Peerless please note: There is an error on this ad and Grove asked whether it could be corrected from our end. In the locations columns, the Calgary area code should be (403) instead of (430).
Sharpline requested this page
(new ad coming by Monday February 28th)
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ON THE COVER
Ahh, Jasper in April! Everyone is invited to the 91st Annual General Meeting in Jasper.

ALS News • 3
www.alsa.ab.ca
Ensight

(repeat)

requested this page
incentive to represent our Association at three of our sister association AGMs.

On January 20th to 22nd, Linda and I attended the 47th AGM of the Association of New Brunswick Land Surveyors held in St. John. At the Presidents’ Forum, only Saskatchewan and Newfoundland were not represented. President Murdock MacAllister asked some of us to speak to their membership on a topic which concerns us in our own province. Naturally I was asked to speak on Digital Plan Submissions. New Brunswick is looking carefully at what is going on in Alberta as they are considering a similar system. These talks to their membership were supposed to be in the order of ten minutes; however, I was on the podium for over thirty minutes fielding questions from the floor.

Their Association reviewed draft of standards for a “Surveyor’s Inspection Report/Certificate.” This is a written report based on what we call a “drive by” survey for mortgage purposes. This document came about via a request from First Canadian Title Insurance Company. The membership is split on this idea and they will have their appropriate committee do more work on the subject.

One other item was the report on a proposed company in which a NBLS could purchase shares. This company would attend to the registration of plans, create and maintain a database of all registered plans. When one of your plans is sold to a third party and you are a shareholder, you would receive a royalty. Sure looks like a good method to get a return on their products which is just the opposite of what we have here in Alberta. The social program was an enjoyable event with our team winning the Games and Questions night at the icebreaker. On Friday, mother nature provided us with a real taste of a typical maritime blizzard. It sure was an advantage to have all convention activities in the Convention Centre connected to the hotel.

On January 26 to 29th, Linda and I attended the 95th AGM of the Corporation of Land Surveyors of the Province of British Columbia, held in Prince George. After the President’s Forum, the presidents of British Columbia, Alberta, Saskatchewan and Manitoba and CCLS met to review the University of Calgary Geomatic Department’s letter from Dr. Gerald Lachapelle. Dr. Lachapelle is proposing to reduce our representation on the Geomatics Engineering Advisory Committee and to create a new committee comprised of the four western associations and ACLS together with their department representative. We decided to report back to our respective councils and to meet at the Association of Ontario Land Surveyors AGM to formulate a united response to Dr. Lachapelle’s proposal. That has now been done and a letter on behalf of the associations has been sent to Dr. Lachapelle stating that we do not, at this time, wish to endorse the proposal but want to meet with him to discuss our concerns and come to a resolution acceptable to all those involved. That meeting was to be held March 3, 2000, at the Geomatics Department. We will be reporting the results to the membership.

At the B.C. business meeting, lengthy discussions were held regarding their Surveyors Oath and what it really meant by referring to the words “personally attend.” It appears that they are going to have to change their Act and Oath in a matter similar to what we did to ours some years ago. They will be doing further work on this item.

A motion came from the floor regarding the Geomatics 2000 proposal. This motion in essence stated that the proposed Geomatics 2000 proposed business plan must be debated by the membership at their AGM prior to giving any approval to the proposal. This motion was passed.

The membership approved life memberships for Don Duffy and Don Watson. In addition, six new members received their commissions.

The social functions were enjoyed by all. The night of the “Tacky Tourist” event, the guest presidents and wives, together with B.C. Past President O’Brien Blackall and his wife Shelley, had their picture taken — a real rogues gallery!

After a couple of weeks rest we were off again, this time to the Association of Ontario Land Surveyors’ 108th AGM held in Ottawa. The Presidents’ Forum was attended by Presidents from all provinces with the exception of P.E.I. President John Freemeyer of the Minnesota Association was also in attendance.

The Ontario meeting was followed by the Canadian, American and Mexican Survey associations meeting on the NAFTA negotiations. Following that, the CCLS AGM was held.

...continued on page 20
Spectra Precision
(repeat)
It is not always that every member of Council agrees with the collective position or decision that is reached at the monthly Council meetings. With the proper direction but there is one important aspect of this issue that should not be forgotten. The principal must play a key role in the articling process and it should be the principal’s responsibility to ensure that the articled pupil receives the proper training.

I have been the Council Liaison for the Professional Development Committee over the past year. There was a motion passed at the last Annual General Meeting to resurrect the concept of a continuing professional development program. A sub-committee was struck to deal with this one item and I served on that sub-committee too.

It was decided that the model would need to be significantly different from what was proposed at the 1998 Annual General Meeting. To this end, a concept was developed for a Professional Maintenance Program (PMP). It was to be voluntary, self administered, assessable (but not a points system), and should include the Systematic Practice Review process. After much brainstorming, a model was developed that was outlined in the last issue of ALS News in the PDC Corner. The Professional Development Committee is now in the process of developing the details to support this model in preparation for presenting the PMP at the 2000 Annual General Meeting in Jasper.

There is really nothing “not to like” about this new program. The cost of administering the program by the Association and by the land surveyor will be minimal. It is not mandatory as some would have liked but as our public member on the Practice Review Board, Lawrence Kluthe, pointed out to Council, the review process itself fulfils the mandatory continuing education component. The public is protected by the comprehensive review process which is already in place. If further upgrading, education or training is required, the PRB has the ability to recommend or mandate that a practitioner obtain the required expertise through course study or by any other means the Board deems necessary. I would urge you to support this program at the 2000 Annual General Meeting.

Another item that I believe requires some though is a change to our bylaws regarding the term of the position of councillor. It seems to be a struggle every year to find willing candidates to run for the elected positions. The commitment involved in running for vice president and president is great and I commend those who quite willingly let their names stand for these positions. If elected as vice president, one is in effect, volunteering to serve on Council for three years. The position of secretary-treasurer is a three year term and I would propose that the position of councillor should also be a three year term. It is important to have fresh faces, new ideas and varied opinions on Council. This could be accomplished by having two candidates elected every year for a...continued on page 20
Land Measurement Systems
(new)
Knowing what we have accomplished and understanding where we are, together with our vision for the future will continue to position Alberta and its people as leaders across the country.

Alberta’s land surveyors can count themselves as leaders. Recently, the Alberta Land Surveyors’ Association and its members implemented a process to submit digital plans of survey to the Land Titles Office, and their integration into the cadastral base map. The Association is a strong proponent of the digital plan initiative and has encouraged the Alberta Energy and Utilities Board to support it as well. I applaud the Association’s work in these areas.

This progress has not come without challenges. Introducing a fee to maintain cadastral mapping has not been popular, but it was necessary, and is consistent with this government’s support for a user-pay formula. Prepared to balance this authority with its responsibilities.

It has been suggested that the role of the Director of Surveys may have diminished over the past several years. The philosopher Syrus said, “anyone can hold the helm when the sea is calm.” But when waters are rough, the Director of Surveys—as Branch Head—steers the Association’s members in meeting challenges and solving issues. The Director’s duties and the fundamentals of the Surveys Act have been consistent, and maintaining and developing the land survey system remains vitally important. The Director of Surveys has a longstanding and excellent working relationship with the Association and its members. He remains the voice of land surveyors, their source of impartial advice and the defender of the Surveys Act within government.

The introduction of submissions of digital plans of survey, the Association’s activities toward a Co-ordinate Based Cadastre and the government-supported Real Estate Transition Committee are all examples of achieving a vision. That vision is working together to explore and adapt to new technologies, processes and responsibilities, so we can realize the opportunities so often disguised as challenges.

Mr. Mar was elected MLA for Calgary-Nose Creek in the provincial election held on June 15, 1993. He served as Minister of Community Development from June 30, 1993 to May 31, 1996. From May 31, 1996 to May 25, 1999, Mr. Mar served as Minister of Education.

Mr. Mar was appointed Minister of Environment on May 26, 1999, and is also the President of the Canadian Council of Ministers of the Environment (CCME).

As Minister of Environment, Mr. Mar is responsible for the Surveys Act.

---

**Upcoming Legislation in the Spring 2000 Session**

**Condominium Property Amendment Act, 2000**

The bill would finalize changes in the existing statutes to provide more complete legislation for buyers and sellers of condominiums in Alberta (related to mutual security on the development).

**Land Titles Amendment Act, 2000**

The bill would establish the use of only one seal for land titles, make references to the General Registry and would also deal with other housekeeping matters.

**Surveys Amendment Act, 2000**

The bill would permit collection of fees for cadastral mapping and descriptive plans provided by the Spatial Data Warehouse Ltd.

**Veterinary Profession Amendment Act, 2000**

The bill would amend the Act to implement disciplinary and alternative dispute resolution provisions.
Leica
(new)
As I read Jack Holloway’s instructions to Bob Baker on the running of the ALSA office (see pages 22-24), I found myself alternately thinking how much things have changed and then how similar they still are.

Mr. Holloway’s description of the office’s activities is analytic and yet at the same time humorous and entertaining. He spends the first part of the report outlining the registration process. In many ways, the registration process is the same—as articling pupils must write a series of exams and get practical experience in the field. It is apparent that in 1967 there were a number of forms that had to be filled in every year—whether it was for a new articling pupil, a transfer of articles or even a discharge of articles. The same is true today. The articling process is a learning experience for the pupils but one that can only be validated by complete and accurate written notes of what they have done. True then. True today.

By 1967, the Alberta Land Surveyors’ Association had two full-time employees. The day-to-day travails of dealing with articling pupils, managing the Association’s finances and all the other legislative requirements must have meant there was little time for other activities. It is little wonder that Mr. Holloway warned Bob Baker to leave the committees to their own devices.

Today, there are seven full-time employees plus several contract staff. While much of our collective time is still taken up by legislated matters, the Association is able to put more effort into the areas of public awareness and professional development. The Association has also been spending more time making the Government of Alberta (both at the ministerial and bureaucratic levels) and any number of related organizations more aware of the role of the profession.

A larger Association staff has meant that there is greater coordination amongst committees. In addition, the committees themselves can focus on the tasks and issues at hand, have a good discussion on the topic and make a recommendation back to Council. The Association office ensures that proper minutes are kept of each meeting and that the required correspondence is sent out. Whereas committees used to be separate from the Association office itself, today they are closely interwoven.

It is a cliche but it is true: committees are the lifeblood of the Association. And that is the reason why I am going to digress and put out a plea for members... to volunteer to join a committee.

The Practice Review Board consists of seven Alberta Land Surveyors and one public member. The results of your Systematic Practice Review are not one person’s opinion but the Board’s. The Board is representative of the membership at large; they come from the four corners of the province and practice in a variety of disciplines.

The Practice Review Board is a fun group of people with a serious task. The Convention & Social Committee is a fun group of people with a fun mission. Organize and present a golf tournament and an Annual Meeting and make sure people have fun while they are there! Convention & Social is a great committee to be a part of particularly if you are new to committee work.

The Professional Development Committee (PDC) is another committee that organizes events. This time it is seminars instead of social activities. If you want to help determine what professional courses are going to be presented, and maybe even attend one free of charge, consider joining the PDC.

The Registration Committee is a little like the TV game show Jeopardy – you have to come up with the questions. Registration is another statutory committee. It is a great deal of work with so many articling students but the committee members tell me that it is so rewarding to see a person get their commission after all of their hard work.
If the Registration Committee is like Jeopardy, then the Historical & Biographical Committee must be like that British/American TV programs called the Antiques Roadshow. On the Antiques Roadshow, ordinary people bring in their old furniture, toys or jewelry in order to find out more about it and, hopefully, find out it is worth much, much more than what they paid for it. On the Historical & Biographical Committee, members are conducting interviews with retired and former members of the Association in order to find out more about the history of surveying in Alberta.

The Discipline Committee does not have regular meetings and may not even meet at all during the year. However, there is no committee more important in protecting the public’s interest and ensuring the integrity of the profession.

The RPR Task Force has enjoyed success over the last several years. The group has been active in ensuring that the Real Estate Transaction Committee was formed, made more than a dozen presentations to municipalities and real estate boards and is now anxious to look at the standards for Real Property Reports. If you practice in this area, I am sure the Task Force would appreciate your input.

Last year, Council approved the new five year public relations plan. It is an ambitious plan that focuses on the needs of existing clients and target markets of the Alberta Land Surveyors’ Association. Specific activities include hosting receptions, arranging face-to-face meetings with municipal officials, school counsellors and home builders as well as developing brochures and presentations. As I said, it is an ambitious program that can only be undertaken with the assistance of many volunteers.

The Legislation Committee has an opportunity to comment on legislation on behalf of the Association before it is presented on the floor of the Legislature. From time to time, I hear the comment that things would be so much better if only this piece of legislation could be changed. Here is your opportunity to help mold the future legislation of the profession. As the Association’s solicitor, Bill Shores, wrote in the last issue of ALS News, the new Health Professions Model Legislation will come to land surveying and we must be prepared. The Legislation Committee would welcome your input.

There are a number of other ad hoc committees within the Association but I have attempted to list the main ones at this time. Please consider volunteering for one when the sign-up sheet comes your way at the Annual General Meeting.

You are attending the Annual General Meeting, aren’t you!? As Jack Holloway said, “this is a big jamboree for most members.” The 2000 AGM will be no exception. While there will likely be few recommendations, what we lack in quantity will certainly be made up in quality. The Coordinate Based Cadastre and the Professional Maintenance Program are just two of the issues up for discussion. Add in Casino 2000, with Hippity Hop Horse Racing, comedian Ron James and the spectacular surroundings of Jasper, and this will be a jamboree you do not want to miss!!

Thankfully, this is one of things about the Alberta Land Surveyors’ Association that has not changed.

Net Notes

The Association’s new website is now online. Not only does it have new look but also much more new information. Here is a sample:

**University of Calgary – Geomatics Engineering Entrance Requirements**
http://www.alsa.ab.ca/careers/high_school.htm

**Salary Survey Results**
http://www.alsa.ab.ca/careers/salary_survey.htm

**Surveyors & the Public – Land Development**
http://www.alsa.ab.ca/surveyors/land_development.htm

**Fun Links - brain teasers, trivia and other interesting information.**
http://www.alsa.ab.ca/links/fun_links.htm

**SPR Case Studies**
http://www.alsa.ab.ca/member/continuing_education.htm

**Articling Forms**
http://www.alsa.ab.ca/member/forms_policies.htm

**Annual Meeting & Seminar Registration**
http://www.alsa.ab.ca/member/seminar_registration.htm

**ALS News Index of Articles**
http://www.alsa.ab.ca/general/in_the_news/als_news_index.htm
Petroleum Communication Foundation Publishes New Brochures

On behalf of the Petroleum Communication Foundation (PCF) Board of Governors, I am pleased to present every PCF member company with three copies each of PCF’s newest publications Sour Gas: Questions + Answers and Flaring: Questions + Answers.

Sour Gas: Questions + Answers focuses on the questions Canadians living in close proximity to sour gas operations have about this issue. Specifically, the document covers sour gas and hydrogen sulphide (H2S), safety issues, stakeholder rights, sour gas producing areas in Western Canada, safety regulations, and emissions and their effect on people, livestock, plants, water quality and soils. The document also explains the history of sour gas development and provides current research into sour gas effects.

Flaring: Questions + Answers focuses on the questions Canadians living in close proximity to flares have about this issue. This booklet is a companion piece to Sour Gas: Questions + Answers and is also available separately. It explains the current issues involved in the flaring of sweet and sour gas in natural gas production, flare systems, types of flaring, flare emissions, flaring reductions, and current research.

These publications are the successful result of a rigorous review process established to ensure that the documents reflect the information needs stakeholders have about these topics. They were produced through extensive consultation with community, landowner and environment groups, petroleum industry representatives, regulators and scientific experts.

These documents are just two examples of the many initiatives that PCF has undertaken in the past year on your behalf. They include:
- Publication of the sixth edition of Our Petroleum Challenge, which has already become a national best-seller;
- The first PCF publication on the East Coast offshore oil and gas industry, Canada’s East Coast Offshore Oil and Gas Industry,
- Publication of The Oil and Gas Industry and the Canadian Economy, which details the involvement of Canada’s oil and gas industry in the economy, including jobs, expenditures, and impact on balance of trade;
- Addition of two new brochures to the Did You Know? brochure series, which explores the petroleum industries of Nova Scotia and Newfoundland;
- Creation of a benzene brochure on emissions from glycol dehydrators;
- Completion of a survey, in partnership with the Angus Reid Group, which examines the views of Albertans toward the oil and gas industry;
- Expansion of the Connexions newsletter to include more feature stories and in-depth coverage of industry issues; and
- Establishment of the Petroleum Communicators’ Network (PCN), which facilitates idea-sharing and networking among communication professionals working in the petroleum industry.

Work is also currently underway on new publications that examine oil sands, pipelines, and natural gas. Complimentary copies of all our new documents are distributed nationally to high schools, selected post-secondary instructors and public and post-secondary libraries.

If you would like to purchase copies of these publications, or other PCF documents, please call the PCF’s toll-free publication order line at 1-877-606-4636 between 8:00 a.m. and 5:00 p.m. Mountain Standard Time (MST) Monday to Friday.

PCF is grateful for your support, which ensures that we can continue to produce informative and balanced publications about our industry.

ROGER C.G. ROWLEY
EXECUTIVE DIRECTOR
wwwpcf.ab.ca

Digital Watermarking and Georeferenced Images

This is in response to the article “Enhancing Survey Plans in Alberta: Digital Watermarking and Georeferenced Images,” specifically the georeferenced images concept.

Georeferenced images are a wonderful thing. Speaking from a map compiler’s point of view, they are an incredible tool, as good as “being there” in my opinion. But, if we consider digital transfer of plans, they lose their effectiveness and can become a waste of resources.

I have downloaded several Alliance Pipeline plans from SPIN. All of these plans that I have seen have images as a background. There’s a typical scenario: search a section and obtain a list of plan numbers. One of these pages is at least a megabyte in size because of the raster image. As soon as it arrives, print it. It is unreadable because it is mostly black. The only option I have come up with is to phone the survey counter at Registries and ask them to send a readable blue line copy of the one plan that I need that goes through the
section I searched. I am now aware of these plans and will not order them digitally if they have an image in the background.

A better solution would be to offer two copies of these plans; one with an image, one without.

The article states, “the point to be emphasized is that an embedded georeferenced image would represent an enhanced product relative to that currently being offered as survey plans.” This is not the case if all I require is evidence, bearings and distances. Being sort of “old school,” I am not interested in having to learn how to manipulate a raster image to make the part of the plan I need to see visible.

REVAN SHERVEY
HIW SURVEY LTD.

ALSA Bursary

I would like to take this opportunity to acknowledge and thank you for the establishment of the Alberta Land Surveyors’ Association Bursary for Geomatics Engineering at the University of Calgary.

Recently, I became aware of my selection for this award through the Students’ Award and Financial Aid at the University of Calgary. Upon receiving the letter, I was very pleased as this was my first award and because of the increased tuition this year.

From the start of my education at the University of Calgary, I have had my mind set on becoming an Alberta Land Surveyor. I have worked in the business of surveying since 1988 when I started a job with Alberta Transportation and Utilities just after high school graduation. In 1994, I received a job with Focus Surveys and worked out of the Grande Prairie office ever since. In 1996, I became interested in land surveying and enrolled in the Geomatics Engineering program at the University of Calgary. I have worked with Focus throughout the summer months and have an opportunity to article under an Alberta Land Surveyor from the Grande Prairie office upon completion of my degree this April. I am really looking forward to becoming a land surveyor and excited to see what the profession has to offer in the future.

Thank you for making this goal an easier one to achieve.

JASON R. PAZIUK
A GRATEFUL 4TH YEAR
GEOMATICS ENGINEERING STUDENT

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GEOMATICS ENGINEERING STUDENT

As time passes, the PSPs become of ever increasing value. Your assistance in helping us to protect and preserve them will be greatly appreciated.

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For further information on the LFS PSP program, please contact Daryl Gilday at: Tel: (780) 422-5257 or E-mail: daryl.gilday@gov.ab.ca.
Corrections and Changes to the Register

Justin Brennan, A.L.S. is with Saudi Aramco in Dhahran, Saudi Arabia as of December 31st. All correspondence for Justin can be sent to 32 Inverness Crescent, St. Albert AB T8N 5J3 <brenja0a@hotmail.com>

Paul Chan, A.L.S. is registered as a sole practitioner as of February 11, 2000.

Barry Fleece, A.L.S. is employed with S.E.S.L. Geomatics Ltd. effective February 2, 2000.

Don Grant, A.L.S. has changed his e-mail address to don.grant@agra.com.

Bruce Gudim, A.L.S. is now at the Edmonton office of Maltais Associates Surveyors Ltd. as of December 31, 1999.

James Hume, A.L.S. has taken employment with Crape Geomatics as of February 1, 2000.

John Ironstone, A.L.S. —effective December 1, 1999, John commenced employment with All West Surveys Ltd. in Edmonton.

Colin Jeschke, A.L.S. has changed his membership status from Retired to Active effective February 11, 2000. Colin is employed with Usher Canada Limited in Calgary.

Maltais Associates Surveyors Ltd. has closed their Camrose branch office effective December 31, 1999.

Matrix Surveys Ltd. phone number is (403) 286-2621; fax is (403) 286-6632.

Pals Surveys Ltd. has a new website and e-mail addresses: pals@palssurveys.com (Edmonton) palscal@palssurveys.com (Calgary) palsyct@palssurveys.com (Whitecourt) palscl@palssurveys.com (Cold Lake) www.palssurveys.com (Website)


DEADLINE
March 15, 2000

for submission of your AGM Registration form to qualify for the early bird draw for two nights accommodation at Jasper Park Lodge.

New Members

#662 BUCHKO, John Rodney

Rod was born in Wynyard, Saskatchewan on October 3, 1952. He graduated from Calgary’s Ernest Manning High School in 1970. Rod graduated from the University of Calgary with a BA in 1974 and from the University of Alberta with a BSc. in 1987.

Articles were served under Alberta Land Surveyors Leo Raessler and Vic Wolchansky. Rod received his commission on September 27, 1999. “Conflicting Interpretations of a Blind Line: A Case Study” was the topic of the technical report submitted as part of the qualifying examination.

Rod worked with Clayton-Pang Surveys Ltd. from 1988 to 1992 doing Real Property Reports, subdivisions, and layouts. He was employed by The Cadastral Group from 1992 to 1997 where he gained further municipal experience in addition to doing oilfield surveys. From 1997 to the present, Rod has worked for the Edmonton office of Challenger Surveys & Services Ltd.

Philately, bibliophily, mountain biking, and walking are a few of the leisure activities that Rod enjoys.

#664 THOMSON, David

David Thomson was born in London, Ontario on January 15, 1958. He graduated from Oromocto High School in 1976 and went on to receive a B.Sc. Engineering from the University of New Brunswick in 1981.

Articles were served under Vic Wolchansky, A.L.S. David received his commission on February 22, 2000. The topic of the technical report submitted as part of the qualifying examination was “Riparian Rights in Alberta.” David also served as the treasurer of the Institute of Navigation and Vice President of the Canadian Hydrographic Association.

David began his career working for Canadian Engineering Surveys Ltd. on an offshore project. He joined Challenger Surveys & Services Ltd. in 1984 and served in a variety of roles both domestically and overseas.

David enjoys wine making, fishing and spending time with his children, Laura and Nicole.
nominees for council

For President:

L.M. (Larry) Pals, A.L.S.
- Born in Castor, Alberta in 1951.
- Graduated from Thereseetta High in 1969.
- Began survey career with Alberta Transportation (1971-74).
- Articled to L.R. Newby, A.L.S.
- Received A.L.S. commission in July 1976.
- President of Pals Surveys and Associates Ltd. (1983 to present).
- ALSA Vice President (1999-2000).
- Served on ALSA Standards Committee (1990-91).
- Served as Northern Regional Chairman (1993).
- Served as Convention Committee Chairman (1979 and 1983).
- President of Knights of Columbus Hockey (1997-1999).
- Member of RPR Task Force since 1997.
- Member of CIG, UDI, EHBA.
- Married to Judy; three children.

For Vice President:

G.K. (Ken) Allred, A.L.S., C.L.S.
- Graduated from SAIT in 1961 with Gold Executive Award.
- Received ALS Commission in 1965, CLS Commission in 1968.
- Served as ALSA Executive Director from 1977 to 1991.
- Member of most ALSA committees at one time or another.
- Director and Secretary-Treasurer - JH Holloway Scholarship Foundation - 1977-1991.
- Served on CCLS from 1977 until 1986, as Secretary-Treasurer, Vice-President and President.
- Adjunct Professor - University of Alberta - 1984-1992.
- Member—Canadian Institute of Geomatics.
- Member—Alberta Arbitration and Mediation Society.
- Alderman - City of St. Albert - 15 years.
- Practice includes cadastral research, forensic investigations, professional seminars, and adjudication.
- Prior employment with all 3 levels of government, private practice, resource exploration and association management.
- Attended every ALSA annual meeting since 1965.
- Married to Marge, three grown sons.

L.A. (Lloyd) Cridland, A.L.S.
- Born in Pincher Creek, Alberta in 1952.
- Graduated from Matthew Halton High School in 1970.
- Received diploma in Surveying Technology from SAIT in 1974.
- Received A.L.S. Commission in 1979.
For Council:

D.J. (David) Hagen, A.L.S.
- Born in Edmonton, Alberta, in 1962.
- Graduated from Salisbury Composite High School in Sherwood Park in 1980.
- Graduated from University of Alberta with a B.Sc. in Engineering in 1985.
- Received A.L.S. commission in 1994.
- Member of the RPR Task Force (1995 - Present).
- Member of the Public Relations Committee (1996-present).
- Chairman Public Relations Committee (1999-2000).
- Currently employed by Hagen Surveys (1982) Ltd. in Edmonton.
- Hobbies include softball, downhill skiing, water skiing & golf.

J.G. (James) Halliday, A.L.S.
- Born in Shoal Lake, Manitoba.
- Employed by Midwest Surveys Inc. since 1973.

S.T. (Steve) Yanish, A.L.S.
- Born and raised in Edmonton, Alberta.
- Graduated from NAIT with a diploma in Survey Technology in 1983.
- Received a B.Sc. with specialization in Survey Science from the University of Alberta in 1989.
- Commissioned as an Alberta Land Surveyor on April 7, 1992.
- Member of the Professional Development Committee since 1991 and Chairman from 1995 to 1997.

D.J. (David) McArthur
- Born in Ottawa, Ontario.
- Graduated from Survey Technology (Honours), Algonquin College, 1975.
- Graduated from Surveying Engineering, University of New Brunswick, 1978.
- Received P.Eng. in 1979.
- Received C.L.S. Commission in 1982.
- Received A.L.S. Commission in April 1999.
- Employed with All West Surveys Ltd., Edmonton.
- Married to Lynne: two children—Caroline (10), J.D. (8).
Digital Plans and Municipal Affidavits

Editor’s Note: The Association asked its solicitor for an opinion on two letters received by Alberta Land Surveyors from the M.D. of Foothills and M.D. of Rocky View. What follows is an abbreviated version of David Jardine’s opinion to Council.

You have provided to our office a copy of a letter dated December 20th, 1999 from the Municipal District of Foothills No. 31 addressed to surveyors and a copy of a draft letter to surveyors from the Municipal District of Rocky View No. 44 regarding digital plans and the registration process.

In each case the Municipal District has altered its guidelines for the requirements in respect to plans that are submitted to it for approval prior to the plans being submitted to the Land Titles Office. The changes are indicated to have been as a result of the changes to the guidelines for submitting plans to the Land Titles Office and the requirement that as of December 1st, 1999, Alberta Land Titles will accept only digital plans of survey for registration.

The point you have requested our opinion in regard to appears as the third point from the Municipal District of Foothills as follows:

An Affidavit from the surveyor indicating that the file on the diskette submitted to LTO is identical to the hard copy and the digital file submitted to the M.D. of Foothills No. 31.

In the case of the M.D. of Rocky View the requirement is expressed as follows:

In addition to the above, the surveyor must submit to the Municipality a signed and commission [sic] Affidavit from the surveyor swearing and/or affirming that the paper copy that was submitted to the Municipality is identical to the digital copy of the Plan that will be submitted to Alberta Land Titles for registration. This Affidavit must reference a specific and identifiable plan (i.e.: a date and reference number on the paper copy).

Please note that the surveyor must prepare the Affidavit referred to above, subject to approval by the approval of the M.D. of Rocky View. The Municipality will not be supplying sample Affidavits to surveyors.

The M.D. of Rocky View letter goes on to indicate that any changes, regardless of how small the proposed change is, that are proposed to a plan of survey or any accompanying plans that have already been endorsed by the municipality must be resubmitted and approved by the municipality prior to the amended digital plan being submitted to the Land Titles Office and new paper copies of the plan must be submitted for approval at that time. The municipality indicates that once the registered paper copy of the plan of survey is forwarded by Alberta Land Titles to the M.D. of Rocky View the copy of the registered plan will be compared to the copy submitted to the municipality in order to ensure that they are identical in substance.

Can the municipalities require an affidavit?

Under the subdivision approval process established by the Municipal Government Act and the regulations thereunder plans of survey must be submitted to the relevant municipality for review and approval. The municipality is entitled to require a copy of the plan of survey in the form in which it will be submitted to Land Titles and to review that plan and endorse the specific plan that is to be submitted to Land Titles.

The suggestion that if there are any changes to the plan submitted to the subdivision approving authority prior to the plan being submitted to Land Titles for registration, the changes must be reviewed with the subdivision authority and approved by the subdivision authority is not new. This issue was the subject of a decision and order of a Discipline Committee which was subsequently approved by an Order of the Council of the Association and these decisions were upheld by the Alberta Court of Appeal. The basis for this decision was that it was contrary to the then existing Code of Ethics to change the plan after it had received the Planning Commission approval. The case also held that not amending the surveyor’s Affidavit on the plan showed that additional survey work was carried out resulted in the Affidavit on the plan being false.

The principle that the plan which is submitted to the approving authority must be the plan which is registered at Land Titles is therefore not new. What is changed in this particular situation is the form of requirements being asked by the municipality to address the issue of digital plans.

In our opinion, the surveyor has always had the obligation to ensure that the plan of survey that is submitted to the subdivision approving authority for approval is the same as the plan that is subsequently registered at the Land Titles Office. What has changed is that the municipalities are asking that a form of Affidavit be commissioned by the surveyor confirming that the paper copy of the plan submitted conforms to the digital plan which is to be submitted to the Land Titles Office.

Therefore, while we are not aware of any specific legislative provision which enables the municipality to require an Affidavit from the surveyor, the certification that is provided by the Affidavit is, in our opinion, already implied in the submission of the plan to the municipality. The Affidavit makes this requirement explicit and makes it in a sworn form but both the legal responsibility for ensuring that this was the case and the professional obligation...
shown by the discipline case cited already existed.

While there may be some question as to the authority of the municipalities to require that the certification be given in an Affidavit form, the requirement that the surveyor certify the information requested likely is appropriate. It may also be held that some kind of certification relating to the paper copy of the plan to the digital plan is also reasonable given that both are prepared by the surveyor’s office.

What issues of liability does this form of affidavit create for a surveyor?

We have already noted that in our opinion there are both legal and professional obligations on the surveyor to ensure that the plan of survey submitted to the subdivision approving authority and endorsed by the subdivision approving authority is the same as the survey registered at the Land Titles Office. Even in the absence of an Affidavit by the surveyor, the registration of a plan of survey that was in substance different than the plan approved by the subdivision approving authority could certainly result in professional discipline and might, depending on the circumstances, also give rise to legal proceedings for correction or for damages incurred. The fact that this obligation is expressed in the form of an Affidavit alters the manner in which a breach might be proven but it does not really alter the obligation itself.

However, the fact that certification is now being required in digital plans may raise new issues. In particular, we are concerned that there may be circumstances in which the diskettes containing the digital plans may be altered either intentionally or unintentionally through use by the municipality or in the process of registration and integration of the digital plan into the cadastral mapping system by Alberta Registries. If the change occurs at a period of time after the surveyor no longer has control of the diskettes or the digital plan, it would be unreasonable to expect that the surveyor should assume liability for these perhaps unintentional changes.

We do not pretend to have the technical expertise to determine whether such changes to a digital plan are possible or likely but given the nature of computer data, this concern certainly arises. We would therefore suggest that any certification being given by a surveyor whether in the form of a certification or in the form of an Affidavit should qualify the representation. The qualification should indicate that the specifically referenced paper plan of survey and the digital disk submitted on the specific date with a specific identifying feature represent the same plan. It should make clear that this representation is limited to the form in which the disk is delivered to the municipality and does not extend to any alterations to the disk that might occur as a result of the actions of either the municipality or the Land Titles Office once the disk has passed beyond a surveyor’s control. The intent of such a qualification would be to ensure that the surveyor warrants only the surveyor’s own work and that the surveyor is not a guarantor for potential problems created through the use of the digital disk by person other than the surveyor.

If given the option, we would also recommend that the certification given be given in a form other than a sworn Affidavit. This eliminates any professional issues concerning the swearing of an incorrect Affidavit.

Conclusion

If the use of an Affidavit remains of concern, we would want to review the precise authority under which the municipalities claim the right to require that the information be given in Affidavit form. Since the initial questions directed to us related more to the potential liability that such an Affidavit might create for the surveyor, we have not examined this point in further detail because our conclusion is that the underlying liability is the same whether or not the information is certified in the form of an Affidavit.

In regard to the form of the Affidavit and issues on liability it is our conclusion that the liability would likely flow with or without an Affidavit. However, we are concerned that given the nature of digital information any Affidavit or certification should contain qualification limiting the liability of the surveyor to the certification that the disk produced to the municipality conforms to the paper plan and conforms to the disk that will be provided to the Land Titles Office. The liability should not extend to changes which could potential occur as a result of the use of the disk by either the municipality or the Land Titles Office.

At its January 27, 2000 meeting, Council considered Mr. Jardine’s opinion and passed the following motion:

It was MOVED by Mr. Stephens, seconded by Mr. Hittel, that Council recommend to the ALSA membership that they contact various approving authorities in order to understand their individual approval processes.

Motion Carried
...I wish to extend my thanks to the membership for the privilege of being your President for 1999-2000.

the new proposed alliance. This presentation is to be offered at our AGM in April.

Sixteen new commissions were presented. Murray Fraser was elected President and Peter Allen as Vice President for 2000-2001.

The Convention Committee put on an excellent social program including a visit from “Elvis - The King” who entertained us at the Convocation Luncheon. While we were in Ottawa, “Winterlude” festivities were taking place all over the city.

Back on the home front, your Council has been busy. Thanks to Vice President Larry Pals for chairing the January Council meeting. At that meeting, we passed the 2000-2001 budget, received an update from Dick Bassil on the proposed licensing structure from Alta LIS. Other items on the agenda have been outlined in the January 27th Council Report.

Also, we received my report on the meeting that was held with the M.D. of Rocky View and twenty-seven Land Surveyors regarding the M.D. requiring an additional affidavit to be signed by the Land Surveyor when submitting a hard copy plan of the digital plan. A motion was then passed that a letter be written to the M.D. of Rocky View advising that:

1) ALSA, as professionals, will do everything they can to make the process work;
2) the ALSA shares some of the M.D.’s concerns on the integrity of digital information which were raised when the process was initiated and those concerns have not been fully addressed;
3) if the Municipality of Rocky View shares the same concerns they should be addressed through the Director of Surveys Office or the Land Titles Office.

Further to that motion, a letter was sent to the M.D. of Rocky View outlining the Alberta Land Surveyor’s professional obligations under the Land Surveyors Act and the Manual of Standard Practice thereunder.

The dates of our 91st AGM to be held at Jasper Park Lodge, April 13th to 15th, 2000, are fast approaching. We should all be preparing to attend and partake in the proceedings.

This is my last President’s Message and I wish to extend my thanks to the membership for the privilege of being your President for 1999-2000. Indeed it has been an exceptional experience.

See you all in Jasper in April.

Councillor’s Forum continued from page 7...

three year term instead of three candidates for a two year term.

I found that it took two or three meetings to become familiar with the Council process. This, combined with a summer break, may mean that it is four or five months after the elections until new councillors are beginning to feel comfortable.

I think that one is probably most effective in their second year on Council.

I think that one is probably most effective in their second year on Council. Some issues take more than a year to be resolved and still others may be ongoing. Continuity can be quite important with some of these items. It is my opinion that a three year term on Council would be more effective for both the councillor and the membership.

I have found it a pleasure to work with so many talented and dedicated individuals on the committees, on Council and with the staff of the Alberta Land Surveyors’ Association. It has been an honor to serve the membership. Thank you for two enjoyable years.
**INCOME AND BENEFITS SURVEY—ACTIVE MEMBERS**

**Year of registration**
- 1995-99 .......................................... 6
- 1990-94 .......................................... 0
- 1985-89 .......................................... 10
- 1980-84 .......................................... 2
- 1975-79 .......................................... 17
- 1970-74 .......................................... 3
- Prior to 1970 .................................. 9

**Nature of present endeavour (averages per year)**

- **Sole Proprietor or Partner (19)**
  - Work Week (hrs.) ......................... 48
  - Earnings ............................ $105,919
  - Vacation (weeks) ........................... 4

- **Private Practice - employee (21)**
  - Work Week (hrs.) ......................... 46
  - Earnings .............................. $75,069
  - Vacation (weeks) ........................... 3

- **Government and Education (7)**
  - Work Week (hrs.) ......................... 40
  - Earnings .............................. $66,786
  - Vacation (weeks) ........................... 4

**Percent of field of practice**
- Municipal ..................................... 32
- Resource Development .............. 32
- Construction ................................. 16
- Other ............................................ 20

**Office of employment (averages)**
- Annual Earnings Median = $76,800.00
- Avg. Personal Earnings = $86,306.74

**Edmonton (11)**
- Work Week (hrs.) ......................... 43
- Annual Earnings ......................... $93,706

**Calgary (13)**
- Work Week (hrs.) ......................... 46
- Annual Earnings ......................... $105,923

**Other Alberta Centre (21)**
- Work Week (hrs.) ......................... 47
- Annual Earnings ......................... $70,507

**Outside Alberta (2)**
- Work Week (hrs.) ......................... 42
- Annual Earnings ......................... $84,000

**Employment benefits received (yes out of 47 replies)**
- payment of annual registration fees .......... 46
- payment of professional development course fees ........ 47
- payment of Annual Meeting expenses ............ 43
- provision of car allowance, company car .......... 36
- provision of pension plan participation ........ 18
- provision of medical benefits plans .......... 38
- provision of Stock Options ...... 12

**Allied qualifications (yes out of 47 replies)**
- Other Commissions ...................... 17
- Professional Engineer .................... 6

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**Comments:**

**Income Survey for Members**
The number of responses dropped to 47 from 60 last year. Last year the median salary was $90,000; this year it dropped to $76,800.00, likely reflecting lower oil prices for much of 1999.

**Wage Survey for Technical Staff**
Wages for technical staff declined sharply in 1999. However, the wage levels, for the most part, are higher than they were in 1997.

The Survey Services portion of the study is not being published this year due to the low response rate.
On October 20, 2000, the J.H. Holloway Foundation is celebrating its 25th anniversary by holding a gala reception at the Red & White Club in Calgary. Everyone is invited.

It will be a special evening to recognize all the donors and award recipients over the last 25 years. The Foundation hopes Jack Holloway’s family will also be in attendance.

Jack Holloway served as the Association’s Secretary-Treasurer (the forerunner to the executive director) from 1941 to 1967. Mr. Holloway’s formal biography has been published in past editions of ALS News.

What follows is a behind-the-scenes look at the Alberta Land Surveyors’ Association office from Jack Holloway’s perspective when he retired in 1967 and Bob Baker took over the reins. Here are his instructions to Bob on running the office.

Files & Records

An individual file is maintained on each active member, inactive member, life member and past member of the Association, excepting a few members who were registered before the war. A few are fairly bulky in cases where the individual has in the past been involved in some dispute or question which was not transferred to a general file.

Individual membership files are kept in alphabetical sequence of surname in the steel filing cabinet. Active members in the top drawer, inactive, life and ex-members in the front of the second drawer; at the back of the second drawer, similar files are kept for articulated pupils….

Since the war, we have abandoned the practice of keeping records in books. Most of the current records are to be found on the files or in printed material such as the annual report and the ALS News. Perhaps a minute book should be used for the Council minutes….

Articled Pupils

Articled pupils usually first show up as people who write to you for information as to what they have to do to become land surveyors or as persons who passed or obtained exemption from the preliminary exam. In the latter case, you will get a copy of the letter which has been sent to the individual by Dr. Samuel of the University Professional Examinations office, advising him that he is eligible to enter into articles.

We get a lot of inquiries from overseas as to how persons may become qualified as land surveyors in Alberta… I deal with these overseas inquiries by means of a mimeographed circular which I prepared last summer.

You will perhaps get the odd case where a person writes in and asks you to send him articling forms and you have no previous record of him. Check with the Professional Examination Office to find out whether he has passed or has been granted exemption from the preliminary exam.

Articling forms are sent out in triplicate with instructions to get them signed by the pupil and the surveyor before a witness and to return one copy to you with the filing fee ($10.00).

Transfer of Articles

Articles are occasionally transferred to another surveyor and transfers will probably become more frequent if action is taken to require pupils to get more varied practical training, as was suggested by one of the committees last year.

Discharge from Articles

There are some old discharge forms in the office, but new ones should be prepared as per Schedules C and D of the by-laws… A supply of new forms should be mimeographed to save the expense of printing… For some reason, no discharges have been sent in since the Act was changed in 1965.

When discharge forms are sent in, check to make sure that the proper amount of field service has been worked and that the total articling time is in accordance with the Act, depending on whether the pupil is a Tech. graduate or a university engineering graduate. If there is any doubt about this, put the question before the Council and ask them for instruction, but avoid this if you can. The Council always gets the issue confused….

Registration

I have been getting ahead of myself on this subject and had better deal with it under the proper heading. After the examination results are issued in May, you will probably receive phone calls from successful final candidates asking you to register them right away before you have received any official notification… All you can do is ask candidates to be patient and meanwhile give them the
oath forms which they can go and get sworn at the Court House.

Section 30 lists the various requirements that must be fulfilled by applicants for registration. Proof of being over 21 years of age does not need to be presented in writing. You can tell by the appearance of the applicant or by looking at his teeth or his birth certificate…

Membership List

Annual fees are payable on or before the 31st of January. Most members pay on time, but there are generally a few switching from active to inactive or vice versa and there will always be some who forget to pay their fees by January 31st.

About the second week in February, by which time you will probably have received all the fees you are going to get, I revise the previous year’s membership list or draft a new one, and take it to the printer… Reliable Printing Co. has done our printing work for a long time and as they are familiar with it and their prices are very reasonable, I would suggest you stay with them. No matter what printing firm you employ, you should ask them to send you a proof before the list is printed.

I overlooked mentioning that each member’s registration number should be included in the membership list. These numbers are practically meaningless, but they might be used some day for some identification purposes.

Examinations

The Association is not much concerned with the examinations, but the Examinations Committee, consisting of those members who set examination papers, run the oral and practical exams, and sit on the Board of Examiners, are actively involved. The new Act does not require it, but the old Act required the Secretary Treasurer of the Association to be a member of the Board and the Examining Committee. I don’t know whether the Council will want you to replace me on the Board or the Committee, but if they do I advise you to decline with thanks. It will only get you involved with extra work, and you will have plenty to do without that.

Council Transactions

In order that the organization may work smoothly, the Secretary, although not a member of Council, should advise Council as to what he thinks should be done and should make himself heard whenever the Council appears to be embarking on an unwise or impractical course of action. Also, Council should keep its nose out of the Secretary’s business and should not interfere with routine or day-to-day business unless asked. Occasionally we get presidents or Council members who fail to realize where the line should be drawn between administrative and executive functions and tend to get concerned with things that should be left to the Secretary. They are usually only trying to be helpful, and the best thing to do is grin and bear it and hope they won’t get re-elected when their term of office expires.

Committee Transactions

With the exception of the Discipline Committee, which has the power to determine the guilt or innocence of a member charged with misconduct and the Nominating Committee, which chooses a slate of officers to be nominated at the Annual Meeting, no committee has the power to decide anything. It can only formulate recommendations or proposals for the consideration of the Council and/or the Annual Meeting.

...committees...are creatures of Council and are responsible to it.

As far as the Secretary is concerned, committees should be left to their own devices. They are creatures of Council and are responsible to it.

The way in which most committees go about their business is informal anyway and doesn’t lend itself to the keeping of formal minutes. And in any case, the work they do is so limited that there is no reason why the chairman or a member of the committee can’t keep a record of what they do and, at the end of the year, prepare a report on it.

Regional Groups

The same cautionary advice goes for regional meetings – even more so. These groups and their meetings have no status whatsoever under the Act. The Calgary group meeting in particular has developed into an affair with an agenda, the discussion and passage of formal motions and the recording of minutes which are read and adopted at the next meeting, and some of the members who attend seem to have got the impression that all this means something. It doesn’t.

So my advice is to steer clear of regional group meetings. There’s no reason why you shouldn’t attend them for social reasons and to hear what the fellows have on their minds, but avoid becoming involved in their organization.

Annual and General Meetings

This is a big jamboree for most members but it’s quite a chore for the Secretary and it involves work that is not limited to the two days of the meeting.

The Act requires the Secretary to give every member due notice of the time, date and place of the Annual Meeting… Sometimes, the Program Committee gets the jump on the Secretary and mails out advance programs to the members before they get the ALS News, including (as was done last year) an agenda for the meeting which is at variance with that which the President and Secretary have in mind. This tends to confuse things…

Please disregard anything called an agenda which the Program Committee has sent out. Whether you do that or not is up to you, but you should carefully check the stuff the Program Committee sends out and try to ensure that they don’t cross you up.

You have to keep a record of what takes place throughout and the sequence in which it takes place so
you can write up the minutes afterwards. I have always relied on my own notes and to some extent on my memory, but you might find it helpful to have a tape recorder on the job.

One thing you should do is make sure you record the names of all members present at the meeting. They like to see themselves in print on a front page of the Annual Report, and you get a loud howl if you leave anybody out!

In addition to all this, the President will expect you to sit by and see that he does his job properly. This shouldn’t be too difficult with Tom Swanby and Dave Holmberg to keep an eye on; they’re not likely to make mistakes.

**Annual Report**

Ours is somewhat less elaborate than the reports produced by some of the other associations. One idea that has been casually discussed a bit is that we should sell advertising space in the back pages of the report as B.C. does. I have shied clear of this notion, as it would only involve more work for the Secretary, but it would bring in quite a bit of revenue… I leave this with you to follow up or not, as you wish.

**ALS News**

This publication comes out four times a year to let the members know the Association is still alive and breathing between annual meetings. It’s kind of fun, though, if you have printers ink in your blood.

The Association has a standing arrangement with the Engineers Association for the printing of this rag on a machine in their office. One thing we could do is type up the stencils in our office now that we have a more regular stenographer.

The chore of mailing out the *ALS News*, the Annual Report and various notices and communications that go out to all members during the year has lead me to recommend that we purchase a set of addressograph plates that we can use on a borrowed machine to save the trouble of addressing envelopes. I have not looked closely into this but Mrs. Trusdale who has done some of our mimeograph work says we could make such an arrangement at a cost of not much over $100.

...each member’s registration number should be included in the membership list...they might be used some day for some identification purposes.

**Association Accounts**

I have left this topic until last in the hope that the matters under the previous headings will bring to my mind all the little problems that can come up in connection with the Association’s money and keeping track of it.

As the year goes by, the budget never works out exactly as planned and it can only be taken as an approximate guide. If the budget allows $50 for postage stamps and you find that $70 is needed and that you can find the extra $20 somewhere else, go ahead and don’t ask the Council to authorize it. But if some committee has been authorized to spend money and propose to spend much more than has been authorized, get the Council to approve it… This sort of thing is difficult to control. For instance, the 1967 Program Committee’s expenditures will probably be twice the amount authorized in last year’s budget.…

This is perhaps the only reason why the Secretary should be expected to sit on a committee or to participate in committee meetings… But even that wouldn’t prevent the Discipline Committee, say, which has access to $750 for legal expenses, from spending $1,500 or $2,000 on legal costs.…

As it is, I have always relied on the monthly bank statements as a close though not exact guide as to what our current financial position is. I have not been in the habit of making cash book entries until the end of the financial year… I prefer to do a job once and get it done with…

Cheques that bounce are a nuisance, too… This generally happens after you’ve made up the annual membership list and as it comes off the press you find that John Doe’s cheque is no good, and since he’s not entitled to practice until he pays his dues, you have a problem on your hands.

One thing I advise you strongly not to do is to allow credit to anyone. Insist on cash down before delivery.

The interest in the Association bond falls due twice a year in March and October. Make sure you go to the bank and clip the coupons before the financial year ends. The keys to the safety deposit box are in the front of the wide drawer in my desk at the office. The vault number is scratched on one of them – 133, if I remember rightly.

You will also have to pay Canada Pension Plan contributions for yourself and Mrs. Bradley. Your pay cheques, which I presume you will draw monthly, should have the employees’ CPP contribution deducted.

When the income tax johnnies came into the office and arranged this, they decided for some reason that deductions for income tax should not be made although the monthly forms have a space for it. Now that the Association has two employees earning over $1,000 a year, I think it would be as well to arrange for income deduction also.

**Odds and Ends**

I can’t think of anything else, except a couple of things… You will encounter problems and situations which can’t be reduced to rules written in a guide book. All you can do is play it by ear and use your common sense. So good luck and ne bastardi carborundum, as Carl Lester used to say.
The move from the hard copy environment to the digital registration of plans of survey and descriptive plans in Alberta is a bold and challenging venture. The experience of this initiative over the past three years clearly indicates that the change is not merely a change in technology. Furthermore, in breaking this new ground in many aspects, there were no other experiences from which we could benefit.

Change, in the best and long term interest of the lay public, puts the professional in a difficult role. We have an obligation, along with others, to anticipate future needs and take advantage of processes which will ultimately prove to be more efficient and less costly for all.

In working with other stakeholders in this initiative, we have met these obligations by identifying, discovering, and dealing with many issues.

As the transition and implementation phases of digital plan submission and the re-engineering of the provincial base mapping maintenance processes rolled out in recent months, many issues arose. This report organizes these issues in terms of concept, technology, business, education, communication, and legislation.

The report is further intended to capture these experiences to date, and put things into perspective as to where we have been, where we are, and where we yet must go.

While it is interesting and exciting to look back and see just how far we have come, perhaps the biggest challenge still lies ahead. This change in concept and magnitude towards a further move to a digital environment will obviously open many doors for land surveyors and the public we serve.

It is important that our profession maintain its current momentum in pro-actively advocating for clients, working with other stakeholders, and generally enhancing systems and processes.

**Background**

**Major Milestones**

**September 1994**

- Province of Alberta holds Red Deer workshop on future maintenance of mapping databases. ALSA position paper addresses goals (include all tenured parcels), access to information (universal and economical), responsibility (rests with government), and financial implications (user pay).

**February 1995**

- Cadastral Systems Steering Committee established by the Government of Alberta, consisting of Registries, Municipal Affairs, City of Calgary, City of Edmonton, AGT, CAPP, and ALSA recommends that the Government of Alberta set up a “not for profit” company to take over the maintenance of provincial base mapping databases.

**July 1995**

- ALSA reports to the Government of Alberta that the Association is not interested in pursuing database maintenance but wishes to be involved in the development and maintenance of standards.

**1996**

- The Province of Alberta completes the provincial base mapping coverage with the injection of $5 million provided by the major utility companies.
- The Province of Alberta decides that it should no longer be in the business of managing the maintenance, storage and distribution of this mapping.

**June 1996**

- Spatial Data Warehouse (SDW) is created to assume the responsibility of managing the maintenance, storage, and distribution of the mapping. SDW consists of the major utility companies and a government representative and operates as a non-profit organization.
- The SDW business plan addresses the need for reduced costs in the ongoing maintenance and mapping updates, and increased revenues—hence the need for plans registered in digital form, accompanied by a mapping integration fee.

**Spring 1997**

- Alberta Registries (Land Titles Office) initiates the Survey Automation Project.
- Project objective is to move the manual plan registration, archiving, printing, and distribution process to a digital environment over two years.

**September 1997**

- Alberta Registries (Land Titles Office) introduces the Survey Automation Project to the ALSA Council and solicits participation.
March 1998
- Committee of stakeholders formed to address Land Titles and mapping requirements (ALSA, Registrars, SDW, AltaLIS, Director of Surveys).

March 22, 1998
- Registrars publishes draft Policies and Procedures document.

April 1998
- SDW tables White Papers on cadastral mapping reform.

January 1, 1999
- Voluntary submission of digital drawings and plot files, along with traditional hard copy plans, begins.

January 1999
- Consultant engaged as ALSA focuses on issues affecting members.
- Phased implementation for digital submissions begins.

March 22, 1999
- Registrars publishes first of several Bulletins addressing LTO and mapping requirements.

Spring 1999
- Surveys Act amended to provide for the collection of a $100 mapping integration fee at the point of plan registration.
- Land Titles legislation amended to provide for signatures on attachments.

April 1999
- Phased implementation of online access to LTO plans of survey using internet based system (SPIN).

June 1, 1999
- Survey plans must be submitted in traditional hard copy and digital form.
- Survey plans submitted after June 1, 1999 with field work completed prior to February 15, 1999 may be accepted in hard copy to June 1, 2002 (grandfather plans).

October 15, 1999
- Registrars (LTO) begins to accept full digital submission if files and affidavit meet digital standards.

• Digital submission must include plot files.

December 1, 1999
- Full digital submission with CAD and plot files to digital specification and signatures on attached affidavits required.
- Registrars (LTO) extends the deadline for full digital submission to February 29, 2000 for those surveyors who cannot meet the technical requirements of digital submissions.
- Registrars’ (LTO’s) “official plan of record” becomes the digital file.

February 29, 2000
- With the exception of grandfather plans, Registrars (LTO) no longer accepts hard copy mylar survey plans.

March 31, 2000
- Registrars (LTO) discontinues access to hard copy survey plan index system.

Spring 2000
- Registrars (LTO) discontinues access to hard copy survey plans, once archived.

June 1, 2002
- Window for grandfather plans exemption closes (June 1, 1999 to June 1, 2002).

Issues and Results

Concept Issues

Registries (Land Titles)
- Members agree that the move towards a digital submission of plans and online access to survey plans is merited in the long term.
- Members object to the “fast tracking” nature of the move.
Results: Scheduling and timelines were negotiated and extended in some areas.
- Members continue to question the Land Titles charge for copies of survey plans and searches.
Results: Land Titles will continue to charge for these services.
- The unique role of the land surveyor in the land titles process and the provincial base mapping process needs to be acknowledged and understood.

Provincial Base Mapping
- Some members do not agree with government’s decision to get out of the business of managing the storage, maintenance and distribution of provincial base mapping data.
Results: Government continues to hold fast on this decision.
- Some members are suspicious of the nature of the “not for profit” organization that now manages the storage, maintenance, and distribution of the provincial base mapping data.
Results: Spatial Data Warehouse and AltaLIS continue to defend their roles.
- Some members do not agree that the $100 mapping integration fee should be borne by the agency or individual that creates the change in the map.
Results: Notwithstanding discussions with government, this funding model prevailed and legislation was amended to accommodate.
- Some members objected to amending the Surveys Act to accommodate the mapping integration fee, versus the Land Titles Act.
Results: Since the Surveys Act provided the authority for a provincial base mapping system, government chose to amend that legislation.
- Since the land surveyor’s registered plan of survey is the mechanism which updates the provincial base mapping system (i.e. property boundaries), members feel that the base mapping should be made available to land surveyors at no cost.
Results: Except for a processing fee, base mapping data used in the preparation of a plan for registration will be provided at no cost. All other uses of the data will be charged the standard rates.

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• Licenses for purchasing provincial base mapping data need to reflect the normal business environment of the land surveyor as a “service provider.” Previous licensing assumed that the land surveyor was a “typical” end user.

Results: Final drafts now acknowledge the business environment of the land surveyor and, to some extent, allow for the sharing of data both in hard copy and digital form. Ownership of the data is a major factor in developing these licenses.

Technical Issues
• Given the complexity of moving to a digital environment in submitting and retrieving survey plans at Land Titles and maintaining and distributing provincial base mapping data, is technology a limiting factor?

Results: Generally, storing, maintaining, and distributing large data sets is no longer a constraint. With the exception of a few members, data structure requirements and content were technically achievable. The impact on the land surveyors’ business was in terms of time and money to convert which was not anticipated in current business plans.

• Members have been concerned that certain core data remain on the digital product since affidavits and approvals would be on a separate document.

Results: After discussion, Land Titles will now accept core data such as surveyor’s name, dates of survey, owners, etc. on the digital file.

• Members are concerned with how to protect the integrity of the digital file once it is submitted to Land Titles.

Results: The official “plan of record” will be protected as a TIFF image. Any files used to update the vector mapping base will be destroyed.

• Given the different operating systems among the members, it is difficult to provide a format that can be used by Land Titles to create the TIFF image (Plot Files).

Results: Alternative solutions have been worked out with Land Titles which include supplying the TIFF file to Land Titles, use the Land Titles format, or use a format that is approved by Land Titles.

• Will the data transfer and communication technologies in the rural areas operate as efficiently as they do in a large urban setting?

Results: Studies indicate that since response time is a function of many factors, it is difficult to compare the two scenarios.

Business Issues
Registries (Land Titles)
• Members have been concerned that the new survey plan index and retrieval system (SPIN) may not meet current business requirements.

Results: Members will have the option of remote access or continued counter service to obtain copies of survey plans. It is too early to tell how responsive the new system will be once the majority of users are using the remote access/download capability.

• Given the savings in perpetuity with Land Titles moving to a digital storage environment, land surveyors may no longer need to pay for searches and copies of plans.

Results: Land Titles does not intend to recover the costs of conversion. The ongoing costs of maintaining and delivering the system will continue to be recovered through fees. A review of all fees charged by government in Alberta is currently taking place. As a result of negotiations and discussions, members will no longer be charged to view a low resolution index. There will only be a charge for the plans ordered. A $5 access fee may be charged to use the online capability.

• Members are concerned that with increasing standardization for data formats, the uniqueness of the individual member’s plan will be lost.

Results: There is now some flexibility in the content and how the information is displayed or arranged. In light of data standards, the question of maintaining individuality and uniqueness from plan to plan remains an issue and may be important in terms of protecting future copyright on the product.

• Field surveys, plan preparation and invoicing will be in different stages during the transition period. The grandfathering of these plans must be acknowledged to avoid duplication and extra costs affecting the client.

Results: Through negotiation and discussion, it was agreed that plans submitted for registration where the field work was completed prior to February 15, 1999, could be submitted in the traditional hard copy mylar. The window of opportunity would be 3 years. The government will fund the significant cost of integrating these plans into the mapping system under the previous process.

• Some municipalities are asking the land surveyor to certify or swear an affidavit that the hard copy plan considered at the point of signing is a true copy of the plan to be registered.

Results: Members will work this out as they individually deal with the municipality.

Provincial Base Mapping
• The role of the land surveyor in complying with the new survey plan standards and supporting the re-engineered mechanism to update the mapping, is integral to the success of the funding and maintenance model now used by the “not for profit,” SDW organization. In light of this, members feel that the mapping should be made available to the land surveyor at no cost.

Results: The final pricing models were driven by the fact that the revenue generated by sales to the land surveying profession is integral
to the success of the mapping initiative. If the mapping data is to be used solely for preparing a plan for registration, the data may be provided at no cost except for an administration “process” fee.

- Members strongly object that the $100 mapping integration fee also includes plan corrections and plans registered for the purposes of recording found and re-established monuments.

Results: It was argued that these plans do not change any boundaries or create new boundaries, and an integration fee for these plans would be hard to recover from the client. Government and the mapping agency argue that these plans do enhance the spatial accuracy of the mapping and do take time to integrate. A review is currently underway to determine the real costs of integrating these plans. In the interim, the fee is charged for monument plans, and no fee is charged for plan corrections.

- Members are interested in the possibility that the provincial base mapping may include plans in progress, ownership, and public lands data in the future.

Results: As land surveyors, they have the authority and expertise to play a major role in converting the “ownership” text to spatial data.

- Since the cities of Calgary and Edmonton maintain their own mapping, access to mapping data, land title searches and plan orders are not seamless.

Results: Land Titles are in the process of negotiating an arrangement with both cities to avoid this inconvenience. It is speculated that a similar arrangement may occur for mapping maintenance as well.

- The current mapping update average frequency is at 30-45 days. This may be a problem for some users.

Results: The mapping agency (SDW) is working towards forming a stakeholders’ external advisory group. This group could review the need for a quicker update cycle. In the meantime, the Land Titles Index/Search System (SPIN) will not graphically represent all registered plans. Plans as registered, however, will be shown in text and highlighted on the graphics display.

Registries (Land Titles)/Provincial Base Mapping

- Fast tracking the re-engineering of systems and processes impacted land surveyors current business plans.

Results: Some schedules and timelines were negotiated and extended. Government provided funds to operate help desks and training sessions.

- How does the Association play a role in the development of this complex initiative on behalf of its members?

Results: Council assigned certain members to technical committees and discussion groups. Council engaged a consultant to focus on issues and interface between the Association, SDW, members, and government. Council established an ad hoc committee to be pro-active in reviewing and anticipating issues relating to this initiative.

Education Issues

- Given the concept and technology involved in this initiative, education of the members would be integral to a smooth transition period.

Results: Government provided manpower and funding to provide help desk service and focused training on certain processes. Data level conversion and checking software was made available to members. Demonstrations were provided by Land Titles on how to use the new Survey Plan Search and Order System (SPIN). With the exception of a very few, members were already working in a digital environment of some dimension.

- Given that this initiative has not been developed and proven elsewhere to the same degree, government staff and mapping agency staff would also require training.

Results: Training and testing is ongoing.

Communication Issues

- A smooth transition period would require effective communication between government, the mapping agency and land surveyors and their clients.

Results: Members found in many cases that the client was unaware that major changes had taken place in the process of plan registration and provincial base mapping. While communication documents went to clients; in many cases the information did not reach the people directly involved. Land surveyors found themselves explaining the concepts, and changes to legislation to their clients.

- In the early stages of the initiative, land surveyors and some clients had the perception that legislation, process changes, business changes were being fast tracked or ramroded.

Results: A more focused involvement, better committee structure, and regular reporting through consultant, bulletins, and the like, may have eased the concern.

Legislation/Legal Issues

- Members continue to question the concept of paying a mapping integration fee of $100 and then buying the integrated mapping back.

Results: Credit rebate pricing introduced for property data used in plan registration process.

- Members continue to debate the ownership/copyright issue as it relates to the plans registered in Land Titles, and the provincial base mapping data.

Results: Legal opinions may differ. No court precedents to date.

Acknowledgement

Thanks to Registries, Director of Surveys, SDW, AltaLIS, and the Association office for assistance in editing this report.
his column is the second of a series written for sharing information with the ALSA membership on recent activities at SDW Ltd. & AltaLIS Ltd.

AltaLIS & SDW
Sign JV Agreement
AltaLIS and SDW have recently finalized and signed a joint venture agreement (JVA) that now secures a long-term commitment to maintain and distribute the Government of Alberta datasets, and to enable further improvements and investments in these digital basemap products.

Discussions are currently underway with stakeholders to establish a forum for continued user involvement and input. This forum may be in the structure of an external advisory group (EAG).

New Price & License Alternatives
AltaLIS has recently rolled-out new pricing & licensing packages. AltaLIS developed the new packages through consultation with its customers and stakeholders. These discussions indicated a desire to make the digital basemap data more affordable, current and accessible.

The following data packages will no doubt need fine-tuning but we believe they have been developed in the spirit of meeting our client’s needs while recognizing the requirement to cost-recover and preserve the information asset.

Standard Rates
“standard pricing by the map sheet”
AltaLIS will continue to offer its standard prices for topographic and cadastral basemap data sold by the township or by the NTS map sheet. AltaLIS’s standard prices will remain unaffected by any new pricing options.

Data Subscription
“full data access for the enterprise”
In the interests of providing our larger customers with more alternatives for volume purchases of digital map data, annual subscription pricing and licensing is being offered to AltaLIS end-users. Discounts are offered for product bundles on subscriptions with a minimum order of $20,000 per year over a 3-year term.

Education & Research
“data access for the researcher”
To encourage research and development in the field of geomatics, AltaLIS is providing a restricted, low cost package containing our most current spatial datasets, to satisfy the needs of educators, researchers and software developers.

Land Surveyors
“affordable data for digital survey plan registration”
A new data package is being offered to provide current and affordable property boundary files to Alberta Land Surveyors seeking registration of survey plans at Alberta Registries.

There will be a rebate credit offered for cadastral property files bought by an ALS if the files are used to register a survey plan in the ‘digital plan submission process.’ An ALS can qualify by signing a “Surveyor Project License.” Once the legal survey plan has been registered at an Alberta Land Titles Office, a rebate credit (excluding the standard $50 processing fee) will be offered, within one year, on the ALS’s next data purchase (see Table 1).

To summarize, the Surveyor Project License and pricing package offers:
- Updated map datasets, including the latest LTO plans available
- 100% rebates for cadastral property files purchased for registration of legal survey plans (processing fee not included);
- Hardcopy distribution to clients & third parties is permitted (limited);
- Digital copy distribution to licensed end-users and to licensed third party consultants is permitted.

Value Added Service Providers
Bundled Software Solutions
“premium culture data for information services”
Software developers or solution providers, who wish to enhance their software products by integrating AltaLIS data, will find this package gives affordable ‘Viewing’ access for their clients. AltaLIS offers your company a suite of bundled mapping products for client distribution, while keeping administrative costs at a minimum.

New Packaging
AltaLIS introduces the concept of ’product bundles’ to basemap data. Bundling of products allows data access to be consolidated and the data to be sold at lower prices. AltaLIS product bundles include all existing basemap datasets together with feature themes & re-grouped as:

1. Base
   Digital topographic data
2. Property
   Digital property boundary data
3. Terrain
   Digital 3-dimensional elevation data

More Information
For more information about any of our new data packages please contact the AltaLIS order desk directly (403-716-3490) or visit our new website (www.altalis.com).

Cadastral Mapping Project
The number of plans registered at Alberta Registries’ Land Titles Offices continues at an unprecedented pace, with a record 10,680 plans (9,466 excluding Calgary & Edmonton) being registered in 1999. Up to 80% of digital plan submissions are integrated into the AltaLIS databases within 30 days of registration, with the remaining being held back due to mapping problems or resource backlogs. The backlog should be eliminated by this fall, after which most plans should be inte-
The graphic files for the cadastral dataset, which were acquired from the Government of Alberta and are being maintained by AltaLIS, are stored as Microstation design (dgn) files. There are approximately 6,600 of these CAD files covering the Province. Associated with these files, is an Oracle database, which contains attribute information for over 6.5 million cadastral stations. The combination of these CAD files linked to a database is currently the most economical and efficient platform for maintaining the cadastral datasets. It is anticipated that in the future, the datasets will be migrated to a seamless structured database. CAD graphic line work would then be generated on-demand for customer distribution.

Alberta Registries currently uses the CAD files to populate the registered plan viewer interface on their SPIN system. Registered plans are stored and distributed by them in a TIFF format as generated from the plot (plt) files. These are the same files as submitted by the ALS at the time of registration.

### Municipal Data Exchange Partnerships

Most tentative plan applications are currently submitted in hardcopy format to municipal planning authorities. Some municipalities such as Calgary, began requiring developers to submit “digital tentative plans of subdivision” several years ago. Other municipalities are also now considering, or have implemented, this requirement.

In 1998, SDW & AltaLIS started investigating the feasibility of adding digital tentative plan information to their databases. It was originally suggested that, if feasible, municipalities could benefit by receiving free updated cadastral mapping in exchange for their participation in a ‘data exchange’ initiative.

Since last fall, municipal partnership prototype testing began at AltaLIS. These prototypes are evaluating the technical and process hurdles of tentative digital plan submissions to municipalities. The goal is to determine if a viable business case can be developed which meets the needs of the municipalities and the various utility companies. ALSA participation will be encouraged if the project goes ahead.

### Digital Plan Submission

All stakeholders, and especially Alberta Land Surveyors, should be commended for leading the industry and the nation in implementing a ‘digital survey plan submission’ process. It is clear that, without the support of the Alberta Land Surveyor, the benefits from Land Titles automation and the continued availability of the base mapping products would not be realized.

Due to these efforts, the cadastral digital basemap is more useful today than ever. Our attention will now focus on improving other datasets. A comprehensive study is underway to evaluate how to make the SDW topographic datasets more current and valuable.

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Table 1—Rebate Credit Pricing for Surveyor Project License

<table>
<thead>
<tr>
<th>PROPERTY Data</th>
<th>Price</th>
<th>Rebate Credit</th>
<th>License Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rural Cadastral Files (Parcel) Per Township file</td>
<td>$200.00</td>
<td>$200.00</td>
<td>Surveyor Project License</td>
</tr>
<tr>
<td>Urban Cadastral Files (MISAM) Per 1:1000 file</td>
<td>10.00</td>
<td>10.00</td>
<td>Surveyor Project License</td>
</tr>
<tr>
<td>Subject to standard processing fee (non-rebated)</td>
<td>50.00</td>
<td>0.00</td>
<td>per order</td>
</tr>
</tbody>
</table>

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"Accessing information has never been so easy"
A healthy organization is best defined by the commitment of its members. The Alberta Land Surveyors’ Association is an example of such an organization through the sacrifice of time and talents of many members.

One third of our nearly three hundred members have committed to donating their time and talents by serving on committees, boards, and Council. This rate of participation is virtually unheard of in any other organization given today’s busy lifestyles that most professionals live. The volunteers have been the lifeblood of our organization for the thirty years that I have been privileged to witness—and for a considerable time before that, according to past members. I am encouraged that the participation by new members equals or even surpasses what has been our history.

The nearly seventy percent attendance of our membership at annual meetings also speaks volumes as to the health of our Association. I have had other professional organizations question with envy how do you establish and maintain that type of participation? My usual reply is that every member feels a sense of ownership through previous service, either on a committee, board or the governing Council, or maybe it is just that we all hate to miss a good party.

The commitment of several years of study and articles in order to be commissioned as an Alberta Land Surveyor has prepared us for the continuation of this effort to ensure that the Association reflects not only our efforts, but also the efforts of those who have gone before us.

When you are asked, or if you see an opportunity where you can contribute to the Association, do so with the blessing of your family and employer. Every person who is willing to get involved and does so, reaps the benefits of their contribution many fold over, throughout their professional career.

If we all adopt this attitude within our profession and in our professional lives, the profession and our world will all be a whole lot healthier.

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Tentative Business Agenda
91st Annual General Meeting
Jasper Park Lodge, April 14 and 15, 2000
(subject to change)

**Friday April 14**
* (morning)
• 91st Annual General Meeting Called To Order
• Introductions
• Guest Speaker: Gary Mar, Minister of Environment
• President’s Address
• Committee Reports
• Exhibitor Introductions
• Digital Plans Report
• University of Calgary Presentation
• NAIT & SAIT Presentations

* (afternoon)
• Visiting Delegate Introductions
• Recommendation #1 Legislation Committee Amendment to Bylaws – Pupil CCLS/CIG/GIAC Amalgamation Presentation
• Recommendation #2 Standards Committee MSP – Part C, Section 5.4 Integrated Surveys
• Recommendation #3 Standards Committee Section 40(3) and 42(3) of the Surveys Act

**Saturday April 15**
* (morning)
• Elections
• Recommendation #4 Co-Ordinate Based Cadastre
• Recommendation #5 Professional Maintenance Program

* (afternoon)
• Swearing-in of New Council
• Incoming President’s Address
• New Business Recommendation
Maps, Myths and Mountains
Cartography from the collection of R.W. Sandford

Editor’s Note: This exhibit has been extended to April 15th so that members of the ALSA could visit the display while they are in Jasper for the Annual General Meeting and Convention.

The Jasper-Yellowhead Museum
February 25 to April 15, 2000

This exhibit of early and contemporary Rocky Mountain cartography illustrates what maps tell us about our mountains. The exhibit is composed of twenty-four original maps dating from 1762, five important amateur maps, six associated historical illustrations and a rare set of Boundary Commission Reports and accompanying atlases. Early native maps displayed in this exhibit dispel the colonial myth of an unknown and unpeopled west. Rough maps made by early explorers illustrate a west defined, not by railways or highways, but by watersheds. In this fine exhibit, we see the maps that inspired early exploration, maps that became vehicles of personal transformation and celebrity and maps that proclaimed pending political change.

We also see how maps survive as enduring works of art and how, over time, they illustrate the changing nature of our physical and spiritual worlds.

The elegantly framed collection includes small pieces such as Sampson’s Beaver’s instructions to American explorer Mary Schäffer suggesting where she should look for Maligne Lake and rare works illustrating cartographic errors such as the exaggerated heights of Mount Hooker and Mount Brown near the summit of Athabasca Pass.

The exhibit also includes large works such as the big topographical sheets created during the survey of the Big Bend area of the Columbia River in the early 20th century. The exhibition is also accompanied by succinct descriptions of what makes each of the maps important as a source of understanding of how the mountain West has changed over the past 250 years.

For further information please contact:
The Jasper-Yellowhead Museum
(780)852-3013
<jymachin@telusplanet.net>
Opinions expressed in this article are those of the author. I encourage members to contact me to discuss this article or any other survey related issues.

**Supervision**

There was an excellent article by Bruce McTaggart, BCLS, in the July 1999 issue of *The Link*, entitled “What Does Your Signature Mean?” The article also attracted two interesting letters to the editor in the October 1999 issue. Mr. McTaggart explored the issue “to what extent is a land surveyor’s attendance required at a survey?” The British Columbia certification states in part “certify that I was present at and personally supervised the survey represented by this plan, and that the survey and plan are correct.”

It is Mr. McTaggart’s position that searching and weighing evidence, locating natural boundaries and creating new boundaries is a professional judgement that requires a professional presence. This, he contends, is work that land surveyors cannot delegate to others, but requires the continuing on site presence of the land surveyor. It is also Mr. McTaggart’s position that the proposed BCLS Manual of Standard Practice should reflect this requirement, or that a by-law should be brought back that requires the continuing presence of the land surveyor at the site.

The draft Manual of Standard Practice for the Corporation of British Columbia Land Surveyors contains a section on field work that states in part: “Land Surveyors are responsible for proper supervision of staff on every survey. The level of supervision may depend on the complexity of the project and the experience of staff, although all staff require supervision for evidence searches and field procedures. The land surveyor shall be familiar with the project in order to identify errors that might otherwise go undetected.”

According to the present Land Surveyor’s Act, anything dealing with the establishment or determination of boundaries, or the location of anything relative to a boundary, falls within the practice of land surveying.

I note with some interest that the June 1999 meeting of the Association of Quebec Land Surveyors’ passed a motion requiring a Quebec Land Surveyor to be on site in the field for each Building Location Certificate. The surveyor in the field need not be the same surveyor that signs the document, but the surveyor in the field must be working under the supervision of the signing surveyor. There is already a requirement that a Quebec Land Surveyor be in the field for all other boundary surveys.

The issue in each province is this - what level of supervision is required of land surveyors and when is a field presence by a land surveyor required? Can a land surveyor delegate the evaluation and weighting of evidence? Does the affidavit signed by the surveyor imply a field presence by the signing surveyor? It appears that other associations wrestle with these issues and that there is no common level of understanding as to what level of supervision is acceptable and what work a land surveyor can delegate.

I believe that this Association should also be looking at these issues. I wrote an article on professional supervision for the September 1998 issue of *ALS News*, pointing out that our legislation requires that everything done in the practice of land surveying must be done under the personal supervision, direction and control of an Alberta Land Surveyor. It may be time for our Association to look at the issues raised by our sister associations and attempt to define the minimum level of supervision required by an Alberta Land Surveyor. I propose we do this by asking each Alberta Land Surveyor to address the following points:

1. Should every Real Property Report prepared in Alberta require the field presence of an Alberta Land Surveyor to address the following points:
   - Supervision required personal supervision be, or can any of the required personal supervision be delegated to non-professional
staff? What happens in my organization or practice?

7. How many staff can one land surveyor adequately supervise?

8. Should there be a maximum number: three, ten, twenty, one hundred or more?

The new Health Professions Legislation removes exclusive scopes of practice for health care professions, and replaces them with restricted activities. The same model legislation may be applied to our profession at some point. In Mr. Shore’s article in the December 1999 issue of ALS News, he makes the point that “the key to this model of legislation is that there is no exclusive scope of practice; no defined boundary around the profession and a number of people can make claims on each restricted activity.” If our profession becomes subject to this model legislation our exclusive area of practice may disappear, and there may be claims made by non-professionals on any restricted activity outlined in the new legislation.

According to the present Land Surveyors Act, anything dealing with the establishment or determination of boundaries, or the location of anything relative to a boundary, falls within the practice of land surveying. No party other than an Alberta Land Surveyor, surveyor’s corporation or surveyor’s partnership may engage in the practice of land surveying. This is our exclusive area of practice.

The law currently prohibits unauthorized individuals from practicing our profession. It is through completion of the prescribed education and training that admission to the profession is achieved. If others outside of the profession become the experts in boundary establishment or determination through the delegation of these tasks, the law providing that exclusive area of practice will be subject to challenge.

All professions are subject to increased scrutiny in areas of exclusive practice. If we were to successfully defend a challenge to this exclusive area of practice, we must first prove that we are the experts in that area. We must also prove that it is in the interests of the public, that land surveyors retain these exclusive rights. The more that boundary determination and evidence assessment is delegated by land surveyors to non-professional staff the more difficult it may become to defend our exclusive area of practice.

Butler Survey Supplies
(new - Peerless has)
Introduction

A natural boundary is a legal boundary formed by a natural feature such as a river or lake. A fixed boundary, as generally understood by surveyors in Alberta, is a mathematical line, either rectilinear or curvilinear, the location of which is fixed by monuments, by its position relative to some other boundary line or point, or by horizontal coordinates. For the purpose of this discussion, an artificial boundary is the graphical representation of a boundary, whether natural or fixed, on a surveyor’s plan.

Accretion and erosion

The doctrine of accretion and erosion is fundamental in English jurisprudence, and it forms a part of the law in Alberta. Where a parcel of land is bounded by a river or lake, the natural, gradual and imperceptible movement of the water’s edge causes a corresponding shift in the boundary, and thereby results in a gain or loss in the extent of the riparian title.

Accretion cannot benefit a parcel unless it is truly riparian. The presence of an intervening strip of land between the parcel boundary and the water’s edge means that the parcel cannot gain by accretion. This was clearly demonstrated by the Alberta Court of Appeal in Nastajus v. North Alta. Land Registration Dist. (1989), 64 Alta.L.R.(2d) 300. On the other hand, a surveyor’s traverse line close to the bank or shore, which is intended solely to locate the sinuosities of the water feature by offset measurements and to facilitate the calculation of the irregular area of that part of a parcel lying between the traverse and the water, is not a boundary and does not deny the parcel its riparian character.

The application of accretion or erosion can be excluded by intention, but only if that intention is clearly expressed either by the terms of the conveyance or by special statutory provisions. In the Privy Council appeal case of Southern Centre of Theosophy v. South Australia, [1982] A.C. 706, Lord Wilberforce, on behalf of the court, explained the doctrine in plain language, at page 716:

When land is conveyed, it is conveyed subject to and with the benefit of such subtractions and additions (within the limits of the doctrine) as may take place over the years. It may of course be excluded in any particular case, if such is the intention of the parties. But if a rule so firmly founded in justice and convenience is to be excluded, it is to be expected that the intention to do so should be plainly shown. The authorities have given recognition to this principle. They have firmly laid down that where land is granted with a water boundary, the title of the grantee extends to that land as added to or detracted from by accretion, or diluvion, and that this is so whether or not the grant is accompanied by a map showing the boundary, or contains a parcels clause stating the area of the land, and whether or not the original boundary can be identified.

Although decisions of the Privy Council are no longer binding on Canadian courts, they remain highly persuasive. It is submitted that Lord Wilberforce’s quoted remarks are consistent with the law in Alberta.

Yet there are many situations in Alberta where the gradual, natural and imperceptible movement of a watercourse means that its banks have shifted significantly from their location as shown on the original township plan. The question then arises: does an originally riparian boundary continue to coincide with the bank, wherever it may be, or is it possible for the boundary to remain fixed in its location as plotted on the township plan?

Plan referred to in description

When a written boundary description in a deed of conveyance refers to a plan, the plan must be looked at together with the description, because it forms a part of the deed.

As stated by the Supreme Court of Canada:

When lands are described . . . by a reference, either expressly or by implication, to a plan, the plan is considered as incorporated with the deed, and the contents and boundaries of the land conveyed, as defined by the plan, are to be taken as part of the description, just as though an extended description to that effect was in words contained in the body of the deed itself.

In that particular case, however, the only description of the land in question was by reference to an old subdivision plan. The description mentioned no distances, bearings, monuments or adjoiners.

Yet a written description may prevail over a plan to which it refers or is attached. Provided the description is clear, unambiguous and defines the parcel boundaries with sufficient certainty, it will not be affected by any inaccuracy in the plan. In an earlier case, courts regarded a written description as superior to a plan and gave it priority, even when the description referred to the plan. This judicial preference arose partly because of the uncertainty of proving the plan to be an original, and partly because the manual copying of a plan was thought to be more susceptible to error than the copying of a written document. Even under a Land Title registration system, situations will occur where the plan conflicts with the description. The problem then becomes one of interpreting the words of the description to see whether or not they override, or are subject to, the information shown on the plan.

The presentations at a seminar on survey law held in Calgary in November 1981 included a paper on natural boundaries in which the author offered the following examples of descriptions containing a reference to a plan:

1. All those portions of section 12, Township 4, Range 5, West of the 4th Meridian, not covered by the waters of the Lethargic River, which river is shown upon that certain map or plan of survey, dated [etc.].

2. All those portions of section 12, Township 4, Range 5, West of the 4th Meridian, not shown upon that certain map or plan dated [etc.] as being covered by the waters of Despondent Lake.

In that author’s opinion, the first example describes a natural boundary that may move over time. The second example, according to the author, describes a boundary on a plan which is a mere artificial line and not a natural boundary, even if the two were intended to be about the same. In the second example, therefore, the author believed that the artificial line on the plan governed the location of the boundary, regardless of any movement of the lake shore.

Although there are obvious grammatical differences between the wording of the two examples, those differences are too slight and subtle to support the author’s assertion that in the second example the plan, not the actual location of the lake, fixes the boundary. The Privy Council in Southern Centre of Theosophy emphasized that the doctrine of accretion and erosion can be excluded only where the intention to do so is clearly shown. It is submitted that the second example lacks the clarity needed to support that intention.

Discrepancy between actual and plan acreage

The Alberta case of Hextall v. Burns (1911), 38 W.W.R. 422 is noteworthy.

First, because it represents a judicial recognition of a written description and the consequent rejection of a conflicting plan. Second, because the case went unreported for over 50 years.

Hextall’s certificate of title showed him to be the registered owner of that part of the west half and the S.E. quarter of Sec. 35, Twp.24, Rge. 2, W 5, lying west of the right bank of the Bow River, “as shown on a plan of the township made by E. Deville, Surveyor General of Canada.” According to this plan and other documents, Hextall owned 130 acres in the south half of the section.

The Registrar refused to accept Hextall’s plan of subdivision because it placed the Bow River in a different location than that shown on the official township plan, thereby increasing the area of Hextall’s land from 130 to 160 acres.

Mr. Justice Stuart of the Alberta Supreme Court found Deville’s plan to be in error with respect to its location of the Bow River. Because the wording of the grant to Hextall was unambiguous, it overrode the river’s delineation on the plan. Hextall had occupied without question all the land in the west half and S.E. quarter of section 35 that lay west of the actual bank of the river.

The court held him entitled to this land, notwithstanding the consequent alteration of recorded acreage. The court also ordered the reference to Deville’s plan to be expunged from Hextall’s certificate of title.

In reaching his decision, Mr. Justice Stuart cited with approval Horne v. Struben, [1902] A.C. 454, an appeal from the Supreme Court of the Cape of Good Hope heard by the Judicial Committee of the Privy Council. Lord Robertson, on behalf of the appellate court, said, at page 458, that where the diagram contradicts the unambiguous text of the title, it must give way to the text. The words in the grant which introduce the diagram are, ‘as will further appear by the diagram framed by the surveyor.’ Now, as a matter of construction, this is merely an appeal to the diagram for further elucidation, and not a subordination of the text to the diagram.

Mr. Justice Stuart held that the boundary intended by the patents is quite evidently the actual bank of the river and the mere fact that a further elucidation is attempted by a reference to a plan admitted to have been incorrectly drawn is quite insufficient in my opinion to justify the court in interpreting the grants as really meaning and intending to convey the land, not according to the plan and definitely fixed physical boundary referred to, but according to an arbitrary line erroneously called the river bank, which is not, in fact, upon the ground a river bank at all.
In *Hextall v. Burns*, no evidence was adduced to show that the Bow River had altered its course since the township plan was drawn, so no argument regarding the possibility of accretion was presented.

**Physical and plan evidence**

*Rockland Holdings Ltd. v. 309458 Alberta Ltd.* is a disturbing case heard by the Alberta Court of Queen’s Bench in 1987. The case was not published in the law reports and a transcript of the proceedings is no longer available from the court reporters. Fortunately, the judgment delivered orally by Mr. Justice Hope has been preserved verbatim by G.K. Allred, ALS in *ALS News*, Summer 1990, pp.20-21.

The *Rockland* case bears some similarity to *Hextall v. Burns*, for it also concerned a watercourse (Sheep Creek) that crossed a township section. A quarter section (NE22-20-29-4) was divided into two parcels held under different ownerships, the parcels being described respectively as lying north and south of Sheep Creek as shown on the township plan dated August 1, 1892.

Although the court found from the evidence that the township plan correctly represented the location of Sheep Creek at the points where it crossed the quarter section’s east and west boundaries, the parties disputed the course of the creek between those boundaries. It appears from the judgment that the court, in emphasizing the principle of indefeasible title, expanded that principle to include extent of title. In the court’s view, to grant either the plaintiffs’ or the defendants’ requests would destroy the indefeasible title principle, and require investigations behind the register that even included going to Ottawa to search archival records and surveyors’ field notes.

In Mr. Justice Hope’s opinion, the township plan, drawn to scale, enabled a person to ascertain the true boundaries of the two parcels:

...it is essential to adduce evidence to show whether a natural boundary has moved as the result of accretion or has remained unchanged because of avulsion.

To preserve the indefeasible titles of the Torrens system the north boundary of the plaintiff’s property and the south boundary of the defendant’s property is set by a readily available filed plan. Their property remains the same regardless of the movement of the river unless the principle of adverse possession applies.

The judge went on to say that even if he were wrong in rejecting the application of accretion:

*I would find that the evidence presented here is so vague or nebulous as to site and time and as to delineating whether it is accretion or avulsion that it is not possible to give effect to these principles.*

Nor did the court find any evidence to support a claim of adverse possession to the disputed land.

In cases of this kind, it is essential to adduce evidence to show whether a natural boundary has moved as the result of accretion or has remained unchanged because of avulsion. But *Rockland* is an unsatisfactory case, in which the court gave unwarranted priority to a township plan over an unambiguous description, mistook the principle of indefeasible title, failed to determine the probable cause of the creek’s movement to its present location if indeed it had moved, and ignored judicial precedent.

**Conclusion**

Perhaps to avoid the possibility of further confusion, the court in *Hextall v. Burns* ordered the reference to the township plan to be expunged from Hextall’s certificate of title. Yet to identify a plan that facilitates the legal description of subdivided land is not necessarily redundant. Even when the description is clear, its accompanying plan can provide a useful illustration of a township layout, for example, particularly in instances where fractional or other irregular sections occur. A reference to the plan’s date and the name of its approving authority also removes the uncertainty of identification in those situations where the official plan amended or replaced a previous plan.

Disputes concerning the interpretation of written descriptions and their conflict with accompanying plans may require settlement by the courts. But the land surveyor can offer expert opinion to clients or prospective litigants concerning the physical evidence of natural and artificial boundaries. In situations where the surveyor prepares a new written or graphical description of a natural water boundary, appropriate wording or notation should be used to make it clear whether the actual bank or shore, as it may move periodically, is intended to form the legal boundary, or whether the intention is to fix the boundary permanently in its artificial location on the plan.

The effect of accretion or erosion may mean that the description of a registered parcel no longer reflects the present location of a natural boundary.

In Alberta, the owner of a parcel with a natural boundary that adjoins land owned by the Crown, and who wishes to amend the description accordingly, may apply to the Registrar under section 90 of the Land Titles Act. Any such application must be accompanied by a plan of survey or by other evidence satisfactory to the Registrar. It also requires the consent of the registered owners of parcels that may be adversely affected by the amended description, and the consent of the Minister administering the adjoining land in cases where the Crown is not the applicant.
BCIT Announces Bachelor of Technology in Geomatics/GIS

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A program booklet is available in printed format (call 604-432-8490 or e-mail kschuurm@bcit.ca). You can download a copy from the Bachelor of Technology in Geomatics home page at www.geogis.bcit.ca.

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The Digital City Seminar Series is coming this winter to a municipality near you! Designed specifically for the local government sector, Digital City is a free informational seminar sponsored by Compaq and ESRI Canada.

The Digital City seminar will demonstrate existing out-of-the-box geographic information system (GIS) solutions for some of the core municipal functions including permitting, land development tracking, assessment, and cadastral maintenance. Digital City will utilize current Canadian case studies to illustrate how municipalities can benefit by integrating information from individual departments into an enterprise-wide GIS.

The Digital City will present the complete integration of the parcel map maintenance processes with the subdivision approval processes; automating and tracking all interrelated tasks in a common workflow environment. An integrated demonstration will show how workflow tasks are automatically created for individuals involved in subdivision application inspection, map and attribute updates, approval, and supervision. It will also illustrate how individuals can immediately view updated map information such as permitted land use, environmental restrictions, and other information necessary to process subdivision approval.

Another exciting aspect of the Digital City seminar series is the hands-on component. Compaq Canada has provided several high-powered notebook computers to power the GIS Cafe. This can be your opportunity to test-drive the technology at your own pace over a cup of coffee.

Successfully delivered in more than 57 cities in the United States, this cross-Canada series started in January and will be visiting thirteen cities across Canada, including the following locations in central and western Canada:

- Vancouver, BC - February 21, 2000
- Victoria, BC - February 22, 2000
- Prince George, BC - February 24, 2000
- Saskatoon, SK - March 7, 2000
- Red Deer, AB - March 9, 2000
- Winnipeg, MB - March 17, 2000

For more information or to register, call 800-GIS-XPRT (447-9778) or visit the Digital City web site at http://www.esricanada.com/events/digitalcity.

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If you are involved with work that is cutting edge or photo-worthy, the ALSA will hire a professional photographer to capture the moment.

To the average person, the word Surveyor conjures up an image of field crews and tripods at the side of the road. Pictures of quads, trucks, and tripods – almost all of which are outdated, out of focus, and over- or under-exposed – make up the majority of the pictures in the current ALSA photographic library. These pictures do nothing to enlighten the public about the surveying profession. As part of an initiative to increase public awareness about surveyors’ diverse and exciting work, the PR committee would like to update and expand the photographic library.

Occupying mountain top control stations, subdividing scenic parcels, accessing remote locations by helicopter, and applying GPS in new situations or exotic locations are a few examples of interesting and exciting jobs that also provide opportunities for some great photographs. If you are involved with work that is cutting edge or photo-worthy, the ALSA will hire a professional photographer to capture the moment. Just as a surveyor is an expert at evaluating evidence, calculating closures, and reviewing plans, a professional photographer knows how to manipulate lighting, set up a shot, and take the perfect picture. These photographs can be used for brochures and other promotional materials, and will increase the public’s awareness of the Alberta Land Surveyor’s role in society as well as the hi-tech nature of the profession.

For more information about the photographic library or to let us know about an upcoming photo opportunity, please contact the ALSA office.

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Digital Submission and MicroSurvey

It has been a year since my last article in the ALS News and during this time MicroSurvey has been a very busy company. To keep pace with technology and standards passed by different jurisdictions, MicroSurvey has continued to add new features to our programs. To address the needs of Alberta Land Surveyors in particular, we have added a Mass Layer conversion routine to allow you to submit your drawings in electronic format and comply with the new layering standards.

This routine was supplied to every customer free of charge in our latest update of MSCAD Pro and MS98, Service Pack #2. It is also included in all new copies of MSCAD Pro and MS98 and future versions.

The routine is found under the MicroSurvey pulldown menu, under Layer Control, Mass Layer Conversion and is comprised of two commands. First is the Layer Table Editor. This uses the LTO files supplied by Martin Newby and Land Titles and allows you to create new LST files or use existing files from those sources. In short, it allows you to map your current layers to layer names you require to submit your drawings. Once you have set the layer table as required, you can save it and then process it. The saved file can then be used again on future jobs.

The processing of the LTO.LST file changes the layers set in the table to the match the standards as you have configured them. You can have separate LST files for Land Titles (LTO.LST) and City standards (LTOCALGY.LST) or any other source that requires their own layering configuration. A report is generated to show the changes in your drawing.

The second feature is called, Check Layer Conversion and it allows you to review each layer, one at a time on screen, and allows you to confirm what is on each layer. If you find something that is on the wrong layer then you can change it to another existing layer or one you create on the fly.

Once you have done your conversions and checked your layers you can then save your file in DWG format via the SAVEAS command found under the File menu.

The last thing you need to do is create a plot file to submit. This is the tricky step for some. The first thing you need to do is obtain and configure, in Windows 95/98/NT, a HPGL or HPGL/2 plotter driver. One we can suggest using would be the HP Draftpro EXL driver from the Hewlett Packard web-site (www.hp.com). You would configure this driver to plot to a file instead of COM1 or LPT1. The output plot file will have the extension of PRN by default and will have to be renamed to PLT for submission. You would configure this driver even though you do not own or use this plotter at your office, it is just a means to get the plot file you require.

You should then be able to submit the PLT file and DWG file, as required, and they should be fine. If you do run into any problems then please feel free to contact AltaLIS at (403) 294-1028 or me at (705) 752-2911 about the MicroSurvey routines.

“Tips and Tricks” has been brought to you by Glen W. Cameron, CET. Glen is the Technical Support Manager for MicroSurvey Software, Inc. in Corbeil, Ontario, Canada.
Spectra Precision
(repeat)
I am pleased to have this opportunity to bring the surveying and mapping industry in Alberta up to date on our activities and plans in this period where our Society and your Association are gearing up for our respective annual meetings. For the first time in our history, we are holding our Annual Meeting in Jasper. It will be on Saturday, April 15th. It seems that we have had our greatest attendance when we hold our meeting in conjunction with yours when our members can enjoy the exhibits and portions of your program. We are looking for an excellent turnout and meeting. I will outline our plans a little later in this report.

Recently, we held a Regional Meeting in Calgary at the Danish Canadian Club on December 15th where we celebrated the beginning of our 30th year by looking back on our successes and drawbacks and looked ahead to our future. It was appropriate that Registrar Hugh Furber won a wonderful aerial photo of Eau Claire donated by John McMurchy of The Orthoshop. Our Education Committee, under Farley McKenzie, is looking at various ways of improving the delivery of our Safety Certification Program. In late January, our Winter 2000 Link, dues and renewal notices, and a membership survey were mailed out. We are asking our members to reply promptly.

At our last Council meeting on February 17th, we welcomed Brianna-Lee Woznesensky who is enrolled in the Surveying and Mapping Technology Program at SAIT as a student member. We learned that Rick James has completed arrangements for an ASSMT website with a unique domain name. It will be www.assmt.ab.ca and will feature current information and possibly a page where our members who are looking for employment, can list their resumes.

Our 28th annual Meeting Chairperson, Barry Bleay is completing arrangements for our program. A registration package will be mailed out very soon. We start off by attending the ALSA Icebreaker Reception on Thursday, April 13th. On Friday, we will be offering a timely Alberta Best seminar on how to deal with clients, land owners, and the public in the morning and a look at new surveying products in the afternoon. On Saturday, we will hold our Annual General Meeting and an Awards Dinner in the evening. Our members should note the ALSA Partner’s Program. Accommodation is available at the Mountain Park Lodges which includes the Amethyst, Lobstick and Marmot at very reasonable room discounts. An Early Bird Draw for one free night’s stay is planned. We also will be canvassing the industry (professional and non-professional) for sponsors to subsidize portions of our program over the two days. Thank you for your consideration.

Our members can expect a package in March that will include a ballot for the election of the 2000/2001 Council, last year’s Annual Meeting. New business includes some bylaw amendments and possibly a discussion on a new GPS Membership Category.

I would like to thank all those who have served on our Council and committees this year and especially those who will retire from Council. We look forward to your continued involvement. I urge all our members to come and enjoy beautiful Jasper.
**J.H. Holloway Scholarship Foundation**

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