

HOOSIER SURVEYOR

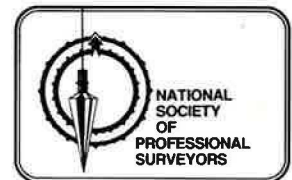


QUARTERLY PUBLICATION OF THE
INDIANA SOCIETY OF
PROFESSIONAL LAND SURVEYORS, INC.

VOLUME 30
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WINTER 2004



AFFILIATED WITH THE
AMERICAN CONGRESS ON
SURVEYING & MAPPING



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John Stephens, right, Wabash, new incoming president of ISPLS, presents the past president's gavel and plaque to outgoing president, Greg Garrison, Boggstown, at the recent January 2004 annual ISPLS convention held at the Indianapolis Downtown Marriott Hotel.

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EDITOR'S COMMENTS

In this issue there are three articles (pages 14-15) involving recent activities of the National Council of Examiners for Engineering and Surveying (NCEES). The Council is deeply involved with the uniform exams utilized across the country as well as providing model laws for state licensing boards in promoting uniform licensing procedures. For example, in recent revisions, the model law for surveying includes definitions for:
A. Professional Surveyors (Professional Land Surveyor, Professional Surveyor and Mapper, Geomatics Professional, or equivalent term)
B. Model Law Surveyor
C. Professional Surveyor, Retired
D. Surveyor Intern
The national picture is certainly very confusing and in future issues of the *Hoosier Surveyor*, we will try to clarify the issues. What the future impact will be on the various state registration boards (particularly Indiana) will be interesting to observe since almost all state boards were designed, and have functioned for the purpose of licensing LAND surveyors. Your comments and reactions are solicited.
Ken Curtis

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 as to its contents.

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ISPLS BOARD OF DIRECTORS (2004)

First row, Ron Wharry, Frankfort; Rich Hudson, Valparaiso; Don Bengel, Valparaiso; John Stephens, Wabash; John Updike, Fort Wayne; Frank Ballintyn, New Albany; second row: Perry Cloyd, Edinburgh; Anthony Gregory, Hobart; Greg Garrison, Boggs town; Mark Isaacs, Brownstown; (not pictured) Ed Sweetland, Indianapolis and Brad Ott, Franklin.

PRESIDENT'S THOUGHTS

by John Stephens, PLS, Wabash, Indiana



Well, now that the ISPLS 2004 Annual Convention is over and we are all tired of winter weather, I'm sure there's not a one of our members who isn't looking forward to warmer spring weather. In reflecting backward a moment at the convention, I would be remiss if special congratulations weren't given to the Southwest Chapter for hosting the convention and particularly Steve Sherwood for being the convention coordinator. Several Southwest Chapter members, student members, exhibitors

and the ISPLS staff worked many long hours to make our convention a success. I hope that we as members of our organization can only continue to provide this quality annual event.

Congratulations to William Clark, Edward Sweetland and Richard Ward for receiving individual President's Awards at the January convention. Bill has worked continuously hard on the development and supervision of the Certification Technicians Program in Indiana.

Ed has taught many portions of the Certified Technicians Program, as well as, the licensing examination review classes for surveyors in their preparation for the state board examinations. Dick contributed much time and effort to the 2003 Trig Star program.

Special convention recognition was given to Professor Kenneth Curtis by awarding him with the 2003 Polaris Award. The Polaris Award is the highest annual award presented for outstanding leadership and dedication to the land surveying profession. Professor Curtis has been the true reference point for surveyors in the state of Indiana.

Looking forward to ISPLS goals for 2004, there are both short and long term objectives that the board members, committees and individual members will be undertaking this year. Rule 12 revisions have been completed and will be authorized into effect in the near future. The final adopted version of the rule will be available on the ISPLS web site. Various ISPLS members were present last October 10th for the public hearing held at the Board of Registration meeting. Many local chapters had prepared written comments, which were individually addressed to the board and created constructive and professional discussion.

There are several legislative bills being sponsored this year that have already had the Legislative Committee hard at work. An ISPLS Board of Director's goal for this year was to implement a minuteman program. This program would have at least two members in each ISPLS chapter to keep updated on legislation and able to contact fellow chapter members for a more efficient communication with their respective legislator. Professional members should take the time to call on your State Senator/Representative when particular bills affect your livelihood. Our Legislative Committee members are constantly keeping abreast of current legislation and may be contacting you to participate with a phone call, fax, or e-mail to your legislator.

The current legislation being monitored this January include the following:

- 1) SB 198 which was introduced by the Professional Geologists.

The proposed bill significantly increases the practice area Professional Geologists to include engineering functions and a very ambiguous role in surveying. ISPLS has been actively negotiating on this bill and is striving to protect the rights of the Professional Land Surveyors' role in topographical surveying.

- 2) ISPLS has proposed a legislative amendment to provide for civil penalty and enforcement authority for the Board of Registration for Land Surveyors to act upon non-licensed people who are performing activities which are subject to registration or certification as defined in the practice of Land Surveying.

The 2003 Trig Star program was quite successful, particularly with the help of Richard Ward of Anderson. Richard provided the Trig Star program in 22 local schools located throughout the Wabash Valley Chapter area. The Trig Star program is one of the best marketing tools that surveyors have to introduce the surveying profession to high school students. Make every effort this year to sponsor a school in your area.

The HARN/GIS Committee has been coordinating a statewide section corner reference network with other state departments. ISPLS has committed funds to purchase lap top computers and scanners for the program. Hopefully, local ISPLS chapters and county surveyors will participate in the scanning of section corner tie cards within their local area. County surveyors, IDEM, INDOT, INGISI, and the local chapters have and will be involved in the development of this project. There will be an update of the project at Purdue Road School, County Surveyor meeting on Thursday, March 11th. Wouldn't it be great to see all of the individual section corner references cards in statewide reference network found on the internet?

The Publications Committee is gearing up for a modification to Manual Number 3 – Law and Surveying and Manual Number 2 – Indiana Coordinate System this year. Recent changes in Rule 12 and various legislative bills have necessitated that the committee revise Manual Number 3. Plans have been in progress for the revision of Manual Number 2 during the past year and should have substantial completion, if not completed, by the end of this year.

The ISPLS Public Information and Marketing Committee is in the process of evaluating and promoting new education and school relations packages. Hopefully, the committee will be able to provide our membership the brochures and technical support to better promote the surveying profession for various age groups within the public school systems throughout the state.

The ISPLS membership has grown to over 900 members this year and many new members have volunteered to be on various ISPLS committees. ISPLS has many committees working to serve our member's needs, but there are always new projects on the horizon. I would like to take this opportunity to thank everyone for his or her support shown toward myself this past year, and I hope that much can get accomplished during 2004. Every ISPLS member is welcome to attend our board of directors meetings this year to make comments. Our meeting dates are as follows: February 21, March 27, May 22, July 10, September 25, November 6 and December 11 at the ISPLS headquarters.

Remember: Even if you fall on your face, you're still moving forward.

ISPLS BOARD OF DIRECTORS MEETING HIGHLIGHTS

by Dianne Bennett, Executive Director

September 19, 2003

The ISPLS Board of Directors held a meeting on Friday, September 19, 2003 at the Holiday Inn Southeast immediately after the goal setting session.. President Garrison called the meeting to order at 4:03 p.m.. The minutes and treasurers reports were reviewed and approved with revisions.

Staff Activity Report - A written report was submitted for board review. The report is stated under individual topics listed below.

Communication - Membership - The following membership applications were reviewed and approved: Professional - Loralee Taylor; Associate - Tim Clarke, Mikel Currier, Walter Evans, Larry Greene, Kenneth Jones, Jr., Adam Greulich (Student to Associate); Student - John Boline, Philip Buehler, Jacqueline Carr, Christopher Costello, Christopher DeYoung, Tony Domelle, Erik Gardstrom, Christina Hoy, Seth Johnson, Michael Lenihan, Brian Nelson, Allan Ng, Bobby Rennaker, Doug Rhein, Clint Roos, Melissa Rura, Brian Stanoch, Charles Thompson, Heath Tizer, Nathan Winslow, Nick Charnas, Mark Treon, Matt Sharp, Adam Christenberry, Jason Page, Blakely Ricketts, Jeremy Byerly, Tom Quinkert, Jon Pankey, Keith Messel, Larry Worland, Pete Lengerich, Brad Kerns, Clint Heeke, Chris Midgett, Andy Deeter, David Meyers, Stephen Sargeant, Seth Dyer, Amy Dyer, Andrew Murray.

It was noted that local chapters should make personal contacts to invite new members.

Hoosier Surveyor - Any articles for the next issue need to be submitted by October 15th.

Public Information & Marketing - Ron Wharry contacted Intsen regarding the center of population monument. We need to come up with a design to use. Most are 8" diameter except 12" in Texas. Further discussion followed. The cost may be between \$300 - \$600.

Professional Development - Education - The income/expense from the Northwest Seminar on August 15th was reviewed. The following seminars were presented for approval: November 15, 2003 - TR-55; The ISPLS Convention 1/15/04-1/17/04 were presented. A motion was made and passed to approve the seminars.

Trig-Star - Tony Gregory stated that he would like to get chapters to appoint Trig Star chapters. We would like to set a goal to double the number of schools next year.

Licensing Review Exam - The review will be September 26 & 27 at IUPUI. If you know of anyone wanting to attend please have them contact Dianne or Ed Sweetland. There are 9 signed up for the LS Review and 3 for the SIT Review.

Government Affairs - Board of Registration - The draft revision of the Rule 12 subdivision monumentation was put on the ISPLS web site.

HARN/GIS/Monumentation - NGS will HARN the Lewis & Clark Monument in November. The local chapter is looking for equipment and manpower to do the work November 6, 7 & 8.

Standards - Subdivision Monumentation - A report was submitted from the NW Chapter from their meeting. The chapter had much discussion, no conclusions, and no formal motions were presented.

There were comments also presented from the CIC Chapter.

Nominations - President Elect nominees are Frank Ballintyn and Ron Wharry. A motion was made and passed to accept the slate.

Chapters - Northwest - The chapter met last Thursday and will meet the second Thursday in October.

Northeast Chapter - The chapter met on September 16th and the next meeting date has not yet been set.

Tecumseh - The chapter will meet November 12th.

Central Indiana Chapter - Their golf outing is September 26th. They met last Thursday.

Initial Point Chapter - They met two weeks ago. The Lewis & Clark Monumentation and Rule 12 were discussed.

Southwest Chapter - The chapter meets the 2nd Tuesday of the month.

Purdue Chapter - The chapter will meet October 7th.

Old Business - CICF Grant balance report was reviewed. John Stephens has contacted the County Surveyors. We may be able to go through the Indiana Landmarks. Also, the grant money may be used for some of the Lewis & Clark expenses.

Cincinnati State proposed Bachelor's degree. Greg has been checking on this and it will be awhile before we receive more information. V.U. cannot support this at this time.

Lewis & Clark - Frank Ballintyn has been working with Kentucky and Ohio regarding Lewis & Clark event to dedicate the commemorative monument on Saturday, October 25th in front of the Falls of Ohio interpretive center. Several ISPLS members will be attending. The event runs from October 21-25th. Dave Doyle from NGS suggested that ISPLS take the six students and three adults from University of Akron out to eat and show them around town. These young men won first place at this year's National Society of Professional Surveyors' 2003 Surveying Student Competition. The theme was the 1803 Lewis & Clark Expedition. They are visiting Indiana at the dedication at the 25th of October at the Falls of the Ohio State Park. A motion was made and passed to support the six students and the three adults from Akron for dinner.

New Business - The board reviewed an email from Gary Kent regarding the Surface Transportation Board's review of railroad abandonment process. They would like ACSM/NSPS and state organizations to comment on this.

Abe Lincoln Statue - The unveiling of the Abe Lincoln Statue will be near Springfield, on Oct. 4 at 6 P.M.

November 22, 2003

The ISPLS Board of Directors held a meeting on Saturday, November 22, 2003 at ISPLS headquarters. President Garrison called the meeting to order at 10:05 a.m.. The minutes and treasurers reports were reviewed and approved with revisions.

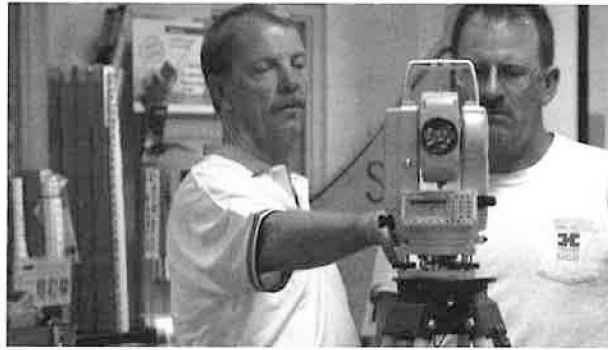
Staff Activity Report - A written report was submitted for board review. The report is stated under individual topics listed below.

Officer Activity Report - Rich Hudson reported on the dedication of the Lincoln Statue on October 4th 2003.

Greg Garrison reported on the Lewis & Clark monumentation. Greg received a NGS coffee cup and NGS brass disk for the event. The event was a success and everyone had a good time. Greg and Frank took the University of Akron students out for dinner after the dedication was finished. Frank has photos and pamphlets which he will be distributing to area schools. Expenses will be paid by ISPLS

...continued page 5

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Minutes

...continued from Page 3

after all expenses have been delivered to Dianne.

Communication - Membership - The following membership applications were reviewed and approved: Professional - Charles Bevington (reinstated); Associate - Dustin Sailor, Thomas Clayborn, Joseph Mylor, Michelle Lynch, and Chad Schwenk (student to associate).

Publications - Working on the update to the State Plane Coordinate manual and the Corner Perpetuation manual.

Hoosier Surveyors - The Fall issue is in the mail.

Public Information and Marketing - The marketing plan was revisited by Ron Wharry. Tony will be reviewing page 21 of the plan and will discuss his findings at the next BOD meeting.

Ed Sweetland will review the plans with his marketing professor.

Contacts with newspapers and high school job fairs were discussed by the board to improve public relations.

Frank stated that he thought GIS involvement is one way to attract new surveying prospects.

Ron Wharry is working on the Center of Population for Indiana. He is working with property owners to set a monument at its proper location.

He is also working with the Hamilton County Surveyors Office to set the monument. The monument will be 8" in diameter with ISPLS & NGS engraved within the monument. A plaque/sign will also be set along with the monument.

Tony wants us to check on monumentation of Michigan-Indiana state line that was in the works a few years ago.

Professional Development - Education - Summaries were sent on the seminars presented on September 12, 2003 "Erosion & Sediment Control", October 10, 2003 "Writing & Interpreting Legal Descriptions" and the October 17, 2003 "Original Government Field Notes".

A motion was made and passed to approve the following seminars for the convention: Rule 10, TDS Road Layout & Construction Stakeout; State Plane Coordinates & Datum Transformations; E & O Liability Issues (Don't Put Your Firm in Jeopardy).

Board of Registration - The Professional Engineers are working on continuing education for their members.

The PE board wants ISPLS to become involved with stop cease and desist orders and fines for nonprofessional practicing without a license.

HARN/GIS Monumentation - John Stephens reported that they are working on state-wide county section corner ties.

The committee is working on a grant which would consist of laptop computers and scanners. ISPLS members will work with INDOT districts and counties to start the process which may begin in a few months. Four laptops and four scanners would be purchased by a grant and managed by ISPLS. A motion was made and approved to use the balance of the foundation and ISPLS will support the remaining \$6000 balance coming from the ISPLS grant budget.

NSPS Governor/Great Lakes Council - Don Bengel reviewed the meeting in Gaithersburg. Don was elected as the Great Lakes Secretary/Treasurer. The new ACSM-NSPS is now in affect. ACSM now a support organization for NSPS. Membership in NSPS could be promoted more heavily. A motion was made and passed

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STATE REGISTRATION BOARD PERSONNEL CHANGES

KEN CURTIS RESIGNS - GARY KENT APPOINTED

Although Prof. Ken Curtis' latest appointment to the Board was not scheduled to end until June 30, 2004, he submitted his resignation last summer citing the fact that he had served on the Board continuously since its creation in 1991 (when the Land Surveying Board was separately formed from the joint Engineer/Land Surveyor Board) and it was time for him, at 78, to retire and allow someone younger, and currently more active in the profession, to serve on the seven-person Board. His original appointment in 1991 was probably made so as to include someone as a representative from education. He had retired in 1992 after teaching surveying and mapping in civil engineering at Purdue University (West Lafayette campus) for 44 years.

Prof. Curtis has said that he has enjoyed his tenure on the Board and that he has witnessed enormous changes in the practice of land surveying in the last thirty years. He claims that he will miss the monthly meetings with some of the most knowledgeable and finest dedicated professionals he has ever been associated with, but will not miss the wintry travel trips to Indianapolis. He will continue to work with the ISPLS in assisting in the editing of the *HOOSIER SURVEYOR* as long as he is asked to do so and his health permits.

It took over six-months for the Governor's Office to appoint a replacement, but in late January, 2004 this was completed with the appointment of Gary Kent, Noblesville, to fill the vacancy on the Board. Kent is Director of Surveying at The Schneider Corporation, a consulting firm based in Indianapolis, where he is responsible for a surveying staff of 90 persons. He is a graduate of Purdue University with a B. S. degree in Land Surveying and is a registered land surveyor in Indiana and Michigan.

Kent is a past president of both the Indiana Society of Professional Land Surveyors (1989) and the American Congress on Surveying and Mapping (2001). He has been chair of the joint ALTA/ACSM Standards Committee. He is on the the adjunct faculty of IUPUI, been ISPLS's liaison to the State Registration Board, and has presented many workshops and seminars on surveying topics throughout the country.

The present Board now consists of: Christine Arnold (Public), Indianapolis; David Blankenbaker, Jeffersonville; Mike Falk, Portage; E.R. Gray, Columbus; Ross Holloway, Martinsville; Randall Miller, Marion; and Gary Kent, Noblesville.

Gary Kent, in his past position as liaison to the Board, reports that (1) - approximately 30 persons who were audited on continuing education did not meet the requirements and did not respond to requests for more information. There will be complaints filed very shortly on all those registrants; (2) - A new rule has been through the public hearing process, affirmed by the Board and sent to the Governor. It will provide that any continuing ed course approved by another state having continuing ed (with at least 50 minute hours) will automatically be approved by Indiana for elective credits unless the topic is specific to that state; (3) - The Board is looking at the application and referee forms to clarify and improve their use; (4) - There appears to finally be some movement on the part of the Attorney General's office with regard to a number of outstanding complaints - some of which have been languishing in the AG's office for months and months.



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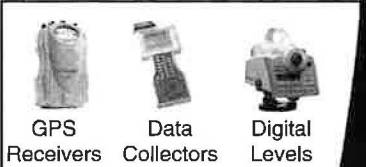
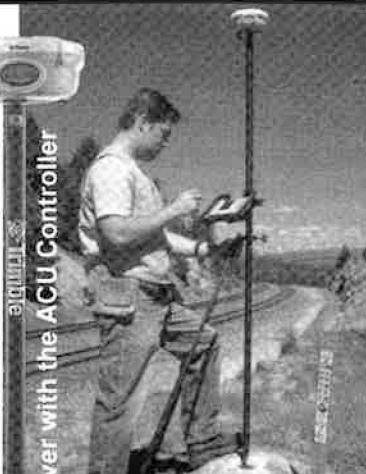


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Board of Registration Adopts Rule Changes

By Rick Miller, PLS - Indianapolis

The Indiana Board of Registration for Land Surveyors recently adopted a number of changes to Title 865 of the Indiana Administrative Code affecting your practice. The following is a brief overview of some of the rule changes which took effect on the 25th of February, 2004:

References to a "Record Document Survey" have been deleted throughout 865 IAC 1-12. The board felt that the term was redundant since it did not distinguish a "Record Document Survey" any differently than a "Retracement Survey".

865 IAC 1-12-2 now defines "Theory of Location" as applying federal laws, including 43 U.S.C. 751 through 43 U.S.C. 775, state and local laws, together with court precedent to establish the position of real property corners.

"Surveyor responsibility" has been clarified and expanded in 865 IAC 1-12-3.

Paragraph (d) requires the registered land surveyor to exercise control over all actions of non-licensed individuals participating in the survey and mandates that all persons participating in the survey must be regular employees of the surveyor, the surveyor's employer or another registered land surveyor.

Paragraph (e) requires that each office of a firm, partnership, or corporation must have a registered land surveyor who is a full-time employee, principal of the firm or officer of the corporation in full responsible control of the survey operations and that the surveyor must maintain regular hours at that office adequate for client contact and employee supervision.

Paragraph (f) defines a "Principal" as a registered land surveyor who is in charge of the organization's land surveying practice, either alone or with other registered land surveyors.

865 IAC 1-12-5 deletes references to standards for the re-certification of prior surveys completed before January 1, 1990. That provision expired in January, 2000. Section 5 now mandates that all updates of previously completed surveys must fully comply with Rule 12.

865 IAC 1-12-5(2) mandates that construction surveys for the purpose of marking the limits of existing easements or rights-of-way for construction of improvements must be executed by a registered land surveyor.

865 IAC 1-12-5(3) specifies that "Delineation or demarcation and placement of stakes or markers for the purpose of constructing fences, buildings, walls, or other improvements on or in close proximity to a land boundary,

except for property corner monumentation, are only subject to sections 1 through 4 and 6 of this rule provided the land surveyor has found acceptable evidence of the boundary location in accordance with this rule."

865 IAC 1-12-12(a)(1) now requires that your surveyor's report "explain the theory of location applied in establishing or retracing the lines and corners of the surveyed parcel."

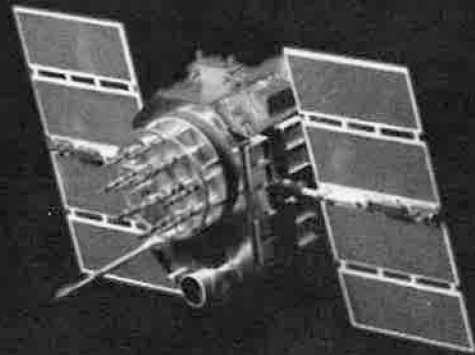
865 IAC 1-12-13(14) now mandates that on retracement survey plats "Any other zoning use certifications shall be limited to those facts that can be counted or measured." As you know surveyors are regularly requested to provide lenders with compromising long form certifications on surveys which usually include a statement similar to the following: "The improvements located on the property are in compliance with all applicable zoning and/or land use requirements, including but not limited to setback requirements, building height restrictions, density and/or surface coverage restrictions and parking requirements." Of course most surveyors refuse to provide such certifications and now you may include in your justification not only that the ALTA standards do not require you to make such certifications and that your E & O carrier will not cover you for issuing non-surveying related opinions, but that Indiana law prohibits it.

865 IAC 1-12-18(a)(1) now clearly requires that when performing an original or retracement survey, monuments must be set at all boundary corners, including interior lots of a subdivision, except when an existing monument is found within the theoretical uncertainty of the class of survey being performed.

865 IAC 1-12-18(a)(10) mandates that it is the responsibility of the land surveyor certifying the subdivision plat to set all the monuments required by this section (including all lot corners) in a new subdivision. However, 865 IAC 1-12-18(b) includes provisions to delay the setting of required monuments for up to 2 years after recording the subdivision plat if the monuments are likely to be disturbed by construction. If monuments are set after the plat is recorded the surveyor is required to record an affidavit, cross-referenced to the plat, showing which monuments were set and which were found and must provide a certification that the information in the affidavit is true and correct.

All surveyors should become familiar with these new minimum standards. A complete copy of the rule changes can be found on the ISPLS Website at <http://www.ISPLS.org> Look under "About ISPLS", "Government Affairs"

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County Surveyors Association

by John Stephens, PLS, Wabash, Indiana

COMMITTEE MEMBERS: Allan Frisinger, Co-chairman
Stephen Murray, Co-chairman

MEETING DATES: The ISPLS County Surveyors Committee meet at various intervals throughout the year including: County Government Day in February, Purdue Road School in March, summer Board of Directors meeting and during the Association of Indiana Counties Fall Conference.

OBJECTIVES:

1. Provide coordination between ISPLS and County Surveyor's Association to help achieve common goals.
2. Inform ISPLS BOD of legislative activities of the County Surveyor's Association.
3. Continue to promote the benefits of and encourage membership in ISPLS to all County Surveyor Association members.

OBJECTIVES IN PROGRESS: The County Surveyors Association is actively monitoring proposed legislation for the 2004 legislative session. The association is actively involved in the proposed I.D.E.M. rules concerning wetlands and IDNR 368 field review form (both IDNR & IDEM comment sections).

The 2004 legislative session will most likely result in an over ride of the former Governor's veto of HB 1798, which includes the county stormwater utility legislation and revised wetland regulations. ISPLS supports the County Surveyors in their efforts for the passage of HB 1798.

The County Surveyors have been active on the ISPLS/ HARN/GIS Committee. This particular committee is working with various State agencies and ISPLS in the development of the statewide section corner reference network. County Surveyors will have an integral part in the development and maintenance of this project.

PURDUE ROAD SCHOOL: The agenda for the Indiana County Surveyors Association Annual Meeting on **Thursday, March 11, 2004** at **Purdue University** is as follows:

Continental Breakfast provided by SIDWELL		7:00 – 8:00
SIDWELL	The County Surveyor's Roll in GIS	8:00 – 9:00
BREAK		9:00 – 9:10
Jane Frankenberger	Stream Bank Restoration	9:10 – 10:00
BREAK		10:00 – 10:10
Jay Poe	Section Corner Perpetuation	10:10 – 11:00
BREAK		11:00 – 11:10
Randy Braun	Rule 13 Update	11:10 – 12:00
LUNCH		12:00 – 1:30
Lorraine Wright	Geodetic Framework – ISPLS GIS/LIS Workgroup	1:30 – 2:15
John Stephens	Rule 12 Update	2:15 – 2:45
BREAK		2:45 – 3:00
Steve Murray	Legislative Update	3:00 – 3:30
Business Meeting		3:30 – 4:30



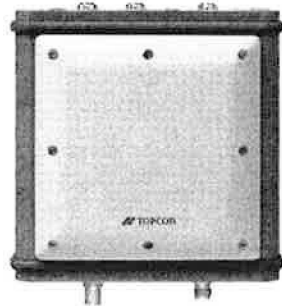
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ISPLS -LS / SIT Review Seminar Committee

Presents:

Registered Land Surveyor (LS) & Surveyor in Training (SIT)

Review Seminar

Date: Friday (March 12, 2004) & Saturday (March 13, 2004)

Location: Purdue University - Calumet, Anderson Building, Room# 207, 2200 169th Street, Hammond, Indiana

Time: 9:00 AM – 5:00 PM (each day)

Schedule: SIT Review on Friday

LS Review on Saturday

SIT Topics:

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

LS Topics

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

Refreshments

Breakfast: Coffee and donuts will be supplied

Lunch: Box lunch will be provided

For more information contact: Ed Sweetland @ 317-547-5580 or Dianne Bennett, ISPLS @ 317-687-8859

Registered Land Surveyor (LS) & Surveyor in Training (SIT)

Review Seminar * Application Deadline: **March 1, 2004**

*Make checks payable to ISPLS & mail to

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March 12, 2004 SIT Seminar

March 13, 2004 LS Seminar

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ISPLS 52nd Annual Convention Highlights

Marriott Downtown Hotel, Indianapolis (January 15-17, 2004)



Prof. Bill Clark, right, Vincennes, receives the Presidents Award from ISPLS President, Greg Garrison. Two others receiving the same award were not present to receive them. They were Richard Ward, Anderson and Ed Sweetland, Indianapolis.

Indianapolis,
Marriott
Downtown,
January 15-17, 2004
(Hosted by
Southwest
Indiana Chapter)
Attendance:
437 full time;
56 one day;
37 students
31 spouses;
11 tech program



Prof. Kenneth Curtis, right, West Lafayette, receives the annual Polaris Award from ISPLS President, Greg Garrison.



Ken Curtis, left, had the winning raffle ticket for the Surveyors Historical Society's picture being presented by Orwic Johnson.



ISPLS President Greg Garrison presided over the Friday Annual Banquet and Saturday Business Meeting.



Greg Garrison, left, ISPLS President, presented surveyor state monentos to all 2003 Board members, including Bill Clark above.



The Exhibit Hall attracts Randy Miller, David Blankenbeker, and Gary Kent.



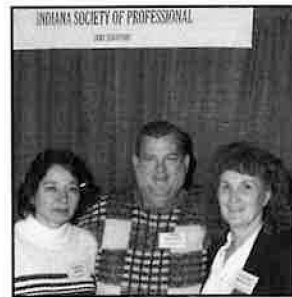
David Best performs as Thomas Jefferson at PAC breakfast.



Bob Bigelow, left, Merrillville, outbid all others for one of the spouse's fund-raising baskets. Mrs. Bender does the honors.



Hal Ashton and Roger Woodfill at the Historical Socieity booth.

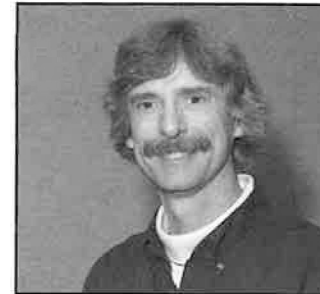


Valerie, Fred, and Dianne check out all the details for the Convention.



Robert Gross was one of the raffle winners.

Program Highlights



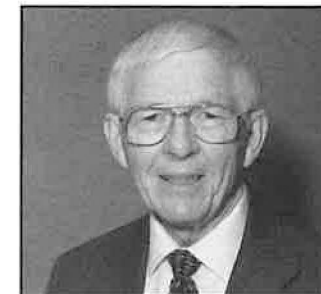
ALTA/ACSM Land Title
Surveys Indiana Case Law-
Part II Gary Kent



State Plane Coordinates NGS
& The County Surveyor
David Doyle



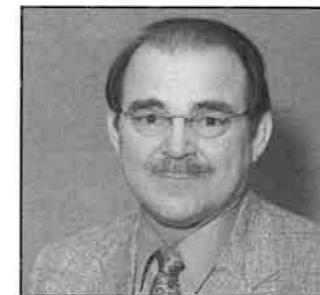
Getting Into GIS The
Surveyors Role
Rebecca Somers



Indiana's Initial Point
Ken Anderson



TDS Data Collectors
Scott Fisher



Rule 10
Ross Holloway



Your Surveying Business
Richard Elgin



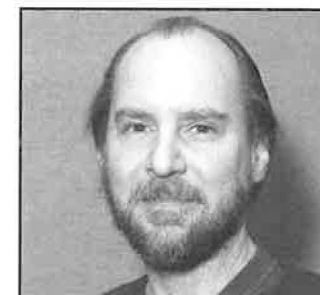
Basic Hydrology
Jeff Healy



L.S. Registration Act
E.R. Gray



Rule 12
Mike Falk



CORS Reference Stations
Mark Eckl



Attorneys and Surveyors
John Chappell



Young surveyors try their luck!



Las Vegas Style Casino Party



Old Timers enjoy their winnings!



Purdue University delegation in
attendance.



Lisa Jacobs, Director Michigan
Museum of Surveying



Vincennes University delegation in
attendance.

National Council of Examiners for Engineering and Surveying

At its August 13-16, 2003, Annual Meeting, the National Council of Examiners for the Engineering and Surveying (NCEES) passed several motions affecting its national engineering and surveying licensing examinations. The Council added to its Model Law the definition of Model Law Engineer—Structural Engineer, and modified its definition of Model Law Surveyor and the practice of surveying. Delegates asked the President to appoint a task force to develop a position statement on fire protection engineering. And the Council accepted from a multiorganizational task force a report evaluating the engineering licensure system, which will be reviewed for possible action at a later Annual Meeting.

Effective with the April 2004 exam administration, the Structural II exam will be considered and referred to as one 8 hour exam with no distinction between morning and afternoon portions unless otherwise required by the current statutes of a jurisdiction. After April 2006, no jurisdictions will be allowed to administer the morning and afternoon portions separately. Before now, Structural II examinees could pass one portion of the exam at a time.

NCEES adopted the definition of a model Law Engineer—Structural Engineer in its Model Law. Such an individual must be a graduate of an EAC/ABET-accredited program; have passed a minimum of 18 semester (27 quarter) hours of structural analysis and design courses, with at least 9 of the semester (14 quarter) hours in structural design courses; have passed the 8-hour Fundamentals of Engineering exam; have passed 16 hours of structural exams; have completed 4 years of acceptable structural engineering experience; and have a record clear of disciplinary action.

NCEES also modified the definition of "Model Law Surveyor". An MLS is now defined as a graduate of an EAC/ABET-accredited program, a Surveying and Mapping Group program accredited by ASAC/ABET or the equivalent. He or she has passed the 8-hour Fundamentals of Land Surveying exam and a 6-hour Principles and Practice of Land Surveying exam using the NCEES cut score. He or she has completed four years of acceptable land surveying experience after confirmation of a bachelor of science degree in a surveying/geomatics program, which may include up to one year of experience for a graduate surveying/geomatics degree. And lastly, to be designated an MLS, the individual must have a record clear of disciplinary action. Some jurisdictions may require an MLS to pass a state-specific exam for surveyors. The Model Law definition of "practice of surveying" was also modified to include the practice of photogrammetry and the use of Geographical Information Systems as tools to perform professional services. These services are defined under "practice of surveying" as well. Regarding the Principles and Practice of Land Surveying exam, as the need arises, exam modules for specialty areas within the practice of land surveying may be developed, and a breadth/depth PLS examination may be administered.

The Council requested that the President appoint a task force to study and develop a national position and/or policy that will provide a method to prevent the obvious bypassing of the engineering registration laws by building officials and other fire protection authorities regarding fire alarm and fire sprinkler systems.

In addition, NCEES received the report of the Engineering Licensure Qualifications Task Force—a multiorganizational group led by NCEES charged with evaluating the engineering licensure

system. The President has appointed a task force to review his group's recommendations and develop motions to present to the Council as appropriate.

The 2003-2003 NCEES Board of Directors was commissioned at the Annual Meeting. It included the following members:

- President
Donald L. Haitte, P.E., Missouri
- President-Elect
Jon D. Nelson, P.E., Oklahoma
- Past President
Robert C. Krebs, P.E., L.S., Vermont
- Treasurer
Martin A. Pedersen, L.S., Wyoming
- Vice President Central Zone
W. Gene Corley, Ph.D., P.E., S.E., Illinois
- Vice President Northeast Zone
Louis A. Raimondi, P.E., L.S., New Jersey
- Vice President Southern Zone
James T. McCarter, P.E., South Carolina
- Vice President Western Zone
Kenneth R. White, Ph.D., P.E., New Mexico

Reprinted from The Old Dominion Surveyor/November 2003

NCEES Suggested Model Law Definition for "Practice of Surveying"

The action items of the August 2003 NCEES meeting of the Uniform Procedures and Legislative Guidelines Committee resulted in the following amended suggested definition:

Practice of Surveying-The term "Practice of Surveying," within the intent of this Act, shall mean providing, or offering to provide, professional services using such sciences as mathematics, geodesy, and photogrammetry and involving both (1) the making of geometric measurements and gathering related information pertaining to the physical or legal features of the earth, improvements on the earth, the space above, on, or below the earth; and (2) providing, utilizing, or developing the same into survey products such as graphics, data, maps, plans, reports, descriptions, or projects. Professional services include acts of consultation, investigation, testimony evaluation, expert technical testimony, planning, mapping, assembling, and interpreting gathered measurements and information related to any one or more of the following:

- a. Determining by measurement the configuration or contour of the earth's surface or the position of fixed projects thereon.
- b. Determining by performing geodetic surveys the size and shape of the earth, or the position of any point on the earth.
- c. Determining the position for any survey control monument (non-boundary) or reference point; establishing or replacing any such monument or reference point.
- d. Creating, preparing, or modifying electronic computerized or other data relative to the performance of the activities in the above described items a. through c.

...continued page 15

Communicating and text-editing calculators prohibited in exam room

By NCEES Staff

In August 2003, NCEES issued a press release indicating that, with the April 2004 exams, it will begin strictly enforcing Exam Policy 15, which prohibits in the exam room communicating calculators and any device that might compromise the security of the exams and the exam process. As a result communicating and text-editing calculators will not be allowed in the exam room. The press release included a representative list of such calculators: HP48GX, HP49G, TI-83 Plus, TI-83 Plus Silver Edition, TI-89, IT-92, Voyage 200.

As a result of the press release. Council headquarters has received 20-30 calls a day from potential examinees asking, "Why?" Their angst and protest vary, but often heard are the comments, "Ridiculous!", "This is an extreme reaction.", "You want me to bring stone and chisel to the exam?", "Accomplishing subterfuge with these calculators would take Houdini!" If headquarters is receiving such a response, it is likely that many Member Boards and Member Board Administrators are as well. One NCEES volunteer comments, "I've received some angry calls. When I explain to them what is on the Internet, what NCEES was able to reproduce, what the calculators are capable of - they lose their anger: They often say something like, "It's a shame that the majority have to suffer for the wrong doing of a few." They still are not happy, but they understand why we are (enforcing the calculator policy). "The strict enforcement of EP 15 is considered by the Board of Directors to be vitally important to the security of NCEES exams and ultimately the integrity of the licensure process. Some of the facts leading to this conclusion are outlined below.

Why enforce EP 15?

Good people lie. Smart people cheat. Sometimes honest people lie and cheat when they are faced with very high stakes—like loss of a job promotion, career status, or employment. Perhaps they convince themselves they have no other choice. Regardless, examinees

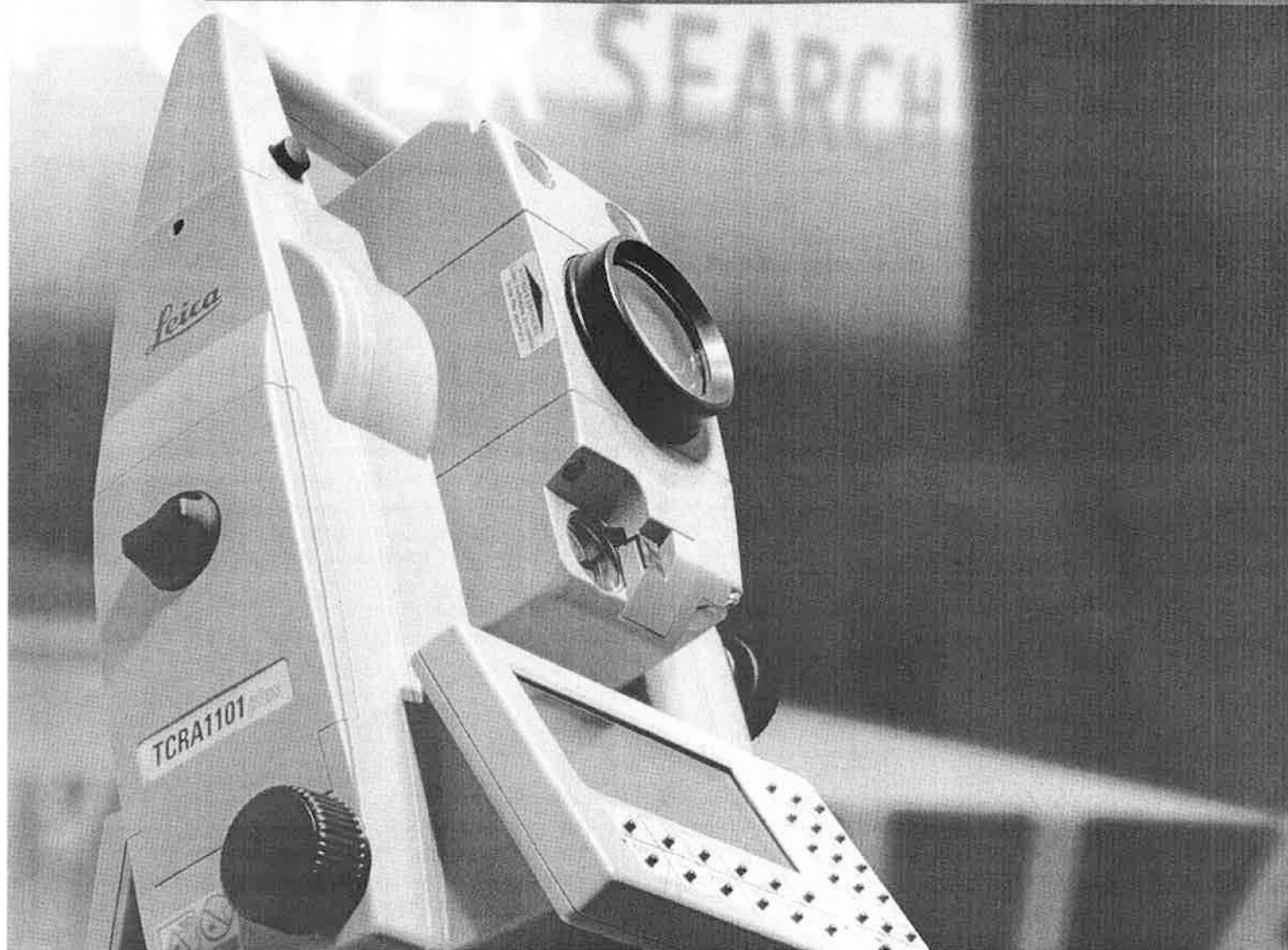
have been caught cheating on NCEES exams. Board members, proctors, university professors, employers—they look at each highly educated hardworking, earnest examinee, and say, "He would never cheat. She would never give away answers." The facts-examinees caught sharing answers, answer sheets analyzed statistically to be more similar than chance would allow, questions and answers found scribbled in reference material or posted on the Internet-speak differently. Before enforcement of EP 15 can make sense, one must recognize that unfortunately cheating on NCEES exams does happen.

Testing organizations such as NCEES are concerned with two types of cheating and exam compromise: distributing questions and answers before or after the exam and sharing answers during the exam. The first is surprisingly easy to do, especially with today's large memory, text-editing calculators. NCEES has long banned calculators with QWERTY keypads (keys arranged in a typewriter format). The thought process has been that entering data via a QWERTY keypad is fast and effective, while accomplishing the same with an alphanumeric keypad is too cumbersome to effectively enter exam questions and answers into a calculator's memory. This was demonstrated to be false by a Council staff member at the 2003 Annual Meeting. Using an unaltered calculator with text editor, the NCEES Director of Information Technology Phyllis Fenno—who does not use such a calculator on a regular basis—was able to enter entire questions and answers into the calculator's memory within minutes. Fenno commented, "It was awkward at first, but after the first three questions, I became familiar with the key strokes and was proficient at it." The potential of exam compromise is obvious, especially in regard to examinees who are not interested in passing the exam and are only present to obtain questions. It is possible to leave the exam room with exact questions and answers and post them on the Internet, sell them, or send them to an examinee in another time zone who has not taken that portion of the exam yet. Calculators with text-editing capabilities provide a serious potential for exam compromise and as such are prohibited in the exam room.

Many scoff at the thought of examinees communicating via their calculators during an exam. They explain that such infrared communication must take place within two inches, and the connections is difficult in establish. The likelihood of a proctor being oblivious to such collusion is practically nil. Through tweaking of two calculators, NCEES was able to stretch such infrared communication to eight inches, but it was necessary to have the computers "lined up just right" something unlikely to be accomplished in the exam room without notice. The far more likely risk to exam security comes from a combination of radio waves and the curiosity and creativity of some very bright people. "It's amazing what one can find on the Internet," says NCEES Past President Bob Krebs. Within minutes of typing key words into a search engine, one can access a wealth of software programs, available for download, designed especially for large-memory calculators. Board members found one site alone that contained over 1700 programs. Most were games; some were aids to solving mathematical equations. Each program was accompanied by a brief description, one of which contained the phrase "good for

...continued Page 17

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Communication

...continued from page 15

cheating on exams." A text-editing program facilitated the entry of data into an alphanumeric keypad, implementing text wrap, cut and paste, and other functions similar to Microsoft Word. Another program contained "RF chat" in its description. It contained chat room software along with a specifications and parts list of developing a radio frequency (RF) card. With this card and additional modifications, a calculator operator can communicate with others via radio waves, effectively chatting - even inside an exam room.

The Board did not take the program developer's description at face value. A Council staff member drove to Radio Shack. With only \$40, he bought almost all the parts needed for such modifications. One part had to be ordered from France—still within the \$40. After taking two calculators apart, building and inserting the RF cards, and tweaking the finished products just a bit, NCEES staff members were able to communicate with one another at a distance of 100 feet. They tested the communication again and again and were able to communicate easily with one operator seated in an office and the other standing in the outside parking lot. The LCD screens displayed the names of each "chatter" along with his or her keyed entry.

Is NCEES overreacting?

The effects of such readily available software on licensing exams are enormous and concern about RF communication during exams is not new. Hewlett Packard developed the HP 49 calculator in response to the banning of the HP 48 from some exams held in Europe. In an effort to prevent cheating, some universities in Canada, Australia, and Europe provide lists of which calculators may be used during exams. Hewlett Packard will release the HP33s in December 2003 via www.hpshopping.com to help combat this concern about sharing answers during exams. The HP 33s is a non-communicating calculator without text editing capabilities. But unlike other such calculators, the HP33s will allow for standard algebraic entry or RPN—the method preferred by many engineering students and professionals. After reviewing the software available and the demonstrations of communication capability, the NCEES Board of Directors decided that strictly enforcing EP 15 was the only way to ensure the integrity of the licensing process and the protection of the public.

Is it possible to pass NCEES exams without a large-memory calculator?

Certainly. The exams are designed so that a minimally competent engineer or surveyor can pass using a basic scientific calculator. The NCEES Web site lists examples of acceptable models manufactured by Texas Instruments and Hewlett Packard. NCEES subject matter expert Frank Loudon refers to a particular model saying, "The

HP 9s is a powerful calculator that has everything you need to pass the exam. I use it when I develop questions for the Electrical (and Computer Principles and Practice of Engineering) exam." Admittedly, most engineering students and professionals use high end calculators on a regular basis. Becoming familiar with a different calculator strictly to take an exam can be frustrating. The NCEES Board of Directors is aware of this hardship, but there is no question of what to do when weighing the relatively small amount of time it would take examinees to familiarize themselves with a more basic calculator versus leaving open a window of opportunity for unscrupulous examinees to pass the licensing exam when they are not minimally competent. NCEES exams form an important rung on the licensure ladder. If that rung is broken—even just a few times during an administration—the public is endangered. The good news is that for the April 2004 exam, the first under which the Board is strictly enforcing EP 15, Hewlett Packard anticipates that the HP 33s will be available, easing the difficulty of becoming used to a less powerful calculator.

Does prohibiting text-editing and communicating calculators in the exam room completely prevent cheating on NCEES exams? Unfortunately not. After examining some of the programs posted on the Internet, one NCEES volunteer commented, "It's easy to see how developing such software could be fun." New programs for high-end calculators are being posted even as you read this article. The potential for wireless communication among calculators is mushrooming. Cameras and scanning devices are becoming smaller and

Within minutes of typing key words into a search engine, one can access a wealth of software programs, designed especially for large-memory calculators. Board members found one site alone that contained over 1,700 programs. Most were games; some were aids to solving mathematical equations. Each program was accompanied by a brief description, one of which contained the phrase "good for cheating on exams." Another program contained chat room software along with a specifications and parts list for developing a radio frequency (RF) card. With this card and additional modifications, a calculator operator can communicate with others via radio waves, effectively chatting—even inside an exam room.

more accurate, easily overlooked on a multipatterned shirt. For many gaining an engineering or surveying license is a personal accomplishment. For others it may mean the difference between career advancement or stagnation—high stakes enhancing the temptation to cheat. Exam compromise will continue to be an issue with which licensure regulators must struggle. Strictly enforcing EP 15 is an important component of maintaining the integrity of engineering and surveying licensure. Ultimately however, the protection of the public, the integrity of our professions, and significance of an engineering or surveying license lies with the examinees, most of whom are committed to their own integrity, quality work, and professional ethics.

Reprinted from the October 2003 Licensure Exchange newsletter of the National Council of Examiners for Engineering and Surveying

For more information, visit the NCEES web page on its calculator policy at: www.ncees.org/exams/calculators.

COMPLETED CAREER

Emil Paul Beeg Jr., 68, P.L.S., P.E.
ISPLS Life Member and Past Board Member

Emil Paul Beeg, Jr., 68, of Valparaiso, Indiana passed away Thanksgiving Day morning, November 27, 2003 at the Horton Hospice Center in Valparaiso. He is survived by his wife Nancy Beeg and three children: Ellen Banschbach (Eric), Emil Beeg III (Tracie), and Erica Lenker (Ted); and eight grandchildren. Emil was born December 27, 1935 in Valparaiso at the Christian Hospital. On October 15, 1961 he married Nancy Miller at Immanuel Lutheran Church in Valparaiso.

Emil was a member of the Winamac Old Auto Club having owned a 1926 Buick. He was a DeMolay and Mason. Emil served in the U.S. Army Corps and was a graduate of Purdue University with a degree in civil engineering. He was a member of the Purdue Alumni Association.

On June 1, 1968 Emil became the city engineer in Valparaiso and served in this post under three mayors. Emil established his own land surveying practice in 1972 and served the public for over forty years. He was formerly a member of the board of directors of Indiana Society of Professional Land Surveyors and helped set up scholarships for student surveyors. He also was an officer of the Indiana Engineering Association. He practiced until his retirement in December 2000.

Besides being a land surveyor, his first love, he enjoyed being involved with airplanes (especially the B-24 and B-27 owned by Bob Collings of Stow, MA). There was always a special place in his heart to help when Bob brought his airplanes to town. Funeral services were held Monday, December 1, 2003 at Christ Lutheran Church where Emil and his family are members. Memorial gifts may be given to Hospice, ISPLS Scholarship Fund, kidney transplantation research at University of Wisconsin Hospital, and the Kidney Foundation of Northwest Indiana.

Just wreid

Aoccdrnig to a rscheearch at an Elingsh uinervtisy, it deosn't mtttaer in what order the ltteers in a word are, the only iprmoetnt thing is that frist and lsat ltteer is at the rghit pclae. The rset cn be a total mses and you can still raed it wouthit porbelm. Tish is bcuseae we do not raed ervey lteter by it slef but the word as a wlohe.

Signed Certificates

by Dick Bales

Surveyors may sometimes feel that they should not have sign certificates for their surveys. A recent Indiana case indicates that in at least one instance, a certification rescued a surveyor from a lawsuit.

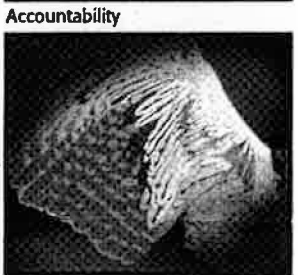
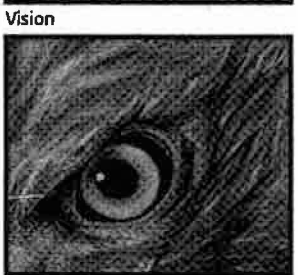
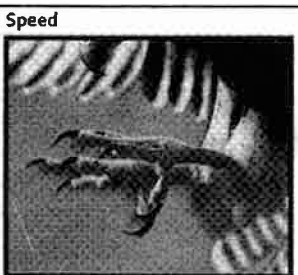
Thomas Boofter prepared a Surveyor Location Report (SLR) for Gary and Lisa Crowe's lender. The Crowes relied on this SLR (this appears to be similar to a mortgagee's inspection plan) when they built a pole barn. They later found out that the barn was constructed twenty feet into a neighbor's property. After buying the land on which the barn encroached, they sued the surveyor.

The court noted that the certification of the SLR indicated that "no corner markers were set and....no liability is assumed... for any use of the data for construction of new improvements or fences."

Accordingly, both the trial court and the appellate ruled in favor of the surveyor. "Here, the SLR plainly and unambiguously states that is cannot be relied upon for placement of fences or improvements. The Crowes acknowledge that they did so. At the time the Crowes signed the acknowledgment and receipt for the SLR...., they accepted the encroachments, easements, limitations, and/or conditions set out within the SLR....The exculpatory clause within the SLR, together with the Crowes' acknowledgment thereof, shielded Boofter from a claim that he negligently performed the SLR for purposes of locating the pole barn."

See *Crowe v Boofter*, 790 N.E. 2d 608, 2003 WL2148910 (Ct. App. Ind.).

From the Illinois Surveyor, Fall 2004



Member Benefit

Broadwing offers Indiana Society of Professional Land Surveyors members the nation's premier member benefit telecommunications service. The service combines the state-of-the-art network and top quality service of Broadwing with the high level of accountability provided by the ISPLS.

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Notice of the Survey

By Knud E. Hermansen, P.L.S., P.E., Ph.D., Esq.

Notice of the survey is simply an announcement sent to the neighbor (adjoiner) or other parties (e.g. utilities) of the pending surveying services. Notice can be accomplished by visiting, calling, or writing. This article will focus on written notice to the neighbor.

Written notice has two advantages over other forms of notice. First, the written form stands as a historical record of the message contents and evidence of its communication. Second, it provides a more reliable method of communicating with the recipient that is not always possible with phone calls or on-site visits since many landowners are at work during the time period when the surveyor will likely call or visit.

Providing notice of pending surveying services has several benefits. Most importantly, ordinary and reasonable courtesy suggests the surveyor notify landowners of possible entry upon their property. Second, notice could prevent the crew from being idle while the party chief is talking to the neighbor explaining the crew's presence in the neighborhood and on the neighbor's property. Third, it is not uncommon for the response to a letter to reveal there is a heated dispute between the client and neighbor that the client has failed to mention to the surveyor. (It is far more beneficial to hear a neighbor vent their displeasure with the surveyor's client over the phone that at the site where there is expensive equipment within reach.) Fourth, notice could cause the neighbor to seek services from the surveyor while they are nearby. Fifth, aid from the neighbor in the form of unrecorded documents, historical information, and monument locations are

often encouraged with a friendly written notice. Sixth and finally, notice provides a means to educate the neighbor about the surveying services (traverse markings, need to enter property to survey, etc.)

Some states require notice to a landowner before a surveyor can enter property without fear of prosecution for trespass. Civil and criminal law will ordinarily hold the surveyor liable for trespass when there is intrusion on property without the permission of the landowner. For example, recent passage of the surveyor's right of entry law in Maine permits surveyors, for the performance of surveying services, to enter upon property without permission of the landowner so long as the surveyor made a good faith effort to notify the landowner.

Consider the following example letter that is meant to be sent to a neighboring landowner.

The first part of the sample letter informs the landowner of the pending surveying services and identifies the location of the survey. A detailed location of the survey is important where the neighboring landowner has vast tracts of land (e.g., logging companies) and is unfamiliar with the name of neighboring owners. The next part seeks pertinent documents the landowner may have that will aid the surveyor. This part also extends a willingness to meet and identify corners where the landowner believes monuments reside. If the landowner provides some help (or believes they have), the landowner will more likely believe the surveyor's opinion is unbiased. The third part of the example

...continued Page 21

June 3, 2004

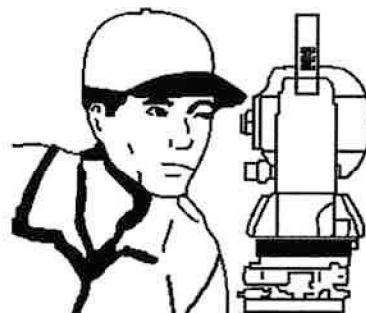
On or after _____ (date), our firm will be surveying the property of _____ (client's name), which is located _____ (nearby road, stream, physical feature), _____ (municipality), _____ (county). Tax assessment records indicate that you share a common boundary with _____ (client's name).

To insure a complete and accurate survey, our firm would appreciate a copy of any unrecorded documents such as plats, old deeds, survey notes, reports, and similar documents that are in your possession and would help re-establish the common boundary you share with _____ (client's name). This firm will reimburse you for any reasonable costs. A meeting at a date and time convenient to you can be arranged, if you would like to show us any boundary markers or other objects that may be hidden from view or are not easily identified as a corner or boundary marker.

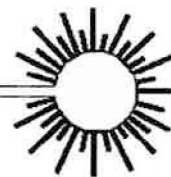
During the survey, wooden stakes and nails will be used to mark temporary survey points. These should not be confused with the actual corner or line monuments we will eventually use to mark the common boundary you share with _____ (client's name). Any survey points and ribbon our firm uses will more than likely not be placed on the boundary or represent a common corner. All corners will eventually be monumented by capped 5/8" inch diameter reinforcing rods inscribed with the name and license number of the surveyor (if not already monumented).

From time to time, employees from our firm may have to enter upon your property to gather information and measure from your corners and points on your property. Measuring on your side of the boundary is often necessary to insure that all information, from both sides of the boundary, is considered before marking the common boundary. Please do not hesitate to call this firm if your object to our employees entering your property and using information on your side of the boundary to help reestablish the common boundary you share with _____ (client's name).

Should you have any questions or information, please call or write using the address listed in the letterhead. Your help is appreciated.



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Notice Of The Survey ...continued from page 19

er educates the landowner on the surveyor's marking to prevent confusion between traverse stations or ribbons used to mark evidence and the actual corner or boundary location. The fourth part of the example letter informs the landowner of the surveyor's entry on their property. Tact and good public relations suggest the letter be sent and tacit permission be sought to enter the property. If entry is expressly mentioned as necessary to locate the common boundary using the adjoining landowner's corners, few adjoining landowners would likely object to the surveyor's entry on their property. Common sense suggests the adjoining landowner would want the surveyor to use their corners to reestablish the common boundary.

Some surveyors also include in the notice an offer to survey the neighbor's property for a favorable rate, at the same time.

Because your neighbor has requested our surveying services, we are in a position to offer surveying services for your property at a reduced rate. If you call our firm for surveying services in the future, please mention that we have previously surveyed your neighbor's property.

(Warning: Prudence strongly suggests that the fee for the neighbor's services not be relatively less than the client's fee or you will have an irate former client demanding equity.)

The name and address of the adjoining landowner can be obtained from the tax records. Many jurisdictions now have tax information on line.

With the advent of computers and easy access to the information, it is relatively fast and easy to prepare a letter within ten minutes. If a surveyor isn't using a written notice of survey, it is worth a try.

Minutes ...continued from Page 5

that Dianne could attend the executive meeting at NSPS convention in Nashville in April 2004.

Internal Affairs - Planning & Goals - Discussion on Dr. Speth marketing/goal planning sessions at the chapter level was discussed. We need chapter input on this topic.

Chapter Reports - Northwest Chapter held a meeting last week. Their next meeting will be in December.

Northeast Chapter had a seminar with Gary Kent as the speaker. Wabash Valley Chapter held a meeting on October 8, 2003.

Tecumseh Chapter met last week and reviewed the county GIS plan.

Central Indiana Chapter is meeting on November 14th at Hamilton County Surveyor's office. The officer nominations were approved.

University Coordination - Tony will be working with the Purdue Calumet, IUPUI and IUPUIFW on distance learning for the three campuses.

Cheves Media Launches The American Surveyor: An Exciting New Publication for the Measurement and Positioning Community

Destined to become the go-to magazine for surveyors, land development and geotechnology professionals, The American Surveyor will connect with these markets from the inside out.

Frederick, Maryland – November 21, 2003 – Cheves Media LLC is pleased to announce the creation of The American Surveyor, a fresh and innovative publication for today's land surveyors and geomatics professionals. With a broad circulation that includes both print and electronic formats, The American Surveyor will blend world-class feature editorial, contributions by respected columnists, and unique journalistic portraits of contemporary American surveyors. Eight issues will be published in 2004, beginning with the charter issue in January. Content will focus on all aspects of surveying, mapping, and measurement and positioning.

Marc Cheves and Allen Cheves, creators of the American Surveyor, have been responsible for the growth of a number of innovative and successful publishing ventures in the geographic technology arena. Their experience, combined with vision and commitment, promises to make The American Surveyor a stand-alone publication in the markets they serve.

Editor Marc Cheves brings more than 40 years of wide ranging land surveying experience to the pages of The American Surveyor. Licensed in five states, Cheves has worked at all levels of the industry-from field to management, from technical support to journalism. He is a member of ASCM/NSPS, and past-president of both the Maryland Society of Surveyors, and the Geographic and Land Information Society. Says Marc, "Ours is a profession that attracts the mavericks, the independent thinkers, those who love precision but thrive on elbow room and breathing space to work hard and get the job done. As editor I am committed to preserving the colorful history of our profession and promoting the exciting technology that carries it forward."

Publisher Allen Cheves adds, "Writers, readers, and advertisers have already expressed a great deal of support for our new publication, confident that it will be a fresh approach, insightful, and truly devoted to the success of today's land surveyors and geotechnology professionals."

The nationally renowned and award-winning design firm, LTD Creative, known for work with Hanley-Wood, LLC, a Washington, DC-based publisher, will lend a first-rate look and feel to the publication.

Cheves Media welcomes submissions. For more information on editorial guidelines and policies, contact Marc Cheves at 301-620-0784 (marc.cheves@ix.netcome.com).

To discuss the magazine or charter volume marketing opportunities in more detail, contact Allen Cheves at 301-668-888 (allen.cheves@mindspring.com).

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Coping with Complaints

You are part of the "front line troops". You are possibly the only personal contact complainants will ever have with the <government>. When they have a problem and no one will fix it, they are apt to be hostile by the time they get to you. Your skill in handling their problem may confirm or change their perception of your <business>.

When you are called into a firing line situation and are confronted by angry or hostile citizens, the following steps will help defuse the situation.

Defusing.

Greet the complainants with a smile and friendly handshake.

Tell them as quickly as possible that you want to work with them to solve the problem. This will move the conversation onto a constructive basis and away from individual attacks.

Ask them to move with you to a quiet location where you can talk uninterrupted. Ask them to tell you about the problem.

Listen to them. By listening, not - just hearing, you begin to put their problems into perspective and questions start to formulate in your mind.

Do not interrupt the complainants at this point. Mentally set a reasonable time limit and let them tell their whole story without interruption. Anything you say while they are venting may just provoke more anger. Note your body language. Hands should be loose or folded, not crossed over the chest. Compensate for mental lag time. People talk at 150-200 words per minute; you think at 600-800 words per minute. Use the time constructively. Ask yourself:

What is the main point?

What is the evidence?

Is this reasonable to me?

Are the complainants giving sources of information?

Are there alternatives?

Is this consistent with my past experience? Be aware of filtering and distortion.

Don't discount bits of information.

Don't magnify beyond their intent. This is most likely to happen when they are threatening or hostile.

Don't attach additional information or meaning to what they say. Watch for signs that the complainant is winding down.

Taking Charge

Express your concern and understanding of the complainants' frustrations. Tell them you are sorry they have had this problem. State that you will work with them towards finding a solution.

As they calm, begin to ask questions. This will force them to organize their thoughts, put you in control, and give you information you need to address the problem.

Be sure to ask the six questions every good investigator asks - who, what, when, where, why and how. Use active listening skills and give them time to fully respond to each of your questions. Paraphrase their statements asking "Is that right?" or "Is that correct?" and give them opportunity to respond. When you and the complainants have agreed on a definition of the problem, ask what they seek in terms of a solution. Paraphrase again to make sure you understand.

Do not make any commitment or promise at this point. Do not make any statement about fault. Do not agree with them about the cause of the problem or about any responsibility for its remedy.

You have reached an agreement on their perception of the

problem and what they believe the solution should be.

Closing the discussion.

Tell the complainants you need to research the problem with your boss or staff.

Tell them a time when they will hear back from you. Then call back even if you have not yet reached a decision. Failure to call back typically results in their seeking help further up the chain of command, and then you will be complained about along with the original problem.

Give yourself a pat on the back for a job professionally and well done. Recognize that you cannot "win them all", and that you are not expected to win them all.

Reprinted from Lines & Points, October 2002 and First State Surveyor (Delaware) Fall 2002

Purdue University Surveying School Land Surveying and Geomatics Engineering April 1, 2, and 3, 2004

Stewart Center, West Lafayette, Indiana

A three-day short school covering surveying fundamentals, land surveying, and advanced topics in geomatics. Offered in four 8-hour modules:

Module A - Thursday, April 1, Basic Survey Observations and Computations - 8 CEH

Module B - Friday, April 2, Design Computations and Mapping - 8 CEH

Module C - Friday, April 3, Topics in Land Surveying - 8 CEH(M)

Module D - Saturday, April 4, GPS Surveying, GIS, Drainage Calculations - 8 CEH

You may register for Modules A and B only (Thr, Fri), for Modules C and D only (Fri, Sat), or for all three days. Please note on your registration which Module, B or C on Friday, you plan to attend if you are registering for all three days.

Further information on topics, schedule, cost, lodging, and continuing education units will be available at the web page:

http://www.ecn.purdue.edu/Geomatics/SurveySchool/SurveySchool_Main.html

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The "Cone of Safety"

By Ronald E. Koons

Over the past couple of years we have traveled on business throughout the United States. From California to Massachusetts down to Florida back to Connecticut to Wisconsin and Montana to Kentucky and many more states. In all of our travels we drive down some of the smallest roads to major interstates. During just about every trip we have had the opportunity to observe surveying crews working. We have seen about every level of safety compliance that can be imagined. What makes some crews work safely while others ignore just about every basic rule of safety?

First of all, there are no definite answers to the question. Just a lot of thoughts along with many different approaches to changing the safety level. My initial thoughts go back to our very first customer eleven years ago. Yes, it was a surveying firm here in Indiana. We did a Written Safety Program and subsequently did a training session early one morning. I happened to be in the surveyor's office three or four days later and he approached me eagerly as if he had something very important to say. We went into his office and he proceeded to tell me what happened that morning. He sent a crew out to survey around an intersection and a few minutes after they left he received a telephone call asking him if he had any more warning signs and safety cones. He indicated that was the first time he had ever had a crew ask for more safety equipment. In fact, they said they really didn't want to start until they could get the warning materials on the job. I guess the Edison Light Bulb should go off in our heads at this point...the first step in any safety effort must be training. No one can be expected to work safely if they haven't had the proper training on how to work safely.

So I guess that means all of the crews we have seen working at less than a safe level haven't been trained? Not at all. Even effective training needs reinforcement. How often the "reminders" are needed really depends on your crews. OSHA suggests that all construction crews have at least a once per week Toolbox Safety Talk. In General Industry it may be anywhere from once a week to once per month. No company should ever go longer than a month without having at least a limited safety meeting. The more often you have the meetings the shorter they can be. I have always suggested that the minimum for surveying crews should be once per week. However, every single morning before they leave your office the crew leader must look at what work needs to be done that day to determine if any extra safety equipment may be needed. Before any signs, cones, or barricades are erected there must be a plan on where and how they should be placed. A safety meeting reinforces safety policies and procedures. Safety planning must occur before any job starts. This is just part of doing any job.

**No company
should ever go
longer than a
month without
having at least a
limited safety
meeting.**

It would be nice if we could give out awards for the best safety effort while surveying. I can see it now...traveling the highways and byways of America handing out the "Cone of Safety" award to each crew who is doing a great job at protecting themselves (and the public) while they are surveying. I guess maybe we should also hand out something similar to the "Razzies". We could call it The "Cone of Pity" for those who are really in trouble. Unfortunately we have seen examples that would probably qualify for both. Awhile back we were coming across Tennessee on Interstate 40 and observed a private surveying crew doing some median and other right of way surveying. In that stretch of highway the speed limit was 70 miles per hour. In each direction they had placed four "Survey Crew" warning signs. Eight signs in total. Each sign had flags across the top for additional visibility. Each of the crew members had on Class III vests along with a highly visible hardhat. Their field vehicles had strobes along with amber light bars. There is no question this crew had received training and were provided with all of the tools they needed to complete their job and go home to their families.

Unfortunately, we have seen some crews surveying in situations that we could only hope no one was injured. A few years ago I was traveling west on a two lane highway late in the afternoon. As I approached a small rise in the roadway the sun was just about at the level of the top of the roadway. As I reached the top of the grade there was someone standing right in the middle of the road not more than 75' in front of me. I hit my brakes and swerved to the right. A young new field crew member? First year out? Never surveyed in a road before? Let's just say I immediately recognized the individual as someone I knew who has been in the profession

for many years. As I glanced back in my mirror I noted there were two people out there. Neither had on any safety apparel and there were no signs or flashing lights. Many of you have heard me recount this incident during my seminars. I believe this is a prime example of how not to survey. The worst part about it is this person just flat out knew better. Surveying that time of day in a situation with low sun along with no safety equipment is almost like playing Russian Roulette with a six shooter loaded with six bullets!

Anyone who has been in the field for even a short period of time can tell stories about the car that "almost plowed me down" or the "idiot who wasn't paying attention". Anytime something like this occurs your crew needs to analyze the situation and see if there was anything they could have done differently to make their worksite safer. Use these "near misses" as learning experiences. Make certain your employees have received adequate safety training and then reinforce that training on a regular basis. Lead by example when you are in the field. Remember, getting the "Cone of Safety" is great, but getting the "Cone of Pity" is a real bummer.

CALENDAR

April 9, 2004

ISPLS seminar - "A Case Study in Theory of Location & Boundary Resolution with Rule 12" Approved for 6 CEH Mandatory

Speaker: Tony Gregory

Location: Holiday Inn Select Airport, Indianapolis, IN

April 23, 2004

ISPLS Seminar - "Rule 12- The Next Step" Approved for 6 CEH Mandatory

Speaker: Tony Gregory

Location: Christo's Banquet Center, Plymouth, IN

April 30, 2004

ISPLS Seminar - "Rule 12 - The Next Step" Approved for 6 CEH Mandatory

Speaker: Perry Cloyd

Locatin: Holiday Inn, Jasper, IN

April 16-21, 2004

2004 ACSM/TAPS Conference & Technology Exhibition, Nashville Convention Center, Nashville, Tennessee

August 6, 2004

Northwest Chapter ISPLS seminar, Valparaiso University, Valparaiso, Indiana, Topic & Speaker to be determined.

September 3, 2004

ISPLS Seminar, Spring Mill State Park, Mitchell, Indiana

January 19-21, 2005

ISPLS Annual Convention, Marriot East Hotel, Indianapolis, Indiana, Hosted by Tecumseh Chapter.

SURVEYORS HISTORICAL SOCIETY

SURVEYORS RENDEZVOUS '04

St. JOSEPH, MO JULY 2-3, 2004

The annual Surveyors Rendezvous '04 will be held July 2-3, 2004 at St. Joseph, Missouri during the time of the Lewis and Clark Signature Event being held in Kansas City; Leavenworth and Atchison, Kansas; and St. Joseph, Missouri during the period July 1 through July 11. The Rendezvous will celebrate the surveying and mapping of Lewis and Clark including continuing education seminars, field trips, octant demonstrations, antique surveying swap meet, picnic and banquet. Headquarters hotel will be at the Stoney Creek Inn in St. Joseph, MO. Contact Roger Woodfill for further information. Phone: (812) 537-2000

WELCOME NEW ISPLS MEMBERS

September 19, 2003

John Boline - Student
Philip Buehler - Student
Jeremy Byerly - Student
Jacqueline Carr - Student
Nick Charnas - Student
Adam Christenberry - Student
Tim Clarke - Associate
Christopher Costello - Student
Mikel Currier - Associate
Andy Deeter - Student
Christopher DeYoung - Student
Tony Domelle - Student
Amy Dyer - Student
Seth Dyer - Student
Walter Evans - Associate
Erik Gardstrom - Student
Larry Greene - Associate
Adam Greulich (Student to Associate)
Clint Heeke - Student
Christina Hoy - Student
Seth Johnson - Student
Kenneth Jones, Jr. - Associate
Brad Kerns - Student
Pete Lengerich - Student
Michael Lenihan - Student
Keith Messel - Student
Chris Midgett - Student
David Meyers - Student
Andrew Murray - Student
Brian Nelson - Student
Allan Ng - Student
Jason Page - Student
Jon Pankey - Student
Tom Quinkert - Student
Bobby Rennaker - Student
Doug Rhein - Student
Blakely Ricketts - Student
Clint Roos - Student
Melissa Rura - Student
Stephen Sargeant - Student
Matt Sharp - Student
Brian Stanoch - Student
Loralee Taylor - Member
Mark Treon - Student
Charles Thompson - Student
Heath Tizer - Student
Nathan Winslow - Student
Larry Worland - Student

November 22, 2003

Charles Bevington - Member
Thomas Clayborn - Associate
Michelle Lynch - Associate
Joseph Mylor - Associate
Dustin Sailor - Associate
Chad Schwenk - Associate

SUSTAINING MEMBERS

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