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Spring 2007

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THE NOVA SCOTIAN SURVEYOR

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Cover: The photo is of an area in Cole Harbour, Halifax County. This area is fed by the waters of a nearby lake and the outfall is via a highway culvert. This demonstrates the existence of a watercourse, but is there adjacent wetland or is the whole area a watercourse? A question for the land surveyor in defining extent of title.

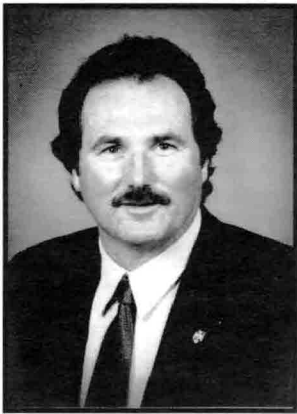
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PRESIDENT'S REPORT

Thomas F. Giovannetti, P.Eng, NSLS



This is my first report to the membership as your president. Following the 2006 AGM held in Wolfville, Council met on November 17, 2006 and March 9, 2007. Some of the highlights of the beginning of my tenure are as follows:

The first official task I undertook, as promised at the AGM, was to meet with Marjorie Hickey (legal counsel) and our Executive Director to discuss the MCE program with respect to members who were not in compliance with same. The meeting took place on November 1, 2006 at the association office and was considered successful in regards to advice given to Council respecting how the MCE program could be administered for member non-compliance. To date, Council has approved a methodology to deal with the non-compliant individuals.

On October 25, 2006, a Land Registration Act (LRA) presentation was made to the Liberal and NDP caucuses. Russell MacKinnon, Bruce Mahar and Derik DeWolfe delivered a powerful presentation to both caucuses. The time allocated for the presentation was approximately 15 minutes, however

because of the concerns raised, approximately 1½ hrs was spent before both caucuses. My impression at the time of this meeting was that the NDP and Liberal caucuses had more than just a casual interest in the topic as demonstrated by the length of the meeting and the questions and issues raised.

The Conservative caucus chose not to meet with the ANSLs representatives, however a meeting was arranged with Jamie Muir, Minister of SNS & MR, regarding same. Following this, a letter dated November 8, 2006 was sent to Fred Hutchinson by Mark Coffin, Registrar General of Land Titles. Subsequent to a review of the letter by Council, a motion was approved that the ANSLs President respond to Mr. Coffin's remarks.

Council approved a letter dated December 7, 2006 to be forwarded to Mark Coffin and The Honourable Jamie Muir outlining the Association's concerns and response to Mark Coffin's letter. Following that, a request was made by the Barristers' Society to discuss the concerns of the Association. On January 25, 2007 the Land Titles Committee, Fred Hutchinson and I met with members of the Bar Society. The outcome of this meeting, in my opinion, was very beneficial as a sub-committee made up of members of the Bar Society and ANSLs was struck to deal with the issues.

On a similar note, for the past several months Russell MacKinnon has monitored bills being presented in the Legislature to ensure there is no conflict with our stat-

ute. In that regard, Fred and Russell appeared before the Law Amendments Committee regarding an amendment to the Land Titles Clarification Act.

In the last President's report, Garry Parker reported on our unsuccessful attempt to fill the position of Survey Review Department Manager. Since then Council has approved a motion to issue a Request for Proposal (RFP) which will be posted and advertised to members of the association and the public for consideration.

Since the AGM I have attended the State of Maine, New Brunswick and the Ontario AGM's. Russell MacKinnon attended the British Columbia AGM on behalf of ANSLs.

All the associations including Maine are experiencing a decline in membership.

According to CCLS demographics, associations across Canada are reaching a crisis situation where the majority of the associations' members (75% in most associations) are over 50 years of age.

There is already a CCLS agreement on interprovincial reciprocity, but there is some discussion of expanding internationally. The governments of British Columbia and Alberta have begun to implement their own mobility rules that do not comply with the CCLS agreement.

A major initiative was identified by CCLS that there was a need to benefit from the economies of scale with the member associa-

tions through CCLS for the benefit of the profession at large. This is reported in a memo entitled *CCLS Future Task Force Think Piece*. As a result of this memo, an expanded Presidents' Forum took place February 24, 2007 following the Ontario AGM.

I was present at this task force meeting and was impressed by how all the association presidents agreed to work towards a common goal together and agreed to a stronger connection with the CCLS via the individual associations' CCLS directors. It appears to me to be an exciting time for the profession with respect to any future re-definition of the profession. The participants agreed that there was a definite need to redefine the profession.

The Futures Task Force would play an important role in that definition. Participants indicated that the cadastral part of the Land Surveying profession was getting to be smaller relative to other work being done such as the growing geomatics field. In redefining the profession consideration was given to addressing the current national sensitivities in regard to security, environmental, boundary definitions and other political issues surrounding land use. The participants felt there would be great opportunity in taking the lead role as the location information experts.

The barriers prohibiting this activity were the lack of new individuals entering the profession, perceived low remuneration in some provincial associations and the continued erosion of the profes-

sion to others. It was clear to the participants that a strong message had to be delivered to each provincial Council to obtain support on accomplishing the objectives of the National Future Forum.

A report on this meeting will be available prior to the next Council meeting for debate and consideration. Jim Gunn, as the new CCLS Director for Nova Scotia, will become well-versed on this National Future Forum and will provide the continuity required between changing association presidents and councils.

Jim also has been appointed as the Chair of the 2007 AGM Committee. I attended the first AGM committee meeting in Cape Breton on January 24th and was very pleased with the turnout and enthusiasm regarding the upcoming event. It is worthy to note that both Russell MacKinnon and I attended this meeting. Following the meeting, I had to attend a meeting with the Bar Society the very next morning in Halifax at 9:00 am. This made for an interesting late afternoon and subsequent early morning road trip to and from Cape Breton for both Russell and me.

I also received a letter dated February 14, 2007 from the Canadian Board of Examiners for professional Surveyors (CBEPS/CCEAG). This letter was an invitation to join their new federally-incorporated board.

The Atlantic Provinces Board of Examiners for Land Surveyors has scheduled a "Colloquium on Educating the Next Generation of Land Surveyors in Atlantic Can-

ada" On April 20 & 21, 2007. Pressure as a result of reciprocity has prompted CCLS to develop a national syllabus of examinations through joint meetings of the various boards. The four western provinces and the Association of Canadian land Surveyors have created the CBEPS. The colloquium on education involving the four Atlantic Provinces was considered necessary by APBELS to address concerns specific to the Atlantic Provinces.

In closing this first report I can tell you that the amount of information our association office staff process on a daily basis is overwhelming. Numerous e-mails come in on a daily basis on a variety of topics requiring responses from myself, Fred Hutchinson and Kathy Alcorn. Cathy McInnis has been kept very busy in collecting SRD plans, Surveyors Location Certificates, issuing numbers and collecting fees.

Our association staff has continued to serve us well and has kept up with the ever-increasing flow of information from other associations and groups. This interaction has broadened the scope of our influence and practice through Nova Scotia and the rest of the country.

In any event, the spring season is upon our industry now and, with that said, it is time to put the skis and hockey skates away and to get our daily exercise by walking to the office, performing boundary field checks and/or simply getting out on the golf course with our colleagues and other business associates.

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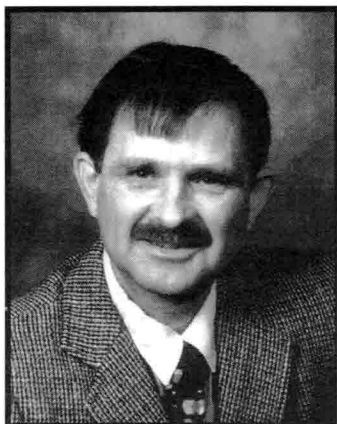
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EXECUTIVE DIRECTOR'S REPORT

F.C. Hutchinson, BA, NSLS, CLS



Why prepare a survey plan?

I have now chalked up 36 years as a land surveyor with nearly nine of those years in the service of the Association. The past several years have provided me with an exposure to the surveying profession that most will never experience. I hear concerns from surveyors, property owners, lawyers, the RCMP, development officers and others about how something has gone awry or how a certain situation should be handled. No two situations are ever the same. Every property has a unique location, history, ownership, topography and development issues.

When I was in private practice, I was always interested in why a client wanted their property surveyed. I was sure that most did not make the decision to hire a land surveyor in order to get rid of surplus cash and that a vacation would have been much more enjoyable, but hire a surveyor they did. So ... the two principal reasons, from my experience, appear to be development and conflict, and it should be noted that development often leads to conflict.

The next step is to survey the client's property and place standard markers at all the corners. Sounds easy enough but your client has

also just given you specific instructions:

1. You are not to talk to the neighbour on the north for whom he has developed a passionate dislike.
2. You are to set the markers below the ground surface and cover with natural soil so they are not visible.
3. You are to attend the site between 9:00 AM and 4:00 PM only.
4. You are not to provide a copy of the survey plan to any other party and the plan is not to be recorded in the local Registry of Deeds office.

Some of these requests might sound familiar. It is unlikely that all four would ever be presented at the same time but I am sure that most surveyors have experienced similar requests.

I would like to try and address each of those requests and offer comments. Keep in mind that they are only comments based on my experiences and not recommendations. How a land surveyor deals with a client is generally governed by professional ethics and business practices. I do appreciate that no one wants to lose a client's business but any one of the instructions should be considered as a "red flag". If the surveyor accepts the terms of engagement then s/he may become an advocate and deemed to be biased by all adjacent owners.

Instruction # 1 – Not talking to a neighbour:

In order to collect information on the site it is imperative that the lines of communication with neighbours remain open. They may have documents or parole evidence that would assist in the survey, plus entrance on their property may be needed to access points of interest.

Agreeing to such a term would be highly unethical. From my experience with the accounting profession, you do not tell your auditor what information is to be omitted or ignored. Similarly, the land surveyor is obligated to look at and consider all the evidence available and, if the client does not agree, then move on and deal with individuals who truly want a professional service.

Instruction # 2 – Set markers below ground surface:

Setting survey markers below ground surface is actually a good practice at times. In an urban environment markers should be set flush with lawns so as to avoid the lawn mower, plus it is more esthetically pleasing. It is also safer if there is activity on the lawn by children or owners. The instruction, however, suggests another objective and that may be one of secrecy.

The land surveyor must always be mindful that boundaries are not the sole possession of only one owner. It may be that the neighbour did not want to contribute to the cost of the survey so your client does not want to share the results of the survey. Or maybe they are locked in a bitter conflict that you want no part of. To intentionally conceal resulting evidence from an affected land owner may very well be viewed as adversarial and unprofessional.

Instruction # 3 – On site at specific times:

Attending the site between certain hours may not be a problem but I suspect that the request may be an attempt to eliminate the surveyor's contact with the neighbour. If the surveyor did agree to this instruction then the crew better be able to

continued on page 8

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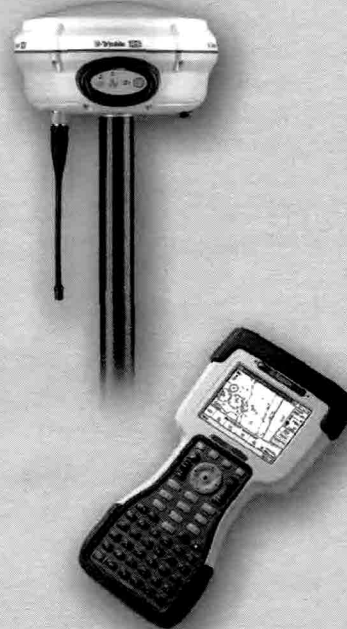


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deal a neighbour who returns home through the day to let the dogs out and finds someone rooting through the compost heap at the rear of the lot.

Instruction # 4 – Do not share the survey plan:

I would seriously question the client's objective in having a survey done if there is a request to keep the plan hidden. As with any survey, it is desirable to have all documentary and physical evidence available. A plan that illustrates the location of survey markers set in the public domain but is cloistered away in a closet does not assist in finding the points or defending their location. Not having a plan or information available to determine if markers were previously set may actually increase the chance of conflict and liability in the future.

Making the neighbour aware of the survey early in the game will generally bring all the problems to table. It is much better to deal with problems early than after the exercise has been completed. It is also much more difficult for the surveyor to offer a second opinion after the markers are set and plan delivered. It should be the goal of the client to let everyone know of the survey and place the plan in the

public registry for all to use. I am aware of one surveyor's client who had her plan of survey engraved on her tombstone. This may not be for everyone but it does demonstrate the point of public awareness in that a survey was completed.

Not all surveys result in the preparation of a plan, but it is recommended that one be prepared when the results differ from the title documents or when no plan of the property previously existed. Some jurisdictions require a plan or report be filed whenever a corner marker is set. Under copyright law, a plan of survey is deemed to be protected from unauthorised use and as such is under the ownership of the author. This means that it cannot be reproduced or altered for gain. The printing of a plan of survey on public record is not seen to violate copyright since one only pays for the printing and nothing more when obtaining a copy.

Clients request a survey of their property and then instruct the surveyor to not release the plan without their permission. Whose plan is it? The client pays for a professional service to have markers placed and a plan prepared to document their boundary location. The client does not store the original plan or the associated file and does not own the copyright. If the surveyor

suspects that the client will be unhappy with the survey results then this should be discussed before markers are set or a plan prepared. I am sure that most surveyors are able to advise their client where lines will be cut or if their driveway encroaches over the boundary prior to actually doing final work.

Without a plan of survey to support the placement of markers, there is a greater chance of not finding the field evidence in the course of a subsequent survey. No surveyor wants to be faced with a neighbour flaunting an unregistered plan to illustrate why the marker that was just set is wrong. You are now faced with the dilemma of re-evaluating your results with consideration to the unregistered plan. The result is wasted time and money and, if you agree with the previous survey, you will likely be perceived to be siding with the neighbour and it may very well create a problem for you in being able to collect your fees.

So my advice is that surveyors should do their utmost to remain unbiased and take their instructions on surveying from their peers, industry standards and regulations. Remember that establishing and preserving the cadastre is what we do. Do not get caught up in fence wars! ❧

2007 AGM



Come join in the hospitality of scenic Cape Breton for our 57th AGM at Keltic Lodge, Middle Head Peninsula, Ingonish Beach, Nova Scotia from October 11 to 13, 2007. It is highly recommended that you plan now to make reservations at the Lodge. It is best to phone 1-800-565-0444 and mention the land surveyors' convention. You can also visit them at www.signatureresorts.com but phone reservations are recommended since the Association has booked all rooms and online reservations may indicate that no rooms are available. Room rates vary from \$115 for single to \$125 for double. Two and four bedroom cottages are also available. ❧

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PROTECTING SURVEY MONUMENTS

by Will O'Hara and Anna Husa

Introduction

There is a large guard dog watching over survey monuments in Canada. No matter how remote the monuments may be, this brave dog guards them day and night, ready to snarl at anyone who threatens to harm them and bite anyone who does. This fierce, all-seeing beast is sometimes called by its nickname - the *Criminal Code*.

Every one who wilfully pulls down, defaces, alters or removes anything planted or set up as the boundary line or part of the boundary line of land is guilty of an offence punishable on summary conviction.¹ This is the law across Canada and most common law jurisdictions. It is also the law in many jurisdictions in the United States, although our American neighbours have a patchwork of statutes and by-laws that define the offence, rather than one specific provision. Unfortunately, it is law that is rarely enforced in Canada for a number of legal and policy reasons. This article will examine the statutory provision, the reasons for it and consider why it is honoured more in the breach than in fact.

History

The concept of protecting survey monuments dates back to Biblical times. The Old English translation of Deuteronomy reads: Thou shalt not remove thy neighbour's landmarks which they of old times have set.² The modern translation would read very much like the present Criminal Code.

The same provision became the law in Ontario in 1798, shortly after the Province of Upper Canada was separated from the Province of Quebec, in *An Act to Ascertain and Establish on a Permanent Footing, the lines of Different Townships of this Province*.³ The penalty at that time was far more severe than today, calling for "death without the benefit of clergy". Despite the Draconian words used in the statute, it meant only that criminals with minimal religious knowledge could avoid the death penalty by reciting

the "neck verse."⁴ By 1953 the Criminal Code provision had been reduced to the summary offence which it is today, as set out in section 442 of the Criminal Code. A more serious indictable offence remains in s. 443 of the Criminal Code for wilfully destroying boundary markers marking any international, provincial, county or municipal boundary, or a boundary mark lawfully placed by a land surveyor to mark any limit, boundary or angle of a concession, range, lot or parcel of land. The maximum sentence for that offence is five years.

The point of the offence should be obvious to the readers of this article but it was articulated clearly by Haliburton, Co. Ct. J. in *R. v. Stevenson*⁵ as follows:

The object of the section clearly was to maintain peace and order between neighbours by the preservation of ancient boundary markers which distinguished the division line between their respective properties and property interests.

Peace between neighbours is an important aspect of Canadian society that needs to be preserved and protected. These are noble goals, but are they being protected?

Although reported cases dealing with section 442 of the Criminal Code are few, they illustrate the limits on the section which presumably parliament intended to include in the law.

What is a boundary line?

This question was considered in *R. v. Stevenson*⁶ where the accused had deliberately removed metal survey markers from his hay field that were placed by a land surveyor to mark a proposed right of way. The right of way depended on subdivision approval from the Planning Authority. The court considered the meaning of a boundary within the meaning of s. 442 of the Criminal Code and noted that a boundary was a line of division between two parcels of land. In

this case there was no division between two parcels of land as the accused owned the land where the markers had been placed. The proposed right of way would not form a boundary until the subdivision plan was approved. The court observed that this was a case “where someone had trespassed upon the land of an owner and placed survey markers without the owner’s consent.” Since the accused did not interfere with a “boundary line” he had not committed the offence charged.

Before we jump to the conclusion that the accused got off on a technicality it is important to recall the purpose of the statute as described by the trial judge – maintaining peace between neighbours. “Near” boundary lines and “soon to be” boundary lines are not boundary lines. To assert that they are is to dispute an existing boundary and to destroy the peace that the statute aims to preserve.

A similar result was reached in the case of *R v. Hatt*⁷ where the accused had removed a fence placed across a road by a municipality. Although the municipality had attempted to close the road it did not do so according to law. The court determined that the fence was an illegal obstruction across a highway, rather than a boundary line, and the accused was right to remove it.

The case of *Morisette v. St Francois Xavier Parish*⁸ reached the same conclusion in a civil action involving similar facts. The municipality had adopted a resolution calling for a new boundary between the plaintiff’s land and a highway but it did not set the new boundary according to law. The municipality had appointed a land surveyor to place new markers on the plaintiff’s property and the plaintiff pulled up the markers. The court held that the actions of the plaintiff were proper because the actions of the municipality and the land surveyor were illegal.

What is a “boundary line of land”?

Section 442 refers to “boundaries of land”. How far does that wording extend?

The Registrar of Deeds in Halifax used to collect examples of dubious legal descriptions of properties registered in Nova Scotia. Her favourite was a metes

and bounds description from the 19th Century that began at a blaze on a tree and went a number of paces in a northerly direction past the shoreline and ended at a point marked by the “rock on the ice”. Suppose that this was a legitimate boundary and the ice was still on the lake during the first winter when the rock was placed as a “monument”. A criminal who intentionally removed the rock from the ice would not likely be convicted because the boundary was not a “boundary of land”. This example will have very few applications in real life, but it may be relevant to water lots or fish farming pens. Do fences for salmon in a water lot enjoy the same protection as fences for cattle on a land lot? Probably not.

What does “wilfully” mean?

Criminal Code offences generally require a *mens rea* or intention to commit the crime before a conviction can be entered. This prevents convicting people who do bad things accidentally, in their sleep, or in a state of delusion. Willfulness is the requirement that the act be intentional. The term is defined in s. 429 of the Criminal Code:

Every one who causes the occurrence of an event by doing an act or by omitting to do an act that it is his duty to do, knowing that the act or omission will probably cause the occurrence of the event and being reckless whether the event occurs or not, shall be deemed, for the purposes of this Part, wilfully to have caused the occurrence of the event.

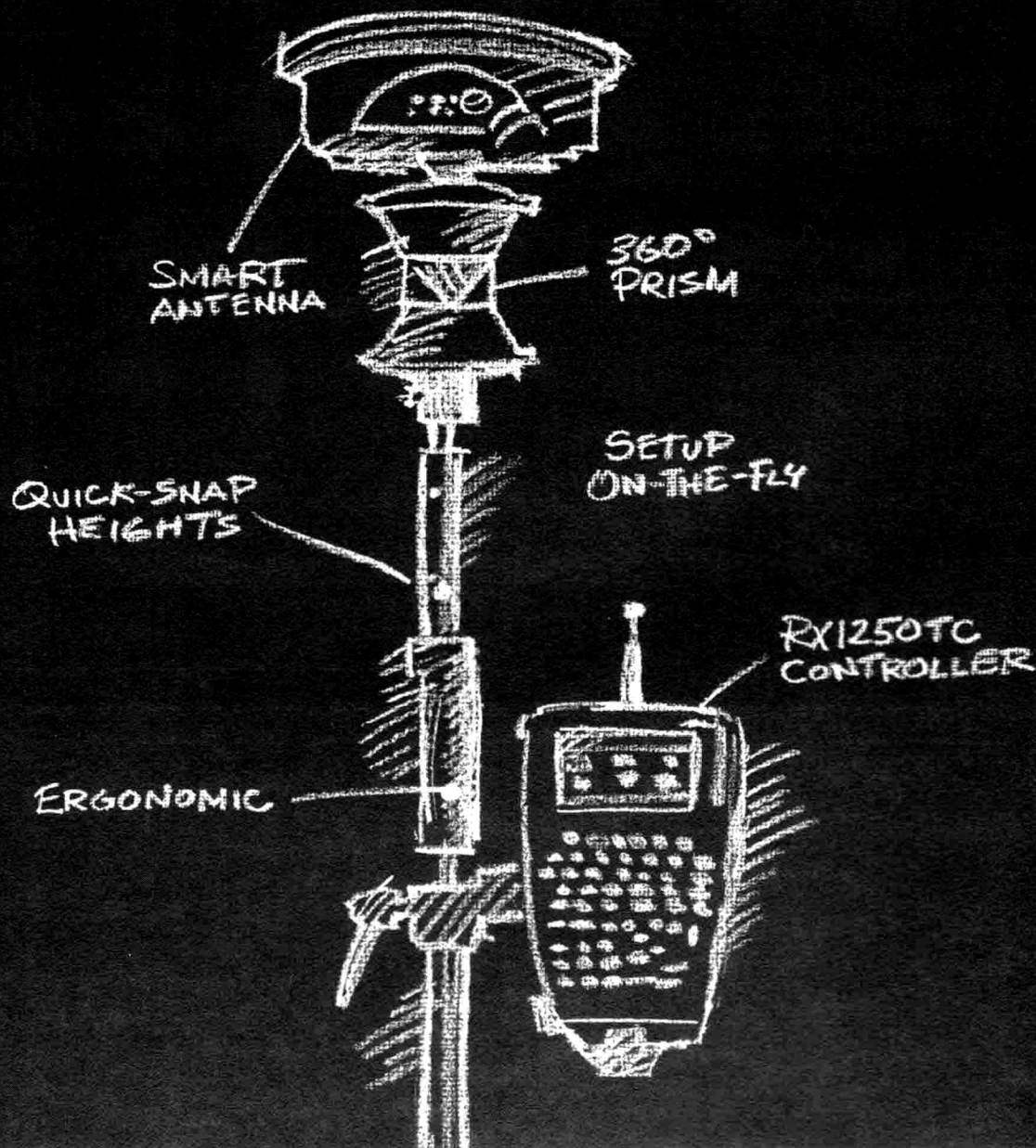
If the Crown fails to prove that the boundary was destroyed “wilfully”, or intentionally, the accused will not be convicted. A rose gardener who moves an ancient pile of rocks from one side of the garden to the other, not knowing it to be a survey monument, will not be convicted of this offence.

Colour of right

Even if the boundary was a legitimate boundary, the law provides a defence to charges under s. 442 which is referred to in s. 429 of the Criminal Code as “colour of right”.

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No person shall be convicted of an offence under sections 430 to 446 where he proves that he acted with legal justification or excuse and with colour of right.

An accused who wants the benefit of this defence must prove that he believed in a state of facts which, if it actually existed, would have constituted a legal justification or excuse.

Take the case of an animal lover who turned his property into a wildlife sanctuary and was bothered by a dog that frightened wildlife in the sanctuary. He tried to chase the dog away by firing a shot at it, but he accidentally shot the dog instead, seriously wounding it. He was so distressed by the dog's suffering that he took another shot at the dog and put it out of its misery. The animal lover was charged with shooting the dog. He avoided a conviction by saying that his first shot was an accident and his second shot was for humanitarian purposes. His honest belief that the dog could not be saved provided him with colour of right – even though it was proved at trial that the dog could have been saved if it had been given proper medical care.⁹

What does that mean for a person who removes boundary markers from his land that he wrongly believed should not have been there? If he proves at trial that he honestly believed that the markers were put on his land by a trespasser with no right to do so – even if he is proven wrong at trial – he can use the colour of right defence and avoid a conviction. As indicated below, there are limits on how far this defence can be stretched, but the defences available under the *Criminal Code* will give a Crown prosecutor reason to think long and hard before laying a charge under this section.

Convictions and sentences

Why are there so few reported cases of convictions of persons who wilfully destroy survey markers or monuments? One decision is *R. v. Ross*¹⁰ where the accused was convicted of the offence after wilfully removing monuments on a disputed boundary. In 1985 when the case was decided, the offence was an

indictable offence punishable by up to five years in prison. Mr. Ross was given an absolute discharge which meant he received no criminal record. The case was subject to some criticism. In an article by J.F. Doig entitled “Open Season on Monuments”¹¹ the author asks whether the removal and destruction of a boundary marker ought to remain an offence within the *Criminal Code*. The offence was later changed to a summary offence which is much less serious than an indictable offence. It may be a distinction with a difference as the effect of a conditional discharge is the same in both – no criminal record.

On sentencing the court was advised that Mr. Ross's conviction for the offence was “the first of its kind in Canada, apparently.” It should be noted also that the court rejected Mr. Ross's defence of colour of right in the circumstances as the offence “would be nugatory”. In other words the offence would have no effect at all if the court permitted the deliberate destruction of boundary markers where the boundary was in dispute. There clearly was no urgency in the Ross case as there was in the case of the injured dog. The message was that landowners should use the courts to resolve disputes rather than attempting to hide behind colour of right defences.

Conclusions

There are many reasons why there are few cases dealing with this section of the *Criminal Code*. The wording of the section limits its application to a very narrow scope; the act of destroying a boundary marker in the course of a boundary dispute opens the door to a defence of colour of right even if the facts on which the act is based are wrong; destroying markers that are improperly placed by a land surveyor is not an offence under the act; and sentences for people convicted of the offence appear to be minimal. All of these factors affect prosecutorial discretion, with the result that few changes are laid by the Crown and fewer convictions are obtained.

But does it make any difference to society? Are we giving up peace and order between neighbours by not enforcing the preservation of ancient boundary

continued on page 16

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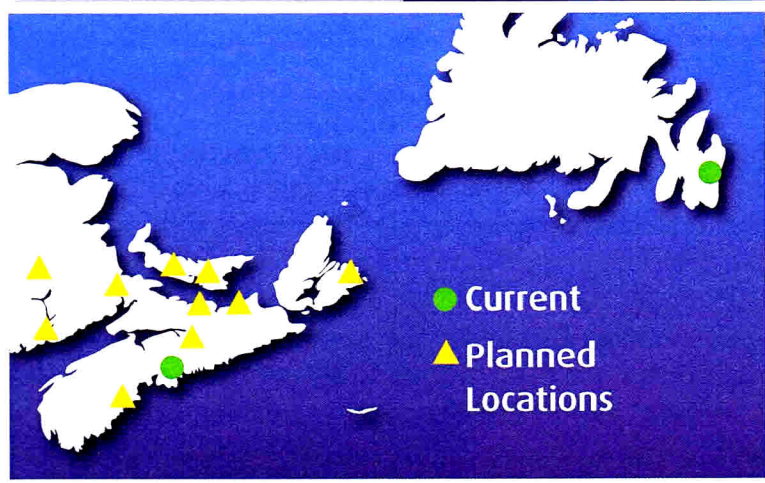
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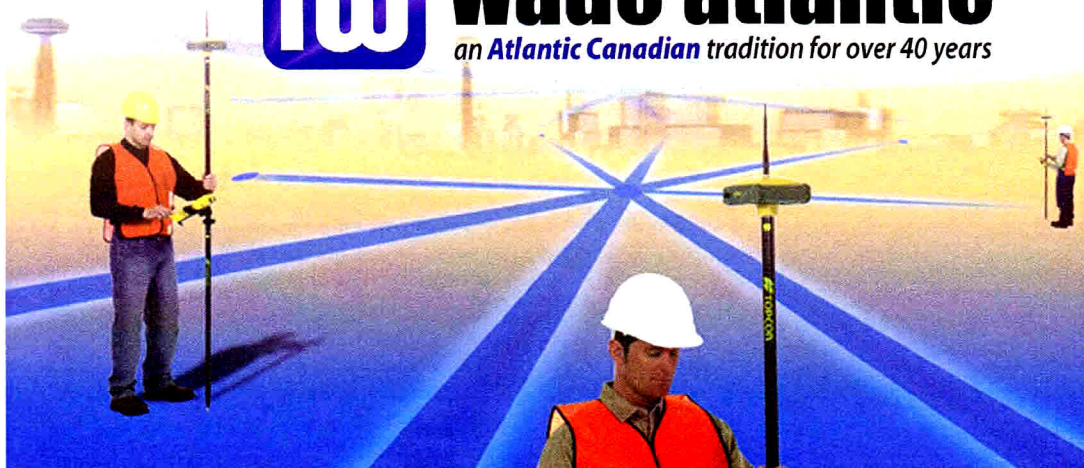
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markers? Perhaps the mere fact that this offence is in the *Criminal Code* acts as a sufficient deterrent to people who would wilfully destroy boundary markers. There is no question that the destruction of boundary markers occurs in Canada, but the extent of destruction is not clear. The authors have learned of a recent case where a landowner allegedly destroyed an ancient split rail fence marking the disputed boundary between properties while an application under the Boundaries Act was under way. This does little to maintain peace and order between neighbours.

If the destruction of boundary monuments were a serious problem in our society parliament would presumably change the wording of the section to make a conviction more likely and increase the punishment on conviction. That might encourage law enforcement officials to take steps to enforce the law. Until then the loyal and hardworking *Criminal Code* will remain to guard boundary monuments like a toothless dog whose bark is worse than its bite.


Notes:

1. Criminal Code, R.S., 1985, c.C-46, s. 442
2. Deuteronomy 19:14, referred to in *Survey Law In Canada*, Carswell, Toronto, at page 495
3. See: *Survey Law in Canada*, Carswell, Toronto, at

page 496

4. See: D.W. Thompson, *Men and Meridians: The History of Surveying* (Ottawa: Canadian Government Publishing Centre, 1966, Volume 1, page 233
5. [1991] N.S.J. No. 714 at para 9 (N.S. Co. Ct.)
6. *Ibid.*, at paras. 12-14
7. (1915), 25 C.C.C. 263 (N.S. Co. Ct.)
8. (1911), 18 C.C.C. 291 (Que. Sup. Ct.)
9. *R. v. Comber* (1975), 28 C.C.C. (2d) 444 (Ont. Co. Ct.)
10. This case is cited in *Survey Law in Canada*, Carswell, Toronto, as *R. v. Ross* (1985), 72 N.S.R. (2d) 381 (C.A.), but the citation appears to be in error. The case does not appear in the case reports.
11. J. F. Doig, "Open Season on Monuments?" (1986) 40-3 *The Canadian Surveyor* 291, at 291-296

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Golfing at Keltic Lodge Resort

The Highland Links Golf Course is an eighteen-hole championship course and is adjacent to Keltic Lodge. You never know who might make up a foursome while attending our 57th AGM in October. Special green fees will apply so you may want to go a few days early and spend some quality time on the links. The Lodge will also be host to a Celtic Colours International Festival concert on Friday, October 12, 2007. We will let you know more about tickets and entertainment when the information becomes available, www.celtic-colours.com.

*Nova Scotia Land Survey Institute Class of '76 Reunion
October 2006 at The Old Orchard Inn, Wolfville*



Front Row, left to right: Lawrence Miller; Clive MacKeen, Past President; Dean Benedict; Kirk Hicks; Raymond MacKinnon; Dave Seward.

Back Row, left to right: Instructor Phil Milo; Duncan MacDonald; Ernie Blackburn; John Sullivan; Stewart Setchell; Frank Cottreau; Dave Lorimer.

Missing for photo but present at 2006 AGM:

James Gunn, Past President; Joe Alcorn, Past President and Mike Greene.

Other members of the Survey Class of 1976 are

Dave Benere, Bill Sterns, Fred Malone, Scott Haverstock, Gerry Roberts, Charlie O'Brien, Alan Comfort, Leonard Landry, Mike Astephen, Brian Mullen, Michael Richard, Tim Mooney, Brian Jackson, Dan Smith, John Prosser, James Redden and Ed Cleveland (deceased).

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STEPPING FROM THE PAST TO THE PRESENT WITH CAN-NET

A Profile of Des Rasch, OLS

by Jill NEUMANN, *CANSEL SURVEY EQUIPMENT*

The area bordering Lake Erie in southern Ontario is a contrast of old and new. The region's past is visible in the many heritage buildings, some dating back hundreds of years, which still dot the area. However, a closer look reveals a modern structure juxtaposed on the bucolic landscape—the Can-Net VRS network, a series of GPS reference stations that eliminates the need for surveyors to set up their own base stations. Users in the field connect to the reference stations via cell phone to receive real-time and postprocessed GPS data. The VRS network also eliminates or greatly reduces the PPM error in traditional RTK surveying.

One of the Can-Net reference stations in the southern Ontario VRS network is located in Dunnville, a rural community situated along the shores of the historic Grand River. The Grand River, along with its tributaries, is the largest watershed in southern Ontario. Because almost 80 per cent of the watershed is open farmland and smooth, rolling hills, the topography is ideal for GPS surveying, a feature appreciated by local surveyor and Can-Net subscriber, Des Rasch.

Not unlike the area in which he works, Des Rasch also straddles the past and the present. Both a



Des Rasch standing on the edge of the Dunnville Dam taking a measurement.

professional surveyor and an amateur historian, Des is the founder and owner of Rasch & Chambers Ltd., a full-service land-surveying firm that has operated out of Dunnville for 28 years. A second office was opened in Fort Erie several years ago. The company has a staff of ten, including two licensed land surveyors.

When Rasch & Chambers subscribed to the Can-Net VRS network about a year ago, Des saw immediate gains in productivity. "I've found that Can-Net is easier, quicker and more cost-effective than using a regular GPS with base station and rover," says Des. "Previously, it would take 15 minutes to set up a base station and another 15 minutes to take it down, a process that would have to be repeated when moving to a new job site the same day." In addition, Des no longer has to worry about leaving equipment unattended. "Our firm has been lucky in regards to theft, but there was always the fear a base station could be stolen when the crew was using the rover a few kilometres away."

Des wasn't an easy convert to GPS despite embracing many of the previous technological innovations that have changed the course of the surveying profession. "There are drastic differences in surveying today compared to 28 years ago," he notes. Before he switched to using total stations 20 years ago, Des used steel tapes and theodolites as his measuring tools. Ten years ago he added data collectors to his tool collection, finding these instruments eliminated the errors that occurred when data was manually recorded in the field. Des also appreciates data collectors for their capacity to upload and download files.

Today, Des relies on a fleet of two Trimble® GPS systems supplemented by one reflectorless and three conventional total stations. However, if it wasn't for the urging of a part-time employee who had worked in surveying all over the country, Des might not have tried GPS. With the argument that surveyors don't use GPS because they don't understand how it would be helpful, the employee convinced Des to take a system for a trial run three years ago. The trial proved so

successful that Des purchased a Trimble® 5700 GPS base station and Trimble® 5800 GPS rover. After subscribing to Can-Net, Des no longer needed his own base station and converted the 5700 into a second rover, effectively doubling his survey crew access to GPS. With two crews now outfitted with GPS and the Can-Net VRS network, Des is thinking about adding GPS to his third crew.

Using vehicle-mounted GPS, Des can complete a topographical survey of a large parcel of land in a day or less—a feat that would have taken three or four days to complete with a conventional total station. “I’m dazzled by how much topography is picked up using a GPS mounted on a vehicle moving 12 to 15 km an hour,” says Des. GPS also allows Des to bring accurate Geodetic datum to a site very quickly, eliminating hours of effort transferring elevations by conventional means. “Layout on construction sites is made easier with GPS,” says Des. “Our firm recently set out roadways, railway lines, ditches, and catch basins on a large industrial site for a subcontracting firm. We uploaded the engineering data to the GPS data collector and were then able to easily set out all features on the site.”

Now a firm believer in GPS, Des uses the technology for tasks such as laying out new subdivisions, measuring stockpile volumes, and performing boundary surveys of farmland and rural residential lots. “As long as I can see sky, I will use GPS,” says Des. Prior to heading to a job site, Des will review aerial photographs of the site to determine whether the project can be completed with a one-person GPS crew, or whether a two-person total station crew is required. Many projects require the use of both total stations and GPS. “We may pick up the evidence away from the immediate property with GPS, and use the total station on the actual site,” says Des. “For example, farm surveys in many situations can be 80 per cent completed with GPS, and the other 20 per cent with total stations. The majority of land on a farm may offer a clear view to the sky, while a bush lot straddles the rear or side line. Using GPS, two or three stations can be set opposite the bush and then traverses with the total station are used to complete the survey of the

bush. Transferring between a GPS and a total station is easy because the same data collector connects to both instruments.”

Des’s enthusiasm for GPS and surveying is matched by his enthusiasm for the many artifacts he has discovered while surveying. For thousands of years the Grand River was used as a main transportation route, first by the natives in the area, then by European settlers, such as the United Empire Loyalists. Native items that Des has found include projectile points, hammer heads, tools for grinding food, and a stone used for spinning sticks to create sparks for fire. He has also found old coins and even old musket balls, perhaps relics from the War of 1812 and the siege of Fort Erie by American troops in 1814. Des meticulously records the date he finds an artifact as well as its location before he puts it away in storage.

Although Des utilizes the latest in surveying technology on the job, he’s equally comfortable with early surveying instruments and enjoys demonstrating how they work. During the annual Marshville Heritage Festival held each Labour Day weekend in Wainfleet, Des, along with the assistance of other local surveyors, sets up a historical display showing early survey instruments, maps, books, and chains. Many of the 35,000 festival-goers will stop by the display to view the items, discuss old times, and share their stories about an old survey marker or a problem they encountered with their property lines. There is also an opportunity for children to try their hand at measuring using an old surveyor’s chain, complete with a certificate signed by a Land Surveyor. This coming Labour Day will mark the 16th year that Des has participated in the festival. Once the festival has ended, Des doesn’t keep the old surveying instruments in storage for long. Over the last 15 years Des has teamed with retired surveyor Tony Roberts and given several presentations on the history of surveying in Upper Canada to historical societies and United Empire Loyalist groups.

Des truly has one foot in the past and one foot in the present, and seems comfortable in both worlds.



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Business Survivors: Ten Rules for Success

by Karen Haley and Joanne DiMaggio

*Reprinted from "The Treasure State Surveyor" (Publication of the Montana Association of Registered Land Surveyors)
Volume 31, Issue 4, October 2002.*

As seen in BC's "The Link", Volume 30, Number 1, March 2007.

In considering the tremendous media exposure the TV series "Survivor" has generated, we began to reflect on the challenges the island-bound tribes had to face and realized how closely they paralleled the game of survival in another kind of jungle – the business world. On a weekly basis, men and women who were virtual strangers not so long ago, now were exploring important life lessons together – issues such as teamwork, communication, leadership, tolerance, cooperation, learning new skills, self-worth, providing for food and shelter, ego-related conflicts, knowing and understanding the competition, maintaining a positive attitude and forging ahead despite failure and disappointment.

It was interesting for us to draw the correlation. Just thinking about our own career path, we saw ourselves as survivors too, facing many of the same challenges our struggling TV survivors were experiencing. However, our island was not located off the coast of Borneo in the China Sea. It was right here in Corporate America! We congratulated ourselves. We were bona fide members of the Who's Who of Corporate Survivors.

In a corporate world that is constantly evolving, reinventing itself and redefining the philosophy of business, it appears that there are no constants. One cannot pull an old business management textbook from the shelf (even from the mid 1990's) and think its valuable information can be easily applied to today's business environment. We tried doing that. It didn't work. However, what we did find was a way to create a hybrid-blending of the classic elements of business that still work with new concepts that are needed to keep up in our fast-paced, high-tech business world.

The result is a new paradigm that is exciting, challenging and forever stretching our professional and personal development to new horizons.

And so, in considering the old with the new, we came up with a list of what we consider to be the Top Ten Business Survival Rules for the new millennium.

1. Integrity First

All of the business portfolios and great P & L statements in the world cannot compensate for the lack of integrity in one's business and personal life. This characteristic is sadly lacking in many business environments, yet it is the one trait above others that inspires people to be loyal, honest and trustworthy. At every opportunity, instill in employees the importance of integrity. Let them know this is a highly valued trait, equal to if not greater than any skills they may bring to the table. Openly honour and reward others who have the courage to do the right thing, even when the right thing may not be the most popular. Above all, be a role model of that behaviour and philosophy yourself.

2. Be Financially Responsible

Every day we hear about celebrities and high-profile personalities who have squandered their fortunes, filed bankruptcy, been victims of IRS seizures or have been swindled by unscrupulous managers. How does this happen? Blind trust and lack of personal responsibility are the real culprits. They may be many incredibly skilled and honest professionals out there to advise and mentor us when it comes to our finances, but in the end we alone are responsible for our financial well-being.

No matter how honest your associates may be, you still need to take the time to do the basics, like looking at cancelled checks so you REALLY know where the money is going and how it is being utilized. Be ardent about knowing your monthly income, cash-flow and expenditures. After all, it's YOUR money!

3. Trust Your Gut

When your instincts are screaming one thing and your closest advisors are hammering something else, TRUST your gut. Whether it involves employee hiring/firing, bidding decisions, closing a deal, making new investments or jump-starting a new promotional campaign, listen to your intuition. That advice comes from your own highest wisdom, a priceless source of information you can always turn to and trust. Advisors are wonderful, but no one

knows better than you what is right for you and your circumstances. Listen to that inner voice, be aware of the feelings within your body ... and then act on what feels right for you. We guarantee, it will keep you on track.

4. Honour Your Employees

A company's greatest assets are its employees. The fragile relationship between employer and employee has taken quite a beating in the last few decades. Years ago, a handshake meant something. Someone's word was gold. There was a sense of mutual respect that led to greater loyalty

and commitment. We can have that again. We are entrusted with the lives of employees who are with us for any number of reasons: to engage in their passion every day; to use this experience as a stepping stone; to learn from the elders in our profession; to experiment with various career options; and even to work in an unsatisfying job just to put bread on the table. As business owners, every aspect of potential we nurture in our employees translates to competence, confidence, loyalty and fulfillment in their jobs and that translates to success for our business.

5. Communicate, Communicate, Communicate

This is critical to success and survival whether inter-office or client-related. We cannot stress enough how important it is to master communication skills in oneself and then encourage employ-

ees to do the same. Creating an environment where employees have a voice and are encouraged to share their creative thoughts and solutions is powerful. Remember,

communication means listening as well as speaking. Be approachable and listen with a compassionate, non-judgmental ear. Keeping the door of communication open is a two-way street. You'll learn much about the people working for you and in return, genuinely earn their respect.

6. Become Technology-Savvy

No way around it. In our high-tech world, you have to become computer-savvy, internet-wise and

"The mere fact that you are willing to try just one will have a profound effect on your business and the way you interact with your employees and associates."

a wizard of website strategy or you'll get left behind. Don't rely on others to do it for you. Knowledge is power and in this field, it really can mean the difference between the survival or death of a business. Keep learning. Seek other tools of technology such as the Palm V, a digital cell phone or a laptop computer. You'll be surprised how much they will help with your time management skills.

7. Have a Thirst for Knowledge

Read every appropriate business magazine or book you possibly can; check out dynamic websites; subscribe to an electronic news source; and rent or purchase audio tapes that are motivational and inspiring. Take workshops and seminars in your profession as well as those that address your own personal development.

Stay abreast of the business world as well as what's happening in your own neck of the woods. Remember, nothing you learn ever goes to waste.

8. Develop a Strong Marketing and Public Relations Strategy

Whether you have an in-house staff to strategize your marketing and public relations or you outsource this need, it is vital to have an aggressive plan of keeping your name in the public's mind. Networking with other professionals is especially important. Whether you are customer service-driven, price-driven or specialty-driven, find your niche and capitalize on it. You may have the best company in your field but if no one knows you exist, your competition will leave you in the dust.

9. Delegate, Delegate, Delegate

Some business owners believe they're the only ones who can be entrusted with running their business, so they spread themselves thin trying to micromanage everything. These are the businesses that go under rather quickly. No matter

how well put-together your business may be, you must learn how to delegate responsibility if you are to be truly successful. Delegation means empowering and entrusting your employees with duties they alone are responsible for. Have a follow-up and accountability plan, a sort of checks and balances you can both rely on and feel comfortable with. It's truly liberating!

10. Learn the Game of Golf!

If you have never entertained the thought of making the time-honoured tradition of golf part of your "business portfolio", do so immediately. You'd be surprised how many deals are initiated – or sewn up – somewhere between the 1st and the 18th holes! Golf can be your passport to promoting your business, closing a business deal, building relationships, gaining insight into your employee's character or that of your present or prospective client and building self-confidence.

The most important thing to know about our Survival List is that it doesn't matter whether you integrate all ten rules into your business practice or not. The mere fact that you are willing to try just one will have a profound effect on your business and the way you interact with your employees and associates. It's a chain reaction. The moment you change, the energy around you shifts and everything you do from that point on reflects your intent. It's a marvellous process that has transformed businesses and the people within them to a whole new level. It's not just about surviving, but of living life to its fullest. Give it a try. We think you'll see what we mean.

.....

Karen Haley and Joanne DiMaggio are partners in Haley and DiMaggio, a corporate communications consulting firm in Charlottesville, Virginia.



MINUTES OF THE 56th ANNUAL GENERAL MEETING

Held at the Old Orchard Inn, Wolfville, Nova Scotia

October 13 & 14, 2006

Friday, October 13, 2006

1. Town of Wolfville Mayor, Bob Stead and Kings County Warden, Fred Whalen, brought greetings and wishes for a good meeting. Introduction of out-of-province delegates and exhibitors followed.

2. President Garry Parker called the meeting to order at 9:50 am.

3. Introduction of Council Members: President Parker introduced the members of Council for the past year: Zone 1 - Mark Whynot; Zone 2 - John Logan; Zone 3 - Gary Grant; Zone 4 - Gary Wadden; Zone 5 - Raymond MacKinnon and Joe Harvie; Zone 6 - Kevin Brown, Brian Wolfe, David Alexander and Dan Gerard; DNR representative - Sandy Cameron; Vice-president - Tom Giovannetti; Past president - John Ross.

4. President Parker asked that everyone stand and observe a moment's silence in memory of former members who passed away and offered condolences to those who lost friends and family. Members who passed away are: Ron Chisholm, NSLS # 89; Bill Chambers, NSLS # 128; Matt McMullin, NSLS # 155; Bill Crooker, NSLS # 238; Robert G. Cameron, NSLS # 286; John Robert Cameron, NSLS # 486.

5. President Garry reviewed the order of business and the meeting agenda. The meeting is governed by Robert's Rules of Order and common sense. Phil Milo was appointed Parliamentarian.

6. Secretary's Report on Convention Attendance and Membership: Fred Hutchinson reported that there are 141 NSLS's registered for the meeting. There are more than 35 members present at the meeting, which exceeds the quorum requirement. Fred reported on membership and dues as follows:

Year	Dues	Reg	Life	Ret	Std	Hon	Assc	Non-Pr	Total
2006	\$800	173	19	39	23	4	3	0	261
2005	\$800	177	20	39	24	4	2	0	266
2004	\$800	187	20	35	24	4	0	0	270
2003	\$800	197	18	34	21	4	0	0	274
2002	\$800	203	16	35	21	4	0	1	280
2001	\$670	208	16	36	19	4	0	1	284
2000	\$670	216	16	35	17	3	0	1	288
1999	\$670	221	15	35	18	3	0	3	295
1998	\$670	225	15	34	14	3	1	3	295
1997	\$670	227	14	33	15	3	3	3	298

1996	\$620	239	14	31	15	3	3	3	308
1995	\$600	246	14	36	16	3	6	3	324
1994	\$600	254	13	31	14	4	7	3	326
1993	\$550	261	14	27	12	4	10	4	332

7. Approval of the Minutes of the 55th Annual Meeting: The minutes of the 2005 annual meeting were published in the Spring 2006 issue of The Nova Scotian Surveyor. It was moved by Bob Feetham, seconded by Ray Pottier that the minutes of the 55th annual meeting, held on October 14 and 15, 2005 at Pictou Lodge Resort, Pictou County, Nova Scotia be approved as published.

Motion carried.

8. Business Arising from the Minutes: There was none.

9. Report of Council Activities Council meetings were held on November 18, 2005, March 10, June 9 and September 8, 2006.

Issues that were dealt with in 2005-2006:

- * Mandatory Continuing Education and seminar presentations.
- * Mandatory Continuing Education - report on members' point status.
- * Land Titles Committee activity with respect to the presentation to Caucuses.
- * Review of financial statements and budget.
- * Strategic Planning Committee - reporting.
- * Alteration of survey plans and illegal practice.
- * Survey Review Department staffing.
- * Board of Examiners - professional exam material and examiner.
- * Boundary disputes and the Association staff.

President Parker reported on the highlights of various AGM's that he, president-elect Tom Giovannetti and vice-president elect, Russell MacKinnon attended on behalf of ANSLs. Reports on President's travel can be found in the 2006 issues of The Nova Scotian Surveyor.

10. The Chair of the NS Board of Examiners for Land Surveyors, John MacInnis, presided over the swearing in of ANSLs's newest member, Buster Davison, NSLS # 636.

11. Report from the secretary of the Board of Examiners: Fred Hutchinson reported. The Board strives to meet twice yearly.

There were 3 new members since the last annual meeting Tim Wamboldt, NSLS # 624, Eddie Mariner, NSLS # 625 and Buster Davison, NSLS # 626.

There are 23 active student files. Three students are writing professional exams on October 30, 2006. Three students are working on their project and a few others are in the process of being assigned a project.

Members of the Board for 2005-2006 were: John MacInnis (Chairman), Kevin Fogarty, Forbes Thompson, George Sellers, Sandy Cameron (DNR Appointee), Paul Slaunwhite (APENS Appointee) and Bruce Gillis (Barrister Appointee).

I would like to thank all the Board members for their time and expertise.

Special examiners for the "survey projects" during the past year were John MacInnis, Doug MacDonald and John Conn.

The professional exams were dealt with by Grant McBurney. Grant has retired from this responsibility and we thank him for his many years of service. Sandy MacLeod has replaced him and will also be revising the "Statute Law" text material.

12. Atlantic Provinces Board of Examiners for Land Surveyors (APBELS) Report: Chairman, John MacInnis, reported as follows:

Report for 2005

- * APBELS working with other boards toward a new syllabus.
- * 9 exams written.
- * 10 new candidates registered: 2 NB, 2 N & L, 4 NS, 1 PEI, 1 Maine.
- * 5 certificates issues: 3 NB, 1 N & L, 1 NS.
- * A total of 296 registered since inception; 140 certificates issued; 51 open files, 30 of which are from NS.
- * Revenues 2005: \$3,695.00
Expenses 2006: \$3,531.74
- * One board meeting held in June 2005 at Cardigan, PEI. Only one representative from each province was in attendance.

Report for January to June 2006

- * Registrar, Dr. James M. Secord, continued meetings with other boards.
- * Syllabus review still underway.
- * APBELS still using the 2002 syllabus.
- * 4 new candidates registered: 1 N & L, 2 NS, 1 PEI.
- * Certificates issued to 5 candidates: 2 NB, 3 NS.

13. Treasurer's report: The 2005 audited statement was published in the Fall 2006 issue of The Nova Scotian Surveyor. Fred Hutchinson reserved the rest of his report until the review

and approval of the 2007 budget.

14. Report from the Survey Review Department: The SRD report for the past year is not presently available, but both submissions and revenue appear to be compliant with the budget.

15. Report of Scrutineers:

Vacant positions for Vice-President and Councillors in Zones 1, 4, 5 and 6 were filled by acclamation. New members of the Executive and Council for 2006-2007 are:

President Elect	Tom Giovannetti
Vice-President	Russell MacKinnon
Past-President Elect	Garry Parker
Councillor Zone 1	Bruce Hyson
Councillor Zone 4	Gary Wadden
Councillor Zone 5	Jim Gunn
Councillor Zone 6	Walter Jackson
Councillor Zone 6	Glenn Myra

Retiring members of Council were thanked for their service and presented with plaques. They are:

Zone 1	Mark Whynot
Zone 4	Frank Gillis (1 year) Gary Wadden (1 year)
Zone 5	Raymond MacKinnon
Zone 6	Brian Wolfe
Zone 6	Kevin Brown
Past President	Garry Parker

At this point in the meeting, Past President, John Ross, donated his building share to the ANSLs.

16. Committee Reports: The following committee reports were published in the Fall 2006 issue of The Nova Scotian Surveyor: Administrative Review, By-Laws, CCLS, Continuing Education, Convention, Discipline, Land Titles, NSCRS Task Group, Regulations, Statutes, Strategic Planning, SRD Advisory.

Additional reports or additions to existing reports are as follows:

Administrative Review Committee - John Ross: Since the report was published in the "Surveyor", the committee held another meeting on October 5th by teleconference. He suggested that more meetings be held this way.

Land Titles Committee - Bruce Mahar: Additional information regarding the committee's presentation to the three political caucuses was provided as an update to the committee report

published in the "Surveyor".

The Conservatives requested that we address the Minister of Service Nova Scotia and Municipal Relations (SNS & MR), Jamie Muir, instead of the caucus. The presentation was made on October 3rd and lasted about an hour. Also present were the Deputy Minister and four staff members of SNS & MR.

They gave no indication whether they would take any action to remedy the problems that surveyors have found with the Land Titles Registry.

We also have presentations to the NDP and Liberal caucuses scheduled for October 25th.

Strategic Planning - Keith AuCoin: No update, but there will be a presentation at tomorrow morning's meeting regarding the Committee's proposed activity for next year.

Complaints - Glenn Crews: Committee members are Glenn Crews (Chair), Ted Webber (Vice-Chair), David Whyte, Steve White, David Lorimer.

The committee has investigated eight complaints this past year. One had been under investigation while another was resubmitted to the committee after it was dismissed. The other six are new. All eight complaints were related to boundary disputes.

In summary, four complaints were dismissed; one was forwarded to Discipline; one was withdrawn and two are still under investigation.

Mandatory Continuing Education - Garry Parker: MCE program revisions were approved by Council.

Saturday, October 14, 2006

CCLS President, Bert Hol and CCLS Director from NS, Ray Pottier, made a presentation on CCLS to the members.

Strategic Planning Committee Update: A presentation on the Strategic Plan and the proposed activities for the upcoming year was made. A copy of the Power Point presentation is available at the ANSLs office.

The budget projection for the committee for 2007 is as follows: Membership - \$3000, Governance - \$5000, Public Awareness - \$10,000 for a total of \$18,000.

It was moved by Dave Roberts, seconded by Dave Clark that Council be directed to provide the funds required by the Strategic Planning Committee for 2007.

Motion carried.

17. President Parker introduced the new Executive and Council members for 2006 - 2007. They are:

President Elect	Tom Giovannetti
Vice-President Elect	Russell MacKinnon
Past President Elect	Garry Parker
Councillor Zone 1	Bruce Hyson
Councillor Zone 2	John R. Logan
Councillor Zone 3	Gary Grant
Councillor Zone 4	Gary Wadden
Councillor Zone 5	Joe Harvie
Councillor Zone 5	Jim Gunn
Councillor Zone 6	David Alexander
Councillor Zone 6	Daniel Gerard
Councillor Zone 6	Walter Jackson
Councillor Zone 6	Glenn Myra
DNR Representative	Sandy Cameron

18. New Business:

The 2007 budget, as published in the Fall 2006 issue of The Nova Scotian Surveyor, was presented for approval. It was noted that the 2007 proposed SRD expense total was printed in the "Surveyor" as \$98,820 but should be \$92,820. All other figures are correct. The typo will be corrected in the original version of the budget.

Be it resolved that the 2007 budget, as printed in the Fall 2006 issue of The Nova Scotian Surveyor but with the above-noted correction, be approved.

Moved by Fred Hutchinson, seconded by Gerry Bourbonniere.

Motion carried.

19. President elect, Tom Giovannetti, assumed the chair and was presented with the president's pen by past president elect, Garry Parker.

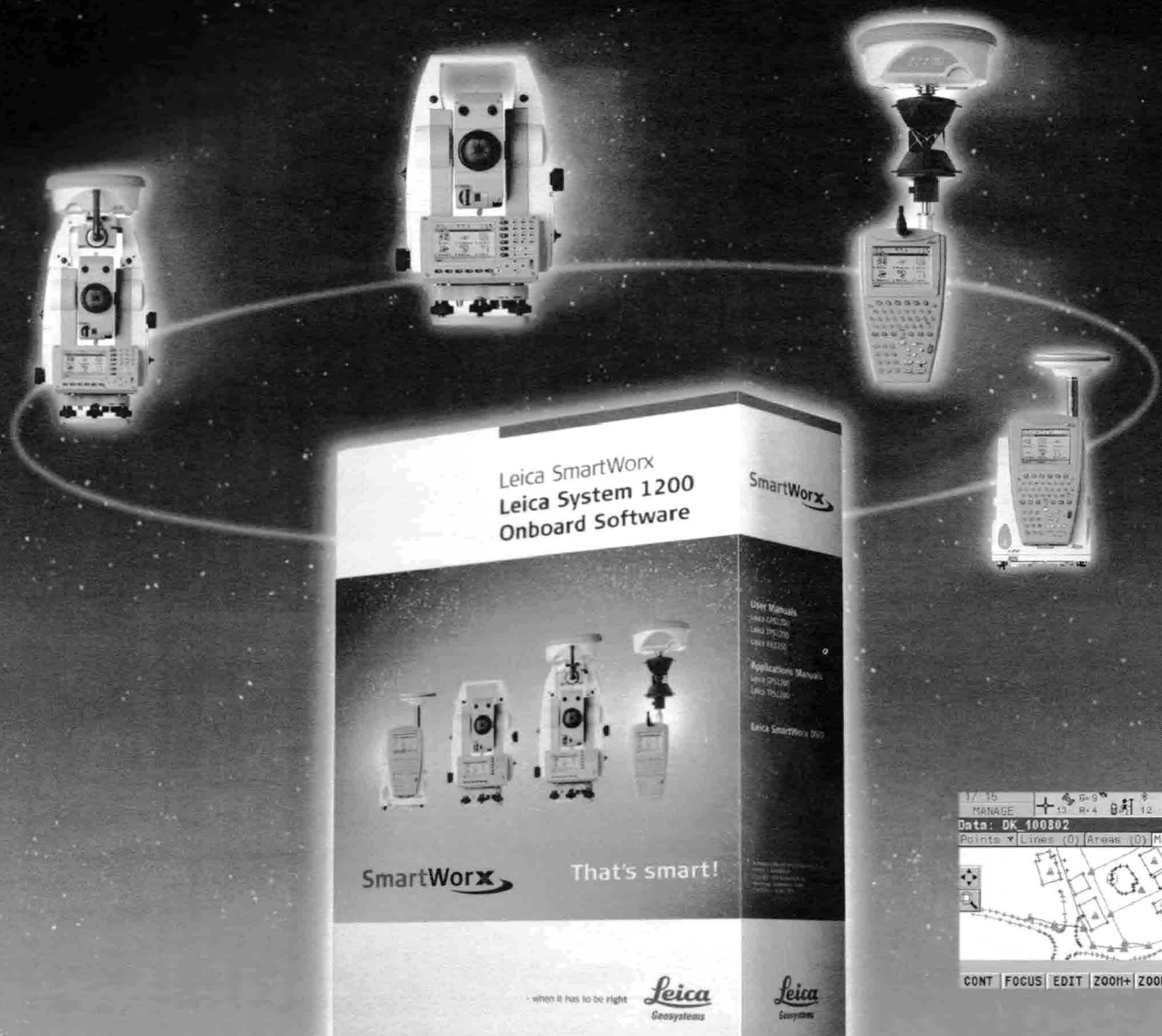
20. Tom Giovannetti presented Garry Parker with a Past President's pin; John Ross presented him with a plaque.

21. Mr. Giovannetti indicated that new business would be conducted by Garry Parker, who assumed the chair.

22. Fred Hutchinson gave the membership statistics on the MCE program to December 2005. Gerry Bourbonniere addressed some motions made at the zone level regarding the MCE program.

23. Open Forum: Members made suggestions regarding the

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staffing of SRD until a Manager is found. Suggestions are:

- * A technician using a checklist could do cursory inspections as an interim measure
- * Review the SRD mandate to include more review of office / business practices
- * Increase sticker and SLC number fees if the Manager's salary needs to be increased
- * If a technician does reviews, it should be under the direction of an NSLS
- * Practice review can be done from locations across the province, not just from the ANSLS office
- * Possibly add SRD mandate change to the Strategic Planning committee's tasks
- * Remove SRD requirements from the regulations and place in the by-laws.

Gerry Bourbonniere, retired SRD Manager, addressed the members with regard to his experience in the position and indicated that he feels the SRD mandate needs to be changed to

include more practice review rather than solely plan review.

Digital plans are becoming common. Garry Parker indicated that Council will consider striking a committee to deal with digital plans.

24. Out-of-province delegates thanked President Garry Parker and the ANSLS for their hospitality and offered their congratulations on a successful meeting.

25. The 2007 AGM will be held on October 11-13, 2007 at the Keltic Lodge Resort in Ingonish Beach, NS.

At 4:30 pm, it was moved by Bob Feetham, seconded by Ray Pottier that the meeting be adjourned.

F.C. Hutchinson, BA, NSLS, CLS
Executive Director



Mandatory Continuing Education vs. Leave me Alone

by Fred Hutchinson, Executive Director and Editor

The production of this issue of the "Surveyor" is nearing completion and it appears that there is about a half page that needs to be filled. So ... here goes. Our 3-year MCE program has just ended and not everyone was fully compliant with the program. There were seven members who submitted by the March 1, 2007 deadline but were slightly short of their total points. These individuals were asked to prepare a 1000-word essay on "professionalism and continuing education", to be submitted by April 10. One has decided to resign, five have submitted essays and one is still outstanding as of April 10.

There were 20 members who, by March 1, had not submitted their reporting form, so it was decided by Council that these members would be subject to the same essay requirements if they achieved their required points. Those who did not attain the required point totals for the 3-year period would be subject to two open-book exams. These are the same exams that articulated students write.

Two members have decided to exercise their life member status and not provide services, two have been granted a medical exemption, two have decided to resign, two want to appear before Council to request an exemption from the essay requirement, one has yet to report and 11 have submitted essays. Two members who submitted essays did not achieve the required point totals and will, at the discretion of Council, have to write the exams.

I'll leave you with a quote from one of the essays: *"Debate and disagreement are informative components in a democratic decision-making process. At the end of the process, one vote to one member, with the majority of votes deciding, is the principle on which the ANSLS makes decisions. A member of the Association may disagree with a decision; however, if s/he expects to remain a member, s/he is obligated to comply."*



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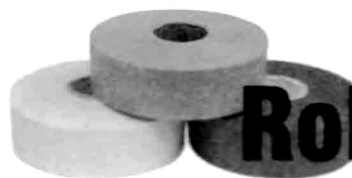
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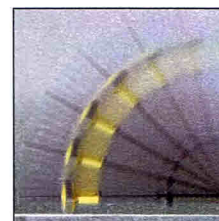
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