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***Fall Seminars
Inside***



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Kentucky Association of Professional Surveyors

Fall 2019, Issue 3



Interior

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The Interior Angle is the official publication of the Kentucky Association of Professional Surveyors (KAPS). It is published quarterly to communicate with the professional surveying community as well as those in related professions and others with an interest in surveying. The Interior Angle is financed primarily by membership dues, although advertisements are welcome from service and product industries relating to the needs and activities of the profession. The Interior Angle is provided to KAPS members and similar organizations on a complimentary basis.

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The Interior Angle welcomes and encourages comments, opinions and responses by readers. Letters should be addressed to:

Editor — The Interior Angle
P.O. Box 211418
Louisville, KY 40221

Letters must be signed and include a daytime telephone number. The name of the letter's author may be withheld if requested. Letters may be edited for clarity and length.

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Director/Publications/Newsletter/Editor

Justin Drury, PLS—editor@kaps1.com

Publisher

Jackie Hawkins—Jackie@kaps1.com

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In Memoriam of Walter Rives – 1952-2019



Friends, it is with great sadness that we announce the passing of a fellow surveyor and KAPS member, Walter Rives. Mr. Walter Chelf Rives, age 66, of Fox Chase, returned to his Heavenly Father on Saturday, August 24, 2019. Mr. Rives was born in Louisville on October 19, 1952 to the late Anthony “Tony” Joseph and Betty (Chelf) Rives. Mr. Rives retired from the U.S. Army Corps of Engineers as a civil engineer after 30 years of service and was a registered land surveyor.

He leaves to cherish his memory, his loving wife of 45 years, Janice Kay (Hall) Rives; son, Jason Michael Rives; daughter, Shanna Lynn Stone; grandson, Caleb Michael Stone; brothers, Charles Louis Rives (Sharon) and Shannon L. Rives (Tonya); father in law, James “J.C.” Hall; nieces and nephews, Aaron Rives, Christopher Rives (Lisa), Tony Rives, Alex Rives (Charslie), Dallas Rives, James Bell (Sara) and Kelly Durst (J.T.).

Funeral service will be held on Friday, August 30, 2019 at 2 pm in the chapel of Schoppenhorst, Underwood & Brooks Funeral Home (Preston Hwy. at Brooks Rd.) with interment to follow at Brookland Cemetery. Friends may pay their respects on Thursday from 2 pm until 8 pm and Friday from 11 am until the time of the service at the funeral home. In lieu of flowers, expressions of sympathy may be made to your favorite charity. www.subfuneralhome.com

<https://www.subfuneralhome.com/obituary/walter-rives>

Scholarship Applications

The 2019 Scholarship applications are now available on our website at <https://www.kaps1.com/about/scholarships/> and at the end of this edition of the Interior Angle. **Thank you, John St. Clair, for your dedication to our scholarship recipients!**

The Application Deadline is Thursday, November 21, 2019. That means that your application, recommendation, and transcript **MUST be POSTMARKED** no later than Thursday, November 21, 2019. Don't miss out on this amazing opportunity by mailing your application late.



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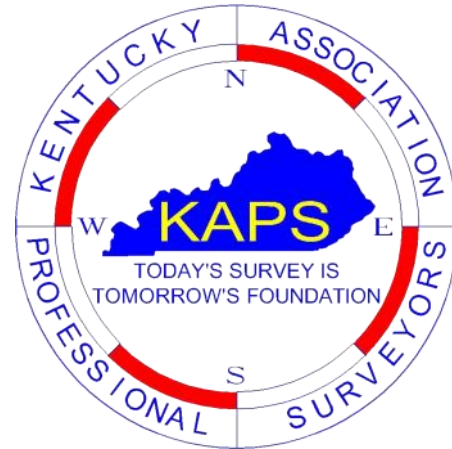
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PLEASE NOTE: Due to limited office hours, email is the best way to reach us! Jackie@KAPS1.com
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Save the Date!

2020 KAPS Conference 2/5—2/8

At the Clarion in Lexington, Kentucky

The Interior Angle, Fall 2019



Greg Barker, PLS

2019 President, Gbarker@vioxinc.com, 859-727-4500

From the President's Desk



Well here it is, time to put the fingers to the keyboard. Greetings Interior Angle fans. Thank you for taking a monument from your day to read these pages. Please take a long glance at our sponsor ads. Those guys are paying our bills.

The fall seminars are on the KAPS web site there are many great classes listed. Please check them out.

The 2020 KAPS Conference and Hotel accommodations will be at the Clarion Hotel 1950 Newtown Pike, Lexington, KY 40511, February 5-8th. More information is coming in regularly. Please reserve a spot for this great event on your calendar.

If you are not able to make any of our stellar dates, you can still take the ONLINE ETHICS CLASS, offered on the KAPS web page.

If you know anyone (son, daughter, co-worker, uncle, Aunt Thelma) who is pursuing a career in surveying, please remind them to apply for our scholarships. There is \$6,500.00 available for scholarships. The application can be found on our web page.

We took a trip to DC this summer, and to my surprise I discovered that Alexander Hamilton's father was a surveyor. A quick reminder, Alexander Hamilton was one of our nations founding fathers, a politician, legal scholar, military commander, lawyer, banker and economist. However, Wikipedia states that "Hamilton was born out of wedlock in Charleston, Nevis". I like the son of a surveyor story better, so I'm sticking with that.

I think we often overlook safety, professionally and in our personal lives, so I'd like to continue to throw reminders out there to you. Per blogforsafety.com the top 6 safety concerns for us surveyors who work in the field are:

Distracted drivers. We spend a lot of time on the side of, or in the road. Remember to put on your safety vest, set

up your "DON'T RUN OVER THE SURVEYOR" signs, cones, whatever it takes to get through the day safe. Keep an eye out for the texters and talkers.

Snakes and insect bites are also on the list. Bug spray and snake proof boots. Tick bits are a reoccurring subject on one of the blogs I read. We usually keep bug spray in our work vehicle, but it doesn't do us any good if we don't put it on.

Heat exhaustion season is almost over. However, keep carrying those bottles of water with you.

Unstable surfaces. If you ever leave the sidewalk, your going to encounter unstable surfaces. Watch your step. Don't throw branches at the guy climbing up the hill. It's not as funny as it seems. Never shake the fence someone is trying to climb over.

Construction Hazards. Make sure you're wearing the required PPE. Always, always make eye contact with any heavy machine operators before walking behind or around them.

Until next time

Greg Barker, PLS



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Knick v. Township of Scott:

Supreme Court Ruling Opens the Door to Owner Compensation for Cemetery Access

With the recent popularity of Genealogy companies like Ancestry.com, there is renewed interest in researching one's family lineage. With one stop shop records data bases, you can find; marriage records, birth certificates, religious information, employment records, property records, and so on. The ability to retrace the steps of long distant relatives has never been more accessible. For those even more industrious folks, that wish to delve deeper into their family stories, you might even track down the final resting place of a Revolutionary War Era relative, buried in a family plot on a hillside somewhere long forgotten.

As surveyors, how we handle gravesites and cemeteries, has been a tricky and inconsistent business. Often the sites are merely some unreadable headstones in a thicket. Time and lack of upkeep has left many family plots, almost unrecognizable from their surroundings. If lucky, there might be an old rock or iron fence marking the limits of the grave sites. Some might just be a smattering of worn stones with no discernible boundary. Most sites we come across over the course of a survey, just get noted on the plat with a best guess dashed square, to put the landowner on notice of a possible cemetery. But what if that dashed square on a plat becomes the center of a dispute between the landowner and a distant relative to those that are claimed to be buried there. Now those relatives now want access to visit that site to pay their respects.

In Lackawanna County Pennsylvania, this exact scenario has played out over the last several years. Going all the way to a Supreme Court ruling, given in June of this year. In the case of Knick v. Township of Scott, a property owners rights and the government's ability (through local ordinance) to force the landowner to maintain and provide access to

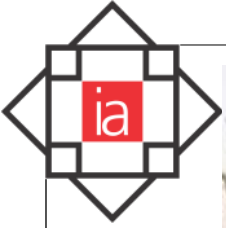
cemeteries on private property, have gone head to head. The ramifications of this case might very well affect how the discovery of burial sites are handled over the course of performing a survey of private property. A breakdown of the key events of this case are as follows.

Robert Vail Jr., of Scott Township, said his family learned of the burial plots, which date back to the 1800s, about 20 years ago from a family member who studied the genealogy of the family, and determined them to be on Mary Knick's property. The property consists of roughly 90 acres and has been used for farming and grazing of horses, cattle, and other animals. He said he spoke with Knick at the time, and she permitted the family to access the site.

Vail said he and his father, Robert Vail Sr., found several old tombstones, including that of Micah Vail, who served in the Revolutionary War. However, Knick stopped cooperating and wanted to bar them from the site. Vail contends, an ordinance passed in December 2012, in Scott County Township, requires cemetery owners to maintain the upkeep of the cemetery and allow public access during certain hours. Local officials, then determined Knick's property was subject to the ordinance after a site visited uncovered several tombstones, and consequently issued a citation against Knick for failing to maintain its upkeep and not allowing access.

After receiving the citation, Knick sought relief from the Pennsylvania court of common pleas, believing her land was being taken without compensation, but the court refused to accept the case as the Township had yet to file a civil enforcement action against her. She subsequently appealed to the United States

(Continued on page 8)



District Court for the Middle District of Pennsylvania, citing facial challenges based on the Township's new ordinance violating her Fourth and Fifth Amendment rights in addition to takings claims. The District Court then dismissed the case, arguing that it was unripe for federal courts as per *Williamson County Regional Planning Commission v. Hamilton Bank of Johnson City (1985)*. Knick challenged again to the Third Circuit Appeals Court. While the Third Circuit did consider if the various tests prescribed by *Williamson County* were applicable to the facial challenges presented by Knick, the Court ultimately deemed that Knick's case was unripe until Knick had prosecuted a state-level lawsuit.

Knick then petitioned the Supreme Court and was accepted. The Court issued its judgment on June 21, 2019, in a 5–4 decision. It vacated the Third Circuit's judgment and remanded the case to the lower court. The main takeaway from this decision, is that property owners seeking compensation for takings compensation, could go directly to federal court, without exhausting state level litigation. Many believe that this opens the door for other like cases at a federal level, citing the court's opinion that "a constitutional violation is complete at the time property is taken."

Of course, as so many of these legal wranglings go, the matters of:

"what constitutes a cemetery?"

"Do you have to prove who's buried there?"

"What really qualifies for access and or upkeep of gravesites?"

where not touched with a ten-foot-pole. The argument eventually came down to compensation, and these questions still languish in the inconsistency and grey

matter of the many state and local ordinance systems.

However, it is important to note, that the door is now open to federal suits by property owners to demand compensation when the burden of upkeep and public access is applied to discovered burial sites. Or possibly any other historically important areas on a private property. The days of a best guessed dashed square on a plat could be ending. With the general public having greater access and interest, to genealogical research and records, this very scenario could play out on a property that you are surveying. The location, measuring, and yes, monumentation of these sites, might become as important as the property boundary itself.



*Justin Drury, PLS, TIA
Editor & Contributor,
teaches surveying seminars
on cemetery law.*



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Holly Gill-Gaither, CIC
h.gillgaither@walkerhughes.com

2019 KY State Board of Licensure Board of Directors

The Kentucky State Board of Licensure for Professional Engineers and Land Surveyors (KYBOELS) was established by the General Assembly in 1938 to protect the public health, safety and welfare. This is accomplished through the licensing and monitoring of individuals and firms deemed qualified to practice.

Among the services KYBOELS provides to engineers and surveyors and the public are licensure, reciprocity, examinations, and investigations and regulatory compliance. KYBOELS is not associated with the Kentucky Society of Professional Engineers; however, KYBOELS resides in the Kentucky Engineering Center as a leasee of KSPE.

Statutes and regulations regarding engineering and surveying law in Kentucky are available on the KYBOELS website, <http://kyboels.ky.gov>. If you have specific questions not addressed here, please contact the board office at 800-573-2680 or 502-573-2680.

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wbowie@twc.com

Christopher Gephart - PLS
Board Member
chrisgephart@bayerbecker.com

Ed Manning—PE, PLS
Executive Director
jamese.manning@ky.gov

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hgooff@donan.com

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Board Member
nicole_galavotti@shieldmw.com

Wanda Jordan
Executive Assistant
wanda.jordan@ky.gov

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clay.kelly@strand.com

David Cole Mitcham - PE
Board Member
Cole.Mitcham@amwater.com

Jonathan Doran Buckley
General Counsel
jonathand.buckley@ky.gov

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Board Member
bsurveying@yahoo.com

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Board Member
ryan.griffith@ky.gov

Kyle Elliott - PLS
Director of Enforcement
kyle.elliott@ky.gov

Rudolph Buchheit - Ph.D
Board Member
rudolph.buchheit@uky.edu

Staff

Tamra Chesser
Land Surveying Licensure/
Continuing Education
tamra.chesser@ky.gov

Doug Klein
Board Member
doug.klein@uky.edu

Heather Baldwin, PE, PLS
Investigator
heatherl.baldwin@ky.gov

Melissa Kopp
Engineering Licensure/
Business Entity Permits
melissa.kopp@ky.gov

Emmanuel Collins - Ph.D
Board Member

Sandra Whisman
Legal & Enforcement Assistant
sandra.whisman@ky.gov

Kentucky State Board of Licensure Calendar of Events 2019

April 5	PE, STR Vertical Exams	Louisville
April 6	STR Horizontal Exam	Louisville
April 25	Committee Meetings	Frankfort
April 26	Board Meeting	Frankfort
May 16-18	NCEES Joint Western/Southern Zone Mtg.	Boise Idaho
July 25	Committee Meetings	Frankfort
July 26	Board Meeting	Frankfort
August 14-17	NCEES Annual Meeting	Washington D.C.
October 24	Committee Meetings	Frankfort
October 25	Board Meeting	Frankfort
October 24	PE, STR Vertical Exams	Louisville
October 25	STR Horizontal Exam	Louisville

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audubon.kaps@gmail.com

Barren River



Chris Higgins, PLS
chrish@scottyscontracting.com

Bluegrass-Capital



Tim Tong, PLS
TTong@grwinc.com

Falls of the Ohio



Mike Billings, PLS
mbillings@engdesgrp.com

Green River



Bob Smith, PLS
bsmithpls@yahoo.com

Highlands



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Northern Kentucky



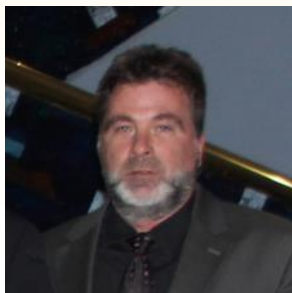
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matthewclark0320@hotmail.com

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Kentucky State Board of Licensure for Professional Engineers and Land Surveyors
Kentucky Engineering Center, 160 Democrat Drive, Frankfort, Kentucky 40601

The Board of Licensure Report

July 2019

Expired Licenses

Licenses with surnames in the range A thru K were due to renew their license by June 30, 2019. If you failed to renew, you can still renew online. Just go to the board website www.kyboels.ky.gov then click "Already Licensed" and follow the prompts, or type this link in your browser: <https://kyboels.ky.gov/Renewals/Pages/default.aspx>. Once you are there, just answer a few questions and pay with your credit card. A 10% late renewal penalty will be charged for each month or part of a month that the renewal is late.

It is important to note that while the regulations permit a licensee to renew his or her license for up to a year after it expires, the licensee is not authorized to practice engineering or surveying on an expired license.

Any licensee who renews on or after September 1 of his or her renewal year is subject to an automatic CPD audit.

CPD Audits

Audits for Continuing Professional Development (CPD) will begin in early September. Each year 5% of licensees who renewed before September 1 are randomly selected for an audit of their compliance with the CPD regulations. Licensees are required to respond to an audit notice within thirty days by providing documentation of their CPD activities for the audit period.

More and more licensees are taking advantage of the NCEES Continuing Education Tracking system. This system allows users to enter their continuing education courses, scan and store documents such as completion certificates, and transmit them electronically to state licensure boards upon request. The service is free and is accepted by most state boards. For information, go to <http://ncees.org/cpc/>

Firm Renewals

All Business Entity Permits (aka Firm Permits) expire on December 31 every year. Permits can be renewed online in a manner similar to that for individual renewals. The window for online renewal of Firm Permits will open about Mid-November. Please mark your calendars accordingly.

License Verifications

At some point in their career, many licensees find it necessary to obtain a license in another state, or several states. NCEES and state licensing boards across the country have been working to ease the burden of multi-state licensure. One part of that initiative has been to create a centralized license and exam verification system.

If you need to have your license and/or exam information verified to another state, go to <http://ncees.org/>, log in to, or create your MyNCEES account. From there you can request a verification electronically. Requests are sent in real time. States are able to respond electronically. Responses are immediately available to the state you designated. Additionally, the information is retained in your file at NCEES for future reference.

Reporting Violations

From time to time, Board staff receives inquiries from licensees about reporting violations of the licensure law and unlicensed practice. Most licensees realize that they have a legal obligation to report such violations, but they are unsure how to do it and to what extent they are obligated to cooperate with board investigations. The Board would like to remind licensees that under the Code of Professional Practice

(Continued on page 15)



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and Conduct, if a licensee has knowledge or reason to believe that any person or other licensee is in violation of KRS 322 or 201 KAR Chapter 18, the licensee shall submit to the board in writing the relevant information within his or her knowledge. Additionally, a licensee is required by the Code to cooperate with the board by providing relevant information within his or her knowledge upon request.

ENFORCEMENT ACTIONS SUMMARY

For The Period

April 27, 2019 – July 26, 2019

Kyle Elliott, Director of Enforcement

JASON LANCE GOINS, PE

In 2017, the Board received a written complaint from a licensee. A Board investigation found that Jason Goins, PE, had been hired to provide engineering services for a commercial construction project. As part of his work on that job, Goins was responsible for submitting an application to Kentucky's Department of Housing, Buildings, and Construction (HBC), to obtain their necessary authorization for the project. Another engineer's

foundation plan was included in Goins' submittal to HBC, and while the foundation plan was for the same proposed building, it had been designed for another specific site at another physical location. This foundation plan had been altered by the placement of a concealing sticker over the original site address, and displayed the address of the new proposed building location. Mr. Goins failed to adequately supervise the application submission to HBC, and therefore aided and abetted the unlicensed practice of engineering by accepting an engineering plan from his client, which had been altered by someone other than the design engineer. This action constituted a violation of KRS 322.180, Section 5. Further, his application submission also failed to be objective and truthful, and failed to disclose all material facts, a violation of the Code of Professional Practice and Conduct, 201 KAR 18:142, Section 3. In addition, an audit of Mr.

Goins' continuing professional development (CPD) requirements showed a deficiency of more than half of the required thirty professional development hours for the

audited period, a violation of 201 KAR 18:196. The Board's case against Mr. Goins was settled with a Consent Decree wherein Goins acknowledged the violations and agreed to: (1) pay a \$2,000 fine; (2) receive a written reprimand; (3) provide proof of thirty professional development hours of CPD activities for the 2017/2018 reporting period; (4) provide proof of thirty professional development hours of CPD activities for the 2019/2020 reporting period; and (5) take and successfully complete the online 60 professional development hour course in Engineering Ethics offered by Texas Tech University. The Board accepted the Consent Decree on July 26, 2019.

ADRIAN BRENT COMBS, PE

On July 5, 2017, a private citizen filed a written complaint against various licensed professionals and local and state government agencies. A subsequent investigation by the Board found that Mr. Combs, in October of 2016, while a public employee engineer of the Georgetown-Scott County Planning Commission, reviewed and approved an Amended Final Development Plan and associated permit applications, submitted by his former client, for the same project for which he had performed private consulting engineering services in 2009. The case was settled with a Consent Decree wherein Mr. Combs admitted that he should have known a conflict of interest existed when he reviewed and approved the Amended Final Development Plan, which plan was similar to his own Preliminary Development Plan, for the same client, in violation of 201 KAR 18:142, Section 4. The agreement with the Board requires Mr. Combs to: (1) receive a written reprimand; (2) have his professional engineering license suspended for sixty days; and (3) pay a \$2,000 fine. The Board accepted this Consent Decree on July 26, 2019.

(Continued on page 16)

(Continued from page 15)

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HGS LIMITED, CONSULTING ENGINEERS, PLLC

In January of 2018, the Board received a complaint from a licensee that HGS Limited, Consulting Engineers of Windsor, Ontario was providing structural engineering services in Kentucky without the proper business entity permit. An investigation by the Board confirmed the complaint and HGS Limited, Consulting Engineers, PLLC, through its president, agreed to settle the Board's investigation through a Consent Decree. In the Consent Decree, the corporation acknowledged violations of KRS 322.060, and agreed to: (1) pay a \$1,000 fine; and (2) maintain a current and valid business entity permit for any period in which the corporation is engaged in providing engineering services in the Commonwealth of Kentucky. The Board accepted this Consent Decree on July 26, 2019.

G-A-I CONSULTANTS, INC.

In September of 2018, the Board of Licensure learned that G-A-I Consultants, Inc., a Pennsylvania corporation, with a branch office in Erlanger, Kentucky, was offering engineering and land surveying services through their website and print media, while not regularly having a responsible charge professional engineer or responsible charge land surveyor in said branch office, in violation of KRS 322.060. G-A-I Consultants, through its president, agreed to settle the Board's investigation through a Consent Decree, wherein the corporation acknowledged the violations and agreed to: (1) pay a \$2,000 fine; (2) maintain current appropriate valid business entity permits for any period of time in which they provide, or offer to provide, engineering services and/or land surveying services in the Commonwealth of Kentucky; (3) update its current business entity permits to include any new office locations in Kentucky; and (4) present to the Board, in writing, a Corrective Action Plan detailing the staffing for their new Kentucky office and a detailed description of the work that will be performed at that office. The Board accepted this Consent Decree on July 26, 2019.

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National Trig-Star and Teaching Excellence Awards

The National Society of Professional Surveyors (NSPS) is pleased to announce the recipients of the 2019 Richard E. Lomax National Trig-Star Awards. The Trig-Star committee met on July 12-13, 2019 to determine the three top high school students from the national examinations submitted by state winners. This year there were thirty-six state winners submitted. A past president of NSPS, Richard Lomax was the driving force behind the elevation of the local Trig-Star program to the national level. In October 1994, Board action named this high school trigonometry skill award in his honor.

The Richard E. Lomax National Trig-Star Awards are as follows:



First Place:
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High School Laramie, Wyoming



Second Place:
\$1,000 Winner Austin Mazenko Cherry
Creek High School Greenwood Village,



Third Place:
\$500 Henry Hein Scholars Academy
Myrtle Beach, South Carolina

The Richard E. Lomax National Teaching Excellence Awards are as follows:

\$1,000 Winner:
Jim Padavic
Cherry Creek High School
Greenwood Village, Colorado

\$500 Winner:
Jennifer Zhang
Scholars Academy
Myrtle Beach, South Carolina

\$250 Winner:
Paul Street
Laramie High School
Laramie, Wyoming

The following is a list of the remaining participants:

Colin Bamford, Alabama
Taryn Trigler, Alaska
Karoline Stein, Germany
Alexander Zera, California
Junzhao Jiang, Connecticut
Aatig Vann, Delaware
Ian McLendon, Georgia
Isaac Speirs, Idaho
Shariq Zaman, Illinois
Neal Hollinden, Indiana
Michael Han, Iowa

Lindsey Vande Velde, Kansas
Damian Schwarber, Kentucky
Sadie Skinner, Maine
Than-Phuong Tran, Maryland
Ashley Nygren, Massachusetts
Hannah Rowe, Michigan
Noah Gersich, Minnesota
Jaima DeVries, Missouri
Amanda Guilland, Montana
Vincent Tang, Nevada
Ava Jovell, New Hampshire

Aditya Agashe, New Jersey
Kendall Scott, North Carolina
Rohit Dasanoor, Ohio
Andy Carter, Oregon
Jacob Johnston, Pennsylvania
Logan Langenfeld, S Dakota
Matthew Chang, Texas
Logan Tischler, Utah
Yifei Zhao, Virginia
Chloe Chapman, Washington
Matthew Becker, Wisconsin

For more information about the NSPS awards and scholarship programs, please contact NSPS, 5119 Pegasus Court, Frederick, MD 21704, (240) 439-4615, e-mail: Trisha Milburn at trisha.milburn@nsps.us.com, or visit the NSPS web site at www.nsps.us.com.



National Cybersecurity Awareness Month: Tips to Stay Safe Online from Homeland Security

CONNECT WITH CONFIDENCE

HELPFUL HINTS TO KEEP YOU CYBER SAFE

OWN
SECURE
PROTECT

IT.

OCTOBER 2019
National Cybersecurity
Awareness Month
#BeCyberSmart



OWN IT.

- Only use sites that begin with https:// when shopping or banking online.
- Understand the personal information you knowingly (or unknowingly) put on social media.
- Don't respond or click on links from people or organizations you don't recognize.
- Never share your personal information if you're unsure who's asking.

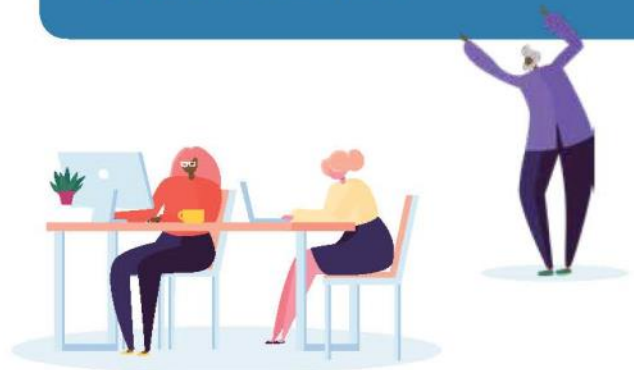
SECURE IT.

- Apply multi-factor authentication to your accounts ASAP!
- Always lock your personal or work laptop or mobile device when unattended in a public place.
- Use the longest password possible and be creative.
- Check your app permissions frequently.

For more information about connecting with confidence visit: <https://niccs.us-cert.gov/national-cybersecurity-awareness-month-2019>

PROTECT IT.

- Look for the "green lock" icon when online, it signifies a secure connection.
- Use your personal hotspot in public places, they're more secure than free WIFI.
- Make sure you're using the latest security software, web browser, and operating system.
- Secure your WIFI network and digital devices by changing the factory set password and username.



Friday, June 14, 2019 at 10 a.m.

My Old Kentucky Home, Bardstown, KY



KAPS Board of Directors

CALL TO ORDER

KAPS 2018-2019 President

PROXY VOTES:

Mike Billings to Jason Graves (rcv'd May 21, 2019)

MEMBERS PRESENT: Nick Jerdon – President, Greg Baker – President-Elect, Josh Calico – Past-President, Bob Smith – Vice-President of External Affairs, Jason Graves – Director/Secretary, Tom Bushelman – Director, Jonathan Payne – Director, Justin Drury – Director, Rich Murphy – Director, Chris Higgins – Barren River Chair, Matthew Clark – Jackson Purchase Chair, Curtis Felts – Southeast Chair, Mike Ladnier – Audubon Chair

STAFF PRESENT: Jackie Hawkins

GUESTS PRESENT: none

MEMBERS ABSENT: Kevin Phillips – Vice-President of Internal Affairs, James Mayo – Director/Treasurer, Mike Billings – Falls of the Ohio Chair, Tim Tong – Bluegrass/Capital Chair, Craig Palmer – NSPS Director/KAMP Liaison, Randy Long – Northern Kentucky Chair, John St. Clair – Scholarship Committee Chair

PRESIDENT'S WELCOME

President Nick Jerdon welcomed everyone to the meeting and thanked them for making their effort to make the meeting. Introductions were made.

ADDITIONS OR REVISIONS TO THE AGENDA

Nick Jerdon resignation

REVIEW AND APPROVAL OF BOARD MEETING MINUTES

The minutes of the April 13, 2019 meeting were reviewed. Josh Calico made a motion to approve the minutes. Tom Bushelman seconded. Motion carried.

KAPS OFFICER REPORTS

President's Report – No Report

President Elect's Report – No Report

Treasurer's Report – Submitted

Administrative Assistant's Report – Submitted

OLD BUSINESS

a) Kentucky Construction Career Days at Shelby County Fairgrounds (September 24 & 25, 2019). KAPS needs volunteers for both days

b) Junior Achievements INSPIRE event (October 22-24) at KFEC in Louisville. KAPS to write \$250.00 check to pay for booth. JA agreed to waive \$250.00 of the \$500.00 cost. KAPS needs volunteers for all 3 days.

c) Fall seminars – Southeast chapter has been the only chapter to request that KAPS set their seminars up

d) 2020 Conference – Lexington. The Clarion was chosen as the hotel.

e) Online signups for JA INSPIRE & KY Construction Career Days. May help with volunteer signup

f) Jason Graves made a motion for KAPS to form a 501c3 for the scholarship fund. Greg Barker seconded. Motion carries.

g) In an effort to settle an issue of payment to the Northern Kentucky chapter of KAPS, Kevin Phillips made a motion of giving said chapter the 35% of their profits, less the 4.5 hours (\$90.00) that KAPS employees had involved in setting up their fall seminars

NEW BUSINESS

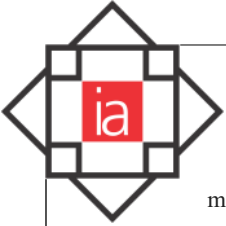
a) Next KAPS board of directors meeting – Saturday, September 14, 2019 at Kentucky Engineering Center in Frankfort at 10:00 am.

b) Tom Bushelman - In the past, there has been a local monetary award (Northern Kentucky Chapter) and a statewide award of \$500. If our scholarship fund is doing well, that seems an appropriate place to tap for funds if approved. - Jason Graves made a motion to award \$500.00. Bob Smith seconded. Motion carries.

c) Bylaws state that KAPS will put aside \$1000.00 or 10%, whichever is greater, into scholarship. This was added before KAPS had fundraising efforts for the scholarship (ie Golf Outing, raffles, etc.) that raise between \$5000 and \$10000 annually. Should we look at changing these bylaws?

Tom Bushelman mad a motion to strike this from the bylaws. Jason Graves seconded. Motion carries. Vote will be brought to general

(Continued on page 20)



(Continued from page 19)

membership meeting in February 2020.

- d) NSPS Memorandum of Understanding – NO VOTE
- e) Creating a board for new 501c3 – Needs President, treasurer & secretary. We also need new By-Laws and Articles of Incorporation. Scholarship chair as president – KAPS president as Secretary and a member at large (not excluding BOD members) as Treasurer.
- f) Yearly oversight of chapter financials.
- g) Membership dues distribution formulas to chapters. – Maintain original addition to bylaws.

EX-OFFICIO DIRECTORS REPORTS

- GIAC Liaison** – no report
- KAMP Liaison** – no report
- KY State Board of Licensure Liaison** – report submitted
- KSPE Liaison** – no report
- NSPS Director** – no report
- Professional Development Chair** – no report

CHAPTER REPORTS

- Audubon** – Working on fall seminars, possible joint seminar with Indiana.
- Barren River** – no report
- Bluegrass-Capital** – no report
- Falls of the Ohio** – Report submitted
- Green River** – no report
- Highlands** – no report
- Northeast** (*inactive*) – no report
- Northern Kentucky** – Have had really well attended meeting for the past two meetings.
- Purchase** – Fall seminars are booked.
- Southeast** – Report submitted

COMMITTEE REPORTS

- Annual Conference** – No written report
- Annual Golf Outing and Picnic** – no report
- By-Laws** – no report
- County Surveyors** – no report
- Education** – no report
- Ethics and Professional Practice** – no report
- Finance** – no report
- Legislative** – no report – Jon Payne recommended requiring a Boundary Surveying course for licensing in the core curriculum.
- Membership** – no report
- Nominating** – no report
- Past Presidents** – no report
- Policy Manual** – no report
- Public Relations** – no report
- Publications / Newsletter** – no report
- Scholarship** – no report

SPECIAL COMMITTEE REPORT

- KY / TN State Line Monument** – no report
- Board of Licensure Nominations** – no report
- State Plane Coordinate Committee** – no report

ADJOURNMENT

Bob Smith made a motion to adjourn. Jason Graves seconded. Motion carried. Meeting adjourned.

Submitted by Jason Graves, PLS, Secretary

KAPS

Fall Seminars!

Register Now at
www.kaps1.com

Online, Email, or by
Mail

Audubon Chapter

Location: Home Builders Association of Owensboro
3515 Wathens Xing, Owensboro, KY 42301
Date: 11/22/2019

3-D for Engineers & Surveyors

- 8 a.m. – 12 p.m.
- Instructor – David Carter, PE, PLS
- Course #: 19-07-054 – 4 PDH
- **Members:** \$135.00
Non-members: \$235.00

A new generation of integrated 3-D scanning devices are now becoming available that add exciting new options for the Surveyor. These 3-D surveying devices, when paired with the appropriate software and data sources, allow today's Surveyor to capture, analyze, visualize and deliver 3-dimensional data in ways unimaginable in the past. This four (4) hour seminar will address a variety of considerations regarding data sources, the usage and the benefits of 3-D Surveying. Among the topics covered will be terrestrial and hand scanners, drones, point clouds, DEM's and DTM's. As the Surveyor begins to work in 3-D and is using data from a variety of sources, data integration processes become critical. Items covered will be data sources, software options and accuracy issues and integration options. Sample workflows using AutoCAD Map, ArcGIS and Quantum GIS will form the classroom examples and exercises.

Law of Easements: Legal Issues & Practical Considerations in Kentucky

- 1 p.m. to 5 p.m.
- Instructor – Christopher Wischer
- Course #: 18-04-023 – 4 PDH
- **Members:** \$135.00
Non-members: \$235.00

We will discuss some of the different categories of easements, e.g. the difference between easements appurtenant and easements in gross or the various types of utility easements. We will discuss the various ways easements may be created, e.g. by express grant, by necessity, by dedication on a plat, dedication by written instrument, by eminent domain, by implication. We will also discuss the scope of the easement. We will discuss the various ways easements can be terminated, such as abandonment, express termination, expiration of term. We will discuss the eminent domain process, in particular how a proper and good survey is critical to successful completion of an acquisition of an easement by eminent domain. We will discuss the various methods an owner of the easement may enforce his or her rights.

Bluegrass Capital Chapter

Location: Embassy Suites at Lexington Green,
245 Lexington Green Cir., Lexington, KY 40503
Date: 11/2/2019

Standards of Practice, Ethics, & Code of Conduct

- 8 a.m. to 12 p.m.
- Instructor – Jonathan Payne, PLS
- Course #: 19-07-076 – 4 PDH
- **Members:** \$85.00
Non-members: \$85.00

This course will fulfill the mandatory 4 hours in Standards of Practice / Ethics / Code of Conduct required every four years for Professional Land Surveyors in Kentucky. Focus on the Standards of Practice – KRS & KAR, our responsibility to protect the public; KRS Chapter 322 – definitions, exceptions, licensure requirements, investigation/complaints, makeup of the board & qualifications; code of Professional Practice and Conduct – definitions, conflict of interest, records retention, qualifications/competence, direct supervision; Standards of Practice – history of the Standards, most common Standards of Practice deficiencies, definitions, classifications for surveys, measurement specifications, monumentation, Section 13 non-boundary survey work; Q&A

Trimble Business Center Tips & Tricks

- 1 p.m. to 5 p.m.
- Instructor – Tim Tong, PLS
- Course #: 19-04-029 – 4 PDH
- **Members:** \$135.00
Non-members: \$235.00

Attendees will gain knowledge of what Trimble Business Center (TBC) is, and what this powerful program can do for you. Topics will include; project creation, Trimble Sync Manager, data editing, traverse adjustments, static post processing, importing NGS data (OPUS & datasheets) & RTX solutions, network adjustments, QA/QC of data, and final

**MTS classes
available
ONLINE!**

kaps1.com/shop

Falls of the Ohio Chapter

Location: Horine Conference Center,
11808 Holsclaw Hill Road, Fairdale, KY 40118
Date: 11/15/2019

Graphic Design Elements of Modern Survey Plats

- 8 a.m. Noon
- Instructor – Ben Shinaberry, PLS
- Course #: 19-04-030 – 4 PDH
- **Members: \$135.00**
Non-members: \$235.00

For hundreds of years land surveyors have been graphically communicating land descriptions, boundaries, and topographic features by using survey plats. Land surveyors have well-developed skills outdoors finding property boundary evidence, measuring azimuth and distance, locating stakes, monuments, buildings, drains and ridge lines. We have been trained to calculate traverse closure, area, relative positional accuracy and ground scale factors; but in many cases, we have not learned effective ways to format information in a readable, understandable, or aesthetic way on our survey plats. There are current plat standards regulating the content shown on survey plats, yet not many apply to the way the plat may be formatted or presented. CAD systems provide assistance in producing survey plats that meet state requirements, but often times, the default settings on these CAD platforms hinder the intended communication. Surveyors should not settle for plain, dull, confusing survey plats. Our clients are looking for more. Our profession needs to expect a higher quality of survey plat design. We should value our work to the extent that we are compelled to deliver beautiful, readable, understandable survey plats. In this course, we will look at graphic design methods to improve the communication of our survey plats... Continued on website kaps1.com

Cemetery Identification

- 1 p.m. – 3 p.m.
- Instructor – Al Matherly, PLS
- Course #: 19-07-080- 2 PDH
- **Members: \$85.00**
Non-members: \$185.00

INTRODUCTION: 5 MINUTES
DEFINITIONS: 7-10 MINUTES
FAMILY CEMETRIES: 5 MINUTES
ABANDONED CEMETERIES IDENTIFICATION: 5 MINUTES
ABANDONED CEMETERIES SCOPE OF WORK: 45-50 MINUTES
KENTUCKY STATUTES / FILING FORMS: 15 MINUTES
QUESTIONS AND ANSWERS: 10-15 MINUTES; Q&A

Crashing into Field to Finish

- 3 p.m. – 5 p.m.
- Instructor – Jason Graves, PLS
- Course #: 19-07-077 – 2 PDH
- **Members: \$85.00**
Non-members: \$185.00

This is a TWO hour crash course on Field To Finish. We will cover the functions, reasons to use, and parts of field to finish. We will learn how to develop codes, how to build a file for the office, and how to use command codes. We will go over examples, and have a Q&A session. This class will get you started on using field to finish. This class will be taught using Carlson software, but the ideas & coding are transferable to many programs.

Jackson Purchase Chapter

Location: Kentucky Dam Village,
166 Upper Village Dr., Gilbertsville, KY 42044
Date: 10/26/2019

Agriculture Exemption to Subdivision Regulations

- 8 a.m. to 10 a.m.
- Instructor – Matthew Clark, PLS
- Course #: 19-07-078 – 2 PDH
- **Members: \$85.00**
Non-members: \$185.00

A look at 2009-SC-000152-DG Nash V/S Campbell County

This course will explore the “agricultural supremacy clause,” a doctrine or thread that is woven throughout KRS Chapter 100, through a look at a Kentucky Supreme Court case. It has been developed to take 2 hours of CPD time. To gain credit, it is necessary to attend all 2 hours. The course will cover limited definitions found in KRS 100, and materials from 2009-SC-000152-DG Nash V/S Campbell County. Attendees are encouraged to arrive with a professional scenario (real or contrived) concerning agriculture divisions in mind for discussion.

Understanding Deed Calls and Monuments in a Boundary Retracement

- 2 p.m. – 4:00 p.m.
- Instructor – James Knoth, PLS
- Course #: applying for approval – 2 PDH
- **Members: \$85.00**
Non-members: \$185.00

This course will address the following Topics:

What a boundary retracement surveyor is looking for in a deed

Monuments – what makes a monument? When is a monument

not a monument?
Divining the intent of a phrase or group of words in a deed

The Role of Surveyors in the Development Process

- 8 a.m. to Noon
- Instructor – Roger Colburn, PLS
- Course #: applying for approval – 4 PDH
- **Members: \$135.00**
Non-members: \$235.00

The course outline will address the following topics:

KRS 100 for Surveyors

Kentucky Local Planning & Zoning Requirements for Surveying Work

Floodplain management and surveying

Kentucky Procedures for Surveying City Limit Boundaries

Asset Management and Surveying

Surveying for Infrastructure Development

MTS classes available ONLINE!
kaps1.com/shop

Northern Kentucky Chapter

Location: Hebron Lutheran Church
3140 Limaburg Road, Hebron, KY 41048

Date: 11/22/2019

Standards of Practice, Ethics & Code of Conduct

- 8 a.m. to 12 p.m.
- Instructor – Nick Jerdon, PLS
- Course #: 19-07-075 – 4 PDH
- **Members:** \$85.00
Non-members: \$85.00

Focus on the Standards of Practice – KRS & KAR, our responsibility to protect the public; KRS Chapter 322 – definitions, exceptions, licensure requirements, investigation/complaints, makeup of the board & qualifications; code of Professional Practice and Conduct – definitions, conflict of interest, records retention, qualifications/competence, direct supervision; Standards of Practice – history of the Standards, most common Standards of Practice deficiencies, definitions, classifications for surveys, measurement specifications, monumentation, Section 13 non-boundary survey work; Q&A

Adverse Possession, Acquiescence, & Boundary Line Agreements: Responsibilities of the Surveyor to Preserve Evidence

- 1 p.m. to 3 p.m.
- Instructor – Brent Webster, PLS, Esq
- Course #: 19-07-051 – 2 PDH
- **Members:** \$85.00
Non-members: \$185.00

The land surveyor is frequently called upon to give

advice and testimony on boundary disputes. This class will focus primarily on discussion of the land surveyor's role to document and preserve evidence relating to Adverse Possession, Acquiescence, and Boundary Line agreements. Using practical application and real world examples we will examine the role of the land surveyor as a consultant and how best to advise and assist clients and their representatives moving forward.

GPS Best Practices For Professional Surveyors

- 3 p.m. to 5 p.m.
- Instructor – Mike Wilson, PLS
- Course #: applying for approval – 2 PDH
- **Members:** \$85.00 **Non-members:** \$185.00

This course will cover components (datums, ellipsoid, geoids, scale factors, coordinates) for utilizing GPS technology. We will take a look at planning tools available for preparing for utilizing GPS technology. We will discuss the different GPS surveying styles (static, RTK, PPK, VRS) and case studies utilizing each. We will discuss techniques for observing points and an overview of post-processing GPS data.

MTS classes available ONLINE!

kaps1.com/shop

Southeast Chapter

Location: Shiloh Steakhouse,
218 Russell Dyché Memorial Hwy (E.80), London, KY 40741
Date: 11/15/2019

Ethics, Code of Conduct, & Standards of Practice

- 8 a.m. to 5 p.m.
- Instructor – Jonathan Payne, PLS
- Course #: 18-10-064 – 8 PDH
- **Members:** \$170.00 **Non-members:** \$170.00

This course will fulfill the mandatory 4 hours CPD but give 8 total credit hours (must attend the whole 8 hours). Instruction will include concepts; ethics; code of professional practice and conduct; standards of practice for professional land surveyors; minimum standards of practice for mortgage inspections in Kentucky.

KAPS

2020 Conference!

FEBRUARY 5-8, 2020

at the **Clarion Hotel**

1950 Newtown Pike, Lexington, KY

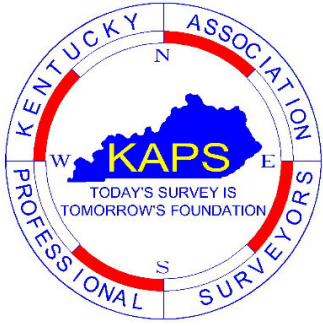
Special Guest for the Banquet

Tim McClendon

a Midwest Clean Comedy All Star who has also been featured on the Bob & Tom show.

Don't miss this fun evening of delicious food, camaraderie, and hilarious fun!





Kentucky Association of Professional Surveyors

P.O. Box 211418, Louisville, KY 40221

Phone: (502) 695-2349 Email: jackie@kaps1.com

NON-MEMBER FALL SEMINAR REGISTRATION FORM

Name		KY PLS #	
Address		City	State Zip
Email Address		Phone Number	

Choose Seminars*

- 10/26/2019 – The Role of Surveyors in the Development Process (Colburn) 4PDH (\$235)
- 10/26/2019 - Agriculture Exemption to Subdivision Regulations (Clark) 2PDH (\$185)
- 10/26/2019 - Understanding Deed Calls and Monuments... (Knoth) 2PDH (\$185)
- 10/26/2019 – FULL DAY in Jackson Purchase (Agriculture, Development Process, & Understanding Deed...) 8PDH (\$285)

- 11/2/2019 – Standards of Practice, Ethics, & Code of Conduct (Payne) 4PDH (\$85)
- 11/2/2019 - Trimble Business Center Tips & Tricks (Tong) 4PDH (\$235)
- 11/2/2019 - FULL Day in Lexington (Standards & TBC) 8PDH (\$285)

- 11/15/2019 – FULL Day in London - Ethics, Code of Conduct, & Standards of Practice (Payne) Full Day
PLEASE NOTE Full Day attendance is required to receive the 8 PDH, and engineers will only receive 6 PDH for this full day class.(\$170)

- 11/15/2019 - Graphic Design Elements for Modern Survey Plats (Shinabery) 4PDH (\$235)
- 11/15/2019 – Cemetery Identification (Matherly) 2PDH (\$185)
- 11/15/2019 – Crashing into Field to Finish (Graves) 2PDH (\$185)
- 11/15/2019 - FULL Day in Louisville (Graphic Design, Cemetery, & Field to Finish) 8PDH (\$285)

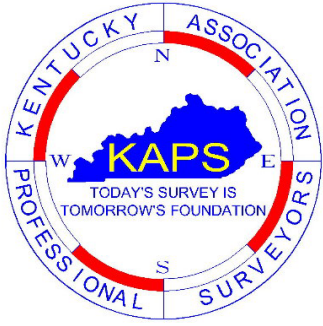
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- 11/22/2019 - FULL Day in Owensboro (3-D & Law of Easements) 8PDH (\$285)

- 11/22/2019 - Standards of Practice, Ethics & Code of Conduct (Jerdon) 4PDH (\$85)
- 11/22/2019 – Adverse Possession, Acquiescence... (Webster) 2PDH (\$185)
- 11/22/2019 – GPS Best Practice (Wilson) 2PDH (\$185)
- 11/22/2019 - FULL Day in NKY (Standards of Practice, Adverse, & GPS) 8PDH (\$285)

Method of Payment:

- Check Enclosed Bill me at _____
Email address (additional fees may apply)

Refunds: A full refund will be granted for cancellations at least 15 days prior to the seminar. All requests must be made in writing.



Kentucky Association of Professional Surveyors

P.O. Box 211418, Louisville, KY 40221

Phone: (502) 695-2349 Email: jackie@kaps1.com

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Name KY PLS #

Address City State Zip

Email Address Phone Number

Choose Seminars*

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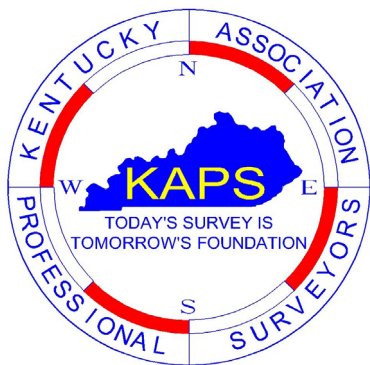
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Method of Payment:

Check Enclosed Bill me at _____
Email address (additional fees may apply)

Refunds: A full refund will be granted for cancellations at least 15 days prior to the seminar. All requests must be made in writing.



KAPS 2019 MEMBERSHIP APPLICATION

Please send completed form to: Email - jackie@kaps1.com
 USPS - KAPS • P.O. Box 211418, Louisville, KY 40221
 Register online at www.kaps1.com

Name _____ Spouse _____

KY County _____ Chapter _____ KY PLS # _____ Birthdate _____

Home Address _____ City _____ State _____ Zip Code _____

Email Address _____ Highest Degree _____

Home Phone _____ Cell Phone _____

If you are NOT a resident of Kentucky, are you a member of your state survey association? YES NO

Business Name _____

Address _____ City _____ State _____ Zip Code _____

Business Website _____ Business Phone _____

Notification Preference: Email USPS to Home USPS to Business

I HEREBY CERTIFY THE STATEMENTS MADE ON THIS APPLICATION ARE CORRECT AND THAT, IF ELECTED, I AGREE TO BE BOUND BY THE CONSTITUTION AND BY-LAWS OF THE ASSOCIATION.

Signature _____ Date _____

CLASSIFICATION OF MEMBERSHIP

- Associate Member \$ 97.50
- Business Member \$ 390.00
- Corporate Member* \$ 390.00
- First Licensed Year Mbr \$ 0.00
- Full Member (Jan – Dec) \$ 220.00
- Lifetime Full Member \$4,400.00
- Student Member \$ 0.00
- Other: _____ \$ _____

Check Enclosed or Invoice Me at

 Email Address (Please do not include your credit card number on this form)

There is an order fee added to all credit card and PayPal payments. Save money by sending a check!

For Office Use Only

Check # _____ Amount Paid: \$ _____

Date Paid: _____ Staff Rcvd: _____

Name if different than Registrant: _____

SEE REVERSE FOR IMPORTANT MEMBERSHIP INFORMATION →



“FULL” AND “LIFETIME FULL” KAPS MEMBERS WILL AUTOMATICALLY BE MEMBERS OF NSPS (National Society of Professional Surveyors).

***Descriptions taken from the KAPS By-Laws / Article III / Section 2 Classifications and Qualifications**

FULL MEMBER: Full Membership shall be granted, upon application to the Board, to any person licensed to practice land surveying in the Commonwealth of Kentucky. Except as otherwise hereinafter provided, such membership shall continue, as long as the person's rights to practice land surveying is maintained. A Full Member shall enjoy all rights and privileges of membership in KAPS.

- **LIFETIME FULL MEMBER:** Lifetime Full Membership shall be granted upon conditions listed above with one lump sum payment equal to 20 years of the current Full Member dues rate.
- **FIRST LICENSED YEAR:** KAPS offers Full Membership free of charge to newly licensed individuals.

ASSOCIATE MEMBER: Any person who is non-licensed but has an interest in land surveying shall be eligible for Associate Membership in KAPS. Associate Membership shall be granted upon recommendation by a Full Member and application to the Board. An Associate Member shall have all rights of Full Membership except the rights to vote and hold office.

CORPORATE MEMBER: Any firm or organization engaged in the practice of land surveying shall be eligible for Corporate Membership provided that either a principal of the firm or a person in responsible management position of surveying for the firm is a Full Member of KAPS. Corporate Membership shall be granted upon application to and majority approval by the Board. Corporate Members shall only have such rights or privileges as may hereinafter be provided or which may be accorded at the discretion of the Board. Corporate Members may enroll full-time employees as KAPS members under the appropriate category at a 20% discount from the full price.

BUSINESS MEMBER: Any firm or organization who is non-licensed but has an interest in land surveying shall be eligible for Business Membership in KAPS. Business Membership shall be granted upon recommendation by a Full Member and application to the Board. A Business Member shall only have such rights or privileges as may hereinafter be provided or which may be accorded at the discretion of the Board. Business Members may enroll full-time employees as KAPS members under the appropriate category at a 20% discount from the full price.

STUDENT MEMBER: Any full-time student with an interest in the profession of land surveying shall be eligible for Student Membership. Membership shall be granted upon application and approval of the Board of Directors. Student Members shall have all rights of membership except the rights to vote and hold office, except within a Student Chapter.