



# The UCLS Newsletter



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is published monthly by the*

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**What is it?**

What is this pre-computer contraption? In its day it was considered to be a technological marvel. Be the first to identify this equipment and describe what it was used for and you become eligible for a free luncheon at your next chapter meeting.

Answers may be emailed to Susan at [smerrill@ucls.org](mailto:smerrill@ucls.org). The earliest received date and its time of response will determine the winner.

**In This Issue:**

Unfortunately, all four of our “getting to know you” members declined our invitation to participate in this months Newsletter. However, in this issue we do review the Fall Forum, announce an employment opportunity, explore another surveyor app, and test your knowledge of company North Arrows. Additionally, an acquiescence opinion from the Utah Supreme Court reviewed, a member expresses his outlook on the current election system, and we provide information regarding NCEES position on the certification of as-built drawings.

We invite you to share charismatic photos of yourself and/or a coworker, panoramic images of Utah’s scenic wonders, or pictures of survey related tools and equipment. Additionally, we need interesting and unique descriptions or survey related stories to share with our membership. Remember, if you do not participate you have no right to complain. Please let us know your thoughts, recommendations, suggestions, or complaints.

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“Things do not change, we do.”  
-Henry David Thoreau

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## **APP's FOR SURVEYORS**

### **My ToPo Maps by Trimble Outdoors**

Overall Satisfaction	94
Fun & Engaging	100
Usefulness	45
Ease of Use	38
Reliability	29

Explore like never before. MyTopo Maps is a mapping and trip planning app to organize all your outdoor and backroad adventures. View more than 68,000 topo maps in US and Canada. Also, check out aerial, terrain, and street maps. Mark points, find places, order a waterproof paper map, and store all your trip info on the Trip Cloud, a wireless service that allows you to access your trips on any device.



This app is BEST FOR: Scouting trails, exploring parks, planning outdoor vacations, viewing backcountry areas and backcountry skiing spots, finding forest roads and campsites, preplanning hikes & offroad trips

#### \*\* START WITH A GREAT MAP \*\*

- View five different map types: streets, hybrid, aerial, topo and terrain.
- MyTopo Maps provides the most up-to-date topos maps available in the United States. We have enhanced more than 14,000 USGS quads with digital updates from the U.S. Forest Service and other map providers.
- Access more than 68,000 topo maps in US and Canada that are seamlessly stitched together for fast and easy viewing. Topos scales are 1:24K in the Lower 48, 1:63K in Alaska and 1:50K in Canada.
- See two maps at once. No single map type has all the essential details to plan a trip. So turn on Dual Map View and fade between two different map types.
- Upgrade to the Pro App so you can create Map Packs to store maps on your iPad. This allows you to see maps in remote areas without the need for a data or Wifi connection.

#### \*\* POWERFUL TRIP PLANNING TOOLS \*\*

- Place Search: Use our search to find more than 10-million places. Trails, peaks, lakes, rivers, ghost towns and more.
- Digital Compass: Press the mini-compass to overlay a large digital compass on the map. See compass bearing and declination too.
- Ruler: Measure the distance between two points.
- Smart Paste: Copy GPS coordinates from websites and instantly map their locations into MyTopo Maps.
- Waypoints: Drag waypoints on to the map. Name them and add descriptions.
- Coordinates: Match your latitude/longitude or UTM coordinates to your paper map or GPS device. Supported map datum: WGS84 and NAD27.

#### \*\* SAVE TO THE TRIP CLOUD \*\*

- Register a free account to save your outdoor trips to our Trip Cloud. Benefits include:
- Store and backup unlimited trips. Never lose files again.
- Auto-sync trips between your computer, mobile phone and iPad.
- Enhance trips planned in MyTopo Maps with more map tools at TrimbleOutdoors.com, including .gpx import, geotagged photos and videos, turn-by-turn routes and more.
- Open trips in our mobile navigation app, Trimble Outdoors Navigator. Learn more: <http://get.it/trimbleoutdoors/8oUv>

#### \*\* LEARN MORE \*\*

- Visit our website and check out thousands of trips submitted by the Trimble Outdoors community.
- Click over to: [trimbleoutdoors.com](http://trimbleoutdoors.com).

# UCLS Education Committee Report and the 2014 Fall Forum Report

By Danial L. Perry, MBA, PLS, UCLS Education Committee Chair

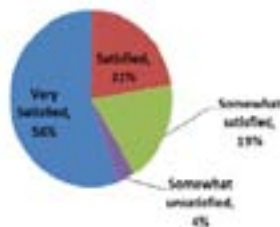
The focus of the UCLS Education Committee this month was the 2014 Fall Forum held on September 19<sup>th</sup> which everyone who attended seemed to enjoy. The forum was hosted and presented by the Geomatics Program at Utah Valley University (UVU) where the focus of the training was on Geographic Information Systems (GIS).

Attendees learned from Sean Fernandez, Automated Geographic Reference Center (AGRC) Cadastral Surveyor how GIS applies to the Professional Land Surveyor. Then the attendees proceeded to get their hands on ESRI’s world famous ArcGIS 10.2 GIS software. Everyone was able to get in front of a lab computer with the software loaded and with a computer lab instructor (Mike Nadeau and Sowmya Selvarajan) who were assisted by UVU geomatics students as lab aides. After spending the morning learning the basics of the various software functions and a good lunch the afternoon was filled with a project which ultimately resulted in a completed map. A prize was given for the person with the “best in show” map from each computer lab. The forum concluded with a presentation by recent UVU Geomatics graduate, Marshall Burt regarding Height Modernization. This how-to presentation helped all attendees learn how to contribute to the vertical value of NGS points here in Utah. These contributions to NGS points will improve future Geoids which will in-turn significantly impact the vertical integrity that surveyors and other GPS users obtain from their GPS receivers. According to the post forum survey via Google® the Fall Forum was a great success with 89% considering it to be excellent or above average and 89% wanting to learn more about GIS in the future. Approximately 85% were satisfied or very satisfied with the quality of the instructors and lab assistants, and the UVU food and facilities.

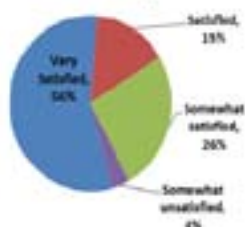
UVU plans to put together some additional workshops or seminars in the future which will cover topics such as GIS, GPS and Geodesy, Boundary Surveying, and others. These workshops and seminars will be directed not only to Land Surveyors but also to the general public. Hopefully, this training effort will provide much needed information to professions related to surveying like title officers, county recorders, attorneys, realtors, construction contractors, and others.

UVU Geomatics Program was proud to sponsor, host, and present this year’s Fall Forum and we thank you for attendance and welcome many more of you two years from now when UVU once again hosts the UCLS Fall Forum.

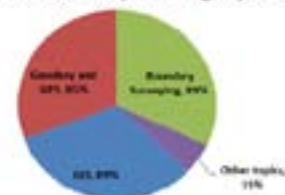
Learn what you expected to



Content and Topic of Forum



Future Workshop Training Topics



## Survey Results

The above are the adjusted (with email responses) results from the Google® survey taken by 27 of the 38 attendees (71%). **Please visit the UCLS website to see additional comments and suggestions.**



## Election Control by: Randy Miller

We've all no doubt heard the clever reference to Mount Rushmore as being "three surveyors and another guy". Joking aside, the character of the political appeal by those honored in sculpture has more in common than merely a profession grounded in the application of equity. The men whose faces appear on Mt. Rushmore were leaders and reformers in times of political crises and necessary sweeping changes. Washington and Jefferson were key leaders in the separation from the British Crown and the establishment of a new government minus the monarchy. Lincoln emerged as a coalition leader from the collapsed Whig party and became the first Republican Party Presidential nominee; a party which today more resembles the Whigs that it does 19th century abolitionist Republicans.

It is quite apparent that the political systems in our state and nation are not working to better the lives of a huge and diverse population generally.

Consider the situation our professional community now faces in Weber County (and statewide frankly): Ernie Rowley, the capable and competent County Surveyor was defeated in a primary election this last June and the victor in the Recorder/Surveyor race will not face a substantive challenge this November. Our colleague James Coutts has filed as a write-in candidate in that race however, it appears likely that Weber County will have a non-licensed County Surveyor beginning in 2015.

How did this happen? Do we need to organize on the ground more or more effectively? Very likely yes. Have we educated the public about the value that the office of County Surveyor adds? Probably not enough. Have we been caught unaware in a partisan pitfall? Most definitely.

But the real problem, and the Rushmore statesmen would nod in agreement, is in who we have allowed to take control of our elections. It is said that "he that makes the rules, rules". Political parties have coerced legislation which gives them near absolute control over ballot access and guarantees that any opposition will be squelched by institutions and practices designed to reduce or eliminate competition. Political systems which give any group or party and built-in advantage must be eliminated if we are to ever have a fair chance to avoid what has happened with the Weber County Surveyor or with the struggle to keep the state school board and municipal elections out of partisan control.

In 2010, the people of California called out the parties for a political duel. And they won. By a 54% to 46% margin, California voters approved Proposition 14, enacting a system of top-two non-partisan open primary elections referred to commonly as "open primaries". An open primary election is a clean way to eliminate the undue influence of political parties. It does not remove all influence of political parties, just their control of the election process. It works like this; all candidates in a primary election appear on the same unabridged ballot made available to every voter. The top two candidates regardless of party represent the people's choice and advance to the general election. Washington State already had this arrangement in place and it is on the ballot for Oregon voters to approve this fall.

Open primaries are a system which by design give no advantage to any candidate. Washington, Jefferson, Lincoln and even Roosevelt would approve this message. More importantly, the election for Weber County Surveyor would have 2 candidates in November where party membership is no more relevant to the election than it is to the duties of that office.

Randy Miller, PLS works for the US Forest Service in Ogden. In 2010 he ran as an independent candidate for Davis County Surveyor to punctuate the irrelevance of party affiliation to professional responsibility. Nearly 4,000 Democrats

### August Where is it?



Brian Mitchell stumped the membership in last month's "Where is it" competition. His panoramic picture was taken from the top of the skyline drive overlooking the beautiful Sanpete Valley. This triangulation station is located at the top of Big Horseshoe Canyon. Our thanks to Brian for submitting his picture. We invite you to also contribute by sending us your survey related pictures.

**Which North Arrow belongs to which company?**

	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	
<b>1</b> Hubble						1 = _____.
<b>2</b> Byrd						2 = _____.
<b>3</b> Alpine						3 = _____.
<b>4</b> Surveying Services						4 = _____.
<b>5</b> Lar West Engineering						5 = _____.

Answers on page 7

**Season 2 - Surveying Challenge - Race to Grid Mountain**

Surveying Mathematics Made Simple is presenting Season 2 of its competition which is intended to test “Your Surveying Mathematical, Analysis, Research, and Computer skills.”

Everyone is invited to play, including field & office surveying/engineering professionals, engineering and surveying students, interns, GIS professionals, or anyone else that just wants to have fun.

The contest will run from October 4 through November 15.

For contest details and contestant registration, visit <http://www.cc4w.net/contest.html>

**‘Dammit I’m mad’**

is

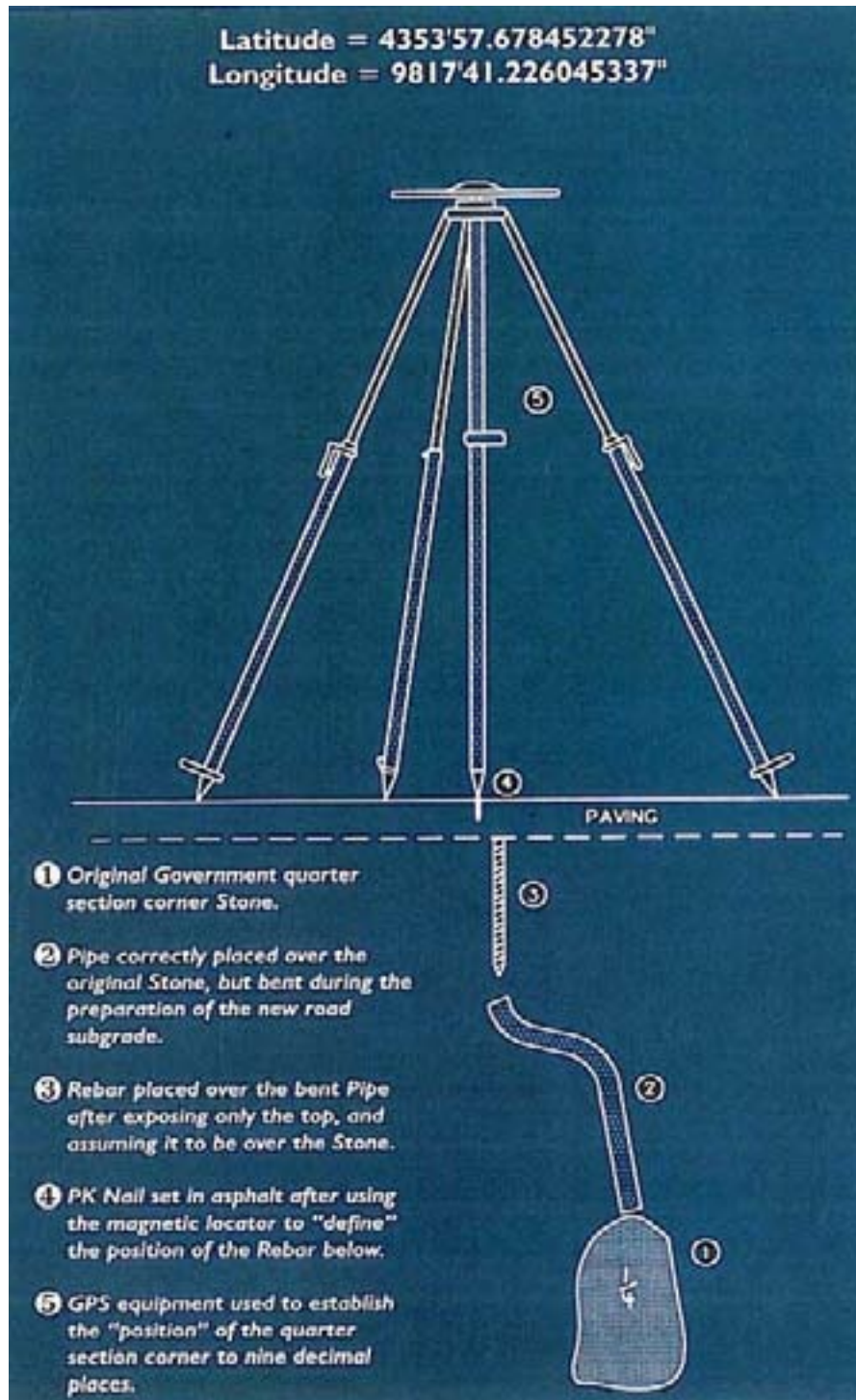
**‘Dammit I’m mad’**

spelled backwards.

## Parting Shot

## The Solution Gets More Precise, But Not More Accurate

"Image courtesy of Jerry Penry"



Answers to North Arrow Question 1=C; 2=D; 3=A, 4=E, 5=B

### **Standards & Ethics**

Steve Dale - Tim Prestwich

The Standards and Ethics Committee held regularly monthly meeting on August 21 and September 16 2014. Both meetings were held in the office of Meridian Engineering in South Jordan. The August meeting was well attended with 8 surveyors and 2 representatives from DOPL. The September meeting had 5 surveyors and one representative from DOPL.

In the August meeting the Committee met the new DOPL investigators. Sharon Esplin has worked for DOPL for many years; his background is in building trades and contractors. Mike is a recent addition to DOPL after recently retiring as an investigator for a local Police Department. The southern part of the State will have 2 different investigators but we don't know who for sure.

There were two surveys that were referred to the committee for comments. The Committee discussed how surveys or issues referred to the committee should be handled carefully so as to keep rumors minimized, to protect the Surveyor in question and the person making a complaint, but also to stay compliant to the rules for reporting unprofessional conduct. The discussion included much input from the DOPL representatives. The conclusion was that the committee could review and discuss questionable surveys, and suggest corrective actions to the surveyor without reporting it to DOPL. This is same for any individual surveyor finding a questionable survey should call the surveyor of record and discuss the issue before escalating the issue to DOPL. However, if the surveyor in question refuses to address the issue then the committee is obligated to report the questionable activity to DOPL for an investigation. This process will be helped immensely by DOPLs continued presence at the regular monthly meetings.

The committee jumped into the Subdivision Guidance Document. Because of the large number of surveyors present and the addition of the new DOPL representatives the committee took time to review the progression and purpose of Subdivision Guidance Document. Steve Dale had made the edits from the previous meeting, and had already received comments back on the latest edition. Some of the new comments covered sections the committee had already covered and closed, but were still helpful. Some were quickly assimilated into the document; others were once again vetted by the committee.

The September meeting moved very quickly. Sharon from DOPL and Dale Bennett reported on a recent case of an Engineer performing a "Partial Survey" of property line. Tim Prestwich reported on seeing a questionable survey from a surveyor who had been discussed at previous Standards and Ethics Committee meetings, he was waiting for a response from the surveyor. Steve Dale showed the latest Guidance document edition, and shared some of the emailed comments he received. The committee discussed the comments and voted to accept the latest edition with two minor corrections.

### **Boundary by Acquiescence?**

[2014 UT App 151](http://www.utcourts.gov/opinions/appopin/anderson972062614.pdf) (<http://www.utcourts.gov/opinions/appopin/anderson972062614.pdf>)

The Utah Court of Appeals concluded that an owner's silence or inactivity does not defeat a boundary by acquiescence claim by an adjoining owner's use and occupation of the disputed area. In its opinion, the court reviewed several boundary by acquiescence cases issued over many years.

The dispute centered around placement of a fence that was originally constructed in 1930. Anderson purchased the parcel in 1968, but rarely visited it. In the meantime, Fautin (and her predecessor owners) had used the area up to the fence for farming and grazing for "substantially more than 20 years."

In 2004, Anderson had his property surveyed, and the surveyor concluded that the fence was over 120 feet south of where the property line should be. He filed a quiet title action, seeking to reassert control over the 120 feet, and an order that a fence be constructed in the correct spot. Fautin responded by invoking the boundary by acquiescence doctrine, because she had used the property for more than 20 years without objection from Anderson.

Anderson claimed exemption because he was an absentee owner, did not attempt to use the disputed area, and never interacted with Fautin (or her predecessors), he could not have "acquiesced" in the fence as the property boundary. Fautin countered that Anderson's silence or inactivity was not a defense to a boundary by acquiescence claim; and that all that she needed to show was use or occupation up to a fixed boundary (i.e., the fence), and that Anderson's inactivity was not material.

The Court of Appeals agreed with Fautin. It noted that the question had not been directly addressed, but it concluded that one property owner's inactivity was not material. The Court reviewed several cases dating back to the 1960s, and concluded that the elements of boundary by acquiescence, particularly the "mutual acquiescence in undefined line as a boundary" were not dependent upon knowledge or activity by either owner. All that was necessary was "occupation to a visible line that would place a reasonable party on notice that the given line was being treated as a boundary."



## SALT LAKE COUNTY SURVEYOR – JOB OPPORTUNITY

**Requisition Number:** 14-2619

**Job Title:** "Surveyor" Chief Of Party

**Salary:** Grade 27 / \$22.41 Hourly / \$46,612.80 Annually  
Grade 29 / \$24.69 Hourly / \$51,355.20 Annually

**Salary Grade:** 27 / 29

**Opening Date:** 09/29/2014

**Closing Date:** 10/13/2014

**Position Type:** Full – Time

**Work Hours:** 40

**Department:** Elected Offices

**Division:** Surveyor – Tax Administration - 9401000000

**Work Location:** Salt Lake County Government Center

APPLY AT

<http://admin.slco.org/humanResources/jobs.aspx>

or [Jobs.SLCO.org](http://Jobs.SLCO.org)

**Important Information:** Applicants must have the ability to push, pull or lift survey equipment weighing up to 100 pounds on a regular basis. Working outdoors with constant exposure to heat, cold, dust, noise, fumes and traffic hazards is required. In order to qualify as a Party Chief at the grade 29 level, applicants must possess a professional surveying license.

**Position Description:**

### JOB SUMMARY

Provides direct supervision of field crew staff and daily management of projects and activities under the direction of the Field Operation Manager or designee.

### MINIMUM QUALIFICATIONS

#### GRADE 27

Bachelor's degree from an accredited college or university in Surveying, Drafting, Pre-engineering or Geographic Studies plus one (1) year of experience in a related field; OR five (5) years of experience in a related field; OR an equivalent combination of education and experience.

#### GRADE 29

Bachelor's degree from an accredited college or university in Surveying, Drafting, Pre-engineering or Geographic Studies plus two (2) years of experience in a related field; OR six (6) years of experience in a related field; OR an equivalent combination of education and experience.

Applicants possessing a professional surveying license will be considered at the grade 29 level.

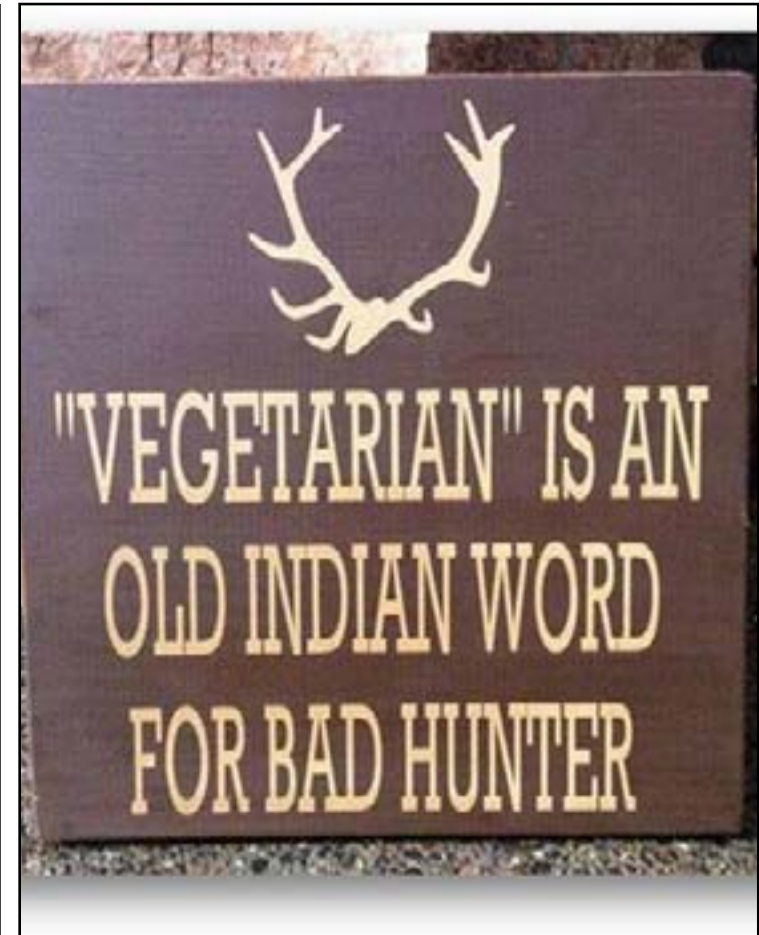
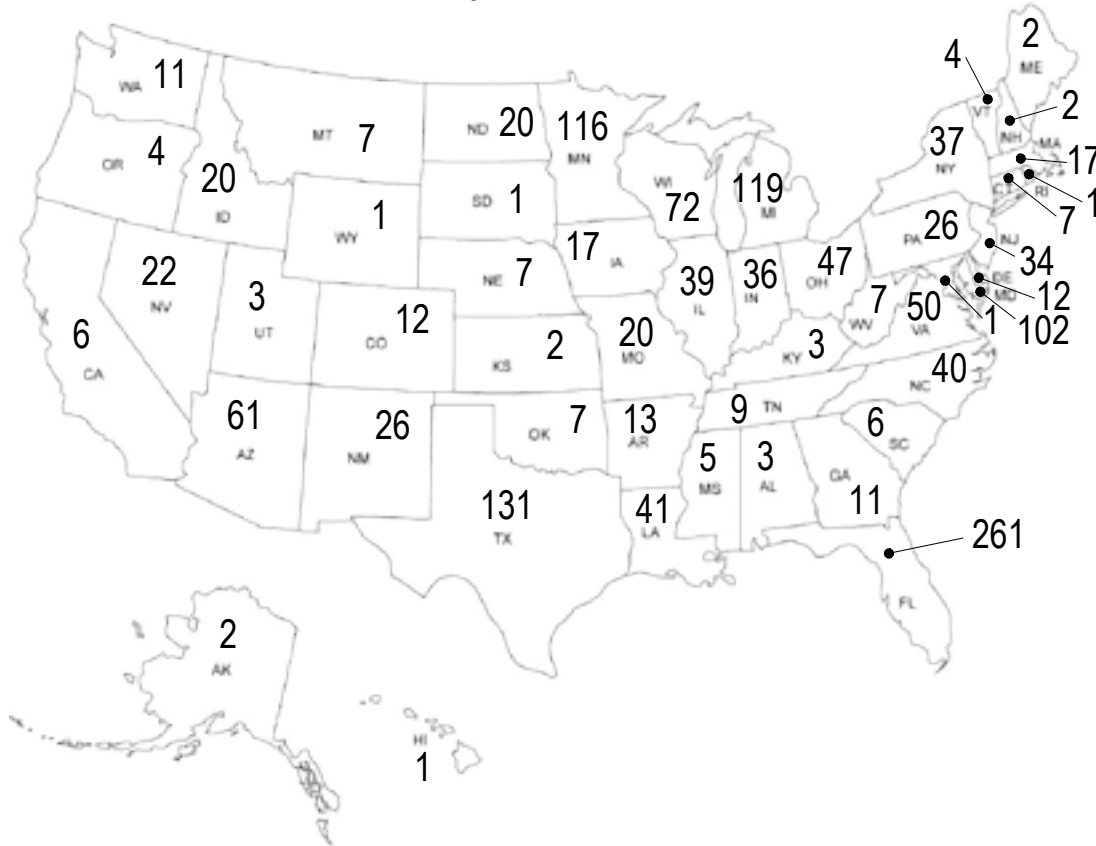
Must have or be able to obtain a valid Utah driver's license in order to operate a county vehicle.

### ESSENTIAL FUNCTIONS

- Supervises staff which includes hiring, promoting, orienting, training, assigning and reviewing work performance, annual work performance appraisal and discipline.
- Assists in developing and implementing policies and procedures that effectively use personnel, materials, and equipment. Ensures use of safety equipment and traffic control procedures are in compliance with federal, state, and county regulations.
- Manages, organizes, and monitors projects to satisfy departmental commitments and obligations
- Supervises field activities in support of boundary, topographical, and construction surveys for Salt Lake County and other agencies.
- Assists in determining and implementing plans regarding the direction and design of the County horizontal and vertical Survey Control System.
- Obtains, implements, coordinates, documents and ensures accuracy of all survey information needed to accomplish projects and survey work.



### CST Population by State as of March 2014



#### NCEES POSITION STATEMENT

##### **PS 29 Certification of Record/As-Built Drawings**

NCEES does not consider the representation of what was believed to be constructed to be engineering or surveying work and that to seal such work may be in violation of local and state statutes and rules. However, an engineer or surveyor may be required to seal work not performed under the engineer's or surveyor's direct supervision and control. In such cases, a caveat should be included on sealed record drawings, incorporating, as applicable, the following factors;

The record drawing is a compiled representation of the constructed project.

The sources and the basis of information used in the preparation of the record drawing should be listed.

The record drawing is believed to be correct to the best of the professional's knowledge.

The accuracy of the information cannot be guaranteed.