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Deadline dates for submission of material to ensure printing are as follows: February 1st, May 15th, August 15th, and November 15th. Opinions expressed by the editor or individual writers are not necessarily endorsed by the Council of the Alberta Land Surveyors’ Association. Original articles may be reprinted with due credit given to the source and with permission of individual writers or where no writer is indicated, with the permission of the Editor. ALS News is published by the Alberta Land Surveyors’ Association for circulation to the Association Membership. Address all correspondence to:

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This poster was designed by Rose Country Communications Ltd. and has been placed in stopping houses throughout Alberta.
My first few months as president have been busy. Attending three AGMs within the first six weeks, attending our own Association meetings and maintaining a presence at my office has kept me busy. These AGMs and our own meetings have been informative and enjoyable. I was grateful for a little time away during the month of July.

Saskatchewan AGM

In early June, I attended the AGM for the Saskatchewan Land Surveyors’ Association (SLSA) in Saskatoon. While there, I was honoured to have an opportunity to meet with both of my ALSA principals, Charlie Weir and Bill Jones, and to thank both for their mentorship so many years ago.

At the AGM, I noted how some of the key issues facing SLSA resemble our issues:

- A concern about a possible decline in the number of members over the next few years. Saskatchewan has 68 members and, like so many other provinces, the forecast for membership is poor.
- The need to raise the profile of the association and the profession with students and the general public. The SLSA believes that the “Made to Measure” crates, developed in partnership with Alberta Science Foundation as part of their “Science-in-a-Crate” program, are good examples of what could be done in Saskatchewan. To date, the ALSA has sponsored ten crates for the junior high school curriculum that are in high demand as resource materials for science teachers. Each crate contains seven varied activities that give the students the chance to play the role of a land surveyor.
- The need for high quality, continuing professional development courses and seminars.
- A concern about a possible decline in the number of members over the next few years. Saskatchewan has 68 members and, like so many other provinces, the forecast for membership is poor.

The SLSA has, for some years, been seeking a way to raise funds to address these issues:

- At their 1992 AGM, SLSA members overwhelmingly passed motions that enabled the Association to implement a program to purchase and distribute iron and marker posts to members.
- At the 1993 AGM, these motions faced a stumbling block, as a motion to place a surcharge of $1.00 on the purchase of each standard iron post was defeated.
- In 2004, a pilot project was approved to have orders for standard iron survey monuments placed through the Association, and then shipped directly from the manufacturer to the survey firm. Five survey firms voluntarily submitted ten orders for 3,925 survey monuments. The pilot project seemed to be successful and it was estimated that a total of 10,000 posts would be sold each year to raise $30,000.
- However, at this recent AGM, the membership defeated a motion to exclusively sell iron posts through their Association.

As a result of this experience, the SLSA Council will be challenged to locate funding for some of these important issues.

Another issue we share with the SLSA is dealing with insufficient volunteers for key executive positions within Council. There was no nominee for the position of SLSA Vice-President until Bob Webster was elected from the floor at the AGM. This is a problem within many professional associations. I appreciate how busy everyone is, but we have all done well from our membership within our ALSA and I believe we therefore have a responsibility to help keep our own Association vibrant through a personal commitment to volunteer in an area of interest or expertise.

ACLS and APEILS Joint Conference

In mid-June, I attended the joint conference of the Association of Canada Lands Surveyors (ACLS) and the Association of Prince Edward Island Land Surveyors (APEILS) at Rodd Brudenell River Resort and Golf Course.

APEILS is a small organization, with 13 practicing members, three non-practicing members, two life members and one surveyor-in-training. At their AGM, they had 11 practicing members (one has recently retired), one retired member and their surveyor-in-training attending. In attendance was Carl MacDonald (member #1) and Brian Potter (member #3). They have no Council, as all members attend their regular meetings throughout the year which means they don’t need to wait for their AGM to conduct new or old business. However, they do have a president, vice-president, secretary-treasurer and a past-president. This represents about 31% of their membership. Their AGM takes place every second year and focuses on yearly reports and elections. At this AGM, they ratified the labour mobility agreement, approved a yearly budget of $9,200 and elected their new president, Jim Banks.

....continued on page 10
As all of you who earn your livelihood in the subdivision and development sector of our vibrant province know, when subdividing land and creating reserves and roads in the subdivision process, you are required to obtain a Consent to Register a Plan document for most, if not all, the encumbrances that are registered against the title being subdivided. These documents must be included with your documentation when submitting to Land Titles for registration.

Sounds simple enough, but here is where the real frustrations and time delays can start. Here are a few examples:

- A caveat has been registered against the title in 1950 to ABC Oil Co. Ltd. which is no longer in existence. After an extensive and time-consuming search, you might discover that there is no successor and your only option is to apply for a court order to dispense with the requirement for the consent.

- A caveat has been registered to ABC Oil Co. and, through numerous mergers and acquisitions, you have come up with the most likely successor and you forward your consent for their execution. After a month has lapsed, you inquire as to when you might expect to receive the consent only to be advised that they cannot locate the paperwork or they don’t believe it to be their caveat or, they execute the consent and, when you forward it to Land Titles, Land Titles has no record of this successor.

- A utility right-of-way has been registered to ABC Gas Ltd. When you submit your consent to them, they respond that they will not sign the consent until your client signs some type of agreement that should there be a spill on the lease, your client will not hold them responsible.

My point is, what have we actually accomplished by obtaining the before-mentioned consents other than satisfying a requirement of the registration process at Land Titles? Unless you are able to obtain a partial discharge of this encumbrance, it will automatically carry forward to any newly created titles. The party responsible for the encumbrance was supposed to be notified by the planning authority in the application process and, if you were not dedicating roads or reserves, you would not need any of these consents.

I think it is time that the appropriate committee of our Association examine this issue and, with the assistance of Land Titles, come up with a more workable solution to this requirement of the Land Titles Act.
R icture in your mind two people standing at a bar and having a conversation. The first person is probably around 6’2”, has a stocky build, wears jeans and a plaid shirt, his baseball cap covers his long hair and it looks like he hasn’t shaved for a couple of days. The second person is shorter and has a slender build. He wears horn-rimmed glasses; he wears a tweed jacket and his pants are neatly pressed.

These two gentlemen at the bar are having a vigorous debate over the gun registry. One is cursing the federal government for intruding on his personal freedoms while the other is saying that it is necessary to keep criminals off the street. Based on the descriptions of the two gentlemen, who is arguing which side of the debate?

Two women are having a conversation at their local Tim Hortons. One has short cropped black hair and is wearing a conservative business outfit while the other has big blonde hair, a low cut top and a short mini skirt. Which one is the lawyer and which one will be going to her lawyer to prevent a website from showing an indiscreet video of her?

If you have followed along so far and answered these questions honestly, you have formed your own opinion about the personality of these people by the way they look and the way they dress. This article is not intended to be a lament for how society pre-judges people and to encourage everyone to turn a blind eye to this kind of profiling. My point in this article is that it exists. As I look out the window of my office, I see a number of people walking up and down the street. Some are dressed casually and appear to be on vacation while a couple of others, each holding a briefcase, appear to be heading for a meeting in one of the other buildings. There is an older lady hunched over crossing the street with a grocery bag in her left hand. A younger man with longer hair and what appears to be several tattoos is waiting for the light to change at that same intersection. In that short period of time, I have made several quick judgements about who is working and who is not, who is successful and who is not, who is likely to panhandle for money and who is not. All of us do it to one extent or another. We make these quick judgements based on our past experiences and biases. Is it fair? Probably not. Do we do it? Yes we do. I am not advocating sexual discrimination or discrimination against any particular ethnic group. I am saying, however, that people will judge us (and judge us harshly) based on the way we dress, how we maintain our appearance and how we generally present ourselves. This assessment will be made by others before you have had a chance to say one word.

Stephen Harper was criticized for his fake-looking cowboy attire at the Calgary Stampede this year. Some people will not vote for him now because of this photo opportunity gone bad. A few years ago, Bloc leader Gilles Duceppe was caught on camera wearing a ridiculous looking hairnet while touring a cheese factory. A number of voters couldn’t take him seriously because of the way he looked even though that hairnet was needed because of the factory’s health and safety policy. Why do people vote (or not vote) for politicians because of the way they look rather than the policies they promote? I don’t know, but the reality is that it is what happens.

Does any of this have anything to do with surveying? Land surveyors across Canada always want to emphasize that they are professionals. And they are! Land surveyors have a university degree or equivalent, they have passed a series of written exams, completed a number of written reports, and in Alberta, passed an extensive oral qualifying examination. As everyone in the membership knows, as a practitioner, you are subject to a code of ethics, practice review, and, unfortunately, sometimes, discipline. In my experience with the profession, the membership takes the concerns of the public very seriously even when it might not be in their own best interest to do so.

However, the public sees none of this unless they are looking for it. If the public sees a person in jeans, a plaid shirt, a baseball cap and he hasn’t shaved that day, is the public going to think of that person as a tradesman or a university educated professional? It doesn’t matter that it is not fair; it is how the public will form an opinion of the land surveying profession.

Time for a reality check. I’m not advocating that Alberta Land Surveyors and their field crews wear jackets and ties to the field (although I find it incredible in looking at the old pictures in Laying Down the Lines that some surveyors used to do exactly that). I know that working in muskeg up north or on a construction site in an urban centre is going to be dirty work. What I do want to encourage is that all of us present ourselves appropriately for the circumstances. Generally, in society, fewer people wear suits and ties than they did years ago, people are more likely to wear jeans to a nice restaurant and there
has been a general relaxation of what is the normal dress code. This can, in my opinion, lead some people to dress more casually or inappropriately than the situation warrants. If a stranger were to walk into a meeting with a mixture of lawyers, engineers, land surveyors and tradespeople, would that stranger, based on your dress and deportment think you were one of the professionals or one of the tradespeople?

President’s Message continued from Page 4

Their new past president, Derek French, held a special wrap-up cook-out dinner. He served freshly-caught lobster, wine-cooked mussels, and oysters. What a feast! What incredible hospitality! What a dedicated group of land surveyors!

During this joint conference, PEI Chief Surveyor Serge Bernard placed commemorative plaques on four historical stones and a cannon barrel. These four stones (North stone, Angle stone, West stone and Intermediate stone) were established in 1820 to form a meridian to make land settlement easier. The cannon barrel was placed to mark the direction of magnetic north. The entire island was then divided into 67 lots of 20,000 acres each, using these stones and cannon barrel as a reference.

The ACLS meeting chaired by their new Past-President Hal Janes, offered informative seminars and workshops. Many fellow Alberta Land Surveyors attended these sessions, as well as a joint ACLS/APEILS golf tournament and joint dinner and dance. Their new ACLS president is Ian Lloyd from Vancouver.

Update on Disposition Mapping

Sustainable Resource Development (SRD) has pushed through on their implementation date of August 1 for the disposition mapping program. SRD and the ALSA did a lot of last minute work to achieve a workable solution for both industry and land surveyors. Mike Michaud indicates there have been a few problems getting started but overall it has gone relatively smoothly. Mike has said that SRD will provide any necessary support and assistance as applications make their way through the system. The Director will speak on these issues at the upcoming regional meetings in Grande Prairie, Calgary and Edmonton.

Golf Tournament

Our annual golf tournament, held August 19th in Lacombe, was a great success. The weather was perfect and the golfing enjoyable. The golfing had an interesting twist this year by playing a shotgun, best ball, Las Vegas style tournament. At each hole, after each golfer teed off, a die was thrown to determine whose drive was to be used. After eighteen holes two teams were tied for first place. The team consisting of Dwight Wiberg, Ron Hall, Jay Wronko and Erik Holmlund were tied with the team consisting of Neil Windsor, Darrel Danyluk, Dave Chalcroft and Len Shrimpton from APEGGA. The APEGGA team took the trophy in a putting ‘shootout.’

I hope all of you had an opportunity to rest and recharge over the summer, as it looks like the next several months will be very busy and productive. Here’s to a successful fall!

Upcoming Seminars

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Land Use Issues in Resource Development
February 7, 2006 - Calgary

Getting It Right
March 16 and 17, 2006 - Red Deer

Exam Preparation
March 18, 2006 - Red Deer

Ethics and the Land Surveyors Act
April 20, 2006 - AGM

Getting It Right
June 2006 - Edmonton

www.acsm.net/cgi-local/boards/ YaBB.pl
Land Surveying Weblog
www.plsurvey.com/
Land Surveyor Reference Page Message Board
www.lsrp.com/cgi-bin/boards/ YaBB.pl
Les Jones: Knoxville Land Surveyor’s Blog
www.lesjones.com
POB Magazine Message Board
www.i-boards.com/bnp/pob/
John Francis Blake O'Sullivan

I have a bit of information about Blake O'Sullivan which may be of interest to your organization. From your site, I found this...

*_Vardie River_* * 84 L/14 - Vardie River; 20-113-7-W6; 58° 50' N 119° 08' W; Flows south south-west into Mega River approximately 39 km north north-east of Rainbow Lake.

The name was recorded by E.W. Hubbell, DLS during his survey of the Zama-Hay Lakes area. According to the files of the Geographic Board of Canada, when it was to be officially named in 1922, it was then locally known by its Slavey name, which was transliterated into Vardi. This means amber, referring to the colour of the water (Place Names of Alberta Volume IV Northern Alberta by Merrily K. Aubrey).

The print version of this book notes that the name Vardie "happily coincided with the maiden name of J.B. O'Sullivan's mother, which was Vardie." It was actually the nickname of his fiancée, Vera Hope DeCordes.

Blake O'Sullivan surveyed and drew the map of the area. His family has an original coloured pencil drawing of the Vardie River and Hay Lake.

Mr. O'Sullivan worked for the federal government as a surveyor prior to WWI. I believe he planted the monument dividing Alberta & BC, at Crows Nest Pass.

On one assignment he walked from Edmonton to Peace River, in the winter, using the streams and rivers as roads, with a survey crew. Several of the men went snow mad and walked away from camp, never to be seen again.

At the outbreak of WWI, Mr. O'Sullivan was surveying in Northern Alberta. He used a raft to float his way to Edmonton and then made his way to England to volunteer with the Connaught Rangers. His surveying skills were used extensively as he was in reconnaissance, compiling drawings of behind the enemy lines, at the Battle of the Somme. Some of his letters were published in the Connaught Rangers magazine, and used as reference material in the book _Tommy Goes To War_. After the Somme, Mr. O'Sullivan went on to Egypt where the fighting was even fiercer.

I have several old survey photos, one of him and his raft as well as more modern ones. If you are interested, I can scan them and e-mail them over.

BERNADETTE GIBLIN (GRANDAUGHTER)

Councillor’s Forum

Mr. VandenBrink’s article in the June, 2005 Councillor’s Forum relates another case of the safety issues associated with placing survey monuments. It was extremely fortunate that someone was not injured or killed. Of particular interest to me was that Mr. VandenBrink suggests that “a revised survey monument should be considered.” This article is another fine example of the wisdom of adopting a coordinate based cadastre. I suggest that the “revised survey monument” would ideally be a coordinate.

A coordinate based cadastre is a solution to many of our current issues such as deterioration of the survey fabric, public annoyance at property damage (digging up lawns), and even the issue of Part 3 monuments at Part 2 positions. Add to this, concerns of public safety and the many arguments in favour of a coordinate based cadastre become compelling.

Does the ALSA have the insight to shed our antiquated habits and pro-actively change our system of survey for the benefit and protection of the public? Or, will we be forced into change as the outcome of someone being killed?

PAUL C. STOLIKER, ALS

Thank You

Thank you for your donation of _Laying Down the Lines_ to the Sixth Annual Historical Society of Alberta Silent Auction. The event is becoming an important fundraiser for the HSA as just under $1,750 was raised this year. The auction gives our members and delegates an opportunity to review new material on the history of Alberta and the Canadian west, as well as other publications and items of interest. We are happy to showcase new titles for the contributing publishers and authors.

Your donation to the auction will be recognized in the summer issue of our newsletter, _History Now_.

Once again, thank you for your support.

BEV LEGGETT, TREASURER
THE HISTORICAL SOCIETY OF ALBERTA

Laying Down the Lines

Thank you so much for the copy of _Laying Down the Lines_. I was thrilled to have one of my Dad’s photos appear on the cover as well as those used in the book.

The book is larger than I expected, is beautifully done and the portion I have read was most interesting!

EDNA RICHARDS

Scholarships

On behalf of the Northern Alberta Institute of Technology, thank you for this meaningful support of our students.

At NAIT, student success is our top priority. More than 2,989 NAIT students received $3 million in internal and external scholarships and bursaries in 2004/05.
We work hard to raise funds so that Albertans have access to the best technical education in Canada. Thanks to the outstanding support from the community, we have been able to introduce more than 126 new awards in 2004.

As a contributor to the students awards program at NAIT, you are providing support that will assist students directly in accessing the practical, career-oriented, technical education, which is necessary to achieve their career goals.

Thank you once again for your contribution to technical education in Alberta.

PATRICK MACHACEK
DIRECTOR, DEVELOPMENT, NAIT

On behalf of the University of Calgary, I am pleased to advise you that the recipients selected for the following nominated awards are:

**J.H. Holloway Scholarship in Geomatics Engineering**
Ms. Kimberly Johnson

**John Deyholos Memorial Award**
Ms. Angela Rae Jeffray

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 the 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.

Thank you once again for your generous consideration of University of Calgary students.

LINDA SHARMA, DIRECTOR
STUDENT AWARDS AND FINANCIAL AID, U OF C

Please accept my sincere thanks for the Association’s most recent gift of $2,500 in support of the Alberta Land Surveyors’ Association Academic Achievement Scholarship.

Private gifts are vitally important if we are to continue in our mission to deliver a first-rate education while remaining accessible to students who would benefit most from the UNB experience, regardless of their ability to pay.

With the Association’s support, the University of New Brunswick will continue to inspire the creation of new knowledge, recruit talented and diverse students, and provide superior service to New Brunswick, to Canada and beyond. Thank you.

JOHN D. MCLAUGHLIN
PRESIDENT & VICE-CHANCELLOR, UNB

I am writing to thank the Alberta Land Surveyors’ Association for their gift of $2,500 to UNB, representing the fifth payment on your pledge in support of the Alberta Land Surveyors’ Association Academic Achievement Scholarship.

This award is a wonderful example of encouraging academically successful students. The Alberta Land Surveyors’ Association support of our outstanding geodesy and geomatics engineering students is most appreciated. Thank you again for the Association’s valuable contribution to this university, helping to sustain UNB’s reputation as a top engineering school in Canada.

SUSAN MONTAGUE
DIRECTOR, OFFICE OF DEVELOPMENT & DONOR RELATIONS, UNB

Cadastral Surveying Stream Courses at University of Calgary

You’ll be pleased to hear that the number of students choosing to do the cadastral surveying stream has increased markedly this year. Survey Law has tended to have an average of 12 students each year for a long time. This number rose to 18 in 2003, 22 last year (2004), and this term, we have 45 students registered for it. Similar trends also hold for the Land Use Planning course that I teach in the winter—both are electives, meaning that they’re optional, and so students take the course if they want to, and/or if they plan on becoming land surveyors.

The effort put in by the Association for the various activities we have here (survey camp, beef and bun, career day, and guest lectures for our various courses) has undoubtedly helped to boost the awareness and interest of students in surveying. Thanks very much for all your support and enthusiasm.

DR. MELE RAKAI

Stopping House Displays

I stopped at the Edson Rest Area and guess what I saw?
New Members

#748 DEMPSEY, Trevor Mark

Mark Dempsey was born on February 17, 1974 in Winnipeg, Manitoba. He graduated from Murdoch Mackay Collegiate in 1992 and went on to receive a diploma in survey technology from Red River College and a B.Sc. in Geomatics Engineering from the University of Calgary in 2002.

Articles were served under B.I. McKenna, ALS from June 2002 until he received his a commission as an Alberta Land Surveyor on June 28, 2005. Mark is also an Engineer-in-Training with APEGGA.

Mark gained experience in urban and municipal surveying while residing in Winnipeg. He is currently employed with McElhanney Land Surveys (Alta.) Ltd. in Calgary.

Woodworking, golfing, traveling and skiing are a few of Mark’s leisure activities.

Kimberly and Mark Dempsey reside in Calgary.

#749 WHITE, Craig Andrew

Craig White was born in Calgary on January 30, 1973. He graduated from Bev Facey Composite High School of Sherwood Park in 1990. He went on to complete the geomatics technology program at SAIT in 1997 and graduated from the University of Calgary in 2003 with a B.Sc. in Engineering.

Kirk White, ALS, served as his principal from June 2003 until he received his commission as an Alberta Land Surveyor on June 27, 2005. Craig is also an Engineer-in-Training with APEGGA.

Craig’s survey experience has been primarily in the municipal, construction and project management areas.

Golf, soccer and adventure racing are some of the other activities that Craig enjoys.

Melissa and Craig White and their three children, Shea Mona, Jacob Coulter and Bryn Anne (all 18 months of age - yikes!) reside in Water Valley.

Changes to the Register

All West Surveys Ltd. mailing address in Lloydminster has changed to PO Box 10605 T9V 3A7. The street address remains the same.

Harold DeWitt moved to retired status on August 15, 2005. His new mailing address effective October 2005 will be: General Delivery, Meota, SK S0M 1X0; Tel: (306) 892-2389.

Eclipse Planning, Geomatics and Engineering has moved to 1530 - 27 Avenue NE, Suite 201, Calgary T2E 7S6.

David Gosling, ALS new e-mail is dgosling@waberski.com.

Matai Surveys Ltd. has a new corporate e-mail address: matal1@telus.net.

Midwest Surveys Inc. in Calgary has moved to 2827 Sunridge Blvd. NE T1Y 6G1.

Millennium Geomatics Ltd. has moved to 609 - 14 Street NW, Suite 205, Calgary T2N 2A1.

Rachynski Land Surveys (1998) Ltd. main e-mail address is operations@rachynski.com.

Robert Pinkerton, ALS has taken employment with Can-Am Geomatics Corp. in Calgary. E-mail: rob.pinkerton@canam.com.

Roger Ross, ALS is now with Midwest Surveys Inc. in Grande Prairie. His e-mail address is rross@midwestsurveys.com.

Ed Salmon, ALS has taken employment with the Regional Municipality of Wood Buffalo, Planning and Development effective August 8, 2005. He can be reached at: 9909 Franklin Avenue, 4th Floor, Fort McMurray T9H 2K7; Tel: (780) 743-7883; E-mail: ed.salmon@woodbuffalo.ab.ca.

Usher Canada Limited in Calgary has moved to 5151 - 3 Street SE T2H 2X6 effective August 15, 2005.

AFFILIATE MEMBERS

James Clarke, SLS became an affiliate member on September 7, 2005. He is employed with All West Surveys Ltd. in Lloydminster.

Allard Flim, OLS became an affiliate member on September 7, 2005. He resides in Sherwood Park.

Kelly Stofer is back with Focus in Sidney, BC.

ARTICLED PUPILS

Terry Beblow is now employed with Stewart, Weir Co. Ltd. in Grande Prairie.

John Broderick articulated to John Stephens, ALS at Focus Surveys Inc. on July 21, 2005.

Darren Eklund transferred articles to Peter Walker, ALS on July 11, 2005.

Matt Forsyth articulated to Jerry Quinlan, ALS at McElhanney Land Surveys (Alta.) Ltd. on June 28, 2005.

Mohamed Haimour has resigned his articles effective July 29, 2005.
Alberta Pipeline Regulation Change
Crossing Pipelines at Undeveloped or Unopened Road Allowances
On behalf of BP Canada and other major pipeline companies, I want to bring to your Association’s (and your members’) attention a significant change to the Alberta Pipeline Regulation. The changes were announced on May 31, 2005 with the issuance of Bulletin 1005-12 from the Alberta Energy and Utilities Board.

The specific change I am referring to concerns section 66 which states:

Vehicle Crossing Pipeline 66.
No person shall operate a vehicle or equipment across a pipeline at a point that is not within the upgraded and travelled portion of a highway or public road without obtaining approval from the licensee of the pipeline unless
(a) the vehicle or equipment is used for farming operations, (b) the vehicle is an off-highway vehicle as defined in section 117(a)(iii) to (viii) of the Traffic Safety Act, or (c) the vehicle is a private passenger vehicle as defined in section 191(j)(j) of the Traffic Safety Act and has a nominal chassis rating of not greater than 3/4 of a ton.

This section replaces section 22.1 of the previous Alberta Pipeline Regulation which stated that:
No person shall operate a vehicle or equipment across a pipeline at a point that is not within the gravelled portion of a highway or public road unless
(a) approval is obtained from the permittee or licensee of the pipeline, or (b) the vehicle or equipment is used for agricultural purposes.

The change in the Regulation occurred, in part, because of how section 22.1 was previously interpreted by industry. It became the practice in many areas of Alberta to not obtain consent from a pipeline licensee if the crossing occurred at an undeveloped or unopened road allowance. There were many instances where heavy equipment operators crossed major pipelines without crossing agreements or the pipeline company’s foreknowledge which precluded the pipeline licensee from requesting any additional safety precautions or even locating the pipeline in advance of the crossing. This practice gave pipeline companies grave concern since we believed crossing major pipelines anywhere without proper crossing agreements and safety precautions needlessly endangered lives.

We hope the new change clarified for industry that the Pipeline Regulation does require consent from a pipeline licensee before crossing a pipeline that exists at undeveloped or unopened road allowances. We kindly ask that you bring this to the attention of your members to ensure the safety of those working on or near pipelines.

Don Grossberndt
Director, Stakeholder Relations
BP Canada Energy Company (NGLBU)

Question Time
This is the second in a series of questions and answers commonly asked of the ALSA by the membership. Please contact the ALSA at info@alsa.ab.ca if you have a question that needs answering.

Question:
What do I need to do in order to begin articling?

Answer:
Once a Western Canadian Board of Examiners (WCBE) certificate is received and you have found an active Alberta Land Surveyor who is willing to sign articles, you must submit the following:

• Articles of Agreement (triplicate);
• Certificate of Completion from the Western Canadian Board of Examiners;
• Articling Resume (available online at www.alsa.ab.ca);
• Report Outlining Program of Training and Experience to be Undertaken During the Proposed Period of Articles (see “Eligibility for Articles” in the Pupil Handbook).

The principal and the articling student will then be requested to appear for an initial interview with the Registration Committee at a time convenient to all parties. Students do not have to have had an interview in order to write the professional examinations.
On August 19, 2005, 144 golfers participated in the Annual ALSA Golf Tournament. We could not have asked for better weather considering it was raining leading up to tournament day.

Due to the generosity of the participants, the J.H. Holloway Scholarship Foundation raised $1,895 through the sale of mulligans and draw tickets for two nights accommodation and one round of golf at the Fairmont Jasper Park Lodge. Thank you to everyone for their generosity.

The winners were:

Team #33

Hole #1 -------------- Jamie Hume
Closest to the Target: Men

Hole #2 -------------- Jerry Quinlan
Closest to Pin (second shot): Anyone

Hole #3 Gus McInnis/Colleen Smith
Closest to Pin: Men and Ladies

Hole #4 -------------- Jacek Pyc
Closest to Pin (second shot): Anyone

Hole #5 -------------- Mary Campbell
Longest Drive: Ladies

Hole #6 -------------- Kevin Petty
Closest to Pin: Anyone

Hole #7 -------------- David Marquardt
Closest to Pin: Anyone

Hole #8 -------------- Bob Pinel
Closest to Water (not in): Anyone

Hole #9 -------------- Greg Brown
Longest Drive: Men

Hole #10 -------------- Cheryl Beach
Longest Drive: Ladies

Hole #11 -------------- Dennis Burnett
Longest Putt: Anyone

Hole #12 -------------- Betty MacDonald
Longest Putt: Ladies

Hole #13 -------------- Paul Dixon
Closest to Target From Tee: Anyone

Hole #14 -------------- Bob Ireland
Ball in Sand: Draw

Hole #15 -------------- Tim Lindberg
Closest to Pin: Anyone

Hole #16 -------------- Bob Wallace
Closest to Pin: Anyone

Hole #17 -------------- David ten Broek
Longest Putt: Men

Hole #18 -------------- Richard Andrews
Longest Drive: Anyone

Early Bird Prize Winner

Scott Brooks: ALSA Golf Tournament registration fee.

Tournament Sponsors

Alberta One-Call Corporation
All Alberta Plumbing and Gasfitting Ltd.
All West Surveys Ltd.
APEGGA
Butler Survey Supplies Ltd.
Caltech Surveys Ltd.
Cadastral Group Inc., The
Can-Am Geomatics Corp.
Corporate Express
Crape Geomatics Corporation
D.W. Data Services Ltd.
Delta Engineering Services Inc.
EECOL Electric Inc.
Fairmont Chateau Lake Louise
Fairmont Jasper Park Lodge
First Capital Leasing Ltd.
First Order Measurement Solutions Inc.
Focus Surveys Inc.
Fugro/SESL Geomatics Ltd.
Gemini Positioning Systems Ltd.
Hamilton & Olsen Surveys Ltd.
Jewel Printing Signs & Labels Ltd.
Konica Minolta Business Solutions (Canada) Ltd.
Land Measurement Systems Inc.
Leica GeoSystems
LPP Services Ltd.
Midwest Surveys Inc.
Peterson Walker Chartered Accountants
Red Deer Lodge
Rose Country Communications Ltd.
Russel Metals Inc.
Snow’s Court Reporting Services Ltd.
Spatial Technologies Inc.
Stewart, Weir & Co. Ltd.
Virtualvision Installations

Hole-in-One Prizes and Special Trophies

Butler Survey Supplies Ltd.
3rd Hole—$2,500

Spatial Technologies Inc.
6th Hole—Leica GPS RTK System

Land Measurement Systems Inc.
16th Hole—Hyperlight RTK System

Draw Prize Winner

Lyall Pratt: Two nights accommodation and one round of golf for two persons at the Fairmont Jasper Park Lodge.

Len Shrimpton, Darrel Danyluk, Dave Chalcroft, Neil Windsor

Bob Wallace
Mary MacDonald
David Marquardt
Conventional wisdom was that Albertans were tired of celebrating the centennial. Conventional wisdom was they didn’t know about the September 1st celebrations. Conventional wisdom was that turnout at the Legislature would be low with it being a work day and the first day back at school.

Conventional wisdom was wrong!

The Alberta Land Surveyors’ Association had an historical survey display set up on the grounds of the Legislature on September 1st and the response was fantastic. We were set up near one of the main entrances to the legislature grounds next to Alberta Beef and opposite the Edmonton Oilers autograph area. The MJ tis had a display next to us and I jokingly suggested that we could re-enact the start of the Riel Rebellion (although that, of course, took place in what was to become Manitoba).

The centennial organizers told me they were anticipating 5,000 people attending the noon day ceremonies and possibly 20,000 in the evening. According to newspaper reports, there were 10,000 during the noon hour and my unofficial estimate is that there were 20,000 to 30,000 there in the evening. It seems like we talked to most of them and, any that we didn’t talk to, saw our display.

We had a poster prepared for the annual meeting. The picture on the poster is the same image which adorns the cover of this issue of ALS News. I’m not sure how many posters we had left after we had given several away to members at the AGM. However, we gave these posters away at the provincial centennial and we could not keep up with demand. People were snapping them up and, at one point, we had six or seven people patiently waiting in line to get their “Over 100 Years of Surveying and Mapping in Alberta” poster. If we hadn’t held some back, we would have given them all away before noon. Thankfully, we did hold a few back for the evening crowd and they were quickly snapped up as well.

Everyone, but particularly the youngsters, enjoyed looking through the eye-piece of the transit and dumpy level we brought with us. Again, kids waited in line (somewhat patiently) to look through the eye-piece. The kids thought this was great and I heard a number of them say, “that’s cool.” The transit was focused on the light atop the Legislature dome and the kids and adults were amazed that they could see it so clearly and that the image was upside down.

We also took the time to explain the basic principle of the Tellurometer MRA1 and how the Gunter’s Chain was an integral part of the surveying and development of the West.

We couldn’t have asked for better exposure for the profession. I would like to thank all of the volunteers who made this such a success, including ALSA staff members Don George and Jeremy Dawson, as well as Ken Allred, Monroe Kinloch, Allan Main (who drove up from Calgary just to take part) and Lingen Jiang, who is a student member of the ALSA and presently attending the University of Alberta. Thanks to all!

BRIAN E. MUNDAY
EXECUTIVE DIRECTOR
The District of Alberta — 1882
by G.K. Allred, ALS

Along the north side of the Trans Canada Highway about thirty miles west of the City of Medicine Hat, stands an innocuous monument adjacent to a point of interest sign and a warning sign to hunters. This monument represents the eastern boundary of Alberta as it was between 1882 and 1905. Yes this monument lies west of Medicine Hat not east. It lies at the boundary between Ranges 10 and 11 West of the 4th Meridian.

The plaque on the east side of the monument states:

**DISTRICT OF ASSINIBOIA, 1882**
To the east of this cairn lies the old District of Assiniboia of the North West Territories. When in 1905 Alberta and Saskatchewan became provinces of Canada, the District of Assiniboia was absorbed in the main by Saskatchewan and in part by Alberta.

On the west side, the plaque reads:

**DISTRICT OF ALBERTA, 1882**
In 1882, part of the North West Territories was divided into the Districts of Alberta, Assiniboia, Athabasca and Saskatchewan. The old district of Alberta lies to the west of this cairn. In 1905, the provinces of Alberta and Saskatchewan were created, incorporating most of the lands of the four districts.

The District of Alberta was bounded by the east boundary of Range 11 on the east, the international boundary on the south, the Province of British Columbia on the west and the 18th correction line on the north. Hence the north boundary would have run just south of Lac la Biche and Grande Prairie and the east boundary just east of Two Hills, Coronation and Bow Island.

The District of Assiniboia ran from Alberta east to the then postage stamp-sized Province of Manitoba, and from the 9th correction line to the international boundary. The Province of Saskatchewan lay to the north of Assiniboia, north to the 18th correction line and east to the boundaries of Manitoba and the District of Keewatin. The District of Athabasca lay north of the District of Alberta to the 32nd correction line which was in the vicinity of the 60th parallel of latitude and west of the east boundary of range 11 and the Athabasca and Slave rivers.

It is not clear why the boundary between ranges 10 and 11 was chosen as the east boundary of Alberta but it was presumably based on the patterns of settlement at the time. The north and east boundaries of the District of Athabasca and the north boundary of the District of Saskatchewan followed the edge of the Canadian Shield which was thought to be the northerly limit of the 60° Fahrenheit mean summer isotherm which represented the northerly limit of mid-latitude agricultural capabilities. Early settlers avoided the open grass-lands, probably due to Palliser’s assertion that the arid prairies were unsuitable for settlement, and chose the wooded parklands and river valleys. Each of the four provisional districts contained a major river valley and a considerable population of Métis settlers. The districts did not have any particular political significance but were mainly established for federal, postal and administrative purposes. The legislature for all of the NWT was established in Regina.

Towards the end of the 19th century, western Canada developed very rapidly with the Canadian Pacific Railway and several other colonization railways opening up the territory to viable agricultural and settlement activities. Political movements started to raise the desire for provincial status with proposals for anywhere from one to four provinces between the Manitoba/Keewatin and British Columbia boundaries being proposed. Ontario and Québec did not want one large province which would surpass their areas, and Manitoba agitated for a westward and northern extension of their boundaries. The citizens of the NWT did not favour annexation to Manitoba because of Manitoba’s large burden of debt. Several of the larger cities...
such as Calgary, Edmonton and Saskatoon lobbied for provincial boundaries that would make them the logical choice as provincial capitals. Premier Haultain who was a resident of Fort MacLeod favoured one large province because of the economy and efficiency of administration.

In 1905, however, Prime Minister Sir Wilfred Laurier introduced legislation that would create two new provinces between British Columbia and the Manitoba/Keewatin boundaries. The two provinces would each be approximately 275,000 square miles and would have a population of about 250,000. Each province would extend between the international boundary and the 60th parallel of latitude, with the boundary between the two provinces lying along the 4th meridian of the Dominion Land Survey system. These provinces are today’s Alberta and Saskatchewan. Manitoba’s boundaries were not extended until 1912.

In retrospect, and in consideration of the current reliance on petroleum and natural gas, the decision of the Parliament of Canada in 1905 was a stroke of genius for the fortunes of Albertans. Not only the Athabasca Tar Sands but also the rich natural gas fields around the City of Medicine Hat were included within our domain.

We do indeed have much to celebrate in this centennial year. Next time you are driving down Highway 1 in the vicinity of Suffield, keep an eye out for that monument and stop and pay tribute to the former districts of Alberta and Assiniboia.
McVittie’s Log Cabin

In the spring of 2005, Honorary Life Member Army MacCrimmon asked a few local land surveyors to help him in the “revitalization” of Dominion Land Surveyor A.W. McVittie’s log cabin and its contents, situated at Heritage Park in Calgary.

For those who are not aware, A.W. McVittie, DLS was one of the original land surveyors to have surveyed downtown Calgary in the late 1800s. His cabin, built in 1882, was donated to Heritage Park and subsequently moved there. It is also noteworthy that Heritage Park was revitalizing the cabin structurally—they had replaced eight of the logs that had rotted, and had re-chinked the entire cabin on their own. They also installed a motion sensor alarm in response to the theft of their only transit.

The idea was welcomed by the group and after a review of the cabin and the site, a proposal to do certain upgrades and additions was submitted to Sylvia Harnden, the curator of Heritage Park. In addition to the work that Heritage Park completed, the group proposed to secure the cabin even further, and to place a half-scale version of a typical 1880s prairie section corner—4 pits and an iron post, just outside the front door of the cabin. The proposal was accepted.

One of the obvious deficiencies in the cabin (which was also McVittie’s office) was the total absence of survey plans of any kind. As a solution, we were able to find some drafting linen and Cal Miller rose to the occasion and hand drafted an “in-progress” version of Plan C (which McVittie originally prepared and signed on February 27, 1888) and a number of other plans that McVittie was responsible for. These plans were later placed in the cabin so as to make it look like a survey office.

Due to the theft of the transit, another deficiency was also obvious. As fate would have it, Shaun Ewen, ALS happened to be on eBay one day and found an old transit to replace the stolen one. He quickly purchased it for the ALSA and received it a few of days later.

On July 7, 2005, a group of “mounders” were assembled and in a matter of thirty minutes, with the assistance of a “jig,” the four pits were dug. Thanks to a donation by Dave Williams, an “old pattern” iron post was installed in the middle of the pits. The plans were placed in the cabin along with the old transit and a few other additions. Heritage Park has agreed to place an interpretive sign near the pits and a low protective railing around them in the near future.

Without the volunteerism of the group, this project would not have been completed, and I thank them for their efforts. In addition to those mentioned above, and besides myself, the “mounders” included the following: Ken Eccles, Shaun Ewen, Hal Falkenberg, Wayne Fawcett, Al Jamieson, Army MacCrimmon, Ed Scovill, and Dave Williams.

I would like to encourage all of our members to get involved in promoting land surveying history in any way that you can. This is Alberta’s centennial year and our profession has played an integral part in Alberta’s development.

DAVE R. MCWILLIAM, ALS
As most of you will know by now, I will complete my employment contract as Director of Practice Review at the end of this year. After this issue, I will have one final director’s message column for the December 2005 issue of ALS News. While there never seems to be a shortage of things to talk about, I thought I would make this article a potpourri of numerous issues.

Commissioner for Oaths
I received a telephone call from the Land Titles Office recently, telling me that they were forced to reject a plan for registration because the practitioner submitting it appeared to have commissioned his own signature even though he was not a commissioner for oaths, and no one can commission their own affidavit. Land Titles tells me that he seemed to think that all Alberta Land Surveyors are automatically commissioners for oaths. That is not the case. The only persons who are automatically commissioners for oaths are: lawyers, students-at-law, police officers, judges, full-time commissioned officers in the Canadian forces, members of the Legislative Assembly, members of a municipal council, members of a board of trustees of a school district in Alberta, justices of the peace, an Alberta member of the House of Commons of Canada, and a member of the Senate of Canada who, at the time of his/her appointment as a senator, is a resident of Alberta. Alberta Land Surveyors and who resides in Alberta is qualified to become a commissioner for oaths. The Commissioner for Oaths Act can be obtained from the Queen’s Printer. This Act outlines the penalties for administering an oath if that person is not empowered to do so by the Act.

There is a $50 fee to become a commissioner for oaths and the appointment will expire on the third anniversary of the commissioner’s birthday after the date of appointment.

Oaths, affidavits and statutory declarations are serious matters and should be treated as such by all parties involved in the attestation process.

Grid Coordinates For All Delayed Posting Surveys
Those involved in delayed posting surveys under Section 47 of the Surveys Act are reminded that Recommendation Number 3 at the 2005 Annual General meeting was approved by the membership on April 22, 2005. All coordinates shown on a delayed posting plan or a document registered with the plan must now be NAD83 grid coordinates. In the past, I have seen several different coordinate origins used by members, from assumed coordinates, to ground coordinates originating from an ASCM. I expect that, from now on, all delayed posting coordinates will be shown as either 3TM or UTM (depending on the location (see Case Study No. 22, ALS News, December 2004) NAD83 grid coordinates. For an overview of this change to the MSP, see Part D Section 2.2.4 of the Manual.

Speaking of delayed posting, I have had it suggested to me that the ALSA consider making the posting affidavit submission to the Land Titles Office (form 11.1) also require that a new plan (to receive the same plan number) be submitted to replace the originally registered plan, as a plan correction. The replacement plan would show all the posts placed the same as if the survey was not a delayed posting survey. I find this an interesting issue to consider, because it would make it clear to all users of the plan what was placed at each corner without searching for exceptions included in the monumentation certificate (form 11.1). Your thoughts on this matter would be welcomed.

Digital Submissions
Since Case Study No. 24 was published in the June 2005 issue of ALS News, several members have told me that they too have submitted the wrong digital file for registration. Please consider your submission process carefully, and take all steps necessary to ensure that the correct file is sent. This may sound very simplistic, but many of you appear to have experienced the problem. What you saw may not be what you submitted. You don’t want to find out after the fact that plan corrections are required. It may also be embarrassing to explain to a client that “I sent the wrong file.”
Code of Ethics

I note in the August Council Report, a recommendation that members be familiar with their responsibilities under the code of ethics. I believe it is a good idea for all practitioners to regularly review the code of ethics with commentary shown in Part B Section 1 of the Manual of Standard Practice. We can all get so busy with earning a living that we forget the principles that guide our profession. It never hurts to review the code we live by—sort of a tune up for our moral compasses. The business scandals at Enron, WorldCom and others serve to remind us that business decisions often conflict with professional ethics. Applying ethical decisions in our professional lives is much easier with the guidance of the commentary on the code of ethics included in the MSP.
Case Study No. 25: Constructed But Unsurveyed Pipeline Right-of-ways

This is the twenty-fifth in a series of articles featuring problems or issues 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

More than once in the last few weeks I have been asked by members about the requirements for a survey in accordance with the Surveys Act before a pipeline is constructed. These members have found built, licensed and operating pipelines that they need to parallel, yet there is no surveyed right-of-way for the line and no posts in the ground. From practice review we have also run across this situation. In my experience, the reviewed practitioner seemed to think it was acceptable to survey the right-of-way after construction, and that is what he intended to do. Is surveying the right-of-way after construction acceptable? Let’s examine this issue further.

At the 1999 Annual General Meeting, a motion under new business asked Council to “consider asking the appropriate committee to investigate the practice of staking pipelines for construction before the legal surveys posting of the same are performed, as this appears to be in contravention of the Pipeline Act which while not under our jurisdiction, certainly affects our profession.” The task was assigned to the Standards Committee and the issue then went to the Oil & Gas Ad Hoc Committee. That Committee recommended to Council, that in cases where an exemption is granted by the Board as allowed for by the Pipeline Regulation, a maximum time of one year be imposed on the registration of a plan of survey after completion of construction.

Council considered the Committee’s recommendation and passed a motion that:

1. Exemptions from the requirements for a survey be limited to Area Operating Agreements, and that all legal surveys are completed within 60 days after completion of construction.

2. An industry liaison committee confer with industry and government and report back to Council by November 25, 1999. Councillors Mark Prevost and John Stephens were appointed to a special committee to meet with the EUB on the matter.

They reported back to Council in November 1999, indicating that survey exemptions would be only considered on a case-by-case basis and would be the exception and not the rule. Mr Prevost then undertook to advise the membership in his Councillor’s Forum article in ALS News. He did so in the December 1999 issue.

There has been no further dialogue on this matter in ALS News since 1999. One of the members who contacted me indicated that he searched the Alberta Courts Judgment database and found no cases where applicants or surveyors were charged under the Act. He then asked if I was aware of any discipline matters regarding the surveys after construction. To my knowledge, there are none to date.

There seems to be at least a perception that land surveyors are the ones not complying with the requirements of the pipeline regulation. Certainly that is the case I am familiar with through practice review. However, when one reads the regulation, the onus is on the applicant to ensure that the right-of-way boundaries are surveyed in accordance with the Surveys Act before construction. There is no possible way that anyone, particularly a land surveyor, could argue that compliance with the requirements of the Surveys Act does not include placing monuments. That essentially is what the Surveys Act is all about. So, clearly, the survey required by the pipeline regulation is a posted right-of-way limit before construction commences.

The benefits of doing the survey after construction and at a surveyor’s convenience are obvious, but there is a legal requirement to be met in the form of a regulation pursuant to the Pipeline Act.

There is a revised regulation so let’s look at it.

The Pipeline Regulation

On May 31, 2005 a revised Pipeline Regulation was issued, and the EUB issued Bulletin 2005-12 explaining the revised regulation. Section 4 of the revised regulation deals with surveys of right-of-way boundaries and reads:

Survey of right-of-way boundaries

4(1) The applicant for a licence shall ensure that right-of-way boundaries for the pipeline are surveyed in...
accordance with the Surveys Act before the commencement of construction.

(2) An applicant or licensee is exempt from the requirements of subsection (1) with respect to repairs or modifications to a pipeline within the existing right-of-way unless the repairs or modifications require an additional right-of-way.

(3) The Board may exempt an applicant or licensee from the requirements of subsection (1) or (2) in exceptional circumstances.

As per the EUB Bulletin 2005-12, I contacted the EUB Operations Group, Pipeline Section at (403) 297-8432 to enquire about the requirements for a survey in accordance with the Surveys Act before construction. I spoke with Dave Grzyb. I first asked what do exceptional circumstances mean? He said that gas co-ops do not require surveys before construction but, in general, all other pipeline applicants do. He recalled a few years ago when an applicant in the northern part of the province received an exemption due to difficult access. Seldom, if ever, since have any exemptions been given. I then asked if an exemption from the requirements would be permanent. No it is not a permanent exemption, he indicated, and if one were given, a requirement for a survey at a later date would be included. I then asked if there was a penalty to the applicant if it is discovered that a survey in accordance with the requirements of the Surveys Act is not obtained before construction. While he was not sure what the penalty would be, the field surveillance group could assess a penalty, although it would likely not be too severe. He further indicated that the onus is on the applicant, not the surveyor, to ensure they have a survey before construction.

The Message

If, in fact, land surveyors are advising their client that the survey is not required before construction, as I discovered in SPR and as some members allege, those land surveyors are wrong. The EUB confirms that the survey is required before construction, and not providing same could result in penalties to the applicant. Exemptions from the requirements to provide a survey before construction is rarely given and the “exceptional circumstances” mentioned in the regulation means exactly that. A land surveyor’s heavy work load would not qualify as exceptional circumstances. No land surveyor should ever advise their client not to follow the requirements of the regulation.

Complaints to the EUB about unsurveyed pipelines without previously granted exemptions would result in the applicant being subject to some form of penalty. No doubt that applicant would ensure that the surveys were completed before construction from then on.

Complaints to the EUB about unsurveyed pipelines without previously granted exemptions would result in the applicant being subject to some form of penalty. No doubt that applicant would ensure that the surveys were completed before construction from then on.
One of the requirements of the Professional Development Committee (PDC) is to review the current educational programs and needs of members. This article will focus on the education programs and needs of our articling pupils.

The PDC, as part of its educational mandate to the membership, organizes and presents seminars on a variety of technical and non-technical topics. The core seminars, which are put on each year, are the Getting it Right Seminar and the Exam Preparation Seminar. Both of these seminars come highly recommended for articling students. In addition to the core seminars, the PDC also organizes approximately five additional seminars each year. Articling students are encouraged to attend these seminars as they give valuable insight into current issues and concerns within the Association.

This year will prove to be an excellent year for seminars within the Association. Currently, the Committee is developing a seminar to cover “Land Titles Documents and Procedures,” which is scheduled in Calgary on October 26th. A seminar is also being developed for the Municipal Government Act to be held in Edmonton on November 14th and in Calgary on November 18th. These seminars will be beneficial for articling students. However, the most anticipated seminar for this coming year will be the Boundary Re-establishment seminar, which will be held in Red Deer on January 19th. This seminar will cover boundary re-establishments as they pertain to railway plans, irrigation plans, road plans, subdivision plans and township plans. This seminar will be an excellent seminar for all articling students, active members and field/office staff.

Another policy of the PDC is to keep the membership informed of current educational programs available from other organizations or educational institutions. One course which I found very useful during my articling time was the Surveying Calculations In Unsurveyed Territory course put on by the Northern Alberta Institute of Technology (NAIT). This course provides an overview of the use of the DLS Supplement for surveys in unsurveyed territory. This course is offered twice a year by NAIT. The most recent course was held on September 9th and 10th and the next one will be held on March 10th and 11th. This course provides a great way to start off your studying for the professional exams, which are held approximately three weeks later.

In addition to courses and seminars, I believe articling students should obtain a variety of different surveying experience in order to have a well-rounded articling process. By gaining hands-on experience in different aspects of surveying in Alberta, you will be better prepared for the final exam of the articling process, the qualifying exam. One of the best ways to know if you are prepared for this final exam is to arrange to have a mock qualifying exam. In setting up a mock exam, try to invite four or five Alberta Land Surveyors to participate. It is best to have ALSs with a variety of different backgrounds attend. This will give you a better feeling of what to expect heading into the qualifying exam. It will also let you know which areas you are weak in and need to brush up on.

...regional meetings...allow articling students to meet other land surveyors and be able to hear their opinions on current issues.

In closing, I would like to encourage articling students to attend as many regional meetings as possible. These meetings are designed to present current issues, showcase advances in survey technology and are an open forum for Alberta Land Surveyors to discuss any of their current concerns. These meetings allow articling students to meet other land surveyors and be able to hear their opinions on current issues. Another way to be around different land surveyors to hear their opinions on current issues is to join an Association committee. I would recommend articling students to think strongly about volunteering. This is an excellent way to increase your professional development within the Association.

Good luck with your articling.
Farm Maze Lauds Alberta and Saskatchewan Centennials

The Fredericton Daily Gleaner
Wednesday, August 24, 2005
Florenceville, NB

The Hunter Brothers, of Florenceville have created a living tribute to celebrate both the Alberta and Saskatchewan centennials. “We wanted to recognize this milestone in Canadian history,” says Chip Hunter, one half of the amazing maze wizards. Hunter Brothers, who are famous for their sweet corn, have created a six-acre corn maze for the past five years. “The design outlines the two provinces and features their centennial logos in the middle along with a huge “1905” at the top and its “2005” counterpart at the bottom of the maze,” said Hunter. “Maze goers can traverse the two provinces via our observation tower.”

Although more than 4,000 kilometres separate the farming communities, the Hunters have special connections to the West. “My mother, Marjorie Rowan, grew up in Saskatchewan and my wife’s parents, Wendy and Neville Rea, are both Taber, Alberta natives,” Hunter said.

He and his brother, Tom, have been operating the century-old family farm for more than 28 years. Their six-acre cornfield, beside their farm market, has revealed many exciting images over the years and this year is no exception.

Last year, they created a living tribute to the 400th anniversary of the arrival of the Acadians in the New World. The New Brunswick flag, Harry Potter’s Hogwarts Castle, and Patrick Roy have also been featured in their cornfield. Hunter says the challenge is never to get out of the maze but rather to find and answer all 10 multiple choice questions about the maze’s theme.

The theme for this year’s maze was the easy part, but the design was a little harder to come by. “We saw the logos for the Alberta and Saskatchewan centennial celebrations and got permission to use them,” said Hunter. “We then sat down with our surveyor, Trevor Welch, and between us we sketched it out roughly and he made it fit.” It took five men, eight days to transpose it onto the ground and carve it out. “It is our most challenging undertaking to date,” Hunter said. “Other mazes have required about 600 flags which you can think of as dots in a giant connect-the-dots picture. This year’s maze has 2,200 flags.”

After the corn is planted and starts to sprout, Welch and his crews, equipped with GPS receivers, position the flags according to the master plan.

“After the corn is planted and starts to sprout, Welch and his crews, equipped with GPS receivers, position the flags according to the master plan. Then it’s our time to work,” Hunter said. “We use string to connect the dots and then spray chemicals to kill the corn that becomes the maze’s design.” Costly in time and money, Chip and Tom Hunter feel it is worth it in the end. “We are never sure how it looks until we see the aerial view. It’s quite satisfying to be the first to fly over the field and check it out,” Hunter said. “We also note an increase in flight traffic once the maze is fully grown.”

Anyone wishing to view the maze can visit the maze virtually at www.hunterbrothers.ca. Hunter Brothers think their Hunter Brothers Hydrocooled Sweet Corn is the best and would love to go cob-to-cob against the Western favourite, Taber corn. “We try new varieties every year, and with our hand-picking, high grading standards and hydrocooling process, we believe our sweet corn is second to none,” Hunter said.

ANBLS Note: Trevor Welch, president of Welch Surveys Ltd., is a New Brunswick Land Surveyor operating out of Glassville, NB.

Editor’s Note: Many thanks to ANBLS Executive Director Stephen Hartley for forwarding this article to us.
Pirates of Impeesa - Scouts and GPS

When the weather for the week was promising to be hot and clear when I returned to Camp Impeesa on the shores of Beaver Mines Lake. Situated approximately 50 km southwest of Pincher Creek, the camp at the foot of Table Mountain was home for 1,500 Alberta scouts participating in the Scout Brotherhood Jamboree from July 17 to 23 this past summer.

Following a rewarding time volunteering to lead “Checkpoint Charlie”—a GPS activity at the 2003 Jamboree at Impeesa, I was honoured to be invited back to direct a larger and more challenging version—“The Pirates of Camp Impeesa.” The activity involved the sport of “geocaching”—a 21st century treasure hunt where the participants search for hidden caches guided by a handheld GPS receiver and encrypted clues.

In 2003, the activity attracted about 300 eager enthusiasts and their troop leaders, many of whom had never used GPS before. The quest of each troop was to find the six caches placed throughout the camp—small tupperware containers each holding a code phrase that the searchers had to record on a worksheet to verify that the cache had been found. In “Pirates of Camp Impeesa,” there were 28 caches in place over a larger area and in more difficult terrain with nearly 400 youths and adults involved in the hunt.

There were two “treasure hunts” each day, with 40 participants in five to eight troops for each hunt, with each troop on a quest for nine of the caches. Each hunt began with a briefing for the searchers, where many were introduced to GPS for the first time. Using an inflatable globe, and willing volunteers from the audience to be satellites and receivers, the basic theory of GPS positioning was presented with the scouts learning how GPS uses triangulation and time measurement to solve for a location. Also discussed was how the technology is used by Alberta Land Surveyors in their work with some of the high-end equipment on hand, including a total station, mapping grade receivers and an RTK system. These tools were of great interest to the scouts with many taking the opportunity to get “hands-on” experience in the role of a surveyor and to learn more about our profession.

The searchers learned that the majority of the caches placed this year were camouflaged coffee cans, hidden in the thick brush, behind trees or under logs. The coordinates of the caches were preloaded into one of 14 Garmin Etrex receivers as waypoints and given to the troops. After some instruction in the use of the receivers and how to navigate to waypoints, the youths were sent on their way with about two hours to complete their quest. Each troop was also armed with a worksheet containing additional clues to the cache locations. Each cache contained a movie quote that the scouts recorded on their worksheets to verify that they had found it with the added challenge of identifying the film that the quote was taken from.

Most of the caches were on the ground, hidden in locations of varying difficulty—thick brush, behind trees or under logs. Some were only a few metres off a gravelled trail while others required bushwhacking through dense brush and searching in tall grasses. An abundance of stinging nettles, cattle droppings and a warning of a skunk den in close proximity to one of the caches only added to the challenge.

Four of the caches were suspended from tree branches above the heads of the searchers and had to be lowered to the ground via a rope and pulley. (A possible location I had hoped to include in the adventure was a visit to the survey monument at the N ¼ 11-5-3-W5M on the northern limit of the camp. I found the remains of the original wooden post and pits during my preparation for the event. Unfortunately, due to both time constraints and safety concerns—the cutline leading to the marker was treacherous and difficult—it was decided to exclude it from the activity.)

As might be expected, the first cache was the most difficult to find as the scouts learned the art of navigation with a handheld GPS receiver. They quickly learned not to rely on the direction arrow when standing still and the reduced accuracy when near or under tree cover. The activity required good teamwork among the troop, with each scout having a turn to navigate while the others solved the clues and searched for the caches using their eyes and their brains. Most teams were able to recover all of their caches in the time they were given to complete the quest and all reported that they had a great time.

Upon their return, they were asked for their comments about the activity. A typical sampling:
• It was very rewarding to stand back and watch our troop work well together as a team.
• Truly inspiring! One of the best, most useful of the Jamboree sessions.
• Very challenging and amazing!
• It was hard, but it was fun!
• Sweet. This was really cool!
• Awesome!
• “It was great that you brought the advanced equipment for us to use… we want to do it again!”
• Holy crap, that was a loooong walk…but worth it!
• I can sum it up in two words… IT ROCKED!

One of the caches each team was asked to find is of special interest. It is a permanent geocache recorded on the www.geocaching.com website as “The Lonely Spruce” and is available to public visitors year round. The recreational sport of geocaching—using handheld GPS receivers to search for hidden containers—is wildly popular and is attracting an ever growing number of enthusiasts of all ages. It started in 2000 as an internet-based treasure hunt with a single cache in Oregon, to date there are more than 198,000 geocaches in 217 countries with 10,850 in Canada and just over 1,400 of those located in Alberta.

“The Lonely Spruce” was placed as part of the 2003 Alberta Jamboree. As with most traditional caches, it contains a log book so searchers can log their visit along with a number of trading items including numerous scouting badges. Among the original cache contents was a “travel bug,” a 2003 Alberta Jamboree badge with a numbered dogtag attached. The idea of a travel bug is that a visitor to the cache will pick up the bug and carry it forward to another cache. In this way, the bug can travel the globe and its whereabouts can be tracked. To date, the bug we placed has visited 14 different cache sites in Alberta, British Columbia, Washington, Oregon and Iowa and travelled over 3,600 km. At last report a week ago, it was in transit to a new location in Boothbay, Maine on the Atlantic coast. Readers interested in learning more about the “The Lonely Spruce” and the “Alberta Jamboree 2003” travel bug can go on the internet to www.geocaching.com/seek and enter GCGTRC in the ‘By waypoint’ search field

Special thanks must be given to Scouter Gerry Kaldehoven, who spent several months with me planning and organizing the activity, and Scouter Dave Burge who helped in the administration of the activity on site and helped me survive a fun and exciting week.

I must also acknowledge the generosity of the Association and several members who donated the 14 Garmin Etrex receivers to Scouts Canada. The youth will continue to enjoy opportunities to learn about one of the tools we use in our profession every day.

Scouts Canada’s next Jamboree will be a national in Montreal in 2007. I’m already looking forward to planning an even bigger and challenging activity on behalf of the land surveying profession.
University of Calgary

Award for Best Student Poster
Jennifer He won the Hoskin Inaugural Award for Best Student Poster at the Canadian Water Resources Association’s 58th Annual Conference held in Banff from June 14-17. Jennifer’s Poster was entitled “Storm Drainage Design for a Changing Climate.” She is working on her PhD under the supervision of Dr. Caterina Valeo.

Farewell Marguerite
The Department of Geomatics Engineering would like to send best wishes and a heartfelt thank you to Marguerite Anderson for her tremendous contributions to our Department over the years.

Marguerite officially left the department on June 30, 2005. This was a difficult decision for her since she has been with the Geomatics Department since 1989. Marguerite felt that based on her family situation, it would be best for her to move with her mother closer to her home community and other family members.

We will greatly miss Marguerite since she has had such an impact on us as individuals, and our program. On June 29th, we celebrated with coffee and cake while formally acknowledging her contributions. Friends from the Department and around the university campus attended to bid her farewell.

Geomatics is pleased to announce that Ms. Marcia Inch has been appointed as the Department’s new administrative assistant, effective June 20. Many of you know Marcia since she has had a long association with the Department. We are glad that she is back with us and we are confident that she will provide excellent leadership to our program.

Digital Terrain Modeling: Acquisition, Manipulation, and Applications
by Drs. Naser El-Sheimy, Caterina Valeo, and Ayman Habib
The Department is happy to announce the publication of Digital Terrain Modeling: Acquisition, Manipulation, and Applications by Drs. Naser El-Sheimy, Caterina Valeo, and Ayman Habib. Published by Artech House, this book is the product of several years of effort devoted to educating Geomatics Engineering students in Digital Terrain Modeling at the University of Calgary. Dr. Naser El-Sheimy began developing course notes which gradually evolved into this book with the assistance of Drs. Valeo and Habib. The work fills a very large gap in the literature on digital terrain models (DTMs) and covers all the essential elements with applications in environmental modeling and mapping in a mathematically rigorous, highly advanced, thoroughly complete, and cohesive manner. This book is intended for a wide variety of users both within and external to the geomatics community.

University of New Brunswick

Welcome to New Faculty and Support Staff
In August, we welcomed three new people to the Department.

Dr. Darka Mioc is our new assistant professor in Geographical Information Systems. Dr. Mioc comes to us from the University of Calgary where she was also an assistant professor in GIS.

Dr. Francois Anton is our newest adjunct professor. Dr. Anton was a post-doctoral researcher at the Visualisation and Interactive Computing Laboratory, Department of Computer Science, University of Calgary.

Sheri MacPherson is our new secretary. Sheri has been working on various short-term contracts with Joseph Wilby’s Law Office, Springhill Construction and most recently Natural Resources Canada. She worked for ADI Limited for a number of years and is a graduate of the Atlantic Business College.

GGE a Hit with Shad Valley Students
On July 13th and 14th, this year’s Shad Valley participants worked with volunteers from the Department on GPS and GIS exercises. Shad Valley is a non-profit organization that provides “top students in senior high school to find an edge in the competitive, knowledge-based world of tomorrow.” Thanks to volunteers Bessie Liu, Teresa Tang, and Yongdae Gweon, a good time was had by all. During the GPS exercise, participants used GPS receivers to navigate from one waypoint to another around the campus. They collected scrambled letters at each waypoint, which provided the clue to finding an envelope located in the building closest to the last waypoint. The envelope contained questions about geomatics. They then had to answer all the questions with the winners being the first team to complete the exercise.

The GIS exercise introduced the participants to GIS and how GIS could help them “in real life.” They used ESRI’s ArcView software to perform some queries and analysis for assessing the impact of construction in downtown Fredericton, and Google Earth which allowed the students to “zoom in” on where they live.
Editor’s Note: This is an abridgement of the Taylor v. Alberta appeal decision. The full text of the decision is online at www.albertacourts.ab.ca/jdb/2003-ca/civil/2005/2005abca0200.pdf

In the Court of Appeal of Alberta Citation: Taylor v. Alberta (Registrar, South Alberta Land Registration District), 2005 ABCA 200

Introduction
[1] This appeal addresses the right of the federal government through Transport Canada to exclusive jurisdiction to approve a bare land condominium plan (‘the Condominium Plan’) prepared by the respondent Airdrie Airpark Ltd. (‘AAL’) as part of the expansion and redevelopment of an existing rural airport located on lands owned by AAL near Airdrie, Alberta. The Condominium Plan contemplates the subdivision of a portion of the lands into lots. A few of the lots will be developed for aeronautics uses in connection with the airport expansion. AAL proposes to sell the majority of the lots, primarily to aeronautics-related businesses, in order to finance the airport expansion.

[2] Transport Canada approved the entirety of the Condominium Plan and it was subsequently registered by the Registrar of Titles for the Southern Alberta Land Registration District (the ‘Registrar’) pursuant to s. 87 of the Land Titles Act. The respondents entitled to rely on the doctrine of laches to prevent cancellation of the registration of the Condominium Plan.

Background
[3] In 1997, AAL acquired four quarter-sections of land located in the Municipal District of Rockyview No. 44 a few miles east of the City of Airdrie, more particularly described as the east half of Section 35 and the west half of Section 36, both in Township 26, Range 29, West of the 4th Meridian (the ‘Lands’). The Lands were zoned under the municipal land use bylaw as “airport district” and were registered as an “aerodrome” under the Aeronautics Act, R.S. 1985, c. A-2. When AAL acquired the Lands, there were three active, paved runways originally built in 1945, taxiways, navigational aids and tie-down facilities. In addition, there was a number of support buildings and structures, including an office building/clubhouse, a mobile home, a shop, several small hangars, a pumphouse and two storage sheds.

[4] The pre-existing airport facility was a relatively small operation. Although the material before us does not clearly show its size, it appears from the plans put into evidence that the old airport operation took up something less than one-quarter of the 640 acres owned by AAL. AAL now proposes to redevelop and greatly expand its operations. The concept plan for the Lands envisions the eventual development of 602 acres. The first stage of the development, which is the subject of the Condominium Plan, divides 415.2 acres into 90 lots plus various parcels of common property. AAL’s concept plan describes this 415.2 acres as an “aviation use area.”

Issues
1. Does the federal government through the agency of Transport Canada have exclusive jurisdiction to approve the Condominium Plan?
2. If Transport Canada does not have exclusive jurisdiction, are the respondents entitled to rely on the doctrine of laches to prevent cancellation of the registration of the Condominium Plan?

Conclusion
[27] I have concluded that, in the circumstances, the federal government as represented by Transport Canada does not have exclusive jurisdiction to approve the entirety of the Condominium Plan. The Condominium Plan must stand or fall as a whole and it follows that Transport Canada’s approval was not effective to authorize the registration of the Condominium Plan under section 87 of the Land Title Act. The respondents cannot rely on the doctrine of laches to confer on the federal government a constitutional jurisdiction it does not have.

[28] The appeal must be allowed and the Registrar directed to cancel registration of the Condominium Plan.

[57] I have concluded the federal government does not have exclusive jurisdiction to approve subdivision of the land included in the 82 units that are not dedicated to aviation uses. Those parcels cannot be severed from the eight units that are essential to the operation of the airport and are an integral part of it and therefore subject to the exclusive jurisdiction
of the federal government. Subdivision by way of a condominium plan is indivisible and the plan cannot be severed. Jurisdiction to approve the subdivision cannot be shared between the two levels of government. Since jurisdiction to approve the Condominium Plan as a whole does not rest exclusively with the federal government, the purported approval by Transport Canada is ineffective.

[58] The chambers judge concluded (at para. 46) that Transport Canada’s approval of the Condominium Plan was sufficient to meet the requirements of s. 87(1)(a) of the Land Titles Act, and that the Registrar was therefore entitled to accept it for registration notwithstanding that it had not been approved in accordance with the MGA. She read down the provisions of the MGA to exclude its application to the Condominium Plan.

[59] The chambers judge’s conclusion that the Condominium Plan was properly registered in accordance with s. 87(1)(a) was premised on her finding that the federal government through Transport Canada had the exclusive jurisdiction to approve the Condominium Plan. I have reached the opposite conclusion. Accordingly, Transport Canada’s approval of the Condominium Plan cannot satisfy the provisions of s. 87(1)(a). The Registrar should not have registered the Condominium Plan.

Analysis

[66] A further obstacle to applying the doctrine of laches in these circumstances is found in the Land Titles Act which provides its own statutory bar to relief in these circumstances:

76(1) No instrument or caveat shall be registered in contravention of Part 17 of the Municipal Government Act or the regulations made under that Part.

(2) Notwithstanding subsection (1), if a registration of an instrument or caveat is made in contravention of subsection (1), that registration ceases to be voidable when any person has in good faith acquired rights for value in the subdivided land.

[67] In the present case, no third party has acquired rights for value in the subdivided land. Registration of the Condominium Plan remains voidable.

[68] In summary, the equitable doctrine of laches does not apply.

[69] The appeal is allowed. The Registrar is directed to cancel registration of the Condominium Plan.

Real Property

RIGHT OF WAY—An injunction was granted restraining respondents from using an asphalt drive over applicants’ property to access their property.

Application for an interim and permanent injunction restraining respondents from using a right-of-way over applicants’ land and ordering them to restore a waterline to its previous state. Applicants had been the registered owners of certain lands since 1992. Respondents owned a neighbouring cottage which they purchased in 1998. Since 1998, applicants permitted respondents and other adjoining property owners to use an asphalt drive across their property for ingress and egress. It was best characterized as a licence. Applicant paved the right-of-way. Respondents did not contribute to or share the expense or the upkeep. In 1999, respondents’ cottage was transformed into a commercial bed and breakfast business causing an increase in the amount of traffic and use. The passage only allowed one vehicle to pass at a time and the increased volume of traffic posed a safety risk and potential liability for applicants. Respondents also caused an overland waterline used to service their cottage to be buried below applicants’ land without consent.

Held: application granted and injunctive relief ordered. The right-of-way was not reduced to writing or registered and there was no evidence that it was acquired through use over time. Applicants did not consent to the use of the right-of-way for ingress and egress to customers of respondents’ cottage. This use was not permitted nor contemplated at the time the right-of-way was granted. Given that the use of the roadway was by licence, applicants were entitled to refuse to permit a commercial use of their road. The placement of the waterline in the sub-surface of applicants’ land without their consent was nothing more than a trespass.


(Approx. 3 pp.)

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THE LAWYERS WEEKLY, JULY 8, 2005

Sale of Land

AGREEMENT OF PURCHASE
AND SALE—Plaintiffs were awarded damages for the failure of a real estate agent to disclose that they could not build on part of the property that they purchased.

Plaintiffs sued defendant for damages for negligent misrepresentation. Plaintiffs purchased a property for $34,000. The northern portion nearest the road was a protected area for nesting of an endangered species of birds. The vendors and the real estate agent R, who acted for both parties, were aware of this. R consciously decided not to advise plaintiffs of the birds as he thought it was not important. He was aware that plaintiffs intended to build a house on the northern portion of the property. The municipality turned down plaintiffs’ application for a building permit on the recommendation of the Ministry of Natural Resources (Ont.). The Ministry suggested an alternative location but it would have involved extending the existing road access and installing hydro at a prohibitive cost.

Held: action allowed. R should have disclosed the information to plaintiffs when they first expressed interest in purchasing the property. That would have allowed them to assess the potential impact of the....continued on page 41
HOHN, Gunter M.
1922—2005
On Thursday, June 2, 2005, Gunter Hohn passed away suddenly at home. He will be dearly missed by his loving wife, Natalie; three sons, Peter (Tina) Hohn of Edmonton, Dr. Gerhard Hohn and Wolfgang Hohn of Germany; and three grandchildren of Edmonton, Michael, Liisa and Timo Hohn. He ran a land surveying and land development company, retiring because of chronic health problems. Gunter was a highly decorated World War II veteran.

LAWRENCE, Bruce A.
1921—2005
Bruce Alexander Lawrence of Calgary passed away on Wednesday, July 6, 2005 at the age of 83 years. Bruce was born on October 11, 1921 in Maple Creek, Saskatchewan. He graduated with a civil engineering degree from the University of Saskatchewan in 1945.

Bruce worked for Imperial Oil in the Arctic and South American. He was a senior executive of NuWest Developments for many years and then went on to create his own development companies including B.A. Lawrence and Associates, Retlaw Engineering and Cirrus Corporation. Bruce was also the past-president of the Urban Development Institute.

He was a brilliant man who loved music, photography and making movies. His passion was flying and gliding, originally with the Estevan Flying Club, and he would also regularly swim across the lakes where he vacationed.

Bruce is survived by his loving companion Kathleen; three daughters and a son-in-law, Nancy, Patricia, and Kim and Mark; one son and daughter-in-law, Bruce and Leslie; and seven grandchildren.

Bernard, Gerald W.
Gerald William Bernard was registered as Alberta Land Surveyor #151 on June 1, 1950. He passed away on February 4, 2005 at the age of 86 years.

Matthews, John W.P.
John Matthews was born in England in 1927 and attended school on Vancouver Island, BC. He qualified as a British Columbia Land Surveyor in 1956 having articled to W.R. Young of British Columbia Land and Forests. In 1962, he qualified as Alberta Land Surveyor #279. In 1963, he qualified as a Dominion (Canada) Land Surveyor. He worked in the private sector in both Alberta and British Columbia, engaged primarily with legal surveys. He served five years as a board member and president (1977) on the Board of Management of the Corporation of British Columbia Land Surveyors and was president of the Canadian Council of Land Surveyors in 1980-81.

He was an active Alberta Land Surveyor until 1983 when he went on the ALSA retired list. Mr. Matthews passed away on March 1, 2005 in Oliver, BC after a battle with cancer.

Regional Meetings — 2006

Grande Prairie
February 2 and March 23
Quality Hotel & Conference Centre
11201 - 100 Avenue

Calgary
January 21 and March 29
Calgary Winter Club
4611 - 14 Street NW

Edmonton
January 26 and March 30
Edmonton Petroleum Club
11110 - 108 Street

All the meetings will be held from 5:30 p.m. to 8:30 p.m. (cocktails at 5:30 p.m. - dinner at 6:00 p.m.).
How are we doing?

My first introduction to the Alberta Society of Surveying & Mapping Technologies came 27 years ago while I was working in the field in northeastern Alberta. I was told by a co-worker "the boss is looking for you the next time you are in the office." That can’t be good. As it turned out, the event wasn’t as traumatic as I had expected. Instead, my boss, the manager of the Fort McMurray office of an Alberta-based survey firm, asked me to complete an application for certification by the ASSMT. Apparently, our company was bidding on a multi-year contract with a new oil sands operation. As I recollect, there was a clause included in the request for proposal stating that all office and field survey staff working for the successful bidder must either be a certified member in good standing with the ASSMT or be in the process of submitting an application in the case of a recent hire.

On several occasions since I was certified as member in 1978, I have been asked, not in so many words, “how does the ASSMT compare to the other ten or so technical provincial certifying organizations across Canada?”

In doing my research to answer the question, I came to realize that the ASSMT, like many other certifying organizations, has a very valuable role to play in today’s business world. In comparing the ASSMT’s mission statement: “To promote the knowledge, skill and proficiency of technicians and technologists involved in the field of surveying and mapping” in Alberta and the northern territories. The ASSMT’s role is not unlike many of the other certifying associations across Canada. Most of their mission statements can be collectively summarized by the following statement:

“how does the ASSMT compare to the other ten or so technical provincial certifying organizations across Canada?”

It is their responsibility to help advance the professional recognition and development of technicians and technologists in a manner that helps to benefit the professionals they work with, they have also been established to better serve and protect the public interest.

In addition to monitoring the proficiency of their members, these certifying organizations also represent their membership at the local, provincial, national and international levels. A total of 14 industries in Canada employ a significant number of qualified para-professionals certified as technicians and technologists in the field of applied science and engineering technology disciplines including, of course, geomatics.

In summary, all of the organizations I researched:
- are authorized to certify their members with multiply levels of technician and technologist categories in a variety of disciplines;
- each registered member is granted the right to display the associated initials after their name;
- have association or society bylaws or have governing provincial legislation;
- all provide some form of certificate and/or wallet card that can be displayed by the member;
- provide rate reductions at society sponsored events; and
- have an employment posting service on their website or in their newsletter;
- organize networking and other social functions;
- some provide access to other benefits such as insurance programs;
- provide rate reductions at society sponsored events; and
- they often have an affiliation with a professional organization.

To its credit, the ASSMT currently provides most of these benefits to its members.

According to Statistics Canada, the surveying and mapping industry generated $1.87 billion in operating revenues in 2003. Alberta leads all of the provinces in the area of surveying and mapping/geomatics services, accounting for an average of 75% of all operating revenues generated in 2003. Some agencies claim that the rate of revenue growth in this sector will likely continue at a double digit pace for several years to come.

With all this potential growth, it is puzzling to me why the ASSMT membership has remained fairly static at approximately 200 members. Although provincial statistics are not available, according to a 2003 study done on behalf of the Geomatics Cluster in Calgary, there are over 200 companies or organizations in the Calgary area alone that provide employment to over 2,000 individuals in the geomatics industry. The Canadian Council of Technicians and Technologists (CCTT) has determined that there are currently over 45,000 certified technicians and technologists across Canada with more than 16,000 of these members being registered with the Alberta Society of Engineering Technologists (ASET). Within the legal surveying and mapping profession in Alberta, the ALSA has approximately 325 professional land surveyors licensed to practice in the province. It can be
How does the ASSMT fair when it comes to... promoting the knowledge, skill and proficiency of technicians and technologists?

Representation with four of these Alberta institutions. ASSMT members regularly serve as representatives on some of the school’s advisory councils and there are periodic meetings and an ongoing dialogue with several of the institutions via ASSMT’s Education Committee. In both cases, the goal is to help develop programs in an attempt to keep pace with the ever-changing geomatics industry, to aid in the further education of Society members and to provide programs for those entering the field of geomatics. In addition, the ASSMT also provides a small scholarship to three of these Alberta educational institutions.

Why certification? According to the CCTT... “becoming certified gives technicians and technologists a distinct and valuable advantage in today’s competitive workplace”. They also go on to point out that... “certification also facilitates national and international mobility through transferable agreements...” which is clearly a benefit to facilitate the movement of technical staff to where the work is and to make sure that they are qualified to do the work.

It is clear to be that, based on my comparison of the 35 year-old ASSMT with similar organizations across Canada, the ASSMT is doing very well.

My introduction to the ASSMT 27 years ago, embarked me on a journey that has had a significant impact on my 29-year career in the geomatics industry. It is clear that based on my comparison of the 35-year old ASSMT with other like organizations across Canada, it can be said that they are not doing too bad.

On behalf of the ASSMT, I wish to thank that oilsands company, that continues to be a major player in the production of synthetic crude, for having the foresight to recognize the benefit of having those that work for them, certified. Just as important, a thank you should go to all those employers that over the years have continued to recognize the importance and value of having their staff maintain their membership with the ASSMT by not only providing their financial support but by allowing members to take time away from work to attend the annual general meeting, to participate on committees and to sit as a Council representative. In return, I would hope that these members, who haven’t been involved, find the time to participate as a volunteer on one of the several committees or to serve on the ASSMT’s Council. I am sure you will find it to be as rewarding, in terms of developing new friendships, helping to maintain your knowledge in this ever-changing industry and the added pride you gain over the years in a career in geomatics, as I have.

Legal Notes: Sale of Land
continued from page 38

nesting area on their plans. The failure to disclose the information was a breach of the express provisions of the agreement of purchase and sale. The undisclosed information about the birds fell within the category of information about a latent defect, disclosure of which was expressly required by way of exception from the general contractual prohibition of disclosure by the agent of confidential information received from one party to the other. The appropriate measure of damages was the difference between the purchase price and the actual value of the property or $1,000 plus consequential damages.

(Approx. 11 pp.)
For a few years from 1920 onwards, the general tone of the Association’s affairs became somewhat more lively. To meet the costs of the 1921 Annual Meeting, the Council allotted the handsome sum of $160 and a crowd of twenty-seven members assembled on that occasion. Although there were few signs of any improvement in general economic conditions or in surveyors’ incomes, the proceedings of the 1921 meeting carry a note of optimism, and the president, Mr. MacLeod, who a year earlier had declared that surveying was on the wane, had now regained enough confidence to say in his presidential address that land surveying was a growing profession that would develop and expand with the development of the province.

Some members felt that the time had come to increase the tariff rates, but those whose practice was mainly in the country areas thought that the current rates were high enough. It was also argued that in order to compete with the government on municipal survey work, the private practice rates should not be increased until such time as higher salary rates were obtained for government surveyors. It was finally suggested that the surveyors practicing in Edmonton and Calgary should agree among themselves on a local tariff of rates for surveys performed within those cities.

There was some controversy as to whether the Council or the Annual Meeting had the control of the Association’s funds, which was settled with the passage of Bylaw No. 2(2).

A special committee reported that it had submitted a brief to the Director of Surveys and the Minister of Public Works regarding the salaries of provincial government surveyors and had discussed the matter with Mr. J.L. Cote who, since 1909, had been a member of the Legislature and then held the office of provincial secretary. Subsequently, some improvement in those salaries had been made, but Mr. MacLeod, in reporting for the committee, said he could not claim they were due to the Association’s activity and, in any case, they were still far short of what was necessary and proper. He and some other members seemed to favour the idea of including a minimum salary rate as well as minimum private practice rates in the Association’s tariff, and subjecting to disciplinary action any member who accepted a position at a lesser salary. It was also suggested that the standards of entry to the land surveying profession ought to be raised so that, as one member bluntly put it, it would be more difficult to get into and there would be less danger of an oversupply of qualified surveyors. These somewhat unrealistic proposals, however, received no general support, and no further action on the question of salary rates was taken.

However, a committee was set up to review the examination syllabus and appraise the adequacy of its standards and subject matter.

Mr. Stewart, who had accomplished his mission to Ottawa in 1920, reported on the very able presentation he had made to the DLS Association with the results already described. He had visited the Ontario, Manitoba and Saskatchewan associations on his return trip to Edmonton, and subsequently they had communicated their views on the formation of a national body to the Secretary of the Alberta association. Ontario and Manitoba were apparently in favour of the proposal, but Saskatchewan went off on a tangent and suggested instead the formation of a joint organization for the surveyors of the prairie provinces only. This caused some consternation at the 1921 Alberta meeting. It was strongly felt that since all the provinces, as well as Ontario and British Columbia, would soon have administrative control of their natural resources, they would all be on a similar footing as far as basic survey work was concerned, and with that in common, a national and not a regional survey organization was what the facts of the situation called for.

Meanwhile, the Engineering Institute of Canada had been informed about the proposal to establish a national surveyors’ organization, and they, too, drew a red herring across the trail by suggesting that such a body should be a branch of the Engineering Institute, whereby in pursuit of its aims it could utilize the strength of numbers represented by the much larger engineering profession. This idea may have had certain attractions, but it was indicative of the failure to realize that land surveying is fundamentally a legal and not an engineering function; and in any case most surveyors, although many of them were qualified engineers, had an instinctive aversion to the prospect of submerging the identity of their specialized profession within the conglomeration of occupations embraced by the Engineering Institute. It would appear, too, that at that particular time the ambitions of the engineering profession were being looked upon with some suspicion by both the land surveyors and the architects. The president stated at the meeting that in their efforts to obtain the passage of provincial professional acts, the engineers had been hindered by the fears of both those professions that their spheres of activity would be encroached upon, with the result that the model act originally prepared by the central organization of engineers in Montreal had man holes punched
there should be no provincial survey departments at all, but one federal department for the whole of Canada, that all qualified surveyors should hold commissions as Canadian Land Surveyors and that all survey operations normally undertaken by the governments should be carried out by this central agency, financed partly by federal funds and partly by a first charge upon the lands involved at the time of their alienation from the Crown. He admitted that this was a visionary and improbable arrangement, but it was what could and should be done if the provinces were not so aggressively independent and provincial politicians were not so jealous of their rights of control over public expenditures affecting the provincial economy.

Mr. Cautley was not at all optimistic about the effectiveness of any other arrangement. He thought that if and when the prairie provinces obtained control of their resources, land survey work should as much as possible be delegated to the surveyors in private practice and that this would come about in any event because the provincial governments would not be prepared to maintain salaried surveyors in sufficient numbers to handle all the work that would be demanded of them. Surveyors in private practice could therefore look forward to a considerable increase in their activities, which would be to their financial benefit and would improve their status in the eyes of the public, and they ought to prepare themselves, both individually and as a professional body, for the new social and technical demands which would thus be imposed upon them.

There was some possibly intentional inconsistencies in Mr. Cautley’s arguments with the result that his paper generated considerable discussion and some differences of opinion, and the meeting debated the administration of the province’s resources as though it were the Legislature itself. Finally, a committee was set up to keep an eye on future developments, and there seemed to be hope that a brighter future for land surveyors was not far distant.

The other business transacted at the 1921 meeting included a proposal to have incoming officers nominated by a committee in advance of the meeting instead of from the floor (which was voted down), a suggestion that rubber-stamped instead of hand-printed surveyor’s affidavits on subdivision plans should be accepted (which the Legislative Committee afterwards failed to sell to the Attorney General’s Department), and a request that the requirement for public reserves in new subdivisions, then five percent of the area subdivided or not less than two acres, be changed to a straight five per cent in subdivisions of more than ten acres, with no reserves in subdivisions of lesser area. This last recommendation was adopted, but there is no subsequent record of what happened to it. In any event, the regulations remained unaltered.

Fred Hamilton

James Frederick Hamilton was born in Singhampton, near Collingwood Ontario.

He graduated in civil engineering at the University of Toronto in 1904 as president of his class. As a land surveyor, Mr. Hamilton was a Dominion Land Surveyor with the Department of the Interior and a charter member of the Alberta Land Surveyors’ Association.

Mr. Hamilton did some of the first surveying in south Alberta. He came to Milk River in 1901 working for the Department of the Interior and, in 1902, helped survey land to be irrigated east of Calgary.

In the winter of 1905-1906, he surveyed the Bow River west of Calgary to determine the power potential. In 1903, he had run levels from the Bow River east of Calgary.
Robert Watt Lendrum

Robert Watt Lendrum was the fourth child of William Lendrum, DLS and CE, and his wife, Mary Watt. He was born in Fermanagh, Ireland, on July 24, 1834, and died February 27, 1912, and is buried at Mount Pleasant Cemetery in Edmonton, Alberta. He was an Anglican.

On November 24th, 1866, he married Ella Brock, at Hawkesbury, Ontario. She was born October 22nd, 1849, at Hawkesbury, and died July 25th, 1911, and was buried beside her husband.

Robert Watt left Ireland with his family in 1849, and came to (By-Town) Ottawa. He worked with his father, who was a civil engineer on the Brockville and Prescott railway, and also on the Rideau Canal.

Later he taught school, but had to go to Vankleek Hill to write to receive his certificate to teach school in Ontario. He taught for a while, then became articled to Robert Hamilton, and was appointed a land surveyor on January 8, 1874. He also kept a store at Vankleek Hill, and operated the telegraph station.

In 1880, he received his DLS and went to Fort Garry (now Winnipeg), where he did considerable survey work. From 1882 to 1893, he practiced surveying in Ontario.

In 1891, he went to Edmonton and, in 1892, he moved his family there, and engaged at farming, as there was little surveying. The property that he once owned now makes up the Lendrum Place neighbourhood of Edmonton (111 Street to 115 Street and 51 Avenue to 61 Avenue).

About 1896 he left the farm, and engaged at government survey work, and extensive surveys around Edmonton. He was still working at his profession when he met with an accident, slipping on a sidewalk and causing a fractured hip, from which he died shortly afterwards, in 1912.

SOURCE: ASSOCIATION OF ONTARIO LAND SURVEYORS