



THE JOY OF WOODLAND SURVEYS



SPRING/SUMMER 2012 No. 191

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THE NOVA SCOTIAN SURVEYOR

Editor: Fred C. Hutchinson

Production: Cathy McInnis, Kim Vacon and Wade Atlantic Limited

Cover: Mark Hatcher, NSLS while articling with DNR Surveys, Waverly office. Photo courtesy of S. Gregory Smith, NSLS.

Circulation: Free of charge to ANSLS members. To non-members at a yearly rate of \$16.00 Canadian and is also available on our

website at: www.ansls.ca.

The Nova Scotian Surveyor is a publication of The Association of Nova Scotia Surveyors.

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President's Report

I'm sure that I am not the first president to utter these words, however it must be said that "I cannot believe how fast the year has sped by". It seems like only yesterday I was sworn in at our 61st AGM and now we're turning the corner towards our 62nd. Travelling across the country, attending sister associations' AGMs, has clearly been a highlight as Rhonda and I have managed to attend all that have been held thus far. On a personal note, it was my first ever visit to British Columbia, Alberta, Newfoundland and Saskatchewan. Thanks to the members for this opportunity.

I could write volumes elaborating upon all of the activities and issues that we have attended and discussed, however, I will touch on just a few of the highlights:

Saint John, New Brunswick, January 2012:

Dr. Brian Ballantine presented an interesting seminar on the topic of water boundaries. I could not help but think, while listening, that his insight could have proved beneficial as we debated our definition of "ordinary high water mark" last October. Director of Surveys is scheduled to retire and it is unsure how the NB government will address the vacancy. There is concern that there will be a loss of communication with Government due to the downloading of responsibilities and lack of representation by their Association Government. A diminishing relationship with Government also appears to be a reoccurring theme in other provinces. At present I feel that having our Director of Surveys serve on our Council is clearly an asset in our relationship with Government. As we have, in the past, New Brunswick debated the method of funding for their survey review department boiling down to the cost of plan validation stickers and how the costing is distributed. Sound familiar? A database for survey plans with potential revenue streams for contributing land surveyors was also discussed.

Ottawa, Ontario, February 2012:

The highlight of this convention was the announcement that the Association of Ontario Land Surveyors had incorporated a company, responsible for the establishment of a digital cadastre, where contributing land surveyors would realize revenue. They raised their dues by 50% plus approved 3% raises per year for the next three years. They currently do not have a "Mandatory" Continuing Education Program but are considering one.

Their keynote speaker was Luc St. Pierre, Executive Director of Quebec Land Surveyors, who presented on the establishment of a province wide digital cadastre started in 1985. It is currently still a work in progress even after 30 years with funding by government in the billions.

Parksville, British Columbia, March, 2012:

An extremely interesting seminar topic was "First Alienation of Crown Lands", a history of land grants. Although I acknowledge that our crown lands records are extensive and accessible, the difference between two systems established approximately 100 years apart is remarkable. Available, I believe, through the Association of British Columbia land Surveyors, this would be a good read for history buffs. The membership also discussed the establishment of a province wide digital cadastre and concerns about survey standards in light of advances in GPS technology.

Banff Springs, Alberta, April 2012:

The Alberta Land Surveyors' business meeting exemplified the ease to which "survey standards" can be modified at AGMs by having the ability to make such alterations without government approval. This process will become a reality in Nova Scotia once all of our governance documents have been accepted. Truly close to home they vigorously debated ownership requirements for Alberta land surveying companies. Although they were prepared to accept the possibility of absolutely anyone being able to own a company, they approved a motion to proceed along the lines of any provincially licensed land surveyor being able to own majority shares with apparent exemptions to address engineering companies, similar to Nova Scotia.

St. John's, Newfoundland, May 2012:

The theme of this convention was "Strengthening Quality Assurance in Professional Land Surveying". The Association of Newfoundland Land Surveyors currently does not have a Survey Review Department or a Mandatory Continuing Education program. Seminars and discussion focused upon existing programs and the need to establish new programs. There was a presentation by Ian Edwards, President of IBL, Information Brokerage Limited, and current President of the Newfoundland Association and developer of "LandGazette". LandGazette is a web enabled provincial geo-database, which enables land surveyors, anywhere in the province, to deposit their

respective surveys in a centralized database. End users can utilize any standard browser to access the information on a fee per transaction basis, with a portion of the fee being directed to the authoring surveyor.

Regina, Saskatchewan, June 2012:

The Saskatchewan meeting was held in conjunction with the Association of Canada Lands Surveyors AGM. Saskatchewan land surveyors voted to implement mandatory participation in an association established survey marker program. The funding model appeared to lack potential for substantial association revenue similar to the Alberta model, which should be known, is established through a Government Ministerial Order.

To summarize, I see that our sister associations continue to debate issues that are or have been at the forefront of discussions here in Nova Scotia. I am proud to say, however, that we have already successfully addressed many of these. Clearly the implementation of our Land Registration Information Service, established in the 70's, was an extremely successful endeavor. As noted, several provinces are headed in a direction we have already taken.

On a national level, Professional Surveyors Canada continues to forge ahead creating its own identity as an advocate for the individual land surveyor. I recommend that each and every Nova Scotia Land Surveyor consider supporting Professional Surveyors Canada, through membership, such that it can continue to address issues of national importance. Provincial survey associations have signed a "Mutual Recognition Agreement", which addresses requirements for licensing members from sister associations. The agreement has been prepared to align itself with the previously adopted Agreement on International Trade.

On the home front, we have a new manager of our Survey Review Department, that being Paul Harvey, N.S.L.S. Paul has the department up and running and is experiencing support from the membership. Our Public Relations Committee is reviewing our web presence, considering the need for a new Association brochure as well as improving community awareness of the profession. Nova Scotia Land Surveyors now have a mechanism to obtain personalized photo IDs, thanks to the efforts of Stewart Setchell, N.S.L.S. Our Regulation package is still before Government for review and approval but the light at the end of the tunnel appears to be getting closer.

On the radar, we must continue our efforts to emphasize the importance of the Nova Scotia Land Surveyors role with implementation of the Land Registration Act. Succession planning for small surveying businesses and retention of survey records appears to be an issue that will need considerable attention in the future.

I would like to thank council and Association staff for their support and look forward to seeing all of you at this year's convention in Halifax, October 25-27, 2012.

Regards

Carl. K. Hartlen, N.S.L.S. President

Executive Director's Report

So...you just got a call from a client who wants a boundary line staked. Did you ask why? If not, maybe you should have before your crew arrives on site and is greeted by an angry neighbour.

I do get a few calls per week from property owners asking; "where can I build a fence", "what can be done when a survey marker mysteriously goes missing" or "a new survey marker was placed on my property by someone while I was at work"? Well, the conversations are usually very interesting and ones that I would never have been exposed to as a practicing land surveyor in my own little world.

I tend to get a tad defensive when the caller accuses a surveyor of "stealing his land". That seems to be the public perception when a survey is being questioned. This generally is the result of little or no communication with adjacent owners or even the client. I find that land surveyors often-times are willing to pound steel into the ground without the consideration of parole evidence. Not that it might change a corner location but at least there is a courtesy involved, which tends to soften the impression of bias.

"I just want what's in my deed" is the battle cry and in some situations, more than what is in the deed. Does the land surveyor comply and survey the deed description, the described occupation or review the evidence with those involved and then offer an opinion as to the extent of title? Okay then, what is the land surveyor's job?

According to the Land Surveyors Act, sec, 2(j), the definition of "professional land surveying" means the advising on, the reporting on, the supervising of and the conducting of surveys to determine the horizontal and vertical position of any point and the direction of any line required to control, establish, locate, define or describe the extent or limitations of title. As a professional, the land surveyor provides an opinion on extent of title and not a guarantee. Both the land surveyor and client too often confuse these two terms, thinking that they mean the same.

The land surveyor's opinion can always be challenged and it often is. It can only be hoped that any opinion is based on the best evidence that would be supported by documentation, statute law and case law. When there is ambiguity, a report outlining possible scenarios based on the available evidence is advisable. The report can offer an opinion as to the most likely scenario that the land surveyor would support but without mutual discussion or agreement, placing a marker may very well create conflict where none previously existed.

If there is a boundary dispute between neighbours, it is quite possible that it resulted over an unrelated confrontation of some sort or a misunderstanding of boundary evidence. I offer my comments not as an expert in mediation but as a land surveyor of over 41 years and Executive Director for the past 13 years. Just remember, the land surveyor should be the problem solver and not the problem.

ELECTED PRESIDENT Carl Hartlen, NSLS



Carl was born in Montreal in 1957 and was raised primarily in Halifax and Lower Sackville, NS.

He graduated from Sackville High School in 1975 and spent one year at Dalhousie University pursuing a degree in Biology. Two years of employment with Nova Scotia Department of Highways introduced Carl to the profession of land surveying. Carl enrolled at the then Nova Scotia Land Surveying Institute in Lawrencetown, graduated from the survey program in 1980, and received his commission as a Nova Scotia Land Surveyor in 1984.

Carl has been employed with Servant, Dunbrack, McKenzie and MacDonald Ltd. from 1980 to present and is currently a partner and serves on the Board of Directors for SDMM.

Carl served two terms as councilor for Zone 6 from 1998 to 2001 and has served on Convention, Regulations and Complaints Committees. Carl represented the ANSLS on a Procedures Advisory Committee for implementation of The Land Registration Act and is currently serving on the Governance Committee (Survey Standards).

Carl and his wife, Rhonda, live in Middle Sackville and have two children, Shane (25) and Lisa (22). Carl's interests, outside of land surveying, include golf, slow pitch softball and curling.

Term of office 2011-2012

ELECTED VICE-PRESIDENT Rebecca (Becky) Ritchie, NSLS



Becky graduated from the Nova Scotia Land Survey Institute in 1975, a member of the first graduating class of the "new" school, present day COGS. After receiving her commission as a Nova Scotia Land Surveyor in 1985, she worked on her own, on a small scale, from her home near Aylesford. This allowed her to be a full-time mother to her four children.

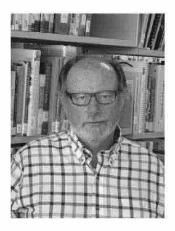
An eight year, part-time stint in the cafeteria at Pine Ridge Middle School in Kingston, Nova Scotia, (six and a half years as supervisor) kept her fingers the warmest they had ever been in winter, and permitted her to continue surveying for the remaining three seasons.

Since June of 2008, she has been employed at Hiltz and Seamone Company Limited in Coldbrook.

For the past sixteen years, Becky and Art Backman, NSLS, have alternated their time between his home in Chester Basin, where they sail, and hers in the Valley, where he cuts down her trees and keeps the woodbin filled.

Term of office 2011-2012

ZONE 1 David Wedlock, NSLS



David has been an instructor in the Geomatics Department at COGS since 1980. In the past has served as President for the Association of Nova Scotia Land Surveyors, and he has also served on council representing Zones 1 and 2.

David currently is a member of the Discipline Committee for the Association. He is also registered as a PEI Land Surveyor and is a chartered member of the Professional Surveyors Canada.

Term of office 2011-2013

JOIN US AT DELTA HALIFAX

ON OCTOBER 25TH – 27TH 2012,

FOR OUR 62ND ANNUAL

CONVENTION LOCATED AT

1990 BARRINGTON STREET,

HALIFAX, NOVA SCOTIA

ZONE 3 Mark Hatcher, NSLS



Mark graduated from the Centre of Geomatics Sciences (COGS) with a diploma in Geomatics Engineering Technology and from the University of New Brunswick with a Bachelor of Science in Engineering (Geomatics). He received his commissions as a Nova Scotia Land Surveyor and a Canada Lands Surveyor in 2008.

Mark's Geomatics work experience has been with legal surveys and land administration having worked with Public Works and Government Services Canada (Atlantic Region) and the Nova Scotia Department of Natural Resources in both Land Services and Regional Services Branches. Currently Mark works with the Surveyor General Branch of Natural Resources Canada from their Amherst office.

Mark and his wife live in Truro where they have run their retail business for the past 16 years. They have two children, and when time permits, they enjoy the outdoors by camping, hiking and canoeing.

Term of office 2011-2013

ZONE 5 Wayne D. Hardy, NSLS



Wayne was born and brought up in Sydney, Cape Breton. After graduating from NSLSI in 1966 he travelled the Atlantic Provinces with the Federal Department of Transportation. He received his commission as a Newfoundland Land Surveyor in 1971, a Nova Scotia Land Surveyor in 1975 and a Canada Lands Surveyor in 1981. He was later employed by the Nova Scotia Department of Natural Resources as Crown Land Surveyor for Cape Breton County until 1996 and is presently in private practice in Sydney.

He previously served 2 terms as Councilor for Zone 5 as well as a member of the Discipline Committee, Public Relations Committee, and Convention Chairmen. He is a former president and district governor of the Sydney Y's Men Club and has been active in school and church committees.

Wayne and his wife Patricia have raised 3 children and now enjoy their new grandchildren. Wayne is happy to participate in the association affairs on behalf of Zone 5.

Term of office 2011-2013

ZONE 6 David J. Whyte, NSLS



David was born on December 31, 1954 and spent his early years in Dartmouth. David graduated from the Nova Scotia Land Survey Institute in 1979 and received his commission as a Nova Scotia Land Surveyor in October of 1981. He worked for John A. McElmon & Associates from 1979 until 1990 when he purchased the assets of that company and opened his own firm under the name of Whyte, McElmon & Associates Limited, of which he is the president and sole owner. Whyte, McElmon has provided various services over the years including land surveying, civil engineering and development consulting.

David resides in Dartmouth (after raising his children in Lower Sackville) with his wife Linda and a hound dog that could put any coyote to shame (for bad manners). He has two daughters, Heather and Lori. David has two grandchildren and is very happy to live in a time of Skype and the internet so that he can see them often even though they live in Petawawa, Ontario.

David has served the association in the past by being a member of the Survey Review Committee and sitting on the complaints committee for nine years. He is happy to further serve the Association by acting as councilor for Zone 6.

Term of office 2011-2013

ZONE 6 Jody V. Isenor, NSLS



Jody was born in Halifax in 1975, and raised in Carrolls Corner, Halifax County. Upon high school graduation, he attended both Royal Roads Military College (Victoria, BC) and the Royal Military College (Kingston, ON) in the Civil Engineering program.

After returning from the west, Jody then attended the College of Geographic Sciences (COGS) in Lawrencetown, where he graduated as a Geomatics Engineering Technologist in 1998.

Following COGS, Jody was employed with Veritas DGC Land and worked in Bolivia in support of seismic exploration activities. Shortly thereafter, he began employment back in Nova Scotia with Public Works and Government Services Canada, as a Survey Technologist.

Jody then returned to UNB in 2006 and in 2009 completed his Geodesy and Geomatics Engineering degree. He then subsequently received his commission as a Nova Scotia Land Surveyor in April 2010 and is currently working to complete his P. Eng designation. He continues to work for Public Works and Government Services Canada as a Land Surveyor.

Jody currently resides in Oakfield, NS with his fiancée Sonia and their dog, Daisy.

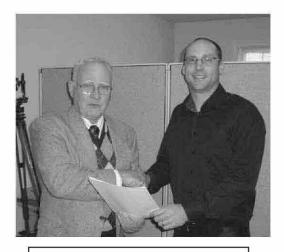
Term of office 2011-2013

New Members

John MacInnis, Chair, Board of Examiners; presents commisions to the following members:



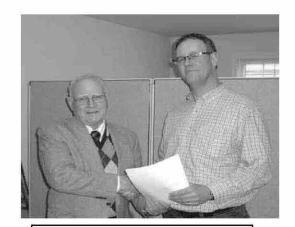
Kyle Bower, NSLS #641



Mitch Ettinger, NSLS #642

New Members (Con't)

John MacInnis, Chair, Board of Examiners; presents commisions to the following members:



Colin Atkinson, NSLS #643



Michael Williams, NSLS #646



Darcy DeCoste, NSLS #644



Sheldon Chisholm, NSLS #647



Kyle Harrington, NSLS #645

We hope the new members will join us at the 2012 Annual Convention at Delta Halifax on October 25 – 27, 2012.

New Members and their partners receive complimentary banquet tickets.

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MOVING WITH THE LAND OR LAND MOVING BENEATH THEM?

Lucie de Boehmler

This essay, prepared by Lucie de Boehmler who is a third year bachelor of Science (Land Planning & development) student at Otago University; examines the interpretation of the LINZ rules introduced to aid boundary definition in Christchurch after the September 2010 earthquake, and in doing so, considers whether boundaries move with the land or if land moves beneath the boundaries.

Moving earth

Surveying is about accurate measurement and positioning. Accuracy is dependent on the reliability and rigidity of control values and accuracy of survey marks enables certainty of title. Without stability of those marks, complications arise, whether any movement is caused by tidal water bodies, land slips, or earthquakes.

Earthquakes are the stand-out phenomena in this list because while land slips and tidal water movement is movement detached from survey marks, earthquakes can cause movement of a collective nature. Earthquakes can shift and shuffle great sections of land along with survey marks and anything else which is attached.

Here arises a conflict – how to reestablish accurate and fair boundaries which satisfy all adjoining land owners while also mathematically linking up to the rest of the survey network marks. In answering this, Land Information New Zealand (LINZ) advises surveyors to first determine which of five categories or scenarios, the land under question applies to, and then carry out the recommended appropriate surveying methods.

Some of the recommended solutions however, seem to contradict one another. One circumstance requires boundaries to move with the land, while another requires surveyors to re-establish boundaries despite land movement in order to regain the original parcel shape and size.

Five different scenarios

The five categories recognized by LINZ depend on land movement and boundary mark disturbance. The corresponding methods reflect the extent to which the boundaries need to be re-established if at all. In categories where land has been affected by earthquake movement, there are recommendations that generally apply to all scenarios.

For establishing survey orientation, LINZ advises that where available, Global Navigation Satellite System (GNSS) is the most reliable method. Otherwise, if the surveyor can identify that local network marks are still relative to one another, and have moved uniformly, then these can be used for orientation. When defining boundaries, it is advised that consent is gained from adjoining land owners in order to provide certainty.

Generally a case-by-case basis will need to be employed, and scenarios will be largely based on a hierarchy of evidence.

- Category one applies where boundaries are unaffected by the earthquake and require no redefining.
- Category two denotes block shifts of relatively uniform movement. In these cases boundary measurements can remain the same as they maintain relativity, but marks will be recorded as they lie in their new coordinate locations – the boundaries move with the land. With all categories, surveyors are advised to take into consideration block shifts wherever possible, as it allows the simplest solution.
- Category three describes local deep seated distortion and block shift.
 Boundary marks in this category may be subject to distortion to the extent that they cannot be used to establish orientation, but not completely shifted, making re-establishment more easily achievable than in higher categories.
- Category four applies to shear movement along the fault rupture. In this category, parcel boundaries have shifted in such a way that marks are displaced, which can be by several metres, and are no longer relative to one another. Boundary marks must re-instated in their original coordinate positions - the land moves beneath the boundary. This results in new sections of land being included in once neighbouring parcels. common law or rule applies to this situation. and each case considered on a case-by-case basis, taking into account any areas of block shift or marks that have retained
- Category five applies where localized surface movement due to liquefaction has taken place. Boundary marks are considered disturbed in this situation, and need to be re-instated in their original coordinate positions.
- Land in this category remains in its original parcel unlike category four circumstances, and it is only the relatively shallow surface of the land that has moved.

What is fair?

Where a land parcel has been dissected by shear movement along a fault line, the re-establishment of its boundaries results in sections of one neighbouring land being included in that parcel. This seems appropriate for parcels of, for example, pastoral land, because land either side of original parcel boundaries are likely to be very similar in nature, that is, grassy paddock. Based on this assumption, the inclusion of neighbouring parcels as the new re-instated parcel will make a very insignificant difference to the ownership and general use of that land.

In contrast, dispute will arise if category four situations occur in residential or commercial areas. For example, what was once one land owner's perfectly manicured lawn, now partly belongs to their neighbour. In some cases, it is possible that new parcels contain sections of land from three or four adjoining parcels. Ultimately, re-surveying title boundaries is established through discussion and agreement between all adjoining land owners, along with consultation with a professional surveyor. The likelihood of this happening without intervention of the courts to resolve disputes seem slight.

Common sense applied

The Rules for Cadastral Survey published for the Canterbury Earthquake 2010 by LINZ states that re-established boundaries must 'hold the same relationship to physical evidence. including survey marks, and boundary occupation, as they did prior to the earthquake'. This can be interpreted as allowing boundaries to flow with the land.

Alternatively, where this is not possible due to shear movement and displacement of boundaries caused by fault rupture, 'the re-established boundary must reflect that displacement or distortion which may require the creation of new boundary angle points'. Arguably, the best solutions are based on evidence and common sense.

This article was printed as published in the New Zealand Survey Quarterly, Issue 67, September 2011 with the permission of Lucie de Boehmler.

OBITUARIES

MacLean, Norman "Earle", NSLS # 460 -- of Halifax and Caribou Island, NS, passed away peacefully at home on July 21, 2011. Born at the family farm on Caribou Island, he was a son of the Norman MacLean and Mary Johnson. He attended Queen Elizabeth High School in Halifax, NS. Earle served in the Royal Canadian Air Force in the Second World War, rising to the rank of flying officer. He was a wireless/air gunner (tail gunner) in a Lancaster bomber in the European campaign and also served in the Middle East, Africa and India. Following the war, he attended the University of New Brunswick, graduating in 1950 with his Bachelor of Engineering, Civil (BSC, CE.). He obtained his PLS in 1951 and NSLS in 1977.

He enjoyed a lengthy career with the Nova Scotia Department of Highways as Regional Manager. He was a founding member of Calvin Presbyterian Church in Halifax, and a life member of the Mayflower Curling Club where he played "the roaring game" and off the ice he was an avid card player every Tuesday night. Earle was a life member of the Royal Canadian Legion in Pictou, NS and a retired member of The Association of Nova Scotia Land Surveyors. He was a Master Mason in good standing in Keith Lodge # 17, G.R.N.S. His recreational interests were boxing, karate and curling. Earle was most at home at Caribou Island, boating in the harbour, tending his garden, laying in his hammock between the apple trees in the orchard and enjoying visits with family and friends.

Edwards, Harry Melrose, NSLS # 341 -- of Hebbs Cross, Lunenburg Co; NS, passed away at home on Monday, December 12, 2011. Born in Hebbs Cross, he was a son of the late Clarke and Thelma (Hebb) Edwards. Harry went to the Royal Canadian School or Artillery in 1959 and was a member of the Canadian Forces for three years. After the military, he attended survey school in Lawrencetown where he obtained his commission in 1967 and worked for the Department of Transportation for 25 years. Harry enjoyed farming, fishing, hunting and being in the outdoors. His recreational interests were martial arts, speed boating & water skiing. He is survived by his wife, Evelyn (Rhodenizer), Hebbs Cross; daughters, Jacqueline (Tony) Allen, Lake Centre; Anita Conrad, Elmsdale; son, Ashley (Louise), Liverpool; brother, Earl (Merna), Hebbs Cross; grandchildren, Dylan, Brittany, Samara Allen and Riley and Justin Conrad along with many nieces and nephews. Harry was predeceased by his granddaughter, Kaley Conrad.

Notes from the Side of the Road.....



MEMBERSHIP UPDATES

Claude Bonnell #344 has resigned from retired membership

Harold Lively #418 has resigned from retired membership

Brian Potter #361 has resigned from retired membership

Kenneth MacDonald #245 has resigned from retired membership

Kent Carrick #356 has resigned from full membership

Allen Hunter #384 has resigned from full membership

Robert Wentzell #441 has resigned from full membership

David Lorimer #518 has moved to retired membership status

Bruce Mahar #597 has moved to retired membership status

Clive MacKeen #511 has been re-instated from retired to full membership

James Gunn #494 has been granted Life Membership at the October 21, 2011 Annual General Meeting

CHANGE OF EMPLOYMENT

Nicholas Dearman #530 is now Supervisor of HRM Survey Services.

Frank Gillis #599 is now employed with HRM Survey Services

NEW MEMBERS

Kyle R. Bower # 641 (Oct. 22, 2011) and is employed with Servant Dunbrack McKenzie & MacDonald Ltd.

Mitchell J. Ettinger # 642 (Jan. 13, 2012) and is employed with Allnorth Consultants Ltd.

Colin G. Atkinson # 643 (Jan. 13, 2012) and is employed with Allnorth Consultants Ltd.

T. Darcy DeCoste # 644 (Jan. 13, 2012) and is employed with Alderney Surveys Ltd.

Kyle D. Harrington # 645 (June 5, 2012) and is employed with Genivar Inc.

Michael G. Williams # 646 (June 21, 2012) and is employed with Genivar Inc.

P. Sheldon Chisholm # 647 (July 24, 2012) and is employed with Nova Scotia Community College.

NEW COMPANIES

Lester Tingley #535 has been granted a Certificate of Authorization for Tingley Surveys Inc.

Tim Wamboldt #624 has been granted a Certificate of Authorization for Tim Wamboldt Surveying Ltd.

Buster Davison #626 has been granted a Certificate of Authorization for B. Davison Surveying & Engineering Ltd.

EXP. Services Inc. has been granted a Certificate of Authorization due to a change in the company name from ADI Ltd.

CHANGE OF ADDRESSES

Simon AuCoin #558 has moved to 250 Hwy# 337, RR# 4 Antigonish Landing NS B2G 2L2

Clive MacKeen #511 has moved to 113 Dickins Drive, Fort McMurray AB T9K 1N1

Alderney Surveys Ltd. has moved to 12 Dawn Drive off Windmill Rd in Burnside Park, Dartmouth

JAG Engineering & Land Services Inc. has moved to 99 Atholea Drive, Dartmouth NS B2V 1C6

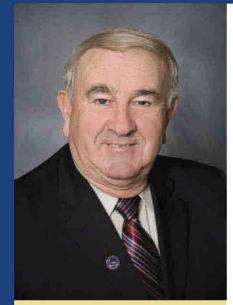




Announcement

LEADERSHIP. SERVICES. SUPPORT.

An Announcement to Members and Other Key Stakeholders of Health Association Nova Scotia



Gerald Pottier

"I am honoured to serve as Health Association Nova Scotia's Board Chair and look forward to working with the Board of Directors and our members in advancing the Board's strategic focus on end of life care and health care leadership in Nova Scotia. I'm also committed to working with the Board and the Health Association's senior leadership in fulfilling our fundamental role — supporting our members to resolve the challenges they face, to accomplish their goals, and, ultimately, to achieve a highperforming, sustainable health system that meets the needs of Nova Scotians, now and in the years to come."

January 26, 2012

Gerald Pottier Elected Chair, Board of Directors

Health Association Nova Scotia is pleased to announce that Gerald Pottier of Tusket, Yarmouth County, is the new Chair of the Health Association's Board of Directors.

Mr. Pottier brings extensive health system governance, public service, and management experience to this role. Mr. Pottier has been a member of the Board of Directors of the South West Nova District Health Authority since its inception in 2000. He served as Vice Chair for many years before assuming the position of Board Chair in 2009.

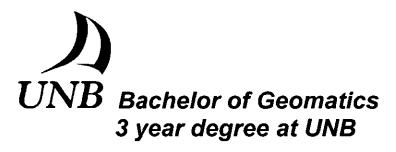
Prior to this, Mr. Pottier served on the former Yarmouth Regional Hospital Board for seven years. He was elected and served as a Councillor for the Municipality of Argyle for nine years. An Acadian by descent, Mr. Pottier is fluently bilingual and also served as a Member of the Clare-Argyle School Board.

Mr. Pottier, a professional land surveyor, worked with the provincial government for 30 years and then maintained a private surveying practice until his retirement. He has served as the President of the Nova Scotia Association of Land Surveyors, and continues to be active in the association.

Mr. Pottier has served on the Health Association Board of Directors since April 2010 as the representative of the South West Nova District Health Authority. He will also represent the Health Association on the Board of Directors of the Canadian Healthcare Association.

Elections for five of the Health Association officer positions for calendar year 2012 were held in October 2011. As set out in the Health Association's Bylaws, the positions of Chair, 1st Vice Chair, 2nd Vice Chair, Treasurer, and Member-at-Large are elected annually by the full Board of Directors. The remaining officer position and seat on the Executive Committee is reserved for the Chair of the Continuing Care Council. The incoming slate of officers for 2012 was first announced at the Health Association's AGM held on October 31, 2011. The officers are:

- Chair: Gerald Pottier, representative of South West Nova District Health Authority
- 1st Vice Chair: Doug Nauss, representative of South Shore Health
- 2nd Vice Chair: Jim Wyatt, representative of Colchester East Hants Health Authority
- Treasurer: Almon Chisholm, representative of Guysborough Antigonish Strait Health Authority
- Member-at-Large: Laura Arthurs, representative of the Adult Residential Centre/ Regional Rehabilitation Centre Association
- Chair, Continuing Care Council: Debra Boudreau, administrator of Tideview Terrace in Digby, Nova Scotia, and representative of Health Association Nova Scotia Continuing Care Council



The Department of Geodesy and Geomatics Engineering at the University of New Brunswick offers a 3 year Bachelor of Geomatics degree along with its current Geomatics Engineering degree. Having started in 2009, The Bachelor of Geomatics, with the Cadastral Surveying Option, is now (June 2012) accredited by the Canadian Board of Examiners for Professional Surveyors.

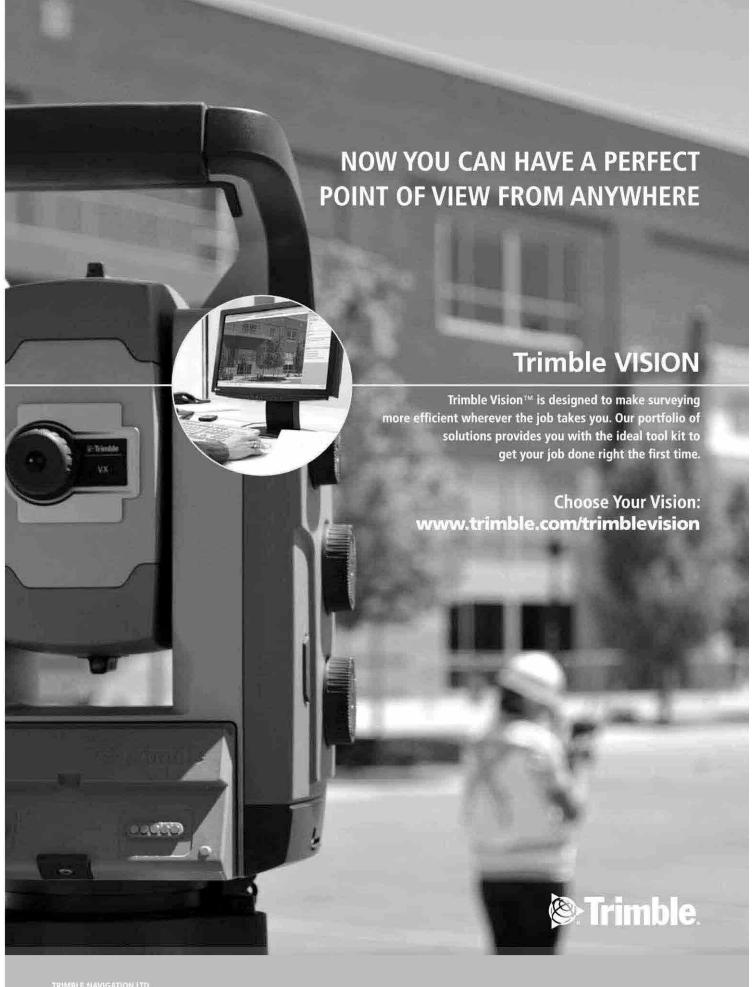
Students in this program will be able to:

- 1. advance credits from other post-secondary academic institutions as currently recognized by UNB;
- 2. transfer easily to the 4 year B.Sc.E. in Geomatics Engineering if desired;
- 3. participate in work experience programs in Canada and abroad; and
- 4. satisfy the academic preparation to become a professional land surveyor.

The Department is a world-class centre for land administration, spatial information management and GIS, remote sensing, hydrography and ocean mapping, GPS, geodesy and navigation, and precision engineering surveys.

For more information, contact our Director of Undergraduate Studies ggedous@unb.ca
506-453-4698





THE RESPONSIBLE MANAGEMENT OF TECHNICAL STAFF

Alberta Land Surveyors are granted the right to practice professional land surveying by legislation and through maintaining membership in selfgoverning professional association. Like all rights, this right comes with obligations. Each of us has a solemn duty maintain to personal professional competency, to practice in accordance with specified ethical standards, and to foster and maintain public faith in Alberta Land Surveyors and their work.

As we move through our careers, we usually become less fieldoriented, less technically hands-on, and more involved in business decisions and the supervision or management of technical staff. These roles increase our level of responsibility because we must not only remain aware of current survey standards and requirements but also provide effective direction technical staff. Our degree of competency is significantly defined by the extent which we meet these two obligations.

The objective of the Practice Review Board (PRB) is to improve practitioner competency through the Continuing Competency Review (CCR) program. In practitioners under this new program, we have found that most Alberta Land Surveyors are competent, and that they provide a service in which the public can have confidence.

However, the CCR process has also flagged situations where practitioners have strayed off course or demonstrated one or more deficiencies with respect to competence. In my term as a PRB member, I have observed three recurring shortcomings, each of which is related to our professional obligation to manage technical staff responsibly.

1. Written Procedures

Practitioners often fail to provide sound guidance to technical staff through written procedures. The CCR process focuses particularly on written procedures for GNSS surveys and conventional surveys. Although these procedures should deal with redundancy issues, they should not stop there. Technical staff also benefit from (and appreciate) written standards, procedures, and structure for their workflow. **Providing** written procedures not only clarifies technical requirements but also increases productivity. procedures need not be presented in "manual" form; they can often be in the form of a memo to technical staff prescribing effective workflow procedures and ensuring that these are followed.

2. Field Notes

Most practitioners stress the importance of good field notes to their technical staff. However, with the advent of GNSS, some field staff and their supervisors have come to believe that capturing digital data eliminates the requirement for wellwritten field notes. We have a professional obligation to ensure that field crews understand and accept the importance of good field notes, and the ideal way to communicate this is through a written procedures document. The Manual of Standard Practice provides good generic guidance and serves as a starting point for written procedures, but many of us have "niche-based" practices for which we should also provide technical staff with specific guidelines and samples.

3. Checklists

I once avoided checklists because they seemed trivial and mundane, but I have come to appreciate how much difference they can make for both me and my technical staff. Checklists can improve effectiveness quite remarkably all the way through the life cycle of a project. Since implementing checklists, I've seen significant improvements in the quality and consistency of field notes, field work, and final survey products, and I strongly encourage other practitioners to use them too. Sometimes a simple tool can make a world of difference.

Every ALS has a professional obligation to provide accurate and reliable land surveying services, and this requires us to manage technical staff responsibly by providing written procedures, stressing the requirement of good field notes, and using detailed checklists for every project. Each of these practices can help us to maintain professional competency. The PRB assists us with this obligation through competency reviews. I encourage you to embrace the CCR process and use it to improve professional vour competence, your business practice, and public confidence in the work of Alberta Land Surveyors.

M.J. Ettinger - author, has granted permission to re-circulate this article from the June 2011 ALS Magazine. Ettinger is an Alberta Land Surveyor since February 8, 2006, P.Eng in 2007 and CLS in 2008. Received commission as a Nova Scotia Land Surveyor under the Labour Mobility Agreement on January 13, 2012.

SRD Report

October 21, 2011

The SRD Experience

The management of the survey review department had been under contract to Jim Gunn of Survey Review Inc. for a two year period which ended in August 2011. During that time each practicing member of the association was required to participate in a full practice review in accordance with guidelines established by council. With very few exceptions the reviews included an office visit/interview at the member's place of business; a field inspection of one or more projects as well as a detailed review of a complete file pertaining to a specific project.

The practice review model used for this exercise focused on the member's participation by engaging the member in each activity. Two way communication was assured through face to face meetings, teleconferences and feed back questionnaires. In most instances a final report was issued to the member highlighting the results of the review and providing advice and/or praise when it seemed appropriate.

Office visit/interview

It was an interesting exercise visiting our members in their offices and seeing their operations first hand. As one might expect with such a diverse membership, there is no typical workspace. Some members work in corner offices downtown or in a new building in a business park while others plug away in a corner of their basement.

Field Inspections

For the most part the field inspections went very well. It is obvious however that some members continue to put more weight on a mathematical solution than one based on physical evidence. It is the constant battle of reconciling documentary evidence with physical evidence and coordinate geometery with legal principles that sets us apart as professional land surveyors. If it were not for this constant battle, we would just be technicians.

Plan and file reviews

There is nothing like a well organized filing system. It really speaks to the quality of the product when a member can reach into a filing cabnet, pull out a file and hand it over to SRD without even opening it; knowing full well that it contains everything necessary for SRD to review the project. Some of our member have the excellent habit of including a brief report in each file called "the basis of survey" or something similar so that years later if they pull out that file they can be up to speed in a matter of minutes.

Teleconferences

Following most reviews SRD issued a preliminary report and followed it up with a telephone call to discuss the points raised in the report. This gives the member an opportunity to challenge SRD on any comments prior to the preparation of the final report. Even if a member vigorusly defends their position and persuades SRD to remove a comment from the report, SRD may still have accomplished its goal by causing the member think twice next time when faced with a similar situation.

SRD Sales

The sale of plan stickers and SLC numbers is handled by Cathy McInnis who works part time at the association office in Dartmouth. The numbers seem to indicate a slow growth in plan stickers. The sale of SLC numbers had been falling off steadily in recent years but seems to have found its bottom.

Contract Budget

The budget for SRD was set at \$52,800 per year for a combined two year total of \$105,600. We stayed within the budget however it cost about \$3000 to tidy up the loose ends and close all the files after the contract expired. This extra cost would not have been necessary had we renewed the contract as it would have simply been absorbed in the overlap. Other factors that contributed to the overrun was the unforseen cost of setting up the process in the beginning and delays caused by this year's postal strike.

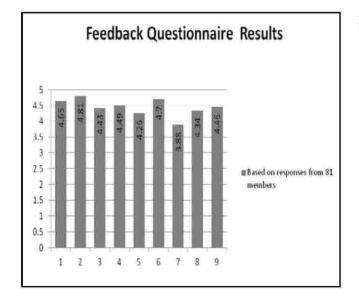
Getting It Right Seminar

We were pleased to have had the opportunity to present the popular *Getting it Right* seminar in three separate locations this past June with a total of 70 participants. *Getting It Right* is a quality control seminar that originated in Alberta and is spreading across Canada. SRI modified this popular seminar series to include Nova Scotia content. This seminar appealed to land surveyors and their staff, providing an opportunity to learn together in a team environment. The seminar focused on the life cycle of a survey project, discussing various ways to ensure quality in each step of the process and providing practical tools to assist in quality control. *Special thanks to the Alberta Land Surveyors Association for the development and sharing of the ALSA

"Getting It Right" program.

Feed Back Questionnaires

Following each review the member was asked to complete a brief feedback questionnaire and send it to the chairman of the SRD Advisory Committee. These results were tabulated by the committee and used to generate the following graph.



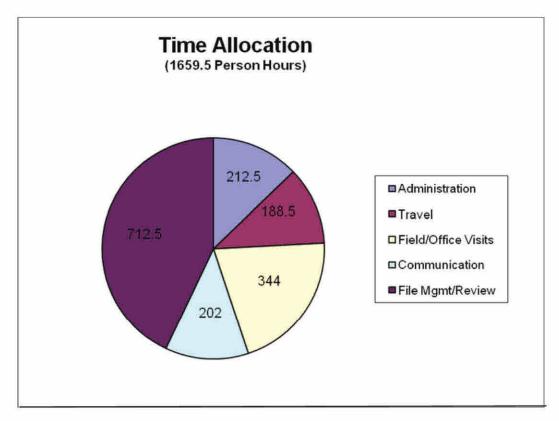
- 1) I have confidence in the ability of the reviewer.
- 2) The reviewer was courteous and considerate.
- 3) The office interview was thorough.
- 4) The file review was thorough.
- 5) The issues identified (if any) by the review were relevant.
- 6) The review was fair.
- I learned valuable information/tools/ideas that I will implement in my practice.
- 8) The Association is on the right track with Survey Review.
- 9) This feed-back questionnaire is appropriate.

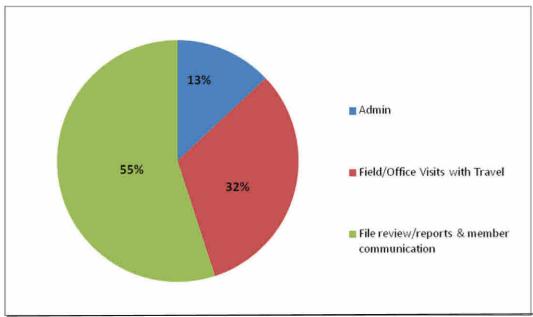
Time Allocation

Each month SRD provided a report to the Executive Director detailing the hours spent on various tasks. These graphs do not include the parttime position in the association office in Dartmouth.

Time Allocation

Each month SRD provided a report to the Executive Director detailing the hours spent on various tasks. These graphs do not include the parttime position in the association office in Dartmouth.





Observations and Recommendations

It seems appropriate at the end of this exercise that we should provide some observations from our experience.

- 1) Contracting the service out worked well. We had a very good relationship with the members, the association office and with council.
- 2) The model we used works well and could be used at least once more. But lets not allow the model to get too old before we revisit it again.
- 3) The standard of practice in Nova Scotia is generally very good.
- 4) The public needs our help more than ever in navigating the complex rules and regulations controling the simplest land transactions. Now is the time to reinforce our role as as land managers and not just land surveyors. For starters, we should all consider offering QP1 or QP2 services. It is hard to imagine being able to configure subdivision lots without this inhouse capability. Members should also consider taking courses in hydric soils and wetland plant identification to be able to delineate wetlands on their plans.
- 5) As we all know the highest form of evidence is an original monument in its original position. Given its importance, one would expect that surveyors would try to leave a lasting monument that will stand the test of time. That is not always the case however. Many surveyors have decided that in the essence of time, it is not worth drilling a hole in the rock to set a rock plug but instead, just laying the bar in a near horizontal position over the corner. This practice shows a lack of pride in workmanship and is not permitted under our regulations.
- 6) The location of highway boundaries can be challenging because road surfaces are constantly changing over time. Many surveyors simply pull a distance off the painted centerline and mark the boundary. Don't let the boundary be determined by a paving crew or a grader operator. We have to look for better evidence such as surveyor's markers or fences.
- 7) Every member who offeres services to the public should have a neat clean and professional work space and present themselves professionally. Each of us, in our own way, contributes to the collective image of the profession. It is sad really that we don't all value our services enough to justify having a professional work space. Recommended reading for anyone who doubts the surveyor's contribution to society is the best selling book entitled "The mystery of Capital" by Hernandes DeSoto. You can pick up a new or used copy on the internet at my favorite bookstore: Better World Books.com.
- 8) We should consider making the registration of survey plans mandatory. What's the good of doing a survey if there is no record of it? The members of the association could benefit from mandatory registration in two ways: First, we could partner with Service NS for free access to Property on-line (POL) in exchange for mandatory registration of plans; secondly, we could do away with SRD plan stickers and plan sticker fees and having to mail copies of plans to SRD simply because all plans would then be on POL.

2012 COGS AWARDS

David Wedlock, NSLS, Zone 2 Councilor (left), presents the 2012 ANSLS Bates Award to Richard Bartlett Greene at the COGS Awards Banquet on April 27, 2012.



The G. T. Bates Scholarship is awarded for recognition of the contribution to public relations which Mr. Bates made to the affairs of the Association. A monetary award is provided as a credit against tuition and books at the College of Geographic Sciences for the student who has completed first year surveying with the highest standing.

George T. Bates, NSLS #108 – (1911-1990)

Born in Nottingham, England. As a young man of 24 yrs of age, came to Nova Scotia in 1936 and was employed as an axmen on a survey crew. In 1937, he was an apprentice under Charles P. Roper, CE, PLS, while surveying Oak Island. Locations such as the Money Pit, Triangle of Stones and Drilled Rocks were documented on 4 series of maps of Oak Island.

In 1940, Qualified as a Provincial Land Surveyor.

In 1942, George worked for the planning commission and produced a master plan of Halifax.

In 1944, he began his own land surveying business in Halifax.

In 1949, his staff began working for C.A. Fowler & Co. on the survey of bridge approaches and land acquisitions for the MacDonald Bridge. After ten years, he decided to return back to private practice and devoted more time to his hobby of making historical maps of Nova Scotia and surrounding areas, which were regarded as works of art. George was referred to as an accomplished historian and calligrapher. He drew 46 maps for Halifax and Nova Scotia in 1960's and 1970's.

Was a Life member and past secretary of the Royal Nova Scotia Historical Society.

In 1965, was awarded a Certificate of Merit from the Canadian Historical Association for outstanding contributions to local history in Canada.

In 1967, was awarded a Certificate of Commendation by the American Association of State and Local History. He served on the council of the ANSLS for 5 yrs and as President of ANSLS 1966-1967.

In 1984, an Annual Scholarship was named in his honor and presented to the best first year student at the NSLSI (now COGS).

Nominated for Order of Canada in 1986.

As the Ambassador of Good Will, George presented over 400 delegates with certificates to which he lettered in Olde English for the Order of Good Times for 20 organizations.

Honorary member of ANSLS and CIS.

Honorary Life member of Massachusetts Association of Land Surveyors and Civil Engineers.

2012 COGS AWARDS

David Wedlock, NSLS, Zone 2 Councillor(left), presents the 2012 ANSLS March Award to Joseph Eric March at the COGS Awards Banquet on April 27, 2012.



The J. E. R. March award is presented on behalf of Mr. March, former Director of Surveys, Province of Nova Scotia. The prize is presented to the student completing first year surveying at the College of Geographic Sciences with the best kept field notes.

J. E. Ruskin March NSLS #4 - (1899-1998)

Born on Hilltop Farm, Bridgewater, NS.

In his early years, he worked as a bank clerk at the Bank of Canada before enlisting in the Army during the First World War and served in Canada.

After the war, he first worked as a surveyor with his father S.E. March.

Later employed with Hollingsworth & Whitney Ltd. from 1924 to 1929 as a timber cruiser and chainman and then as a compass man.

In 1930, Rusty worked with the Nova Scotia Power Corporation as an instrument man, on storage lake surveys to raise Lake Rossignal 31 ft.

Was given high recommendations and noted for being a diligent worker and a man of good character.

Through correspondence courses he was commissioned as a Professional Land Surveyor in 1937.

Worked for the Dept of Lands and Forests as an assistant and worked his way up to being in charge of the whole operation.

Founding of the Association of Nova Scotia Land Surveyors with E.O. Temple Piers, NSLS #9 Was president and honorary member of CIG.

In 1965, he retired as director of surveying for the province.

In 1984, an annual award was honored in his name and presented to the first year student for the best kept field notes at the NSLSI. (now COGS)

Wrote memoirs on a 50 yr-old Remington Typewriter about his 50 yrs of surveying experience.

Member of the Institute of Geomatics.

Honorary Member of ANSLS



2012 COGS AWARDS

David Wedlock, NSLS, Zone 2 Councillor (left), presents the 2012 ANSLS Church Award to Rebecca Elizabeth Walker at the COGS Awards Banquet on April 27, 2012.



The J.A.H. Church award is presented in memory of Major James A.H. Church, DSO, MC, PLS, who founded what was to become the College of Geographic Sciences and was its first Principal. The prize is presented to the student completing first year surveying at the College of Geographic Sciences who has made the most progress.

James A. H. Church, NSLS #20 - (1883-1967)

Born in India and orphaned at the age of 5, James was raised and educated in Scotland.

In 1902, articled for 5 years with Johnstone & Rankine as a Mining Engineer in Scotland.

In 1907, decided to emigrate to Edmonton, Alberta because large quantities of coal were being mined there.

There he became an assistant engineer with West Canadian Collieries in Blairmore, Alberta.

In 1909, worked as Colliery Manager with Canadian American Coal & Coke Co. in Frank, Alberta in connection with Turtle Mountain landslide.

In 1911, worked at geological reconnaissance for Cadomin Coal Co., in Cadomin, Alberta.

In 1914, served 5 yrs during the Great War in France with the 19th Alberta Dragoons and later transferred to 251st Tunneling Company, Royal Engineer.

He returned to Canada with a Military Cross, Distinguished Service Order and the rank of Major.

In 1919, returned to Alberta for 12 yrs to work as a Consulting Engineer for mine surveying.

In 1931, mines were shutting down and there was little demand for a mining engineer. James decided to move to Lawrencetown, Nova Scotia where the winters were milder and he would farm for 11 yrs.

In 1942, became a member of Canadian Institute of Surveying & Mapping(CISM) and instructed a war emergency training program for mining engineering at NSTC, Halifax(now Dalhousie University).

In 1943, at the age of 59, James received his Provincial Land Surveyor commission.

In 1946, the survey class moved from Halifax to Lawrencetown due to crowded conditions at the university and also the Halifax area had too much artificial lighting for night astrological observations.

In 1951, when the Association of Nova Scotia Land Surveyors was formed, Church was very active in the development of legislation which would help to enable regulations and examinations for future surveyors.

In early1958, the donation of land owned by The Royal Canadian Legion and the James B. Hall Trust Fund aided in the establishment of the Nova Scotia Land Surveying Institute (NSLSI - now COGS).

At this time, Major Church was responsible for determining new programs and equipment needed for the classes, while still instructing his own class at the Lawrenctown Exhibition Grounds.

Church was acting as Principal and Instructor at the age of 74 and soon become overworked.

James F. Doig was hired as an assistant to work with the second year students.

In 1963, retired from NSLSI and received Honorary Membership of Canadian Institute of Surveying & Mapping.(CISM - now CIG).

In the next year of classes, Church was replaced by Colonel George E. Streb, MBE, P.Eng; as Principal and Philip M. Milo, NSLS, as instructor.

The J.A.H. Church award is awarded to the first year student who showed the most progress in the survey technician program.

Churchs' belief was 'a reward was for one who came further, rather than one who scored higher'

Podgorski v. Cook, 2012 NSSC 174 Supreme Court of Nova Scotia (CanLII - 2012-05-02)

This court case and others dealing with land surveyors and land surveying can be viewed on the Canadian Legal Information Institute website: www.canlii.org

[1] This proceeding comes before the Court as an Application in Chambers pursuant to *Civil Procedure Rule* 5.03. Ms. Podgorski frames her claim as follows:

The Applicant is applying to a Judge in Chambers for an order establishing the property line between the properties known as 220 North Side Road, Riverport, Lunenburg County, Province of Nova Scotia and 213 North Side Road, Riverport aforesaid to be the line as more particularly shown in a survey plan prepared by Barrigan Survey's Limited dated the 23rd day of December 2009. Damages, expenses incurred as a result of the Respondent's actions and costs.

She stated her grounds for this relief as follows:

- 1. The Respondent has continuously trespassed on the Applicant's property known as 220 North Side Road, Riverport, Lunenburg from the Spring of 2008 to the present time by placing his personal property and junk and removing vegetation from the Applicant's property and taking possession of the same without the consent of the Applicant.
- 2. The Respondent has staked a new property line between the Applicant and Respondent's property which is not supported in law.
- [2] The Respondent Mr. Cook filed a Notice of Contest denying the grounds for the order sought by Ms. Podgorski. He framed his grounds of contest as follows:

The Respondent says that your application should not be allowed or in the alternative, if allowed, then only to the extent and that the property line between the properties be established between the properties of the Applicant and Respondent in accordance with the boundaries shown on the plan of survey of Robert Becker, Land Surveyor of ABLE Engineering Ltd., to be filed in this matter, and dismiss your application in respect to ownership of the whole lot, damages and expenses as claimed because:

He then lists several factors that he feels support his grounds for objecting to the relief sought in Ms. Podgorski's notice. Fundamentally Mr. Cook challenges Ms. Podgorski's view of the location of the property line. In the alternative he argues that he has possessory title to the disputed area.

[37] The garden referred to in the Cook's evidence is vague as to its location. I find that Mr. Cook has not established, on a balance of probabilities, the location of the garden. I cannot conclude that the area where tractors turned around extended beyond Mr. Berrigan's line. Further, the evidence is uncertain as to when the garden existed or for how many years. The evidence of recreational use is not sufficient to oust the title of Ms. Podgorski. The evidence of burning brush suffers from the same deficiency. I am also of the same view in relation to the parking of vehicles and boats on the disputed area. This is not the kind of evidence needed to support a claim based on adverse possession. In conclusion, I find that Mr. Cook has failed to establish possessory title.

[38] Ms. Podgorski's property is as surveyed by Peter Berrigan. Her paper title has not been displaced by Mr. Cook's evidence of possessory title.

This article was printed as published in the ALS News, Volume 41-2, June 2012

THE ASSOCIATION OF NOVA SCOTIA LAND SURVEYORS

Proposed 2012 Budget

Approved by the membership at the AGM on October 22, 2011

Proposed 2012 Budget Summary

| Proposed 2012 Administration Revenue: Proposed 2012 SRD Revenue: | \$258,840 <u>\$100,000</u> |
|---|-------------------------------|
| Total Proposed 2012 Combined Revenue: | \$358,840 |
| Proposed 2012 Administration Expenses: Proposed 2012 SRD Expenses: | \$249,195 \$ <u>94,257</u> |
| Total Proposed 2012 Combined Expenses: | \$343,452 |
| Proposed 2012 Combined Surplus/Deficit: | \$ <u>15,388</u> |

ADMINISTRATION

| | | 2012 Budget (proposed) | 2011 Budget | 2010 Budget |
|--|--|--|--|---|
| ADMINISTRATION REVENU | E | | | |
| Membership Dues | | | | |
| Regular Members Retired Members Associate Members Student Members | (150 @ \$1,200) (35 @ \$120) (2 @ \$120) (22 @ \$120) | \$180,000 \$4,200 \$240 \$2,640 | \$180,000 \$4,200 \$600 \$2,640 | \$170,500 \$3,850 \$550 \$2,200 |
| Total Membership Dues | | \$187,080 | \$187,440 | \$177,100 |
| Nova Scotian Surveyor Convention Receipts Certificates of Authorization Continuing Education/Seminars Discipline Committee Interest Income Other Revenue (MCE) Rental Income Sub Total | (52 @ \$100) (see note 1) (see note 11) | \$5,000 \$25,000 \$5,200 \$17,000 \$0 \$200 \$200 \$7,100 \$59,700 | \$5,000 \$20,000 \$5,200 \$17,230 \$0 \$200 \$700 \$7,100 | \$4,000 \$22,000 \$5,200 \$16,000 \$10,000 \$1,000 \$500 \$7,100 |
| Other Operations | | | | |
| Dues Service Charge SRD Administration Fee GANS Administration | (see note 2) (see note 3) | \$800 \$11,260 \$0 | \$800 \$10,810 \$0 | \$800 \$20,875 \$500 |
| Sub Total | | \$12,060 | \$11,610 | \$22,175 |
| TOTAL ADMINISTRATION F | REVENUE | <u>\$258,840</u> | <u>\$254,480</u> | <u>\$265,075</u> |



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ADMINISTRATION

| | | 2012 Budget (proposed) | 2011 Budget | 2010 Budget |
|---|---|---|--|--|
| ADMINISTRATION EXPENSE | S | | | |
| Salary - Executive Director - Executive Assistant Benefits - Medical and Dental - CPP - El - Life Insurance - Workers Compens | al | \$67,200 \$31,500 \$4,500 \$3,500 \$1,755 \$2,000 \$900 | \$67,200 \$31,500 \$4,500 \$3,500 \$1,755 \$2,000 \$900 | \$66,200 \$30,000 \$5,000 \$3,500 \$1,755 \$2,000 \$900 |
| Sub Total | | \$111,355 | \$111,355 | \$109,355 |
| Accounting Advertising Annual Meeting & Convention Council Meetings Depreciation Equipment Rental/Maintenance Executive Director Expenses Executive Expenses Legal Services NS Surveyor Office Expense Office and Computer Equipment Postage President's Travel Printing Professional Dues and Fees Seminars Staff Training Telephone, Fax & Internet Zone Meetings | (see note 14) (see note 4) (see note 5) (see note 6) (see note 15) (see note 7) (see note 8) | \$2,500 \$1,500 \$22,000 \$6,000 \$2,400 \$1,700 \$1,200 \$400 \$5,000 \$6,500 \$4,000 \$500 \$5,000 \$1,000 \$1,360 \$5,000 \$1,360 \$5,000 \$1,360 \$5,000 \$1,360 \$5,000 | \$2,000 \$1,500 \$25,000 \$6,000 \$2,600 \$2,250 \$1,200 \$400 \$10,000 \$6,500 \$4,000 \$500 \$5,000 \$1,000 \$1,360 \$7,620 \$1,000 \$1,800 \$1,800 \$1,500 | \$2,000 \$2,000 \$25,000 \$5,000 \$2,797 \$2,250 \$1,200 \$400 \$22,000 \$6,100 \$4,000 \$500 \$4,500 \$18,000 \$600 \$1,360 \$12,000 \$250 \$1,800 \$1,500 |
| Sub Total | | \$87,860 | \$99,230 | \$113,257 |

| ADMINISTRATION (cont | inued) | 2012 Budget (proposed) | 2011 Budget | 2010 Budget |
|---|---------------------------|---|---|--|
| Committees | | | | |
| Administrative Review Committee Complaints Committee Continuing Education Committee Discipline Committee Governance Committee Membership Committee Other Committees Public Awareness Committee SRD Advisory Committee Strategic Planning Committee Wetlands Committee | (see note 9) (see note 1) | \$400 \$1,200 \$500 \$2,000 \$1,000 \$0 \$0 \$2,000 \$1,500 \$500 \$1,000 | \$400 \$1,500 \$500 \$4,000 \$1,000 \$0 \$0 \$2,000 \$500 \$500 \$1,000 | \$400 \$400 \$500 \$4,000 \$0 \$1000 \$200 \$2,500 \$200 \$500 \$1,000 |
| Sub Total | | \$10,100 | \$11,400 | \$10,700 |
| Grants, Levies and Awards | | | | |
| CBEPS fee (175 x 14.28) CCLS / PSC levy COGS Awards Sub Total | (see note 10) | \$2,500 \$11,230 \$2,000 \$15,730 | \$2,000 \$11,230 \$2,000 \$15,230 | \$1,932 \$12,598 \$2,000 \$16,530 |
| Boards of Examiners | | | | |
| Canadian Board (CBEPS) Examinations Nova Scotia Board | | \$500 \$300 \$500 | \$500 \$300 \$500 | \$500 \$400 \$500 |
| Sub Total | | \$1,300 | \$1,300 | \$1,400 |

| ADMINISTRATION | (continued) | 2012 Budget (proposed) | 2011 Budget | 2010 Budget |
|---|-------------------|---|--|--|
| Accommodation | | | | |
| Building Maintenance Cleaning Insurance Taxes Utilities Sub Total | (see note 13) | \$3,000 \$400 \$3,000 \$11,500 \$3,200 \$21,100 | \$2,000 \$400 \$3,000 \$11,500 \$3,200 \$20,100 | \$1,000 \$800 \$3,000 \$11,500 \$3,200 \$19,500 |
| Miscellaneous | | | | |
| Courier GANS Expense Interest and Bank Charges Refreshments Other Miscellaneous Expens Penalties & Interest | ses (see note 12) | \$150 \$0 \$250 \$200 \$1,000 \$50 | \$150 \$0 \$250 \$200 \$1,800 \$50 | \$150 \$0 \$200 \$200 \$1,800 \$0 |
| Sub Total | | \$1,650 | \$2,450 | \$2,350 |
| TOTAL ADMINISTRATI | ON EXPENSES | <u>\$249,095</u> | <u>\$261,065</u> | <u>\$273,092</u> |
| ADMINISTRATION SUR | PLUS / (DEFICIT) | <u>\$ 9,745</u> | <u>(\$6,585)</u> | <u>\$(8,017)</u> |

Administration Notes:

- 1. If a member is found guilty by the Discipline Committee, costs to a maximum of \$15,000 may be claimed by the ANSLS. There is no anticipated Discipline Hearings at present time.
- 2. The SRD Administration Fee is comprised of percentages of various administration expenses (eg. utilities, taxes, insurance, administrative assistant's salary, etc.)
- 3. Meeting and administrative expenses paid on behalf of the Geomatics Association of Nova Scotia (GANS). Amount is invoiced to and reimbursed by GANS. (ANSLS no longer provides this service).
- 4. Annual building depreciation.
- 5. Includes maintenance contracts for photocopier and postage system; postage meter rental; equipment repairs and maintenance; annual inspections.
- 6. Executive expenses are for travel, meals, accommodations etc. incurred by the President, Vice-President and Past President within the province of Nova Scotia to attend zone meetings, executive meetings etc.; or for travel out-of-province with Council's approval.
- 7. President's travel is for out-of-province travel of the President or their designate to attend meetings of other associations.
- 8. Professional dues and fees include ANSLS dues, ACLS dues, Development Officers Associate membership, GANS dues for Executive Director.
- 9. The administration portion of the Administrative Review Committee expenses is part of the administration budget. The SRD portion of the Administrative Review Committee expenses is part of the SRD budget.
- 10. This CCLS (or PSC) levy is based on \$75.86 per regular member for the first 100 members, then \$72.95 each for the balance.

$$\begin{array}{rcl}
100 \times 75.86 & = & 7,586.00 \\
50 \times 72.95 & = & 3,647.50 \\
& & 11.233.50
\end{array}$$

- 11. Rental income includes monthly rent and a portion of the power costs.
- 12. Each year a portion of the HST ITC's for the month of January are disallowed per CRA requirement. This item is included in Miscellaneous Other Expenses and is budgeted for \$1,800 in 2011.
- 13. Building maintenance is comprised of major expenses to repair and/or maintain the association office building (eg. siding, ramp, paving, etc).
- 14. In addition to the budgeted convention revenue, \$50 of each member's dues is earmarked toward payment of convention expenses. The total amount for 2012, based on the budget, is \$7,500 (150 x \$50).
- 15. Includes legal costs of \$5,000 for the Governance legislation update initiative (legal consultant's fees).

SURVEY REVIEW DEPARTMENT 2012

SRD REVENUE

| | 2012 Budget (proposed) | 2011 Budget | 2010 Budget |
|---------------------------------------|---------------------------|------------------|------------------|
| Stickers (see note 1) | \$82,000 | \$82,000 | \$93,835 |
| SLC Numbers (see note 1) | \$18,000 | \$18,000 | \$20,555 |
| Dag rame or (occ note 1) | 410,000 | <u> </u> | <u> </u> |
| TOTAL SRD REVENUE | <u>\$100,000</u> | <u>\$100,000</u> | <u>\$114,390</u> |
| SRD EXPENSES | | | |
| Accounting | \$1,000 | \$1,000 | \$1,000 |
| Administration Fee (see note 2) | \$11,260 | \$1,260 | \$11,140 |
| Benefits - CPP | \$600 | \$600 | \$600 |
| - EI | \$400 | \$400 | \$400 |
| - Medical & Dental | \$1,000 | \$1,000 | \$1,000 |
| - Insurance | \$1,000 | \$1,000 | \$1,000 |
| - Workers Comp | \$155 | \$155 | \$155 |
| Courier | \$250 | \$250 | \$50 |
| Equipment, Rental & Maintenance. | \$150 | \$150 | \$100 |
| Interest & Bank Charges | \$50 | \$50 | \$50 |
| Manager's Expense | \$7,200 | \$7,200 | \$7,200 |
| Miscellaneous | \$100 | \$100 | \$100 |
| Office & Computer Equipment | \$200 | \$200 | \$200 |
| Office Expense | \$200 | \$200 | \$200 |
| Professional Dues and Fees | \$0 | \$ 0 | \$ 0 |
| Administrative Review Committee (note | 3) \$400 | \$400 | \$400 |
| SRD Manager Contract | \$53,592 | \$53,592 | \$52,800 |
| Salary - SRD Assistant (see note 4) | \$16,400 | \$16,000 | \$15,000 |
| Staff Training | \$300 | \$300 | \$300 |
| TOTAL SRD EXPENSES: | <u>\$94,257</u> | <u>\$93,857</u> | <u>\$91,695</u> |
| SRD SURPLUS / (DEFICIT) | <u>\$5,743</u> | <u>\$6,143</u> | <u>\$22,695</u> |

SRD Notes:

- 1. SRD Revenue for 2012 is based on the 2011 budget figures and the financial statement.
- 2. The SRD Administration Fee is comprised of percentages of various expenses (eg. utilities, taxes, insurance, administrative assistant's salary, etc.). See calculation below.
- 3. The SRD portion of the Administrative Review Committee expense is part of the SRD budget.
- 4. Calculation of SRD Assistant's salary includes vacation pay and paid holidays.

Calculation of SRD administration fee for 2010 Budget:

| Rent | \$ 200 / me | onth | = | \$ 2,400 |
|----------------------------|-------------|-------|---|---------------|
| Utilities | \$ 3,200 | x 20% | = | \$ 640 |
| Taxes | \$ 11,500 | x 20% | = | \$ 2,300 |
| Insurance | \$ 3,000 | x 20% | = | \$ 600 |
| Cleaning | \$ 400 | x 20% | = | \$ 80 |
| Tel, Fax & Internet | \$ 1,800 | x 30% | = | \$ 540 |
| Exec Asst Salary | \$ 31,500 | x 10% | = | \$3,150 |
| Postage | \$ 5,000 | x 10% | = | \$ 500 |
| Office Expense | \$ 4,000 | x 15% | = | \$ 600 |
| Equip Rental & Maintenance | \$ 2,250 | x 20% | = | <u>\$ 450</u> |

Total SRD Administration Fee: \$11.260

NOTE:

The general membership was presented with the concept of merging the SRD budget with the Administration budget. Fred Hutchinson, Treasurer presented the rational for such a move. There did not appear to be any opposition from the membership to this proposal. Therefore, the 2012 financial statement and 2013 budget will be reflective of this decision.

Minutes of the 61st Annual General Meeting

Held at Harbourview Holiday Inn, Dartmouth, Nova Scotia October 21 & 22, 2011

Friday, October 21, 2011 – meeting opened at 1:30 PM

Opening ceremonies:

President Myra introduced Norman Hill, Registrar of Land Titles, who brought greetings from Premier Darrell Dexter and the Province of Nova Scotia. Mr. Hill commented on the importance of land surveyors to the provincial mapping program and to the public at large.

President Glenn Myra opened the meeting at 1:40 pm and welcomed the audience in several languages. "The meeting is to be governed by Robert's Rules of Order and Common Sense. The president will consult with the Executive on matters of protocol and procedures." Quorum achieved to conduct business.

President Myra then introduced two new members, Stephen Acker, NSLS #639 and Matthew Smith, NSLS #640 and asked that they stand and be recognized.

President Myra then introduced the out-of-province delegates and presented Jeff Fee, NSLS # 595 with a "presidential citation" for having achieved his Ontario Land Surveyor's commission. This was followed by the introduction of our exhibitors in attendance.

Introduction of Council Members:

President Myra introduced the Council that served for 2010-2011 as follows: Zone 1 – Robert Becker; Zone 2 – Kirk Hicks; Zone 3 – Doug Macleod; Zone 4 – John Delorey; Zone 5 – Britt Roscoe & Dennis Prendergast; Zone 6 – Allen Owen, Jim McIntosh, Garry Parker & Alexander MacLeod; DNR Representative – Bruce MacQuarrie; Vice-president – Carl Hartlen; Past-president - Glenn Crews and President – Glenn Myra.

Moment of Silence:

The chair then called upon everyone to stand and observe a moment of silence in memory of members and former members who passed away and offered condolences to those who lost friends and family. Members who passed away are: N. Earl MacLean, NSLS #460, David L. Crooker, NSLS #213, Gilbert Kirk Wagner, NSLS #476, John William "Jack" Marshall, NSLS #271 and Frederick William McKeown, NSLS #239.

Order of Business:

The order of business as per section 5.10 of the By-laws was read by President Myra who asked that the chair be allowed to deviate from that order, provided that there were no objections from the floor.

Secretary's Report by Fred Hutchinson:

President Myra reported that 150 active/life voting members had registered for the meeting and that a quorum had been met in order to conduct business. Membership statistics for the past 18 years were presented as follows:

| <u>Year</u> | <u>Dues</u> | Reg | <u>Life</u> | Ret | <u>Stdt</u> | <u>Hon</u> | Assoc | <u>Total</u> |
|-------------|-------------|-----|-------------|-----|-------------|------------|-------|--------------|
| 2010 | \$1200 | 152 | 19 | 41 | 25 | 3 | 2 | 242 |
| 2009 | \$1100 | 161 | 19 | 35 | 21 | 3 | 5 | 244 |
| 2008 | \$1100 | 165 | 19 | 35 | 24 | 4 | 7 | 254 |
| 2007 | \$800 | 172 | 19 | 34 | 24 | 4 | 7 | 258 |
| 2006 | \$800 | 173 | 19 | 39 | 23 | 4 | 3 | 261 |
| 2005 | \$800 | 177 | 20 | 39 | 24 | 4 | 2 | 266 |
| 2004 | \$800 | 187 | 20 | 35 | 24 | 4 | 0 | 270 |
| 2003 | \$800 | 197 | 18 | 34 | 21 | 4 | 0 | 274 |
| 2002 | \$800 | 203 | 16 | 35 | 21 | 4 | 0 | 280 |
| 2001 | \$670 | 208 | 16 | 36 | 19 | 4 | 0 | 284 |
| 2000 | \$670 | 216 | 16 | 35 | 17 | 3 | 0 | 288 |
| 1999 | \$670 | 221 | 15 | 35 | 18 | 3 | 0 | 295 |
| 1998 | \$670 | 225 | 15 | 34 | 14 | 3 | 1 | 295 |
| 1997 | \$670 | 227 | 14 | 33 | 15 | 3 | 3 | 298 |
| 1996 | \$620 | 239 | 14 | 31 | 15 | 3 | 3 | 308 |
| 1995 | \$600 | 246 | 14 | 36 | 16 | 3 | 6 | 324 |
| 1994 | \$600 | 254 | 13 | 31 | 14 | 4 | 7 | 326 |
| 1993 | \$550 | 261 | 14 | 27 | 12 | 4 | 10 | 326 |

Approval of the minutes of the 60th Annual General Meeting:

The minutes of the 60th AGM held at the Best Western Glengarry, Truro, Nova Scotia on October 28-30, 2010 were published in the spring 2011 issue of the Nova Scotian Surveyor. Since no errors or omissions were raised it was then <u>moved</u> by Brian Wolfe, seconded by Forbes Thompson that the minutes of the 60th AGM be approved as published. **Motion carried.**

Business arising from the minutes of the 60th AGM:

There was no business from the floor arising from the minutes.

Life membership

Robert Feetham presented a nomination for Life Membership in the name of James Douglas Gunn, NSLS #494. Jim's nomination was previously approved by Council and his biography was read by Mr. Feetham. The nomination was seconded by Raymond Pottier. **Motion carried unanimously.**

Jim accepted his Certificate of Life Membership with a round of applause and standing ovation from the audience. He then thanked the membership and proceeded to provide a short history of his professional journey.

Report on Council Activities

President Myra reported that Council meetings were held on November 26, 2010, February 11, June 10, and September 9, 2011. Many of the Council activities were presented at various zone meetings by councillors and Mr. Myra welcomed any questions or comments from the members but none were forthcoming.

Treasurer's report

Fred Hutchinson reported that the 2010 financial statement was mailed to all members and welcomed any comments or questions. No comments or questions from the floor. Motion to accept the financial statement was <u>moved</u> by Brian Wolfe, seconded by Russell MacKinnon. **Motion carried**.

Report from Survey Review Department (SRD) by Jim Gunn

Management of SRD has been under a 2-year contract with Jim Gunn to do practice reviews. Reviews included survey plans, field inspections, office visits and complete files. SRD was generally impressed with the office visits and cooperation from members. A lot of communication with members was via phone calls. One item noted by the reviews was the "report of survey" contained in many members' files detailing the survey and decisions made. Concern was expressed about the reliance on mathematical solutions as opposed to evidence. Sales and distribution of numbers was done from the Association office and the Department goals appear to have been met within the approved budget. A "Getting it Right" seminar was held in three locations with about 70 attendees. The seminar content was created by the Association of Alberta Land Surveyors and modified slightly for Nova Scotia. Jim thanked Robert Daniels, who facilitated the sessions. A report was also given on the questionnaires that were returned by reviewed members.

Jim provided a brief summary of his professional career and the opportunities it has provided. He also highlighted some areas of concern that he noticed during his past two years of reviews. He also recommended the mandatory registration of all survey plans in cooperation with the Government.

Comments were offered by Russell MacKinnon on the registration of plans under the Land Registration Act and concern about non-surveyors using on-line information to further define extent of title. Pat Muise stated that all plans should be registered since they were paid for by the client and are public documents. Some of our visiting presidents also commented on how other provinces deal with the topic.

Report of Scrutineers

All positions available for Council were filled by acclimation. These included the three executive positions and a new councillor for zones, 2, 3, 5 and 2 councillors for zone 6.

President Myra announced the new Council as follows: Past President - Glenn Myra; President - Carl Hartlen; Vice President - Becky Ritchie; Zone 2 - Dave Wedlock; Zone 3 - Mark Hatcher; Zone 5 - Wayne Hardy and Zone 6 - Jody Isenor & David Whyte. President Myra then presented a service plaque to the retiring councillors as follows: Zone 2 - Kirk Hicks; Zone 3 - Doug MacLeod; Zone 5 - Britt Roscoe (absent) and Zone 6 - James McIntosh and Allan Owen. Glenn Crews was also thanked as the outgoing Past President.

Committee reports

- 1. Complaints Committee by Garry Parker, chairman. Two complaints during the past year with one dismissed while the other still remains open.
- 2. Administrative Review Committee by Kevin Brown, chairman. Two meetings during the year with the focus being on the duties of office staff and the proposed 2012 budget.
- 3. Continuing Professional Development, Raymond Pottier, chairman. One meeting at the ANSLS office and prepared a questionnaire for distribution at zone meetings. Worked on the preparation of the AGM seminar given October 20, 2011 and a full day seminar on GNSS is proposed for the spring of 2012.
- 4. Standards Committee, Carl Hartlen, chairman. Work needs to continue on standards with the proposal of last year and the members who volunteered. The Regulations tended to take priority but that work appears to be nearly complete. The committee will be proposing standards with respect to the registration of plans as was discussed last year and commented upon in the SRD report.

- 5. Board of Examiners, Fred Hutchinson, secretary. Two new members were issued licenses this past year. Special thanks to the Board and the Special Examining Committee. Two projects were reviewed while a third is nearing the end of its review. This should provide a new member early in 2012 along with two labour mobility candidates; both having a CLS as well as holding provincial licenses. We also have three female students with one being articled to our new Vice President, Becky Ritchie. This is the first time in our association's history that a female student has been articled to a female member. The student, Jenny Magee, was acknowledged in the audience.
- 6. Other reports mailed out were Wetlands Committee, SRD Advisory Committee and Council Liaison to Professional Surveyors Canada.

It was announced by President Myra that there would be a meeting at the end of the day's session for members of the ACLS.

Nutrition Break at 3:30 pm

A thank you from President Myra for the efforts of Russell MacKinnon with regard to keeping the office of the president informed about relevant legislation before the Provincial House of Assembly.

Mr. Errol Hebb, NSLS # 7 was asked to say a few words to the members. Errol congratulated the members on a great attendance and that it has been an honour to be a member for the past 60 years. President Myra also commented on the display in the lobby featuring Roy Schofield, NSLS # 10 who was his grandfather.

Mr. Norm Coté, interim chair of Professional Surveyors Canada (PSC), was introduced and asked to speak to the audience. PSC has replaced the Canadian Council of Land Surveyors and is governed under different rules of incorporation. Norm provided an overview of the organization as well as the web site. The organization is "member" focused and not provincial association driven. Public relations and education are key elements for PSC in advancing the profession, increasing its visibility to the public and government awareness. The symbolization of the logo was described. Sustainability of the profession was also commented upon with respect to the 3000 more or less licensed land surveyors in Canada. The field of Geomatics has many more individuals who could participate. Presently PSC has 250 members with 18 in Nova Scotia. The 3-year target was for 300 members in the first year. That goal was not reached but it is hoped that the coming year will be more productive. During 2011 Ray Pottier, NSLS was appointed as interim Vice Chair. Norm closed his presentation with a synopsis of the objectives of PSC in the coming year as well as the economic value of the industry to the Canadian economy. A draw for a free membership was won by Tim Wamboldt.

Jim Gunn commented on the difficulty of recruitment and that it might have been a good move to have provided free membership for everyone and then hope that a large number would renew. Jeff Fee suggested that members might be invoiced through their home association but realized that such an approach might be problematic. Norm thanked the audience and invited everyone to a small social event following the meeting to continue the dialog. More information on PSC is available at www.psc-gpc.ca.

The afternoon session closed with an announcement of the time for the evening banquet function.

Saturday, October 22 - Meeting reconvened at 9:10 AM

Governance Committee update

President Myra asked Dave Steeves to update the membership on the status of our Regulation package presently submitted to Government for approval. Questions were asked by Government about the registration process for new members as well as the complaints and discipline processes as detailed in the Regulations. A response was provided and some alterations were made to assist clarification. Flow charts were created to assist both the Government reviewers and the Governance Committee with regard to complaints & discipline.

The insertion of the ordinary high water mark (OHWM) definition was also asked for by the Department of Natural Resources and will be dealt with by this meeting under new business.

2012 Budget presentation by F.C. Hutchinson, Treasurer

Floor opened for questions or comments. Russell MacKinnon asked if there were auditor's comments about the 2010 audited statement and whether they could be made available to the membership. Fred stated that comments were addressed to the President and Council and it would be up to Council to make those comments available. The accountant did comment with regard to signing officers in that the Treasurer should not be a staff member and that monthly bank statements needed to be signed off by the Treasurer. Presently all cheques are signed by the Treasurer and the President. There is always a third signing officer on the books in case of unexpected problems. Our administrative assistant left in May of 2011 and a part-time bookkeeper has taken over.

The proposed 2012 budget is projected to generate a surplus of \$15,388. There is always difficulty in projecting a budget 16 months in advance. The accountant does not see a problem in combining the administration and the SRD budget since both administration and SRD income and expenses are tracked by our accounting software. Our office building is mortgage free, we presently have about \$80,000 in surplus funds and we have about \$7000 per year income from our tenant. President Myra asked if there were any questions regarding the 2012 budget as presented. There were no questions.

Motion to approve the 2012 budget as presented <u>moved</u> by Russell MacKinnon, seconded by Brian Wolfe. **Motion carried.**

By-law amendments read by President Myra as follows:

Be it resolved that:

Section 12 of the new By-laws, approved by the membership on October 30, 2010, be deleted and the following inserted:

- (1) At the time of the proclamation of the Act, members serving on Council pursuant to the former Act shall remain in place pending elections held pursuant to this Act.
- (2) The first election to be held pursuant to this Act shall be held not later than the first annual general meeting following the proclamation of the Act.
- (3) In the first election, terms of existing councilors under the old system may be continued, if appropriate, to adhere to the new system. In every odd numbered year thereafter, elections shall be held for representatives from Zones 2 and 3, and in every even numbered year thereafter, elections shall be held for Zone representatives from Zones 1 and 4.

Motion moved by Dave Steeves, seconded by Ray Pottier.

Dave Steeves spoke to the motion and explained that our previously approved By-laws were date specific and these proposed amendments should better accommodate our Association whenever our Act and Regulations are proclaimed by Government. Hearing no questions, President Myra called for the vote on the motion as presented. **Motion carried**.

Regulation amendments read by President Myra as follows:

Be it resolved that:

A Part VI titled 'Ordinary High Water Mark' be inserted in the new Regulations approved by the membership on June 25, 2010 which will contain the following information:

Definition of Ordinary High Water Mark

"Ordinary High Water Mark" means the limit or edge of the bed of a body of water where the land has been covered by water so long as to wrest it from vegetation or as to mark a distinct character upon the vegetation where it extends into the water or upon the soil itself.

Use of Water Boundary

Except where existing rights are to the contrary, in the case of water boundaries the ordinary high water mark shall be used as the feature defining the boundary.

Motion moved by Dave Steeves, seconded by Ray Pottier.

- Carl Hartlen spoke against the motion since it does not deal with tidal or agree with the Environment Act.
- Dave Roberts suggested removing the motion and use the one that Mr. Hartlen suggested during his seminar presentation.
- Ray Pottier would like to see something added to address case law such as Attorney General v. Chambers of 1864. This case mentions the spring and neap tides and lunar revolutions.
- Jim Gillis suggested that there is a lot of case law and stated that in Texas they differentiate between tidal and fresh. Against the motion since it tends not to comply with case law in his opinion. <u>Irving Refining Limited and the Municipality of the County of Saint John v. Eastern Trust Company (1967) 51 A.P.R. 155</u>. The court wanted a reliable method for determining the riparian boundary for tidal waters.
- Dave Roberts <u>moved</u> an amendment, seconded by Walter Rayworth. Insert two paragraphs as follows:

1st "Ordinary High Water Line", for non-tidal waters, means the limit or edge of the bed of a body of water where the land has been covered by water so long as to wrest it from vegetation or as to mark a distinct character upon the vegetation where it extends into the water or upon the soil itself.

2nd The line on the seashore reached by the average of the mean high tides of the sea between the spring and neap tides in each quarter of a lunar revolution during the year excluding only extraordinary catastrophes or overflows.

- Carl Hartlen against the amendment since it is not mark sensitive;
- Dave Steeves asked if the New Brunswick experience was available;
- John MacInnis felt that the mark on seashore caused by tide is an important feature to note;
- Glenn Crews felt that the term mark should be retained;
- Dave Roberts explained his view on line v. mark;

- Harry Ashcroft supports the use of the term mark since that is what is visible in most cases;
- Walter Rayworth commented that the term mark is a moving target considering the action of coastal waters;
- Ray Pottier in favour of the amendment since he does use the mark when visible but relies on a mathematical line when no mark is visible;
- Bruce MacQuarrie commented that the only request that the Government has made is that the definition be part of the Regulations;
- Neil MacNaughton, NBLS, suggested that the term line or mark may not be needed, just "ordinary high water";
- Russell MacKinnon questioned whether there was a need to change our existing definition since it has generally served us in the past;
- Norm Coté, NBLS, commented that new Brunswick land surveyors have concerns about riparian boundaries and are offering a seminar on the topic at their upcoming annual meeting;
- Dave Roberts mentioned that all we are trying to do is to put into definition the practice that we
 presently use;
- Arthur Backman agrees with Mr. Rayworth that a riparian boundary can be a moving target. He supports the amendment but feels that a record of methodology needs to be documented when work is done;
- Jim Gillis complemented the committee on their work and suggested a reading of the works of Dr. Sue Nichols on water boundaries. Stated that the courts support a contour line as in the case of Irving Refining Limited previous mentioned.

Nutrition Break 10:18 AM

Meeting resumed 10:50 AM

- Kirk Hicks involved in case where the judge ruled on vegetation on the Bay of Fundy and not elevation. Hicks felt that vegetation should be removed for tidal waters;
- Carl Hartlen cited a few cases and the decisions on the location of riparian limits;
- Dave Roberts asked the chair to allow the insertion of the word "mark" after "line". Agreed by Walter Rayworth, the seconder, and allowed by the chair;
- Peter Mueller of Alberta commented that ordinary high water mark is treated as a natural boundary in British Columbia since it is considered ambulatory;
- Pat Muise proposed an amendment by placing a period behind the word tides and inserting the words "in the absence of a distinct mark". Chair called for a vote on the previous amendment to the motion by Roberts. Motion carried.
- President Myra then called for the amendment proposed by Pat Muise and seconded by Kevin Brown.
- Art Backman felt that we are getting too detailed in our definition.
- Dave Steeves agreed with Mr. Backman;
- Fred Hutchinson commented that it appeared that we were attempting to describe a process as opposed to creating a definition;
- President Myra called for a vote on the amendment by Art Backman. Amendment defeated.
- Harry Ashcroft moved an amendment to remove the word "line" and replace it with the word "mark"; seconded by Russell MacKinnon.
- Carl Hartlen supports the amendment.
- President Myra called for the vote on the amendment. **Motion carried** after a "point of order" raised by Brian Wolfe;

- Carl Hartlen <u>moved</u> an amendment to the first paragraph of the main motion by adding the words **and shore** after bed; seconded by Glenn Crews.
- Russell MacKinnon asked Mr. Hartlen to clarify his definition of shore. Mr. Hartlen commented that he felt that this would give greater versatility in location.
- Fred Hutchinson felt that two terminal locations may give rise to ambiguity;
- James Redden commented on the two terms and stated his preference for shore;
- Dave Roberts disagreed with the amendment; Motion defeated.
- James Redden moved an amendment to remove "of the bed", seconded by Stewart Setchell;
- Dave Roberts disagreed with the proposed amendment and supports the term "of the bed". Sandy
 MacLeod asked Mr. Redden to clarify shore. "The shore is the edge of the body of water" was Mr.
 Redden's reply. Motion defeated.

Discussion on the amended main motion called for by the chair followed by a call for a vote on the amended motion.

Be it resolved that:

A Part VI titled 'Ordinary High Water Mark' be inserted in the new Regulations approved by the membership on June 25, 2010 which will contain the following information:

Definition of Ordinary High Water Mark

"Ordinary High Water Mark":

For non-tidal waters, means the limit or edge of the bed of a body of water where the land has been covered by water so long as to wrest it from vegetation or as to mark a distinct character upon the vegetation where it extends into the water or upon the soil itself.

For tidal waters, means the mark on the seashore reached by the average of the mean high tides of the sea between the spring and neap tides in each quarter of a lunar revolution during the year excluding only extraordinary catastrophes or overflows.

Use of Water Boundary

Except where existing rights are to the contrary, in the case of water boundaries the ordinary high water mark shall be used as the feature defining the boundary.

Motion carried.

Open Forum

- Art Backman brought up the topic of "instruments of subdivision" as a result of personal experience. He
 felt that they have their place but asked that we engage in a dialogue with planners and lawyers with a
 suggestion that they only be prepared when there is no immediate financial gain for the owner and that
 they be done only by land surveyors.
- Stewart Setchell asked that the new Council look into the creation and distribution of I.D. cards for members which would include a photo and wording from our Act dealing with trespass.
- Fred Hutchinson asked for a discussion on SRD after lunch, for opinions on the manager's position, contract or employment and the merging of the SRD budget with that of the general administration.

Meeting resumed at 1:40 PM

President Hartlen opened the afternoon session with an introduction of the new Council for 2011-2012:

Past president - Glenn Myra

Vice president – Becky Ritchie

Councillor zone 1 – Bob Becker

Councillor zone 2 – Dave Wedlock

Councillor zone 3 – Mark Hatcher

Councillor zone 4 – John Delorey

Councillor zone 5 - Wayne Hardy

Councillor zone 5 – Dennis Prendergast

Councillor zone 6 - David Whyte

Councillor zone 6 – Jody Isenor

Councillor zone 6 - Sandy MacLeod

Councillor zone 6 – Garry Parker

President - Carl Hartlen

Continuation of new business:

- Fred Hutchinson stated that the Survey Review Department is still without a manager but the administrative part of the department is still operating out of the office with the employment of Cathy McInnis. The office is more than capable of continuing receiving plans and distributing numbers and invoices.
- Jim Gunn offered his assistance to anyone who may be interested in the position of manager and offered his preliminary proposal to any interested party.
- President Carl asked Fred Hutchinson to comment on the budgets of SRD and administration.
- Fred stated that both budgets are tracked internally and one bank account is used. As Secretary and Treasurer, Hutchinson asked for comments on the merging of the two budgets.
- Art Backman suggested that as an option, the management of SRD might be split between more than one manager.
- James Redden addressed the floor and expressed his displeasure that a member has initiated a law suit against the association and also that the same member has had criminal charges laid. Mr. Redden asked what processes exist to remove a member if convicted under the Criminal Code.
- President Carl stated that Council will review and determine what process would apply if found guilty.

Introduction of out-of-town attendees with an invitation to voice comments about the meeting:

Moved by Brian Wolfe to adjourn the meeting, seconded by John MacInnis. Motion carried.

Meeting ended at 2:06 PM

UNAUDITED FINANCIAL STATEMENTS





Incorporated Partners Lawrence J. Roche, CA Steven R. Gray, CA

Senior Counsel
Kim A. Rector, CA
Robert G. Colavecchia, CA

REVIEW ENGAGEMENT REPORT

TO THE PRESIDENT, COUNCIL AND MEMBERS OF THE ASSOCIATION OF NOVA SCOTIA LAND SURVEYORS

We have reviewed the balance sheet of The Association of Nova Scotia Land Surveyors as at December 31, 2010 and the statements of operations and accumulated operating surplus and cash flow for the year then ended. Our review was made in accordance with Canadian generally accepted standards for review engagements and accordingly consisted primarily of enquiry, analytical procedures and discussion related to information supplied to us by the association.

A review does not constitute an audit and consequently we do not express an audit opinion on these financial statements.

Based on our review, nothing has come to our attention that causes us to believe that these financial statements are not, in all material respects, in accordance with Canadian generally accepted accounting principles.

Rector Idavechia Rahe
CHARTERED ACCOUNTANTS

September 21, 2011

THE ASSOCIATION OF NOVA SCOTIA LAND SURVEYORS UNAUDITED BALANCE SHEET AS AT DECEMBER 31, 2010

| | ASSETS | 2010 S | 2009 \$ |
|---|-----------------|------------------|-------------------|
| CURRENT ASSETS | | | |
| Cash Accounts receivable - | | 83,254 | 94,242 |
| Administration Survey review department | | 14,146 20,321 | 3,366 16,171 |
| | | 117,721 | 113,779 |
| LAND AND BUILDING (note 4) | | 93.930 | <u>96,727</u> |
| | | 211.651 | 210,506 |
| | | | |
| | LIABILITIES | | |
| ACCOUNTS PAYABLE AND ACCRUE | D LIABILITIES | 15,694 | 13,767 |
| | MEMBERS' EQUITY | | |
| ACCUMULATED OPERATING SURPL | us | <u> 195,957</u> | <u> 196.739</u> |
| | | 211.651 | 210,506 |

SIGNED ON BEHALF OF THE MEMBERS

Executive Director

THE ASSOCIATION OF NOVA SCOTIA LAND SURVEYORS UNAUDITED STATEMENT OF OPERATIONS AND ACCUMULATED OPERATING SURPLUS FOR THE YEAR ENDED DECEMBER 31, 2010

| | Budget 2010 | 2010 \$ | 2009 S |
|--|--|--|--|
| REVENUE | • | • | • |
| General operations (schedule A) Other operations (schedule A) | 235,800 19.040 | 216,276 18,541 | 242,933 29.172 |
| | <u>254,840</u> | 234.817 | 272,105 |
| EXPENSES | | | |
| Administration (schedule B) Board of Examiners (schedule C) Committees (schedule B) Grants, levies and awards (schedule C) Miscellaneous (schedule C) Office accommodations (schedule C) | 222,612 1,400 10,700 16,530 2,350 19,500 273,092 | 209,889 128 2,037 21,971 2,318 | 269,631 575 13,216 17,119 2,236 17,724 320,501 |
| OPERATING DEFICIT BEFORE THE FOLLOWING | (18,252) | (18,427) | (48,396) |
| SURVEY REVIEW DEPARTMENT (schedule D) | 22,695 | <u>17.645</u> | 28.742 |
| OPERATING SURPLUS (DEFICIT) FOR THE YEAR | 4,443 | (782) | (19,654) |
| ACCUMULATED OPERATING SURPLUS - BEGINNING OF YEAR | | 196,739 | 216,393 |
| ACCUMULATED OPERATING SURPLUS - END OF | YEAR | 195,957 | 196,739 |



THE ASSOCIATION OF NOVA SCOTIA LAND SURVEYORS UNAUDITED STATEMENT OF CASH FLOW FOR THE YEAR ENDED DECEMBER 31, 2010

| CASH FLOWS FROM OPERATING ACTIVITIES | 2010 \$ | 2009 \$ |
|--|--------------|------------|
| Operating deficit for the year | (782) | (19,654) |
| Adjustments to operating surplus not involving cash - Amortization | <u>2.797</u> | 2.914 |
| | 2,015 | (16,740) |
| Changes in non-cash working capital - | | |
| Decrease (Increase) in accounts receivable | (14,930) | 3,146 |
| Increase (Decrease) in accounts payable | 1,927 | (2,550) |
| Decrease in deferred revenue | | (14.012) |
| DECREASE IN CASH | (10,988) | (30,156) |
| CASH - BEGINNING OF YEAR | 94.242 | 124.398 |
| CASH - END OF YEAR | 83,254 | 94,242 |



THE ASSOCIATION OF NOVA SCOTIA LAND SURVEYORS UNAUDITED NOTES TO FINANCIAL STATEMENTS FOR THE YEAR ENDED DECEMBER 31, 2010

1. PURPOSE OF THE ORGANIZATION

The Association of Nova Scotia Land Surveyors was incorporated as a professional organization under the Land Surveyors Act of Nova Scotia to establish and maintain standards of the profession.

2. ACCOUNTING POLICIES

Capital Expenditures

Commencing on October 1, 1993, expenditures for furniture and equipment are expensed as incurred. In common with many non-profit organizations, furniture and equipment are recorded as current expenditures in the year in which they are incurred rather than capitalized and amortized over their useful lives.

Amortization

The building is amortized using the declining balance method at an annual rate of 4%. In the year of acquisition, amortization is calculated at one-half of the annual rate.

Revenue Recognition

Revenue is recorded in the period that is is due and collectible.

3. FINANCIAL INSTRUMENTS

The fair value of cash, accounts receivable and accounts payable is approximately equal to their carrying values due to their short-term maturity date.

| | | 2009 | | |
|----------------------|-------------------|--------|------------------|------------------|
| 4. LAND AND BUILDING | Cost \$ | | | Net \$ |
| Land Building | 26,798 111,565 | 44.433 | 26,798 67.132 | 26,798 69,929 |
| . | 138.363 | 44,433 | 93,930 | 96,727 |



SCHEDULE A

UNAUDITED SCHEDULE OF REVENUE

| GENERAL OPERATIONS | Budget 2010 \$ | 2010 \$ | 2009 \$ |
|-------------------------------|-----------------------------|------------|----------------|
| Membership dues - | | | |
| Regular | 170,500 | 169,679 | 172,888 |
| Retired | 3,850 | 4,180 | 3,740 |
| Associate | 550 | 330 | 578 |
| Student | 2,200 | 2.506 | 2.421 |
| Total membership dues | 177,100 | 176,695 | 179,627 |
| Certificates of authorization | 5,200 | 5,000 | 5,000 |
| Convention receipts | 22,000 | 16,116 | 23,627 |
| Discipline committee | 10,000 | 10,000 | 15,000 |
| Interest income | 1,000 | 265 | 481 |
| Miscellaneous | 500 | 437 | 2,849 |
| Nova Scotian Surveyor | 4,000 | 1,963 | 2,574 |
| Seminars | 16.000 | 5.800 | <u>13.775</u> |
| | 235,800 | 216,276 | <u>242.933</u> |
| OTHER OPERATIONS | | | |
| Rental income | 7,100 | 6,536 | 7,342 |
| SRD Administration fee | 11,140 | 11,140 | 20,875 |
| Service charges | 800 | <u>865</u> | 955 |
| | 19.040 | 18,541 | <u> 29.172</u> |



SCHEDULE B

UNAUDITED SCHEDULE OF EXPENSES

| | Budget 2010 | 2010 | 2009 |
|-------------------------------------|----------------|---------|---------|
| | \$ | \$ | \$ |
| ADMINISTRATION | • | • | • |
| Accounting service | 2,000 | 2,125 | 1,871 |
| Advertising | 2,000 | - | 718 |
| Amortization | 2,797 | 2,797 | 2,914 |
| Benefits - medical, dental and life | 7,000 | 4,042 | 5,265 |
| CPP, El and workers' compensation | 6,155 | 6,661 | 6,502 |
| Council meetings | 5,000 | 4,348 | 5,941 |
| Equipment purchases | 500 | 640 | 725 |
| Equipment rental and maintenance | 2,250 | 2,457 | 2,140 |
| Executive director expenses | 1,200 | 1,043 | 1,010 |
| Executive expenses | 400 | 372 | 1,289 |
| General meeting - convention | 25,000 | 21,101 | 39,055 |
| Legal services | 22,000 | 36,075 | 50,709 |
| Nova Scotian Surveyor | 6,100 | 4,505 | 6,814 |
| Office supplies | 4,000 | 3,170 | 5,146 |
| Postage | 4,500 | 3,911 | 3,069 |
| President's travel | 18,000 | 14,395 | 14,236 |
| Printing | 600 | 1,426 | 1,252 |
| Professional dues and fees | 1,360 | 644 | 1,310 |
| Salary - Executive director | 66,200 | 66,131 | 67,812 |
| - Office administrator | 30,000 | 30,858 | 34,830 |
| Seminars | 12,000 | • | 11,757 |
| Staff training and education | 250 | 240 | 2,246 |
| Telephone, fax and internet | 1,800 | 1,789 | 1,869 |
| Zone meetings | 1.500 | 1.159 | 1.151 |
| | 222,612 | 209,889 | 269,631 |
| COMMITTEES | | | |
| Administrative review | 400 | - | 181 |
| Complaints | 400 | 557 | 288 |
| Continuing education | 500 | • | 26 |
| Discipline | 4,000 | 87 | 7,440 |
| Governance | 1,000 | 1,192 | - |
| Other | 200 | 43 | 251 |
| Public awareness | 2,500 | • | 3,886 |
| SRD Advisory | 200 | • | 473 |
| Strategic planning | 500 | 158 | 123 |
| Wetlands | 1.000 | | 548 |
| | 10,700 | 2.037 | 13,216 |



SCHEDULE C

UNAUDITED SCHEDULE OF EXPENSES

| GRANTS, LEVIES AND AWARDS | Budget 2010 \$ | 2010 \$ | 2009 \$ |
|---|--|---|---|
| C.B.E.P.S. levy C.C.L.S. grant C.C.L.S. levy C.O.G.S. awards | 1,932 - 12,598 | 3,228 5,000 11,743 2,000 21,971 | 2,056 - 13,063 |
| BOARD OF EXAMINERS | | | |
| Canadian Board (CBEPS) Examinations N.S. Board of Examiners | 500 400 500 1,400 | - - 128 128 | 575 575 |
| OFFICE ACCOMMODATIONS | | | |
| Building maintenance Cleaning Insurance Taxes Utilities | 1,000 800 3,000 11,500 3,200 19,500 | 330 188 3,035 10,546 | 188 248 2,975 11,039 17,724 |
| MISCELLANEOUS | | | |
| Courier Interest and bank charges Other Refreshments | 150 200 1,800 | 156 247 1,796 119 2,318 | 65 183 1,683 305 2,236 |



SCHEDULE D

UNAUDITED STATEMENT OF SURVEY REVIEW DEPARTMENT

| | Budget 2010 \$ | 2010 \$ | 2009 |
|---------------------------------------|----------------------|-------------------|---------------|
| REVENUE | | | |
| Stickers and SLC numbers | <u>114.390</u> | 106,548 | 97.417 |
| EXPENSES | | | |
| Accounting service | 1,000 | 2,854 | 800 |
| Administration fee | 11,140 | 11,140 | 20,875 |
| Administrative review committee | 400 | • | 27 |
| Assistant's salary | 15,000 | 15,436 | 14,558 |
| Benefits - medical, dental and life | 2,000 | 1,124 | 1,158 |
| CPP, EI and workers' compensation | 1,155 | 1,012 | 1,050 |
| Equipment maintenance and rental | 100 | <u>-</u> | • |
| Equipment purchases | 200 | 352 | • |
| Interest and bank charges | 50 | • | 15 |
| Manager's contract fee | 52,800 | 49,922 | 26,579 |
| Manager's expenses | 7,200 | 6,810 | 3,458 |
| Miscellaneous | 100 | 20 | • |
| Office, postage, printing and courier | 250 | 233 | 155 |
| Staff training and education | 300 | | :_ |
| | <u>91.695</u> | <u>88.903</u> | <u>68.675</u> |
| OPERATING SURPLUS (DEFICIT) | <u>22.695</u> | 17,645 | 28,742 |



ANSLS ORGANIZATIONAL STRUCTURE 2012

EXECUTIVE

President Carl Hartlen
Vice-President Becky Ritchie
Past President Glenn Myra
Sec. - Treas. Fred Hutchinson

COUNCILLORS

Zone 1 - Robert Becker*

Zone 2 - David Wedlock

Zone 3 - Mark Hatcher

Zone 4 - John Delorey*

Zone 5 - Wayne Hardy

Zone 5 - Dennis Prendergast*

Zone 6 - Jody Isenor

Zone 6 - David Whyte

Zone 6 - Garry Parker*

Zone 6 - Sandy MacLeod*

DNR Appointee - Bruce MacQuarrie

* -- Last year term

ADMINISTRATIVE REVIEW CTTEE

Kevin Brown (C) Keith AuCoin Andrew Giles

Council reporter - Glenn Myra

AGM COMMITTEE

Carl Hartlen Fred Hutchinson Dan Gerard Ray Pottier

PSC

Ray Pottier - NS Director Dan Gerard - Liaison

Council reporter - Carl Hartlen

COMPLAINTS COMMITTEE

Garry Parker (C) Brian Wolfe (VC) Curtis Kimball (Sec) Alan Gallant Joe Harvie (Gov)

Council reporter - Gary Parker

CONTINUING EDUCATION CTTEE

Fred Hutchinson (C) Wayne Collet Steve White Jim McIntosh Grant McBurney Cory Sullivan

Council reporter - Fred Hutchinson

DISCIPLINE COMMITTEE

Walter Rayworth (C)
Joe Alcorn (VC)
Ken Whalen (Sec)
Allan Chisholm(Gov)
Paul Harvey
George Podetz
Stewart MacPhee

Council reporter - David Whyte

GOVERNANCE COMMITTEE

Dave Steeves (C) Carl Hartlen Fred Hutchinson Keith AuCoin

Council reporter - Carl Hartlen

Sub Committee on Standards

Mike Allison Ted Webber
Jody Isenor Mark Whynot
Grant McBurney Kyle Harrington

Council reporter/Chair - Carl Hartlen

LEGISLATIVE REVIEW

Russell MacKinnon(C)

Council reporter - Mark Hatcher

LIFE & HONORARY MEMBER CTTEE

Robert Feetham

Council reporter - Fred Hutchinson

MCE EVALUATION GROUP

Buster Davison (C) Mike Crant Andrew Giles

Council reporter - Sandy MacLeod

NOMINATING COMMITTEE

Glenn Myra (Past President) Fred Hutchinson (Exec. Director)

Council reporter - Past Pres / Exec Dir

NS BOARD OF EXAMINERS

John MacInnis (C)
George Sellers
Forbes Thompson
Kevin Fogarty
Bruce MacQuarrie (DNR Appointee)
Kevin Brown (APENS Appointee)
Bruce Gillis (Barristers' Appointee)

Canadian Board of Examiners for Professional Surveyors (CBEPS)

John Conn Joe Harvie

Council reporter - Bruce MacQuarrie

PUBLIC AWARENESS COMMITTEE

Glenn Crews (C) Fred Hutchinson Carl Hartlen Grant MacDonald Lawrence Miller

Council reporter - John Delorey

SRD ADVISORY COMMITTEE

Norval Higgins Dennis Prendergast Ted Webber

Council reporter - Dennis Prendergast

STRATEGIC PLANNING CTTEE

Mike Allison (C) Dave Roberts Fred Hutchinson Glenn Myra

Council reporter - Glenn Myra

UNAUTHORIZED PRACTICE CTTEE

Paul Harvey (C) Horace Lovell Stewart Setchell

Council reporter - Bob Becker

WETLANDS COMMITTEE

Bruce Mahar (C) Matthew Smith Dave Whyte Lester Berrigan

Council reporter - Carl Hartlen

AGM 2012

The AGM this year will be held at the *Delta Halifax* at 1990 Barrington Street, Halifax, NS on October 25-27, 2012.

Call Toll Free 1-(888)-423-3582 or email: hal.reservations@deltahotels.com to book your room by September 24", 2012.

Please be sure to ask for "Association of Nova Scotia Land Surveyors" Block Code "HANSLS" to receive the ANSLS rate.

You can also book online at http://www.deltahalifax.com/hansls



THE PINCUSHION EFFECT



Jeffery Lucas will be presenting a seminar on the afternoon of October 25 and the morning of October 26, 2012. The topic is multiple monumentation at the same corner, or as Jeff refers to it, "The Pincushion Effect".

The "pincushion" corner is the name that has commonly been assigned to the phenomenon of multiple monuments that have been placed in the vicinity of a single land boundary or property corner. The pincushion corner is the bane of the land surveying profession because it represents the physical manifestation of the land surveyors' collective confusion over his or her duties and responsibilities toward property boundaries. Within the context of the land surveyors' duties and responsibilities toward boundaries, there is no reason for multiple monuments to exist when only one corner is contemplated under the law.

This seminar explores the phenomena of the pincushion corner and the dilemma it creates for the land surveying profession. The surprising causes of the pincushion corner will be discussed and ways to avoid starting a new pincushion or adding to an existing one will be explored.

Lucas is in private practice in Birmingham, Alabama and he has been in the surveying business since 1976. He is a licensed land surveyor registered in Alabama, Florida, Georgia, Mississippi and Tennessee. Lucas is also a licensed attorney and member of the Alabama State Bar since 2003.

Lucas specializes in land boundary issues as an attorney, land surveyor, consultant and expert witness. He is the author of "Alabama Boundary Law" and "The Pincushion Effect, The Multiple Monument Dilemma in American Land Surveying".

This is a seminar that members and staff should make every effort to attend.