

Northeast Chapter of the
Wisconsin Society of Land Surveyors

RECORDED AS

Northeast Chapter Meeting

Thursday April 8th, 2010

Millhome Supper Club, Kiel, WI



Don't forget to pay your 2010 dues
This will be the last newsletter if dues are not paid

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2010 TENTATIVE MEETING

SCHEDULE & LOCATION

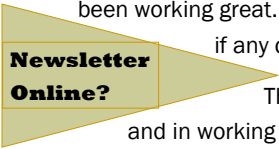
- January 21st, 2010
Regular meeting - Green Bay
The Ravine
- February 18th, 2010
Board of Directors - Denmark
Suster's
- April 8th, 2010
Regular meeting - Kiel
Millhome Supper Club
- May 13th, 2010
Board of Directors - Appleton
Good Company
- July 15th, 2010
Regular meeting - New Franken
Royal Scot Golf Course
- August 5th, 2010
Board of Directors - Manitowoc
Twin Fountains
- October 7th, 2010
Regular meeting - Appleton
Michiels (Fox Banquets)
- November 11th, 2010
Board of Directors - Howard
Townline
- January 20th, 2011
Regular meeting - DePere
Swan Club

Chapter newsletter online update.....

the electronic version of the newsletter has been working great. Please let me know if any questions arise. The Website is up and in working order. Currently we have 80% of our members receiving the newsletter by e-mail . If you would like to sign up for the electronic newsletter email me at jme-neau@mach-iv.com

Visit us at - www.wsls-nec.org

Jeff Meneau - Newsletter Editor



2010 Chapter Representatives

President - Dale Raisleger—920-662-2173
 President Elect - Terry Van Hout—920-496-0500
 Director - Jeff Meneau—920-569-5765
 Past President - Jim Westerman 920-662-9641
 Secretary\Treasurer - Tom Leslie - 920-448-4495
 Newsletter Editor - Jeff Meneau

Auditing

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 alulloff@aerometeric.com
 (457-3631)

Mike Kaczmarzyk
 Tom Giese

Ethics & Practices

Ch: Tom Leslie
 leslie_tl@co.brown.wi.us
 (448-4495)

Terry Van Hout
 Tom Giese
 Bryan Pfeffer
 Brad Nelson

Land Records

Ch: Ryan Duckart
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 (406-3119)

Legislative

Ch: Ed Harvey
 harveelh@co.sheboygan.wi.us
 (459-3822)

Nominating

Ch: Bob Reider
 bob_r@carowlandsurveying.com
 (731-4168)
 Joel Wald

Program

Ch: Terry Vanhout
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 (496-0500)

Public Relations

Ch: Rob Clark
 Robert.Clark@Graef-usa.com
 (592-9440)

Scott De Baker
 Aaron Ballast

Scholarship

Ch: Tom Wood
 twood@harrisinc.net
 (733-8377)

Tom Leslie

Tom Giese

Jim Sehloff

Membership

Ch: Jim Sehloff
 jim@davelengineering.com
 (991-1866)

Scott De Baker

Joel Wald

Photographer

Lisa Van Horn
 (360-1812)

Student Chapter

Ch: Bob Rinfret
 R_baers@hotmail.com
 (740-407-2113)

Scott Van Calster

Trig Star

Ch: Jim Westerman
 jwesterman@releeinc.com
 (662-9641)

Rob Clark

CST Committee

Ch: Troy Hewitt
 thewitt@releeinc.com
 (662-9641)

Jim Westerman

Bryan Pfeffer

Webmaster

Ch: Scott De Baker
 sdebaker@releeinc.com
 (662-9641)

Seminar

Ch: Scott De Baker
 sdebaker@releeinc.com
 (662-9641)

Tom Leslie

Chris Cleary

Gary Zahringer

2010 WSLs OFFICERS:

- John Baudhuin - (Northeast Chapter Rep.)
- Jim Wallen - (Past-President)

2010

APPLICATION FOR MEMBERSHIP

Return To:

Tom Leslie
166 Apple Tree Court
Green Bay, WI 54302

Name: _____ Registration Number _____

Mailing Address: _____

Phone Number (work) _____ (Home) _____

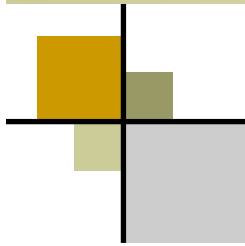
(Fax) _____ (E-mail) _____

Signature: _____ Date _____

Membership Dues:

- Professional Member:** Any person currently registered as a Land Surveyor
 \$40.00 in the State of Wisconsin.
- Affiliate Member:** Any person not registered, who is interested in Land Surveying.
 \$20.00
- Life Member** Any person having reached the age of 65, retired
 No dues from practice, having been a member for two years prior to the date of retirement, having been recommended by a member and application approved by the Board of Directors.
- Student Member** Any person currently enrolled in a surveying curriculum.
 \$10.00
- Sustaining Member** Any commercial or professional institution or individuals interested or affiliated with the surveying profession.
 - \$80.00 _____ Membership includes a display of their business card in Quarterly newsletter.
 - \$120.00 _____ Membership includes a full page ad and display of their business card in quarterly newsletter.

MAKE CHECKS PAYABLE TO: "THE NORTHEAST CHAPTER OF WSLS"



PRESIDENTS MESSAGE:

Wow! It looks like spring has sprung! March is supposed to come in like a lion and out like a lamb. Instead it came in like a lamb and with temperatures approaching 70° it is going out like a cheetah. I only hope that April doesn't turn out cold and wet like March usually is.

How's everyone's March Madness bracket doing? I'm assuming that no one is still in the running for the \$9 million cash prize for correctly picking all the games to this point. You've got to love the unpredictability of the tournament from year to year. It is always nice to root for the underdog, unless they going up against your team. Hopefully the unpredictability with our economy will soon turn around so we can get all of our surveyors working again.

I'm hoping that the large turnout for the January meeting was not an anomaly. Please try to attend all of the quarterly meetings. It makes for a great meeting if a large group of members show up and actively participates with ideas and discussions. Please contact me at Raisleger_DE@co.brown.wi.us if you have an issue that you'd like to address at the meeting.

Unfortunately our scheduled speaker on Archeological Digs had some unexpected surgery and will not be able to attend. Hopefully we can reschedule him in the future as I believe that the topic is an interesting one.

On a personal note, I'd like to thank all of the members of the Northeast Chapter for their thoughts and prayers on the recent death of my father. Knowing that you have the support of family, friends and members of the great organization make dealing with this difficult time seem to go by just a little bit easier.

I look forward to seeing everyone at the April meeting.

Dale Raisleger

Chapter President

The Thursday, April 8th 2010 meeting of the Northeast Chapter of the Wisconsin Society of Land Surveyors:

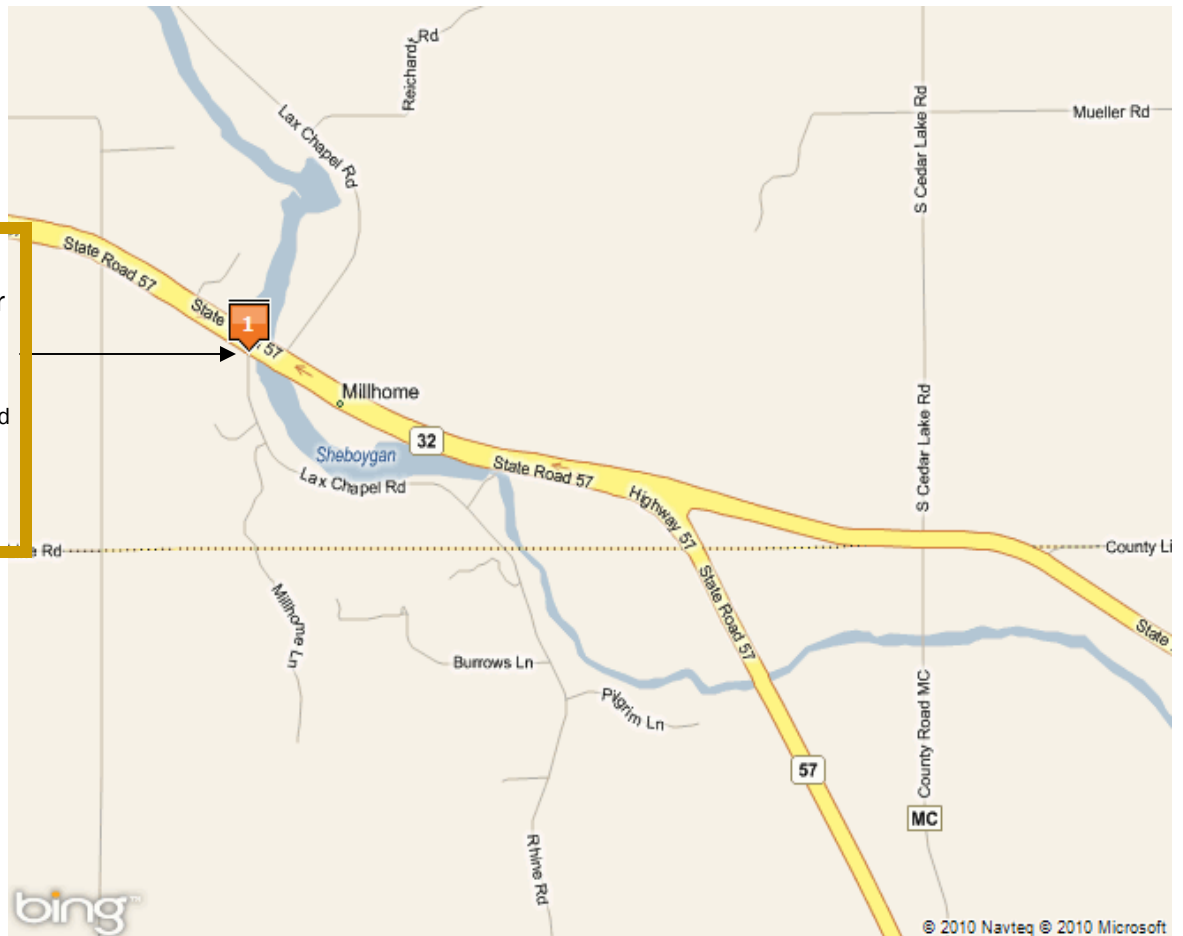
Millhome Supper Club
16524 Lax Chapel Road
Kiel, WI

Attitude adjustment is at 6:00 pm and Dinner is at 6:45 pm Dinner will cost \$15.00

If you plan on attending the meeting please RSVP so we can get an accurate count for the meal.

Tom Leslie Secretary\Treasurer (920)448-4495 or Dale Raisleger - President- 920-662-2173

Millhome Supper
Club
16254 Lax Chapel Rd
Kiel, WI



**2010 WINTER
General Membership Meeting
Northeast Chapter of WSLs**

The 2010 Fall General Meeting was held on January 21, 2010 at The Ravine in Green Bay, WI. There were **64** members present, including 9 students and 3 special guests, when Jim Westerman introduced:

SPECIAL PRESENTATION

Gary Heinrichs: “Living in the Floodplain” and what you need to know”

Gary spoke of the various FEMA forms, rules & regulations regarding floodways/fringes/plains including:

- ~ FIRM
- ~ LODR
- ~ LOMA
- ~ LOMC
- ~ LOMR & LOMR-F

National Flood Insurance Program was also discussed, including:

- ~ Applicability
- ~ Contents coverage is not automatic
- ~ Basements are limited to mechanicals
- ~ Groundwater/sewer back up is not covered, although it can be a rider
- ~ Emphasis is usually on building coverage
- ~ Use old rates before the new FIRM maps are used

Bill Bosiacki and Matt Heyroth from Brown County Zoning also presented; topics included:

- ~ How the new FIRM maps relate to the area and how revisions are handled
- ~ Trout Creek area where, in some places, the new maps have up to 6 ft difference from the old maps – was there a bust in the old maps?
- ~ The wave run-up problem on the bay
- ~ Brown County will have a LIDAR flight this spring, shot with 2 ft contours

Jim Westerman thanked all 3 presenters, Gary Heinrichs, Bill Bosiacki & Matt Heyroth for their very informative presentations

Jim Westerman called the General Meeting to order at 8:50 pm

A motion was *made, seconded and approved* to accept the General Meeting minutes of October 8, 2009.

A motion was *made, seconded and approved* to accept the Treasurer’s Report as presented in the January 2010 Newsletter.

The following reports were given:

Newsletter Editors Report (Jeff Meneau)

- Mailings are going well

WSLS Report (John Baudhuin)

- Last meeting was on December 5, 2009 at the Kalahari Resort in Lake Delton, WI
- Institute brochures are available online
- CST Testing will be held at the Institute. Mailings were sent out. Committee is looking for exam proctors for the exam
- Scholarship winners are selected as well as the Paper Writing contest
- AB-271 has passed the Assembly. It now goes to public hearing in the Senate of Economic Development
- Bruce Bowden was nominated a candidate for President-Elect and Kevin Slottke was nominated for At-large Director
- Dan Birrenkott is looking for more Bucky’s Challenge teams and shirt sponsors
- Discussed ways to increase funding for Remonumentation
- Reviewed a proposal from the same firm that handles scanning for IPLSA. It was decided that it should be done locally, with a number of options mentioned
- Fellow Membership requirements and perks were discussed. All Past Presidents, Allen Schneider and Bob Beilfuss became Fellow Members
- Jim Wallen spoke about the positive effect continuing education is having on Institute attendance. 36 vendors are set; DRL will be there on Thursday so bring your questions; No scanning or stamping this year – there will be a form

Auditing Committee (Tom Giese)

- Tom Giese reported that Sec/Treas Tom Leslie turned over the books for checking. A report will be ready by next Board Mtg

CST Committee (Troy Hewitt)

- There are 103 CSTs in the State, with 37 not active (no paid dues)

- CST testing will be held at the Institute

Ethics and Practices (Tom Leslie)

- Nothing received or requested

Land Records (Pat Ford)

- LZ Lambeau, May 21-23 @ Lambeau Field is an effort to thank Vietnam Vets for their services. An outline of the area (Laos, Vietnam, etc) will be drawn on the parking lot - that way people can find a place on the map where they once were, etc. They need a 100 ft grid to help layout the map, kind of like the Corn Maze years ago. *CAN WE HELP??*

Legislative (Ed Harvey)

- Jim Wallen reported that AB 271 is thru Assembly
- AB 647 is proposing condo-ing a condo, by dividing it into weeks or days at a time
- Wisconsin Builders Association has in discussion proposed changes to Chapter 236
- Flat Fee rates proposed at \$25 w/ another \$5 for redacting Social Security numbers
- LLO has been restructured to a Council of 7 members – we need to get a Surveyor in there – every County!

Membership (Jim Sehloff)

- Membership counts as of January 10, 2010:
 - 6 - Professional
 - 1 - Affiliate
 - 27 - Student
 - 0 - Sustaining
 - 14 - Lifetime
 - 48 Total

Nominating Committee (Bob Reider)

- No report at this time

Program Committee (Terry Van Hout)

- “Thank You” to Gary, Matt @ Bill for their excellent presentations
- PDHs cannot be given for this presentation because it happens before Feb. 1, 2010, the start of the next 2 year Continuing Education required licensing period
- Should we have an Archeologist come and speak for our group? Terry will check to see if there is a charge or fee for the presentation and report back

Public Relations (Lisa Van Horn)

- National Railroad Museum “Day in the Life” is coming up April 20 for 3 days, with 1200-1500 students going thru during the event. VOLUNTEERS NEEDED! NWTC Student Club has volunteered to help out
- Door County has asked us to continue our surveyor display in their museum
- May 8, the Bay Lakes Boy Scouts will be holding a camp where scouts can obtain their surveying badge. They need surveyors!!! Please contact Tom Halverson if you can volunteer your time, knowledge and equipment

Scholarship Committee (Tom Wood)

- The **2010 Northeast Chapter Scholarship** was awarded to **Kristin Bertrand** from Northeast Wisconsin Technical College
- The **2010 Don Rhode Leadership Scholarship** was awarded to **Scott Van Calster** from Northeast Wisconsin Technical College

CONGRATULATIONS!!

Seminar Committee (Gary Zahringer)

- April 16th, 2010. Prices should be comparable to last year
- Bush Nielson has cancelled. Jesse Ishikawa has graciously accepted to fill the afternoon slot of the seminar

Student Representative (Scott VanCalster)

- Thank you for moving the date of the meeting to a week later
- NWTC Civil Club will help in counting inventory of museum pieces currently held at Mau’s Office
- “Thanks!” to Les Van Horn for his December presentation on Old Fort Howard
- February 18th starts Engineering Week at NWTC

Trig Star (Tom Wood)

- VOLUNTEERS are needed!! Now is the time to initiate your contact with prospective schools
- Raffle raised \$140 with 25% going to the winner, Cormac McInnis - CONGRATS!

Old Business

- Student & Lifetime Members introduced themselves WELCOME!!

- Continuing Education starts February 1, 2010
- Please contact Scott De Baker if you have anything you want shown or added to the website

New Business

- Institute is February 2-4, 2010 at Kalahari Resort in Lake Delton, WI
- Foundation donation was discussed. Should we make Bucky's Challenge fee a part of our annual \$1000 donation? Arguments were heard on both sides, with most agreeing that we are part of WSLs and should continue to show our support of their numerous activities, which resulted in a *motion being made, seconded and passed to continue the Chapter's \$1000 donation separate from Bucky's Challenge fee*
- A letter from Bob Reider was handed out. It concerned Letters of Concurrence from the DNR. His hand out raised some concerns as to how these are handled and how that relates to clients. He suggested copying the letter and having members send it to DNR people as an example of misuse and abuse of rules
- "Thank You" to all those who donated Student Meals in 2009. A list will be published in the next newsletter
- New BLM books will be available to WSLs members for \$100 – orders will be taken at the Institute
- Unlicensed practice in Burnett County has finally been handled. Thanks to Jason at the County for his tenacious efforts in having a cease and desist order issued for a problem surveyor in his County
- Brown County GIS server has been updated so everything should be much faster
- It was noted that Valley Surveying Instrument will no longer be sponsoring a free meal at the General meetings
- 2010 Elections were held with the following results:

President – Dale Raisleger
President Elect – Terry Van Hout
Director – Jeff Meneau
Secretary/Treasurer – Tom Leslie

- A BIG "Thank You" to Gary Zahringer for his 4 years of invaluable service on the NE Chapter Board
- Jim Westerman hands over the Presidential gavel to Dale Raisleger who in turn presents Jim Westerman with a Past President plaque for his service
- Dale thanked the large crowd and encouraged continued attendance of meetings. He also

requested more "Here's my problem" or "Here's what I ran into" kind of presentations, as they seem to really get the audience going and gets them involved. He also asked for more, different volunteers for the committee sign up sheets located at the back of the room. GET INVOLVED & VOLUNTEER!!!

Chapter Free Meal: Pat Ford (donated to Student Meals)

Being no further business, a motion was *made, seconded and passed* to adjourn 10:03 PM.

Respectively Submitted,

Thomas Leslie
Secretary/Treasurer

HONORING PLATTED EASEMENTS

By Jim Logan, PLS

There is considerable confusion about surveyor's responsibility regarding easements and restrictions on plats. The purpose of this article is to explain the surveyors roll in creating, depicting and releasing platted easements. Included is a list of some of the relevant statutes.

Easement discussions are problematic because of the variety of definitions. Simply, an easement is a non-possessory interest to use real property in possession of another person for a stated purpose. Prescriptive, implied, express grants and reservations are some of the forms easements take. Restrictions may be broadly defined to include conditional statements, covenants, reservations and easements. The subject at hand is easements and restrictions created by notations and depictions on plats.

How Created

Section 236.293 of the Wisconsin Statutes (as follows) is critical to this discussion. It is clear that any restriction placed on a plat is a guarantee that a recorded plat has the authority to create easements and restrictions. It also allows for the assignment and enforcement of easements as well as providing guidance as to how to release these easements and restrictions.

The surveyor documents easements and restrictions by drafting them on the plat where the client and government authorities and others request or require them. These can come from county planning agencies, municipal authorities, utility companies and the Department of Transportation to name a few.

Once approved and recorded the beneficiaries of each and every restriction or easement has the right to use and enforce these easements. These remain until such time as they are properly released in writing.

The recorded the plat acts as the documentation of an agreement between the owners, developers, municipalities, counties, utilities, and the general public. When purchased in reference to a plat a purchaser is subject to and may benefit from the restrictions and easements depicted on the plat.

Problems

Care should be taken to clearly state the 4 W's: Who is the beneficiary? Who does have the right of enforcement? Where is it? If intended to be temporary, how and who should be responsible for releasing it?

Case 1

For instance, say a 6' utility easement appeared along the exterior boundaries of all lots within a plat, a purchaser of adjacent lots wishes to build across lot lines. There are building setback restrictions noted on the plat. He records a one lot Certified Survey Map that does not show the 6' easements. When he attempts to obtain a building permit he is denied. It is determined that the easements and building setback still exist since no documentation can be found releasing the easements and restrictions of record *in writing*.

Now what? In order to proceed, he must obtain a written release from any and all parties to the interested in the easements and setbacks. This could include any utility provider in the area. It also must include the municipality for the setback restriction as well as the utility easement.

Case 2

An owner purchases a platted lot and hires an architect to design his house. The designer obtains a copy of the plat and lays out the home to precisely fit the buildable area as near as possible in compliance with zoning code. Permits are obtained, a surveyor lays it out according to the plan and construction begins. It is then discovered that the building setback on the plat is greater than the zoning requirements. Construction is halted. Lost are time, money and patience.

An ambiguity exists that must be resolved. A restriction release may be obtained in writing from the municipality if they agree.

Suggestions

It is highly recommended that once releases are obtained, they become part of the public record. One way to do this is by recording a correction instrument per s. 236.02(2m) & s. 236.295.

When drafting Plats or CSM, easements should be defined as well as possible. This can be accomplished either by noting the authorities, beneficiaries, limitations, terms, conditions and responsibilities on the map or by a clear notation referencing a recorded document on the plat or CSM.

Surveyors must honor any easements or restrictions of record by including them on maps and referring to supporting documentation.

Releases

In the future, I hope to discuss the process of releasing these easements of record in compliance with s.236 and the importance of including the proper authorities in the process. I welcome feedback or discussion regarding these issues.

236.28 Description of lots in recorded plat.

When a subdivision plat has been recorded in accordance with s. 236.25, the lots in that plat shall be described by the name of the plat and the lot and block in the plat for all purposes, including those of assessment, taxation, devise, descent and conveyance as defined in s. 706.01 (4).

Any conveyance containing such a description shall be construed to convey to the grantee all portions of vacated streets and alleys abutting such lots and belonging to the grantor unless the grantor by appropriate language indicates an intention to reserve or except them from the conveyance.

236.29 Dedications. (1) EFFECT OF RECORDING ON DEDICATIONS.

When any plat is certified, signed, acknowledged and recorded as prescribed in this chapter, every donation or grant to the public or any person, society or corporation marked or noted as such on said plat shall be deemed a sufficient conveyance to vest the fee simple of all parcels of land so marked or noted, and shall be considered a general warranty against such donors, their heirs and assigns to the said donees for their use for the purposes therein expressed and no other; and the land intended for the streets, alleys, ways, commons or other public uses as designated on said plat shall be held by the town, city or village in which such plat is situated in trust to and for such uses and purposes.

(2) DEDICATIONS TO PUBLIC ACCEPTED BY APPROVAL.

When a final plat of a subdivision has been approved by the governing body of the municipality or town in which the subdivision is located and all other required approvals are obtained and the plat is recorded, that approval constitutes acceptance for the purpose designated on the plat of all lands shown on the plat as dedicated to the public including street dedications.

236.293 Restrictions for public benefit.

Any restriction placed on platted land by covenant, grant of easement or in any other manner, which was required by a public body or which names a public body or public utility as grantee, promisee or beneficiary, vests in the public body or public utility the right to enforce the restriction at law or in equity against anyone who has or acquires an interest in the land subject to the restriction. The restriction may be released or waived in writing by the public body or public utility having the right of enforcement.

236.293 - ANNOT. *The hidden dangers of placing easements on plats. Ishikawa. WBB Apr. 1988.*

236.34 (1) Preparation. ... A certified survey map may not alter areas previously dedicated to the public or a restriction placed on the platted land by covenant, by grant of an easement, or by any other manner.

236.34 (3) USE IN CONVEYANCING.

When a certified survey map has been recorded in accordance with this section, the parcels of land in the map shall be, for all purposes, including assessment, taxation, devise, descent and conveyance, as defined in s. 706.01 (4), described by reference to the number of the survey, lot or outlot number, the volume and page where recorded, and the name of the county.

236.42(2) The vacation or alteration of a plat shall not affect:

(a) Any restriction under s. 236.293, unless the public body having the right to enforce the restriction has in writing released or waived such restriction.

(b) Any restrictive covenant applying to any of the platted land.

236.02(2m) "Correction instrument" means an instrument drafted by a licensed land surveyor that complies with the requirements of s. 236.295 and that, upon recording, corrects a subdivision plat or a certified survey map.

236.295 Correction instruments.

(1) Correction instruments shall be recorded in the office of the register of deeds in the county in which the plat or certified survey map is recorded and *may* include any of the following:

(a) Affidavits to correct distances, angles, directions, bearings, chords, block or lot numbers, street names, or other details shown on a recorded plat or certified survey map. A correction instrument may not be used to reconfigure lots or outlots.

(b) Ratifications of a recorded plat or certified survey map signed and acknowledged in accordance with s. 706.07. (c) Certificates of owners and mortgagees of record at time of recording.

(2) (a) Each affidavit in sub. (1) (a) correcting a plat or certified survey map that changes areas dedicated to the public or restrictions for the public benefit *must be approved prior to recording by the governing body of the municipality or town in which the subdivision is located.* The register of deeds shall note on the plat or certified survey map a reference to the page and volume in which the affidavit or instrument is recorded. The record of the affidavit or instrument, or a certified copy of the record, is prima facie evidence of the facts stated in the affidavit or instrument.

(b) Notwithstanding par. (a), in a county that maintains a tract index pursuant to s. 59.43 (12m), a correction may be made by reference in the tract index to the plat or certified survey map.

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NORTHEAST WISCONSIN CHAPTER OF W.S.L.S.

WISCONSIN'S PLATTING LAWS & INTRODUCTION TO CONDOMINIUMS

SEMINAR ON FRIDAY, APRIL 16, 2010, 7:30 a.m. – 3:00 p.m.

WISCONSIN'S PLATTING LAWS

Highlights of Seminar:

Wisconsin's platting Laws ~

This presentation will explain how the Wisconsin Builder's Association has been pursuing legislation to modify Wisconsin's platting law. These changes are intended to streamline the platting process without sacrificing state or municipal design standards. The changes also are intended to clarify some ambiguities in current law and to clarify rights in a way that protects the interests of both local governments and developers. Furthermore, the changes would provide some relief from some of the statutory deadlines contained in the current law. Pat Stevens will be providing you with more information regarding the specific changes being pursued, and will update you on the status of this effort.

Presenter:

Wisconsin's Platting Laws will be presented by Pat Stevens. Pat is General Counsel for the Wisconsin Builders Association, a statewide trade association consisting of 6500 members committed to preserving and promoting the American dream of home ownership by working for quality, safe and affordable housing. In addition to providing general legal services to WBA, Pat staffs a legal and building code hotline that is available to members, and manages WBA's litigation activities. He also represents WBA before regulatory agencies, such as the Wisconsin Department of Natural Resources, and the Wisconsin Legislature. He has worked extensively with developers on a wide range of land use and other issues, and has 18 years experience representing associations in Wisconsin.

Who should attend:

Surveyors, Attorneys, Title Companies, Realtors and anyone involved with Condominium Plats and Wisconsin's Platting Laws.

This seminar will be worth:

- 5 PDHs, Category-1 for Surveyors
- 5 Continuing Legal Education Units for Attorneys

INTRODUCTION TO CONDOMINIUMS

Highlights of Seminar:

Introduction to Condominiums ~

This seminar will cover the creation of condominium projects, problems that developers encounter when the developer tries to reconfigure an already-existing condominium, and new legislative developments. Emphasis will be on issues faced by surveyors.

Presenter:

Introduction to Condominiums will be presented by Jesse S. Ishikawa. Mr. Ishikawa graduated from Middlebury College and the University of Michigan Law School. He is currently with the Madison office of Reinhart Boerner Van Deuren, specializing in real estate law. He is also currently on the faculty at the University of Wisconsin Law School. Mr. Ishikawa is the co-author of *Drafter's Guide to Wisconsin Condominium Documents*, published by the State Bar of Wisconsin. The *Drafter's Guide* was recently cited as authority by the Wisconsin Supreme Court in *Apple Valley Gardens v. MacHutta* (2009). He also sits on the legislative committee that is redrafting key portions of the Wisconsin Condominium Act (Chapter 703).

Where:

The Rock Garden & Comfort Suites
1951 Bond St, Green Bay, WI

Schedule:

Registration: 7:30 – 8:30 am ~ Continental Breakfast will be served

Wisconsin's Platting Laws Seminar:

8:30 a.m. – 12 Noon

Buffet Lunch will be served from 12 Noon to 1:00 p.m.

Introduction to Condominiums Seminar:

1:00 p.m. – 3:00 p.m.

Cost: \$75.00 per person for the full day.

April 9th Registration deadline.

\$100.00 per person for the full day after April 9th.

Registration Form

Name _____ Registration Number _____

Address _____

Company _____

Phone: work ~ () _____ Home ~ () _____

Fax () _____ Email _____

Seminar Tuition: \$75.00 per person. (\$100.00 per person after April 9th.)

Make checks payable to: "NORTHEAST WISCONSIN CHAPTER OF W.S.L.S"

Mail to: Tom Leslie, 166 Apple Tree Court, Green Bay, WI 54302

CONTACT YOUR SENATORS ABOUT AB 271 - IT'S YOUR PROFESSION

Senate Bill AB-271 is one step closer to becoming a reality. All land surveyors should be in support of this Bill. We need to have ALL surveyors contact their Senators and tell them that we are voters in their district and we want them to support this bill. Check out the links that are part of this correspondence so you can contact your Senator. I am enclosing various correspondences that I have received this week to better inform the members of what this Bill all entails.

Analysis by the Legislative Reference Bureau

Under current law, with certain exceptions, a person may not practice land surveying or represent that he or she is a land surveyor unless the land surveyor section (section) of the examining board of architects, landscape architects, professional engineers, designers and land surveyors (board) has issued a certificate of registration or permit to the person. "Land surveying" is defined as determining the location of land boundaries and boundary corners; preparing maps that show the shape and area of tracts of land or subdivisions or the layout of roads, streets, or rights-of-way; or preparing official plats or maps of land in this state.

This bill replaces "land surveying" with the term "practice of professional land surveying" and defines the term as any of the following:

1. Establishing, restoring, or perpetuating private or public land boundaries and boundary corners.
2. Preparing maps for establishing the boundaries of interests in real property that depict any of the following: a) the shape and area of tracts of land or the subdivision or consolidation of tracts; b) the layout and rights-of-way of roads or streets; c) air, water, or property rights; or d) public or private easements.
3. Preparing assessors' or official plats or maps of lands in this state.
4. Measuring and analyzing a tract of land to determine its legal description.
5. Designing or coordinating designs for platting or subdividing tracts of land.
6. Applying knowledge or experience about land surveying to assist in the development, use, or management of geographic or land information systems.
7. Performing cartographic, construction, or geodetic surveying in connection with any of the practices described in the above items.
8. Providing consultation services related to any of the practices described in the above items.

The bill also replaces the certificate of registration requirement under current law with a licensure requirement. Therefore, under the bill with certain exceptions, a person may not engage in the practice of professional land surveying or represent that he or she is a professional land surveyor unless the person is issued a license or permit by the section. Also, after July 1, 2018, the bill requires employees of this state and public utilities to obtain a license or permit to engage in the practice of professional land surveying. Such employees are exempt from the certificate of registration and permit requirements under current law.

ASSEMBLY BILL 271

In addition, the bill changes the name of the section to the professional land surveyor section and changes the name of the board to the examining board of architects, landscape architects, professional engineers, designers and professional land surveyors. The bill also replaces various references under current law to "registered land surveyor" with "professional land surveyor."

For purposes of platting lands or preparing survey maps that involve ordinary high water marks (OHWMs), a professional surveyor may incorporate an ordinary high water mark that has been identified by the Department of Natural Resources or that has otherwise been identified by law or may approximate the ordinary high water mark. The bill requires that a statement be included on the face of a plat or map explaining that the land below the OHWM is subject to the public trust doctrine for navigable waters and that exposed land between the OHWM and the water's edge is to be used exclusively by the owner of the adjacent waterfront property, unless otherwise provided by law.

<http://www.legis.state.wi.us/w3asp/contact/EmailDirectory.aspx?house=senate>
<http://www.legis.state.wi.us/w3asp/contact/legislatorslist.aspx?house=Senate>

**THE NORTHEAST WISCONSIN CHAPTER OF THE WISCONSIN SOCIETY OF
LAND SURVEYORS
- APRIL 8, 2010 MEMBERSHIP ROSTER -**

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“A Day in the Life”

April 27-29, 2010

The National Railroad Museum is again asking the Northeast Chapter of WSLs to participate in their annual “A Day in the Life” giving kids (grades 3-8) a chance to experience what life was like for surveyors working on the railroad during the Civil War period

PLEASE VOLUNTEER!

Two shifts: 8:30-11:30 and 11:30-2:30. Nine volunteers are needed for each shift each day (3 people at each of the 3 stations).

Please contact Lisa Van Horn: 437-1044 or lvanhorn@new.rr.com

The Northeast Chapter of the Wisconsin Society of Land Surveyors

2010 Sponsor A Student Meal Program

Sponsorships are for a free meal at any of the 4 Quarterly Northeast Chapter General Meetings. Any student or person interested in the profession is eligible. If you have someone that would like to participate, please bring him or her along to the next meeting.

Thank you to all who participated in the past 5 years, it has been a HUGE success!

We are again asking for your support in sponsoring student meals in 2010 and beyond. Your donation will encourage students (and potential employees) to take an interest in the surveying industry and perhaps Chapter involvement.

-- Please fill out form below as you would like to be acknowledged for your free meal donation--

Date: _____

Name: _____

Company: _____

Phone Number: (H) _____ (W) _____ (Fax) _____

Email: _____

Sponsorship Fee: \$15.00 per meal

- I/We would like to sponsor _____ student meals (meals x \$15.00)... \$ _____

Make checks payable to: The Northeast Chapter of WSLS
Return to: Tom Leslie - Secretary/Treasurer
166 Apple Tree Ct
Green Bay, WI 54302

January 29, 2010

Thomas H. Wood
Harris & Associates, Inc.
2718 North Meade Street
Appleton, WI 54911

Re: Don Rhode Leadership Scholarship

Dear Thomas and the Scholarship Committee:

I would like to thank you, the Scholarship Committee and the Northeast Wisconsin Chapter of the Wisconsin Society of Land Surveyors for the generous scholarship which you awarded me. It was honor to receive the Don Rhode Leadership Scholarship.

As an older person with a family, returning to school was a difficult decision to make. I am thankful that your organization is willing to make an investment in students that may be future participants in their field of work and organization.

I would also like to thank you for your hospitality in presenting me with the scholarship and dinner at your annual meeting. I enjoy being a part of the Northeast Chapter; it is a very welcoming group of people and I look forward to being an active member even after I complete my education.

Sincerely,



Scott Van Calster
Student
Northeast Wisconsin Technical College
Green Bay, WI

TREASURER'S REPORT

April 2, 2010

Checking Account

Starting Balance	1-21-10	6413.33
Deposits		3825.00+
Checks		5161.75-
Outstanding Checks		0.00-
Current Balance		5077.58*
Cash Box Money		100.00+
(* - Checking Account contains \$315 for donated student meals and \$844 for TrigStar)		<u>1,159.00-</u>

Available Chapter Funds: 4018.58

6-Month Certificate of Deposit

Last Maturity Balance	10-28-09	2172.10
Total Interest (1.00%)	on 4-30-10	<u>10.89</u>
Next Maturity Date:	4-30-10	2182.99

TOTAL ASSETS: \$6730.68



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Terry Lueschow
920-451-8686

Holly Urbain
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WISCONSIN SOCIETY OF LAND SURVEYORS FOUNDATION, INC.

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Joseph A. Gruber

David E. Tlusty

February 9, 2010

Northeast Chapter of WSL
Tom Leslie, Secretary/Treasurer
166 Apple Tree Court
Green Bay, WI 54302

Re: W.S.L.S. Foundation Donation

Dear Tom

The Wisconsin Society of Land Surveyor's Foundation, with deep appreciation, acknowledges your 2010 contribution of \$1000.00 in support of the advancement of education in the field of Land Surveying.

This letter is your receipt for your \$1000.00 contribution.

Gratefully yours,

Donald L. Paulson
Treasurer

Phone: 608-514-7051

E-Mail donpaulson@att.net

Northeast Wisconsin Chapter of WSLs

2010 WINTER BOARD OF DIRECTORS MEETING

February 18, 2010 – Suster's in Denmark

There were **10** members present when President Dale Raisleger called the meeting to order at 6:49 pm.

A motion was made, seconded and approved to accept the Board Meeting minutes of November 12, 2009

Treasurer's Report was approved as presented

The following reports were given:

NEWSLETTER EDITORS REPORT (Jeff Meneau)

- It was suggested that we try to "borrow" articles from other publications (with their approval) for each newsletter OR award a FREE MEAL at the next General Meeting for anyone who is published in the newsletter – *Perhaps add a blurb on the website??*

WSLS REPORT (John Baudhuin)

- The Institute had an all-time attendance of 830
- Evaluations and comments from the Institute were mostly positive
- Accommodations at Kalahari will be increased for next year: more space, larger rooms, more microphones, and possibly moving vendors
- Jimmy Rein has contacted Elizabeth Roat and Dan Frick to create a "road map" for filing a complaint. Michigan has recently passed a law that allows anyone to file a civil action against an unlicensed surveyor
- WSLs has purchased 75 copies of the new BLM manual to be sold for \$100 to "first money in gets them"
- Talked about combining Ethics & Practices and Standards Review committees
- Land Surveyors Section should be named once a new Governor is elected. That Section will look at forming an advisory committee for approving PDHs (*Chapter meetings qualify?*)
- Temporary licensing, allowed by Wisconsin, has many concerning problems. WSLs will work on possibly having the State limit the temp licensing

AUDITING (Anthony Lulloff)

- 2009 books have been reviewed and approved

CST (Troy Hewitt)

- Only 4 people took the CST test at the Institute – *no incentive to take the test until the State makes it necessary*

- Next CST testing will be at NWTC on March 10, 2010

ETHICS AND PRACTICE (Tom Leslie)

- Suggested that the Chapter add a general email address to the website for people to send in complaints to the Chapter

LAND RECORDS (Ryan Duckart)

- March 21-27 is National Surveyor's Week
- Saturday, March 20 – BIG statewide GPS project. Surveyors needed to collect data on that day, send the data to Bruce Bowden, who will process the info and send the results into Guinness Book of World Records. It will be a good day for people to see what surveyors do and ask questions about surveying - *Will this project be static? Where to set-up? Press release? To whom?*
- WSLs has new BLM books for sale!

LEGISLATIVE (Ed Harvey)

- SB 507 (Flat Fee Bill) passed out of Senate committee today, still has to go through Assembly
- *Definition of Land Surveying* is being reworked, hopefully this year

MEMBERSHIP (Jim Schloff)

- There are 101 paid members as of this meeting

56	Professional
3	Affiliate
28	Students
3	Sustaining
14	Lifetime

NOMINATING (Bob Reider)

- No report at this time

PROGRAM (Terry Van Hout)

- Terry and Lee Telfer are arranging for an Archeologist to be the presenter at our Spring meeting in April

PUBLIC RELATIONS (Rob Clark)

- Statewide GPS project on March 20
- "Day in a Life" at the National RR Museum is coming up in April - VOLUNTEERS NEEDED!
- The local Boy Scouts are holding a Surveying Merit Badge day on May 7, place unknown. Surveyors are needed to teach the kids a simple surveying problem.

Will be an all-day event with many kids needing help. Contact Tom Wood if interested

- An article in one of our professional magazines spoke of Oregon Tech School holding a 4-day seminar for teachers, to get them familiar with surveying and the mathematics involved. Rob will send our an email with a link and info
- An individual recently approached John Baudhuin asking him if he had any interest (or the Chapter) to locate an old portage road in Door County. A few maps were handed out and studied. The recommendation was for the individual to try for some sort of grant money.

SCHOLARSHIP (Tom Wood)

- No report at this time

SEMINAR (Gary Zahringer)

- Next seminar is set for April 16, 2010
- Frank Thousand will be contacted and asked to add our Seminar flyer link to the WSLs website

STUDENT REPRESENTATIVE (Bob Renfrit)

- NWTC will hold the next CST test on Mar. 10th
- Thank you to the Chapter for their donation to help defray the cost for students taking the test
- Tom Leslie will give a presentation on searching records in Brown County on March 11 at NWTC. The 2nd year students have a research project and hopefully this will help them find their way around the BC office
- Students will again receive a special discount rate of \$15 for April's Chapter seminar
- Students will soon help archive the museum pieces currently held at Mau's office

TRIG*STAR COMMITTEE (Jim Westerman)

- West De Pere testing will be mid-April, unsure of others (Terry V & Tom W not present)
- *Little Chute been contacted yet?*
- Tom L will check records for any specific awards set for 1st, 2nd & 3rd places as well total amount set aside for all schools

**** VOLUNTEERS ARE NEEDED!! ****

OLD BUSINESS

- PDHs will be awarded when deemed that the Chapter presentation is worthy of credits - *Who determines the worthiness?*
- WSLs Fellows were offered to Al Schneider, all past Presidents and Bob Beilfuss
- *A motion was made, seconded and passed to offer Tom Fogarty a Lifetime Membership to the NE Chapter.* A letter will be sent to him

NEW BUSINESS

- No major changes were suggested to the Chapter by-laws. The By-laws will be added to the website as well as in the next newsletter
- The annual foundation donation as well as any proposed changes to the Constitution or By-laws must be approved by the General membership at any of the Chapter General meetings
- *Is the Legislative Committee still needed?* That issue will be discussed and reviewed before next year
- It was suggested that the President contact all Committee Chairs to ask if they want to continue as Chair for the next year *before* the year's Committee sign-up sheet is put out at the winter General meeting
- WSLs website has the Summer meeting flyer online – August 13-14, 2010 in the Madison area

Being no further business *a motion was made, seconded and approved to adjourn* at 9:09 PM

Respectively submitted,

Tom Leslie
Secretary

Winter 2010 Board Meeting

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