



The Cornerpost

Journal of the Vermont Society of Land Surveyors

Volume 50, Number 3 | Fall 2019

Crossing the Line

A Discussion of
Haklits v. Oldenburg

Page 6

Death in the Wilderness

Page 14

A gold-colored shield-shaped emblem with a laurel wreath border. Inside the shield, the number "30" is prominently displayed in a large, bold, gold font, with a small "TH" superscript to its upper right. A gold ribbon banner curves across the bottom of the shield, bearing the word "Anniversary" in a black, serif font.

- Allentown, PA
Crofton, MD
Hackensack, NJ



The Cornerpost

Volume 50, No. 3 • Fall 2019

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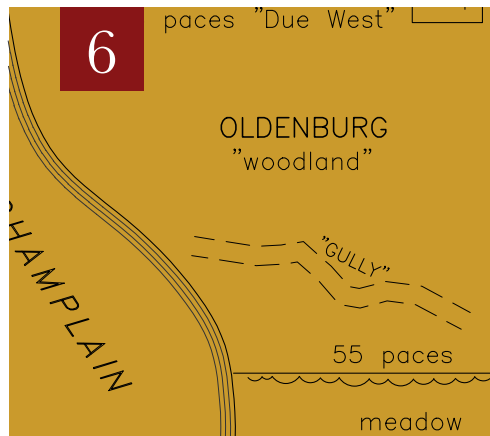
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Contents



Feature Articles

President's Corner	4
Crossing the Line: A Discussion of <i>Haklits v. Oldenburg</i>	6
NSPS Conference Update.....	8
Hungry Visitor Gets Messy Surprise.....	11
Scenes from the Fall Conference	12
Death in the Wilderness.....	14
Welcome to New Members.....	15
Random Notes	16
2020 Budget & Officers	17
Meeting Minutes.....	18
Survey Markers	22
Register for the Round Tables	23

Our Advertisers

Keystone Precision Instruments.....	2
Maine Technical Source.....	5
LidarUSA	9
Murphy Sullivan Kronk.....	10
John Grady, L.S.....	10
Eastern Topographics.....	20

Send In Your News

The success of *The Cornerpost* depends on all of our members. Please consider making a contribution to an upcoming issue. Send your articles, news and photos to kelly@vsls.org.

On the Cover

Dana Masson, L.S., sent in this photo of a wasp nest he encountered on a recent job. "Sometimes you have to flag lightly," he remarked. Dana receives a \$50 gift certificate to the restaurant of his choice for having his image selected for the cover. Please send your photo for the next issue to kelly@vsls.org.

PRESIDENT'S CORNER



“I want to continue to encourage our younger members to reach out if you’re interested in participating, whether it’s on the Executive Committee or one of our other committees. They all need the help!”

We are quickly approaching the time of year when we consider participation in the Society and roles on the Executive Committee, and we’ve posted the slate of officers for 2020 in this edition of *The Cornerpost*.

Personally, I wrestled with the idea of an extension to the position of president. It does require a certain amount of time and effort, and like many of you I only have a limited amount to spare. I started on the Executive Committee back in 2008 as a director and have spent many of the past years as vice president, and most recently I have completed one term (two years) as president. Per our bylaws, I have the ability to extend my tenure by one more term, but after that the position needs to be filled with some fresh blood.

I am offering to serve another term as president, with the intention of helping to groom the next president in an effort to have a smooth transition when the term expires. We do have some new names listed in the proposed slate of officers, which I am very excited to see. I want to continue to encourage our younger members to reach out if you’re interested in participating, whether it’s on the Executive Committee, the Program Committee or the Preservation Committee. They all need the help! It is extremely rewarding and a great way to get involved and help make a difference.

Enough said about that! Reach out to a committee member or Kelly if you want to throw your name in the ring.

The seasons are changing fast! It is a lovely time of year to be outdoors enjoying nature and getting a lot of work done. Watch out for ticks, they have been out of control where my team and I have been working.

I look forward to seeing you at the December Round Tables on Thursday, Dec. 12. We’re meeting on Thursday this year because the facility was booked tightly for December. I still hope we see a lot of you there!

Mark Day

VSLS PRESIDENT

To join a VSLs Committee, contact kelly@vsls.org. Choose from the Program Committee, Executive Committee, and the Preservation Committee. Committee work is a small time commitment but a great way to contribute to your profession.

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Crossing the Line

BY TIM COWAN, L.S.

A DISCUSSION OF *HAKLITS V. OLDENBURG*

Like many surveyors, I often put great stock in certain “rules” of surveying that are passed down to us through texts, articles, seminars and from our mentors. Typically these rules have been compiled from abstracts of reported court cases – a perfectly valid concept.



Today, with access to certain web-based services, we can search for key words or phrases and get a listing of suggested, related cases. There are potential short-comings, though, in relying on individual quotes or passages from a court decision without seeing the complete context of that particular case.

Certain events recently had me re-reading an article titled “Unmistakable Marks: When a Monument is Not a Monument,” by Kris Kline, PLS (*POB Magazine* March 4, 2015). That article lamented the frequent reliance by surveyors on uncalled-for monuments and in doing so quoted from a 1964 Vermont Supreme Court case, *Haklits v. Oldenburg* (124 Vt. 199; 201 A. 2d 690).

The article used the Oldenburg case as an example of a high court rejecting the use of uncalled-for monumentation. It quotes from that case: “... in the first place, the iron pipe claimed to have been set by the common grantor is not a monument in the true sense of the word, for it was not designated nor referred to in the description of the grant.”

After enjoying the article, I was curious to read the Vermont case itself to see what more I could learn on the subject. It turned out that there was a lot more going on than just an uncalled-for corner marker.

A summary of the Oldenburg case, in my own words, is as follows: In 1946 Oldenburg purchased a portion of the Rocque farm on the east shore of Lake Champlain in Shoreham. In

1958-59 he built a camp near the northeast corner of the parcel, that corner being marked by a pipe. Later Haklits bought the remainder of the Rocque farm, becoming the owner of the surrounding lands on the north, east and south sides of Oldenburg. Haklits then sued Oldenburg, whom, he believed, had built his camp partially across his north line onto Haklits’ land. A lower court appointed a chancellor to gather facts and hear the dispute, who thereafter decreed for the plaintiff (Haklits), finding that Oldenburg’s camp really did cross the line by about fifteen feet and needed to be removed.

Oldenburg appealed that decision, arguing, in short, that there was another pipe at the base of an oak tree that marked the true line between the two.

Rocque’s 1946 deed to Oldenburg conveyed a parcel with the following description:

Being a piece of woodland bordering the shore of Lake Champlain, said land being a part of my home farm

Land is bounded as follows, On the north, south and east sides by meadow land owned by me and on the west by waters of Lake Champlain. Said land to be marked at the northeast and southeast corners by iron stakes driven into the ground. North and South boundary lines to continue due West from these stakes to the edge of the lake

Measurements of the property sold are as follows, Northeast stake to Southeast stake 65 paces. Northeast stake to high water mark of the lake 95 paces. Southeast stake to high water mark 55 paces.

An iron pipe found at the northeast corner of Oldenburg was not disputed by either of the parties.

Oldenburg maintained that Mr. Rocque (the grantor) had, shortly before the conveyance, walked “straight towards the setting sun” from that northeast corner and set an iron pipe at the base of a large oak tree to mark the north line of the conveyance, and therefore, this pipe controlled the boundary between the two.

Now, let’s go back to the *POB* article. The author accentuates that the court ruled against Oldenburg due to the fact that the pipe at the oak tree was not named in the deed, which is true. But it’s not the whole story. The chancellor, later backed up by the court, had also enumerated the following problems with accepting that pipe and the line claimed by Oldenburg.



Gayle Burchard
Vermont NSPS Director

NSPS Conference Update

The 2019 Fall Meeting was held Sept. 26-28 in Orlando, Florida, at the Hilton Bonnet Creek Hotel. This is the same location where in 2023 FIG will have their working week.

On Wednesday, there was a golf tournament to raise money for the PAC, and one of New Hampshire's Young Surveyors won the putting contest – which I'm sure you have all seen already on Instagram.

On Thursday, there were committee meetings all day. I started off the morning with the Colonial State Directors, which I think I mentioned in the last report. I'm no longer attending the Great Lakes Council, since I feel that the Colonial States Committee can better represent Vermont. Topics of conversation mostly had to do with NCEES proposed exam changes and possible regional licensing if NCEES is going to be offering different survey modules.

The next committee meeting was Public Relations. The biggest item there was creating a subcommittee for social media. Tim Burch (your NSPS Vice President) is heading the committee, with Amanda Allred assisting. Tim is set up and ready to start a new podcast, "Surveyor Says," which replaces the weekly Radio Hour that Curt Sumner hosted for many years.

The subcommittee is also developing a site on Instagram (if I'm not using the right terminology, please forgive me – I'm still trying to learn all this stuff). Check it out – there are chances to win stuff and contests coming up. For all of us older people, NSPS also has a Facebook page. One of the things that came up in the committee was that all



Members of the General Assembly during the September conference. Below, Wayne Harrison, chair of the NSPS Foundation Board of Trustees, explains a bylaw change.

our videos and flyers show technicians working in the field and not much about the professional side of surveying. If anyone has any ideas on how to show the professional side of surveying, please let me know.

The Communications Committee is going to be working with the Social Media subcommittee on ways to promote surveying in different media platforms.

The Certified Floodplain Surveyor Program is moving along. It has been decided that the North Carolina test will be the one used nationally. We are looking into having the test regionally for those people who would like to become certified. New Hampshire, Maine and Rhode Island are all interested, and I'm sure that there are some of you that would like to have another tool in your toolbox.

At the Directors Meeting on Friday and Saturday morning, there were 13 motions to be voted on. I'm not going to list them all here – I will have a list and the results on our web page. I just want to say that there are a lot of dedicated individuals out there representing you at the national level.

I'm looking forward to seeing you all at the Round Tables. Hopefully we'll



PHOTOS BY RICHARD BROOKS

be able to come up with some topics that you'd like to have discussed on the podcasts, and I'd also like to gauge your interest in the Certified Floodplain Surveyor program.

One final thing to the technicians out there (and their employers), think about doing the CST program. It is a great tool if you are thinking about getting licensed or just a great way to get a pay raise. 🙌

Gayle

Check out NSPS on social media!





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ATTENTION FELLOW SURVEYORS

The Farmer's Almanac is predicting another brutal New England winter. Are you prepared for below zero temperatures, deep snow and record frost? Or, would you rather be surveying in the warm climates of Florida, North Carolina, or Virginia? VHB, an east coast surveying, engineering and environmental firm is looking for field and office surveyors in our Orlando, Raleigh, and Williamsburg offices. Just think, a winter with no snow, temps never below 60, and no need for a bull point to set stakes.

VHB has 30 locations from Maine to Florida, employing over 1,600 employees, including 85 surveyors. We pride ourselves in hiring talented professionals, offering excellent benefits and pursuing very exciting projects. Our surveyors are an important part of our projects. If you are a Survey Project Manager, Survey Technician, Crew Chief or Instrument Operator looking to relocate to one of our southern offices, please send a resume to Jim Diorio, PLS, Corporate Director of Land Survey, at jdiorio@vhb.com. Relocation allowances considered.



Hungry Visitor Gets a Messy Surprise

IN SEPTEMBER, MY ASSISTANT and I were working on a 640-acre survey on the infamous Quimby Mountain area of Killington. This involved over four miles of traverse, where more than half of our traverse stakes had been knocked over and the ribbon ripped off. We almost began to feel stalked by the critter that had developed a taste for our flagging, which we suspected was a bear (or bears) that were certainly making their presence known.

When we started the traverse at a remote part of the job, we decided to carry in a mostly-full can of paint and leave it by the corner where we would begin the blazing and painting in a few days. This would save having to lug it up a very steep mountain later with our other gear.

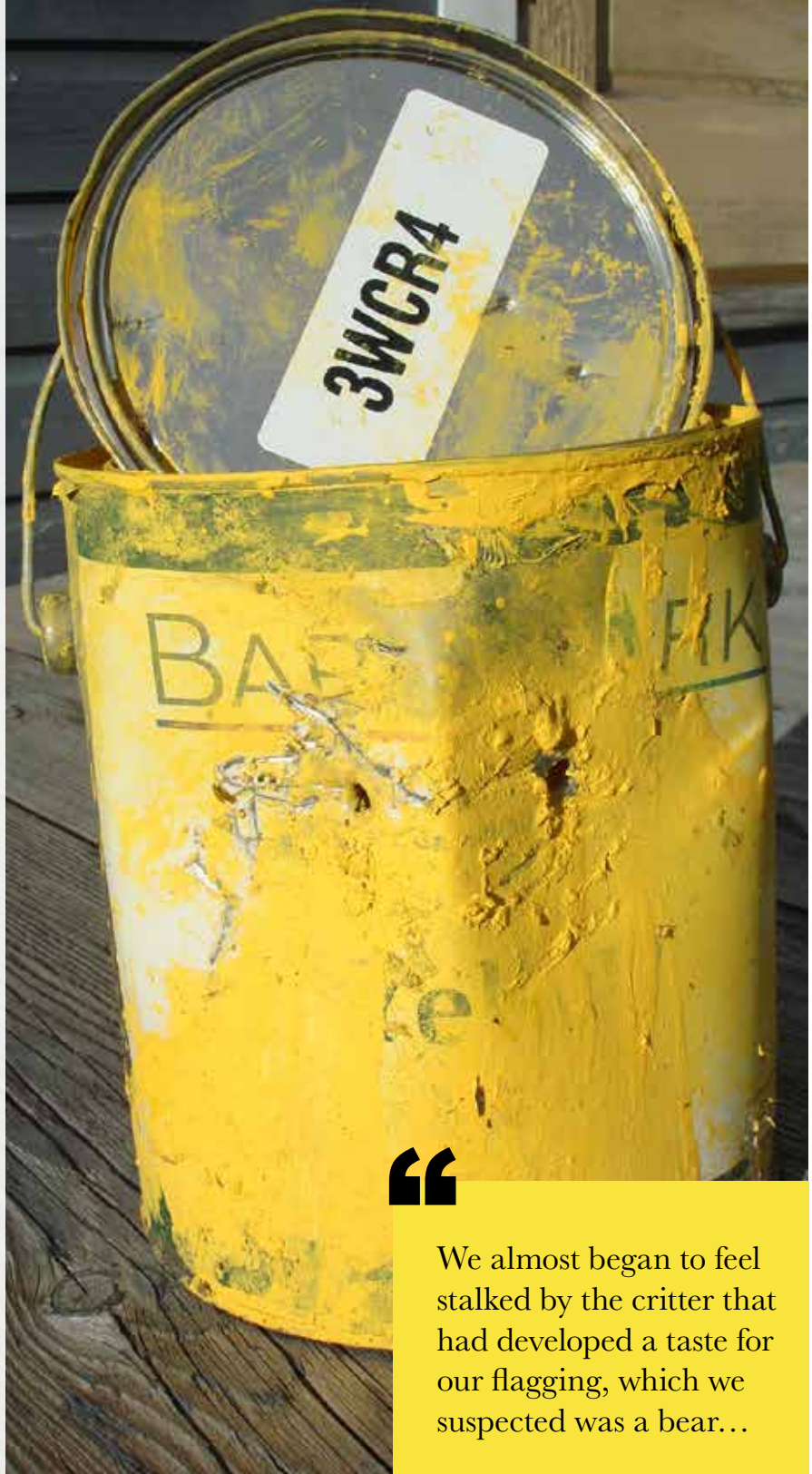
We were ready to mark the lines the following week, and we headed up the mountain to the starting point. My assistant led the way and radioed back with some concern that the can was found about 20 feet below the corner where we left it and in a pool of yellow paint.

Seems like our buddy had also acquired a taste for paint. The can and lid had been dented up pretty good with two claw holes punctured into the side. This reminded us of the awesome power of these animals.

Lucky for us, he did not get the lid off and the holes were facing up. Otherwise it would have been a refreshing 4000-foot walk down the mountain and back to retrieve more paint. The can was still about $\frac{3}{4}$ full and we were able to plug the holes with a couple of small sticks.

If anyone bags this fella during bear season, they're sure gonna wonder how it got covered with all that yellow paint! 🐻

—BY RICHARD LUNNA, L.S.



“

We almost began to feel stalked by the critter that had developed a taste for our flagging, which we suspected was a bear...

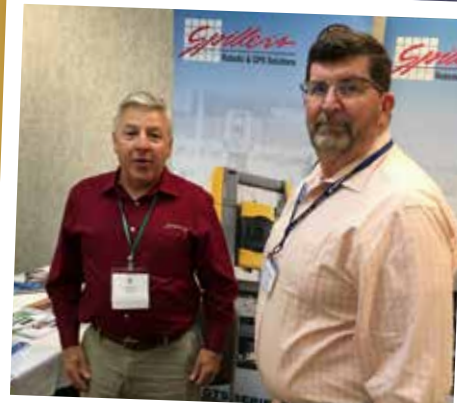
Scenes from the Fall Conference

September 5 & 6, 2019
Hampton Inn, Colchester, Vt.

Close to 100 members gathered in Colchester in September for the VSL 55th annual conference. Thanks to the Program Committee for planning this event and to everyone else for coming out!

Special thanks to our speakers:

- **David Doyle**, Base 9 Geodetic Consulting Services
- **Jim Schaller**, Colvin Crew
- **Jim Vianna**, PLS, Colvin Crew
- **Dan Martin**, Northeast Regional Geodetic Advisor, NOAA/NOS/ National Geodetic Survey
- **Robert Thorson**, Professor of Geology, University of Connecticut
- **Brennan Gauthier**, Senior Archaeologist, VTrans, and **Jess Robinson**, PhD, Vermont State Archaeologist





Death in the Wilderness

Members journey to the Northeast Kingdom to visit a landmark from the French and Indian War.

OUR OWN Honorary Member Paul Gillies, Esq., and I visited the Rogers' Rangers Cemetery in Granby, located smack-dab in the middle of Vermont's Northeast Kingdom.

It was a solemn experience to stand there and realize that all was wilderness in 1759. New Hampshire Governor Benning Wentworth had not chartered any (to become) Vermont towns yet.

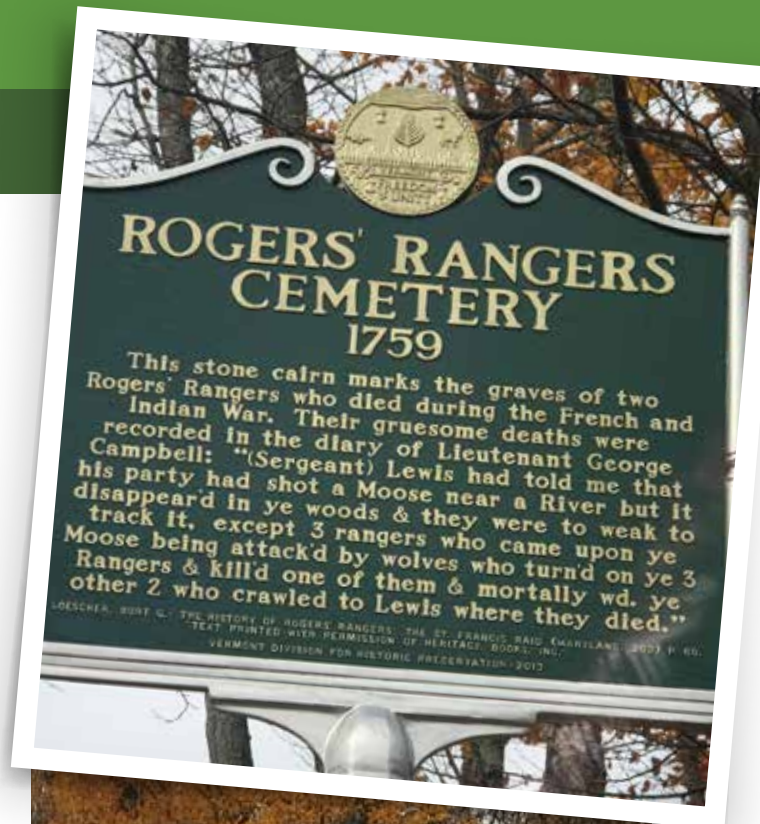
Robert Rogers and his Rangers were given the charge to make their way to the Indian village of St. Francis to conduct a raid in retaliation for their raid upon the lower colonies.

The Rangers proceeded in a clockwise direction up Lake Champlain and returned through the Northeast Kingdom. Those who survived were supposed to meet at the mouth of the Wells River and proceed down to Fort No. 4 in Charlestown, N.H.

Without getting into all of the gory details, let's just say we took it on the chin.

For those who might ask why this is important to surveying, I would answer that the colonial history regarding the fight for and founding of Vermont is all important. 🇺🇸

—BY BYRON KIDDER, L.S.



ROGERS' RANGERS CEMETERY

Granby, Vermont

44° 34.735' N, 71° 45.806' W



New VSLS Members for 2019

Donald Albrecht, L.S.

Out-of-State Member
C.T. Male Associates
Latham, New York

Jim Diorio, L.S.

Sustaining Member
VHB, Inc.
Locations in Florida, Georgia,
Maine, Maryland, New
Hampshire, New Jersey, New
York, Rhode Island, Vermont
and Virginia

Mark Downing

Associate Member
Donald Hamlin Consulting
Engineers
Essex Junction, Vermont

Gordon Matson, L.S.

Out-of-State Member
Weston & Sampson Engineers
Albany, New York

David Mott, L.S.

Out-of-State Member
SGC Engineering, LLC
Westbrook, Maine

Eric Schnabel

Student Member
Paul Smith's College
Paul Smiths, New York

Nicole Snow

Associate Member
Trudell Consulting Engineers
Williston, Vermont

welcome



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- Remember that permanent structures are not permitted within VELCO's Rights of Way.

Random Notes

A SECOND LOOK AT STONE WALLS

→ Following the 7-hour stone wall seminar at the Fall Conference, David Coleman, L.S., shared this picture of a stone wall at his farm. The wall is 8 feet wide and 4.5 feet high. The stadia rod belonged to Heman Chase, L.S.

To look at the stone wall hand-out or any other materials from the Fall Conference, visit the VSL website and search for "conference presentations."



SCENES FROM THE OUTDOORS

Tricia Kules, L.S., sent in a few photos she snapped recently. The first is a buck captured through the total station scope, then a photo from measuring the pumpkin chucking contest in Stowe, and finally a job site with a great view of Mt. Mansfield. "Just that view makes it worth working in Vermont!" Tricia said.



2020 Budget & Officers

2020 Proposed Budget

Income

Advertising	\$1,000.00
Donations	\$1,000.00
Interest	\$800.00
Membership Dues	\$24,000.00
Program Revenues	\$38,000.00
Publication Sales	\$250.00
TOTAL	\$65,050.00

Expenses

Accountant Fees	\$500.00
Association Dues	\$4,500.00
Bank Fees	\$1,500.00
Donation Expense	\$750.00
Insurance	\$800.00
Memorial Contributions	\$200.00
News Magazine	\$4,500.00
Office Supplies	\$1,000.00
Payroll Expenses	\$22,100.00
Postage	\$300.00
Program Expenses	\$21,650.00
Public Relations	\$500.00
Rent	\$2,150.00
Telephone	\$100.00
Travel	\$4,500.00
TOTAL	\$65,050.00

Get involved

To join a VSLs Committee, please contact Kelly Collar at kelly@vsls.org. We need you!



2020 Slate of Officers

PRESIDENT	Mark Day, L.S.
VICE PRESIDENT	Randy Otis, L.S.
SECRETARY	Lisa Ginett, L.S.
TREASURER	Keith Van Iderstine, L.S.
DIRECTORS	Paul Hannan, L.S. Rebecca Gilson, L.S. Nate Yager, L.S.

2020 NSPS Director

Gayle Burchard, L.S.

2020 VSLs Education Foundation Directors

MEMBERS AT LARGE

Scott Taylor, L.S.
Robert Holt, L.S.
Ethan Gilmour, Surveyor in Training

VSLs OFFICERS

Mark Day, L.S.
Randy Otis, L.S.
Lisa Ginett, L.S.
Keith Van Iderstine, L.S.



JUNE 20, 2019 • 6 P.M. • CONFERENCE CALL

The meeting was called to order at 6:01 PM. In attendance were Gayle Burchard, Becky Gilson, Mark Day, Lisa Ginett, Keith Van Iderstine, Nate Yager and our Administrator: Kelly Collar. Absent: Paul Hannan.

SECRETARY'S MINUTES

Minutes for the Executive Committee Meeting dated May 19, 2019 were reviewed and upon motion duly made and seconded it was unanimously **RESOLVED**: to approve, the minutes of the May 19, 2019 Executive Committee Meeting.

TREASURER'S REPORT

Treasurer's report for the period of Jan 1 to June 17, 2019: Gross profit for the period was \$30,370.15, total expenses were \$26,387.56, for a net income of \$3,982.59. Total assets = \$66,935.95. Profit from the spring seminar was \$5,185.00. It was noted that 14 full members have not yet paid their dues, and 12 life members and out-of-state members have not paid their dues to date. Kelly has sent a reminder email to these members and the group discussed that Kelly should inform the unpaid members that if they do not pay their dues by July 15, they will be removed from membership. It was also discussed with all in agreement that next year the deadline for paying dues should be March 30.

ADMINISTRATOR'S REPORT

Kelly mentioned that Joe Flynn had sent a letter to David Fox of VCGI and to Mark Day stating that he was concerned that Bill H526 did not directly require that plats be prepared by licensed surveyors. There is a movement to make an amendment to the Bill to reflect the correct language as to who can create an official plat.

Kelly reports that the Board has approved all of the fall conference courses. She also informed us that 30 people have signed up for the new listserv, but there has been very little activity so far.

At this point in the meeting this secretary was called upon to leave the conference call immediately and Kelly Collar continued the minutes.

Kelly reminded the group about the deadline for The Cornerpost. She also mentioned the form that Byron Kidder brought to our attention—a form that records the replacement or restoration of an existing or missing survey monument—and asked how we would respond to his question of whether VSLS should update this. After some discussion, the committee didn't feel that updating this form was something VSLS should take on and that surveyors should document their actions in whatever manner they feel is appropriate, given the situation. The group suggested that we ask Byron to write an article on this issue for The Cornerpost. There was also a suggestion that we have a table at the December Round Tables on whether it should be required to record boundary surveys.

UPDATE ON SCANS OF OLD SURVEYS

Since we have been waiting quite a while for Brad to return the hard drives and plans that Dibo scanned several years ago, the group suggested getting the hard drives themselves from Brad and having Dibo copy the scans onto them. Keith made a motion to send Brad a letter asking him to return the two hard drives or send us a reimbursement check of \$269 to cover the cost. Upon motion duly made and seconded, it was **RESOLVED**: to write a letter to Brad Holden requesting that he return the two VSLS hard drives or reimburse us for their cost.

There being no further business, the meeting was adjourned at 6:53 p.m.

Respectfully submitted,

Lisa Ginett, VSLS Executive Committee Secretary
and Kelly Collar, VSLS Administrator

Attention Members

Executive Committee meetings are held on the third Thursday of every month, and all members are welcome to attend. Email kelly@vsls.org for info.





AUGUST 15, 2019 • 6 P.M. • AIV BUILDING, MONTPELIER

The meeting was called to order at 6:02 P.M. In attendance were Mark Day, Lisa Ginett, Becky Gilson, Keith Van Iderstine, Paul Hannan and our Administrator: Kelly Collar. Also in attendance were Dan Martin and Brett Howe from NOAA/NGS.

DISCUSSION WITH OUR NOAA/NGS GUESTS

Brett Howe, the Division Director in the Geodetic Services Division of NOAA/NGS, works out of Washington D.C. and was visiting with Dan Martin to get a feel for any geodetic issues facing Vermont. Dan used to be our state advisor, but NOAA/NGS revised its structure about five years ago to create regional advisors, so Dan now covers New England, New York and New Jersey.

Dan said that when he was state advisor, he received regular calls from land surveyors looking for assistance with geodetic issues, but since becoming regional advisor, he has received far fewer calls. He would appreciate input from the surveying community about how the regional versus state advisory is working, and he wants us to remind the membership that he is always available to assist with geodetic issues. It was acknowledged that surveyors using GNSS on a regular basis are better educated on their use, and vendors are also better educated in helping surveyors set up their units for use in local geodetic networks.

Dan and Brett discussed that it might be a good idea to have a point of contact in the state to help facilitate the advisor's communication with the geodetic community. It might also help to have a State Geodetic Committee of geodetic users and stakeholders; such a group could be useful in ensuring that the proposed New State Plane Legislation is inclusive. Dan mentioned that if the state legislation does not include any identity for use of the foot (which will soon be defined as the International Foot) then NGS-published documents for our state won't include any foot data. Dan wants us to remind members about the NGS listserv, and also to direct people to the NGS website, under the heading of "education," where there are many webinars on geodetic subjects. Dan offered to write an article for "The Cornerpost" about the NGS web page and its various tools.

Dan and Brett want the local survey community to think about how to deal with transitioning between the current datum and the new 2022 datum, which they say will be rolled out some time in calendar year 2022. NGS is requesting that local surveyors get involved in helping to observe data on certain Benchmarks. There is a web map on the NGS site showing which points they are most interested in having us collect data on, in the effort to come up with better solutions for the Geoid18 modeling.

SECRETARY'S MINUTES

The Executive Committee did not meet as planned on June 21, due to lack of attendance, so the group reviewed

minutes from the meeting dated May 17, 2019. Upon motion duly made and seconded it was unanimously RESOLVED: to approve the minutes of the May 17, 2019 Executive Committee meeting.

Treasurer's report for the period of Jan. 1 to Aug. 12, 2019: Total income for the period is \$35,631.90, total expenses are \$ 32,387.03, for a net income of \$3,244.87. Bank account total = \$59,845.25. Membership dues for the year include 93% of members paid to date, with 15 members not responding to Kelly's last reminder. That includes nine full members, or 10% of our full members, who have not responded. We need to make certain that the seminar rates are enough higher for non-members that it will make it desirable to pay dues.

ADMINISTRATOR'S REPORT

Kelly reminded the group that there are only three more weeks until our fall conference. So far there are seven exhibitors attending the Exhibit Hall for the conference. There will be three other state society presidents attending from New York, New Hampshire and Maine. Mark will join them for breakfast on Friday morning at the conference. The two scholarship recipients will attend luncheon Friday, and Scott Taylor, chair of the VSL Education Foundation, will present them with their scholarship checks. Joe Flynn will be master of ceremonies, introducing the speakers. Kelly commented that she finds it difficult to set the seminar rates because there are so many variables, including the various discounts we offer to groups, Life members, and non-member technical staff; overall she tries to price the seminars so that we earn enough to meet the budget each year. Kelly noted that Huck Mundell complained because the conference is not being held in the second week of the month, which is often the case, and so it threw off his scheduling.

VCGI ORTHOIMAGERY WORKGROUP

Mark Day accepted a position on the orthoimagery workgroup to be certain that Vermont land surveyors' interests in orthoimagery are represented in planning the next flight group. The group held its first meeting by conference call and decided that it was worth the extra cost and planning to be certain that the photos will be collected during leaf-off times. The workgroup also discussed heights of the flights. It was discussed that instead of flying the photos from the usual 30km height along with 15km height over more heavily populated areas, they would consider requesting 20km flights for all photos. Mark also requested that they maintain and make available as much historical imagery as possible. He didn't receive an enthusiastic response from other members of the workgroup, but the VSL Executive Committee unanimously agreed with this request for historical imagery availability.

(continued on next page)

**→ UPDATE ON SCANS**

Kelly met with Brad Holden recently and received both of the hard drives containing the scans of plats and plans made some years back at the VSLS expense. The hard drives will be given to Scott Taylor at the Fall Conference, who along with the preservation committee, will work to prepare an index to make them usable to the VSLS membership. Brad also mentioned that when he forced open the old safe that Meg (the former VSLS Administrator) had in her office, he found several CDs that contain scanned data, but the CDs appear to be damaged. Brad suggested taking the CDs to a data recovery specialist to have the information recovered.

LAW DIGEST

Keith has been far too busy this season to attempt to create new Word documents for Paul Gillies to use to update the digest. He hopes to get to it soon.

OTHER BUSINESS

Paul wondered where the NSPS PAC money is going, as he

objects to paying for political campaigns. Gayle didn't think the PAC money was raised through our dues, but she will check with NSPS to be certain. Mark brought up the issue of the next society president. Although he is willing to stand for one more two-year term, as allowed by the bylaws, he doesn't think it's likely that Nate Yager will want to take the position of president after Mark's second term. Mark will ask Nate about the issue, and if Nate does not want to move up, we need to explore the possibility of finding someone who might take the position when the time comes.

There being no other business, the meeting was adjourned at 7:22 P.M. The next Executive Committee meeting will take place with the general membership at the Fall Conference on Friday Sept. 6.

Respectfully submitted,

Lisa Ginett, VSLS Executive Committee Secretary

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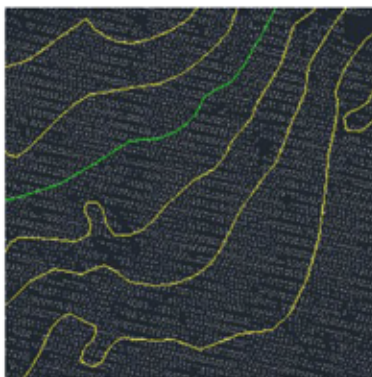
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Sustaining Member



HAMPTON INN, COLCHESTER, VT • SEPTEMBER 6, 2019

The meeting was called to order at 12:47 P.M. In attendance were Lisa Ginett, Becky Gilson, Nate Yager, Paul Hannan, Gayle Burchard, Keith Van Iderstine and VSLs Administrator Kelly Collar, along with the general membership.

SECRETARY'S MINUTES

Minutes for the prior General Business meeting dated April 12, 2019 were reviewed. Upon motion duly made and seconded it was unanimously RESOLVED: to approve the minutes of the April 20, 2019 General Business meeting.

TREASURER'S REPORT

Treasurer's report for the period of Jan 1. to Sept. 3, 2019: Total expenses for the period were \$36,570.65, income was \$54,450.51, for a net income of \$17,762.38. Bank account total = \$ 74,762.38. Keith reported that about 96% of membership dues have been paid.

EDUCATION FOUNDATION

Scott Taylor awarded the Education Foundation Scholarship, which went to two recipients this year. Both Nathan Warren, who graduated from Paul Smith's College, and Conner Hill, who graduated from the University of Maine, Orono, were present to accept their scholarships.

SURVEYING ISSUES AT LARGE

Joe Flynn spoke to the group regarding several issues. The first issue he addressed was based on his work with NCEES regarding the national survey exam. He reported that two years ago, the western zone wanted to create separate modules for the exam taking in core, boundary, public lands mapping science and drainage and design. There would also be a module for the New England states. Each state would be able to choose which modules they would use. Currently, every exam is based on a PAC study with many surveyors weighing in on what work they do on a regular basis. Now the PAC studies going out will be for more particular modules. It will take several years to implement these changes as the states react and change their own specific requirements. Using this system of testing, if you moved from a New England state to California, you would only have

to take the Public Lands module to become licensed. There was a 92% approval at NCEES to go in this direction.

Joe also represented the Vermont Board of Land Surveyors, who have been reviewing the definition of surveying in Vermont. They reviewed laws in New Hampshire and Maine as well as looking at some model laws. Joe presented portions of a draft-only document, which is from the committee and hasn't been reviewed by the Board's attorney. Right now there is no recourse if a surveyor does a poor job on topographic, hydrographic or building lay-out work, based on the Board definition of surveying, except civil court.

Many surveyors at the meeting were under the mistaken impression that the Board was somehow advocating for a way to allow only surveyors to perform these disciplines, and a lengthy discussion ensued. If the Board added these disciplines to the definition of surveying and drafted standards for them, it would only be holding surveyors accountable to meet the standards and would not affect any other persons involved in these disciplines. We ran out time at the meeting to finish this discussion. Tim Short requested that Joe submit the proposed standards and rule revisions to be published in "The Cornerpost," and he agreed.

OTHER BUSINESS

John Diebold, another member of the Vermont Board of Land Surveyors, spoke to the group briefly about the process of becoming licensed. At this time, applicants must submit a portfolio of their work to the Board for review. The Board would like to ask that the applicant's supervising surveyor assess the portfolio as part of this process. There would be no particular time limit on this assessment process.

There being no other business, the meeting was adjourned at 1:33 P.M.

Respectfully submitted,

Lisa Ginett, VSLs Executive Committee Secretary



**Send In Your News for the Next Issue of
The Cornerpost** ✉ kelly@vsis.org

Necessity is the Mother of Invention

When a beaver dam halts a survey in progress, man's best friend saves the day.

WE WERE RUNNING LINE on the Kittridge Hills, north of the Walden Mountain Road. We were using compass and tape procedure, meaning that we were taking compass bearings, and measuring distance with a 200-foot steel tape. There were the two of us and my faithful black Lab, Tippy. We named him "Tippy" because he had white feet and a white tip of his tail.

John Nagle was working with me, and the procedure was that I went ahead pulling the tape and clearing the line with a machete. I would go out for as far as the growth would allow and establish a forward point. John would then take a magnetic bearing to the point, and we would tape the distance with John calling out the numbers.

We were following a blazed line and making pretty good progress, when we were stopped by a beaver dam. John joined me at the forward point, and we discussed a battle plan. We could see the blazes on dead trees in the water, and we could see where the line was on the far shore, about 150 feet away. There were "blowdowns" in the water, and the water appeared to be about 5 to 6 feet deep. No way to get across without a boat.

The other option would be to run line around the pond and then compute the distance across. Not very good procedure, and not very accurate. Sure would like to measure across that pond!

I think we both looked for Tippy at the same time, and then we came up with the battle plan. We tied the leather tong at the end of the tape to his collar... John held him and talked to him with kind and soothing words, and I made my way around the pond to where the line emerged. One excited call from his master, and John's release of the collar put Tippy into the water with a great lunge. The water, the blowdowns, the pond growth, the tree limbs and nothing else could deter that mighty swimmer from the shortest path to his master. We had our tape across, the distance measured, and Tippy earned his pay that day. 🐾

BY DICK BOHLEN,
L.S. #7, retired

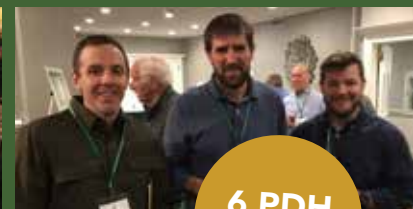
"We could see where the line was on the far shore, about 150 feet away. There were 'blowdowns' in the water, and the water appeared to be about 5 to 6 feet deep. No way to get across without a boat..."





December Round Tables

Thursday, December 12, 2019 • Capitol Plaza Hotel & Conference Center • Montpelier, Vt.



6 PDH
APPROVED

Program Schedule

- 7:15 AM** Registration & Breakfast
- 8:00 AM** Round Table Discussions
- 12:00 PM** Lunch & Annual Business Meeting
- 1:30 PM** Act 38 and the Land Surveying Community
- 2:30 PM** Discussion on Vermont Rules and Statutes Changes
- 3:30 PM** Concluding Remarks

Registration Fee	Through Dec. 2	After Dec. 2
Member in Good Standing	\$130.00	\$155.00
Life Member	\$97.50	\$122.50
Non-member	\$180.00	\$205.00
Non-member technical staff attending with member	\$110.50	\$135.50
Three attendees from same firm (one must be member)	\$110.50	\$135.50

Members of kindred associations qualify for the member rate. Education credits are pre-approved in Vermont and New York. No refunds within one week of event.

Morning Round Tables

- **VCGI Website Resources:** Tim Terway, VCGI
- **Certified Floodplain Manager:** TBA
- **Permitting for Land Surveyors:** Dave Burke, O'Leary Burke Associates
- **Drones,** Evan Robinson/David Tillberg, Rail and Aviation Bureau, VT Agency of Transportation
- **Ground Penetrating Radar,** Joel Banaszak, Horizons Eng.
- **GPS on Benchmarks Initiative Using OPUS Share,** Dan Martin, Northeast Regional Geodetic Advisor
- **Board of Land Surveyors Issues,** Joe Flynn, L.S.
- **NSPS News,** Gayle Burchard, L.S., VT NSPS Director

Afternoon Presentations

Act 38 and the Land Surveying Community

Presenters: John Adams and David Fox, Vermont Center for Geographic Information

In January 2020, a new law (Vermont Act 38) goes into effect that requires any change in a Vermont property boundary, either through a boundary line adjustment or subdivision, be documented with a survey plat and submitted to a digital library maintained by VCGI. During this session, John and David will walk through the new law and explain how it will impact Vermont surveyors.

Discussion on Vermont Rules and Statutes Changes

Facilitator: Joe Flynn, L.S., Vermont Board of Land Surveyors

This will be an open forum for VSLs members to express concerns and opinions on certain changes proposed by the board and practicing professionals. We will send out specific information in advance so attendees have time to review the material.

Registration (please complete this form and mail it with your payment, or register online at vsls.org)

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