



THE

INTERIOR ANGLE

KAPS 2012, FALL ISSUE

KENTUCKY ASSOCIATION OF PROFESSIONAL SURVEYORS
FALL 2012 – ISSUE 4



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124 Walnut Street
Frankfort, KY 40601

Letters must be signed and include a daytime telephone number. The name of the letter's author may be withheld if requested. Letters may be edited for clarity and length.

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KAPS WELCOMES NEW MEMBERS

James Steven Aunspaugh; Jackson Purchase Chapter

Randall Polly; Bluegrass Capital Chapter

Anthony Thompson; Green River Chapter

Thomas Baumann; Northern KY Chapter

Blake Adams; Bluegrass-Capital Chapter

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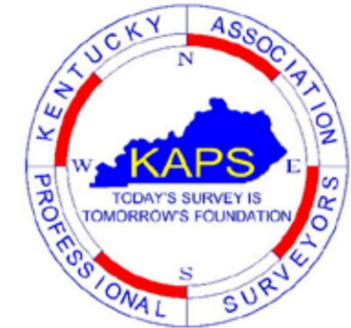
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KAPS Office Staff

Molly Forrest, Administrative Assistant

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KAPS 2012 Standing Committee Chairs & Co-Chairs

Annual Conference Donald Pedigo, PLS & Bobby Miller, PLS
 Annual Picnic Donald Pedigo, PLS
 Boy Scouts James Robert, PLS
 By-Laws Tom Bushelman, PLS
 County Surveyors Richard Montgomery, PE, PLS
 Education Dr. Ronald E. Gallagher, PLS
 Ethics & Professional Practice Chris Gephart, PLS
 Finance James Mayo, PLS
 GIS Edmund "Moe" Miller, PLS
 Legislative James Riney PE, PLS
 Membership Robert Westermeyer, PLS
 Minimum Standards Donald Pedigo, PLS
 Nominating Executive Committee
 Past Presidents Richey Newton, PLS
 Policy Manual Tom Bushelman, PLS
 Professional Development James Mayo, PLS or Chris Gephart, PLS
 Public Relations Thomas Clayborn, PLS
 Publications / Newsletter Doug Comer, PLS, PE
 Scholarship John St. Clair, PLS

On the Cover: A heavy frost settles in over Kentucky in late November.



Don Pedigo, PLS

Kentucky Association of Professional Surveyors
124 Walnut Street • Frankfort, Kentucky 40601

FROM THE PRESIDENT'S DESK

"HAPPY HOLIDAYS"

**HAPPY THANKSGIVING, MERRY CHRISTMAS
AND HAPPY NEW YEAR!!!**

I trust that everyone has had an enjoyable summer and hopefully a productive and profitable one. I look forward to this time of the year, the holidays and spending time with my family and friends. Of course with the great weather we have been having a little golf mixed in doesn't hurt either. I am enjoying my term as President.

Our new website is up and running and we continue to receive positive feedback. You can now register for events and the conference online.

Part of the pleasure of being President is meeting the KAPS membership and visiting with the various Chapters around the Commonwealth.

If you have a particular meeting or function you would like for me to attend between now and the conference in February, please let me know as soon as possible so I can get it on my schedule. We depend on the Chapter

Chairs to help keep the membership informed of what is going on at the State level and with the workings of the KAPS Board. You have done a great job, please keep up the good work.

SAFETY!

I have talked a lot about safety this year and we are planning a safety seminar for the conference. Please take some time to reflect on your operations and your field procedures while working in the backwoods of Kentucky and on the busy highways that guide us around the Commonwealth. While all the lights, signs, cones, vests and well founded precautions cannot stop an accident, they certainly reduce the chances.



The year is coming to a close. Please take a moment to discuss safety with your employees and survey crews. Ask and/or remind them to take the time to think about safety and to be acutely aware of their surroundings at all times. *"Be Careful out there!"*

The following is a brief review of activities since the October issue of *The Interior Angle* and our September 15th board of Directors meeting:

2013 KAPS Conference – The 2013 conference is rapidly approaching, the dates for the conference are February 20th through the 23rd, 2013. The conference will be held at the Marriott Louisville Downtown Hotel and Convention center. The hotel and convention center are nice, accessible, near all of the downtown attractions, and the convention center and meeting rooms are accommodating to our needs. I want to thank the Conference Committee for their dedication and commitment to making the 2013 conference

a success - **Tom Clayborn, John Schneider, Kevin Phillips, James Mayo, Bob Fentress, Bill Jones and Joe Scannell – THANK YOU!**

Fall Seminars – The 2012 Fall Seminars are just about over! The seminars have been a success but we need everyone's help for these to continue to be successful. Spread the word about the quality of the seminars KAPS presents to members and non-members needing continuing education hours or just wanting to attend a worthwhile seminar to learn about new surveying technology, machine control, GPS processing, state plane coordinate systems, dendrology, mock trial and/or surveying standards. We need topic and location suggestions for 2013 – be thinking about it, please.

Proposed Easement Regulation - Easement regulations have been discussed for quite some time. At the direction of the Board of Licensure Survey Committee, the B.O.L. staff and Board Legal Counsel drafted some language. The language is a result of research along with communication with several utility companies by the Board of Licensure staff. I have appointed a committee to review the information we have been provided. The committee chaired by Mr. Bob Fentress has met and we are currently in the review process. Please understand this is an arduous process and takes considerable time and effort to work through. We will keep you updated as the process progresses.

Legislative Session – Our Legislative Committee and Government Strategies, LLC have met and are working on the 2013 legislative session strategies. Now that the elections are over, we can get back to planning for the 2013 Legislative Session. We will keep you updated on our progress.

Plat Law Legislation – The concept of a Plat Law has been reviewed and approved in concept by the KAPS Board and Legislative Committee. It was discovered that similar language was introduced in 1990 to the Legislature and was partially successful. From what I understand, the bill had similar circumstances as our Statute of Limitations bill. We are currently reviewing

the 1990 language. A committee will be formed to make recommendations to the Board before going forward. Again, I will keep you updated as this proposed legislation progresses.

Statute of Limitations – KAPS Proposed Amendment to KRS 413.140, Statute of Limitations bill. The bill was sponsored by Representative Brent Yonts. The bill places licensed surveyors under the one year statute of limitations for professionals. This bill made it to the Senate Judiciary Committee with no opposition in the 2012 session before it and we ran out of time to get it passed. We have intentions to file this bill again at the appropriate time.

Practice of Surveying Exam – NCEES announced June 14, 2012 that the Practice of Surveying (PS) exam is to become a closed-book exam in April 2013. At this time, examinees will use NCEES-supplied references during the exam and will no longer be allowed to bring other reference materials into the exam room.

2012 Kentucky GIS Conference – The conference was held September 26-28 at the Marriott Louisville Downtown—the site of our upcoming conference. The Kentucky Association of Mapping Professionals (KAMP) was gracious in their invitation to provide KAPS a space in the Exhibit Hall for our booth again this year. I was fortunate to be able to attend the conference and had a great time. It was interesting and informative. I look forward to KAMP and the GIS Professionals attending our conference in February 2013. Bob Fentress was generous with his time in getting the KAPS booth to the conference and with helping me set it up—thank you.

KY/TN State Line – Middleton Offset – KAPS and TAPS are in discussions about a project to monument the Middleton Offset located near the centerline of US 31W in Simpson County Kentucky and Sumner County Tennessee. This is a great project for both associations and a great opportunity to generate some positive recognition for surveyors and the profession. I look forward to getting this project underway.

If you would like to be involved and/or know someone who is, please let me know or put them in touch with me.

NCEES-State Specific Exam – NCEES has taken steps toward implementation of computer based testing for both the FS and PS exams. This has raised the question of how and if the State specific portion of the examination can be administered. The cost of the state specific becoming computer based as well appears to be cost prohibitive. This topic is currently under review and we as KAPS will be asked to provide input. There will be more discussion on this topic in the coming months. If you have any questions please don't hesitate to contact me.

State Specific Item Writing (Examination Questions) Session - At the Board of Licensure Surveying Committee meeting in September, in addition to a discussion regarding the State Specific Exam, a request was made to KAPS asking for volunteers to assist in a session or most likely sessions for writing test/exam questions for our question bank. We have participated in this type of session before. This is a great opportunity for us to assist the Board of Licensure and the surveying profession. Keep in mind, if you volunteer for this item writing session you will be required to sign an agreement. This is to ensure confidentiality of the examination. So there is no misunderstanding, everyone should note that they give up ownership and all right, title, and interest in any of the questions they submit. The session or sessions will begin later this year and go until probably April 2013. If you are interested in participating in the item writing session please contact me.

KAPS/NSPS 100% Joint Membership Program – The proposal from NSPS would require 100% participation from the Association. The fee per member would be \$40 in lieu of the current NSPS membership fee of \$225 (not sure of the exact current fee – but it's close). The purpose of the program is to grow and enhance the profession and have a unified organization and voice. In an email from Curt Sumner recently, he tells us that the societies in three states (Virginia, Tennessee, Missouri) adjoining Kentucky have already joined the program, and Indiana and North Carolina tell us they are close. This is a program that we need to consider.

This is a very busy time for Molly and she continues to do a great job for us in the KAPS office. Please take a minute to call her, or even better yet, stop by the new KAPS office to meet and get to know her.

In closing, thank you for the opportunity to serve you. I promise to continue to serve the membership and the Board of Directors to the best of my ability. I will strive to achieve any goals that we set and to keep KAPS and the surveying profession moving forward and in a positive direction. I look forward to making new friends and to visiting with our membership throughout the year and will do my best to get new members involved in KAPS. Please don't hesitate to call or contact me.

Professionally and Sincerely,
 Don Pedigo, PLS
 KAPS President
 270-783-1071 (Cell)
DPedigo@SCRTC.com (Home)

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B. David Cox, Executive Director

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THE BOARD REPORT

Top Five Most Common Surveying Standards of Practice Deficiencies

1. Failure to provide the location of observation of the magnetic meridian when the magnetic meridian is used as the basis for bearings on a survey.

This item was one of the 2010 revisions. Previously the plat needed only to state that the magnetic meridian is the basis for bearings. Because local magnetic attraction can affect the compass needle greatly, it is very helpful to future surveyors to know exactly where a magnetic observation was made.

2. Failure to include the record source of each road which abuts the property being surveyed.

While a road right-of-way is different in some ways from other types of adjoining properties, it is an adjoining property nevertheless. The standards require that all adjoining properties be researched to determine the record source. In many cases, a diligent search will turn up a deed for the road right-of-way which adjoins the property you are surveying.

If after searching the public record, you are unable to find a record source, then a note on the plat to that effect will suffice. It is also advisable to note what information you relied upon to establish the right-of-way in the absence of a deed.

3. No statement of the actual unadjusted error of closure.

Some surveyors are under the impression that they need only state that the precision of their survey meets or exceeds the applicable requirement for that particular class of survey. For example a note on the plat might read "the unadjusted precision ratio of the survey loop exceeds 1 part in 10,000". This is not adequate. The actual precision ratio that was achieved on the survey in question should be stated on the plat.

4. No statement identifying the class of the survey as "rural" or "urban".

The terminology was changed as part of the 2010 revisions. Some surveyors are still using the old terminology "Class A" and "Class B".

5. No statement in the Title Block that the plat of survey represents a boundary survey and complies with 201 KAR 18:150.

This item was one of the 2010 revisions and is a new requirement. It is intended to differentiate plats of survey from other types of drawings that a licensed land surveyor might prepare. If the survey depicted on the plat is a "boundary survey" as defined in the Standards, then the title block must contain a statement that the plat of survey "represents a boundary survey and complies with 201 KAR 18:150".

If the plat or drawing represents anything other than a boundary survey, then Section 13 of the Standards apply. Among other things, Section 13 states that the title block must contain a statement that the work "does not represent a boundary survey and is not intended for land transfer".

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Active members of the Armed Forces of the United States whose military official home of record was Kentucky on the date the exam was taken or veterans whose residence for income tax purposes was Kentucky on the date the exam was taken will be reimbursed for successful completion of any exam. Please submit a written request for the reimbursement and include proof of service as described above, within one year of the date the exam was taken.

Students currently enrolled in a Kentucky university will be reimbursed for successfully completing the Fundamentals of Engineering exam or the Fundamental of Surveying exam. Please submit a written request for the reimbursement and include a transcript within one year of the date the exam was taken.

professional engineering unless and until he becomes licensed by the Board. No penalty was assessed for the current violations; however the Agreed Injunction calls for a fine of \$1000 and seven (7) days in jail for any future violation. The Agreed Injunction was entered in the Franklin Circuit Court on August 10, 2012.

PAUL RAMEY

In May 2012, the Board of Licensure received information that Paul Ramey, of Eddyville, had engaged in the unlicensed practice of land surveying in violation of KRS 322.020. An investigation confirmed that Mr. Ramey had distributed a letter in which he offered to perform various services. The services described in the letter meet the definition of "Land Surveying" as set forth in KRS 322.010 Section 10. Mr. Ramey is not licensed as a professional land surveyor in Kentucky. The matter was resolved through an Agreed Injunction wherein Mr. Ramey is enjoined from further practice or offering to practice unless and until he becomes licensed by the Board. No penalty was assessed for the current violations; however the Agreed Injunction calls for a fine of \$1000 and seven (7) days in jail for any future violation. The Agreed Injunction was entered in the Franklin Circuit Court on September 12, 2012.

ENFORCEMENT ACTIONS SUMMARY

For The Period

July 20, 2012 – October 5, 2012

SAMUEL A. WOOD

In May 2011, the Board of Licensure received information that Samuel A. Wood, of South Charleston, West Virginia, had engaged in the unlicensed practice of engineering in violation of KRS 322.020. An investigation confirmed that Mr. Wood had performed a structural inspection of a home in Russell, Kentucky. Mr. Wood prepared a report in which he rendered an opinion about structural deficiencies identified pursuant to the inspection and detailed corrective action necessary to remedy those deficiencies. Mr. Wood is licensed as a professional engineer in West Virginia, but he is not licensed as a professional engineer in Kentucky. The matter was resolved through an Agreed Injunction wherein Mr. Wood is enjoined from further practice of

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2013 CALENDAR OF EVENTS

January 11	Board Meeting	Frankfort KY
April 3-6	NCEES Southern Zone	Biloxi MS
April 12	PE, PS Exams	Louisville KY
April 13	FE, FS Exams	Louisville KY
April 19	Board Meeting	Frankfort KY
July 19	Board Meeting	Frankfort KY
August 16	Board Meeting	Frankfort KY
August 22-25	NCEES Annual Meeting	San Antonio TX
October 11	Board Meeting	Frankfort KY
October 25	PE, PS Exams	Louisville KY
October 26	FE, FS Exams	Louisville KY

Friday, June 22, 2012, 6:00pm

Wickland Historic Mansion - Bardstown, KY

BOARD OF DIRECTORS

CALL TO ORDER

Don Pedigo, KAPS 2012 President, called the June 22, 2012 KAPS Board of Directors Meeting to order.

PROXY VOTES: The following proxies were turned in:

- Brian Cox, PLS to Bob Westermeyer, PLS (05.29.12)
- Dempsey Miracle, PLS to John Schneider, PLS (05.30.12)
- Tom Clayborn, PLS to Mike Ladnier, PLS (05.30.12)
- Shaun Foley, PLS to Thad Lucas, PE, PLS (06.01.12)
- Bob Fentress, PLS to Kevin Phillips, PLS (06.04.12)
- Ted Niemann, PE, PLS to Doug Comer, PE, PLS (06.04.12)
- David Dummer, PLS to Kevin Phillips, PLS (06.05.12)
- Chris Gephart, PLS to Tim Ryan, PLS (06.08.12)
- Bobby Miller, PLS to Richard Montgomery, PE, PLS (06.11.12)
- James Mayo, PLS to Kevin Phillips, PLS (06.19.12)

John Schneider moved to accept these proxies. Doug Comer seconded. Motion carried. (*details follow)

MEMBERS PRESENT: Don Pedigo – 2012 KAPS President; John Schneider – Vice President of Internal Affairs; Bill Jones – Secretary/Director; Tom Bushelman – Director; Thad Lucas – Director; Doug Comer – Director; Michael Ladnier – Audubon Chapter Chair; Kevin Phillips – Bluegrass Capital Chapter Chair; Tim Ryan – Northern Kentucky Chapter Chair; Jonathan Payne – Jackson Purchase

Chapter Chair

STAFF PRESENT: Molly Forrest – Administrative Assistant

MEMBERS ABSENT: Thomas Clayborn – President Elect; James Mayo – Vice President of External Affairs; Brian Cox – Past President; David Dummer – Treasurer/Director; Craig Palmer – NSPS Governor; Chris Gephart – Kentucky Board of Licensure Liaison; Bob Westermeyer – KSPE Liaison; Ted Niemann – GIAC Liaison; Steve Lilly – KAMP Liaison; Bob Fentress – Director; Shaun Foley – Barren River Chapter Chair; Tim Chilton – Falls of the Ohio Chapter Chair; Robert Miller – Green River Chapter Chair; Johnny Justice – Highlands Chapter Chair; Mike Ruggles – Northeast Chapter Chair; Dempsey Miracle – Southeast Chapter Chair

GUESTS PRESENT: Richard Montgomery – County Surveyor Committee Chair

*President Don Pedigo immediately brought everyone's attention to the large number of proxies for the meeting. The KAPS By-Laws do allow for proxy voting; however, the question is do proxies count toward a quorum? Without the proxies, there are not enough members in attendance for a quorum but with the proxies, there is a quorum. Doug Comer made a motion to accept proxies toward a quorum. John Schneider seconded. Tom Bushelman, By-Laws Chair, agreed with the assessment. Motion carried.

John Schneider made a motion for the By-Laws Chair, Tom Bushelman, to investigate proxies in regard to quorum in both the By-Laws and the Policy Manual and propose any changes or specifications needed. Thad Lucas seconded. Motion carried.

ADDITIONS OR REVISIONS TO THE AGENDA

There were no additions or revisions to the agenda.

REVIEW AND APPROVAL OF BOARD MEETING MINUTES

The minutes of the April 14, 2012 Board Meeting were reviewed. Jonathan Payne made a motion to approve the minutes. Michael Ladnier seconded. Motion carried.

KAPS OFFICER REPORTS

President's Report – President Pedigo asked everyone to read over their report. He announced the 2013 KAPS Annual Conference will be held February 20–23, 2013 at the Marriott Louisville Downtown. A two-year contract was signed with the Marriott so the 2014 Conference will be at the Marriott Griffin Gate in Lexington. President Pedigo also emphasized the Practice of Surveying Exam will be closed book beginning April 2013.

President Elect's Report – written report submitted.

Treasurer's Report – written report submitted. John Schneider made a motion to accept the Treasurer's Report. Doug Comer seconded. Motion carried.

Administrative Assistant's Report – written report submitted. Molly Forrest announced the KAPS Office moving plans for the coming week. The Bluegrass-Capital Chapter plans to help move the heavier items. The Chapter Checks for the 2011 Fall Seminars and the 2012 Chapter Dues were mailed. Mrs. Forrest also encouraged any chapter wishing to hold a Fall Seminar in 2012 to get their information into the KAPS Office right away.

OLD BUSINESS

KAPS Website – President Pedigo announced that the new website had been launched. Several golfers registered for the Golf Outing

through the website.

Plat Law Legislation – President Pedigo reassured the Board that Plat Law Legislation has not been forgotten; just in limbo for now.

Statute of Limitations Legislation – President Pedigo reported a sponsor is needed in the Senate. Hopefully, this legislation will be passed in the next session.

Membership Clarifications – Article III Section 2(b), Article IV Section 1(b) – President Pedigo noted the current By-Law membership language is in the Board Packet with strike-outs and bold type indicating revisions. Tom Bushelman reviewed the proposed changes:

- The Fellow Member classification would be done away with. Currently, there are no Fellow Members.
- Lifetime Full Member status would be granted with payment equal to 15 years of the current full member dues rate.
- Honorary Life Membership would be available if the member is nominated by his or her chapter to honor those surveyors making a significant contribution to the profession.
- Compatriot Membership would be done away with.
- Corporate Members may be listed on the KAPS website within their appropriate chapter area within the "Surveyor Search" function along with appropriate contact information as well as the chapter specific brochures. Additionally, Corporate Members may enroll up to five full-time employees as KAPS members under the appropriate category at a 20% discount from the full price.
- Affiliate Membership to be granted upon the recommendation by the appropriate chapter.
- The Membership Roster will be maintained and available to the public on the KAPS website.

President Pedigo wished to take Mr. Bushelman's proposal under advisement and address the

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issue at the September meeting. The draft of the revisions will be emailed to the Board prior to the next meeting.

Office Space Available Adjacent to the KAPS Office Update – President Pedigo reported Bob Fentress negotiated a rent deal for the double space adjacent to the KAPS office. The contract was signed for \$800 / month to increase \$25 each year for four (4) years. The landlord agreed to clean the space as well as clean the carpet. Painting the space was KAPS responsibility. The low bid was approximately \$1,900.00. President Pedigo made the painting decision. Approximately \$600 was spent on shelving (the Executive Committee approved \$1,000.00). The KAPS address will remain the same.

NEW BUSINESS

Next KAPS Board Meeting – The next KAPS Board Meeting will be held Saturday, September 15, 2012, 10:00 A.M. EST at the Kentucky Engineering Center, 160 Democrat Drive, Frankfort, KY 40601.

Printer/Copier Quote Review and Discussion – President Pedigo directed everyone's attention to the copy machine quotes in their Board Packet. He and Molly Forrest recommend the Duplicator Sales and Service color copier/printer. Doug Comer made a motion to negotiate with Duplicator Sales and Service. Tom Bushelman seconded. Motion carried. Kevin Phillips expressed the need to also negotiate the buyout for the machine.

Surveyors Rendezvous 2012 – President Pedigo announced the Surveyors Rendezvous 2012 scheduled for September 13–15, 2012.

NCEES / PS Exam – President Pedigo mentioned again that the Practice of Surveying Exam will be closed book beginning April 2013.

NCEES / Volunteers – President Pedigo also mentioned the NCEES is seeking surveyor volunteers to help in testing July 27–28, 2012

EX-OFFICIO DIRECTORS REPORTS

GIAC Liaison – written report submitted

Professional Development Chair – President Pedigo directed everyone's attention to the revised 2011 Fall Seminar Report included in the Board Packet. The net profit was \$19,437.35.

CHAPTER REPORTS

Audubon – Michael Ladnier reported their chapter is working on details for their fall seminar.

Barren River – Thad Lucas reported trying to generate some excitement within the chapter.

Bluegrass-Capital – Kevin Phillips reported the chapter will be helping move the KAPS office and work on some cemeteries in Frankfort. Kevin also mentioned wanting to schedule a presentation for a newly licensed surveyor.

Falls of the Ohio – no written report. Bill Jones reported the chapter has not met since the last Board meeting.

Green River – no written report. Richard Montgomery mentioned the chapter will be on hiatus until September.

Northern Kentucky – no written report. Tim Ryan reported the chapter is attempting to retrace the Campbell County / Pendleton County line. They are also trying to rejuvenate their membership. They have 45 members and only around 10% are attending meetings.

Purchase – written report submitted. Jonathan Payne reported their Chapter is attempting to set-up a Facebook page. They are also making plans for their fall seminar.

Southeast – written report submitted

COMMITTEE REPORTS

Annual Conference – President Pedigo mentioned the Conference Committee (Don Pedigo, Tom Clayborn, Bob Fentress, Bill Jones, James Mayo, Kevin Phillips, John Schneider, and Joe Scannell) will meet July 13, 2012, 10 a.m.

at the KAPS office. He encouraged everyone to submit theme and seminar ideas to the committee.

Annual Golf Outing and Picnic – President Pedigo reported the Golf Outing was a success with 8 teams. All the teams donated their money back to the Scholarship Fund. Precision Products took first place; QK4 second; Palmer third. We had fifty-five (55) hole sponsors (\$5,500.00 in hole sponsorships). The sum total minus expenses was \$7,408.34. The Marriott Louisville Downtown contributed 25,000 Reward Points to be raffled off at the Golf Outing.

The Picnic, however, is suffering. Currently, the picnic is \$91.25 to the negative. Forty-one (41) signed up for the picnic including 14 children. The Marriott Louisville Downtown also contributed two (2) round trip airline tickets worth \$1,000.00 and one (1) weekend stay at the

Marriott Louisville Downtown worth \$500.00 to be raffled off at the Picnic. Raffle tickets are \$5 each.

Boy Scouts – to be discussed at the next meeting.

Legislative – no report; President Pedigo mentioned the Easement Committee will meet July 13, 2012. The Plat Law Committee has not been established at this time.

Nominating – see President Elects Report

Public Relations – see President Elects Report

Publications / Newsletter – no written report; Doug Comer reported the next issue of the Interior Angle should be coming out in July. Article submissions are welcome.

ADJOURNMENT

Tim Ryan made a motion to adjourn. Doug Comer seconded. Motion carried. Meeting adjourned.

Respectfully submitted by

Molly M. Forrest for Bill Jones, PLS, Secretary

Edited for content by Doug Comer, Editor.



Peanut Butter & Jelly



Shirt & Tie

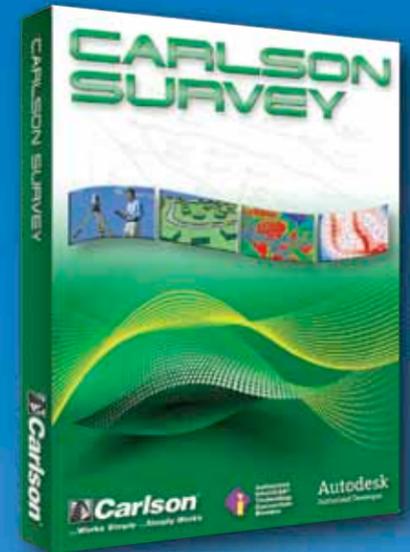
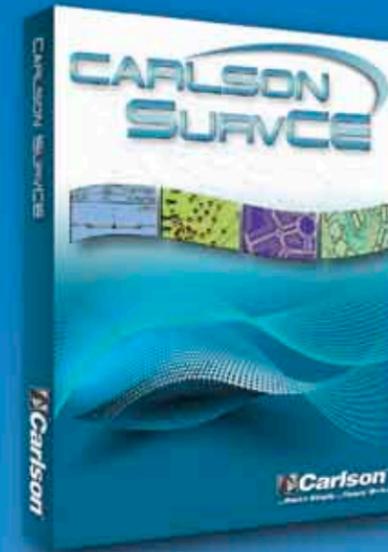


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Enriching the Profession

February 21 - 23, 2013

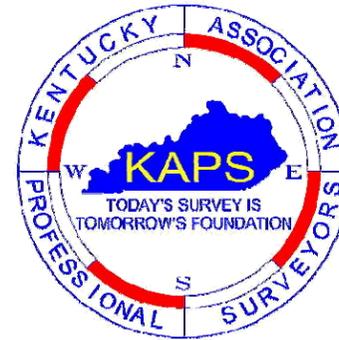
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Kentucky Association of Professional Surveyors

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Ph.; 800.866.3029, Fax: 502.695.2667
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Dear Colleagues:

I am privileged and honored to have been given the opportunity to serve you as the 2012 President. Please accept this letter as my personal invitation to you: join us for the Kentucky Association of Professional Surveyors (KAPS) 2013 Annual Conference. The Marriott Louisville Downtown, Louisville, Kentucky will host the conference. Technical Sessions will commence on Thursday February 21st, 2013 and conclude on Saturday February 23rd, 2013.

Networking is a tremendous benefit of being a member of the association. The conference affords the chance to network with other professionals, technicians, business owners and future team members across the Commonwealth. KAPS sponsored continuing professional development seminars in the fall and at the conference are up to date and reliable. We work closely with the Board of Licensure developing rules and regulations affecting the professional and the public. With the experienced help of our lobbyist, we introduce legislation beneficial to our profession and keep a watchful eye on legislation affecting the profession and professional. As a member, the support of the entire membership is at your fingertips. More importantly, as a KAPS member, you have the ability to stay informed and be involved. If you are not a member, please consider becoming one.

The surveying profession continues to evolve. Join us at the conference to learn about the Kentucky Standards of Practice; experience technological advancements and the latest trends in surveying. Our technical sessions are second to none. The secured conference instructors are experienced and knowledgeable—you won't be disappointed.

The technical sessions and equipment demonstrations at the conference benefit both the non-licensed as well as the licensee, so don't miss this great opportunity to include your non-licensed professionals. The knowledge they leave the conference with will strengthen your business and the survey profession.

For you non-members, please check the registration form where you will find an option to become a member of KAPS within the registration fee. It would be my pleasure to shake your hand and welcome you to our association.

Please don't hesitate to contact me if you have any questions or if I can assist you in any way. I look forward to seeing you in February—we are "Enriching the Profession" Travel safe.

Professionally,

Don Pedigo, PLS, KAPS President

Enriching the Profession AGENDA OVERVIEW

Wednesday, February 20

4:00 - 7:00 P.M. Registration Opens
6:00 P.M. 2012 KAPS Board of Directors Meeting.

Thursday, February 21

7:00 A.M. Registration
7:00 A.M. *EXHIBITS OPEN*
8:00 A.M. - 12:00 P.M. Technical Sessions
12:00 P.M. - 1:00 P.M. Luncheon & Installation of Officers
1:00 P.M. - 5:00 P.M. Technical Sessions
5:00 P.M. - 6:30 P.M. Exhibitors Reception & Door prizes
6:30 P.M. - 7:30 P.M. 2013 KAPS Board of Directors Meeting
6:30 P.M. - ??? Hospitality Suite

DINNER ON YOUR OWN

Friday, February 22

7:00 A.M. Registration
7:00 A.M. - 1:00 P.M. *EXHIBITS OPEN*
8:00 A.M. - 12:00 P.M. Technical Sessions
12:00 P.M. - 2:00 P.M. Luncheon & General Membership Meeting
2:00 P.M. - 6:00 P.M. Technical Sessions
6:30 P.M. - 7:00 P.M. Photo Sessions
7:00 P.M. - 9:30 P.M. Awards Banquet
9:30 P.M. - ??? Hospitality Suite

Saturday, February 23

7:00 A.M. Past-President's Breakfast
8:00 A.M. - 5:00 P.M. Technical Sessions
including PS & FS Exam Review
12:00 P.M. - 1:00 P.M. Lunch Included



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Enriching the Profession TECHNICAL SESSIONS

***MARK THE SESSIONS YOU WISH TO ATTEND & SUBMIT WITH REGISTRATION FORM
OR ONLINE REGISTRATION IS AVAILABLE AT www.kaps1.com**

Thursday, February 21 *Surprising Technology Available at Minimal Cost*
 8:00 A.M. - 12:00 P.M. 4 PDH; Course #12-10-041; Presenter - Dr. Frank Willis, PhD, PE, PLS

Thursday, February 21 *Kentucky 811*
 8:00 A.M. - 12:00 P.M. 4 PDH; Course #12-10-042; Presenter - Timothy Vaughn

Thursday, February 21 *Kentucky / Tennessee State Line Boundary*
 8:00 A.M. - 10:00 A.M. 2 PDH; Course #12-10-074; Presenter - Bob Fentress, PLS

Thursday, February 21 *Building an Effective Website*
 10:00 P.M. - 12:00 P.M. 2 PDH; Course #12-10-034; Presenter - Andrew Dodson

Thursday, February 21 *Un-manned Aerial Vehicle & Close-Range Photogrammetry*
 1:00 P.M. - 5:00 P.M. 4 PDH; Course #12-10-040; Presenter - Dr. Frank Willis, PhD, PE, PLS

Thursday, February 21 *Wilderness First Aid*
 1:00 P.M. - 5:00 P.M. 4 PDH; Course #12-10-035; Presenter - Douglas Wagoner

Thursday, February 21 *Getting to Know Machine Control*
 1:00 P.M. - 5:00 P.M. 4 PDH; Course #12-08-032; Presenter - Glenn Etienne

Friday, February 22 *Least Squares Adjustment Demystified*
 8:00 A.M. - 12:00 P.M. 4 PDH; Course #12-10-036; Presenter - Bruce Carlson & Dean Goodman

Friday, February 22 *Un-manned Aerial Vehicle & Close-Range Photogrammetry*
 8:00 A.M. - 12:00 P.M. 4 PDH; Course #12-10-040; Presenter - Dr. Frank Willis, PhD, PE, PLS

Friday, February 22 *Building an Effective Website*
 8:00 A.M. - 10:00 A.M. 2 PDH; Course #12-10-034; Presenter - Andrew Dodson

Friday, February 22 *The County Surveyor in Kentucky*
 10:00 A.M. - 12:00 P.M. 2 PDH; Course #12-10-075; William Ralph Paris

Friday, February 22 *3-D Mapping: Past, Present, and Future*
 2:00 P.M. - 6:00 P.M. 4 PDH; Course #12-10-037; Presenter - Mark Meade

Friday, February 22 *Kentucky 811*
 2:00 P.M. - 6:00 P.M. 4 PDH; Course #12-10-042; Presenter - Timothy Vaughn

Friday, February 22 *Using the Case Law Reference Book*
 2:00 P.M. - 4:00 P.M. 2 PDH; Course #11-01-000; Presenter - Bud Salyer

Friday, February 22 *Licensure Board Panel Discussion*
 2:00 P.M. - 4:00 P.M. 2 PDH; Course #12-01-013; Board of Licensure Members & Staff

Saturday, February 23 *KRS.322 / MTS / Code of Conduct*
 8:00 A.M. - 12:00 P.M. 4 PDH; Course #12-08-030; Presenter - Marco Rajkovich, Esq., PE, PLS

Saturday, February 23 *Ethical Considerations in Underground Mine Mapping*
 1:00 P.M. - 5:00 P.M. 4 PDH; Course #12-08-031; Presenter - Marco Rajkovich, Esq., PE, PLS

Saturday, February 23 *PS (LS) Exam Review*
 8:00 A.M. - 5:00 P.M. Presenter - Carol L. Morman, PE, PS

Saturday, February 23 *FS (LSIT) Exam Review*
 8:00 A.M. - 5:00 P.M. Presenter - Carol L. Morman, PE, PS

2013 KAPS CONFERENCE REGISTRATION FORM

CANCELLATION REFUNDS: 30 days prior to event: 100% • 10-29 days prior to event: 50% • 0-9 days prior to event: 0%

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 SPOUSE ATTENDING? Yes No (circle one) NAME OF SPOUSE _____
 KAPS MEMBER? Yes No (circle one) LIKE TO JOIN KAPS? Yes No (circle one; *form will be emailed)

REGISTRATION TYPE	MEMBER	NON-MEMBER	AMOUNT
FULL REGISTRATION Includes Thursday, Friday & Saturday Lunch, Friday Banquet, Admission to Exhibits, Saturday Technical Sessions; lodging NOT included	\$295.00	\$495.00 <small>(*includes option to become a member)</small>	
ONE DAY REGISTRATION Please mark which day you will attend: <input type="checkbox"/> Thursday includes lunch, sessions, & exhibits <input type="checkbox"/> Friday includes lunch, sessions, & exhibits	\$175.00	\$275.00	
SATURDAY KRS.322 / MTS / CODE OF CONDUCT SESSION ONLY	\$85.00	\$85.00	
SATURDAY ETHICAL CONSIDERATIONS SESSION ONLY	\$85.00	\$85.00	
SATURDAY PS (LS) EXAM REVIEW ONLY	\$125.00	\$125.00	
SATURDAY FS (LSIT) EXAM REVIEW ONLY	\$125.00	\$125.00	
NON-LICENSED TECHNICIAN REGISTRATION Please mark which day you will attend: <input type="checkbox"/> Thursday includes lunch, sessions, & exhibits <input type="checkbox"/> Friday includes lunch, sessions, & exhibits	\$130.00 <small>per day</small>	\$145.00 <small>per day</small>	
FULL-TIME STUDENT REGISTRATION Thursday & Friday only	\$0.00	<small>per day</small> \$25.00	
EXHIBIT PASS ONLY	\$30.00	\$40.00	
EXTRA MEALS Please mark below the # of extra meals needed: <input type="checkbox"/> Thursday Lunch / <input type="checkbox"/> Friday Lunch / <input type="checkbox"/> Saturday Lunch <input type="checkbox"/> Friday Evening Banquet (coat & tie event)	\$30.00 \$55.00	\$35.00 \$60.00	
TOTAL REGISTRATION AND EXTRAS			\$
ADD LATE FEE (if postmarked after February 1, 2013)	\$30.00	\$50.00	
GRAND TOTAL DUE TO KAPS			\$

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Andrew C. Kellie, PLS

Department of Industrial & Engineering Technology
 Murray State University, Murray KY 42071, akellie@murraystate.edu

"I JUST WANT YOU TO RUN THE LINES..."

It was a beautiful fall day. We had gotten through the rush of spring and summer construction staking, and both the crews still were busy in the field. Sam and her crew had the GPS on a boundary retracement. Ted was using the new robotic total station for some construction staking that had to be done before the weather turned. I was busy with the "business" side of our "surveying business". Part of that business involves meeting with the clients to whom we render service. It's a part of the business I usually enjoy. Where is the job? What will the client need from the survey? Who else (adjoiners, heirs, etc.) will be involved? When will the job need to be completed? How are we going to tackle it?

This morning was no exception. My first meeting was with Mr. Foxworth. Mr. Foxworth was a take-charge person. He was contemplating the harvest of some timber—"valuable bottomland hardwoods"—as he put it. His forester had advised him to have a survey before selling his stumpage. Mr. Foxworth was well posted on the land involved. As he explained it to me, he had bought the *last* of 5 tracts—he stressed the word *last*—that came out of the "old Johnson place". The "old Johnson place" was 1250 acres by deed, and Judge Johnson had sold all five tracts as 250 acres each. In 1960, Mr. Foxworth, with an eye to the future, had bought the last one. Apparently, for Mr. Foxworth, the future had finally arrived.

I was familiar with the "old Johnson place". The lines of all five tracts had been surveyed and platted by Tom Sampson, who had operated the only survey practice in our county until 1990. Tom did very basic work, but he marked his lines and monumented his corners, and if he

showed a monument on a plat, it would be on the ground and the lines to it would be hacked and marked. Mr. Foxworth's deed described his land as being the most easterly 250 acres as shown on the Sampson plat. I had often admired the plat of record in the county courthouse—three colors of ink on blue tracing cloth, bearings and distances on each line, monuments called for at each corner. We had retraced one of the other Johnson lots a couple of years ago, and the survey had been almost perfunctory.

So if the lines and corners were marked, and the plat was of record, what was the problem? Why had Mr. Foxworth's forester—who had obviously been on the ground to do the timber inventory—suggested a survey? Mr. Foxworth helped me out. "I just want you to run the lines, and when you survey my neighbors' land, you be sure to give each of them all of the 250 acres they are entitled to by their deeds. I've walked the "old Johnson place" many-a-time and I know there are more than 1250 acres there. I bought last, so after my neighbors get their 250 acres each, you be sure I get everything that's left!" It was easy to see why the forester had beat a hasty retreat!

Since I'm the surveyor, I tried to explain the situation to Mr. Foxworth. It took over an hour. Deeds to the other grantees all called for the Sampson plat. I tried explaining that if the lines and corners had been marked for 50 years, were shown on a plat, called for in the deeds, and were visible on the ground today, they would probably control the location of his boundary. Mr. Foxworth was indignant. "Them words in the deeds giving my neighbors each 250 acres are what fix the land," he said, "and all I want you to do is to run

out my neighbor's deeds—no more, no less, everything they got coming—but when they've got theirs, I've got what's left 'cause I bought last! If Tom Sampson was fool enough to put the lines in the wrong place, I'm not bound by his work. Judge Johnson drew those deeds himself and *they* fix the land." In the end, Mr. Foxworth decided that if there was extra land in the "old Johnson place" there probably was more than 250 acres in his parcel. Besides, once he had sold his timber, he was going to put the land on the market anyway, so why was there any need of a fuss? He signed a contract for the survey, and we were to begin Monday.

I hadn't even had a chance for a cup of coffee before the Sally Smith walked in. Ms Smith was a part-time real estate speculator for whom we once had done a small subdivision. Ms Smith was her usual positive, well-dressed, and bubbly self. She had had a very busy weekend in her real estate practice—lovely fall weekends always were, she informed me—and she had been able to move "another" of the lots in the subdivision I had done for her four years ago! At that time, we had surveyed the exterior boundary, monumented the corners of the five lots interior lots involved, and represented Ms Smith before the county planning commission. The commission had approved the plat and we had recorded it for her.

So if the lines and corners were marked and the plat was of record, what was the problem? As Ms Smith explained it, the problem was that her clients hadn't liked "my design" for the lot they were buying. They wanted more road frontage and a deeper lot. Ms Smith had assured them that this would be no problem, so she and the clients had moved around "my markers" in the field.

As she put it, "I just need you to run the lines the way we want them and then go up to the courthouse and change the plat to match." It was as simple as that!

Since I'm the surveyor, I tried to explain the situation to Ms Smith. To begin, I pointed out that making the lot "deeper" wouldn't work, because the land to the north wasn't included in the original subdivision. In fact, it wasn't included in

any land Ms Smith owned. Ms Smith tapped the utility easement shown along the north line on my plat—it was labeled "utility easement 10 feet wide"—and said that all she had done was move my "markers" north ten feet. I pointed out that my "markers" were on the north line of the subdivision and not on the south line of the easement. Ms Smith was *not* mollified. She said that if I showed it "like that" on the plat it should be "like that" on the ground. I chose not to point out that it *was* like that on the ground *and* on the plat—at least before she moved them!

I also had to explain I couldn't simply go to the courthouse and change a plat of record. I suggested instead that we just replace the monuments as shown on the plat, and then mark the location of the building the clients were proposing to construct. Ms Smith agreed that once she had shown her clients how fine the location was, they would reconsider the "small changes" they had insisted on last Saturday. In the end, Ms Smith signed a contract directing us to do the work I had suggested.

My schedule for the afternoon included meeting a new client—a Mr. Wilson—and his architect. Mr. Wilson owned Lot 17 in "Lovely Lake Manor" and wanted us to stake an easement for him. "I bought Lot 17 some years ago," he explained. "The agent showed me where the corners were on the ground and they were marked just like on the plat. I just need you to run the lines so I know where the easement is." During the drive to the lake, Mr. Wilson's architect was in full cry. "The last lake house I did had 6,000 square feet on two levels and we might be able to use that here. We'll set it into the bank and top some of the trees so you'll have a beautiful view of the sunset on the lake. Cedar siding and a redwood deck around the front of the upper story should blend very nicely with the other vacation homes in the area."

So if the lines and corners were marked on the ground and the map was of record, what was the problem? The problem was that "Lovely Lake Manor" was a protracted 1950's subdivision that was known locally as "Cedar Swamp". The subdivision plat showed sweeping streets connecting artistically designed lots. On the ground, neither streets nor lotting conformed

to the plat. "Lovely Lake Manor" had an evil reputation among surveyors.

Lot 17—the Wilson lot—was on the shore of the lake and abutted Lot 23 to the north. Lot 23 fronted on Big Bass (!) Road. As shown on the plat, Lot 17 had no access to any road, Big Bass or otherwise. Mr. Wilson quickly explained. A note on the plat said, "All lots are granted use of a public right-of-way and boat launching ramp at the lake." Mr. Wilson had interpreted that to mean that there was a public right-of-way *to his lot* and there was a boat launching ramp at the lake. And in Mr. Wilson's mind, that right-of-way went across Lot 23.

Since I'm the surveyor, I tried to explain the situation, but according to Mr. Wilson, "The gov'ment has a law that no one is to have a land locked parcel, and if they do, then some judge makes one for you! So if you will just put the right-of-way on the ground, I'll clear it with the judge." I declined to mention that Mr. Wilson's parcel really wasn't land-locked because he had lake access from the boat ramp. Nor did I explain the difficulty in getting "some judge" to agree to declare one for him. Instead, I suggested that we walk the land and see where an easement might be placed to get to Lot 17.

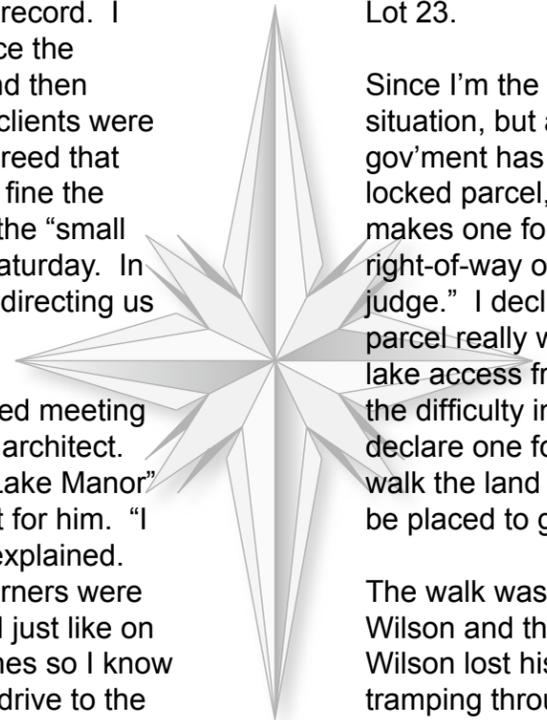
The walk was a good idea. It cooled both Mr. Wilson and the architect considerably. Mr. Wilson lost his voice due to the exertion of tramping through the woods. The architect was "rendered" speechless by the lot. The architect's preconceived notion of a lakefront lot sloping steeply and serenely toward the water appeared a bit premature; the lot was barely above flood stage, almost level, and thickly covered with willows. A timbered peninsula to the west seemed

to preclude a sunset view, and anything "set into the bank" would resemble a fallout shelter of even date with the 1950's plat.

However, our walk showed that Lot 23 on the north had an existing driveway along what appeared to be the west lot line. The drive began at Big Bass Road and stopped about 10 feet north of the Wilson lot. The "vacation home" on Lot 23 was a travel trailer on blocks. Assorted used vehicles in various stages of disrepair were parked in the yard. I made friends with the hounds and then knocked on the door. It turned out that Mr. Wilson's neighbor was delighted to meet him and quite willing to grant Mr. Wilson an easement across his existing driveway provided that Mr. Wilson widen and pave the drive as part of the agreement. Mr. Wilson concluded the "negotiations" by directing us to survey the easement, retrace his boundaries, and locate the line of the 100 year floodplain on his land.

The ride back to the office was pleasant enough, although I must admit that the architect was a bit grumpy. Reflecting on the day, I had to feel that I had somehow missed my calling. My whole day had been spent negotiating, and I was pretty good at it! Had I obviously missed big money by not working for the UMWA...or maybe the machinists?

When I got back, both crews were still at the office. I could tell—I could hear the voices from the parking lot. I quickly picked up the thread. Sam wanted to try the robot; Ted didn't want anything to do with GPS. I left them to it and got back in my truck. I had had enough negotiating for one day. I just hoped that when they finished they remembered to lock the door.



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MEMBERSHIP APPLICATION

NAME _____ SPOUSE _____

CHAPTER _____ KY P.L.S. NO. _____ LSIT NO. _____

PLEASE PLACE X TO INDICATE PREFERRED ADDRESS FOR ASSOCIATION MAILING

() **RESIDENCE ADDRESS**

CITY _____ STATE _____ ZIP _____

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() **BUSINESS NAME**

ADDRESS _____ FAX () _____

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STATE _____ ZIP _____ E-MAIL _____

BIRTHDAY _____ WEBSITE _____

EDUCATION (YRS COMPLETED) HIGH SCHOOL _____ COLLEGE _____

HIGHEST DEGREE _____

I HEREBY CERTIFY THAT THE STATEMENTS MADE ON THIS APPLICATION ARE CORRECT AND THAT IF ELECTED I AGREE TO BE BOUND BY THE CONSTITUTION AND BY-LAWS OF THE ASSOCIATION.

SIGNATURE _____ DATE _____

CLASSIFICATION OF MEMBERSHIP		PRORATION OF DUES (for New Members only)
() AFFILIATE MEMBER	\$87.50	Date of Application January 1 through June 10 July 1 through December 31
() ASSOCIATE MEMBER	\$87.50	
() COMPATRIOT MEMBER	\$87.50	Amount 100% of Annual Dues 75% of Annual Dues
() CORPORATE MEMBER	\$240.00	
() FULL MEMBER	\$175.00	
() HONORARY MEMBER	\$0.00	
() LIFE MEMBER	\$0.00	
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() SUSTAINING MEMBER	\$87.50	

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