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In Memoriam of Everett Gray 1932-2020



Everett Gray, 88, husband of Betty Gray, passed away on Sunday, April 5, 2020. He was born in McKee, KY on February 5, 1932 to the late Silas and Ethel Steele Gray. He retired from the Department of Transportation as a Geologist and was a Veteran of the US Army. Everett was a member of First United Methodist Church and was the president and teacher of the Chapel Sunday School Class for many years.

In addition to his wife, he is survived by his daughter, Mitzi Gray, Frankfort; his sister, Opal Hurst, McKee; his brother, Elmer Gray, Bowling Green; and several nieces and nephews.

In addition to his parents, he was preceded in death by his brothers, Herman and Charlie Gray. Services will be private. Burial will be held at Sunset Memorial Gardens. In lieu of flowers, memorial contributions may be made to First United Methodist Church Building Fund. <https://www.clarklegacycenter.com/obituaries/Everett-Gray?obId=12629853#/celebrationWall>

In Memoriam of Mitchell Estes 1961-2020



Mitchell Kent Estes, 58, of Owingsville, Kentucky passed away Saturday, April 18, 2020 at his home. He was born in Georgetown, Kentucky on August 22, 1961 to Patsy Albritton Estes and the late Darvin K. Estes.

Mitchell was a self-employed land surveyor. He enjoyed playing, coaching and umpiring softball in the summertime. He also enjoyed playing board games and spending time with family and friends.

Survivors include his mother Patsy Albritton Estes of Owingsville, two sons, Mitchell Sky Estes (Kaitlin) and Robert Kent Estes, two daughters, Kayla Dawn Estes and Sarah Beth Estes all of Morehead, one grandchild, Elizabeth Hope Estes, two sisters, Kelly Estes Collinsworth (Matt) of Vermillion, South Dakota and Terry Smith (Brian) of Hillsborough, North Carolina. Survivors also include several nieces and nephews.

Private family services will be conducted in the chapel of the Michael R. Gray Funeral Home in Owingsville with Rev. Chris Bailey officiating. Burial will follow in the Maplewood Cemetery in Mayfield, Kentucky. The Michael R. Gray Funeral Home in Owingsville is caring for all the arrangements for Mitchell Ken Estes.

<https://www.tributearchive.com/obituaries/13062202/Mitchell-Kent-Estes>





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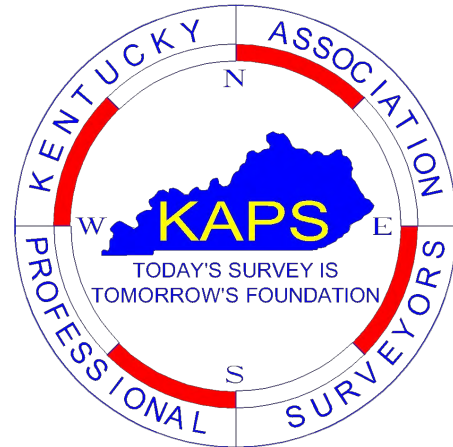
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The Interior Angle, Spring 2020



Greg Barker, PLS

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From the President's Desk



Greetings fellow surveyors and friends,

Summer is here (as of June 20th). This has been an odd year to say the least. Most, I believe, have been fortunate enough to work to pay the bills. I am grateful to have a job to report to throughout the COVID-19 pandemic. As the office guy, it is nice to go in every day, with next to no one there. It also helps to be an introvert. Hopefully, as we move forward with reopening the economy, there will be no significant setbacks.

The Golf Outing Scholarship Fund Raiser will be held at the Old Kentucky Home State Park in Bardstown, on September 11. It will be here before you know it, please start pulling your team together for a great time with your fellow surveyors. It's only \$75 per player (4-person teams). If you can't hit a golf ball to save your life, but would still like to participate, consider sponsoring a hole. KAPS Family Picnic to immediately follow!

2021 KAPS Conference

planning is underway. We are in the process of securing speakers, working on interesting topics, and just having a blast at it.

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Independence Day is commonly associated with *fireworks, parades, barbecues, carnivals, fairs, picnics, concerts, baseball games, family reunions, political speeches, and ceremonies*, in addition to various other public and private events celebrating the history, government, and traditions of the United States. (Wikipedia). No matter how you choose to celebrate the 4th this year, have a fun and safe holiday.

Sincerely,

Greg Barker, PLS

KAPS President

KAPS 2021 **Conference** **Survey**

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Torrens Land Boundary System:

Legal Complement to the Geomatics Technological Revolution

“T

he main difference between a common law title and a Torrens title is that a member of the general community, acting in good faith, can rely on the information on the land register as to the rights and interests of parties recorded there, and act on the basis of that information. A prospective purchaser, for example, is not required to look beyond that record. He or she does not need even to examine the Certificate of Title, the register information being paramount.” (Wikipedia)

ABSTRACT

This article is philosophical, rather than technical in nature. It is informed by a perspective that recognizes any parcel of real property, much like any organized thought and its expression, is the possession of an individual. It also recognizes that any real property boundary, like the words that are used to express the thoughts of an individual, is the possession of the community. When this perspective is embraced, it becomes apparent that real property boundaries are positive physical externalities that constitute municipal and state infrastructure. As such, real property boundaries should be managed according to the public utility model. This realization on the part of surveyors will lead to the desirable reassessment of the 21st Century mission of the profession, and to the advocacy of a Torrens Land Boundary System in every state and municipality.

Introduction

The surveying (i.e., geomatics) profession is currently amid a quandary, regarding its professional identity. Are we essentially locators and measurers of natural and manmade features, and virtually nothing else? Or are we also quasi-paralegals who assist the legal profession in the determination of the boundary of ownership interests?

As a surveying community, we espouse our expertise in the location and measurement of points and lines on the earth’s surface. However, less talked about is the surveyor’s participation determinations more closely related to legal profession, than just expert measuring, performed over the course of a boundary survey. Both aspects have their own budget

considerations when developing a cost for the client. It is not uncommon for either of these considerations to warrant a fee that is unrealistic for the typical client. With all the technology at our disposal, there are still limits to this technology, along with the challenging physical characteristics of a piece of property, that factor into what might be a feasible or non-feasible approach to performing a boundary survey. Another factor has been the age-old practice of defining our clients as individual property owners.

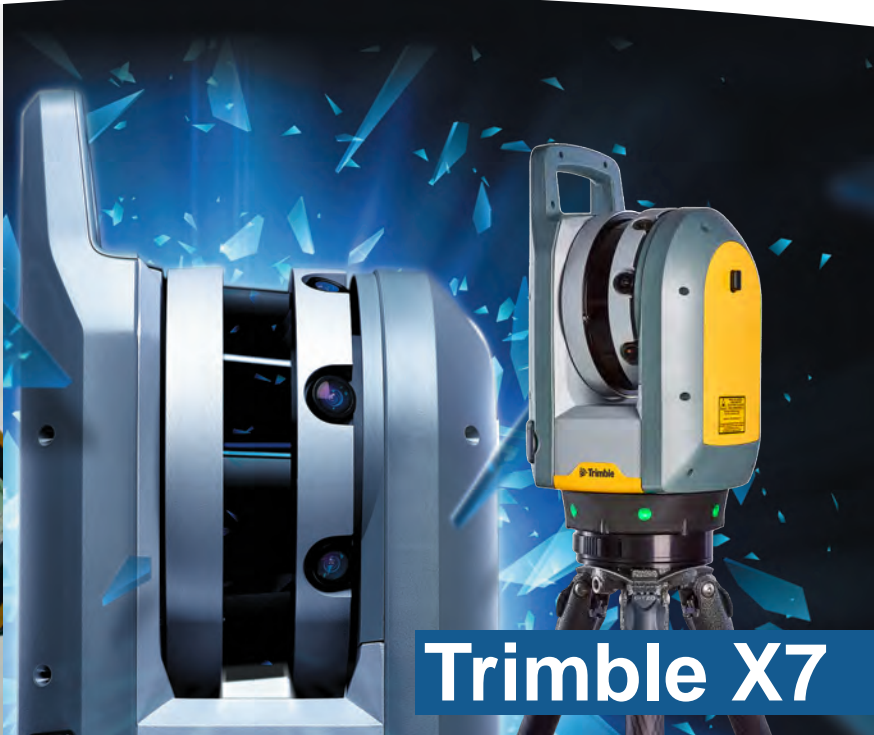
Regarding the first factor, our dilemma can be boiled down to the “precision vs. accuracy” conundrum. We were able to affordably measure with the precision needed by our clients, but we were unable to affordably locate these measurements with an accuracy that is defined by an absolute standard to which all property owners and surveyors could be held. The result over the years, decades, and centuries has been a countless number of precise and internally accurate locations of isolated and clustered property ownership interest. However, systematic consistency has not prevailed, requiring the intervention of the legal profession. The practice of defining our clients as individual owners of interests in land, is the starting point for this self-reinforcing cycle of inconsistency. Therefore, surveyors need to seriously reconsider the identity of their clients.

The Contribution of the Legal Profession

In a sense, the legal profession has served the surveying profession in a manner similar to the way in which plumbing fixture washers serve a plumbing system: It enables the numerous locational and measurement products of the surveying profession to fit together with considerable stability and certainty from one generation to the next. However, the resolutions of conflicts that have arisen over time have come at a cost, which can be summarized as follows: The context in which surveyors practice their profession is heavily defined by the legal abstractions (e.g., adverse possession) that attorneys and judges have generated over time; so much, in fact, that a competent surveyor must receive a great deal of training in law, and then apply such training on a regular basis. We find

(Continued on page 8)

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ourselves in the continually precarious position of dabbling in the semi-practice of law. We are constantly on the verge of being embroiled in legal controversy. We instinctively and subconsciously acknowledge that this situation is detrimental to our profession. Such acknowledgement manifests itself in our sporadic attempts to circumvent legal actions via additional legal requirements, such as monumentation standards. However, such talismanic attempts to immunize surveyors from legal attacks are insufficient. They in turn, only provide yet another set of legal technicalities.

So, the question becomes; by what means can the surveying profession unburden itself from legal impingements? How can we see to it that our services increasingly gravitate toward the realm of applied scientific measurement that is unfettered by legal and political controversy? The answers to these questions lie in the recognition that the amazing recent technological revolution in surveying technology has given us the opportunity to re-evaluate the manner in which our land measurements are memorialized and the way in which we identify our clients.

A Professional Revolution Enabled by Technology

The advent of global positioning system (GPS) technology has made it feasible for surveyors to memorialize the locations of the corners of ownership interests in land in terms of geodetic and state plane coordinates—a situation that eliminates the need for physical monuments such as iron pins. Yes, there are still some technological challenges in the establishment and subsequent retracement of such conceptual monuments (e.g., tree cover, tall buildings, GPS error ellipses that are still slightly larger than we would like), but if the technological refinement of GPS technology in the coming years proceeds as it has in recent years, it is reasonable to expect that these challenges will continue to shrink. And in the interim, we have the capability to work around such technological challenges via the establishment of increasingly comprehensive and dense terrestrial control networks.

The possibility of conceptual monumentation replacing physical



monumentation does provide the prospect of promoting greater convenience in the field work of surveyors, but the significance of such increased convenience is dwarfed by the significance of increased systemic cohesion among the surveying profession. Unlike an attorney, whose client is the particular property interest owner with whom the attorney has a professional services agreement, a surveyor's ultimate client is the general public (i.e., all possible present and future owners of an interest in the property in question), not just the particular individual with whom the surveyor has a professional services agreement. Thus, in each instance a surveyor is professionally obligated to perform a service for a countless number of people but is entitled to compensation from only one of these. Such a scenario results in a struggle between the surveyor, who desires full compensation for the services provided, and the individual who is obligated to pay for these services, but who is understandably reluctant to pay for services that benefit others.

It is apparent that the preferred professional services paradigm would be one that is similar to that of the civil engineering profession. When the elected policymakers and administrative subordinates of a community seek to plan, analyze, design, construct, operate, and maintain public improvements such as a sanitary sewer collection system, a stormwater collection system, or a roadway system, they do not delegate the execution of this vision to every individual property owner by requiring each owner to secure civil engineering services for that portion of the public improvements that is adjacent to that individual's property. Instead, they obtain civil engineering services on behalf of all members of the public. They are obligated to do this because it is widely understood that the benefits of such improvements are physical externalities that merit comprehensive, systemic

implementation. That is, such improvements are regarded as public infrastructure.

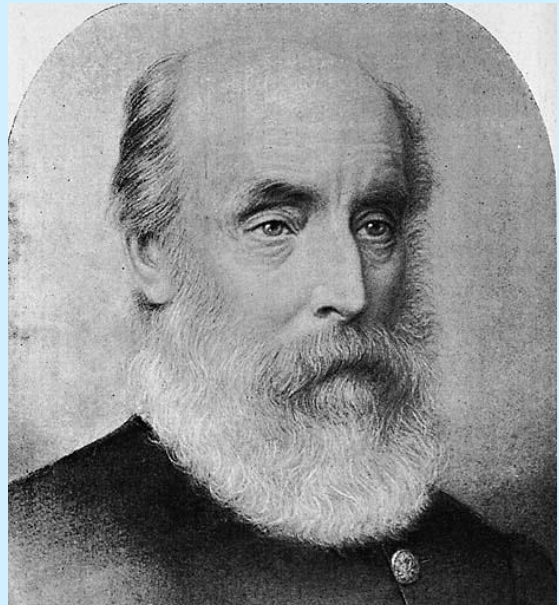
Therefore, given the physical externalities inherent in the memorializing of the locations and boundaries of ownership interests in land, it can be asserted that surveyors provide infrastructure services that are more akin to the infrastructure services of civil engineers than to the adversarial services of attorneys. And this being the case, it can be further asserted that their clients should, like those of civil engineers, primarily be municipal or state governments, rather than private individuals.

A Technological Revolution for Municipal and State Governments

As already noted, the conception of land boundary locational information as public infrastructure has been thwarted in the past to a large extent by the limitations of field measurement instruments that are now being supplanted by new instruments to which such limitations do not apply. However, the concept has also been hampered by the difficulty, on the part of any given municipal or state government, of storing and utilizing the delivered infrastructure. Informational—as opposed to tangible—infrastructure requires a massive archival system by which the information can be efficiently managed and readily accessed. But this other technological obstacle has been recently addressed by the development of geographic information systems (GIS). Therefore, GPS technology and complementary GIS technology have brought us to the point at which locational information pertaining to interests in land can be owned by municipalities and states as informational infrastructure; and surveyors can serve as the professionals who assist these entities in the acquisition, management, and utilization of this infrastructure. Instead of a land boundary system that is spontaneously and constantly being revised in an uncoordinated manner by all actual and prospective land interest owners through never-ending legal contention, citizens would constantly have access to reliable locational information pertaining to ownership of interests in land that is rigidly and permanently maintained by a municipal or state government.

A Legal Revolution for Municipal and State Governments

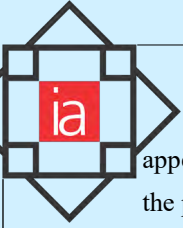
However, without a corresponding legal revolution, none of us will be able to take full advantage of the above double-edged technological revolution. The most applicable model for such a legal revolution is the Torrens System.



Sir Robert Richard Torrens

Theory of the Torrens System

According to Brown, *et. al.*, the essential feature of the Torrens System is the recording of ownership of land, rather than the mere recording of evidence of title. In the case of any parcel, such recording begins with a “quiet title” legal proceeding that is conducted in conjunction with a land survey that accurately and precisely locates ownership interests pertaining to that parcel. Once the court has ruled that the survey does in fact constitute the authoritative depiction of the parcel, the ownership interests, and the owners’ identities, the relevant municipal or state government is directed to treat that depiction as being virtually sacrosanct, with the only viable future legal challenge consisting of one that alleges fraud on the part of the registered owners or their agents. At this point, the responsible municipal or state government honors the court’s directive by registering the survey and establishing itself as the ultimate authority regarding the location of that parcel, the location of ownership interests within that parcel, and the identity of each owner. In doing this, the municipal or state government puts itself in the position of providing a warranty, to prospective future purchasers of any interest in the parcel—with regard to the nature of any ownership interests that already exist; and as a warrantor, the municipal or state government assumes liability for any errors on the part of its staff or fraud on the part of private entities during initial or subsequent registration efforts. An important by-product of the municipal or state government serving as the warrantor of land ownership interests is the abolition of the acquisition of any land



ownership interests via prescription. Overall, it appears that such a system constitutes a useful service to the public. And the surveying profession would be free to focus on expert measurement rather than legal controversy. In the words of Brown, et.al., the Torrens approach is “theoretically an ideal system.” (Brown, et.al., 1986, pp. 19 and 20 and Brown, et.al., 1981, pp. 328-332)

Torrens System Drawbacks

As with any infrastructure effort, the most daunting challenge faced by elected officials and the public is the initial start-up cost. It is an ambitious undertaking that promises immeasurable long-term benefits for future generations, but it also requires substantial immediate sacrifice on the part of the average citizen.

Another important drawback, at least in past implementations of the Torrens System, is the denial of the uniqueness of each land ownership interest. In the event that fraudulent actions on the part of private parties, or misfeasance/malfesance on the part of government officials result in ownership registration that deprives a genuine owner of his or her legitimate interest, the only recourse for the aggrieved party is to sue the governmental unit for monetary damages. The aggrieved party cannot regain the unjustly taken interest via legal action. And the injustice of limiting restitution to monetary damages has too often been compounded by the fact that the municipal and state governments involved in Torrens-type systems have tended to arbitrarily limit their obligations as the warrantors of title via the self-undermining of their financial capabilities. (Brown, et.al., 1981, pp. 328-332; Brown, et.al., 1986, pp. 19 and 20; Wikipedia, 2018; and www.deeds.com, 2018)

This financial self-undermining has been achieved by confining liability to isolated administrative units that are not sufficiently funded to be able to provide restitution to aggrieved parties. Such administrative units have used the registration fees that are collected from users of the system as the revenue source that covers administrative costs and ensures adequate indemnity funds. However, the collection of such fees encourages purchasers of interests in land to not register their purchases to begin with, which causes the indemnity fund to be underfunded (and undermines the overall ability of the administrative agency to effectively provide a warranty of title for each and every parcel). As a result of this downward spiral of administrative dysfunction, lending institutions have tended to refuse to accept Torrens Systems land parcels as collateral. (Brown, et.al., 1981, pp. 328-332; Brown, et.al., 1986, pp. 19 and 20; Wikipedia, 2018; and www.deeds.com, 2018)

In short, the Torrens system approach is a viable means of providing centralized administrative protection to present and future owners of interests in land. The success of which, does depend on administrators that are committed to adequately providing for the financial needs, and a general public that is committed to obeying the rules of the system and paying the corresponding fees and taxes.

However, the matter ultimately boils down to this: Will citizens, over the long run, do a more effective and efficient job in protecting land ownership interests when they are acting as overseers (via voting) of a managing administrative structure, or when they are acting as combatants via legal action in the courts?

Recommended Actions for the Surveying Profession

Based upon very recent technological breakthroughs in both surveying practices and land information management, the Torrens System needs to be seriously reconsidered as the legal framework in which the surveying profession can best serve the long-term interests of the public. With this challenging opportunity for the surveying profession and the lessons from difficulties in past Torrens System implementations in mind, the following well-coordinated actions are recommended for all professional surveyors:

- Engage the legal profession in creative dialogue as to ways in which the Torrens System can be improved through modifications. For example, explore ways by which, as a matter of equity, property taken wrongly during the original registration process (that is, the registration that follows the “quiet title” legal proceeding) can be restored to the rightful owner in lieu of the mere dispensing of monetary damages.
- Conduct studies for the purpose of identifying pilot municipalities in which rigorous Torrens-type systems can be implemented.
- For pilot municipalities situated in states that lack enabling statutes, lobby for the passage of such legislation.
- Strongly encourage each pilot municipality to implement its new system via the creation of a single, unified Land Information Department in which:
 - Licensed land surveyors (both in-house employees and contracted consultants) collect land interest ownership locational data via measurement with respect to geodetic and state plane referents.
 - Licensed land surveyors synthesize, organize, store, and maintain such data via a Land Information System (LIS) that they manage.
- Work with these pilot municipalities to ensure that council and mayoral policymakers back up their policy commitments



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with the appropriate financial tools, even if it means financing the indemnity fund out of the municipal general fund.

- As pilot efforts succeed, promote similar efforts by an ever-increasing number of municipalities, and eventually by state governments as well, so that rural lands are covered.
- Cite the economies of scale that result from the creation of such land boundary public utilities as a sound reason for private surveying practitioners to embrace larger surveying consulting firm models that benefit from the internal development of diverse specializations and the internal centralization of equipment cost-sharing.
- Promote the development and densification of control monument networks, especially in communities with a substantial number of trees and tall buildings.
- View the recent stagnation in the number of surveying practitioners as a condition that will facilitate the necessary transformation of our professional mission:
 - Quasi-para-legal skills will be retired along with retiring practitioners.
 - High-tech field measurement, data collection, and information management skills will be instilled through initial professional training rather than through re-training.
 - Professional educational institutions need to be ready to generate a tidal wave of new practitioners.
- Promote the establishment of a new, post-baccalaureate professional degree:
 - Preferably a 3-year G.D. degree program.
 - Undergraduate training would consist of a pre-surveying degree program.
 - The FS Exam would serve as a professional school admission test.
 - A suggested curriculum is provided in the Appendix of this article.
- Promote the ambitious notion of land boundary utilities as crucially important components of future macroeconomic health:

- Future economic conditions may very well provide the available work force needed.
- A concerted effort to provide a LIS for every metropolitan statistical area (MSA) would gainfully employ an extremely large labor force.
- Each resulting LIS would provide the informational foundation for future arduous, protracted economic recoveries.
- The field activities of the participants would involve virtually no damage to land, water, and air resources.
- The field activities would lead young adults back to the natural, outdoor world.

Concluding Remarks

Surveyors need to recognize that professional revolutions do not just happen as the result of mystical forces of history or nature; they happen as the result of conscious efforts on the part of thoughtful individuals. And if we do not initiate such a revolutionary transformation of our professional mission so as to enhance the quality and usefulness of our services, a growing number of people will perceive us as a static rather than dynamic profession that can only be transformed by the intervention of other professions—ones that have influence and power (e.g., the legal profession, the administrative profession). This perception will promote the misconception that creative dynamism is to be equated with human power, rather than with non-coercive human service.

It is time for surveyors to unite and utilize, the informational frontier pertaining to the boundaries of ownership interests in land. We need to put microlevel legalistic controversies behind us as much as possible. The best way to do this is to become champions of the notion of governmental (either municipal or state) registration of all ownership interests in land. If we succeed in this effort, the surveying profession will find itself increasingly regarded as the guardian of all significant terrestrial locational information. Surveyors will become the measurers, data collectors, managers, sustainers, and facilitators of a crucially important informational infrastructure item. The public will rally around our leadership with sincere gratitude. This situation will provide an immense sense of accomplishment to each practitioner, which will in turn attract increasingly outstanding newcomers to our profession over the remainder of the 21st Century.

REFERENCES

Anderson, Helen. March 20, 1992. The Torrens System expires. The Chicago Tribune. [Hard copy provided by Jonathan Buckley, the legal counsel for the Kentucky State Board of Licensure for Professional Engineers and Land Surveyors.]

Brown, Curtis M., Walter G. Robillard, and Donald A. Wilson. 1986. Boundary Control and Legal Principles (3rd Edition). New York: John Wiley & Sons.

Brown, Curtis M., Walter G. Robillard, and Donald A. Wilson. 1981. Evidence and Procedures for Boundary Location (2nd Edition). New York: John Wiley & Sons.

Wikipedia. January 11, 2018. Torrens title. [Hard copy provided by Jonathan Buckley, the legal counsel for the Kentucky State Board of Licensure for Professional Engineers and Land Surveyors.]

www.deeds.com. January 11, 2018. Recorded land and registered land in Massachusetts. [Hard copy provided by Jonathan Buckley, the legal counsel for the Kentucky State Board of Licensure for Professional Engineers and Land Surveyors.]

Appendix**Proposed Three-Year Geomatics Doctorate Degree Professional Curriculum****Proposed By: William A. Bowie, Jr., P.E., P.L.S.**Semester No. 1

The Geomatics Profession
 Geomatic Field Instruments
 Geomatic Data Collection and Management
 Evaluation, Adjustment, and Statistical
 Analysis of Geomatic Measurements
 Geomatic Graphics

Semester No. 2

Plane Surveying Theory
 Topographic Surveying Theory
 Geodetic Surveying Theory
 Control Surveying Theory
 Automated Geomatic Field Instruments

10-Week Summer Field Application of Geomatic
 Instruments and Methods

Semester No. 3

Property Surveying Theory
 The Colonial Land Ownership System
 The Public Lands Ownership System
 Route Surveying Theory
 Remote Sensing and Photogrammetric
 Surveying Theory

Semester No. 4

Geographic Information Systems
 Plane Surveying Application
 Topographic Surveying Application
 Hydrographic Surveying Theory

Non-Roadway Infrastructure Surveying Theory

Optional: 10-Week Summer Seminar on Mining Surveying

Semester No. 5

Control Surveying Application
 Route Surveying Application
 Geodetic Surveying Application
 Remote Sensing and Photogrammetric Surveying
 Application
 Land Information Systems

Semester No. 6

Colonial Property Surveying Application
 Public Lands Property Surveying Application
 Construction Surveying (Including Pre-Construction Layout
 and Post-Construction As-Built Verification)
 Hydrographic Surveying Application
 Non-Roadway Infrastructure Surveying Application

Note: Each course is three credit hours.

Admission Requirements: A Pre-Surveying undergraduate degree (B.S.) that includes Calculus I-III, Finite Math, Statistics, Linear Algebra, Physics, Geography, Geology, Computer Science, Data Management Software, Engineering Graphics, and Descriptive Geometry; and sufficient performance on the Fundamentals of Surveying (FS) Examination.

[The Interior Angle](#) is honored to feature this article written by Mr. Bowie. Comments, replies, articles, and suggestions are welcome at editor@kaps1.com



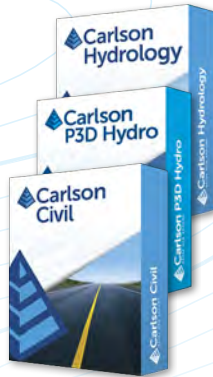
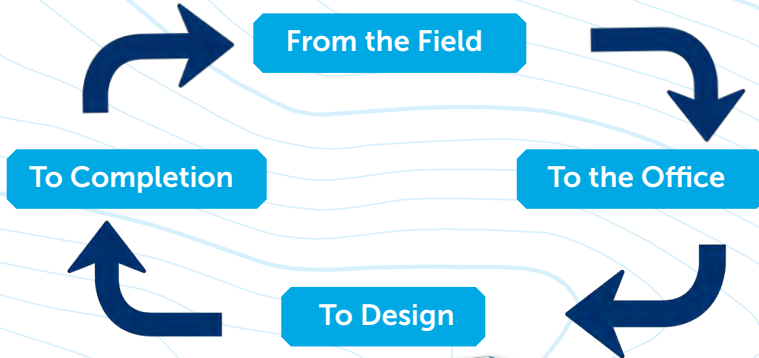
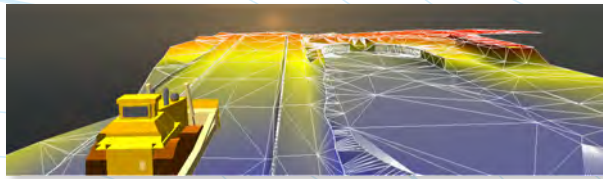
**William A. Bowie, Jr.,
 P.E., P.L.S., F.NSPE**

Bill, who is currently retired, has worked in the civil engineering and land surveying professions since 1986. The first portion of his career involved private consulting services (GRW Engineers, Inc.) in the water resources area, and the years from 1994 through 2015 involved work-

ing in municipal government (Lexington-Fayette Urban County Government) as a civil engineer and land surveyor responsible for numerous sanitary sewer, stormwater, roadway, and surveying projects. Throughout his career, he has been active in professional societies such as the National Society of Professional Engineers (at the national, state, and local levels), the Kentucky Association of Professional Surveyors, and the American Society of Civil Engineers. His work and society activities have resulted in various awards and leadership positions. In addition to his BSCE degree (University of Kentucky), he has also earned BA (Brooklyn College) and MA (University of Kentucky) degrees. He currently is the Chair of the Kentucky State Board of Licensure for Professional Engineers and Land Surveyors.

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2020 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.

Board Members

William A. Bowie - PE, PLS
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Staff



Kentucky State Board of Licensure Calendar of Events 2020

April 17	Paper and Pencil PE & STR Vertical Exams	Louisville KY
April 18	STR Horizontal Exam	Louisville KY
April 16	Committee Meetings	Frankfort KY
April 17	Board Meeting	Frankfort KY
April 23-25	NCEES Joint Western/Southern Zone Mtg.	Houston TX
July 30	Committee Meetings	Frankfort KY
July 31	Board Meeting	Frankfort KY
August 26-29	NCEES Annual Meeting	Chicago IL
October 22	Industrial & Fire Protection PE exams (First Computer Based Administration)	Select Pearson Testing Centers
October 22	Committee Meetings	Frankfort KY
October 23	Board Meeting	Frankfort KY
October 23	Paper and Pencil PE & STR Vertical Exams	Louisville KY
October 24	STR Horizontal Exam	Louisville KY

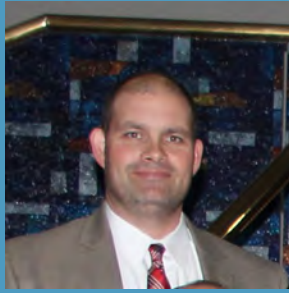
2020 Chapter Chairs

Audubon



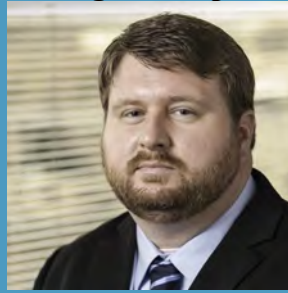
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Barren River



Chris Higgins, PLS
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Bluegrass-Capital



Tim Tong, PLS
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Falls of the Ohio



Mike Billings, PLS
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Green River



Mike McKinney, PLS
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Highlands



John Justice, PLS
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Jackson Purchase



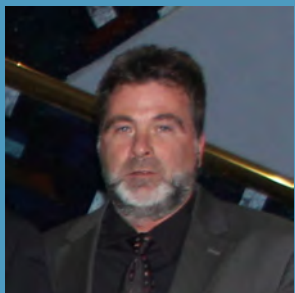
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Northern Kentucky



David Blaker, PLS
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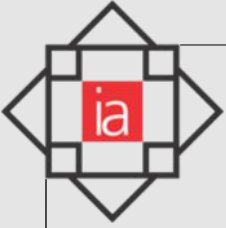
Southeast



Curtis Felts, PLS
curtisfeltspls@windstream.net



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James Ed Manning, Executive Director

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

June 2020

COVID 19

In response to the Covid19 Pandemic, the board of licensure has made numerous changes to its operations. The office is no longer open to walk-in customers. Licensees, applicants and citizens are urged to utilize online services and to attempt to have their issues resolved via email or telephone before considering an in person visit.

If an in person visit is the only alternative, an appointment can be arranged. All visitors are required to undergo a temperature check and answer Covid19 screening questions before entering, and if granted entry must wear a mask.

Staff is working from home to the greatest extent practical while still providing excellent service to all licensees, applicants and citizens. The office remains open with minimal staff on its pre-Covid schedule, Monday through Friday 8:00am thru 4:30pm.

Board and committee meetings originally scheduled for April 16 and 17 were delayed. Those meetings were successfully held on April 30 and May 1 virtually utilizing Amazon Chime. Visitors were able to see and hear the meeting live via the Internet. The next committee and board meetings are scheduled for July 30 and 31 and will be held via a virtual platform. Instructions for public access will be posted on the board website.

A meeting of the Southern Zone of NCEES member boards, originally scheduled for April 2020 in Houston was cancelled due to the virus. The NCEES Annual meeting, originally scheduled for August 2020 in Chicago was also cancelled. In lieu of an in-person annual meeting, member boards will attend a series of webinars in which NCEES officers, committees and staff will report on NCEES activities. The business meeting which was usually conducted at the annual meeting, will be held virtually.

Changes to exams brought on by Covid19 are presented later in this article.

License Renewals

If you are a licensed Professional Engineer (PE) and/or Professional Land Surveyor (PLS) and the first letter of your last name is within the range L thru Z, your license will expire on June 30, 2020.

You can renew your license 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.

While we have made the renewal process easy. There are a few important tips to remember.

Renew on time. All licenses expire on June 30 of the licensee's renewal year. Those who renew after that date will be charged a 10% late payment penalty for each month or part of a month that the renewal is late. Moreover, 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.

Answer all renewal questions completely and honestly. This includes questions about compliance with CPD, disciplinary action by another licensing board, and criminal convictions. If there is an issue, board staff will work with you to resolve it. Providing false information on a renewal application can be grounds for disciplinary action against your license.

Avoid a Late Renewal CPD Audit. If you need more incentive to renew on time, be aware that any licensee who renews on or after September 1 of his or her renewal year is subject to an automatic CPD audit.

The board sends out a renewal notice to every active license holder at least 30 days prior to the expiration date to the address provided to the board by the licensee. This notice notwithstanding, each individual licensee is ultimately responsible for maintaining his or her license in current status. We therefore suggest that you set a reminder in whatever calendar or scheduling system you use to make sure you don't miss a renewal. Additionally it is a good idea to regularly update your contact information to the board, including mailing address, email address and telephone numbers.

Firm Renewals

All Business Entity Permits (aka Firm Permits) expire on December 31 every year. The rules regarding late

(Continued on page 19)

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renewal penalties and prohibition of practice while expired apply to Firm Permits in the same way as they apply to individual licenses.

The window for online renewal of Firm Permits will open about Mid-November. Please mark your calendars accordingly.

COVID19 Exam Changes

NCEES was forced to cancel the April paper and pencil exams due to the Pandemic. As of this writing, the October exams will go on. NCEES has added an extra day to the October exam schedule in an attempt to accommodate those who were unable to take the exam in October. Those exams, which are normally offered only once per year in the spring have been added to the October exam schedule.

Examinees are encouraged to be proactive in registering and confirming that registration for the October exam. Cancellations from April are not automatically rescheduled for October. It is expected that exam space will be limited, especially given the constraints that social distancing requirements could impose.

Computer based testing centers were also closed for a period of time, but have since reopened under new guidelines. Examinees should expect fewer scheduling and exam location options as a result of these new precautions but should be able to secure an exam seat without much difficulty. Here again, rescheduling of examinees who were cancelled due to the shutdown is not automatic. Examinees are urged to be proactive in scheduling and confirming their CBT exam time and location.

NCEES is continuing its conversion from paper and pencil exams to Computer Based Testing. Chemical, Environmental and Mechanical exams have already converted to CBT and are generally available year round.

Nuclear, Fire Protection, Industrial and Petroleum have also converted to CBT, but due to the relatively small number of examinees, these exams are be offered only one day per year.

The COVID19 pandemic has spurred NCEES to accelerate the conversion of at least one of the remaining exams to CBT. NCEES has just announced that the PE Electrical and Computer: Power exam would be available on January 2, 2021 instead of April 2021.

Conversion of additional exams to CBT is ongoing and NCEES recognizes the need to get this done as

expeditiously as possible. The Mining & Minerals Processing and Electronics: Controls & Communication exams are next on the schedule for conversion with the last paper administration being October 2020.

Calendar of Events 2020

June 15	Registration for October 2020 Paper and Pencil Exams Opens
July 3	Independence Day Board office closed
July 30	Committee Meetings – Virtual – Public Access Instructions to be posted
July 31	Board Meeting – Virtual – Public Access Instructions to be posted
August 20	Registration for Fall Paper & Pencil Exams Closes at 3:00pm today. Examinees requesting Special Accommodations must do so at time of Registration, and provide all required documentation by today.
August 27	NCEES Annual Virtual Business Session
September 7	Holiday – Board office closed
Oct. 22 & 23	NCEES Paper & Pencil Exams, Louisville, KY visit www.ncees.org for details
October 22	Committee Meetings – Virtual – Public Access Instructions to be posted
October 23	Board Meeting – Virtual – Public Access Instructions to be posted
November 11	Veterans Day – Board office closed
Nov. 26 & 27	Thanksgiving Holidays – Board office closed
Dec. 24 & 25	Christmas Holidays – Board office closed
Dec. 31 Jan 1	New Year Holidays – Board office closed

ENFORCEMENT ACTIONS SUMMARY

For The Period

Feb. 1, 2020 – May 1, 2020

Kyle Elliott, Director of Enforcement

JOSHUA TRENT

(Continued on page 20)

In 2019, the Board of Licensure learned that Joshua Trent of Morehead, Kentucky had offered engineering services without an engineering license or a firm permit. A subsequent investigation determined that on three projects in the Morehead area, Mr. Trent had offered engineering services and then obtained an EIT to do the design. The EIT subsequently hired a licensed engineer to review and certify those projects. Mr. Trent does not, nor has he ever had, an engineering license in Kentucky. The actions of Mr. Trent constituted violations of KRS 322, the unlicensed practice of engineering. To resolve the Board's investigation, Mr. Trent entered into an Agreed Order of Settlement and Injunction with the Board in Franklin Circuit Court, which injunction enjoins him from engaging in the unlicensed practice of engineering in Kentucky. No penalty was assessed for the current violations, however, the Injunction calls for a \$1,000 fine and seven (7) days in jail for any future violations. The Agreed Injunction was entered into Franklin Circuit Court on April 7, 2020.

MICHAEL PAUL BROCKMAN, EIT

Michael Paul Brockman, an engineer in training (EIT) from Morehead, Kentucky, began representing himself as a "PE" on his personal LinkedIn page in 2014 after successfully passing the NCEES Principles and Practice in engineering exam. However, Mr. Brockman had not completed an application to be licensed in Kentucky, which made the title of PE a misrepresentation and violation of KRS 322.020. Subsequent to the Board initiating an investigation, Mr. Brockman removed the PE title. In 2018, Mr. Brockman entered into an arrangement with Joshua Trent, of Morehead, Kentucky, to provide engineering design services without having an engineering license. To fulfil this arrangement, Mr. Brockman employed a licensed engineer to review his design work and provide certification on those designs; a violation of KRS 322.180 (16), which prohibits the certification of plans not prepared by that individual, or by someone under his or her direct supervisory control. Mr. Brockman's actions violated KRS 322.010 and KRS 322.020. To resolve the Board's investigation, Mr. Brockman entered into an Agreed Order of Settlement and Injunction with the Board in Franklin Circuit Court, which injunction enjoins him from engaging in the unlicensed practice of engineering in Kentucky until such a time as he becomes licensed. No penalty was

assessed for the violations; however, the Injunction calls for a \$1,000 fine and seven days in jail for any future violations. The Agreed Injunction was entered into Franklin Circuit Court on April 8, 2020.

Subsequently, Mr. Brockman decided to complete his application for licensure as a professional engineer. Mr. Brockman had already completed all of the education, experience and examination requirements of licensure and understood that the Board could deny him a license for engaging in the unlicensed practice of engineering in violation of KRS 322.020. Mr. Brockman however wished to become a licensed professional engineer and conduct his future practice in conformance of KRS 322. In order to obtain an approval for his application for licensure, Mr. Brockman proposed a Consent Decree between himself and the Board. The agreement calls for him to receive a letter of reprimand, requires him to successfully complete the 60-hour Texas Tech Engineering Ethics course, and immediately places his license on a two-year probation during which time he will submit to a quarterly review of his engineering work. The Board accepted the Consent Decree on May 1, 2020, and approved his application for licensure.

JASON CLAY MERRITT, PE

Jason Clay Merritt is a Kentucky licensed professional engineer from Lesage, West Virginia. Mr. Merritt reviewed and certified the engineering work of Michael Brockman for Joshua Trent on three individual projects. Michael Brockman was not an employee of Mr. Merritt, as that term is defined in the Code of Professional Practice and Conduct in 201 KAR 18:142. Mr. Merritt's actions constituted violations of KRS 322.180 (5) in that he *aided and abetted a person not licensed to practice engineering in this state*, and KRS 322.180 (16) in that he *provided certification for any plan, specification, plat, report, or physical description not prepared by him or her or under his or her direct supervision*. To resolve the Board's investigation into Mr. Merritt's violations, he agreed to enter into a Consent Decree with the Board wherein he acknowledged the violations and agreed to: (1) receive a letter of reprimand; (2) take and successfully complete the 60-hour Texas Tech Engineering Ethics course; and (3) have his Kentucky license placed on probation for two years during which time he will submit to quarterly review of his Kentucky engineering work. The Board accepted the Consent Decree on May 1, 2020.



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Getting The Most From Your Insurance Program

Article Contributed by Insurance Agent, Holly Gill-Gaither, CIC

W

hether it is insuring your surveying equipment, your company owned autos, or insuring your firm against possible errors or omissions, the fact is Land Surveying firms can end up spending a fair amount of their annual budget on insurance expenses. With this in mind, how can Land Surveying firms get the most value from their insurance program and how can they impact their own premiums? Let's take a look!

First, let's start with the professional liability application process. There are a few key questions on the professional liability application in which underwriters can apply premium credit:

- Did members of your firm attend a risk management seminar during the last year?
- Do any members of your firm belong to a Design Professional Association?

A response of "yes" to either of the above, will allow the underwriter to include premium credits.

Another key question on the Professional Liability application pertains to contracts:

- What percentage of your contracts include a Limitation of Liability provision of \$250,000 or less?

Some carriers will provide premium credits of 10% or more for proactive use of this contractual provision. If you are not familiar with this contract provision and the potential benefits of it, please feel free to contact our office.

The subject of contracts will lead us into an area of the application that can adversely affect the premium quoted. The typical Professional Liability application will ask for a percentage breakdown of the types of contracts a firm uses:

- Firm drafted agreement
- Client drafted agreement
- Association drafted agreement (like AIA or EJCDC)
- Purchase Order only
- Master Services Agreement (followed by corresponding

purchase/work order)

- Letter of Agreement
- Verbal

Since insurance companies spend significant resources reviewing and analyzing claim data, over time, they have identified those types of contracts that are problematic to successful claim outcomes. Of the list above, the red flags to underwriters are Verbal and Purchase Order Only contractual situations. If your firm has a higher percentage in these categories, your availability of markets willing to quote your firm could be reduced and your insurance premium will likely be higher. Not only could you be paying more on the front end for the annual insurance premium, it is also important to consider how your expenses could be impacted on the back end should a claim occur. Consider trying to defend a claim on a he said vs. she said strategy or defending against a poorly written P.O. filled with warranty and guarantee language or incorrect standard of care language. The odds of a successful outcome go down, while the odds of your deductible being triggered go up.

Let's shift gears to the Property & Casualty part of a Land Surveyor's insurance program. For those firms working on commercial projects or working for the developer or contractor directly, reviewing and understanding the list of insurance requirements can be a daunting task. It can also be an expensive task if your insurance program is not set up on the front end with the appropriate endorsements for contract compliance. Adding endorsements such as Additional Insured or Waiver of Subrogation, if not set up properly on the front end, could require hundreds of dollars to add mid-term per policy. Additionally, adding value to this part of your insurance program is to have an insurance agent resource that can review, evaluate, and consult with you on that vast list of insurance requirements.

Last, let's consider the value of the partnership of your insurance agent. Partnering with an agent who can bring his or her resources directly to your firm can add value to your overall insurance program and to also what you are getting out of those premium dollars. Those resources may include



Getting the Most From Your Insurance
(continued)

free continuing education offerings via webinars or seminars, up-to-date claim articles or industry trends, contract review assistance, or direct availability to discuss coverage questions to name a few.

As the saying goes, “control what you can control”. I believe a Land Surveying firm can take control in some important areas to impact their insurance costs and to choose to bring more value to their insurance program.



Holly Gill-Gaither, CIC
Agent, Professional Liability
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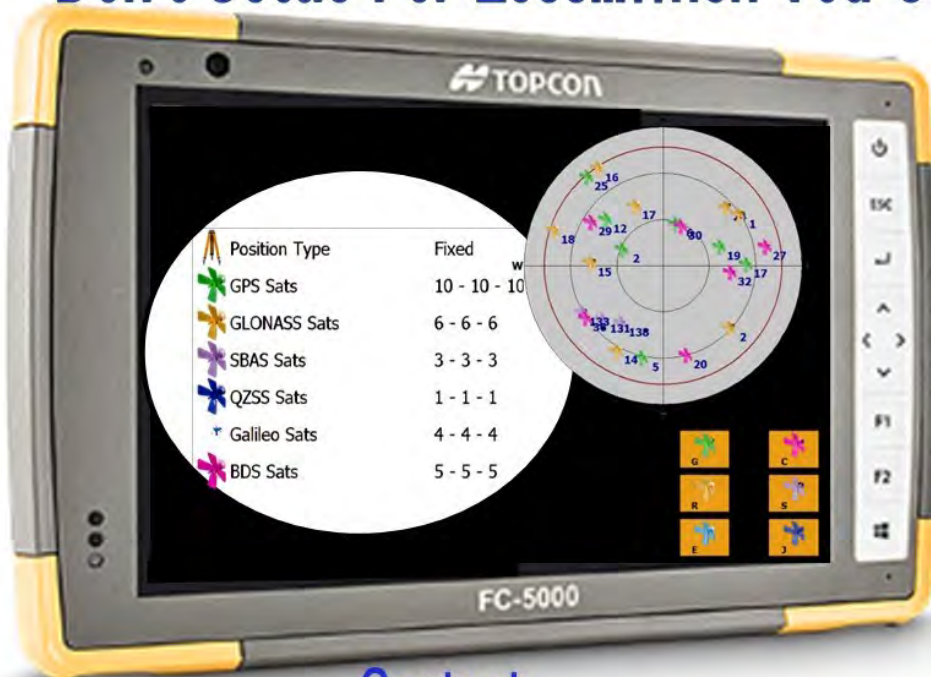


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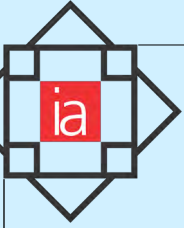
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Saturday, April 11, 2020 at 10 a.m.

Zoom Online Meeting (COVID-19)



KAPS Board of Directors

CALL TO ORDER

KAPS 2020-2021 President, Greg Barker, calls the April 11, 2020 KAPS Board of Directors meeting to order.

PROXY VOTES: NONE

MEMBERS PRESENT: Greg Barker – President, Nick Jerdon – Past President, Kevin Phillips – Vice President of Internal Affairs, Bob Smith – President-Elect, James Mayo – Director/Treasurer, Jason Graves – Director/Secretary, Richard Murphy – Director, Justin Drury – Director/Publications, Tim Tong – Bluegrass/Capital Chapter Chair, Mike Billings – Falls of the Ohio Chapter Chair, Curtis Felts – Southeast Chapter Chair, Jon Payne – Director, Chris Higgins – Barren River Chapter Chair, Mike Ladnier – Audubon Chapter Chair, James Knoth – Jackson Purchase Chapter Chair, Johnny Justice – Highlands Chapter Chair, Josh Calico - Vice President of External Affairs

STAFF PRESENT: Jackie Hawkins – Executive Director

GUESTS PRESENT: None

MEMBERS ABSENT: Craig Palmer – NSPS Director/KAMP Liaison, David Blaker – Northern Kentucky Chapter Chair, John St. Clair – Scholarship Committee Chair, Tom Bushelman – Director/Bylaws and Policy Manual, Mike McKinney – Green River Chapter Chair

PRESIDENT'S WELCOME

President Greg Barker 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

Golf Scramble date change and Letter to the governor regarding public offices being left open.

REVIEW AND APPROVAL OF BOARD MEETING MINUTES

Bob Smith made a motion to accept the minutes of February 05 and the February 06, 2020 meeting. Tim Tong seconded. Motion carried

KAPS OFFICER REPORTS

President's Report – No report

President Elect's Report – No report

Treasurer's Report – No report

Executive Director's Report – In packet

Secretary's Report – Profit/Loss report in packet.

OLD BUSINESS

House Bill 345 – Requiring Land Surveyors to carry Errors & Omissions (Professional Liability) Insurance

Kyle Elliott – Future City Competition (Needs Judges)

Heather Baldwin – Standards of Practice Review
Need of Funds to help replace “reader board” marker at State Line Monument at the Franklin Rest Area on I-65. Originally purchased through Pannier Sign Co. – *Dennis Smith noted that the reader board will have an approximate cost of \$800.00.*

Jason Graves made a motion to pay for ½ of cost up to \$500.00. Motion was seconded by James Mayo.

Jackie Hawkins annual review

Vote on Justin Drury and Rich Murphy for Director's seats – Jason Graves made a motion to have Justin Drury and Rich Murphy appointed as director's, Tim Tong Seconded. Motion carries

Tim Tong made a motion to change Jackie Hawkins' title to Executive Director. James Knoth seconded. Motion carries.

NEW BUSINESS

Kentucky (KAPS) needs a new NSPS Young Surveyors Network representative. Must be NSPS member, KAPS member and must be younger than 35 or within 10 years of graduating from a course of study in Land Surveying. – **Greg Barker said that he would make contact with Derek**

(Continued on page 25)

Daily.

James Knoth made a motion to honor Mr. William Ralph Paris with a Lifetime Membership and award. Jason Graves seconded; motion carried.

Linking surveying programs, colleges and universities to the KAPS website. **James Knoth said that he would gather the correct information.**

It was agreed that KAPS would produce a letter to send to Governor Beshear in hope of opening up public offices such as deed rooms, PVA offices, Clerks offices, etc..

The golf scramble is now Friday September 11, 2020 at 9:30 a.m., with a picnic to follow. Location is the same. **COVID-19 related**

EX-OFFICIO DIRECTORS REPORTS

GIAC Liaison – no report

KAMP Liaison – no report

KY State Board of Licensure Liaison – verbal report

KSPE Liaison – no report. Mike Billings will be filling this role in the interim

NSPS Director – no report.

Professional Development Chair – no report; reminded that Josh Calico, Jonathon Payne and Jason Graves are on a committee to help here.

CHAPTER REPORTS

Audubon – no report

Barren River – no report – going to a ZOOM format for all future meetings, even after COVID-19.

Bluegrass-Capital – no report.

Falls of the Ohio – Report Submitted.

Green River – no report.

Highlands – no report.

Northeast (inactive) – no report

Northern Kentucky – no report.

Purchase – no report. Fall seminars are scheduled.

Southeast – Report Submitted.

COMMITTEE REPORTS

Annual Conference – no report.

Annual Golf Outing and Picnic – no report.

By-Laws – no report

County Surveyors – no report

Education – Report submitted.

Ethics and Professional Practice – no report

Finance – no report.

Legislative – no report

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. Submitted nominations, but have not received response.

Continuing Education Hours – no report

ADJOURNMENT

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

Submitted by Jason Graves, PLS, Secretary



Falls of the Ohio Chapter

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Chapter Report (March 2020 – May 2020)

March 17, 2020 – No Chapter meeting was held due to Corona Virus.

April 21, 2020 – No Chapter meeting was held due to Corona Virus.

May 19, 2020 - Chapter meeting was held via Zoom Meeting, (first ever Zoom Chapter Meeting). There were 10 surveyors in the meeting, including Nathan Grimes from Southern Indiana Chapter of Surveyors. Meeting minutes were as follows:

- Jason Graves reported on ongoing State activities, including revisions to the By-laws and the KAPS annual picnic and golf scramble which is currently scheduled for Friday September 11th in Bardstown. Please see the KAPS website for further details.
- Secretary/Treasurer – Tim Gehlhausen financial report stated a balance of \$4,844.08 in our account with minimal to no activities in the last few months.
- Discussions was held concerning our joint meeting with ISPLS. Nathan Grimes, with ISPLS, mentioned that they meet the 3rd Thursday of every other month. We have tentatively scheduled our joint meeting for October of this year. A committee was appointed to help find a place to meet. Any suggestions are welcome. Precision Products has offered to sponsor, (pay for food and soft drinks), the joint meeting. Precision Products has also offered to provide an item to raffle off with the proceeds being split between the respective chapters to be donated to the respective scholarship programs.
- Discussion was held on FOH fall seminar. Currently we are planning on holding the fall seminar at Bernheim forest on either Friday Nov. 13th, (preferred), or Friday Nov. 6th. We are still trying to iron out the dates with Bernheim. One of the Bernheim staff is going to teach a 4-hour dendrology class and Nick Jerdon has agreed to teach a 4-hour minimum standards class. Boot-leg bar-b-que will cater the seminar lunch. Obviously, the fall seminar is still tentative with the COVID-19 situation.
- Discussion was held on the up-coming Kentucky Career Days and Junior Achievement Program. These activities normally take place in September or October of each year and require the volunteering of time and participation from us Surveyors. Please keep an eye out for future emails regarding these activities.
- Discussion was held regarding FOH Chapter meetings during the months of June, July, and/or August to make up for the Chapter meetings that we missed in March and April. More than likely if these meetings are held, they will again be Zoom meetings. We will not be having a meeting in June. Please keep an eye out for future emails regarding a July or August meeting.
- Jason Graves made a motion to adjourn and Tim Gehlhausen seconded the motion. The meeting was adjourned around 6:30 pm.

Respectfully Submitted,
Michael P. Billings, PE, PLS
Chapter Chair
Falls of the Ohio Chapter

Southeast Chapter Report

June 11, 2020

The Southeast Chapter continues to work on the The Cumberland Gap Project formerly the Thomas Walker Project.

The Southeast Chapter is working on increasing membership within the Southeast Chapter.

The checking account for the chapter ending balance as of April 30, 2020 is \$7,019.21 dollars.

Continued successes,
Southeast Chapter Chairman
Mr. Curtis J. Felts, PLS
E-mail: curtisfeltspls@windstream.net
Telephone: 606-864-5472

KAPS Legislative Committee Report

06/12/2020

This report is an organizational document to gauge areas of concern KAPS wants to address in the coming years. Once solidified, these concerns can be arranged as short term or long term goals and a plan can be developed on how to approach these items.

Past considered initiatives:

CPD Hours increase . KAPS polled members and found more licensees were not in favor of increased hours than were in favor. Of note on this matter is that the “NCEES Continuing Professional Competency Standards” is recommended for 15 hours per year. This might be something that we want to re-visit as mobility of license becomes a more prominent topic.

Practice of surveying definition to include the teaching of boundary surveying material. Of note on this point is the NCEES “Position Statement” 12 in which NCEES encourages that all faculty teaching advanced engineering courses be licensed professionals. Kentucky has this concept for engineering within the state laws. However, this is not addressed for surveying either at the NCEES

level or the state law level.

Plat Recording Law . We have looked at this one several times - and had a consensus from the KAPS BOD members at one time that we would like to move forward. If this is something the board of directors wishes to pursue, we have a fair amount of background info from various states to work from.

Surveying core curriculum language change concerning required hours. Currently, a student could potentially take no boundary surveying courses and meet the stated required hours. Could this lead to challenging any decision to not allow licensure based on no boundary content? Language changes which would require at least one or preferably two courses (6 semester hours) in boundary specific study might be worth pursuing. Although surveying covers a wide path, protection of the public’s property boundaries is the heart of the licensure idea.

What are your thoughts on the items above or what additional concerns do you think KAPS should be looking to address?

- Jon Payne

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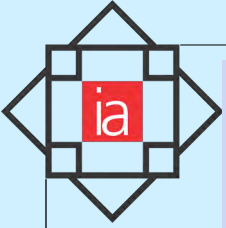


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ASSOCIATION MEMBERSHIP AND THE SURVEYOR



NSPS

Contributed by NSPS

The Merriam-Webster dictionary defines membership as follows:

Membership noun

mem·ber·ship | \ 'mem-bər-, ship

plural memberships

Definition of membership

1: the state or status of being a member

2: the body of members // an organization with a large *membership*

Membership is implied to be individuals who have something in common and therefore wish to belong to a group or organization that promotes that commonality. This is not a new concept, as various memberships have existed for centuries. The groups can be formal or informal, business or social, public or private, but the common interest is key to them all. For instance, membership was a status symbol if you and/or your family belonged to a country club, hunting club or equestrian club. Groups have gathered socially in automobile and motorcycle clubs for the past century. Civic clubs, including Kiwanis, Lions Club, and the Jaycees, were created to provide organized assistance to municipalities and neighborhoods. Museums are well known for their membership programs and those donations help keep the institutions thriving. Other membership organizations were established to help people with various causes, including civil liberties, Second Amendment rights, and retiree programs and discounts. All serve a good and dedicated purpose; however, the most important one that will most likely provide the most benefit is the professional membership.

MEMBERSHIP IN PROFESSIONAL ASSOCIATIONS

Membership in a professional society, especially in times like these, is also important on many levels. For the surveying profession, it provides advocacy and representation for not just the licensed practitioner, but

anyone who works in surveying. Some of the benefits of being a member of state and national surveying associations include:

REGULATION & ADVOCACY

Part of the association's role for professional oversight is regulatory advocacy. Professional licensing has come under fire in recent years as deregulation groups seek to eliminate licensing they see as a barrier to entry rather than to protect the integrity of the interests. State and national associations are working together to defend our profession against these efforts and maintain the regulatory requirements of the surveyor.

Another area of advocacy is political representation at both the federal and state levels. From UAV uses to fighting back against infringing uses of radio signals used by GNSS satellites, the associations work together to represent the surveying profession's best interest in potentially damaging policies and lack of funding for essential surveying and mapping activities.

PROFESSIONAL STANDARDS

Besides advocating for licensing, the associations provide input and guidance for professional standards for technical documents and services. From working with the title examiners group to establish a national land title survey standard to specific guidelines for deliverables, our association groups work together to raise the standard of the profession. They also advocate for a higher ethical standard for all practitioners in surveying so to be seen in a respectable light.

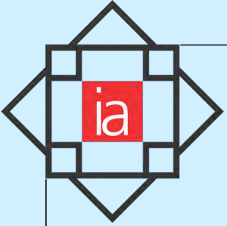
Various certification programs are available through the national and state associations, including:

Certified Survey Technician

Certified Hydrographic Surveyor

Certified Floodplain Surveyor

These certifications allow Surveyors to promote their skill set further as one who is specifically trained for a particular task.



ASSOCIATION MEMBERSHIP AND THE SURVEYOR (continued)

EDUCATION

The surveying associations provide continuing education (whether statutorily required or not) for all levels and tasks of surveyors, from introductory field and office to advanced technology and legal curriculum. Many also provide material refreshers for those preparing for their licensing exams. Many of these educational opportunities are held during annual conferences and seminars specifically targeted for surveyors, whether members or not.

Labor shortages are happening in most professions and surveying is no different. Our organizations provide educational outreach for future surveyors through various conduits, including elementary and high school programs and college career days through engineering and mapping-related curriculums. We also promote scholarship opportunities for two- and four-year degree college programs through a variety of channels.

TECHNOLOGY

Along with formal surveying education topics and discussions, another substantial portion of an association's conference or seminar is an exhibitor's hall showcasing the latest and greatest in surveying technology. It is also a place for vendors to present new data services to augment existing surveying tasks.

Technology providers often utilize these associations for advertising and marketing so members are exposed to new equipment, software, and processes more directly than simply advertising in trade magazines.

AND MUCH MORE!

Many of these organizations offer member discount programs for insurance, travel, products, and more. They can provide these discounted options simply because of the buying power of more users, so the savings are passed on directly to the Surveyor.

Associations also often offer career centers for connecting people and open positions. Many also offer resume services to help the job seeker capture their best qualities for inclusion on a job application.

THE INTANGIBLES

While the aforementioned are the main examples of the benefits of membership in your state and national



surveying association, for many it is simply the opportunity to connect with fellow professionals and technicians. Whether it be for job openings, questions regarding a specific survey or simply engaging another professional in peer review, your membership in these groups helps to pave the way to completing these tasks and more.

TAKING CARE OF TODAY AND PLANNING FOR TOMORROW

Although we are living in unprecedented times, maintaining your memberships, both state and national, may become a question of necessity. For most, prioritizing expenses has become more scrutinized and membership is easily seen as non-essential cost. These memberships are an investment in your profession and career, so consider that return when your next renewal form comes in the mail. The money spent now on professional memberships can go a long way in keeping your profession and career acknowledged as an essential service for years to come.



2020 KAPS Golf Scramble

My Old Kentucky Home State Park
668 Loretto Rd, Bardstown, KY 40004-0323

Friday, September 11, 9:30 a.m. EST

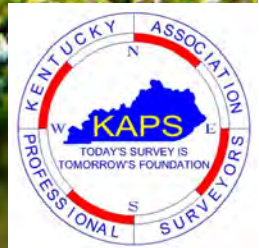
\$75.00 per player • no refunds
(18 hole-greens fees, cart & lunch included)
1st, 2nd & 3rd place prizes awarded

Register as four person team or individually
Deadline for registration: Sept. 4, 2020

Please return registration form to:
KAPS, P.O. Box 211418, Louisville, KY 40221
Or email to jackie@kaps1.com

*Sponsorship Benefits the KAPS Scholarship Fund

KAPS Family Picnic to immediately follow!



Player 1 _____ Avg. Score _____ Player 2 _____ Avg. Score _____

Player 3 _____ Avg. Score _____ Player 4 _____ Avg. Score _____

Address _____ Phone _____

Check Cash Email for invoice: _____

Payment by credit card/online will incur an additional fee.

Contact Bob Smith, 270.566.0567 or bsmithpls@yahoo.com for more information.

2020 KAPS
GOLF HOLE SPONSORSHIP

Friday, September 11
9:30 a.m. EST



My Old Kentucky Home
State Park

668 Loretto Road
Bardstown, KY 40004

PLEASE RETURN FORM & SPONSORSHIP TO:
KAPS, P.O. Box 211418, Louisville, KY 40221

or jackie@kaps1.com

***Sponsorship Benefits the KAPS Scholarship Fund**

Select sponsorship choice:

- KAPS Hole Sponsor Sign - \$100 (sponsor sign)
- KAPS Hole Contest Sponsor - \$200 (sponsor sign near contest)
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- KAPS Bronze Sponsor - \$350 (sponsor sign; 4 person team)
- KAPS Silver Sponsor - \$500 (sponsor sign; 4 person team; hole contest sponsor)
- KAPS Gold Sponsor - \$1,000 (sponsor sign; two - 4 person teams; hole contest sponsor; listing as major sponsor at outing)

Name for Sign _____

Address _____ Phone _____

Check Cash

Email Invoice for Online/Credit Card Payments (additional fees apply):

Contact Bob Smith, 270.566.0567 or bsmithpls@yahoo.com for more information.

2020 KAPS Picnic

Friday, September 11,
2020 3:00 p.m. EST



**My Old Kentucky Home State Park
668 Loretto Road
Bardstown, KY 40004**

Fees cover lunch, optional competitions,
& door prizes (please bring your own cooler &
lawn chairs)

Planned activities include but are not limited to:
Compass & Chain Challenge, Timed Survey
Events, Pacing, & Survey Instrument Setups

Family events include:
games, corn hole, & kids activities

Please register by September 4, 2020

Make checks payable to:
KAPS P.O. Box 211418, Louisville, KY 40221 or email
jackie@kaps1.com

Name _____

Address _____

City, State, Zip _____

Adult (13 & up) #: _____ x \$17 = _____

Children (under 13) #: _____ x \$0.00 = \$0.00

Kids 17 & under names & ages:

Check Cash

Email for Invoice: _____
credit card & online payments subject to additional fees

**Contact Bob Smith, 270.566.0567 or bsmith-
pls@yahoo.com for more information.**



For Accommodations Visit: <http://www.visitbardstown.com/tourism/hotels-motels.html>



KAPS 2020 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

Information to be included in the KAPS directory: Email Cell Address Business Info Name only
 All of your information will be included in the KAPS directory if nothing is checked.

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: _____ \$ _____

<input type="checkbox"/> Check Enclosed or <input type="checkbox"/> Invoice Me at _____ Email Address (Please do not include your credit card number on this form) _____ <small>There is an order fee added to all credit card and PayPal payments. Save money by sending a check!</small>
For Office Use Only
Check # _____ Amount Paid: \$ _____ Date Paid: _____ Staff Rcvd: _____ Name if different than Registrant: _____ _____



“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.