



Cleveland Surveying News

September 2012

- **Cover Story: Innerbelt Bridge**
- **William Dempsey, Passing**
- **AIA Ohio Convention**

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Professional Land Surveyors of Ohio

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Features

<u>September Seminar</u>	5
<u>Survey This! By Peter D. Zwick</u>	7

Meetings

<u>Upcoming September Executive Meeting</u>	9
<u>June Meeting Photos</u>	12
<u>August Executive Meeting Highlights</u>	15

Articles

<u>Survey This! By Peter D. Zwick</u>	7
<u>Random Lines by John Dailey, P.S.</u>	10

Reports

<u>President's Message</u>	4
<u>Delegate</u>	13

Miscellaneous

<u>www.plso.info</u>	9
<u>Members in Action: AIA Ohio Convention</u>	14
<u>Easement Examples</u>	13
<u>Member Passing: William Dempsey</u>	16
<u>Chapter Calendar</u>	16
<u>Scholarship Rifle Raffle</u>	17

President's Message

Be *The Surveyor*

Too often throughout my career I have witnessed Surveyors not standing up for themselves and their profession, as well as not being bold enough. This has had a drastic impact over these years that leaves us facing an uphill battle. Uphill battles are difficult to win. We would rather be on top, able to see prospective challenges to defend Surveying.

I've been asked by those I've encountered while working if I'm an engineer and surveyor or "just" a surveyor after mentioning I'm a Surveyor. Another thing I've heard is "I did some surveying early in my career too", referring to measuring topography and maybe opening manholes. Guess what? I bet most Surveyors have done engineering too! Ever have to adjust grades on construction plans during setting grade stakes? Or making curbing on a drive entrance match into existing roadway curbing because the plan dimensions were a bit off? Engineering geometric layout. Yet I've never heard a Surveyor say "yeah, I've done some engineering over the years too". Recently I was at an industrial site with another licensed surveyor waiting for others to do their work when someone approached and started talking with us. The other Surveyor, without being asked, said "oh I'm just the surveyor". Once we were alone I told him how that statement did not make us as Surveyors look good.



Robert Hoy
President

Making noise and keeping at it. In a 1979 issue of the *Ohio Surveying News*, it was written that we were wanting to get continuing education and a right of entry law passed. That was soon after PLSO was formed. We met resistance and put them on the back burner. It took another 20 years for continuing education to get into law, while right of entry is still desired. What happened? Other groups were making more noise than we were and had more influence with legislators. If you follow the news, you'll know that these days lobbyists have great influence on political issues and decisions.

Where has this left Surveying all these years later? Land Surveying is "under fire" more now than ever. Construction companies buy purchase surveying equipment and do their own layout because they can and are allowed. G.I.S., which I call Surveying 2.0, is often created and staffed by computer educated individuals only. Some tree removal companies provide wetland delineation mapping to engineering consultants, and I've seen engineers design improvements around these wetland locations as close as 5 feet! Even other departments of Ohio government are trying to get around requiring the need for a Professional Surveyor on projects.

Recently Surveyors got bad press in a newspaper article about a bridge position error. See *Survey This!* on [Page 7](#). The paper interviewed a civil engineering PhD who overspoke speculating what went wrong. Did the paper know of PLSO? Probably not. I often hear, see, and read news articles which give two sides of a story. An example is the safety of a certain material used by many. There will be the side of those that think it is dangerous and then the side from an organization of that material or general market supporting and defending that material. That didn't happen with this bridge article. We need to have a voice when there needs to be a voice for Surveyors. We need to publicize our profession.

Don Pickenpauh mentioned recently that he mentioned PLSO while at a URISA meeting and the response was "What is PLSO?" We need to change that. It is my belief that we have not been concentrating enough on promoting our professional to the general (Cont'd on [Page 15](#))

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Seminar Meeting, 1.5 PDHs Thursday September 6

Speaker: John E. Dailey, P.S.

John is a Life Member of the Professional Land Surveyors of Ohio, The National Society of Professional Surveyors, the Surveyors Historical Society, the Computer Assisted Genealogical Group, Ohio, the Cuyahoga Valley Genealogical Society, the Ohio Genealogical Society and the Northeast Ohio PC Users Group and the Western Reserve Historical Society Genealogical Committee.

Topic: Boundary Disputes

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

Cost: \$15 PLSO Members, \$35 non-members

Reservations Required

(for food and PDH certificates)

Contact Michael Ackerman:
mackerman@dgbassoc.com
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Schedule

6:00 Socializing, Pizza, Sign-in
6:30 Speaker
8:00 Adjourn

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Survey This!

There it was on the front page of the newspaper — a “red-faced” surveyor was proclaimed to be at fault in the biggest construction project mishap in town ([click for Plain Dealer article](#)) The crying shame is how readily others in the construction industry will rush to blame the surveyor, even *without* any facts!

Off hand, I can think of many other plausible explanations involving either the contractor, the engineer, O.D.O.T., a flaw in O.D.O.T.’s new design-build project delivery method, the guy who reviewed the shop drawings, the computer CAD jockey, the inspector, the subcontractor, the DBE, unlicensed personnel, the worker who failed to preserve the stake, etc. At press time, I have no more facts than the newspaper reporter had — no comment from all of the above.



Earlier this year, my crew was accused of a “staking error,” and I spent considerable time investigating and disproving the accusation. In reality, two separate contract document drawings did not quite jibe with each other. The conflict was not discovered until two constructed elements did not fit as expected -- another instance of rushing to incorrectly blame the surveyor.

Recently, an excavator remarked to me, “We only dig where you guys tell us to.” My insurance company calls this “allocation of risk,” and that contractor sure wanted me to bear *all* the risk! Actually, a reasonable person will recognize that accepting greater risk should be offset by a greater reward. Logically, we should charge more for our services.

We are often held to an unrealistic high standard: perfection. Clearly this is an undesirable position, especially in this economic climate of aggressive pricing and accelerated schedules. Everyone will occasionally make a mistake – that is why prudent professionals carry liability insurance for errors and omissions.

The challenge is to resist the low bidder mentality, and to devote adequate resources to preparation, execution, checking, and follow-through. We need to remember that we practice a learned profession, and that we are licensed by virtue of our education, training and specialized knowledge. We should practice our profession accordingly.

Brother, our profession needs a shot in the arm, and it needs it fast! We should not have to accept such low status and lack of influence any longer. Personally, I feel that a good first step would be for all of us to immediately take steps to boost our self-esteem, then to tackle the tougher issues one at a time. Better public relations will play a key role.

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

Plan to attend the next PLSO meeting on September 6th at the Cuyahoga County Engineer’s classroom facility to further discuss with your peers the actions needed to improve our dire situation.



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Random Lines

by John Dailey, P.S.

CONFLICT RESOLUTION

Life is life and in life, you will eventually face conflicts whether they be business or personal. Solving those conflicts is just part of life. How you handle them is the important issue.

When a conflict rears its ugly head, take the following steps: First, shut up. It is very hard to hear the other person while you are talking. Listen to what is being said and how it is being said and try to find the basics of the problem. Maybe the other person just wants to blow off steam. Maybe they just want to be heard. Is the other person really angry with someone else and you just happened to be in the way? An angry response on your part will never help. Keep cool.

After listening, decide if it is really your problem or is this a reaction to some unrelated incident? Is this person mad at their neighbor or did your crew really destroy their prize rose bush? Did you really cut the invisible fence that allowed their prize Poodle to run away? If there is a problem, start thinking of ways to solve the problem/conflict.

Next, check your contract. (you do have one, don't you?) Is the service you provided what was agreed upon in the contract? Did you deliver the right product at the right time? The June, 2012 issue of Professional Surveyor Magazine had an excellent article by Bill Beardslee on "Communication During Pre-Proposal Meetings" that should be required reading for every Surveyor.



John Dailey, P.S.

If the problem is your fault, don't try to sidestep the issue. That only makes it worse. Determine the best resolution and do it quickly. Financier and statesman Bernard Baruch (1870-1965) said "if you have made a mistake, cut your losses as quickly as possible." In other words, get on with it. Dragging the problem out will only cost you more in time, money and reputation. Inaction will only aggravate the situation. People will think you are stone walling them and that will make them even more angry.

Do not let personalities get in the way. Focus on the problem. As Don Vito Corelone put it, "It's nothing per-

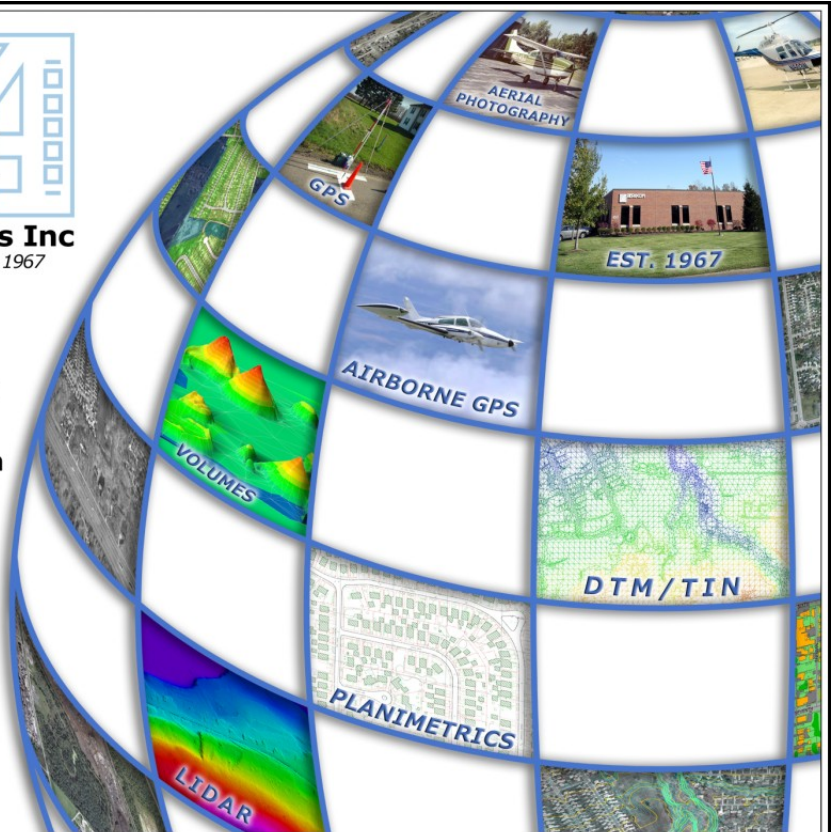
(Cont'd on Page 12)

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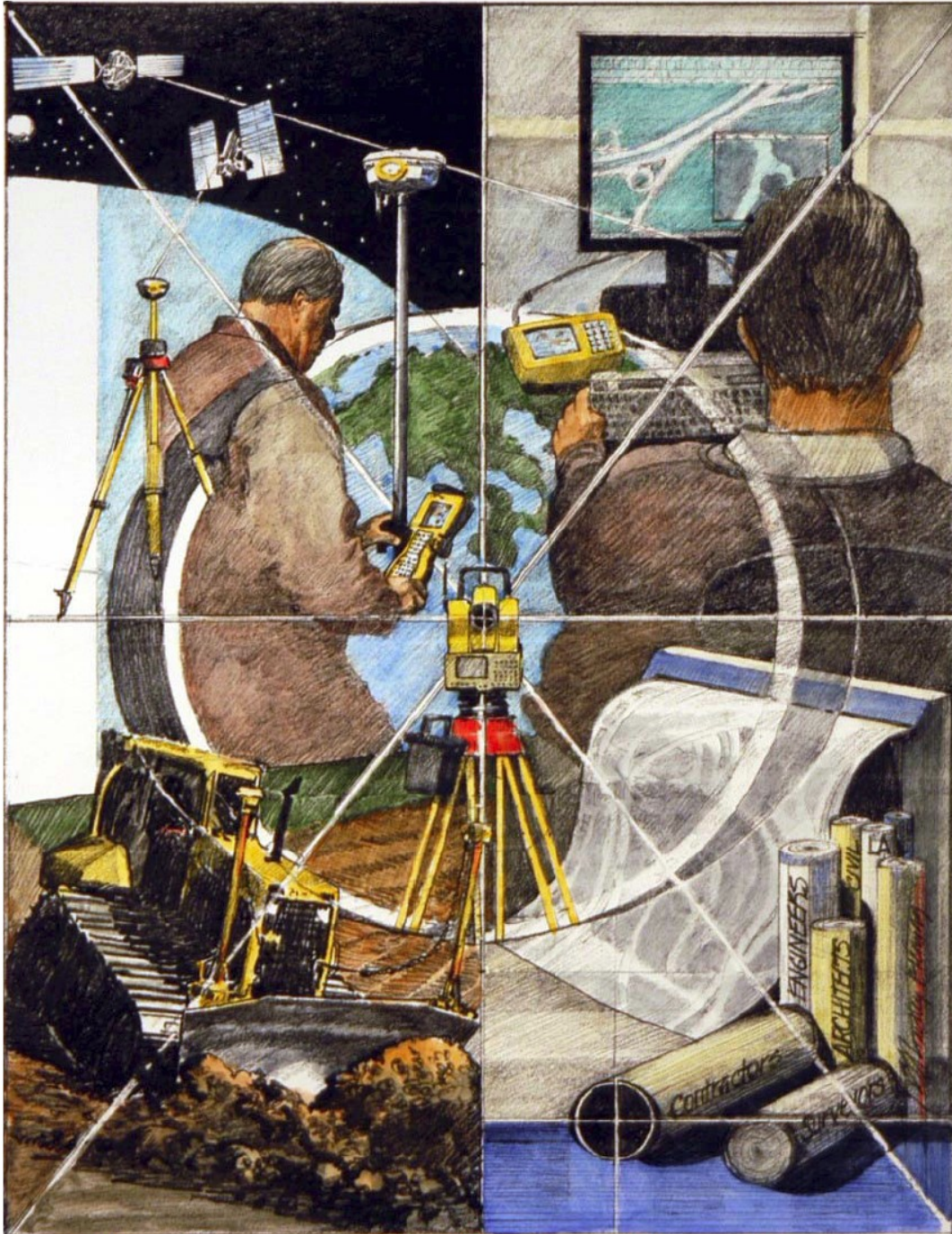
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Random Lines (from Page 10)

sonal, it's only business." We have all seen situations where different people have different goals, needs or ideas that have come into conflict with others. And we've all seen the often intense personal animosity that can result. Work at trying to make every one, if not happy, at least satisfied.

Conflicts will always exist, but it is not necessarily a bad thing: As long as they are resolved effectively, it can lead to personal and professional growth. In many cases, effective conflict resolution can make the difference between positive and negative outcomes.

The very last thing you want to do is have a problem turn into a lawsuit. There is nothing wrong with Attorneys, but they are expensive and the courts are unpredictable. Talk to each other as equals. Keep your cool. Look for solutions. If it your fault, pay the bill and move on. If it is not, stand your ground.

John Dailey. P.S., Past
idaileye@sbcglobal.net

June Meeting Photos

From our "Education Appreciation" dinner meeting all the way back on June 7th at Mahle's Restaurant in Westlake. One of our scholarship recipients, our Trig*Star high scorer, a few Life Members, and PLSO Executive Director Melinda Gilpin were in attendance.



Chapter President Robert Hoy and scholarship recipient Derek Everett.



Trig*Star chairman Peter D. Zwick, St. Edward's High School high scorer Matthew Smith, his parents, and his math instructor Timothy Tubbs and his wife.

Cleveland Chapter's Delegate Report

Presented by Thomas Snezek, Chapter Delegate

The report included herein is offered only as informational to the members of the Cleveland Chapter. The reader is deferred to the approved minutes of the P.L.S.O. for any clarifications

Friday July 13, 2012 Columbus State University, Columbus, Ohio.

Special note: The summary comments listed below are taken from a phone conversation with Director Melinda Gilpin on Thursday August 9, 2012. The Cleveland chapter had no representation at the July 13th meeting.



Thomas Snezek
Delegate

Presented by Thomas M. Snezek, Chapter Delegate.

Summary comments:

- A Quorum was established.
- Minutes from the May 11th meeting were reviewed and approved.
- Treasurer's report was reviewed;
 - Shows a loss of \$7000 for fiscal year 2011-2012.
 - \$5000 to settlement of termination of prior director.
 - \$2000 on the U.R.I.S.A. Conference.
 - Report accepted subject to audit.
- Director Gilpin reported the establishment of a stronger budget for fiscal year 2012 -2013.
- The C.E.A.O. "White Paper" regarding the Tax mapping issue is available on the web-site for review.
- The P.L.S.O. has agreed to contribute \$50 per event for food and beverages to the State Board for the Certificate Ceremonies for new Surveying Interns or Professionals.
- N.S.P.S. Governor: Bob Akins discussed at length the on-going issues concerning the dual membership of the P.L.S.O. and N.S.P.S. N.S.P.S. will be meeting in late September to discuss their plans and recommendations. The P.L.S.O. is anticipating a proposal from them on this issue. No action can or will be taken until said proposal is reviewed by the board and all opinions from the membership are heard. More on this to come.
- The Cleveland Chapter Delegate submitted a written Chapter Report for the record.

Respectfully submitted by;
Thomas M. Snezek, P.S.
Chapter Delegate

Easement Examples

The PLSO Standards committee has requested good *and* bad examples you've come across of legal descriptions for easements. We *all* have had to work with a legal description that made you scratch your head and wonder just *who* wrote it? Put these in a folder and pass them along to Brad or Tom.

This committee is considering getting minimum standards for easement descriptions into state law. Send examples to [Tom Snezek](#) or [Brad Kramer](#).

Members in Action

AIA Ohio Convention - *Body + Building*

Past President Peter D. Zwick is facilitating a 75 minute round table discussion at the AIA Ohio Convention. This convention is being held in September 12 through the 15 at Wyndham Cleveland at Playhouse Square. AIA Ohio is the Ohio society of the American Institute of Architects.

Pete's session topic is: *How Surveyors (and civil engineers) can make an Architect's Life Easier.* We surveyors know the importance of the survey map which serves as a foundation of a development project, but architects need to know this too. The discussion will stress securing a quality survey as well as asking for the right survey elements so that those that contribute to the design of the project will have what they need helping to take guess work out of the picture. Being an engineer as well, Pete will throw in some engineering elements too for good measure.



The Cleveland Chapter is now building a working relationship with AIA Ohio. In early 2011 Peter D. Zwick and John G. Hoy spoke to the Cleveland Chapter of AIA Ohio on a survey requirement checklist. Mr. Zwick volunteered to moderate a session discussion at the 2011 PLSO Annual Conference when an out of state speaker did not show up. His session ended up being very informative and engaging while lasting longer than some regularly scheduled speakers.

AIA Ohio's approach to a convention should be reviewed for ways to update and modernize our annual conference.

AIA Ohio's convention registration: [AIA Ohio Registration](#) AIA Ohio's website: www.aiaohio.org

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Executive Committee Meeting Highlights

August 13, 2012



Michael Ackerman
Secretary

Department of Public Works Test Lab, 2433 Superior Viaduct, Cleveland

Chapter Delegate:

The Cleveland Chapter did not have a representative at the July 13th meeting. Tom Snezek read a report based on a phone conversation with Director Melinda Gilpin highlighting the meeting.

Standing Committees

Membership: No new members joined as a result of the specials offered at the golf outing.

Communication:

Website Committee: Updates to the scholarship page will be sent to Dino.

Program: The Central Ohio Chapter sent a donation to sponsor a hole in the golf outing. Unfortunately, the check arrived after the event. The money will be used to sponsor a hole next year.

Special Committees: Ken Hejduk will take over as the 2014 Conference Chairman.

Old Business:

- Non-member seminar topics and location were discussed.
- The online survey data base is now open to members. This item will be removed from old business.

New Business:

Still looking for officers to fill vacant positions.

President's Message (from [Page 4](#))

public and to related professions and industries. Taking care of our members and finding values of membership is important but we must reach outward more.

What can we do? Networking with organizations in the AEC industry as well as taking advantage of speaking opportunities to be in front of those groups. Peter D. Zwick has been doing this and we should find out good public speakers and help them get chances to speak to these other industries. PLSO has stepped up its political action activities over the past few years, yet we need to do more. One of our neighboring states has a separate "lobbying" fee as part of their professional society's yearly dues. This pays for a lobbyist to work on their behalf throughout the year. We *need* something like this. There has been discussion on the amount of dues we pay with our professional society. This is defending and promoting our profession. We don't want to go for the lowest possible price. We don't want clients to shop around for the lowest price and we should not practice that either. I'm willing to pay a lot more every year if we can promote and defend our profession, and I hope you would too.

Robert Hoy, P.S.
robert.hoy7@hotmail.com
216-389-7677

Cleveland Chapter of PLSO 2012 Calendar

Chapter Executive Meetings are 6 p.m. at Cuyahoga County Engineer's Test lab classroom, 2433 Superior Viaduct, Cleveland and are open to all PLSO members who want to attend.

Sep 6 Seminar Meeting
Sep 14 PLSO Executive Meeting
Sep 17 Chapter Executive Meeting
Sep 21 Cleveland Surveying News deadline

Oct 4 Social Dinner Meeting
Oct 11 PLSO Executive Meeting
Oct 15 Chapter Executive Meeting
Oct 19 Cleveland Surveying News deadline

Nov 1 Seminar Meeting
Nov 9 PLSO Executive Meeting
Nov 12 Chapter Executive Meeting

Dec 14 PLSO Executive Meeting (if needed)
Dec 17 Chapter Executive Meeting (if needed)
Dec 19 Cleveland Surveying News deadline

Member Passing

Chapter member William Dempsey has passed away. He had lived in Florida for the past ten year, but moved back to the Cleveland area early this summer. Will was chapter president in 1984, and father of chapter member Chris Dempsey. The below is from Cleveland.com's obituary ([click here for link](#))

DEMPSEY WILLIAM J. "WILL" DEMPSEY, age 82, beloved husband of Rosemary (nee Crawley); loving father of Sharon Scully, William Michael (deceased), Mary Margaret Martin (Donald), Christopher (Lisa), Patricia Joyce, Jane Marie Borgmann (Richard, deceased), Jennifer Smith (Rueben), Katherine Sweeney (Martin), Carolyn Bruening, Joanne (deceased), Rosemarie Czechanski, John Peter and Diane Provateare (Patrick); grandfather and great-grandfather; brother of Francis, Jane Graham, Carol Gaetano and the late Marilyn Kilgore; uncle of many. Former owner of Dempsey & Associates. Private pilot, U.S. Army veteran. Passed away August 28, 2012. Funeral Mass Saturday, September 1, St. Mark Church (15800 Montrose Ave.) at 10 A.M. Interment Holy Cross Cemetery. Friends may call at CHAMBERS FUNERAL HOME, 4420 ROCKY RIVER DR. AT PURITAS, FRIDAY 4-8 P.M. www.chambersfuneral.com

PLSO: Who Are We?

The P.L.S.O. is a group of licensed Land Surveyors – Professional Surveyors. We are licensed by the State of Ohio to serve the public (much like doctors, lawyers, architects and professional engineers are licensed). The Professional Land Surveyors of Ohio is a statewide organization that serves the public and the profession. The Cleveland P.L.S.O. is one of its local chapters.

We encourage you to contact any of our local members when you or your constituents have questions. Professional Surveyors can be particularly helpful for: determining setbacks, splitting property, resolving conflicting deeds, locating structures, identifying encroachments, writing easement or submerged land lease descriptions, and staking improvements such as fences and buildings.

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Official transfer of the rifle will be handled by a licensed firearms dealer and winner will
be subject to background checks as required by law.

Drawing will be held during the Friday lunch at the 2012 PLSO Fall Seminar on
October 12, 2012 in Toledo. Winner need not be present.

ONLY 500 TICKETS WILL BE SOLD