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(2019)
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David Klotz, Texas General Land Office, Buda, Texas
J.S. “Stan” Piper, Piper Surveying Company, Inc., Midland, Texas

Standards for Submission of Articles

The Texas Surveyor welcomes contributions from members. Submit original articles in Word doc form to communications@tsps.org. Copy all quoted material exactly as it appears in the original, indicating omissions by ellipses. Use quotation marks for quotes and give credit to the source from which you are quoting. Hi-res photos in .jpg format preferred. Include your name and identify the picture and all persons in photo. Email submissions to communications@tsps.org.

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On the Cover

Are one-person survey crews safe? TSPS Safety Committee Chair, Joe Breaux, RPLS, discusses the pros and cons on page 26. Photo by © Can Stock Photo / benkrut
The Texas Sunset Advisory Commission was created by the Texas Legislature in 1977. I was registered under the LAND SURVEYING PRACTICES ACT OF 1979. The Act was a product of the Texas Sunset Commission consolidating the State Board of Registration for Public Surveyors (1955) and the Board of Examiners of Licensed State Land Surveyors (1919) into the Texas Board of Professional Land Surveying. The Board’s primary missions include: licensing Registered Professional Land Surveyors, licensing State Land Surveyors, and enforcing the Professional Land Surveying Practices Act, including investigating and resolving complaints.

Senate Bill 545 (May 1991) would continue the Board and make several changes to the enabling statute. The Governor was to designate the chair. There was conflicting statues that the Board could designate the chair. It reduced the vote required to take disciplinary action. The bill removed the criteria of good character and reputation for licensure. It authorized administrative and civil penalties. The bill also required the board to establish standards of practice for surveying. Some of the changes include repealing educational requirements scheduled to be implemented on January 1, 1996 and retaining current education and experience requirements. The bill continued operation of the Board until May 2003.

Senate Bill 260 (May 2003) continues the Board for 12 years, and contains the Sunset Commission’s recommendations to provide the Board with needed accountability, structure, and public input. The legislation clarifies the Board’s authority to create exam advisory committees, requires the Board to establish its enforcement process in rule, and authorizes the Board to order restitution as part of an agreement in an informal settlement conference. The Legislature adopted all of the Sunset Commission’s recommendations, and added a provision to reduce the size of the Board from 10 to nine members. The list below summarizes the major provisions of SB 260.

- Authorize the Board to create Exam Advisory Committees.
- Require the Board to establish its enforcement process in rule.
- Conform key elements of the Texas Professional Land Surveying Act to commonly applied licensing practices.
- Require the Board to redact all identifying information from frivolous complaints.
- Continue the Texas Board of Professional Land Surveying for 12 years.
- Reduce the size of the Board from 10 to nine members.

The next review cycle for TBPLS is 2018–2019 with Sunset Commission recommendations being made to the 86th Legislature. Unless continued in existence, the Board will be abolished September 1, 2019.

The 12-member Sunset Commission has five members of the Senate, one public member appointed by the Lieutenant Governor, five members of the House, and one public member appointed by the Speaker of the House of Representatives. Senate and House members serve four-year terms and public members serve two-year terms. The chairmanship rotates between the Senate and the House every two years and is assigned to a House member for the 2016–2017 review cycle. The Sunset Commission appoints a director who employs staff to carry out the commission’s responsibilities.

Sunset works by setting a date on which an agency is abolished unless the Legislature passes a bill for it to continue. Sunset staff evaluates the agency and issues recommendations for positive change. The Commission considers the recommendations, hears public testimony, and decides on a package of changes to bring to the full Legislature.

Since 1977, changes enacted through Sunset reviews have abolished 37 agencies, consolidated another 46, and saved nearly $980 million, returning $23 for every $1 spent on Sunset. The Legislature typically passes about 80 percent of the Sunset Commission’s recommendations.

The Texas Sunset Advisory Commission website was heavily relied upon for this article.

For a current list of Sunset Commission members, please visit their website at www.sunset.texas.gov.
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In March I attend the NSPS Spring meeting in Silver Springs, MD. Although there was a little interference from the spring blizzard, I was able to attend the “cancelled” Executive Director’s meeting. Like me, a few other E.D.’s were already in the D.C. area when the storm hit so the four of us still got together. I always find that meeting to be so beneficial as we share best practices from our respective states. I do have to say Texas is definitely in the lead when it comes to Public Relations and our campaign to recruit students into the surveying profession. In fact, I was honored to be singled out by Lisa Van Horn, NSPS Vice President and Chair of their PR Committee to speak in front of the full Board of Directors about the initiatives and accomplishments of TSPS’s Recruitment Campaign.

In case you are not aware TSPS, led by PR Chair Jamie Gillis, has taken the campaign to the next step. He along with several other TSPS member volunteers exhibited at the Professional School Counselor Conference in February. At the conference contact information was collected from high school counselors across the state. A follow up, thank you email was sent to those counselors which led to TSPS volunteer members participating in eight career days at various high schools. Many thanks to those members who have taken time from work to volunteer at these events.

TSPS again led by Jamie Gillis exhibited at the Texas Family, Career and Community Leaders of America conference in April. In addition, TSPS was able to secure a demonstration time in the exhibit hall to introduce surveying to those attending. Following up with these groups will continue as we move forward with the campaign.

NSPS has also created a PR brochure that will give credit to TSPS as they have borrowed a few of our slogans, “Sometimes the Career Chooses You!” and “Looking for something a little different?” NSPS is working nationally on the recruitment campaign and will exhibit at the American School Counselors Association conference in Denver, CO in July.

The NSPS fall meeting will be held at the Embassy Suites in Frisco, Texas in conjunction with the TSPS Annual Convention & Tech Expo. This joint meeting will give TSPS members an opportunity to meet and mingle with the NSPS Board of Directors.

I look forward to our Texas surveyors sharing that southern hospitality with our national counterparts as we host them in Frisco.
NEW MEMBERS

REGISTERED

Robert Anguiano #6347 - Chapter 11
Vickrey & Associates, Inc.

Ronald Brister #5407 - Chapter 12
Brister Surveying Inc.

William “Bill” Carder #2136 - Chapter 16
Carder Engineering Co.

Stephen “Steve” Corley #6636 - Out of State
USACE

James Harder #2375 - Chapter 16
Harder Surveying

Randy McClendon #4079 - Chapter 9
Tejas Surveying Inc

Mark Miller #5654 - Chapter 13
Surveying And Mapping, LLC (SAM)

Scott Sheridan #6171 - Chapter 9
FMS Surveying, Inc.

Darren Smith #1552 - Out of State
CEC Corporation

Shayne Thatcher #4544 - Chapter 10
Percheron Surveying, LLC

Matthew “Matt” Tomerlin #6503 - Chapter 11
Pipeline Land Services, Inc.

ASSOCIATE/SIT

Dave Burke - Chapter 2
G&A Consultants

Mitchell “Mitch” Cude - Chapter 5
Kimley-Horn and Associates, Inc.

Kenneth “Kenny” DeMeurichy - Chapter 5
Texas Department of Transportation

James “Dustin” Fenimore - Chapter 5
Winkelmann & Associates Inc.

Thomas “Tom” Gifford - Chapter 13
Tri-Tech Surveying Company, LP

Dustan “Chase” Harvard - Chapter 8
Goodwin-Lasiter-Strong

Zachary “Zach” Nelson - Chapter 5
CBG Surveying Inc

Daniel “Dan” Putman - Chapter 2
Transystems Corporation Consultants

Roberto “Robert” Salinas - Chapter 19
SAMES, Inc.

AFFILIATE

Tim Burrows - Chapter 17
AeroTech Mapping

Ryan Cicatello - Chapter 9
Advanced Geodetic Surveys, Inc.

John Escalante - Chapter 11
G4 Spatial Technologies

Timoteo “Timo” Garza - Chapter 9
Agape Grace LLC

David Gregory - Chapter 10
Where On Earth, Inc.

Randall “Cole” Hardy - Chapter 3
Self Employed

PJ Meyers - Chapter 9
Advanced Geodetic Surveys, Inc.

Rachel Miller - Chapter 13
LCRA

Hector Salas - Chapter 13
Landesign Services, Inc.

Joshua “Josh” Silaz - Chapter 9
Advanced Geodetic Surveys, Inc.

Rick Walker - Chapter 11
G4 Spatial Technologies

Clayton “Clay” Williams - Chapter 1
Parkhill, Smith & Cooper

GEOSPATIAL

Mark McGuire - Chapter 5
Tarrant Regional Water District

STUDENT

Josh Adams - Chapter 5
Adams Surveying Company, LLC

Nathan Beyer - Chapter 16
Cornerstone Land Surveying

Cole Carpenter - Chapter 2
G&A Consultants

Jamal Cooper - Chapter 9
Lone Star Montgomery College

Dalton Eadie - Chapter 2
Texas Surveying, Inc.

Willie Harmon - Chapter 12
Texas A&M Corpus Christi

Joseph “Sam” Roach - Chapter 4

Brittany “Britt” Steubing - Chapter 13

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Supplies/Constr. Sales
Ron Vogel
817-372-2312 / rv@geotx.com

Survey Support/UAS Sales
Jamie Gillis, RPLS / PLS
817-209-8661 / jg@geotx.com

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The following is a summary of the recent Texas real estate law cases as prepared by the Real Estate Section of the State Bar of Texas. For more information regarding these cases or other legal issues of significance to the surveying profession, contact TSPS Legal Counsel, Mark J. Hanna, 900 Congress Avenue, Suite 250, Austin, Texas 78701; telephone: 512-477-6200; facsimile: 512-477-1188.

1. Mortgages and Foreclosures
   “Tender of the sum owed on a mortgage debt is a condition precedent to the mortgagor’s recovery of title from a mortgagee who is in possession and claims title under a void foreclosure sale.” Id. at 7. [Note: page numbers throughout refer to pages on link provided]
   “A tender is an unconditional offer by a debtor to pay another a sum not less in amount than that due on a specified debt or obligation. . . . A valid and legal tender of money consists of the actual production of the funds. . . . A debtor must relinquish possession of the funds for a sufficient time and under such circumstances as to enable a creditor, without special effort on his part, to acquire possession.” Id. at 8.
   “The party asserting valid tender bears the burden of proving it.” Id.
   “A refusal to provide a payoff amount is not evidence of [a payee’s] unwillingness to accept actual tender of the amount owed on the note.” Id.

2. Home Equity Lending
   In re OneWest Bank, FSB, 430 S.W.3d 573 (Tex. App.—Corpus Christi 2014, pet. denied).
   “Under Texas Rule of Civil Procedure rule 735.1, a party seeking to foreclose a lien for . . . a home equity loan, reverse mortgage, or home equity line of credit may file an application for an expedited order allowing the foreclosure of a lien under Rule 736.” Id. at 4.
   “Rule 736, as referenced in Rule 735, sets forth the procedures and requirements for seeking an expedited foreclosure. . . . A party may seek a court order permitting the foreclosure of a lien by filing a verified application in the district court in any county where all or any part of the real property encumbered by the lien is located or in a probate court with jurisdiction over proceedings involving the property. . . .
   The only issue to be determined in a Rule 736 proceeding is the right of the applicant to obtain an order to proceed with foreclosure under the ‘applicable law and the terms of the loan agreement, contract, or lien sought to be foreclosed.’” Id. at 4-5.
   “A respondent may file a response to the application, but the response may not raise any independent claims for relief, and no discovery is permitted.” Id. at 5.
   “The court must issue an order granting the application if the petitioner establishes the basis for the foreclosure; otherwise, the court must deny the application.” Id.

3. Promissory Notes and Loan Agreements
   Alphaville Ventures, Inc. v. First Bank, 429 S.W.3d 150 (Tex. App.—Houston [14th Dist.] 2014, no pet.).
   First Bank claimed to have acquired the Note pursuant to a Loan Purchase and Sale Agreement. The summary judgment documentary evidence included only the PSA. The relevant portion of the PSA provided that SBLS would assign the loans it covered (including the Note) by executing endorsements of the Note and a Bill of Sale. The Note had not been endorsed, although a Bill of Sale was introduced into evidence. The Bill of Sale purported to assign SBLS’s interest in the “personal property” listed on its Schedule B, which is entitled “Assets Conveyed to First Bank”; however, it was not clear to the court what “personal property” was actually covered by the Bill of Sale. The court said that “the PSA did not contemplate that a Bill of Sale would be utilized to transfer all instruments governing the loans subject to the PSA, including appellants’ note and guarantee. The Bill of Sale used a broader term by referring to the sale and delivery of ‘Assets’ listed on Schedule B, but ‘Assets’ is not defined in the Bill of Sale.” Id. at 14. The court agreed that “the documentary evidence does not establish First Bank is owner and holder of the note and guarantee. . . . [T]here is no documentary proof of the endorsements required to transfer the note and guarantee.” Id. at 15.

4. Guaranties
   Myers v. Hall Columbus Lender, LLC, 437 S.W.3d 632 (Tex. App.—Dallas 2014, no pet.).
   A modification of Myers’ guaranty included a provision that made him liable for “fraud or intentional or material misrepresentation by the Borrower or Guarantor related to the Project or to the Loan Documents or the transactions contemplated thereby.” The Borrower had sued for fraud and the claim was pending. The lender took the position that the Guarantor was liable to it on account of the allegations of fraud; however, the court held that liability depended upon the occurrence of fraud, not the allegation of fraud.
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SYMPOSIUM RECAP

The 2017 Symposium hosted at The Pearl Hotel in South Padre Island was a huge success with 200 paid attendees. Many thanks go to Manny Carrizales, Sid Rouch, Michael Wood, Jose Rodriguez, Robert Tamez, Jorge Rodriguez, Edmundo Gonzales, Ila Hernandez, Joshua Carrizales, Roberto Salinas, TSPS Chapter 19 - Rio Grande Valley, and the 2017 Symposium Corporate and Chapter Sponsors for helping make this gathering so successful!

Special thanks to the sponsors of the Symposium Friday night event: Edmundo Gonzalez, Gonzalez Engineering; Robert Tamez, Melden and Hunt, Inc.; Jaime Aranda, Aranda and Associates; Sam Maldonado, SAMES, Inc.; Louis Jones, Jr., Dannenbaum Engineering; Carlos Vasquez, CVQ Land Surveyors; Alfonso Quintanilla, Quintanilla, Headley and Associates, Inc.
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- Why and How Elevations Matter in Floodplain Management
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- The 2016 ALTA/NSPS Standards – An Overview
- The 2016 ALTA/NSPS Standards – Course III Section 4 Records Research
- The 2016 ALTA/NSPS Standards – Course VI Sections 7 & 8 Certification & Deliverables

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One does not become a true professional upon passing the RPLS exam. The time for learning has just begun. For registered surveyors, the steepest learning curve occurs during the first 5 years of practice. During this time, the surveyor will have the opportunity to hone the skills of the profession. To improve these skills, one must seek knowledge.

**Mentors.** The process of becoming a truly professional surveyor is best not attempted alone. New registrants should find at least one mentor. The best mentors are usually found among the active members of TSPS. These surveyors are committed to self-improvement and educating.

Surveyors are not limited to a single mentor-mentee relationship. Mentoring can be done on an informal basis. There are many experienced surveyors with different areas of expertise. By being active in TSPS, one can learn from the best.

**Study.** To be a true professional, one must continually learn more about laws, practices, and techniques. This can only be accomplished by intensive study. Young surveyors should attend seminars, read surveying books, and study caselaw. After a few years of practice, one will begin to gain confidence as a practitioner. It is important to not allow this newly found self-confidence to prevent the surveyor from continuing to learn and grow as a professional.

**Give back.** Many of the surveyors before us have given much of their time to advance the profession. It is important for each of us to make contributions to the profession. Participating in the Course Development Workshop is a wonderful way to contribute to the profession. The workshop team consists of volunteers who meet to prepare courses for future seminars. This is an excellent opportunity for surveyors to learn from each other while giving back to the profession.

---

**Texas Young Surveyors' Officer Team**

**Director:** Anna Burroughs

**Region Coordinators:**
- Brady Stanford, West Region
- Nick Vann, East Region
- Julianne Henson, Central Region
- Richard Neubauer, III, South Central Region
- Stuart Warnock, North Region
- Cole Strevey, South/Coastal Region

**Administrative Coordinator:** Danielle Pirtle

TYS is still looking for a coordinator for the Panhandle Region. If you are interested, please contact Anna via email: annaintx@hotmail.com.

---

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- [twitter.com/TXYoungSurveyor](http://twitter.com/TXYoungSurveyor)
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**2017 Regional Calendar**

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<tr>
<td>6/24</td>
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<td>Houston</td>
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<td>8/3</td>
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<td>San Antonio</td>
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<tr>
<td>8/26</td>
<td>Waco/Temple – Lunch</td>
<td>DFW – Happy Hour</td>
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<tr>
<td>9/16</td>
<td></td>
<td>Corpus Christi</td>
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**2017 National Calendar**

<table>
<thead>
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<th>Location</th>
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<tbody>
<tr>
<td>10/4-10/7</td>
<td>TSPS 2017 Convention</td>
<td>Frisco, TX</td>
</tr>
<tr>
<td>10/5</td>
<td>NSPS Young Surveyor Network</td>
<td>2017 Fall Meeting, Frisco, TX</td>
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*Details TBD. Be sure to follow us on social media for up to date information.*

To learn more about Texas Young Surveyors, visit [www.tsps.org/TYS](http://www.tsps.org/TYS).
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The Public Relations Committee, chaired by TSPS Director & Chapter 2 member, Jamie Gillis, continues their work on the “Sometimes The Career Chooses You” recruitment campaign by presenting at area schools and exhibiting at two different statewide conferences this year. Great job, Jamie, PR Committee and TSPS members!

February 12-14: Texas Young Surveyor members, Julianne Henson and Stuart Warnock, at the 12th Annual Professional School Counselor conference in Arlington.

March 9: TSPS Chapter 11 members, John DeHan and Chester Varner, Jr., and Chapter 22 member, Paul Carey, talk land surveying at the Pearsall High School Career Day in Pearsall.

March 9: Jamie Gillis visited with more than 100 eager-to-learn students at Otis Brown Elementary School in Irving.

March 10: Jamie Gillis shared a 45 minute presentation on Land Surveying and then a QA session for about 200 students (all of third and fourth grade) for "Discovery Day" at Carroll Elementary in Southlake. The students were extremely engaged (as were the teachers) and seemed really excited about the opportunities that exist in Land Surveying!

March 30: Jamie Gillis spent the day at Springtown Middle School and spoke to six, 8th-grade classes, consisting of over 100 students. The students (and teacher) were fascinated by what Surveyors do, how prevalent the work is in their lives, and the technology used to get the work done.

April 7-9: Jamie Gillis and Stuart Warnock exhibit for TSPS at the annual Texas Family, Career and Community Leaders of America Conference in Dallas. TSPS spoke to a few dozen teachers and students and were very well received. The surveying profession got some great exposure at the Conference!
**INTRODUCING SURVEYING TO STUDENTS**

By Meredith Carey and Beth Holman

High school is the perfect time to introduce land surveying to students as a career choice. Licensed surveyors need to direct recruiting efforts particularly with high school students, as well as at the university level. The hope is to cultivate stronger numbers of students wanting to make surveying a career by directly educating and recruiting them in their high school years.

**CLASSROOM DAY**

On January 17, 2017, S&V Surveying, Inc. and Tri-Tech Surveying Company, LP., were invited to Klein Collins High School to give a hands-on demonstration and introduce Land Surveying to the students in Mr. Brad Schuster’s Concepts of Engineering (as part of Klein ISD’s Engineering Technology Program) classes. The students ranged from freshmen to seniors and were contemplating majoring in engineering after graduation. Mr. Schuster generously allowed us to demonstrate different types of survey equipment to all seven classes throughout the day.

He discussed the waning number of surveyors as compared to the number that are currently needed in our industry, to reiterate the concept of the law of supply and demand, and explained the positive impact that has had on the salaries of RPLS’. Isidro and Tyler Hunter (HDS Technician) also provided a live demonstration of High-Definition Laser Scanning to pique the interest of the technologically savvy to the advances of the new technology in the survey world.

Mr. Cody Condron, RPLS, Survey Operations Manager of Tri-Tech Surveying Company, LP., introduced Drone Technology and presented several projects that he managed using Aerial Photogrammetry. The classroom participants were very interested in the drone and were actively involved in learning more about how it relates to the surveying profession. He also reiterated the pros of becoming a land surveyor and specifically discussed the steps to becoming a RPLS.

Each class was unique in its own way, but at the end of the day, there were at least 3-5 students in each class period that indicated they would consider land surveying over engineering as their college pathway and career.

**JOB SHADOW DAY**

Klein Collins High School has been participating in the program, Job Shadow Day, for the last few years. The goal of Job Shadow Day is to prepare young people for the work force by exposing them to potential career pathways. Nearly 300 Klein Collins students took part in the campus’ annual Job Shadow Day on January 19. Students had to submit applications and resumes to be considered for participation in real-world work experiences for the day. More than 20 areas of business were available for students to explore and learn about the different careers available. Students were able to see business practices in action, observe real-world scenarios, and participate in hands-on activities.

This year was the first year for S&V Surveying, Inc. to host students for Job Shadow Day. Cody Condron with Tri-Tech Surveying Company, LP, also joined us to present Drone Technology and to give a live demonstration to the students. The day began with an overview of Land Surveying and getting to know the students. There were two sections of activities for the day. Inside the office, the students were able to perform deed research and create a CAD drawing of their parent’s residence, utilizing Civil 3D 2017. Outside in the field, the students participated in a pacing contest, tripod/tribach contest and learned how to use the Total Station with DataCollector. They also saw a live demonstration of Laser Scanning and Drone Technology. At the end of the day, the students were educated in the process of becoming a RPLS and the positive impact on salaries based on the small number of RPLS’ licensed each year. All of the students enjoyed their day learning about surveying. One student said, “I was just surprised at how much I enjoyed it and how much I could actually do.”

Another student said, “I genuinely had a great time, it was a lot of fun using AutoCAD and trying out your surveyor equipment. I never really viewed surveying as something I could do – I thought it was too complicated and difficult for me. After today, however, I feel that I could definitely see myself becoming a part of the TSPS and doing it as my career. Thank you again!”

It was a great experience getting to interact with the students, watching their minds expand with the knowledge of a surveying career, and seeing their possibilities blossom in their minds. It is such an important time in their life, during high school, trying to make the right decision for a career. This is the perfect time to introduce land surveying into their career choices and this is where our licensed surveyors need to be directing our recruiting
efforts, as well as at the university level. The hope is to cultivate stronger numbers of students wanting to make surveying a career by directly educating and recruiting them in their high school years.

COLLEGE & CAREER EXTRA V AGANZA

On March 2, 2017, S&V Surveying, Inc., had the opportunity to attend the College & Career Extravaganza at Klein Collins High School. The intent of the annual event is to provide students with an opportunity to visit with representatives of area businesses and colleges, in preparation for their future after graduation. During the past three years, the event has continued to grow, has become highly anticipated by KCHS students, teachers, staff and community and business vendors. This event involves approximately 100 businesses and local secondary institutions with displays set up on tables in the gym. Over 2,000 students attended this event.

Klein Collins career counselors’ hope is that by students visiting with representatives from businesses and secondary institutions, they will understand the requirements and skills needed for different types of careers. It was set up similar to a “mock” job fair so students could learn about presenting themselves to prospective employers, acquiring information about different careers, and networking with professionals. Exhibitors included nearly 15 local colleges or universities, as well as numerous trade/technical institutions, armed forces and law enforcement agencies, and medical, oil and gas and retail businesses.

To draw the students in with technology, the High-Definition Laser Scanner was running all day and bringing in point clouds live on the monitor for students to see. We handed out packets that emphasized each career choice within surveying, both inside the office and outside in the field that also included how to become a surveyor with information from www.becometexassurveyor.com, which included a list of universities that offer surveying programs in Texas.

Meredith Carey is the Business Development Manager for S&V Surveying, Inc. in Spring, Texas.

Beth Holman is the Marketing Manager for Tri-Tech Surveying Company, LP in Houston and San Marcos, Texas.
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Are One-Person Surveys Safe?

Safety Committee

By Joe Breaux, RPLS, TSPS Safety Committee Chair

I think it is reasonable to say that most surveyors have heard about the advantages of a one-person survey crew. Some firms do utilize one-person crews. With a robotic total station or with RTK GPS, either a rover in a network or one with a base station, one person can do a tremendous amount of work on most surveys, on many job sites. With today’s technology where a survey controller (data collector) is mounted on the prism rod or the GPS rod, one person is controlling and collecting the critical shots. No more “old school” party chief directing the rod person to get this shot and then that one while he or she takes notes.

It’s great when technology can eliminate the rod person and cut down the size of a crew. One less employee to call in “sick” on those critical days. Just come up with the dollars, buy and learn the robot or rover and then get the work done. Less dependency on things for which we sometimes have little control over.

Economy? Yes! After the initial purchase of high tech surveying instrument, there is occasional maintenance and re-calibration. But unless one is careless with their treatment of these instruments they are typically durable, very accurate and precise. Dependability? Yes to that, too! Buy good quality, name brand surveying instruments and take good care of them and they will last many years and perform well. Trustworthy? It’s as good as the person running it, and even better and more capable. A good value that will probably reduce costs and increase production if used properly.

But what about the safety and liability that also go with a one person crew using this modern technology? Yes, there are many issues and considerations associated with a one person survey crew. From the safety perspective, what happens if the one person gets injured while out on the job? An injury such as stepping into a hole and resulting in a sprain or a broken bone. There is also the prospect of being bitten by a snake, which is even worse and could be more life threatening to the one person crew. Without help, a victim of a snake bite just might not be able to get to help or call for help. Keep in mind, too, that in some areas, especially rural areas, that cell phone coverage is not monitored closely. If a total station or a GPS base station is needed that one shot so you jumped his fence.

When the shot is near or in a travel lane of a public roadway, the danger factor goes up quickly. And the higher the speed limit and greater the traffic volume, the more the risk. I know of instances where a truck sideswiped a surveyor with the side mirrors causing arm bruises; another where a car jumped a curb and ran over and killed a young surveyor on or behind a sidewalk; and where a truck hit and killed a young surveyor working near pavement in the right of way of a US highway. Also, take a look at the number of crash sites at road right of way lines where a white cross is now situated or where the trees, brush and/or fences are visibly damaged. Obviously someone ran off of the road and struck the tree, fence or other objects. Taking any type of shot within a road right of way, for any length of time without a lookout person is risky for the person focusing on the survey controller and on getting the shot. Even searching for a property corner in a right of way line without a lookout is extremely dangerous, too. Anytime one’s is looking down, focusing on locating the property iron or collecting a shot, or with your back to the oncoming traffic, that takes away the lookout capability of the one person crew and greatly increases the potential for injury. At a minimum a two-person crew provides one person to work and one to look out for dangerous conditions.

Another issue with regard to modern technology and a one-person crew is the potential for the instrument to be stolen if not monitored closely. If a total station or a GPS base station is being used, who is minding the instrument while the collector is getting the shots away from the instrument? I’ve heard stories of a one-person crew working at the instrument’s maximum distance on a construction site or a city street and suddenly the signal goes down. When the one-person looked up, a truck was speeding away with the robotic total station.

Is there potentially additional liability if one is directed to go out as a one-person crew and an injury does occur in the field? I don’t know the answer to that question, but it sure makes me think twice about directing a worker to go out alone for the very reasons previously mentioned. In my work place we stopped using and being a one-person crew a number of years ago. Safety is first.
I respect the owner of a surveying business who chooses to go out as a one-person survey crew and utilize modern technology to complete field work for a survey. All of the direction and responsibility for decisions is in the hands of the owner who is the field person and who may also be all other company employees, too. That is a business decision that is made knowing that all responsibility rests on their shoulders. If anything such as an injury happens in the field, there may be problems without solutions when it comes to safety and summoning help. A business decision if you will.

Determining the appropriate field crew size and equipment to send to the field is to minimize risk and create safer working conditions. This is a business decision which is sometimes difficult, but one which is necessary. Time is short for completing the job, staff is spread thin, and some didn’t show up today. What is one to do? The TBPLS has taken the position that they won’t regulate the use and application of surveying instruments as it relates to performing surveys. The board leaves that to the decision of the professional land surveyor to choose and apply the proper surveying instrument/technology to obtain the required and desired accuracy, precision and results for measurements for a survey. Taking that approach a bit further, I say that is up to the professional to also make an appropriate business decision on the use of the appropriate number of persons in a survey crew by giving proper consideration to the job conditions, the intended outcome and to maintain a safe working environment even for the field persons.

A good business decision is one that takes into consideration as many of the variables as it can. One that gives careful consideration to known and perceived variables. A good business decision is not always the cheapest solution, but is one that provides the most reliable results. Safety is a significant variable and there is a cost for safety. On the other hand, the cost for problems that can result from not working in the safest way can be devastating. I just hope that this cost is not the life or well being of an employee who is a one person survey crew simply because it is the cheap way to go.

So the next time that we think about how we need to get a job done and a one-person crew using modern surveying technology will cut time or cost, think about safety and the potential for injury or death. Also think about the risk of instrument theft. The most important part is to make good decisions when it comes to personal safety and to make decisions that will always allow work to be done in the safest way possible.
MULTIPLE POSITIONS AVAILABLE – CONROE, TX
TEXAS PROFESSIONAL SURVEYING, LLC

- **Survey CAD Technician** - Daily processing of survey data, including evaluating accuracy and sufficiency, and ensuring compliance to applicable regulations and professional and industry standards related to boundary calculations, topographic surveys, and all other forms of surveying performed.
- **Survey Instrument Man** - Perform land surveys for maintenance, location, and relocation of section corners through use of GPS equipment and/or conventional surveying equipment. Perform construction surveys for area roads, bridges, buildings, subdivisions, and other properties.
- **Survey Party Chief** - Supervise field crew by planning and organizing work responsibilities to complete the requirements of surveys including Boundary, Topographic, Construction Stakeout, GPS Static, As-built, and oil and gas. Typical duties will also include survey computations.

Please send resume to: Briana@surveyingtexas.com

SURVEY CAD TECHNICIAN – SAN ANTONIO, TX
GONZALEZ DE LA GARZA & ASSOCIATES

Gonzalez De La Garza & Associates is a Texas and Oklahoma based engineering, surveying and construction firm providing services to the private and public sectors.

Responsibilities may include:
- Drafts subdivision plats
- Drafts topographical surveys
- Creates surfaces for design surveys
- Experience in boundary calculations
- Ability to compute, process and map field data
- Ability to perform Deed/Property research
- Candidate will work in a drug free environment and must submit to an initial screening

Education and/or Experience:
- High school diploma/GED and 2+ years of survey CAD experience
- Survey field experience a plus
- CAD experience required, preferably Microstation

To apply, please forward resume to shopkins@gd-us.com.

SURVEY SALES SPECIALIST – AUSTIN & HOUSTON, TX
GEOSHACK

GeoShack is growing and we are looking to hire a talented Survey Sales Specialist, who enjoys a challenging, fast-paced environment that’s both competitive and rewarding. GeoShack is a leading distributor of leveling, alignment, measurement, guidance and grade control solutions to the Construction, Survey, Machine Control and Agricultural markets in North America. We provide our customers a “total solution” of quality products and services to meet their needs.

The Survey Sales Specialist position requires a working knowledge of the local survey market with 2-5 years of a proven sales track record and the ability to develop relationships with customers and provide them with real, effective solutions. You will be responsible for prospecting and identifying potential opportunities and closing high value deals with surveying and engineering firms, and governmental entities in a dedicated sales territory. You will be selling Topcon GPS, surveying instruments and robotic total stations.

The successful candidate will possess:
- Minimum 2-5 years sales experience
- Exceptional organizational and communication skills
- Strong achievement drive
- Must be computer literate
- Knowledge of survey, engineering and/or governmental markets preferred
- Willingness to learn about the products we sell
- Positive, sales-oriented personality
- Business-like, professional appearance
- Prefer Bachelor’s Degree or equivalent.

Benefits:
- Competitive Salary with commissions
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- Employer paid Life Insurance, and Short and Long-term Disability
- Paid Time Off and Holiday Pay
- Laptop Computer and Cell Phone

If interested, please apply online at geoshack.com/careers.

FIELD CREW – MIDLAND, TX
FENSTERMAKER

FENSTERMAKER, a multi-disciplinary firm specializing in engineering, surveying & mapping, environmental consulting and advanced technologies, is seeking qualified applicants to open Party Chief and Instrumentman positions. Must have High School Diploma or GED, 3-5 years of experience. Must have a valid driver’s license and acceptable driving record. Must be able to travel, and have oil & gas experience.

Competitive salary, benefits, and 401K. EOE/AA. Applications confidential. Apply online at www.fenstermaker.com/careers or email resume to: resume@fenstermaker.com
RPLS – ARLINGTON, TX
MYCOSKIE+MCINNIS+ASSOCIATES (MMA)

mycoskie+mcinnis+associates (mma) is looking for a skilled and determined Surveyor to help us grow our firm’s diverse portfolio. mma is a growing civil engineering, landscape architecture, surveying and planning firm located in the heart of the DFW area. Our firm gives you the opportunity to touch a project from start to finish. We exceed expectations by taking an ownership mentality of all our projects with integrity, excellence and teamwork.

The surveyor we are looking for needs to be ready to take on land development projects, ranging from intimate parks to large-scale, comprehensive and sustainable, master-planned communities as well as gas well pad sites and unit boundaries.

The primary focus of this position is to successfully survey land development and energy projects. Candidates must be a Registered Professional Land Surveyor (RPLS) in the State of Texas, with a minimum of five (5) years of surveying experience. Individuals should be proficient in the latest versions AutoCAD and other word processing software, have the ability to work independently, and to manage multiple projects with limited supervision.

Duties and responsibilities include, but are not limited to, the following:

- Prepare boundary and topographical surveys
- Prepare parcel maps, survey mapping, deed sketches, control and construction staking, metes and bounds descriptions and other general survey support for engineering design projects
- Prepare well plats
- Assist in the coordination and management of survey field crews and the processing of pertinent field data, including uploading / downloading / manipulation of raw files.
- Set and monitor budgets
- Manage surveying staff time against a budget
- Utilize AutoCAD Civil 3D and Carlson
- Communicate with clients during the development process
- Continue education through project experience, education seminars, etc.

Candidates can apply by sending a resume to hr@mmatexas.com.

SURVEY CREW CHIEF – MIDLAND, TX
WEST COMPANY

West Company, a division of Landpoint, is currently looking for a candidate with high integrity and an excellent attention to detail to fill a position as a Surveying Crew Chief for our Midland, Texas operation. Must have a minimum of 5 years total survey experience, 3 of which as a Party Chief, with pipeline and oil and gas experience. Valid Driver’s License, acceptable driving record required. Must have high school education or GED, and be physically able to work long hours, walk long distances and carry heavy loads. Travel required from time to time.

West Company has deep roots in the Permian Basin, provides great benefits and training, and utilizes cutting edge technology including an award winning UAV program. Signing bonus and relocation support are available to the right candidate.

Apply online at: http://landpoint.applytojob.com/

MULTIPLE POSITIONS AVAILABLE – SAN ANTONIO, TX
KFW ENGINEERS & SURVEYING

KFW Engineers & Surveying is a growing San Antonio-based civil engineering firm.

- **Field Crew** - Principal Requirements:
  - Experience in construction staking, topographic/tree surveys, control surveys, etc. a plus. Knowledge of and ability to use Leica GPS and robotic equipment preferred but not required. Military experience is a plus.
  - **Survey AutoCAD Technician** - Job candidate must have a minimum 2 years of experience working in the land surveying profession. Knowledge of using Civil 3D or AutoCAD Land Development desktop, importing and analyzing field data, and creating staking sheets is preferred. Must have experience in doing deed research to create survey base drawings and working with topographic surfaces. Crew chief or surveying experience a plus. KFW offers a competitive benefits package including medical, dental, vision, and supplemental insurance, as well as a 401(k) Retirement Plan with employer matching.

Please send resume to careers@kwengineers.com to be considered.

**Job listings continued on next page**
JOB LISTINGS

RPLS – SAN ANTONIO, TX  
GONZALEZ DE LA GARZA & ASSOCIATES  
Gonzalez De La Garza & Associates is a Texas and Oklahoma based engineering, surveying and construction firm providing services to the private and public sectors.  
RPLS with 10+ years of experience. Individual should possess working experience with City, County and State entities. TxDOT precertification in surveying categories a plus. Experience should include supervising and managing field crews and office technicians, reducing field data, preparing scopes of work and pricing competitive proposals, coordinating office duties, QA/QC, conducts legal and record research and analysis and GPS experience. Proficient with AutoCAD, Microstation, Word and Outlook; LiDAR Scanning experience is a plus.  
Must have an excellent driving record and can pass a background check.  
Schedule dependent upon client needs. May require travel M-F and sometimes Saturday.  
To apply, please forward resume to shopkins@gd-us.com.

MULTIPLE POSITIONS AVAILABLE – HOUSTON, TX  
FENSTERMAKER  
FENSTERMAKER, a multi-disciplinary firm specializing in engineering, surveying & mapping, environmental consulting and advanced technologies, is seeking qualified applicants to fill the following positions:

- **RPLS** - Responsible for managing multiple survey land development and municipal projects. Must maintain knowledge of survey procedures, quality control, and legal principles Newly registered candidates may apply. One year of experience is preferred. Candidates must be proficient in AutoCAD Civil 3D and Leica.

- **SIT** - Candidate must possesses a comprehensive knowledge of ALTA surveys, boundary analysis, topographic surveys, preparation of easement documents, legal descriptions, final plat preparation, construction staking, and the ability to utilize survey field equipment is essential. Newly registered candidates may apply. Candidates must be proficient in AutoCAD Civil 3D and Leica.

- **Survey Technician** - Performs surveying and mapping duties for oil & gas and/or government related projects. Manages project flow, researches records, processes data, and creates details, plats, and reports for both internal personnel and clients. Associates degree or equivalent coursework in survey related field, drafting and design or technical training with 5 years survey experience and proficiency in CAD Software.

- **Senior Survey Pipeline Project Manager** - Administers surveying activities which include oversight of manpower, technical resources, and client communication for multiple pipeline projects. Associates degree or equivalent coursework in survey related field, drafting and design related field or technical training along with 5 years’ experience in Pipeline Construction Surveying. Candidate must be proficient in AutoCAD.  
Competitive salary, benefits, and 401K. EOE/AA. Applications confidential. Apply online at www.fenstermaker.com/careers or email resume to: resume@fenstermaker.com

MULTIPLE POSITIONS AVAILABLE – BOERNE, TX  
TEXAS LANDMARK SURVEYING  
Texas Landmark Surveying (a division of Open Range Field Services, LLC) located in Boerne, TX has an open position for:

- **Survey Tech**: Seeking S.I.T. (pursuant of RPLS) to manage and coordinate field surveying and office drafting requirements for internal/external customer. If not S.I.T., will consider candidates with 5+ years prior experience. Proficient in AutoCAD (Carlson preferred), can produce working sketches, process deed/title, produce topographic and ALTA surveys.

- **RPLS**: TX Registrant with minimum 3-5 years experience as an RPLS. Responsible for various office survey mapping and work/ deliverables. Quality control, oversight and review all of assigned projects. Able to assist with proposals, quick to respond to client’s needs, excellent communication skills, and knowledge of survey field techniques. Proficient in AutoCAD (Carlson preferred) with strong research skills and knowledge in boundary resolution.

TX Landmark offers a competitive compensation package which includes benefits in a great work environment. We provide mentorship, and encourage continuing education along with obtaining certifications. Applicants must be able to pass a drug test, background check and have an acceptable driving history. TBPLS FIRM No. 10164600

Please email resume to txlms@openrangefs.com

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**Save the Date!**  
**TSPS Strategic Planning and 3rd Quarterly Board Meeting**  
**Friday, August 4**  
Omní La Mansion del Río  
112 College Street  
San Antonio, TX 78205

**Preliminary Schedule:**

<table>
<thead>
<tr>
<th>Time</th>
<th>Event</th>
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<tbody>
<tr>
<td>10:00 am</td>
<td>Welcome and Introduction</td>
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<tr>
<td></td>
<td>President-Elect, Doug Turner</td>
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<tr>
<td></td>
<td>Topic: Getting to Know and How to Attract Millennials to Land Surveying</td>
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<tr>
<td></td>
<td>Speaker: Jaymie Turner</td>
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<tr>
<td>12:00 pm</td>
<td>Lunch on own</td>
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<tr>
<td>1:15 pm</td>
<td>Strategic Planning Discussion</td>
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<td></td>
<td>Facilitator: Doug Turner</td>
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<tr>
<td>6:00 pm</td>
<td>Ray Wisdom Reception &amp; Auction</td>
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Committee meetings and the Board meeting will be held on Saturday, August 5th.

**ALL TSPS members are welcome to attend.**  
Please RSVP at www.tsps.org/SP3Q.
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Brian R. Wade, LA, RPLS
Associate/Survey Department Manager
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mcmgray@mcmgray.com

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Rick Hickman, RPLS
317-892-7062
rhickman@pdawson.com

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TBPLS Firm # 101997
Robert A. "Bob" Lusher, RPLS
Executive Vice President
5421 Brynme Dr
Houston, Texas 77011
www.lusherllc.com
Professional Listings

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E-mail: wease@weisser.com
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**WDS**

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**AGS**  Advanced Geodetic Survey, Inc.

Ryan Cicatello  Account Manager
3811 FM 1469, Bullard, TX 75757
Phone: (903) 836-4300  •  Fax: (903) 836-4301
E-mail: ryan@agsgov.com

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**Stanger Surveying Tyler LLC**

L.J. “Joe” Stanger  R.P.L.S.  President
R. S. “Shane” Neally  R.P.L.S.  Vice President
1595 E. Grande Blvd.  •  Tyler, TX 75703

**Graitec**

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www.museumofmeasurementandtime.org

**E.L. “Buster” Sartain**

Registered Professional Land Surveyor
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Phone: (512) 267-7400  •  Fax: (512) 836-3838
E-mail: damarters@graitec.com

**Prepare your card here!**

Send a digital copy of your business card to kristen@tsps.org, or call 512-327-8771 for more details.
Professional Listings

COMING EVENTS

View more details and register for coming events at www.tsps.org/calendar.

JUNE

Jun 4-6  Surveying and Mapping Camp
Tyler Junior College - Main Campus
1327 S. Baxter Ave. | Tyler, TX 75701

AUGUST

Aug 4-5  Strategic Planning & 3rd Quarterly Board Mtg
Omni La Mansion del Rio
112 College Street | San Antonio, TX  78205

SEPTEMBER

Sept 21-23  Locating Original Corners Seminar
Neal’s Lodges and Annandale Ranch
Concan, TX 78838

OCTOBER

Oct 4-7  66th Annual Convention & Tech Expo
Embassy Suites Dallas-Frisco Hotel, Convention Center & Spa
7600 John Q. Hammons Dr. | Frisco, TX 75034

Oct 5-6  NSPS/TSPS Joint Meeting
Embassy Suites Dallas-Frisco Hotel, Convention Center & Spa
7600 John Q. Hammons Dr. | Frisco, TX 75034

NOTICE:
TBPLS Board meetings are now streamed live. Visit: tpsps.org/tbplsmeeting to join in.

Public Hearing on Proposed Rules
May 19, 2017 - 9:00 am

Board meeting immediately following hearing or at 10:00 am.

CEU credits not applicable.
Per TBPLS: in order to earn hours you must physically attend the meeting and sign the sign-in sheet.

List your card here!
Send a digital copy of your business card to Kristen@tsps.org, or call 512-327-7871 for more details.
**SUSTAINING MEMBERS**

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**STARR WARS**

The discovery of "No Man's Land"

**WHAT:** A unique seminar of an actual survey to prove a State Vacancy in Trinity County, Texas. Applicant, Annie Wars, requested this new original SURVEY be named STARR WARS after old settlers in the area.

**WHERE:** Historic, Huntsville, Texas at the Veterans Complex/Conference Center at 455 State Hwy. 75 N.

**WHEN:** Saturday, July 1, 2017, 7:30 AM - 5:30 PM.

**WHY:** See how Vacancy surveys are conducted from discovery to Patent by State. Some simple tips on how to avoid including a possible Vacancy in your boundary survey. A potentially very costly mistake.

**WHO:** Leonard Eugene "Gene" Woods, RPLS/LSLS SEMINAR FEE includes McKenzie's B.B.Q. lunch, snacks, drinks and course material handouts.

Paraprofessional / S.I.T. $200, R.P.L.S. $290


This seminar has been approved by the Texas Board of Professional Land Surveying for eight (8) hours of CEU's.

To register, complete form, mail with course fee to:

Leonard E. "Gene" Woods, LSLS
P.O. Box 844
Huntsville, Texas 77342

Last Name: ____________________________
First Name: ___________________________
Address: ______________________________
City: _____________________________
State: __________ Zip: __________
Phone: _______________________________
E-Mail: _____________________________
R.P.L.S. No. __________________________
Amount Enclosed: _____________________

***** For additional details and course outline contact me at: gwoods_lsls@exede.net *****
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