

# Cleveland Surveying News

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**April 2019**  
**Issue 19 Vol. 3**



## Newsletter Features

### May Chapter Meeting

Tuesday, May 14—5:30 p.m.

Location: **Neff and Associates**  
Parma, Ohio

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# Cleveland Chapter

## Professional Land Surveyors of Ohio

### Presidents Letter – PLSO Cleveland

To all whom these presents may come, Greetings... If you've seen that line before, I commend you on your meticulous research! We'll get into that later.

Well, it's here again! That time of year when the phone doesn't stop ringing. A few nice days and everyone wants to get started on the projects they've been planning all winter: new fences, drives, garages, additions, drains for that pond in the back yard, etc., etc. Of course when they discover they need a survey they want you out there NOW. And most have no idea what's involved in doing that survey. Contractors are generally more understanding as their phones are ringing too, and they know we don't just drive by and throw pins out the window. But we're still the first ones needed and the last ones called.

All sounds great for us, right? So much work we'll all be rich and can retire early. But beware... don't let your client's urgency cause you to take shortcuts! We all know how to do a survey properly, but I can attest after 40 some years in the profession that I've seen many stamped plats and have found numerous capped pins that make me cringe. Plats basing a survey on one monument or pins set by automatically prorating a 4' bust in a block. Bringing in a centerline from a monument 3000' away and record data or checking occupation through a 1500' block can all be very time consuming and expensive. Sort of wants to make you assume... (you know what that means). The solution: 1.) I've found through some hard earned experience that even preparing an estimate without doing some preliminary research like checking deeds, plats, & monumentation can be the difference between profit or loss. Even still, ours is a profession where at times you never really know what you're getting into until you get there. Sometimes your price has to be a "worst case". 2.) Don't skimp on adequate research and field procedures to save time. There is no "easy way". I myself always dig up every scrap of information on a job that I can possibly find. It may be just one obscure note on an adjoining subdivision plat or a paragraph in an 1800's deed you have to go back to that solves the puzzle. Hence my opening line.

That's just boundary work. Client urgency & shortcuts in construction work can lead to monumental disasters. We've all heard the stories of mislocated columns or sewers that back up. If you're the guy that allows yourself to be rushed on a construction job, just be sure to keep up that errors & omissions insurance. Even a little house foundation layout can be a disaster if mislocated. While at the City of Cleveland I saw whole blocks of subdivisions that had to be re-subdivided because the houses were mislocated. I think that guy is out of business now.

For 95% of you, I've spent the last 2 paragraphs preaching to the choir. It's the guy that has one monument shown on his plat, the guy that prorated the 4' bust, and the guy that mislocated a dozen houses I'm hoping to reach with my sermon. Bottom line: Take the time to do the research & proper field work & price accordingly. No shortcuts.

Oh, and while you're doing all this and concentrating on your plans & notes, don't step out into traffic or in front of that backhoe. Stay Safe! (CPD Seminar forthcoming)

Dave Bruckner, PS  
2019 Chapter President

**Delegates Report  
April 12, 2019  
State Executive Committee Meeting**

**President Silva called the meeting to order at 6:00 P.M.**

**Secretary Rich Fredrickson determined that there was a quorum present.**

**Motion to accept the minutes for the January 2019 meeting . Motion Passed**

**Josh Mehelcic Treasurer reported on the January, February and March financials**



**George  
Hofmann  
Delegate**

**New members; Motion to accept 11 Professional Members , 8 Affiliate, 6 Associate, and 8 Student Motion Passed. Brian Siebenthal was voted in as a new member of the Cleveland Chapter.**

**Welcome Brian**

**ODOT reported that those with older VRS license will need to renew.**

**ODOT held a job fair on May 11 geared toward 6<sup>th</sup> thru 10<sup>th</sup> grade students**

**Beginning January 1, 2020 ODOT will be upgrading their software to ORD ( Open Road Design)**

**State Board is looking at giving PDH to those who donate their time for Boy Scout Merit Badge training and other worthwhile causes related to surveying.**

**Texas has abolished one of their survey boards. The other survey board has been merged with the Engineers board.**

**NGS is not happy with ODOT proposal to smaller zones. ODOT may move forward on their own for their jobs only. NGS is looking at phasing out the U.S. Survey foot and going to the International foot.**

**NSPS Governor : Bob Akins was in Washington for Lobby Day No Report**

**Annual Conferences**

**2019-2021 Hilton Easton , Columbus,**

**The company previously used for online registration has been bought out by another firm.**

**Melinda will be looking for another source to provide online registration.**

**Fall Conferences**

**2019 Mason Melinda is looking into offering two separate sessions for Ethics**

**2020 Cleveland Marriott Airport**

**Workshop scheduled for May 31<sup>st</sup>, Topic Ethics and Legislative review. See website**

**Education: Looking for someone to chair this committee**

**Legislative: In early March changes to the ORC involving vacation of town lots not under control of a municipal corporation. ORC Sections 711.25, 711.26 and 711.27 were repealed effective 3-22-2019**

**See attachment for further details**

**Finance: George Hofmann reviewed the financials for January, February, March and found all to be in order. There was one pass thru item that George asked Melinda to look at in the December Financials that was still incorrect.**

**George asked Melinda why certain chapters have not been reimbursed their chapter dues for the 2017/2018 and 2018/2019 fiscal years.**

**Melinda stated that she will get this taken care of by the May meeting.**

**(CONTINUE NEXT PAGE)**

Fund Raising: We are looking for donations for our annual raffle to be held at the Annual Conference

Chairman George A. Hofmann asked that each chapter look at giving a donation .

Rocky Lomano , Columbus delegate is looking for volunteers to help in a boy scout merit badge on

June 28-29, 2019

President Silva adjourned the meeting

Respectfully submitted

George A. Hofmann ,2019 Cleveland Chapter Delegate

**Dear PLSO Membership,**

**Askega Chapter, PLSO meeting, Monday, May 13, 2019, Ohio,  
6 pm to 8 pm.**

**Condominium, Common area, Church properties and other  
unique parcels**

**of land described by Surveyors in the profession, and  
also surveying crews working on different kinds of road  
surfaces.**

**Two Hour PDH**

**“Open Discussion Forum”**

**Location 9025 Osborne Drive, Mentor, OH 44060      Land  
Design Consultants**

**Pass this on to other PLSO members! All PLSO Members are  
Welcome!**

**Pizza and bottled water will be provided.**

**RSVP by email for a number count, Thank You!**

**acting Askega President William R Loetz P. S.**

**The Askega Chapter is looking for a President and  
President elect.**

**Chapter meeting at 5:45 pm for new officers**





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### Legislative Committee Report April 12, 2019

I was made aware in early March of changes to the ORC involving vacation of town lots not under the control of a municipal corporation. ORC Sections 711.25, 711.26, and 711.27 were repealed effective 3/22/2019. While it is aggravating to be caught off guard by this type of action, I do not believe PLSO could have known about such last minute legislation insertions in time to express our concerns.

Language Repealed for these sections listed below.

#### Section 711.25

Any person owning, either jointly or severally, either in his own right or in trust, and having the legal title to any land laid out in town lots, or having such title to any whole block of lots in any land laid out in town lots, and not within the limits of or under the control of a municipal corporation, may vacate such lots or block of lots upon giving notice of such intention for two weeks, in a newspaper published and of general circulation in the county in which such land lies. If any of such lots have been sold, personal written notice shall be given to the owner thereof.

Effective Date: 10-01-1953

#### Section 711.26

If no notice of an injunction granted against, or a dissent from, the vacation of lots under section 711.25 of the Revised Code is served upon the county auditor of the county where the lands lie by the owners of any of such lots, within ten days after the completion of the notice required by such section, such auditor shall make all necessary changes and transfers in and upon his duplicate after such ten days from the time of the completion of the notice, proof of which shall be furnished him.

Effective Date: 10-01-1953

#### Section 711.27

The county auditor shall give to the party at whose instance a vacation of lots or blocks of lots is made under section 711.25 of the Revised Code a certificate stating that such lots or blocks have been vacated. Such certificate shall be presented to the county recorder, who shall write upon the plat of such lots or blocks the word "vacated." Such vacation shall have the same effect as if made by the judgment of a court having jurisdiction thereof. The auditor and recorder shall be entitled to such fees for their services under this section as those to which they are entitled in like cases, which shall be paid by the party making such vacation.

Effective Date: 10-01-1953

[sjmincleveland@yahoo.com](mailto:sjmincleveland@yahoo.com)

I found no County Offices aware of the repeal, nor any prior knowledge of a proposed change. In four Southeastern Ohio Counties I found no County Offices aware of issues with these portions of ORC. I was unable to obtain a response from the legislation sponsor. Melinda has been more successful. Below was part of the testimony presented-

Source: OTA Proponent Testimony on HB 500

*Vacation of a Lot Not Within a Municipal Corporation (R.C. §§711.25, 711.26, 711.27)*

Would repeal these sections of the Code.

This request was made by Bainbridge Township in Geauga County. A township resident bought two adjoining, small residential properties in a platted subdivision. The resident demolished one of the homes and wished to build a larger house on the two parcels. To do that, the resident had to consolidate the two properties into one parcel. R.C. §711.24 lays out the process to consolidate lots. However, the resident used the provisions set forth in R.C. §§711.25, 711.26, 711.27 to consolidate the two lots into one. In doing so, the two lots that were previously in a platted subdivision and subject to subdivision rules and regulations are not subject to those rules and regulations any longer. The resident's neighbors on both sides are subject to subdivision rules and regulations but the said resident is not.

As chairman of the legislative committee I, feel this action was taken without adequate input from several interested parties including Professional Surveyors, County Auditors, County or Regional Planning Commissions. I understand the frustration expressed in the above testimony. In my professional opinion and practice I do not believe these sections were intended to eliminate subdivision restrictions or other legally binding covenants. The term Town Lot is not well defined but the age of these sections (1953) should allow for some insight. My experience in use of these sections have been for elimination of individual parcels created without regulatory oversight. Express differently a subdivision treated as a simultaneous conveyance only.

Melinda has spoken with a representative of the Ohio Township Association. It may be possible to resurrect these sections with revisions intended to preserve lawfully created subdivision restrictions or covenants. I am asking President Silva too appoint a few members to work with the Legislation Committee and Staff on this issue.

Respectfully Submitted  
Charles R Harkness  
Legislative Committee Chair





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# Akron University Happenings

## THE UNIVERSITY OF AKRON NSPS TEAM WINS AGAIN!!!!





The University of Akron played host to the Ohio Valley Student Conference. Nine teams competed in the survey competition. Four areas were tested for time and accuracy, Instrument set up, Profile leveling, Differential leveling and Traverse.

The University of Pittsburgh won the competition.

The scores were as follows"

1. Pitt—796.64
2. Univ. of Cinci—795
3. Akron—792.63
4. Cinci State—790.78
5. OSU—786.31
6. West. Kentucky—776.35
7. OU—764.7
8. Univ. Louisville—700.9
9. Cle S.U.—559.77 (did not complete the traverse)





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**June 28, 2019**  
**46th William Haas**  
**Memorial Golf Outing at**  
**Springvale Golf Course**



## **Executive Committee Meeting Minutes – April 16, 2019 at 6:00 PM**

Neff & Associates: 6405 York Road, Parma Heights, OH 44130

In attendance: Dave Bruckner, Richard Carlson, George Hofmann, Tim Feller, Michael Kral, Dino Lustri, Mike Ackerman, Ken Hejduk, and Scott Horan

### **Secretary's minutes:**

Executive Committee meeting minutes from the March 12, 2019 Meeting minutes accepted with revisions.

### **Treasury:**

March 2019 treasury report submitted by Tim Feller; acceptance of report is subject to review.

The Cleveland Chapter still has not received a dues rebate check from the State Chapter for the 2017-2018 and 2018-2019 fiscal years. There are other chapters that also have not received funds owed by the State Chapter.

### **Chapter Delegate:**

Report submitted by George Hofmann

The previous company used for the conference online registration has been bought out. The cost to stay with them will raise drastically so a new vendor is being sought.

In 2020 ODOT will change to using Open Road Design for new projects.

NGS stated that it will be phasing out using the U.S. survey foot in its calculation and replacing it with the international foot value. The State Executive Committee is questioning how it will affect future survey work.

### **Committees:**

#### **Membership Committee:**

Brian Siebenthat has been accepted as a new member of the Cleveland Chapter of PLSO.

#### **Newsletter Committee:**

No report.

Newsletter deadline is April 26, 2019

#### **Website / Records Archival Committee:**

Dino Lustri updated the status of the scans and database indexing.

Also to be added to the online scans will be past Executive Committee records

#### **Program Committee:**

Next seminar is scheduled for June. The topic has yet to be decided.

GIS data – where to find it and what resources are available has been mentioned as a possible seminar.

#### **Education/ Scholarship Committee:**

The Scholarship Committee of Joe Gutosky, Ken Hejduk, Benjamin Stafford, and Mike Ackerman recommended to award scholarships to Ryan Kramer and Brett Spangler both from The University of Akron.

The committee also recommended the application form be reviewed to update the questions. In particular, it would be helpful to distinguish between income and current scholarships.

**MOTION PASSED** to award scholarships in the amount of \$750 each to Ryan Kramer and Brett Spangler.

### **Finance:**

Discussed during Treasurer's report.

Respectfully submitted,

### **New Business:**

None

Michael Ackerman, PS

Secretary Cleveland Chapter PLSO



**PAR 5 - NUMBER 11 AT SPRINGVALE GOLF COURSE.**

**HOME OF THE 46<sup>TH</sup> ANNUAL**

**WILLIAM J. HAAS MEMORIAL GOLF OUTING.**

**LET ALL OF US WHO MAKE OUR LIVING BEHIND A TRIPOD TAKE A BREAK THIS JUNE 28<sup>TH</sup> 2019 AND ENJOY A DAY OF FUN TO RELAX WITH OUR CO-WORKERS, CLIENTS AND FRIENDS WITH A DAY OF GOLF.**

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**WELCOME TO THE 46<sup>TH</sup> ANNUAL  
WILLIAM J. HAAS MEMORIAL GOLF OUTING**

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**Friday June 28, 2019**

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\_\_\_\_\_ Yes No

\_\_\_\_\_ Yes No

\_\_\_\_\_ Yes No

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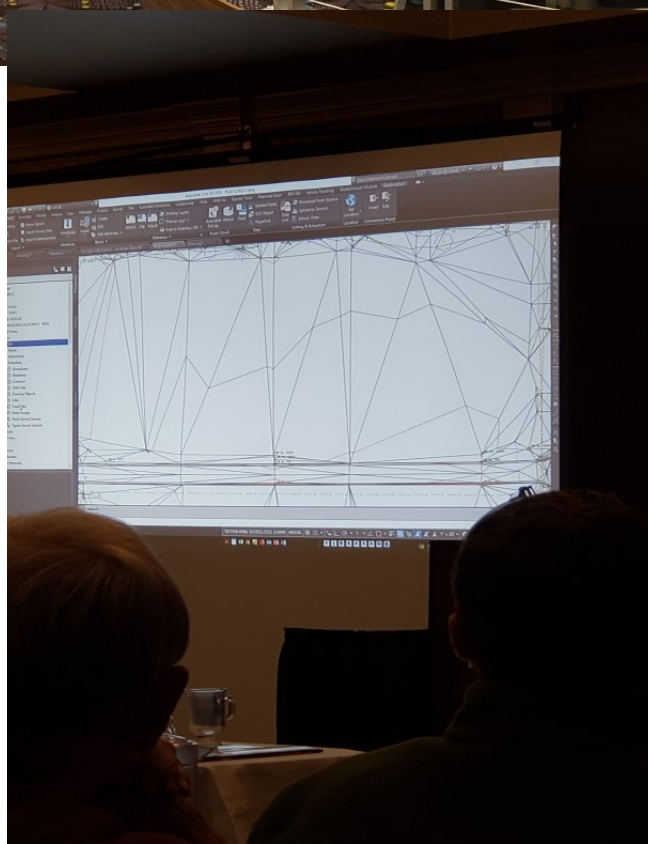
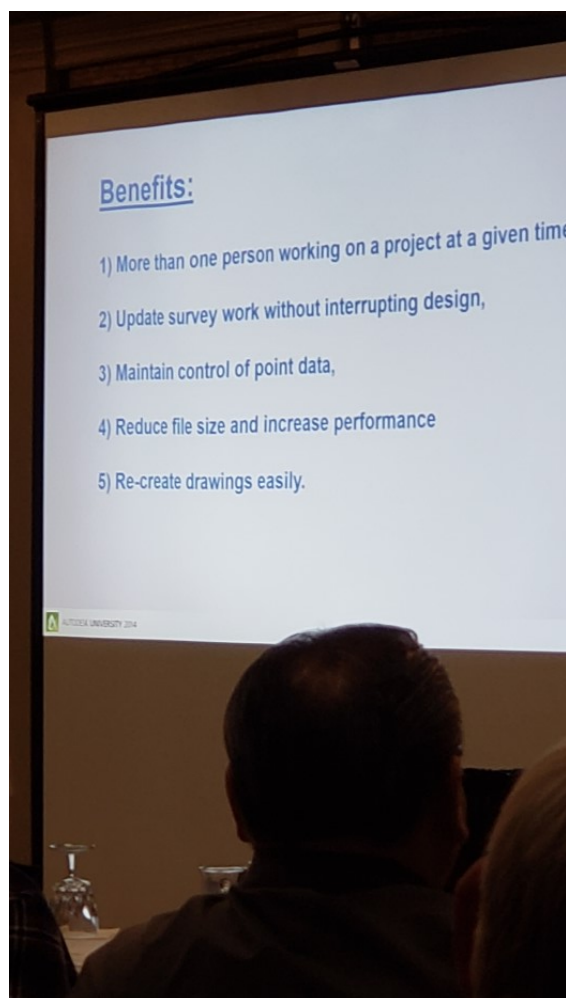
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(Cont'd on Page 8)

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### **WELCOME TO THE 46<sup>TH</sup> ANNUAL WILLIAM J. HAAS MEMORIAL GOLF OUTING**

(18 hole four-man scramble format)  
(Tee off scheduled for 8:00 AM)

## **FRIDAY JUNE 28, 2019**

- ☐ Sponsor a hole for skill prizes such as longest drive, pin shots, long putts.
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Hole Sponsor ..... \$ 125.00  
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Representative at the sponsored hole? Yes \_\_\_\_ No \_\_\_\_

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Cleveland Chapter & State 2018 Schedule

**Dates, times and locations subject to change, emails will be sent out with notification of any changes**

Friday, January 11 - State PLSO Executive Meeting

*Thursday - January 24 – Cleveland Chapter Annual General Meeting and installation of officers  
(newsletter 1 deadline 1/31)*

February 22 PLSO State conference

Friday, March 8 – State PLSO Executive Meeting

*Tuesday, March 12 – 5:30 p.m. Cleveland Chapter Executive Meeting (newsletter 2 deadline 3/20)*

Friday, April 12 – State PLSO Executive Meeting

*SATURDAY April 13, 7:30 a.m. Civil 3D (CE) Holiday Inn Rockside*

*Tuesday, April 16– 5:30 p.m. Cleveland Chapter Executive Meeting (newsletter 3 deadline 4/26)*

April (TBA) – Cleveland Chapter General Meeting & CPD

Friday, May 10 – State PLSO Executive Meeting

*Tuesday, May 14 – 5:30 p.m. Cleveland Chapter Executive Meeting (newsletter 4 deadline 5/22)*

Friday, July 12 – State PLSO Executive Meeting

*Fri. June 28, 46th Annual William Haas Memorial Golf Outing at Springvale Golf Course*

July (TBA) - Clev. Chapter Education Recognition Meeting (newsletter deadline 5 7/26)

Friday, September 13 – State PLSO Executive Meeting

*Tuesday, Sept. 17 – 5:30 p.m. Cleveland Chapter Executive Meeting (newsletter 6 deadline 9/27)*

October 10 & 11 - PLSO State Fall Seminar Mason, Ohio

*Tuesday, Oct. 15 – 5:30 p.m. Cleveland Chapter Executive Meeting (newsletter 7 deadline 10/25)*

Friday, November 8 – State PLSO Executive Meeting

*Tuesday, Nov. 12 – 5:30 p.m. Cleveland Chapter Executive Meeting (newsletter 8 deadline 11/22)*

*Tuesday, Dec. 10 (if needed) – 5:30 p.m. Cleveland Chapter Executive Meeting (newsletter deadline 12/15/17)*

4th Thursday in January 2020 – Cleveland Chapter General Meeting & Installation of officers

**2018 State PLSO Officers**

President—Tom Silva, PS

Secretary—Richard Frederickson, PS

President –Elect—Terrence Wright, PS/PE

Treasurer—Josh Mehilcic, PS,

Imm. Past Pres.—Curtis Deibel, PS

NSPS Director—Robert L. Akins, PS,