

Chapter News

Volume 5, Issue 2

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Famous Quotations:

- **Aristotle:**
In short, the habits we form from childhood make no small difference, but rather they make all the difference.
- **Ben Franklin:**
Either write something worth reading or do something worth writing.
- **Charles Beard:**
One of the best ways to get yourself a reputation as a dangerous citizen these days is to go about repeating the very phrases which our fathers used in the great struggle for Independence.
- **Andy Rooney:**
Computers make it easier to do a lot of things, but most of the things they make it easier to do don't need to be done.
- **Fred Allen:**
I like long walks, especially when they are taken by people who annoy me.
- **Anonymous:**
Don't learn the tricks of the trade. Learn the trade.
- **Daniele Vare**
Diplomacy is the art of letting someone have your way.

Local Female Surveyor First in Texas History

By Richard L. Worthey (email: rworthey@wortech.com)

Texas Land Commissioner David Dewhurst presented the license of the first female State Land Surveyor in Texas history to Nedra Jo Foster of Silsbee. Dewhurst made the historic presentation June 3rd at the second quarterly board meeting of the Texas Society of Professional Surveyors in Austin.

"At the Land Office we depend on our State Land Surveyors", Dewhurst said.



GLO Commissioner Dewhurst presents Nedra Foster with her LSLs license in Austin. (Photo by Gary Jeffress)

"We're all proud of Ms. Foster and hope she will be the first of many women qualified to survey the boundaries of state lands".

Foster, a native of Welch in Dawson County, has worked for Shine & Associates surveying company in Silsbee since 1981. She studied at Lamar University-Beaumont and Paris Junior College, and published an article in Professional Surveyor covering a National Park Service survey of land for possible inclusion in the Big Thicket National Preserve. She has worked on numerous coastal survey projects and is currently collaborating on a book, "Inland and Coastal Waters of Texas and Their Boundaries".

Local surveyors know Nedra well, as she is active in chapter activities and serves as a Director on the Deep East Texas Chapter No. 6 Board of Directors.

Congratulations and hats off to Nedra on her most recent accomplishment.

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President's Column

By Lequin Hildebrand (email: lequin.hilderbrand@lpcorp.com)

In lieu of a business like article, I thought it might prove interesting and humorous to sketch a portrait of what it is that I do with Louisiana-Pacific. As the Manager of Land and Titles, there is no generic description, so I have put together a diary of a typical day.

6:15 a.m.: Arrive at my office on the days when my office is the starting point. Depending on my destination, I may be on the road as early as 4:00 a. m., heading for the likes of Tullos or Olla, Louisiana.

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President's Column (*"the life and times of a landman"*)

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6:30 a.m.: Begin checking e-mail messages, voice-mail messages and planned business items for the day. Being that our locations I work with are scattered throughout five time zones I am not always available to take calls and messages.

7:30 a.m.: Begin receiving calls for the day. Somebody wants to buy an acre of land because he just bought 6 head of cows and he needs an acre to graze them on. Somebody else can't get to their property because they shot their neighbor's dog and now their neighbor won't let them use the "county" road. Yet another person accidentally cut one of our trees down and it severed their mobile home and they want to know what we are going to do about it.

8:00 a.m.: Other employees begin entering the building. Little Johnny hit a towering homerun last night. My Susie has been invited to participate in the What-A-Burger cheerleading camp. My Wal-Mart stock is now worth a gazillion dollars. Mondays are the worst because you have to hear a weekend's worth of stories.

8:30 a.m.: Quick departmental meeting to plan meetings for the subsequent week. When you meet to plan meetings, you are in trouble. One of our foresters comes in my office, "Lequin, I received your note about going out on the east line of the Arriola Survey and inspecting the proposed KFC well location as surveyed by XYZ Surveyors. Is KFC going to put a well on our east line of the Arriola?" "No Bob, I just wanted to get you out of the office". "Oh. Well, what is it that you want me to do"?

9:00 a.m.: "Mr. Hilderbrand, I hate to call you (I bet you do) but I have a problem. I have tried to hire a surveyor and they are either too busy or they are too expensive. Are they really that busy"? "Yes mam". "What do you think a fair price would be"? "About a gazillion dollars, mam". "How long should it take them to finish that job"? "Depends on whether or not you are at the job site bothering, I mean helping, the crew all day mam". "Well, I know where all the corners and lines are". "Then why do you need a survey"? "So I can build a fence and I want to make sure I get it right on the line". Interpretation: "I want to make sure I put part of my chicken house on my neighbors property". "Can you refer me to a good one"? "A good what, mam"? "Surveyor". "Oh. Well there's ABC, and XYZ, and 123, and Red, White and Blue, and All-American, and A-1." "No, no, no, no, no and no. I have used all those guys and they are no good. They don't put the corners where I want them to". "Well mam, they are held to high standards so to ensure they do the right thing".

10:00 a.m.: Telephone call from one of our many attorneys. We go through a one hour dissertation of one of our legal issues, after which the attorney asks, "Lequin, what do you think"? "Jim, for \$225 an hour I will tell what I think". Of course, I tell what I think and then end up doing all the work, all for about \$7.13 per hour.

11:00 a.m.: Telephone call from our environmental group. They are in Portland and we are working on environmental disclosures

for a multi-million dollar sale. "Are there any consequential issues to any of the properties"? "Well, there's the busted pipeline on Catahoula Lake". "Has it killed any timber or vegetation"? "Nothing has been able to grow there since dirt was created". "No kill, no problem". "Then there's the pile of old refrigerators and freezers". "No problem, we'll label that household dumping". "I guess that only leaves the huge mound of disposable diapers". "WHAT! We can't have that. We'll have to fly down there and take a look at this".

11:30 a.m.: My computer messes up. For some reason it has been reconfigured to the international and internal settings of our Vancouver, Washington server. I call our LP Information Technology Help Desk. After being on hold for 45 minutes and pressing 1 or 2 eighteen different times, I am assigned Case number 0000000000000077256. Boy, either they are fearful of running out of numbers or they anticipate a lot of case assignments. Three days later Mike from the Help Desk will call to ask me to walk him through the problem. He too is logged onto my computer at the same time that I am so we walk through the issue together. After seeing the problem he says, "Boy Lequin, that doesn't sound right". "Duhhhh".

12:45 p.m.: Richard Worthey calls and wants me to fly to Austin with him. "Richard, I'm sure I will be having sinus problems that day and I just can't fly when I have sinus problems. Maybe next time". Of course, "next time" is why voice-mail and answering

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machines were invented. "Gee, I'm sorry Richard, I didn't get your message".

Editor's Note:

By now you've noticed that this month's column is long winded. It can never be said that our President is at a loss for words. However, in his defense, he actually supplied me with two different columns for this issue. A short one (read: uninteresting) and this one (read: interesting). It was my opinion that our readers would find this one more interesting and a good read during their morning private ritual (if you know what I mean).

He also says that it is all true. We will leave that up to you, the reader, to decide. Ed.

1:12 p.m.: Everyone returns from lunch and the whole place wreaks of The Big Thicket Buffet. Of course they left at 11:45 because they had to beat the train. They are also 12 minutes late because of the train.

1:15 p.m.: Telephone rings. "Mr. Hilderbrand, are you in the land management department?" "Sir, I am the land management department". "Good, I have a problem. (Don't we all) My grandfather died about 32 years ago (Oh brother, here we go again). He owned about 16 acres in the middle of your 4,200 acre block out past that little store". "What little store?" "The one next to your property". "Oh, okay. Why didn't you say so. (Of course, we only have 902,000 acres with a little store at every corner) What can I do for you, Mr. (?), I'm sorry, I didn't catch the name". "That's because I didn't give it to you. My grandfather had this here 16 acres and we found the deed last weekend. We want to start using the land but we can't get through

your gates. What can we do?" "Well, sir, you might can lease some of it from us. We bought your grandfathers property about 40 years ago". "How can that be. We still have the deed. I'm looking at it. How much did you pay for it". "\$125 per acre". "You stole it. That's nothing but stealing". "Sir, 40 years ago swamp land wasn't worth the \$125 per acre rate we paid but we wanted to buy, so we paid \$125 per acre".

2:30 p.m.: Telephone call from Newton County District Attorney. "Mr. Hilderbrand, are you ready to testify in tomorrow's criminal case"? "Yes sir". "Good, we're going to nail that #S%@^!. What time can you be here so we can start going over our case"? (Now wait a minute. It's a criminal case. They are looking to hang someone and they haven't even begun going over the case. Oh boy!)

2:45 p.m.: Telephone rings. "Mr. Hilderbrand, I'm George Jones...". "And I'm Merle Haggard". "Seriously sir, my name is George Jones and I am with the Louisiana Professional Engineering and Land Surveying Board. We have received a formal complaint filed against a Louisiana surveyor by a neighboring landowner to LP. I understand you are familiar with these folks and the problems associated therewith". "Yes sir. The neighbor is upset because "that man" [the surveyor] got on my property. One leg of his tripod, while he was set up on a concrete monument was situated on the neighbor's property. He did not cut any trees, only weeds and brush. He was not surveying the neighbor's 5.0 acre tract, he was merely backsighting one of our corners that is common with the neighbors 5.0 acre tract. The surveyor was drinking, but not on the job. It was after work and he was

in the local pub. Of course, he threatened the neighbor but only after the neighbor ran into the pub and hit the surveyor over the head with his purse. At least he took off his shower cap before he left his house". Needless to say, case closed.

3:30 p.m.: Travel to Tyler County to visit with unhappy neighbors. Before sitting on the sofa, I have to remove a small pig, one guinea and two laying hens. I also notice a gun hanging over every door in the house. I am offered a slice of cake and a glass of Kool-Aid, which I gladly accept. Then the shouting begins, they take back the cake and Kool-Aid, and we scream and shout some more. Of course, they have all watched L.A. Law for 15 years so they are so much smarter than I. At 4:30 we hug, shake hands and I am on my way back to the office. "Come back every chance you get Mr. Hilderbrand". (Yeah, right)

4:30 p.m.: Call our Washington DC lawyers to discuss our federal cases before they leave for the day. Of course, all I get is their voice-mail greeting. After all it is 5:30 their time and we can't expect too much out of them. I call our Seattle and Portland offices and, of course, they are on afternoon breaks. These time zones are killers. Most people are leaving the building so don't step into the hallway or stand in front of the door. It will mean certain death by the stampeding herds.

6:00 p.m.: Telephone rings. It's Portland. "Boy Lequin, you work too much but we sure are glad you're there". (I bet you are) "Look Lequin, we were wondering (oh oh), why do we need to continue with our case that is now in the U.S. Federal Court of Claims"? "Well, other than the principle of

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TSPS Board Report

By Richard L. Worthey, Chapter Representative

The Texas Society of Professional Surveyors held the 2nd Quarter Board of Directors Meeting, June 3rd, in Austin. Prior to the board meeting, Texas Land Commissioner David Dewhurst spoke to members at the Chapter President's brunch. He spoke on the GLO's Adopt-A-Map program and gave his personal appreciation for the active role surveyors and TSPS have taken in the program. TSPS members have contributed approximately \$12,000 dollars to the program so far. He also presented Nedra Jo Foster with her LSLS license (see cover story).

The board meeting followed at 1:00 p.m. Steve Hester, President of the Texas Land Title Association, spoke to the board and the members present about the status of proposed Insurance Commission rule change that would be very detrimental to the public and the surveying profession.

The Title Underwriters of Texas wants the commission to enact a rule that would permit them to charge a premium for a policy that insures buyers on matters of survey. This rule would allow the insurer to accept a seller's affidavit in lieu of requiring a survey to delete the areas and boundaries exception in the title policy. In essence, the seller's affidavit would state that there have been no changes to the property since the previous survey. The seller would have to provide a copy of the previous survey that could be up to seven years old.

Even though this could infringe on the surveyor's copyrights, the title insurance industry seems de-

termined to proceed and allow the courts to decide if a surveyor brings a suit. TSPS met to discuss this issue with the Title Underwriters who were unmoved.

We also received word that Stewart Title has sent a memo to all its offices advising them that, at their individual discretion, to begin issuing title policies without a current survey. This includes both residential as well as commercial tracts up to \$5,000,000 in value. It appears that Stewart Title is launching a preemptive strike at surveyors since they know TSPS is mounting a formidable opposition campaign.

TLTA is in agreement with TSPS that this is a bad rule and will join TSPS to fight the proposed rule. TSPS will pursue discussions with the real estate industry, mortgage lending industry and Insurance Commission staff to oppose this issue. The board voted to spend up to \$40,000 to hire legal experts to assist in this fight.

Highlights of other matters brought to the board include:

TSPS Legal Counsel

Mark Hanna has issued an update to "Texas Land Surveying - A Compendium of State Laws". The update has been mailed out to all those who responded to the recent notice of the revision. For more information, contact the TSPS office.

Society Affairs Division

Governmental Affairs - is focusing on the upcoming sunset commission and the Act that is set to

expire September 1, 2003.

Education Division

Education - this committee continues to work on the development and implementation of an updated curriculum for professional seminars, paraprofessional seminars and certification, professional specialty certification and development of a pool of instructors. This committee is one of the hardest working groups with a very large responsibility and goal.

Technician Certification - reported that major changes are planned for this program including reducing the number of certification categories from 11 to 4. This would bring the program more in line with that of NSPS.

The criteria for each category is being revised as well with the intent to transfer more of the responsibility for testing and review to the local chapters. In light of these changes, further testing for this year has been suspended.

Liaison Division

Registration and Practices/TBPLS - reported that there are 48 LSLS of which 28 are over retirement age. Also reported that the board is discussing future rules regarding GIS/LIS and has issued a draft of proposed rules.

Geographic Information Systems - this committee is working to develop a position paper on GIS for TSPS in light of the nationwide debate on surveyor's oversight of GIS.

Oil and Gas - has established a line of communication with the

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TSPS Board Report

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Texas Railroad Commission as well as the Texas Independent Producers and Royalty Owners Association. They are working on strengthening the current plating requirements on well permits.

Real Estate - contacts have been made and a line of communication is being established with the Texas Association of Realtors to work together on legislative issues affecting both of our associations.

ACSM/NSPS - Jerry Goodson reported that ACSM has finally sold its office building. This is a major accomplishment as it was a financial yoke on the organization that needed to be shed. The organization is slowing making progress and TSPS continues to monitor the situation.

Texas Mapping Advisory - the Texas Geographic Information Council has issued a draft of Geographic Information Standards and Guidelines for Texas. These guidelines can be viewed online at www.tgic.state.tx.us/standards/existing-standards.htm.

Membership Division

Membership - membership numbers remain steady in spite of recent announcement of dues increases.

After the meeting, the annual Ray Wisdom BBQ and auction was held at the Zilker clubhouse in Austin. Proceeds of the auction go towards the Texas Surveyors Foundation, Inc. scholarship fund. Any of you who have never attended this function, have really missed something that is a lot of fun.

President's Column Continued

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the matter, or the fifth amendment violation, or the \$1.2 MM in damages we have suffered, or the dangerous precedent this might set, or the loss of 430 acres of timberland, or the loss of many points of access we now enjoy, I can't think of a thing". "Then why should we continue"? "For \$225 per hour I will tell you why we should continue".

6:45 p.m.: Depart for home. Cell phone rings; it's the wife. "Where are you"? "I'm in Beaumont at Dreamstreet, where do you think I'm at"? There's no place to be "at" between Silsbee and Magnolia Springs.

10:15 p.m.: Telephone rings. A lawyer friend of mine. "Hey ole buddy. What's going on? Hey, I didn't call too late did I? Hey, I need some help". Here we go again. "I just realized you're on the witness list for tomorrow in the Newton County criminal hearing. What can you tell me about the case"? I don't know whom I am more impressed with, the prosecution, who will be putting

their case together just moments prior to the hearing, or the defense, who is at least starting a few hours earlier. "Hey, I'm just trying to keep my #\$\$@%!* & client from going to jail so I need all the help I can". "Bill, for 40% of your defense fee, I will be glad to help you".

11:30 p.m.: Finally roll into bed where "BoBo" rolls over and begins licking, nudging, squirming and wanting to play. "BoBo" is my little Yorkshire Terrier. At least somebody loves me.

Boy, I LOVE MY JOB!



Chapter President Lequin Hilderbrandt presiding.

Scholarship Awarded to Local Surveyor

The Chapter awarded its first scholarship to a local chapter member to attend the Technicians Short Course.

Jack Meaut with the local firm of Carroll and Blackman, Inc. received the \$500 scholarship to attend the upcoming Advanced Surveying Course at Texas A&M in Corpus Christi. The course is a week long 44 hour course covering advanced surveying topics.

Any current chapter member who wishes to apply for a \$500 scholar-

ship to attend the next short course, may send a letter of request to:

Lequin Hilderbrand
Manager - Land & Titles
Louisiana-Pacific Corp
E-Mail: Lequin.
Hilderbrand@LPCorp.com

The letter should list your current membership status, employment status, and work history along with planned career goals. Deadline for submission is November 31, 2000.

TEXAS SOCIETY OF PROFESSIONAL SURVEYORS -
DEEP EAST TEXAS CHAPTER NO. 6

P.O. Box 20815
Beaumont, Texas 77720

Phone: 409-866-9769
Fax: 409-866-7075
Email: surveyor@tsps-6.org



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www.tsps-6.org

Calendar of Events

June 29; Chapter Board Meeting

To be held at China Border Restaurant in Beaumont. Lunch meeting begins at 11:45 AM.

July 13; Chapter Quarterly Meeting

To be held at Hoffbrau Restaurant in Beaumont. Meeting begins at 6:00 PM.

July 23-28; SURVEYING II

Advanced Short Course to be held at Texas A&M Corpus Christi.

August 4-5; TSPS Board Meeting

Omni Southpark - Austin, Texas

August 10; Chapter Board Meeting

To be held at J&J Steakhouse in Beaumont. Lunch meeting begins at 11:30 AM.

September 1; Election of Chapter Officers

Election of officers for 2001. Ballots mailed out to members August 15th. Must be received by September 1st. New officers to be announced in September newsletter.

September 18; Chapter Annual Meeting

Location to be announced. Social begins at 6:00 PM. Meeting begins at 6:30 PM.

October 7; Annual Chapter Sporting Clays Shooting Event

To be held at the 100-in-1 Gun Club on Hwy. 421 in Lumberton. *Details to be Announced.*

October 18-21; TSPS Annual Convention

Austin, Texas

December 7; Chapter Board of Directors Meeting

Details to be Announced.

Minutes of Meeting

The Chapter held a joint meeting with East Texas Chapter No. 8, May 27th at the Catfish Cabin in Jasper. Twenty members and guests were on hand to hear TSPS President Pat Smith of Austin speak. Good food and a great time of fellowship with East Texas surveyors was had by all.

The Chapter Board of Director met March 9th at the Red Onion in Lumberton. The Board voted to spend \$500 on the GLO Adopt-a-map program. The Board also approved scheduling a seminar in August by James Noble Johnson. Other action taken by the Board included the awarding of a \$500 scholarship to Jack Meaut to attend the Advanced Surveying Course in Corpus Christi. The Board voted to limit the commemorative Spindletop brass disks to a maximum 1000 and authorized the purchase of additional supply of disks.