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With the right software inside, everything else falls into place.
Cover Photo: John Haggerty, ALS playing the bagpipes at Duvernay. There were grass fires in the area that made for some brilliant sunsets and the evening was too quiet. The photo is compliments of Ken Johnson, Associate Member.

feature

40 Surveying in Rwanda...14 A.G. (After Genocide)  
by David Marquardt, ALS

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Well, not too bad of a summer for Council. After our June meeting, we were off until the end of August meeting. There were plenty of things going on, mind you, but Council got a rest, and there is no doubt they will need it, as there is lots to do. I hope all of our members had a safe and enjoyable summer because I am afraid it’s over! Just a few comments before I get into bringing you up to speed on things going on.

As I noted in my last article, and as every president before me has noted, the key to our Association’s success is our volunteers, and this year is no exception. We have lots of good people working hard on every member’s behalf, but we are in need of several vice-chairs this year for some of our committees. The position of vice-chair is key to the continued success of each and every committee. It is the consistency from year to year that helps each committee run smoothly in a continuous manner. I have mentioned to several of our members that they should volunteer and step up as a chair. It is educational, challenging and rewarding, and is not just for the senior members of our Association. Leadership can come from anyone at any time, and being a chair is a great opportunity for new or younger members to work with a committed group of people and hone their leadership skills. Give it some thought. New ideas are very welcome!

I just returned from the great city of Winnipeg, at least that’s what the Winnipeggers call it, and Shirley and I had a great time. The hospitality was second to none and the venue was fantastic; right downtown in the Forks. Until last week, I had no idea at all what the Forks were, but now I know, and it is a beautiful part of the city. Incoming President Steve Bossenmaier and his wife Judy entertained us on the golf course where Steve demonstrated to me that brand new golf clubs work just fine with the protective label on the grooves of the driver. Needless to say we had a fun day. The land surveyors of Manitoba really support their Association. I was very impressed by the participation at the AGM which, I am guessing, was attended by at least 90% of their members. Although they have a smaller membership, they do get a lot done, and have a good meeting which is less formal than ours, but constructive and very interactive. This year for the first time in a number of years, they had an election for Council with four individuals running for two positions. They also had four new members and have eleven (if I recall correctly) articled students. This year, they introduced a motion to convert their voluntary continuing education program to a mandatory one. There was plenty of good debate and discussion. I slipped out for a coffee and came back to find out it had been tabled— so not dead—and will, no doubt, rise up again. The members also passed a budget which has them increasing their fees significantly from approximately $700 to nearly $2,000 per year in order to finance the new position of executive director. A pretty solid commitment to their Association and the profession as a whole, if you ask me.

Piggy-backing on the Manitoba AGM was a CCLS think-tank on the future of the profession. Past-President Bob is our representative on this task force and our CCLS Director Dave McWilliam and he represented us at this session. No doubt we will be hearing more from them in the near future as to how that went and what actions were identified out of the session.

...we have negotiated a new funding arrangement with the Minister with respect to the sale of iron posts, and marker posts.

Here at home, we have negotiated a new funding arrangement with the Minister with respect to the sale of iron posts, and marker posts. The new arrangement increases our funding and also gives us a few more duties to take on for the good of the public. One of the provisions in the new funding arrangement is an obligation and funding for boundary resolutions, so in the very near future, Council will have to make some decisions on policy and direction as it relates to this important area of concern for us and for the public. The new agreement should be signed in the very near future.

Council has also approved to have a joint meeting with the ABCLS Board. I believe this joint meeting of the two associations, will be the first of its kind in Canada and we are looking forward...
to productive discussions and in trying to find synergies for the two associations to work together. Council will be travelling to Victoria the end of November for this meeting, and will, as part of this meeting, have its own meeting. In order to maintain fiscal responsibility, Council will combine its November and December meetings at this time, thus not significantly impacting the budget in a negative way.

Some for the topics on the agenda for this joint meeting are: TILMA, technicians and technologists, practice review, Director of Surveys/Surveyor General, career awareness, professional development, registration and future of the professions. I know what you’re thinking. Wow, what a fun-filled day! Well, it will be a very full day, you can bet on that.

Now, a quick update on the key issues and initiatives that I mentioned to you in my last report:

• Reformat of the Manual of Standard Practice, as directed to Council from the membership.
  The Standards Committee and its subgroup are moving along nicely on this and should have a document for the membership’s review and input early in the near year. We are intending on using the regional meetings this winter to solicit feedback on the new version.

• Digital Submissions to Public Lands.
  As far as we know there is no activity to update you on at this time.

• Mandatory Continuing Education as directed to Council by the membership.
  PDC is working on this initiative and it will, no doubt, be a large and complex process/project.

• Revised Ministerial Order relating to our iron post funding.
  The agreement has been agreed upon by the Minister and by Council and should be signed by the time you read this.

• Systematic Practice Review
  As I write this, the Association is without a Director of Practice Review. Council had this topic as their strategic issue at its last meeting and has directed that a think tank group be brought together for a one day workshop to layout the groundwork for the future of peer review. The key is to develop a sustainable program that meets the needs and expectations of the membership and the public.

• Historical Display.
  Council has approved funding for the Historical and Biographical Committee and it is working diligently on this and has amassed quite a number of artifacts. I am told story boards are being developed and things are coming together as Executive Director Brian Munday explains in his message.

In my last report, I noted that Council had identified several key strategic issues that it would like to commit time to discussing and investigating. At its June meeting, Council had a good discussion on the future of the Director of Surveys and a few actions came out that are now being worked on. As we get results from some of those, I will update you accordingly.

Well, once again, I know this was a little long-winded, but I wanted to make sure I was doing my part to communicate and bring everyone up to speed as best I could on my activities as well as those of Council and some of the committees.
The Centennial Celebrations of 1967 were the last time that something like this happened, so it is reasonable to expect it to be another 40 years before it happens again. By this time I will be a very old man. With a bad hip.

Note: All photos with respect to the Brigade activities are compliments of ALSA Associate Member Ken Johnson.
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OPTICAL & GPS SOLUTIONS
As I write this, I have just returned from two weeks of summer vacation. Unfortunately, I cannot regale you with stories of exotic locations visited. Building a new fence and paying for driving lessons for my wife put enough of a crimp in our budget to prevent us from traveling too far from home this year.

We did manage to take some day trips and, as it happened, ended up visiting three museums. We visited the dragon exhibit at the Royal Alberta Museum on one day and the Aviation Museum the next. Later on, we took a trip down to Drumheller to see the Royal Tyrell Museum.

I have started to look at museum exhibits in a whole new light recently as a result of the Association’s effort to put together a surveying exhibit for museums in Alberta in honour of our forthcoming centennial.

Historical & Biographical Committee members Les Frederick, Gord Olsson, Lou Breton and Monroe Kinloch deserve much credit for spearheading this initiative and selling it to Council and everyone else.

The intent of the survey museum exhibit is to tell the story of the surveyor’s role in the peaceful and orderly development of Alberta. The plan is for the exhibit to be unveiled at our 100th Annual General Meeting in Banff in April 2009. From there, we expect it to travel to a number of local museums throughout Alberta over the course of the next two years.

When you walk through a museum exhibit—any museum exhibit—what are the things that you remember seeing? In any museum exhibit, there are typically artifacts, pictures, some text explaining what you are looking at, and probably some hands-on activities. Out survey museum exhibit will be no different. But only if it was that simple!

When the Association contracted Judy Larmour to write Laying Down the Lines, there was plenty of original research material for her to go through and there were times that the Committee thought she should have added more. In the end, we ended up with a fabulous 325-page book. For the museum exhibit, we will likely have only enough space for the equivalent of a few pages of text but in a large font. Gord Olsson has done a tremendous amount of research and started with a first draft of sixty pages of text which was whittled down to thirty pages of text and then fifteen and more editing is on the way. When you think about it, that’s not a lot of space to tell the story of land surveying in Alberta over more than 100 years.

The Historical & Biographical Committee members working on this project have learned that there are, in essence, three types of people who view museum exhibits. There are the people who will read every last word on each display panel and next to each artifact. We have learned the most of the people on the Committee fall into this category. Second, there are the skimmers. These people will look at the headline and maybe read the first paragraph if it is interesting and short enough and then carry on to the next display. Finally, there are the people who will look at the pictures and see the artifacts but really can’t be bothered to read the text. The Committee has learned that, while we tend to be the detail people reading every word, most of us are married to the people who don’t read the text and wait for us impatiently at the end of the museum display waiting in the gift shop and spending our money.

So the challenge for the group is to not only condense 100 plus years of history into a few pages but also to tell the story in such a way that it is appealing to all three types of museum visitors.

I would like to thank all of the members who responded to our call for artifacts in the recent Friday e-mail notices to the membership. The Historical & Biographical Committee received quite a few artifacts and the Committee has spent some of its time accessioning and cataloguing those donations. Our boardroom table is getting filled up but I think we will have just enough table space left for our next Council meeting. The Committee is not actively looking for more artifacts at this time but if a member does have some item of interest, then I’m sure we will take a look at it. Don’t forget that items don’t have to be that old to be considered potential museum artifacts. Something that is only twenty years old today, will eventually be that antique if we properly take care of it today.

I think I will start to call Lou Breton the photo man. Lou Breton has spent countless hours going through the Association’s
photo collections and survey pictures from numerous other photo collections. Lou has been sorting through photographs that will accompany the text on the exhibit displays and has been putting together a slide show that will play on screen as part of the exhibit.

It is going to be an exciting time.
I am looking forward to it immensely.

There is still much work yet to be done. There were forty items on the action list when we started our meeting yesterday and I think that’s grown by a few more as a result of that meeting. The text needs to be finalized, the final set of pictures needs to be selected, specific artifacts need to be chosen and the activities need to be finalized. We are looking for a period-style tent to show what camp life might have been like.

Our plan and challenge is to have all of this put together by December 15th so that it is ready to be put together for the 100th Annual General Meeting in April 2009.

It is going to be an exciting time. I am looking forward to it immensely.

The ALSA will be celebrating its 100th AGM between April 23rd — 25th, 2008.
RESERVE YOUR SPACE EARLY!
Land-use Framework
Thank you for your letter of June 19, 2008 expressing your Association’s support for the broad concepts and principles in the draft land-use framework. We also believe that it strikes the right balance between development and conservation.

I share your opinion that access to timely, accurate and integrated information is essential to effective land-use planning. My department has been working with other government departments to establish an integrated information system that will result in access to improved land information. One of the key steps will be confirmation of a single reference datum upon which we will build the land-based information system. The Integrated Information Management System identified in the framework is an important initiative that will contribute to the successful implementation of this system.

The draft land-use framework is an important government initiative. Consequently, the government is committed to ensuring that the framework, including relevant initiatives, are adequately resourced and supported.

I welcome the Association’s continued interest in supporting the framework.

Ted Morton, Minister Alberta Sustainable Resource Development

Proposed Amendments to the Land Titles Act

The following is a letter from the Legislation Ad Hoc Committee to Ms. Debbie Jones, Assistant Director, Land Titles South.

Thank you for the opportunity to comment on proposed amendments to the Land Titles Act concerning the appropriate uses of Land Titles information and concerning the withdrawal of caveats.

Uses of Information Regulation

The Alberta Land Surveyors’ Association agrees that a person should not be permitted to use information furnished by the Registrar as a result of a search of the register under the Act for marketing or solicitation.

The Association also agrees that a person should not be permitted to transfer, transmit, exchange, release or publish the information to a third party except when it is included or forms part of a report or opinion as part of the original purchaser applying professional, consulting or technical expertise.

The Association further agrees that a person should not be permitted to use information furnished by the Registrar for developing a register or inventory of land information that is substantively comprised of title data outside of the Land Titles Office for the purpose of the resale of the information.

However, the Association disagrees with restricting information for a publicly accessible GIS which discloses personal land ownership information. Land Titles information is an integral part of GIS data for titled land.

The Alberta Land Surveyors’ Association has been requested by Alberta Sustainable Resource Development to track and ensure compliance with certain provisions of the Surveys Act. The only means of tracking this information is through survey plans registered at Alberta Land Titles. Could this information be made available to the Alberta Land Surveyors’ Association in bulk instead of looking up each individual plan on SPIN.

Proposed Amendments to the Land Titles Act

The Alberta Land Surveyors’ Association agrees with the general intent of the

Municipal Government Act and Subdivision and Development Regulation

The following is a letter from the Legislation Ad Hoc Committee to Mr. Bill Symonds, Alberta Municipal Affairs, Local Government Services.

We sincerely appreciate you taking the time to meet with us during your recent trip to Calgary.

As noted in our meeting, the ALSA Legislation Ad Hoc Committee was tasked with reviewing the Municipal Government Act and Subdivision and Development Regulation in the 2007-2008 term. As a result of our Committee’s discussions, the ALSA sent a letter to the Minister of Municipal Affairs (Ray Danyluk) on January 31, 2008. On February 25, 2008, the ALSA received a response to our letter from the office of the Deputy Minister (Shelley Ewart-Johnson). To our disappointment, the letter received from the Deputy Minister did not address all of the concerns raised in our letter but it did recommend we have further discussion on these issues with your office.

The Alberta Land Surveyors’ Association is a self-governing professional association legislated under the Land Surveyors Act. The ALSA regulates the practice of land surveying for the protection of the public and administration of the profession. Many of our members practice in the land development industry and have extensive experience in dealing with approving authorities in various municipalities respecting subdivision and development of land.

The ALSA Legislation Ad Hoc Committee in our review of the Municipal Government Act (MGA) and Subdivision and Development Regulation (SDR) had participation from members who deal with many different approving authorities throughout Alberta. Our Association has been experiencing growing frustrations in our dealings with many municipalities due to their widely differing processes and policies, some of which we would characterize as inconsistent or contrary to the MGA or SDR.

We hope our meeting of July 8th will facilitate further communication between the ALSA and the Government of Alberta respecting subdivision and development issues facing Albertans. Our Association greatly appreciates your receptiveness to our concerns and your offer to attend our Council or committee meetings. In return, our Association is willing to offer our expertise to assist the government or other planning and development agencies in the development of education courses or seminars or other resources. We would also appreciate the opportunity to provide our input respecting review and amendment of the Municipal Government Act and Subdivision and Development Regulation or development of the land-use framework.

To maintain clear communication between our Association and your office, we would recommend you direct any correspondence with the ALSA through our Association office (Attention: Brian Munday, Executive Director).

Andrew W. Roop, ALS
Chairman, ALSA Legislation Ad Hoc Committee
timely withdrawal of caveats but has concerns about enforceability of such a clause and is sceptical that the proposed amendment will effectively address the concern that caveats are not being withdrawn in a timely fashion. If there is no adequate enforcement mechanism in place, what is the value of the legislative amendment? We would, however, recommend that if the proposed amendment is made, that the caveat form be amended as well to indicate that the caveat will be discharged within 30 days of expiry of the interest.

Could the proposal be expanded to include other instruments? We often discover mortgage documents, easements and right-of-way documents that are registered against title in which interests have ceased to exist or the conditions have been satisfied. We recognize that procedures are in place pursuant to the Act and Land Titles procedures to deal with withdrawal of these instruments, but these procedures tend to be quite onerous, time-consuming, and expensive to complete. As a result, we find subdivisions often occur without proper clean-up of the titles, which further complicates removal of these instruments.

Most delays in removal of these instruments are caused by difficulty in identifying and trying to contact the party or parties who have an interest in the caveat. The LTO procedure only requires that you serve notice on the caveator and address for service listed on the document, as it is the responsibility of the caveator to ensure this information is current. As with the removal of any instrument, sometimes this can only be accomplished by a court order. In our experience, many expired caveats are still on title due to the change of ownership or bankruptcy. This is a particular issue with caveats placed on title by resource companies.

There needs to be a better way of encouraging the caveators to remove any expired caveats. What if the registered caveator (with name and address as shown on the current registered document) needed to respond to an official request within 60 days or else the caveat is automatically discharged? This may also provide the caveator with dire consequences for not filing with Land Titles changes to address service or corporate name.

Alberta Land Surveyors are also concerned about the overuse of caveats. Instruments such as utility rights-of-way, easements, and restrictive covenants are often being registered by way of caveat when these instruments could stand on their own. When pursuing a discharge or consent from an encumbrancee, Alberta Land Surveyors must review the attached documents to determine whose interest is being affected. This overuse of caveats is particularly noticeable when subdividing land and Alberta Land Surveyors are required to obtain consents from encumbrancees. We are required by Land Titles to obtain consent from the caveator (or dominant tenement under attached instrument), because the caveat applies to the entire parcel whereas the instrument attached to the caveat refers to a specific portion of the parcel. Caveats or other interests are often registered even when instruments are already on title respecting the same interests.

The Alberta Land Surveyors’ Association believes there should be an easy route to discharge instruments where interest obviously no longer exists, but the not-so-obvious does take time and one could run the danger of discharging something that is still valid.

Once again, thank you for the opportunity to comment on the proposed amendments.

Andrew W. Roop, ALS
Chairman, Legislation Ad Hoc Committee
New Members

#800 BRODERICK, John N.

John Broderick came to Alberta from Newfoundland. He was born in St. John’s, grew up in St. Brendan’s and graduated from Beaconsfield High School of St. John’s. He went on to attend the College of the North Atlantic and the University of New Brunswick, graduating with a degree in Geodesy and Geomatics Engineering in 2005.

Articles were served under John Stephens, ALS from July 2005 to July 2008. John received his commission as an Alberta Land Surveyor on July 3, 2008. He is also an engineer-in-training with APEGGA.

John has work experience mostly includes work in the oil and gas sector in Northern Alberta with some experiences on plant site facilities, engineering projects and high voltage power line rights-of-ways. John is currently employed with Focus Surveys Limited Partnership in Edmonton.

Some hobbies include hunting, fishing, camping, quadding and playing softball. John is married to Rosalind Broderick who is also an ALSA articled student.

#801 LOHNES, John

John Lohnes was born in Bridgewater, Nova Scotia in 1970. He graduated from New Germany Rural High in 1989 and went on to receive a diploma from the College of Geographic Sciences in 1990.

Articles were served under Alberta Land Surveyors Brian Ross, Dennis Clayton, Bob Wallace and Paul Densmore from December 2003 to July 2008. John received his commission as an Alberta Land Surveyor on July 15, 2008.

John has been a member of the ALSA Standards Committee, served on the Future of the Association Ad Hoc Committee (2004-2005) on the Legislation Ad Hoc Committee (2005-2007).

John has five years experience in construction surveying and eleven years experience in oil and gas surveying. He is presently employed with Northcan Surveys Ltd. in Calgary.

Camping, fishing and quadding are some of his leisure activities.

ALSA Member Updates

ACTIVE

John Broderick received his commission as ALS #800 on July 5, 2008. He is employed with Focus Surveys Limited Partnership in Edmonton.

Sandy Davies is now employed with Millennium Geomatics Ltd. in Calgary. Tel: 403/270-9575 (ext. 234); e-mail: sdavies@millenniumgeomatics.ca.

Reid Egger is now employed with Precision Geomatics in Edmonton; e-mail: regger@precisiongeo.ca.

Cameron Foran joined Altus Geomatics in Calgary on August 25, 2008; e-mail: cameron.foran@altusgroup.com; direct tel: 403/514-7275.

Kevin Grover - new tel: 780/969-3393.

John Lohnes received his commission as ALS #801 on July 15, 2008. He is employed with Northcan Surveys Ltd. in Calgary.

Mark MacDonald has a new e-mail address: mark.macdonald@ipsurveys.ca.

George Smith has left Bemoco Land Surveying Ltd. and is listed as a sole practitioner at: #73 Alberts Close Red Deer T4R 3J7; tel: 403/748-3043; e-mail: justbcs@shaw.ca

RETIRED

Stan Hutchinson - new residential address is 66 Schuyler ST Paris, ON N3L 4C8; tel: 519/442-9556.

Francis Prefontaine - mailing address is PO BOX 5599, Leduc T9E 2A1.

ARTICLED PUPILS

Brandon Ellis articulated to Ross Woolgar, ALS of Eclipse Geomatics and Engineering Ltd. on September 3, 2008.

Christopher M. Fox articulated to Heather Roberts, ALS of Focus Surveys Limited Partnership on August 6, 2008.


Arne Hals articulated to Brian Doyle, ALS of Pals Surveys & Associates Ltd. on August 26, 2008.

Denis Luu articulated to John Byrne, ALS of IBI Geomatics Inc. on June 26, 2008.

Ryan J. Man articulated to Jeremy Zettel, ALS of Caltech Surveys Ltd. on August 8, 2008.

Donald McKee transferred articles to Murray Young, ALS of Bemoco Land Surveying Ltd. on July 31, 2008.

Steve Meehan articulated to Ian Westlake, ALS of the City of Calgary on August 14, 2008.

Cody B. Moser articulated to Jeff Boutilier, ALS of Pals Surveys and Associates Ltd. on September 2, 2008.

Jason Nickerson mutually terminated articles with Stan Longson, ALS on August 14, 2008.

Scott Slen mutually terminated articles with Jacques Dupuis on July 31, 2008.

Rachel Vincendeau married and has changed her last name to Heck.

Shahrad Zelli transferred articles to Warren Barlow of Barlow Surveying Inc. on August 1, 2008

ASSOCIATE

Ted Abraha - mailing address is: #66 Bridlewood Dr SW Calgary T2Y 3R1

Ben De Jong (#AS062) became an affiliate member as of August 26, 2008. He can be reached at 2 Landon Crescent, Spruce Grove T7X 0E3 and is currently employed with Pals Surveys and Associates Ltd.

CORPORATE

Altus Geomatics Limited Partnership employee e-mail addresses follow the format first.last@altusgroup.com.

Interprovincial Surveys Ltd. has a branch office in Calgary under the direct supervision and control of Mark MacDonald, ALS as of September 12, 2008. The office address is 239 Midpark Way SE, Suite 115, Calgary T2X 1M2; tel: (403) 873-1428; fax: (403) 873-8102.

Midwest Surveys Inc. in Edmonton has moved to 9468 - 51 Ave T6E 5A6.
Hot, hot, hot is the best way to describe this year’s tournament. The temperature soared to 30+ degrees for the 44th Annual ALSA golf tournament. This year, we had a putt-off to determine the winning team. It was between team #34—Randy Hudson, Brent Irving, Dan Jones and Chris Martin and team #10—Dwight Wiberg, Joel Robitaille, Greg Place and Jay Wronko. In the end, team #34 was victorious.

Hole Prize Winners

Hole Prize #01 ................. Peter Yorke 
Closest to the Target Men
Hole Prize #02 ............... Randy Hudson 
Closest to Pin (second shot) Anyone
Hole Prize #03 ............... Rob Owens 
Closest to Pin Anyone
Hole Prize #04 ............... Jerry Quinlan 
Closest to Pin (second shot) Anyone
Hole Prize #05 ............... Ashley Robertson 
Longest Drive Ladies
Hole Prize #06 ............... Dave McArthur 
Closest to the Pin Anyone
Hole Prize #07 ............... Fred Rogers 
Closest to the Pin Anyone
Hole Prize #08 ............... Dana Sands 
Closest to Water Anyone
Hole Prize #09 ............... Robert King 
Longest Drive Men
Hole Prize #10 ............... Nina Pang 
Closest to the Target Ladies
Hole Prize #11 ............... Tim Lindberg 
Longest Putt Ladies
Hole Prize #12 ............... Leanne James 
Longest Putt Ladies
Hole Prize #13 ............... Troy Sewter 
Closest to Target from Tee Anyone
Hole Prize #14 ............... Al Jamieson 
Ball in Sand—Draw
Hole Prize #15 ............... Scott Boulanger 
Closest to the Pin Anyone
Hole Prize #16 ............... Lloyd Cridland 
Closest to the Pin Anyone
Hole Prize #17 ............... Andy Miles 
Longest Putt Men
Hole Prize #18 ............... Jay Wronko 
Longest Drive Anyone

Hole-in-One Prizes

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Butler Surveys Supplies Ltd.
7th Hole - Spectra Precision Focus 10 Robotic Total Station Package
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15th Hole – Ford F-150
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The winning mens’ team with the lowest net score was team #15—Paddy Marshall, Rob Molaski, Chad Taylor and Craig White. The winning mixed team with the lowest net score was team #24—Bob and Kathy Wallace, Tim Lindberg and Peter Orzek.

Scott Beaugrand from MMM Geomatics Alberta Limited was the early bird prize winner.

Thank you to everyone who purchased mulligans and raffle tickets and to those who participated in the putter challenge at hole #18. We were able to raise $3,470.60 for the J.H. Holloway Foundation. The winner of two nights accommodation at The Fairmont Jasper Park Lodge was Kevin MacGowan.

From left to right: George Smith, ALS presenting Hole Prize #6 to Dave McArthur, ALS.
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A thirst for innovation, combined with a keen sense of entrepreneurship and an unwavering dedication to quality, has kept Leica Geosystems as the leader in the surveying industry throughout the decades.
The Brigade in a “string of pearls” formation as it approaches the landing point in Elk Point.

Saturday May 10, 2008
(First Day on the River)

Last night was cold; -5 degrees, I guess. We slept in our tents, by ourselves. I wore thermal underwear, wool socks and a toque to bed in a mummy sleeping bag. By 3:00 a.m. it was mighty cold. Oh well!

We started the actual trip today!!! Got all the canoes into the river and then half the team paddled and half the team drove to the Rocky Mountain House for breakfast and the opening ceremonies. I played the bagpipes on the river bank with three local pipers. The boats came in to a good ceremony. There were also black powder rifles there. As all the canoes left, they unexpectedly set off volleys that made many paddlers jump in their seats.

One canoe slammed broadside against the Highway 11A bridge pier as they turned to land at the opening ceremonies. Two paddlers had dislocated shoulders, but it could have been worse. Looking back now, it is amazing how that one upset affected the trip. For one thing, it brought national media attention to the Brigade, a little faster than it might have happened otherwise (disaster tourism if you will!). For another, it made everyone paddling swallow hard and think a little bit more than they had about the dangers that they might encounter on this river.

Half of the team paddled the first two hours and I jumped in with the second shift for the next two hours. We did this kind of “crew change” whenever we could; half the team would paddle the canoe while the other half drove with the camp. In this way, each paddler could rest for at least part of the day. This was important at the start of the trip while we were all getting into shape. It was important near the end of the trip, as we began to wear down from the long days. In any case, someone had to move camp.

We borrowed a sternman from another team. He was very experienced! We learned a lot! I have the feeling that the other canoes in the Brigade are a little worried about us. Many of them are in clubs and have paddled together for years. We are a bunch of novices; mainly long on enthusiasm and short on skill and experience. As it will turn out, for the first week it was common that one of the very senior paddlers from another team would show up and spend the day with us, teach us, pick the best course and steer the canoe. They also would tell stories, off-colour jokes, sing songs, and philosophize on canoeing in order to pass the time and to school us in the “voyageur” way. This is what a sternman does, and we were happy for the advice, and the company.

Sunday May 11, 2008
(Rocky Mountain House to Drayton Valley)

I woke up in the dark at 5:00 a.m. and broke camp with the others. We had breakfast at 6:00 a.m. and then left for the canoes by 6:30 a.m., driving to the staging area and then walking a mile to where the canoes were left the night before on a six foot high ice shelf beside the river.

We left in three groups of five canoes. This took some doing as there was only one entrance point to the river from the higher shelf. Ours was one of the first canoes in, so we waited briefly in an eddy as the other canoes joined in. Traveling in a group is a lot of fun. You can race each other in the open parts and follow each other through the rough patches. We also sang songs and shouted insults back and forth, but mostly you are just there for each other if things go wrong.

Today I got to be the bowman for the morning. My job as bowman was to steer the front of the canoe, set the pace (around 70 strokes a minute) and to watch for dangers ahead such as rocks, rapids, logs, and sand bars. The role keeps you thinking and alert all day. On the downside, hitting rocks becomes your fault. You also get the brunt of each wave that hits the canoe. This morning I took a big wave three minutes into the day. (Note to self: no more cotton pants.) It was a lot of fun, but I had wet pants the rest of the day.
Monday May 12, 2008
(Drayton Valley to St. John’s School)
The river is beginning to widen out now. It is slower and the bottom is less rocky. This is easier on us and the canoe. When we hit a rock, the boat bucks around a lot and nearly throws us out; this is a little unnerving. When we hit mud or gravel we just slow down a bit, get out, walk the boat through, and climb in again. The river is also more braided, which makes it hard to pick a good channel and stay in the current, but we seem to be lucking out so far. Our sternman for the day (from another team) has done a good job of keeping us straight. It has been a very pleasant morning.

We changed crews about 40 kilometres along—about half way. We drifted for a while through a very pretty river valley. There were cabins at the side of the river. We kept expecting to hear banjo music. I got the honour to be sternman for the last 20 kilometres or so. It was a challenge reading the river and steering the big boat. It pulls left constantly. Got to St. John’s after eight hours (80 kilometres) on a board seat; my butt still hurts!

Tuesday May 13, 2008
(St. John’s to Devon)
Last night, a senior member of one of the teams left the Brigade, making off with a truck and all of the team’s money. The team has decided to tough it out, though they are going to need a little bit of help from the rest of us. We gave them lunch today. I hope this will work out for them (it did).

Monroe and I went to meet the paddlers, he with a shotgun and me with my bagpipes. We jumped in and rode across the river to Devon, while I played the bagpipes, and he shot the gun. The people loved the show! This became quite a common thing. If we were going to be paddling into a town or city, the brigade would typically stop a few miles up river, change into authentic voyageur outfits, take on dignitaries, tune bagpipes, load rifles and set off toward the awaiting festival in some sort of formation, usually a “string of pearls.”

The Town of Devon put on a huge dinner and a dance after that; good times for all. It is nice how the communities are doing this with/for us as we make our way down the river. A number of friends joined us for the festivities. It was good to see them.

Wednesday May 14, 2008
(Devon to Fort Saskatchewan)
Some teams are surviving on energy bars; one fellow is even going all the way on pemmican. We are doing much better, mostly due to our two cooks Delores DeMeyer and Floss Thomson. We typically start with two breakfasts, one of porridge and a second of bacon and eggs. Lunch is always bagged, and is usually a few sandwiches, fruit, nuts and drinks. Supper is also great. When supper isn’t provided by the host town, as it often was, it is always something home-cooked and delicious.

Our camp itself consists of a 26 foot trailer that Monroe purchased and rigged up as our mess shack. There is also a smaller trailer that Monroe uses as his travelling office. Apart from this, there are a couple of unburdened vehicles and half a dozen tents that the rest of us sleep in. All of this gets packed up every morning by the cooks and those who aren’t paddling. It is then moved on to the next site and set back up again, usually by the folks who paddled in the morning. This happens daily and we are becoming quite good at it.

After paddling through Edmonton to Fort Saskatchewan, I had a chance to drive back into Edmonton to visit my newborn niece that evening. It was a strange feeling driving there after being on the river for a few days. Everything is moving so quickly. I am amazed by how quickly I have become bushed. It usually takes weeks. Another thing that stuck me, was how disconnected Thompson and the voyageurs must have been from their families over the months and years.

Thursday May 15, 2008
(Fort Saskatchewan to Victoria Settlement)
Left Fort Saskatchewan at 7:00 a.m. (up at 5:30) and canoed all day. It was windy from about 9:00 a.m. onward, but we figured out that if we hid on the leeward side of the river, this helped tremendously. The 80 kilometres went by well. We are almost as far north as the river goes now. It is interesting how the route we are taking is now completely abandoned. Civilization has moved from river to rail, and then from rail to road. Places like Victoria Settlement remind you of a time when most people lived near the river, and when the lands just off of the river were considered hostile, and empty.

I write this hiding behind a couple of trucks, camped in the middle of a windy field. This has us thinking about sails for the canoe. We will work on it this evening.
Friday May 16, 2008  
(Victoria Settlement to Duvernay)

We have the sail with us today and are anxious to try it. At around 11:00 a.m., we reached the northernmost point of the North Saskatchewan River and then turned southeast; more with the wind. We try the sail and it works like a charm. It is nothing more than a tent fly on a stick, but it pulls us along at about the pace we might normally paddle. A good break!

Across the river from Duvernay is Brasseau Hall. That night the locals put on a real show, starting with a big Ukrainian supper and followed by many great fiddlers, Ukrainian dancers and a band. All very entertaining. After this a dance started and the evening ended with a good show of fireworks. Duvernay came to symbolize, for me, the part of this trip that I was most surprised by. Every community that we came to really rolled out the red carpet for us. This kind of welcome is really what I am going to remember about this trip.

The day ended with a parade through Two Hills followed by a dinner, dance and fireworks.

Monday May 19, 2008  
(Heinzberg to Fort Pitt)

The river was like glass when we left in the morning. The Métis boys from Cumberland House caught up to us. We lashed our boats together and sailed along for a while. We chatted and shared our lunches. Sometimes the wind helped us pull them; sometimes they pulled us with their paddling.

At the end of the day, we paddled into Fort Pitt for a ceremony, show, and for a great meal put on by the Hutterites. The hospitality continues to amaze me.

Tuesday May 20, 2008  
(Fort Pitt to Pine Island)

It was a very humbling day today. The experienced crews left at 5:00 a.m. We left at about 6:40 a.m. and thought that we were doing well. The wind came up at around 9:30 a.m., straight out of the southeast, up the chute of the river, and against us. There was very little hiding from it.

The best strategy that we could use was to stay within ten to fifteen feet of shore, and take what little protection was offered there. This was quite a problem for the person steering the canoe (me). Too close to the land and you would run aground; too far away from land and the wind and waves would begin to throw you around. There was usually a ten-foot wide ideal channel to navigate the four-foot wide canoe through.

On occasion we were forced to cross the now mile-wide river. Once out in the open water, the wind was considerable and the swells approached four to five feet. This meant that one had to face the wind and the waves head on to avoid being swamped or capsized. We would decide where to make a crossing, paddle our hearts out until we were across and then rest in the relative calm of the far shore. We would follow that shore until the river turned and we were forced to make the crossing again. We almost capsized at one point, as the wind turned the boat and we rode the waves sideways.

The crew that took over for the afternoon is late. It is 7:30 p.m. and they are

A reunion: Monroe Kinloch, Ken Allred, Gord Thomson, Denny DeMeyer pose while doing some catching up in Devon.

Practicing on Crimson Lake before we hit the river.

Saturday May 17, 2008  
(Duvernay to Elk Point)

It was 30 degrees today but on the water it didn't seem nearly as hot, even though we are working. We are really becoming a good crew of paddlers now. We can hold our own with the other boats on the water, and we have passed the point where we need tutoring from other teams. Now that is a good feeling.

Tried sailing today, the wind wasn't right so we paddled the 70 kilometres.

The author.
not yet in, but we have heard from them on the radio and at least they are still safe.

**Wednesday May 21, 2008**

(Fort Pitt to The Battlefords)

Woke up at 5:00 a.m. to wind and rain. We had a good discussion at breakfast as to whether we should canoe today. We are beaten up quite badly from yesterday and the conditions have worsened since. We decided to wait until we could see the river before choosing to paddle or drive.

When we got to the landing site, three canoes had already left. Several of the other senior teams were busy loading their canoes onto trucks in the rain. We helped them out, and then followed their example. After yesterday it would be foolish to do differently. We will drive to The Battlefords.

**Thursday May 22, 2008**

(The Battlefords to Borden Bridge)

Wow! What a day. We woke up at 4:30 a.m. to a wind from the southeast again. I decided to paddle the entire distance (100 kilometres), just to see if I could do it. I started out in the stern position and then moved to the middle for the next two legs (50 kilometres total).

There was a headwind all day and it slowed our progress. By 5:00 p.m. we’d made it 75 kilometres and had to pull out of the river. The alternative was paddling till 11:00 p.m. in the dark.

**Friday May 23, 2008**

(Borden Bridge to Fort Carlton)

Second last paddling day! Darn! I paddled for the last 29 kilometre stretch. There is a simple pleasure in the repetition of it and in trying to perfect your stroke in small ways.

We finished the day with very enjoyable festivities at Fort Carlton, including an excellent fiddler, Scottish country dancers, native dancers, singers and drummers. To end the evening, I walked on the top of the stalkade playing slow airs as the sun went down.

**Saturday May 24, 2008**

(Fort Carlton to Prince Albert)

We woke up at 4:30 a.m. this morning so that we could get on the river early before the wind picked up. We had yet another good breakfast and were on the water by 6:00 a.m. We were the second boat out today. A nice change! We crossed over the lines of a cable ferry at 11 kilometres and carried on for another 40 kilometres, a very nice run to the take-out area.

This evening was most enjoyable, perhaps because it was our last. We all went out to a nice restaurant for supper together and toasted many times. Later, the fireworks were spectacular!

**Sunday May 25, 2008**

(Prince Albert and Home)

By 8:00 a.m. we were all at Tim Hortons for a final breakfast together and then said our goodbyes. What took two weeks of paddling was retraced, uneventfully, in a single day on the highway.

**In Closing**

I hope that I have been able to articulate to you some of the adventure and good times that were had on this trip. It is unlike anything else that I have ever done. I think that Monroe had some foresight into what a great thing this was going to be. If I had known it too, I would have tried harder to get more surveyors together.

The thing that I liked the most about this trip was the travelling festival that our Brigade became. Every place that we stopped welcomed us, and embraced the David Thompson celebration that we were having. It became a sort of rolling 300-person party, with a new venue every evening. The sad part is that it is unlikely to happen in this way again for a while. The Centennial Celebrations of 1967 were the last time that something like this happened, so it is reasonable to expect it to be another 40 years before it happens again. By this time I will be a very old man. With a bad hip.

As it Was... By Gordon Haggerty

Two hundred years more or less to the day, David Thompson passed this way. With sextant in hand and eye to the North He paddled the rivers and charted their course. Following Thompson the settlement came But for Township Surveyors it wasn’t the same, For though hardworked and froze to the bone Someone before them had done it alone. Someone before them had found it much tougher And the going before had been a lot rougher, The winds that now blew had blown a lot stronger And the bears that they fought had been a lot stronger. Today we Surveyors really have it quite well We measure the distances with electronic cell, Instead of a chain, we now have a metre They drank by the jug, we drink by the litre. So the next time you think that you’ve traveled quite far As you trudge down the line to get to your car, Remember your brothers have worked here by score And things aren’t as bad as they once were before.

This painting by Peter Harasymiw, of Edmonton was commissioned by John Haggerty's brother.

The winds that now blew had blown a lot stronger
And the bears that they fought had been a lot stronger.
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Having spent the past year on the SPR Subcommittee reviewing the status of the current state and future of systematic practice review, was very much an eye-opener as to how much work our Association and its volunteer members put into maintaining our professional status and ensuring the public good. Like many of you, I have my views on where we should go but choose to leave that for another day. Instead I have settled on a topic which has been the bane of our plan checkers and a personal pet peeve of mine. This is the issue of how we derive the bearings on our plans and the way we, as surveyors, display and identify them.

At a recent meeting of our plan quality staff there was a repeat topic addressed, one which I thought was quite clearly outlined in our MSP, but upon review have discovered otherwise. The issue was related to bearings and the questions raised were:

- Are we required to show an assumed bearing and how is it to be shown?
- When do we have to show astronomic or grid bearings?
- How are we to show ties to survey control?

The reason for the questions stemmed from our plan examiners noticing recently registered plans which seemed to either lack an assumed bearing or have assumed bearings that could not be related to an existing plan.

Reference line: The reference line of the survey must be clearly indicated. Normally it is allotted an assumed bearing and related to the basic township survey system. If the survey is subject to the provisions of a “Declared Survey Control Area,” grid bearings are to be shown. This is the only statement I could find related to assumed bearings in our current governing manuals. Clearly, for all plans to be registered at Land Titles, we are to have a reference line. However, the lack of the word “astronomic” and the use of words like “normally” and “related to the basic township survey” appear to leave the door open for surveyors to assume a bearing, astronomic or grid, and that neither would necessarily have to relate to a specific plan. It would appear the only definitive statement relates to grid bearings and “Declared Survey Control Area” (DSCA) and I have yet to find a definition of just exactly what that is.

As this seems to be contrary to what I remember to be accepted practice, I researched old MSPs to see what has changed. It would appear that in 2002, the membership decided to remove a statement that had existed in the Manual up to the previous year. The position of the 2001 MSP portion that was removed reads:

Part D, Section 1.14.1: The reference or “assumed” bearing for the survey shall be clearly indicated on the plan of survey. Assumed bearings shall be directly or indirectly referenced to the astronomic bearing shown on the township plan, unless the survey has been integrated into the provincial survey control network. Bearings on all lines shall be shown as “full circle bearings…”

The two statements are very similar, which may be why it was removed from our MSP. However, there are some key differences. The 2001 MSP was clear that an assumed bearing had to be “astronomic” (unless integrated). Also, there is a more definitive statement of what we “shall” do as opposed to “normally” do. The bearings were to be directly or indirectly referenced to the township plan, not merely related to the basic township survey system.” Further, the issue of astronomic versus grid is determined by whether a survey has been integrated as opposed to subject to the DSCA provisions as per the LTO Manual.

As I still did not have any definitive answers, I continued to review other sections of the MSP. I was certain we must have set very clear rules. Again, I was left somewhat on the fence. All of us show our Section 47 plans and integrated plans in grid bearings but I am not certain it is necessary. In Part D, Section 1, General Requirements for Plans, part 1.2 regarding the recognized datum for spatially referenced data states:

…This datum and related ellipsoid therefore shall be shown on all plans of survey registered in the Land Titles Office, if plan information relates to grid bearings or grid coordinates.

The key element in this statement that adds to my confusion is the word “if.” Does this mean that I can choose to prepare the plan in astronomic bearings?

This section goes on to state:

The plan of survey shall clearly show the datum or origin used for bearings and coordinates on the plan of survey as outlined below:

1…

2 All plans of survey pursuant to Section 47 of the Surveys Act; and Part C Section 5 of the Manual of Standard Practice, using grid bearings or grid coordinates, shall base grid bearings or grid coordinates…

This still appears to leave the door open to choose to not use grid bearings and coordinates.

Part C Section 5 regarding integrated surveys continues to add to the ambiguous-
Perhaps it is time to take a closer look at this issue and bring a little more clarity to our MSP.

It is clear in Section 5.1 and 5.7.1 that we must tie our surveys to survey control. However, regarding bearings, there appears to be options:

...integration with survey control means obtaining sufficient measurements from survey control markers to permit the derivation of grid bearings and the computation of a closure....

Does this mean that we do not actually have to show grid bearings, as long as they can be derived?

I now thought I had not answered but at least dealt with the first two questions and moved onto the last which relates to how we show ties to survey control. The examiners had noticed some practitioners were showing angles between their survey and the ASCM network, while others were showing bearings, some a combination of both. Some were showing grid bearings on the plan but only a single bearing and distance to two or more ASCMs. Again I referred to our MSP.

Part D, Section 1.2.1: Unless circumstances require greater accuracy, bearings should be shown to the nearest five seconds of arc. Ties to survey control shall reflect the actual angle determined.” This has been interpreted by many to mean we must show the actual measured angle on the plan. It should be noted that the portion of the MSP removed in 2001 and quoted above, contained a statement that provided some clarification and said statement still exists in the LTO Procedures Manual.

SUR-1 (20) Measurements (c): All angular measurements of the survey are to appear on the plan as full circle bearings on the various surveyed lines.

Land Titles has accepted plans showing angles, but I believe it is clear they would prefer to see full circle bearings. Further, our own MSP shows other instances of referring to angular information but in fact is interpreted as meaning bearings.

Part D, Section 1.3: “Linear and angular measurement must be shown in all directions from the intersections with previously surveyed lines. In spite of the use of the word “angular” I believe 100% of the membership shows this as full circle bearings. The same logic should apply to control ties. Particularly since most ties are completed with GPS or computed indirectly and in no way actually represent a measured angle. Regarding achieving the “actual angle determined,”

if we simply display the measured bearing between ASCMs, as derived from the actual measured coordinates, the resultant bearings would be equivalent to an actual measured angle.

In the final analysis, my advice to our plan checkers was: for non-integrated surveys, show an assumed bearing on our plans. It is shown via a reference line and must be astronomic and directly related to an existing plan which can be related to the township system. For integrated surveys, bearings must be grid. An assumed grid bearing can be used if the survey falls completely within another plan that has been properly tied to survey control. Either a reference line must be shown on the plan or a note in the legend as to the origin of the bearings. All other integrated surveys, which includes Section 47 plans must show ties to a minimum of two ASCMs and the reference line is the line between the ASCMs and is to be shown on the plan. The ties to control can be shown as angles, but full circle bearings are the preferred and most acceptable means.

These were my answers to the questions, but I am certain a good percentage of our membership may not agree. Further, I am not certain who would be right. Perhaps it is time to take a closer look at this issue and bring a little more clarity to our MSP.

Frank Meashaw, ALS

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**Question Time**

In the last issue of *ALS News*, Hugo Engler wrote a letter to the editor about unregistered survey companies and the illusion that the general public may have that these companies are legitimate survey companies.

Since the letter was published, I received an email from another practitioner who happened to be stuck in a traffic jam yesterday on the highway beside a black truck with Alberta plates and huge decals. The truck was advertising in large print “Shamrock Consulting - Grading certificants, fence lines and RPRs.”

Practitioners are good about letting the Association know about unlicensed people appearing to engage in the practice of land surveying. Often, these unlicensed people have put up a classified ad in the local newspaper to advertise that they can do an RPR or a fence line—many times because they used to work for an Alberta Land Surveyor or had done some construction surveying at some point. **What does the Association do in such cases?**

First, we try to contact the outfit. This isn’t as easy as it sounds because these unlicensed firms may have only an unlisted cell phone number or may be operating out of their homes. If we can get a hold of them, we explain the provisions of the Land Surveyors Act to them and follow it up with a letter and ask for an undertaking. The letter is very important because, if the unlicensed person continues to practice, it indicates to the court that the person was aware of the provisions of the Act and the consequences.

If the person persists in practicing, then the Association will go to court to request an injunction as it did last year in the case of Peter Lynne and Greentree Technologies.

The standard letter reads:

*The Alberta Land Surveyors’ Association has been made aware of your firm and that it may be holding itself out as a surveyor.*

I enclose for your review, the following:

- **Sections 1-6 of the Land Surveyors Act, S.A. 1981, C.L-4.1 as amended;**
- **Section 71-72 of the Land Surveyors Act.**

This material is enclosed because it sets

...continued on page 50
BUSY—that is the word of the day, month, year or even the decade. It has been a real boom in Alberta over the last five to ten years and even with a slowdown in many areas, surveyors still seem to be keeping extremely busy.

The Professional Development Committee has not been spared from this trend. We have been asked to complete quite a bit this year and I thought I could fill the rest of the Association in on what we are working on.

As usual, we are preparing and presenting several seminars this year. Topics for this year’s seminars range from issues involving the Energy Resources Conservation Board (ERCB) and the Alberta Utilities Commission (AUC) to a January seminar on condominium surveys. Thank you to everyone who responded to the ERCB and AUC questionnaire in the Friday mailouts; your responses are being used to structure the new seminar.

The PDC continues to present three Getting it Right seminars throughout the province that are very well received. We have also begun organizing a one-day Getting it Right seminar to be presented to the technical institutes in Alberta, so that second-year geomatics students have an idea what it takes to produce correct surveys here in Alberta. The addition of another group of Getting it Right seminars means our volunteer pool is getting mighty small, and if anyone is interested in becoming a presenter please let the PDC know.

On a related topic, although the attendance to the Getting it Right seminars is always excellent, the breakdown of who is attending is a little concerning to me. Relatively very few survey technologists attend the seminar. The room is generally filled with articled students and drafting personnel. The Getting it Right seminar is a presentation meant for all members of a survey team. A great deal of field procedures and evidence assessment is reviewed in the seminar, making it very useful to field staff. Our survey crews are the frontline; our eyes and ears in the field. Getting it Right hinges greatly on the survey technologist decisions and this seminar is a great training tool for any party chief.

This year is the third year the PDC has presented the Exam Preparation seminar twice—once in March and once in September. The addition of the fall exam seminar coincides with the Registration Committee’s addition of a fall sitting for the professional exams. Many of the old Exam Preparation seminar questions and solutions can be found on the Sarwiki website, as well as a forum for articled students and associate members to share information on other problems they may have.

The PDC has also been asked to perform a few more tasks this year. With systematic practice review at a virtual standstill, the topic of mandatory continuing education is being thrown about. The PDC has been asked by Council to prepare a report outlining how to develop a mandatory continuing education regime for presentation at the 100th AGM. Please do not panic, this report is not intended to mandate continuing education, but rather give the Association an outline or certain steps that it could follow to create a program should the membership ever decide mandatory continuing education is something that the Association wants to implement.

Last year, the PDC looked into the possibility of retaining a consultant to aid in the preparation of our seminars, to train our presenters, and to assist the PDC in making more of our resources available online. The prospect of mandatory continuing education could change the role of a consultant, so the PDC is also adjusting this recommendation to Council to account for this possible change.

The 100th AGM at the Banff Springs Hotel is approaching sooner than I want to admit. The Committee is working with Council to provide this year’s attendees with some very dynamic presenters with topical and interesting presentations. Nothing is finalized, but I feel the membership will enjoy this year’s AGM seminar.

As I previously mentioned, everyone is very busy these days and many of us put off what we deem as less important or urgent. I hope professional development is not one of those things put to the side. As professionals, we have an obligation to train our staff and keep ourselves up to date on all the new techniques, procedures and policies that affect us as land surveyors. The Professional Development Committee is working to assist the membership, but we could always use suggestions and a few more volunteers.

Marty Robinson, ALS
FieldGenius Has Evolved Into the Most Powerful and Productive Data Collection Software in the Land Surveying Market.

What sets FieldGenius apart from the competition?

- **Code** Free Linework: Linework is created automatically without entering codes and is instantly displayed, eliminating the need for a separate sketch. No need to connect the dots back at the office.
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Our technical sales staff will be happy to give you a live online demonstration of our software so you can see firsthand how FieldGenius can make you more productive in the field and in the office. If you have any questions please do not hesitate to call us at 1-800-668-3312. You can also check out more product information online at www.microsurvey.com

www.microsurvey.com
1.800.668.3312
It’s not what you know…..

Many of you will have already quietly finished that sentence with “it’s who you know.” While that may be true, I’d like you, for a minute, to consider what these people (as well as people you don’t know) know about you, or more important what they think they know about you.

“They” may be employers or employees, current or potential clients, friends, family, anyone; and their perception of us can impact our real lives, both personally and professionally, regardless of whether or not that perception is accurate. Further, we may be affected by perceptions of others who are in some way related to us through friendship, family, work and so on.

In this context I’d like to talk a bit about social networking, an idea suggested to me by Brian Stecyk. A social network is something we are all familiar with; it is our friends, family, coworkers and business contacts and acquaintances. New technology and faster communication has lead to the widespread development of social networking websites. A social network website is a website that allows individuals to create a profile, either public or semi public. It also allows these users to create a list of other users with whom they share some connection and to traverse both their lists and those made by others. There are many of these websites—hundreds in fact. Some of the most popular are Facebook, MySpace, Friendster, YouTube and so on. They don’t all necessarily share the same functionality. Some may allow you to share comments and photos, others may allow customization of your individual profile and all of this can assist in forming an impression about you. Many of you are aware of the costs associated with lost productivity due to time spent on these websites during work hours, but there are potential costs and benefits associated with the content that is posted on these websites.

In a recent survey of approximately 11,600 online Canadians, it was found that 30% visited a social networking website in the past month, and 12% had visited a business networking website. A major reason cited in this survey as to why people use social networking websites is that they feel it allows them to express themselves and show the world a side of themselves that they might not ordinarily see. Social networking websites allow for an authenticity that cannot be typically obtained in real life. At school or work, one needs to keep up appearances. On a social network website, however, a person can feel free to be themselves and reveal parts of their life that they normally wouldn’t.

Let’s say that a member of the public is randomly browsing the internet looking for information on my particular survey company and they stumble across my Facebook profile on which I say that I’m an employee of Guy Terrifico Surveys. They might look around my profile, at which time they’ll be disconcerted to learn all of the terrible things that I have to say about my company and my boss. When they read about how incompetent I think my boss is, or about how terrible the working conditions are, this member of the public will likely be very skeptical upon visiting the Guy Terrifico website and reading my company’s literature on what a community-oriented company we are, and how our commitment to workplace safety is second to none. Odds are they won’t be terribly interested in hiring my company to perform their work, even if I personally won’t be doing it.

It used to be said that a customer left with a good impression tells three friends, while a customer left with a bad one tells ten. Nowadays, a dissatisfied customer has the ability to easily tell thousands of people! An exaggerated example to be sure, but to a lesser extent, people on social network websites often post information, pictures or comments with little or no thought as to who (beyond their circle of contacts) may be looking at it, and this can have very real consequences to your business.

I recall an example of this. A crew chief, with a love for the outdoors, made a foolish decision and got too close to some of the local wildlife, compounding his error in judgment by videotaping himself. While he never intended to make this video widely available, he distributed it to only a few friends without considering where it might go next. Those friends sent it to a few more, and they to a few
...most of the people who might run into trouble on a social networking website don’t do so on purpose...

It’s not all bad news when it comes to social network websites however. In the study I mentioned earlier, they concluded that “social networks represent the new town square.” A place where people can come together and share opinions, likes, and dislikes on any number of people, products, places and information. While traditional marketing may not work well in this forum, positive word of mouth proclaiming what a good job your company does, and how courteous your field staff were, has the potential to spread far and wide garnering all kinds of potential new work.

So given that many people use these websites (most of them conscientiously) and a blanket ban on employees visiting them would be nearly impossible to enforce, what’s an employer to do? I would submit that most of the people who might run into trouble on a social networking website don’t do so on purpose but they run into trouble because they simply aren’t aware of who might be looking, and what image they might be presenting. In order to help protect the image of a company, some education might be in order. Nothing major, but perhaps a brief e-mail explaining that, indeed, the internet offers a great deal of anonymity, but it’s not complete anonymity and that if you’ll be posting any kind of relationship to the company, you should ensure that the image you present will be the one you intend to present.

Individually, each social network website is a fad. Yesterday, MySpace was the big thing, today it’s Facebook, and tomorrow it’s who knows? In principle, however, I think they’re here to stay. In an ever increasingly digital world, people will continue to use social network websites or something much like them to enhance and add value to their real world lives and, as such, these websites will continue to affect the real world.

Patrick Wetherup, Articled Student
I received a phone call two weeks ago from my fearless leader, Barry Fleece, Safety Committee Chairman, where I was “volun-told” to submit an ALS News article on a safety topic of my choice. With so much flexibility on what I could write about, I actually found it difficult to come up with a topic. Naturally, like any good articled student, I leaned on my principal, Scott Partridge, who informed me he knew of some firms that do not have a formal safety program in place. Well, with topic in hand, I began my research.

No matter what the situation is with your business, a safety program should be a top priority. Without a successful program in place, your business, your employees and you are all at risk. Not to mention the public, whose interest is considered quite important to an Alberta Land Surveyor. Isn’t it?

...for all of our sakes, and our families, “get your safety program working today!”

Obviously, the risk of serious injury or even death is not enough to get everybody on the road to a safer work place, so try this on for size. In 2007, the fines handed out for Occupational Health and Safety infringements in Alberta reached an all-time high of $1,720,000.00. WOW! If that doesn’t get your attention, I don’t know what will. Do you know the maximum penalty for a first offence under the OHS Act? You could receive a fine of $500,000 and/or six months in prison.

It is understandable, when a company falls short of developing a safety program. The time and effort required creating one, let alone a successful one, is far greater and complicated than most realize. Originally, I planned to create a step-by-step guide to help a survey firm develop a successful program, but I soon realized how enormous a task it can be. What I am presenting are some of the main points which should be considered when developing your safety program.

POLICIES—will outline your company’s broad view of safety and demonstrate how all employees participate and what responsibilities each have according to their level of management and/or duties.

PROCEDURES—outline how to approach a task safely and what action should be taken to limit the risk of injury when a hazard is known.

TRAINING—of all employees should be thorough, and all safety courses and skills should be updated regularly.

SAFETY MEETINGS—should be conducted on a regular basis and all employees should participate.

SAFETY AUDITS—are a great way to keep not only field crews on track, but office personnel as well.

These are just a small sample of some key points that must be addressed when creating or assessing your safety program. A work environment will never become safe until all employees are on board and have a positive attitude toward safety. It is important that all owners, management and anyone else with supervisory roles, create and promote their company safety program not only with words, but by setting an example for all to see. If you are having problems getting started, ask a colleague or perhaps you need the advice of a company who specializes in developing and maintaining a safety program. They are out there. I found companies with this specialty simply by using a search engine and a few key words. Whatever the situation is at your company, there is no longer an excuse to procrastinate. So, please, for all of our sakes, and our families, “GET YOUR SAFETY PROGRAM WORKING TODAY!”

Mike Prokopetz, Articled Student
Surveying in Rwanda.

David N. Marquardt, ALS

By the time most people read this, it will have been a short fourteen years ago that the most prolific genocide known to man took place in the beautiful, tiny country of Rwanda in central Africa. In April 1994, and in a little over 100 days, over one million innocent people were tortured and slaughtered in the most evil of ways possible, while the rest of the world turned a blind eye and a deaf ear; that is except for France, who purely for their own self-interests, knowingly and directly supported the existing extremist government and thus the genocide. It was both a civil war and a meticulously planned extermination.

To put everything into perspective—take the triangle of land defined by Calgary, Ft. McLeod and Medicine Hat, (about the size of Rwanda), add in mountains, volcanoes, steep valleys and some jungle, (it is called the Land of a Thousand Hills for a reason) such that one-fifth of the land is uninhabitable. Then, mix in six million more people and in a 100-day span, wipe out the entire city of Calgary at a rate of 10,000 per day, mostly by machete. Four million would go into exile into Saskatchewan and the USA. Oh, and one other tiny thing—all your immediate and extended family, relatives, neighbours and friends are involved as either killers or victims. Which side you were on, would depend if you are a true native Albertan or not.

For most of us, that is a totally ludicrous thought, and to make matters worse, at the end of that 100-day span, most everyone goes back to living in their same neighborhoods—mixtures of tiny crowded plots of land owned by killers and victims, but under a different government where there is a better measure of safety now.

Without any specific details or history, that is a pretty good likeness of what transpired in Rwanda fourteen years go and the current living arrangements. What the media back then grossly mistakenly labeled as the “rebels,” were actually the good guys who eventually chased out the extremist government troops (bad guys) and the French-trained militia (Interahammwe—even worse than bad guys). With the extremist propaganda machine working at full-tilt, people were betrayed by friends, neighbours, family and even their own churches. For the why, the how, the inspiring true stories of survival, I would refer you to a few books, like “Shake Hands with the Devil” by Canadian General Romeo Dallaire, “A Thousand Hills” by Steven Kinzer, and “We Regret to Inform You That Tomorrow We Will Be Killed with the Rest of Our Family” by Phillip Gourevitch. Imaculee Ilibagiza’s chilling 90-day account of her own survival in her book “Left to Tell” is an ultimate definition of the word forgiveness, something that most of us would not be able to totally comprehend without God’s help. The award winning HBO movie “Sometimes in April,” puts together many of the horrific stories in these books and plays it out on the screen.

So what the heck am I doing there fourteen years later? And not once, but twice? Just a couple of site surveys…two more world projects with Engineering Ministries International Canada, www.emicanada.org (based in Calgary) and EMI-International, www.emiusa.org (based in Colorado Springs, USA). Our projects in Rwanda? In February 2008 to survey and design a centre for peace and reconciliation and this past June to survey and design a university/technical/business college primarily for the genocide orphans of Sonrise Orphanage School, www.mustardseedproject.org/section.asp?secID=7,

February 2008: Centre for Peace and Reconciliation—Kigali, Rwanda

Why something like this? The civil war and the concurrent genocide virtually wiped out Rwanda’s judicial system, as judges, lawyers, and all moderate government leaders and employees were the first to be killed by extremist government troops and the Interahammwe in the genocide. Yes, it was planned that way so the genocidaires would be free without any witnesses or a judicial system to accuse them when the extermination was complete. So today, with 250,000 of these ex-soldiers and Interahammwe in prison awaiting trial and in work camps and another 600,000 free on close probation orders, it would take an estimated 300-400 years of 24-7 judicial processing to work through these numbers.

What about the millions of victims’ families and survivors who are mentally still struggling with the evil black hole of the past? To get a true feel of the breadth, extent, and depth of this evil event, we visited the main Genocide Memorial in Kigali and two of the most notorious church massacre sites—Nyamata and Ntarama. No matter how much you read and think you understand the horriblenes, it slams you.

When the ultimate task at hand is the spiritual and emotional re-construction of a nation, the task is a dauntingly near impossible one by human standards. Hence a protected place of Spiritual Healing where these victims, and yes, perpetrators, and killers can get their lives back on track in a biblical perspective, similar to
..there were no survey monuments to tie to and no control in this rural area south of Kigali the capital. How to orientate things with no real survey plans or maps?

what the local Gacacha courts are currently doing. The amazing thing about this process is that it seems to be working. To most of you this sounds outright ridiculous, but remember, this is Africa, a continent of extremes. There are more devout Christians here than anywhere on Earth as well as despotic dictators and their followers who unfortunately seem to get all the headlines.

The survey was somewhat simple in perspective, 250-300 shots in a mixture of treed terrain and a cornfield, to determine grades, low areas for septic fields, flatter spots for activity areas and vegetable gardens as well as existing trees (mango, avocado, passion-
fruit) to be left in place. But there were no survey monuments to tie to and no control in this rural area south of Kigali the capital. How to orientate things with no real survey plans or maps? Three choices—one was a sunshot at about 9:30 a.m. which I had precalculated would be about due East. Well, I forgot we are on Rwandan time and some Rwandans are not too conducive to getting up early in the morning to drive anyone to a jobsite. Second choice—hand-held GPS observations on a series of traverse/control points, yielded bearings comparable (within 5-10 degrees of UTM grid). The third choice was to tie in roof corners of nearby structures visible in Google Earth, provided the imagery is of 2m resolution or better. In this case, it was and that is what we were able to do. What this allows you to do is to orientate your survey to something that is a close approximation to astronomic. When the survey was done, the engineers and architects took my DEM model and figured out where to put buildings, drainage, water and sewer lines, cisterns, electrical and activity areas. Watching them always was a time for learning something new.

Major Elements and Site Features

1. Onsite Vehicle Parking
2. Visitor Dropoff
3. Arrival Gazebo
4. Counseling Centre (+Administration guest housing and initial staff housing)
5. Classroom/Training Centre
6. Multipurpose Hall
7. Staff Housing
8. Basketball Court
9. Outdoor Terraces
10. Food Gardens
11. Casual Outdoor Play Areas
12. Retreat Gazebos

June 2008: Muhabura University/Technical/Business College Ruhengeri, Rwanda

The civil war of 1990-96, the main genocide of 1994, and the resulting HIV/AIDS pandemic, (another planned intentional torture inflicted by the extremist government troops), left more than 500,000 orphans in Rwanda. Understand one other chilling fact...95% of these orphans likely saw their parents and family killed during the genocide. Bishop John Rucyahana started Sonrise Orphanage School (www.mustardseedproject.org/section.asp?secID=4) in the hopes of giving some of these orphans the gift of a lifetime…a solid Christian education…to start at the roots and build lives up. It has been a success beyond anyone’s wildest dreams, except perhaps his. Originally started as a primary school (grades 1-4), it now has high school students set to graduate in 2010 with some of the best academic results in Africa. They need some place to go upon graduation, hence this Christian University/Technical/Business College.

Surveying in the shadow of volcanoes, about 20km from where Dian Fossey studied the massive mountain gorillas, (Gorillas in the Mist), was a daily distraction as were the torrential rains that swept down off the slopes of Mt. Muhabura.
If that wasn’t enough, perhaps it was the 30-year old military base that we were surveying on, which was the parcel given up for this university-to-be. My first question before stepping out of Canada was, “Is there any chance of finding unexploded ordnance here and perhaps I should bring my Schonstedt metal locator to be sure?” No ordnance and thank you, my pin finder stayed home, but there were spent shell casings everywhere. This was by far the most intense project I had worked on at a size of nearly 25 acres and it was with good grace that a long-time friend and survey colleague Christopher Goldring (Can-Am Geomatics) decided that he had enough of my adventure stories and decided to come along and put a determined shoulder into the project. We also had fabulous help from three local fellows, who as it turned out, really got a hook about surveying.

By sheer luck, Google Earth had just input higher resolution imagery for this area, on the day we actually left to go to Rwanda, and one of our American team-mates was able to acquire it on his laptop and bring it over. Like before, we tied in several visible roof corners, and the resulting baselines gave us a scale factor for the image to fit into our ground survey, and an orientation for the ground survey as well with spectacular results, (see picture). Despite rain delays which, it seems, could fill a glass of water in 20 minutes, we shot in some 600 points in three days. Like similar projects here in Rwanda, there is no property corner monumentation, and as a surveyor, accepting lines of long-time possession carry much weight. The recent surveys done on both these projects did not fit with ours or what was evident in the field and in this case the area was almost one acre different.

The final presentation of this special project was to a who’s-who in the Rwandan Government, with the exception of President Kagame who was in South Korea, at a packed dinner gala in the panoramic convention room, upstairs in the Hotel des Milles Collines (Hotel of a Thousand Hills, …yes, the real Hotel Rwanda), in the capital, Kigali. As I stood looking out the window over Kigali and down at the infamous pool that was the reservoir of drinking water for the 1,300 people besieged in this hotel during the 100 days of genocide, as beautiful as it is now, I couldn’t help thinking of the stacks of corpses that would have been visible 14 years ago, the screams of slaughter, and the smell of death, that would have permeated the air…and how good we have it here at home.

So much to do…so little time…

Rwanda is called the Land of a Thousand Hills for a very good reason, it is very rugged and green…the jewel of Africa and I will say it is so incredibly beautiful, that it is very likely I will be going back on other projects in the future so long as I am able to keep up with the young ones and put up with the malaria pills!! While the numerous construction cranes in the capital city of Kigali show the outward signs of construction, deep wounds still remain for most, just below the surface of the warm friendly smiles that greet the foreign visitor. The physical scars of many of the twenty-somethings and older, the results of machete blows meant to kill, run deep,
Rwanda is called the Land of a Thousand Hills for a very good reason, it is very rugged and green...it is so incredibly beautiful...

but not as deep as the emotional wounds left by the inexplicable hatred and betrayal. Older people were very friendly, but guarded; the younger ones, much more open and the kids were always an absolute joy. If you are visibly Canadian, it is safe to walk the streets...even at night.

When we were not working on our project, there were other places and things to do: speaking with youth groups, spending time with the kids at Sonrise orphanage, and at Shyria Hospital, volunteering at Women's HIV ministries, helping out with a nearby fellow who made wooden prosthetics and another who made clay roof tiles, or hanging out with local groups frequenting the Bourbon St. Internet Café in Kigali.

One of the toughest things I have ever done in my whole life, was to speak to a youth group of about 30 boys and girls, between the ages of 16 and 24 on the importance of believing in and following God, having goals, dreams and finding a trusting mentor here on Earth (knowing full-well that some of these kids lost most if not their whole family since 1994). Then, to get home to a half-dozen emails from some of them, asking if I would consider being their mentor/father here on earth. I used to think I was having a brutal day when my traverse wouldn’t close.

As they say in Kin-yarwanda—Muracoze cheney—thank you very much—for taking the time to read. As always, if something like this interests you, by all means give me a call or an email. You will be challenged but not disappointed.

For some more great pictures and short videos, click on these PowerPoint links of the two trips. If you have 20 minutes to download and 20 minutes to watch...there are some awesome photos (www.midwestsurveys.com/alsa_emi_trip_5450-rwanda.htm and www.midwestsurveys.com/alsa_emi_trip_5464-rwanda.htm).

A special thanks to Jim Halliday ALS (Midwest Surveys) and Jim MacLeod ALS (Focus Surveys Limited Partnership) for their generous financial support and to Joe Longo ALS (Altus Geomatics) for the donation of 50 T-shirts that were given to Joy Rusitz, a tearful and very thankful Director of Sonrise Orphanage and School, Ruhengeri, Rwanda.

With gracious acknowledgment and thanks to EMI and all my teammates.
High Court Rules in Favour of Surveyors’ Copyright

The following e-mail was sent to Ken Allred, ALS from Pat McNamaram, Director, Lean & Hayward Pty Ltd.

You may remember we corresponded on Copyright and Intellectual Property some years ago when you were on FIG.

The Australian High Court last week handed down a major decision on copyright for Surveyors, a significant 5-0 win confirming that not only do Surveyors own the copyright in their works but that the government DO NOT have an implied licence to use the material.

I have been running this project for 12 years for the Association of Consulting Surveyors NSW and presented a paper at the FIG Brighton Conference on the topic some years ago as well.

I have attached a media release and the web reference for the decision.

I believe this is the most important legal precedent to be set in the area of Intellectual Property for Surveyors and will have ramifications across the world. ... 

Copyright Agency Limited (CAL)’s case for surveyors to have their copyright claims acknowledged has proved successful, with the High Court today overturning the Full Federal Court’s decision that state governments had an implied licence to use survey plans for free.

Surveyors have been concerned at the extensive use of their works for commercial purposes by state governments since 1997, and asked CAL to negotiate with State governments on their behalf.

CAL is an Australian copyright management company whose role is to provide a bridge between creators and users of copyright material. CAL represents copyright owners, including surveyors, as their non-exclusive agent to license the copying of their works to the general community, including government.

CAL began negotiations with state governments with respect to the use of surveyors’ plans in 1997. A Copyright Tribunal application to determine payment was lodged in 2003, with the High Court application commencing in 2007.

Prior to the High Court application the Full Federal Court rejected a claim by the NSW Government that it owned the copyright in plans surveyors created and registered – but found that there was an implied licence allowing the NSW government to use the plans, without payment to surveyors.

CAL appealed the Full Federal Court’s decision, on the grounds that the state’s use of surveyors’ registered plans are subject to section 183 of the Copyright Act (Crown Copying Provisions), and therefore should be paid for.

Pat McNamara from the Association of Consulting Surveyors NSW, said that the ruling is good news for surveyors, and importantly, that it will not impede the management of the land title system in Australia. “The land title system in Australia is one which all surveyors hold dear to their hearts, and our intention has never been to compromise this process,” said Mr McNamara. “However the decision does mean that the extensive unremunerated use of surveyors’ work by government will cease, and surveyors will be recognised as creators, and rewarded for the use of their work.”

CAL Chief Executive Jim Alexander said that the decision is a significant step for all copyright owners. “The High Court ruling acknowledges the importance of individual skill and input into survey maps and plans,” said Mr Alexander. “On a larger scale the decision also acknowledges the importance in valuing creative works. It puts paid to the concept of an implied licence giving away the right to use works without remunerating the creator.”

For more information log on to www.austlii.edu.au.au/cases/cth/HCA/2008/35.html.

Real Property: EASEMENTS—Applicant was granted a declaration that it had an easement over a laneway on the northerly part of respondent’s property.

Application for a declaration of an easement for vehicular access over a laneway on the northerly part of property owned by respondent. Applicant purchased a property in 2005 from S, who bought it in 1978. There was a two-storey brick building on the property and a parking lot at the back. The only access from the street to the parking lot was the laneway. S and his visitors had full unimpeded use of the laneway. S entered into an agreement in 1984 with the previous owners of respondent’s property acknowledging S’s right to use the laneway for ingress and egress from the parking lot. A further agreement was signed in 1987 to accommodate the developer of a proposed condominium project providing that S would have permanent access to his rear property and receive financial compensation in return for his consent to the proposed construction and that the easement would survive any transfer of his interest. In 1990, S registered a copy of the agreement against title to the condominium property.

**HELD:** Application allowed. The 1987 agreement was only an “agreement to agree” and was not enforceable. However, applicant’s claim met all the criteria of an easement. There were dominant and servient tenement belonging to different owners. The exercise of the easement was for the use and benefit of the dominant tenement. Without access to the back of the property by way of the disputed lane, applicant could not make use of the attached parking lot for its building. The claim was capable of forming the subject matter of a grant. In exchange for agreeing to withdraw any objections he had to the proposed condominium development and refrain from impeding the construction, S’s claim to the use of the laneway over respondent’s property gave rise to an easement on the basis of proprietary estoppel. When applicant as a good faith purchaser obtained the land, such easement flowed with the title. 


This articles was reprinted with permission and originally appeared in the July 4, 2008 issues of The Lawyers Weekly published by Lexisnexis Canada Inc.
The End of Self-Regulation of the Legal Profession in England
by Richard Steinecke  …  August 2008 - No. 126

As of September 1, 2008, the Legal Services Board will be appointed for England and Wales. The Board will be the single independent oversight regulator of legal services in England. What is unique about the Board is that it is not wholly or even substantially selected by the legal profession. It is entirely appointed by the government.

While some of the appointees are barristers or solicitors, most are not. They were chosen for their experience in consumer issues, regulatory experience, the legal sector and public service. Some are consumer advocates and many have worked with government or public regulatory organizations in the past.

The Board will have three years to establish its infrastructure and fully assume its regulatory role. It will act as an “oversight regulator” for all bodies involved in the regulation of legal services.

The Board is part of a comprehensive package of reform (Legal Services Act 2007) to the regulation of the legal profession in England. The purpose of the reforms is described by the English government as follows:

The current regulatory framework is complex and fragmented, with regulatory anomalies and gaps, which make it confusing for consumers. The new system will put an end to this confusion and will establish a clear, flexible and transparent system, which is responsive to consumer needs, with a single set of regulatory objectives.

A second component of the reforms is the establishment of the Office of Legal Complaints (OLC). The OLC will be established and monitored by the Board. The OLC will be completely independent of the legal profession. The OLC “will administer an ombudsman scheme that will deal with all consumer complaints about legal services… Legal service providers would be required to maintain ‘in-house’ complaints handling procedures, which will have to satisfy any requirements set by the [Board], to deal with complaints made by consumers in the first instance. The OLC will then handle all complaints made against providers that cannot be resolved at the local level. This will remove the current uncertainty amongst consumers as to where, or to whom, they should address their complaint.”

The third component of the reforms is to permit alternative business structures (ABS). “Different types of lawyers, and non-lawyers will be able to work together in innovative practices, including ‘one-stop shops,’ which can deliver packages of legal and other services in more consumer focussed and convenient ways.”

“The [Board] will supervise all licensing authorities (i.e. those bodies that regulate ABS) and will make rules governing how it carries out this supervision. It will also have powers to decide which bodies may become licensing authorities and it can in certain circumstances become one itself.”

This alternative business structures reform is not dissimilar to some of the recommendations made by Canada’s own Competition Bureau over the past year.

These reforms are similar to some of the recent measures taken with respect to the medical profession in England, which has also lost a significant measure of its authority to regulate itself. While it is difficult to determine with certainty the causes of the loss of self-regulation in England in the two professions most associated with the concept over the past few centuries, two factors emerge as significant.

First, there appeared to be an inability of professional bodies to separate their regulatory and self-interest roles. This became obvious in the submission of the General Council of the Bar (the group for barristers) on the Legal Services Act 2007. It began its submission as follows:

The Bar Council is the professional body that represents the interests of 14,000 barristers in England and Wales. As the governing body for the Bar it has a dual role in representing the interests of barristers and of regulating their work in the public interest.

Regulators wishing to avoid a similar fate should ensure that they have two independent organizations, one for self-regulation and one for advocacy. And, the regulatory organization should be careful to avoid even a perception of becoming influenced by professional advocacy interests.

The second factor was the poor handling of consumer concerns. It would be fair to say that there were regulatory scandals, fanned by the media, that prompted significant government intervention. Constantly enhancing its ability to effectively and transparently handle consumer concerns is essential to the long term viability of the self-regulatory model. Of course this is easier said than done.


This article is reprinted with permission and appeared in Grey Areas which is a newsletter published by Steinecke Maciura LeBlanc, a law firm practising in the field of professional regulation.

Recent Canadian Court Cases Involving Land Surveyors

5. Freedom Villages Inc. v. Gander (Town) & Turner, 2008 NLTD 116 (CanLII)—2008-06-26, Supreme Court of Newfoundland and Labrador, Trial Division.
University of Calgary

Dr. El-Sheimy Elected as the President of the ISPRS Commission I—July 28, 2008
The Department is pleased to announce that Dr. Naser El-Sheimy, Professor and Head, was elected by the general assembly of the International Society for Photogrammetry and Remote Sensing (ISPRS) as the president of Commission I (Sensors and Platforms) for 2008 to 2012. Dr. El-Sheimy was nominated by the Canadian Institute of Geomatics and strongly supported by Dean Elizabeth Cannon. The ISPRS (www.isprs.org) is an international non-governmental organization devoted to the development of international cooperation for the advancement of knowledge, research, development and education in the photogrammetry, remote sensing and spatial information sciences, their integration and application to contribute to the well-being of humanity and sustainability of the environment.

Danielle Marceau, New Associate Head
Graduate Studies—June 18, 2008

Dr. Danielle Marceau has agreed to take over the position of the Associate Head Graduate Studies effective September 1, 2008 for a three-year term.

Geomatics Students Won Awards at the GEOIDE 2008 Annual Scientific Conference (ASC)—June 13, 2008
The Department had a strong presence (8 faculty members and 15 students) at the Geoide Annual Scientific Conference (ASC) which was held at the Crowne Plaza Hotel in Niagara Falls, Ontario, from May 28th to 30th.

Graduate students from the Department won three out of the six Geoide’s ASC awards:
- Zainab Syed won the GEOIDE Communicator of Excellence Award.
- Taher Hassan and Ossama Al-Fanek won the GEOIDE Delegates’ Choice Awards.

University of New Brunswick

Dr. Yun Zhang Awarded Canada Research Chair in Advanced Geomatics Image Processing
Dr. Yun Zhang has been selected as one of the new Canada Research Chairs. The significant financial award will enable Dr. Zhang to build on his strengths in remote sensing and focus on advanced geomatics image processing research. Chairs are awarded to exceptional researchers acknowledged by their peers as having the potential to lead in their field.

Dr. Zhang’s award was highlighted in the Canada Research Chairs news release:
“Yun Zhang, Canada Research Chair in Advanced Geomatics Image Processing, University of New Brunswick. What do NASA, Google Earth and Canada’s Department of National Defence have in common? They are all making use of Zhang’s licensed software and automated image-fusion technique. As an expert geomatician, in an industry that creates tools for land surveying, global positioning and earth mapping, Zhang is developing revolutionary ways to build on geospatial information.”
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The following is an excerpt from *Antarctica*.

Ken Pawson was born on a small farm near Triangle, a little village near Halifax, Yorkshire, UK. Ken joined the RAF in 1942 and served in Training Command and Atlantic Transport Command in England, Canada, Bermuda and Trinidad until 1946. From December 1947 to July 1950, he served with the Falkland Island Dependencies Survey (FIDS), working from bases on islands off the west coast of the antarctic peninsula as meteorologist and assistant surveyor.

After returning to England, he continued his surveying training at University College, London. On January 5, 1952, Ken married Jean Beck, a young nurse from Tasmania.

During the next five years, they lived in various parts of the tropics and, in 1956, their first child, Brett, was born in Sarawak. He was the first white baby many of the Duyak people had seen.

In 1961, Ken became the land surveyor for the city of Calgary. He was responsible for initiating a system of survey control stations which became the model for many other parts of Canada.

For some twenty years, Ken was active on the Calgary Mountain Rescue Group, from its inception to its close when sufficient Provincial Parks Wardens became available for this kind of emergency.

Ken Pawson - 1950

“Let us probe the silent places, let us seek what luck betide us; Let us journey to a lonely land I know.”

*Robert Service*

ON a recent browse through the ALSA library, I came across a book that, to my amazement, had sat there unopened for over six years. I had been aware that our colleague, Ken Pawson, ALS (Hon. Life) had written a book about his two years in the Antarctica but I had never seen the book. Having known Ken for over 40 years and having had a taste of the Antarctic (from the deck of a cruise ship) there was no question that I would read this book.

Many surveyors have seen hardships; snowbound for weeks, six months in the bush or stranded on a remote island; but two years away from civilization, with only an annual supply ship that may arrive tomorrow or two months from now, or five days and nights in a small tent in a raging blizzard with the only escape to get out to feed the dogs now that has to be something to write home about.

Ken Pawson has written about his experiences in the Antarctica, his companions, adventures, the scenery, the wildlife, the long winters and the changing weather conditions. Hired on as a meteorologist and assistant surveyor, Ken spent the first year at Port Lockroy just north of the Antarctic Circle with three companions and two dogs. During their stay at Port Lockroy, they traversed most of Wiencke Island on excursions lasting up to three weeks, climbing peaks, traversing glaciers, and dodging avalanches.

The second year meant a move to Admiralty Bay on King George Island near the northern tip of the Antarctic. This was a much larger island and the adventures were much more extensive with trips away from camp lasting over a month and much more treacherous weather conditions. This camp hosted six men and two full dog teams.

This book is not your typical dog story—in fact it is not a dog story at all, but the reliance on the dogs for transportation was heart rendering, for without reliable dog teams, no antarctic adventure would be possible. The concluding pages of the book express very warmly the author’s compassion for the dogs he had to leave behind at the end of the excursion. One dog, in particular—Yap, the lead dog left an indelible mark on Ken Pawson’s heart as expressed in his poems and tribute at the conclusion of the book. I am sure his husky pets in later years were his way of reliving those adventurous days in that lonely land.

This book is well written and well illustrated with photographs at the end of each chapter. There are five maps, two being detailed inserts which detail the geography in the environs of the two base camps. I would recommend this book as an insight into the life of our colleague, Ken Pawson, ALS (Hon. Life).

G.K. Allred

ISBN 0-9681675-1-9 (pbk.); 314 p. plus maps, and photos; Whippoorwill Press; ALSA library M1142

All excerpts and photos from the book “Antarctica” are reproduced here with the permission of Ken Pawson, ALS (Hon. Life).
out the definitions of areas of exclusive practice of land surveying and the applicable prohibitions, remedies and potential penalties under the Act.

I draw your attention to the provisions of Section 1(i) which defines the practice of land surveying and Section 1(j) which defines the practice of surveying. Section 2(i) of the Act provides that no person except an Alberta land surveyor, surveyor’s corporation or surveyor’s partnership shall engage in the practice of land surveying. If you have any questions regarding specific activities and how they relate to these provisions, I encourage you to contact me.

You will also note that Section 4(1)(c) of the Act prohibits any person from using ‘any title, name, description abbreviation, letter or symbol representing the name ‘Alberta Land Surveyor,’ ‘surveyor’ or ‘land surveyor.’ Section 4(2)(1) and (b) of the Act prohibit any person except a practitioner from representing or holding out expressly or by implication that they are entitled to engage in the practice of land surveying or that they are an Alberta Land Surveyor, surveyor’s corporation or surveyor’s partnership.

I have also included information on the Ron Hunka and Peter Lynne cases concerning unauthorized practice.

The Association does not wish to assume that there was any intent to breach the provisions of the Act. I therefore request that you provide the attached confirmation to our office so that I may provide it to the Council of the Alberta Land Surveyors’ Association.

Brian E. Munday

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**Upcoming Courses**

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*Please Note: these dates are subject to change.*

**2009 Regional Meeting Dates**

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...many property surveys were being carried out by unauthorized persons at prices considerably less than those charged by registered land surveyors and with an equally low standard of care and accuracy.

In spite of the heavy current demand for survey work, the private surveyors were still somewhat Depression-minded, and lacking confidence...

The main stumbling block in getting that problem solved was the inability or unwillingness of the surveyors in private practice to offer steady employment to prospective articled pupils. The typical private survey firm was still a one-man operation on anything more than a day-to-day basis. In that frame of mind, they had not yet organized themselves to operate on anything more than a day-to-day basis. In that frame of mind, they remained reluctant to assume the responsibility of engaging articled pupils, and the few students who did manage to enter into articles were those who, as in previous years, were in regular employment with the government or the railway companies. Before long, however, it became evident that if the private surveyors were to get their share of competent assistants in the face of the competition presented by other employers during the post-war upsurge of activity in engineering, construction and other technical fields of work, they would be obliged to offer not only steady employment to the men they hired but also the prospect of future advancement through articled pupilage.

For the time being, the Association seemed content to leave it mainly to the government to bring new blood into the profession. At the 1946 Annual Meeting, the recruitment of young surveyors came in for lengthy discussion, resulting in the adoption of the following resolution:

Whereas the rate of recruitment of young land surveyors has not for some years equalled the rate of retirement of older surveyors from active practice, be it resolved that the Association continue to publicize this fact and supply information regarding qualifications to practice to young men of suitable ability; and that the officials of the Surveys Branch of the Provincial Government be requested to co-operate in this matter wherever possible by employing suitably qualified
There were simply no young men around who were sufficiently dedicated to go through the difficult process of qualifying themselves as land surveyors under those conditions when so many easier and better-paid jobs were to be had.

young men as articled pupils to government surveyors on their field parties. This was not too realistic, considering that the Surveys Branch at that time employed only four district surveyors and had practically no hope of employing more in view of the depressed standard of government salaries, which then prevailed, and the highly lucrative state of private practice. Even these few could not depend on retaining assistants of any ability, for the wages of government survey fieldmen were equally poor and winter lay-offs were still the order of the day. There were simply no young men around who were sufficiently dedicated to go through the difficult process of qualifying themselves as land surveyors under those conditions when so many easier and better-paid jobs were to be had.

At this meeting, the Secretary-Treasurer was happy to report that the Association’s assets in the form of provincial government bonds had become unfrozen as a result of the debt refunding scheme which had been offered to bondholders in 1945. Two bonds having a face value of $500.00 each, which had matured in 1939, were surrendered for a cash payment of $1,203.11 to cover principal and compensation for unpaid interest, while other provincial bonds, not yet matured, had been exchanged for a new issue of the same par value bearing interest at 3.5%, and as compensation for loss of interest during the preceding years, the Association would receive an annual payment of some $260.00 over the next five years. Thus, with assets of nearly $3,000.00 and a bank balance which, through the sale of manuals and bond interest compensation, amounted to nearly $1,400.00, the Association’s finances had attained a much healthier condition than they had enjoyed for many years.

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