<table>
<thead>
<tr>
<th>Page</th>
<th>Section</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>President’s Message</td>
<td>Dave McWilliam, ALS</td>
</tr>
<tr>
<td>7</td>
<td>Councillor’s Forum</td>
<td>Ron Hall, ALS</td>
</tr>
<tr>
<td>9</td>
<td>Editor’s Notes</td>
<td>Brian Munday Executive Director</td>
</tr>
<tr>
<td>13</td>
<td>Letters to the Editor</td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>North American Boundary Commission Recognized</td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>Association Notes</td>
<td></td>
</tr>
<tr>
<td>21</td>
<td>Real Property Reports 2002</td>
<td>Bob Wallace, ALS</td>
</tr>
<tr>
<td>22</td>
<td>Digging Up Evidence</td>
<td>S.M. (Syd) Loepky, ALS</td>
</tr>
<tr>
<td>23</td>
<td>The Ireland Experience</td>
<td>Dale-Lynn Lawrence Associate Member</td>
</tr>
<tr>
<td>26</td>
<td>SPR Director’s Message</td>
<td>Lyall Pratt, ALS</td>
</tr>
<tr>
<td>28</td>
<td>SPR Corner: Case Study No. 14: Pits as Evidence</td>
<td>Lyall Pratt, ALS</td>
</tr>
<tr>
<td>32</td>
<td>Guardpost</td>
<td>Murray Young, ALS</td>
</tr>
<tr>
<td>36</td>
<td>Book Review</td>
<td>“Longitude” by Dava Sobel Ken Allred, ALS</td>
</tr>
<tr>
<td>37</td>
<td>The Clock in the Stable</td>
<td>Ken Allred, ALS</td>
</tr>
<tr>
<td>38</td>
<td>Public Relations: Hire a Student</td>
<td>James Sloan, ALS</td>
</tr>
<tr>
<td>39</td>
<td>Alberta Sustainable Resource Development Update</td>
<td>Mike Michaud, ALS</td>
</tr>
<tr>
<td>40</td>
<td>NAIT Notes</td>
<td>Allan Theriault, ALS (Ret.)</td>
</tr>
<tr>
<td>41</td>
<td>U of C News</td>
<td></td>
</tr>
<tr>
<td>43</td>
<td>Promoting Land Surveying as an Engineering Career</td>
<td>Al Hanert, U of C Engineering Internship Program</td>
</tr>
<tr>
<td>44</td>
<td>Legal Notes: Real Property — Adverse Possession — Restrictive Covenants Sale of Land — Warranties Professions &amp; Occupations — Veterinarians</td>
<td></td>
</tr>
<tr>
<td>47</td>
<td>Obituary: W.A. (Bill) Wolley-Dod, ALS (Hon. Life)</td>
<td></td>
</tr>
<tr>
<td>48</td>
<td>ASSMT Notes</td>
<td>Stutt Pottruff ASSMT Executive Manager</td>
</tr>
</tbody>
</table>

**ON THE COVER**

This issue’s cover is a copy of the front of our new Real Property Report brochure which was designed by Rose Country Communications Ltd. An article on RPRs by R.M. Wallace, ALS is on page 21.
Fall has left us and winter is knocking on the door. I can’t believe how short the summer and fall were. Enough futile complaining and on to business.

It appears that there may be a weakness in our current Surveys Act that may be confusing to the general public and also to some of our members. The problem, as I understand it, is that in certain instances, the public can depend on survey monuments placed by qualified surveyors as marking their property corner and, other times, they cannot! And, furthermore, in order to decide which category a particular monument falls into, the public needs to know and understand the intricacies of the Surveys Act.

You may say that they do not need to know and understand the intricacies of the Surveys Act. All they need to do is hire an Alberta Land Surveyor who is an expert in the Surveys Act and its application to boundary law in Alberta, and you would be partially correct.

However, the requirement to hire an Alberta Land Surveyor is a difficult “pill to swallow” for a landowner who only recently had contact with a land survey company that surveyed a pipeline across his land and, in doing so, placed a statutory iron post at the centre of his section of land. That landowner’s first inclination is that he should be able to depend on that survey monument as being the “center of the section”—after all, it was placed by a qualified land surveyor!

What he doesn’t know is that the centre of the section will be, forevermore, related to the positions of no less than five adjacent sections and quarter section monuments in addition to the requirements contained within sections 26(1), (2), and (3) of the Surveys Act. The survey monument that was put in just last week by that qualified Alberta Land Surveyor is only that surveyor’s opinion as to where the true corner actually is and, in fact, that monument may be contradicted by another qualified Alberta Land Surveyor next week.

Yes, I would say that this could appear to be a little confusing to a layman!

At our 2002 AGM in Edmonton, a motion under new business, was passed by the members. The motion requested Council to investigate changing the Surveys Act to allow certain Part 3 monuments to be given the same official status that Part 2 monuments have, just as if they had been placed under Part 2. Since the AGM, a similar motion was passed by the Practice Review Board and passed on to Council. Through clarification from both movers, the desire of the motions and movers is seen to be the same.

The intent of the motions, as I understand them, is to have “first time placed” Part 3 monuments, under the following portion of Section 44(3), to be given Part 2 status, as if they had been placed under Part 2 of the Surveys Act:

44(3) A surveyor who establishes a corner of a section, quarter section or legal subdivision that was not previously marked by a monument,

(a) shall mark the position with a new monument, and

(b) shall within 90 days after completion of the survey, prepare and submit to the Registrar, a plan of survey showing the method by which the position was re-established.

The monuments referred to are the monuments placed under Part 3 that are intended to mark positions established under Part 2, sections 26(1), (2), and (3) of the Surveys Act that were, in fact, never monumented. These corners include the north quarter on a blindline, the centre of a section, and any other section or quarter section corner that was never before monumented by a Part 2 monument. Corners not monumented, but witnessed, would be excluded.

Under this proposal, once this “first time placed” Part 3 monument was shown on a plan that is registered in Land Titles, it would gain status as if it was indeed placed under Part 2. Such a monument, if original and undisturbed, would then become indisputable evidence of the true corner it purported to mark just as any other original, undisturbed Part 2 monument is today. Any subsequent Part 3 monument placed to re-establish such a monument, would have to stand up to the same test for validity that any Part 3 monument purporting to re-establish a Part 2 monument has to today.

Such a concept, and the legislative changes required to implement it, would certainly appear to have merit. It would directly address an issue that has plagued some of our members and the public alike – namely the confusion about the difference between a governing Part 2 monument and a re-established Part 3 monument that is only the “placing surveyor’s” opinion as to where the

...continued on page 32
Succession Planning

This time of the year is when most of us reflect back on the past and give thanks for what we have been blessed with.

As I reflect back on the past five or six years, including my involvement in the Association, I feel very fortunate as I have had the opportunity to serve with some very dedicated individuals. I am now half way through my first of two years on Council and I am thoroughly enjoying serving you as a councillor. It is a great opportunity to learn more about our Association and I can assure you there is never a shortage of things for Council and President Dave McWilliam to do.

I had the privilege of sitting on the Registration Committee including one year as chairman, and one year representing the ALSA on the federal initiative on labour mobility. Being a member of the Registration Committee gave me a tremendous opportunity to meet many of our new, up-and-coming professionals. There is often a lot of discussion about the shortage of prospective members joining our profession. However, I can attest to the fact there is no shortage of quality.

The question then is whether there is truly a shortage, either currently or in the future and, if so, why is there a lack of individuals seeking a career in geomatics—or, more explicitly, in the profession of “land surveying.” Who is responsible to ensure there are enough professionals in our vocation in the future?

There have been many discussions and reports within our Association and amongst many of our sister associations with respect to a future, or perhaps a current shortage of professionals. In the December 2000 ALS News, Lyall Pratt provided a statistical analysis regarding the number of land surveyors that may be required in the future. Brian Munday, in the June 2001 issue of ALS News, did a similar statistical historical analysis. Based upon these many discussions, and the ever-increasing global demand for geomatics professionals, I believe there is a legitimate concern for the future of our profession.

As with any organization, association, profession, and so on, the future lies with our youth and in our ability to attract them. In the September 2002 issue of ALS News, Robert Radovanovic identified many ways in which we can educate and attract future professionals. While I agree that the ALSA has a role to play in encouraging new members into our Association, I believe the responsibility for ensuring sufficient individuals entering our profession lies with the members of our Association.

Practitioners and corporations must directly assume responsibility for recruitment of students into a career in geomatics and land surveying. It is each and every professional’s obligation to be involved in our profession and to ensure its existence into the future.
I have a lot on my mind this time around. But, you know, I don’t really have one topic that I could turn into a full-fledged article. So, here are Munday’s mysterious musings on many matters.

If you haven’t noticed by now, the Association has a new-look website. Many people were surprised to find that Dawn Phelan of our office, on her own and with some help from Microsoft FrontPage and a few suggestions from me, designed the new look. Congratulations Dawn on completing an entire overhaul of our website.

One of the things that drove me crazy on our old website is that it was so difficult to find things. This, in spite of the fact that I was the one who usually told Dawn where the files should be located on our site. The new website has a great search feature and a site index. If you can’t find it on our website after using the search feature, it probably does not exist.

There may be a couple of things that were on the old website that you have not been able to find. For a variety of reasons, we have not been able to post them on the website yet. But I promise you we will.

One of the interesting things on the new website, although I doubt it will ever rank high enough to make “the most viewed pages” page, is the historical documents section. The Standards Committee has been working on compiling many of the old acts and documents that Alberta Land Surveyors have worked with over the years. This section now contains Bulletin 38, Good Practice Resolutions from 1959 to 1988, the Land Surveyors Act from 1910 to 1970, and the Surveys Act from 1922 to 1980. We are currently working on adding previous versions of the Manual of Standard Practice and Manual of Good Practice as well as the Manual of Instructions for the Survey of Canada Lands. As I said, I doubt this will ever be one of the most viewed pages on our website but it should be invaluable for anyone who wants to know legislation or guidelines an Alberta Land Surveyor was working under at any time in our history.

The Standards Committee is also responsible for reviewing the quality of the iron posts and marker posts. Earlier this year, concerns were raised by members about the bolt at the top of the iron post. Russel Metals had moved from a two-stage process to a one-stage process to crimp the bolt at the top. There were obviously some problem in moving to the one-stage process and the Standards Committee and Russel Metals have worked together to sort these out and all of the posts that have been sent out recently should no longer pose a problem.

There are quite a few articling students on the Standards Committee this year. It is good to see. I guess that they want to make sure they are up-to-date on their standards before they write their exams. I have no control over the exams and I might not even see the exam questions. However, I would not be surprised if one of the questions on one of the exams related to the discipline decision published in the last issue of ALS News. I have to state my bias up front. If you have read the decision, you will know that I was one of the complainants. In this case, the practitioner was suspended. The practitioner was found guilty of unprofessional conduct because, among other things, he condoned and admitted to “allowing unsupervised client contact and invoicing by a sub-contractor who was not authorized to practice land surveying.” The Association vigorously pursues the enforcement of the Alberta Land Surveyors’ use of the designation and the exclusive scope of practice. Why? The government has granted the survey profession, as well as a few other select professions, this privilege because it is in the public’s interest. It is disheartening when an Alberta Land Surveyor allows a non land surveyor to engage in the practice of land surveying. The purpose of publishing discipline decisions is not to embarrass the practitioner involved but to allow the other members of the Association to learn from the mistakes of others.

On a much lighter note, the Annual General Meeting is just around the corner. This year’s Annual General Meeting will be held April 24th to 26th at the Hyatt Regency in Calgary. The format of this year’s Annual General Meeting will be similar to the 2002 AGM in Edmonton. There will be opening ceremonies at which time the new members will be presented with their certificates. The Professional Development Committee has organized a series of concurrent seminars on a number of business management and personal development topics. Comedian Jebb Fink from Calgary’s A-Channel will be the speaker at the luncheon on Saturday and we will all be able to dance the night away with Dino Martinis at the
President’s Ball. The 2002 AGM in Edmonton was the best attended AGM ever. A total of 251 members (in all membership categories) attended. I bet that Calgary can’t bear the thought of Edmonton holding this record so I suspect that the 2003 AGM will also be very well attended.

As we start gearing up for the Annual General Meeting, this is usually the time we start asking the membership for their responses on a number of items. The results of the salary survey will be published in the next issue of ALS News. You will have the opportunity to attend a number of seminars between now and just after the AGM. The Professional Development Committee is looking for your input on future seminars. There is the AGM Registration Form to fill out, and, no doubt, there will be other matters in which we want your input. Sometimes I wonder, however, if we are asking you, the members, for your input on too many matters. Do we ask for your input so much that you’ve just stopped responding? There is a great deal of information in every issue of ALS News and we send you Council Report eight or nine times a year. With each issue of Council Report, there is also usually a job posting or a notice about something. With e-mail, we are now able to e-mail you about stolen equipment or some other matter. My question to you is, are we overloading you with so much information that it is impossible to digest? If that is the case, what should be cut back? Is there a better way of providing Association information to you? I really would like your feedback on this one!

I told you when I started that I didn’t have just one topic that I could turn into an article but here we are at the end of my article anyway. At the start, I called this Munday’s mysterious musings, so let me finish off with one off-the-wall and irrelevant observation. Did you know that the Alberta Land Surveyors’ Association shares the same initials, ALSA, as the Alberta Liquor Store Association and the Alpaca and Llama Show Association?
EUB’s Data Dissemination Initiative

Thank you for your letter dated August 29, 2002 in which support is provided by your Association for a Data Dissemination Initiative (DDI) which proposes to supply well site plans and other EUB data to the industry in an electronic format through an e-business environment.

As you can appreciate, the amount of historical information and data at the EUB is enormous and a project of this size and complexity must compete with other major initiatives that are also seen as core to the EUB’s strategic direction and its regulatory business functions. As such, extensive administrative and budgetary planning and coordination must be done to ensure the appropriate prioritization of these projects. This can often limit the progress of some initiatives by placing constraints on resources and funding available for a given project at a given time.

The EUB appreciates your endorsement of the direction to increase online availability of EUB information and data including microfilm records. EUB staff recognize the potential benefits to the industry of providing information through an e-business environment and the DDI Project Team will continue to investigate the manner in which this dissemination function fits with efforts to realign other current EUB business processes into an electronic environment.

Earle Shirley, Chief Operating Officer
Alberta Energy and Utilities Board

Scholarships

On behalf of the University of Calgary, I am pleased to advise you that the recipient selected for the Alberta Land Surveyors’ Association Scholarship is Mr. Jeffery Wayne Blatz. I would like to take this opportunity to express to you the thanks of the University of Calgary for the provision of this award. The financial reward and support you offer to students here is greatly appreciated. Please do not hesitate to call if you have any questions or comments regarding the administration of this award or the University awards program in general.

Linda Sharma, Director
Student Awards and Financial Aid
University of Calgary

I am pleased to advise you that the selection process has been completed for the 2002-2003 and the recipient of the Alberta Land Surveyors’ Association Academic Achievement Scholarship is Mr. Cory Tucker.

The Alberta Land Surveyors’ Association Academic Achievement Scholarship is most appreciated. Both the University of New Brunswick and the deserving students are grateful for the support.

Susan Montague, Director
Development and Donor Relations
University of New Brunswick

My name is Cory Tucker. I am a student at the University of New Brunswick, working towards a Bachelor of Science in Geodesy and Geomatics Engineering. I am also the proud recipient of a scholarship awarded by the Alberta Land Surveyors’ Association this fall, and I am writing you to express my appreciation.

This is the first time I have been awarded a scholarship and I must express how valuable it is to me. The award helps me pay for school and the recognition of my efforts provides value beyond financial in the form of satisfaction and motivation.

Attending university is expensive and financial stresses can be really distracting. I have been working for Focus Surveys in Edmonton during the summer months, and plan to return upon graduation, which has helped me pay for school, but it is still a struggle and the money you awarded is a big help and is greatly appreciated.

Thank you.

Cory Tucker

Thank You

My name is Byron Laurie and I am a second year geomatics student. I attended the lunch hour mixer/information session last Friday at U of C where I got to speak to a few people working in the industry including yourself. I just wanted to take this opportunity to thank you for your time. I appreciate the support that you and your colleagues give the geomatics program. It’s nice to know I belong to a department that has backing and respect from industry.

Byron Laurie

Alberta Supernet

To The Honourable Victor Doerksen Minister of Innovation and Science:

The Government of Alberta and the partners involved in the Alberta Supernet initiative are to be congratulated for their unprecedented endeavours to provide high speed network connectivity and internet access across the province.

The Alberta Land Surveyors’ Association, however, wishes to bring to your attention an issue which threatens the long term maintenance of the network. We are a self-governing professional association legislated under the Land Surveyors Act. The Association regulates the practice of land surveying for the protection of the public.

The team physically building the network is to be commended for their efforts in building a quality product within a relatively short period of time. From the land surveyor’s perspective, we are glad to see that rights-of-way and other interests in land are being surveyed so that landowner interests can be protected.

Nevertheless, the Alberta Land Surveyors’ Association would like to raise two concerns.

First, we feel that it is important that the fibre optic cables being buried across the province as part of
Everyone knowing where property Act because of the importance of created this section in the Surveys monument... is guilty of an offence down, alters, defaces, or removes any Surveys Act, “a person who... pulls the survey monument is replaced. required to be re-established. If the terms are required regularly to define property lines, and if they are found to be damaged or missing, they are required to be re-established. If the fibre optic cable is in the wrong place, it can easily be damaged when the survey monument is replaced.

According to Section 50 of the Surveys Act, “a person who... pulls down, alters, defaces, or removes any monument... is guilty of an offence and liable to a fine of up to $10,000.”

The Government of Alberta created this section in the Surveys Act because of the importance of everyone knowing where property boundaries are in the peaceful and orderly development of the Province both for now and in the future. We would appreciate your response regarding where the fibre optic cables are being buried and what steps are being taken to ensure that the legal boundary posts remain in their original position and condition.

We would be pleased to discuss our concerns with you. Please feel free to contact our Association office at any time.

D.R. McWilliam, ALS — President

Dear Mr. McWilliam:

Thank you for your letter of October 4, 2002 regarding the construction of Alberta SuperNet, a high-speed telecommunications network which will cover 422 communities across the province. In particular I have noted your Association’s interest in details on where the fibre optic cables will be buried, and what steps are being taken to ensure that the legal boundary posts remain in their original position and condition.

The Government of Alberta has contracted with private sector companies who have expertise in the area of building telecommunications networks. Bell West is our prime contractor for the entire SuperNet build, and they have sub-contracted the build of the extended network of 395 communities, that the Government of Alberta will own, to Axia SuperNet Ltd. I understand that your Association has also written to Axia SuperNet Ltd. on this matter.

Our private sector partners have taken steps to prevent potential problems arising as outlined in your letter as it relates to construction of the network.

As you mention in your letter, it was certainly an unfortunate situation that occurred earlier this year when a homeowner was killed when a piece of rebar hit a gas line. It certainly highlights the need for homeowners to call the free Alberta First Call service for an accurate location of all buried utilities in the area, prior to undertaking construction projects.

The design and build team at Axia SuperNet Ltd. are using the following modern methods and technologies to build a safe and secure fibre optic cable network.

- Cadastral mapping information is used;
- GIS information obtained for location of existing utilities;
- GPS data is taken at all potential conflicting locations using high-end Trimble GPS equipment and software;
- Alignment of proposed fibre cable is planned and coordinated with all governing agencies, using “as built” information and field verifying via electronic locate service;
- Actual location of existing conflicting utilities is performed by the owner of these utilities;
- Property pin information is used to verify locations of existing facilities in the field and great care is taken to not disturb these pins;
- During the build process, Axia SuperNet Ltd. will have an experienced inspector on site at all times, ensuring that the build processes are carried out in a safe and efficient manner.
- Virtually all proposed fibre cables will be placed on public right of way (public road allowances)

There may be situations where some sections of fibre cable will need to be placed on private property. In these situations, Axia SuperNet Ltd. would enlist the services of an Alberta Land Surveyors’ Association member to perform legal survey work.

I can assure you that all members of the Axia SuperNet Ltd. design and build team have many years of experience in this type of work, and will take appropriate steps to ensure the construction proceeds safely and efficiently.

Victor Doerksen, FCGA

Editor’s Note: Letters were also received from Bell West and Axia Supernet Ltd.
The Significance of the North American Boundary Commission (1872–1876) Recognized

On September 8, 2002, The Honourable Sheila Copps, Minister of Canadian Heritage announced the unveiling of a plaque celebrating the national historic significance of the North American Boundary Commission (1872-1876). The ceremony took place at the site of Fort Dufferin National Historic Site of Canada near Emerson, Manitoba.

Left to right: Professor William Neville, Manitoba Member of HSMBC; David Ediger, Red River Regional Director, Manitoba Conservation; Richard Remus, President, Post Road Heritage Group; Michael O’Sullivan, Commissioner, International Boundary Commission; Mayor Wayne Arsey, Town of Emerson.

One hundred and thirty years ago, the British-Canadian contingent of the North American Boundary Commission established its base camp at Fort Dufferin near the 49th parallel—the border between Canada and the United States of America—from which it would conduct its field work between 1872 and 1874.

The North American Boundary Commission was commemorated as an event of national historic significance because it completed the last link in the transcontinental boundary between Canada and the United States. The Commission surveyed and demarcated the 1,384 kilometres between the Lake of the Woods and the summit of the Rocky Mountains with remarkable accuracy even by modern standards.

“Making the international boundary a reality enabled the new Dominion of Canada to assert its sovereignty in the West. For the first time, Canadians were included in the making of political boundaries which affected their lives,” explained Minister Copps.

The work of the Commission also had long term indirect effects on agriculture, settlement and resource development. The accuracy of the survey proved essential to the success to the Canadian government’s implementation of the Dominion Land Survey. It established a rational, easily understood, section-and-township grid on the Canadian west which facilitated the settlement of the region. The Commission’s work also greatly increased Canadians’ knowledge of the newly acquired lands in the West enabling a better understanding of the agricultural potential it presented.

Created in 1919, the Historic Sites and Monuments Board of Canada advises the Minister of Canadian Heritage regarding the national historic significance of places, persons and events that have marked Canada’s history. The placement of a commemorative plaque represents an official recognition of historic value. It is one way of educating the public about the richness of our cultural heritage which must be preserved for present and future generations.

This initiative connects Canadians to our roots, to our future and to each other.

Former Boundary Commission Trail—Turtlehead Creek Crossing SE 19-2-22W, 5 km southeast of Deloraine. Manitoba Provincial Heritage Site No. 87
Changes to the Register

All West Surveys Ltd. Grande Prairie location has a new fax number: (780) 532-7694.

Scott Brooks is working for Crape Geomatics Corporation effective September 9, 2002. E-mail address: brooks@crape.com; direct phone number: (403) 514-2255.

Boundary Technical Group postal code should be T4A 2J7.

The Cadastral Group has changed some of its contact information: Mailing address: PO Box 2358, Slave Lake T0G 2A0. Street address: 901 - 3 Street NW www.cadastralgroup.ca rgauthier@cadastralgroup.ca.

Canadian Engineering & Surveys Inc. has moved to 4603 - 99 Street, Edmonton T6E 4Y1.

Ken Drake: Ken is located in Drummeller, not Calgary as listed in the register. His direct phone number is (403) 823-4901; e-mail: kdrake@telus.net.

Ian Emmerson: correction to mailing address—PO Box 2100 PS ‘M’ #80, Calgary T2P 2M5.

Don Jaques will be retiring from UMA effective December 19th. He will be working on a consulting basis and can be contacted at 2339 Palisade Drive SW, Calgary T2V 3V2; Tel: (403) 281-1124.

Hart Karasch: new e-mail—hkarasch@sunbow.ab.ca.

Bernard Lamarche: new e-mail—lamarache.land.surveys@shaw.ca.

Ed Lyster: new e-mail—elyster@sunbow.ab.ca.

Al Nelson is no longer employed with The Focus Corporation Ltd.

Sunbow Consulting Ltd. no longer uses a corporate e-mail address.

Syd Loeppky has joined Challenger Geomatics Ltd. in Calgary. His new e-mail address is sloeppky@challengergeomatics.com.

Desmond Shaw is employed with Caltech Surveys Ltd. effective September 16, 2002. New e-mail is des.shaw@caltechsurveys.com.

Conrad Swenson: new e-mail—conrad.swenson@caltechsurveys.com.

Gary Tronnes: new mailing address—PO Box 12, Site 5, RR2, Rocky Mountain House T4T 2A2; Telephone—(403) 844-3173.

Gerald Whaley: e-mail address—gswaley@telus.net

New Members

#692 DAVISON, Edward

E.R. (Buster) Davison was born in Kentville, Nova Scotia on August 29, 1974. He graduated from Horton District High School in 1992 and went on to receive a Survey Technologist’s Diploma from the College of Geographic Sciences in 1994. A B.Sc. in Geomatics Engineering was received from the University of Calgary in 1999. Buster is also due to received his CLS commission on December 10, 2002.


The topic of the technical report submitted as part of the qualifying examination was titled Subdivision Development in National Parks. Commission as an Alberta Land Surveyor was received on November 4, 2002. Buster is also an Engineer in Training with APEGGA and a ACLS candidate.

Surveying experience includes working for the Nova Scotia Department of Environment as a Field Assistant (1993); Computer Draftsperson and Field Assistant for Can Am Surveys Ltd. in Calgary (1994-1998); Party Chief and Project Manager for Stantec Geomatics Ltd. in Calgary (1999-present).

Recreational activities include travelling, tennis, skiing, making wine, and cycling. Buster and his partner, Amanda Baker, reside in Calgary.

#693 DENSMORE, Paul

Halifax, Nova Scotia was the birthplace of Paul Densmore. He was born on August 3, 1967 and graduated from Hants North Rural High School in 1985. He graduated from the Nova Scotia College of Geographic Sciences in 1987 and received a B.Sc. Engineering from the University of New Brunswick in 1992.

Articles were served under Robert J. Fulton, ALS from January 1997 to November 2002.

The Subdivision Process in the City of Calgary was the topic of the technical report submitted as part of the qualifying examination. Paul also holds a P.Eng. designation.

Paul’s surveying experience includes precision alignment, deformation, hydrographic, subdivision and right-of-way surveys.

Hiking, skiing, hunting and golf are a few leisure activities that he enjoys. Paul is presently employed with Northcan Surveys Ltd. and resides in Calgary with his wife Cindy.
Dormant Plans—
do we need a change to the Pipeline Act?

Do we need a change in the law or just more attention to detail?

Does the Pipeline Act need to be amended to force registration of pipeline right-of-way plans? It is becoming a hot topic of conversation and some view it as the only solution to the large number of dormant or unregistered plans for pipeline rights of way.

Dormant plans are plans of survey that are required to be registered at Land Titles, but for some reason they have not been registered within the required time frames. Sometimes registration does not proceed because a project is cancelled, but more often lack of registration results from companies just being too busy to sign the final plans of survey so that registration can take place.

Usually, the Alberta Land Surveyor completes the surveying and related plans and forwards them to the client for endorsement. Once the signed plans are returned the Land Surveyor can meet the requirements of the Surveys Act and register the documents at Land Titles and the location of the right-of-way is formally part of the official record.

It is a busy world—

It is sometimes difficult to get sign-off on final plans of survey when oilfield activity is high. Individual ownership plans, construction plans and crossing plans are all required before pipeline construction and accordingly they receive top priority. The final plans are usually put on the back burner until things slow down and attention can be paid to them. Unfortunately, they are forgotten or overlooked when things just don’t slow down or when significant time passes.

The many mergers that are taking place in the energy sector further complicate the problem. The Land Titles Act states that the person who requested the plan of survey be undertaken must sign the survey plan or attached documents before they can be registered. The longer it takes to get final signatures the greater the chance that a company could have been involved in a sale or merger. Obviously changed ownership and names cause additional registration problems and further delays.

A matter of safety—

An unregistered pipeline right-of-way poses a potential safety issue. Accidents are more likely to happen when there is no registered document showing clearly the location of pipelines in the ground. If a pipeline was to fail or rupture and its location was not registered there may be some question of public liability.

“I have never heard of any legal challenges related to liability for unregistered pipelines, but that is not to say that it couldn’t happen,” says Brian Munday, Executive Director of the Alberta Land Surveyors’ Association. “The bigger problem in my view is the question of security of interest in the land where the pipeline was located.”

Ethics and professionalism—

Landmen have a professional interest in the issue. Landmen who are employed by energy or pipeline companies should ensure that the plans of survey for pipelines are signed-off and registered. Those working as contractors or intermediaries should encourage sign-off and registration. In doing so they protect the interests of both the pipeline owner and the landowners.

The land surveying profession also has an obligation. The Land Surveyor is responsible for registration. “We are encouraging our members to be proactive and get dormant plans registered and to work to ensure that survey plans don’t pile up waiting for registration,” says Munday.

“In our company, we want to minimize the number of dormant plans we are involved with,” says Jim Halliday, ALS of Midwest Surveys and Vice president of the Alberta Land Surveyors’ Association. “At Midwest, we are trying to stay on top of final plan registrations even when we are extremely busy. We owe it to our clients and to ourselves as professionals.”

“It also seems to be easier now that we are filing digital plans and only require the person requesting a survey to sign one copy of an 8 1/2” x 11” Consent-to-Register-a-Plan form,” adds Halliday. “Signing and returning a form is easier to negotiate than the huge mylar plans we used to use.”

Legislation changes—

There have been suggestions registration of pipeline right-of-way plans should be forced by amending the Pipeline Act. Essentially one proposal calls for registration of a plan of survey within two years in order for a company to keep the license to operate the pipeline. Such a move would obviously make registration of plans a high priority and keep everyone’s feet to the fire!

“I know this is one item that will be brought up with the Energy and Utilities Board when the Alberta Land Surveyors’ Association meets with them,” adds Halliday. “We also plan to discuss the issue of safety in general when we get together with them.”

“I am not sure that legislation is the answer. I prefer to think that with the combined effort of the Land Surveyors, the landmen and the energy companies we can solve the problem. We need to have a concerted effort to keep on top of current plans and recover those that are sitting at the bottom of the ‘to do sometime’ pile,” concludes Halliday.

More information—

More information is available from the Alberta Land Surveyors’ Association, 2501 CN Tower, 10004 – 104 Avenue, Edmonton, AB T5J 0K1, Phone: toll free 1-800-665-2572, Fax: (780) 429-3374, www.alsa.ab.ca.

This article was prepared for publication in the Canadian Association of Petroleum Landmen magazine, The Negotiator.
Check Your Field Work

The Alberta economy is surging and will continue to do so in spite of the results of the Kyoto Accord. With this amount of activity comes the proportional increase of liability claims, mostly from the construction layouts. Practitioners need to be continually vigilant to ensure their crews are experienced in the work they are assigned and closely supervised on a daily basis.

It is essential that you make independent field checks to the horizontal and vertical layout and ties to existing structures or reference. Office checking of field notes immediately following the field work is also essential to catching potential errors in layouts.

The glitches of digital data recording and transferring are showing up more frequently in claim reviews. Caution and limitation statements should be put in the digital files to be electronically transferred and also appear on the hard copy of the plan or data file being transferred. A hard copy of transferred data should be mailed to the recipient for comparison to the electronically transferred data, as opening a data file with other than the original software can create data discrepancies. Even different versions of the same software can create discrepancies. Closer project management control will minimize your claims, reduce damage to your corporate reputation and be less stress on employee careers. Consult the CCLS website (www.ccls-ccag.ca) and Loss Prevention Bulletin #9 in early 2003 for more related information.

The ALSA Manual of Standard Practice, Part D, Section 9, Construction Layout Surveys, has the essential criteria for good practice to prevent claims.

MONROE KINLOCH, ALS  
CCLS PROFESSIONAL LIABILITY INSURANCE COMMITTEE

John Buys a Vineyard

John West is in fact out of jail and has been successfully integrated back into the general population.

The experience appears to have been somewhat traumatic as he has given his notice and will be leaving the province in early December. John and his wife, Darlene, have purchased a vineyard in beautiful Oliver, BC. John’s last day at Caltech was on September 27th.

MICHAEL R. GROSZ, ALS

Edmonton Small Business of the Year Award

On October 25th, the Edmonton Chamber of Commerce awarded First Order Measurement Solutions Inc. of Edmonton the Small Business of the year award for the category of ten employees and under.


Congratulations from the Alberta Land Surveyors’ Association.

ASSMT Courses Available at NAIT

The following survey courses are run in conjunction with NAIT. To register please go to the ASSMT web page at www.assmt.ab.ca/education/education.asp

Advanced Calculations
February 22-23, 2003

Levelling
January 11-12, 2003

Field Notes
April 12, 2003

Basic Total Station
March 8-9, 2003

Advanced Total Station
March 22-23, 2003

Basic Survey Calculations
February 7-9, 2003

Proposed Survey Assistant Course
May 10-11, 2003
The RPR continues to be one of the most contentious products developed by Alberta Land Surveyors. Since its inception in 1987, the RPR has been under intense scrutiny from the real estate industry, legal profession and municipalities. Even within the ALSA, there is an animosity toward the magnitude of the profile the RPR has generated. Unfortunately, due to the nature of the changing RPR marketplace, the ALSA must continuously monitor, react and be pro-active... through the RPR Committee

...due to the nature of the changing RPR marketplace, the ALSA must continuously monitor, react and be pro-active... through the RPR Committee

Protect their equity in their mortgages. Unfortunately, this selfishness and short-sightedness on behalf of the lenders has transferred inherent survey-related problems to the new unsuspecting land owners.

Education is needed to ensure all landowners are aware of their liability when purchasing a title insurance policy instead of a RPR. The RETC has recommended that realtors and home buyers be educated on these issues.

Title Insurance
Title insurance continues to become a part of the real estate transaction, in many cases, displacing the RPR. In 1991, there were 83 title insurance policies written in Canada. This has increased to 179,000 policies in the first six months of 2002.

Lending institutions, as well as the Canadian Housing and Mortgage Corporation (CMHC), have embraced title insurance in lieu of a RPR to

RPR Index
The ALSA has created the RPR index (www.rprindex.ab.ca)—a web-based cost-free searchable database, which allows a person to search their municipal or legal address to see if a RPR exists for their property. The real estate and legal professions have been requesting this type of resource for many years. The benefit of knowing if a RPR exists for a property would be a reduced cost for an update rather than the full cost of a new survey.

To date, there are 199,712 records on the RPR index. The RPR Committee is working to get more practitioners to participate, thereby enhancing the profile of the site.

Glossary of Terms
The RETC has requested that the ALSA prepare a glossary of terms to be used by land surveyors throughout Alberta. The glossary was prepared and submitted to Council for endorsement. Council asked the RPR committee to review the terms with the Development Officers’ Association before it is published.

Disclosure
The RETC (Real Estate Transaction Committee) has endorsed the RPR as a valuable component of disclosure in the real estate transaction. The RETC was formed in 1999 with the support of then Minister, The Honourable Iris Evans. The Committee is comprised of many groups representing various professions involved in real estate transactions. The Committee has recommended that the Alberta Real Estate Association modify the listing contract in order to strengthen the requirement for the RPR. This has been accepted and changes have been made to the contract.

Electronic Submission of RPRs for Compliance Certificates
At the request of users of the Calgary CityOnline service, the City of Calgary has developed a system of accepting electronic RPR files for compliance. In consultation with the ALSA, CityOnline is undergoing beta testing on this initiative. Once the testing is complete, a pilot project will be undertaken for not longer than one year. After the details of the system have been implemented, a formal agreement between the ALSA and CityOnline will be established.

These are some of the important issues on which the RPR Committee has been working. The support of the ALSA membership and Council has enabled the Committee to develop solutions.

Practical Surveying Examination Format Change
Further to feedback from the membership and discussions on the April 2002 exam results, the Registration Committee would like to announce a format change for the April 2003 Practical Surveying Exam.

In the past, the exam format has been that of four questions, three of which were mandatory and one which was a choice between two additional questions. The new format will be that of 10 questions, all mandatory, each worth 10 marks. The examiners responsible for setting the exam will endeavor to cover the same topics as in past years, but with fewer and/or simpler calculations involved.

It is hoped that this change will provide the articulated students and affiliate members with a less harrowing experience while still being a fair assessment of their knowledge.
Digging Up Evidence

by S.M. (Syd) Loeppky, ALS

Real Property Reports – as land surveyors, we tend to love ‘em or hate ‘em, but whether we like it or not, RPRs tend to be the reason for our most visual and enduring contact with the general public, as well as being the topic of heated discussion at our annual general meetings.

“RPR” could just as easily stand for “Real Public Relations.” Improvement location surveys are in the “red zone” of our contact with the public and, as such, there tend to be more encounters between surveyors and those members of the public who take exception to an unannounced survey crew traversing through their prized flower beds or excavating a new “pot hole” in their pristine lane.

Surveyors and their agents rely on the privilege of “right of access” to cross over and measure a property. Unfortunately, we very often abuse or misuse that privilege so much that we must be concerned about losing our special status. The number of complaints from the public, including municipalities as well as Members of the Legislative Assembly, are at an all time high.

Recognizing many of the complaints are related to RPRs, the RPR Committee undertook an initiative to write a “Best Practice Statement” with respect to our interaction with the public and our pledge to conduct ourselves in a truly professional manner. The code, as adopted by the RPR Committee and endorsed by Council, is as follows.

The Alberta Land Surveyors Commitment to Property Damage Mitigation

It is important for an Alberta Land Surveyor to properly instruct his/her field crews. This includes the proper respect and care of the property that we enter upon and/or damage in performing a survey. It is recommended that this commitment is read and signed off by all new field staff as part of the orientation process. An Alberta Land Surveyor should also ensure that all of his/her staff gets proper field instruction on repairing sod damage.

1. I will respect and be cordial and polite to the public.
2. I acknowledge that Alberta Land Surveyors and their appointed agents have the right to enter but are responsible for any damage caused.
3. I shall ensure my survey vehicle displays my company signage.
4. I will attempt to contact all property owners whose property I enter upon and if unable to contact I will leave a message card with my company contact number.
5. I shall raise all monuments to ground level in urban areas when practical.
6. I am aware that damage could include sod, tree limbs and fence marking.
7. I will clean up a work site such that it is in the same condition as I found it; this includes sweeping or raking the grass clean of loose dirt.
8. I will keep a record of and return to any location in the spring that I was unable to properly repair in the winter.
9. I will be aware of public concerns. It is my responsibility to promote public awareness of surveying. I will protect the interest of the public and the enjoyment of land.

Best Practice Statement Draft Document: Minimizing the Impact of Accessing Monuments

When performing surveys in urban environments, it is often necessary to access survey monuments located on lawns. In the interest of good public relations, it is important that land surveying activities have as little impact as possible. The most sensitive areas are typically private individual’s lawns. Digging up a survey monument can be done without significant or lasting damage to a sod lawn. The key points to properly replacing the divot during the growing season are listed below.

- Make the divot as deep as possible, using a spade to cleanly slice through the sod and soil.
- Place the sod divot and any extra soil dug up on a small tarp or plastic sheet.
- Replace the divot and soil carefully. Tamp it down firmly (if needed use top of sledge hammer to pack down soil).
- Water the divot and immediate surrounding area thoroughly. This is especially important during hot, dry weather.
- Keep a small container of fertilizer in the survey vehicle as well. Sprinkle a small amount of it on top of the damaged grass to aid in the re-growth.
- To avoid the same piece sod being repeatedly damaged the monument should be raised or referenced.
- The lawn should be swept or scraped clean of all excavated dirt.

During winter, the grass will be dormant. As long as a clean divot is taken, digging should not harm the grass. However, the divot should be replaced in the same manner as during the growing season, eliminating the watering and fertilizing steps. A digging tool appropriate for making clean divots should be used (e.g. jackhammer with spade blade).

www.alsa.ab.ca December 2002
The Ireland Experience

by Dale-Lynn Lawrence
SPR Geomatics Technologist
Associate Member/ALSA

Two years ago my father was diagnosed with diabetes, and I was wondering what I could do to help him. Then one day I saw an entry form for Team Diabetes, and I knew that this was my chance. I had a year and a half to prepare for the Dublin Marathon, which I thought was a long time to raise the required $5,500 for diabetes research, as well as train. The time went by so fast and I often didn’t think I was going to raise the money, but with a lot of help from family and friends, I managed to reach my goal. A significant portion of the money was donated by surveying companies throughout Alberta and I would like to thank all the companies that helped me reach my goal.

Start line.

In the early morning hours of October 28, I was preparing for the last 42km of a year-long journey. Walking to the start line and seeing thousands of people standing on the Dublin streets was such a rush; it brought tears to my eyes. Once the clock started it took me ten minutes to get to the start line since there were about 10,000 other participants in the marathon. Most of the runners, like myself, were not fierce competitors or serious athletes; they were everyday people spanning all age groups and all fitness levels running for someone they loved. The mutual support between runners was amazing. I had people patting me on the back saying how proud my dad is of me and that I’m his hero, but in my eyes, he is mine.

During the race I felt really good, until about the last four miles. That is when it started to hit me and I thought I was not going to make it. My feet were hurting so badly I would have walked on my hands if I could, I kept telling myself “just a little further,” then when I got to the last mile, complete strangers were cheering me on, what an amazing feeling! My boyfriend was at the finish line waiting for me and I was very thankful that he was there to see me finish. I don’t know how I would have done it without him.

That night, Team Diabetes Canada had a celebration for us, it was nice to spend one more night with the hundred or so wonderful people from across Canada who made the trip to Dublin for the marathon.

I had a hard time walking for the next few days, but all around Dublin you could tell who ran in the marathon, we were all walking the same way.

After getting some rest, we decided to rent a car with two other Canadians, and drove to the west coast. That was an adventure all on its own—four people jammed into a clown car, all our packs, a steering wheel on the passenger side, and driving on the “wrong” side of the road (which are not much wider then our sidewalks). It can get a little scary when a bus is coming at you and you have nowhere to go.

The more west and south we went, the more traditional the country and language got. The Irish are extremely friendly and will help you out any way they can, but first you have to figure out what they are saying. I never thought I wouldn’t be able to understand English.

My favorite spot out of the whole trip had to be a little town called Dingle. National Geographic was right when they said it is the most beautiful place on earth. It is a small fishing community in the south west of Ireland. The people, the food, and the atmosphere were amazing. I did not want to leave and even thought about staying. Once we did finally keep going, we headed east stopping at the last town the Titanic docked in before making its solitary voyage, spent one of our last nights in a 15th century castle and, of course, we had to kiss the Blarney Stone (which, if you know the story behind the stone, and know me, I probably didn’t need).

We then headed back to Dublin for the long journey home. It was such a wonderful experience it almost feels like a dream. I would once again like to thank everyone who helped me make this possible. I would have brought back a souvenir for each of you but, unfortunately, Customs limits the amount of Irish Whiskey you can bring into the country, but hey it was still for a great cause.
I have now served as your Director of Practice Review for five years. The time has gone by very quickly. As noted in the November 7, 2002 issue of Council Report, all reviews in Phase 2 of the Systematic Practice Review Program should be commenced by this time next year. Also included in Council Report is a brief summary of Phase 2 statistics compared to the Phase 1 benchmark statistics. Council has asked the Practice Review Board to make recommendations by March 2003 on what should be done next.

Phase 2 Observations
Over the course of Phase 2 so far, based on the plans and field notes reviewed and field inspections conducted, I have noticed numerous improvements in the quality of products and services. As with most trends, these improvements are likely attributable to several factors. One factor I believe is the tremendous turnout at our Getting It Right seminars. Virtually all sessions, particularly those in Edmonton and Calgary are fully subscribed. Over the last five years about 340 people have attended this seminar. Getting It Right is a two-day facilitated, participatory seminar designed for active learning.

Another factor that I believe has contributed to the noted practice improvements over the last five years is the general educational content of the SPR program. The case study articles, field staff seminars, NAIT and SAIT annual instruction days, day-to-day discussions with land surveyors and, of course, the practice reviews themselves have likely all contributed to the improvements seen.

I serve on the Professional Development Committee and am often involved in seminars such as Getting It Right, the Exam Preparation Seminar and the 2002 AGM seminar. I note tremendous participation in all seminars, and turnout at regional and annual meetings is as good as or better than ever. I truly believe there is a correlation between member involvement in ALSA activities and compliance with requirements of legislation and the Manual of Standard Practice that shows up during a practice review.

Road Pits
Twice in the last year or so, members have asked me about the size and orientation of road pits. Up to 1965 when marker posts could be used instead, four pits were to be dug at each road survey post planted. The requirement for and the size of the pits was written right into the Surveys Act.

A 1965 amendment allowed the Director of Surveys to authorize the use of some other type of supplementary mark. Because of the labour involved, I doubt many land surveyors dug pits after the marker post amendment of 1965. I think it is safe to say that any road survey up until 1965 likely had four pits dug at each monument planted but, after 1965, marker posts were placed rather than pits.

The plan will tell you what was placed. For road surveys only, the abbreviation P stood for four pits. You will find on pre-1965 road plans wording like “IPPR2” which means that an iron post marked R2 along with four pits was placed at this location. Today the abbreviation P stands for brass cap post as shown in the list of abbreviations in the Land Titles Office Procedures Manual, and the term Pit means four pits. The former acts up until the current one (enacted in 1988) included a section on road surveys and a section dedicated to size of pits to be dug. It read: “each point marked by an iron post as provided in this section shall be further marked by digging 4 pits, each 2 feet square and 12 inches deep, and shall be placed so that 2 straight lines drawn through the iron post at right angles to one another will each pass through the centers of 2 of the pits, and the inside edge of each pit shall lie on the side of a square whose sides are 6 feet long and whose center is the iron post.”

I know of no instructions as to the orientation of the pits. However, experience tells me that most often they were along, and perpendicular to, the survey line. It is a relatively easy task to restore the position of a road post from the pits. With a little spade work, I have no doubt you will also locate the post-hole or rust-hole from the original iron post. The post was longer than the pits were deep, so if the pits have survived, I bet the post-hole also survived.

Wooden Posts
Practitioners will often tell me that they never find wooden posts on pre-1912 subdivision surveys. This spring, a practitioner under review looked for wooden posts at the corners of a lot he was conducting a real property report on, and found...
wooden posts at three of the four lot corners. The fourth corner fell in a hedge, and digging was not possible because of the root systems. Two lots north, another wooden post was found. This surveyor’s find in Edmonton contradicts the statement that there are no wooden posts to be found. The wood remains found were approximately 7 centimetres square and at a depth of from 0.4 metres to 0.6 metres below the ground level. The land surveyor was justifiably proud of his find, and told me that other land surveyors had told him he would not find wood. You can never be sure unless you look, and the only way to look is to dig. The message here is do not rule out finding wooden posts on surveys the plan of which was registered before February 16, 1912 until you dig.

Salary Survey 2002

Salary survey questionnaires were distributed to the membership in December 2002.

Please take the time to send the questionnaire to the Association office by January 31, 2003.

If a sufficient number of responses is not received, the information will not be published.

The questionnaires are also available for completion online at www.alsa.ab.ca/salarysurvey.htm
Case Study No. 14
Pits as Evidence

This is the fourteenth in a series of articles featuring problems commonly encountered in Systematic Practice Review. The purpose of these articles is purely educational, so no names or identifying legal descriptions are included. Opinions expressed are those of the author.

The Issue

Three times this summer our field inspections have found statutory iron posts that do not appear to be in their proper location relative to the pits and mound. When a plan says “Fd. I. Pit M.” and the field notes say the same thing, it sounds like you have the best possible evidence, so what could be wrong?

In the hierarchy of evidence “Fd. I. Pit M.” sounds like you have the original monument. In previous articles, I have written about the two questions that should be asked for every found iron post. Is it the original monument? And is the monument in its original position? A yes answer to both of these questions means you have the corner. Of course, the original pits and the mound are part of the monument and the statutory iron post, or wooden post is the other part. In all cases, the actual corner is the position of the post.

Over the years, since the original township surveys, many iron posts have been restored in relation to the pits. Do you and your staff know where the statutory iron post should be in relation to the pits? What does “Fd. I. Pit M.” shown in the field notes mean to you?

Is it an original monument?

The practitioner being reviewed here was establishing the east/west quarter line in Section 6 for his survey. His field notes and plan show “E ¼ Sec. 6.” The township plan surveyed in 1904 shows “W.P.M.” at the E ¼ Sec. 6. A 1942 road survey plan shows “F.M.Pits P.I.P.” The original post was wooden, and the 1942 survey restored the corner by placing an iron post, so the answer to our first question is ‘no’ the iron post is not original.

To answer the second question, we need to determine if the iron post is in the correct relationship to the pits and partial mound. Today, contrary to the practitioner’s field notes and plan, there are still four reasonably good pits and a partial mound visible. Bulletin 38 describes 77 different monuments erected on surveys of Dominion Lands between 1871 and 1917. Most of the township subdivision surveys in this province were conducted between those dates. As this area is not prairie, the correct configuration in bush areas for quarter-section corner monuments erected in 1904 and consisting of wooden post, pits, and mound is found on page 19 of Bulletin 38. Our measurements would indicate that this iron post was 0.7 metres east and 0.5 metres south of the correct position relative to the pits and mound.

There is an older fence corner post northwest of the statutory iron post within about a foot of where the original wooden post should have been. Was the iron post moved to conduct fencing operations, or was it incorrectly placed by the 1942 survey? I am not sure, but either way I don’t believe the iron post is at the ¼ section corner. Our findings have been forwarded to the practitioner. Of course, the practitioner’s field notes and plan should have mentioned the pits and partial mound at the E ¼ Sec. 6 and perhaps even have indicated where the iron post was in relation to the old fence corner.

Is this iron post in its original position?

The practitioner being reviewed showed the East ¼ Sec. 34 to intersect the east limit of the NE 34. The township plan surveyed in 1908 showed “I.P.M.” at the E ¼ Sec. 34. The practitioner’s field notes and plan show “E ¼ 34 Fd. I. M. & W. Pit.” As this area is not prairie conditions, the correct post to pits and mound configuration according to Bulletin 38 would be shown on Page 22.

Our field inspection found an old-style iron post marked ¼ on two sides. I am reasonably confident that this is the original iron post from 1908. So the answer to our first questions is yes, it is the original iron post. The post, however, was in the mound a little north and east of the centre of the mound. We also found three relatively good pits (NE, NW, & SW). Since the original iron post was placed at the north corner of the mound, we determined that the iron post was approximately 0.9 metres south and 0.25 metres east of what should have been its original location.

Upon digging at the proper location according to the pits and mound, we located a fence post butt where the iron post should have been. Did some landowner long ago remove the iron post and place his fence corner where the post was? I, of course, don’t know for sure, but I sure suspect the iron post is not in its original position. Our findings have been forwarded to the practitioner.

Is this iron post in its original position?

In another review, the practitioner being reviewed showed in his field notes and on his plan “N ¼ 24 Fd. I. M. Trace of SE Pit.” He had used the N ¼ Sec. 24 to re-establish a road post near the NE 24. The original township survey was conducted in 1912 and shows I.P.M. at the N ¼ 24. According to Bulletin 38, under these bush conditions, the correct configuration of pits, mound and iron post is as shown on page 22.

Our field inspection found the same situation as the practitioner’s plan described (iron post, mound and
trace of SE pit). The post, however, while likely the original iron post, appeared to be in the top east side of the mound, rather than the north corner of the mound. After removing broken telephone cable at the north side of the mound, we excavated and found what appeared to be a good rust hole. This rust hole was about 1.5 metres northwest of the iron post found in the mound. Photographs and a description of our findings have been forwarded to the practitioner.

**What does Fd. I. Pit M. Mean?**

If the field notes say “Fd. I. Pit M.” most land surveyors would suggest that you have the original monument, and, in the hierarchy of evidence, it doesn’t get any better than that. Part 2 monuments, however, usually have three parts, pits, mound, and the iron post. Are you checking to see that the relationship between the pits and the post is reasonable? Use the two-question test. Is the post original? No doubt the pits and mound are probably original, but is the post in its original position relative to what are likely original pits and a mound?

Often an iron post with pits and mound is accepted as found, with minimal checking to verify the location of the iron post.

Do you know if your field staff check the location of the iron post in relation to found pits? Many landowners erroneously believe that the monument is always midway between the four pits. Have landowners moved it to midway between the pits? Has construction of fences, or other activity, altered the monument location? In all three situations outlined here, the correct location for the iron post was the north corner of the mound. In some instances, a previous survey may have incorrectly restored the iron post from the pits.

If you don’t know if your field staff are checking for these disturbed or displaced situations, then you should find out. Many practitioners have been using survey evidence field note forms for some time now. I suggest that a field note sketch showing the measurements to the iron post from the pits could become part of the evidence forms for all Part 2 monuments.

Bulletin 38 may show the monument that was to be placed. However, as noted in the introduction to Bulletin 38, surveyors in the field were not always cognizant of changes in instructions. The monument actually placed at a corner may not always match the type shown in Bulletin 38. Other monuments placed by the same survey may have to be viewed and, in some cases, copies of the original field notes may show what the surveyor did. Bulletin 38 is simply a guide to aid surveyors in knowing what to expect at a corner. It will also aid surveyors in locating the exact corner when traces of the original monument (pits and mound and so on) are all that remain. Also, use it to confirm what you find.
Phase 3 of Systematic Practice Review

Phase 2 of the Systematic Practice Review will be reaching its conclusion in the fall of 2003 and Phase 3 would most likely begin in early 2004.

What does the membership wish to see happen to the review process and what process should Phase 3 consist of? Some ideas that will likely be considered are:

- the same process as Phase 2;
- a scaled down version of Phase 2 with more or mandatory continuing education.

Our Association has been afforded the privilege of being self-governing and, in so doing, we must maintain a set of minimum standards that will ensure that the “public interest” is protected. We must also ensure that our membership is both informed and educated.

I am in my second term as a member of the Practice Review Board. My personal opinion of the review process to date is that the majority of our members would appear to have taken advantage of the review process. As an educational tool, the members have taken new ideas and procedures and, where necessary, implemented them into their day-to-day practices. It would appear to me that it would be unnecessary to implement a Phase 3 review that is the same or similar to the Phase 1 and 2 reviews for these members.

However, there are a few practitioners who seem to have failed to accept the challenge and likely may still require some form of monitoring similar to the Phase 2 process. As well, there are the new members that have not been afforded the luxury of the Phase 1 and 2 reviews.

We have had the luxury of having Lawrence Kluthe as our Public Member on the Board and he has shared with us his perception of how the public and other professions perceive our Association. In recent discussions relating to Phase 3, he correctly pointed out that you do not generally replace something with something else unless the replacement is as good or better than what you are replacing.

Personally, I believe that some form of the Phase 1 and 2 processes will be required in order for the Association to fulfill its mandate to the public. With the members that have successfully completed their Phase 1 and 2 reviews, it might only be necessary to have an informal interview. For the members that have struggled with their Phase 1 and/or 2 reviews it will likely be necessary to review them in the same fashion as the Phase 2 reviews.

Regardless of what the Phase 3 review process consists of, the cost of this process should be secondary to the benefits provided to both the membership of the Association and the public.

...the cost of this process should be secondary to the benefits provided to both the membership of the association and the public. 

...
Planning Permission Problem

Mr. Ryan DeVries
Subject: DEQ File No. 97-59-0023; T11N; R10W, Sec. 20; Montcalm County

It has come to the attention of the Department of Environmental Quality that there has been recent unauthorized activity on the above-referenced parcel of property. You have been certified as the legal landowner and/or contractor who did the following unauthorized activity.

Construction and maintenance of two wood debris dams across the outlet stream of Spring Pond. A permit must be issued prior to the start of this type of activity. A review of the Department’s files shows that no permits have been issued. Therefore, the Department has determined that this activity is in violation of Part 301, Inland Lakes and Streams, of the Natural Resource and Environmental Protection Act, Act 451 of the Public Acts of 1994, being sections 324.30101 to 324.30113 of the Michigan Compiled Laws, annotated.

The Department has been informed that one or both of the dams partially failed during a recent rain event, causing debris and flooding at downstream locations. We find that dams of this nature are inherently hazardous and cannot be permitted. The Department, therefore, orders you to cease and desist all activities at this location, and to restore the stream to a free-flow condition by removing all wood and brush forming the dams from the stream channel. All restoration work shall be completed no later than January 31, 2002. Please notify this office if the restoration has been completed so that a follow-up site inspection may be scheduled by our staff. Failure to comply with this request or any further unauthorized activity on the site may result in this case being referred for elevated enforcement action.

We anticipate and would appreciate your full cooperation in this matter. Please feel free to contact me at this office if you have any questions.

DAVID L. PRICE
DISTRCT REPRESENTATIVE
LAND AND WATER MANAGEMENT DIVISION

Response Sent Back
Dear Mr. Price:
Re: DEQ File No. 97-59-0023; T11N; R10W, Sec. 20; Montcalm County.

Your certified letter dated 12/17/01 has been handed to me to respond to.
First of all, Mr. Ryan DeVries is not the legal landowner and/or contractor at 2088 Dagget, Pierson, Michigan. I am the legal owner and a couple of beavers are in the (State unauthorized) process of constructing and maintaining two wood “debris” dams across the outlet stream of my Spring Pond.

While I did not pay for, authorize, nor supervise their dam project, I think they would be highly offended that you call their skillful use of nature’s building materials “debris.”

I would like to challenge your department to attempt to emulate their dam project any time and/or any place you choose. I believe I can safely state there is no way you could ever match their dam skills, their dam resourcefulness, their dam ingenuity, their dam persistence, their dam determination and/or their dam work ethic.

As to your request, I do not think the beavers are aware that they must first fill out a dam permit prior to the start of this type of dam activity.

My first dam question to you is:
(1) Are you trying to discriminate against my Spring Pond Beavers or
(2) do you require all beavers throughout this State to conform to said dam request? If you are not discriminating against these particular beavers, through the Freedom of Information Act, I request completed copies of all those other applicable beaver dam permits that have been issued. Perhaps we will see if there really is a dam violation of Part 301, Inland Lakes and Streams, of the Natural Resource and Environmental Protection Act, Act 451 of the Public Acts of 1994, being sections 324.30101 to 324.30113 of the Michigan Compiled Laws, annotated.

I have several concerns. My first concern is—aren’t the beavers entitled to legal representation? The Spring Pond Beavers are financially destitute and are unable to pay for said representation - so the State will have to provide them with a dam lawyer. The Department’s dam concern that either one or both of the dams failed during a recent rain event causing flooding is proof that this is a natural occurrence, which the Department is required to protect.

In other words, we should leave the Spring Pond Beavers alone rather than harassing them and calling them dam names. If you want the stream “restored” to a dam free-flow condition please contact the beavers - but if you are going to arrest them, they obviously did not pay any attention to your dam letter, they being unable to read English.

In my humble opinion, the Spring Pond Beavers have a right to build their unauthorized dams as long as the sky is blue, the grass is green and water flows downstream. They have more dam rights than I do to live and enjoy Spring Pond. If the Department of Natural Resources and Environmental Protection lives up to its
**Longitude**
The True Story of a Lone Genius Who Solved the Greatest Scientific Problem of His Time
by Dava Sobel

When I’m playful I use the meridians of longitude and parallels of latitude for a seine, and drag the Atlantic Ocean for whales.

-Mark Twain

Ross Tate recently lent me a delightful little book on the man who solved the longitude problem back in the eighteenth century.

Anyone who has read of the difficulties surveyors like David Thompson or Mason and Dixon had establishing a precise longitude will appreciate the problem that early mariners had at sea when the weather was foul and they could not obtain accurate lunar observations. Even when they could, these observations required complex calculations.

Accurate sextant readings at sea were difficult to obtain even in the calmest of conditions.

Such was the case on a foggy night in October 1707 when Admiral Clowdisley Shovell ran four of five warships onto the Scilly Isles off the southwest tip of England. As a result of this tragic accident which took 2,000 troops to their watery grave, the English Parliament passed the Longitude Act of 1714 which promised a prize of £20,000 for a solution to the longitude problem. Now £20,000 in 1714 was the equivalent of over $1 million (US) dollars today.

A parliamentary committee sought guidance from scientific experts like Sir Isaac Newton and Edmond Halley (Halley’s Comet) to draft terms of reference for the awarding of the prize. The full prize was to be awarded to anyone who could devise a method to determine longitude to an accuracy of half a degree of a great circle (30 nautical miles).

John Harrison (1693-1776) was a self-educated man who started out as a carpenter but built his first pendulum clock before he was 20 years old. Many of his early clocks were made almost entirely of wood, carefully selected for their type and grain to avoid expansion and cracking. He even used a special tropical wood for the cogs, that exudes its own oil, eliminating the need for lubrication, thus creating a friction-free mechanism. He devised special parts made of alternating strips of different metals to eliminate expansion and contraction due to temperature variations in the pendulum. He tested the accuracy of his clocks by tracking certain stars based on cross hairs formed by a window pane in his house and a neighbours chimney. By these methods, he was able to construct clocks that never varied by more than a single second in a whole month (see accompanying story).

His challenges in designing a timepiece that was workable at sea were overcome within seven years and were proven on a voyage to Lisbon. Harrison was, however, a perfectionist and, rather than subjecting his invention to further testing, wanted to improve it first. Unfortunately, the elimination of the imperfections took over twenty years to accomplish and after further delays in arranging another test of the new chronometer, the political situation had changed in the office of the astronomer royal - the skeptical “lunars” were now in charge and would cause further delays for Harrison.

Harrison produced his first version, the H-1 in 1737, the H-2 in 1740, H-3 in 1759 and the final H-4 chronometer in 1760 but was plagued by an astronomer royal who favoured a “lunar distance” solution to the longitude problem. He received his first award of £1,500 in 1762, after years of toil and rather devious delays in the testing of his time piece. Finally, in 1773, with the intervention of King George III, Harrison was awarded £8,750 for his efforts, but not the prize.

One by-product of this competition and these lengthy delays was the publishing by astronomer Nevil Maskelyne, (astronomer royal 1765-1811) of the first of 49 editions of the Nautical Almanac in 1766.

The book is a good, interesting and an “easy” read with only 175 pages. Anyone who visits the Royal Observatory at Greenwich, England should read Longitude before they go. All of Harrison’s four timepieces are displayed there and are still maintaining accurate time.

**Planning Permission Problem continued from page 36...**

name, it should protect the natural resources (Beavers) and the environment (Beavers’ Dams).

So, as far as the beavers and I are concerned, this dam case can be referred for more elevated enforcement action right now. Why wait until 1/31/2002? The Spring Pond Beavers may be under the dam ice then and there will be no way for you or your dam staff to contact/harass them then.

In conclusion, I would like to bring your attention to a real environmental quality (health) problem in the area. It is the bears! Bears are actually defecating in our woods. I definitely believe you should be persecuting the defecating bears and leave the beavers alone. If you are going to investigate the beaver dam, watch your step! (The bears are not careful where they dump!)

Being unable to comply with your dam request, and being unable to contact you on your dam answering machine, I am sending this response to your dam office.

-Stephen L. Tvedten
The Clock in the Stable

by G.K. Allred, ALS

“Sometime around 1720, . . . . Sir Edward Pelham hired him to build a tower clock above his new stable at the Manor House in Brockelsby Park.”

DAVA SOBEL, FROM HER BOOK LONGITUDE

With this bit of information, we set out across the English countryside looking for John Harrison’s clock. My son, the driver, was somewhat skeptical. My sister-in-law “couldn’t believe it” and my wife, after 40 years, had come to believe almost anything. We drove across Yorkshire, stopping in the walled city of York to see the sights. We then set out across the Humber (for 17 years it was the world’s longest single-span suspension bridge) to Harrison’s home town of Barrow in search of Brockelsby Park.

The map we had showed Brockelsby to be a few miles south of Barrow so we headed down the road but there was no sign of a town of Brockelsby. As we rounded a corner past a large farmyard, I said “let’s go back there and ask someone.”

So back we went and into the farmyard, where there were three cars and many buildings. After knocking on a few doors to no avail, I started to snoop around looking for someone when I walked into the stable and “lo and behold,” there was the Harrison clock, high up on the stable tower. After wandering around a bit more, I discovered that this wasn’t just an ordinary farm but a huge estate with a three storey residence and acres of formal gardens. I found another face of the clock facing the gardens. On returning to our vehicle, a worker had come along, and confirmed that yes this was the Harrison clock but I needed to make an appointment to see the clock. I was also advised that this was the estate of the Earl of Yarborough who was in London on business and the worker had just returned from delivering the ‘countess’ to the train for London as well.

So we made an appointment with Harry Johnson, a delightful old gentleman, who had worked for three successive earls of Yarborough. Harry was the keeper of the clock and responsible for its weekly winding. He escorted us through the stable, unlocked the door, and we proceeded up the stairs to view the ‘workings’ of the clock. This clock was nearly 300 years old and had only stopped for a brief period in the 1800s for an overhaul. It still keeps good time losing a few minutes a month. The ‘workings’ were about 30 inches square and 15 inches deep. The wheels are 16 inches in diameter and fabricated from some eighteen separate parts, each piece utilizing the grain of the oak so as to give maximum strength and render it free from warping. The oak spindles are all fitted with brass pivots which in turn work in bushes of lignum-vitae (a Caribbean tree) which is a natural oily wood with a very close grain. This wood secretes its own oil and hence no other lubrication is needed. The cogs in the wheel are also carved from wood - five precision-carved cogs in a group, set into the circular wheel with the grain of the cogs running radially for maximum strength.

The only metal wheel in the clock is the escape wheel which is made of brass and has 30 teeth. A brass grasshopper escapement meshes with the escape wheel, I presume on a one second timing. The clock ticks away as all clocks do with a bell ringing in the stable tower on an hourly basis. It is amazing that after nearly three centuries these parts show no sign of wear.

This visit to the Harrison clock turned out to be a highlight of our trip to northern England and Scotland. Compared to Alberta, where history is a hundred years, the UK history is determined in millenniums. Hadrian’s Wall, Yorkminister, Durham Castle, Edinburgh - there is so much to see, but to be able to relate to a clock that has been running for 300 years and has its own story related to the development of the chronometer adds that extra flavour that makes it stand out in your mind. It was not just another clock!

Hire a Student

Who to hire and why, is an issue employers constantly confront. New land surveyors are needed in order for the Association to thrive as a successful organization. Our many businesses require capable party chiefs—men and women-versed in the basics and principles of land surveying.

The educational institutions of Alberta provide the knowledge. Our businesses must provide the experience. Classroom and field are separate worlds. Knowledge gained in the classroom must remain academic, pure concept, until it is applied in real-life field situations. Some of this experience can be gained during the summer months, in between school terms. A university or technical school graduate with a few summers of experience can undertake useful and productive work for any company. An inexperienced graduate must start at ground level.

Our unique profession creates field operatives with varied skill sets. Some will graduate to more responsible positions as land surveyors. The nature of the job requires self-reliant, motivated employees capable of on-the-spot decision making, independent action, shouldering responsibility for decisions, as well as the ability to swing a chainsaw. Students offer employers a steady supply of employees, who, by their decision to improve their lives through education, prove the extent of their motivation and willingness.

Students fresh from schools offer employers a resource for the latest technologies and techniques. Savvy employers will recognize the value of these talents and benefit from exploitation of said assets. In return, the students are provided with an opportunity to apply their newly gained knowledge, acquire golden hours of experience, and pad a resume for circulation upon graduation.

Employers should consider the experience dilemma faced by all students: how do I get a job to get the experience I need to get a job?

A poll of recent geomatics graduates shows that some get a summer job surveying between the third and fourth years. Some choose to extend their work experience in combination with an internship into the academic year. However, some geomatics graduates never land a summer job and finish their degrees with no idea of field surveying. Clearly, some want no part of the rough and tumble of fieldwork. This is acceptable since not every graduate can be a land surveyor. However, all should be given a chance to increase their knowledge and experience the vast opportunities our profession offers.

We make jokes about the trips to Provost, but that represents only a small portion of what one may encounter as a pupil.

Land surveyors know that it takes years to gain the knowledge and experience required to earn a commission. A start is required, and sooner is better than later. The employer’s dilemma involves a certain element of risk-taking. Hire the inexperienced student, monitor their progress and reap the rewards from their new ideas. The future of our Association and industry graduates every May. Someone you hire may become the next president of your company.

The Association, through various initiatives, will reach students between grade seven and fourth year post secondary education with varying levels of exposure to geomatics. All of these measures are intended to increase our exposure, as an industry, to a larger audience. Informing students about surveying will ensure a supply of people willing to make geomatics, and land surveying in particular, a career choice. These initiatives represent a considerable expense on the part of the Association in terms of resources and money. Members of the Association need to support our industry by ensuring its future—hire a student.
The Surveys & Technical Services Section is working on a number of initiatives designed to improve and update our services to you and other Albertans.

The Director of Surveys has approved new editions of township plans under the Township Records Revision Program, in place since 1998. The list is on the Director of Surveys web site www3.gov.ab.ca/srd/land/dos/TRRPUpdate.html, and will be kept current as new plans are completed. The plans are available through Alberta Registries web application Spatial Information System (SPIN) www.spin.gov.ab.ca/spin1/.

1) Public Land Dispositions

Public Lands, in consultation with the Association’s Standards Committee, is making progress on a number of key initiatives.

Survey and plan standards:
- We are reviewing the need for better and consistent monumentation for disposition surveys.
- We continue to review plan standards for application and survey plans. We have updated a chart detailing disposition types and plan requirements (either sketch or survey by an Alberta Land Surveyor). We have also updated a requirements check lists for sketch plans and survey plans. All three documents are on the Department’s Public Land Administration web site at www3.gov.ab.ca/srd/land/LAD/pr.html.

Digital Integrated Dispositions (DIDs) mapping:
- We have started discussions about the Department’s plans to initiate a disposition mapping program. We envision a dispositions mapping program modeled after the very successful cadastral mapping program. Major components would include digital plan submissions, geo-referenced CADD files, and implementation of a mapping fee.
- Similar to the cadastral mapping program, digital submissions would be used to update disposition mapping.
- Disposition mapping would be referenced and directly linked to the cadastral mapping product.
- We are also discussing the option of distributing all disposition activity plans through Alberta Registries Spatial Information System (SPIN).

2) Single provincial base map

Within the Department, we are discussing the concept of a single base map for the province. The vision is a single base used by all stakeholders for making submissions to provincial government departments. Themes spatially related to a single base would reduce or eliminate the need for secondary integration and significantly reduce the amount of duplicate mapping. We are currently developing components of a single base. For example, the titles mapping program, now 50% complete, is referenced and directly linked to the cadastral mapping product. The addition of Digital Integrated Dispositions (DIDs) mapping would be the next theme that would be referenced and directly linked to the cadastral mapping product. The next obvious theme is topographic mapping. We will include the role of the Alberta Land Surveyor in our discussions, and we will keep you updated.

You don’t have to golf to enjoy wearing one of the ALSA's golf shirts. They are 100% cotton, ALSA logo and name on the sleeve, and come in a variety of sizes.

Only $40 plus GST.

Contact the ALSA office to get yours today!!!
Greetings from the Northern Alberta Institute of Technology. Our program is very grateful for the ongoing support that we receive from the Association.

...the Association assists our program and our students in many ways...

For those who are not aware, the Association assists our program and our students in many ways, such as through the provision of:

• a generous scholarship to one of our students on an annual basis;
• copies of ALS News to students;
• copies of technical reports prepared by articled students;
• copies of brochures relating to careers in geomatics;
• an informative guest lecture by Lyall Pratt;
• announcements regarding special courses that are run such as the Surveying Calculations in Unsurveyed Territory course offered last spring;
• representation on our Advisory Committee.

I thought it might be beneficial to provide a review of the past calendar year for the membership.

Early in the year, we had an excellent demonstration of 3D Laser Scanning Technology by Garry Bondarevich, ALS of Stewart, Weir and Co. Ltd.

In February, we had our annual awards night celebration. At this event, geomatics students received well-deserved recognition for scholastic achievement.

Later in the spring of this year, we had an RTK day in our second year Field Methods IV class, where students benefited from a full day of RTK “hands-on” activity. Stewart, Weir and Co. Ltd. volunteered a number of Leica RTK units and Stephan Jean provided assistance.

Cansel supplied Trimble RTK receivers at a reduced rental rate and Farley McKenzie provided assistance. The experience was very much appreciated by the students.

We had nineteen graduates in April 2002 and they were in great demand, often having multiple employment opportunities.

We submitted an application to the WCBE regarding formal exemptions from Schedule 1 of the syllabus in June and are looking forward to a formal reply. We are seeking exemption from four examinations.

After a good summer off, we returned to a full quota of thirty new students, up from the twenty-four students that entered last year.

In the fall, our second year students look forward to their GPS theory course. Grant Beach from Leica provided an excellent demonstration of state-of-the-art GPS technology. Students in this course also benefit annually from the use of a donated web subscription to dual frequency GPS data provided by Pleiades Data Corp.

In October, our students received an invitation to participate in a one-year free membership with the Corporation of Land Surveyors of the Province of British Columbia. Many of our second year students are now in the process of taking advantage of this offer.

...our energetic first year class took third place in the annual NAIT Rope Bridge Building Contest at Whitemud Creek.

Also in October, a new building called the HP Centre opened for Information and Communication Technology programs. Among other improvements, the new building now allows NAIT students to have wireless network access and access to 110 computers that are available 24 hours a day, 7 days a week. Meanwhile, in the Engineering Technology Annex where our program resides, upgrades occurred in computer hardware and network support that directly benefit our students.

A highlight this year occurred when our energetic first year class took third place in the annual NAIT Rope Bridge Building Contest at Whitemud Creek. This was the first time in close to thirty years that a Geomatics team has entered the competition. Construction Engineering and Civil Engineering placed first and second, respectively.

We are currently working on a biennial review to maintain our nationally accredited status with the Canadian Council of Technicians and Technologists. Our submission is due in March 2003.

Lyall Pratt just stopped in last week to provide a guest lecture to our second year Cadastral Studies course. With Christmas exams just around the corner, we are finishing semesters one and three and soon another class will be graduating. We expect about twenty graduates again this year.

In closing, we wish to express our appreciation once again to the Association and all parties who volunteer and donate time, equipment, scholarships and resources for the benefit of our students.

We are currently working on a biennial review to maintain our nationally accredited status with the Canadian Council of Technicians and Technologists.

by Allan J. Theriault, ALS (Ret.)
U of C BBQ

It all started innocently enough with a question at the Public Relations Committee. Why don’t we do something for the first year University of Calgary engineering students to encourage them to go into land surveying? Well, why don’t we?

The Public Relations Committee and Council agreed that this was indeed a good idea and, just a few short months later, burgers were being flipped and we were talking to the first year engineering students. There were some (mostly me) who thought at the time that there wasn’t enough time to pull off a successful event. How wrong I was!

Many thanks must go to articulated student Robert Radovanovic (or is that Doctor Rob?) for his hard work and effort in making sure that the event was as successful as it was. Gerard Lachapelle agreed to have T-shirts printed which could be handed out to the students and he made an appearance there to talk to the students and the Alberta Land Surveyors.

The Geomatics Engineering Students Society set up the barbecue, cooked the burgers and kielbasa and handed out the pop to the many students who waited in the long line on a mild November day. They put a great deal of hard work and effort into this event.

There were a number of booths set up in the area of the engineering building. In addition to the booths of several individual members, the ALSA and the Department of Geomatics Engineering also had booths there. I would also like to thank the many Alberta Land Surveyors who attended the event even though they did not have booths set up. The students seemed to welcome the opportunity to speak with everyone about land surveying and geomatics.

Many thanks must go to articulated student Robert Radovanovic (or is that Doctor Rob?) for his hard work and effort in making sure that the event was as successful as it was. Gerard Lachapelle agreed to have T-shirts printed which could be handed out to the students and he made an appearance there to talk to the students and the Alberta Land Surveyors.

T-shirts provided by the U of C Department of Geomatics Engineering.

Geomatics Engineering also had booths there. I would also like to thank the many Alberta Land Surveyors who attended the event even though they did not have booths set up. The students seemed to welcome the opportunity to speak with everyone about land surveying and geomatics.

At our booth, we were not in the position to be able to offer them summer employment. So, the students could ask us any question they wanted without the fear or concern of “looking stupid.” The students wanted to know if there is a lot of programming in geomatics engineering. Is there still an opportunity for Alberta Land Surveyors to work outdoors? How can I article? How...
easy is it to find summer employment even though I have not worked for an Alberta Land Surveyor before? What are the employment prospects after graduation? These were all good questions and ones we were ready and happy to answer. It is much better to have students walk into geomatics engineering and a career as an Alberta Land Surveyor armed with the correct information.

It was a successful event. I hope both students and our members found it worth while. And I hope that the Public Relations Committee wants to do it again next year.

BRIAN E. MUNDAY
ALSA EXECUTIVE DIRECTOR

Geomatics Engineering Professor Receives Honorary Professorship

The Department of Geomatics Engineering is pleased to announce that Professor Gerard Lachapelle, CRC/iCORE Chair in Wireless Location and Head of the Department has been conferred an Honorary Professorship from the University of Wuhan, People’s Republic of China.

The University of Wuhan, established in 1893, is a key university of the People’s Republic of China with an enrolment of 43,000 students. In awarding the status of Honorary Professor to Dr. Lachapelle, the University of Wuhan cited his pioneering contributions and numerous outstanding achievements in the area of satellite-based positioning and navigation during the past 25 years. His sustained involvement in graduate education and in related professional and scientific societies was also cited.

The award was made at a formal ceremony that took place at the University of Wuhan on November 8.
Promoting Land Surveying as an Engineering Career

by Al Hanert, P.Eng., Advisor, Engineering Internship Program
Faculty of Engineering, University of Calgary (403) 220-2930
www.eng.ucalgary.ca/eip

Is there a shortage of land surveyors in Alberta and the rest of the country and, if so, can anything be done about it?

The article “Seeding the Field” by Rob Radovanovic in the September issue of ALS News states “the onus is on the Association to encourage students to enter Geomatics Engineering for the purpose of becoming Alberta Land Surveyors.” It states that most geomatics engineering students are attracted to satellite positioning, navigational and geospatial work, and are therefore not “turned on” to land surveying opportunities. At the Engineering Internship Office at the University of Calgary, we frequently hear similar comments. Students’ opinions are sometimes based more on hearsay than on objectivity.

The goal of the Engineering Internship program is to produce “superior graduates through engineering internship.” We do this by working with students to assess their interests. We meet with employers to develop appropriate jobs, and with industry associations to ensure their members are aware of our students’ competencies, interests and availability.

We work with all engineering disciplines. Specifically, 28 geomatics students are registered for internship this year starting in May 2003. This compares to 16 placements for 2002.

How does this, then, relate to the ALSA and your concern for attracting students to land surveying? We frequently see good opportunities remaining vacant, while good students go without jobs. Specifically, when we discuss employment interests with Geomatics Engineering internship candidates, the majority are fixed on “exotic” applications of geomatics, such as global positioning systems, aircraft landing systems, image processing systems, and so on. They either are unaware of the challenges they could find as land surveyors or have decided, in the absence of better information, that these roles are not exciting enough.

There is also the issue of where the work is. In this, geomatics students are no different than students of many other disciplines. When we ask students about any restrictions they may have on work location, many have a clear preference for “an office in Calgary.” It’s only after we explain that the real work takes place in the field that they begin to realize the benefits of being exposed to field operations, be it in the oil and gas industry, infrastructure development, or in surveying.

In the final analysis, we cannot force students into specific positions. Interns are responsible for selecting their own work roles from among the available opportunities. This then brings us to “how can interns make informed and appropriate choices?” We believe that the Alberta Land Surveyors’ Association and sister organizations can do a great deal to educate potential members and promote the opportunities in this field.

What are some initiatives or actions that could help convince student engineers to select land surveying as a career?

1. The opportunity to become independent.

Many students, when asked, “where do you see yourself five to ten years after graduation?” They answer, “having responsibility for major projects or running my own operation.” Most surveyors are independent entrepreneurs. Students may not realize there is a potential opportunity to run their own business.

2. Rotational work assignments.

Some students, even after understanding that field work is worthwhile, hesitate to accept a position that commits them to 12-16 months of field work, say in northern Alberta or in north eastern BC. Small survey firms cannot independently offer a student a lot of flexibility or a pre-programmed variety of work. However, a consortium of firms could among themselves lay out a program to offer students different types of work over the 12-16 month work term. In other words, a rotational type of assignment.

This is what a consortium comprising the Consulting Engineers of Alberta, Alberta Transportation, and Road Builders Association of Alberta has done. Civil engineering students are scheduled for three different work terms during 16 months. They work, in turn, for a consulting engineering firm; Alberta Transportation; and a road building contractor. Some work is in the field, some in the office. It is a complete experience for the students, and they promote the opportunities to fellow students when they return after internship.

3. Combine “high-tech” geomatics and land survey skills opportunities.

We try to manage students’ expectations by pointing out that their real role is to be problem solvers. They must acquire and be able to use the most appropriate tools for the job at hand. For geomatics-related work, depending on the application, it might require high tech computer support; it might require cadastral surveying, or a combination of skills.

4. Promote professionalism to students.

Publicize to students that the internship experience is a credit toward their Alberta Land Surveyor’s commission and Professional Engineer’s qualification. Provide a visible contact for students who do have an interest, someone who is available to answer questions or even meet in person if necessary.

....continued on page 47
Real Property

ADVERSE POSSESSION—Court holds that plaintiff’s farming of disputed lands was not inconsistent with defendant’s use of the lands as an investment property, and denies claim for adverse possession.

Plaintiff’s family purchased a farm on March 3, 1944. On April 17, 1953, they sold a parcel of land to defendant’s predecessor-in-title. There was no survey, but the description of the parcel was to run “208 feet to a post in a wire fence running westerly.” Said parcel was stated to be 208 feet by 52 feet 4 inches. After the sale, plaintiff continued to farm the sold land. In 1992, plaintiff offered to buy from defendant a part of the lands. In 1994, a survey was commissioned by plaintiff, which survey divided the lands into parts. In 2000, defendant commenced building a house on the lands. Plaintiff claimed that the building site encroached upon lands which were not sold to defendant’s predecessor-in-title, or, in the alternative, which he owned by virtue of adverse possession, and commenced an application for a declaration of ownership and mandatory injunction to stop defendant from construction or trespass. Defendant counter-claimed for a declaration of ownership, injunction to prevent trespass and damages. There was no dispute that defendant owned the one-fifth acre parcel being called Part 4 on the survey. The dispute concerned Part 2, being a one-twentieth acre parcel.

HELD: plaintiff’s claim dismissed; counter-claim allowed, declaration issued that defendant owns Part 2 and damages to defendant in amount of $14,811. Plaintiff’s offer to purchase that part of the lands which included Part 2 confirms that Part 2 is part of the parcel sold to defendant’s predecessor and to defendant, especially as Part 4 (being that part of the lands not in dispute) is only one-fifth of an acre and substantially smaller than the 208 feet by 52 feet 4 inches sold. To establish adverse possession, claimant must have, throughout the statutory period, had actual possession, the intention of excluding the true owner from possession and effectively excluded the owner from possession. Actual possession must be “open, notorious, peaceful, adverse, exclusive, actual and continuous.” Upon purchase, defendant felt the parcel was too small to develop, but intended to keep it as an investment and eventually either build on it or sell it. Defendant knew plaintiff was farming the lands and did not object. The use was seasonal only, not constant and continuous. Defendant was not effectively excluded from the land. If defendant had erected a building on Part 2 or fenced it, that would have been inconsistent with defendant’s use of the land as an investment. However, since defendant never intended to farm, the farming by plaintiff in no way interfered with his contemplated use. The fact that plaintiff offered to purchase the quarter acre in 1992 shows no intent to exclude defendant.


REPRINTED WITH PERMISSION FROM THE LAWYERS WEEKLY, OCTOBER 4, 2002

RESTRICTIVE COVENANTS—Courts discharged restrictive covenant which purported to prevent lands in Calgary, Alberta from being used as a brewery for the benefit of lands located in Edmonton, Alberta.

In 1997, C Corp. purchased certain lands in Calgary, Alberta from respondent. The lands had previously been used by respondent as a brewery, though at the time of the sale they had not been so used for three years. Respondent also owned a brewery in Edmonton, Alberta. As part of the sale to C Corp., a restrictive covenant purporting to permanently prevent the lands from being used as a brewery was executed and registered against the lands. The restrictive covenant provided that the Calgary lands were the servient lands, and that the dominant lands were the brewery lands in Edmonton. In June 2000, applicant acquired the Calgary lands through foreclosure proceedings against C Corp. Subsequently, applicant applied to discharge a restrictive covenant.

HELD: application allowed. The restrictive covenant did not “touch or concern” the alleged dominant land in Edmonton. There was no land relationship of dominant benefit and servient detriment that was sufficiently proximate between the lands in Calgary and Edmonton. Lands in Edmonton and Calgary could not be proximate. In addition, the restrictive covenant only collaterally and incidentally benefits the Edmonton lands. The primary benefit of the restrictive covenant was to the business operated on the land. It was a covenant to protect business, not property. The restrictive covenant was only a personal contract binding only on the original grantor and grantee, and not a contract in rem binding on the Calgary lands.

880682 Alberta Ltd. v. Molson Breweries Properties Limited, Alta. Q.B., Rooke J., Aug. 21/02. Full Text Order No. 2224-012 (18 pp.)

REPRINTED WITH PERMISSION FROM THE LAWYERS WEEKLY, OCTOBER 25, 2002

Sale of Land

WARRANTIES—Court finds that warranty given by vendor on closing in statutory declaration not enforceable as it was sufficiently different from warranty contained in offer so as to require fresh consideration.

Plaintiffs made an offer to purchase a property from now deceased LL through LL’s attorneys by power of attorney. The agreement of purchase and sale provided, inter alia, that (i) “the vendor represents and warrants to the best of his knowledge and belief that...all sewage systems serving the property are wholly
within the limits of the said property and have received all required certificates of installation and approval pursuant to the Environmental Protection Act,” and (ii) “these representations and warranties shall survive and not merge on completion of this transaction.” On closing, plaintiffs received a statutory declaration in the form of “a solemn declaration conscientiously believing it to be true, and knowing it is of the same force and effect as if made under oath” depositing that, inter alia, “all sewage systems serving the property are wholly within the limits of the said property and have received all required certificates of installation and approval pursuant to the Environmental Protection Act.” Shortly after taking possession of the property, plaintiffs found that the septic bed serving the residence was not located on their property, but on a lot which had previously been severed. They were required by the municipality to replace the existing septic system. They sued defendants for the amount they were required to pay to install the new system.

HELD: action dismissed. Firstly, the court is satisfied that defendants, in signing the warranty clause in the offer, honestly believed in the truth of the statements they made, and were not reckless in relying on the information they had. The wording of the representation in the offer was “starkly qualified” by the words “to the best of his knowledge and belief.” The wording of the statutory declaration effectively changed the effect of the warranty from one being “to the best of his knowledge and belief” to one which warranted the absolute truth of the statement. Accordingly, the court finds that there was a sufficient amendment or change to the agreement without fresh consideration, thus rendering the warranties and representations in the statutory declaration unenforceable after closing. The only warranty application was that in the agreement of purchase and sale. That warranty was complied with because defendant honestly believed, to the best of their knowledge and belief that all sewage systems serving the property were wholly within the limits of the property and that all required certificates of installation were obtained.


Professions & Occupations

VETERINARIANS—Alberta court holds that farriers are not precluded by the Veterinary Profession Act (Alberta) from performing routine equine dental work on horses.

Respondent was a farrier, engaged in the trimming of hooves and the shoeing of horses. He also performed routine equine dental work on horses. Applicant veterinary medical association controlled the practice of veterinary medicine in Alberta. Applicant applied for an injunction to prevent respondent from practicing equine dentistry. It argued that equine dentistry fell within the definition of “veterinary medicine” in s. 1 of the Veterinary Profession Act (Alberta) and was not subject to an exclusion under s. 2.

HELD: application dismissed. The monopoly given to registered veterinarians over the provision of medical services to animals by the Act does not extend to dentistry in the absence of the express inclusion of dentistry within the statutory definition of those services required to be provided by a registered veterinarian. Public interest and safety concerns did not otherwise dictate the implied inclusion of dentistry within the veterinarian’s area of statutory monopoly, given the wide range of circumstances in which non-veterinarians were expressly permitted to perform all types of veterinary services. The fact that respondent does not belong to a professional organization which regulates and oversees his practice of equine dentistry does not compel the conclusion that he poses unacceptable risks to the public. As there was no violation of s. 2 of the Act, farriers are not precluded from engaging in equine dentistry in Alberta, and there is no ground for the granting of an injunction against respondent’s activities.

Alberta Veterinary Medical Association v. Pequin, Alta. Q.B., Bielby J., Sept. 25/02. Full Text Order No. 2228-004 (16 pp.)

REPRINTED WITH PERMISSION FROM THE LAWYERSWEEKLY, NOVEMBER 8, 2002

Reprinted with permission from The LawyersWeekly, November 22, 2002
W.A. (Bill) Wolley-Dod
ALS, SLS, CLS

Bill Wolley-Dod passed away at the Dr. Vernon Fanning Centre in Calgary on August 29, 2002 after a long battle with diabetes which he had endured for years.

Through the good work of Brian Munday and his staff, the news of his death was made known to the members of the Association by an e-mail which included the accomplishments of the man in some detail as published in the Calgary Herald.

As a surveyor, I will remember him as such:
- a man who gave freely of his time to students wishing to join the profession as is evidenced by the months that he spent on certification boards for entry to the ranks of the Alberta Society of Surveying and Mapping Technologies, an organization closely affiliated with our own;
- a man who was a student of astronomy, and who assisted many, including myself, in understanding the complexities of the celestial sphere;
- a man who could get to the crux of a survey problem and come up with a solution;
- a man who believed that the records of his surveys were an integral part of the overall fabric which governed property boundaries and, as such, were open to inspection and or assistance, if requested, to any fellow surveyor who approached him; and
- a man whose name appears on more plans of survey in what was the South Alberta Land Registration District than anyone I know of (with the obvious exception of Allan Spence)!

We will remember his renditions of Grandma’s lye soap, his dexterity with a ukelele and the piano. One of his “performances” was made to an empty house. He and I were looking for survey monuments on the boundaries of a school section in the Brooks area. The school house had been left unlocked and had, in one corner of its single room, an upright piano! I would suggest that Tommy Dorsey’s Boogie-Woogie was played for the first time in that particular setting.

Bill and I “started” with Bob McCutcheon at about the same time—he joined the firm in 1951, and I first met him when I returned to Bob’s Calgary operation from the Chinchaga River Country in the spring of that year.

President McWilliam’s message of condolence in the September issue of ALS News said it best. “Never did I see the man even contemplate compromising his ethics in favour of the easy solution.” I would say Amen to that.

Bill was born in Calgary on July 14th, 1928, a date which he liked to refer to as Bastille Day, perhaps in reminiscence of his days at the University of British Columbia. I’ll be thinking of him on that date which would have been his 75th birthday.

M.A. MACRIMMON, ALS

Promoting Land Surveying as an Engineering Career continued from page 43

5. Provide meaningful work.
Students need to experience the full gamut of work, from the mundane but vital to exciting and challenging. They need to have the opportunity to become involved with a variety of work, and not be relegated to only being “gofers” for more senior staff.

6. Remuneration clarification.
It is our understanding that students asking for salary information are often quoted an hourly wage. It is difficult for them to translate this into a monthly equivalent that they see from other industries. At the same time, to the extent there are opportunities for extra earnings due to extended field work hours on occasion, this could be of interest to students as well.

7. Linkage to Engineering Internship Program.
The Engineering Internship Program web page at the University of Calgary includes links to resources, and employers. We can provide a link to the ALSA website if desired.

The Engineering Internship Office is focused on assisting students locate meaningful internship employment to help them in their future career choices as part of the Faculty of Engineering’s mandate to produce superior graduates through engineering internship. At the same time, the program assists employers in the hiring of graduates that can help them to achieve their business objectives, by providing graduates with the technical competence, leadership abilities, business knowledge and skills, personal attributes and interpersonal skills required to achieve business strategies.

For further information regarding the Engineering Internship Program, you can contact:
Al Hanert, EIP Advisor
E-mail: hanert@ucalgary.ca.
Nima Dorjee, EIP Director
E-mail: ndorjee@ucalgary.ca.
Mele Rakai, Assist Professor
E-mail: rakai@geomatics.ucalgary.ca.
I am pleased to wrap up our Fall activities in this end of the year report to ALS News. We have had two Council meetings and made a good start on our plans for 2002-2003. Council reconvened on September 12th and certified the following new members:

Shannon Hala—Senior Technician, Drafting/G.I.S., Fugro/SESL Geomatics Ltd., Calgary

Paul Lomond—Senior Technologist, Civil, Suncor Energy Inc. Oil Sands, Fort McMurray

Roger Luard—Technologist, Cadastral, Canadian Engineering & Surveys Inc., Edmonton

Armando Sanchez Lona—Technician, Drafting/G.I.S., Stantec Geomatics Ltd., Edmonton

Darren Thornhill—Technologist, Drafting/G.I.S., Cridland & Associates Ltd., Fort McMurray

We also inducted two student members, Jade Van Peteghen, NAIT and Lee Repko, SAIT.

We welcome all these fine new members from all over the province.

On November 6th, President David Allen was our representative at SAIT’s Career Directions 2002. He reported that it was a very busy day. Many of the SAIT geomatics students dropped by. We actually had 120 entries for our draw, a Garmin GPS 12 Personal Navigator donated by Cansel. They have supported us in this venture for many years. It was won by My Le Tran, a SAIT Civil Drafting student. She was very thrilled.

Klaus Fennig, CST met many Grade 10 to Grade 12 students at Crescent Heights High School on November 13th. Todd Dort of Butler Survey Supplies Ltd. also lent a hand by demonstrating a total station and other equipment. We had a full complement of ALSA pamphlets to hand out which are a very good tool to introduce surveying and mapping to students. Butler donated a pen and pencil set which was won by Sabrina Schuetzle. We are grateful to our members who take time off their jobs to serve our profession. In addition to Klaus and David, other members who have helped us that I can remember are Barry Bley, Hugh Furber, Dwight Adams, Bill Firth and Gary Vermeulen.

We had a very busy Council meeting on November 14th. Joe Liu, CST of Edmonton was appointed as our conduit to our webmaster, Hank Castello. We would ask that all employers who wish to post ads on our site contact Joe at everdata@telusplanet.net to ensure quality control. Some of the people who have posted ads in the past have had difficulty in removing them. Our Membership Committee is contacting our members whose dues are in arrears for at least two years in an effort to collect them. Terry Mitchell of St. Albert is assuming the post of Treasurer from long-serving Rick Palindat. Rick has served us in an excellent manner. He will be working with Terry to ease the transition period. We honour Rick of Can-Am Surveys Ltd. for his prompt attention to our finances and Terry for stepping up to the plate.

We were pleased to have Henry Palindat with us for the meeting. It gave our ALS Liaison, Dave Higgins an opportunity to present him with a plaque from the ALSA which cited his efforts to bring our two organizations closer together. We also gave a gift certificate from ArrKann Trailer and RV Centre to Henry and his wife as a token of our appreciation for his thirty years of service. We can honour Henry best by volunteering to serve our Society.

We also certified:

Chantale Allard—Technician, Drafting/G.I.S., The Cadastral Group Inc., Slave Lake

Roger Rutledge—Senior Technician, Civil/G.I., Survey, Mapping & Positioning Ltd., Calgary

Three more student members:

Melissa Knight, University of Calgary

Vanessa Barlaro, SAIT

Ken Knoppers, SAIT

Welcome all. Incidentally, Chantale taught herself AutoCad and sent many examples of her fine work.

Our Public Relations Chair Mike Spencer is at work developing a model for regional representatives which will help to bring a local presence around the province. He will serve in the south. Once they are all confirmed, we will inform our members and ALS News.

NAIT has devised new courses in Advanced Calculations, Levelling, Field Notes, Basic Total Station, Advanced Total Station, Basic Survey Calculations and Survey Assistant which will run from January to May. They will be posted on our web at assmt.ab.ca and advertised hopefully in ALS News. Please encourage your employees to attend. They will be excellent.

Farley McKenzie will be finalizing a Link that will be mailed in December.

Our Certification Review Committee presented a revised application for consideration. One departure is that we will conduct a reference check on our own before they can be processed. We will keep you up to date on progress.

We would like to inform our members that the society ring will increase to $150 on January 1, 2003 to cover increased manufacturing costs.

In closing, I would like to pass on my wishes for a meaningful Christmas season. Please contact me at manager@assmt.ab.ca or stuttspottruff@hotmail.com for any assistance.