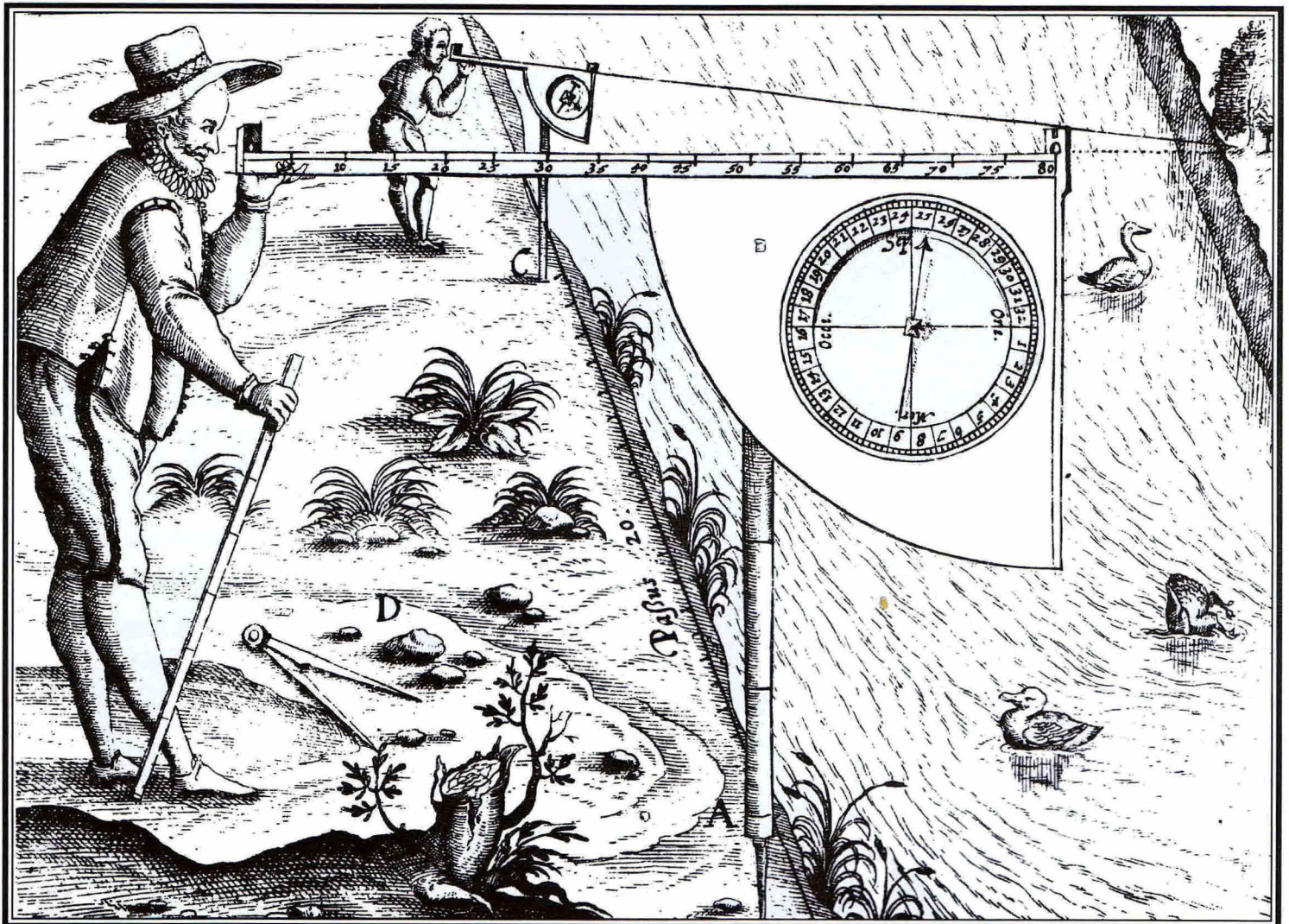


THE NOVA SCOTIAN SURVEYOR

Spring 1995

No. 148



*Intersection with Quadrant and Compass
Circa 1594*



WE'VE GOT THE SOLUTION

SERVICES

- Installation on the site for geodesic markers
- Desing of special markers on request
- Shipping all around the world

LEGAL SURVEY

MARKERS

- aluminium
- plastic
- steel
- boundary
- terminus type

STATIONS

- stainless station
- PK nails
- identified washers

GEODESY

MAGNETIC MARKERS

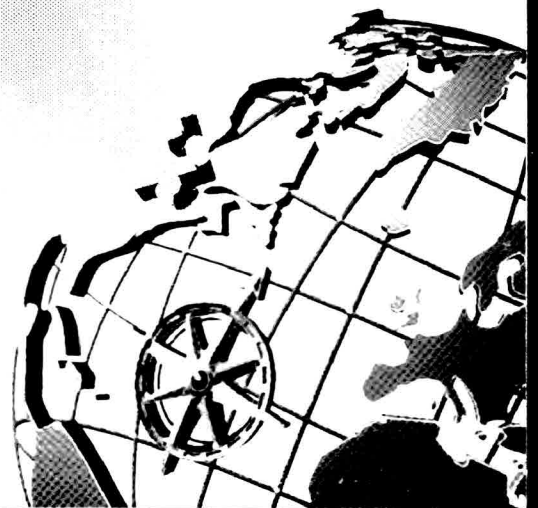
- for soil
- for rock or concrete

PROTECTIVE COVERS

- aluminium
- mix
- lifts

POST

- witness post
- raised characters



J.P. MORASSE INC. 1321, MARIE-VICTORIN, ST-NICOLAS, QUÉBEC G0S 3L0

TÉL.: (418) 831-3811 1 800 463-6866 FAX: (418) 831-7827

ASK FOR OUR NEW BROCHURE



THE NOVA SCOTIAN SURVEYOR

SPRING 1995

No. 148

CONTENTS

PAGE

President's Report	Clive S. MacKeen	2
Executive Director's Report	Robert A. Daniels	4
Obituary		5
SRD Manager's Report	James D. Gunn	7
Minutes of the 44th Annual Meeting		8
Notice: Surveying of Canada Lands		27
From the Fieldbook		29
How do You Get Clients to Pay?	Robert A. Daniels	30
Don't Shoot the Messenger	James D. Gunn	32
Report of CCLS Autumn Meeting	Robert A. Daniels	34
Subdivision of Lands within Land Titles Clarification Areas in Halifax County		35
ANSLS Organizational Structure for 1994 - 1995		36

THE NOVA SCOTIAN SURVEYOR

Editor: Robert A. Daniels
Production: Kathy Alcorn
Norman Wade Company Limited

Cover: Reprinted from "Calendar F.I.G. - History of Surveying - 1995". Produced by GITC The Netherlands, in cooperation with the FIG Ad Hoc Commission on the History of Surveying. From the original plates in Plantyn Moretus Prentenkabinet, Antwerp. Copyright© 1994.

Circulation: Free of charge to ANSLS members. To non-members at a yearly rate of \$12.00 in Canada and the USA; \$16.00 for other countries, plus handling charges.

The Nova Scotian Surveyor is published twice a year. Address all enquiries to: Association of Nova Scotia Land Surveyors, 159 Portland Street, Suite 301, Dartmouth, Nova Scotia, B2Y 1H9. Tel: (902) 469-7962 Fax: (902) 469-7963

Views expressed in articles appearing in this publication are those of the author and not necessarily those of the Association.

Letters to the Editor should be limited to one page.

Articles or material originating with the Association of Nova Scotia Land Surveyors or its members may be reprinted without permission.

PRESIDENT'S REPORT

Clive S. MacKeen, NSLS



The issues facing the Executive and Council of the association continue to multiply. As President, the time constraints of balancing family, business and association affairs make it difficult to achieve every objective. The work of the association can be accomplished if you have support and cooperation, as is the case with our excellent office personnel and the conscientious work of the committee members.

Since our annual meeting in November, we have held one council and two executive meetings. The annual committee workshop in Truro was well attended this year. New committees created as a result of the annual meeting have been formed and are preparing reports for council's consideration.

Zone meetings were held early in March, and I had the opportunity to attend the Zone 4 meeting in Antigonish and the Zone 5 meeting in Baddeck. The turnout was excellent. I would urge all members to take an active part in shaping the future of our association, as the viewpoints and concerns expressed at the zone level ultimately reach the council table through your zone councillor.

The association was represented at the Association of New Brunswick Land Surveyors' annual meeting in Fredericton by our Vice-President, Phil Milo, and his wife, Liz.

Margo and I were your representatives at the Association of Ontario Land Surveyors' annual meeting held in Toronto, February 22-24, 1995. Attending the annual meeting of a sister association is a true learning experience. Many issues are similar from province to province and I would

encourage every member, if at all possible, to attend an out-of-province meeting.

With the association's proactive approach to dealing with various levels of government and other bodies, it is necessary for all members to become involved, as time permits, with zone meetings and work on committees. We must utilize all the talent within our association for the benefit of the land surveying profession. ■



MORGAN STEWART AND COMPANY LIMITED
Land Surveyors & Engineers
1055 Seymour Street
Vancouver, BC
V6B 3M3

MORGAN STEWART AND COMPANY LIMITED, a major land surveying and engineering company operating in British Columbia has openings for AUTOCAD OPERATORS. A minimum of three years' practical computer experience and significant field survey experience with a strong background in principles of legal survey are essential. Drawings in AUTOCAD 12 include legal (land and building strata), topography and layout. Knowledge of survey add-on packages such as Softdesk DCA or Microsurvey will be a definite asset. Candidates with strong survey calculation capabilities and the ability to interpret field notes, engineering plans and architectural drawings will be given preference.

We provide a complete range of services to many established clients. These include major Canadian developers, provincial utilities and construction companies. Recent projects included the new NHL, NBA Stadium, a new downtown theatre, and several major, single family condominium and high rise developments.

If you are an interested candidate considering a move, please reply to the address above.

The 7th International Conference on Geomatics La 7^e Conférence internationale sur la géomatique

Geomatics Applications, Technology and World Markets
Les applications, la technologie et le marché mondial de la géomatique



- an expanded technical program including a broad scope of geomatics disciplines
- a larger exhibit area with over 55 booths
- organized technical tours
- social activities
- special group rates

- un programme technique élargi y compris un plus grand nombre de disciplines de la géomatique
- une aire d'exposition plus vaste avec plus de 55 stands
- visites techniques
- activités sociales
- tarifs de groupe spéciaux

Conference Director: Mark Corey

Directeur de la Conférence : Mark Corey

**For more information,
contact:**

Rose Barthe, Conference Manager
615 Booth St., Room 700
Ottawa, Ontario K1A 0E9
Canada
Telephone (613) 996-2817 or 992-4902
Fax (613) 947-7059

**Pour plus de renseignements, veuillez
communiquer avec :**

Rose Barthe, Gestionnaire
615, rue Booth, pièce 700
Ottawa (Ontario)
Canada K1A 0E9
Téléphone (613) 996-2817 ou 992-4902
Télécopieur (613) 947-7059

Organized by:

Geomatics Canada, a Sector of
Natural Resources Canada

in conjunction with

the Canadian Institute of Geomatics
- 88th Annual General Meeting,
the Inter-Agency Committee on Geomatics
and the Geomatics Industry Association of Canada
- Annual General Meeting

Conférence organisée par :

Géomatique Canada, un secteur
de Ressources naturelles Canada

conjointement avec

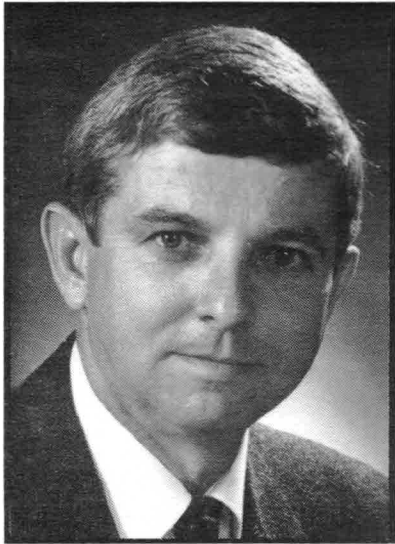
l'Association canadienne de sciences géomatiques
- 88^e Assemblée générale annuelle,
le Comité mixte des organismes intéressés à la
géomatique
et l'Association canadienne des entreprises de géomatique
- Assemblée générale annuelle

**June 13 - 15, 1995
Workshops, June 11 to 12**

**Du 13 au 15 juin 1995
Ateliers : les 11 et 12 juin**

EXECUTIVE DIRECTOR'S REPORT

Robert A. Daniels, NSLS, CLS



Here we are in the spring of 1995. I hope the winter has been kind to all our members. In much of Nova Scotia, the snow has been kept to a minimum, however, other parts have got their fair share. Hopefully, the overall improvement in the economic climate has benefited all our members and an end has come to the government downsizing at all levels.

The association office has been busy as usual since the annual meeting in Baddeck. At the present time, we are in the middle of another round of zone meetings. To date, I have attended meetings in zones 1, 2, 4 and 5, with zones 3 and 6 scheduled in the near future. At each of these zone meetings, we have had a representative from the NS Department of Labour giving a presentation on safety regulations and how they affect the survey business.

As a follow up to the annual meeting, letters have been written to the provincial Department of Supply and Services to have surveying

removed from their Government Procurement Policy and treated in the same manner as other professions.

We have also asked the federal Bureau of Competition if we can carry out a fee study and publish a schedule of fees. Several other provinces have a schedule of fees which their members use when dealing with the public.

We have had several meetings with various branches of the provincial government. In January, we met with representatives from the

"If you place a small value on yourself, rest assured, the world will not raise your price."

Wilson on "Home Improvement"

Department of Fisheries to discuss our brief concerning the removal of the requirement to have aquaculture leases surveyed by Nova Scotia Land Surveyors. This meeting was very unprofitable as the government already had in place legislation and regulations eliminating the need for surveys. Since that time, a letter has been sent to Mr. Jim Barkhouse, the Minister of the Department of Fisheries, with a request to have a meeting to discuss this issue in detail.

The Department of Municipal Affairs is redoing the Planning Act

and provincial Subdivision Regulations. We had an opportunity to meet with representatives of that department and present our views on the Subdivision Regulations. The meeting went very well, and many of our concerns and ideas were accepted by the department.

The location certificate regulations have been sent to the Nova Scotia Barristers' Society, the Nova Scotia Home Builders' Association, the Mortgage Loans Association of Nova Scotia and the Nova Scotia Real Estate Association, with a letter requesting their support, and offering to meet with them to discuss or present issues contained in the regulations. It will be beneficial to have the support of these groups when these regulations are taken to government.

Members of the real estate profession have been using copies of location certificates as information items and issuing them at open houses or to potential buyers. A letter was sent to the Nova Scotia Real Estate Association indicating that these documents are protected by the federal Copyright Act and they may be leaving themselves open to legal action. As a result, we have received calls from the Real Estate Association and the Appraisal Institute of Nova Scotia expressing their concern over not being able to make continued use of these documents. It has been recommended that they contact the author of the document for written authorization to make use of these documents.

The Continuing Education questionnaires have been compiled, with a couple of interesting results. (1) 94% of those responding are in favour of Continuing Education. (2) 90% of those responding have computers. (3) 95% of those responding are in favour of paying for quality continuing education sessions.

Our lease at 159 Portland Street, Suite 301, expires at the end of March 1995. However, we have negotiated a new arrangement with the landlord, so we will be staying in the same building, either in Suite 301 or in Suite 201 on the second floor.

The association continues to get its usual number of complaints from clients of our membership, and as usual, much of the difficulty arises out of poor communication. I

encourage all our members to treat their clients in a more professional manner and understand their problems and ensure that they understand the services and product that you are supplying.

Many of our members are still concerned over the competitive rates being charged in the survey marketplace, and, as we all know, price fixing or any attempt to limit competition is a government no-no. However, I would suggest that many of our members review their pricing policies to ensure that they consider all aspects of time, equipment and responsibility when determining their fees. To quote Wilson from the tv program *Home Improvement*,

"If you place a small value on yourself, rest assured, the world will not raise your price." ■

OBITUARY

Arthur Digout

Arthur V. Digout (Tatoo), NSLS # 281, of River Bourgeois, passed away on November 26, 1994 at the age of 74 at the Dartmouth General Hospital. Art worked for Nova Scotia Power for a number of years, after which, he founded and operated A.V. Digout Realty in Halifax. In recent years, he resided at the family home in River Bourgeois, where he maintained a small survey practice. Art was an avid gardener, fisherman and hunter. He is survived by his wife, Margaret (Bourque); sons, Arthur and Leon; daughters, Lucy and Jeanette; mother, Mary Emma; and brothers, sisters and grandchildren. Our deepest sympathies are extended to his family. ■



Geodesy and Geomatics Engineering (formerly Surveying Engineering)

at the University of New Brunswick

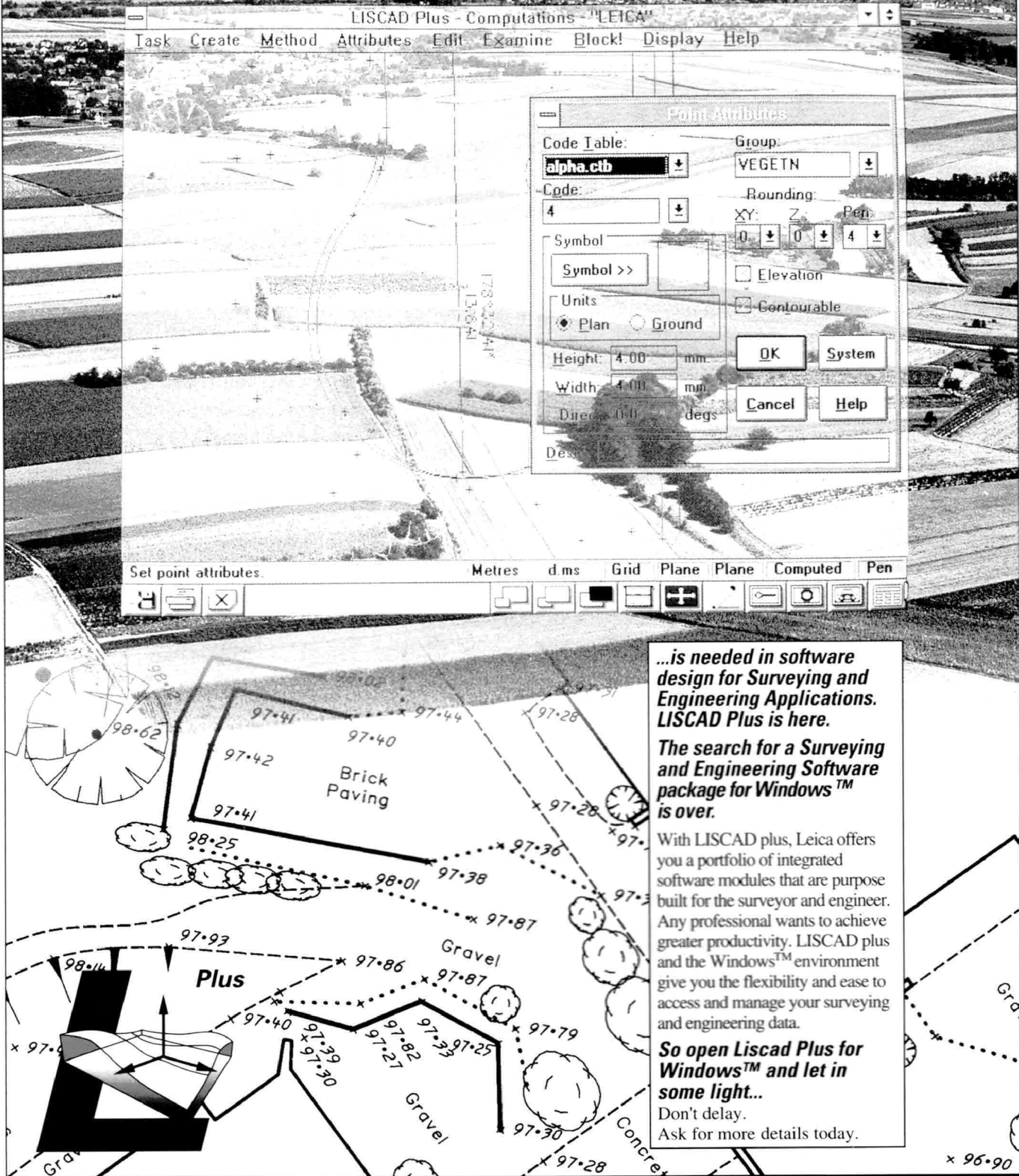
A world class centre for the study of spatial information management and GIS, mapping, land management systems, remote sensing, geodesy, ocean mapping and navigation, and precision engineering surveys. The Department of Geodesy and Geomatics Engineering offers a wide variety of diploma, certificate, undergraduate and postgraduate programmes leading to a wide range of exciting, high technology careers in the global marketplace. Advanced credits are given to those who already are certified technicians or technologists in surveying and mapping. There is an ever increasing demand for graduates of our programmes to fill key positions in industrial and scientific projects, as well as in all levels of government. Our faculty members serve worldwide as consultants in all above areas of geodesy and geomatics.

For further information, please contact: Chair, Department of Geodesy and Geomatics Engineering, University of New Brunswick, P.O. Box 4400, Fredericton, N.B. E3B 5A3.

Telephone: 506-453-4698

Fax: 506-453-4943

A shining light....



...is needed in software design for Surveying and Engineering Applications. LISCAD Plus is here.

The search for a Surveying and Engineering Software package for Windows™ is over.

With LISCAD plus, Leica offers you a portfolio of integrated software modules that are purpose built for the surveyor and engineer. Any professional wants to achieve greater productivity. LISCAD plus and the Windows™ environment give you the flexibility and ease to access and manage your surveying and engineering data.

So open Liscad Plus for Windows™ and let in some light...

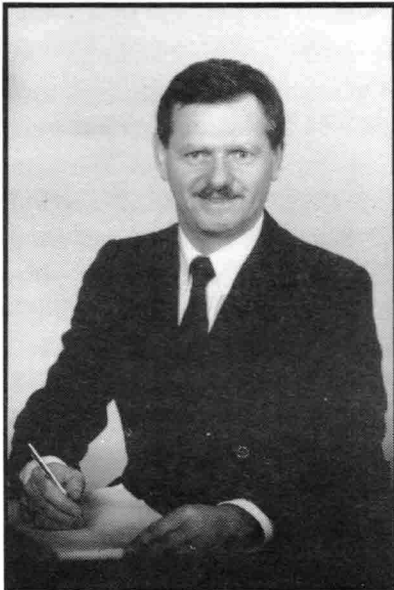
Don't delay.
Ask for more details today.

Leica Canada Inc.
 Calgary (403) 253-6747 Montreal (514) 739-9453 Quebec (418) 627-1608 Vancouver (604) 278-3898
 Halifax (902) 468-5122 Ottawa (613) 226-1105 Toronto (416) 497-2460 Edmonton (403) 459-4025



SRD MANAGER'S REPORT

by Jim Gunn, NSLS, CLS



SRD has been running quite smoothly in the last few months.

The flow of plans through SRD in the last quarter of 1994 was a little above average at 1100. The first quarter of 1995 is also promising to be above average, due to a relatively mild winter. Let's hope it continues. Since the beginning of the new year, we have been selecting 10% of all plans for systematic review. We are also planning a busy season of site

inspections this year. Most of the wrinkles are now out of our new billing system. Members seem to like it and most have responded by submitting their plans and payments with greater regularity. SRD is very pleased with the support and cooperation it receives from the members.

A new standing committee was formed following a motion passed at the annual meeting in Baddeck. It is called the Survey Review Department Review Committee. SRD will meet with this committee twice yearly to develop and monitor work plans, review budgets, review the manual of procedures, review staffing and benefits, etc. The committee will then report to Council with appropriate

recommendations. SRD is looking forward to working with this new committee.

We have taken the initiative of suggesting a workshop of survey review/quality control professionals in conjunction with the Geomatics Conference in Ottawa in June of this year. This will be the first opportunity of its kind to compare various survey review processes for the purpose of determining the most efficient and effective approach to providing quality assurance. We will also explore SRD's future role in preserving and protecting the self-governing status of our professional associations.

Since December 1, 1994, SRD has been under instruction to

retain copies of all plans in anticipation of a future data base. Members who do not want their plans saved for this purpose should notify SRD in writing. So far, we have been able to accommodate all requests, whether it is to send them on to LIMS, keep them for the data base, destroy them or return them. Just let us know, and we will look after it. ■

"FOR THE BEST STAKES IN TOWN"

Contact:



Lake City Woodworkers

386 Windmill Road
Dartmouth, N.S.
B3A 1J5

Survey Stakes

Available in all sizes

Compare Our Prices

Ph: (902) 465-5000

Fax: (902) 465-5009

MINUTES OF THE 44TH ANNUAL MEETING

Held at the Inverary Inn
Baddeck, Nova Scotia
November 18th & 19th, 1994

Friday, November 18, 1994

1. President Gordon Isaacs welcomed everyone to the 44th annual meeting and introduced Russell MacKinnon, NSLS, MLA for Cape Breton West, who brought greetings and wished the members a successful convention. He spoke of some initiatives being undertaken at the provincial level and said that he hoped to be able to serve the association through his position in government. President Gordon then thanked Mr. MacKinnon and presented him with a gift of appreciation.

2. President Isaacs then introduced the following guests who brought greetings and wished the members a successful meeting:

Noel Peters	Pres, Corp. of Land Surveyors of the Prov. of BC
Lyall Pratt	Pres, Alberta Land Surveyors Assn
Doug Bouck	Vice-President, Sask Land Surv Assn
Doug Simmonds	Pres, Assn of Ont Land Surveyors
Jim Dobbin	Pres, Assn of NB Land Surveyors
Kevin Brown	President, Assn of PEI Land Surveyors
Ian Edwards	Past Pres, Assn of Nfld. Land Surv and Vice-Pres, Assn of Canada Lands Surv.
Michaeline Mulvey	Pres, Maine Soc of Land Surv
David Clark	Pres, CCLS
Suzanne Jacques	Int Bdy Comm representing the Surv General for Canada
Tony O'Connor	Pres & acting Exec Dir, Canadian Inst of Geomatics

3. The exhibitors were then introduced by President Gordon and all spoke briefly about their products.

AM Laser & Survey

David Page, who also introduced Harry Otani of Pentax and Frank Wiskar of Gemini Positioning Systems.

Cansel Survey Equipment

Perry DesRosiers

Cornerstone Surveying Systems

Bob Martin

Leica Canada Inc.

Paul Lyon, who also introduced service reps

Norman Wade Company Ltd.

King Flood, who also introduced sales reps

Sokkia Inc.

Ron Lynds

COGS

Grant McBurney

J.P. Morasse Inc.

Not present, but sponsored coffee breaks.

4. President Isaacs then introduced Nancy Vanstone of LIMS (Dept. of Municipal Affairs); Robin Mullin, Implementation Manager of Atlantic Land Records Management Infrastructure (LRMI) Corp; and Joe McEvoy, Provincial Project Manager (Dept. of Municipal Affairs), who all gave interesting and comprehensive presentations about LIMS and Atlantic LRMI Corp.

5. Gordon Isaacs officially called the meeting to order at 2:20 pm. He indicated that the meeting would be governed by Robert's Rules of Order and common sense. Murray Banks was appointed Parliamentarian.

President Gordon then called on the councillors to identify themselves and indicate which zone they represent:

Keith AuCoin Appointee of the Minister of Natural Resources

Ken Robb Zone 6

Joe Alcorn Zone 6

Jerome MacEachern Zone 5

Valerie George Zone 5

John DeLorey Zone 4

Jerry Borden Zone 3

Eric Morse Zone 2

Alex McDonald (Zone 1) and Glenn Myra (Zone 6) were absent.

Clive MacKeen, Vice-President, and Robert Daniels, Executive Director, were also introduced.

President Isaacs then asked everyone to stand and observe a moment's silence in memory of member Edward J. Cleveland and life members Edward Ritchie and James Sherren, who passed away this year.

Gordon Isaacs then announced that the version of the Surveyors Location Certificate which would be presented during the motions for consideration, is a newer version than the one circulated prior to the meeting, and is dated November 3, 1994.

President Gordon then said that, with the members' approval, the budget would be presented and approved during the Secretary's Report on the Financial Statement rather than during New Business. There were no objections. He then covered the order of business as per the agenda.

6. Secretary's Report on the Convention - Bob Daniels reported that 89 members had registered to date and a recent count of members present at the meeting showed 53. He also said that it is more than the 35 required for a quorum.

7. Approval of Minutes of Last Annual Meeting - It was moved by Bob Daniels and seconded by Marcellin Chiasson that the minutes of the 43rd annual meeting held November 5 & 6, 1993, at the Chateau Halifax in Halifax, NS, be approved as published in the Spring 1994 issue of *The Nova Scotian Surveyor*. The motion was carried.

8. Business Arising from the Minutes of the Last Annual Meeting - There was none.

9. Report from the Secretary of the Board of Examiners - Bob Daniels reported that since November 1993, two members had received their commissions as Nova Scotia Land Surveyors:

David Attwood, NSLS # 612

Kevin Lombard, NSLS # 613

At present, there are 14 active student files. The Nova Scotia Statutes and the Nova Scotia Land Surveyors Act, Regulations, By-laws and Code of Ethics exams will be held in January 1995. A notice will be sent to students following the annual meeting. The members of the Board of Examiners are: John C. MacInnis (C), James Chisholm, J. Forbes Thompson, Chris Masland, Keith AuCoin, David Cushing and Bruce Gillis. The committee meets twice a year, and the next meeting will be in December 1994.

10. Report of Council - President Gordon reported that there had been 5 council meetings this year. In addition, the executive committee also had 5 meetings. Some of the issues which were dealt with included: (1) Restructuring the ANSLs office by relocating the Survey Review Department to Ingonish, Cape Breton. This was approved as a 2 year pilot project. (2) Hiring a new Executive Director. There were 3 options presented to Council regarding the Executive Director position. Council decided to hire a full-time professional in order to take a proactive role in lobbying government and protecting the rights of

ANSLs members. Robert Daniels was hired effective May 1, 1994. (3) Bob Daniels will be putting together an Administrative Manual which will include methods of interaction between Executive/ Council/ ANSLs staff as well as office procedures. This will help to clarify the association's operating policies for new members of the Executive and Council. (4) The Survey Profession Committee put together a Strategic Plan for the association. More information will be given later when a motion for adoption of the plan is presented. (5) The downsizing of Council was also discussed. The Council Restructuring Committee has been asked to look into this and a report will be made later in the meeting. (6) Compliance with the recommendations of the Competition Bureau. A motion to comply with their recommendations was defeated at the last annual meeting, but Council revisited the issue and felt that ANSLs should comply. The question was again put to the members by secret ballot, and the response was overwhelmingly in favour of compliance. (7) Also, the recommended changes to the Complaints & Discipline procedures which were approved at last year's annual meeting were withdrawn from the Legislature due to concerns that some legal rights of members may be undermined. This decision was also based on a legal opinion from David Coles. The document has been sent back to the Statutes Committee for further review and recommendations. (8) Several mem-

GPS RENTALS

You'll make money from our investment!
Rent all the latest products of



Trimble

The Leader in GPS Solutions

COMPETITIVE RATES

by the week or month

ONLY CURRENT PRODUCTS

no old junk!

BUILT-IN PURCHASE OPTION

If you like it you can buy it, and apply most of your rent to the purchase price!



Cansel
Survey Equipment

Toll Free USA and Canada

1-800-661-8342

Toronto (416) 492-0646

Ottawa (613) 731-4703

Montreal (514) 631-3941

bers expressed concern that development officers were overstepping their authority in some cases by withholding approval of survey plans because of boundary determination. Bob Daniels, in conjunction with Council, prepared a brief and submitted it to the NS Departments of Justice and Municipal Affairs. To date, a response has been received from Sandy Jolly, who is in agreement with ANSLs. The issue will continue to be followed closely. (9) The Department of Fisheries wanted to eliminate the requirement for a survey for aquaculture leases. Jim Gunn and Bob Daniels prepared a brief indicating why a survey should remain a requirement for aquaculture leases. (10) APENS has proposed a new definition of professional engineering which encompasses almost all disciplines. A letter has been written to the Minister, the Premier and APENS indicating ANSLs's objection to the proposed



UNDERWRITERS ADJUSTMENT BUREAU LTD.

Suite 1020, Cogswell Tower, Scotia Square
Halifax, N.S.
B3J 3K1

Tel. : (902) 423-9287 or 423-9240

Fax : (902) 422-2027

definition. We also offered to give them the opportunity to convene a liaison committee to study the definition and arrive at a solution. (11) Council also looked at the issue of the NS Department of Transportation having surveys done by non-NSLS's. Bob Daniels contacted Lew Carr of NB DOT, where they have a Survey Department, and investigated their procedures and contracting out process. A brief which contains this information is being compiled. (12) Other issues dealt with included continuing education for land surveyors; upgrade of the office computer; proposal for a new price structure for SRD stickers; discussion of the creation of an ANSLs data base; there was more discussion with respect to regional cooperation and there is currently a proposal to review all Atlantic provinces acts to determine similarities; representation on the CCLS Insurance Committee and Board of Directors; cumulative index for *The Nova Scotian Surveyor* and whether to print and distribute it. Also, title insurance is now being offered in some areas of Nova Scotia. We have received a copy of a presentation on the subject from the Association of Ontario Land Surveyors, which is available to any member wanting to make a presentation. The association year end was changed to coincide with the calendar year. In addition, Ken Robb pointed

out that if the proposed new Environment Act were legislated, it could have some serious impact on the survey profession. As a result, through attendance at municipal meetings, Jim

Gunn, Bob Daniels, Ken Robb and others were successful in having some changes made to the proposed new act.

11. Report of CCLS President to Members - David Clark, President of the Canadian Council of Land Surveyors (CCLS) made the following speech to the members:

"Good morning ladies & gentlemen! Thank you, President Gordon, for allowing me a few minutes to speak to everyone on the recent activities of the Canadian Council of Land Surveyors. I know that all of us occasionally have questions in our minds as to what CCLS actually does, so I hope that today I can provide you with some firsthand information.

The Council, as you know, is an umbrella corporation, having as members nine of the Canadian provincial land surveying associations. It is funded by each association contributing forty dollars per member land surveyor. Each association is represented by a Director appointed by that association to the CCLS Board of Directors.

The mandate of the Council is to promote education, ethics, technical standards, reciprocity, communications and

image within the land surveying profession nationally.

CCLS has this year embarked on an ambitious program of activities under the policies of its recently developed Strategic Planning Process. The problem, as with everything else these days, is to obtain enough funding. The forty dollar levy has been held for six years through some very stringent belt tightening. However, with the budget constraints we have imposed, we expect to achieve a balanced budget for 1994.

This in itself may be an admirable achievement, but does not necessarily fulfill all of the objectives for the betterment of the profession. There is much to do and to accomplish what we wish to do will take a huge amount work and money.

We have been extremely fortunate in the volunteer work that has been contributed by our directors, committee members and others. But volunteer help could become increasingly difficult to obtain and we must not continue to rely solely on this to accomplish the projects that come up.

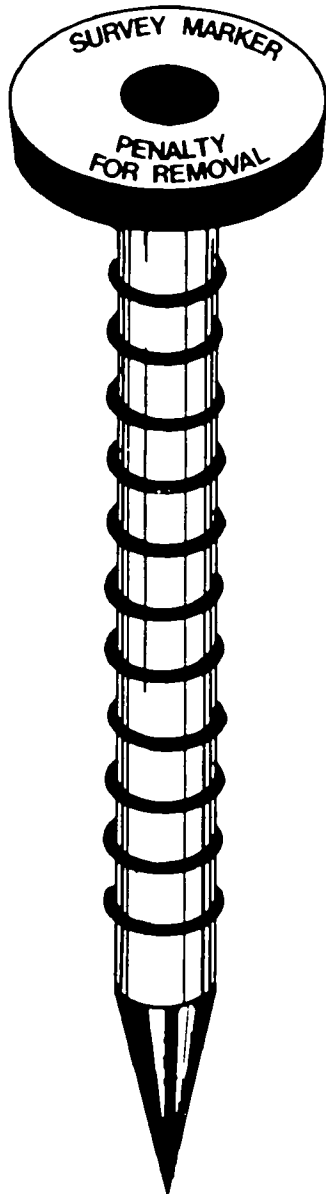
So what were the options, given the objects of the Council and the list of jobs to do?

At the annual general meeting in St. John's last spring, the Board of Directors opted to seek assistance from the member provincial associations. Agreements were reached to form joint ventures with a number of associations in carrying out projects on a number of issues of national concern.

To this end, various projects or project proposals were approved, including:

A Public Relations project to help enhance the image of the land surveyor and the profession within the broader consumer community. This project has a budget ceiling of \$2,000 and is being shared with Alberta and Nova Scotia.

'LIBERTY' LAND SURVEYORS' MARKERS



A tried and proven survey marker consisting of a corrosion resistant aluminum head, threaded to a sharpened carbon steel rod, ribbed for better holding characteristics.

This marker has won approval from professional Land Surveyors in all the Atlantic Provinces and is now in common use in many areas.

Special heads, bearing the initials or registry number of the individual may be supplied, but time must be allowed for manufacture.

With "LIBERTY SURVEY MARKERS" on the survey, it is no longer necessary to "begin at an old fence post" or such perishable reference point.

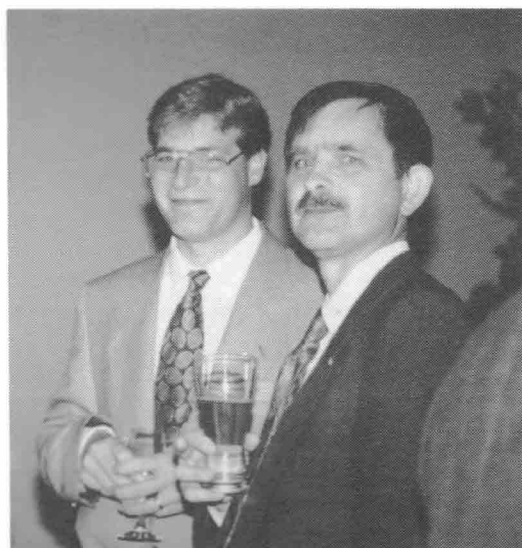
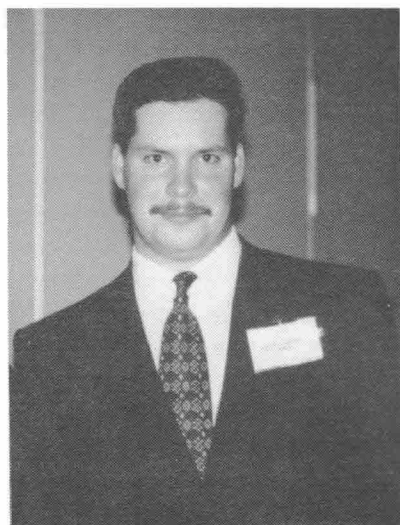
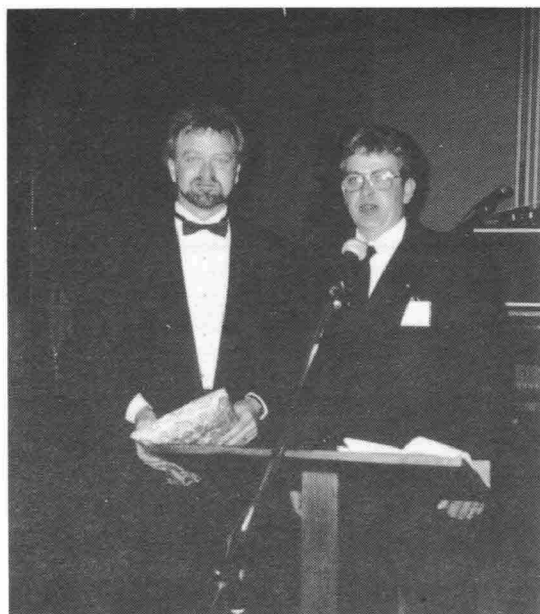
A Quality Product from:

MANUFACTURED BY:

Liberty Enterprises Ltd.

R.R. 3
AMHERST, N.S. B4H 3Y1
(902) 667-5002

1994 Convention - Baddeck



A study of the possible venues of cooperation among the various survey organizations, councils, agencies and committees nationally. This project has a budget ceiling of \$1,500 and is being chaired by Prince Edward Island.

A study of contract forms for land surveying services, leading to the publication of a booklet available to all surveyors. This project has a budget of \$500 and is being chaired by New Brunswick. I have here a draft copy of this report and I want to compliment Dave Green on a fantastic job in preparing this useful document.

A comparison of the various provincial land surveying acts and codes of ethics is being carried out jointly by the CCLS office and the Association of Canada Lands Surveyors office. This is a zero budget project.

The issue of Title Insurance has been dealt with by the Association of Ontario Land Surveyors in the preparation of an informational study and slide presentation. CCLS is contributing \$4,000 to this project which has already been completed and has been made available to each association on computer disk. Bob Daniels and I also have this on hard copy if anyone has any questions. This too is a very worthwhile project and we want to thank Ontario for carrying out the research and preparation.

A committee has been established to explore international issues such as the benefits and problems for border-hopping surveyors. This project has a zero budget and is being shared by Alberta and Ontario. Wayne Bruebacher, whom many of you know, has been appointed to liaise with the National Society of Professional Surveyors and study the implications of NAFTA.

A study of environmental issues of concern to the land surveying profession has been established. This project is being chaired by Newfoundland, with support from Saskatchewan.

An expanded profession committee was struck. Issues are being explored by British Columbia, Ontario and Nova Scotia. I can report that this project is also going very well with an excellent background study already having been prepared.

Not only has CCLS been a sponsor in these joint ventures together with its member associations, but it has also spearheaded a number of activities of a more corporate nature. These have included:

A major study of the accreditation procedures for the university programs accredited by CCLS. This is expected to lead to a complete revamping of the CCLS policies

NOTICE



CCLS CONTRACT MANUAL AVAILABLE NOW

The manual is a 46 page, glossy magazine which contains *Contractual Considerations; Contracts - A Necessary Evil?; Sample Forms; and Contract Provisions and Conditions*. To get the manual, you can go in person to zone meetings or the association office and pay \$6. Or, you can prepay \$7 and we will mail a copy to you. Call, fax or write to the address or numbers below:

The Association of Nova Scotia Land Surveyors
159 Portland Street, Suite 301
Dartmouth NS B2Y 1H9

Tel: 902-469-7962 Fax: 902-469-7963

toward education and reciprocity. This project is being chaired by the CCLS Past President.

A comprehensive report on copyright, prepared under contract by Ken Allred, has been completed and will be published for the benefit of all land surveyors in upcoming issues of *Focus*.

The CCLS Professional Liability Insurance Committee has been extremely active in negotiating further financial and managerial participation in the liability insurance program. The committee has recently been given the mandate to investigate whether it is actuarially sound to create a CCLS insurance program. Our own Jim Gunn is a valued member of this committee.

CCLS has also moved this year to establish a liaison with the National Council of Examiners for Engineers and Surveyors. Past President, Ed Grenkie, attended the annual conference of NCEES, thus establishing contact with this organization representing more than sixty jurisdictions. Potentially, there is much to be gained by this liaison.

Our communications continue to improve under the direction of Diane Sims, our talented professional journalist. We now publish the quarterly newsletter *Bulletin* and semi-annual editions of *Focus*, a journal of articles on subjects of interest to land surveyors. Diane is contracted by CCLS on a part-time basis and also coordinates all of our activities and carries out all of the duties required of our head office in Ottawa.

Before concluding, I want to say that we all owe our appreciation to all of the people who have contributed so much of their own time and effort to the benefit of the profession.

I would like to thank all of these people, but if I could single out only one of the many, I would name Bob Semper, our past Secretary-Treasurer and a member of this association, who, though retired, continues to devote a great deal of his energy to CCLS.

As you can see, the Council is moving forwards to better serve the evolving needs of the cadastral surveyor as the profession and the country move ever closer to the 21st century. The Council is healthy and projects are progressing under a new spirit of cooperation.

All this for only forty dollars - just think what we could do for another ten dollars!"

12. President Gordon then invited the members to ask questions of councilors or make comments regarding anything reported on to present. There were none.

13. Secretary/Treasurer's Report - Including Audited Financial Statement & New Budget - Bob Daniels reviewed the year-end audited statement dated September 30, 1994 and reported that revenue was just slightly below budget and that Jim Gunn was responsible for the accuracy of the projection. Expenses were about \$15,000 less than budgeted. Survey Review had a year-end deficit of \$13,151 due primarily to the change in their invoicing system. The year-end combined operating surplus was \$49,484. Bob then covered revenue and expenses in more detail, highlighting committee expenses, which came in far below budget due to reduced committee activity; and business occupancy tax, which showed a recovery of \$970, due to Jim Gunn's continued efforts.

It was moved by Robert Daniels and seconded by Stewart Setchell that the financial statement be approved as presented. Fred Hutchinson asked whether approval of the statement included approval of the budget, and

was told it did not. The question was called and the motion was carried unanimously.

Mr. Daniels then presented the 1994-95 budget. He indicated that this covered the 15 month period from October 1, 1994 to December 31, 1995, in order to adjust for the change in fiscal year. Bob covered the administration revenue sources and noted that there will be two conventions in this fiscal period. He then reviewed the administration expenses budget saying that advertising includes announcements for two presidents; capital purchases are primarily for a new computer for the Executive Director; legal services are increased due to the possibility of legal action/advice being required on the new engineering definition as well as other issues; staff training includes training on an automated accounting package, if it is purchased. Bob then went over the Survey Review Department budget, indicating that the two rent figures include that portion of the rent in Dartmouth applicable to SRD which is being paid by Jim Gunn until March 31, 1995. The increase in rent expenses will be offset by a decrease in salary. The budget also includes funds in capital purchases for a new computer for the SRD Manager. This item is on hold until SRD has funds for it. It was moved by Robert Daniels and seconded by Errol Hebb that the 15 month budget covering the period from Oct. 1/94 to Dec. 31/95 be adopted as presented.

Philip Milo commented on the budget of \$500 for the COGS Outreach Program. He indicated that the average cost to travel for one week in Nova Scotia is approximately \$750. He suggested that covering the cost of the program for 2 weeks in a 15 month period might better support the program and the profession. It was moved by Philip Milo and seconded by David Clark that the budget be amended to \$1,500 for the COGS Outreach Program. After some discussion, the question was called and

*"We offer more than the competition"***BALLAM INSURANCE SERVICES LTD.****Professional
Liability****INSURANCE PACKAGES****Survey Equipment - Office Contents****JOHN BALLAM**

RES: 861-4869

ERNEST A. NICKERSON

B.Comm., F.I.I.C., C.A.I.B.

SENIOR ACCOUNT EXECUTIVE

BUS: 864-2510 FAX: 865-1411

RES: 462-5905

Your Insurance Broker
Understands209 COBEQUID RD, UNIT 1
SACKVILLE INDUSTRIAL PARK
LOWER SACKVILLE, NS
B4C 3P3

Mr. Gunn also said that the new system allows for more efficient tracking and follow-up of each sticker, as well as increasing communication between SRD and members. The new system will also allow for a smooth changeover should there be a price change effected. He then showed a graph which indicated the revenue and expense history of SRD and which demonstrated that the biggest factor in decreasing the deficit was the combining of the Executive Director and SRD Manager positions, and that by the end of the 1995 calendar year, the deficit should be

could be lowered from the present \$18.50 to \$15.00. Should the number increase to 10,000, then the cost per sticker could be revised to \$7.50. Gerry Bourbonniere asked whether the decrease in quality could be caused by anything other than SRD's backlog. Jim Gunn responded that he could only attribute it to his attention being divided between the Executive Director and SRD Manager positions. Ken Robb then asked why SRD couldn't concentrate on those surveyors who submit poor quality plans. Jim responded that all plans are sampled and if they are found lacking, then more time is spent on the questionable ones. Mr. Robb then noted that in some cases survey markers are not set or lines are not cut and asked how field inspections will be carried out and whether instruments would be used. Jim responded that the present procedure involves a site inspection to ensure that the plan represents the survey on the ground and that equipment isn't necessary for that determination.

the motion to amend was carried.

The question on the main motion was called and the motion to adopt the budget was carried.

14. Report from Manager of SRD - James Gunn reported that this year's SRD deficit was not caused by an increase in expenses but by a decrease in revenue, which was primarily due to the change in their invoicing system. It was also offset by last year's surplus. Jim also noted that SRD is revenue neutral. He then showed a graph which indicated that the number of plans processed by SRD in 1994 was 4,370, which is the largest number to date. Jim reported that two major events had occurred this year. One was the change in billing procedure from payment for a complete order of stickers at once to payment for stickers after they have been affixed to a plan and returned to SRD. This decreases inventory costs to members and decreases processing costs for SRD.

zeroed out.

Mr. Gunn also reported that at the time Bob Daniels took over as Executive Director, there was quite a backlog in SRD. They cleared that backlog this summer. One thing Jim noted as they went through the backlog was that the quality of plans submitted had declined from 70% without fault in 1992 to about 58% this year. SRD will be giving this a lot of attention in the coming year. Mr. Gunn also said that SRD will do a large number of field inspections next year and that the intention is to do an inspection on each member in their files.

Jim also noted that if the number of documents processed by SRD were to increase significantly (ie. if there were a requirement for a sticker on each location certificate), then the unit cost per sticker would decrease. The average number processed currently is 4,000. If the number increases to 5,000, then the unit cost per sticker

15. Secretary's Report on Membership Bob Daniels reported that membership as of November 10, 1994 as compared to 1993 is as follows:

<u>Category</u>	<u>1994</u>	<u>1993</u>
Regular	254	261
Life	13	14
Retired	31	27
Student	14	12
Honourary	4	4
Associate	7	10
Non-Practising	3	4

TOTAL: 326 332

Mr. Daniels also noted that the trend for decrease in membership is continuing in 1994.

16. Report of Scrutineers (Election to Council) - President Gordon said that all positions have been filled by acclamation and introduced the incoming Executive and Council for 1994-95.
Executive
President - Clive MacKeen

Vice-Pres - Philip Milo
Past Pres - Gordon Isaacs

Councillors

Zone 1 - Arthur Backman
Zone 2 - Eric Morse (ret)
Zone 3 - Jerry Borden (ret)
Zone 4 - John Sutherland
Zone 5 - Jerome MacEachern (ret)
Zone 5 - George Podetz
Zone 6 - Ken Robb (ret)
Zone 6 - Glenn Myra (ret)
Zone 6 - Paul Zinck
Zone 6 - Garry Parker
DNR Appointee - Keith AuCoin

The outgoing councillors are Alex McDonald (Zone 1), John DeLorey (Zone 4), Valerie George (Zone 5) and Joseph Alcorn (Zone 6). President Gordon thanked the outgoing councillors for their time and commitment and presented each with a plaque.

17. Reports of Committees - Gordon Isaacs noted that most committee reports had been published in the Fall 1994 issue of *The Nova Scotian Surveyor* and he called for any additions or questions concerning those reports. There were none. He then listed those committees which didn't publish a report and asked for an update.

Special Examining Committee - John MacInnis said there was no report. This committee oversees exams, as required.

Survey Profession Committee - Robert Daniels reported that the committee is currently working on a Strategic Plan for the association. This will be covered in the motions for consideration tomorrow.

Errors & Omissions/Land Court Committees - Ken Robb said they are still awaiting input from other committees.

Statutes Committee - Grant McBurney reported as follows:

"Over the past year, the Statutes Committee corresponded by mail, fax and

phone. Two issues need to be updated:

FIRST - dealing with cautioning/counselling powers. A motion was passed at the 1993 annual meeting giving power to our Complaints Committee to caution or counsel a member who is guilty of "minor" infractions. The proposed regulation was subsequently withdrawn from the legislature for further study.

Ken Robb's solicitor, David Coles, provided some useful suggestions on the subject, as did Arthur Backman. I sent this information, along with my own observations, to members of the Statutes Committee, to the Chairman of the Complaints Committee, to the Chairman of the Discipline Committee and to our Executive, asking for suggestions on how to proceed. There the matter rests. I think our executive and council should look at the material we have to date, then, if necessary, give specific direction to the Statutes Committee in the way of drafting new legislation. It is up to our members (or their council reps), not any one committee, to propose policy or legislation. When this is done, the Statutes Committee will draft it, in conjunction with the association solicitor, if necessary.

I will be glad to make my personal written observations available to any member who may want them.

SECOND - dealing with professional misconduct. One of our members was found guilty of an offence under the Criminal Code. No complaint was lodged with our executive director against this member. It was therefore the view of the majority of the Statutes Committee that there is nothing we can do until such time as a formal complaint is lodged. Our association solicitor agrees.

A related issue arises out of this. The Barristers and Solicitors' Act stipulates that any of their members who is convicted under the Criminal Code must

advise the law society of such conviction. Again, the majority of the Statutes Committee felt that similar legislation was not yet needed in our own act."

Regulations Committee - Fred Hutchinson reported that there was no activity this year other than the motions carried by secret mail-in ballot.

Manual of Good Practice Committee Alan Comfort (C) was not present to make a report. President Isaacs noted that Alan was out of the province for an extended time period and that the committee will be more active in the coming year.

Surveyor's Location Certificate Committee - Clive MacKeen had no report, but noted that the version of the Surveyor's Location Certificate to be discussed during motions for consideration tomorrow is dated November 3, 1994.

Expanded Role Committee - Keith AuCoin reported that his involvement with this committee began after last year's annual meeting, but due to business considerations he was unable to give much time to the committee this year. He indicated that he would be interested in remaining as a member of the committee for the next year, but would be unable to chair the committee.

GANS Liaison Committee - Robert Daniels reported that the committee did not really materialize. When he took over as Executive Director, he felt that his important link should not be overlooked and participated in some of the GANS activities, including a GPS workshop and a Champlain Institute revitalization session. He noted that anyone wanting information on the Champlain Institute or other GANS material, should call him at the association office.

President Gordon said that this ended the committee reports and asked if

there were any questions. There were none.

Atthol Grant, Convention Committee chairman, made some announcements regarding the evening's function.

At 4:45 pm, it was moved by Murray Banks that the meeting be adjourned until the morning of Saturday, November 19, 1994. The motion was carried.

Saturday, November 19, 1994

Gordon Isaacs called the meeting to order at 9:20 am.

18. Motions for Consideration - It was moved by Robert Feetham, Chairman of the Life and Honorary Members Committee, and seconded by John MacInnis, that Errol Hebb, NSLS # 7, be made a Life member of the Association of Nova Scotia Land Surveyors. He indicated that the nomination had been approved by Council. Mr. Feetham then read a biography highlighting Mr. Hebb's contributions to the association including his being a charter member of the association, service as President and service on council and various committees. The question was called and the motion was carried unanimously.

19. President Gordon then indicated that the next motion for consideration concerns the Surveyors Location Certificate. He noted that there was a motion tabled at last year's annual meeting and that it would be appropriate to first make a motion to remove the motion from the table, then make a motion for substitution to allow the current version of the proposed regulation to be presented to the membership.

It was moved by Clive MacKeen and seconded by Carl Hartlen that the motion regarding Surveyors Real Property Reports (Location Certificates) which was tabled at last year's annual meeting be removed from the table. The motion was carried.

It was moved by Clive MacKeen and seconded by Marcellin Chiasson that the proposed regulation, Surveyors Location Certificate, dated November 3, 1994 be substituted for the one currently on the table. He also noted that there were a few minor changes to the version circulated prior to the meeting. Clive then compared both documents, detailed the changes clause by clause and then asked if there were any questions or comments.

It was moved by Eric Morse and seconded by Douglas MacDonald that the new version of the Surveyors Location Certificate be amended by deleting section 3, subsections o, p and q and replacing them with the following as section 3, subsection o:

"o. All known and visible encroachments onto, or emanating from, the subject parcel and the magnitude of such encroachments. Particular care and attention shall be given to any encroachment which, in the opinion of the surveyor, could have a significant impact on the value, use or enjoyment of the subject parcel or any adjacent parcel."

In response to a question from John MacInnis, Eric Morse indicated that the proposed amendment was for the purpose of clarifying the intent of those sections, as well as eliminating duplications. The question was called and the motion to amend was carried.

After a reminder from George Sellers, the question regarding the motion to substitute was called and the motion was carried.

Clive MacKeen spoke to the motion saying that the committee had tried to present a version which would represent the interests of surveyors in all parts of the province. They also wanted regulations which would cover what every land surveyor is doing.

John MacInnis and Philip Milo spoke in favour by saying that this document

is comprehensive and the best version to date.

After some discussion regarding sections 3 (i) & (j), and the need to clarify where the boundary information is derived from and how it is plotted, it was moved by Arthur Backman and seconded by Philip Milo that section 3 (j) be deleted. After further discussion, the question was called and the motion to amend was defeated.

It was moved by Erwin Turner and seconded by Bruce Turner that section 3 (i) be deleted as the source of the information to accurately plot boundaries is still unclear. Following some discussion, the question was called and the motion to amend was defeated.

Point of clarification - David Roberts asked what the intent of section 3 (j) is. He also asked what information is to be included and what is to be done, for instance, in the case of a discrepancy between measured and deed distances. Clive MacKeen responded saying the decision is up to the individual surveyor as this is not a boundary survey.

Al Wallace expressed concern saying that showing distances to sidelines and surfaces of buildings (sections 3 (l) and (m)) indicates a degree of accuracy while 3 (r) says that a location certificate is not to be used for boundary definition. He said he would like to have the choice of using information from a location certificate in future boundary definition. It was moved by Alfred Wallace and seconded by John MacInnis that section 3 (r) be amended by removing the words "... for boundary definition or ...". After some discussion, the question was called and the motion to amend was defeated.

It was moved by David Roberts and seconded by Walter Rayworth that "(M)" be deleted from section 3 (j) to avoid confusion between "measured" and "metre". John MacInnis noted

AP-L1

AUTO TRACKING TOTAL STATION



The AP-L1 is designed for easy, efficient operation.

Benefits include:

- **Speed and precision.** The system's electronic total station is servo-driven, permitting quick horizontal and vertical searches. Target acquisition is fast and accurate. High-speed tracking optimizes time spent in the field.
- **Enhanced productivity.** You're in the driver's seat with the AP-L1. All survey functions can be controlled easily by remote with a hand-held data collector.
- **Multiple applications.** The adaptable AP-L1 is the ideal system for a wide range of applications ... including construction layout, volume, mining, and hydrographic surveys.

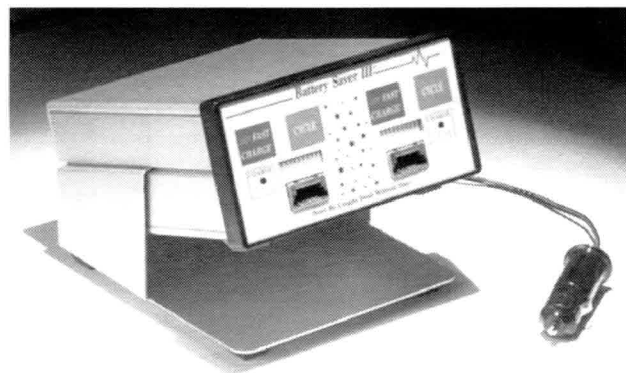


norman wade company limited

5426 Portland Place • Halifax • Nova Scotia B3K 1A1 Telephone: 902-423-7391 • Fax: 902-429-9184

Battery Saver III

Finally, you're in charge!



Look at all the advantages and special features you get with the new Battery Saver III

- How many different battery configurations does BS III have 63
- Small and portable for all your nicad battery needs Yes
- Heavy duty 3 amp charging output Yes
- Will it charge any nicad battery from an automobile cigarette lighter Yes
- Newly patented nicad battery charging technology Yes
- Double or even triple the life of your batteries over OEM chargers Yes
- Dual 1 hour fast chargers and overnight chargers combined into 1 small unit Yes
- Never worry about overcharging another battery ever again Yes
- Automatic trickle charge safely keeps battery's fully charged Yes
- Linear bar graphs constantly display a battery's status Yes
- Will it rate a battery's capacity to the nearest 10% Yes
- Battery conditioner mode to eliminate memory buildup Yes
- Smart Cables precisely match a battery's charge/discharge specifications Yes
- Convenient and fully automatic battery processing Yes
- Quickly process 2 batteries at once regardless of what type they are Yes
- Will it charge nickel metal hydride batteries Yes
- Will it charge all types of 2 way radio batteries Yes
- Is it fully compatible with existing Battery Saver II Smart Cables Yes
- Does it come with an iron clad risk free 30 day money back guarantee Yes

Take the Battery Saver III challenge

"If for any reason, you do not feel that Battery Saver III is absolutely the best investment you have ever made to combat your battery problems, you may return it within 30 days from the date of purchase for a full refund."

Edward J. Russo - President, Roned Incorporated



norman wade company limited

5426 Portland Place • Halifax • Nova Scotia B3K 1A1 Telephone: 902-423-7391 • Fax: 902-429-9184

that the reference for meter is a lower case "m". The question was called and the motion to amend was defeated.

President Gordon noted that any re-lettering and/or re-numbering would be looked after once all amendments are made.

John Pope spoke in favour of the motion and offered the committee congratulations. The question was called and the motion was carried.

Robert Daniels then commented that this approval is just the first step and this must now be taken to the Real Estate Association, the Bar Association, Mortgage Loans Association, government, etc. He also noted that the major question from all sources would be whether this would cost more. The members present indicated that it would not.

Marcellin Chiasson requested that a copy of the final edited version of the proposed Surveyors Location Certificate regulations be circulated to members. President Isaacs said it would be taken care of. (A copy of the amended motion follows these minutes as Appendix A).

20. President Gordon said that the next motion concerned the motion to downsize council which was tabled for further discussion at the last annual meeting, and called on Stewart MacPhee, Chairman of the Council Restructuring Committee.

It was moved by Stewart MacPhee and seconded by Murray Banks that the motion which was tabled at the 1993 annual meeting be removed from the table.

Stewart MacPhee then said that the report published in the Fall 1994 issue of *The Nova Scotian Surveyor* speaks for itself and that there is no strong feeling among members about this matter. Most members are satisfied to maintain the status quo.

After some comments and discussion concerning leaving the size of council as is, the question was called and the motion was defeated.

21. Gordon Isaacs then called on Ed Rice, Chairman of the Building Committee, to present the motion concerning the purchase of a building. It was moved by Ed Rice and seconded by Robert Feetham, that the Association of Nova Scotia Land Surveyors reaffirm its commitment to the purchase of a building and direct council to establish a committee to assess appropriate methods of financing in order that they may proceed with the establishment of a separate non-profit corporation to hold title to the building as outlined in the Building Committee's Report to Council dated December 31, 1993.

Ed Rice spoke to the motion saying that this is the next step to be taken as a result of the survey which the Building Committee sent out to members in October 1993. After considerable discussion, both for and against the motion, including comments from Doug Simmonds of Ontario, Ed Rice, with the permission of seconder, Robert Feetham, amended the motion by deleting the word "non-profit".

Following more comments from David Roberts, who spoke against the motion saying he didn't want to tie the association to one location, especially with SRD in another location, the question was called and the motion was carried.

22. It was moved by David Clark and seconded by Robert Feetham that the Association of Nova Scotia Land Surveyors adopt in principle the strategic plan outlined in the Strategic Plan presented to Council by Survey Profession Committee and that an action plan be developed outlining the timetable for implementation of various elements and tasks presented in the plan.

David Clark spoke to the motion saying he feels strongly that the association should set out professional oper-

ating objectives and policy statements for successive councils to follow. The association has operated with the benefit of a long-range plan since 1988, and he believes now is the time to go forward with a new plan.

After some discussion, the question was called and the motion was carried.

23. In order to allow retired members of the association to formally indicate, if they wish, their professional status within the association, it was moved by Gerald Bourbonniere and seconded by Robert Feetham that By-Law 13.0 Retired Members be amended by the addition of subsection 13.5 to read:

13.5 Retired Members may use the designation "NSLS (Ret.)" after their name.

Gerry Bourbonniere spoke to the motion saying that this change will allow retired members to use a professional designation. He also noted that one response to the committee's questionnaire asked why "NSLS" couldn't be used. Gerry said that a change to the Act would be required if members wish to allow retired members to use the "NSLS" designation. The question was called and the motion was carried.

24. It was moved by Clive MacKeen and seconded by Ed Rice that the Association of Nova Scotia Land Surveyors establish a permanent "Office Review Committee", which will be charged with the responsibility of reviewing the operations of the association office and providing council with an evaluation of the performance of the office staff and making recommendations to council on areas where improvements can be made.

Clive MacKeen spoke to the motion saying that since a full-time Executive Director had been hired several years ago, there have been no written guidelines or procedures. He also said that this will help to create continuity for council and give the Executive Director another avenue of direction

and support in addition to council. The question was called and the motion was carried.

25. It was moved by Clive MacKeen and seconded by John MacInnis that the Association of Nova Scotia Land Surveyors establish a permanent "Survey Review Department Review Committee", which will be charged with the responsibility of providing direction and goals to the SRD on its annual program as approved by council and providing council with an evaluation of performance of the SRD staff with recommendations on areas where improvements may be required.

Clive MacKeen spoke to the motion saying that this will address the same basic concerns as the previous motion. After some discussion as to the difference between this committee and the Survey Review Department Advisory Committee (this one is an evaluation committee while the advisory committee is a technical sounding board), the question was called and the motion was carried.

26. It was moved by Jeff Fee and seconded by George Sellers that the Association of Nova Scotia Land Surveyors establish a committee to study the concept of "Mandatory Education" which has been adopted by other professional survey associations across Canada and to prepare a written report to council for presentation to the membership at the 1995 annual meeting.

Jeff Fee spoke to the motion saying that this is a way of keeping abreast of new technology. It will allow surveyors to maintain their position with respect to other professions and will help close the gap between new and current members.

After considerable discussion and comments, as well as information from Doug Bouck of Saskatchewan and Jim Dobbins of New Brunswick, where mandatory continuing education is already in effect, it was moved by Keith AuCoin and seconded by John

MacInnis that the word "survey" be removed from the motion so that it would read "... other professional associations...". The question was called and the amendment was carried.

The question on the main motion was then called and the motion was carried.

27. It was moved by Robert Daniels and seconded by James Gunn that the Association of Nova Scotia Land Surveyors establish a committee to investigate creating a data base of survey plans submitted to the Survey Review Department. The committee will prepare a report that will make recommendations and formulate an action plan to create the data base in accordance with the requirements and wishes of the membership. The final report will be presented to the membership for approval on or before the 1995 annual meeting.

Bob Daniels spoke to the motion saying we are missing the opportunity to gather data by throwing out many plans. Confidentiality was an issue in New Brunswick when they began investigating their data base. He said this committee would study the options as to how to create an acceptable data base and how to maintain control over our own information. Mr. Daniels also said that there is a possibility that if the association does not control this data, various government departments will.

John MacInnis spoke in favour and asked the mover and seconder to consider adding location certificates, as approved earlier today, to the data base information to be collected. Bob Daniels said that he had no problem with this, but the Surveyors Location Certificate as approved did not include SRD stickers. President Gordon noted that the committee could consider this if the motion is approved. The question was called and the motion was carried.

28. It was moved by Robert Daniels and seconded by Carl Hartlen that as of December 1, 1994, the Survey Review Department will maintain all copies of plans submitted by members for entry into the data base when it is created, unless notified by each member that their plans are not to be kept by the Survey Review Department and are not to be included in the data base.

Bob Daniels spoke to the motion saying that this is a request for approval from the members to allow SRD to keep all survey plans submitted so that we can start to save plans now for the potential data base.

After some discussion, the question was called and the motion was carried.

29. It was moved by Jeff Fee and seconded by Murray Banks that the Regulations Committee of the Association of Nova Scotia Land Surveyors prepare draft regulations for the use of GPS technology for legal surveys and draft standards for the use of GPS technology for any other type of survey.

Jeff Fee spoke to the motion saying that this may be carried out in conjunction with mandatory continuing education and will help keep the level of quality and knowledge current. Technology is a proven survey tool and can generate solutions to existing problems. Jeff suggested that the Regulations Committee maintain the flexibility to allow adaptation to rapidly evolving technology.

After comments from Bob Daniels indicating that the Department of Municipal Affairs is interested in co-operating with the association in developing guidelines, the question was called and the motion was carried.

30. It was moved by Robert Daniels and seconded by Marcellin Chiasson that the Association of Nova Scotia Land Surveyors approach the Nova Scotia government to have "surveying" removed from Appendix A "Services

Covered by Policy Statement on Government Procurement" of the Nova Scotia Government Procurement Policy, and request that "surveying" be treated as other professional services ie. engineering.

Mr. Daniels spoke to the motion indicating that the motion was brought forward by members in private practice who became concerned that surveyors were on government tender lists while other professions are not. The question was called and the motion was carried.

It was moved by Philip Milo that the meeting be adjourned for lunch.

31. President Gordon called the meeting to order at 2:15 pm. He then called upon Tony O'Connor, President and acting Executive Director of the Canadian Institute of Geomatics (CIG), who updated the members about CIG. He said that the difficult years seem to be behind them and they now have 1,400 members in 17 branches across

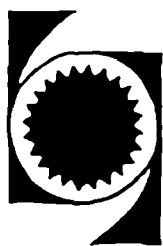
the country. The name change from CISM to CIG was to give the Institute access to a wider potential membership base. Along with the name change, the institute is also changing for the better. Mr. O'Connor said their council has agreed that a full-time Executive Director will be hired. He also said that their annual meeting will be on June 14/95 in Ottawa in conjunction with the GIS Conference, and invited all to attend.

32. Bob Daniels then gave the members updated information on APENS' proposed new definition of professional engineering. He read their current proposal and indicated that the definition seemed to be all-encompassing. ANSLS is opposed to the definition in its current form and has explored cooperative efforts between our association and other professional associations, specifically the Architects' Association. After an initial meeting, it was decided, on their lawyer's advice, that it would be more effective to have separate presentations

made to government from two different professional associations. Bob and other committee members will be putting together a brief which will be presented to Caucus. They are seeking the appropriate legal representation as well. Bob reported that letters have been written to Jay Abbass (Minister responsible for APENS), Don Downe (Minister of Natural Resources) and John Savage expressing our position on the proposed definition.

Tony O'Connor of CIG commented that it is his understanding that the science faculties at the universities across the country that take exception to this proposed definition are writing to Premier Savage expressing their concern.

33. Installation of Officers - The chair was assumed by newly elected President Clive MacKeen. Past President Gordon called upon the new councillors to come to the head table. Gordon then presented Clive with the pen which has been passed to each



BELL & GRANT

INSURANCE SPECIALISTS

COMPETITIVE INSURANCE PACKAGE AVAILABLE FOR LAND SURVEYORS

- Errors & Omissions
- Survey Equipment
- General Liability
- Office Contents
- Computer
- Crime

Payment Plan Available

SUSAN BOUTILIER 429-4150

new President by the outgoing President, as well as a copy of Robert's Rules of Order.

President Clive addressed the members thanking them for the opportunity to serve the association. He congratulated Past President Gordon Isaacs on a successful year as President and urged the retiring councillors to remain active in association affairs. President MacKeen also welcomed the newly elected councillors. He then presented a Past President's pin to Gordon.

34. New Business - President Clive opened the floor to new business. Athol Grant requested that an association representative be appointed by council to liaise with and give input to the Atlantic LRMI Corp. He asked council to do what is necessary to accomplish this. President Clive said it would be discussed at the next council meeting.

35. President MacKeen indicated that Rollie MacKenzie of DOT had informed Bob Daniels that there is a map book compiled by the Department of Highways showing all Nova Scotia provincial highway maps. It is dated April 25/94 and is available for \$10.

36. Kenneth Robb said that he had been having problems with development officers not approving plans because of comments on placement of boundary lines. He said that the right to determine boundaries legally belongs to land surveyors and he would like to pursue the matter and approach government officials to straighten the matter out.

Bob Daniels then said that a brief on this matter has been sent to the NS Departments of Justice and Municipal Affairs outlining the problems with development officers that several of our members have encountered. To date, a response has been received from Sandy Jolly, Minister of Municipal Affairs, indicating her agreement that boundary determination is the exclusive jurisdiction of NSLS's, but

Municipal Affairs is only responsible for provincial development officers, not municipal. It has been suggested that ANSLs make a presentation to the development officers' annual meeting in the spring indicating our association's position on the matter. Mr. Daniels said that as well, we can look at the correspondence from Sandy Jolly and the court decision respecting Ken Robb's case heard by the NS Utility and Review Board, combine portions of both, and circulate the resulting document to development officers across the province.

Ken Robb suggested that if a government or municipal surveyor disagrees with another surveyor's boundary determination, then the government/municipal surveyor should produce another properly certified plan indicating where the differences are, and that decisions should not be arbitrarily made by development officers. Mr. Robb also feels the Review Board has no authority to make a decision respecting a surveyor's boundary decision.

37. Fred Hutchinson, Chairman of the Regulations Committee, requested (re: the motion passed earlier today respecting regulations and standards for the use of GPS technology) that comments or opinions on how GPS technology can be used and how the work can be accomplished be forwarded to him or the association office. President Clive suggested that the request could be included in the next mailout.

38. Keith AuCoin announced that the NS Department of Natural Resources Surveys Division in Dartmouth would be moving to Founders' Square in Halifax on December 1, 1994.

39. Keith AuCoin also said that recently a letter to the Editor had appeared in the Halifax Herald whose content was negative toward surveyors. Council looked at the matter, and Keith further suggested that surveyors do a report of survey or have their invoices include sufficient details of

the work undertaken in order to counteract this type of situation.

Bob Daniels indicated that he had called several surveyors in the area where the letter writer lived, but none had done any work for him. Mr. Daniels then tried to contact the individual, but the man is hard of hearing and was unable to understand who was calling. Bob got the man's address and will correspond with him to try and clear up the situation.

40. John MacInnis commented that he is unable to respond to Mr. Robb's earlier remarks concerning the problem with development officers, but indicated that there is another side and mitigating circumstances to the situation.

41. President Clive then announced the winners of the Survey Plan Contest. They are:

Retracement	Plan# R-1
Dennis Prendergast	
Subdivision	Plan # S-2
Dennis Prendergast	
Govt Agency	Plan # G-1
Wayne Hardy	
Student Exer	Plan # E-1
W.A. Rogers, Wes Hubley	
and Kavin Carpenter of COGS	
Miscellaneous	Plan # M-1
Fred Hutchinson	

42. President MacKeen then called on the invited guests to make closing remarks. They all thanked the members for their invitation and hospitality. The guests indicated that the meeting had been interesting and informative and extended invitations to attend their respective annual meetings.

43. Athol Grant, Convention Committee Chairman, thanked everyone involved with the planning and organization of the convention for their help and cooperation.

44. At 3:15 pm, it was moved by Athol Grant that the meeting be adjourned.

Robert A. Daniels, NSLS, CLS

SURVEYORS LOCATION CERTIFICATE

As amended at the 44th Annual Meeting, November 19, 1994

Definitions**1. In these regulations:**

- (a) "Surveyors Location Certificate" means a document prepared for the purpose of certifying the location of any improvement or building relative to the boundaries of a parcel of land.
- (b) "Improvement" includes any item constructed or placed on, over or under land.
- (c) "Parcel" means the unit of land, lot or block which is the subject of the "Surveyors Location Certificate".
- (d) "Building" means any structure used for the purpose of supplying shelter, storage or services.

Preparation of Surveyors Location Certificate Without Diagram**2. (a) A Surveyors Location Certificate without diagram may be prepared when one of the following conditions exists:**

- (i) In the opinion of the surveyor, there is not available sufficient field evidence and/or coordinate values to retrace the boundary or boundaries without undertaking the methodology of a legal survey.

- (ii) The area of the parcel is five acres (2.02 hectares) or more.

(b) A Surveyors Location Certificate without diagram shall include or contain as the case may be:

- (i) Certified to _____

- (ii) The certification:

I, _____, Nova Scotia Land Surveyor, of _____, hereby certify that this Surveyors Location Certificate was prepared under my supervision and that sufficient research and measurements have been made as I deemed necessary to certify that the _____ (is) (is not) located entirely within the boundaries of the subject parcel as said boundaries are described or shown by _____; no further certification is implied or to be inferred herein.

Dated this _____ day of _____, A.D. ____.
_____, NSLS

- (iii) The date(s) on which the field survey was conducted.

- (iv) The surveyor's stamp.

Preparation of Surveyors Location Certificate With Diagram

3. A Surveyors Location Certificate with diagram may be prepared in plan form and shall include, contain or show, as the case may be:
- a. The title "Surveyors Location Certificate";
 - b. A notation in the form, Certified to _____ ;
 - c. The scale of the diagram;
 - d. A north symbol with meridian reference or date, if applicable;
 - e. The designation of the parcel including lot number, subdivision name as well as plan reference or current document reference;
 - f. The name of the owner(s) or the identifier(s) of all adjoining properties;
 - g. Easements, rights-of-way and improvements documented in the current deed which affect the parcel;
 - h. The civic address, if displayed;
 - i. Accurately plotted boundaries of the parcel;
 - j. The linear dimensions of the parcel as derived from the deed (D), plan (P) and/or field measurements (M);
 - k. Evidence found which represents the boundaries of the parcel;
 - l. The location of principal building(s) within the parcel shall be shown by means of perpendicular distances from at least 2 sidelines and from any road boundary. All other buildings may be shown graphically;
 - m. An indication of the surface of the building from which the measurements were made and, in the case of (an) incomplete building(s), the stage of construction;
 - n. The date(s) of the field survey;
 - o. All known and visible encroachments onto or emanating from, the subject parcel and the magnitude of such encroachments. Particular care and attention shall be given to any encroachment which, in the opinion of the surveyor, could have a significant impact on the value, use or enjoyment of the subject parcel or any adjacent parcel.
 - p. A note in the following form:

This Surveyors Location Certificate is not to be used for boundary definition or as a reference document for the preparation of legal descriptions;

q. (i) The Certification:

I, _____, NSLS, hereby certify that this Surveyors Location Certificate was prepared under my supervision and in accordance with Part ____ of the Nova Scotia Land Surveyors Regulations made under Section 8 of the Land Surveyors Act.

Dated this ____ day of _____, A.D. ____.

_____, NSLS

(ii) The surveyor's stamp.

4. The Surveyors Location Certificate in plan form shall be drawn in accordance with Section 46 (1) & (2), Section 48 of the Nova Scotia Land Surveyors Regulations.
5. Notwithstanding the provisions of Section 3, a surveyor may prepare a Surveyors Location Certificate to certify the location of specific buildings or improvements relative to specific boundaries of a parcel of land, provided it contains a note in the following form:

"Note: Other improvements and/or buildings may exist on the subject parcel, no field survey has been undertaken to determine their location or verify the existence of encroachments, other than shown herein."

Preparation of Surveyors Location Certificate - Addendum to Survey Plan

6. A Surveyors Location Certificate may be incorporated on a plan of survey prepared in accordance with Section 46 through Section 67 of the Nova Scotia Land Surveyors Regulations and shall contain the following certification:

I, _____, NSLS, further certify that the _____, is within the boundaries of _____, as said lot is shown on this plan.

Dated this ____ day of _____, A.D. ____.

_____, NSLS

7. The surveyor may use an embossed Surveyor's stamp on all copies of the Surveyors Location Certificate, together with a note in the following form.

"To assure accuracy and original copies, this diagram must bear the embossed stamp of _____, NSLS."

NOTICE

Surveying of Canada Lands

On January 26, 1995, Michael J. O'Sullivan, Surveyor General of Canada Lands, sent out the following information respecting the surveying of Canada Lands:

"This is a follow-up to the Notice sent out on February 10, 1992 concerning the transfer of responsibilities of the Board of Examiners for Canada Lands Surveyors to the Association of Canada Lands Surveyors (ACLS). The notice advised that as of April 1, 1995, it would be mandatory to be registered with the ACLS to be licensed to practice as a Canada Lands Surveyor, and in addition, the practice of cadastral surveying on Canada Lands was to have been restricted to Canada Lands Surveyors.

The necessary legislation (Canada Lands Surveyors Act) to make the ACLS a self-regulating body that would license Canada Lands Surveyors, and assume the responsibilities of the CLS Board, has not yet been passed by parliament. This delay will not affect the planned requirement of having a commission as a Canada Lands Surveyor to practice cadastral surveying on Canada Lands.

Since the February 10, 1992 announcement, approximately 100 new Canada Lands Surveyors have received their commission. There are now over 675 commissioned Canada Lands Surveyors and 40 more are anticipated to be commissioned after the February

1995 examinations. Four hundred and twenty-two (422) Canada Lands Surveyors are now members of ACLS.

Therefore, the policy will be implemented on schedule, and as of April 1, 1995, it will be necessary to be commissioned as a Canada Lands Surveyor to practice cadastral surveying on Canada Lands."

Subsequently, Mr. O'Sullivan also sent out "An Explanation of the Terms 'Canada Lands' and 'Federal Lands'". It is dated February 6, 1995 and is as follows:

"*Federal Lands*" are lands belonging to Her Majesty in right of Canada and includes any lands of which the Government of Canada has power to dispose. This term includes all lands within the definition of "Canada Lands".

"*Canada Lands*" are defined in subsection 24(1) of the *Canada Lands Surveys Act* as:

- (a) any lands belonging to Her Majesty in right of Canada or of which the Government of Canada has power to dispose that are situated in the Yukon Territory, the Northwest Territories or in any National Park of Canada and any lands that are
 - (i) surrendered lands or a reserve, as defined in the *Indian Act*,
 - (ii) Category IA land or Category IA-N land,

as defined in the *Cree-Naskapi (of Quebec) Act*, chapter 18 of the Statutes of Canada, 1984; or

- (iii) Sechelt lands, as defined in the *Sechelt Indian Band Self-Government Act*, chapter 27 of the Statutes of Canada, 1986; and

- (b) any lands under water belonging to Her Majesty in right of Canada or in respect of any rights in which the Government of Canada has power to dispose.

Canada Lands are regarded as lands within the public domain of the Crown since they are held for the benefit and enjoyment of the people of Canada or specific groups of people (native groups - Indian Reserves).

Surveys of Canada Lands are made in accordance with the *Canada Lands Surveys Act* and the instructions of the Surveyor General of Canada Lands.

All other Federal Lands within a province are usually dealt with in the same manner as privately-owned lands. To carry out legal surveys on these lands, an appropriate provincial land surveyor commission is required. The surveys are carried out in accordance with provincial survey standards and legislation."

In addition to the foregoing information, the following is a letter

dated September 22, 1994, from Gérard Raymond, former Surveyor General of Canada Lands, to the Association of Newfoundland Land Surveyors:

"Thank you for your interest in surveys of federal properties. The term 'Canada Land Properties', which you have used in your letter, encompasses three classes of federal properties:

- 1) properties in the private domain of the Government of Canada;
- 2) properties held by Crown Canada corporations; and
- 3) properties in the public domain of the Government of Canada.

Properties in the private domain include properties required by the Government of Canada for the purpose of carrying out government business. For example, properties containing government office buildings. These properties are within provincial jurisdiction and the provincial property rights system. The federal government holds these properties in a manner similar to private individuals and companies in the province. All transactions concerning the properties are made using the provincial property rights system, including land registration and land surveys. A survey of such a property is made through the government department responsible for administering the property, or through the Department of Public Works (Canada). Provincial land surveyors are employed to make any required legal surveys, using provincial survey regulations.

For the purposes of this explanation, properties held by Crown Corporations are the same as properties in the private domain of the Government of Canada. Legal surveys will be arranged by the Crown Corporation using provincial land surveyors, provincial survey regulations and the provincial property rights system.

Properties in the public domain of the Government of Canada are generally referred to as Canada Lands. Although Canada Lands may be situated in Newfoundland they are not within provincial jurisdiction. They are in federal jurisdiction. For Newfoundland, Canada Lands include Indian Reserves, National Parks and offshore areas of Canada. These lands are held by Canada in trust for the people of Canada, or, in the case of Indian Reserves, for a specific group of native people.

There are three legal survey situations concerning Canada Lands:

- 1) legal surveys required to create Canada Lands in Newfoundland;
- 2) legal surveys of the exterior boundaries (which are jurisdictional boundaries) of Canada Lands; and
- 3) legal surveys entirely within Canada Lands.

Canada Lands are usually created by agreement and joint orders in council of the provincial and federal governments. Until the lands become Canada Lands, all required legal surveys are made by provincial land surveyors using provincial survey regulations and the provincial property rights system. If the Government of Canada is financing the sur-

veys, then the survey contracts will be managed by the Surveyor General of Canada Lands. Survey instructions from the Surveyor General will specify use of provincial survey standards, or Canada Lands Surveys system standards, whichever results in higher quality surveys, demarcation and documentation. If possible, survey contracts will be issued to provincial land surveyors who also possess a commission as a Canada Lands Surveyor, since these people will be familiar with the survey requirements of both system.

If a survey of an exterior boundary of Canada Lands is required by the federal government, then the survey will be managed by the Surveyor General of Canada Lands. The survey contract will be issued to a person who holds a provincial survey commission and a Canada Lands Surveyor commission. The survey will be made using Canada Lands Surveys system standards or a combination of provincial/federal standards, depending on the purpose of the survey.

If a survey of an exterior boundary of Canada Lands is required by someone other than the federal government, then the purpose of the survey will determine the involvement of the Surveyor General of Canada Lands. If a survey of the exterior (jurisdictional) boundary is to be recognized by the federal government, then it must be confirmed by the Surveyor General of Canada Lands. Normally, confirmation will only be given if the survey meets or exceeds Canada Lands Surveys standards. The survey may be made by a person who holds only

a provincial land surveyor commission. It is expected that the surveyor will request, at the least, the survey information contained in Canada Lands Surveys Records in Ottawa pertaining to the boundary.

Legal surveys made entirely within Canada Lands must be made by a Canada Lands Surveyor under survey instructions from the Surveyor General of Canada Lands, regardless of who requested, or who will pay for, the survey.

In making a survey of Canada Lands, a surveyor must supply to the Surveyor General of Canada Lands for recording in the Canada Lands Surveys Records, the following:

- a) a plan of survey;
- b) field notes of the survey; and
- c) a report of the survey.

I hope this explanation responds to your concerns. If you have any other questions, please do not hesitate to contact me." ■

FROM THE FIELDBOOK

Instrument of Subdivision

The new Planning Act will contain a section allowing Instrument of Subdivision. For many years, the association has tried to convince the government that this

practice is not in the best interest of the public and creates lots without precise boundaries or accurate location. Throughout discussions with the government, the association has been unable to demonstrate, by means of actual examples, that the citizens of Nova Scotia are being injured or aggrieved by this practice. If you have any instances that can be used to show problems created as

Regulations - New Format

The Government Bookstore will be selling copies of the Act, Regulations and By-Laws in a new size - 8½" x 11". The old 5½" x 8½" size will no longer be available.

Dept. of Natural Resources New Address

Effective December 1, 1994, the NS Department of Natural Resources offices and services formerly at Torrington Place in Dartmouth relocated to:

Founder's Square
1701 Hollis Street
Halifax NS

The new mailing address is:

PO Box 698
Halifax NS
B3J 2T9

Geodetic Products and Services

Anyone who needs information on geodetic survey products or services can contact:

Paul Godin
Geomatics Canada
Geodetic Surveys Div
615 Booth Street
Ottawa ON K1A 0E9

Tel: 613-995-4421

EASTWARD DRAFTING SUPPLIES LTD.

- Complete line of Drafting & Engineering Products for Conventional & CAD Systems
- Survey Equipment - Sales, Service & Rentals Most Major Manufacturers

95A Akerley Blvd.,
Burnside Industrial Park
Dartmouth, N.S. B3B 1R7

HOURS: 9 am to 5 pm Mon. to Fri.



STAEOTLER
Koh-I-Noor
SHARP



PHONE: 468-3971 Fax: 468-2276
Toll Free (Atlantic Provinces):
1-800-565-3203

a result of using Instrument of Subdivision, please forward them to the association office. If we can show that the public is adversely affected by these documents, it will be a big help in creating the positive change we're seeking.

How Do You Get Clients to Pay?

by Robert A. Daniels, NSLS, CLS

What is the land surveyor's favourite wine (whine)?

"My clients owe me a lot of money and won't pay."

One of the major complaints expressed by land surveyors is "I have great difficulty in collecting accounts". This causes many land surveyors to have a continual cash flow problem. You can't pay your bills, buy new equipment or give yourself and staff a bonus, because there is so much money owed to you.

Clients who do not pay their survey bills usually do so because of two reasons:

1. They are unhappy with your service or product and therefore feel that by withholding payment they are causing you some of the same discomfort that they believe you have caused them.

2. Your invoicing and collection methods are not timely or efficient, with little or no effective follow up on outstanding accounts.

One reason is due to the client, the other is due to your inability to manage your financial affairs properly.

The following is a short list of suggestions that will help improve your cash flow and your client relations.

1. Supply your service and plans on time to the client. Most of your clients have a time frame that needs to be met because of financial or business commitments. Land surveyors are notorious for always being behind schedule for delivery of services or plans. Even in the midst of the worst recession in recent history, when work was scarce as "hens teeth", land surveyors continued to miss their clients deadlines. It is your duty to be part of your client's team and supply your service and plans on time. Don't be the one who causes delays for your clients project, it will not be appreciated.

2. Ensure your service and plans meet the clients needs. Too often the service or plans supplied to the client are not what they require. You must keep in mind that most people have a very limited understanding of the survey profession and don't understand what the land surveyor can do for them. From the very outset of any business relationship, ensure that both you and your client have a thorough understanding of the client's requirements and your professional obligations.

3. Present your invoice for service and plans as soon as possible. "Strike while the iron is hot" as the old saying goes, or get your money while your service and plans are still important in your client's mind. If you leave your billing too long, the

client's attention will be on other matters and your request for payment will be just another annoyance that is competing for their time. On small jobs, it is often possible to present your invoice at the same time that the plans are delivered to the client. On larger jobs, the invoice should be processed and sent to the client as soon as possible after the completion of the job. There should be no more than two weeks between the completion of the project and the invoice being in the hands of the client.

4. On long jobs, interim invoice at least monthly, this keeps the client informed on the progress of their project and eliminates one large invoice at its completion. With the interim invoice there should be a summary of the work completed to date and the percentage of the project that is completed. Interim invoices also indicate to the client that their project has not been forgotten and is still foremost in your mind. If a problem arises, there is an opportunity to terminate the project and cut your losses if necessary. Failure of the client to pay interim invoices will also act as a signal of potential financial problems.

5. Advise your client immediately if there is a cost overrun. As every land surveyor knows, giving estimates for survey work is a very tricky business. It is impossible to identify every unknown that will be en-

countered during the survey. Most clients take estimates as being the fixed price and determine their budget for the project based on the cost you have given them. If, during the course of the project, you encounter difficulties or unknowns that are not your fault, contact your client immediately and explain the situation in a logical manner that they will understand. Also have ready the additional costs that will be required to overcome these problems. Contacting your client on this very important matter will allow the project to be terminated or modified by your client. If the project is terminated, you can expect to be paid for your service to that time, if the project is to be modified, your client should be thankful that you have brought this problem to their attention. Notifying your client of situations that affect the estimate previously given eliminates the biggest problem of all, presenting a bill at the end of the project which is much larger than the original estimate. This one act causes more stress for land surveyors and creates more unhappy clients faster than anything else. I have had discussions with many surveyors on this issue, and not one surveyor can recall a client cancelling a job because they were notified immediately of unforeseen problems that would affect the cost of the survey. However, if you present an invoice that substantially exceeds the estimate given to a client, you can be sure there will be a battle over costs or you will never see that client again.

6. As everyone knows, we live in a rapidly changing world. This goes for surveying projects

too. Many times a client will come to your office to discuss their requirements and leave with a cost estimate and a good understanding of the services that will be provided. However, as their project progresses, they require additional survey service. They will call your office and request this and that, and you will agree to provide the service on a moment's notice. But, very often you fail to inform the client that this additional work was not discussed or considered in the estimate and will cost more. Since the client is not told otherwise, they believe that this additional service is part of the agreed upon estimate. The trouble really starts when you send the invoice with a long list of additional services and associated costs that the client is not expecting and has not budgeted for. To eliminate this problem, tell your client that each additional request will have an impact on the estimate that you have provided. Ensure it is understood that you will only take requests for additional services from the client or their specifically designated staff. At each request, you can then tell your client that the additional service will cost more. At that time the client may decide against the request for additional service, or authorize you to proceed, at additional expense. Either way you are ahead, because you are not working for nothing.

7. On large projects or when working with first-time customers, there should be specified terms for payment for your services. Interim or progress payments on larger jobs tie up less of your (or the bank's) money for

long periods of time and will improve your cash flow. Interim payments made by your client will eliminate one large invoice at the end of the project. Unless you have personal knowledge of first-time clients, it is not wise to extend too much credit for your services. Over the past few years, many companies have gone out of business before paying their bills. They have declared bankruptcy or channelled all the assets from one company to another leaving the company that your agreement is with unable to pay and leaving you no effective recourse against that company or its officers. There is nothing wrong with asking for a retainer before beginning the project or requesting payment in full before releasing any survey plans or documents. Once a satisfactory relationship is established with the new client, then the billing process can be relaxed to some degree. Interim payments, retainers or payment upon delivery will give you some leverage if there is a problem and an opportunity to get out before you lose more money.

I realize that this article is longer than intended, but I felt it was important to provide some thoughts on this matter to our members. It is obvious that land surveyors are not paid at the same level as other professionals. This is due in large part to our poor self image problem (we don't think that we are worth very much). So if you will not charge what you are worth, then at least you should be able to collect what you are owed. ☒

Don't Shoot the Messenger

by Jim Gunn, NSLS, CLS

There are few things in this world that will set neighbour against neighbour as quickly as a disagreement over a property line. This is not surprising when you consider that people have been fighting over land since the beginning of time. Unfortunately, it usually falls to the land surveyor to break the news that the location of a boundary is in question. Even the strongest friendships are put to the test when this happens. It is not surprising that the mere sight of a land surveyor will raise the hair on some seemingly normal people.

Our common law courts have long recognized the importance of maintaining a peaceful coexistence between land owners. Over the years they have developed guidelines so land surveyors will not needlessly disturb the peace when going about their work. When things go well, a survey usually causes little commotion and the owners are left to the peaceful enjoyment of their property. But when things do not go well, the surveyor is often held to blame.

This is unfortunate because most land surveyors are committed to resolving the problems they encounter. This is, after all, a helping profession. But sometimes the surveyor's hands are tied by the very laws that are intended to keep the peace. Few people appreciate the difficult choices the land surveyor faces

on nearly every survey. The settled possession hardly ever agrees exactly with the documentary evidence. Contrary to popular belief, surveyors are not always to blame for discrepancies between found evidence and measurements shown in deeds and plans. Survey markers will find all sorts of positions due to the forces of nature and the limitations of man and equipment. This is to be expected.

When forced to choose between found evidence and documentary evidence, some well-intentioned surveyors often create more problems than they solve. They will hold a deed or plan measurement despite physical evidence to the contrary. Instead of accepting, resetting or removing the found markers, they either place a new marker beside or simply show the relationship of the found marker to the "true" corner on the plan. Either way, they create a multiple choice corner.

For more than a hundred years, the courts have ruled that surveyors are to follow a hierarchy of evidence that places original monuments, or evidence thereof, ahead of documentary evidence such as deeds and plans. Furthermore, the surveyor is told to accept original monuments even if they were first placed incorrectly.

Land surveyors know that

holding a boundary to the found evidence may satisfy the courts, but it is sure to upset just about everyone else. Lawyers, planners, clients and other surveyors become very uncomfortable when a surveyor reveals that a property is not exactly the same size or shape it was supposed to be. Consequently, there is a great tendency to make the survey fit the deed or plan. This places the surveyor in a no-win situation.

As the late Justice Cooley of the Michigan Supreme Court once pointed out, surveyors, with their technical training, often make the mistake of accepting a mathematical solution despite a conflicting legal rule. But surveyors are reminded that common law is founded on the principle of *Stare Decisis* - the rule of precedence. Unless a common law rule is specifically altered by statute law, the rule stands. For example, the legislation making the City of Saint John N.B. an integrated survey area effectively altered the hierarchy of evidence within the loyalist city giving primary importance to documentary evidence and coordinates.

But, unless a surveyor is working in an integrated survey area, he or she must observe the common law rules or risk being overruled by the courts. After all, the courts have the last word on the location of a boundary, therefore, the surveyor must anticipate how the court would resolve each

and every problem.

This is a serious dilemma for the surveying profession. Documentary evidence, such as deeds and coordinated plans of survey, has assumed a very important role in our society. In many cases, they are the sole basis for conveyancing, approval processes, taxation and so on. Contradicting this evidence can often be more unsettling to the general public than moving their corner markers. Perhaps it is time to introduce legislation that will allow a surveyor to accept a coordinated solution over found evidence in some situations.

In the meantime, surveyors should put the problem right where it belongs. If a 50' x 100' lot measures 49.9' x 100.1' or even 47' x 105', then so be it. Let the lawyers sort it out. This is

not to say that surveyors should not strive to resolve every problem within their means, but the truth is, surveyors have a very limited number of options. If a surveyor has reason to believe that a found survey marker is no longer in its original position, it can be reset or replaced according to regulation. Otherwise, it should be accepted. The surveyor should not introduce a second marker for a corner unless he/she has the opinion that a previous resurvey was incorrect. In this case, the courts would decide the outcome.


Sometimes the surveyor can suggest a simple and inexpensive boundary line agreement if the original location of a boundary can no longer be determined with absolute certainty. This ancient common law remedy is well regarded by the courts. Needless to say, it requires the

cooperation of all the adjoining property owners.

Surveying was never easy. There is a well known story about former U.S. president and land surveyor, George Washington, that bears repeating. He is said to have presented a client with an invoice of \$100 for surveying services. When the client asked that the bill be itemized, he reissued the invoice stating:

Survey markers \$ 4.00

Knowing where to
put them \$96.00

How true! 

EQUIPMENT FOR SALE

Wild T-16 Theodolite **\$2,000**

Sokkisha Red Mini Distomat
with prism, pole, case, battery & charger **\$ 2,000**

Rotring NC-Scriber CS100 **\$ 1,000**

All in Excellent Shape

Wayne Mailman, Bridgewater, NS

Home: 644-3966 Office: 543-5695

REPORT OF CCLS AUTUMN MEETING

Robert A. Daniels, NSLS, CLS
Nova Scotia Director

HIGHLIGHTS:

1. Secretary-Treasurer's Report

The 1995 budget reflects a deficit of \$7,550. This is due to a number of items, such as declining revenue from reduced membership and increases in overall costs.

It was approved that the levy of \$40 per member would remain for 1995, but it was approved in principle that the levy would be raised to \$50 per member for 1996-98. It was pointed out by several directors that such an increase in dues could not be formally approved without prior approval from each member association.

CCLS has approximately \$50K in reserves. Part of the money will be used for prepaid expenses and to wind down CCLS if ever necessary. However, part of this reserve would be used to offset the 1995 deficit, if necessary.

2. Directors and Officers Liability Insurance

It was agreed that CCLS should have D & O liability insurance, since it has been pointed out that there could be a need for this protection. (See report from Roger Brett, summer of 1994).

3. Professional Liability Insurance Committee Report

It was agreed to have a study carried out to precisely determine if self-funded liability insurance is a viable option for the members of CCLS in the future. Ontario and

Quebec have their own self-funded programs. \$20K was approved for this study. The money will come from the Insurance Committee reserve fund, which contains about \$40K.

4. Project Reports

Environmental Concerns Project Questionnaire sent to each association seeking input. The information is being compiled.

Public Relations Project - Questionnaire sent to each association seeking input. The information is being received for compilation.

Standard Contracts Project - Completed, and being purchased and distributed by the member associations. Nova Scotia has purchased 100 @ \$5.35 each, and is selling them to the members @ \$6 each if purchased directly from the office, or \$7 each if purchased by mail.

Title Insurance Project - Completed, with an extensive report prepared by Ontario. \$4000 was given to Ontario as CCLS's portion of the \$10,000 cost. The money came from the reserve fund. Copies of the project have been supplied to all provinces.

5. CCLS By-Laws have been approved by the Department of Consumer and Corporate Affairs.

6. CCLS is now using a "mailing house" to send copies of *Focus* and the *Bulletin* directly to the members.

7. Algonquin College has been contracted to design a new CCLS logo, cost \$500. Three designs are presently being considered by the directors.

8. CCLS supplies copies of *Focus* and the *Bulletin* based on the dues paid by each member association. If others wish to purchase a subscription, it will cost \$15. (In NS we only pay for regular members, therefore other member classifications do not get copies of CCLS publications).

9. New Business

- In BC, lawyers are accusing surveyors of "unlawfully" infringing on legal jurisdiction. Dick Wright will investigate the situation and may require input from other associations.

- A recommendation from Ontario proposing a committee to investigate "Geomatics Education" will be considered by Doug Simmonds and Ed Grenkie.

- CCLS is becoming more involved with international relations. Standard Industrial Classification (SIC) for land surveying services and General Agreement on Trade in Services (GATS) will impact on the Canadian land surveying profession. CCLS has been dealing with at least two federal government departments on these issues.

- There were no new projects presented or approved.

10. Annual meeting to be held in Alberta, April 23 & 24, 1995. ■

Subdivision of Lands Within *Land Titles Clarification* Areas in Halifax County

The following letter, dated February 9, 1995 was sent to Robert Daniels of ANSLs from Kelly F. Denty, Development Officer for Halifax County Municipality:

"The following states Halifax County's policy where proposed subdivisions involve an area of land undergoing the land titles clarification process through the *Land Titles Clarification Act*.

Where an application for a Certificate of Title for an area of land is in process and a certificate of claim has been issued, all applications for subdivision within the same area of land are held pending completion of the clarification process. This practice applies to all designated land titles clarification areas within the municipality; specifically, North and East Preston, Cherry Brook, Terence Bay and Oldham.

The clarification process is open only to existing parcels of land. A lot granted by Certificate of Title is not considered newly created because title is simply being confirmed to an existing parcel of land and for this reason, the usual subdivision approval is not required. However, if a parcel of land under claim is subdivided then it is no longer considered an "existing" parcel of land.

Part of the clarification process involves the issuance of a certificate of claim once the Department of Natural Resources determines that the claim is valid. The certificate of claim includes a full description of the area being

claimed which corresponds with the Certificate of title, when issued. If lands bearing a certificate of claim are divided, then the lot configuration no longer coincides with the description stated in the certificate of claim. Once a certificate of claim is issued and filed at the Registry of Deeds, the description of the claimed land cannot be changed. A certificate of claim can only be revoked by the Minister of Natural Resources when an opposing claim has been validated by the Trial Division of the Supreme Court. There is no other means by which, under the *Land Titles Clarification Act*, a certificate of claim may be altered.

The municipality's position is that if an area of land is undergoing the clarification process, then obviously the quality of title is at issue. The Act provides an objection period, after a certificate of claim is issued, during which an opposing claim may be made. This means that the ownership of the property is open to debate. The municipality's *Subdivision By-Law* requires the consent of all owners of an area of land to a subdivision before the subdivision will be

considered for approval. If ownership is not certain, then the request for subdivision may not be condoned by all owners.

We feel this is the only reasonable approach by which to deal with this situation. Approving a subdivision where a clarification application is outstanding succeeds only in impeding the process by prohibiting a claimant from gaining title to their property.

In an effort to avoid any untimely or premature survey work, I ask that you make your members aware of this practice. Please contact me at any time should you wish to discuss this matter in further detail." ❧

WOOD PRODUCTS DIVISION

WEBBER ENTERPRISES LTD.

LAKE CHARLOTTE, NS B0J 1Y0

MANUFACTURERS OF

**SURVEY STAKES & HUBS
HARDWOOD WEDGES**

"MILLING WOOD TO CUSTOMER NEEDS"

FORD WEBBER - SALES

1 - (902) - 845-2211

ASSOCIATION OF NOVA SCOTIA LAND SURVEYORS ORGANIZATIONAL STRUCTURE 1994-1995

EXECUTIVE COMMITTEE

President	Clive MacKeen
Vice-President	Philip Milo
Past President	Gordon Isaacs
Exec. Director	Robert Daniels

COUNCILLORS

Zone 1 - Art Backman
 Zone 2 - Eric Morse
 Zone 3 - Jerry Borden
 Zone 4 - John Sutherland
 Zone 5 - Jerome MacEachern
 Zone 5 - George Podetz
 Zone 6 - Ken Robb
 Zone 6 - Glenn Myra
 Zone 6 - Garry Parker
 Zone 6 - Paul Zinck
 DNR Appointee - Keith AuCoin

ADMINISTRATION REVIEW COMMITTEE

Gordon Isaacs (C)	Keith AuCoin
Mike Crant	Dave Roberts

ANNUAL MEETING COMMITTEE

Frank Gillis (C)	Clive MacKeen
Andy DeCoste	Mike Tanner (printing)
Stewart MacPhee	George Sellers

APENS LIAISON COMMITTEE

Association Executive
 Ad Hoc Committee
 Ken Whalen (C) Ken Robb
 Jim Doig Bob Daniels
 Bob Feetham

ATL. BRD. OF EX. FOR LAND SURV.

John MacInnis (C)
 Grant McBurney
 Paul Slaunwhite

BOARD OF EXAMINERS

John MacInnis (C) Jim Chisholm
 Chris Masland Forbes Thompson
 Keith AuCoin (Minister Appointee)
 David Cushing (APENS Appointee)
 Bruce Gillis (Barristers' Appointee)

BUILDING COMMITTEE

Fred Hutchinson (C)	Ed Rice
Robert Feetham	Allen Hunter

BY-LAWS COMMITTEE

Gerry Bourbonniere (C)	
Glenn Crews	Peter Lohnes

CCLS

Bob Daniels - NS Director

COMPLAINTS COMMITTEE

John MacInnis	David Hiltz
Allan Owen	Carl Hartlen
Ted Webber	

CONTINUING EDUCATION COMMITTEE

Lester Tingley	John DeLorey
George Podetz	Peter Murray

DATA BASE COMMITTEE

Jim Gunn
 Bob Daniels
 Glenn Myra

DISCIPLINE COMMITTEE

Harold Lively (C)	Walter Rayworth (VC)
Allen Hunter (Sec)	Wayne Hardy
Errol Hebb	John Pope
Gordon Isaacs	

GANS LIAISON COMMITTEE

Bob Daniels

INSURANCE COMMITTEE

Paul Slaunwhite (C)
 Stewart MacPhee
 Robert Feetham

LIFE & HONORARY MEMB. COMMITTEE

Robert Feetham

MANUAL OF GOOD PRACTICE CTTEE

Robert Ashley (C)	Fred Hutchinson
Jerome MacEachern	Jack Kaulback

NOMINATING COMMITTEE

Gordon Isaacs

NOVA SCOTIAN SURVEYOR

Bob Daniels
 Kathy Alcorn

PRIVATE PRACTICE COMMITTEE

Ken Robb	Garry Parker
Dennis Prendergast	Derik DeWolfe

PUBLIC RELATIONS COMMITTEE

Brian MacIntyre (C)	
Ray Pottier	Bob Daniels

REGULATIONS COMMITTEE

Fred Hutchinson (C)	Jeff Fee
Jim McIntosh	Ray Pottier

SPECIAL EXAMINING COMMITTEE

John MacInnis (C)	Doug MacDonald
Lee Johnston	

SRD ADVISORY COMMITTEE

Ted Webber (C)
 Dennis Prendergast
 Grant McBurney

SRD REVIEW COMMITTEE

Phil Milo (C)	Athol Grant
John Sutherland	David Whyte

STATUTES COMMITTEE

Art Backman (C)	Grant McBurney
Jim McNeil	Valerie George
Peter Lohnes	Murray Banks

SURVEY PROFESSION COMMITTEE

Bob Daniels (C)	Murray Banks
Dave Clark	Robert Feetham
Frank Gillis	Jim Gunn

GEODIMETER SYSTEM 600

Fully upgradable



Can you upgrade your existing surveying instrument to a 'one-man-system'?

Inside every Geodimeter System 600 instrument lies a fully robotic total station. Bringing it to your assistance is as easy as 1-2-3.

1

The core of the system is a Servo-Driven Total Station for conventional surveying. The keyboards are fully detachable and can be equipped with enough memory to accommodate up to 10,000 points in addition to all Geodimeter surveying software. *Need more? Then upgrade...*

2

Add a Telemetric Link and suddenly you've got a Remote Controlled Surveying system. You'll be able to stand out at the point to be surveyed and perform all inputs, measurements and checks. And you can take the keyboard along with you. *Want more? Upgrade!*

3

With the addition of a Tracker your Geodimeter will be the ultimate in surveying technology. A Total Station for Robotic Surveying, a "One-Man-System" capable of following the reflector automatically.



The possibilities are practically limitless when it comes to Geodimeter technology. Remember, we not only set the standards for modern land surveying - we invented them. Take the opportunity to contact us and see for yourself the difference a Geodimeter System 600 can make to your work. Not only will our demonstration surprise you - the price will too.

Mail or fax to: Geodimeter of Canada Ltd. See address below.

- ☐ Call me! I want to see a Geodimeter System 600.
☒ Send me the Geodimeter System 600 poster immediately!

Name _____

Company _____

Address _____

ZIP Code _____

City/State _____

Telephone _____

Telefax _____



Geodimeter of Canada Ltd
 41 Horner Avenue, Unit 5
 Toronto, Ontario M8Z 4X4
 Phone: (416) 252 4691
 Fax: (416) 252 8635

We've just made the One-Man Total Station *Obsolete!*



With RTK (Real Time Kinematic) GPS systems from Trimble Navigation you can do everything a one-man total station can do – and a whole lot more!

Here's some of the advantages:

- You can work in the rain, fog or snow
- You don't require line of sight between the base and rover units
- Greater range between points than conventional systems
- You don't have to worry about moving parts wearing out or breaking down
- There are no optics to fog up
- You can use RTK for conventional surveys, traversing, layout, or even long range control surveys
- You can do airborne or marine surveys

Multiple RTK systems save you even more!

Best of all, with a Trimble RTK system you don't have to leave your expensive base unit in the open, where it can get damaged or disappear!

For More Information on TRIMBLE GPS SYSTEMS

or to receive our new catalogue call:

1-800-661-8342



Cansel
Survey Equipment
"The GPS Experts"

Montreal: (514) 631-3941
Toronto: (416) 492-0646
Ottawa: (613) 731-4703