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President-Elect................................................................. John Barnard
Bowman Consulting Group, Austin, Texas
Vice President..................................................................... Trisha Lund
Encompass Energy Services, LLC, Houston, Texas
Secretary/Treasurer.............................................................. Bill O’Hara
Bill O’Hara Land Surveyor, Cedar Creek, Texas
Past President...................................................................... Jerry Lehew
North Texas Municipal Water District, Wylie, Texas

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Heather Sides, LJA Surveying, Inc., Houston, Texas
L.A. “Bud” Thompson, Thompson Surveying Co., Wimberley, Texas

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Philip Adams, Adams Surveying Company, Richardson, Texas
Michael Hoover, High Tide Land Surveying, Galveston, Texas
David Klotz, Texas General Land Office, Buda, Texas
J.S. “Stan” Piper, Piper Surveying Company, Inc., Midland, Texas

(2020)
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Executive Director
DJ Kyle
2525 Wallingwood Dr., Suite 300
Austin, TX  78746
Phone: 512-327-7871
FAX: 512-327-7872

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Mark Hanna, P.C.
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Well, it happened. The time for my final column has arrived.

Speaking the last year serving as the TSPS President is an honor that words cannot describe. Representing the members of this organization was both exhilarating and humbling. I have traveled across this state from Amarillo to Tyler to Galveston and TSPS members have demonstrated that they want to be more than just another surveyor. Their passion for this profession is what sets TSPS members apart from other surveyors. The ideas and initiatives they bring to this organization is our heartbeat and helps TSPS itself to be more than just another professional organization.

Some of the issues the TSPS has or is currently addressing this year include Sunset of the TBPLS, revamping of the Standards and Specifications, and sales tax to mention a few. Mark Hanna, TSPS legal counsel, provided the following information at the August quarterly meeting. The Texas Board of Professional Land Surveying (TBPLS) will undergo Sunset review during the 2018-2019 Legislative Session which convenes January 8, 2019. The Sunset Commission Senate members are Brian Birdwell (Granbury), Dawn Buckingham (Lakeway), Bob Hall (Canton), Robert Nichols (Jacksonville), and Emily Pataki (Cedar Park). The House members are Chris Paddie (Marshall), Dan Flynn (Van), Stan Lambert (Abilene), Poncho Nevarez (Eagle Pass), Sefronia Thompson (Houston), and Ronald G. Steinhart (Dallas). A public hearing will be held on December 12-13, 2018 and the Commission will make decisions on January 9, 2019. TSPS believes that it is vitally important that our licensing board remain an independent board and has formed a committee to impart that position to the Commissioners.

The sales tax issue has been percolating for several years and looks like it may finally be finalized. TSPS has been working with the Tax Policy Division, Texas Comptroller of Public Accounts since November 2008 in an effort to finalize a revised “Tax Bulletin on Surveying Services” which will list “taxable” and “non-taxable” services based on the Sales Tax Definitions which were prepared in October, 2013. On April 9, 2018, Tommy Hoyt, with the Tax Policy Division, advised TSPS that the draft has been finalized and submitted to senior management for review. The Review process is finally nearing completion and we should see a tax bulletin in the near future.

Speaking of the future … the future of TSPS is bright as we have made great strides in membership engagement and in continuously reexamining and redefining the vision of our organization. Our goals continue to be realized through the hard work of the TSPS staff and the leadership of the Board of Directors.

I would like to thank my fellow Directors on the TSPS Board for their amazing determination and work ethic which helps guide the future of the profession. Over the past five years (well, actually longer than that) I have served with some of the most intelligent and talented people I have ever had the pleasure to know. These individuals have made, and continue to make, contributions and personal sacrifices for the success of TSPS that most members will never know about. They do not do it for recognition; they serve the membership because they care about the profession and the individuals who are a part of it. I admire them greatly and I know that I am a better person for having served alongside them. I must agree with Walt Whitman who said, “I no doubt deserved my enemies, but I don’t believe I deserved my friends.”

“I must agree with Walt Whitman who said, “I no doubt deserved my enemies, but I don’t believe I deserved my friends.”

-Doug Turner

Through all the challenges surveyors have faced throughout our organization’s history, TSPS has supported, defended, challenged, and educated us in our pursuit of the success and professional growth we all seek to achieve.

My hope is that each of you in the coming year will find new ways to use and benefit from your membership in the greatest surveyors association in … (dare I say it?) … the world, the Texas Society of Professional Surveyors.
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DJ Kyle

In August, TSPS held its Strategic Planning meeting led by President-Elect John Barnard (Austin, Chapter 13). He was assisted by Cathi Hight of Hight Performance Group who facilitated the session. Members, some new some not so new; joined in to provide input on the 2019-2021 Strategic Plan. Three priority areas had been identified prior to the meeting: Advocacy/Political Activity, Public Relations/Communications and Membership Value. Attendees selected their areas of interest and rotated in two group discussions pertaining to these priorities.

Bill O’Hara, Chair of the Governmental Affairs committee, led the Advocacy/Political Activity group. With help from TSPS Legal Counsel Mark Hanna, the group generated tactics to accomplish the following objectives: 1. Maintain the TBPLS as an independent board; 2. Increase SurPAC funds; 3. Develop local-level legislative relationships; and 4. Create the Government Affairs Information Network (GAIN).

Chair of the Public Relations committee, Jamie Gillis, led the Public Relations/Communications discussion. Again, tactics were generated to accomplish several objectives: 1. Increase awareness of land surveying to the general public; 2. Increase awareness of land surveying as a profession to students; and 3. Increase collaboration and engagement with other allied professional and industries.

The Membership Value group was led by Trisha Lund, Co-Chair of the Membership committee and Vice President of TSPS. The objectives the group generated tactics for were: 1. Identify and develop benefits and resources that members value; 2. Demonstrate Value of Investment (VOI) of TSPS membership; and 3. Establish working relationships with external partners.

Many great ideas came from this planning session and a few seemed to cross all three priority areas. Consolidation/education of resources available, member recognition in varying forms, and community outreach. Through Committee Charges this plan will be disseminated and executed. Members can view the 2019-2021 Strategic Plan on the TSPS website. If you would like to help with accomplishing the strategic plan objectives and tactics, please consider serving on one of the various TSPS committees; all members are welcome and encouraged!

On another member encouragement note, I hope each of you will vote in the Annual TSPS Officer and Director elections. The August issue of Metes & Bounds announced this year’s candidates and provided their background information to help you make an informed decision. The Ballot will be emailed to all voting members on Thursday, September 13th. The deadline to vote is Thursday, September 27th at 4:00 pm. A voting member must sign into their profile to vote; if you need your username and/or a temporary password please contact the TSPS office.

As we get closer to convention and the transition of leadership, it’s important for members to make their voice heard through involvement with TSPS at any level.

New Members

Registered
Andrew Beck #4771 - Out of State
Continental Mapping Consultants, Inc.

Andrew Chavchalov #6708 - Chapter 5
Half Associates

Michael Downhour #6709 - Chapter 9
EHRA, Inc.

Michael Harris #4381 - Chapter 3
ACS, Inc.

John Legere #6698 - Chapter 9

Adam Light #6684 - Chapter 1
AMD Engineering

Larry Medrano #6726 - Chapter 1
Precision Surveys, Inc.

Bob Monroe #5586 - Chapter 17
Land-Mark Professional Surveying, Inc.

John “Greg” Mosier #6330 - Chapter 11
Kimley-Horn and Associates, Inc.

Billy Moss #5122 - Chapter 2
Proline Land Surveying

Brian Wright #4560 - Chapter 5
Hayden Consultants

Keith Zimmerman #6723 - Chapter 20
EAS Resources

Associate/SIT
Lynda Adams - Chapter 5
Adams Surveying Company, LLC

Drew Blessing - Chapter 18
Emprotec/Hibbs & Todd, Inc.

Michael Duval - Chapter 2
G&A Consultants, LLC.

Douglas Kozak #110337 - Chapter 8
Wood Group Mustang, Inc.

Martin Mirzaie - Chapter 2
G&A Consultants, LLC.

Justin Robertson - Chapter 20
Texas Department of Transportation

Student
Brian Hatcher - Chapter 8
Gerardo Ponce Bernal - Chapter 2

Welcome!

Oscar Soto - Chapter 5
Cody Watson - Chapter 2
Shield Engineering Group, PLLC.

Affiliate
Russel Braud - Chapter 5
Survey and Mapping, LLC (SAM)

Chad Cranfill - Chapter 2
Cranfill Minerals

James Gaines - Chapter 20
Strong Surveying, LLC

Jerry Garza - Chapter 12
LCRA

Rene Lopez - Chapter 11
Poznecki Camarillo, Inc.

Brian Plummer - Chapter 9
CenterPoint Energy

Rafe Underwood - Chapter 4
Warren Surveying
Locating Original Corners Seminar

September 20-22, 2018 – Concan, Texas

This 2 1/2 day, hands-on seminar takes place in a beautiful setting on the pristine Frio River near Garner State Park at the 15,000 acre historic Annandale Ranch in the Texas Hill Country.

This unique interactive experience is presented and led by some of the state’s most highly experienced practicing Licensed State Land Surveyors.

Participants who attend will:

- Participate in the determination of the gradient boundary of the Frio River.
- Capitalize on techniques for determining corner search positions learned over years of experience.
- Appropriately apply the field evidence to final original survey construction to legally establish missing or obliterated corners.
- Review landmark court cases that were the basis for the current dignity of calls in regard to retracing original survey corners.
- Examine ancient trees in search of survey witness marks called for in the original survey field notes.
- Seek and find original rock mounds set in the 1800s that remain virtually undisturbed and in their original position.

Schedule of Events

Thursday, September 20
12:00pm - 1:00pm  Registration
1:00pm - 5:00pm  Intro, LSLS panel, and field exercises

Friday, September 21
7:00am - 8:00am  Breakfast
8:00am - 5:00pm  Field exercises and discussion
(hour lunch break included)

Saturday, September 22
7:00am - 8:00am  Breakfast
8:00am - 12:00pm  Field exercises and discussion

Requirements

Each seminar participant should bring:

- Clothing/footwear suitable for rough terrain
- Personal field gear
- Calculator (any type)
- Scratch pad
- Triangles
- Scale
- 24” straight edge
- Comfortable, casual wear for evenings

Accommodations

Accommodations are provided by Neal’s Lodges in Concan, TX. To reserve your cabin, contact Neal’s Lodges at 830-232-6118 or reserve@nealslodges.com. All cabins are reserved and paid for on an individual basis by each attendee. Mention the TSPS seminar to receive a 30% discount on cabin rates. Visit www.nealslodges.com for more details and directions.

Instructors

C.B. (Ben) Thomson, RPLS, LSLS
Bill O’Hara, RPLS, LSLS
Garey Gilley, RPLS, LSLS
Davve Edwards, RPLS, LSLS, CFedS
Don King, RPLS
Mark Logbrigink, RPLS

Register online at www.tspsl.org/LOC or complete the form below and fax or email to Brenda at 512-327-7872 or BrendaN@tspsl.org.

The TSPS Cancellation Policy allows for a refund less a $50 processing fee. Cancellations must be sent via email or in writing, and received in this office by Monday, September 18.

TSPS Members:

Registration (16 CEUs)  $375
Paraprofessional (no CEUs)  $195

Non-Members:

Registration (16 CEUs)  $475
Paraprofessional (no CEUs)  $245

** NOTE: meals and lodging are not included in registration fee **

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The Texas Surveyor | September 2018

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“Professional Land Surveying Business: Principles & Practices”

Presented by L.A. “Bud” Thompson, RPLS

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Saturday, December 1 | 8:00 am - 5:00 pm

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Earlybird Registration Deadline - Monday, November 19
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For more information and to register, visit www.tspso.org/Dec2018

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Call 512-448-2222 for hotel reservations by Friday, November 16.

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1. Promissory Notes


"A plaintiff who sues for recovery on a promissory note does not have to prove all essential elements for a breach of contract but rather need only establish the note in question, that the defendant signed it, that the plaintiff was the legal owner and holder thereof, and that a certain balance is due and owing on the note.’ . . . In his answer, Roth did not file a verified denial of his execution of any written instrument on which the Bank’s pleadings were founded, or a verified denial of the genuineness of the endorsement of the notes. . . . In the absence of such sworn pleas, the instruments are received in evidence as fully proved. . . . By these failures, Roth has conclusively admitted the validity of the notes and that he signed the agreements, and has waived any evidentiary objection[ ]” to them. Id. at 5-6.


“The limitations period applicable to the Trustees’ claims against Travis Ward on the Renewal Note depends on whether the Renewal Note was negotiable. If it was, the Trustees had six years to sue Travis Ward for failure to pay. . . . If the Renewal Note was not negotiable, the Trustees had only four years to bring suit. . . . The negotiability of an instrument is a question of law:

. . . A promissory note is a negotiable instrument if it is a written unconditional promise to pay a sum certain in money, upon demand or at a definite time, and is payable to order or to bearer. . . . A note is non-negotiable, however, if another instrument must be examined to determine the rights and obligations under the note.

. . . The Renewal Note, dated February 1, 1996, was signed by Travis Ward individually and on behalf of Ward Energy, Inc. It was in the principal amount of $2,000,000, and payable to the Trustees on or before January 31, 2000. The Renewal Note included the following provision: ‘. . . Maker acknowledges and agrees that this Note is given in renewal and extension of, and amends and wholly restates, that certain note, dated December 27, 1985, in the original maximum stated principal amount of ONE MILLION TWO HUNDRED THOUSAND AND NO/100 DOLLARS ($1,200,000.00) as heretofore amended. All liens and security interests securing such note, if any, are hereby preserved, renewed, and extended for the benefit of Payee and its successors and assigns.’

. . . Thus the Renewal Note contains a written, unconditional promise to pay a specific sum to the Trustees on or before a specific date. Nevertheless, appellees argue the Renewal Note is not negotiable because it ‘amends and restates’ rather than supersedes the 1985 note.” Id. at 7-8. The court disagreed. “The paragraph of the Renewal Note quoted above provides that it ‘amends and wholly restates’ the 1985 note, so reference to the 1985 note is not necessary to determine either the date or amount due, whether the obligation to pay is conditional, or the liability for attorneys’ fees.” Id. at 9.

“[E]ven if the statute of limitations for enforcing the Renewal Note was six years, ... [the] statute would begin to run on the accelerated due date, not the due date or dates stated in the note.” Id. at 10. The Renewal Note allowed for acceleration at the option of the holder. The holder’s attorney sent a letter which gave the maker written notice of default and stated that if it was not cured, the holder would pursue its legal rights, including accelerating the note. The maker pointed out that the note waived notice of acceleration and thus, claimed the letter was enough to accelerate the note. The court held that material fact questions existed regarding acceleration.
2. Conveyances

“When the metes-and-bounds description in a deed conflicts with another, more general, description in the deed,” the metes-and-bounds description controls. Id. at 1. “In this boundary-dispute case, the court of appeals sided with the general description. But, because the metes-and-bounds description better indicates the parties’ intent, and because the court of appeals’ approach creates uncertainty in land title whenever a deed’s general and specific descriptions differ,” the supreme court reversed. Id.

3. Adverse Possession

“Under Texas law, use of land for grazing cattle, fails to establish adverse possession as a matter of law, unless the fence used is a ‘designed enclosure’ as opposed to ‘casual fences.’ . . . Unless the claimant establishes he erected the fence with the purpose of enclosing the property at issue, the fence is a ‘casual fence’ rather than a ‘designed enclosure.’” Id. at 5.

4. Zoning

Lynch leased property from which he sold sand and stone. “When the City issued the building permit, the property was zoned ‘C’ for commercial. . . . Although the City’s permit describes the ‘use’ of the property as ‘sand and gravel sales,’ Lynch’s business also sold fill dirt, rock, sand, gravel, flagstone, plants, trees, and firewood. Lynch said he operated his business on both Lots 5 and 6 from 1985 through 2000 and kept material, including fill dirt, on Lot 5.” Id. at 2. In 1985, part of the property was rezoned to “SU,” special use for mini-warehouse storage. In 2001, it was changed again to “LR,” local retail.

Lynch sold his business to the Andertons. They also leased the same property that Lynch had leased and ultimately bought it. They expanded their operations at some point. The City then started questioning the use of the property. The Andertons sought a zoning change back to commercial, but it was turned down. The Andertons thought their use was a legally nonconforming use and refused to terminate it. The City then issued citations for unlawful expansion of a nonconforming use.

“A nonconforming use of land is a use that existed legally when the zoning restriction became effective and has continued to exist even though no longer in compliance with currently applicable restrictions. . . . When determining whether there is a legal nonconforming use in a particular case, the proper focus is on the legislative enactments of the regulation body. . . . The party claiming privilege to continue a nonconforming use, in this case the Andertons, bears the burden of proving its preexisting status.” Id. at 6.

“The City ordinance here . . . provides that a nonconforming use that was lawfully established prior to the effective date of amendatory regulations may continue to operate under the regulations under which it was established, but shall not be enlarged, increased, or extended to occupy a greater area of land than was occupied at the time the use became nonconforming.” Id. at 6-7.

The court found many disputed fact issues and held that the trial court erred in granting summary judgment in favor of the City.

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*Donation of $500 or more
Hollie Swoger, Chapter 5

Historically, the profession of land surveying has been a rugged, back-breaking, and frankly dangerous profession. Surveying in the early acquired American territories often required entire crews dedicated to repelling enemy attacks, hacking through overgrown lands, and carrying the heavy load of supplies that would allow them to survive on their journey. In a modern and developed America, surveying has been streamlined. Automobiles cut out the need for camping, the unification of the United States cut out the need for protection from foreign and domestic enemies, and new technology has made traditional survey instruments, such as chains and plumb bobs, somewhat a thing of the past.

In speaking with a friend (who happens to be a recruiter within the industry), he mentioned less than 25% of surveyors are female. Since this figure was lower than I expected, I decided to reach out to a couple of women in the field to ask how they got involved, and what they have done since becoming registered. Teresa Myers, RPLS, Esq., who is based in Dallas, Texas, is a Registered Professional Land Surveyor and a licensed attorney. She is also someone that I have looked up to for many years. As the daughter of an RPLS, Teresa grew up closely watching her father and, during her childhood, helped him in the office as well as in the field. She recalls running blue lines through the old ammonia machines for allowance money at only ten years old. After realizing she had a knack for AutoCAD, she decided to pursue her registration.

When asked about the obstacles she faced in pursuit of a professional career in surveying, she stated the biggest obstacle was being taken seriously by her male counterparts. Eventually her father retired, and she went on to connect with another RPLS who did take her seriously. She became an SIT under his supervision. She produced surveys for his review, and quickly learned more of the ins and outs required of a person in this field; later managing this RPLS’s office. After taking a tax law class, she decided to pursue her attorney’s license, and now practices Real Estate Law in the DFW area. She said, “surveying was a detour, but a good one.”

Trisha Lund, RPLS, a surveyor currently located in Houston, was also gracious enough to allow me to interview her. Trisha’s first taste of surveying came when she accepted a receptionist position at the age of 17 with a small ‘mom and pop’ surveying company in San Antonio. She was taught by the owners to perform research for the company, and quickly took a serious interest in it. After begging to go out into the field, she was finally able to cut her teeth and learn the processes associated with field work. She recalls how she learned the equipment and concepts in the vacant lot next to the survey office.

Asked about the obstacles she faced, Trisha said that none came to mind. She had great support from her bosses, and though the field crews teased her, they never really bothered her after she continued to take her career path seriously. In 2008, after working full time and going to school part time, she finally became registered in Texas.

Both Teresa and Trisha seemed to make the same remark, that support from their bosses helped them succeed. Often, when I ask people in the profession what got them interested, they relay that it was happenstance that helped them discover it, and that they ended up liking what they were doing. As a child of an RPLS myself, I believe that being exposed to this field early gave me an edge on the direction I wanted to take with my own future. Both the support of our colleagues, and the propagation of this industry is vital. With a shortage of surveyors being an imminent problem that the profession faces, we must ask the question of how those in the profession are able to support others interested in the profession in order to bolster numbers and continuing to spread awareness. Professionals in this field can raise awareness by simply being active in their communities and giving opportunities to people who might otherwise never know what land surveying is. Entry level hires, internships, and early awareness programs (perhaps in a trigonometry or geometry class) help open minds to the possibilities presented by this profession.

Trisha’s experience inspired her to give back to the profession by becoming active in TSPS. Since becoming an RPLS, she has been active within the profession and is currently the Vice President of TSPS, chair of the publications committee, and the co-chair of the membership committee. She also sits on the TSPS government affairs and finance committees. Teresa, through her own surveying experience, found a path she might not have pursued had it not been for her exposure to surveying. It became clear that even if this industry isn’t for everyone, there are plenty of opportunities to simply learn what is out there and find something one is truly passionate about. As awareness of the profession grows, and through a supportive network of survey professionals, future generations of surveyors will continue to be of public service to the residents of Texas.

Hollie Swoger, works for Halff Associates, Inc. in Richardson, TX where she performs title research for their surveying department. Swoger recently joined TSPS and is a memben of Chapter 5, Dallas.
Texas Young Surveyors’ Officer Team

Director: Anna Rios

Region Coordinators:
- Stuart Warnock - North (DFW Area)
- Cameron Lowe - East (Houston/Beaumont Area)
- Jose Pedraza - East (Houston/Beaumont Area)
- Richard Neubauer, III - South (San Antonio Area)
- Cole Strevey - Central (Austin/Waco Area)
- Brady Stanford - West (Midland/Odessa/Amarillo Area)
- Bryan Gillis - Coastal (Corpus Christi Area)
- Jerrod Stapleton - Panhandle (Amarillo/Lubbock Area)

Administrative Coordinator: Danielle Pirtle
Social Media Coordinator: Hollie Swoger

2018 State/National Calendar

- Oct 3-6: TSPS Convention, Galveston, TX
- Oct 4: Galveston - Young Surveyor Social, Rum Shack
- Oct 17: 3rd FIG North American YSN Meeting, Maryland
- Oct 18: NSPS YSN Meeting, Maryland

Follow Texas Young Surveyors on social media:
- facebook.com/TexasYoungSurveyors
- twitter.com/TXYoungSurveyor
- linkedin.com/groups/8300367

Business for Sale

BUSINESS FOR SALE: Thirty (30) year old Surveying business in Northeast Texas for sale. Gross Revenue for 2017 was $474,000. Turn Key business includes Office and out buildings (40’ X 30’ Shop and 12’ X 12’ Storage Building) on Two City Lots (County Appraisal District Appraised 2017 $104,868.00), trucks (2013 Ford F-150, 2012 Ford F-150 Extended Cab Four-Wheel Drive, 2004 Ford F-150 (Back-up truck), instruments (3 - Sokkia Total Stations) (1 - Topcon Total Station), 2-Topcon GPS stations (base and rover) with four (4) TDS data collectors, 4 - Four Wheelers and Two 14 foot trailers, 14 Foot Wide and Deep Heavy Gauge Boat with Trailer and 25 Horse Tahotsu Electric Start Outboard Motor, computers, software (Autocad and 2017 Carlson), searchable job database, all office furniture and field supplies. Price $130,000, owner willing to work a minimum of 18 months for transition. Owner Registered in Texas, Arkansas and Oklahoma. (903) 701-0918 or kennethlynch@lynchsurveying.com
TEXAS WE GOT YOUR BACK

HOUSTON
Leica Geosystems
Solutions Center
800-825-3422

DALLAS/FT.WORTH
Geomatic
Resources LLC
817-691-5328

AUSTIN
G4 Spatial
Technologies
512-837-8991

SAN ANTONIO
G4 Spatial
Technologies
210-681-4280
### Attendee Information
(One form per attendee. Please print or type.)

- **First Name**
- **Last Name**
- **Company**
- **Preferred phone #**
- **Address**
- **City**
- **State**
- **Zip**
- **Email**
- **RPLS/SIT#**

### Auxiliary Member Information
(One form per attendee. Please print or type.)

- **First Name**
- **Last Name**
- **Address**
- **City**
- **State**
- **Zip**
- **Preferred Phone #**
- **Email**

### Registration Fees (please check one)

<table>
<thead>
<tr>
<th>Registration Options</th>
<th>Description</th>
<th>TSPS Member</th>
<th>Non-Member</th>
</tr>
</thead>
<tbody>
<tr>
<td>RPLS (Full Registration)</td>
<td>All Educational Sessions and admission to Tech Expo</td>
<td>$310</td>
<td>$510</td>
</tr>
<tr>
<td>RPLS (Friday Only)</td>
<td>Friday Educational Sessions and admission to Tech Expo</td>
<td>$190</td>
<td>$390</td>
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<tr>
<td>RPLS (Saturday Only)</td>
<td>Saturday Educational Sessions and admission to Tech Expo</td>
<td>$270</td>
<td>$470</td>
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<tr>
<td>Paraprofessional</td>
<td>All Educational Sessions and admission to Tech Expo</td>
<td>$170</td>
<td>$270</td>
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<tr>
<td>Paraprofessional (Friday Only)</td>
<td>Educational Sessions and admission to Tech Expo</td>
<td>$120</td>
<td>$220</td>
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<tr>
<td>Paraprofessional (Saturday Only)</td>
<td>Educational Sessions and admission to Tech Expo</td>
<td>$140</td>
<td>$240</td>
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<tr>
<td>Tech Expo Pass</td>
<td>Admission to Tech Expo both Friday and Saturday</td>
<td>$35</td>
<td>$45</td>
</tr>
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#### Events & Educational Sessions

<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
<th>Activity</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wednesday, October 3, 2018</td>
<td>12:15 pm–3:00 pm</td>
<td>TSPS Skeet Shoot</td>
<td>No. of Tickets ________ @ $60 ea</td>
</tr>
<tr>
<td>Friday, October 5, 2018</td>
<td>8:00 am–10:00 am</td>
<td>Millimeter Metrology at UT/NASA's McDonald Geodetic Observatory</td>
<td>2 CEUs</td>
</tr>
<tr>
<td>Friday, October 5, 2018</td>
<td>8:00 am–12:15 pm</td>
<td>2016 ALTA/NSPS Standards (4 CEUs, includes 3 hrs Rules)</td>
<td>4 CEUs</td>
</tr>
<tr>
<td>Friday, October 5, 2018</td>
<td>8:00 am–12:15 pm</td>
<td>Tidial Boundaries, an Overview</td>
<td>4 CEUs</td>
</tr>
<tr>
<td>Friday, October 5, 2018</td>
<td>10:00 am–12:15 pm</td>
<td>Focusing Professional Practice for Tomorrow's Environment</td>
<td>2 CEUs</td>
</tr>
<tr>
<td>Friday, October 5, 2018</td>
<td>10:00 am–12:15 pm</td>
<td>Words Mean Things (2 CEUs, includes 2 hrs Rules)</td>
<td>2 CEUs</td>
</tr>
<tr>
<td>Friday, October 5, 2018</td>
<td>12:30 pm–2:00 pm</td>
<td>TSPS Annual Luncheon</td>
<td>No. of Tickets ________ @ $50 ea</td>
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<tr>
<td>Friday, October 5, 2018</td>
<td>6:30 pm–11:00 pm</td>
<td>TSPS Awards Gala &amp; Dinner</td>
<td>No. of Tickets ________ @ $75 ea</td>
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<tr>
<td>Saturday, October 6, 2018</td>
<td>7:30 am–9:30 am</td>
<td>Sales, Marketing and Business Development (2 CEUs)</td>
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<tr>
<td>Saturday, October 6, 2018</td>
<td>7:30 am–12:00 pm</td>
<td>Parish Line Sequel (4 CEUs, includes 2 hrs Ethics)</td>
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<tr>
<td>Saturday, October 6, 2018</td>
<td>7:30 am–12:00 pm</td>
<td>Coordinates &amp; Geodesy (4 CEUs)</td>
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<td>Saturday, October 6, 2018</td>
<td>7:30 am–5:45 pm</td>
<td>Mock Trial: Harper v. Sunshowser Resort (8 CEUs, includes 3 hrs Ethics)</td>
<td><em>must attend both am &amp; pm sessions</em></td>
</tr>
<tr>
<td>Saturday, October 6, 2018</td>
<td>10:00 am–12:00 pm</td>
<td>Surveying Business Communications (2 CEUs)</td>
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<tr>
<td>Saturday, October 6, 2018</td>
<td>1:30 pm–3:30 pm</td>
<td>Pathway to 2022: The Ongoing Modernization of the U.S. National Reference System (2 CEUs)</td>
<td></td>
</tr>
<tr>
<td>Saturday, October 6, 2018</td>
<td>1:30 pm–3:30 pm</td>
<td>The Natural Hierarchy of Surveying (2 CEUs)</td>
<td></td>
</tr>
<tr>
<td>Saturday, October 6, 2018</td>
<td>1:30 pm–5:45 pm</td>
<td>Error Analysis &amp; Least-Squares (4 CEUs)</td>
<td></td>
</tr>
<tr>
<td>Saturday, October 6, 2018</td>
<td>3:45 pm–5:45 pm</td>
<td>Mr. Ethics (2 CEUs, includes 2 hrs Ethics)</td>
<td></td>
</tr>
<tr>
<td>Saturday, October 6, 2018</td>
<td>3:45 pm–5:45 pm</td>
<td>Moderated Discussion on the Proposed Revisions to the Manual of Practice (2 CEUs, includes 2 hrs Rules)</td>
<td></td>
</tr>
</tbody>
</table>
Auxiliary Events & Registration Fees

- Auxiliary Annual Membership Dues (required to attend Auxiliary Events) $10 = _______
- Auxiliary Convention Registration (includes admission to Tech Expo) $35 = _______
- Thursday, 9:00 am–12:00 pm Community Service Project w/Breakfast # of Tickets ___ @ $20 = _______
- Friday, 9:45 am–3:00 pm A Day in Galveston # of Tickets ___ @ $40 = _______
- Saturday, 11:00 am–3:00 pm Reach for the Stars - Annual Business Meeting & Luncheon # of Tickets ___ @ $45 = _______

Payment Information

- Check #_______  □ VISA  □ MC  □ AMEX  □ DISCOVER
- Card #__________________________
- Exp Date ____________________  CVV __________________
- Name on Card __________________________
- Billing Address ____________________________
- Billing C/S/Z ____________________________

Total from previous page = _______
Auxiliary Total = _______
GRAND TOTAL = _______

Cancellation Policy: Cancellations minus a $50 administrative fee will be made if written request is received by Wednesday, September 19th. No refunds will be made after that date.

Payments made for the TSPS Annual Convention are not deductible as charitable contributions, however, they may be deducted as a trade or business expense. Consult your tax advisor.

Galveston Island!

This year’s convention location of Galveston offers a variety of leisure activities!

- ISLAND ATTRACTIONS
- FISHING
- HISTORIC PLEASURE PIER & MOODY GARDENS PYRAMIDS
- BEACHES
- ISLAND NIGHT LIFE

Download The Mobile Event App Today!
The 2018 TSPS Convention & Tech Expo app is available for download on iTunes and Google Play! Instructions were emailed to convention attendees.

Be in the know at this year’s convention:
- Save your sessions and events to your agenda to view at a glance
- View exhibitor information and booth location
- Connect with other attendees

See who is exhibiting and sponsoring this year's Convention - www.tspso.org/Convention
“Piper Surveying Co., Inc. had been in business for 30 years in 2011 and had always used insurance companies in the Permian Basin for our commercial insurance. The cost continued to rise, and the service was slow. I had known Gina O’Hara and decided to give her a call for a quote from ANCO Insurance before our renewal. Her quote was less and for more coverage and continues to be in 2018. ANCO has always been knowledgeable, responsive and reasonable. I would highly recommend this company.”

J. Stan Piper, RPLS, LSLS
Piper Surveying Co.
Midland, Texas

“I can’t say enough good things about Anco Insurance and Gina O’Hara. Gina and her team routinely go above and beyond what you would expect from an insurance agency. I’m often impressed with how she is an advocate for our company and employees and her extensive knowledge of our industry, which truly compliments the service she provides. Always responsive, easily accessible and focused on providing the very best customer service, she promotes a genuine partnership with our success in mind. We are fortunate to have Gina and Anco Insurance working on our behalf.”

Brad Schubert
ATS Engineers, Inspectors and Surveyors
Austin, Texas
MAGNET Enterprise is a web browser-based environment that simplifies managing field and office data in the cloud. Track assets and communicate with everyone involved on your projects. Login from any browser for live updates. Save time and collaborate during a project.
The software solution that streamlines the workflow for surveyors, contractors, engineers and mapping professionals.

- Web Browser Access
- Live Data Exchange
- Map View of Field Data
- Data Secure Backup
- Chat and Communicate with Others

**ASK US ABOUT MAGNET Enterprise**

MAGNET Enterprise is a web browser-based environment that simplifies managing field and office data in the cloud. Track assets and communicate with everyone involved on your projects. Login from any browser for live updates. Save time and collaborate during a project.

If you’re looking for great deals on equipment then call our experts or stop by one of our many locations and see for yourself what products and services GeoShack has to offer. We have everything you need to get the job done accurately and right the first time.

Don’t forget to ask us about our **GeoShack Advantage** programs – where you can get support, training, and other services along with your equipment purchase.

**We Have Everything You Need!**

If you’re looking for great deals on equipment then call our experts or stop by one of our many locations and see for yourself what products and services GeoShack has to offer. We have everything you need to get the job done accurately and right the first time.

Don’t forget to ask us about our **GeoShack Advantage** programs – where you can get support, training, and other services along with your equipment purchase.
What is personal protective equipment? Why do we need it or use it? Is it required or recommended or is it just optional? Personal protective equipment (PPE) refers to protective clothing, helmets, goggles, or other garments or equipment designed to protect the wearer’s body from injury or infection. The hazards addressed by protective equipment include physical, electrical, heat, chemicals, biohazards, and airborne particulate matter. Protective equipment may be worn for job-related occupational safety and health purposes, as well as for sports and other recreational activities.

Why do we wear or use it? The purpose of PPE is to protect the wearer or user from bodily injury or infection while performing work tasks or even in sport activities. Work tasks are generally associated with the job for which one is expected to show up on a regular basis and perform certain tasks and for which one is paid. You know, like to show up at the office each and every day, to receive instructions on where to go and perform a survey, or to pick up where we left off yesterday and try to finish that survey to deliver it on time. Some of us work in the office most days, some every day, and some almost never unless the weather prevents us from performing our assigned outdoor duties.

Many in the profession of surveying do spend at least some time in the field, even if it is to visit a project location in order to prepare an estimate of the cost of a survey. Work also occurs at home or other places when on our personal time, too. Mowing and trimming the yard, trimming trees, clearing out fences, bailing hay, cutting firewood, performing maintenance on the travel trailer or motor home, and more.

Is PPE required, is it recommended or is it just optional? The answer to this question may be a matter of what one is doing, or where the activity is being performed. Think about a football player not wearing pads or a helmet or a beekeeper not wearing a head net, long sleeves and gloves; the minimum PPE. I can’t imagine the injuries or problems that either of these persons, whether working for pay or doing the job for fun, might encounter.

For some of us it is not so apparent that PPE is required, although I have come to realize that PPE is almost always recommended when working outside or in the field. Even at home? Yes, one should always think about wearing safety glasses, gloves and hearing protection when doing yard work or using noisy equipment or gasoline engine powered tools.

As an example of PPE being recommended but not required, when I first began my working career way, way back in time I worked for a consulting engineering firm that specialized in providing municipal consulting engineering services. When doing a design survey for improving a roadway and redesigning the water, sewer and drainage, we would open the sanitary sewer manholes and drainage junction box lids to measure depth and elevation of the inverts. On one occasion while my crew was opening the lid of a very stubborn sewer manhole, we pried on the lid and it popped out and rolled like a coin in circles. Unfortunately, I was in the way and the heavy lid rolled across one of my toes. I was wearing boots, but not safety toed boots. I thought I was just bruised, but after limping the remainder of the day my boss forced me to go to the emergency room. An x-ray showed that my big toe was cracked by the lid. I had to stay off of it for days so that it would heal. If I had been wearing safety toed boots, my toes would likely have been protected and I would not have been injured or missed work. But they weren’t required.

When I simply show up to perform my daily work in the office, I don’t normally need PPE for that. But I do use a form of PPE on my drive to the office or when I drive just about anywhere during the daytime. I wear sunglasses with polarized lenses to protect my eyes by filtering out the glare and stray light that makes me squint and restricts my vision. When I go to the field my employer requires that I always wear certain PPE if I so much as step out of a vehicle onto any highway right of way (ROW). Period. That rule applies to all employees as well as contracted employees regardless of the work being performed. The PPE we are required to wear when on a ROW, without fail, is a hardhat, protective eyewear (tinted or clear), a specific type of safety shirt that is florescent orange with chartreuse and retro-reflective stripes that is equivalent to an ANSI Class 3 safety vest, long pants and specific types of safety toed, high top shoes or boots; and sunscreen is recommended. If performing certain tasks with our hands then leather, cloth or rubberized gloves are required depending on the task. Contracted employees such as surveyor or engineering consultants who are on the ROW are also required to wear the same PPE with the exception of the shirt. Non-employees are allowed to wear a Class 3 safety vest in place of the shirt.

An ANSI Class 3 safety vest or shirt is for those who must work in the most dangerous places that call for the most visibility, such as around highway traffic. It meets the following requirements- 1240 square inches of safety yellow or safety orange background with 310 square inches of retroreflective striping. When in a vest, it will have sleeves so as to have the
required surface area of the safety orange or safety yellow. Safety toed, high top shoes or boots must meet the requirement of the ASTM F2413-11, 175, C75 safety standard. Eye wear must meet the ANSI/ISEA Z87.1 2015 standards.

I know a number of people who work for survey companies or engineering firms that work in other hazardous conditions or locations and must wear more and/or different PPE. For example, workers, survey crews or others who are required to work in a refinery or chemical plant, a manufacturing facility, a pipeline terminal, an electrical substation, or in a variety of other locations or places might be required to wear protective suits, face shields, air filter masks, self-contained air packs, fall protection and more. In many of these types of locations or places not only is PPE required, but other safety training is often mandatory before gearing up or entering into the facility.

What about the individual or survey crew who is simply performing a typical boundary survey? Do they need PPE? Let’s think about this. Surely, we would wear long pants and boots, at least. For the few minutes that you set up your tripod and instrument in a public street or road ROW do you really need a safety vest (and traffic cones and the second pair of eyes of a flagger), or eye protection or a hardhat. What if you are near an overpass or where rocks could fall? If you are walking in the weeds, tall grass or brush where snakes are likely to be found what about snake leggings? And if you are using a machete or more importantly, a chainsaw, should gloves and Kevlar chaps be worn?

What are the main types of PPE? OSHA lists these major types of PPE along with examples:
• Eyes - safety glasses, goggles
• Faces - face shields
• Heads - hard hats
• Feet - safety shoes
• Hands and arms - gloves
• Bodies - vests
• Hearing - ear plugs, earmuffs

Note that respirators and rubber insulating equipment (gloves, sleeves, blankets, etc.) are also considered PPE. However, because OSHA has specific requirements for them, they are not discussed in this general guide.

How does one know when PPE may be required? OSHA standard 29 CFR 1910.132 requires employers to assess the workplace to determine if hazards are present, or are likely to be present, which necessitate the use of PPE. That means that your employer should assess the daily work situation(s) for you and all workers and come up with a plan to determine what PPE is necessary as well as how it will be used and provided. OSHA as well a number of other sources can be found by simply doing a search on the internet for a subject such as “PPE checklist”.

The following https://www.osha.gov/dte/library/ppe_assessment/ppe_assessment.html, OSHA provides guidance as well as recommendations and a thorough check list for determining when and what types of PPE are required for day to day work.

So, is PPE necessary? As I stated earlier it may be required in many work situations while recommended in others. With any safety program and procedures, this may seem like needless burden to the performance of day to day, familiar routines or work tasks. “I’ve driven a nail in pavement hundreds of times and I’ve never had a metal sliver or a nail fly up and hit me in the face or eyes.” But, complacency brings on unnecessary risk. Safety is not an accident, it takes attentiveness, commitment and persistence. Keeping workers from harm and injury is the ultimate goal of all safety practices and PPE is for that very purpose. By assessing work to determine if PPE is called for, and then by insisting that appropriate PPE be worn properly and at all times when work is performed, we are at far less risk of injury or harm. That is what safety is all about.

Links for additional information:
• OSHA Training and Reference Materials Library
• Personal Protective Equipment (PPE) - OSHA Checklist

Training Materials:
• Assessing the Need for PPE (Discussion) OSHA

Additional Resources:
• Chemical Protective Clothing. OSHA Technical Manual
• Construction, Personal Protective Equipment.
  https://www.osha.gov/SLTC/personalprotectiveequipment/construction.html
• Personal Protective Equipment
  https://www.osha.gov/SLTC/personalprotectiveequipment/index.html
• Personal Protective Equipment [PDF]
  https://www.osha.gov/Publications/osha3151.pdf
• Protective Clothing. National Institute for Occupational Safety and Health
  https://www.cdc.gov/niosh/topics/protclothing/
SURVEY SALES SPECIALIST – AUSTIN & HOUSTON, TX

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 real, effective solutions. You will be responsible for prospecting and identifying potential opportunities and closing high value deals with real, effective solutions.

The successful candidate will possess:

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

Benefits:

• Competitive Salary with commissions, Paid Time Off, Holiday Pay
• Vehicle allowance, Travel expenses covered
• Medical, Dental and Vision Insurance & Employer paid Life Insurance, and Short and Long-term Disability
• 401(k) Retirement plan with company match
• Laptop Computer and Cell Phone

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

MULTIPLE POSITIONS – HOUSTON, TX

BGE, INC.

BGE, Inc., a Texas consulting engineering firm, is seeking Survey Managers and Project Surveyor for our Houston, Texas offices. Candidates must be Registered Professional Land Surveyors with excellent communication skills, project management experience and working knowledge of Civil 3D software. The ideal candidates would have surveying and mapping experience in the areas of land development, site development, public works and transportation/TxDOT.

Survey Manager:

• Estimates, plans and manages surveying aspects of multi-discipline engineering projects.
• Ensures projects are completed within scope, schedule and budget.
• Leads survey teams to ensure project success.
• Seals professional surveying documents.

Project Surveyor:

• Independently evaluate, select, and apply standard surveying techniques, procedures, and criteria, using judgment in making minor adaptations and modifications.
• Plan, schedules conduct, or coordinate detailed phases of the surveying work in a part of a major project or in a total project of moderate scope.
• Seals professional surveying documents.
• Strong Computer Skills, working knowledge of AutoCAD Civil 3D, MicroStation and Microsoft Office

BGE, Inc. is an EOE. We offer a competitive benefit and compensation package, including medical, dental, vision, disability and life insurance, 401K, paid time off, and paid holidays.

Candidates should send resumes to careers@bgeinc.com.

RPLS – AUSTIN, COLLEGE STATION, HOUSTON, SAN ANTONIO, TX

JONES | CARTER

Jones|Carter is an award-winning, full-service civil engineering, planning, surveying, and professional consulting firm assisting public and private sector clients in design, development, implementation, and execution of infrastructure projects. Benefits include fully paid health, life AD&D, and long-term disability insurance with the option for dependent coverage.

This position is available in any of our 7 locations across Texas: Houston, Dallas, Austin, The Woodlands, College Station, Katy, and San Antonio.

Responsibilities:

• The purpose of this position is to lead and perform TxDOT control, design and right-of-way surveys under the direction of the Project Manager.
• Verify the accuracy of survey data including measurements and calculations conducted at survey sites.
• Search legal records, survey records, and land titles to obtain information about property boundaries in areas to be surveyed.
• Calculate heights, depths, relative positions, property lines, and other characteristics of terrain.
MULTIPLE POSITIONS – HOUSTON, TX
GULLETT AND ASSOCIATES, INC.

- RPLS: registered in Texas with pipeline experience. The candidate will be responsible for supervising field and office technicians, reducing field data, preparing scopes of work and pricing competitive proposals, quality assurance and quality control. Proficiency in the use of AutoCAD, Trimble GPS equipment, and Microsoft Office.
- Certified Surveyor in Training (SIT): with the goal of obtaining RPLS license in Texas. Must be proficient in AutoCAD, Trimble GPS, and Microsoft Office. Under the direction of an RPLS, SIT is responsible for performing surveying and surveying related activities. Gullett & Associates, Inc. is an EOE. We offer a competitive benefit and compensation package, including medical, dental, vision, disability and life insurance, 401K, paid time off, and paid holidays. Candidates should send resumes to lrivas@gulonline.com.

MULTIPLE POSITIONS – AUSTIN & SAN ANTONIO, TX
COBBFENDLEY

CobbFendley has openings for positions in both the Austin and San Antonio offices:
- Survey Project Manager (RPLS)
- Survey Technicians
- Party Chiefs
- Instrument Operators

If you are interested in a career with CobbFendley, please submit your resume to truschkewicz@cobbfendley.com or apply at www.cobbfendley.com/careers/.

MULTIPLE POSITIONS – AUSTIN & HOUSTON, TX
CUNNINGHAM ALLEN, INC.

- RPLS (with Texas registration) - Responsibilities include management of survey crews and survey technicians and preparation of survey products. Candidate must have knowledge in boundary, design topographic/tree and construction staking surveys and preparation of metes and bounds descriptions.
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Tyler, Tx. 75703
L. J. (Jose) Stanger, RPLS
President
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