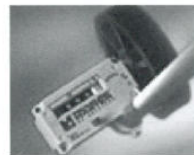


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VOLUME 14, NO. 2

JULY 2002



W.P.L.S.W.



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2002 PLSW MEMBERSHIP APPLICATION PROFESSIONAL LAND SURVEYORS OF WYOMING

AFFILIATE AMERICAN CONGRESS ON SURVEYING AND MAPPING
MEMBER WESTERN FEDERATION OF PROFESSIONAL SURVEYORS



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Additional information or comments (optional): _____

CLASS OF MEMBERSHIP APPLIED FOR: (check one only and please submit dues with application, prorated for the remainder of the calendar year)

☐ **MEMBER**, ANNUAL DUES \$75 (Persons duly registered, PLS or PE&PLS in Wyoming.)

AFFILIATE MEMBERSHIPS

☐ **Associate Member**, annual dues \$50. (Persons employed under the direction of a PLS and working toward PLS registration in Wyoming.)

☐ **Special Member**, annual dues \$50. (Not meeting above qualifications but with a particular interest in, or association with, the profession of land surveying.)

☐ **Special Member**, Student, annual dues \$15. (Pursuing a post secondary academic course of study, and currently enrolled.)

☐ **Sustaining Member**, annual dues \$100. (Persons, institutions or corporations desiring to assist PLSW financially.)

I AGREE TO OBSERVE THE CONSTITUTION AND BY-LAWS OF THE PROFESSIONAL LAND SURVEYORS OF WYOMING AND THE CHAPTER THEREOF TO WHICH I WILL BELONG AND TO SUPPORT SAID ORGANIZATIONS IN THEIR ENDEAVORS.

APPLICANT'S SIGNATURE

SPONSOR'S SIGNATURE
(For Affiliate Member applicants only.)

NOTE: All portions of the state have chapters. Chapter dues or assessments may vary in amount. Applications are considered by the board of Directors at quarterly meetings. Send completed application to PLSW, c/o Herbert W. Staughton, Sec. /

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EDITORIAL POTPOURRI

O NEW MEMBERS OF PLSW - The Board of Directors announced the following new members were approved.
William E. Pugh Member Sheridan, WY
Carmi DeParsis Associate Member Jackson, WY
Olian Shockley Special Member Green River, WY
Louis Pence Special Member Rock Springs, WY
Congratulations and welcome

O BOARD OF DIRECTORS MEETINGS - The board meetings for the balance of 2002 are as follow:
24 AUG 02 - Telephone Conference Call - TBA
15 NOV 02 - Casper - 12:30 p.m. - Parkway Plaza
Contact your director for time and place. All are welcome.

O Lines & Points FAX - Our fax numbers are 307-235-5604 or 307-235-8184.

O Lines & Points E-MAIL - Contact dond@trib.com. or johnhh@trib.com.

O PLSW KEY RINGS - The South Central Chapter has key rings and pins for sale. Contact the South Central Chapter or Lines & Points.

HAVE A GOOD SUMMER!

ACSM NEWS - KENNEDY AMENDMENT DEFEATED

ACSM has been working with other organizations to defeat a TRAC-like amendment introduced by Senator Edward Kennedy to the Department of Defense Authorization bill.

While many groups did things to help defeat the amendment, ACSM did its part by faxing letters to Senators urging them to oppose the Kennedy Amendment and Laurence Socci, our Government Affairs consultant personally visited and met with staff from the offices of Senators Graham (D-FL), Chafee (R-RI) and Santorum (R-PA).

On June 25, the Kennedy amendment was defeated 50-49. This is important because it would have put a burden on the Defense Department by forcing them to go through costly, burdensome and time consuming comparisons of government employee performance, and contractor performance, on activities before the Defense Department can contract out with the private sector. Also, the amendment would have mandated Defense Department studies on "in-sourcing", or moving activities currently performed by non-governmental contractors into the government.

In essence, while President Bush is calling for a smaller government, the Kennedy amendment would have expanded it.

We consider this an important victory and we are proud to join the many other organizations who helped bring about this victory.

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PLSW (Professional Land Surveyors of Wyoming) is a statewide organization of Registered Land Surveyors licensed to practice in the Equality State of Wyoming. PLSW is dedicated to improving the technical, legal, and business aspects of surveying in the State of Wyoming. PLSW is affiliated with the American Congress on Surveying and Mapping and the Western Federation of Professional Land Surveyors.

Editorial Staff: John Hibsman, Steve Strang, Don Davis.

Lines and Points subscription \$50/year

Advertising Information

Camera ready advertisements with payment should be mailed to Lines & Points, PLSW, Box 904, Casper, WY 82602

Advertising rates are as follows:

	Year	Issue
Full page	\$300	\$80
Half page	\$175	\$50
Quarter page	\$100	\$30
Business card	\$ 30	\$10
Classified	40¢ per word/issue	
Employment	Free	

Special Rates for PLSW Chapters

Deadline for next issue — 15 SEP 2002

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PRESIDENT'S MESSAGE

In preparing a response for a proposal today, I had the occasion to talk to the wife of a successful land surveyor in Kansas. Our conversation was centered on the lack of young surveyors being trained and licensed to replace the currently practicing Professional Land Surveyors. In Kansas, a number of extremely successful surveying businesses are being closed down because there is no one to buy or to take over the existing practices.

Kansas may be a predictor of the future for the practice of Land Surveying in Wyoming. Even though Wyoming has a small population, in my experience many more people would live here if they thought they could make a "decent living" here. Land Surveying is a way to make a "decent living." However, it is my opinion that there are not that many young surveyors coming into the profession with a stated objective of being licensed.

This is a concern that will affect the profession for the long term. I believe that it is a problem that has many roots and everyone has a different solution for the cure. In the interest of starting a dialogue about the problem, I hereby suggest some possible reasons for the problem, and a few ideas for solutions.

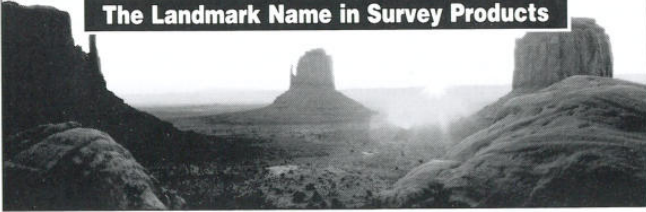
The pay is poor, this may be a self-solving problem. The law of supply and demand dictates that as the supply of a service decreases the price for the service will increase,

Surveying requires a lot of travel, and being away from home. In some cases this is also a attraction to the profession. Those of us that hate desks and love the outdoors are attracted like flies to a job that offers a chance to be in the fresh air. This, I think is a drawing card to our profession.

We have additional educational requirements for licensure, this requirement cuts both ways. The profession is becoming much

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more complex; therefore, a good formal education is becoming increasingly important for the practicing professional land surveyor. The down side of this is that many well qualified people are going to be turned away from licensure in the profession because they cannot obtain a four year degree. Dr. Herb, our illustrious PLSW secretary, has made it a personal life's mission to alleviate this problem by establishing surveying courses at Denver Metro University. Rod Skaggs has likewise established a good surveying program at The University of Wyoming; I suspect that Rod has had the same struggles as Dr. Herb. We as surveyors need to support these educational programs.

Practicing land surveying carries a lot of liability, yet many knowledgeable people believe that you can perform surveying with minimally trained and educated personnel. I believe that this is because most people have no concept of the things required of a surveyor. I believe that this is because the profession has never been glamorized like the legal profession, the medical profession, or even the engineering profession.

I recently read a very good book written by a fellow land surveyor who is registered in Montana. The book is called the Last 300 Miles, and written by Stuart Nash. The book is a fictional account of a real surveying project running a trans-continental telegraph line through the wilds of British Columbia in the mid 1800's. It is a fascinating book and deserves to be read by all surveyors for pure enjoyment. Stuart's book started me thinking *What if someone were to produce a movie like*

NSPS Restructuring

INTRODUCTION

At the 2001 PLSW Annual Meeting the issue of dual membership in PLSW and NSPS took place. The PLSW Board of Directors was instructed to send a letter to ACSM requesting information about their concerns. PLSW President S. Dennis Dawson wrote a letter, which PLSW Governors William D. Braman and Jeffery B. Jones submitted to ACSM. Below is the letter and the responses provided by ACSM Executive Director Curt Sumner.

At the PLSW Board of Directors Meeting last Thursday (1 February 2001), a considerable amount of time was spent discussing the proposed restructuring of NSPS. At this time, we have several specific issues which we require written answers in order to inform all the members. This is a serious matter because of the potential financial outlay. Although the attendees of the 2001 Annual Meeting were in favor of the concept, the attendees represented only 25 percent of the total PLSW membership.

The questions are:

1. PLSW: What autonomy is lost when this joint venture occurs? Is there any documentation/agreement which stipulates what is expected of each organization? Is their a "trial period" in which one or both organizations could rescind the joint venture?

ACSM - Sumner: There is no autonomy lost for the state society with the joint membership program. It is simply a mechanism to promote membership in both the state and national organizations. There is typically some form of agreement between the state and national regarding how the program will work for that particular state, and how the dues structure will be established. Most state societies prefer to collect the dues and send the national dues money to NSPS/ACSM. There is usually no long term arrangement for the program. If a state sees that it is not working for them, they will stop it. The same is true for the national.

2. PLSW: Has there been any consideration as to the potential loss of dues to the state organization because of membership enrollment declines, because some state members will not endorse the restructuring?

ACSM - Sumner: Most states are either already pursuing, or are in discussions about, the program that is known as the "sliding scale". This program was devised because there is reluctance by the state societies to commit to 100 percent participation by their members for fear of losing some of them. In the sliding scale, the amount of national dues paid by state members is dependent on the percentage of the state's members who commit to national membership. The state society conducts a poll using information provided by national to find out how many of its members are willing to commit to national membership. The results of the poll are compared to the existing number of national members within the state society. If the percentage of state members willing to commit to national membership increases enough to assure that the exercise will not simply just give reduced dues to existing national members in the state society, plus maybe a few others, the program can begin. Each year at dues time, the number of national members within the state society is assessed, and the national dues rate for the coming year is established based on percentage. This approach gives incentive to current national members at any given time to recruit new national members within the state society because, as the percentage increases, their own national dues will drop. The state societies like this program because there is no risk for them.

the national portion of the dues for an individual on a regional basis for those state members also affiliated with other state organizations?

ACSM - Sumner: The approach for those who belong to more than one state society is that the member will pay national dues with the state society in which their principle place of business resides. If that state is not in the program when another state society to which the member belongs begins to participate in the program, the person can join national with that state until his/her state of business residence begins to participate. Members will not pay dues to national with more than one state.

4. PLSW: How will a member pay national dues while belonging to several state organizations

ACSM - Sumner: The joint membership program only applies to ACSM and NSPS dues. This is because the other member organizations within ACSM do not have state affiliates with which to participate. Those who participate in the joint membership program for ACSM/NSPS, and who belong to other of the ACSM member organizations, will receive a dues notice for other member organization dues from ACSM headquarters. These notices will be for the additional member organization dues only. They will not include basic national dues because they will be included in the national dues collected by the state society for national membership in ACSM/NSPS.

5. PLSW: Does NSPS have a plan to provide regional professional development opportunities, rather than on a national basis (i.e. one day's drive from Wyoming)?

ACSM - Sumner: ACSM has shied away from providing educational and professional development opportunities except during national conventions because the state societies perceive that doing so would compete with those offered by them. The national organization is not opposed to providing such opportunities, but does not want to alienate its state affiliates. Where such education opportunities may be desired, ACSM/NSPS would be very interested in providing them. During the recent national conference, closer ties between the state affiliates and the national were established. A national speakers list is being developed through which to share information about speakers used by national and the state affiliates.

6. PLSW: How do you accommodate ACSM members who are not PLSW members (associated with any one of the other ACSM Member Organizations). Also, there are some ACSM members who are Fellows, and other individuals who do not pay national dues, because they are Life Members.

ACSM - Sumner: In the sliding scale approach, ACSM members who are not members of the state affiliate are not required to join the state society. If they do not, however, their dues will not be affected by the joint membership arrangement with the state society. As noted earlier in No. 4, membership in other ACSM membership organizations is not affected by the joint membership program. With regard to Fellows, those who are in that category will continue to pay Fellows dues in addition to whatever their national dues are according to the sliding scale, or if they are not members of the state society their dues will not change at all. With regard to Life Members, those who do not pay national dues now will not pay them in a joint membership program. Whatever dues they may pay to their state society will be determined by the state society.

ACSM - Sumner: I hope these comments are helpful in answering Dennis' questions. Part of my job is to visit with the state societies to share information about what is going nationally, and to respond to issues they may have. I am very happy to visit

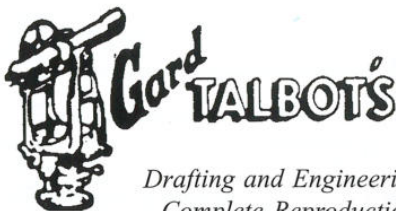
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Letter to the Editor

You published an article I wrote titled *Navigable Streams in Wyoming* in the April 2002 edition of *Lines and Points*. Since publication, I've had occasion to discuss the article with a lawyer friend.

He was concerned that I left the impression that all streams in Wyoming are nonnavigable. His view is that, with the exception of the piece of the North Platte River at issue in *Day v. Armstrong*, none of the rest of the streams have been declared. That is, they are all just hanging in some sort of limbo state, waiting for the courts or legislature to declare them navigable or nonnavigable.

He was unmoved when I pointed out the practical necessity for surveyors to treat them one way or the other.

Hence, this notice.

Cautious practitioners may want to include a disclaimer on their plats. The local title insurance office uses this statement: "Any right, title or interest of the Federal and/or State government in and to the land, which historically or presently, may lie within the boundary of the (appropriate streambed) ..."

I'm sure this could be worked into something appropriate for a boundary survey, acreage, etc.

Skylar V. Wilson, LS

How True!

One afternoon at Cheers, Cliff Clavin was explaining the Buffalo Theory to his buddy Norm. Here's how it went:

"Well, ya see, Norm, it's like this...

A herd of buffalo can only move as fast as the slowest buffalo. And when the herd is hunted, it is the slowest and weakest ones at

the back that are killed first.

This natural selection is good for the herd as a whole, because the general speed and health of the whole group keeps improving by the regular killing of the weakest members.

"In much the same way, the human brain can only operate as fast as the slowest brain cells. Excessive intake of alcohol, as we know, kills brain cells. But naturally, it attacks the slowest and weakest brain cells first.

In this way, regular consumption of beer eliminates the weaker brain cells, making the brain a faster and more efficient machine.

That's why you always feel smarter after a few beers."



TRIG-STAR

is a high school trigonometry skill awards program administered by the NATIONAL SOCIETY OF PROFESSIONAL SURVEYORS (NSPS), a member organization of the AMERICAN CONGRESS ON SURVEYING AND MAPPING (ACSM).

A TRIG-STAR is a trigonometry student who has demonstrated in competition that he/she is the most skilled among classmates in the practical application of trigonometry. The competition for the honor is simply a timed exercise which involves the solving of a trigonometry problem that incorporates the use of right triangle formulas, the law of sines and the law of cosines.

GOALS

The awards program was established to provide higher education financial assistance to high school students who demonstrate excellence in the study of trigonometry.

1. To promote the study of trigonometry in high school and to promote excellence in the mastery and application of trigonometry, by honoring the individual student who has demonstrated his or her superior skill among classmates at the high school level.
2. To acquaint the high school trigonometry student with the use and practical application of trigonometry in the Surveying and Mapping professions.
3. To build an awareness of careers in Surveying and Mapping among high school students, guidance counselors, and mathematics teachers.

COMPETITION LEVEL 1 — STATE WINNERS

The test is administered to participating high schools across the country. The state winner is determined from the local winners

COMPETITION LEVEL 2 — NATIONAL CONTEST

The test is administered to each State Winner. The National Winners are then selected from the submitted state entries. Funds distribution is determined by the Trig-Star Committee.

NATIONAL WINNERS

The Richard E. Lomax National Trig-Star Scholarships are awarded as follows:

- 1st Place: \$1,000
2nd Place: \$500
3rd Place: \$250

The Richard E. Lomax Teaching Excellence Awards are distributed to the students' Trigonometry teachers as follows:

- 1st Place: \$1,000
2nd Place: \$500
3rd Place: \$250

In addition, the 1st Place winners will receive a travel allowance so that they may attend the ACSM/NSPS Annual Meeting to accept their awards.

SUPPORT

Your support is critical to ensuring the success of the Trig-Star program. Trig-Star can be a tremendous public relations event for the surveying and mapping profession. High school students, their parents, teachers and the public see firsthand some of the work undertaken by surveying and mapping professionals, and the concern of the profession for rewarding academic achievement and teaching excellence. With your assistance, we can maximize the exposure of the surveying and mapping profession to the next generation and create a strong positive image of the profession.

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DRAFT

Professional Land Surveyors of Wyoming, Inc. Board of Directors' Meeting Minutes

11 May 2002

1. The Board of Directors' Meeting of the Professional Land Surveyors of Wyoming.

a. Location: Raddison Hotel; 800 North Poplar; Casper 82601.

b. Date & Time: 11 May 2002; 10:14 a.m. M.D.T.

c. Presiding Officer: Mr. S. Dennis Dawson, P.L.S., President.

2. Agenda: The final agenda is appended [Enclosure No. 1].

3. B.O.D. Minute: Motion by Jones/Davis to approve the corrected minutes of the Board of Directors' meeting of 7 February 2002. Approved.

Motion by Jones/Davis to recommend approval to the General Membership of the draft minutes for the 2002 Annual Meeting. Approved.

4. President's Report:

a. The chairman of the standing and special committees were announced, and will be published in the 2002 Annual Directory. There were two changes in committee chairmanships. The Scholarship Committee chairmanship is Mr. Scott A. Scherbel. He will be assisted by Mr. Paul A. Reid. The Bylaws Committee chairmanship is Mr. Alan B. Cormier.

b. *Surveying the Gangplank*: The reproduction and production was discussed. The proposed paper was not suitable. Will look at options. \$1,700 was approved in February for the project. If the new paper produces a cost overrun, then the project should be reevaluated. The attendees felt that there should be no problem if the costs did not exceed \$2,000. One hundred signed prints would be printed.

c. There was a discussion pertaining to PLSW Honorary Membership. Some persons have dropped their membership after retirement. Bylaws Committee Chairman Cormier was directed to investigate the possibility of a new membership category for *retired/emeritus* status. It was suggested that dues for this membership grade would be in the \$25 to \$50 range.

d. President's Advisory Committee of Past Presidents: a draft policy directive will be prepared.

5. Secretary's Report: Due to a scheduling conflict, Secretary/Treasurer Stoughton could not attend the meeting.

a. Secretary Stoughton reported the deaths:

i. Ira Alexander; ACSM past president.

ii. Thaddeus Vincenty; geodesist, Geodetic Survey Squadron

and National Geodetic Survey.

iii. Paul R. Wolf; Univ. of Wisconsin professor of surveying.

iv. Frank Luers; PLSW Honorary Member.

v. Donald J. Olinger; Wyoming PE/PLS No. 319.

vi. George A. 'Pat' Brown; Wyoming PE/PLS No. 335.

vii. Sylvester Mackedanz; the father of Carol (Mrs. John A.) Steil.

6. Treasurer's Report: The financial reports were distributed. Motion by Jones/Fields to approve the submitted financial reports. Approved.

a. Checking account: [Enclosure No. 2].

b. Income: [Enclosure No. 3].

Advisory Committee to the Board of Directors. President Dawson recommended that the co-chairman be Kevin D. Jones and Herbert W. Stoughton. The rationale was that Board of Directors is always changing, and within a few years it is possible that no one on the Board would have a full knowledge of the history and the investment program.

d. PLSW is a member of the *Michigan Museum of Surveying*. Jeff Jones, while attending the ACSM/NSPS/FIG meeting in Washington, received a request from the Museum for PLSW to provide a PLSW banner for display in the museum.

7. Committee Reports:

a. Audit-Finance Committee: oral and written reports are submitted at the Annual Meeting.

b. Bylaws Committee: no report.

c. Convention Committee: John Steil is the WES Vice-president, and overall chairman of the WES Annual Meeting. The meeting is scheduled for the *Holiday Inn*, Cheyenne; 6 - 8 February 2003. Dennis Dawson is chairman of the surveying technical program. John Steil has asked ACSM Executive Director Curt Sumner to attend.

d. Education Committee: It was announced that the 2002 Fall Technical Session will be on Thursday, 14 November, 08:00 - 12:00 and 13:00 - 17:00; and Friday, 15 November, 08:00 - 12:00. The speaker is Ari Silkey. The title of the topic is: "Today's Real-Time GPS Surveying and What Tomorrow's GPS Can and Will do for the Surveying Profession?" The fee is \$1,500 plus receipted expenses.

e. History Committee: the updates are mailed to the membership in the Annual Mailing.

f. Legislative Committee: no report.

g. *Lines & Points*: editors request formal and informal articles for publication.

h. Manual of Professional Practice: no report.

i. Membership Committee: Motion by Davis/Jones to approve admission to membership (various grades) the following applicants:

i. Louis Pence; member.

ii. William E. Pugh; member.

iii. Olian T. Shockley; special member.

iv. Carmi DeParasis; associate member.

j. Nominations & Elections Committee: no report.

k. Professional Awards Committee: no report.

l. Public Relations Committee: no report

m. S.O.S. Committee:

i. The winners of the 2002 contest were:

1. First Place: Tie - Rick L. Hudson and South Central Chapter [signatory was Alan B. Cormier].

2. Third Place: Skylar V. Wilson.

ii. The PLSW submissions to the ACSM/NSPS Map/Plat Competition was successful. The results are:

1. Michael Flaim; Washington Group; 2nd place Boundary/Cadastral category; *U.S. Highway 26*.

2. Micheal Shane Hansen; Steil Surveying Services; 3rd place

-B.O.D. MINUTES

(Continued from Page 5)

Subdivision category; *Legacy Ridge*.

n. Scholarship Committee: no report.

o. Standards, Ethics & Professional Practice Committee: no report.

p. Trig Star Competition Committee: The 2002 winner was Melissa Pompy and the teacher was Ms. Jennifer Banks from Big Piney. Honorary Member Paul N. Scherbel agreed to present the awards. This is the second straight year that a pupil of Ms. Banks has won the award.

8. Delegate Reports:

a. ACSM-NSPS Board of Governors: Jeffrey B. Jones attended the NSPS Board of Governors' meeting at the ACSM/FIG meeting in Washington, D.C.

i. The Michigan Museum of Surveying will display the PLSW banner, because the organization is a member.

ii. The NSPS has published a Model Standards of Practice. A copy will be forwarded to the PLSW Manual of Professional Practice Committee.

iii. An Ad Hoc Committee of ACSM submitted a report called *The New ACSM*. [Enclosure No. 4].

iv. The NCEES model law will be revised. The land surveying licensure will include photogrammetrists (i.e. LS (Photogrammetry); LS (Boundary); etc.).

v. ACSM meetings: Fall 2002 Phoenix, Arizona; Spring 2003 Gettysburg, Pennsylvania.

b. WestFED: The WestFED report was published in Lines & Points.

9. Old Business:

a. University of Wyoming surveying courses: A series of e-mails from Dr. David Whitman (Assoc. Dean for Academics, College of Engineering); to Rod Skaggs and Charles W. Dolan [information copy to Christine Turk and Martin Pedersen] [21 March 2002]; from Pete Jorgensen to Rod Skaggs and Charles W. Dolan [with information copies to Christine Turk, Martin Pedersen, John W. Steadman, and Ovid A. Plumb] [26 March 2002]; From John W. Steadman to Pete Jorgensen [information copies to David L. Whitman and Gus Plumb] [26 March 2002]; and from Pete Jorgensen to John Steadman [26 March 2002] addressed the issue. Progress has been made addressing the issue of 'misleading' information to perspective students. [Enclosure No. 5]

10. New Business:

a. The dates for the next two Board of Directors' meetings are:

i. Saturday, 24 August 2002; 09:00 MDT - 12:00 MDT telephone conference call.

ii. Friday, 15 November 2002; 12:30 MST; Parkway Plaza.

b. An informal discussion ensued concerning the replacement for Secretary/Treasurer in February 2002. Some comments were:

i. Have an executive director with payment derived from funds raised from conferences and continuing education.

ii. Cannot afford a full time position. Must determine what we can afford.

iii. Separate the offices of secretary and treasurer.

iv. Discuss the matter with the chapters.

v. Request firms fund position or provide work space.

11. Announcements:

a. The profession Land Surveyors of Colorado plan to honor

PLSW Honorary Member Arthur W. Hipp for his over twenty years as the executive director of PLSC. The dinner, toast, and roast will be held on 31 May 2002. Since this announcement, Art suffered a minor stroke. He is doing well, returned home, and continues his work as the PLSC Executive Director.

b. Jeffrey Jones announced that Ted Madson, from Georgia, has announced the formation of a new organization (called ASCM [not ACSM]) to test and certify licensed/registered land surveyors' competence. The proposal would be to test annually and publish the results.

c. Troy Fields announced that Sheridan County is rewriting their subdivision regulations/requirements. One of the proposed changes states that if the land surveyor is using a monument set by others the recovering land surveyor would set minimum standard monuments. Northeast Chapter plans to write a letter asking to be involved in the procedure/process. A canvass of representatives from Campbell, Park, and Laramie Counties indicate that they have not been asked or are involved the procedures in any county subdivision regulations.

12. Adjournment. Motion by Jones/Blough to adjourn. Meeting adjourned at 2:20 p.m. MDT.

Prepared by: Don A. Davis, P.L.S., PLSW Vice President

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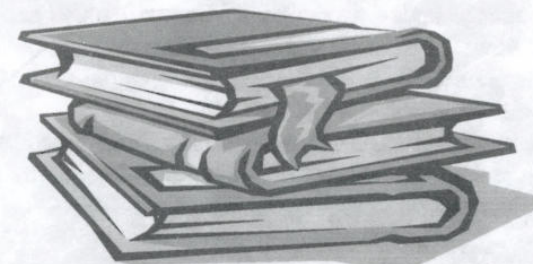
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LUERS OBITUARY

(Continued from Page 13)

Casper Engineering Services, which later became Western Engineers-Architects, Inc.

A professional engineer and land surveyors, License No. 487 in Wyoming, he was licensed to practice in most of the Rocky Mountain states. He was a member of the Wyoming Engineering Society, serving as president and secretary-treasurer for many years; Wyoming Association of Consulting Engineers and Surveyors; Oil Capital Kiwanis Club; and the American Legion, where he was past commander. For many years he was an active member of Trinity Lutheran Church in Casper, serving as a Sunday school teacher.

His massive stroke in 1989 did not stop him from attending church as often as he was able, despite physical and vocal limitations.

Survivors include his daughter, Donna Boyd of Riverton; two sons, Frank and Gary, both of Casper; brother, Jim Luers of Riverton; sister, Helen Weisz of Shoshoni; 10 grandchildren; and 10 great-grandchildren, with another due soon.

He was preceded in death by a daughter, Brenda Hunderfund, two sisters, Annie Woodward and Mable Luers; four brothers, Alfred, Gus, Ralph, and George; and parents.

The family would appreciate memorials to the Salvation Army, 441 S. Center Casper, 82601.

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WES FED REPORT

(Continued from Page 17)

"Brainstorming" portion of the WFPS Goals and Objectives session tomorrow. The only highlights of the remaining meeting to note were discussion of the new ASCM restructure. The conference committee is working on finalizing the 2005 conference with the possibility of moving it to Reno. Meeting was adjourned at 11:15 p.m. and to resume at 8:00 a.m. Saturday.

Meeting was called to order at 8:00 a.m., Saturday, June 29, 2002. This session of the WFPS meeting was a brainstorming session on goals, objectives and what should WFPS be doing in the future. The consensus of the meeting was WFPS in the past and today continues to influence other organizations and government agencies on both a local and national level. That WFPS is very much supported by member associations. WFPS needs to bolster its communication back to each member society and each delegate has a responsibility to report back to their membership. It was agreed that the communication, networking and the use of WFPS resources needs to be improved. A new committee (Public Relations) was named and realignments and assignments were made to other committees.

Review of the current action items for the next meeting was done. The next meeting will be in Las Vegas, October 4-5, and again will be an extended meeting to follow-up this brainstorming session.

Respectfully submitted,
Paul A. Reid, Wyoming Delegate

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2002 Fall Tech Session

To: PLSW Board of Directors

From: Joel Ebner, Chairman, Education Committee

Re: 2002 Fall Technical Session

Gentlemen, Following is the preliminary schedule of events for the 2002 Fall Technical Session.

1. Location: Parkway Plaza, Casper, Wyoming

2. Date & Time: Thursday, November 14, 8:00 - 12:00 and 1:00 - 5:00. Friday, November 15, 8:00 - 12:00.

3. Speaker: Ari Silkey

Ari, a GPS specialist for Leica Geosystems, is originally from Minnesota with a background in the surveying industry. His experience in GPS surveying is broad and diverse. He has worked with GPS equipment for over five years in a wide variety of field surveying applications. Ari is the Leica GPS Specialist for the Northeast Region of the United States and has successfully trained many surveying firms throughout the Northeast. He has recently been a featured presenter at the Maryland Society of Surveyors.

4. Subject: "Today's Real-Time GPS for Surveying and What Tomorrow's GPS Can and Will do for the Surveying Profession"

5. Fees: Ari Silkey - \$1500 plus expenses (airfare & lodging)

In addition, we will schedule a social gathering for the evening of the 14th, similar to what we've done the last several years, and a Board of Directors meeting for Friday at 1:00 pm.

Basic GPS Theory

-Fundamental Theory of GPS

-Review of Basic Principles and how they are important in the Real World of GPS Surveying

Basic Geodesy

-Fundamental Geodesy

-Practical field applications that require geodesy knowledge Principles and Understanding Real Time GPS ~

-How Real Time works

-Different types of Real Time GPS

Radios and Cell Phone Technology used with Real Time GPS

-Getting maximum productivity out of Radios in Real Time

-Using Cell Phone Technology to increase range of Real Time operations

Optimizing GPS Productivity

-Tips on increasing Real Time Productivity

-Using the most efficient type of GPS for the job Map Projections

-Understanding Map Projections

-Scaling coordinates to the ground

-Transforming to different coordinate systems

-Working in local coordinate systems

CORS (Continuously Operating Reference Stations)

-Adding an additional GPS receiver to your survey

-Tying into State Plane control Efficiently Planning GPS Surveys

-Utilizing your equipment in an efficient manner

-Mixing GPS and Total Stations

-Mixing Static and Real time

-Optimizing Productivity

TECHNICAL SESSION QUESTIONNAIRE RESULTS

For those of you that were at the PLSW annual meeting in Sheridan you will recall that the Education Committee passed out a questionnaire regarding the PLSW Technical Session. The main reason for doing the questionnaire was that we had heard that some members felt a Friday/Saturday format would be better than the Thursday/Friday format we have been using. So this was our attempt to find out how the majority of the members feel. Since we were doing the questionnaire we thought we would also solicit input on future subjects and speakers. Following is a compilation of the results of the questionnaire.

The first question was - Would you like to have future PLSW Technical Session held on? Thursday/Friday, Friday/Saturday or No Preference

Thursday/Friday - received 23 votes

Friday/Saturday - received 13 votes

No preference - received 3 votes

For the second question - What subject(s) would you like to have discussed at our next session? We received a wide variety of responses, sixteen in all. The only subjects receiving more than one vote were: Water Rights(5), GPS(3), Law(2), Water boundaries(2) Latitudinal Arc Corrections(2).

We received ten different suggestions for speakers. With PLSW's own Jeff Jones being requested on seven questionnaires. Dennis Mouland was requested six times and Milton Denny and Walter Robillard were requested twice each.

Conclusions:

We reviewed these results at our February chapter meeting and have decided to stick with the Thursday/Friday format for the next technical session.

We are going to be making contact with some of the suggested speakers to inquire as to their availability to speak and will keep the suggested subjects in mind as we do. We would like to thank all the people that took the time to fill out the questionnaires. Your input was very helpful.

Sincerely, Joel Ebner,

Chairman, PLSW Education Committee.

WFPS Board of Directors Meeting in Sparks, Nevada.

On June 28, 2002, I attended the Board of Directors meeting of the Western Federation of Professional Surveyors (WFPS) in Sparks, Nevada at the John Ascuaga's Nugget Hotel and Casino. The following is my report of the meeting. The meeting was well attended with all member states being represented (20 delegates). Also in attendance and guest was ACSM Executive Director Curt Sumner. The meeting was called to order @ 5:00 p.m. PST.

Chairman Chuck Paddock presented a verbal report giving summary of his activities since the last meeting. Chuck attended the New Mexico and Montana annual state meetings and the Tri State Conference of Utah, Nevada, and Idaho. Chuck also attended the FIG. Conference in Washington, D.C.

Secretary Steve Parrish gave a verbal report on WFPS activities since last meeting. Items mentioned were the WFPS paper weights manufactured by Berntsen a.k.a. (The Jerry Tippin Butt Ugly paper weights), retention of U.S.G.S. mapping documents, updating e-mail addresses and roster changes.

Treasurer Jerry Tippin submitted a written financial statement for the period ending June 25, 2002. Total current assets are \$142,819.31 with \$35,682.61 in a scholarship CD, \$50,673.51 and \$54,304.90 respectively in the remaining two CD's. There is also \$2,158.29 in the checking account with no outstanding warrants.

Agenda revisions were made and approved.

Chairman Chuck Paddock stated that he is changing the agenda sequence to have State Reports the next item on the agenda because he feels they are important because of the information and dialogue that is exchanged from the delegates. Also, having the state reports near the end of the meetings he felt tends to limit the exchange due to the burnout from the lengthy meetings and delegates trying to meet airline schedules. Highlights of the state reports are as follows:

Alaska: Bud Campbell and Paul Whipple reported that the 2003 Conference will be held May 5-9, 2003 in Anchorage, AK and will host the ASPRS National Conference. APLS Board is still working toward a continuing education requirement and it appears the bill will be introduced during the next Legislative Session. Alaska trig star program had 4 winners, all with 100 scores. There were 307 students taking the test at 18 high schools from Kodiak to Shishmaref.

Arizona: Arizona now has House Bill 2207 concerning plats and minimum recording standards. Arizona's website www.azpls.org has the standards on their website.

California: Pat Welch a founding member of WFPS has been appointed to the California Board of Registration by Governor Davis.

Colorado: The Surveying and Mapping four year degree program at Metro State College is seeking ABET accreditation and is scheduled for interviews this fall, with expected accreditation in the fall of 2003. Colorado has a new law that mandates the appointment of a County Surveyor in all counties. The PLSC Board is considering the sliding scale membership arrangement with ACSM.

Hawaii: Hawaii has had problems in the past with Land

Court discrepancies and is working on a report to be taken to the Land Court to discuss possible Rule changes to provide procedures for dealing with problems on the ground vs plats approved by the Land Court. The condominium statute is unclear on who is allowed to prepare the condo map delineating common and limited common elements.

Idaho: The Idaho legislature passed House Bill No. 589 in March 2002, to require the professional land surveyor to have a four-year degree, or related degree with appropriate experience by 2010. ISPLS has 274 current members.

The current four-year degree program at Idaho State University in Pocatello now has 13 students enrolled.

Montana: Two scholarships were awarded to Flathead Valley Community College surveying students by MARLS. Douglas Pezoldt of Kalispell was awarded a \$1,500 scholarship in memory of Ira M. "Tiny" Tillotson. Randall English of Kalispell was awarded a \$1,500 scholarship in memory of Ray Bandy.

Nevada: The 2003 and 2004 Conferences will be shared with their western neighbor — California. Locations have not been firmed up but will probably be at the Silver Legacy in Reno and Alexis Park in Las Vegas.

New Mexico: The 2002 annual conference "Outlook for the 21st Century" was a huge success even though the host hotel gave away Curt Sumner and Knud Hermansen's rooms to the NCAA Missouri Tigers!

Oregon: PLSO has entered into a contract with a strategic planner to help identify goals for the next 2-5 years. PLSO has traditionally held its annual conference the first week in December which created a travel hardship for members in the Eastern part of the state due to poor weather conditions in the mountain passes. The conference has been moved to March to alleviate the problem. PLSO is also experiencing some trouble securing facilities that can handle the 600+ membership that typically attends the annual conference. PLSO is actively supporting the ACSM Tnigstar program with approximately 12-15 high schools participating.

Utah: Utah is working on setting their center of population monument. Legislatively they are currently working on getting a record of survey law and at least a 2 year degree requirement for licensure.

Washington: Washington continues to show a growth in membership with the current total nearing 1000. Work continues on a GPS Guidebook to be produced by the Washington Department of Natural Resources Public Lands Survey section. The previously published "Surveyor's Guidebook On Relative Accuracy" is available on-line from the DNR at <http://www.wa.gov/dnr/htdocs/plso/download.htm>. The local Conference Committee continues to meet on a regular schedule on the 2003 joint conference and is looking forward to presenting a great meeting. LSAW and local surveyors are providing additional support for the continuation of the 4 year degree program at OIT in Klamath Falls, Oregon.

Committee reports were given with the note that some committee changes may be made after the conclusion of the

(Continued on Page 18)



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Worthwhile reading for anyone

Love him or hate him, he sure hits the nail on the head with this!

To anyone with kids of any age, or anyone who has ever been a kid, here's some advice Bill Gates recently dished out at a high school speech about 11 rules they did not and will not learn in school.

He talks about how feel-good, politically correct teachings created a generation of kids with no concept of reality and how this concept set them up for failure in the real world.

Rule 1: Life is not fair - get used to it.

Rule 2: The world won't care about your self-esteem. The world will expect you to accomplish something BEFORE you feel good about yourself.

Rule 3: You will NOT make \$40,000 a year right out of high school. You won't be a vice-president with a car phone until you earn both.

Rule 4: If you think your teacher is tough, wait till you get a boss.

Rule 5: Flipping burgers is not beneath your dignity. Your grandparents had a different word for burger-flipping. They called it opportunity.

Rule 6: If you mess up, it's not your parents' fault, so don't whine about your mistakes, learn from them.

Rule 7: Before you were born, your parents weren't as boring as they are now. They got that way from paying your bills, cleaning your clothes and listening to you talk about how cool you are. So before you save the rain forest from the parasites of your parents'

generation, try delousing the closet in your own room.

Rule 8: Your school may have done away with winners and losers, but life has not. In some schools, they have abolished failing grades and they'll give you as many times as you want to get the right answer. This doesn't bear the slightest resemblance to ANYTHING in real life.

Rule 9: Life is not divided into semesters. You don't get summers off and very few employers are interested in helping you find yourself. Do that on your own time.

Rule 10: Television is NOT real life. In real life people actually have to leave the coffee shop and go to jobs.

Rule 11: Be nice to nerds. Chances are you'll end up working for one some day.

PLSW Joins the Museum of Surveying

Dear PLSW:

Greetings! I would like to take this opportunity to thank you for your support of the Museum of Surveying. As part of your membership you will receive our quarterly newsletter, *The Theodolite*. You will also receive a membership gift, which is enclosed with this letter. Your membership runs through December 31, 2002.

I encourage you to visit the museum either in person or on the internet at www.surveyhistory.org. If there is anything that we can do to assist you as a member, please do not hesitate to ask.

Sincerely, Liisa Morton, Executive Director, 514-484-6605

ACSM - NSPS BOARD OF GOVERNORS REPORT
APRIL 20 AND 21, 2002, WASHINGTON, D.C

The business meeting for the NSPS Board of Governors was called to order at 9:00 A.M. April 20, 2002, at the Marriott at Wardman Park, Washington D.C. This meeting was a part of the ACSM/FIG Convention. The minutes of the meeting held on October 18 and 19, 2001 held in Galveston Texas, were approved. Guests and new Governors were introduced.

Previous motions that were approved and passed on to the Board of Directors (BOD) are as follows; Sliding Scale for Membership, tabled; Posting of BOD Minutes, Passed by BOD; BOD Roll Call Votes, Passed by BOD; Mortgage Company Outsourcing, Passed by BOD; Board of Governors (BOG)/BOD Meetings, Amended and Passed by BOD; Continuing Education, Passed by BOD; Ex-officio member to BOG, Tabled until Spring Meeting. New Awards Judges and Committee assignments were made. I was placed upon the Minerals Committee.

New Business and reports included the following:

- Presentation by the Illinois Society concerning a project to erect a statue of President Lincoln at the time he was a surveyor.
- The Michigan Society sold all BOG members raffle tickets for the Surveying Museum. The museum requests that all State Societies present a banner to be hung in the museum.
- Joint Membership was discussed by Curt Summner. Several States have enacted the Sliding Dues Scale. Nevada increased membership from 65 to 97. New Jersey dropped the full membership but expects to have well over 200 members. Washington State increased from 99 to 234 members. Virginia increased from 90 to 150 members.
- Discussion concerning the fall meeting to be held in October at Gettysburg, PA, on if the BOG wished to partake in the activities on the dedication ceremonies for the Mason — Dixon line.
- The Standards of Practice Committee presented its Model Standards of Practice report.
- A proposal for a complete rebuilding of ACSM was presented. There is a very aggressive implementation date of 2003. NSPS and all other M.O.s will be stand alone corporations and "join" ACSM as a delegate. There will be no individuals being a part of ACSM. With NSPS being a "stand alone" national organization it is hoped that it will be more flexible and responsive to our members needs.
- Changes to the NCEES Model Law For Surveying were discussed. Under this proposal photogrametry will be licensed under surveying and under one license. People will be "grand fathered" to acquire their license, but will be required to take the state specific exams if desiring to be licensed to practice boundary surveying. Note that Martin Pedersen is a NCEES member on the committee that is working on the proposed changes to the Model Law.
- The NSPS Treasurers report was given. Dues were \$15k below expectations. The CST program generated \$31k over projections. The Budget was under spent by \$15k. ACSM staff

services caught up with their lag and resulted in NSPS paying for 14 months of services. Overall NSPS added \$22k to reserves against a budgeted shortfall of \$5,500.

- Announcement of the states that are participating in the ACSM member benefit for state society sponsored activities. The states are Maine and North Carolina.

Motions acted upon by the BOG were as follows:

- Move that the BOG endorse a Joint Meeting Proposal with the BOD, and be prepared review a detailed meeting schedule at the Fall 2002 meeting. This would combine many duplicated reports and discussion that is currently given to both the BOG and the BOD. The negative is that this will require one more day of meetings. Passed.
- Move that the BOG recommend the BOD make changes to the by-laws in order to have 2 members of the State Executives Committee be frill members of the BOG and non voting members of the BOD. Passed.
- Move to have the BOD accept and publish the final report of the standards committee "Model Guidelines of Practice". Passed.
- Move that the BOG endorse the "New ACSM" concept, and recommend that the BOD do the same. Passed.
- Move that the NCEES consider reviewing the penalty section within the Model Law and include a penalty that may include, but not be limited to, the revocation of said license for practicing outside the area of licensure. Passed.
- Move that the ACSM participate in the development of training and certification program for surveyors to be certified to do LOMA's and LOMAR-F's. Passed.

The national winner and runner up Trig Star participants and their teachers were presented their awards.

Lamar Evers of Florida was re-elected as BOG Chairman, and Rick Allen was elected Secretary.

The meeting was adjourned late in the afternoon on April 22, 2002.

Respectfully Submitted,
Jeffrey B. Jones
NSPS Governor

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REPRINTED MAP
SOURCES OF SNAKE RIVER
SNAKE RIVER EXPEDITION –
JAMES STEVENSON, DIRECTOR

The Northwest Chapter has reprinted, from an old (perhaps first printing) lithograph found in a cabin west of Cody, the map of the Hayden - Stevenson expedition and survey of Jackson Hole, Yellowstone National Park and surrounding vicinity. The map shows the campsites of the expedition, from July 12th, 1872, at Fort Hall, Idaho Territory, up the Snake River, into Yellowstone, and returning to Fort Hall on October 11th.

The reprint measures approximately 28 inches by 29 inches overall, black printing on white background, and is printed on heavy photographic paper.

The map is representative of the cartographic style of the time and uses shading to depict mountain ranges, water lining on lakes and artistic profiles of various ranges including the Tetons.

A 39-page excerpt from "Great Surveys of the American West", by Richard A. Bartlett, published by University of Oklahoma Press, is to be included with the map (reprint permission pending) and details the progress of the expedition.

THE CHAPTER IS OFFERING PRINTS TO PLSW MEMBERS AT THE INTRODUCTORY PRICE OF \$40 PER PRINT, POSTPAID.

ORDER FROM:

PLSW, NORTHWEST CHAPTER
R. L. Hudson, Secretary / Treasurer
P.O. Box 784
Thermonolis. Wvoming 82443

AND JUST WHERE IS THE COUNTY ROAD?

by Ross Turner, Lincoln County Engineer/Surveyor

Back in the good old days, the county road was where you found it. In order to build a right-of-way fence, you just found the center of the road, measured half the right-of-way width and put in the posts. No problem. Then came people from more "developed" areas, who expected that each property should have an exact, legal, definable boundary. Along with them, came attorneys who thought that if an owner could not control the use of ALL of his legal property. Something should be done about it. A few surveyors also appeared, confident that real measurements were not to the nearest rod, but rather to the hundredth of a foot. These are just a few of the ingredients in the recipe of progress.

As a result, the situation today is a little different. The woman with the manicured lawn may want to know EXACTLY how close the backhoe or the snowplow can legally come to her shrubs. The proud new owner of a thoroughbred horse, ready to install his polished right-of-way fence, may demand to know EXACTLY where to put it. A county employee may really need to know how to tell someone EXACTLY where the county road is.

The first place to go to precisely learn the boundaries of a county road is the resolution passed by the County Commissioners to create the road or give it "county road" status. This document is the primary legal source of information, and should be recorded and available in the County Clerk's office. An official map, very often mentioned in the resolution, should also be on file. The map often gives more detail about exact right-of-way boundaries, especially when there are jogs, cul-de-sacs, or other features more complicated than normal straight lines.

A third source of information, which in practice might be considered the first one, is the legal permission from the property owner of the land over which the road passes. Permission can be in the form of deeds or easements to the county or to the public, subdivision plat dedications, special use permits, or similar documents. In theory, the location specified on the permission documents should exactly correspond to the description on the resolution document, but in practice, sometimes there are differences.

Easements have other important limitations which can creep in to cause grief. The owner of a property on the north side of a section line cannot give a valid easement for all of a road centered on that section line. This sounds simple, but can actually be quite complicated, especially when a new survey determines that the section line is not where people thought it was when the road was constructed.

Sometimes the physical location of a road is still the best indication of where the legal road location is, but this case is becoming less common as courts and judges rely ever more on written documents. Whenever it is discovered that the construction does not match the legal description, it is time to decide whether to change the paperwork or the construction. Usually both choices are bad and can cause multiple problems.

The most authoritative but least preferred way to determine the exact road location is through a court proceeding. In Wyoming, only a judge has authority to give a definitive answer to a disputed legal description or location. In the legal world, whatever anyone

else says is only an opinion for this kind of question.
Reprinted from *Wyoming T2 Newsletter*,
Volume 18, Number 1

Good Records Make A Difference

Brandt v. Johnson-Reiland Construction, Inc. Unreported, (Minn. App. 2001)

In early 1994, Johnson-Reiland Construction, Inc. hired, a surveyor and civil engineer, as a project engineer for a multi-family housing development. Brandt was responsible for surveying and platting the lots as well as engineering design work. Johnson-Reiland gave Brandt various floor plans for the housing development. Johnson-Reiland asserts that Brandt received all floor plans prior to platting. Brandt claims he did not receive the largest floor plan until after he finished platting. As a consequence, part of the development had to be replotted. Johnson-Reiland asserted the replotting was required because Brandt did not use the correct building setback requirements.

By mid-1998 the dispute had spoiled the working relationship. Subsequently, Johnson-Reiland hired James R. Hill, Inc. to continue with the platting. James R. Hill replotted more of the original plats for the stated reason that Brandt did not correctly establish the ordinary high water mark for the lake next to the development and the plats were improperly drawn.

Johnson-Reiland refused to pay Brandt for replotting. As a consequence, in early 1999, Brandt foreclosed his mechanic's lien against the development seeking \$3,368.24. Johnson-Reiland counterclaimed that Brandt negligently performed engineering and surveying work. In early 2000, a bench trial was conducted. At its conclusion, the court awarded Brandt \$3,368.24 (his fee), \$369.58 in interest, \$522.98 in costs and disbursements, and \$5,317.55 in attorney fees. The court dismissed Johnson-Reiland's counterclaim. The decision was upheld on appeal.

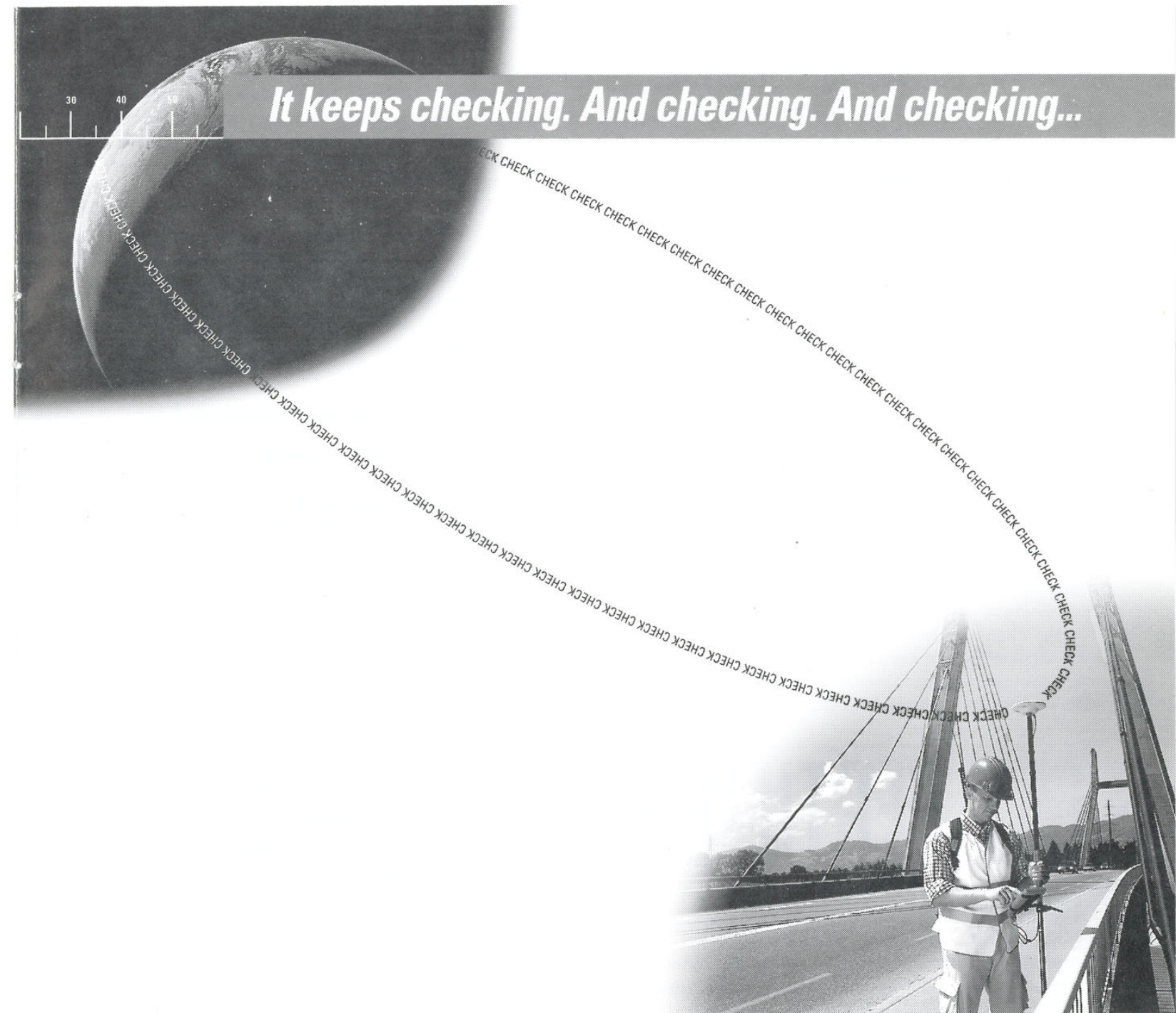
Several important points can be drawn from this case.

Litigation Costs Exceed Damages Sought: As is so often the case with litigation, the costs incurred as part of the litigation exceeded the amount sought. The attorney fees exceeded the amount that was sought. (As a result, Johnson-Reiland probably paid in excess of \$10,000 in order to avoid paying \$3,368.24.) Furthermore, experience suggests that the court awarded Brandt far less than the actual attorney fees. No fees were awarded for appeal. As a result, both sides found that justice is often obscured by the weight of the money used to obtain it. Also, it took over six years to obtain payment for the services completed.

Mechanics Lien: This case shows the power and usefulness of a mechanics lien in forcing payment. The mechanic's lien made the surveyor a secured creditor. The security was the property. Many developers do not have assets in their corporate names other than the property that is being developed. Without the ability to secure the property, the surveyor would be without recourse to obtain the money owed from a developer.

Time Sheets: The trial court was impressed with the detailed time sheets that Brandt kept and presented as evidence to support the fee he sought. Johnson-Reiland attempted to show that \$1,250 was a more appropriate and reasonable fee. This was rejected with the court finding that \$85 per hour to be reasonable. This case illustrates the usefulness of keeping detailed and complete records of the time and cost required for the services rendered.

Reprinted from *West Virginia Surveyor*, Fall 2001



The Leica System 500's CheckMate™ technology gives you the fastest and most reliable RTK performance available today.

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Leica's new CheckMate Package, filled with information designed to help increase your productivity. You'll receive a free gift and valuable offers worth thousands of dollars, making a smart technical decision a smart business decision, too. CheckMate. You win!



Leica
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RTK RADIO ETIQUETTE

by John Minor, PLS

GPS technology has been around for about twenty years now, and most of its novelty and aura of magic has pretty well worn off.

The majority of surveyors don't give it any more thought than they do their total station. It is simply another tool to help get the job done.

It is this same complacency that could lead to a very costly mistake. Doug Divine, of Pacific Survey Supply, contacted me about a class action lawsuit he was threatened with. Because Pacific Survey Supply sold GPS equipment, they could possibly be enjoined in the suit. It seems that some GPS practitioners utilizing the RTK techniques have not been abiding by the FCC rules. As I am sure most surveyors are aware, RTK utilizes a base radio, normally 35 watts, to broadcast correction values to a roving receiver, usually 2 watts. The FCC requires radios of 5 watts or more to be licensed prior to broadcasting. Obtaining a license for a private frequency can be very time consuming and costly.

The FCC has set aside a handful of frequencies that are classed as "itinerate" and can be used by the general public, provided users follow the rules. One of those rules state that voice transmissions have priority over data transmissions. Another important rule is that radio modems broadcast a call sign periodically.

Make no mistake, the FCC takes this matter very seriously, as evidenced by the penalties that can range from large daily fines (\$82,500), equipment confiscation, civil liability, and/or criminal prosecution. Voice users of the itinerate frequencies are becoming increasingly more frustrated about infractions and are threatening legal action through the class action suit mentioned above.

I believe the new radio modems shipped with GPS receivers, as well as upgraded moderns, are designed to test the frequency prior to broadcast to insure no voice users are on the air. The modem will monitor the frequency, then send a burst of data, then monitor again prior to sending another burst of data. The older systems simply sent a stream of uninterrupted data that could potentially walk on a voice user.

Copies of the FCC regulations [Title 47 Code of Federal Regulations (CFR) Part 90] can be obtained from the US Government Printing Office at 1-202-512-1800, or from the FCC web site at www.fcc.gov/wtb/rules.html. The three primary rules relating to data transmission are:

* 47 CFR 90.173: Obliges all licensees to cooperate in the shared use of channels.

* 47 CFR 90.403: Requires licensees to take precautions to avoid interference that includes monitoring prior to transmitting.

* 47 CFR 90.425: Requires the stations identify themselves prior to transmitting.

Additional information can be found at the Trimble web site: www.trimble.com/survey/fcc.htm and Pacific Crest Corp. www.paccrcst.com. Pacific Crest also offers a free downloadable "Guide to Wireless GPS Data Links" that I found to be very informative. Please take the time to review these references, then check your RTK system to ensure compliance.

This is a very serious issue that could have dire consequences to you as an individual surveyor as well as to our profession.

Reprinted from the *Hoosier Surveyor*, Vol. 28, No. 3, Winter 2002.

Did you know ...

In 1998, Wyoming's gasoline tax was raised from 9 cents to 14 cents, where it remains today. The national average is 19.3 cents. The current gasoline tax rates in surrounding states are:

Colorado - 22 cents
Idaho - 25 cents
Montana - 27 cents
Nebraska - 22.8 cents
South Dakota - 22 cents
Utah - 24.5 cents
Source: WYDOT

You know you're from Wyoming when

1. Your idea of a traffic jam is ten cars waiting to pass a tractor on the highway.
2. "Vacation" means going to Cheyenne for the weekend.
3. You measure distance in hours.
4. You know several people who have hit deer more than once.
5. You often switch from "heat" to "A/C" in the same day.
6. You use a down comforter in the summer.
7. Your grandparents drive at 65 mph through 13 feet of snow during a raging blizzard, without flinching.
8. You see people wearing hunting clothes at social events.
9. You install security lights on your house and garage and leave both unlocked.
10. You think of the major food groups as deer meat, fish, and berries.
11. You carry jumper cables in your car and your girlfriend knows how to use them.
12. There are seven empty cars running in the parking lot at the Walmart store at any given time.
13. You design your kid's Halloween costume to fit over a snowsuit.
14. Driving is better in the winter because the potholes are filled with snow.
15. You think lingerie is tube socks and flannel pajamas.
16. You know all four seasons: almost winter, winter, still winter, construction.
17. It takes you three hours to go to the store for one item even when you're in a rush because you have to stop and talk to everyone in town.
18. You know how to hide Easter eggs in the snow.
19. You actually understand these jokes and forward them to all your friends from Wyoming.

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Trimble

The New ACSM

The New ACSM is responsive to the stated wishes of current and potential members, capable of adjusting to evolving membership requirements and positioned to serve future constituents and their needs.

This report was developed by an ad hoc committee of ACSM*. It is an outline for the New ACSM The New ACSM will serve the Member Organizations as a coordinator and advocate of common interests, provider of administrative functions, and forum for cross-discipline networking.

MEMBERSHIP

ACSM will have no individual members. The membership of ACSM will be the Member Organizations, Individuals will join the appropriate MOs, and the MOs will be the members of ACSM. The membership criteria will be determined by each MO.

ACSM CONGRESS

The Congress will be comprised of the President and President-Elect of each MO, or two representatives as appointed or elected in a process to be determined by each MO. The Chair of the Congress will rotate annually among the MOs.

SERVICES

The individual MOs will determine the level of services and programs to be provided specific to their membership. Examples of services and program that could be contracted ~with ACSM:

1. Development of public relations materials and promotional activities specific to each MO
2. Conference/convention planning and facilitating
3. Administrative services
4. Other services or programs as needed and contracted by the MOs

DUES STRUCTURE

The MOs will set their own dues. Collection may be contracted with ACSM. Each MO shall pay an annual fee to ACSM to provide base level services. These services may include:

1. Maintenance of a national office
2. Government Affairs
3. Promotional activities for the Congress
4. Other services as determined by the Congress

EXECUTIVE DIRECTOR AND STAFF

The Executive Director will manage the national office, staff, contracts, programs, and serve as an ex officio member of the Congress. The Executive Director and staff will serve as the Treasurer and Secretary of the Congress.

*Members of the ad hoc committee were: Sam Best, Eric Anderson, Ed McKay, Gary Kent, Joe Dolan, Curt Sumner, Gerry Curtis, Dave Danko, Steve Frank, Lynn Usery, Rebecca Somers, Frank Hissong, Steve Briggs, John

Letter to the Editor

Dear Editor:

Please publish the following notice:

The Cadastral Survey Group of the Bureau of Land Management, Wyoming announces their new web site. This web site can be found at:

<http://www.wy.blm.gov/cadastrallcadindex.htm>.

The web page contains interesting information about early surveyors of Wyoming. There are also numerous links to tools and reference materials, including the BLM Manual of Survey Instructions, 1973 and two on-line training courses. A great deal of other useful information is also available.

One of the most interesting items provided may be the recently approved survey plats. You can find plats of all Wyoming surveys that the BLM has approved since October 1999. These images can be viewed, printed or downloaded free of charge for your use. More plats will be added in the future.

Paper copies of all BLM survey records may still be ordered by calling Lewis Morrell at 307 775-6222 or e-mailing him at Lew_Morrell@blm.gov.

Sincerely, John P. Lee, Chief, Cadastral Surveyor

BLM NEWS

This letter is to inform you of official cadastral surveys in Wyoming that have been accepted on March 27, 1998, were officially filed and are now available in the Survey Records Office, Wyoming State Office, Bureau of Land Management, P.O. Box 1848, 5353 Yellowstone Rd., Cheyenne, WY 82003.

The accepted surveys are listed below by township, range, type of survey, meridian, and acceptance date.

Sixth Principal Meridian, Wyoming

Township and Range	Type of Survey	Meridian	Accepted
T. 16 N., R. 80 W.	Dep. Res.	6 P.M.	4/23/2001
T. 30 N., R. 112 W.	Dep. Res.	6 P.M.	4/23/2001
T. 48 N., R. 102 W.	Dep. Res.	6 P.M.	4/23/2001
T. 44 N., R. 118 W.	Metes & Bounds, Tr. 39	6 P.M.	4/23/2001
T. 50 N., R. 74 W.	Dep. Res.	6 P.M.	7/30/2001
T. 51 N., R. 74 W.	Dep. Res.	6 P.M.	7/30/2001
T. 50 N., R. 84 W.	Dep. Res.	6 P.M.	7/30/2001
T. 29 N., R. 100 W.	Dep. Res.	6 P.M.	7/30/2001
T. 50 N., R. 73 W.	Corrective Dep. Res.	6 P.M.	7/30/2001
T. 51 N., R. 73 W.	Corrective Dep. Res.	6 P.M.	7/30/2001
T. 49 N., R. 66 W.	Corrective Dep. Res.	6 P.M.	7/30/2001
T. 52 N., R. 74 W.	Dep. Res.	6 P.M.	8/20/2001
T. 40 N., R. 117 W.	Dep. Res.	6 P.M.	9/28/2001
T. 41 N., R. 116 W.	Dep. Res.	6 P.M.	9/28/2001
T. 41 N., R. 117 W.	Dep. Res.	6 P.M.	9/28/2001
T. 54 N., R. 91 W.	Dep. Res.	6 P.M.	9/28/2001
T. 55 N., R. 91 W.	Dep. Res.	6 P.M.	9/28/2001
T. 52 N., R. 75 W.	Dep. Res.	6 P.M.	9/28/2001
T. 52 N., R. 91 W.	Dep. Res.	6 P.M.	9/28/2001
T. 40 N., R. 116 W.	Metes & Bounds, Lot 14	6 P.M.	9/28/2001
T. 24 N., R. 88 W.	Dep. Res.	6 P.M.	1/23/2002
T. 24 N., R. 89 W.	Dep. Res.	6 P.M.	1/23/2002
T. 33 N., R. 100 W.	Dep. Res.	6 P.M.	1/23/2002
T. 51 N., R. 97 W.	Corrective Dep. Res.	6 P.M.	1/23/2002
T. 14 N., R. 84 W.	Dep. Res.	6 P.M.	1/23/2002
T. 26 N., R. 84 W.	Dep. Res.	6 P.M.	1/23/2002

Wind River Meridian, Wyoming

T. 2 N., R. 5 W.	Metes & Bounds, Lot 14	W.R.M.	1/23/2002
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The approved plats listed above and plats approved in the future can be found on the following web site: www.wy.blm.gov/

Five Slash Fifty-three Knoll

Dear Mr. Scherbel:

We are pleased to inform you that the U.S. Board on Geographic Names, at its March 14, 2002 meeting, approved your proposal to name a summit located in Lincoln County, *Five Slash Fifty-Three Knoll*. This decision was made in agreement with the findings and recommendations of the Wyoming State Board of Geographic Names as well as the Lincoln Board of County Commissioners. The new name has been entered into the Nation's official automated geographic names repository and will be published in Decision List 2002. The entry will read as follows:

Five Slash Fifty-Three Knoll: summit, elevation 2,114 m (6,934 ft), located in Corner Number 5 of Tract Number 53, on the SW side of Alford Ditch, 4.8 km (3 ml) SW of Red Gap, 11 km (7 ml) SW of La Barge; named for a survey monument located at the peak of the summit; Lincoln County, Wyoming; Sec 30,T26N,R113W, Sixth Principal Mer; 42°12'23"N, 110°18'17"W; USGS map — Red Gap 1:24,000.

United States Board on Geographic Names

SOS Corner Form Competition

The winners of the SOS Committee Corner Recordation Form competition held at the Holiday Inn in Sheridan, Wyoming, during the 2002 WES Convention is as follows:

First place (tie): Rick Hudson, 1/4 Corner S.3-S.4 TR.38 T.43N., R90W; Alan Cormier, Tri County Corner, Natrona, Carbon and Converse Counties

Third place: Skylar Wilson, S.14-S.23-S.23-S.24 T.32N., R.108W.

Thank you for all that entered. We had the most entries in several years.

Trig-Star Update

The 2002 Trig-Star program is underway and on schedule. We have had better participation this year than we've had in the past. Final numbers are not yet known, but both the Central and Upper Platte chapters were attempting to contact schools and set up the program.

Awards Announced

The National Society of Professional Surveyors (NSPS) is happy to announce the 2002 winners of the following NSPS awards:

Surveying Excellent Award: John R. Chagnon, Portsmouth, NH

Student Project of the Year Award: Brandon D. Lee, Evergreen, Colorado

Excellence in Professional Journalism Award (Over 500 Member Category): Marilyn Evers, Editor, *The Florida Surveyor*, Tallahassee, FL

Excellence in Professional Journalism Award (Under 500 Member Category): Ralph N. Jackson, Jr., Editor, *The Benchmark*, North Conway, NH

Student Project of the Year

The National Society of Professional Surveyors, American Congress of Surveying and Mapping (NSPS/ACSM) announced that a graduate of the metropolitan State College of Denver's Surveying and Mapping Program had won the 2001 Student Project of the Year award.

Brandon D. Lee completed a senior project in conjunction with the Colorado Department of Transportation (CDOT).

The final report was submitted to the NSPS/ACSM for the annual competition. The report was entitled: *A Cooperative Program Between the Colorado Department of Transportation, the National Geodetic Survey, and the Metropolitan State College of Denver Surveying and Mapping Program, to Increase the National Vertical Control Network in Colorado*.

The scope of the project was to execute reconnaissance, construct survey monuments, execute field surveys, and data reduction for a level line of benchmarks (survey monuments providing accurate elevations) along CDOT's southeast corridor project (I-25 at Lincoln Avenue to I-25 at Alameda Avenue).

Upon completion of the quality control evaluation, the data was transmitted to the offices of the National Geodetic Survey in Silver Spring, Maryland, where final processing and incorporation into the national geodetic network data base took place.

Lee's academic advisor and instructor was Dr. Herbert W. Stoughton, head of the MSCD Surveying and Mapping Program. Also assisting Lee were several students enrolled in the Surveying and Mapping Program, and Richard Cohen, National Geodetic Survey geodetic advisor to CDOT.

OBITUARY

Frank Luers

CASPER – Funeral services for Frank Luers, 78 were held recently at Trinity Lutheran Church by Pastor John E. Hill. Interment was in Oregon Trail State Veterans' Cemetery in Evansville, with military honors accorded by the United Veterans Council of Natrona County.

He died May 8, 2002, at Life Care Center of Casper.

Born March 26, 1924, in Midwest, he was the son of Gerhard "George" and Anna Maria (Woltermann) Luers. After graduating from Riverton High School in 1942, he entered the U.S. Army and served in the South Pacific. He was honorably discharged in December, 1945.

On August 28, 1946, he married Esther Olson at Trinity Lutheran Church in Riverton. They were later divorced.

In 1946, he entered the University of Wyoming and graduated, with honors, with a degree in civil engineering. He worked for the U.S. Geological Survey, topographic division, and lived in Texas, Colorado, Montana and Wyoming. The family returned to Casper in 1953, where he was employed as the district engineer for Powers Elevation until 1958.

He then went into partnership with Lee Donley to form