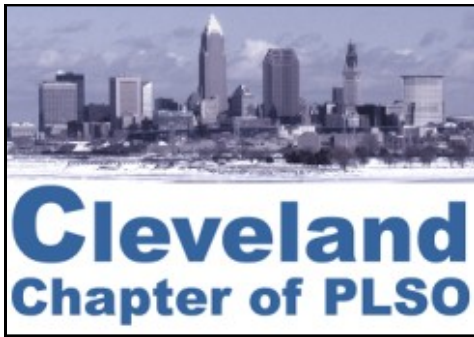




# Cleveland Surveying News

October 2010

- October 14th Cleveland Seminar
- 1st Cleveland Chapter Scholarship
- Cuyahoga County Government



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Contact: Robert Hoy, [k666@cox.net](mailto:k666@cox.net)

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*Recalling the motivation for this chapter's existence and the response we've had to date, our motto should be -  
 "United we stand, divided we perish."*

- William J. Haas, 1974

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## October 14th CPD Seminar

[Cleveland Surveying News - October 2010](#)

Note: this is held on the **2nd** Thursday of the month to avoid a conflict with the [PLSO Fall Seminar](#) which is October 7-9 at Kalahari Resort in Sandusky



**Eric Short**  
Program Trustee

*Proceeds go towards our Scholarship efforts.*

**Speaker:** Bill Barrow, Special Collections Librarian  
of Cleveland State University

**Topic:** Railroad Valuation Maps from the  
CSU Special Collection Library - 1.5 PDH's

**Cost:** PLSO Members \$20, Non-Members \$35

**Schedule:** 6:00 Socializing, registration, & pizza  
6:30-8:00 Speaker

**Location:** Cuyahoga County Engineer's  
Test lab Facilities,  
2433 Superior Viaduct, Cleveland  
Free parking with security camera surveillance ([Map](#))

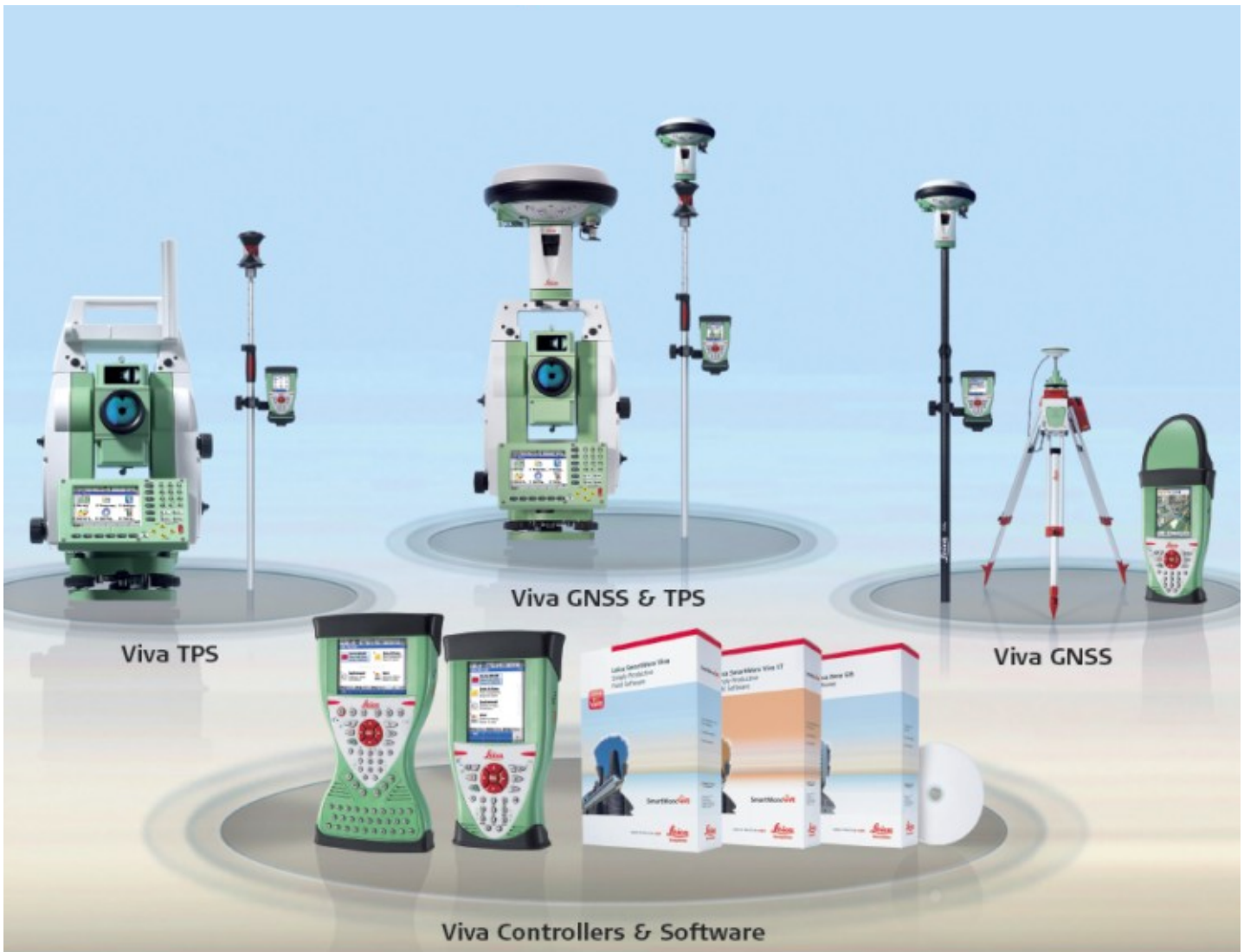
**Reservations contact:**  
**Eric Short**  
by **Tuesday, October 12**  
for reservations, 440-366-9618  
[shorte@windstream.net](mailto:shorte@windstream.net)

## 2011 PLSO Annual Conference Cleveland, Ohio Feb. 9-10-11, 2011

**T  
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### Opening Address by Curt Summner: The NSPS Decision

Eric Gakstatter - GPS & GPS Golf Course Surveys ♦ The 2011  
ALTA/ACSM Land Title Standards Update ♦ Use of LIDAR in the  
recent Haiti & Tennessee Disasters ♦ Embracing Machine  
Guidance Technology ♦ Copyright for Surveyors & Engineers ♦  
History of the Cleveland Metropolitan Parks District ♦ The  
Cleveland Metropolitan Park GIS ♦ Urban Field Safety ♦  
10 Legal Tools every Small Business needs to Survive ♦  
CADD: Improving Contours and Map Standards



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## Editor's Notes

[Cleveland Surveying News - October 2010](#)

### Help Wanted

Surveying companies that have an employee that is a PLSO member can now have "help wanted" notices in this newsletter for free. And if you submit your notice or graphic in the middle of a newsletter cycle, it will be emailed to all Cleveland Chapter PLSO members as well as appearing in the next CSN. Let's help get surveyors back to work!

### Cleveland 2011 Annual Conference

We're just over 4 months from the Annual Conference coming to Cleveland again. This is a great opportunity to get 15 PDHs that are coming to your home area without needing to travel far during the middle of winter! The hotel we'll be at is a very nice 5 year old modern facility that is 90 blocks from downtown, so I know you've never been to it. The ballroom (where exhibits, lunches, and the fundraising auction is held) actually has windows to the outside world!

The program sessions are set and we've worked hard to find fresh topics that will keep everyone awake and attentive. Our task has been to bring out and present new sessions and subjects that are not re-hashing what has been spoken at conferences in the past. You'll be able to encourage your Professional Engineer friends and colleagues to attend because we have educational sessions that will appeal to them too! Lastly, you'll be able to go home earlier than ever from an Annual Conference - Friday afternoon, although there might be an optional Friday evening event around town that is still in planning.

### Facebook Group

The Cleveland Chapter has a group of Facebook. It's just another way to stay in touch with what our chapter does for those of you who may check Facebook more often than email.

[Click Here](#) for our group.

**Survey Discs**   **Collection #1 \$100**   **Collection #2 (1 DVD or 4 CDs) \$25**  
**Scholarship Fundraiser** (Proceeds from donation amounts go to the chapter's scholarships)

### Disc 1 of Scanned Surveys

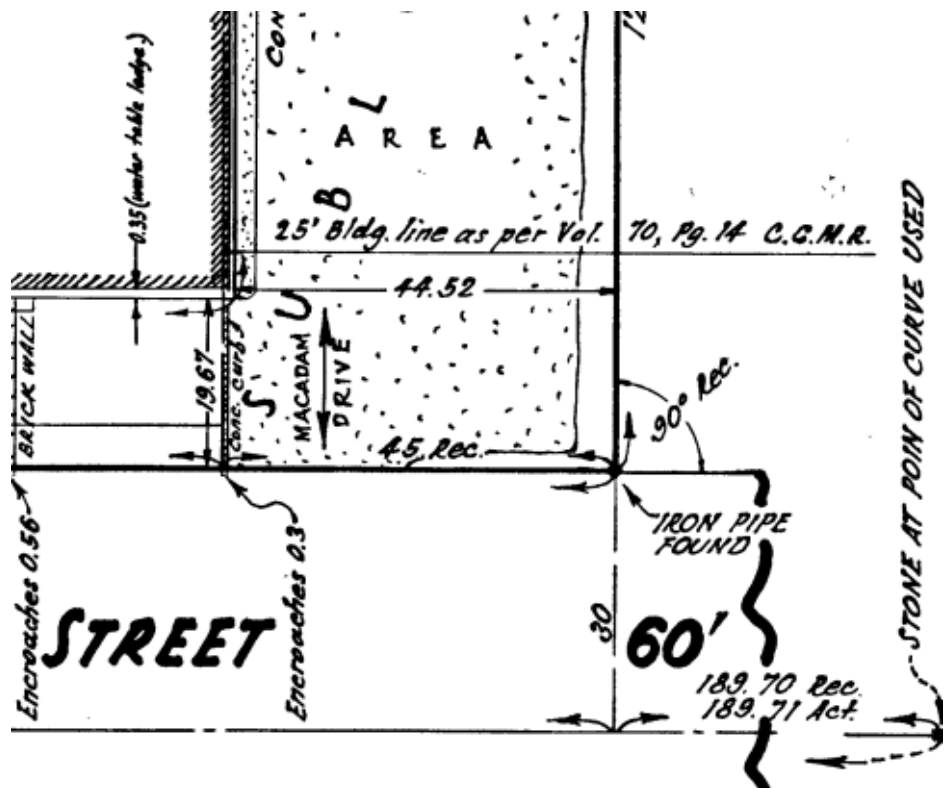
Approximately 7,000 larger surveys (stored in flat files) were scanned in 1999 in part for preservation because the document storage location at the time was not very well protected against weather extremes.

### Disc 2 of Scanned Surveys

In 2004, about 2,700 folded surveys were scanned in 2005. These surveys vary in size and also include unrecorded subdivision and some county road records.

Available only to PLSO Members.

Questions or want to obtain the discs? Call or email [Robert Hoy](#)





## Random Lines

by John E. Dailey, P.S.

### Cuyahoga County Government Reform

This evening, I am thinking about the upcoming changes in the Cuyahoga County form of government. We, in Cuyahoga County, are about to embark on a journey with no clear cut route map. The County Commissioner form of government was established in Cuyahoga County at its inception in 1810. Along with it came certain other elected officers to handle the operations of this County, ostensibly to serve the people of the County. This system worked reasonably well until recently when greed took charge.

Certain elected officials and their henchmen and hench-women fostered a climate of "what's in it for me?" In doing so, the electorate of Cuyahoga County became disenchanted with the entire form of government and rather than waiting until the next election to throw the rascals out decided the better way would be to consolidate County operations under a County Executive and County Council. This form of government was established in Summit County in 1969. I do not believe any other County in Ohio has done this until now.

Since the election establishing this form of government, there have been a number of meeting with a planning group trying to get public input as to how this system would/should work. Unfortunately, these meetings have been very poorly attended. Since the world is run by those who show up, there are going to be a great many County operations that will be left to the newly elected leaders to develop "on the run."

As a Professional Surveyor, I am very concerned about the future of the Cuyahoga County Engineer's office.

Ohio was admitted to the Union in 1803. One of the original offices the General Assembly created was the County Surveyor, which laid the groundwork for the office we know as the County Engineer today. In the early days, the office of the County Surveyor played a critical role in the development of our

### Cleveland Surveying News - October 2010

state. In 1835 all counties in Ohio began electing County Surveyors to keep a watchful eye over public land, clarifying land titles and boundaries as the state grew into what we see today. Some of the county surveyors were involved with the building Ohio's network of canals, and all were called upon to spend more and more time developing the state's integrated system of roads. The year 1928 saw the county engineer emerging as the public official you know today. In that year they started to be elected to four year terms. Then on August 30, 1935, the title of the office was changed to "County Engineer".



**John E. Dailey**

Only persons who hold registration certificates of the State of Ohio as both "Registered Professional Engineers" and "Registered Professional Surveyor" may qualify for the office of County Engineer. The County Engineer "shall perform for the county all duties authorized or declared by law to be done by civil engineer or surveyor". The County Engineer is the engineer for all public improvements under the authority of the board of commissioners within and for the county.

The County Engineer's office will still be in a position to accept or reject your surveying and engineering work, change engineering and surveying policies and procedures, review deed descriptions and land conveyances and be responsible for installing, replacing and protecting survey control monuments on roads and highways and establishing vertical control. These duties are far too important to leave in the hands of anyone other than a qualified Dual Registrant. As Professional Surveyors, and as Professional Engineers, we take an oath to "protect and defend the health, safety and welfare" the people of the State of Ohio.

According to news releases, the Cuyahoga County Engineer will no longer be an elected position but will be appointed and work under the direct

[\(Cont'd on Page 7\)](#)

## Random Lines

*(Cont'd from Page 6)*

[Cleveland Surveying News - October 2010](#)

supervision of the "Director of Public Works." Since this is a very gray area and I have seen nothing in writing spelling out the qualifications for either "Director of Public Works" or the County Engineer, I am afraid that both positions may be filled by a political appointee with little or no engineering background or experience.

I know the Ohio Revised Code spells out the qualification for County Engineer, but does a County Charter, voted upon by the County electorate, override those requirements? I don't know. I don't think anyone knows at this time. The County Engineer in Summit County is still elected.

During the first go around, I have no doubt that the County Engineer's position will be filled by a Professional Engineer, mainly because no one really knows what else to do at this time. But I do not know what will happen in the future. People in power have a tendency of forgetting what their original job was or what the original intent of an action was and will make decisions based on

current feelings.

The decision to consolidate County Government and offices under a single Executive could be argued both pro and con, but what should not be debated is the necessity of having our Professions and our Professional activities managed by non-licensed individuals. The qualifications for County Engineer should be written into the County Charter now so that there is no misunderstanding at a later date.

If you have any influence at all with the Charter Planning Commission, make our thoughts known now. This is not something to put off to the future or to hope that it works out well. We have to be proactive now. Act now to have the County Engineer's requirements made a part of the County Charter.

John E. Dailey, P.S., Past  
[idaileye@sbcglobal.net](mailto:idaileye@sbcglobal.net)

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## Scholarship Award

[Cleveland Surveying News - October 2010](#)

It is with great pleasure to announce that Elton K. Cooper is our first recipient of the Cleveland Chapter PLSO Scholarship fund. The Scholarship Committee made the recommendation to the Executive Committee which met on August 9<sup>th</sup> at Parma City Hall.



Elton K. Cooper

Elton Cooper is a senior in the Surveying and Mapping program at the University of Akron and will receive \$500 towards the cost in completing his education. He resides in Cleveland with his family and expects to graduate this December and currently carries a 3.6 grade point average. Mr. Cooper has aspirations of becoming a Professional Land Surveyor with the intention of one day owning his own company. The Cleveland Chapter of PLSO would like to congratulate Elton K. Cooper on this important achievement and wish you the very best in your upcoming graduation!

Christopher J. Tomko, P.E., P.S.  
Cleveland PLSO Education Trustee



**Christopher Tomko**  
Education Trustee

## Officer Nominations

Let your voice be heard! As the next election season arrives, there has not been a more important time for the surveyor's voice than now. With local county government changes and statewide legislative changes slowly eroding the requirements for licensed surveyors, we need good representation now and in the foreseeable future.

We are blessed with a large contingent of experienced and knowledgeable surveyors in our chapter. We need a few to step up and participate on our executive committee. Elected positions this winter are:

- President-Elect
- Treasurer
- Secretary
- Chapter Delegate
- Trustees (2 positions)

For a detailed breakdown of the requirements and demands of these positions, please visit our website: <http://www.plso.com/contact.html> Choose the Officer Handbook link located beneath the heading of Chapter Downloads.

We welcome nominations. Any nominations will be verified with the individuals before being placed on the ballot. Thank you for your interest in maintaining a high level of professionalism in our organization!

Dino Lustri P.S., P.E., [dino@dlengineeringllc.com](mailto:dino@dlengineeringllc.com)



**Dino Lustri**  
President-Elect

## New Chapter Member

Please welcome back Joe O'Donnell, Jr. as a reinstated chapter member. Send him a welcome back [email](#).





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## President's Message

[Cleveland Surveying News - October 2010](#)

Greetings all! Early autumn is here, those outdoors aromas are changing, cloud formations look different, and the footballs are flying. Same as last year – and that's a good thing! I think something else is the same as last year, too, but it's not a good thing. As is becoming customary, I'll relate a couple of recent experiences.

I received a call via referral from a potential client needing a consolidation plat. He had two lots on Lewis Road and needed the consolidation in less than a week to make a required City meeting. Tough schedule for me, but do-able. I did some preliminary research. One lot was typical metes and bounds and closed fine. The description for the 2<sup>nd</sup> lot was pretty much just a bounds a description, and a bit vague at that. There was no way a new legal could be written without doing a boundary survey.



**Michael A. Straub**  
President

I called the prospect back and told him what tasks needed to be performed and gave him a quote. Not surprisingly, it was higher than another quote he got. But then he asked "How much do you have in there for setting the pins? The other quote I got said it was \$xxx.xx more for that." Huh!, I thought. I told him that when we do a boundary survey it was required **by law** that we set pins. I then went on to explain what he should see on his survey map, again as required **by law**. He thanked me and the conversation soon ended.

I attempted to follow up with this lost client prior to publication to see what he actually got for his money, but without success. I will yet do so. Hopefully, the other surveyor had simply not read the legals and was planning on doing the consolidation from the record documents.

Just today, I received a call from a local surveyor who related his recent experience. It seems he is under contract to perform construction staking on a project that required some lots to be assembled prior to development. He obtained a copy of the plat (I did not ask if it was part of the construction documents), which showed the consolidation, including boundary survey. Pins were shown as having been set, yet no pins were found in the field. Upon calling the surveyor of record, the surveyor admitted that pins had not been set, but that he would do so.

Personally, I'm glad the surveyor of record was contacted. I'm also glad he admitted his lack of completeness on the project and would rectify the situation.

We need to police ourselves as professionals. When something is not right and we stand on the sidelines and ignore a situation, we contribute to the problem. I think we all have a tendency to give a peer the benefit of the doubt. However, when a situation rears its head more than once, as I was told was the situation between the surveyors above, then it is incumbent upon us to speak up. No, we don't have to go the State Board every time! But we should communicate with each other!

I understand how the economy seems to be affecting how we operate our businesses. Revenues are down for most and pricing is extremely competitive. We cannot let our pricing effect how we perform our duties. Let's do what we are supposed to do. Remember the Code of Ethics? (See [Page 16](#))

As always, let's work hard (and complete) for a prosperous and healthy 2010! Optimism Rules!

[Michael Straub, P.S.](#)  
Chapter President



## Communication Report

[Cleveland Surveying News - October 2010](#)

The first issue of the *Cleveland Land Surveyor* for 2010 has been sent to over 70 municipalities, villages, and townships within Cuyahoga and Lorain counties. I will start sending out Issue 2 in early October. The point of this publication is to increase awareness of land surveying in the public sector.

Reminder notices have been sent to newsletter advertisers, and as I write this only one payment has yet to be received. It's never too late in the year to become an advertiser. Send me an [email](#) and I'll get you in here!

One communication related item is starting with this PLSO Fall Seminar, credit card payments are now being accepted through the PLSO website. To help protect your credit card account information, check out your card provider's website for a "secure online account number" option. Many providers allow their users to create a unique card number that hides their actual account number for safeguarding reasons.

Though this hides your account number, these "secure account numbers" are often re-usable, but is still worth using.

There was one item on your PLSO dues notice that you may have overlooked. The option to opt-out of receiving a paper version of the *Ohio Surveying News* was located on the back. So far 229 renewing members chose to opt-out and will view the *Ohio Surveying News* electronic version through the PLSO website. If you want to opt-out as well and did not notice this on the back of the dues notice, contact the PLSO Central Office [plso@ohiosurveyor.org](mailto:plso@ohiosurveyor.org)

Please suggest nominations for PLSO Surveyor of the Past and Member of the Year awards to Chapter President [Michael Straub](#).



**Robert Hoy**  
Communication

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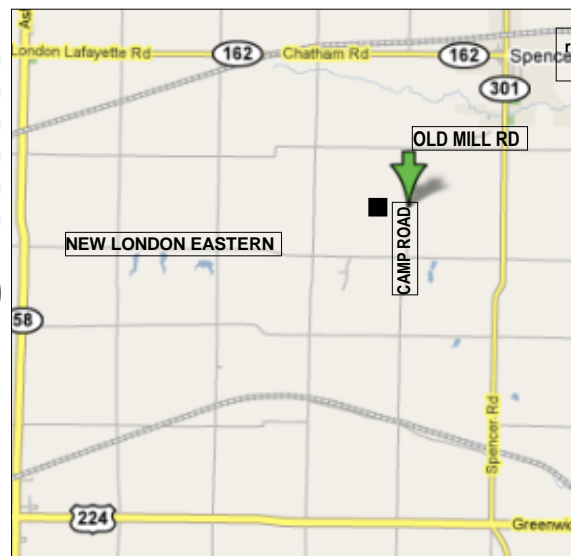
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**CEAO Report to PLSO**

By Dean C. Ringle

September 2010

***County Government Charters***

Many counties are looking at changing to a charter form of government, with the most recent one being voted upon by Cuyahoga County residents. If your county is considering this change, be aware of what that means to you as a Professional Surveyor and/or a Professional Engineer. Although the intentions may be good, improper consolidation of county offices could adversely affect your professions. If the qualifications for the County Engineer position do not remain – requiring a person to hold both licensure as a Professional Surveyor and Professional Engineer – approval or rejection of your surveying and engineering work, along with the creation or changing of policies and procedures, could be implemented and directed by non-licensed individuals. Setting policies, such as deed/description review and property conveyance standards, along with the perpetuation of survey control such as monumentation of original land corners, should be under the oversight, direction and final decision-making process of a Professional Surveyor.

Arguments can be made for or against consolidating government offices and having public officials appointed by a single person, or to stand separately for election by the general public, but what shouldn't be up for debate is our professions and the activities of our professions being managed by non-licensed individuals.

If you notice your county is discussing a county charter form of government, get involved and make sure our Surveying and Engineering professions are still properly protecting the health, safety and welfare of the public, and policies and programs will still be directed and enforced by properly licensed professionals. For more information, contact your local County Engineer or call Fred Pausch, CEO Executive Director, at 614-221-0707 and [fpausch@ceao.org](mailto:fpausch@ceao.org)

**We Have Lost One of Our Own:**

Ford W. (Bill) Wheeler, co-founder and President of Wheeler & Melena, Inc. has died. Bill, a Charter Member of the Cleveland Chapter and long time supporter of many professional societies, passed away at the age of 90 on September 22, only 37 days after the death of Kay, his wife of 68 years.

Bill and Frank Melena founded Wheeler & Melena, Inc. in 1955 and maintained the business until selling its assets to Michael Benza & Associates in 1992. The firm was responsible for many projects in the northeast Ohio area including subdivisions, municipal projects and many construction projects.

Bill, PS # 4151 and Engineer # 19296 was truly a gentleman and a gentle man. He held himself and his staff to the highest technical and ethical standards. He is survived by two daughters, Lisa Neeley and Joellen Wong.



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## 2011 Annual Conference - Exhibitors

### Calling all Exhibitors!!

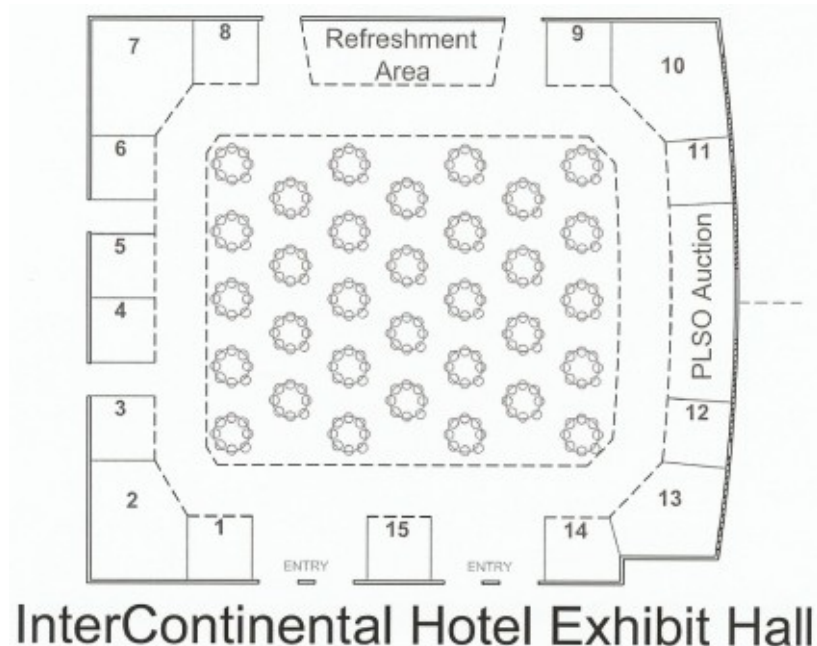
We still have a few booths available for the thirty-sixth PLSO ANNUAL CONFERENCE. This is being held on February 10 and 11, 2011, at the InterContinental Hotel in Cleveland, Ohio.

This conference has a unique setup for Cleveland, that surrounds the dining area with the exhibition booths. Talk about a captive audience!

Don't hesitate and lose out on a great networking opportunity. Contact Barb Jones at [plso@ohiosurveyor.org](mailto:plso@ohiosurveyor.org) to request an exhibitors application packet or [Click Here](#) for all the exhibit information on the [PLSO website](#).

See you at the Conference

[John J. Bischof P.S.](#)  
2011 Exhibits Chairman





## CPD Seminar Review

[Cleveland Surveying News - October 2010](#)

September 2, 2010

### Latest in Robotic Instruments

presented by Ted Muns of City BluePrint of Toledo

Ted Muns of City BluePrint of Toledo, Inc. traveled from the northwesterly part of our state to present a seminar on some of the latest technologies related to the robotic instruments. Ted brought one the latest innovations in robotic instruments that had me amazed; now remember, I was brought up on the transit and plumb bob. Winding up angles 4 times, always chaining downhill and factoring temperature corrections were standard procedures. I knew I was dedicated to this profession when I received a rash on my neck from that dam plumb bob string.



**Timothy Feller**  
Past President



Ted Muns

O.K. back on topic, the new robotics can do just about everything for you. Once this instrument is setup, just let it follow you around the site either setting out points or observing topographical detail. When I say "you" that is exactly what I mean there is no need for another. With the latest magnetic movement there are no servo motors to wear out or put a tremendous drain on the battery. These instruments have an automatic alert system that prevents the recording of data when the level tolerances are exceeded, and to make matters more interesting, the data collector is equipped with an electronic voice to let you know! How about the ability to observe distances without the use of a prism at distance up to 2000 feet! I don't even have enough chaining pins for those kinds of distances.

Did I happen to mention the camera? This darn thing can take a digital photograph of every observation it makes, or a short video. GPS observations are also attainable along with some limited laser scanning. One has to ask, do I need all this? Well I am not sure I do, but I do believe this is just the tip of the iceberg. Robotics is continually expanding their ability. Why? Because robotic total stations are becoming more reliable and less prone to human error. The drawback maybe the price but when you consider salary, reliability and efficiency the robot might be the right choice. Make sure you attend the October seminar for pizza, a networking opportunity and a very informative talk by Bill Barrow on Railroad Valuation Maps.

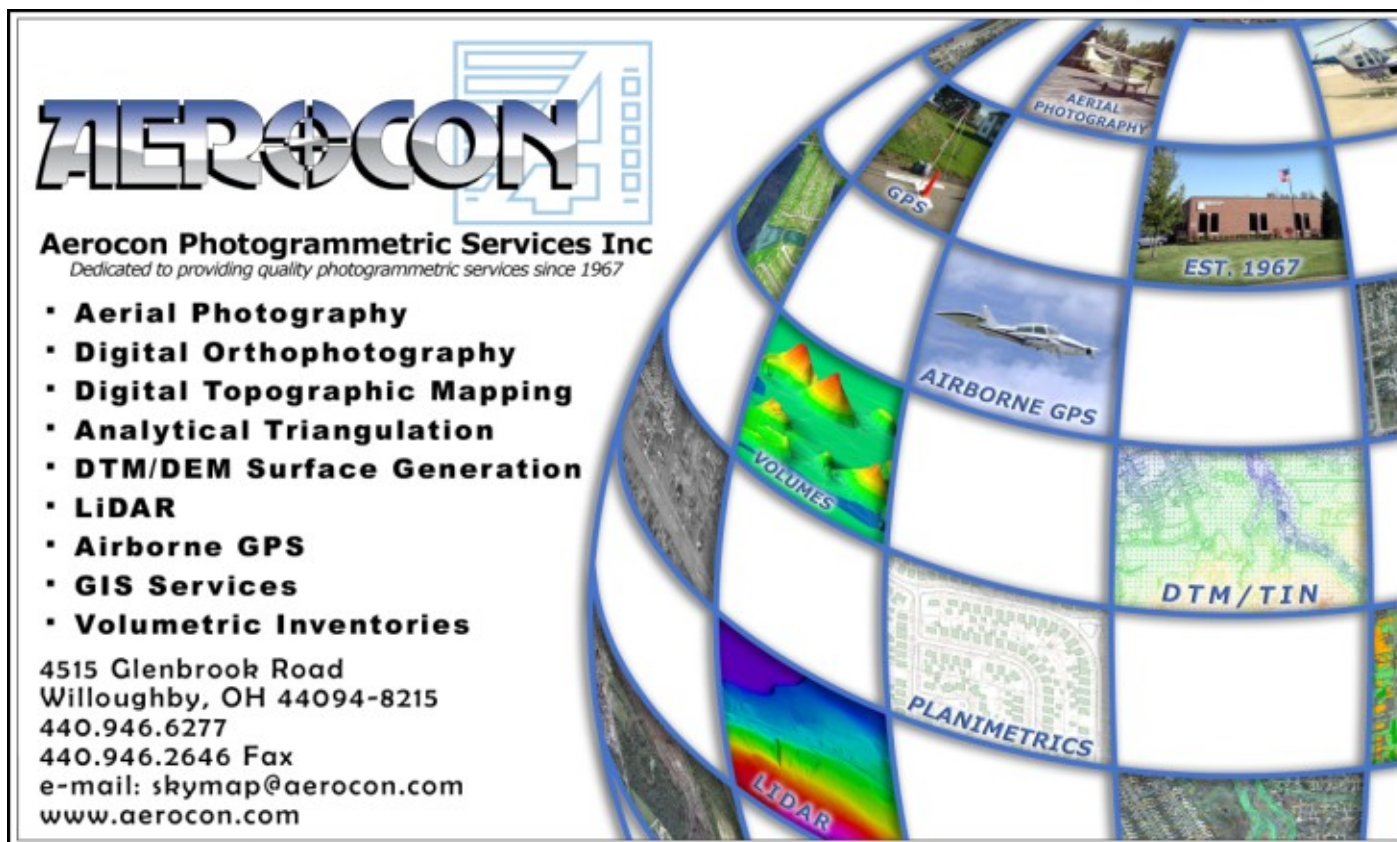
### Last Seminar of 2010 - November 4

#### Topic: Panel Discussion of Ohio State minimum standards - 1.5 PDH's

Panel Speakers: local surveyors TBA

Cost: PLSO Members \$20, Non-Members \$35

Location: Cuyahoga County Engineer's Test lab Facilities, 2433 Superior Viaduct, Cleveland



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## Code of Ethics for Engineers and Surveyors

### 4733-35-01 Preamble.

In order to safeguard the life, health, property and welfare of the public and the state of Ohio, to maintain integrity and high standards of skills and practice in the professions of engineering and surveying, the following rules of professional conduct, promulgated in accordance with Chapter 4733. of the Revised Code, shall be binding upon every person holding a certificate of registration as a professional engineer or as a professional surveyor.

The engineer or surveyor, who holds a certificate of registration from the Ohio state board of registration for professional engineers and surveyors, is charged with having knowledge of the existence of the reasonable rules and regulations hereinafter provided for his or her professional conduct as an engineer or surveyor, and also shall be deemed to be familiar with their several provisions and to understand them. Such knowledge shall encompass the understanding that the practice of engineering, or of surveying, is a privilege, as opposed to a right, and the registrant shall be forthright and candid in statements or written responses to the board or its representatives on matters pertaining to professional conduct.

### 4733-35-02 Integrity.

The engineer or surveyor is obligated to act with complete integrity in professional matters for each client or employer as a faithful agent; shall be honest and impartial, and shall serve the public, client and employer with devotion.

### 4733-35-03 Responsibility to the public.

The engineer or surveyor shall:

(A) Protect the safety, health and welfare of the public in the performance of professional duties. Should the case arise where the engineer or surveyor faces a situation where the safety, health and welfare of the public is not protected, the engineer or surveyor shall:

(1) Sever the relationship with the employer or client;

[\(Cont'd on Page 22\)](#)



## Delegate Report

[Cleveland Surveying News - October 2010](#)

### MEETING AGENDA Friday September 10, 2010

#### 4.0 Unfinished Business

- 4.1 Surveyor of the Past Plaques - Barb Jones
- 4.2 Website - Melinda Gilpin
- 4.3 Soil Scientists Issues - Dean Frederick
- 4.4 Statute of Limitations – Rose Coors

#### 5.0 New Business

- 5.1 New Members (See Attached List) - Bob Akins
- 5.2 Proposed By-Laws changes - Rion Myers
- 5.3 Nominations Committee - Brett Tieben

#### 6.0 Inter-Association Delegates

- 6.1 CEO - Dean Ringle
- 6.2 ODOT - Jim Kenyon
- 6.3 State Board of Registration - Melinda Gilpin
- 6.4 OGRIP - Stu Davis

#### 7.0 Committee Reports

- 7.1 Special Committees
  - 7.11 Political Action - Dean Frederick
  - 7.12 Standards - Brad Kramer
    - 7.121 Preservation of Monumentation
    - 7.122 Minimum Standards for Plat Revision
    - 7.123 GPS Standards - Jim Kenyon
    - 7.124 FEMA Flood Mapping
    - 7.125 Definition of Surveying
  - 7.13 State Line - Dean Ringle
  - 7.14 Historic Review - Mike Besch
- 7.2 Newsletter Editor - PLSO Staff
- 7.3 NSPS Governor - Robert Akins
  - 7.31 Trig Star - Pat Leonhardt
  - 7.32 CST Coordinator - Pat Leonhardt
  - 7.33 Geocaching Coordinator - Robert Akins
- 7.4 Standing Committees
  - 7.41 Program - Dean Frederick
    - 7.411 Annual Conference Updates
      - 2011 - Cleveland - John Hoy
      - 2012 - Central Ohio - Kevin Stacy
      - 2013 - Cincinnati and Southwestern - Rose Coors
    - 7.412 Fall Seminar Updates
      - 2010 - Firelands - Phil Rosebeck

- 2011 - Tuscarawas Valley - Bob Akins
- 2012 - Toledo - Pat Leonhardt
- 7.42 Membership - Bob Akins
- 7.43 Interprofessional Affairs - AJ Myers
- 7.44 Education - Dean Frederick
- 7.45 Legislation - A.J. Myers
- 7.46 Finance - Paul Dinan
- 7.47 Past Presidents Council - Dean Frederick
- 7.48 Scholarship - Rocky Lomano
- 7.49 Scholarship Fund Board - Frank Snyder
- 7.50 Management Review - Rion Myers



**George Hofmann**  
Delegate

#### 8.0 Chapter Delegate Reports

- 8.1 Askega Chapter - Jim Donathan
- 8.2 Central Ohio Chapter - Brian Bingham
- 8.3 Cincinnati Chapter - Bob Heidkamp
- 8.4 Cleveland Chapter - George Hofmann
- 8.5 Congress Lands Chapter - Isaac King
- 8.6 Firelands Chapter - Tim Riley
- 8.7 Miami Valley Chapter - Harry Herbst
- 8.8 Mohican-Killbuck Valley Chapter - Jim Kenyon/Lynn Snyder
- 8.9 Muskingum Valley Chapter - Rob Lowe
- 8.10 Northwest Ohio Chapter - (no delegate)
- 8.11 Ohio State University Student Chapter - Domonic Brigano
- 8.12 Ohio Valley Chapter - Al Smith
- 8.13 Scioto Valley Chapter - George Seymour
- 8.14 Southwestern Chapter - Rose Coors
- 8.15 The Thomas Hutchins Chapter - John Francis
- 8.16 The Univ. of Akron Student Chapter - Luke Walker
- 8.17 Toledo Chapter - Bryan Ellis
- 8.18 Treaty Lands Chapter - John Jauert
- 8.19 Tuscarawas Valley Chapter - Dave Bodo
- 8.20 Western Reserve Chapter - Rick Hunsicker

#### 9.0 President-Elect's Report - Brett Tieben

#### 10.0 PLSO Staff Report - Melinda Gilpin

#### 11.0 President's Report - Rion Myers

### Executive Committee Meeting - Friday September 10, 2010

Meeting call to order 6:00 P.M.

#### 1.3 Alternate Delegates seated

#### 1.4 Quorum was present

2.0 Minutes for July, 2010 were approved. Minutes for Sept., 2008 and January 2009 are still outstanding. I asked President Myers if we might ever see these and he answered that the past secretary was still working on them and he did expect them to be completed.

3.0 No Treasurers report was available. Melinda presented a new form that they would be using. Melinda stated that they would be sending the chapters the chapter dues quarterly.

5.1 Motions were past to accept 4 Professional, 4 Associate, 7 re-instatements, 1 student, and 3 retired members.

#### 5.2 By-law changes

##### Proposed Change #1

Standing Committee Chairpersons shall be appointed by the President. The makeup of the Standing Committees shall be at the discretion of the President, except as specified herein or as written in their respective guidelines. These Standing Committees and their changes (briefly) will be;

Motion to accept made and passed

##### Proposed Change #2

##### Fundraising Committee

The Fundraising Committee shall coordinate the fundraising activities of PLSO, including the Benefit Social and Auction at the PLSO Annual Conference and other efforts, to increase donations to

[\(Cont'd on Page 21\)](#)

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## Executive Committee Meeting Highlights

Cleveland Surveying News - October 2010

September 13, 2010 Parma City Hall

In attendance: Jack Hoy and all officers except for Chris Tomko and Sean Snezek.

**Secretary's minutes:** Executive Committee meeting minutes from August accepted as submitted.

**Treasury:** Where to show in the budget payment donated back from instructors was discussed.

**Chapter Delegate:** George Hofmann reported on By-law changes. Melinda Gilpin stated that bi-annual renewals will be an option in 2011.

**Communication:** A second notice was sent to 3 advertisers who are not up to date with payments.

**Education:** No report.

Bob Hoy asked how we will recognize this year's scholarship winner. The committee decided to invite the winner to the annual meeting, place a photo and bio in the chapter newsletter and post a press release in the local newspaper.

Changes were made in the scholarship application form. Place of Birth is to be removed and wording will be changed in references needed from 1 Cleveland PLSO chapter member to any PLSO member in good standing.

**Membership:** No report

### **Program:**

Fall seminars and future locations were discussed.

The speaker from the last seminar donated his payment back to the chapter.

**Conference Update:** No report. The program is set

**Old Business:** Updates to the Executive Committee Officer Handbook were approved.

Jack Hoy informed the Executive Committee the formation of an Ethics/Standards Committee was tried at the state level, but were advised by their lawyers not to create one.

Dino Lustri handed out a preliminary scope for review on creating the online survey record database.

### **New Business:**

Online access and notifications will be researched as way to add an extra level of security to chapter bank account. Our current account may not have these features available without fees.



**Michael Ackerman**  
Secretary



September executive  
committee meeting

## Executive Committee Meeting Minutes

[Cleveland Surveying News - October 2010](#)

August 9, 2010 Parma City Hall, 6:05 pm.

In attendance: John Dailey, Melinda Gilpin, John Hoy, Robert Klaiber, Fred Pausch, Dean Ringle, Fred Vierow and all officers except John Bischof and Dino Lustri.

**Secretary's minutes:** Executive Committee meeting minutes from May accepted as submitted.

**Treasury:** Written reports for May, June and July accepted as submitted. Extra security features for accessing the account were proposed.

### **Chapter Delegate:**

George Hofmann highlighted the ODOT presentation and planning for next year's Trig-Star program from the July Executive Meeting from Columbus.

**Communication:** Bob Hoy reported revenue from newsletter advertising is being collected. It was suggested to drop the fee to list help wanted ads in the newsletter for current members. The new issue of The Cleveland Land Surveyor has been sent.

**Education:** **MOTION PASSED** to award Elton Cooper \$500 scholarship for the upcoming school year. Chris Tomko has contacted Ruth Flannery concerning her request for surveying history. The review committee suggested removing the qualification stating that one of the 2 references needed had to be a Cleveland chapter member. This should increase the number of out of region applications.

**Membership:** Sean Snezek reported no new members.

**Program:** Fall seminars and locations were discussed. The price for the seminars will be \$20 for 1 or \$30 for all three for chapter members. Nonmember price is \$35 per session.

**Conference Update:** John Hoy reported most of the program content is finalized.

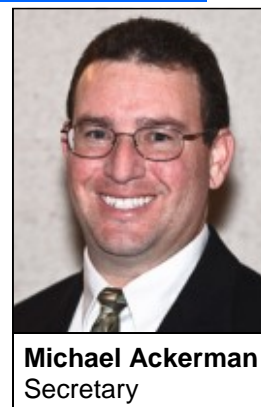
**Old Business:** The chapter is still working on details about acquiring records from companies that have gone out of business. Dino Lustri has been researching pricing and companies for implementing the new database.

### **New Business:**

- Melinda Gilpin, Fred Pausch, Dean Ringle and Fred Vierow were in attendance to inform and discuss the new Cuyahoga County Charter Government and the effect it will have on our profession. The main issue involves transferring the duties of the County Engineer to offices that are not required to have a person with a PE/PS license in charge. Fred Vierow stated this is contrary to the State Constitution. Dean remarked we need to get changes made now before other counties follow Cuyahoga County's example. Otherwise we will lose some of the professionalism we have gained in the past years. Without the new government in place, we do not have anyone to contact. A lawsuit is already being planned if it is needed.
- Officers have been asked to review the changes proposed to the Chapter Handbook.
- John Dailey was asked about Surveyor of the Past nominations.
- The formation of a chapter Ethics and Standards committee was proposed

Meeting adjourned at 8:25 pm.

Respectfully Submitted,  
Michael A. Ackerman



**Michael Ackerman**  
Secretary



## Delegate Report [\(Cont'd from Page 16\)](#)

[Cleveland Surveying News - October 2010](#)

the PLSO Scholarship Fund or other funds and special projects as determined by the Fundraising Committee, PLSO Executive Committee or as charged by the President. The Fundraising Committee shall consist of a chair appointed by the President, in Addition to the President, President-Elect and Executive Director.

Motion to accept made and passed.

5.3 Nomination Committee Interim Report. Brett Tieben reported the following list of candidates and the office they are running for

President: Brett Tieben

President-Elect: Dana Parsell

Secretary: Don Pickenpaugh

Treasurer: Brian Ellis

ACSM Governor: Bob Akins

Nominations are open until the October 8, 2010 Executive Committee meeting

Dean Ringle reported on his meeting with the Cleveland Chapter to discuss the new Cuyahoga Charter Government.

6.2 Jim Kenyon gave a brief review of the presentation by ODOT at the July meeting

6.3 State Board of Registration: Bob Akins has asked the State Board if a presentation on First Aid by the Red Cross would meet the States guidelines for cpd. The state board asked the State executive committee to review this and show how it would benefit us. It was determined that it should be made a part of an overall safety seminar. Melinda Gilpin reported that bi- annual renewals will begin in 2011.

7.11 Political Action: PAC Fund balance \$4,107.85.

7.13 State Line: Dean Ringle submitted a written report on what work has been done on the State Lines. Proposed changes to the definition of the practice of surveying was discussed. The last definition as approved by the Executive Committee was used And adjusted to incorporate the new technology now being used. [\(Cont'd from Page 22\)](#)

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## **Delegate Report** [\(Cont'd from Page 21\)](#) [Cleveland Surveying News - October 2010](#)

7.2 Newsletter Editor: Melinda Gilpin reported that the deadline for the next issue of OSN will be Oct 1. 229 members requested to receive the on line publication only. This will reduce our costs of printing and mailing.

7.31 Trig Star: Pat Leonhardt urges all chapters to start planning now for next year's Trig Star program. There will be a session at the Fall Seminar Saturday morning to teach those that might be interested in giving this test

7.32 CST Coordinator Pat Leonhardt reported that he is going to look into having Chapters host the test.

7.33 Geocaching: Bob Akins reported that he has not seen a lot of interest from chapters. His goal is to have a site in every county. His daughter has volunteered to help anyone in need a setting a site up.

7.48 Scholarship: Rocky Lomano reported that the Columbus foundation awarded three scholarships in the amount of \$2,000 each.

### **Code of Ethics**

(2) Refuse to accept responsibility for the design, report or statement involved;

(3) Notify the proper authority if, in his or her opinion, the situation is sufficiently important. [\(Cont'd from Page 16\)](#)

(B) Undertake to perform assignments only when the registrant's consulting support are qualified by training and experience in the specific technical fields involved. In the event a question arises as to the competence of an engineer or surveyor to perform an engineering or surveying assignment in a specific technical field of engineering or surveying which cannot be otherwise resolved to the board's satisfaction, the board, either upon request of the engineer or surveyor or by its own volition, may require the engineer or surveyor to submit to an appropriate inquiry by or on behalf of the board;

(C) Be completely objective in any professional report, statement or testimony and shall include all relevant and pertinent information in the report, statement or testimony when the result of omission would, or reasonably could, lead to a fallacious conclusion;

(D) Express an opinion as a technical or expert witness before any court, commission or other tribunal, only when it is founded upon adequate knowledge of the facts in issue, upon a background of technical competence in the subject matter, and upon honest conviction of the accuracy and propriety of his or her testimony.

### **4733-35-04 Public statements and certifications.**

(A) The engineer or surveyor will issue no statements, criticisms or arguments on engineering or surveying matters connected with public policy which are inspired or paid for by an interested party, or parties, unless the engineer or surveyor has prefaced his or her remarks by explicitly identifying himself or herself, by disclosing the identities of the party, or parties, on whose behalf the engineer or surveyor is speaking, and by revealing the existence of any pecuniary interest he or she may have in the instant matters.

(B) The engineer or surveyor will publicly express no opinion on an engineering or surveying subject unless it is founded upon adequate knowledge of the facts in issue, upon a background of technical competence in the subject matter, and upon honest conviction of the accuracy and propriety of his or her testimony.

(C) The engineer or surveyor shall decline to sign and/or seal any form of certification, warranty, or guaranty that (1) relates to matters beyond his or her technical competence, (2) involves matters which are beyond the scope of services for which he or she was retained, or (3) relates to engineering or surveying work for which he or she does not have personal professional knowledge and direct supervisory control and responsibility. "Certification" shall mean a statement signed and/or sealed by an engineer or surveyor representing that the engineering or surveying services addressed therein have been performed, according to the engineer or surveyor's knowledge, information and belief, in accordance with commonly accepted procedures consistent with applicable standards of practice, and is not a guaranty or warranty, either expressed or implied.

### **4733-35-05 Conflict of interest.**

(A) The engineer or surveyor shall conscientiously avoid conflict of interest with the employer or client, but, when unavoidable, the engineer or surveyor shall forthwith disclose the circumstances to the employer or client.

(B) The engineer or surveyor shall promptly inform the client or employer of any business association, interests, or circumstances which could influence his or her judgment or the quality of services to the client or employer.

(C) The engineer or surveyor shall not accept compensation, financial or otherwise, from more than one party for services on the same project, or for services pertaining to the same project, unless the circumstances are fully disclosed to, and agreed to, by all interested parties or their duly authorized agents.

[\(Cont'd on Page 23\)](#)



(D) The engineer or surveyor shall not solicit or accept financial or other valuable considerations from material or equipment suppliers for specifying their products.

(E) The engineer or surveyor shall not solicit or accept gratuities, directly or indirectly, from contractors, their agents or other parties dealing with his client or employer in connection with work for which he or she is responsible.

(F) As an elected, retained or employed public official, an engineer or a surveyor (in the capacity as a public official) shall not review or approve work that was performed by himself, or under his direction, on behalf of another employer or client.

#### **4733-35-06 Solicitation of employment.**

(A) The engineer or surveyor shall not pay, solicit nor offer, directly or indirectly, any bribe or commission for professional employment with the exception of payment of the usual commission for securing salaried positions through licensed employment agencies.

(B) The engineer or surveyor shall seek professional employment on the basis of qualifications and competence for proper accomplishment of the work.

(C) The engineer or surveyor shall not falsify or permit misrepresentation of academic or professional qualifications and shall not misrepresent or exaggerate the degree of responsibility in or for the subject matter of prior assignments.

(D) Brochures or other presentations incident to the solicitation of employment shall not misrepresent pertinent facts concerning employers, employees, associates, joint-ventures, or past accomplishments with the intent and purpose of enhancing qualifications and work.

#### **4733-35-07 Improper conduct.**

(A) The engineer or surveyor shall not sign and/or seal professional work for which he or she does not have personal professional knowledge and direct supervisory control and responsibility. This is interpreted by the board to mean that an engineer or surveyor shall not sign and/or seal professional work unless that work was prepared under his/her supervision and direction. The engineer or surveyor shall be involved in the project and must be closely involved in the preparation of the work product.

(B) The engineer or surveyor shall not knowingly associate with, or permit the use of his or her name or firm name in, a business venture by any person or firm which he or she knows, or has reason to believe, is engaging in business or professional practices of a fraudulent or dishonest nature.

(C) If the engineer or surveyor has knowledge or reason to believe that another person or firm is guilty of violating any of the provisions of Chapter 4733. of the Revised Code, or any of these rules of professional conduct, he or she shall present this information to the board in writing.

(D) If a professional engineer or professional surveyor is found guilty of a felony or had his or her registration revoked or suspended by another jurisdiction, the professional engineer or professional surveyor shall notify the board in writing within sixty days.

#### **4733-35-08 Other jurisdiction.**

Conviction of a felony without restoration of civil rights, or the revocation, voluntary surrender, or suspension of a professional engineer's or surveyor's license by another jurisdiction, if for a cause which in the state of Ohio would constitute a violation of Ohio Revised Code Chapter 4733 or of these rules, shall be grounds for a charge of violation of these rules.

#### **4733-35-09 Records.**

Each registrant or certificate of authorization holder shall keep a true and correct record in the English language of all of the business transactions in the registrant's or holder's office relevant to enforcement of Chapter 4733. of the Revised Code. Such records shall be available at all reasonable hours for inspection and copying by the Ohio state board of registration for professional engineers and surveyors.

Each registrant or licensee shall cooperate with the board in its investigation of complaints or possible violations of Chapter 4733. of the Revised Code. This cooperation shall include responding timely to written communications from the board, providing information or documents requested within thirty days of the date on which the communication was mailed, and appearing before the board or its designee upon request.

**Members in Action**[Cleveland Surveying News - October 2010](#)

Sept. 23, 2010

Letters to the Editor  
The Plain Dealer  
1801 Superior Ave.  
Cleveland, Ohio 44114

Re: New County Government

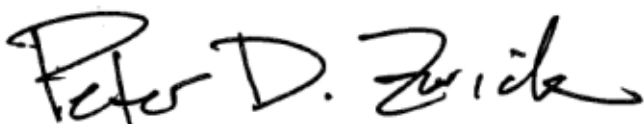
Editor:

The citizens of Cuyahoga County will be served best if their new County Director of Public Works will hold the proper professional engineering credentials. The new Director of Public Works should be licensed as a Professional Engineer (P.E.) and Professional Surveyor (P.S.) to assure that he or she is qualified for this important position (the same qualifications required of the current County Engineer). These qualifications are necessary to protect the safety and welfare of the citizenry.

The County Charter stipulates that the new Fiscal Officer be a licensed C.P.A., that the new Medical Examiner be a licensed physician, and that the new Director of Law be a licensed attorney, but surprisingly does not require licensure of the Director of Public Works!

The State of Ohio licenses professionals such as P.E.'s and P.S.'s for the express purpose of safeguarding the public, and maintaining integrity and high standards of technical competence. Clearly, the Director of Public Works should be so licensed.

The new County Executive should therefore appoint a licensed professional to the position of Director of Public Works.



Peter D. Zwick, P.E., P.S.

Cc: County Charter Transition Advisory Group (TAG)

**Date:**

October 20, 2010

**Location:**

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Faculty Club, 181 S. Oval  
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## *Invites You....*

The Engineers Without Borders Ohio State University Chapter cordially invites you to attend our first annual Banquet and Silent Auction on October 20, 2010 at the Ohio State Faculty Club.

EWB-OSU students will present their work on a latrine project in El Salvador. The design promotes sustainable technology and it will allow the community to receive treated drinking water in the future.





## Cleveland Chapter Committees

[Cleveland Surveying News - October 2010](#)

### 2011 Conference Committee

Chairman	John G. Hoy	<a href="mailto:jhoy.7419@att.net">jhoy.7419@att.net</a>
Program	Robert Hoy	<a href="mailto:k666@cox.net">k666@cox.net</a>
	Peter D. Zwick	
	John G. Hoy	
Exhibits	John Bischof	<a href="mailto:bischof@cvelimited.com">bischof@cvelimited.com</a>
Facility	Ken Hejduk	<a href="mailto:kenh@hca-es.com">kenh@hca-es.com</a>
Benefit/Auction	Michael Straub	<a href="mailto:mikes@straubsurveying.com">mikes@straubsurveying.com</a>
Registration	George Hofmann	<a href="mailto:george_hm@ameritech.net">george_hm@ameritech.net</a>
Hospitality	Timothy Feller	<a href="mailto:timf@mcsteen.com">timf@mcsteen.com</a>

### Communication Committee

Robert Hoy	<a href="mailto:k666@cox.net">k666@cox.net</a>
Robert Krause	
John G. Hoy	

### Scholarship Committee

Christopher Tomko, Chairman	<a href="mailto:ctomko@rewarner.com">ctomko@rewarner.com</a>
Robert Hoy	
Ken Hejduk	
George Hofmann	
Tim Feller	

### Golf Out Committee

Rick Ziegman	216-228-6077
Tom Snezek	<a href="mailto:survdad@hotmail.com">survdad@hotmail.com</a>

## 2010 Cleveland Chapter Calendar

# 2010 Cleveland Chapter Calendar

		Dec 13	<b>Executive Committee Meeting</b> (if needed)
Oct 7-9	PLSO Fall Seminar, Sandusky		
Oct 7	State Executive Committee Meeting	Jan 14	State Executive Committee Meeting
Oct 14	<b>Seminar Meeting</b>	Jan 17	<b>Executive Committee Meeting</b>
Oct 18	<b>Executive Committee Meeting</b>	Jan 19	Cleveland Surveying News Deadline
Oct 20	Cleveland Surveying News Deadline	Jan 27	<b>Annual Meeting</b>
Oct 27	Cleveland Land Surveyor Deadline		
Nov 4	<b>Seminar Meeting</b>	Feb 7	<b>Executive Committee Meeting</b> (if needed)
Nov 12	State Executive Committee Meeting	Feb 9-11	<u>PLSO Annual Conference</u> , held in Cleveland, Ohio
Nov 15	<b>Executive Committee Meeting</b>		
Nov 22	Cleveland Land Surveyor Deadline		
Dec 10	State Executive Committee Meeting (if needed)		

**Executive Committee Meetings:**

**Parma City Hall** at 6 p.m. and are open to all Chapter members who want to attend.

#### **Executive Committee Meetings:**

**Parma City Hall** at 6 p.m. and are open to all Chapter members who want to attend.