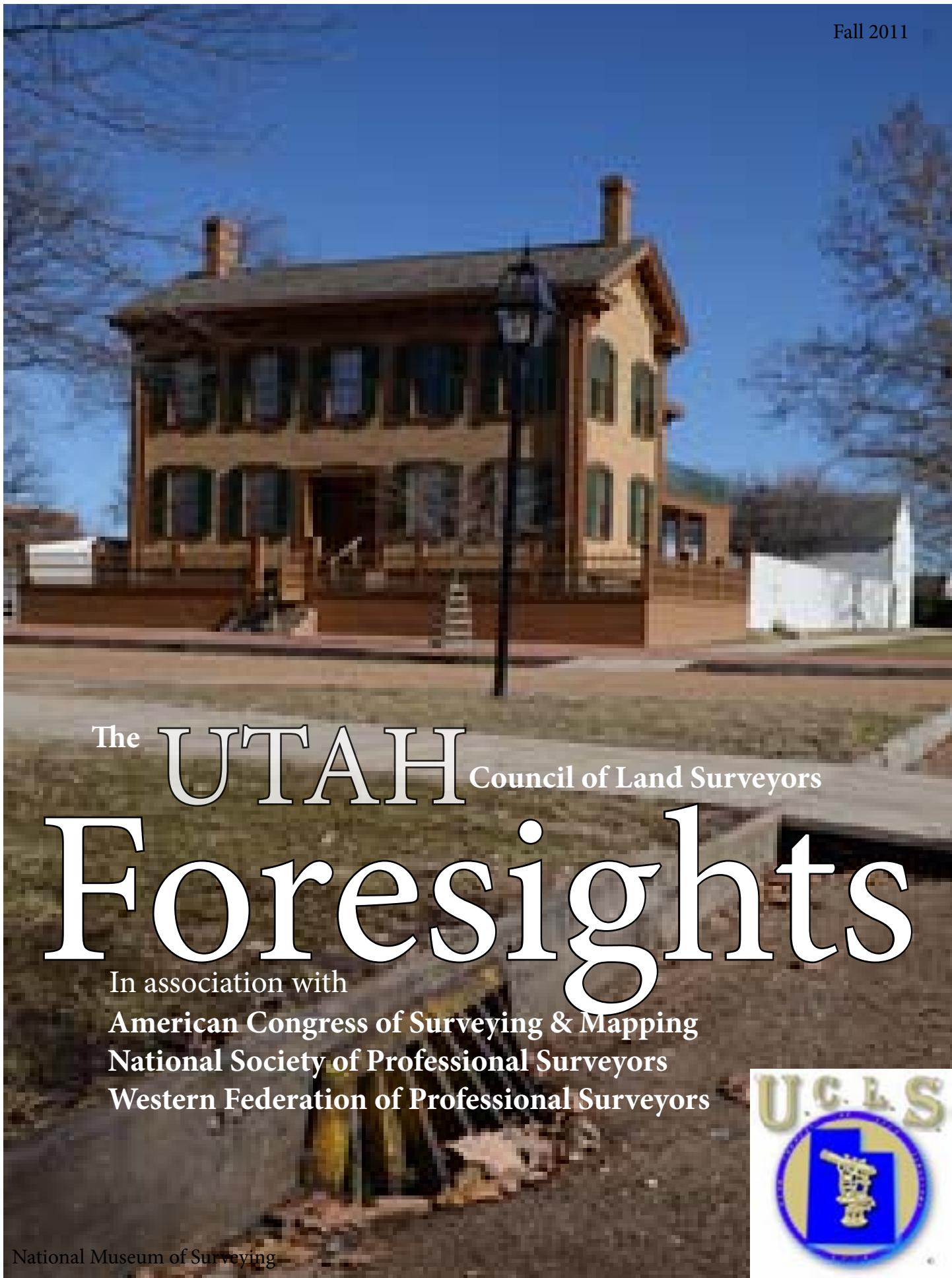


Fall 2011



The **UTAH** Council of Land Surveyors

Foresights

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American Congress of Surveying & Mapping

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Did You Know: the Public Relations, Membership, and Historical Committees have a new Committee Chair?

Chairman's Message

-Michael Nadeau, PLS/CFedS



What a great summer this has been for surveying...ok, maybe we could all be a little more busy... and maybe we could all use more cash flow coming in... and maybe we could all use more clients busting down our doors looking for a survey... but I'm talking about the Utah Summer we have just gone through. In my short 17 year career in surveying, I have never seen such a beautiful and mild summer. As our short summer comes to a close, I just want to remind everyone to be safe out there. Just as summer has its pitfalls such as heat exhaustion and dehydration, winter has its own pitfalls. So be safe out there. Always carry plenty of water, a first aid kit, and always have the correct tools to get a stuck truck out of the mud!

As we smoothly transition into the fall months, you will no doubt be approached about being put on a ballot for an office in the Utah Council of Land Surveyors. I was approached many times before I actually decided to run for an officer position. I couldn't keep saying no to my peers every year, so in 2007 I ran for Salt Lake Chapter Vice President, knowing I wouldn't need to do much. That year was very eye opening for me. Even though I wasn't an executive board member, I got to see and participate on a chapter level like I have never been able to. I actually had input on chapter luncheons, luncheon locations, topics of interest, helping with directives from the executive board, etc. The following year I was the Chapter President, and of course this year I'm current State Chair. Every step of the way has been more and more enlightening. An organization I once thought was run by only a few people on the top is completely inaccurate description, but of course I would never have known this had I not stepped up to the plate and started to participate. I strongly encourage each and every one of you to either run for office, or maybe even more importantly, get involved on the committee level where the real work of the UCLS is done. There are many committees of the UCLS that need a lot of support. My challenge to you is to get involved in 2012. You won't be disappointed...and besides, it's always fun to hang out with fellow surveyors.

Many of you may already know about

Utah Valley University's Bachelor of Science program in Geomatics and it is with great pleasure that I am able to announce that this fall will be UVU's first semester with the full Bachelor program in action. Best of all, Dan Perry (who recently received his license) at UVU has worked tirelessly with SLCC to make sure that a multitude of the credits that many of you have earned from SLCC can be transferred to UVU. For those of you wanting to transfer to UVU, one piece of advice Mr. Perry has for students is to make sure you get more education in general Math and English at SLCC (or any other institution). This is because in an Associates of Science program you don't get the general education that you need for a Bachelor of Science program. It will save you time and effort before you transfer your credits to UVU. UVU's program is going to be a great addition to the State of Utah which will no-doubt shape the future of the next generation of surveyors (just as SLCC has done). Of course nothing can take away from good old fashion field experience, but nothing can also take away from having a Bachelor of Science degree, either. In fact, I've already registered with UVU and am in the process of transferring my credits. I would love to have some of you guys I went to SLCC with, join me at UVU to expand our education in Surveying/Geomatics. For more information on UVU's program, visit <http://www.uvu.edu/geomatics/>. Also visit SLCC's program at <http://www.slcc.edu/surveying/>.

As I wrap this chairman's message up, I want each and every one of you to know that you can contact me for any reason regarding the UCLS. Whether it's good, bad, or just to talk shop, feel free to contact me. You, the members of this organization, have voted me into this position and I am accountable to you. So if you have something on your mind, don't hesitate to say it. I can always be reached at mikenadeau.ucls@gmail.com.

With this edition's quote, I leave you with the words of Plato, "Wise men talk because they have something to say; fools talk because they have to say something"

So with that quote, I will close this message. Have a prosperous and safe Fall!

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From the Editor
- Steven Keisel

Welcome to the fall publication of the UCLS *Foresight* magazine. Within this edition, you will read about the activities of your Chapter and the accomplishments of our committees. Hopefully, the reports are a review of what you have done - not what you should have done.

Weber County Surveyor Ernest Rowley contributed an interesting article about the National Museum of Surveying. Yes, Virginia, there is a National Museum of Surveying and it is located in downtown Springfield Illinois - a destination that a true surveyor would include on their must see before they die list. Someday, I hope my travels provide me an opportunity to visit the museum. My kids suggest I am already ancient and should therefore be placed in a museum. UCLS has supported the museum by donating funds and contributing our logo.

In case you have not noticed - the average age of we surveyors has been getting older. Several years ago, NSPS conducted a survey of surveyors and found the medium age of licensed land surveyors to be 46.2 years old. Many of our members, myself included, have passed the apex of that curve and now struggle to keep up with the younger, educated, and technologically advanced generation. However, it is fortunate that we are smarter, better looking, and more humble than this younger generation.

If you grew up without a cell phone, you are in my age bracket. There was no internet, texting, or facebook. To correspond with others, we had to write a letter, using a pen, address it with a 10-cent stamp, walk to the post office, and hopefully the recipient would receive it in a week or less. We did not have the luxury or convenience of googleing a subject. No, if we wanted to know something, we had to walk to the library, look it up in a card catalog, check out a book, and then read the darn thing.

There were no iPods, MP3s or Napster. If you wanted to steal music, you had to walk to the record store and shoplift it yourself- or try to record it from the AM radio. Unfortunately, the DJ usually talked at the beginning or ending of songs, thereby screwing it up. It was a terrible day indeed when your tape deck ate your prized 8-track or cassette tape rendering them useless.

We had no Play station, Xbox, or Wie boxes with multiple game levels on high definition graphics to entertain and challenge us. No, we were intimidated by the game of pong, on an Atari system, that had one repeating pattern that got faster and faster until you lost.

Would I want to grow up with the benefit and convenience of today's technology? That is such a hard and difficult question to answer. Although I am not proficient with all of its many options, I doubt I could survive without my cell phone but reprogramming that dang remote control is something that I could definitely do without.

As always, UCLS welcomes your comments, complaints, and suggestions.

Foresight Advertising Policy

This publication is issued quarterly by the Utah Council of Land Surveyors (UCLS), as a service to the Land Surveying profession of the state of Utah. *The Foresight* is an open forum for all surveyors, with an editorial policy predicated on the objectives of the UCLS Bylaws.

The publication is provided to UCLS members and similar organizations on complimentary basis. *The Foresight* is not copyright protected, therefore articles, except where specifically copyright noted, may be reprinted with proper credit given. Written permission to reprint copyrighted material must be secured from the author.

Articles appearing in *The Foresight* publication do not necessarily reflect the viewpoint or endorsement of UCLS, its officers, Board of Directors, or the editor. Articles are published as a service to its members, the public, and for the betterment of the surveying profession.

UCLS reserves the right to not publish article or advertisement submissions that may be in poor taste or contrary to the policies and objectives of UCLS. No responsibility will be assumed for errors, misquotes, or deletions as to content.

All submissions must be in digital form, furnished on a CD or emailed in a .doc, .pdf, .jpeg, eps, or .tiff format to Susan Merrill (smerrill@ucls.org)

Effective January 1, 2011, advertisement rates per issue are as follows:

	Full Page	2/3 Page	1/2 Page	1/4 Page	Business Card
UCLS Member	\$200.00	\$150.00	\$100.00	\$50.00	\$25.00
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1/2 Page Island			4-5/8 x 7-1/4
1/2 Page Horizontal			7 x 4-3/4
1-4 Page			3-1/4 x 4-3/4
Business Card			2 x 3-1/2

Susan Merrill
UCLS - Administrative Secretary



Tell us about yourself?

I grew up in Salt Lake City with three brothers and one sister. I am the youngest in my family. I went to East High School and then to Brigham Young University where I earned a Bachelor's Degree in Music. My instrument is voice and I enjoy singing. I am an alto and sound a lot like Karen Carpenter. I was privileged to be in the BYU ACappella choir under the direction of Dr. Ralph Woodward. I was able to travel to Israel and Greece with the choir. During my time at BYU, I was able to go on a semester abroad to Vienna, Austria, and music major's dream. I spent almost six months studying there and was able to travel to many European countries during that time, including Germany, East Germany (that tells you how long ago it was), Italy, Czechoslovakia, Hungary, France, Switzerland and England. On a separate occasion I was also able travel to Monaco.

My husband, David, and I share a love of music. We met in Mormon Youth Chorus and were married in 1988. David is a mechanical engineer working for Van Boerum & Frank Associates. We have four wonderful children: Nathan (21), Matthew (19), Christopher (18), and Jennifer (16). Nathan is serving an LDS mission in Toronto, Canada. Matthew is also serving an LDS Church service mission in The Netherlands and Belgium. Christopher is attending his first year of college at Utah State University and wants to study aerospace engineering. Jennifer is a junior at Cottonwood High School and wants to be a violin teacher.

I enjoy music, of course, reading, crocheting, biking, swimming, hiking, and boating. Our family likes to spend time outdoors.

I worked for a law firm for 25 years until 2009 doing various things, but mostly bookkeeping the last several years. I currently work part-time for the Utah Engineers Council and have done so for 16 years. I am happy to be working for the Utah Council of Land Surveyors part-time now as well and look forward to getting to know more of the membership as time goes by.

What do you do as administrative secretary of UCLS?

As Administrative Secretary of UCLS, I do many different things. I field all calls and e-mails that come to the UCLS office; keep track of the finances and pay the bills; handle all memberships; handle registrations and support for the Fall Forum and the annual Conference; correspond with the UCLS membership and keep them informed of what is happening with UCLS and other land surveying issues; maintain the UCLS website; take minutes at UCLS Board meetings and provide communication information between members; and handle any applicable office duties for the UCLS office.

What is the most common call or email you get from the membership of UCLS?

The most common call I receive from UCLS membership is from people who have forgotten their online user identification and password. I am happy to assist with this information so that members will utilize this valuable tool. The most common call I receive from the public is from people who want to have a survey done and are looking for a surveyor. The only way I can usually help them is to encourage them to either get a referral from a friend or check the phone book and then check the DOPL website for complaints.

What is the most interesting thing you have learned about UCLS?

UCLS is a vibrant organization with a lot of talent and people who are willing to help. That is good to see in this time when so many professional associations are struggling to get people involved and willing to help. I was surprised to discover that UCLS provides such a valuable service to its members by providing many quality opportunities for them to grow in their profession and earn their professional development hours.

What do you see in the future for UCLS?

I believe UCLS has a bright future as long as people continue to be willing to be involved and do their part to help the land surveying profession.

What will be the biggest challenge for UCLS?

The biggest challenge for UCLS will be to maintain members in this time of economic difficulty. With companies cutting back on benefits and salaries stagnant, it will be more difficult for professional land surveyors to afford professional association membership, but Utah land surveyors have such a bargain with UCLS. Membership in UCLS is among the cheapest for land surveyors in the nation! **Take advantage of it!**

Did You Know: A maximum of eight hours per two-year period may be recognized at the rate of one hour for each hour served on committees or in leadership roles in any state, national or international organization for the development and improvement of the profession of professional land surveying.

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These are from a book called, Disorder in the American Courts, and are things people actually said in court, word for word, taken down and now published by court reporters that had the torment of staying calm while these exchanges were actually taking place.

ATTORNEY: This myasthenia gravis, does it affect your memory at all?

WITNESS: Yes.

ATTORNEY: And in what ways does it affect your memory?

WITNESS: I forgot...

ATTORNEY: You forgot? Can you give us an example of something you forgot?

ATTORNEY: She had three children, right?

WITNESS: Yes.

ATTORNEY: How many were boys?

WITNESS: None.

ATTORNEY: Were there any girls?

WITNESS: Your Honor, I think I need a different attorney. Can I get a new attorney?

ATTORNEY: Were you present when your picture was taken?

WITNESS: Are you sh_tting me?

ATTORNEY: The youngest son, the 20-year-old, how old is he?

WITNESS: He's 20, much like your IQ.



Book Cliffs Chapter

David Kay

During the Book Cliffs Chapter meeting in July, Brad Mortensen gave a very good presentation on Boy Scout Surveying Merit Badge, and Trig-Star. Hopefully, we can find those Teachers that will be excited to help with this. It was also very informative for the Merit badge. Much thanks to Brad.

Color County Chapter

Scott Bishop

We were able to hold our summer social in New Harmony this summer. We had a good turn out and great food, thanks to everyone who helped out. It is interesting to see everyone with their family in a different environment than we usually meet. We also had Sean Fernandez from the Utah AGRC present on the statewide VRS system and the potential of expanding it in Southern Utah as one of the community base stations was having problems.

Some of our meeting topics for the remainder of the year will likely include; "BLM in the Color County chapter", "Liability and Legal Trends", and "Russel Shirts, Washington county Recorder".

Golden Spike Chapter

David Balling

The Golden Spike Chapter had its last lunch meeting in July at the Layton Golden Corral. Val Shultz gave a discussion on RTK control for the GPS system. He presented a mountain of information from how GPS works to the accuracy of the network. He showed how Weber County is handling its quality control using GPS on monument location. I'm sure we could have gone on for hours, Thank you Val. September is the Fall Forum and we invite all of you to attend. The third Wednesday in October (19) will be our next meeting in Logan. You will be receiving more information soon.

Salt Lake Chapter

Steve Dale

It seems as though the summer has just flown by. I hope that is a sign that we are all busy with work and the economy is improving. Our August Chapter lunch was well attended, probably the best attendance of the year. Jeff Searle, P.L.S. of Meridian Engineering, and Jerry Timmons, P.L.S. of UDOT Region 2 gave a presentation entitled, "Building a Survey-Accurate GIS, Projection Files and Local Coordinate Systems." The presentation was very informative and enlightening. These are fellow Professional Land Surveyors who have been to the "dark side of GIS" and have returned to report that GIS is, and can be a great tool for surveyors. They also encouraged all of us to get on board and help take a leadership role as it pertains to GIS, otherwise we will get run over and left behind.

The UCLS Fall Forum will be held on Friday, September 9, 2011 at the Salt Lake Community College Redwood Campus in Taylorsville, as a result there will not be a Chapter luncheon in September. We are looking for suggestions for our October, November and January luncheons. If you have suggestions regarding topics or locations please contact one of the Chapter Officers. Thanks for your involvement and participation in UCLS.

Timpanogos Chapter

Dan Knowlden, JR

Our Chapter met today (August 25) and we had a decent turn out. 18 members came and listened to Dan Webb. He taught about the CFEDS program. Dan was very informative and helped us understand the benefits and requirements to be CFED Certified.

That's really all the news I have to report on.



Division of Occupational and Professional Licensing

By: Richard Oborn

Helpful information from DOPL Regarding the Land Surveyor Continuing Education Requirement
The Professional Engineers and Land Surveyors Licensing Act Rule (Utah Admin. Code R156-22) Requires that land surveyors complete at least 24 hours of continuing education during every 2 year license renewal cycle. Utah Admin. Code R156-22-304 (6) provides that if a land surveyor completes more than 24 hours of CE during the 2 year license renewal cycle, the surveyor may count up to 12 extra hours of CE requirement of the next license renewal cycle. Under this provision, a surveyor will not lose credit for extra hours of CE completed during a particular renewal cycle.



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Legislative Committee

Dale Robinson

The legislative committee continues to meet on the 2nd Tuesday of the month. We have spent a majority of our time discussing and refining an amendment to the Platting Act (17-23-17). Interest has been high and we are working closely with the County Surveyors to amend this section of code. We are also working on an amendment that would clearly define the form of Boundary Line Agreements and establish the form of Parcel Line Relocation. Pressure from the recorders and title community continues to threaten to undermine the use of BLA to resolve conflicts between record lines and observed boundaries. Our lobbyist, Ryan Peterson, attends each month and is keeping us apprised of any other issues or bills that may affect us. His understanding of the legislative process is a real value to the committee as we consider the issues and develop solutions.

Education Committee

David Balling

The Education Committee held a meeting on June 11 at the Library on the SLCC campus. Those who attended were Chairman Gary Christensen, Walt Cunningham, Chales Heaton and Dan Perry. The discussions were held to review the scholarship applications and prepare a proposal to the board for the recommendation of those to receive scholarships. The education committee will meet the second Thursday of every month at 7:00 p.m. on the campus of UVU. Dan Perry will provide the room arrangements. The Education Committee welcomes and UCLS member willing to participate.

Standards & Ethics Committee

Matt Clark

The UCLS Standards & Ethics Committee is continuing to work on a guidance document for surveyors that would recommend best practices/standards for the preparation of various plats and maps. This effort also includes the preparation of corner records which was the focus at the last committee meeting. Turns out this idea isn't new, the surveyors in both Wyoming and California (and probably other states) have prepared documents to supplement and interpret their existing corner record laws. The document in Wyoming is titled Guide for the preparation of State of Wyoming Corner Records. The committee felt that in Utah, a guide document for corner records like those prepared in Wyoming and California should be prepared and adopted jointly by both the Utah Association of County Surveyors and the Utah Council of Land Surveyors. Matt Clark, representing the committee met with the County Surveyors on August 18th at their summer meeting in Heber and presented the idea, they agreed to review the guides for the preparation of corner records prepared in other states along with the following attached outline and provide feedback. The idea for a jointly adopted State of Utah guide document for corner records was also posed to the UCLS Board.

Attached is a cut and paste outline of ideas from the Wyoming and California documents that has been compiled and adapted to reference the Utah Code. Also included are recommended common elements extracted from a sampling of corner records shared with committee members and included in the following rough outline. This is just meant as a preliminary document to prompt future discussion.

Guide for the Preparation of Utah Corner Records (Preliminary Draft)

- 1) Purposes and Requirements for a Corner Record
 - a) Corner Records are intended to:
 - 1) Indicate the location of the corner monument and its accessories;
 - 2) Perpetuate the corner position; and
 - 3) Provide specific documentation of the recovery or reestablishment of the corner monument.
 - b) No corner Record needs to be filed when:
 - 1) A corner record is on file and the corner is found as described in the existing corner record.
 - 2) All conditions of Section 17-23-17.5 are complied with by proper notation on a record of survey map filed in compliance with Section 17-23-17.
- 2) Utah Code pertaining to Corner Records 17-23-17.5
 - a) 17-23-17.5 (include text)
- 3) Interpretation of 17-23-17.5
 - a) The Utah Association of County Surveyors and the Utah Council of Land Surveyors (UCLS) believes that the following interpretation of 17-23-17.5 is a reasonable approach and in line with the purpose for which the Corner Record was created. (Include clarifications or interpretation of the code if any)
- 4) Recommended Elements / Structure for Corner Records

- a) Picture of the monument or Sketch/Rubbing of monument stamping.
 - b) Date of field visit, digital photo, observation etc.
 - c) Identify Point ID if known.
 - d) Sketch showing relative location of monument, accessories, and other nearby improvements or reference separate record of survey map.
 - e) Narrative may include the following:
 - 1) Record Evidence: Citation of original GLO/BLM survey establishing this corner point and references to subsequent surveys that recovered or tied this monument or its accessories.
 - 2) Recovered Evidence: Provide a detailed description of monuments found indicating the monument's type, markings, size, date set if indicated on the monument, condition, the agency, entity, or individual as identified on the monument.
 - 3) Corner Perpetuation: Describe how the corner point was restored or reestablished -by what method and rationale if declared lost or obliterated. Also describe any remonumentation that was done and what other monument or monuments were set or tied to perpetuate the corner points location.
 - f) Surveyor's Certification
 - g) Signed & Sealed by Professional Land Surveyor include the name of survey company.
 - h) Datum/Realization observation type, type of equipment used
 - i) Projection Name and Projection Parameters
 - j) Resultant Coordinate Estimate, Latitude and Longitude, units
- 5) Responsibilities of the Professional Land Surveyor preparing the Corner Record
 - 6) Responsibilities of the County Surveyor when reviewing a Corner Record
 - 7) Suggested Corner Record form or forms
 - a) Attach recommended forms
 - 8) Sample corner Records
 - a) Attach sampling of corner records for reference
 - 9) Checklist

The committee looks forward to any comments or suggestions regarding this proposed guide document for corner records. Please feel free to contact Matt Clark, and UCLS S&E Committee members, County Surveyors, or UCLS Board members to discuss this proposal at further length. Again this is a rough draft, the final will look very different after receiving you comments - this is meant to be a document representing the view of the land surveying professionals of Utah.

Convention Committee

Scott Bishop

Did you know:

the 2012 UCLS Conference will be held
on February 8-10 in the
Dixie Center in St. George, Utah

We have met several times as a committee and have a theme, tentative schedule, and are working on the accommodations, program and food. We have our keynote speaker under contract and commitments from four speakers who have never before presented at our conference. This conference is definitely not one to miss!

We are still collecting items for the scholarship auction, don't throw any survey related items out, please donate them to the UCLS to raise money for scholarships. Be sure and save the date and make arrangements to attend the conference early. If you have any ideas or comments please let us know.

Publication Committee

Steven Keisel

The publication committee has actively solicited support of past and potential advertisers to contribute to the *Foresight* magazine. Many echoed the woes of the current economy and the limitations it has placed upon their advertising budget, while others said they would like to contribute but were reluctant to participate in a digital publication only. Therefore, future considerations should be discussed regarding the direction of the magazine. Three vendors have emailed advertisement for the fall 2011 edition but their payment has not yet been received.

Chapter and committee reports have been gathered and are now being processed for inclusion into the magazine.

Did You Know: The UCLS Membership and Public Relations Committees have a new Committee Chair? James Coutts replaced Randy Smith. James welcomes your suggestions and participation in these committees.

Utah Division of Occupational and Professional Licensing Filing a Complaint

It is important for you to complete all sections of this report so your complaint can be fully evaluated. If a particular section does not apply to your situation, simply write "N/A" (not applicable) in the space.

By law, complaints concerning a violation of Utah's occupational and professional laws are not public information.

DOPL can be contacted by phone at (801) 530-6630. Office hours are Monday through Thursday (except legal holidays) from 7:00 a.m. to 6:00 p.m., Mountain Standard Time.

You can contact DOPL by e-mail at DOPL@utah.gov.

Please be advised that DOPL will not act as your attorney for purposes of settling, recovering monetary loss, or performing any other dispute resolution between you and any person whom you feel may have violated Utah's occupational and professional laws. Any person who has been damaged or lost money as the victim of a licensed or unlicensed professional should immediately contact his or her personal attorney about the possibility of resolving the dispute through negotiation or legal process.

Further, DOPL cannot perform investigations for the benefit of your personal litigation. However, your complaint is critical in that it informs DOPL of a possible violation of the occupational and professional laws.

Once your complaint is reviewed, you will be notified regarding what action DOPL can take.

To File a Complaint go to <http://dopl.utah.gov/investigations/complaint.html> where you can complete the form online or download a document to fill in and mail.



Did You Know: The NSPS has elected to withdraw from ACSM?



UCLS Fall Forum 2011

Boundary Establishment Theories

Presenters:

- John Stahl
- James Coutts
- Jim Kaiserman
- Max Elliott
- Ernest Rowley
- Dale Robinson
- Walter Cunningham
- Daniel Perry
- Russel Flint
- Jerron Atkin
- David Mortensen
- Scott Thayne



The National Museum of Surveying

By: Ernest Rowley

Several years ago the UCLS was invited to participate in helping to provide donations, artifacts, or items that could be used to start a museum about surveying in Springfield, Illinois. The museum is owned and operated by a private individual, Robert Church, PLS, who has served as the president of the Illinois Society of Land Surveyors.

On a recent trip to Illinois my wife and I were able to spend some time in Springfield, the Capitol City and the home of President Lincoln during his time as a practicing attorney. We toured Lincoln's home and saw some of the artifacts relating to his life before he was elected to the U.S. Presidency. The area of town was restored to the 1800's era look and feel, their street gutter system was interesting.

After almost 3 decades of being involved in surveying I can still get my wife to let me look at surveying equipment in a museum. Actually, she really didn't resist and the experience in visiting the museum was one of interest to not only myself, a land surveyor, but also for those that accompanied my wife and I. In fact, their favorite part of the museum was a science exhibit donated to the museum in 2008. The Science On a Sphere@ is housed in a room of it's own and is used to educate school children on the world we live in. I understand it is only one of four in the nation.

The museum occupies quite a prominent location in downtown Springfield. Across the street to the south is the Old Capitol building which was used as the seat of State government from 1839 to 1876 when a new building was built just a few blocks to the southwest. Around the corner to the east and north one block is the Abraham Lincoln Presidential Library and Museum. This library is acclaimed as the most visited presidential library in the country. This brings a great deal of exposure to the National Surveying Museum.

The National Museum of Surveying contains many artifacts relating to surveying, frankly, there are instruments that I never knew existed. For instance, have you heard of a Trionometer? It was an instrument that was patented in 1836 and was used as a calculator as well as a directional instrument. Unique drafting instruments and compasses were also on display. Of course there are instruments that are more commonly found in many of the county surveyors offices here in Utah.



The National Museum has replicas of chains and talk about a means that surveyors used to keep count of how many chains have been measured. Chaining pins I have used but using acorns in conjunction with them I had not heard of before. As chainmen would layout a chain, the point would be marked with chaining pins. Each time 10 chains were measured using the pins, they would move an acorn from one pocket to the another. This would help them keep track of how many 10 chain measurers were made - 8 to a mile.

They have reproductions of some of the survey maps that George Washington did of the river farm which was property he purchased near his home in Mount Vernon. The map was dated 1766. There is also a series of maps showing the progression of land ownership of the Mount Vernon and River Farm area, one being dated in 1920.

They tell of the influence of surveyors on the colonization and western expansion of this nation. Because the museum is in Springfield, Lincoln's home area, they also tell little known stories about Mr. Lincoln and his influence on surveying in central Illinois including the fact that he surveyed some of the town sites for 3 or 4 towns in Illinois before becoming an attorney.

However, I was quite interested to hear them tell about unusual land descriptions. One involving a horse and cigarettes perked my ears. They told of this description being in the records of Texas. I'm not sure that they believed me at first when I told them I knew a surveyor that retraced that description. While I worked for Martin B. Moore Jr., PLS, he told me about a description he retraced riding a horse and smoking a cigarette. The description was written so that the distance measured was made riding a Tennessee Walker (a breed of horse which has a very consistent length of gait). The horse was described as being a certain number of hands high. The horse was rode in a specified direction for a specific time. The time was measured by the length of time it took to smoke a specific number of specific brand of cigarettes. He told me that the only variable was how fast or slow the original surveyor actually smoked each cigarette.

The land of Lincoln is a great draw for visitors from all across this nation. I would encourage everyone that has a moment and you find yourself in or near Springfield, Illinois, to attend the museum. Even if you don't learn anything new or see anything that you haven't already seen (although I believe everyone that attends will learn something new), your visit will support a private venture that, in my opinion, helps to educate and inform the public about surveyors including a new generation of school children.

Ernest D. Rowley, PLS
Licensed in Utah, Nevada & Illinois
Weber County Recorder/Surveyor

Just a side note: The museum is seeking copies of unusual descriptions. If you have had the privilege of retracing a deed that has something unique or different in the description you can send it to: The National Museum of Surveying, 521 East Washington Street, P.O. Box 522, Springfield, IL 62705



National Museum of Surveying Membership Drive

Members of the National Museum of Surveying:

On September 23, 2011, the National Museum of Surveying will celebrate its first anniversary. Our goal has been to preserve surveying heritage and educate the public on the importance of land surveying. With your past support, we have been able to tell the untold stories of the surveying history of presidents, founding fathers, and states along with showing the future of surveying through the Science on a Sphere.

Not surprising in this economy, the battle to stay afloat has been tough, but we are still going strong. With only two full time staff, both practically volunteers, the museum opened and accomplished quite a lot in its first year. Though ticket sales and generous donations, the doors have stayed open. Your belief in our dream from the beginning finally became realized, and the museum is now in the position to ask you to believe in us again and become a member.

Snapshot of our first year:

- On July 13, held a fundraiser targeting the local community that brought in \$6,000.
- In July, the Central Illinois Film Commission donated \$30,000 worth of resources to produce a series of films about the museum.
- Formed a substantial relationship with Robert Morris University for their college students to use our museum as an educational facility.
- The Boy Scouts and Girl Scouts are using our museum to obtain badges.
- Agreement with the largest tour company to include us in their 2011-2012 itineraries.
- Loyal following among local and state schools with over a thousand students visiting.
- Formed a relationship with all the volunteers and staff of the historic sites.
- Two PBS spotlights: Illinois Stories and Heartland Highway.
- The word of mouth is spreading through the nation.

The future of the museum is looking bright, which is why we are asking for your continued support. With your membership renewal, you are going to help the museum build off this momentum and prosper in its second year. You will bring surveying and science education to a multitude of students and the public. You will help develop more community and national outreach. You will help fund more activities that introduce the public to surveying. Most of all, you will be preserving the legacy of surveying while ensuring its future.

Please help us make the next step forward by providing the foundation for a secure future. To stay up to date with the happenings at the museum check out:

<http://www.facebook.com/NationalSurveyingMuseum>
www.surveyingmuseum.org

Your membership renewal will help your National Museum of Surveying continue to fulfill its mission to educate and inspire everyone about land surveying and the profession that laid out our neighborhoods, communities and the infrastructure of American.

Enclosed is a membership form and return envelope.

15 Thank you,
Fall 2011/ Utah Foresights

A Trip To Costco

Yesterday I was at my local Costco buying a large bag of Purina dog chow for my loyal pet Jake, the Wonder Dog. I was in the checkout line when a woman behind me asked if I had a dog.

What did she think I had, an elephant?

So since I'm retired and have little to do, on impulse I told her that no, I didn't have a dog, I was starting the Purina Diet again. I added that I probably shouldn't because I ended up in the hospital last time, but that I'd lost 50 pounds before I awakened in an intensive care ward with tubes coming out of most of my orifices and IVs in both arms.

I told her that it was essentially a perfect diet and that the way that it works is to load your pants pockets with Purina nuggets and simply eat one or two every time you feel hungry.

The food is nutritionally complete so it works well and I was going to try it again. (I have to mention here that practically everyone in line was now enthralled with my story.)

Horrified, she asked if I ended up in intensive care because the dog food poisoned me.

I told her no, I stepped off a curb to sniff a poodle's butt and a car hit me.

I thought the guy behind her was going to have a heart attack he was laughing so hard.

Costco won't let me shop there anymore.

Better watch what you ask retired people.

They have all the time in the world to think of crazy things to say.



WHAT IS A SIRVAYUR? Through the eyes of a Third Grader

A sirvayur is something that grubs around little sticks and stones. When he finds them he does some kind of weird dance around them with a funny-looking 3-leg crutch which he leans on and looks at. When he don't find them he walks around all day like he's lost. Sometimes you see them squashed by cars along roads, especially in the summer when all the other bugs are out. A Sirvaur has one big eye like Popeye. He is stooped over from being bent all the time. His face looks like old leather. He cusses terrible. He can't read cause he measures between things and then puts down a number in a little book which is different than what his little map says. He always measures to a stick or stone, stops near it, and puts in another stick or stone. He is not too bright cause he is always making marks on sidewalks and roads to find his way home. His pants are always torn from rock salt and his shoes look like they were made of mud. People stare at him, dogs chase him and he always looks worn out. I don't know why anyone wants to be a Sirvayur.

Did You Know: You can now use an American Express Credit Card to pay for your UCLS membership dues or conference registration fees.



To become a member, please fill out the membership form attached and send in the form to

National Museum of Surveying; 521 E. Washington, Springfield, Illinois 62701.

Membership benefits at each level

Standard benefits: Free Admission, 10 percent discount in our bookstore, and a copy of our quarterly newsletter

Student (\$30): Standard benefits

Individual (\$50): Standard benefits

Family (\$75): Standard benefits (Two Adults and Up To Four Children).

Surveyor (\$150): Standard benefits, plus a copy of our DVD.

Abe Lincoln (\$250): Standard benefits, plus a copy of our DVD and a Lincoln the Surveyor print signed by Lloyd Ostendorf.

Golden Compass (\$1000): Standard benefits, plus a copy of our DVD, Lincoln the Surveyor print signed by Lloyd Ostendorf, and your name on our donor board.

The museum is not for profit and all donations/ memberships are tax deductible.

MembershipLevel:

<input type="checkbox"/> Student	\$30
<input type="checkbox"/> Individual	\$50
<input type="checkbox"/> Family	\$75
<input type="checkbox"/> Surveyor	\$150
<input type="checkbox"/> Abe Lincoln	\$250
<input type="checkbox"/> Golden Compass	\$1,000

Total Enclosed: _____

Name: _____

Address: _____

Phone: _____

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Acquiescence

By: Knud E. Hermansen¹ and Robert A. Liimakka²

Acquiescence, similar to the doctrines of estoppel and practical location, is an equitable doctrine that will fix the location of a common boundary in a location that may differ from the location where a surveyor would place the common boundary based on the rules of construction.

The doctrine of acquiescence is known in some jurisdiction as a consentable boundary. Some states have equated it to a boundary by implied agreement. The motivation for a court recognizing a boundary different from the record is to let boundaries that appear to have been settled to be settled. A person that sleeps on their rights should not be allowed to demand with passion what they have for so long ignored with indifference.

The doctrine of acquiescence generally requires three conditions exist. First, the record boundary must be vague or unknown. The purpose for this element is to prevent persons from usurping the legal requirement that parties alter the location of their record boundaries by written instrument. By requiring the boundaries be vague or unknown, the legal fiction is created that the parties-in-interest have not altered the location of their deed boundaries. Rather, the parties-in-interest have fixed a definite location for the boundaries described in their respective deeds. This fiction survives even though a surveyor would place the boundary with some confidence in a different location than where the boundary location has been historically recognized.

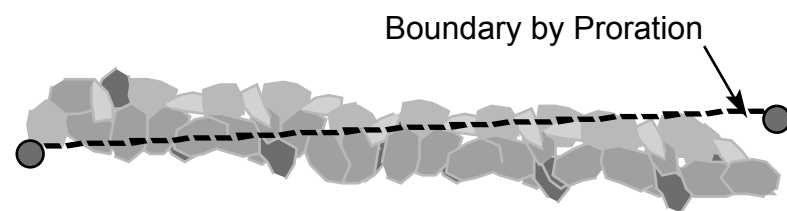
A second condition requires one party act by fixing the boundary in a location by definite monumentation or occupation that appears and is accepted as marking the boundary. The boundary so fixed by the one party cannot be based on fraud or deceit. In other words, the party in placing the monuments or barriers must have reasonably believed the objects are placed on the common boundary.

The third condition requires that the non-acting party recognize the barriers or monuments as marking the boundary. Recognition is sufficient if the individual does not contest the location.

The fourth and final condition is that the three conditions exist for some length of time that a reasonable person would have been expected to object or act had they disagreed. A long length of time is not crucial if the location of the record boundary is otherwise vague or difficult to locate and the location of the monuments or barrier is reasonable to the location of the record boundary.

The following situation may give rise to a boundary by acquiescence:

Bill and Jane live next to each other in an old subdivision. Bill does his best to locate the common boundary he shares with Jane in order to build a rock wall. He makes measurements and sets stakes, eventually building the rock wall along a line between the stakes. Jane watches Bill make the measurements to locate the boundary and observes Bill construct the wall. For many years thereafter, Jane and Bill respect the wall as marking the common boundary. Twelve years later, Jane needs a survey of her property in order to build a garage. In performing the survey for Jane, the surveyor gathers considerable site and record information. Most of the original monuments have disappeared. The surveyor prorates the distances between found monuments that are located several hundred feet away with the following results shown in the diagram:



In the above situation, the court would be reluctant to adopt the boundary established by prorated distances over the location of the stone wall that has been accepted as the boundary for some length of time. The wall is located within reason to the record boundary. It has been accepted as the boundary for over 12 years. The upheaval and disruption in the neighborhood that would result with adopting lines that differ from the long standing occupation flies in the face of equity.

It is reasonable for a surveyor to adopt an occupation line as the boundary where the record boundary location is vague, difficult to fix, or a reasonable location of the record boundary is on or near the occupation line. Justice Cooley remarked on this very situation in the late 19th century using these words.

¹ Knud is a professor in the Surveying Engineering Technology program at the University of Maine. He is also a consultant on boundary disputes, alternate dispute resolution, land development, real property law, and access law.

² Rob is a professor in the Surveying Engineering Program at Michigan Technological University. He is a professional surveyor and holds a MS in spatial Information Science and Engineering from the University of Maine, Orono and is currently working on a doctorate in civil engineering.

Occupation, especially if long continued, often affords very satisfactory evidence of the original boundary when no other is attainable; and the surveyor should inquire when it originated, how, and why the lines were then located as they were, and whether a claim of title has always accompanied the possession, and give all the facts due force as evidence. Unfortunately, it is known that surveyors sometimes, in supposed obedience to the state statute, disregard all evidences of occupation and claim of title, and plunge whole neighborhoods into quarrels and litigation by assuming to establish corners at points with which the previous occupation cannot harmonize. It is often the case when one or more corners are found to be extinct, all parties concerned have acquiesced in lines which were traced by the guidance of some other corner or landmark, which may or may not have been trustworthy; but to bring these lines into discredit when the people concerned do not question them not only breeds trouble in the neighborhood, but it must often subject the surveyor himself to annoyance and perhaps discredit, since in a legal controversy the law as well as common sense must declare that a supposed boundary long acquiesced in is better evidence of where the real line should be than any survey made after the original monuments have disappeared. Thomas M. Cooley, Chief Justice, Supreme Court of Michigan, 1864-1885 in The Judicial Functions of Surveyors

Where the surveyor is convinced the location established for the record boundary is different from the markers or barriers acquiesced to by neighbors, the surveyor should report both locations to the client. In reporting both location, the surveyor would be wise to inform the client that the acquiesced boundary may in fact be determined to be the ownership boundary based on the doctrine of acquiescence.

The surveyor may want to consider wording such as the following in a letter or report to the client when accepting monuments or barriers by the doctrine of acquiescence:

I have established your common boundary to coincide with a stone wall that exists between you and your neighbor. While the stone wall does not coincide with the measurements that were proportioned between existing monuments found beyond your common boundary, it is my opinion that the small difference between the measurements prorated and the measurements made to the wall is insufficient to overcome the equity that courts often find compelling when recognizing occupation lines that were allowed to exist for some time. The courts are often persuaded to leave things settled when it was believed by the parties to have been settled some time ago. You are, of course, at liberty to reject my opinion and advocate that your boundary be the prorated line. Your neighbor may do so as well. In each case, I will be willing to explain both the proration method I used and my belief that the stone wall is ultimately the monument to the common boundary.

Where the surveyor has come to the conclusion that the location of the record boundary is different from monuments or boundaries that were believed to be the boundary, the following example may be used to illustrate the surveyor's opinion as communicated to the client:

I have determined the common boundary to be a line fixed between two monuments. The line was established by dividing the excess distance measured between the two nearby monuments in proportion to the distances shown on the original subdivision plan between the two monuments. It is not unusual to discover that the actual distance measuring in the field is different from the distance

shown on the plan, especially given the age of the original survey. The current surveying technology and education of the surveyor far exceed those of the earlier surveyors.

My opinion places the common boundary in a location different from the wall that exists near this boundary. Although the method I have used to reestablish the common boundary was established by the court as a rule of construction, I feel compelled to warn you that the same court will often adopt occupation lines such as the wall to be the ownership boundary contrary to the record measurements. While I am confident in the methods I have employed in fixing your boundary I would be foolish to predetermine where a court would place the boundary if asked to choose between the boundary I have established and the existing stone wall. I believe you would be wise to consult with legal counsel before taking any action in regard to moving the wall or asking the neighbor to do so.

Acquiescence is similar to the equitable doctrine of practical location. The major difference is that practical location requires the parties-in-interest all participate, while acquiescence requires only one party act while the other parties-in-interest acquiesce to the acts of the one party.

ANNOUNCEMENT

The English are feeling the pinch in relation to recent terrorist threats and have therefore raised their security level from "Miffed" to "Peeved."

Soon, though, security levels may be raised yet again to "Irritated" or even "A Bit Cross." The English have not been "A Bit Cross" since the blitz in 1940 when tea supplies nearly ran out. Terrorists have been re-categorized from "Tiresome" to "A Bloody Nuisance." The last time the British issued a "Bloody Nuisance" warning level was in 1588, when threatened by the Spanish Armada.

The Scots have raised their threat level from "Pissed Off" to "let's get the Bastards." They don't have any other levels. This is the reason they have been used on the front line of the British army for the last 300 years.

The French government announced yesterday that it has raised its terrorist alert level from "Hide" to "Run". The only two higher levels in France are "Surrender" and "Collaborate". The rise was precipitated by a recent fire that destroyed France's white flag factory, effectively paralyzing the country's military capability.

Italy has increased their alert level from "Shout Loudly and Excitedly" to "Elaborate Military Posturing." Two more levels remain: "Ineffective Combat Operations" and "Change Sides."

The Germans have increased their alert state from "Disdainful Arrogance" to "Dress in Uniform and Sing Marching Songs." They also have two higher levels: "Invade a Neighbor" and "Lose."

Belgians, on the other hand, are all on holiday as usual; the only threat they are worried about is NATO pulling out of Brussels.

The Spanish are all excited to see their new submarines ready to deploy. These beautifully designed subs have glass bottoms so the new Spanish navy can get a really good look at the old Spanish navy.

Australia, meanwhile, has raised its security level from "No worries" to "She'll be alright, Mate." Three more escalation levels remain: "Crikey,!" "I think we'll need to cancel the barbie this weekend" and "The barbie is cancelled." So far no situation has ever warranted use of the final escalation level.

NSPS Action Update on Unified Organization

Good Day to All,

It has been seven weeks since the ACSM Congress voted to disband and the NSPS began the process to create a new "unified organization" that would represent the broad definition of the "Professional Surveyor". Many of you have asked if anything has been done to begin this process.

Let me tell you what has been accomplished and what goals have been set.

1. A Strategic Planning Committee has been appointed to conduct a financial analysis of our existing organizations and make recommendations for new membership categories and rates within the new organization. The committee is comprised of representatives from all of the member organizations and chaired by Pat Smith (TX), Chair of the NSPS Board of Governors. This committee has been asked to complete its mission by the end of September to enable a budget to be prepared and dues notices for next year to be mailed.
2. The combined Membership Committee/Member Benefits Committee/ Public Relations Committee has been directed to review all of the current benefits being offered to the membership to determine the perceived value of these benefits. They are to recommend what benefits should continue, what needs to be modified or discarded, or new benefits that need to be added. They too have been asked to complete their study by the end of September.
3. Executive Director Curt Sumner and staff had a preliminary discussion with our accounting firm of Gelman, Rosenberg, and Freedman to discuss the financial impacts of our reorganization and the reporting to the IRS.
4. The NSPS Executive Committee has directed Executive Director Sumner to request a proposal from the law firm of Weinberg, Jacobs, and Tolani for legal services related to the combining of the affected organizations.
5. The NSPS Executive Committee is waiting for the final financials from the Survey Summit to determine what financial steps will be necessary to complete the current fiscal year and plan the 2012 budget.

Work is progressing. We are working at a deliberate pace as we proceed. There are still many things to do before we can complete our objective and we do not want to blindly plunge headlong into the unknown.

We have started the journey to a new organization where we want all professional surveyors to be a member. We ask for your continued support.

Sincerely,

Bill Coleman, PLS GISP
NSPS President



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Geologist Discussion at July 20, 2011 Professional Engineers and Professional Land Surveyors Board Meeting

UCLS Executive Board Meeting Report - Brad T. Mortensen, PE, PLS
September 8, 2011

Many have heard of the complaint against the two geologists that performed a survey in the Cedar City area which reported erroneous subsidence numbers in the valley west of Cedar City. The Discussion between the Geologists and the PE & PLS Board is an offshoot of this case. The discussion however is not specific to the complaint mentioned above, but is a more general discussion about where the disciplines might have overlapping responsibilities, and where the line should eventually be drawn separating the practices of these disciplines. The following is a report of the UCLS participation in this initial discussion on July 20, 2011:

The week of the Board Meeting Michael Nadeau and Brad Mortensen contacted Von Hill to ask what type of representation the UCLS Executive Board should present at the scheduled Geologist Discussion portion of the meeting. Von said that we should have a presence at the meeting but that it should be only about one or two representatives.

Mike had meetings scheduled that conflicted with the time of the discussion, but Brad's schedule was open, so Brad contacted Dale Robinson the Legislative Committee Chair to see if he could attend the meeting also.

Brad and Dale were able to attend the Board Meeting representing the UCLS and arrived at the meeting around 10:15 am. The Geologist Discussion Item started after 10:30 am.

Attached is a copy of the agenda; the legislative definitions of each discipline provided by Richard J. Osborn the Bureau Manager; and the two items presented by the State Geologist Rick Allis.

The two issues that Rick Allis presented in the discussion were first that the powers and duties of the Utah Geological Survey (UGS) per State Code include "(b) collect and distribute reliable information regarding...topography...", and (e) determine and investigate areas of geologic and topographic hazards that could affect the safety of, or cause economic loss to, the citizens of the state"; and second that the UGS uses survey grade GNSS instruments to gather data for scientific analysis, which should not be confused with the practice of professional land surveying. He also presented draft waiver language for UGS reports that involve topographic measurements (see attached). He continued to say that other state and federal agencies are now using survey grade GPS technologies and that this is the trend going forward.

Von Hill expressed the concerns that when one uses survey grade GPS technology the professional should know when they don't know what they are doing. For example when establishing vertical control of a large project a prudent professional should know how to interpret the NGS control data and how to make the proper checks and balances between multiple datum from federal, state and locally perpetuated bench marks observed. Mr. Allis expressed that they had removed the study from the public access and are hiring a Professional Land Surveying company to check their survey so they can revise it and present it again to the client. They also expressed that their work has nothing to do with boundary lines or properties.

Brad and Dale were asked to contribute to the discussion, and they responded with their concerns that when a professional is using geodetic control and applying it to a scientific study they should understand the proper procedures and checks to assure the proper use and adjustment of vertical as well as horizontal data. Brad also raised the issue that our concern in protecting the public did not stop at boundaries and property lines but included the use of determining vertical and horizontal control for topographies and/or the locations of natural and man made features on the face of the earth or near the surface of the earth.

Von Hill concluded the discussion reiterating that the true mark of a professional is knowing when you don't know something and finding a consultant to assist in those areas. Then he said that we should continue to discuss this issue, and reminded the geologists that they were a relatively new licensure under the control of DOPL and that it would take some time to refine the legislation and rules pertaining to their profession.

Did You Know: The UCLS historical committee is gathering older surveying pictures for their 2012 calendar and would like your support. Please email your pictures to Susan.



PROFESSIONAL ENGINEERS & PROFESSIONAL LAND SURVEYORS BOARD MEETING

July 20, 2011 9:00 AM

ADMINISTRATIVE BUSINESS:

1. Call meeting to order
2. Sign travel reimbursement
3. Review and approve minutes dated May 18, 2011
4. Consideration of option to elect a new Board chairperson
5. Compliance report

APPOINTMENTS:

1. 9:20 A.M. - R. Craig Brown, probation interview
2. 9:40 A.M. - Lance Mackie, probation interview
3. 10:00 A.M. - Andy Li, requesting the PE exam be waived in his case
4. 10:15 A.M. - Clayton McFall, probation interview, confirmed

DISCUSSION ITEMS: 10:30 A.M. - 12:00 P.M.

1. Geologist uses of GPS technologies for research purposes
2. Suspension of Lynn Bernhard license
3. Wayne Jeppson, investigation report
4. Changes to land surveyor education requirements established in R156 22-302b (2)
5. Changes to land surveyor experience requirements established in R156 22-302c (4)
6. Continuing education requirement
7. Upcoming NCEES Annual Meeting, August 24-27
8. Proposed change to definition of "recognized jurisdiction" in R156 22-102(9), tabled at the May meeting
9. Lien rights on state properties

Professional Geologist Licensing Act

58-76-102. Definitions.

(2) "Geology" means the science, which treats the study of the earth in general, the earth's processes and history, investigation of the earth's crust and rocks and other materials of which it is composed, and the applied science of utilizing knowledge of the earth's history, processes, constituent rocks, minerals, liquids, gases, and other materials for the use of mankind.

(3) "Practice of geology before the public" means the performance of geology including but not limited to consultation, investigation, evaluation, planning, geologic mapping, interpretation of geologic data, preparation of geologic reports, geologic cross-sections and geologic maps, inspection of geological work, and the responsible supervision thereof, the performance of which is relevant to public welfare or the safeguarding of life, health, property, and the environment, except as otherwise specifically provided in this chapter.

Professional Engineer and Land Surveyor Licensing Act

58-22-102. Definitions.

(11) "Professional land surveying or the practice of land surveying" means a service or work, the adequate performance of which requires the application of special knowledge of the principles of mathematics, the related physical and applied sciences, and the relevant requirements of law for adequate evidence to the act of measuring and locating lines, angles, elevations, nature and man-made features in the air, on the surface of the earth, within underground workings, and on the beds of bodies of water for the purpose of determining areas and volumes, for the monumenting or locating property boundaries or points controlling boundaries, for the platting and layout of lands and subdivisions of lands including topography, alignment and grade of streets, and for the preparation and perpetuation of maps, record plats, field notes records, and property descriptions that represent these surveys and other duties as sound surveying practices could direct.

UGS Powers and Duties

State Code 79-3-202. Powers and duties of survey.

- (1) The survey shall:
 - (a) assist and advise state and local agencies and state educational institutions on geologic, paleontologic, and mineralogic subjects;
 - (b) collect and distribute reliable information regarding the mineral industry and mineral resources, topography, paleontology, and geology of the state;
 - (c) survey the geology of the state, including mineral occurrences and the ores of metals, energy resources, industrial minerals and rocks, mineral-bearing waters, and surface and ground water resources, with special reference to their economic contents, values, uses, kind, and availability in order to facilitate their economic use;
 - (d) investigate the kind, amount, and availability of mineral substances contained in lands owned and controlled by the state, to contribute to the most effective and beneficial administration of these lands for the state;
 - (e) determine and investigate areas of geologic and topographic hazards that could affect the safety of, or cause economic loss to, the citizens of the state;
 - (f) assist local and state agencies in their planning, zoning, and building regulation function by publishing maps, delineating appropriately wide special earthquake risk areas, and, at the request of state agencies or other governmental agencies, review

USGS Powers and Duties continued:

- the siting of critical facilities;
- (g) cooperate with state agencies, political subdivisions of the state, quasi-governmental agencies, federal agencies, schools of higher education, and others in fields of mutual concern, which may include field investigations and preparation, publication, and distribution of reports and maps;
- (h) collect and preserve data pertaining to mineral resource exploration and development programs and construction activities, such as claim maps, location of drill holes, location of surface and underground workings, geologic plans and sections, drill logs, and assay and sample maps, including the maintenance of a sample library of cores and cuttings;
- (i) study and analyze other scientific, economic, or aesthetic problems as, in the judgment of the board, should be undertaken by the survey to serve the needs of the state and to support the development of natural resources and utilization of lands within the state;
- (j) prepare, publish, distribute, and sell maps, reports, and bulletins, embodying the work accomplished by the survey, directly or in collaboration with others, and collect and prepare exhibits of the geological and mineral resources of this state and interpret their significance;
- (k) collect, maintain, and preserve data and information in order to accomplish the purposes of this section and act as a repository for information concerning the geology of this state;
- (l) stimulate research, study, and activities in the field of paleontology;
- (m) mark, protect, and preserve critical paleontological sites;
- (n) collect, preserve, and administer critical paleontological specimens until the specimens are placed in a repository or curation facility;
- (o) administer critical paleontological site excavation records;
- (p) edit and publish critical paleontological records and reports; and
- (q) by following the procedures and requirements of Title 63J, Chapter 5, Federal Funds Procedures Act, seek federal grants, loans, or participation in federal programs, and, in accordance with applicable federal program guidelines, administer federally funded state programs regarding:

- (i) renewable energy;
- (ii) energy efficiency; and
- (iii) energy conservation.

- (2) (a) The survey may maintain as confidential, and not as a public record, information provided to the survey by any source.
- (b) The board shall adopt rules in order to determine whether to accept the information described in Subsection (2)(a) and to maintain the confidentiality of the accepted information.
- (c) The survey shall maintain information received from any source at the level of confidentiality assigned to it by the source.
- (3) Upon approval of the board, the survey shall undertake other activities consistent with Subsection (1).
- (4) (a) Subject to the authority granted to the department, the survey may enter into cooperative agreements with the entities specified in Subsection (1)(g), if approved by the board, and may accept or commit allocated or budgeted funds in connection with those agreements.
- (b) The survey may undertake joint projects with private entities if:
 - (i) the action is approved by the board;
 - (ii) the projects are not inconsistent with the state's objectives; and
 - (iii) the results of the projects are available to the public.

Draft Waiver Language for UGS reports that involve topographic measurements

"While some types of geologic work performed by the Utah Geologic Survey (UGS) use survey grade Global Navigation Satellite System (GNSS) instruments, the UGS does not employ licensed Professional Land Surveyors, nor does it perform land surveying. The geologic work performed by the UGS using GNSS instruments is intended only for use in scientific analysis. This work should not be used for determining or locating property boundaries, for land plats, for alignment or grading of roads, or for any of the other purposes that are the responsibility of a Professional Land Surveyor, as defined by the Utah Code, Title 58, Chapter 22, Section 102. Users of the UGS geologic work involving data collected with GNSS instruments should consider above stated limitations and the errors inherent in GNSS-derived locations before making any land-use decisions."

Did You Know: The UCLS Historical Committee has a new Committee chair. Kevin Bishop has accepted the responsibility and will replace Scott Peterson.

Letter to DOPL regarding Geological Subsidence Study / Unlicensed Practice of Land Surveying

September 16, 2011
Richard J. Oborn
Bureau Manager
Division of Occupational and Professional Licensing
PO Box 146741
Salt Lake City, UT 84114
RE: Geological Subsidence Study/Unlicensed Practice of Land Surveying

Dear Richard:

The Utah Council of Land Surveyors (UCLS) Executive board held a meeting on September 10, 2011. One of the topics discussed was the ongoing Division of Occupational and Professional Licensing (DOPS) investigation involving the Utah Geological Survey (UGS) and a subsidence study performed near Cedar City, Utah. The UCLS Executive Board unanimously approved the following directive:

The Utah Council of Land Surveyors hereby petitions DOPL to penalize those individuals and organizations involved with the subsidence study and the subsequent publication thereof, to the farthest extent allowed under the Professional Licensing Laws of the State of Utah.

This request is made after careful consideration of the information we have been provided and the circumstances surrounding the Subsidence Study. These include but are not limited to: the blatant, yet preventable, errors committed by the UGS during the performance of the study; the severity of harm to the public caused by the publication and republication of the study, potentially causing irreversible damages to future growth of the area; the lack of desire to correct the error; and the apparent refusal to recognize the disparity between two separate and distinct licensed professions.

It is our understanding that the UGS believes the Licensed Profession of Land Surveying is limited to boundary surveying. While the UCLS understands that some of the instruments and technology a surveyor utilizes, e.g. GPS, are available to the general public, the application, interpretation and distribution of the data gathered by these certainly falls under the definition of the practice of land surveying:

58-22-102. Definitions.

(11) "Professional land surveying or the practice of land surveying" means a service of work, the adequate performance of which requires the application of special knowledge of the principles of mathematics, the related physical and applied sciences, and the relevant requirements of law for adequate evidence to **the act of measuring and locating lines, angles, elevations, natural and man-made features in the air, on the surface of the earth, within underground workings, and on the beds of bodies of water for the purpose of determining areas and volumes**, for the monumenting or locating property boundaries or points controlling boundaries, and for the platting and layout of lands and subdivisions of lands, **including the topography**, alignment and grades of streets, **and for the preparation and perpetuation of maps**, record plats, **field notes records**, and property descriptions that represent these surveys **and other duties as sound surveying practices could direct**.

Services encompassed by the definition of the practice of land surveying include, but are not limited to, 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:

- Determining by measurement the configuration or contour of the earth's surface or the position of fixed objects thereon
- Determining by performing geodetic surveys, the size and shape of the earth or the position of any point on earth
- Determining by the use of principles of surveying, the position for any survey monument (boundary or non-boundary) or reference point; establishing or replacing any such monument or reference point
- Creating, preparing, or modifying electronic, computerized, or other data, relative to the performance of the activities in the items above.
- The creation of maps and georeferenced databases representing authoritative locations for boundaries, the location of fixed works, or topography. This includes maps and georeferenced databases prepared by any person or government agency where that data is provided to the public as a survey product.
- Original data acquisition, or the resolution of conflicts between multiple data sources, when used for the authoritative location of features within the following data themes: geodetic control, orthoimagery, elevation and hydrographic, fixed works, private and public boundaries, and cadastral information.
- Certification of positional accuracy of maps or measured survey data.
- Adjustment or authoritative interpretation of raw survey data.
- Acquisition of field data required to authoritatively position fixed works or cadastral data relative to geodetic control.

(NCEES Model Law, revised August 2010, page 4, lines 69-92) and (NCEES Model Rules, revised August 2010, page 5, section 210.25 (A))

The individuals who performed and published this study were not Licensed Professional Land Surveyors, yet they have undoubtedly performed a service which falls under the purview of our profession. The UCLS believes that without appropriate disciplinary action, these individuals may continue to provide services for which they are not licensed, and the misunderstanding concerning the definition of the practice of land surveying will persist.

Please accept this letter with the understanding that the UCLS has and will continue to include protecting the public a priority of our organization.

Sincerely,

Michael W. Nadeau, PLS/CFedS
State Chair, UCLS

Obituaries



Pamela Sue Beitler 1948 - 2011 Pamela Sue Beitler, age 63, passed away suddenly on Friday, July 29, 2011 at her home in Cottonwood Heights, from a pulmonary embolism. Pamela was born June 23, 1948 in Des Moines, Iowa to her Mother Darlene G. Cadwell and Father Glen Pederson. Her young life was spent in Iowa until she and her Mother moved to Los Angeles, California. Pam attended and graduated from Hoover High School in Glendale, where she met her future and surviving husband Dennis Anthony Beitler. The couple married in 1967. To this marriage was born three children, all whom survive their mother: Shelley Jo Beitler (James Graef), Brett Allen Beitler, and Holly Denise Kastner (Haven Kastner). Surviving: sister Linda Carr. Also surviving are four grandchildren: Colton, Ashlynn, Bradly and Brenden Beitler. As an active member of The Church of Jesus Christ of Latter-day Saints, Pam and her husband Denny were waiting for their call to serve a Mormon mission. Pam's special passions were the Young Women, and Family History. She recently served in the Relief Society Presidency where she was a great service to so many. She was considered a dynamic and inspirational leader. She began her career as a dental hygienist and later worked 10 years for Continental Airlines where she retired in 2010. Pamela's greatest passion was her family. She enjoyed attending and officiating in the 75th Year Family Reunion in Iowa. She also loved scrap booking. Living the words spoken of Pam's beloved grandmother Margaret Cadwell Schultze, "She spent her life in the service of others and heaven welcomes her with open arms." A viewing will be held on Monday, August 1, 2011 at Cannon Mortuary, 2460 E. Bengal Blvd, in Cottonwood Heights, between 6 p.m. Funeral services will be held on Tuesday, August 2, 2011 at the Butler Stake Center, 7035 S. Nutree Drive (3300 E.) in Cottonwood Heights at 11 a.m. Viewing: 10:00 a.m. to 10:45 a.m. prior to service at the church. Interment: Holladay Memorial Cemetery, 4900 S. memory Lane in Holladay, Utah. Online condolences at www.cannonmortuary.com



Brett Jay Blechert passed away at home on Sunday, July 3, 2011 in the presence of his loving family after a brave and hard fought battle with cancer.

He was born October 19, 1958 in Ogden, Utah to Dell Blechert and Jacqueline (Geiger) Nielsen.

Brett married his long-time companion and best friend, JoLyn Marie Blechert, on October 22, 2010. The marriage was long awaited by family and friends and was celebrated at their home beneath the big ash tree in the back yard.

He served in the U.S. Air Force Reserves. Brett worked for Great Basing Engineering for the past 33 years where he made many wonderful friendships with co-workers and clients. To his friends and clients - thank you for all your support.

Brett was a man who was true to his word. A handshake and a promise was all he needed. He made friends quickly and was always offering to help out his family and friends when they needed. In return, those friends and family were there for him in his time of need.

Brett was a member of The Church of Jesus Christ of Latter-day Saints, Warren Ward. Our extended family, the Warren Ward, has been a great example of community support, true friendships and brotherly love. Thank you.

Brett enjoyed snowmobiling, riding motorcycles, boating, jet skiing, keeping a beautiful yard and playing outdoors with family.

Brett is survived by his wife, JoLyn M. Blechert, Warren, sons Sean (Dupree) Blechert, Sunset, UT; Nathan Hathaway, Warren, UT; daughter Michelle Sausameda, Magna, UT and four grandchildren, Alexus, Stormie, Daxton and Ella.

Also surviving are brothers, Roger (Julie) Blechert, Wellsville, UT; Doug (Brenda) Blechert, Farr West, UT; Chad (Beth) Blechert, Mobile, AL; sisters Debi Blechert, Buda, TX; Jolette (Larry) Larsen, Ventura, CA; and a very special "Angel" - his step-mother and wonderful caregiver throughout his illness, Maudie Blechert, Pleasant View, UT.

He was preceded in death by his parents.

Funeral services will be held on Friday, July 8th at 11 a.m. at the Warren - West Warren LDS Chapel, 856 North 5900 West.

Family welcomes friends to meet with them on Thursday from 6 to 8 p.m. at Lindquist's Roy Mortuary, 3333 West 5600 South and Friday from 9:45 to 10:45 a.m. at the Warren - West Warren Chapel.

Interment, Warren - West Warren Cemetery.

Send condolences to the family at : www.lindquistmortuary.com



Neil "Bud" Leroy Rhodes, 72, passed away on July 23, 2011 near Navajo Lake, Utah. He was born on October 13, 1938 to Alvetta and Harry Neil Rhodes. He was married to Emily Mae Wilcock on May 29, 1959 in the St. George Temple. They were blessed with a son and two daughters.

Bud graduated from Cedar High School in 1956 and then from CSU in 1959. He worked as a city engineer in Cedar until he moved to Las Vegas with his family to work at the Nevada Test Site from 1963 - 1973. They moved with their three children to Cedar City to become partners in Bulloch Brothers Engineering. He also held a position as County Planning Commission Chairman. In 1994, Bud sold his share of the business to his son Brad, but continued to work until he retired in 2008. His favorite job was playing with his grandchildren.

Bud was an active member of the Church of Jesus Christ of Latter-Day saints and held numerous callings over the years. He loved the outdoors, was an avid fisherman, hunter, and was wonderful with Dutch oven cooking. He loved to go to Hogs Heaven and be with the gang. Bud handled his long health challenges with dignity and a positive attitude.

Bud is survived by his loving wife, Emily and their three children: Jill (Paul) Snyder of Cedar City, Brad (Nan) Rhodes of Cedar City, and Gaylynn (Kurt) Gale of Draper, his two sisters Janice Crane and Jean Rhodes (Vern) Fridley, his brother Kendall, eight grandchildren, three great-grandchildren and one on the way. He was preceded in death by his parents, Harry and Alvetta, his sister Gerry, his grandson, Bronson, and brother-in-law Stanley Crane.

Special thanks to Marie Prince, Dr. Alfaro, Dr. Hendrix, and the Iron County Home Health gang. Also the good Samaritans of the Te'Ha camp ground that worked tirelessly to help us.

Funeral services will be held Friday, July 29, 2011 at 11 a.m. at the 7th/9th Ward LDS Church located at 256 South 900 West in Cedar City, Utah. Viewing will be held Thursday, July 28, from 6:00 to 8:00 pm at the Southern Utah Mortuary, located on 190 North 300 West in Cedar City, Utah and again Friday morning from 9:30 to 10:30 am at Southern Utah Mortuary. Interment in the Cedar City Cemetery under the direction of Southern Utah Mortuary. Online guest book can be located at www.southernutahmortuary.com.

National Society of Professional Surveyors
Board of Governors Minutes
San Diego - July 10, 2011

1.0 [Call to Order](#) - Patrick Smith 9:37 a.m.

1.1 Operating Rules

1.1.1 Name & State When Addressing Group

1.1.2 Cell Phone Policy -\$100 penalty to TrigStar Fund

2.0 [Roll Call/Proxies/Declaration of Quorum](#) - J. Anthony Cavell

We have a quorum

3.0 [Approval of Minutes](#) Orlando, Fla. - November 14, 2010

Approved by voice without objection

4.0 [Introduction of Guests](#)

5.0 [Additions to and Approval of Agenda](#)

Item 8.7 - Four Corners Brochure Design and Printing Budget by Gov. Warren Ward (Colorado)

Item 8.8 - Future NSPS Directions Proposal by Gov. Warren Ward (Colorado)

6.0 [Reports](#) (Please refer to the website to see full reports)

6.1 [Nsps President](#) - Wayne Harrison / Bill Coleman

Past Pres. Harrison: This has been a tumultuous year. I urge you to curb emotions as we make serious business decisions and move forward to provide education and opportunities for our members. I truly enjoyed the visits with many of you at you meetings.

We have accomplished a few important things including improving the distribution of news to our members and a new contract with ARM as our insurance provider. We've handled a nuisance lawsuit about copyright infringement and sent letter of support when requested to universities and other boards.

Thank you for you support and assistance during my term.

Pres. Coleman: I see a strong group of state leaders who will be helping me through the coming year. We will be making changes and need to do some soul searching. The process has started and we should thank Past President Wayne Harrison for that.

I believe we will end up with a strong, better organization than the one we have today. I'm looking forward to this year. I will stress communication. Feel free to contact me at any time.

6.2 [ACSM Executive Director](#) - Curt Sumner

I assume you have been receiving the weekly newsletter they search out articles and we still submit contenet- we get a little revenue and it looks like it is working well.

For the first time we got someone on the ABET advisory council, John Matonich. We need to keep our pool of evaluators strong. It is very important. Private sector input is critical. Several others are also representing us. Joe Dolan is on COFPAES. Gary Thompson is on NGAC and NCEES geodetic committee.

The radio hour is every Monday at 11 o'clock EST. Several in this room have been on the program with me. I'm looking for that county surveyor in the PLSS states now. I need suggestions for topics and people to comment. Please listen to them - they are also archived - it is about us- they have broad focus.

Regarding R.R. abandonment, legislators want to hear from a voter of theirs. It is important. We've have some success. I want to reiterate that the LightSquared issue is very important - we represent a large portion of the revenue from the use of GPS.

We will need your feedback on the arrangements with Esri. We want to do the right things going forward. There are arguments that one can get CEUs at home.

I have a few presentation to make; Louisiana celebrates 50 years, Best state society newsletter- Wyoming, Best website - Florida, California web and newsletter and Website and affiliate of the year.

6.3 [NSPS Treasurer](#) - John Fenn

My report covers three areas: programs finances, what moneys are available and a proposed budget that will really hurt. Look for members in you organization who deserve to be nominated into fellow status.

We are void of coffee and refreshments I was shown \$190 per pot of coffee and a terrible lunch would have been \$52.

Invite your national officers to your annual. We want you to use curt or the President and make them do something but in return help by covering some of the expenses.

Bill Coleman already mentioned using electronics to increase communications. Committee chairman look to using conference calls for your meetings through the main office.

The CST program really did well to date with income of \$40K exp of \$30K and over 20 exams this last quarter. Their budget is \$136K with expenses of \$95K. Each state has a CST director; use him.

TrigStar \$681 income and expenses of \$5. Their budget is \$16K with expenses of \$25K. We support the TrigStar program and remind you that publicity is important.

Hydro program is lower with income of \$2.6K and expenses of \$1.9K.

SaLIS has income of \$3.1K and expenses of \$1.5K. Their budget is \$37K with expenses of \$75. The BoD is considering modifying our publications to better contain costs.

Our bank account balance is the lowest I have ever seen it in five years at \$61K. In Michigan there is a ProAmerica CD at \$250K and

26 ^a Bank of America CD at \$560K.
Fall 2011/ Utah Foresights

Board of Governors Minutes cont.

We've declined in membership about 30% so I challenge you governors to go after reviving old memberships.

My budget needed a machete attack - after cutting we still have overage. It is critical that we get more members! Our existing budget is \$665K after cutting \$180K we have expenses of \$826K, meaning I still have to come up with \$216K to make the budget balance.

It is critical that we get new members to continue our progress.

We have overall \$531K income \$870K budgeted so we are down about \$357K

Our expenses to date are \$463K budgeted \$870K leaving about \$400K at about half way through the year pretty close to target.

Our income is down; we will have to use cash reserves.

6.4 [ACSM Reorganization Committee](#) - Dan Martin

Please indulge me to give you a bit of history. In 2009 we hired a consultant to help with perceived problem of membership. We created a committee based on that report and concluded we couldn't market ourselves and were dysfunctional, so we said we need to change the tact of the committee and ask what is wrong with our organization?

They showed us as flawed. There was a lack of awareness, a lack of perceived value. They also thought we used an outdated and negative stereotype in the term "surveyor." So a new committee was formed, the ARC, to look at recommendations and made a report in attempt to put on paper possible solutions - one of which was, "As we go forward, communication will be critical to changes finally noted and they will only happen if leadership is united to common goal."

So we created yet a third committee. It more or less created itself to hit a moving target, we met in January 2010 and came up with a proposed organizational structure and revised vision - to do this as unified organization- no the old ACSM. Anything perceived as division within the surveying field is negative so anything we can do to tear down silos was good.

The theme of the plenary session was "integration"; Combining technologies. Juliana Blackwell spoke of challenges and, as Mr. Fenn identified, we are facing challenges. Speaking for myself we feel they had fantastic input

Committee recommendations from the ARC to the ACSM:

1) MOs reorganize understanding urgency and form a new org or individual organizations (we received a clear majority direction from our poll)

2) Structure consider existing NSPS structure with recognition for additional disciplines

3) MOs adopt new vision statement crafted by ARC in 2011

4) Name should NOT contain "surveying" or "mapping" but contain geomatics. (This is contrary to the response from our poll where a majority wanted ACSM almost none supported something new, but we think people just don't understand what the word surveying means.)

5) Create committees to work quickly to address the issues.

I apologize for the lack of communication from our committee. It was because it is hard to send out a message saying "we haven't gotten anything done."

6.5 [Joint Government Affairs](#) - John Matonich

Even though the economy is n the dumps and even though GPS is under serious attack and I can't hit a golf ball out of my shadow... It is still a great day to be a SURVEYOR!

We continue to work the FEMA to develop additional concepts for improving their mapping. They are open to this but we keep finding problems. Legislation to reinstitute the technical map advisory council, many people will give testimony. Send your congressmen a request to support this. The vote happens Friday (HR 1309 flood insurance reform).

COFAS - will reinstitute a practice to bring in administrators so these folks will tell what works are coming in advance of publication This is a great opportunity for any member.

SBA size standards - currently 4.5M but they want to make them \$19M. They hear that technology is killing us, it is too expensive for smallest businesses. Hearings are being held. COFPAS can't decide hearing good arguments either way.

We will have fall meeting and we want to have a **Lobby Day** - this is important.

3% withholding was moved back one year but still not gone.

RR Monumentation needs some war stories- especially from harmed property owners.

Gary Thompson was appointed to **NGAC** committee he is an excellent appointment.

NRCS Brooks Act violation - we are fighting a battle. they are actually telling homeowner what to pay - COFPAES is working diligently trying to keep this from becoming an epidemic.

GPS is going away if **Light Squared** proposal is not changed. We are being called the 0.5% expendable collateral damage. We will see significant interference to end high precision work. We are doing everything we can. We are lining up congressmen. This is everybody's battle. The thing everyone agrees on that there is a problem. We need your help to help the coalition and all to fight this battle- contact your legislator tomorrow!- Polish you total stations and chains. Airlines and DoD said we think we need some more study- somebody will be thrown under the bus...US! We need to bark loud and long - we need national! We've got thousands of members and 10s of thousands of surveyors and we need to make a grass roots campaign. LighSquared has stated: We've spend \$4B and have \$17B more to go. We can't let this be someone else's fight. We need to let congress have a hearing from surveying!

-A **GSA** proposal to modify form SF334 for AEC services to delete part two- we are monitoring it presently.

-**PAC** donated \$2,000 last year. We have several folks who automatically donate to it. The balance is something like \$37,000. So we have a good fund that we use carefully with oversight by the trustees.

Board of Governors Minutes cont.

6.6 [ACSM Conferences](#) - John D. Hohol

(see website)

6.7 [Federation International des Geometres](#) - John D. Hohol

(see website)

6.8 [Certified Survey Technician Program](#) - Bill Coleman

The CST is continuing to work as one of our best programs. It is running profitably. We would really like to see increased participation. It is active in all 50 states. We have about 1,900 CST nationwide. More would be better.

6.9 NSPS Foundation - John Swan

(see website)

6.10 [NSPS Membership Development](#) - Craig Amey

I passed around a questionnaire please fill out and pass them back. Report is on the website.

6.11 [Trig-Star](#) - Bob Miller

TrigStar winners were from Puerto Rico, Illinois and Washington

6.12 [NGS](#)- Ronnie Taylor

(see website)

6.13 [Surveyors Historical Society](#) - Frank Thousand

Rich Leu made a presentation from the Surveyors Historical Society consisting of a slide show and how the museum needs continued support. See more at: <http://www.Nationalmuseumofsurveying.org>

6.14 [Student Competition](#) - Rich Vannozi

The committee met earlier and decided the competition will be held on March 13-16, 2012 with the Professional Land Surveyors of Oregon. The topic will be "GIS." I will send out an announcement packet. It is very important that it gets to the programs in your states.

6.15 [NSPS Governors' Webpage](#) - Tony Cavell

In the past you as governors were obligated to use the uniform report form and keep us informed about the name and contact information for our association and its leadership and for yourselves. This had two major drawbacks. It took many reminders from the secretary to get a majority of the affiliate reports submitted and after they were received they were reformatted and made useful on the website.

6.16 [Survey USA](#) - Debi Anderson

The website is up and live and almost ready to be published. We have over 400 points entered. Only 8 didn't participate. Some of them did but data is still in transit. Participants included over 2,400 people. The website is going to be <http://www.gpsday.com>. Perhaps in the future we can include geocaches!

6.17 [ASCM Realignment Committee](#) - See 6.4

6.18 Youth Outreach - Wayne Hebert

Dir. Hebert presented certificates to governors for their states' support.

6.19 [Accreditation Board for Engineering and Technology](#) - Amanda Reid

ACSM provides the criteria and evaluators (peers) commissioners ACSM is on 3 commissions. ABET came up with outreach based assessment and in last 2 years we have harmonized that information with our programs. Traditionally if a program comes to us without criteria they may use general criteria. We don't have criteria for surveying associate program. We have been discussing accrediting GIS programs; on how you would put that together.

7.0 [Unfinished Business](#) - Tracking of Prior Business of the NSPS Board of Governors

7.1 [Machine Control/Guidance](#)

Update from the Ad Hoc Committee to develop a Position Statement on machine control & machine guidance.

7.2 [Four Corners Monument](#)

Update from Warren Ward on the Four Corners Brochure.

7.3 [Online \(Electronic\) Voting](#)

Update from the Electronic Voting Committee.

7.4 [South Carolina Board Registration](#)

Motion to NSPS Board of Directors that a letter from the President and Chairman of the Board of Governors be sent to SCBR in support of surveying without a license issue relative to coastal Carolina University being awarded a surveying contract by DHEC was passed by the Board of Directors and a letter was issued.

7.5 [State Society Membership Inclusion](#)

Motion that it be resolved that a top priority of NSPS will be to find a way to include as members every member of each participating State Society was passed by the Board of Directors.

7.6 [Survey USA](#)

Motion was made to NSPS Board of Directors to assign an ad hoc committee to organize and implement "Survey USA", a nationwide program to be run through the state affiliates for same day observation of GPS points during National Surveyors Week. Motion was passed by the board of Directors and Debi Anderson, Governor for Montana was appointed to chair the committee.

Board of Governors Minutes cont.

7.7 [Rescind Automatic Dues Increase](#)

Motion made to the NSPS Board of Directors to immediately halt the automatic dues increase, as tied to the CPI, to be replaced by annual review by the Board of Directors. The annual review is to be effective for the 2012 budget cycle. Motion failed to pass the Board of Directors.

7.8 [NSPS Funds to ACSM](#)

Motion made to the NSPS Board of Directors to immediately halt all cash gifts to ACSM and accelerate the payment of contractually required member fees on the monthly schedule as outlined by the NSPS Treasurer to the Board of Governors on November 11, 2010. Motion passed by the Board of Directors.

7.9 [Singular National Organization](#)

Motion made in the NSPS Board of Directors to immediately commence meetings with the Boards of Directors of the other ACSM Member Organizations for the express purpose of creating the unification of the organizations into a singular national geospatial organization. The motion was passed by the Board of Directors.

8.0 [New Business](#)

8.1 [Governor Committee Appointments](#)

- 1) Affiliate of the Year and Surveying Excellence Committee
- 2) Excellence in Journalism and Student Project Committee
- 3) Map and Plat Contest Committee

8.2 [Machine Control Position Statement](#)

NSPS recommends that the appropriate design professional place notes on plans and state in specifications accompanying such plans

8.3 [HUD Survey Certification](#)

Develop a plan of action to oppose the US Department of Housing and Urban Development's use of the Owner's Survey Certification.

8.4 [NSPS Membership Categories & Rates](#)

Request the Board of Directors direct the Strategic Planning Committee to conduct a Financial Operational Analysis of the Rates and Membership Categories of the Organization, and review and recommend Membership Categories and Rates, including a possible CST membership category.

8.5 [Elimination of NSPS Sliding Scale Membership](#)

Request the Board of Directors to eliminate the Sliding Scale membership fee, effective December 31, 2012.

8.6 [Dissolution of ACSM](#)

Whereas, the financial situation in which ACSM finds itself suggest it will not be able to meet its obligations beyond October 1, 2011

Whereas, NSPS has the membership and the resources to sustain itself in the foreseeable future, and

Whereas, the NSPS is a creditor of ACSM by having loaned funds over the recent past to cover budgetary shortfalls, and

Whereas, it is the objective of both entities to promote and protect the geospatial and related professionals that fall under the umbrella known as Surveying and their practitioners,

Therefore, be it resolved,

The the National Society of Professional Surveyors (NSPS) Board of Governors urges the NSPS Board of Directors to act to direct the NSPS Delegates to the American Congress on Surveying and Mapping (ACSM) to move to disband the ACSM Congress and to start the corporate dissolution of ACSM and in conjunction with the start of the dissolution process ACSM turn over all operation control, assets and liabilities to NSPS at that time.

8.7 [Four Corners](#)

The NSPS Board of Governors recommends that the NSPS Board of Directors authorize a budget of \$3,000.00 to cover design, printing and expenses of the Four Corners Brochure.

8.8 [Future](#)

The NSPS Board of Governors recommends that the NSPS Board of Directors consider the adoption of the June 15, 2011 memo by Warren Ward to become effective April 29, 2011 if current restructuring efforts fail to materialize by April 28, 2012.

Motion to postpone passes by majority

9.0 [Assignment of Motions and Action Items to Task Committees-](#)

10.0 [Luncheon](#)

11.0 [Task Committee Breakout Sessions-](#)

12.0 [Reports and Recommendations from Task Committees/Act on Motions](#)

13.0 [Elections/Presentations](#)

14.0 [Good of the Order-](#)

14.1 Governor's Scholarship Contribution (TrigStar). \$40.00 ea.

Smith: Next meetings will be Dec 2-5 Gaithersburg, Maryland and will include election of new chairman and new secretary.

Thank you for your contributions and your time

15.0 [Adjourn](#) 5:05 p.m.

Respectfully submitted,

J. Anthony Cavell, CFedS

Secretary NSPS Board of Governors

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UTAH COUNCIL OF LAND SURVEYORS

MEMBERSHIP APPLICATION

Return this application with fees to the Utah Council of Land Surveyors, P.O. Box 1032, Salt Lake City, Utah 84110

Name of Applicant: _____	Send Mail To: Business Home (circle one)
License Number: _____	Business Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____
Phone: _____	Phone: _____
E-Mail: _____	Fax: _____

I hereby make application for membership in the Utah Council of Land Surveyors and agree to abide by the By-Laws of the organization:
Date: _____ **Signature:** _____

Circle membership applied for:

LICENSED	\$75.00
ASSOCIATE	\$50.00
OUT-OF-STATE	\$50.00
RETIRED	\$40.00
AFFILIATE	\$40.00
STUDENT	\$20.00
SUSTAINING	\$120.00

Membership Dues	\$ _____
New Member Processing Fee	
Includes Membership Packet	\$ _____ 25.00
Optional: Membership Packet	\$ _____ 25.00
Optional: Membership Packet	
on CD	\$ _____ 5.00
Total Enclosed	\$ _____
<i>Monies paid to U.C.L.S. may be deductible as a Business Expense</i>	

Chapter you wish to affiliate with:

Book Cliffs	Color Country	Golden Spike	Salt Lake	Timpanogos
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The following is a list of the standing committees of this organization. Circle any committee you would be interested in serving on:

Legislation	Education	Mailing and Newsletter
Workshop	Standards and Ethics	Testing
Public Relations	Historical	Membership

Licensed Member must be individuals who are licensed as land surveyors in accordance with the laws of the State of Utah and who otherwise have met the membership requirement set forth herein and/or modified by the Board of Directors from time to time. Only Licensed Members shall have the rights of voting members under the Act;

Associate Members must be employed by a licensed land surveyor or employed by a firm or agency engaged in the practice of land surveying and must intend to make their livelihood in the land surveying profession;

Affiliate Members must be employed by a private firm or public agency that is engaged in an activity related to the surveying profession. Affiliate Members are those persons who do not desire to become professional land surveyors but are interested in being associated with the land surveying profession;

Student Members must be enrolled in a college or university in pursuit of a major in surveying or a related field;

Retired Members must (i) be or have been Licensed Members or Associate Members of the Corporation in the past, (ii) be over the age of 60, and (iii) no longer be participants in the business of land surveying;

Out-of-State Members must have their full-time residence outside of the State of Utah and desire to receive the informational benefits of the Corporation;

Sustaining Members must be individuals or entities that are engaged in the (i) manufacture or distribution of surveying instruments or equipment, (ii) compilation or reproduction of maps, or (iii) performance of services for land surveyors from a commercial standpoint.