



COUNCIL REPORT

May 20, 2009

The Council of the Alberta Land Surveyors' Association met on May 20, 2009. Here is a summary of their discussions.

FROM THE REGISTRAR

The Association is pleased to welcome **Ian Sanders** and **Kevin Vennard** as associate members.

Mr. Sanders is a SIAST graduate and ASET member. Mr. Vennard is an ASSMT member and CBEPS candidate.

Council approved **Core Geomatics Group Inc.** as a surveyor's corporation. **Doug Sharp** will be the Alberta Land Surveyor responsible for the supervision, direction and control of the practice.

Council approved **AB Engineering & Surveys Ltd.** as a surveyor's corporation. **Jaroslav Matejko** will be the Alberta Land Surveyor responsible for the supervision, direction and control of the practice.

Council approved a branch office in Calgary for **AMEC Land Surveys Limited** with **Roger Luard** as the Alberta Land Surveyor responsible for the supervision, direction and control of the practice.

Council approved a La Crete branch office for **Barlow**

Surveying Inc. with **Warren Barlow** as the Alberta Land Surveyor responsible for the supervision, direction and control of the practice. **Floyd Strochinski** is the Alberta Land Surveyor responsible for the High Prairie head office of **Barlow Surveying Inc.**

Council approved a branch office in Medicine Hat for **Precision Geomatics Inc.** with **John Lohnes** as the Alberta Land Surveyor responsible for the supervision, direction and control of the practice.

Council approved a branch office in Medicine Hat for **Global Surveys Group Inc.** with **George Munro** as the Alberta Land Surveyor responsible for the supervision, direction and control of the practice. The practice will operate under the name **Munro Global Surveys (a division of Global Surveys Group Inc.)**.

Council approved applications from **Ken Allred, Ed Lyster, Don MacNeil, Terry MacNeill,**

Mike Porylo, Gord Olsson and **Vic Wolchansky** to be transferred from the active member register to the retired member register.

Council approved requests from **Chris Alcock, Jessica Barich, Grant Cross, Michelle DeNeve, Lorraine Hortness, Leanne James, Con Lenius, Laurie Roy, Geoff Scott** and **Greg Stromsmoe** to be exempt from the provisions of the mandatory professional liability insurance bylaw as they are not currently practicing land surveying in Alberta.

Council approved an application to cancel **AGP Geomatics Ltd.** as a surveyor's corporation.

Council accepted **Con Zarowny's** cancellation of retired membership with regret.

Council directed the Registrar to cancel the registration of all Alberta Land Surveyors and surveyor's corporations who have not paid their 2009-2010 dues pursuant to



Section 31 of the *Land Surveyors Act* following the expiration of 30 days notice unless the practitioner, on whom the notice was served, complies with the notice.

Council also directed the Registrar to cancel the membership of affiliate members, articulated pupils, associate members and retired members following the expiration of 30 days notice unless the members comply with the notice.

COMMITTEE TERMS OF REFERENCE & VOLUNTEERS

Council approved the 2009-2010 terms of reference for each of the 20 statutory, standing, and ad hoc committees. Some committees had the number of their action items reduced to reflect tighter budget constraints or changing priorities.

Council appointed the committee members to each of the Association's committees and its representatives on external advisory groups.

New committees members have been advised of their appointments and departing committee members have been thanked for their service to the Association.

The 2009-2010 calendar of events is online at <http://www.alsa.ab.ca/pdf/Events/Calendar.pdf>.

DUAL REGISTRATION OF SURVEY PLANS

Council reviewed a memorandum from Alberta Justice on the question of whether a land surveyor is required under the *Surveys Act*, for public lands surveys, to register a plan at both Land Titles and Public Lands when a monument is placed.

The memorandum was in response to the Association's solicitor's 2008 legal opinion as it related to a proposed amendment to the Manual of Standard Practice.

Alberta Justice provided a different perspective on the issue and Council agreed that Vice-President Brian Ross, Past-President Ron Hall and Executive Director Brian Munday would meet with the Director of Surveys and his staff to discuss the issue and determine a way to move forward.

PROFESSIONAL SURVEYORS CANADA

Council reviewed a discussion paper and business plan for a proposed new national organization called Professional Surveyors Canada which would replace the existing Canadian

Council of Land Surveyors. The Alberta Land Surveyors' Association has responded that it supports a strong national organization representing the land surveying profession and believes that a number of initiatives can and should be undertaken at the national level. Unfortunately, the Alberta Land Surveyors' Association also believes that the model for the Professional Surveyors Canada organization as presently outlined in the business plan will not work and we cannot support it.

The Canadian Council of Land Surveyors meets at the end of May to consider the opinions of all of its members on the proposed new organization.

AGM NEW BUSINESS MOTIONS

#1: *entering into discussion with the Association of British Columbia Land Surveyors to host a joint annual general meeting within the next five years – to be discussed by the presidents and executive directors of the ALSA and ABCLS.*

#2: *investigate a time line for registering pipeline right of way plans at the Land Titles Office with the goal of changing pertinent parts of*



the Manual of Standard Practice (MSP) – will remain an action item for upcoming Council meeting in conjunction with the Practice Review Board's recommendation that Council take action to deal with the dormant plan issue.

#4: investigate the monument requirements for a surface facility lease as defined in the Pipeline Act with the goal of recommending changes to pertinent parts of the Manual of Standard Practice – added to the Standards Committee terms of reference.

#6: remove all reference to page numbers within the Manual of Standard Practice – added to the Standards Committee terms of reference.

#7: prepare a contingency plan for 2009-2010. This should, at a minimum, consider a 25% decrease in iron post and marker post sales from the current budget. The plan should also outline steps to be taken to control costs in order to maintain a balanced budget. This plan to be circulated to the membership by June 30, 2009. – A first draft of a contingency plan was considered by Council at this meeting; it will be updated and it is expected it will be

approved by Council at its June 25 meeting.

#8: consider adding references to the Métis Settlements Land Registry, and Alberta Sustainable Resource Development (Lands Division), everywhere applicable to those instances where only registration at the Land Titles Office is mentioned in the Manual of Standard Practice – added to the Standards Committee terms of reference.

#9: Consider clarifying in the MSP the significance of monuments between block corners for plans registered between Feb 16, 1912 and June 9, 1988 – not added to the Standards Committee terms of reference for 2009-2010 as the Standards Committee already has a large number of significant action items on its agenda. It may be added to the Standards Committee terms of reference in the future.

#10: consider incorporating the PRB interpretive bulletins into the Manual of Standard Practice. – Page 74 of the new Manual of Standard Practice contains an active hyperlink to the PRB Interpretive Bulletins on the ALSA website and it was felt that this is sufficient.

LABOUR MOBILITY

Council, at a previous meeting, had raised a concern that licensed Canada Lands Surveyors were not receiving the same kind of mentored experience that students in each of the provinces receive under formal articles. Therefore, licensed CLSs should be required to write and pass more than just the one jurisdictional exam in order to become an Alberta Land Surveyor.

The ABCLS also expressed the same concerns.

The ACLS, ABCLS and ALSA met to discuss these concerns and the ACLS agreed to change its examination and experience requirements. A transition plan was developed to deal with licensed CLSs who wish to become Alberta Land Surveyors while the ACLS implements the changes to its processes.

The Alberta Land Surveyors' Association will remove its formal objections with the Government of Alberta.

BOUNDARY PANEL TERMS OF REFERENCE APPROVED

Council approved terms of reference for the new ALSA Boundary Panel.

Funding is now available through the terms of the ministerial order to deal with boundary uncertainties.

Boundary uncertainty occurs when the opinions of two or more Alberta Land Surveyors differ as to the position of a corner or boundary of property. A boundary uncertainty may be a result of an alleged error in survey.

It is expected that any practitioner who encounters an alleged error in survey or a potential boundary uncertainty will take all possible steps to solve the issue prior to the matter being brought before the Boundary Panel for its assistance.

The Executive Director shall inform the practitioners involved that the Association has been made aware of a potential boundary uncertainty or alleged survey error in a survey involving the practitioners.

If there is a continuing difference of opinion or a lack of timely cooperation, the Executive Director shall consult with the chairman of the Boundary Panel. The Chairman of the Boundary Panel shall formally (in writing) request the practitioners to submit all of the research material, field notes, and any other

documentation from their files.

The Chairman of the Boundary Panel shall review the submitted material, interview the involved practitioners, and determine if (1) more information is required, (2) the practitioners can agree to a timely resolution or (3) a meeting of the Boundary Panel needs to be convened.

The Chairman of the Boundary Panel may request that the Executive Director retain the services of an independent Alberta Land Surveyor to conduct an investigation or gather more information. The independent Alberta Land Surveyor will not be instructed to conduct a full survey but will be expected to review what the practitioners have already done and submitted in order to determine if the practitioners have taken all possible steps and submitted all possible information.

If the previous process does not result in a resolution or a lack of cooperation is encountered then a formal process will have to take place.

The Boundary Panel will conduct a hearing to review the documentation collected and speak with the

practitioners involved to determine how the boundary uncertainty or alleged error in a survey is best resolved or if further investigation is required.

Subsequent to a hearing of the Boundary Panel, the chairman or vice-chairman shall prepare a written report that summarizes the evidence provided to the Panel and the Panel's assessment of that evidence with any recommendations made by the Panel.

The Boundary Panel shall direct that the practitioners provide a written response to the report within a specified time and it is expected that the provision of this response by the practitioners is a matter of professional responsibility.

The Executive Director and the Boundary Panel chairman shall be responsible for ensuring that any remedial action that the practitioners have committed to is undertaken in a timely fashion or within specified dates as set by the Boundary Panel.

If a resolution of the boundary uncertainty or alleged error in survey cannot be reached, the Boundary Panel will recommend to the Council of the Alberta Land



Surveyors' Association that a Section 9 of the *Surveys Act* Board of Investigation, or some other process leading to a solution, be convened.

REALTOR INFORMATION

Council has endorsed Bob Wallace investigating the ALSA playing a more active role in the education of realtors by developing a new course. Council has asked Mr. Wallace to put together a plan and budget for Council's consideration.

SHORT CUTS

Council reviewed the final report of Dr. Barry's multimedia land records project.

Council considered comments from the Legislation Ad Hoc Committee concerning Bill 36 – *The Alberta Land Stewardship Act*.

The Association has made an application to the government for funding to develop easily accessible, current, accurate and understandable

information on the steps to recognize the international qualifications of foreign-trained professionals and develop assessment practices of international qualifications that follow the principles of transparency, fairness and accountability.

IMPORTANT DATES TO REMEMBER

June 1 – ALS News Deadline

June 25 – Council Meeting

August 14 – Golf Tournament