

# HOOSIER SURVEYOR



QUARTERLY PUBLICATION OF THE  
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PROFESSIONAL LAND SURVEYORS, INC.

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NUMBER 1  
SUMMER 2002



AFFILIATED WITH THE  
AMERICAN CONGRESS ON  
SURVEYING & MAPPING



## **2002 GEOMATICS SUMMER DESIGN PROJECT AT PURDUE UNIVERSITY**

Class Members - (Front Row, L to R) Jennifer Hanigosky (Mishawaka), Amanda Askren (Indianapolis), David Barich (Rockford, IL), Jim Foster (Mooresville)

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## HOOSIER SURVEYOR

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### EDITORS NOTE

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

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 in its contents.

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### ISPLS BOARD OF DIRECTORS (2002)

l to r, first row, John Updike, Fort Wayne; Rich Hudson, Valparaiso; Bradley Ott, Franklin; John McNamara, South Bend; Don Bengel, Valparaiso; Frank Ballintyn, New Albany; second row, Perry Cloyd, Edinburgh; Ted Darnall, Edinburgh; Anthony Gregory, Hobart; Richard Miller, Indianapolis; William Clark, Vincennes; Absent from picture was Greg Garrison, Boggs town.









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### **Charges**

- \* Provide coordination between ISPLS and the county surveyors association to help achieve common goals
- \* Inform the board of directors of legislative activities of the county surveyors association
- \* Continue to promote the benefits of and encourage membership in ISPLS to all county surveyors association members

### **NSPS Governor/Great Lakes Council**

Don Bengel

Tony Gregory-Alternate

### **Charges**

- \* Represent the interest of ISPLS at the annual meeting of the NSPS Board of Governors and Great Lakes coordinating council
- \* Provide reports for the Hoosier surveyor and the ISPLS website on the activities of the Board of Governors, Great Lakes Council, NSPS Board and ACSM Board

### **Standards**

Dan Kovert-Chair

Al Cleveland

Chuck Coyle

Al Frisinger

Norm Hiselman

John Saylor

Wayne Sheets

### **Charges**

- \* Monitor any proposed revisions of Title 865 by the Board of Registration and report any findings to the Board of Directors
- \* Coordinate with and make recommendations to the Board of Registration regarding revisions of the Land Surveyors Registration Act, Rules 10,12,13, and 14 as necessary

### **HARN/GIS:"Monumentation"**

Tom Mahon-Chair

Zach Beasley

Kevin Breitzke

Perry Cloyd

John McNamara

Steve Murray

Rex Pranger

Ron Raney

Paul Sanders

David Smoll

Boudewijn van Gelder

### **Charges**

- \* Assist State Geodetic Advisor, Indiana HARN Phase III
- \* Provide a report detailing the requirements of a statewide database for GIS
- \* Assist and coordinate the monumentation of the Indiana-Michigan state line
- \* Assist and coordinate the surveys of the NGS benchmarks in Northeastern IN
- \* Establish a Calibration Base Line
- \* Prepare a report on the Professional Surveyors role in a GIS

### **Professional Development Group: Director Tony Gregory**

#### **Committees**

#### **Education**

Brad Cramer-Chair

John Beals

Bryan Catlin

Andy Compton

Steve Johnson

Ron Raney

John Silnes

Nathan Walker

Ron Wharry

- \* Oversee the eight-planned ISPLS sponsored Continuing Education Seminars for 2002
- \* Review for approval all ISPLS chapter sponsored Continuing Education Seminars for 2002
- \* Review for approval the 2003 ISPLS convention sessions
- \* Develop ISPLS sponsored seminars for 2003
- \* Develop 1 to 2 hour seminars for chapter meetings
- \* Review Assessment Sheets of ISPLS Seminars
- \* Look for and publish other approved sources of Continuing Education hours
- \* Assist Degree Programs as Requested

### **Scholarships**

Mark Isaacs-Chair

Frank Ballintyn

Lee Bender

Orwic Johnson

Craig Kremer

Al McConahay

Roger Nawrot

Travis Norman

Mark Schepers

### **Charges**

- \* Conduct student interviews and make recommendations to Vincennes University for the awarding of the Peggy Archer Scholarship
- \* Conduct student interviews and make recommendations to Purdue University for the awarding of the John McEntyre Scholarship
- \* Assist Chapters with scholarships as requested
- \* Provide Hoosier Surveyor, Honors/Awards and Public Information/Marketing committees with appropriate information for recognition

### **Honors and Awards**

Dan Pusey-Chair

#### **Charges**

- \* Design a 40 year ISPLS member medallion to be awarded at the convention
- \* Develop and re-introduce the Distinguished Surveyor Award
- \* Develop and introduce the Outstanding Technicians Award
- \* Provide convention Committee Awards Recipients

### **Trig-Star**

Dan Pusey-Chair

NW-Alex Fabian

NE-Todd Bauer

Central-Don West

St Joe -

Wabash-Richard Ward

Hoosier Hills-Nathan Gray

Initial Point-Frank Ballintyn

Tecumseh-Ron Wharry

SW-Scott Hubert

### **Charges**

- \* Assist NSPS governor in distributing to chapters Trig-Star packet
- \* Provide Guidelines to Chapters for ways to get high schools participation
- \* Provide guidelines on giving the test
- \* Determine and award the state winner
- \* Forward state winner to nationals
- \* Provide appropriate sources the results for publication
- \* Serve as societies secondary school liaison



### Technicians

Dave Lauer-Chair

Matt Badger  
Greg Garrison  
Al McConahay  
Craig Williams

Dave Boblitt  
Kelly Marley  
Tim Miller

### Charges

- \* Provide Regional Technicians Seminars
- \* Provide review seminar for NSPS Certification Exam
- \* Assist honor/awards committee in developing criteria for a technicians award
- \* Invite secondary schools to regional seminars
- \* Report on the role of the paraprofessional in Michigan

### Licensing Exam

Ed Sweetland-Chair

David Best  
John Updike

Gordon Richardson

### Charges

- \* Develop and Conduct a Spring and Fall review seminar for the SIT Exam
- \* Develop and Conduct a Spring and Fall review seminar for the LSE Exam
- \* Assist applicants with review study sources

### Internal Affairs: Director Rich Hudson

#### Committees

#### Professional Practice

Pat Cunningham-Chair

Tom Boofter  
Vic McCauley  
Dennis Helms

Roger Woodfill  
Mike Arena

- \* Review and recommend changes in ISPLS Complaint Process
- \* Publish new procedures for ISPLS complaint process in Hoosier Surveyor and ISPLS web page
- \* Implement and supervise said process

### Bylaws

Don Bengel, Chair

Bob Gross  
Mark Settlemeier

Al McConahay  
Tim Warner

### Charges

- \* Review and make proposals regarding requirements that chapter membership be tied to ISPLS membership. Coordinate this charge with the Chapters committee.
- \* Compile and maintain an index or record of any Board of Directors interpretations of the By-Laws

### Planning and Goals

Bill Clark, Chair

Dianne Bennett  
Tony Gregory  
Rick Miller

Perry Cloyd  
Rich Hudson

### Charges

- \* Monitor progress of committees toward stated charges.

### Budget, Finances, and Convention

Doug Herendeen, Chair

Greg Garrison  
Rick Miller

Bill Clark  
Brad Ott

### Charges

- \* Coordinate with Executive Director regarding regular operation of Society office.
- \* Prepare the 2002-2003 Operating Budget recommendation for the Board of Directors
- \* Evaluate the need and the costs of future additional staff requirements.
- \* Assist the NW chapter with planning and management of the 2003 Annual Convention.
- \* Submit preliminary budget and program for Annual convention to the Board of Directors by its June meeting. Submit final budget and program outline to Board of Directors by its September meeting.
- \* Solicit proposals from chapters to host the 2004 Annual Convention.

### Nominations

Mark Gardner, Chair

Jay Poe

Phil Tapp

### Charges

- \* Present a minimum of three nominations for Office of President Elect to the Board of Directors by August 20, 2002
- \* Present a minimum of five nominations for the Board of Directors election by November 20, 2002
- \* Tally election votes and report results to the Board of Directors within 10 days of the vote return deadline

### Chapters

Ted Darnell, Chair

Dave Myers

Jeff French

### Charges

- \* Assist in guidance to assure statewide representation in 2002
- \* Assist Executive Director in compiling and maintaining a current calendar of all chapter meeting dates or special events for 2002 to be published on the ISPLS web page and in each addition of the Hoosier Surveyor
- \* Facilitate communications and provide liaison between the Chapters, the Board of Directors, and the various ISPLS committees.
- \* Assist by-laws committee regarding requirements that chapter membership be tied to ISPLS membership by providing communication to chapters.
- \* Ensure that each chapter secretary or president submits a written annual report to ISPLS headquarters by January 2, 2003.

### Peer/Mentoring

North  
Les Weber

Central  
Bob Gross, Chair

South  
Darren Helms

### Charges

- \* Act as directed by the Professional Practice Committee
- \* Provide assistance to peers as requested
- \* Attend Chapter plat review nights as requested
- \* Report on specific seminars that may be needed to the Education Committee
- \* Serve as Judge for convention plat competition

## Wabash Valley Chapter ISPLS GIVES TRIG-STAR EXAM

by Richard Ward, PLS, Anderson, Indiana

During the month of April, the Wabash Valley Chapter of I.S.P.L.S. gave the Trig-Star examination to 15 out of the 38 high schools in our chapter area. About 225 students participated in the examination. We went from giving the examination to one school in 2001 to 15 in 2002 and we are hoping for over 50% participation next year.

We would like to express our special thanks to chapter members and Judy Byer, Carol McElroy and Gail Ward from Richard E. Ward & Associates, Leonard Reese with Haldon L. Ashton - Surveyors and Daniel J. Minor, our Chapter President.

The following students and their respective high schools are listed in the order of speed and accuracy:

Nicole M. Walsh	Tipton High School
Matthew Stephenson	Yorktown High School
Ashley Townsend	Pendleton High School
Craig Fisher	Blackford High School
Logan Reese	North Miami High School
◆ Guilherme Ewbank	Daleville High School
Greg McMullen	Frankton High School
Emily Waltz	McConaqua High School
Zach Pritchett	Taylor High School
David Haynes	Anderson High School
Adam Michalek	Peru High School
Jeremiah Kellam	Southwood High School
Kurt Briedy	Oak Hill High School
Katie Zurcher	Tri-Central High School
Adam Self	Muncie Southside High School

Each student received a \$100.00 savings bond and ◆ Guilherme Ewbank, a foreign exchange student, was given a new \$100.00 bill from our Chapter. The winning student had a score of 85 out of 100 in 53 minutes.



Guilherme Ewbank, winning student from Daleville High School, a foreign exchange student, was given a new \$100 bill from the Wabash Chapter.

## Registration Board Decides Against Roll-Over of Continuing Education Hours

by Gary Kent, PLS, Zionsville, Indiana

During its meeting on July 12th, the Board of Registration for Land Surveyors discussed the idea of "roll-over" for continuing education hours. The concept would allow a registrant to carry hours (earned in excess of the total required for one renewal period) forward so they could apply to the next period.

The primary argument in favor of the concept was to encourage registrants who already had the requisite number of hours to attend courses or seminars of interest if the opportunity presented itself. Those hours could then apply to the next renewal period. Otherwise, a person might skip a valuable workshop or seminar simply because they would not be credited with the hours.

The position against roll-over revolved primarily around the ultimate purpose of continuing education. The Board adopted mandatory continuing education because it believed the public would be best served by registrants who are continually improving their knowledge-base.

If hours were allowed to roll-over, a registrant could potentially attend one lengthy course prior to the beginning of a renewal period and then carry those hours into that next renewal period. Then they would not need any additional hours for that 2 year cycle. If they then waited until the end of the following renewal period before attending another training class, they could have gone four years without any continuing education.

This was deemed unacceptable to the Board and the concept of roll-over was thereby rejected.

## New Part-Time Administrative Assistant Hired

ISPLS is pleased to announce that Valerie Snider has joined ISPLS as a part-time assistant for ISPLS's Executive Director. Valerie started officially on July 1, 2002. Some of you may have already met Valerie at the GPS seminar that was held at Turkey Run State Park on June 28th where she assisted Dianne with registration.

Valerie comes from Sears Service Center where she has knowledge in secretarial and computer skills. Valerie will be helping with the seminars and convention registration among other duties.

Please be sure to welcome Valerie when you call headquarters or meet her at a seminar.

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## ISPLS BOARD OF DIRECTORS MEETING HIGHLIGHTS

by Dianne Bennett, Executive Director

May 18, 2002

The ISPLS Board of Directors held a meeting on Saturday, May 18th at ISPLS headquarters. President Clark called the meeting to order at 9:31 a.m. The minutes and treasurer's reports were reviewed and approved with corrections.

**Staff Activity Report** - A written report was submitted for board review. The report is stated under individual topics listed below. A letter was received from the Museum of Surveying. A motion was made and approved to become a corporate member.

A letter was received from the Illinois Society asking if we would pledge \$3000 toward the Illinois Statue Project. After discussion it was decided to form an ad hoc committee to try to raise funds to meet this pledge. A suggestion was made to challenge the chapters to help raise the funds. We will ask Bob Church, Illinois executive director, to give a one hour presentation at our 2003 convention.

**Convention 2003** - Doug Herendeen reviewed the 2003 budget with the board.

**2002/2003 Budget** - Doug Herendeen presented the 2002/2003 budget to the board. There was an 18% increase partially due to hiring an assistant for Dianne plus laptop/projector for power point presentations. Without these items the budget would be a 10% increase. Membership increased from 655 to 855 this year. A motion was made and passed to accept the 2002/2003 budget.

**Communication - Membership** - The following applications were reviewed and approved. Associate - Christopher Buergelin; Student - Jason Henderson.

The 2002 ISPLS roster has been mailed out.

**Foundation** - Brad Ott reviewed a list of questions that were e-mailed to the directors. "Why not use the CICF setup?" Some board members were not pleased with the decision not to go through CICF last year. Another comment made was to not take the money out and put it into a bank account where we can not get to it." Discussed was forming a 501C-(3) and the process (this will require a full time position); only sending CICF money if we have actual grant projects; forming an advisory board. "Does this need to be tightly connected /controlled with/by ISPLS (to assure major financial and continued support), or should this be setup to encourage donations and grant applications from non-ISPLS supporting individuals? The following steps were summarized (1) go through CICF for now, (2) project by project for now, (3) form the advisory board. A suggestion was made to go back and check the minutes from last year.

**Publications** - Dennis Grumpp sent a report updating the board on the Manual #3 update. It is 99% complete. We hope to have the rough draft ready for review the first of June. The decision on the final format has not been made yet.

**Education** - Tony Gregory reported on the 2003 convention. Bob Bigelow is Convention Chairman and Tony is Program Chairman.

A motion was made and passed to approve the seminar on Rule 12 presented by E.R. Gray hosted by the Initial Point Chapter.

A motion was made and passed to approve the seminar July 26th at Valparaiso University, speaker by Knud Hermansen.

**Scholarship** - A letter from Mark Isaacs stated that a scholarship was presented of \$750 to IUPUI for James Fazekas; \$3000 to Vin-

cennes University for Eric Rider.

Frank Ballintyn reported that the Initial Point Chapter gave a scholarship of \$500 to Vincennes University for Eric Rider.

A thank you letter was received from Paul Aikins, John McEntyre Endowment recipient.

**Trig Star** - There were 24 high schools that participated in the Trip-Star program this year. Richard Ward contacted and successfully tested students at 15 high schools. Several students scored 100%. Both speed and accuracy are tested.

**Licensing Exam Review** - The committee is preparing reference handout material. They plan on meeting again on June 21st.

**Board of Registration** - Bill Clark attended the board meeting May 17th. During the meeting the following was discussed: proposed SLR rule, proposed SIT requirement changes, continuing education, number of exam attempts. Ted Darnall represented ISPLS at the certificate presentation ceremony.

**NSPS Governor/Great Lakes** - Don Bengel reported on "The New ACSM" and that the NSPS Foundation is going strong.

**Budget & Finance** - The quarterly Wallington Report was reviewed.

**Chapters** - No significant progress/response has been made with the proposed new chapters.

The proposed by-law change review is on-going.

**Chapter Reports** - Northwest Chapter - Rich Hudson reported that the chapter met May 9th and that Jay Poe, Huntington County, gave a GIS presentation. Also discussed was the by-law change from the convention. Chapter members would like to offer input into the by-law changes.

**Wabash Valley** - Dan Minor reported that they met in March, and discussed the by-law changes.

**Hoosier Hills** - Ted Darnall reported that they viewed the video. Also discussed was the by-law changes.

**Central Indiana Chapter** - A written report was submitted. The David B.H. Best Surveying Scholarship recipients are: Brady Kuhn (2001); Jim Fazakas (2002). The CIC Purdue University Surveying Scholarship recipient was: Adam Berry (2001). The CIC Vincennes University Surveying Scholarship recipient is Andrea Hildebrand (2002). The CIC Golf Outing is September 27 at the Links Golf Course, New Palestine, Indiana.

**Initial Point Chapter** - Tom Boofter reported that the chapter voted against the proposed by-law changes.

**Southwest Chapter** - The chapter met May 14th and discussed Trig-Star, and awarded two \$500 scholarships.

**New Business** - John McNamara e-mailed the board stating his resignation from the board of ISPLS. Much discussion followed regarding his president-elect position. Bill Clark will call and talk with John. Discussion followed on options for electing a new president-elect; 1) appoint, 2) special election, 3) runner-up steps in.

Two board of registration seats will be vacated this year. It was decided that we should only submit only the number of names that will be vacant so that our choice is clear. A motion was made and passed to submit Richard Hudson and Les Weber to the Governor.

...continued Page 11





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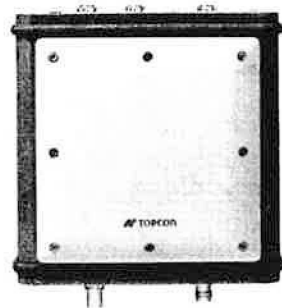
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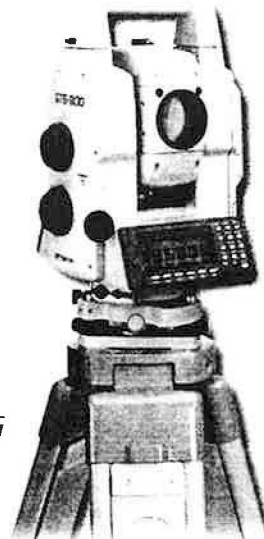
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WIRELESS TRACKING  
SYSTEM



**TOPCON GTS-800A**  
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### MINUTES

continued from page 9

Frank Ballintyn discussed forest classification issues and problems related to methods using aerial photography.

### June 29, 2002

The ISPLS Board of Directors held a meeting on Saturday, June 29th at Vincennes University. President Clark called the meeting to order at 10:02 a.m. The minutes and treasurer's reports were reviewed and approved with corrections.

Staff Activity Report - A written report was submitted and reviewed. The report is stated under individual topics below.

Valerie Snider is ISPLS's new part-time employee and will start on July 1st.

An agreement with Paymentech to extend ISPLS's term with them was discussed. The new three year agreement would reduce the fees on the charge sales. A motion was made and passed to accept the agreement.

Membership - The following membership applications were reviewed and approved. Professional Member - Douglas Furness, William Schmidt; Associate - Keith Hood, Richard Chapman, Mark Shambaugh, Donald Mohid. Life - Emil Beeg, Jr.

The second dues renewal notices will be sent out first part of July.

Foundation - A discussion was held on the relationship between ISPLS and CICF and the current status of the ISPLS grant program. This will be discussed more at the next board meeting.

Web Page - Chris Marbach is reviewing the contracts and agreements with Port to Port.

Public Information & Marketing - Bill Clark reported on the purchase of an overhead projector and laptop for society presentations.

Education - The July 26, 2002 seminar on "Expert Witness & Record Research & Liability" by Knud Hermansen was approved by the Board of Registration.

A November seminar on Subdivision Design is being planned. Plans are to have Jeff Healy present a 2-day seminar.

The preliminary program for the 2003 convention was presented by Tony Gregory.

Ted Darnall reported on the June 28th, GPS seminar by Dr. van Gelder.

Bill Clark reported on the Rule 12 seminar presented by E.R. Gray on June 28th.

The Hoosier Hills Chapter is planning a seminar at Spring Mill State Park in April 2003.

The Southwest Chapter is planning a "hands-on" case law seminar to be presented at Vincennes University sometime in 2003.

Technician - Tony Gregory reported on planning of the sessions for technicians at the convention.

Plans are being made for a seminar for technicians on First Aid, which will be held in the Indianapolis area.

Trig - Star - The Indiana Trig-Star winner was taking the national exam in Valparaiso on June 29th.

Licensing Exam - Ed Sweetland reported on the status of the upcoming License Exam Review, which will be held at IUPUI on October 11 & 12th.

Board of Registration - Rick Miller reported on the board of registration hearing on (a) rule changes on revision of fees charged by the board (to take effect with 2004 renewal), and (b) to amend the rule so that course material from courses presented by non-approved providers need to be submitted within six months from the date of the course (rule now states three months from the date of the course).

A letter was sent to the Governor from ISPLS recommending Rich Hudson and Les Weber for board of registration appointments.

Rick also reported on the passing rate of the most recent LSIT and LS exams.

The licensing agency had to make several changes to the land surveyors' renewal form and for that reason, the renewal forms were late in being sent out.

The board discussed the current state of the national LSIT exam. Perry Cloyd will write a statement/question letter to send to the other state societies regarding this issue.

Professional Practice - A meeting was held on June 7th.

Nominations - The board discussed the vacancy on the board created by Greg Garrison being appointed by the board to fill the president-elect vacated by John McNamara. A motion was made and passed to make an appointment to complete the vacant director's term. A motion was made and passed to appoint Ron Wharry to complete the vacant director's term.

Chapters - Northwest Chapter - The chapter met on June 13th and a presentation was made by a wetland specialist from the Fort Wayne area. The next highway cleanup is scheduled for July 13th.

Central Indiana Chapter - The chapter's next meeting will be their annual cookout. The annual gold outing is September 27th and a chapter night at an Indianapolis Indians game sometime in August is planned.

Hoosier Hills Chapter - Perry Cloyd reported that Ron Burcham outlined Rule 5 changes to the chapter.

Initial Point Chapter - Frank Ballintyn reported that the chapter met June 26th and that the annual picnic is September 28th at Clifty Falls State Park.

Southwest Chapter - Steve Sherwood reported on recent chapter meetings and on recent scholarships given out.

Old Business - The board discussed recent board of registration proposals regarding carryover of continuing education hours, and proposed changes to Rule 12 regarding Surveyor Location Reports.

The board discussed monetary pledge to Illinois' society for the Abraham Lincoln statue.

Frank Ballintyn announced that a presentation will be given to the board at the August meeting regarding forest classification lines.

New Business - Frank Ballintyn presented correspondence regarding the purchase of an antique compass for the Museum of Surveying. Frank will get more information.

The board discussed any ISPLS involvement with the upcoming Lewis and Clark Bicentennial event in Indiana and Kentucky.

The board discussed reports of the practice of land surveying by non-registered individuals, particularly regarding services directly related to fence construction and fence locations without boundary surveys. Some individuals are openly advertising for such services.

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# FIELD WORKS

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## A Land Surveyor's Reflections on Platting

by Gary R. Kent, P.L.S., Zionsville, Indiana

### Introduction

The preparation of a subdivision plat is one of the most important assignments that Land Surveyors will accept in their professional careers. Often, this seemingly straight-forward process – which can be time-consuming and expensive all on its own – can take a number of interesting twists and turns. This article will explore some of the issues that can complicate the platting process.

### The Role of Common Law in Boundary Determinations

In performing a boundary survey a land surveyor formulates an opinion of where the lines and corners outlined in the deed description are actually located on the ground. This opinion is based on all relevant field and research evidence that can be found. Surveyors do not “determine” property lines; they give an opinion – hopefully one that is an informed, educated opinion, and well grounded in case law. Only the courts can establish property lines. This is a well established fact affirmed many times by the courts themselves.

The fact that there have been thousands of court cases regarding legal descriptions points to the fact that many descriptions are subject to interpretation. In other words, what they intend on describing is not necessarily patently clear in the words.

A simple example is a description that reads “... thence north 100.00 feet to a one inch iron pipe.” Based on a survey, the surveyor finds the one inch pipe and feels that it is, in fact, the same pipe mentioned in the description, and that it is undisturbed. But, he also finds that the distance is 101.50 feet, not 100.00 feet. This highlights a conflict in the words of the description, and the surveyor must be familiar with the “order of importance of conflicting title evidence” from common law if he is to make the “correct” determination in dealing with this conflict.

The “correct” determination from a survey law standpoint is the one that is most congruent with the weight of authority – common law. One consideration; however, is that even though the surveyor may make that “correct” determination, there is nothing to keep a trial court from deciding something else. This is not particularly unusual. Theoretically, appellate and supreme court rulings will be more closely grounded in common law. But unfortunately, not everyone has the time, money or inclination to appeal trial court rulings that are obviously “bad law.”

Recently, for example, there was a case in Indiana in which the trial court decided that a lien filed in the wrong county was sufficient legal notice to the property owner! A ruling completely at odds with years of previous court decisions. It was not clear whether this will be appealed or not, although the title companies certainly would hope so.

### The Administrative Rules of the Board of Registration – Rule 12

When a survey is performed, the lines, and therefore the title, the adjoining parties are potentially affected. Therefore a bad survey can play havoc on “innocent” parties. This is the primary reason why the Indiana Board of Registration for Land Surveyors has required recordation of surveys. Recordation essentially puts the adjoining

on notice that a survey has been performed and allows the survey to make its way into the chain of title. Then title companies have the opportunity to determine what impact it may have on property they are contemplating insuring.

In addition to recording a boundary survey, the rules of the Board of Registration require that a recorded subdivision plat must reference a previously recorded boundary survey of or including the tract being platted.

### Title Company Reliance on the Survey

When a property is contemplated for a residential development, a boundary survey (usually to the ALTA/ACSM Land Title Survey standards) is typically performed in support of the developer's purchase of the property. The title company uses the survey as part of its determination on what it will and will not insure. For example, if the survey shows an adjoining's fence 10 feet onto the subject property, the title company will typically not insure that portion of the subject tract taken in by the fence.

The referencing of the recorded survey on the face of the recorded plat ties the plat to the facts shown on the survey. On that basis, the title company can decide to what extent it will insure the individual lots in the subdivision.

The reference to the recorded survey on the subdivision plat also must include a certification confirming that matters of survey shown on the recorded survey have not changed since the time of that survey (or if they have, there either should be a new survey or the differences addressed on the subdivision plat). This is important because many times a development may take 2 or 3 or even 5 years to complete. In the meantime, an adjoining may have erected a new fence or there may have been adverse or prescriptive uses established by adjoining which might impact title.

Unless the subdivision plat references a recorded survey that shows these facts, the new lot owner's title to her property may be in jeopardy. Since she will generally have – at best – a Surveyor Location Report which will not reveal title issues as well as a Land Title Survey, she may not be fully informed of the potential problems.

**The “Standard Survey Exception”**

A typical title policy contains a standard survey exception that normally reads something similar to “*Rights or claims of parties in possession, boundary line disputes, overlaps, encroachments, and any matters not shown by the public records which would be disclosed by an accurate survey and inspection of the land described in Schedule A.*”

Title companies generally do not delete this exception from the owner's policy without a Land Title Survey. They will; however, typically delete this exception for the lender on a residential lot with without a Land Title Survey. That is because the potential impact of survey matters on the lender is generally less than on the owner.

Reference to a recorded survey on the subdivision plat gives the title company the opportunity to assess the survey matters affecting the pre-developed property and, therefore, the lots created out of

...continued Page 14



that property. This not only protects the developer - and ultimately the homeowner - from potentially expensive title problems, it also protects the title company from claims that result because someone didn't want to pay for a more detailed survey.

Dealing with Surveys by Others

The seller usually pays for the survey in a real estate transaction, and often he will contract with a surveyor that the developer will ultimately not use to plat and design the subdivision. Therefore, it is not unusual that a developer will ask his surveyor to plat a property based on a boundary survey performed by another surveyor. This is an issue that drives straight to the heart of the surveyor's legal responsibilities under the registration act.

When a surveyor signs and seals a survey, he is certifying that the facts and opinions shown thereon represent the conditions on the ground. If he blindly relies on someone else's boundary survey, he is not only taking the liability for that previous surveyor's errors, he is also in violation of the registration act if he represents that those are the facts when he actually did not check them.

Of course, paying for another survey when he already has what he believes to be a perfect survey may not seem like a logical use of money to the developer. So - are there some ways out of this box? Potentially, yes, but solutions don't always come easily or at low cost.

The surveyor cannot merely state on his plat that the boundary is based on someone else's work - that is a legally and ethically wrong. What if there was an error by the previous surveyor that adversely impacts the perimeter lots of the subdivision? Neither the developer nor the buyer of the new lot was under contract with the previous surveyor. The developer hired "his" surveyor to handle the survey matters, and he (and the home buyer) will most certainly go back to "his" surveyor if there is a problem. They have no privity of contract with the previous surveyor.

On the other hand, if the platting surveyor can persuade the previous surveyor to sign the plat and thereby take responsibility for the boundary of the subdivision, the issue of having to pay for another survey may be overcome. There are, however, practical problems that may prevent this solution. For example, there is no way to force the previous surveyor to sign the subdivision plat. And even if he IS willing to do so, he will most certainly want appropriate compensation.

In other cases, the previous surveyor may not want to sign the subdivision plat if he is not confident in the work of the platting surveyor. Or perhaps the platting surveyor may not be comfortable with the previous surveyor's boundary work in the first place!

The previous surveyor would certainly have no interest in certifying his boundary on a plat prepared by an incompetent surveyor - even if he was to be paid well. First, he wouldn't want his name associated with a sub-standard subdivision plat. Second, despite the fact that he was only certifying to the boundary, if a problem with the plat occurs the previous surveyor will most certainly be dragged into the legal proceedings (along with the developer and the platting surveyor) regardless of whose fault it was - simply because his name was on the plat.

COMPLETED CAREER

Franklin C. Moses, PE/PLS, 85  
ISPLS Life Member

Franklin C. Moses, 85, died at home July 17, 2002. He was born in Amherst, Virginia and has been a resident of Frankfort for 57 years.

He was preceded in death by wives Marian Irwin Thompson Moses (1986); Rose M. Moses (1996); and is survived by three children: Terrence (Terry) Moses, Phyllis Murphy, and Patricia Moffit; three grandchildren and 4 great grandchildren. He is also survived by companion, Virginia Campbell.

Franklin graduated from Arsenal Technical High School, Indianapolis, Indiana and from Purdue University, with a Civil Engineering degree.

During the war years (1941-1945), he was a structural design engineer for the American Bridge Company that is branch of U.S. Steel in Ambridge, Pennsylvania. In 1945 he returned to Indiana to farm with his father-in-law. Later he returned to structural design engineering with Miranda, Campbell, Miranda & Associates, Indianapolis, Indiana. In 1971 he opened the Franklin C. Moses Registered Engineer & Surveyor business in Frankfort. He was appointed City Engineer (1976-1984) under Mayor McMahon and during this time he was appointed by Governor Bowen to the State of Indiana Administrative Building Counsel for the State of Indiana for the Department of Building and Fire Services; he received the Sagamore of the Wabash award. Since 1995, he has been a life member of the Indiana Society of Professional Land Surveyors.

He was a member of the First Christian Church, Frankfort.

REFLECTIONSONPLATTING

...continued

In addition, the developer's options with regard to mitigating such an error can get complicated. First, his options may be limited because he may have had no privity of contract with the previous surveyor. Second, there would ultimately be disagreements over who was responsible for what ("this is why we hired you - to prevent these types of things...").

Other less hypothetical hurdles to the dual certification solution include a previous surveyor who is willing to sign the plat, but only for more compensation than the client is willing to pay. In one case the author is aware of, a surveyor commented that he asked for a large fee because he really didn't want to sign the other surveyor's subdivision plat anyway.

Summary

Sometimes the platting process will be more expensive or complicated than first blush. But surveyors must meet their legal obligations to protect the rights of property owners and their joiners under the registration act and under common law. In the process, although completing the plat and eventually selling the lots may have taken more time and money than expected, the developer is better served and certainly much better protected from the potential boundary and title problems that sometimes result from the surveying and platting process.

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Date: Friday (October 11) & Saturday (October 12)  
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Indianapolis, Indiana  
Time: 9:00 AM - 5:00 PM (each day)  
Schedule: SIT Review on Friday  
LS Review on Saturday

SIT Topics:

- Photogrammetry
- Matrix Algebra & Higher Math
- State Plane Coordinate Calculations
- Basic Survey Computations
- Astronomic Observation Computations
- Boundary Survey Computations
- GIS & Computer Terms

LS Topics


- GLO/USPS & Tiffins Instructions
- Unwritten Rights
- Early Indiana Trails and Surveys
- Ten State Standards
- Rule 12 & Ethics
- HERPIC Drainage Manuals
- ALTA Surveys
- Sequential & Simultaneous Conveyances
- Indiana Law

Cost: Currently not determined.

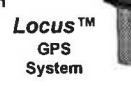
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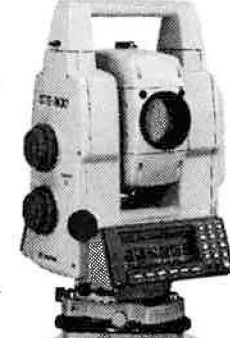
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# George Washington: Wilderness Surveyor

by David B. H. Best, PLS, Indianapolis, Indiana

On March 8, 1747 George Washington in the neat-handed penmanship he had so conscientiously perfected made the following initial entry in the diary he was to keep throughout his life:

"Fryday March 11<sup>th</sup> 1747/8. Began my Journey in Company with George Fairfax Esqr.; we traveled this day 40 miles to Mr George Neavels in Prince William County."

The diary was titled, "A Journal of my Journey over the Mountains began Fryday the 11<sup>th</sup> of March 1747/8." He made daily entries from that day forward, recording his surveying apprenticeship, his two years as surveyor of Culpepper County, his early military years, his service as Commanding General of the Revolutionary Army; his two terms as the first president of the United States, and his sunset years at Mount Vernon.

Critical in the development of George Washington's incorruptible character and his preeminent ability as a leader were his early years as he struggled to educate himself. His schooling began in an "old field schoolhouse" kept by a man named Hobby who was a tenant of Augustine "Gus" Washington, father of George Washington. Instruction there was of the simplest kind: reading, writing and ciphering. His father had promised an English education for George just as he had provided for George's half-brother Lawrence Washington who was 14 years older than George. However, unfortunately Gus Washington died in 1743 when George was eleven. An education in England never transpired for George.

George was sent to live with his other half-brother Augustine and his wife Anne at their home at Bridges Creek. George attended a local school conducted by Mr Henry Williams. Here he was provided a plain and practical education devoid of languages, rhetoric and belle-lettres. George Washington's manuscript school books still exist. They are models of neatness and accuracy. An entry dated August 13, 1745 titled *Surveying* reads: "Is the Art of Measuring Land and it consists of 3 Parts, 1<sup>st</sup>, The going round and Measuring a Piece of Wood Land, 2<sup>nd</sup> Plotting the Same and 3<sup>rd</sup> To find the Content thereof and first how to Measure a Piece of Land...."

Mr. Williams noted George Washington's affinity for mathematics, in particular geometry and trigonometry, and strongly suggested that he consider a career in land surveying. George conducted practice surveys in his immediate area. He kept notes in field books, carefully entering the boundaries and measurements of the fields surveyed with sketches of the surveys. His trademark was neatness and exactness. His field book entries were as though they were for important land transactions not just school exercises.

In 1747 at that age of 15 George went to live with Lawrence and his family at Mount Vernon. Here he continued his study of mathematics and surveying. He was a frequent visitor to an adjacent

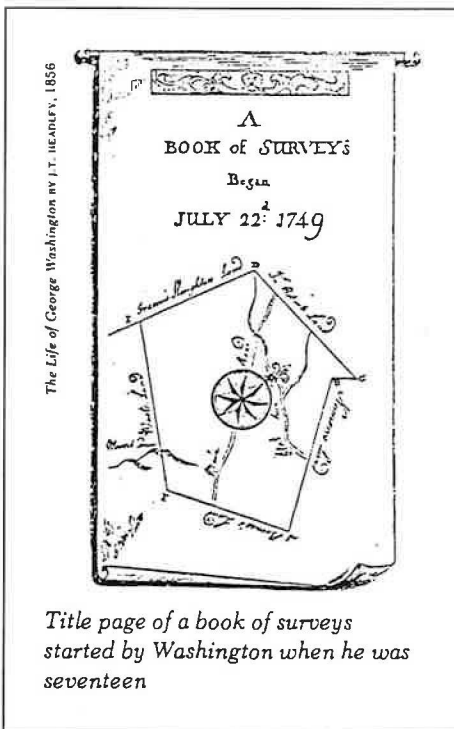
plantation Belvoir, the home of Sir William Fairfax who was the agent for his cousin Thomas, Lord Fairfax, the owner of approximately six million acres in Virginia's Shenandoah Valley. In 1747 Lord Fairfax arrived in Virginia to supervise the survey and sale of portions of his lands. He was confronted with the problem of squatters occupying his lands. To solve the problem Lord Fairfax decided to have the lands examined, surveyed and portioned out into lots prior to ejecting the squatters. Lord Fairfax offered positions on the survey party to George Washington and to George William Fairfax, the son of Sir William Fairfax.

Thus began George Washington's employment in land surveying and the initial entry in this diary as noted above. The second entry reads: "Saturday March 12<sup>th</sup>, This Morning Mr. James Genn (licensed surveyor of Westmoreland County) the surveyor came to us. We traveled over the Blue Ridge to Capt. Ashbys on the Shenandoah River. Nothing remarkable happen'd." The entry three days later

reflects the rigors of surveying in those days: "Tuesday 15<sup>th</sup>. We set out early with the Intent to Run round the s(ai)d Land but being taken in a Rain & it Increasing very fast obliged us to return it clearing about one oClock. Our time being too Precious to Loose we a second time ventured out & Worked hard till Night & Then returned to Penningtons. We got our Suppers & was Lighted into Room & I not being so good a Woodsman the rest of my Company I striped myself very orderly & went into Bed as they call'd it when to my Surprize I found it to be nothing but a Little Straw Matted together without Sheets or any thing else but only one Thread Bear blanket with double its Weight of Vermin such as Lice Fleas &c. I was glad to get up (as soon as the Light was carried from us) & put on my Cloths & Lay as my Companions. Had we not have been very tired I am sure we should not have slep'd much that night. I made a Promise not to sleep so from that time forward chusing rather to sleep in the open Air before a fire as will appear hereafter.

The other members of Mr Genn's survey party were Mr. George Ashby and Mr. Richard Taylor, Chainmen; Mr. Robert Ashby, Marker; and Mr. William Lindsey, Pilot. Also included were several pack horses. During the survey they encountered wind and rain storms, surmounted hills and mountains, waded through swamps, swam swollen streams, slept in the open, and one day when their provisions ran out went without food. On April 10<sup>th</sup> the survey work was completed. George Washington and George William Fairfax, six years Washington's senior, arrived at Mount Vernon, two very weary and homesick young men. This was George Washington's true initiation into rugged experience of land surveying in the wilderness.

However, it did not daunt his energetic interest in surveying. Lord Fairfax was equally impressed. He reviewed George's diary



Title page of a book of surveys started by Washington when he was seventeen

thoroughly and examined the records of the surveys. He was impressed with George's acute powers of observation. The following summer in 1749 George Washington accompanied his brother Lawrence and Lord Fairfax to Williamsburg where he "presented himself in the regular order of the civil service of the day before the President and Master of William and Mary College for examination to become a public surveyor." He was appointed surveyor of Culpeper County, a position which paid 15 lbs per annum.

In the ensuing two years until 1751 George Washington conducted several hundred surveys, averaging 125 lbs per year. With his earnings he had purchased five hundred and fifty acres in Albermarle County. When he reached the age of twenty-one he owned 1,558 acres. He had established his own estate even though he had not yet come into ownership of lands bequeathed to him by his father.

His experience as a professional land surveyor served him well during his years of military service. In 1752 when he was twenty he received the commission of major in the local military district, one of four in Virginia, and with it the coveted position of adjutant. The French and British were claiming equal ownership of lands in the Ohio Valley; Governor Dinwiddie of Virginia dispatched Major Washington as an "Ambassador" to deliver a "Diplomatic Objection" to the French commander General St. Pierre at Fort le Boeuf near what is now Waterford, Pennsylvania. Washington left on October 31, 1753 with an interpreter, a guide, servants and traders. On the perilous journey of almost 600 miles they encountered snow storms, dense forests, flooded valleys, raging rivers. Arriving at Fort le Boeuf on December 12, 1753 Washington was rebuffed by General St. Pierre. Washington and his party returned to Williamsburg on January 16, 1754. Governor Dinwiddie requested Washington's report the following day. Washington worked through the night to complete the report and prepare a manuscript map of the journey. The report was published both in Virginia and in England.

This is one of several examples of how George Washington's skill as a surveyor and cartographer proved of great value in military planning. His cartographic skills were first displayed with his maps of the town of Alexandria. The first map was drawn in 1748 after the survey of the Fairfax lands. In 1749 Washington prepared a second map which he titled "A plan of Alexandria now Bellhaven." The second plan formed the basis for the sale of lots when the city government was later established.

Maps provided by George Washington for General William Bradford's unsuccessful attempt to capture Fort Duquesne in 1755 and in the previous year Washington's unsuccessful attempt also. George Washington became a successful military leader because of his experience as a surveyor, the knowledge he gained from his years in the wilderness, and his continued encounters with the American Indians. He knew the land. His surveys had encompassed some 66,000 acres. He knew the people of the land.

George Washington provides a model for surveyors past, present, and future. He took great pride in neatness and accuracy. His surveys provided the framework for a country in its infancy and one which was to grow into greatness.

## POSITION AVAILABLE

### FACULTY POSITION SURVEYING TECHNOLOGY

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- \* Other duties as directed by the Program Coordinator.

Qualifications:

- \* Minimum of an AS Degree in Surveying is required. A BS and/or MS Degree is preferred.
- \* At least four years intensive surveying experience with substantial AutoCad and/or related software experience at the professional level in a Surveying production environment.
- \* GIS/GPS experience as well as the applicant's professional SIT/LS will be reviewed and credentialing being considered an asset.

Persons who wish to be considered must submit a letter of intent, college transcripts, and resume to: Gazella A. Summitt, Director of Human Resources, Vincennes University, 1002 North First Street, Vincennes, Indiana 47591. Applications will be accepted until the position is filled. Interviews may be held concurrently with the advertising period.

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## 2002 GEOMATICS SUMMER DESIGN PROJECT AT PURDUE UNIVERSITY

LS 400 Summer Geomatics Engineering Design Project is a required course in the four-year Land Surveying Engineering curriculum at Purdue University. LS 400 is taken by Land Surveying Engineering (BSLSE) degree majors between their junior and senior years. The course is an integral part of the design and practice component of the surveying curriculum. Students apply principles learned in their academic course work during a comprehensive surveying project, gaining hands-on experience with planning, designing, performing fieldwork, analyzing data, and presenting results.

The 2002 LS 400 course was conducted from May 13<sup>th</sup> to June 7<sup>th</sup>. This year's class included fifteen students and three instructors. The class completed two projects. The first project was a survey of the Straight Arrow YMCA day camp near Dayton, Indiana. The YMCA project was comprised of a boundary survey of the parcel and a topographic survey of the campground area. The second project determined the coordinates of a set of new fixed GPS antennae located on the Purdue University West Lafayette Campus.

The Straight Arrow YMCA day camp project was actually begun in the Spring Semester as part of the LS 301 Property Surveys and Descriptions course. Surveying students take LS 301 at the end of the junior year and then continue with LS 400 in the summer. The LS 301 class completed the initial deed research and analysis for the YMCA camp parcel and its adjoiners. When the LS 400 summer course began, Patti Hall, the YMCA camp director, and Jim Knapp, a member of the YMCA board of directors, fulfilled the role of client for the summer project. They discussed the requirements of the complete project with the class, and the students prepared a work order for each major part of the project.

The YMCA camp parcel is nearly 40 acres in area and mostly wooded with a campground approximately in the center of the parcel. The class considered and applied standards for control surveys, boundary surveys, and mapping, including FGDC GPS and terrestrial survey standards, NSPS standards, ALTA/ACSM standards, ASPRS mapping standards, and Indiana Administrative Code standards for land surveying. Project surveys were designed and set out in the field, and specifications for survey observation procedures were derived by the class in order to meet the required standards. Horizontal control was established by static GPS methods connecting area NAD datum monuments, section corners, and new stations on the project site. Vertical control on site was established by precise digital leveling from a nearby benchmark.

The terrestrial boundary survey of the parcel was completed as a practice project. Property corners were not set, but all research was given to the client. The client did want to gain a better understanding of the boundary lines in order to keep hiking trails and other camp activities from crossing property boundaries. Aspects of the boundary survey included subdividing the sec-

tion, surveying field evidence of monumentation and possession, and further deed research and analysis of the chain of title back to 1906. The class had to resolve several boundary line location issues involving interpretation of deed calls, riparian boundary rights, and senior rights with adjoining parcels. The class prepared a new metes and bounds description of the parcel and a surveyor's report meeting the requirements of Indiana's 'Rule 12'.

The topographic survey was completed for a limited area surrounding the main camp facilities, showing the Wildcat Creek, a newly constructed pond, buildings, utilities, and terrain features. The client also requested the class to research flood plain information and relate the camp facilities to the floodway and flood plain lines. Final results from the topographic survey project include a one-foot contour map covering approximately 12 acres, and permanent horizontal and vertical control for future use. A final technical report was compiled and was presented to the clients.

The second project consisted of locating the new GPS antennae installed on the roof of Grissom Hall. The project was presented to the class by Professor B.H.W. van Gelder on behalf of the Department of Aeronautical and Astronautical Department. The project was a continuation of a project began in the CE 511 GPS Surveying course during the Spring Semester. The students in CE 511 established three new control points in the vicinity of Grissom Hall by means of a GPS survey that started from NAD monuments available in Tippecanoe County. The LS 400 class designed and completed a terrestrial survey to locate the newly installed antennae from the control stations. The coordinates of the antennae were determined by spatial intersection.

The Land Surveying and Geomatics Engineering program wishes to recognize the contributions received from several companies for equipment and that are essential to the success of LS 400 and the LSE program. Included in that list are Topcon total stations and digital levels, Eagle Point COGO and mapping software, TDS and SMI data collection systems, Grontmij Geogroep MOVE3 adjustment software, Javad GPS equipment and software, and Schonstedt locators.

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Central Indiana Chapter  
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## 2002-CIC Golf Outing

**Location:** Links Golf Course  
 1425 North CR 700 West  
 New Palestine, IN  
 Phone # 317-861-4466

**Date:** Friday September 27

**Starting Time:** 12:00 PM  
**Ending Time:** 7:30 PM

**Cost:** \$75.00 per person, \$ 300.00 per foursome

- All proceeds go to the David B. H. Best, the Purdue-CIC and the Vincennes-CIC Surveying Scholarship Funds.
- Door prizes and a dinner will be provided at the end of the golf outing.

### Sign Up Information

Player's Name \_\_\_\_\_  
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## American Congress on Surveying and Mapping Announces Direction for the Future

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

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

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

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

Progress on the development of the plan will be posted on the ACSM website, [www.acsm.net](http://www.acsm.net).

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

## The New ACSM

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

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

### MEMBERSHIP

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

### ACSM CONGRESS

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

### SERVICES

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

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

### DUES STRUCTURE

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

1. Maintenance of a national office
2. Government Affairs
3. Promotional activities for the Congress
4. Other services as determined by the Congress

### EXECUTIVE DIRECTOR AND STAFF

The Executive Director will manage the national office, staff, contracts, programs, and serve as an ex officio member of the Congress. The Executive Director and staff will serve as the Treasurer and Secretary of the Congress.

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



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## Your Most Valuable Asset

by Ronald E. Koons, RoSaKo Enterprises  
Safety consultants, Middletown, Indiana

Ask any business owner a simple question; "What is your most valuable asset?" and the answer will most likely be "my employees". In my view that is definitely the correct answer. Without employees every owner would be on their own. No one to help with the day to day chores. You do many things to keep those employees. First of all, you pay them. Along with pay you have many other choices; health insurance, retirement, profit sharing, company vehicle, and educational benefits. There are the Christmas parties, summer picnics, vacations, holidays, the list can be endless. Just keeping an employee is one thing, but keeping them in a safe, healthy condition should be your prime task.

Many surveying/engineering companies now have a Mission Statement. This is something that those who tell everyone how to start a business say is critical. What are your main objectives, how are you going to accomplish those objectives. A mission statement is generally one to a few sentences long. When we perform a safety audit on a business I always like to look at a mission statement if one has been established. There is one word that is critical in that statement, some variation of *safe*. For example,

**"It is the goal of Ron's Surveying to meet our customers needs by providing on time, on budget services that are within or exceed all industry standards. We will accomplish this goal by providing a positive, safe environment for our employees."**

First of all, this does not mean that I am starting a surveying company, (I still get lost when I am out with surveyors). What this does show us is that the addition of a single word can really go a long way to telling everyone how important safety is to your company. Over the past several years we have conducted presentations from Saulte St. Marie, Michigan to Orlando, Florida and from Washington, DC to Newport Beach, California. Many of the comments are always the same. "We can't afford to put the time and effort in a safety program.", "The boss keeps sending me to these seminars, but then he won't let me do what needs to be done.", or the ever present "I have been doing this for 30 years and have never been hurt that bad. All of this safety stuff is just government hogwash!"

Although employee safety is morally the correct thing to push, let's look at it purely from a business standpoint. Just like you would do if that brand new total station or the GPS equipment is looking really good. You have a large investment in any employee. All of the items listed above are used to keep employees, but you have to invest time in the employees for them to be valuable to the company. We would commonly call this the "learning curve" or "probationary period". Whatever the title it means that employees have to absorb a lot of on the job training to be effective and produce cost efficient results. Once that employee is productive the company has a valuable asset that needs to be protected. There is no company that can afford to have extra employees just in case someone can't work.

If an employee doesn't work on a given day there is a good chance something won't get done. If an employee is injured the costs can only come from one place...the bottom line.

A study conducted several years ago found that the *average*

cost for even a minor injury was over \$ 2,600.00. (I am certain that would be higher today.) Don't just look at the actual medical bills, there are many components to this cost. We have to include the time lost to seek the treatment, and don't forget that another employee will most likely be included also. So we have two employees tied up while traveling to and from the treatment center, while waiting at the treatment center, and then they will have to stop by the convenient store for a slurpy and candy bar. At some point someone will have to process all of the paperwork and then eventually follow up on the claims when there is a problem. (There just about always is.) There is always the discussion around the water cooler about how someone got hurt, the jokes, etc. We aren't even talking about major injuries here, just those little pesky ones. When you then add the potential impact on Worker's Compensation Insurance we will reach or exceed the \$ 2,600.00!

The WC issues are really becoming important in today's economy. We all know how the cost for healthcare insurance has skyrocketed, but are you keeping an eye on your WC insurance? Insurance companies don't just look for those six figure claims, they look for the number of claims, even if they are small. We have had dozens of calls from companies over the past few months who have really gotten hit hard with those increases. I have seen 43%, 32%, 62% increases and just about any other amount you can imagine. We had one company go from around \$ 110,000 per year to over \$ 180,000 per year! Most of these companies have not had those large 6 figure claims, just the claims from a few hundred to a few thousand, but there are enough of them for the insurance company to really pay attention. The worst part of the equation is that WC rates in most states are based upon a 3 year period, so you will be living with those high rates for at least 3 years even if you make immediate changes. We have had some success in negotiating with insurance companies after a safety effort has been established, but it is really dependent on a lot of factors.

For those of you who are aren't real WC savvy, there are two important facts you need to know about WC insurance. First, there are state established costs per dollar of payroll. Second, any WC carrier can adjust those rates by using a "multiplier". If you are paying the state amounts your multiplier is 1.0. If you have an excellent claims history you could go as low as a .67 or so multiplier. A bad history can go up to 1.4, 1.5 or even higher. However, at some point your insurance company may simply not renew your policy.

We have seen a trend over the past few years that seems to indicate when a company has a number of WC claims over a period of time they may also see an increase in General Liability and Auto claims. This all seems to go together as part of an "attitude". That can even erode the bottom line even more. As you are looking at some budget figures for next year, or are deciding if you need a new vehicle don't forget that a recent study in some major US corporations indicated that for every dollar spent on safety there was over a three dollar return! This information didn't come from the safety guys, it came from the bean counters. To protect all of your assets, you need to make a concentrated effort to protect your most valuable...your employees.



## CALENDAR

**October 4, 2002**

Speaker: John McNamara

1-Day seminar - "Rule 12" (Level 1) & "Theory of Location - Back to Basics" (Level 1) Total 6 CEH Mandatory  
Wagon Wheel Theater, Warsaw, Indiana

**October 11, 2002**

Speaker: Tim Warner

"The Indiana Land Surveyor's Registration Act" (Level 1) 6 CEH Mandatory, Ramada Inn, Lebanon, Indiana

**October 17-20, 2002**

Surveyor's Historical Society 2002 Rendezvous on the Mason and Dixon Line, Gettysburg, Pennsylvania. For more information, call Roger Woodfill at 812-537-2000.

**October 25, 2002**

Speaker: Gary Kent

"Rule 12 -Case Studies (Phase 3)" 6 CEH Mandatory (Pending), Holiday Inn Airport, Evansville, Indiana

**November 3-7, 2002**

ASCE's Civil Engineering Conference and Exposition - 150th Anniversary Celebration, Washington D.C. Convention Center. Visit: [www.asce.org/conferences/annual02](http://www.asce.org/conferences/annual02)

**November 8-9, 2002**

Speaker: Jeff Healy

"Site Design & Drainage", 2-day seminar, 16 CEH Elective (Pending), Vincennes University, Tech. Division Auditorium, Vincennes, Indiana

**November 10-15, 2002**

ISPRS/Pecora Conference - Integrating Remote Sensing at the Global, Regional, and Local Scale, Adams Mark Hotel, Denver, Colorado. Visit: [www.asprs.org](http://www.asprs.org)

**December 6, 2002**

Speaker: Gary Kent

"Rule 12 - Case Studies (Phase 3)", 6 CEH Mandatory (Pending), Sponsor Wabash Valley Chapter ISPLS, Johanning Civic Center, Kokomo, Indiana

**January 8-10, 2003**

ISPLS Annual Convention, Marriott Downtown Hotel, Indianapolis, Indiana, Host: Northwest Chapter ISPLS

**January 23-24, 2003**

KAPS Annual Conference, Owensboro, Kentucky

**February 6-8, 2003**

PLSO Annual Conference, Columbus Marriott Northwest, Dublin, Ohio

**February 18-21, 2003**

MSPS Annual Conference, Amway Grand Plaza, Michigan

**February 19-22, 2003**

IPLSA Annual Conference, Crowne Plaza - Springfield, Illinois

**March 29 - April 2, 2003**

ACSM Conference, Phoenix Civic Plaza, Phoenix, Arizona

## WELCOME NEW ISPLS MEMBERS



**May 18, 2002**

Christopher M. Buergelin - Associate  
Jason Henderson - Student

**June 29, 2002**

Richard Chapman - Associate  
Douglas Furness - Member  
Keith Hood - Associate  
Donald Mohid - Associate  
Mark Schambaugh - Associate  
William Schmidt - Member

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