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Inside This Issue:

 Nevada and the Benson Syndicate - Closer Than You Think





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'The purpose of the association shall be to promote the common good and welfare of its members in their activities in the profession of Land Surveying; to promote the common good and welfare of the public in terms of professional land surveying activities; to promote and maintain the highest possible standards of professional ethics and practice; to promote public awareness and trust in Professional Land Surveyors and their work.

This organization, in its activities and in its membership, shall be non-partisan, non-sectarian, and non-discriminatory."

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by Trent J. Keenan, PLS

Happy New year! As we closed the door on 2020, we all continue to be busier than ever, and we all keep thinking about when the other shoe will drop? However, we have been saying that for 11 months now! How can we continue at this pace? Where will we find the personnel to get all this work completed? I heard from two different real-estate agents this week that they called around 15 different surveying companies each, and they were either too busy and didn't want the work or didn't answer the phone, or worse, they didn't even bother to return the call. I understand we are all swamped, but we are creating a horrible reputation for our profession! We cannot continue down this destructive path; we need to be responsive to the public, pick up the phone and call them back. Sure we may be three weeks out on completing a project or even four weeks out, but by not even talking to a potential client, we are just hurting everyone in the profession! Please, if you are too busy and don't want the work, tell them that and refer them on to another survey company, do not ignore them. Please make a list of other surveyor's phone numbers and have it handy when you get too busy to take on new work. This will ultimately help us all out and put some positive light on the profession. Please remember, we are all in this together, and it's not a YOU vs. ME attitude. This is OUR profession together! A flower does not think of competing to the flower next to it. It just blooms. - Zen Shin

Well enough of my rant, let's take a look at this edition. We have some great feature articles this time! Carl always does an incredible job writing about his current project and the problems he finds along the way; this month is no exception. Carl's article about a recent survey he is working on and his run-in with the infamous Bensen gang is rich in history and provides insight into how the Benson Syndicate worked here in the West. Frank Wittie has an informative article about hiring in 2021 and the challenges we are facing. The Lahontan Chapter talks with "TURN" (The Utah Reference Network) about the need to move away from NAD83/94 HARN (I cannot believe I had to type that in 2021!). I put together a couple of different articles on the 2021 ALTA Standards, as well as an article compiled from a recent Mentoring Mondays presentation about ALTA Surveys (From the other side of the table). And lastly, my favorite piece in this edition is an interview with the entire 2021 NALS Board of Directors and our latest Life Member! They all had to answer the same tough questions, from why it is crucial to becoming licensed to what they would like to see happen moving forward in the profession.

You will also find all the information you need to join us at the upcoming Magnificent 7 Western Regional Virtual Survey Conference. The conference program is packed with great topics and incredible industry-leading speakers. THANK YOU to all the sponsors, speakers, and the conference committee for providing yet another fantastic program for us all. I cannot wait for the virtual breakrooms; these will be a lot of fun! Please be sure to sign up at http://www.plseducation.org/

Lastly, please help me with articles or topics you would like to see in the next edition! Papers are due on May 1^{st,} please. *Never think that what you have to offer is insignificant. There will always be someone out there that needs what you have to give.*



About the Cover...



A composite image of different photos taken from articles throughout this edition of The Nevada Traverse. Photo credit: Jeremy Long (Full Metal Worldwide)

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The President's Message

by Justin Moore, PLS

Hello, 2021, and good riddance to 2020!!! I think we are all anxious and excited for the unknown's the future has in store for us. I, for one, am extremely excited and humbled to be the next President of NALS! As a young surveyor just starting out, attending my local chapter meetings, I never thought that this could be me rising through the Chapters and the State's chairs and the State to be the President of the Nevada Surveyors. This is an honor that I do not take lightly, and I will serve the Association, the Profession, and the State to the best of my abilities.

Last year was unprecedented for everyone. The world faced a pandemic that completely changed how we operated, communicate, and live our daily lives. Some businesses closed their doors, some worked remotely, and some stayed confined, locked up in their offices, separated from co-workers and clients. In this, the "bad" or "unknown" times, real leadership excels. It guides us through the turmoil, offers us solutions and resolutions. It also brings us together as a community and strengthens our bond. I want to take this opportunity to say "Thank You" on behalf of all NALS members to Greg Phillips, our 2020 NALS President, and Crissy Wilson, our NALS Executive Manager. Because of their overall commitment, resources, and forward-thinking, NALS was still able to hold our yearly conference, monthly meetings and provide all the resources to members that we have come to expect.

Moving forward in 2021, I would like to continue the momentum that we have been gaining over the past few years. Membership is at record levels, the development of the Young Surveyors of Nevada (YSN) has taken hold. It is continuing to grow, and Outreach has been branching out and participating in new opportunities. The Nevada Traverse is getting national recognition. The scholarship foundation continues to fund the college education of tomorrow's Nevada Professional Land Surveyors. With all this excitement, it would be easy to sit back and ride the wave; however, there are still challenges that we must navigate to ensure the future stays bright.

During my presidency, we will still be dealing with Covid-19 and all the restrictions that are associated with the pandemic. I would personally like to see Chapters resume in-person gatherings, but we must be cautious and responsible. The odds of in-person meetings will most likely not be a reality until the

3rd or 4th quarter (hopefully), but our work within the Chapters and State level must resume. We are continuously planning and enhancing the statewide monthly meetings through Zoom. We are presenting guest speakers, chapter announcements, and an open forum for us all to socialize. These meetings have been attended widely, and every month the attendance grows. These virtual meetings allow NALS to connect with all members and guests no matter where your location. I believe this is a massive benefit for our members, and I would like to see us continue the virtual meetings in a hybrid style once we are all able to meet in person again.

Announcements have also been hitting your emails and published on our website. The 2021 Conference will be held virtually again this year in March, and I am thrilled to say that this year's conference will be a 7-state joint conference! We are projecting over 1,000 participants and many great topics that I am not sure I can reveal at this time. So please enroll early and spread the word to all your co-workers and associates. One great benefit of the virtual platform is that all the content is recorded and available online throughout the year to all fully paid registrants. Please visit www.PLSeducation.org for more information and to sign up.

NALS will also be tracking state legislation and upcoming national standard changes. Hopefully, you are all aware of the new 2022 datum (proposed effective date 2024/25) that will be standardizing the national measurement to the International Foot, possibly adding new zones to our state plane coordinate system and updating the vertical datum. NALS must get accurate information out to all our members about these changes. This will directly affect every one of us. Nevada Revised Statute (NRS) must be updated to accommodate these new national standards and better help draft that language than NALS.

Finally, I would encourage all of us to be involved. Be involved within your community, church, schools, youth centers, and professional associations such as NALS. It can be as little as 1 hour a month to make a big difference. Volunteering benefits your mental and physical health, keeps you connected with others, and positively impacts many lives. If you are interested, NALS is always looking for volunteers through committee work, special events or workshops, writing an article for the Traverse, or within the board on your local chapter. This Association is comprised of all volunteers under the same common goal. The promotion and the common good of the land surveying profession.

Godspeed, Justin Moore, PLS



2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys Adopted

*Reprint with permissions from Gary Kent and American Surveyor Volume 18 Issue 1 – January 2021 https://amerisurv.com/

After two years of concentrated effort and the input of many interested persons including several hundred surveyors, the American Land Title Association and the National Society of Professional Surveyors adopted the new 2021 version of the ALTA/NSPS Land Title Survey Minimum Standards in October 2020 effective February 23, 2021.

The most significant changes will be explained in this column, although those who perform Land Title Surveys should carefully review the redlined version, the final "clean" version, and the Frequently-Asked Questions all of which are available on the NSPS website by going to NSPS. us.com, selecting the "Resources" tab across the top, then picking "Standards" followed by "ALTA/NSPS" from the pull-downs.

Initially, the red-lined version may be most helpful since it shows the 2016 Standards with red-lined strikeouts and underlined additions indicating the deletions and additions that resulted in the 2021 version.

False Imperatives

One of the first changes the reviewer may come across is a number of occurrences of the word "shall" that have been changed to "must" in the 2021 Standards. This does not indicate some fundamental change in the thinking of the joint ALTA/NSPS Committee, but rather simply reflects the United States Supreme Court's decision in Gutierrez de Martinez v. Lamagno 515 U.S. 417 (1995) in which it ruled that "shall" really means "may," and that "must" is the word that imposes an obligation or command that something is mandatory.

The use of "shall" in earlier versions of the standards was consistent with its common usage at the time; various authoritative references agreed that "must" and "shall" were basically synonyms – both were imperatives. Since "shall" has been ruled to essentially be a false imperative, each such use in the ALTA/NSPS Standards was reviewed and if it was intended as a command, it was replaced with "must."

Section 2 – The Request for Survey

A number of suggestions were received expressing an interest in the 2021 Standards addressing mineral rights. After considerable discussion, and definitive input from the ALTA members of the committee, it was decided that mineral rights can be so problematic the best way to deal with them was to simply add them to the list of atypical and non-fee interests that a Land Title Survey may involve.

Section 2 gives a number of examples of such properties and directs the surveyor to consult with the interested parties to determine the scope of the related Land Title Survey.

Section 3.D. - The Boundary

There was some concern expressed that the title of this subsection ("Boundary Resolution") might lead the uninitiated to conclude that the professional surveyor is the final authority as to the location of boundary lines and corners. Of course, surveyors and title professionals know that a boundary survey is merely a surveyor's professional opinion, and given that, the decision was to drop the word "Resolution" from the title of this subsection.

In addition, previous versions of the Standards had used a number of different terms to describe the property that was the subject of the Land Title Survey. With the 2021 Standards, that property is now referred to as either "the surveyed property" or "the property to be surveyed." This change is reflected in several places throughout the 2021 Standards.

Section 3.E. – The Measurement Standards

A long-standing concern over the Relative Positional Precision (RPP) measurement standard and exactly how it was defined has been addressed in the 2021 Standards. The concern had to do essentially with the question of "with respect to what?" This has been addressed in 2021 by referencing the term "local accuracy" and by expressing another manner in which RPP could be calculated (viz., "using the full covariance matrix of the coordinate inverse between any given pair of points').

This is not to suggest that a minimally-constrained least squares adjustment is inadequate in estimating the RPP, but to simply shore up the definition with a more solid, statistically-based definition.

In another change to the measurement standard, the application of RPP – which previously included the relationship of the monument or witness marking any corner of the property to the monuments or witnesses marking any other corner of the property – has been limited to only the relationships between adjacent monuments or witnesses.

Section 4 – Records Research

Although this section appears on the red-lined version to have undergone a major rewrite, the order of the included items was merely rearranged for clarity; the actual content changed very little. This becomes obvious if the "clean" version of the 2021 Standards is reviewed.

Section 5 - Fieldwork

Section 5 underwent very few changes except for subsections C and E where several notable modifications were made. That being said, however, there is an addition to the introductory comments that clarifies that the precision with which the features in Section 5 are to be located

does not apply to the precision of the boundary, which is addressed separately in Section 3.E.

In a major change, subsections 5.E.ii. and iii. now include utility locate markings as evidence of easements. Related to that, subsection 5.E.iv. likewise includes them as evidence of utilities. The requirement also says to identify the source of the markings and include a note if the course is unknown.

Section 5.C.ii. has always called for the locations of features within 5 feet of the perimeter boundary to be located. And Table A item 11 has called for utility poles within ten feet of the perimeter boundary to be located and shown. But when locating and showing utility features on the property became mandatory with the 2016 Standards, the ten foot requirement on utility poles was inadvertently not included in Section 5.E.iv. This has been corrected in 2021.

The result is the that all utility features on the surveyed property or within five feet of the perimeter boundary of the surveyed property are to be located and shown, except in the case of utility poles which must be located and shown if they are on or within ten feet of the perimeter boundary off the surveyed property.

As an aside, attention is drawn here to the almost universally overlooked requirement to show the extent of any potentially encroaching utility pole cross-members.

Section 6 - Plat or Map

Two of the most significant changes to Section 6 occur in subsection C.ii. where two problematic issues have been addressed.

First, some surveyors have encountered lenders who demand that they list all of the items shown in Schedule BII of the title commitment on the face of their surveys, whether those items are survey-related or not. Such requests are, in this writer's opinion, ridiculous (this is a survey after all and it addresses survey-related issues). To tamp down on such requests, Section 6.C.ii. now calls for a "summary of all rights of way, easements and other survey-related matters..." (emphasis added).

Second, the ALTA/NSPS Standards have always strived to make certain that the requirements placed on the professional surveyor while undertaking an ALTA/NSPS Land Title Survey are rooted in factual, objective observations. That has been the reason for the avoidance of the word "affects" in the Standards when discussing the impact that an easement may have on the surveyed property.

Whether an easement "affects" a property is dependent not only on where the easement plots, but also on the legal effect of the easement. For example, if the person who granted the easement in 1920 was a not the owner of the property encumbered at the time, that grant is not even valid. Surveyors do not routinely confirm the chain of title related to an easement and neither do title companies. An easement could plot on a property, but have no legal or title effect because it was not a valid grant in the first place.

However, lenders and others often focus on the word "affects," so Section 6.C.ii. now suggests that surveyors may want to note whether an easement "affects" the surveyed property based on the description contained in the record document. In this way, the word "affects" is qualified as being based only on an objective assessment of where the easement plots pursuant to the granting instrument.

In addition to several other revisions, a new subsection viii. has been added to Section 6.C. to outline the surveyor's responsibility when he or she discovers an easement that is not listed in Schedule BII of the title commitment. After a lengthy discussion of the issue in one of the Joint ALTA/ NSPS Committee meetings, it was decided that in the event of such a conundrum, the surveyor must notify the title company of the discovery and, unless the insurer can provide evidence that the easement has been terminated, the surveyor must show or explain its existence on the face of the plat or map with a note that the title company has been notified.

Before outlining the specific and consequential revisions to Table A, two important changes are noted. First, two Table A items have been deleted, so there are now only 19 items.

Second, it has always been the intent - since its inception in 1988 - that the exact wording of each Table A item may be negotiated. It turns out that this is not universally understood, so the introductory paragraph to Table A now makes that fact patently clear.

With regard to the specific and more significant changes to Table A, what had been Item 10.b. (a determination of whether certain walls are plumb) has been eliminated. It had been a Table A item for years, but it is not rooted in any title issue (other than the possibility of an encroachment, which is addressed in Section 5.C.). Additionally, clients and lenders often request this item without giving any consideration to what walls – if any – they are actually concerned about. With the 2021 Standards, if there is truly concern about plumbness, it may be negotiated as an additional Table A item.

Table A item 18 – the wetlands item – has also been eliminated. This item has caused confusion since it was introduced in 2011 and is also not rooted in a title-related concern, so rather than trying to tweak it yet again in 2021, the Joint Committee decided to simply strike it. Of course, if the surveyor's firm has a wetlands biologist or otherwise wants to offer a wetlands-related service, for example, through a subcontracting arrangement, that may be negotiated as a Table A item 20.

The call in Item 5 to provide the originating benchmark has been modified to say "when appropriate." This addresses when a topographic survey was not actually performed (e.g., contours from some other source were utilized) or when elevations were, for example, established based purely on GPS observations.

Table A items 6(a) and 6(b) have been modified to specify that the zoning report or letter provided to the surveyor must be specific to the surveyed property. This is addressed to clients who simply want to dump the entire zoning ordinance on the surveyor, leaving it to him or her to sort out how the ordinance applies to the surveyed property.

CONTINUED ON NEXT PAGE ►

One of the most significant changes in the 2021 Standards is to Table A item 11. This utility-related item has been problematic since 1988 primarily because it is very difficult to manage clients' expectations with respect to underground utilities. As a result, the item has been altered a number of times over the years. For 2021, two choices have been introduced.

The possible choices are to show "[e]vidence of underground utilities existing on or serving the surveyed property as determined by (a) plans and/or reports provided by client and/or (b) markings coordinated by the surveyor pursuant to a private utility locate request.

Surveyors will note several important points. First, the plans/reports are now to be provided by the client. Second, in most states, 811 locate requests from surveyors are routinely ignored or – at best – given a low priority. So mention of 811 requests has been deleted from the choices.

It is important to note; however, that as mentioned above the exact wording of a Table A item is negotiable. So, if 811 locate requests from surveyors are actually properly attended to in your state, or if the surveyor has ready access to utility plans, then the item can be modified to reflect the services the surveyor can provide.

In order to help control clients' expectations regarding what is actually achievable when it comes to underground utilities, surveyors might want to consider including the qualifying paragraph following Table A item 11 in their scope of work and/or on the face of their plat/map.

Summary

As has been the case with the last few versions of the ALTA/NSPS Standards, virtually every change for 2021 is to the advantage of surveyors by further limiting their liability and/or providing better clarity as to the requirements.

There are a number of changes to the 2021 ALTA/NSPS Standards that are not outlined above; an attempt has been made here to provide some background on only the primary changes. Surveyors should review the redlined version of the Standards in order to be well-informed about all of the changes that resulted in the 2021 Standards.

Surveyors should also consider reviewing the FAQs on the NSPS website. That document will be expanded before February 23, 2021 – and likely on a regular basis after that – so a regular visit to NSPS.us.com is advised.

Frequently Asked Questions and other guidance on the 2021 ALTA/NSPS Standards *Information taken from the resource section of the NSPS Website (2/17/21 vers.)

What about the transition period leading up to and immediately after February 23, 2021?

With a couple of possible exceptions explained below, if a contract to perform a Land Title Survey is executed on or after February 23, 2021, the survey must be performed pursuant to the 2021 Standards.

During the transition period, surveyors may encounter situations whereby they have entered into a contract to perform an ALTA/ NSPS Land Title Survey <u>prior</u> to the effective date of the 2021 Standards (February 23, 2021), but the survey is not anticipated to be completed until <u>after</u> February 23, 2021. In such cases, the surveyor may discuss this with the client, title company and lender and include an appropriate clause in the contract, viz., "This survey will be prepared using the 2016 Minimum Standard Detail Requirements for Land Title Surveys as established by ALTA and NSPS since said standards are still currently in effect at the time of this contract. It is understood and accepted by all parties involved that said standards may no longer be current upon completion of the survey, but will still be used for the purpose of this survey."

How about HUD survey requirements?

There might be some exceptions to the effective date related to HUD surveys. In the past, it was difficult to anticipate when the HUD Multifamily and HUD Lean 232 survey requirements would be updated to reflect new ALTA/NSPS Standards. NSPS will strive to keep surveyors informed as to developments in that regard, but if the attorney insists that the survey must be completed using the 2016 Standards until HUD recognizes the 2021 Standards, surveyors may have to comply.

What about the transition period as related to "updates" of previous surveys?

As an aside, notwithstanding the innocuous-sounding word "update," there is actually no such thing. An "update" is a new survey – the surveyor is certifying that the survey reflects the current conditions on the property and that it was performed pursuant to all of the requirements in the current standards. The only difference is that the surveyor happens to have surveyed the property previously, so the client might realize a reduced fee or quicker turnaround depending on a number of factors (e.g., how long has it been since the initial survey? How many changes have affected the property since?).

In any event, if the contract to conduct the "update" is executed after February 23, 2021, it must be performed pursuant to the 2021 Standards. However, if the "update" is simply a follow-up on a survey related to a conveyance that had been anticipated to close before February 23rd, but was perhaps unexpectedly delayed for a fairly short time until after February 23rd, the surveyor could arguably conduct the "update" pursuant to the 2016 Standards. This does not extend to "updates" unrelated to the initial conveyance or "updates" that take place substantially after February 23rd.

Providing professional guidance to the client

When deemed appropriate, surveyors might want to consider suggesting to their clients that the advice of a wetlands, flood plain, environmental, archeological or other appropriate expert might be beneficial.

Section 4 - What if the required research information is not provided to the surveyor?

Surveyors may encounter situations whereby the title company is unable or unwilling to provide some of the documents otherwise

required pursuant to Section 4. In that case, surveyors must perform their research pursuant to their state's requirements, and if their state has no standards in that regard, it is advised that they be familiar with the normal standard of care in their area regarding research.

Section 4 - What constitutes satisfactory title evidence?

Starting in 2016, the ALTA/NSPS Standards state that the surveyor needs to be provided with the most recent title commitment "or other title evidence satisfactory to the title insurer." Why not simply require a title commitment?

Title companies have other products that are sometimes requested by clients that fall short of commitments and policies, but that - for a variety of reasons - are acceptable to clients in some circumstances. In addition, in some cases, abstracts are still used. Since the ALTA/NSPS Standards were developed expressly to address title company needs, the Standards - starting in 2011 - required that title evidence be provided to the surveyor. But sometimes, the title company may accept or produce something less than a title commitment, so the Standards need to reflect that fact.

Section 5.B.ii. - How do we treat sidewalks and trails along the street/road

It is not unusual that streets and roads are found to have sidewalks or trails running adjacent to them or with a grass strip between the two. Likewise, walking/biking trails are sometimes found adjacent to the street/road - even as part of the paved way in some cases. Section 5.B.ii. calls for locating the "travelled way" to be located and, of course, shown on the survey. The question of whether such sidewalks/trails should also be located and shown is answered by Section 5.B.iv. which requires that "The location and character of vehicular, pedestrian, or other forms of access by other than the apparent occupants of the surveyed property to or across the surveyed property observed in the process of conducting the fieldwork (e.g., driveways, alleys, private roads, railroads, railroad sidings and spurs, sidewalks, footpaths)" be located and shown.



Section 5.E. - Easements and Utilities

The 2021 ALTA/NSPS Standards now require that utility locate markings (typically paint or wire flags) be located and shown as evidence of easements and utilities. For those surveyors concerned about locating and showing what may or may not be actual utility locate markings because they do not have any information regarding the locate request or source of the markings, they might consider developing an appropriate note such as "Paint markings found on the ground and shown hereon as evidence of possible (or probable) underground utilities are consistent with typical utility markings. However, no utility report was provided to authenticate these markings - their source is unknown. The user of this plat/map should rely upon such markings at their own risk."



Section 5.E.iv. - Why did locating and showing 'observed evidence of utilities' become mandatory in 2016, rather than optional as it was in Table A item 11(a) of the 2011 Standards?

This change was made to address a conundrum. Prior to the 2016 Standards, if a client did not request Table A item 11(a) or 11(b), the surveyor had no responsibility to locate and show evidence of utilities. But if that utility evidence could be considered evidence of an easement, the surveyor *did* need to locate and show it pursuant to Sections 5.E.i. through iv.

The committees felt that most evidence of utilities could also be considered evidence of easements, so to eliminate future problems and questions in that regard, locating and showing observed evidence of utilities was made mandatory starting in 2016.

Section 6.B.i.a. - What if the record description does not match the Schedule A description?

This section requires that on a survey of an existing parcel, the record description of the parcel being surveyed shall appear of the face of the plat/map.

The description of the real property being insured (contained in Schedule A of the title commitment) is typically (and ideally) identical to the record description. In cases where the two descriptions differ, the surveyor may wish to inquire of the title company as to the origin of the Schedule A description. In cases where the title company insists that it will be insuring the description in Schedule A even though it does not match the record, the surveyor may need to show both descriptions on the face of the plat/map.

It is certain that the parties will require that the description being insured appear on the face of the plat/map, and 6.B.i.(a) requires that the record description be shown. The surveyor might consider providing a note explaining how the two descriptions differ.

Section 6.B.vi. - Water boundaries and caveat

This section calls for a caveat to be noted regarding the nature of water boundaries. Surveyors might consider developing their own such note, but it could be formulated on the order of, "Where the property being surveyed includes a water boundary, the parties relying on the survey should be aware that, (1) laws regarding the delineation between the ownership of the bed of navigable waters and the upland owner differ from state to state, (2) water boundaries are typically subject to change due to natural causes, and (3) as a result, the boundary shown hereon may or may not represent the actual location of the limit of title. The [e.g., bank, edge of water, high-water mark, ordinary high-water mark, ordinary low-water mark, center of stream] shown hereon [was/were] located on [Date]."

Section 6.B.vii. - contiguity, gaps and overlaps

This section requires that the surveyor disclose any gaps or overlaps with adjoiners or between interior parcels where the property being surveyed is comprised of multiple parcels. This can be done not only with notes on the graphic portion of the plat/map, but also

with textual notes drawing attention to the condition(s). Such information is critically important to the title company so that such issues can be disclosed to the parties and appropriate exceptions to coverage can be written. Where no gaps or overlaps exist, surveyors should consider assuring that the parties understand that fact by providing an affirmative statement to that effect.

Section 6.C.i. - Dealing with easements that burden vs. easements that benefit the property

Offsite easements that benefit the surveyed property (i.e., appurtenant easements) are typically identified as insured parcels in Schedule A of the title commitment. Such easements may be included as part of the survey - treating them as a fee parcel rather than simply graphically showing them - pursuant to optional Table A item 18. But be wary of, for example, cross-parking and access easements that may cover large areas.

Easements that burden the surveyed property are identified as exceptions to title insurance coverage in Schedule BII of the title commitment.

It is possible that an easement could both benefit and burden a property in which case, it might be listed both in Schedule A and Schedule BII.

In addition, sometimes a title company may inadvertently list a beneficial easement in Schedule BII as an *exception* to coverage, rather than identifying it in Schedule A as one that *benefits* the surveyed property - or vice versa.

Surveyors should communicate with the title company when they believe there is a discrepancy between their opinion as to the effect of an easement and how the title commitment reports it.

Section 6.C.ii. - How do I deal with revisions to the title commitment?

Often in the course of the surveyor preparing the survey and often even after the plat/map has been completed and delivered, there will be revisions made to the title commitment that the surveyor will need to address. Surveyors should assure that they are appropriately compensated for any work that they believe represents additional services. This could be accomplished by carefully spelling out in the contract how many lender/client/title company comment letters will be addressed, how many client/lender/title company-driven revisions will be made to the survey, and over what period of time.

Section 6.C.viii. - How does the surveyor address easements found, but not listed in title commitment?

This will most commonly happen when the surveyor, (a) by some means or other, becomes aware of an easement not listed in the title commitment or (b) an easement that appeared in an earlier version of the commitment has been removed from a subsequent version. In these events, typically one of three things has occurred. (1) the title company simply inadvertently missed an easement, (2) the title company is aware – but the surveyor is not – that the easement has been released, vacated or abandoned, or (3) the title company has decided to insure over the easement.

New Section 6.C.viii. in the 2021 Standards states "If in the process of preparing the survey the surveyor becomes aware of a recorded easement not otherwise listed in the title evidence provided, the surveyor must advise the insurer prior to delivery of the plat or map and, unless the insurer provides evidence of a release of that easement, show or otherwise explain it on the face of the plat or map, with a note that the insurer has been advised."

Such a note might be formatted similar to:

The 20-foot gas-line easement recorded as Instrument number 64-12345 and shown hereon is not listed in the title commitment; however, no evidence of a release, vacation or abandonment has been provided. The title company has been advised.

Section 7 - Certified parties?

Surveyors are often told they need to certify to multiple parties above and beyond the client, lender and insurer as identified in Section 7 and they need to recognize that more certified parties may equate to more liability. They may wish to consider specifically listing in the contract those parties that they will certify to and that "additional parties may be certified to for an additional fee." If the specific parties are not yet known, they could specify that they will certify to the lender, client and insurer.

Often a request is made or direction given to certify to "ATIMA" and/or "ISAOA." These are acronyms that mean "as their interests may appear" and "its successors and/or assigns." The loan policy defines "insured" in a way that should remove the need for such wording, but if the lender demands that the title company put those in the policy, the title company will likely want to surveyor to certify to the same. Surveyors should seek guidance from their attorneys on the desirability of certifying in this matter; however, in any event, they may want to avoid certifying to successors and assigns of the client/buyer.

Section 7 - The date of the fieldwork is obvious, but what is the date of the Plat or Map?

That is the date by which the survey will be identified. Many surveyors date the plat or map as of the date they signed it. Others backdate it to the date of the fieldwork. The committees feel this decision is best left to the surveyor. In some states, the date of the plat/map may need to be the same as the date of the fieldwork.

Table A - What can I modify in Table A?

The introductory paragraph to Table A has been revised to make it clear - as was always intended - that not only is the very selection of a Table A item negotiable, but the exact wording of the item is also negotiable, as is - of course - the fee. It is permissible for the surveyor and client/lender to negotiate a modification to the wording of any item. Any such modification, however, must be explained in

a note placed on the face of the plat/map pursuant to Section 6.D.ii.(g). Of course, surveyors need to decide for themselves what fee to attach to any given Table A item.

Table A, item 11 - What about underground utilities?



Item 11 has been re-written for 2021 in order to better address the realities of underground utility locations. The best thing we can do to help manage expectations in this regard is to reiterate the "Note" following this item in Table A, viz.,

Note to the client, insurer, and lender — With regard to Table A, item 11, information from the sources checked above will be combined with observed evidence of utilities pursuant to Section 5.E.iv. to develop a view of the underground utilities. However, lacking excavation, the exact location of underground features cannot be accurately, completely, and reliably depicted. In addition, in some jurisdictions, 811 or other similar utility locate requests from surveyors may be ignored or result in an incomplete response, in which case the surveyor shall note on the plat or map how this affected the surveyor's assessment of the location of the utilities. Where additional or more detailed information is required, the client is advised that excavation may be necessary.

For a recorded presentation of the changes presented by Gary Kent, please visit the Mentoring Monday's website and search for Week 21. We had an in-depth conversation with Gary to found out some of details as to why some of these changes were made. http://mentoringmondays.xyz/ - Be sure to join Gary again at the Western Regional Virtual Survey Conference March 27th, 2021.





Meet Your 2021 NALS Board of Directors

As the Nevada Traverse editor, I recently enjoyed interviewing our 2021 Nevada Association of Land Surveyors Board of Directors. With the focus of our last edition being all about where the profession is headed, I wanted to ask some tough questions about how they got involved in the profession and what advice they would give someone just starting in our incredible career.

So let us dive in and meet our dedicated professionals – the volunteers who serve on our Board of Directors, as our Executive Committee. Their leadership and generosity make our work in Nevada possible.

Justin Moore, PLS 2021 - President



How did you become interested in surveying?

I was interested in heavy construction in high school and wanted to be a part of that industry. I enlisted in the Air Force out of high school in the career field of Civil Engineering, which also included land surveying. After my service, I returned to Sparks and applied for any Engineering or Surveying position I could find in town. Lee Smithson (shout out)

gave me my first opportunity; he mentored me in land surveying and introduced me to NALS. This began my desire to become licensed.

What advice would you give to someone wanting to pursue a career in surveying?

Align yourself with positive, motivated professionals that share the desire to see you grow professionally. Find a mentor that is patient and willing to share their knowledge. Become wellrounded in the field and office. And be active within your local chapters and build your professional network.

Why did you get your surveying license?

As a young field surveyor, I found myself drawn to the knowledge and professionalism of my mentors. I would attend NALS meetings and conferences, and I wanted to "part of the club." It was a long, tough process to become licensed, and I am grateful for being pushed and challenged by my mentors to complete my licensure.

Why is it important to become licensed?

Becoming licensed opened the doors to so many opportunities. It provides us the ability to climb the corporate ladder, open our own firms, and validates our profession. It allows us to take pride of craftsmanship whenever we stamp that plat or document.

What are your thoughts on the future of surveying?

I think the future of land surveying lies within boundary resolution and <u>quality</u> boundary work. Construction staking has been moving towards the contractors, topography maps are becoming widely available through 3rd party, and GIS is not a

resolved boundary. Protected by law, a resolved boundary can only be performed by a licensed land surveyor.

What would you like to see happen moving forward for the profession?

I would like to see our local chapters, state associations, and state boards become more influential within our profession. Our professional services have been infringed and outsourced. We need to educate the public on a professional land surveyor's duties, the relevance of accurate and precise measurements, and the standards that only a professional are held to. We need to be leaders in promoting our profession and the benefits to the health, wellbeing, and protection of the public and their property.

Robert Carrington, PLS 2021 - Vice President



How did you become interested in surveying?

During the summer when I was 12, we had a family friend that worked part-time for a Registered Land Surveyor doing construction staking, and he asked me to help him. The best part of the work that as a 12-year-old, I got drive the work truck on the job sites. I would work every other weekend helping him stakeout building corners, utilities, and

roads. The work got me interested, and he would tell me that if I wanted a career in Surveying, I would need to study harder, particularly in math.

What advice would you give to someone wanting to pursue a career in surveying?

I have had the opportunity to speak to many young people about a surveying career, and I always tell them to apply for a job with a survey company, work in the industry and see if it is for them. If so, sign up for classes.

Why did you get your surveying license?

I was fortunate to work for some respected surveyors and always admired how they dealt with clients and other professionals. They mentored me about gaining knowledge, educating myself, and knowing that I would need to become licensed if I wanted the same respect and prestige.

Why is it important to become licensed?

If you aspire to become more than a Survey Tech, you must work towards licensure. To personally have satisfaction with your work, you must achieve your goal. Also, the rewards both personally and financially will come with licensure.

What are your thoughts on the future of surveying?

I believe that those that understand the Professional Land Surveyor's role in society respect our work. I also know that our profession is not glamorous; they do not make a TV show or movies about Surveying. Therefore, to increase awareness about a career in surveying, we as Surveyors must continue to do public outreach in schools and with the public.

What would you like to see happen moving forward for the profession?

I believe that our State Board understands the challenges of getting more people interested in a Survey career. Still, we as Professionals must continue to train our existing staff,

encourage them to educate themselves, and reimbursing them the cost of that education.

William (Bill) Kruger, PLS 2021 - Secretary



How did you become interested in surveying?

After graduating college with a business degree, I was a pen-on-mylar drafter at a civil engineering firm, trying to figure out what was next. One day I was asked to be a fill-in chainman on a survey crew, and the rest was history. I only wish I had been exposed to the profession in high school.

What advice would you give to someone wanting to pursue a career in surveying? Education and Experience. If you are lucky enough to know this is what you want for a career in high school, pursue Math, Science, and CAD courses. Get a surveying mentor or mentors and listen to them. Most surveyors need a working relationship with civil engineers. Try to understand how the two professions overlap.

Why did you get your surveying license? It was the next step in my career progression, and so I could sign my own maps.

Why is it important to become licensed?

It confirms your minimum competency in Land Surveying. However, I know plenty of competent technicians and crew chiefs. The professional licensing track isn't the only way to have a satisfying career in surveying.

What are your thoughts on the future of surveying?

I worry about the slow erosion of Land Surveying profession tasks that are being absorbed by other professions and trades like GIS and construction staking. Unfortunately, the shortage of surveyors doesn't help that situation.

What would you like to see happen moving forward for the profession?

More positive exposure of what Land Surveyors do and its value to the public.

Nick Ariotti, PLS 2021 - Treasurer



How did you become interested in surveying?

I am a second-generation surveyor, and surveying was is my life. At 18, I decided to try something else, joined the concrete union, and decided after 2 weeks of surveying where I wanted to be, and my foreman agreed.

What advice would you give to someone wanting to pursue a career in surveying?

It will be one of the best decisions you will make in your life.

Why did you get your surveying license?

Because I always believed do everything to the fullest, and it was a small step in the big picture.

Why is it important to become licensed?

It promoted the profession in multiple ways. You have to be in it to win it.

What are your thoughts on the future of surveying?

Technology is our biggest threat, but the need for experienced professionals on the ground will always be needed.

What would you like to see happen moving forward for the profession?

Younger and more participation in organizational duties.

Greg Phillips, PLS

2021 - Immediate Past President



How did you become interested in surveying?

I started as a chainman for my uncle's surveying and engineering company while I was in high school.

What advice would you give to someone wanting to pursue a career in surveying?
Go to school! Get the basics of your education under your belt.

Why did you get your surveying license?

I wanted to get my license so I could help control my own destiny. Starting my career in the field I quickly realized that I did not want my paycheck to depend on the weather. As I became more experienced, I realized it was important for me to learn all aspects of the profession so I could help manage the workflow and, ultimately, job security.

Why is it important to become licensed?

It is important to become licensed so you can manage the work, have responsible charge, and create your own opportunities.

What are your thoughts on the future of surveying?

Surveying has evolved tremendously in my 30 years of experience. We have moved and are continuing to move away from the skilled labor aspect of surveying, and more of our work is coming from the legal and technology-driven side.

What would you like to see happen moving forward for the profession?

I would like to see us evolve our profession more towards the legal aspects of surveying and get away from commodity-based work that we are losing anyhow due to automation. Boundary Surveying and land division mapping will always be needed, and unfortunately, these are the services I see us giving away and cutting corners on. I believe that we should be focusing on doing all the work necessary and required for a thorough boundary and charge accordingly.

Jake Johnson, PLS 2021 – Director & Lahontan Chapter President



How did you become interested in surveying?

I became interested in surveying through an internship. I was on a Civil Engineering internship and spent quite a bit of time in the field with the survey crew. From that experience, I figured out that surveying was much more to my liking than Civil Engineering.

CONTINUED ON NEXT PAGE ►

What advice would you give to someone wanting to pursue a career in surveying?

Try to get hired for the summer or as an intern if possible. Experience what it is like to be a surveyor. Spend some time around other surveyors, either through one of the NALS chapters or with the Young Surveyors Network.

Why did you get your surveying license?

Switching over from Civil Engineering classes, it was important for me to finish my degree. That ultimately led down the path to getting licensed. Additionally, my boss and coworkers encouraged me to work towards getting my license.

Why is it important to become licensed?

Getting your license provides more opportunities. If a surveyor intends to work for themselves, they will need a license. If working for a larger organization, licensure opens greater possibilities within the organization.

What are your thoughts on the future of surveying?

The technology involved with surveying is always evolving. It will be interesting to see what technologies will be coming down the line next. The average age of the surveying community is growing, without many young people to take their place. As surveyors retire or leave the surveying field, there will be a lot of opportunities for young surveyors.

What would you like to see happen moving forward for the profession?

It is important that we reach younger people and build interest in our profession. In Nevada, we have a strong community in the young surveyor's network. I would like to see them continue to grow and develop into the next generation of surveyors.

Todd Enke, PLS

2021 – Director – Lahontan Chapter Representative

How did you become interested in surveying?



I was introduced to surveying through my dad when I was a little kid. My dad is LS 4071 in California and has been licensed since 1972, and has owned his surveying firm since the late '70s or early '80s. The first memories of surveying were setting photo control over large areas of the Napa and Sonoma Valleys in Northern California. As I became

older, I worked on weekends, holidays, and during the summer, staking countless Public Storage mini storages and working for many Bay area cities on capital improvement projects. Once I got my driver's license, I began being the party chief on two-man crews and eventually running my own one-man crew when the Geodimeter 600 series robotic total stations came out. After graduating from Cal State Stanislaus with a bachelor's in history, I decided that I did not want to continue to pursue becoming a teacher and took up surveying full-time.

What advice would you give to someone wanting to pursue a career in surveying?

The advice I would give for someone wanting to pursue a career in surveying would be to concentrate on learning and understand how the field and office relate to each other and do not let yourself forgot how important it is to remain connected to the duties of being a field surveyor. Additionally, I would recommend going after your survey degree a soon as you can.

Why did you get your surveying license?

I was able to get my license after moving to Minden, Nevada, in 2007 when I decided that the best way to ensure the future of my family moving forward was to work for myself in surveying if the economy required me to.

Why is it important to become licensed?

It is important to become licensed to ensure that our profession continues to be relevant in the current professional environment and does not get absorbed in the engineering and GIS fields.

What are your thoughts on the future of surveying?

The future of surveying is in a transitional phase, with the requirements of needing a degree to be licensed being at the core of the profession. Many believe you should not need to have a degree to get a license and that the road to gaining experience and education is too tough for one to compete while you are supporting a family, working, and going to school simultaneously.

What would you like to see happen moving forward for the profession?

Moving forward, we need to see surveying being include in our larger colleges in Nevada. UNLV and UNR are necessary for students' future growth, in my opinion, as I feel it puts surveying in the same schools as engineering, which provides I higher level of prestige. It is vital that along with Great Basin, our large pillars of education in Nevada are brought on board to continue the momentum that surveying has started to gain.

Frank Wittie, PLS

2021 - Director - Southern Chapter President



How did you become interested in surveying?

I have been around surveying all my life. My father owned his own land surveying business in Alaska before moving the family to Las Vegas in the early 90s. I thought I wanted to be an architect after taking AutoCAD in high school but dropped out of the architecture program in my first semester at UNLV. Shortly after dropping out of UNLV,

I got a job as a mapping technician, and I really enjoyed it. I was strongly encouraged to enroll in the CSN land surveying program, which I did, 10 years later, I had my associates in land surveying. Once I worked in the field and really connected what happens between the field and the office, I fell in love with the profession. Being able to work in the office or the field is truly the best of both worlds. I love to learn, and land surveying allows me to do that with ever-evolving technology.

What advice would you give to someone wanting to pursue a career in surveying?

Get in now! It is probably the best time to be a young surveyor. Do not wait to get your degree to get into the field. Work and go to school if you can; with Great Basin's online program, you can do just that. As Trent pointed out in Nevada's last Traverse, there are just over 50 licensed land surveyors under the age of 40, and only 12 of them actually live in Nevada. This disparity from older licensed land surveyors is going to create many opportunities for surveyors in the near future.

Why did you get your surveying license?

My father encouraged me to get my license. He explained the opportunities that could come from being licensed. With a license in land surveying, you will never be out of work. You might have to travel, but there is always a job available.

Why is it important to become licensed?

The obvious answer is money, and if you want to move up in your career as a land surveyor, it is a necessity. Our license helps distinguish land surveying as a profession and not a trade, which is why having the board of registration is so important. Having a licensing board ensures the public that when they hire a licensed land surveyor, they are getting a knowledgeable expert in the field that can be held accountable for their actions or lack thereof.

What are your thoughts on the future of surveying?

I am excited and worried about the future of land surveying. The new technologies that are available are very exciting. I remember how awesome it was to use a 3d laser scanner for the first time. Now they are a fraction of the size and so much quicker. Drones have become a tool that every surveyor should have in their toolbox. These things will spark interest in the youth that we desperately need to enter our profession. I am worried that the dwindling number of licensed land surveyors will force the construction industry to try to have our profession deregulated.

What would you like to see happen moving forward for the profession?

Moving forward, I would like to see more young surveyors. There has been a great effort over the years towards high school outreach, and unfortunately, by high school, many students already know what they want to pursue in college. We need to educate the children about land surveying at an earlier age. "Get Kids into Survey" is doing a great job at this. I would also like to see our local metro areas offer in-person classes, whether it be an associate's degree at a community college or a minor at one of our universities.

Jason Higgins, PLS

2021 - Director - Southern Chapter Representative

How did you become interested in surveying?

I took a career quiz in 8th grade (SURVEYOR!), then got my 1st drafting job the spring of my Sr. year of HS with a surveying company and spent most of the next 11 years with that company.

What advice would you give to someone wanting to pursue a career in surveying?

Find a mentor, someone you click with. Get involved with a YSN, school group, or Association. It opens up doors!

Why did you get your surveying license?

Early career goal, the opportunity for advancement came along

Why is it important to become licensed?

For me, it was the continuation and progression of "my" career goals. For some, licensure may not be important. I know many great technicians and party chiefs that are content in their career path and are vital to our profession.

What are your thoughts on the future of surveying?

I am hopeful, but there is much work to do by my generation to ensure the future has the same or more opportunities that we did. I am fearful that attacks on occupational licensure as a whole are creating doubt for the next generation. I am further concerned that the four-year degree requirement is not achieving desired results of the proponents. Our Association must continue to tackle the tough challenges in front of us.

What would you like to see happen moving forward for the profession?

Oh, this is "pipe dream" time! On a grand scale, I would like to see us continue to embrace the continued advancement in technology but never lose track of our profession's foundation. We need to mentor and pass to the next generation the importance of following the footsteps, research, and calls hierarchy.

Paul Burn, PLS Our latest Life Member awarded in 2019



How did you become interested in surveying?

Ok, I was new in Denver, a recent transplant/ escapee from South Jersey, and was driving a construction water truck for a job. Purely by chance, one night, I met a recently retired BLM Surveyor. We talked for quite a while, as I had never even heard of Land Surveying before, and it sounded like a wonderful job, work outside, use your head, and not have to

load boxcars! He told me of many colleges in the area that taught surveying, so I went to one, liked the head of the program that I met, and enrolled in the fall class of Survey 101.

What advice would you give to someone wanting to pursue a career in surveying?

I would advise trying to get hired on somewhere as an instrument operator (IO), then enrolling in college education simultaneously. Then, be a sponge, learn everything possible from everyone you work with, and go to school.

Why did you get your surveying license?

I pursued my license because of two things- first, my peers and instructors in college impressed upon me the importance and value a license would provide. Secondly, since my first job was with BLM, for which I had to quit my college studies for a year to do, I was constantly advised that there was no need for a PLS, just remain in the BLM for a career. They pushed this thought process on me so much that I became suspicious. When the assignment was over, they rejoined my education, finding that the new president had eliminated the BLM office in Denver from which I worked (Western Regional Cadastral Survey). I got hired by one of the instructors at school and never looked back. I had my first license (LSI) in 2 or 3 years!

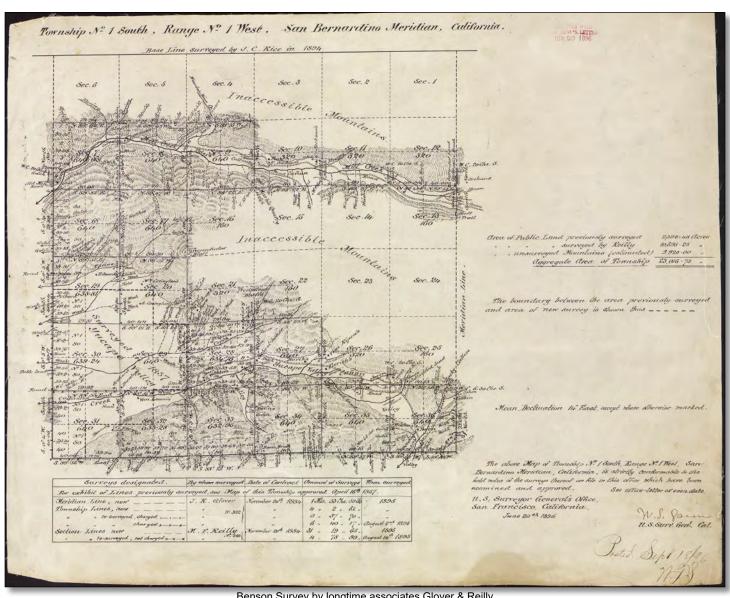
Why is it important to become licensed?

It is important if it's part of a plan of goals that one wants to reach. Yes, for me, I wanted from early-on to be responsible for the survey work I was doing. I became meticulous in the work and wanted my efforts to be reflected in my own responsibility. This carried me forward into mapping and legal descriptions, and later, directing. However, I learned along the way that there are many who don't see surveying through the same lens as I. Most of them have the same pride in their work but don't see the need to stamp it themselves and would rather be supportive of their careers. I have come to appreciate this type of individual much more as time has passed and as I matured in my value system. While I support all who want to pursue licensure, I now also support those who want to do a great

Nevada And The Benson Syndicate -Closer Than You Think

Prepared by Carl C.de Baca, PLS

We Nevada surveyors tend to think about the Benson Syndicate, which operated as a criminal enterprise defrauding the Federal Government in the 1870's and 1880's, as a primarily California phenomenon. The group, headed by John A. Benson and made up of surveyors, draftsmen, bankers, and even a couple of GLO Surveyor Generals, scammed hundreds of thousands of dollars, (that would be millions of today's dollars), by bribing people to apply as entrymen in unsurveyed areas throughout the western states, then getting contracts to survey the townships in those areas, and depositing the Government money in their crooked account. They would do little or no surveying in the townships in question but would present fictitious field notes, from which plats were prepared and approved. And some of the most valuable land ended up in their hands, as well.



Benson Survey by longtime associates Glover & Reilly

For today's surveyors, this nearly hundred and fifty year old crime of preparing fraudulent field notes still impacts us to this day. Those notes were turned in, plats were drafted, and the Surveyor General accepted them, at which point they became law. Few things can be worse for today's cadastral surveyors than trying to retrace fictitious surveys, where it is apparent that the topo calls were completely fabricated and there is no hint of an original monument. In the 1980's, James Fields, a Surveyor with the US Forest Service, working in the Shasta-Trinity National Forest, who wrote a treatise on the Benson surveys (or non-surveys) estimated that the average cost of a dependent resurvey of a township was "often in excess of \$250,000." That number in 2021 dollars is \$605,000. Yikes!





A young John Adalbert Benson An older, wealthier J.A. Benson

One tie between Nevada and the Benson gang is J.R. Glover. While a few of us may have had the distinct displeasure of retracing J.R. Glover's work in Nevada, it is primarily through the work of Steve Parrish that we NALS members know much about James R. Glover, one of Benson's principal Lieutenants, and the sloppy surveys that Glover did throughout the Silver State during the 1870s and 1880s. But the Benson gang has at least two other strong ties to Nevada that maybe we don't know so much about.



One of the oldest chartered commercial banks of San Francisco is The Nevada Bank of San Francisco, at the corner of Pine and Montgomery streets. Although a pioneer institution in its line it is fully abreast of the times, and at no period in its existence has it transacted as large a business as at the present moment. The place is invariably crowded, and bookkeepers, tellers and clerks have their hands full to meet the requirements of the public. The confidence and popularity of the management are based on the fact that they do business on strict business principles. The bank is incorporated under the ironclad banking laws of California, the most stringent of any State in the Union.

The Nevada Bank was founded in 1875 by the bonanza kings. It was reorganized in April, 1890, by I. W. Hellman, with a paid-up capital of \$3,000,000. In the space of three years its surplus has steadily grown, until now it is nearly \$600,000. Its stock is now held at over 30 per cent premium, although, unlike that of many other financial institutions, it has never been listed on the stock board. These few facts concisely set forth the prosperous condition of the Nevada Bank. The result was not unexpected with I. W. Hellman at the head of the management. When it was known that he was to take charge of the bank's affairs general confidence was felt in the outcome. The stock was quickly subscribed for by nearly 200 persons and firms among the most prominent in San Francisco.

The Nevada Bank - San Francisco

The first tie between Nevada and the Benson Syndicate has to be The Nevada Bank, which colluded with Benson from the very

beginning and was his finance arm throughout his criminal days and even long afterward. The Nevada Bank was located in San Francisco at Pine and Montgomery and was built from the profits of the Comstock, hence the name. Whether any actual Nevadans were owners or managers of the bank is not easy to ascertain. Let's just say it was our ore, our lads' sweat and blood and our money that made this institution. Examiner CF Conrad, the dogged investigator of the Benson gang's misdeeds, referred to the bank in his official report contained in the 1888 Annual GLO Commissioners Report as one of "...the two greatest powers on the Pacific coast."

According to Conrad, the Benson scheme worked like this: (1) Find an unsurveyed township; (2) Arrange for "dummy" settlers to apply for a survey; (3) Make an extremely low estimate of the cost of the survey, thus reducing the deposit amount; (4) obtain the cost of the deposit from their bank; (5) Begin the survey then conveniently discover that the initial estimate was too low (thus justifying a request for additional funds); (6) Perform only a skeletal or reconnaissance survey and hand those field notes over to Benson who would compose a complete set of field notes from the partial information.

Referring to step No. 4 above, 'their bank' was The Nevada Bank, an underhanded partner with Benson and his gang through the whole operation. By 1887, Benson and his gang became the subject of 41 indictments and were arrested, accused of crimes that fall into the following ten counts: (1) Fictitious applications for surveys; (2) False Estimates of government liability; (3) Fictitious and irresponsible bondsmen; (4) False witnesses to signatures of deputy surveyors; (5) Fraudulent field notes; (6) False preliminary and final oaths; (7) Approvals by surveyors-general; (8) Return of fraudulent accounts; (9) Payment by United States Treasury drafts and (10) Fraudulent powers of attorney. After the arrests, the Nevada Bank posted the bonds to spring these criminal co-conspirators from jail and paid for their legal defense. And oh yeah, the Prosecuting attorney for these indictments, H.S. Dibble, was known by common report to be "moonlighting "for The Nevada Bank during this time period, according to Conrad's report. As you can imagine, the prosecution went nowhere.

CONTINUED ON NEXT PAGE 20

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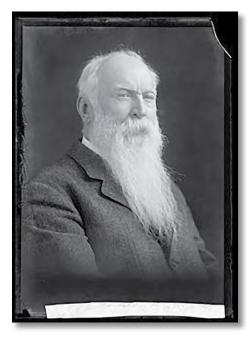
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Between 1887 and 1893 when the charges were finally swept under the rug, nothing much happened in the effort to seek justice. In 1894 the government settled with Benson by an agreement referred to as the "1894 Compromise" which stated that Benson and Co. would go back and "place in perfect condition all surveys under their rejected contracts." In exchange, all charges would be dropped. In 1897, an Amended Stipulation was added to the 1894 Compromise promising that all the rejected surveys would be accepted if the indicted deputy surveyors would agree not to sue the Federal Government, and the government then paid the group a sum of \$400,000 to accomplish the survey repairs. That money was deposited in, you guessed it, The Nevada Bank. Benson never did fix any of the fraudulent work. Simply unbelievable! And yet a clear demonstration that Benson continued to have friends in high places, throughout the 1870's, 1880's and 1890's. Which brings us to the second tie between Benson and Nevada...

Senator William M. Stewart. We Nevadans all know Stewart was instrumental in developing the Comstock Lode, and he helped write the Nevada Constitution and he served in the Senate representing Nevada for almost twenty years, in two separate stints, from 1865 to 1875 and then from 1887 to 1905.



Stewart, known as the father of American mining law for writing the 1866 mining law, also authored the 15th Amendment which protected voting rights regardless of race and color. He was even offered a seat on the Supreme Court by President Grant, but declined the offer. A true giant of his era. Stewart was even inducted into the Hall of Great Westerners of the National Cowboy & Western Heritage Museum.

However, Stewart was also part of a group of Senators that included Leland Stanford, who signed on to a telegram to the Secretary of the Interior to have Benson's chief investigator, Charles Conrad, dismissed and this was while Stewart served as Benson's principal attorney. No conflict of interest there... Given that Stewart was almost disbarred in Nevada for bribing judges in his Comstock days before becoming a Senator, it seems Stewart, for all his good works, was just another crooked bastard

living the high life (in a mansion) in Washington DC. (I wonder if he was a shareholder in The Nevada Bank...)

And speaking of crooked bastards, here's what happens to them in the end, when their luck has run out.

John A. Benson's Estate Dwindles Following Land Fraud Suits

Although John A. Benson, partner of F. A. Hyde in land transactions that resulted in their indictment by the United States government for fraud, left a will bequeathing to his heirs nearly \$1,000,000, Public Administrator Hynes yesterday filed with Judge Gra-ham the final account, which disclosed the estate inventoried at \$431.

That Benson was a millionaire at the time of his indictment was alleged by his first wife, Emily Benson, and her son, Dr. John K. Benson, in their suit to have Mr. Benson's divorce declared of non-effect so that the first wife might inherit the community property. The report of Administrator Hynes shows that at the time of Benson's

death he was worth \$830, and since that time claims amounting to \$399 have been paid. The remainder will go to his widow.

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1887 Annual Commissioner of the General Land Office Report 1888 Annual Commissioner of the General Land Office Report Chaining the Land 2nd Edition by Francois D. Uzes The Benson Surveys by James R Fields

<u>Images:</u>

John Benson images from Jerry Olson Surveying History at Olsonengr.com

William M. Stewart image from good old Wikipedia The Nevada Bank San Francisco image ny Carleton Watkins - from California State Library https://csl.primo.exlibrisgroup.com/

Newspaper clippings:

Taken from from California Digital Newspaper Collection https://cdnc. ucr.edu/

- 'The Nevada Bank' from **San Francisco CALL** Volume 79, Number 25, 25 December 1895
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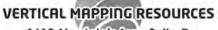
About the Author

Carl C.de Baca, PLS is a longtime practicing land surveyor in both Nevada and California and a thirty-plus year member of NALS. He has a passing familiarity with the Nevada Traverse and great enthusiasm for provoking thought in his fellow surveyors



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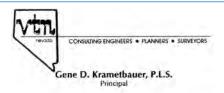
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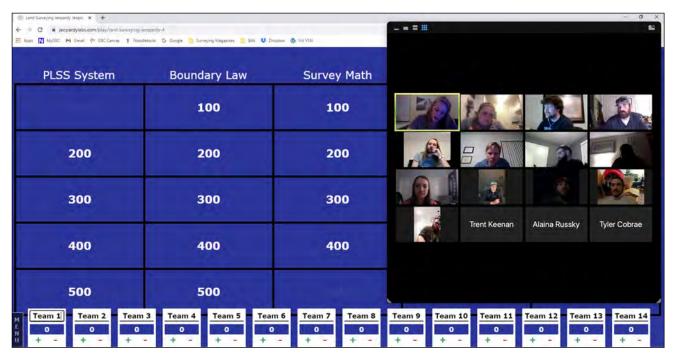
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Nevada Young Surveyor's Network



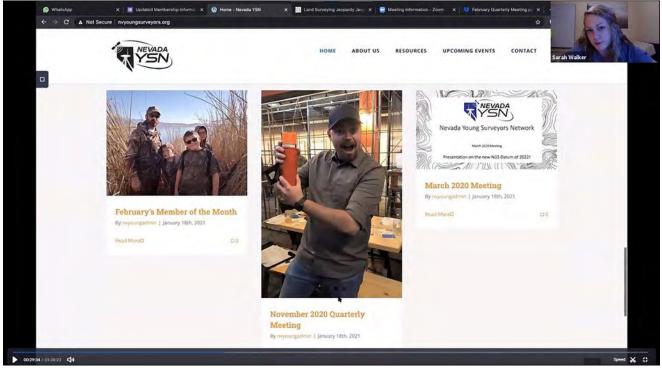
Prepared by Heather Keenan

February's meeting for the Nevada Young Surveyor's Network was a great turnout. We had about 15 people who attended the meeting via the Zoom forum. We started the discussion with introductions of everyone attending, including a few special guests, Denver Winchester (NSPS YSN President), James Combs (NSPS YSN Vice President), and Nolan Marks (Indiana's YSN state chair). The main focus of the night was "Trivia Night" by playing Survey Jeopardy. Sarah Walker put together a great set of questions, and we had a fabulous time playing! Thank you, Sarah, for all the hard work!



After the game, there were a lot of great connections and conversations throughout the ninety-plus minute meeting. To cap off the night and we introduced the "NEW" Nevada Young Surveyors website. I encourage anyone looking to learn more about NV-YSN to visit the website and check out all the resources and upcoming events; this is a great website to stay connected!

http://nvyoungsurveyors.org/



Hiring In 2021

Prepared by Frank B. Wittie, PLS



The ultimate goal is to hire someone who can hit the ground running. Unfortunately, with heavy workloads and the dwindling number of surveyors, that is not always possible. In our fast-paced industry, the days of coming on a crew as an oblivious rodman gone for the most part, and going with it is the opportunity to bring fresh blood into our profession.

Like many land surveyors my age, I got into land surveying through a family member. My father ran his own small land surveying business in Alaska before moving the family down to Las Vegas for the warmer weather and booming construction industry. Unfortunately, I was too young to work for my father's business, but my older brothers, uncles, and even my mother worked for him in remote villages all across the state of Alaska. He always encouraged me to be an engineer, "they make the big bucks." After high school, he got me an interview as a mapping technician at an engineering firm with a small survey group; I have been in the industry ever since. I am happy I followed his example and proud to be a second-generation professional land surveyor. Like my father, many surveyors are encouraging their children to follow a different path. We all want better for our children, but land surveying has evolved tremendously over the last few decades, and our mindsets towards it must evolve with it.

I fully back the bachelor's degree requirement to test for licensure, although I do not have one myself yet. I believe this requirement will allow land surveyors to make the "big bucks" that my father spoke of. It puts land surveyors on the same level as engineers and helps distinguish land surveying as a profession rather than a trade.

That being said, not everyone wants to be on a path to licensure. Many land surveyors are perfectly happy being an instrument person or party chief for 30+ years. These are the people that I feel the land surveying industry is losing, those who come in completely green and learn on the job to be great land surveyors. Some of the best surveyors I know learned this way. With everyone chasing the bottom dollar, no one wants to take the time to train someone new.

However, there are benefits to hiring someone green. The most obvious being you can pay them less than you would someone coming in with experience. You offer a kid right out of high school fifteen bucks an hour, and they will work their butt off for you. Someone that is new to the profession is malleable. You can train them how to do it the way you want it done; no unlearning is required. Chances are you are going to learn something from them—a fresh perspective. Odds are they will be much more techsavvy than you. They will ask questions, all the whys and how's that you probably annoyingly asked your mentor. Questions you have not had to think about in many years, maybe the answer has changed since you learned. This curiosity lets you show them how great a career in land surveying can be and help them explore the different directions you can go in the profession.

Someone who is hired with no experience is more likely to be loyal to the company. They will be much more energetic and eager to learn, especially when incentives are thrown in, such as a raise for completing a class or certificate. These men and women are the future of our profession. We as a profession need to be willing to welcome and support them. Experience and qualifications are not always everything.

Diversity and inclusion are really hot topics these days. Land surveying is becoming more diverse every day, but we are way behind other sectors in these areas. With the hospitality industry being shut down, there are thousands of potential candidates. This is a great opportunity to help diversify land surveying in our state. These people would come in with real-world experience and could apply their knowledge from their field to innovative ideas to assist us in ours. As a profession, we need to capitalize on a chance to grow the profession in a way that was not previously available.

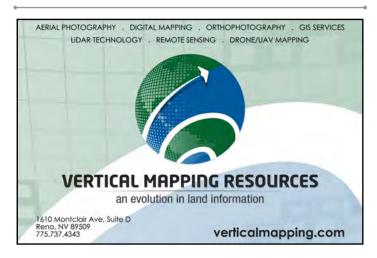


About the Author

Frank B. Wittie, PLS proudly comes from a family of land surveyors. Originally from Alaska, he has lived in the Las Vegas Valley for nearly 30 years. He started surveying in 1999 and has been a Professionally Licensed Surveyor since 2011. He has experience in the private sector as well as public sector within city, county, and state entities.

He has been a board member of the Southern Nevada Chapter of NALS for four years and is the 2021 president.





ALTA Surveys From The "Other Side of the Table" Mentoring

Prepared by Trent J. Keenan, PLS & Kristina Poulter

An abstract of a Mentoring Mondays presentation from October 19, 2020



As land surveyors, it's easy to get caught up in the day-to-day work and not stop to look at the big picture. But after a long and successful career, Jay Kay Seymour can say with certainty that there is value in stepping back and looking at your business from a different angle – the client's perspective.

Jay is a professional land surveyor with 50+ years of experience and is the owner of Professional Land Consultants, Inc., Semiretired. One of his favorite things is mentoring younger surveyors and sharing his insights from decades in the business. Jay joined us on a recent Mentoring Mondays call to talk about ALTA surveys and best business practices.

"We as professionals all understand our side, and we get a little frustrated saying that idiot on the other side of the table doesn't know what he needs," said Jay. "We have to keep in mind first and foremost, that idiot pays our bills."

If you want to build a truly successful surveying business, you need to talk to your clients carefully. It would help if you also vetted them. You need to ensure that you are landing ideal clients with the opportunity for repeat business. And it would help if you protected yourself from lawsuits and lost revenue. In this article, we've summarized Jay's advice.

Find a surveying specialty.

One way that you can impress your clients and find success as a surveyor is to pick a specialty. This will help you thoughtfully pursue continuing education and will serve to make you more competitive.

Jay made the comparison to a medical specialist. A cardiologist

specializes in heart issues, while an oral surgeon specializes in dental issues. Similarly, you may be in an area that never does an ALTA survey, and that's OK.

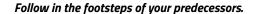
"We surveyors tend to think we can do it all. And let me be your wake-up call tonight," said Jay. "Find what you do best. Stay with that, expand out from that to do similar type projects. I never built a high-rise building. I never did a pipeline. But I did 3,000 ALTA surveys."

Don't survey outside your backyard.

It might be impressive to meet a surveyor who's licensed in dozens of states. But most surveyors do most of their work in one single area. And there is a good reason for that. When you focus on one area, you have the advantage of knowing things inside and out. You can better identify the right projects and can complete those projects faster.

"We will not survey in San Diego or downtown San Francisco, or for that matter in the middle of nowhere, Bishop. Because each area has its own local color, and you've got to be careful about that," said Jay.

When you know the area, you know where the blocks don't close. You know where there have been lot line adjustments that never got recorded. And you know where lines are 1-20 feet off.





It's important to keep in mind that surveyors are subject to liability. Jay has worked for the government for many years and knows firsthand that the state board for every state is not there to help surveyors. It's there to revoke your license if you are accused of wrongdoing.

As surveyors, the burden to prove innocence is on us. We are guilty until proven innocent. "When a charge is brought against you, you then have to go back to your documentation, to your boundary establishment and analysis, all the information you have, and prove to everyone that you are right," said Jay. Whether you are doing an ALTA survey, a boundary survey, or a staking document, the number one rule is to put down footprints.

"You've got to follow in the GLO footsteps. Those same footsteps are the same ones you put down on everything you do. Everything we do is subject to liability. We have to remember that. It may be a long time before it pops up, but it will pop up," Jay said.

It doesn't help that surveyors often get a bad reputation. According to outsiders like title officers, surveyors are often seen as being late, taking inconsistent measurements, and disagreeing with other surveyors. Many outside the profession do not even see surveyors as professionals. Instead, they see them as craftsmen similar to a carpenter. This makes it all the more important to be consistent, set high standards, and communicate professionally with clients.

ALTA Surveys.

ALTA stands for American Land Title Association. An ALTA survey is only used on a property where the money is exchanging hands to protect a statute of fraud by obtaining title insurance. You don't do ALTA surveys on single-family homes. It's almost exclusively a survey done for commercial and industrial buildings, residential multi-family units, or apartment buildings.

Because surveying is, in essence, a historical profession, it is interesting to note ALTA's changes and progression over time.

1941: American Congress on Survey Mapping (ACSM) was born; died in 2012.

1946: ACSM established minimum standards.

1962: ATA/ACSM – first attempt at maximum positional tolerances.

1979: Standards were not jointly accepted by ALTA; never enacted.

1986: Class of surveys; 1st table of minimum standards by ALTA.

1988: Table 3: 16 additional items added to the standards.

1991: Interpretation and application of Table 3.

1994: Measurement standards; HUD requirements added.

1997: Revisions to the measurement standards; changes to HUD.

1999: Optional Table "A" removal of Class Urban / Rural 1st NSPS.

2005: Clarification of Table "A" Cert changes; NSPS 2003 standards.

2011: First major revision of the standards in over 50 years.

2012: ACSM morphed into NSPS. 48 States (all but two) are affiliated

2016: "House cleaning" items; clarification of the 2011 standards.

2021: "House cleaning" items; clarification of the 2016 standards.

This history has important implications. The thing to recognize is that if a client calls about an old 1999 ALTA survey and wants it updated to the 2020 standards without completing a new survey, you must refuse. You can only certify to the current statutes in place.

You must also recognize what is allowable under the law for insurance purposes. Sometimes clients or lawyers ask you to do a certification, but again, the answer is no. "If you change the certification, it is not an ALTA survey. They cannot get ALTA insurance," said Jay. "And that closure is going to get held up and cause a lot of problems."

Be solution-oriented.

It seems obvious, but surveyors should consistently and genuinely ask clients what they need. Jay said that often a project is like a game of telephone. The client tells someone they need a tire swing, and what they get is a dining room chair.

There is probably nothing more critical for Jay than the client relationship and talking to your clients with your problem-solver hat on. The client isn't interested in hearing you speak or hearing about what equipment you operate. Only once you understand

what your client needs can you go about convincing them that you are the right firm for the job.

Being solution-oriented opens doors. Jay described how he starts with small talk in order to avoid going straight to money talk. "The first thing they'd say is I need you to ALTA survey, and we want you to get it for me. How much will it be?" said Jay. "Whoa, cowboy, let's hear about where you are or what it is. Do you have a title report? Then you ask all those questions about what you want to do in a sales presentation. We, as surveyors historically, are not good salespeople. Ask them questions that they have to answer you back."

In this same scenario, imagine that the client said they didn't yet have a title report. Instead of telling them to go get one and call you back, offer to contact their title officer on their behalf to get the ball rolling. While you aren't yet guaranteed the work, you're now 90% closer to getting it should the client move forward. When clients see that you are trying to solve their problem, they see you as a fellow human being who they can treat with a sense of appreciation.

Represent the seller.

Financially, Jay explained that it makes sense to represent the seller rather than the buyer in any given transaction. "You want to work for the seller because they own the dirt, the wood, and the concrete. They have a vested interest in the deal," said Jay. "The buyer is a hotshot that showed up, opened up the escrow, put \$10,000 to \$1 million dollars into an escrow account, and wants to buy a piece of property." When escrows fail to close, the culprit is almost always the buyer.

The other advantage to working with sellers is that they provide an opportunity for repeat business. If a seller enjoys working with you to complete the sale of one property, they may choose to work with you again when selling or buying another.

"I prefer if I can to do the seller also because when he sells, he's probably going to want to go buy somewhere else, while the buyer might be out of money, and that's his one deal," said Jay. "They could also be a big developer who's going to buy several things. So you have to always quantify where you are, see who the people are, and see if you can get more business out of them."



Be a business person first, and a surveyor second

CONTINUED ON NEXT PAGE ▶

It may be controversial, but Jay said that it would benefit all surveyors to be a business person first and a surveyor second. "If you're not a good business person, you won't be around next year to show me how good a surveyor you are," said Jay. "Change your focus: business-oriented first, then show the world what a good surveyor you are."

Jay told the incredible story of working on a Thursday afternoon in Inglewood, California. He was getting ready to leave for the weekend when a call came in from an architect in Paris. The architect said that he needed an ALTA survey by Monday morning for the Forum, the stadium of the Los Angeles Lakers. It turned out that Wayne Gretzky needed the survey as part of his deal to join as a player and business partner of the Kings, who owned the Forum at that time.

While many surveyors would have written off such a quick turnaround as impossible, Jay knew he could make it happen because he had worked with the company that built it. He also knew that with a deadline like this, he could charge practically whatever he wanted. He had his accountant send over the bank wiring information and got to work.

"I put four survey crews out Saturday and Sunday," said Jay. "We knew what it was. It was a circle. We counted parking stalls and drew them up. And this was 1988, folks. Does anybody want to guess how much money I got for that survey? \$85,000."

Being a savvy business person meant understanding that he could work successfully within the quick timeline and understanding that a rush job was incredibly valuable. "You may be able to jump through all those hoops and understand if nobody else can do it. And you have the inside track. You're the one that should do it and elevate your price. It's not a \$20,000 ALTA anymore."

Navigating contracts successfully.

When you begin a project, there are certain things that you should consider from a business standpoint. When creating contracts, Jay suggests considering the following questions.

How many attorneys are involved in the transaction?

Each one will need copies of your survey changes when they occur. And each one will send it back to you with questions, comments, insertions, and deletions. It is wise to phase your contract to state that if revisions and changes will be made by all sets of attorneys, that it is outside the scope of the original contract and subject to T&M fees.

Are your state requirements spelled out in the contract?

You should know your state requirements for contracts inside and out – and your client should be aware that you are well informed. Each state has minimum standards as set by state law. Many states mandate that you have a written contract in place before work commences. And according to the executive director of the California State Board, the number one case brought against surveyors is a violation of a contract. That's why it's doubly important to go into each project with your eyes wide open and provide an option for both parties to get out of the contract if need be.

Does your contract spell out inclusion and exclusions?

Many surveyors focus on the contract scope of work by stating what is included. But Jay believes it can be just as important to spell out what's excluded. For example, in his own proposals,

he states that if the TOD report is 2+ years old and no backup documents, upon receipt of a new title report and the associated backup documents, we will stop the lump sum phase or renegotiate or go T&M until we get back on contract. It's important to be deliberate about what services you are and aren't rendering.

Research your clients.



It's a good best practice to look at every new project with a fresh set of eyes. And that includes working with repeat clients. "What good is it to take another ALTA survey from the guy that owes you for the last three?" asked Jay. "It doesn't say bank on my forehead. It says professional and surveyor. I can't keep carrying these people on the books. This seems funny, but you need to do it when you get busy."

Sometimes, the person who's supposed to be footing the bill for a survey project isn't obvious at first glance. You may say yes to a new project and think that you're working with a new set of developers. But between the LLC and something else, the billing address on the contract may be the address of an existing client who owes you money. "Review a title report, backup documents, standards, and specifications of the deal. Qualify, quantify, identify," said Jay.

Investigating clients can also result in big payoffs and much more work than the survey that's first discussed. One example Jay gave was from back in 1987 when an ALTA survey was requested on an undeveloped area in Palm Springs. His research showed that the person behind the project was a well-known and well-funded retirement community builder.

"I went to the owner of my company. Now I said, look, boss, they want the ALTA survey and the engineering design survey for free, but they'll give us a contract to build 22,000 homes. And the full engineering." His boss at the time refused, on the grounds that he didn't want to do a free \$9k ALTA survey. If his boss had dug into the project as Jay had, the company would still be busy working on that project over 30 years later.

Finding new business.

Now that we've covered how to vet projects that come your way, it's time to dive into a topic that Jay is passionate about – how to market yourself and proactively find new business.

Assess your won and lost bids.

"One of the problems we have with most companies is we spend a lot of time, money, energy, and effort on proposals and don't get them," Jay said. His advice? Take a good close look at the past projects you've bid on. How many were construction, staking, ALTAs, etc.? And of those bids, how many did you win? It's important to assess and learn from your experience rather than continue blindly into each new year.

Spend more on marketing.

You should also rethink your idea of marketing. Marketing doesn't have to be schmoozing on the golf course, as fun as that may be. It can also be a dozen small and easy things. Strong businesses typically spend 12-15% of their gross revenue on marketing business development.

Use the eyes of your field crew.

"The reality is my best marketer are my field crews," Jay said. "They're driving around. They see signs for sale. I told all my crews to take pictures of that sign 'for information on this property call this number,' because it may be vacant now, but it's probably going to be developed."

See what your local planning departments are up to.

Explore what local city/county planning departments have in the pipeline. It's possible they may not yet have a surveyor assigned to a new project. They could also be ready to replace someone they're unhappy with. "They may mad at the surveyor because he did a terrible boundary survey and ready to dump him and give the engineering and construction staking to somebody else," said Jay.

Order business cards.

It's a no-brainer that the owner or person in charge should have business cards. But you should also order business cards for your entire team. They are very inexpensive, and when given to both the office and field crew, they make everyone feel like they're equally professional and ready to network should the opportunity arise.

Make phone calls with confidence.

If you see a sign about a property, call the number on it like you mean business. Jay has called up Cushman and Wakefield, a huge nationwide company. When he dials the generic 1400 number, he says, "I'm looking at your sign at 444 Ocean Boulevard, downtown Long Beach, California. Who do I need to talk to?" The more aggressive and assertive you are on a phone call to the gatekeeper, the faster the receptionist or gatekeeper will let you through.

Consider new technology.

When applicable, take new tech and make it work for you. One example is scanning, a technology now popular with planners that maps out what the inside of a building looks like.

"The bottom line is there's a new market, a new revenue stream for our surveyors scanning inside," said Jay. "Our paradigm is changing." Today, it's possible to make a living doing something very niche, like scanning office spaces.

Invest in community advertising.

Increase the visibility of your company name by getting it on sports fields and musical programs. It's a win-win because your advertising dollars are supporting your local schools and sports activities. "Baseball fields, they have those little banners, 1-4 foot banners," said Jay. "You want to see your company name out there in center field." Don't forget free advertising space, like putting signs on your cars and trucks.



ABC: always be closing.

Finally, follow the ABC rule: always be closing. Every phone call you make to wrap up an existing project should include putting out feelers for future work. "When I call my client and say I'm ready to deliver this, I say, what are you doing next week? What's your next project?" said Jay. "Ask the question." If you don't ask when he gets busy, his company will fall back on the same de facto surveyors. Jay is also an advocate for handwritten notes on invoices, thanking clients for their business.

Jay's final words of wisdom included tips like the following:

- Avoid liming your workload to 1-3 sources or revenue streams. If you only work on single-family projects and that dries up, you're in trouble.
- Never lower your hourly rate during economic downturns. Discount your fee instead.
- Avoid meeting during prime working hours. Aim for lunch or dinner meetings to save time.
- Remember that every document you send out needs a certification.
- Follow up on every job you bid for.
- Whenever possible, ask for lump sum payment terms versus time & materials.
- When you don't win business ask what you can do better next time.

If you are interested in learning more about Mentoring Mondays or volunteering as a featured speaker, please contact Trent J. Keenan.





NEVADA PLS PROJECT MANAGER

Summit Engineering Corporation is looking to fill a full-time position for a Nevada licensed land surveyor in our Reno office. Requires being proficient in mapping with AutoCad for record maps, ALTA Surveys, basemaps, etc. Strong business development skills and ability to handle tight deadlines for a busy multi-disciplinary company needed. Tasks also include records research, assisting in managing survey crews, cost estimating, preparation of proposals, etc. Experience with Civil3D, TBC, Global Mapper a plus, but not required. CFedS and/or WRS certifications a plus. Room for advancement. Salary DOE. Email resume and contact information.

CONTACT RYAN@SUMMITNV.COM with all inquiries

ALSO HIRING: PARTY CHIEFS & SURVEY TECHNICIANS FOR OUR RENO OFFICE

NRS / NAC Rule Of The Month | MEMORBORY OF PROFESSIONAL TENGINEERS

Prepared by Trent J. Keenan, PLS

The information in this article was obtained from https:// nvbpels.org/wp-content/uploads/2021/02/NAC-Chapter-625-Temporary-Revisions-eff.-Dec-2020.pdf

LAND SURVEYORS

LCB file number R138-20, Continuing Education Requirements *The following changes were adopted as temporary regulations December 14, 2020, by the State Board of Professional Engineers and Land Surveyors and are enacted as law. Codification by the Legislative Counsel Bureau is pending.

Section 1. NAC 625.430 is hereby amended to read as follows: 625.430 1. Except as otherwise provided in NAC 625.440 and 625.450, a licensee who [, on or after January 1, 1999,] applies for the renewal of his or her license, must submit proof deemed acceptable by the Board that he or she has completed at least 30 professional development hours within the biennial renewal period, including any professional development hours carried forward from the previous biennial renewal period pursuant to subsection [2.] 3, of which:

- (a) Two hours must be in professional ethics; and (b) One hour must be in the provisions of this chapter and chapter 625 of NRS.
- 2. If the licensee does not submit such proof to the Board pursuant to subsection 1 or 5 or, after being notified by the Board that a deficiency exists, does not complete the number of professional development hours which are deficient pursuant to NAC 625.490, the Board will deny the application for the renewal of the license.
- [2.] 3. If a licensee has submitted to the Board proof deemed acceptable by the Board that he or she has completed more than 30 professional development hours in a biennial renewal period [,] pursuant to subsection 1 or 5, the licensee may carry forward to the next biennial renewal period not more than 15 of the excess professional development hours. A licensee may not carry forward to the next biennial renewal period any professional development hours that would satisfy the requirements of paragraphs (a) or (b) of subsection 1.
- [3.] 4. A licensee who is licensed as a professional engineer and who wishes to renew his or her license is required to complete only 30 professional development hours, regardless of the number of disciplines of professional engineering within which he or she is licensed.
- [4.] 5. A licensee who is licensed as a professional engineer and a professional land surveyor and who wishes to renew or reinstate both licenses must [complete] submit proof deemed acceptable by the Board that he or she has completed a total of at least 30 professional development hours [in activities related to professional engineering and professional land surveying. The professional development hours must include at least:
- (a) Ten professional development hours in activities related to professional engineering; and
- (b) Ten professional development hours in activities related to professional land surveying.]

that comply with the requirements set forth in subsection 1.

Sec. 2. NAC 625.470 is hereby amended to read as follows: 625.470 1. Except as otherwise provided in subsection 2, a licensee who successfully completes an activity to maintain, improve or expand the skills and knowledge relevant to his or her discipline is

entitled to the number of professional development hours assigned to the activity in accordance with the following schedule, subject to modification by the Board:

Activity	Professional Development Hours
College course with a duration measured in semesters	45 for each semester credit hour received
College course with a duration measured in quarters	30 for each quarter credit hour received
Attending a seminar, workshop, in-house course of instruction or professional meeting, convention or conference	1 for each hour of attendance
Teaching a course, tutorial, seminar, or workshop	2 for each hour spent teaching.
Authoring or coauthoring a paper, article or book that has been published	10
Serving as an officer or participating member of a committee of a professional or technical organization	2 for each calendar year of service
Receiving a patent as an inventor of record	10
Participating in a self-study activity	1 for each hour of self-study

2. A licensee who teaches the same course on more than one occasion may not obtain any professional development hours for teaching that course a second or subsequent time. A licensee who is a full-time member of the faculty of any institution of the Nevada System of Higher Education or any other public or private institution of learning may not obtain any professional development hours for teaching at that institution.



Time to Renew Your Membership

NALS is focused on providing members with the tools and resources necessary to be successful.

Membership benefits include:

- Subscription to The Nevada Traverse
- Discounts on Continuing Education
- Regional & National Representation
- Networking opportunities including virtual meetings with continuing education

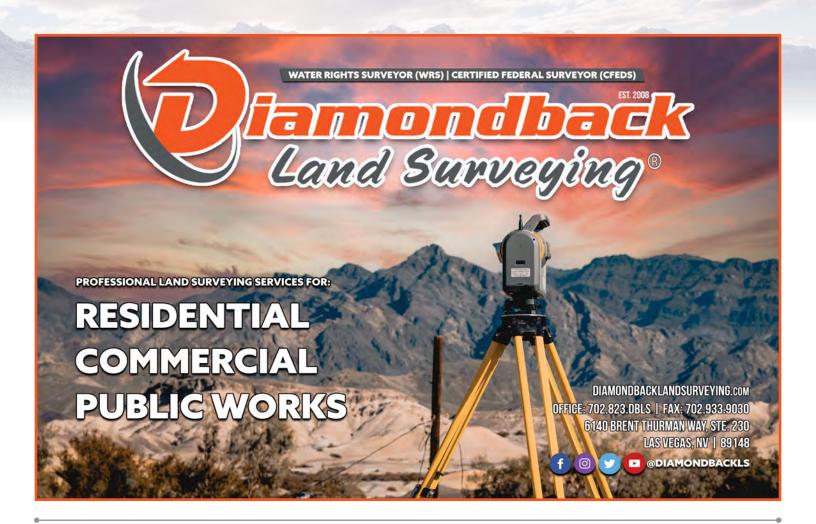
To pay your dues online, you will need to enter your username and password.

Username: Last Name Password: NALS Member #

Thank you for your continued support!

Ouestions?

T. (888) 994-3510 • E. nals@NvLandSurveyors.org

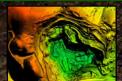


WOOD RODGERS ADVANCED TECHNOLOGY

PHOTOGRAMMETRY & AERIAL MAPPING













Wood Rodgers provides a full range of aerial mapping services, utilizing photogrammetry and LiDAR sensors from both manned aircraft and unmanned aerial systems (UAS). We have the ability to capture oblique imagery and video, model surfaces, produce cross sections, compute volumes, surveying vertical structures, monitor mining and construction sites, and detect change over time. Our licensed Remote UAS pilots ensure data is collected in the safest way and ensuring regulatory procedures. We use modern digital mapping techniques and workflows to help reduce delivery time and get your project moving through, faster. Our licensed land surveyors and photogrammetrists will ensure your data meets the accuracy standards you need for your project each and every time.

Contacts



Kevin Almeter, PLS Survey & Mapping Manager Phone: (775) 828-5687 Email: kalmeter@woodrodgers.com

Michael Detwiler, PLS Photogrammetrist Phone: (775) 828-5688 Email: mdetwiler@woodrodgers.com

Surveying

- Topographic and planimetric maps
- Elevation and terrain models
- Orthorectified imagery
- MiningPit and leach pad volume measurements
- Disturbance and reclamation monitoring
- Mine claim base maps
- Site documentation for regulator permitting

Monitoring & Inspection

- Geological surface monitoring
- Infastructure and facility inspection
- Change detection over time
- Removing personnel from dangerous situations

GIS

Applications

- Imagery and elevation layers for databases
- Imagery classification and analysis





Lahontan Chapter Update

Prepared by Jake Johnson, PLS

We enter the new year with a new Lahontan Chapter Board of Directors. The board this year consists of Jake Johnson (President), John Gomez (Vice President), Mike Detwiler (Secretary), Todd Enke (Treasurer), Seth Horm (Director), Brett Clarke (Director), and Bill Ray (Director). Jake Johnson and Todd Enke will serve as Chapter Representatives with the State Board of Directors.

As we start the new year, I would like to thank the 2020 Lahontan Board President, Bill Ray, for his service through an interesting year. COVID-19 and the restrictions it brought hit us early in the year. The last meeting we were able to hold in-person was in February, a full year ago.

Unfortunately, the difficulties that COVID-19 presented throughout the majority of 2020 remain as we enter 2021. Current restrictions implemented by Governor Sisolak prevent us from meeting together in person as a chapter. As we move forward with these restrictions, the Lahontan Board of Directors will work to remain active with our members. We are working to find presenters that can speak to our Chapter in a virtual setting on matters important to the Land Surveying community.

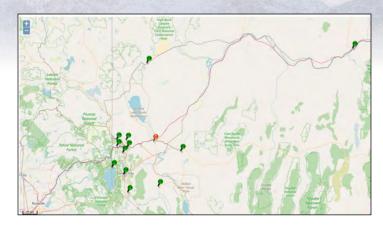
Although we would much rather meet in person, the virtual setting provides opportunities to meet with a broader range of Land Surveyors. This year we expect to have multiple virtual meetings that will be open to Nevada Association of Land Surveyors (NALS) members statewide. Our conference this year will be in a virtual setting and will include seven western states.

As we start 2021, keep an eye out for email communications from the Lahontan Board of Directors and NALS. Hopefully, as the year moves forward, we will meet together again face to face before too long.

Lahontan Chapter Meets With TURN

Prepared by Jake Johnson, PLS & Todd Enke, PLS

On February 4th, the Lahontan Chapter held a virtual meeting with Sean Fernandez from The Utah Reference Network (TURN). TURN manages the NevadaGPS reference network that many members of the Lahontan Chapter utilize. The purpose of the meeting was to allow Mr. Fernandez and Lahontan Chapter members to openly discuss changing the NevadaGPS datum from NAD 83/94 (HARN) to NAD83 2011. This meeting was a follow up to a meeting held in early 2020. At the time of the meeting in 2020, the surveying community was trying to figure out what navigating COVID-19 and dealing with the impact of the pandemic would look like. At that time, it was decided to hold off on the datum change until this year.



TURN is requesting the datum change so that they may begin adding stations while using a published coordinate frame usable with current geospatial software. NGS conversion tools, NGD OPUS Projects, and the Trimble Pivot System no longer support NAD 83/94 (HARN) in their published library. The reasons for this request is to allow an easier migration to the new datum coming in 2024.

Currently in Northern Nevada, the area around Washoe County and Carson City have the most developed network. TURN intends to densify the network on the edge of that area to hopefully incorporate stations in Lyon County, ideally in Silver Springs. Eventually, the network may be expanded into other areas that are not sufficiently covered by the network. Sean Fernandez and Marty Crook (Monsen Engineering) volunteered to replace the broken NDOT Fernley station and add additional stations using Trimble Net R3 from Monsen's Inventory and those that are being upgraded by TURN.

Some concerns with changing the datum included, the impact to existing projects for the surveying community, and the requirement by some counties to include coordinates in the NAD 83/94 datum on mapping, and the impact the datum change would have on county and city networks. An additional concern was the upcoming 2022 datum, which would require surveyors and municipalities to make an additional adjustment to existing projects and networks. Rather than making two adjustments, waiting to move to the 2022 datum when it is released would save time and money for surveyors and municipalities.

To help with these concerns, TURN proposed an approach that would update the network to the 2011 datum, while providing ports that allow for the continued use of NAD 83/94 coordinates. Larry Grube, PLS offered to help Turn with the data for the new ports by providing historical measurement information that he has collected over time to help strengthen the accuracy of the existing NAD 83/94 (HARN) Datum which in turn strengthen the entire network with future datum revisions.

Moving forward, the Lahontan Chapter Board of Directors will establish a committee to communicate directly with TURN as we move forward with these changes. The chapter will also be involved in assisting TURN with locating potential station locations. Additionally, the chapter and TURN discussed reaching out to UNAVCO to determine if their stations can be incorporated into the network. Please feel free to reach out to any Lahontan board member with any questions and concerns or if you would like to be help out during this change.



Southern Chapter Update

Prepared by Frank Wittie, PLS 2021 SNALS President

After Governor Sisolak's "Stay at home 2.0," the SNALS board thought it would be irresponsible to hold a large gathering. So, having the best interest of our membership in mind, we regretfully canceled our annual holiday party. In its place, SNALS joined the Lahontan Chapter in an online whiskey tasting on Zoom arranged by Trent Keenan of Diamondback Land Surveying. Through Trent's connections at Old Elk Distillery, we met Master Distiller Greg Metze and explained everything that went into each of the whiskeys and bourbons we sampled. As much as we would prefer to have had our holiday party in person, the whiskey tasting was a great alternative that afforded us the opportunity to have drinks with our neighbors to the north. After the tasting, Greg Phillips administered the Oath of Office to the continuing and new SNALS board members that were in attendance. The 2021 SNALS board consists of Frank Wittie, President; Verland Pierson, Vice President; Craig Morris, Treasurer; Sean Corkill, Secretary and Past President (2014); Directors: Jason Higgins, Past President (2007) and Chapter Rep; Trent Keenan, Past President (2011); Randy Mrowicki, Craig Wilson, Alejandro Orosco, newbie; Honorary Director Doug Wood, Past President (2016); and our Immediate Past President Nick Ariotti. We have been asking, more like begging, for more people to volunteer to take part on the board, and for the first time in years, we had more people than board positions. A special thanks to Heather Keenan, YSN Liaison; and Willy Brown for volunteering their time to be involved with our board, looking forward to them both being on the board in the future. This board has five SNALS, past presidents, on it. Their continued participation shows their dedication to our profession. I feel fortunate to have their experience to lean on this year. I am not sure if they really wanted to get involved again or if they were just worried about the lack of interest from membership, either way, I am grateful for their help.

The SNALS board has been dedicated to education for years, and the current board is no different. We plan to work with UNLV and CSN on trying to get a Professional Land Surveyor to teach the survey classes again. If you are interested in teaching survey 101 to some freshman engineering students (hopefully stealing a couple), please reach out to the board, and we will put you in contact with the right people.

Like most of you, this board is suffering from Covid Fatigue. We are planning events just in case we can have them. We would like to have the picnic this year, although late April/early May could still be too early. Possibly a GPS on benchmarks/Jeep trip in the works. If you're interested, let us know. Trent has the golf tournament tentatively scheduled for mid-October. Our holiday party is once again planned for the first Friday in December. We will blast out more details as they get finalized. We are looking forward to seeing you all in person soon.

Don't forget to sign up for the Virtual Conference, being held March 27-30, 2021.





NALS Remembers...

Benton "Ben" Grissom

August 30, 1955-January 11, 2021



It is with great sadness; we announce the passing of Benton "Ben" Grissom on January 11, 2021, from pancreatic cancer while in the loving care of his fiancé and his faithful dog, Krispy. Ben was 65 years old.

He was born on August 30, 1955, in San Rafael. Cat. to Benetta (Locke) and Charles Grissom, he was raised in Carson City by his mother and stepfather, M.A "Mutt" Gossett. Ben spoke fondly of his childhood, excelling in both academics and sports, graduating from Carson High School in 1973. He later earned certifications in Professional Land Surveying and Civil Engineering, and after a fulfilling career in various positions, Ben retired in 2007 as Location Engineer at the Nevada Department of Transportation. Ben enjoyed retirement, often cruising the world, skiing, and, among many hobbies, restoring a 1943 Willys while enjoying the home he made in Nevada.

Ben loved the outdoors and spent countless days on Nevada's back roads while hunting, camping, fishing, or just off-road exploring with friends. He was an ardent fan and benefactor of the University of Nevada's collegiate sports programs. Ben rarely missed MLB Spring Training in Phoenix or a Reno Ace's game, spending many summers at the field.

Ben was preceded in death by his parents and grandparents. He is survived by his fiancé. Kathryn Shabi; sister, Marianne Gossett Justus (Jared), two nieces, a nephew, and his Godson, Jon Thomasina, as well as numerous cousins and many great friends he made throughout his life. Ben was well-loved and will be truly missed.

There was a private memorial service held at Walton's on Wednesday, January 20, in Carson City, followed by a burial in Springville, Utah.

Ben's fiancé - Kathryn Shabi, heartfelt tribute:

I was honored to share eight years of Ben's life, his final years on earth, but I envy those who knew Ben during his career because it is rare to find someone so passionate about his life's work and about life itself. Ben loved his work and was proud of his career. His favorite way to travel was always a long road trip,

and he showed me many examples of how Nevada's highways were superior to those in surrounding states as every state line seemed to inevitably give way to a rougher ride.

Ben was truly a lifetime student and continually learned and remained productive even as a retiree. But, probably more than anything else, he loved mentoring and sharing his knowledge of all things. Ben's face would light up when he realized he had helped someone (usually me) understand a complicated topic. However, it was not all work and no play, by any means. Ben loved spending time outdoors and there is not a corner of any Nevada county he hasn't explored and enjoyed in some way. Without a clock to punch, Ben and I traveled to most of those counties and also to Arizona for MLB spring training, Nashville, and New Orleans to see the Nevada Wolfpack football team in post-season bowl games. And enjoyed cruises to Hawaii, Vancouver and Alaska. We spent endless hours camping, hunting, fishing, and off-roading in some of the most remote places this state has to offer. Ben also loved local concerts, festivals, and learning to cook or make new things.

Ben was resourceful, and it's not an exaggeration to say he could fix nearly anything. He was disciplined and would never tolerate leaving anything he owned in disarray. He said if it was worth owning, it was worth fixing. And he did just that. Not wanting to ever be idle, he took on projects such as restoring old vehicles, remodeling the kitchen, and gardening.

Ben's cancer diagnosis in 2016 may have put a crimp in some of his post-retirement plans, but his determination to beat it and live his life on his terms never waivered. He put up a courageous and odds-defying fight until the day he passed away. Not everyone gets the chance to leave their mark on this earth, but Ben did, and he also left his mark on the hearts of anyone who met him and was on the receiving end of that amazing smile.

Steve Parrish remembers:

"Gentle" Ben Grissom ...

Ben was never without a smile, always had a warm greeting, and was willing to assist all who asked for his help. I knew Ben through our joint interests in surveying and received a lot more information from him than I was able to provide to him. He was the go-to source for survey control data at NDOT. Until we meet again – RIP, Dear Ben.

*Editor: I never met Ben, however by the beautiful words written by Kathy, I wish I could have. Ben lived a life that so many of us wish we could and genuinely lead by an example we should all follow. THANK YOU, Ben, for your passion and generosity to our GREAT profession. You will truly be missed by so many of us!

The NALS Education Foundation would like to acknowledge the legacy gift received from Mr. Benton "BEN" Grissom. This generous donation of \$20,000 will go a long way in providing much-needed support to our Nevada Land Surveying education programs as well as providing scholarship opportunities to land surveying students.

It is an honor to announce that the NALS Education Foundation has created the Ben Grissom Memorial Scholarship and will be awarded annually and available to all Nevada students beginning in 2022!

Sustaining Members

Following is a listing of sustaining members of the Nevada Association of Land Surveyors. Please remember that these firms and businesses, through their NALS membership, are supporting the aims and objectives of our association.

Aerial Mapping Consultants

4011 W. Cheyenne Avenue, Ste. A
North Las Vegas, NV 89032
T. (702) 291-2875
info@aerialmappingconsultants.com

AeroTech Mapping

2580 Montessouri St., Ste. 104 Las Vegas, NV 89117 T. (702) 228-6277 F. (702) 228-6753 leotorres@atmlv.com

Atkins Global

617 Alexander Avenue Las Vegas, NV 89106 T. (323) 425-5680 chevyhdz23@gmail.com

Carlson Software

T. (859) 568-8429 lrojas@carlsonsw.com

Monsen Eng. Supply

1190 Corporate Blvd. Reno, NV 89502-2381 T. (775) 359-6671 F. (778) 359-6693 marty@monsenengineering.com

Nevada Transit & Laser

Joe Schneiderwind 5720 S. Arville, #110 Las Vegas, NV 89118 T. (702) 960-2833 joe@rmtlaser.com

Paul R. Wolf's Artisan Surveying Group Las Vegas[°] Pioche[′] McGill^{′′}

PO Box 33434 Las Vegas, NV 83133-3434 T. (702) 233-3451 twolf@ArtisanSurveying.com www.ArtisanSurveying.com

US Survey Supply

PO Box 2127 Bandon, OR 97411 T. (541) 404-6825 rod@ussurveysupply.com

Vertical Mapping Resources, Inc. Andrew Babian

1610 Montclair Avenue, Suite D Reno, NV 89509 T. (775) 737-4343 info@verticalmapping.com

NALS Board of Directors Meeting

Friday, January 22, 2021 • Via Zoom Videoconferencing

MINUTES

Nevada Association of Land Surveyors (NALS) Board of Directors meeting held at 10:00 AM on January 22, 2021 via ZOOM video conferencing.

CALL TO ORDER

President Justin Moore called the meeting to order at 10:00 AM and convened a closed session.

Closed session from 10:00 AM - 11:00 AM.

President Justin Moore reconvened from closed session, during which the following actions were taken.

MOVED by Bill Kruger and **SECONDED** to adopt the social media policy. MOTION CARRIED.

MOVED by Bill Kruger and SECONDED to direct Justin Moore to write a letter to NSPS advising that NALS does not monitor personal social media accounts and that NALS has a social media policy in place. Letter to be disseminated to Board prior to sending. MOTION CARRIED.

ROLL CALL

Justin Moore, President Robert Carrington, Vice President Bill Kruger, Secretary Nick Ariotti, Treasurer Greg Phillips, Immediate Past President Crissy Willson, Executive Director Todd Enke, Director Jason Higgins, Director Jake Johnson, Director Frank Wittie, Director

Guests

Paul Burn, Committee Chair Trent Keenen, Nevada Traverse Editor & Committee Chair Heather Keenan, Young Surveyors Network Sarah Walker, Young Surveyors Network

INSTALLATION OF OFFICERS

Immediate Past President Greg Phillips installed the Board of Directors.

PRESIDENT'S REPORT

Report included in the agenda.

President Justin Moore reported that his goal is to continue to build on the momentum that has been created the last few years. Outreach will continue to be a high priority.

Another important way in which we will continue our momentum is by supporting our committees. To help in that effort, a list of committee charges has been developed and will be sent to the committee chairs after this meeting.

The following are the committee chair/liaison appointments for the year:

Advanced Education - Trent Keenan Advanced Technology - Todd Enke Board of Registration Liaison – Jason Higgins (South) / Greg Phillips (North) Bylaws - Nancy Almanzan Communications/Publications - Trent Keenan Continuing Education/Conference - Nancy Almanzan Legislation - Robert Carrington Membership - Justin Moore

NDOT AdHoc - Greg Phillips Nominating Committee - Greg Phillips NSPS Director - Nancy Almanzan Past President's Advisory Council - Greg Phillips Professional Practices (Ethics) - Paul Burn

Outreach - Trent Keenan

Young Surveyors Network – Sarah Walker (North) / Heather Keenan (South) WFPS - Trent Keenan & Greg Phillips

MOVED by Jason Higgins and **SECONDED** to ratify the President's appointment of committee chairs. MOTION CARRIED.

DELEGATION OF DUTIES

Report included in agenda.

Each year the Secretary and Treasurer may request that specific duties be delegated to the Executive Director.

MOVED by Todd Enke and SECONDED to delegate duties of Secretary and Treasurer with the exception of attending meetings and signing checks made payable to Association Management Services. MOTION CARRIED.

TREASURER'S REPORT

Report included in agenda.

The Board of Directors reviewed the financials as included in the agenda.

MOVED by Jason Higgins and **SECONDED** to accept the financial statements as included in the agenda. MOTION CARRIED.

Included in the agenda is a resolution to change signors on the NALS bank accounts.

MOVED by Robert Carrington and SECONDED adopt the resolution to change the signors on the NALS bank accounts. MOTION CARRIED.

EXECUTIVE DIRECTOR'S REPORT

Executive Director Crissy Willson reported that there has been progress on the group exemption application that was submitted to the IRS in June 2020. The IRS exempt organization department has had a backlog due to the pandemic. After multiple follow-ups, the NALS application was assigned to an agent. The agent has indicated that NALS has met all requirements and the application will be approved. Crissy has filed a request to make the approval retroactive to the date of the application allowing 2020 taxes to be filed with group exemption status.

The number of members that have been participating in the statewide virtual meetings continues to increase. The virtual platform allows members to engage and provides an opportunity for members in more rural parts of the state to participate when they normally would not be able to make Chapter meetings. NALS will continue to host virtual meetings, in addition to in-person meetings (when allowed).

Each year at the conference, awards for the previous year are presented. As the 2020 conference was shifted to a virtual platform, the Board of Directors opted to hold the 2019 award presentations until the 2021 conference. With the 2021 conference being held virtually as well, it is recommended we hold a gala event in the summer when in-person meetings are allowed again. Additionally, the NALS Education Foundation has requested to piggyback on any in-person event that NALS plans so that they can hold their scholarship auction and other fundraisers.

The Board of Directors agreed to extend the deadline for award nominations to the end of April. 2019 and 2020 awards to be presented at the next in-person NALS event.

CONTINUED ON PAGE 28

July 15th – NALS Workshop & Scholarship Auction/Awards Banquet July 15th – Board of Directors meeting during lunch break July 16th – Golf Tournament to benefit the NALS Education Foundation

Action Items: Crissy to contact the NALS Education Foundation and notify them they can participate in the July event for fundraising opportunity. Crissy to contact Silver Legacy to set up meeting. Greg and Trent to work on reserving date for golf tournament.

EDUCATION FOUNDATION

Report included in agenda.

The NALS Education Foundation Board of Directors is made up of a majority of Principal Directors that area appointed by the NALS Board of Directors. The Principal Directors then appoint the General Directors to the NALS Education Foundation.

MOVED by Robert Carrington and **SECONDED** to appoint Nancy Almanzan and Trent Keenan as Principal Directors of the NALS Education Foundation. **MOTION CARRIED.**

ADVANCED EDUCATION

Advanced Education Chair Trent Keenan reported that there has been no progress on the hiring of a second professor at Great Basin College (GBC). Enrollment in the GBC program continues to increase and classes start at the end of January.

ADVANCED TECHNOLOGY

Advanced Technology Chair Todd Enke reported that there continues to be strong opposition to Ligado (formerly LightSquared). In 2023 the FAA will require unique remote IDs for drones. NALS will continue to monitor progress of 2022 datum. NGS hosted a GPS on Benchmarks for Nevada webinar. NALS will continue to promote the program.

BOARD OF REGISTRATION LIAISON

Report included in agenda.

Board of Registration Liaison Jason Higgins reported on the Professional Association Liaison (PAL) Committee meeting which focused on discussion regarding quality of engineering and land surveying documents submitted to public agencies.

COMMUNICATIONS / PUBLICATIONS

Nevada Traverse Editor Trent Keenan reported that the deadline for the next issue of the Nevada Traverse is January 25th. The magazine is breaking even and is receiving national recognition. Nevada continues to be one of just a few states that are able to continue a printed magazine four times a year.

CONTINUING EDUCAITON / CONFERENCE

NALS extended an invitation to all western states to join in the 2021 virtual conference. Seven states will be participating including Alaska, Arizona, California, Montana, Nevada, New Mexico, and Washington.
The Conference will be held March 27-30, 2021. Featured speakers will include Gary Kent, Knud Hermansen, and Jan VanSickle. The full program will be available in February at PLSeducation.org

LEGISLATIVE

Legislative Committee Chair Robert Carrington reported that he is using LegiScan to identify and track bills affecting the land surveying profession. Currently, the committee is tracking a bill related to digital submission.

MEMBERSHIP

Crissy Willson reported that NALS Membership continued to stay strong throughout the pandemic. Membership dues were sent electronically in November and over 50% of members have already paid. A second notice will be emailed followed by a mailed invoice to those still outstanding in March. An unpaid dues list will be sent to the Chapters so they can help follow-up with members.

NDOT AD HOC

NDOT Ad Hoc Committee Chair Greg Phillips reported that NDOT is still working out some security issues in the online system. Once complete, there will be 50 licenses available. NALS Executive Office has offered to assist with compiling a spreadsheet of those interested in obtaining a license.

OUTREACH

Outreach Committee Chair Trent Keenan reported receiving a list of virtual career fairs and STEM events. The committee is working to develop a package that can be used for virtual events including video, powerpoint, etc.

The Board of Directors discussed TrigStar and agreed that there are not enough schools back to in-person learning to facilitate a program this year.

MOVED by Todd Enke and **SECONDED** to request TrigStar license fees back from NSPS and to allocate those funds to other outreach opportunities. **MOTION CARRIED.**

YOUNG SURVEYORS

Sarah Walker and Heather Keenan reported on the activities of the Nevada Young Surveyors Network (YSN). Due to the pandemic, the YSN was not as active as usual during 2020, however, meetings are getting scheduled including a Jeopardy Night, GeoCaching Event, Camping Trip, and GoKart Racing Night. In addition, the YSN is working on a website that will be launched in February.

WFPS

WFPS Directors Greg Phillips and Trent Keenan reported that WFPS has not met since the last report. The next meeting will be held in February via ZOOM.

CHAPTER REPORTS

The Lahontan Chapter will be meeting on February 4th with speaker Sean Fernandez to discuss the datum change.

The Southern Nevada Chapter meeting schedule is being developed.

Special thank you to Trent Keenan for setting up the NALS Holiday Party Virtual Whiskey Tasting. The event was attended by members of both Chapters and enjoyed by all!

MEETING CALENDAR

February 18, 2021	Statewide Virtual Meeting (ALTA
Update with Paul Burn)	
March 27-30, 2021	Western Regional Survey
Conference (Virtual)	
April 9, 2021	NALS Board Meeting (Virtual)
May 20, 2021	Statewide Virtual Meeting
(Program TBD)	
July 15, 2021	NALS Workshop, Scholarship
Auction & Awards Banquet (Reno)	
July 16, 2021	NALS Education Foundation Golf
Tournament (Reno)	
September 9, 2021	Statewide Virtual Meeting
(Program TBD)	
October 14, 2021	NALS Board Meeting (Las Vegas)
November 4, 2021	Statewide Virtual Meeting
(Program TBD)	

Visit the NALS Calendar for more information. http://nvlandsurveyors.org/calendar.html

ADJOURNMENT

The meeting was adjourned at approximately 1:45 PM.



NALS Remembers...

Steve Frank



NSPS and the land surveying community mourn the loss of Steve Frank, a long-time member, and Fellow, in NSPS/ACSM. Steve was a dear personal friend to many in the surveying community and was a major contributor to the surveying profession as an outstanding educator and supporter of young Surveyors.

He was a National Society of Professional Surveyors (NSPS) Delegate to the

International Federation of Surveyors (FIG). He served as Chair of FIG Commission 2 (Professional Education). He also served with Chairman John Hohol on the FIG Foundation Board (2011–2014) as a Director. During his term on the Foundation Board, he generously contributed, both in guidance and financially.

Steve was a past president of the New Mexico Professional Surveyors, a board member of the Surveying and Geomatics Educators Society (SaGES), and past president of the American Association for Geodetic Surveying (AAGS). He also served as a member of the Accreditation Board for Engineering and Technology (ABET) Applied Science Accreditation Commission which provides accreditation to more than 3,100 surveying engineering programs for 600 colleges worldwide.

Steve earned a Bachelor's degree in surveying engineering and a Master's degree in civil engineering with an emphasis in surveying engineering from California State University, Fresno. He went on to receive a Doctorate in surveying engineering from the University of Maine. He worked in California, Saudi Arabia, and Maine before moving to New Mexico, where he served on the faculty of the Geomatics/Surveying Engineering program at New Mexico State University.

Carl R. C.de Baca remembers:

Steve Frank was a giant in survey education, and that in itself is notable, but closer to home, Steve was an independent reviewer of the GBC program about five years ago, and he rated that program very highly. Since Steve was an ABET evaluator at the time, his comments, review, and guidance were very informative. I believe this helped Byron Calkins put the school on the path toward eventual accreditation by convincing the school that the program was robust, successful, and worthy of the investment.

Byron Calkins remembers:

One of our surveying classes at NMSU had a laboratory element. Steve was the instructor of record, and he decided that his students would recover section corners for the soon-to-be Virgin Galactic Spaceport, just outside Las Cruces. One day out in the field, we decided to bring coolers, chairs, food, and a BBQ grill. The entire class (all nine of us) built a small fire and had a cookout. I remembered Steve saying that if other students at New Mexico State University knew the fun that surveying students had in class, the program would not have low enrollment!

Steve is credited with starting the NSPS student competition. The original genesis behind the competition was for students to have something to do during the national conference other than having to "man" a conference booth! He was adamant that all aspects of the NSPS student competition, such as fundraising,



travel planning, practicing, writing, and submitting papers, were only done by students. This philosophy empowered the student team to take full responsibility for the final product (good or bad) and be genuinely independent of faculty assistance.

Fortunately for me as a surveying student, the New Mexico Professional Surveyors Association was very generous in their support of the NSPS student competition. Thankfully, the Nevada Association of Land Surveyors has been equally (or more) supportive of our NSPS student competition team, and some of that credit should go to Steve Frank!

ACSM/NSPS Conference 2008 - Spokane, Washington

*Editor:

When I first started my surveying career in 1995, I had moved to Las Cruces, NM, for about 18 months to survey and got to meet Mr. Frank. What I remember most about Steve was he enjoyed life, family, and many friends within the land surveying community. Steve was always there to brighten the lives of others, and that didn't matter if you met him for the first time or the hundredth time; Steve was there to provide any guidance you needed as a young surveyor.



Meet 2021 NALS BOD...continued from page 13

job, day in and day out, and have pride in their work, no matter what their end game is.

What are your thoughts on the future of surveying?

Surveying will continue to be an honorable profession among surveyors and most civil engineers, attorneys, and title officers. It will continue to be a necessary evil to a few civil engineers. And, it will continue to be virtually unknown to the vast majority of the population.

What would you like to see happen moving forward for the profession?

I would like to see more smart STEM students find their way into our profession. There exist so many options for them now, finding our niche seems more and more difficult. But the gratifying experience of a successful boundary determination, or the precise words in a legal description making a difference, or accurate staking providing for a new building or road, or just a clear, accurate, and good-looking map being appreciated, will continue to engage a few as we move on down the road. Hopefully.

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Members have spoken and we are listening! To fill the void left by the ending this past July of the NSPS Radio Hour, the weekly radio show hosted by Executive Director Curt Sumner, we are proud to announce our new podcast, "SURVEYOR SAYS!" featuring all things surveying.



https://surveyorsays.podbean.com/





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