Marion Superior Court

concerns properties Palmer owned at 2368 E. 38th Street and an adjacent property at 3820 N. Keystone Ave. On Oct. 10, 1994, Palmer leased the 38th Street property to White Castle. The recorded lease also included a 25 by 158-foot access easement on the Keystone Avenue property. White Castle continuously used the easement area both for a drive-thru lane and to provide ingress and egress to Hillsdale Avenue since the mid-1990s. A fence separates the drive-thru from the rest of the Keystone Avenue property.

In March 2018, Palmer agreed to sell the Keystone Avenue property to J2 systems. As part of the process, an initial title commitment listed the Memorandum of Lease as an exception to coverage and a survey provided to J2 by Palmer showed the easement area with the recording information for the lease. Palmer Properties referenced the title commitment on a vendor's affidavit. The final title commitment did not reference the lease. J2 inspected the property before the purchase agreement was executed. In January 2021, J2 began construction and blocked the access drive on the easement with construction banners preventing ingress and egress by White Castle's drive-thru. Palmer and White Castle filed a complaint for a judgment declaring the easement valid and enforceable and seeking to prevent J2 from encroaching on or interfering with the access easement. After a series of motions, the trial court held a hearing and entered summary judgment for Palmer and White Castle, concluding J2 had actual notice of the easement and the easement was valid and enforceable. J2 filed a motion to correct error, arguing in part that a portion of the rent Palmer receives from White Castle should have been granted as compensation for use of the easement. The trial court denied the motion and this appeal followed.

On appeal, J2 argued that an unrecorded lease and a memorandum of lease recorded on an adjacent parcel is insufficient to create an easement interest binding on a subsequent purchaser of real estate. The court noted that notice can be constructive or actual and that

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J2 had actual notice from visiting the site and seeing the fenced easement, from receiving the survey provided by Palmer, and from the initial title commitment. As for J2's claim for a portion of the rent from the 38th Street property, the court did not agree the facts of this case matched the facts in the prior cases they cited. The court also noted that a purchaser holds a property subject to the same servitude that the grantor was subject to if the purchaser has notice of the servitude. The judgment of the trial court that J2 had actual notice of the easement and that they are not entitled to a portion of the rent was affirmed.

Jason Gay v. Monroe County Community School Corporation, Indiana Court of Appeals Case No. 21A-PL-185, October 26, 2021 - MEMORANDUM DECISION - not regarded as precedent

Here Gay owns property west of Clear Creek Elementary School in Bloomington. This dispute arose after the school removed trees near Gay's property. Gay is a licensed attorney and retired veteran with "military training in map reading and map declination[.]" There are the remnants of a metal and wood fence between the properties partly covered by undergrowth and leaning trees. There was a retracement survey of Gay's property performed in 2015 before Gay bought the property in 2017. After Gay bought the property, the school corporation asked Gay to cut through the fence so Gay's child could safely walk to the school and playground. This led Gay to believe the fence was on his property. In the spring of 2017 Gay expressed concerns about a fallen tree in person and left two voicemails asking the school to trim its trees because of the risk of a tree damaging his property or killing his children or dog. On Sept. 25, 2017, the school corporation hired a surveyor who staked Gay's eastern line per the 2015 survey and noted the fence was outside of Gay's boundary and over his 304-foot eastern border. The fence was from 13 to 22 feet outside of Gay's line. After seeing the staked line, Gay expressed his belief that the fence, and not the staked line was the accurate boundary line. Gay's voicemail to the school corporation on Sept. 27, 2017, disputed the

accuracy of the staked line and asked the school corporation to "kind of update the property line" and to "just sort of agree" that through adverse possession the strip of land between the staked line and the school property was his. At Gay's request, the school corporation mailed a copy of the 2015 survey to Gay on Sept. 29, 2017. Tree removal began on Oct. 2, 2017. On Oct. 3, 2017, Gay obtained a recorded February 1953 survey of the school property which depicted only the school property and identified the fence as the western border. Gay asked that ongoing tree removal be stopped and that the school conduct a new survey of their property. Most of the trees were removed because of an emerald ash borer infestation. In October 2017 the school corporation commissioned the requested survey which was staked in December 2017 and which noted the school corporation's western property line was approximately the fence, the fence did not run in a straight line, and with one exception, was between 0.3 and 1.3 feet east of the school corporation's property line. The surveyor explained the deed gap was because Gay's property was described from monuments to the west and the school's property was described from monuments to the east. Tree removal continued until Oct. 5, 2017, and included removing trees, grinding the stumps and planting 10 new trees set father back on the school property. After the trees were removed, Gay informed the school corporation that he believed the removed trees were his.

Gay filed a tort claim in the Monroe Circuit Court on Nov. 14, 2017, alleging: criminal trespass; criminal theft; criminal conversion; common law trespass; common law theft; common law conversion; negligence; and inverse condemnation. The school corporation filed their answer on June 28, 2018, and on June 20, 2020, filed a motion for summary judgment. Gay filed his response to the school corporation's motion for summary judgment on Sept. 1, 2020, noting among other things that the Monroe County Health Department had approved an August 1989 application for a septic tank placed in the deed gap in October 1989. After more motions, the trial court granted the school corporation's motion for summary judgment on Oct. 19, 2020,

noting that Gay had impressive credentials but was not competent to testify regarding preparation or interpretation of land surveys and had not shown previous surveys failed to account for magnetic declination. It was also noted that Gay lacked personal knowledge of events before his purchase of the property and can't rely on inadmissible hearsay to establish property lines or title by acquiescence. Therefore, the court found that there was no genuine issue of material facts as to Gay's claims, so the school corporation was entitled to judgment as a matter of law. Gay filed a motion to correct error and asked for the trial court judge's recusal as they were friends with the 2017 surveyor. The trial court judge was recused but the motion to correct error was deemed denied after 45 days without a hearing or ruling, and Gay appealed.

The appeals court noted Gay did not allege error in the trial court's ruling on striking portions of his filings which included the only evidence Gay designated regarding his opinion, as an attorney and landowner, that he shared a common boundary. Undisputed evidence showed Gay urged the school corporation to remove diseased trees from its property, and to some degree, from the deed gap area. The judgment of the trial court was affirmed.

Gilmore Construction, Inc. v. The Board of Commissioners of the County of Clark, Indiana and Wesbanco Bank, Inc. d/b/a Community Bank of Southern Indiana, Indiana Court of Appeals Case No. 21A-PL-160, November 10, 2021 - MEMORANDUM DECISION - not regarded as precedent

Here Clark County used eminent domain to obtain land for a school bus turnaround. During Clark Circuit Court proceedings, Gilmore argued that the land would actually be used for a heavy haul road being planned for the Port of Indiana-Jeffersonville and other sites by the Indiana Department of Transportation which would potentially limit access to Gilmore's land and adversely affect a planned development there. The court ruled that evidence of the heavy haul road project was speculative and inadmissible,

limiting Gilmore's potential damages award. While the trial was pending, Gilmore learned that the land taken by the County was a part of the heavy haul road project and asked that the court's summary judgment be set aside. The court now found that despite its earlier finding, the heavy haul road project was "reasonably foreseeable" and denied Gilmore's request without an evidentiary hearing. Gilmore appealed.

On appeal, the court found that Gilmore was entitled to an evidentiary hearing, reversed the trial court's denial and remanded this back to the trial court to conduct an evidentiary hearing. This appeal heavily involves court rules so I would refer the reader to the actual Court of Appeals opinion if they want to know more. I will note that one judge did dissent with this ruling.

Bryan F. Catlin, PS, 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.

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Board of Registration Update

Jacob T. Hoffman, EI, PS

The Board of Registration for Professional Surveyors (Board) met January 21 at 9 a.m. The meeting was held virtually. Members of the Board present at the meeting were Rich Hudson, Gary Kent, Christine Arnold and Doug Lechner.

Kiely Keesler, Deputy Attorney General, supplied the Board with a report of Consumer Complaints and Litigation Cases. She reported that there are currently eight open investigation files with an average age of 10.5 months and one open complaint that has been open for 15.1 months.

The Board continued an administrative hearing for Jay Schwandt (Cause No. 2021SBRPS0002) that had originally been held in July 2021 and then continued again in October 2021. Gary Kent recused himself from this hearing and left the hearing prior to its commencement. The state was represented by Ian Mathew, Deputy Attorney General. Schwandt attended the hearing and acted as his own council.

Neither the State nor Schwandt brought witnesses for any additional testimony. The State proceeded with the case by stating that they did not receive any of the additional surveys requested by the Board. The Indiana Professional Licensing Agency (PLA) also stated that they did not receive any of the requested surveys. Schwandt stated that he had sent in the surveys in July but was unable to resend the email. The PLA checked their records again and did not see the email that Schwandt stated had been sent in July. The Board discussed options for this case and James Harry, Council for the Board, stated that if any surveys used in the Board's decision would need to be submitted as evidence in the hearing record, the Board could either continue the case until the surveys were submitted or proceed with the two surveys submitted by the State in this case as the only evidence.

The Board asked Schwandt if he would be able

to submit the surveys now, and he stated that he was unable to access them and would not be able to submit them in a timely manner. The Board decided that they would proceed with the available surveys and ask Schwandt questions regarding the surveys. Schwandt was sworn in as a witness. The Board asked him if he could explain the theory of location used in the boundary determination on the first survey. Schwandt stated that he did not have the survey in front of him, did not have access to the survey, had not looked at the survey since July, and was unable at this time to explain the theory of location. The State closed by stating that Schwandt agreed with the survey deficiencies in the original hearing in July and that the only issue at this point was to determine sanctions.

The State recommended either a suspension of license or probation with reporting requirements. Schwandt closed by stating that he takes responsibility for the deficiencies on the surveys and has since taken steps to prevent them for all future surveys. The hearing was then closed. Following the closing of the hearing the Board discussed potential sanctions. James Harry explained to the board that they could suspend the license, revoke the license, or could put Schwandt on probation with restrictions.

A revocation of the license would eliminate the license and not allow Schwandt to apply for a license for a minimum of seven years, and any future application would be treated as if Schwandt never had a license. A suspension of license would not allow Schwandt to practice surveying in Indiana for a minimum amount of time and he would need to petition the board and have a new hearing to reinstate the license. Probation would allow him to continue practicing in Indiana with whatever restrictions the Board would add. Harry also reminded the Board that they should take precedent into consideration when applying sanctions, both from prior cases and for any future case.

Doug Lechner made a motion to revoke the license and Rich Hudson seconded the motion. Christine Arnold asked for an explanation of how the Board could go from considering a letter of reprimand and fines to a revocation of license. Lechner explained that since they did not receive the additional surveys, they could only look at the two surveys brought before the Board. The surveys were so deficient that he thought that Schwandt should not have the ability to practice surveying in Indiana. Arnold asked if a suspension would be more appropriate, and Lechner stated that Schwandt did not follow up on the submission of the five requested surveys and was not prepared to discuss the two surveys pertaining to this case. Lechner stated that he could only conclude that Schwandt did not value the license and based upon the two surveys in front of him was unfit to practice in Indiana. The question was called, and Lechner and Hudson voted in favor of the revocation and Arnold voted in opposition to the revocation. The motion passed.

Jacob's Note: In my opinion this is an incredibly important case that warrants further explanation. Let's begin with an overview of the case. The case was originally brought before the Board in July 2021 and was based upon two surveys that the Attorney General's office had investigated and determined to be deficient. The surveys were found to violate up to seven statutes and basically stemmed from a failure to include a surveyor's report with the surveys. Schwandt had testified that he had performed 20 Indiana surveys in the last two years and that he agrees with these violations, takes responsibility for them, and has since rectified his procedures in order to ensure that this doesn't happen again. The Board wanted to see evidence that Schwandt is now in compliance and requested that he send additional surveys so that they could take them into account. The Board continued the case to the October meeting. Schwandt was unable to attend the October meeting due to a family emergency, so the meeting was continued again. This brings us up to this meeting. Since Schwandt was unable to show any evidence that he had rectified this issue, the Board was only able to use the evidence of the

two deficient surveys. The members of the Board were all in agreement that if their license was on the line, then they would have been prepared to defend it. They stated that they would have followed up after sending the surveys in, would have taken the opportunity given at the hearing to go to their office and resend them so they could be included as evidence, and would have had the two surveys pertaining to the hearing in front of them and have been prepared to discuss them. This seemed to be the determining factor for them. They had initially given Schwandt the opportunity to show them that these surveys do not reflect his current standard of work and he did not take this opportunity seriously. It is admittedly surprising to me that the Board chose to go with revocation instead of suspension, but the Board took into account the two surveys in front of them as well as their impression that Schwandt did not value his license. This is important for all Indiana surveyors because this case sets a standard of precedence. The two revocation cases that I have witnessed during my time as the Board of Registration Liaison included the respondent defying a direct Board order. This is a case where the respondent is not directly defying an order but failed to comply with a request due to inactivity. This case should show to all Indiana surveyors the importance of treating these hearings as if your license is on the line, and if you are ever involved in one of them, you should come to the hearing prepared to defend your ability to practice in Indiana. In my opinion, Schwandt would still have his license if he would have sent a simple email to the PLA ensuring that they had received the additional five surveys. It should also be noted that Harry informed Schwandt that he would be receiving a letter explaining to him options for appeal on this ruling which included an ability to petition for a rehearing as well as an appeal for a judicial review.

Gary Kent returned to the meeting after the conclusion of the hearing.

The Board discussed the 2022 meeting dates and stated that the April 22 meeting coincides with a National Council of Examiners for Engineering and Surveying meeting that several Board members will be attending. The PLA

stated that they will look into rescheduling the meeting and will try to make it either the Friday before or the Friday after April 22. The PLA stated that the State is still making in-person versus virtual meeting decisions on a meeting-by-meeting basis and that the Board will be informed of the next meeting's status ahead of the meeting.

The Board unanimously passed a motion to name the following Elected Officers:
Chair – Jason Henderson
Vice-Chair – Rich Hudson
Liaison to the Attorney General – Gary Kent

The PLA reported that 21 individuals had signed up for the Indiana State Specific Exam and that nine had taken the exam January 21. This is consistent with reports at the last two meetings, stating 22 individuals had signed up and either 10 or 11 had taken the exam.

The meeting was adjourned at 10 a.m.

The next scheduled meeting is set for Friday, April 22, but will certainly be rescheduled. Please check the Indiana PLA website (<https://www.in.gov/pla/>) for the agenda and meeting link for the next meeting.

Jacob T. Hoffman, EI, PS, is the Board of Registration Liaison for the Indiana Society of Professional Land Surveyors. Contact him at hoffmanj@weihe.net or (765) 326-2172.

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Northwest Chapter Golf Outing

Photos by Joel Janowski



Twenty-six golfers took part in the Northwest Chapter's 18th annual golf outing at The Course at Aberdeen, in Valparaiso, on Aug. 13, 2021. The event benefits the chapter's Ordell L. Gertsmeier Memorial Scholarship Fund.

"It was Friday the 13th, but it was a nice day that turned out well," said coordinator Alex Fabian, PS.

A team from McMahon Associates finished as the top foursome. Drew Sleezer had the longest drive and Steve Pfingsten took closest to the pin honors.



Hole sponsors were Abonmarche Consultants; Al Fabian; Arden Land Surveying, LLC; Charles Hendricks and Associates; Chesterton Art Center; DLZ Corp.; DVG Team, Inc.; Glen Boren; Kevin Breitzke - Porter County Surveyor; Lake County Surveyors Office; McMahon Associates; Mike Marlow; NW Chapter Scholarship Committee; Precision Midwest; Rich Hudson on behalf of Don Bengel; Seiler Instruments Geospatial; Soil Solutions, Inc.; Tony Gregory, PS; Torrenga Surveying, LLC; Turning Point Surveying, Inc.; and Waid Dillon.





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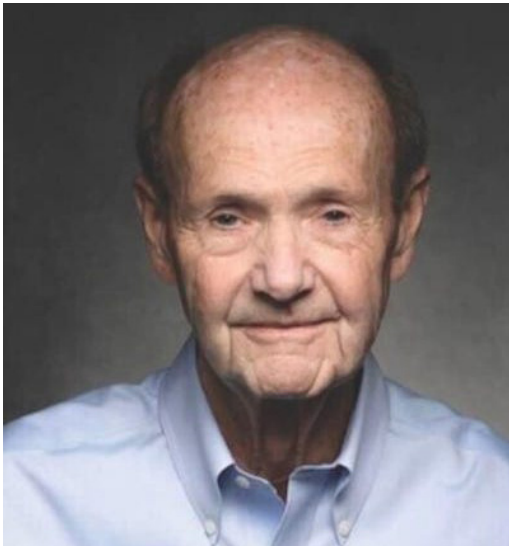
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Roger A. Fine, PS

December 31, 1947 - January 19, 2022

Roger A. Fine, 74, of Carmel, passed away January 19.

Roger was born Dec. 31, 1947, in Crawfordsville, Indiana, to the late Chauncey and Esther Fine. He received a bachelor's degree from Purdue University in economics in 1970, a second bachelor's degree from Purdue in 1977 in land surveying and his MBA from Indiana University. Roger served in the U.S. Navy.

Roger owned Fisher and Associates, a land surveying firm in Lafayette, from 1992-2018. He continued working after retirement as the company is now known as Fisher Engineering, an affiliate of Chastain & Associates LLC.

He was a professional member of the Indiana Society of Professional Land Surveyors and a member of the Tecumseh Chapter. He also was a member of Our Lady of Mt. Carmel Catholic Church, Theta Chi Fraternity and the Lafayette Country Club.

Roger is survived by his wife of 44 years, Beverly; daughter, Melissa R. (husband, Caleb) Franklin; grandchildren, Preston, Payton, Presley and Piper Franklin; siblings, Gary (wife, Carol) Fine, Joyce (husband, Bill) Jeffers and Gloria (husband, Steve) Gangwer; brother-in-law, Tony (wife, Kathy) Edwards.



Stephen Michael Cooper

February 20, 1953 - January 24, 2022

Stephen Michael Cooper, 68, of Greenfield, passed away January 24 at Hancock Regional Hospital. He was born in Indianapolis on Feb. 20, 1953, to Frank and JoAnne (Moffatt) Cooper. He was a 1970 graduate of John Marshall High School in Indianapolis and attended IUPUI. On Feb. 26, 1982, Stephen married Maureen Hull in Indianapolis.

He was the co-owner of COOR Consulting and Land Services in Knightstown for 23 years. He was the current president of the Greenfield City Planning Commission and served as past president of the Indianapolis Eastside Rotary Club. Stephen enjoyed fishing, traveling, and watching IU basketball, the Reds, and the Colts. He loved spending time with his family and being Pappo to his grandchildren.

Stephen is survived by his loving wife of 39 years, Maureen Cooper of Greenfield; children, Andrea (Alex) Meza of Greenwood, Jon (Ivy) Riester of Lafayette, Jennifer (Paul) Hudson of Greenfield, and Christopher (Kristin) Cooper of Greenfield; and grandchildren, Elaine, Claire, William, Remy, Alexander, Rory, Giana, and Brynlee. He was preceded in death by his parents, Frank and JoAnne Cooper; brother, Jeff Cooper; sister, Lisa Parker; and sister-in-law, Pam Cooper.

Visitation and a funeral service were held January 29 at Erlewein Mortuary & Crematory, 1484 W. U.S. Highway 40, Greenfield. Burial was at Park Cemetery in Greenfield.

Memorial contributions may be made by mail to the Hancock County Boys & Girls Club, 715 E. Lincoln St, Greenfield, IN 46140. Friends may share a memory or condolence at www.erleweinmortuary.com.



Terry A. Kendall

July 17, 1957 - December 8, 2021

Terry A. Kendall, 64, passed away Dec. 8. He was born in Indianapolis to Edwin K. and Barbara J. Kendall and obtained his bachelor's degree from Purdue University. Terry worked as a licensed land surveyor and was a member of the Indiana Society of Professional Land Surveyors and the Initial Point Chapter.

Claiming his proud "DeadHead" status, he loved music. He practiced his meat smoking abilities at family parties, dabbled in beer brewing and was an avid reader. He was a loving father who loved to stay up late with his kids chatting around the bonfire.

Terry is survived by his wife of 37 years, Sherri W. Kendall; son, Andrew T. Kendall; daughter, Pamela M. Kendall (Brandon Paquette); granddaughter, Penny Paquette; parents, Edwin and Barbara Kendall; brother, Kerry Kendall (Trudi) and sister, Kathy Ratekin (Tony).

A memorial gathering was held Dec. 18, with a funeral service immediately following at the Market Street Chapel of Naville & Seabrook Funeral Homes, New Albany. A memorial service was held Jan. 29 at Moster Mortuary, Rushville, with Pastor Dena Vittorio presiding.

Memorial contributions made in Terry's name may be forwarded to the Animal Protection Association, 702 E. 11th St, Jeffersonville, IN 47130.



Paul E. Moffett

September 15, 1933 - December 7, 2021

Paul E. Moffett, 88, passed away peacefully at his home, surrounded by his family, on Dec. 7 in Memphis, Indiana.

He was born Sept. 15, 1933, to the late Wallace and Wilma Moffett (Taylor) in Louisville, Ky., and honorably served his country in the U.S. Air Force during the Korean War. After the war he furthered his education in the field of engineering, graduating from Indiana Institute of Technology in 1959.

During his long career in engineering, Moffett served as the County Engineer for Clark County, Ind., worked in the coal mines of Hazard, Ky., and served as vice president of the Louisville Planning and Engineering Department. He rounded his career out in private practice with his own firm, Moffett Engineering. Although he thoroughly enjoyed his many years in engineering, his passion was land surveying. He surveyed land up into his 80s.

Moffett was preceded in death by his wife, Suzanne Moffett; his son, Paul Moffett Jr.; his brothers, Wallace and Robert Moffett; and his sister, Ruth Carver.

Survivors include his daughters, Alison Brock of New Albany, and Amy Kastensmidt (Kevin) of Jeffersonville; his sister, Sarah Miller (David) of Murfreesboro, Tenn.; his grandchildren, Derek Emerson, Autumn Jones (Travis), Trenton Kastensmidt and Carson Kastensmidt; and his great-grandson, Andrew Emerson. Moffett also leaves behind many nieces and nephews to cherish his memory.

Memorial contributions can be made to Hosparus of Southern Indiana (502 Hausfeldt Lane, New Albany, Indiana 47150).



Thomas Lee Newport

August 13, 1941 - December 10, 2021

Thomas (Tom) Lee Newport, 80, passed away at his home in Walton on Friday, Dec. 10, 2021. He was a life member of the Indiana Society of Professional Land Surveyors and a member of the Wabash Valley Chapter.

He was born in Logansport on Aug. 13, 1941, to Vernon and Ethel Newport. Tom would say he was a "street rat" during his early years, hanging out with his buddies, sneaking cigarettes and generally trying to skip school and chores. So his parents decided he should switch schools, and he was shipped to Washington Township in his freshman year of high school.

Sports became a way for Tom to remove himself from his old life, and he quickly excelled in track and field and basketball at the school in Marion County. Being 6 feet, 4 inches tall in the 1950s meant you were tall!

During this time as a Washington Township "Hatchet," Tom met a confident and chatty farm girl, Kathy Ream, and they began dating. They had been married for over 62 years at the time of Tom's passing.

After marrying and having their first child, Kerrie, in 1959, Tom was offered the opportunity to play basketball on a scholarship at a junior college in Texas, and the new family moved to LeTourneau College (now University) in Longview, Texas. Tom studied to be an industrial arts teacher. He also led the basketball team as one of their leading scorers and rebounders.

After two years at LeTourneau, the family came back to Indiana for a chance to further Tom's education and basketball career at Tri-State College (now Trine University) in Angola. They had their oldest son, Troy, while Tom was enrolled there. They made lifelong friends at Tri-State, and Tom found his calling in the civil engineering program. He played well for his favorite basketball coach, Mark Peterman, and was a teammate of a future Harlem Globetrotter, Ray Lothery.

After graduating, Tom designed Ponderosa Steakhouse sites and worked as an engineer for Central Paving, among other companies. His youngest son, Trent, was born in 1969. Tom got his land surveying license and started his own company, Newport Surveying, in 1972. He surveyed in Cass and surrounding counties for over 40 years. Many friends and family members worked at Newport Surveying over the years. Tom also partnered and worked in a local farm operation for 10 years.

Tom will be remembered as a kind and quiet man of integrity and honesty. He had a good sense of humor and loved to play golf, fish and work on projects in his shop at home. Many people knew Tom as the local "Marlboro Man," as he always wore cowboy boots and western belts, bolo ties and vests. Winston cigarettes and Budweiser were his vices.

He was always quick to help any family member or friend with construction projects, as he was a skilled carpenter. He made great impressions on everyone he worked with and all of his extended family. Tom was a "second dad" to many who needed his support and guidance. By all accounts, he was considered to be a fantastic son, brother, husband, father, grandfather, great-grandfather, uncle, son-in-law, brother-in-law and friend. He was the true patriarch of the Newport/Ream clan.

Tom is survived by his high school sweetheart and bride of 62 years, Kathy (Ream); daughter, Kerrie (Dave Morris); sons, Troy Newport (Cathi) and Trent Newport (Jill); grandchildren, Nicki (Dave Lowe), Derek Snyder (Hannah), Dane Snyder (Megan), Savannah Avanesyan (Mike), Amelia Newport, and Max Newport (Bella Carrera). Tom had 12 great-grandchildren as well.

In lieu of flowers, the family invites donations in Tom's name to the AIM, Adolescent Intramural Mentoring Program, Logansport, in care of Cass County Juvenile Probation, 506 High St., Logansport, IN 46947, (574) 753-7834.



Robert Charles Vollmer

May 20, 1941 - January 12, 2022

Robert (Bob) Charles Vollmer passed away Jan. 12, 2022, at the age of 104.

He was born in 1917 in Washington, Ind.; graduated from Washington High School in 1935; was a World War II veteran, serving in the U.S. Navy as a Seabee in the Pacific; married in 1947; and graduated from Purdue University in 1952.

He was a Life Member of the Indiana Society of Professional Land Surveyors and a member of the Hoosier Hills Chapter. He also was an electrician and a farmer. After a career of more than 55 years with the Indiana Department of Natural Resources, he retired at the age of 102.

He was an Eagle Scout and received the Sagamore of the Wabash award from Gov. Eric Holcomb in 2016. He was a gifted storyteller, as well as a good listener, and an avid reader. His motto was to learn something new every day.

His life is celebrated by his four children, four grandchildren, and three great-grandsons.

In lieu of flowers, donations may be made to Boy Scouts of America or the Salvation Army.



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