

DNR Survey Advisory Board Meeting Minutes

October 31, 2019

8:00 a.m. to 3:00 p.m.

Tumwater DNR Compound

801 88th Ave. SE, Tumwater, WA. 98501

Board Members Present:

Paul Galli, PLS, Government, **Chair**

Tim Kent, PLS, Rural

Bruce Dodds, PE/PLS, Multi-Discipline

Gary Letzring, PLS, Urban

Martin Paquette, PLS, Education

Staff Present:

Pat Beehler, PLS

Bob Knuth, PLS

John Gasche, LSIT

Invited Guests:

Sam Mutt, PLS, WCCS liaison

Tom Barger, PLS, LSAW liaison

Kim Eisenbacher, WSACA liaison

Marie Pearson, Auditor's Office, Thurston County

Audience Guests:

Tamara King, Snohomish County, Survey Project Lead

Kris Horton, PLS, City of Olympia, City Surveyor

Jeff Pantier, PLS, Principle, Hatton-Pantier

Jeff Graham, PLS, WSDOT, Survey Support

Meeting began 8:29

#

=Agenda item number

1 Chair Paul Galli called the meeting to order.

- Item 10 struck from the agenda for further review by DNR.
- Power Point produced by G. Letzring added to the agenda for Item 14b.
- Introductions

2 Two spelling corrections were noted by Tim Kent. Gary Letzring clarified item 10d, and The Board agreed, at what stage the PLSO Manager is directed to contact the Board of Registration (BOR) when cooperating with a surveyor on a questionable record. The minutes of the July, 2019 meeting were unanimously approved.

3 Monument Removal/Destruction Permits update

a John Gasche (PLSO) supplied an oral report that 106 Permit Applications including 39 completion Reports for 517 monuments. John explained that some monuments were inadvertently combined into one permit. Sam Mutt asked John if all of the monuments were covered by a permit. John said that they were.

4 Report from Auditor's Recording Committee liaison to the SAB

Kim Eisenbacher reported:

a • Nothing from the Auditors.

b Gary Letzring Liaison to WSACA reported:

- Discussion on issues with the graphic representation of quarter-quarter interpretation by some recorders. No change agreed upon at this time. Talks on electronic signatures continue.
- Tom Barger has asked the BOR for updated language\interpretation on electronic signatures. Sam Mutt explained that electronic signatures cannot be used on recorded documents. Kris Horton mentioned the memorandum sent to the PLSO by the two members of the BOR explaining electronic signature are not authorized for recorded surveys.
- Tim Kent wanted to ensure the SAB was working with the auditors on questions of filing indexes and signature types.
- Paul asked his land surveyor circle to be cooperative with the Recorders when asked for help on indexing issues.
- Sam Mutt suggested the PLSO materials to the Recorders be published for all stakeholders.
- Tom Barger suggested that the same materials be provided to the BOR.
- Paul Galli will write a "Did you know" article on this topic. SAB and Liaisons will review before publishing.

5 LSAW Liaison to the SAB

a Tom Barger reported:

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- In his BOR liaison role Tom informed the SAB that the BOR has completed its breakoff from the Department of Licensing.
- BOR meeting on 10/24 received a letter from Jon Warren requesting support for the monument perpetuation proposal. BOR is seeking more information before acting on Mr. Warren's request. Pat added that Mr. Warren and Cliff Webster, the AELC lobbyist, are working on signatures and sponsors for pre-file prior to January.
- BOR is looking for subject matter experts for peer review on surveys. They will address the topic at the upcoming LSAW Conference.
- LSAW liaison by Tom the 2022 datum taskforce will be renamed to the NSRS taskforce. Next taskforce meeting Tuesday 19th November Renton Tech. WSDOT will produce the low distortion projections (LDP). Pat reminded the group that NGS will produce only state wide, north, and, south zones. NGS will review the LDPs and publish contingent upon their approval. Pat further explained that the upcoming changes to RCW 58.20 will not be affected by LDPs.

6 Washington Council of County Surveyors Liaison to the SAB

a Sam Mutt reported on the 10/24 WCCS meeting:

- 2020 conference in Chelan will have several technician classes.
- Auditor's representative mentioned messy surveys being recorded. Some surveys being recorded without auditor's certificate. They requested assistance.
- The topic of amending the WAC for electronic signatures came up.
- There is a lack of licensed surveyors in counties around the state.

7 Monument MOU Chip Seal amendment WAC 332-120-180

a Pat Beehler reported:

- After comments from the last CR102 hearing valuable comments were received which required amended language.
- Another CR102 hearing will take place on December 20, 2019. Comments on the new language are requested ASAP.
- Pat covered some of the new language to help attendees.
- Tom Barger is concerned about the words "readily accessible".

8 Update on the monumentation bill.

a Jon Warren provided an email explaining there is no update.

DNR Report

Jeff Graham was introduced.

9 Public Land Survey Office

a Pat B. reported

Three months into this biennium there is a \$50,572 increase in the 02A account.

Three months of expense surplus being approximately \$180,000 required account balance.

Account balance \$1.02 million currently.

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PLSO Staff

b Bob K. reported:

- Himself, five and one quarter full time staff.
- PLSO and SAB websites updated.

c Records

- Louie Requa (Skagit Surveyors) donated his company's records.
- Two offices with extensive collections were put on hold for now by the PLSO due to lack of capacity.
- PLSO asking for SAB input.
- Sam Mutt volunteered to take first review of the Harmsen LLC, records. The PLSO said yes.

d Bob expects the upcoming 2019 Lean process will help the PLSO to come up to speed on old records processing.

- Tom Barger explained that the City of Seattle has large scale records requiring scanning. Bob and Tom are both aware of the Secretary of State's archives ability to handle large documents.

e Outreach and Training;

- The PLSO is grateful to the board members who further donated their time with commenting on surveys that needed particular attention.
- The PLSO will be asking each of the members for assistance as needy surveys come up.
- Tom Barger asked if the PLSO will be represented at the LSAW Conference. Yes they will.
- Tim asked who is responsible to contact the BOR when it becomes necessary. The answer is the PLSO Manager.
- Bob attended the LSAW BOD meeting and was surprised when visiting that there are a good number of folks who do not know the PLSO exists.
- Bob would appreciate advice on getting the word out on the PLSO.

10 Proposed revision to WAC 332-130-020.

- The topic is electronic signatures on recorded surveys.
- This item was struck from the agenda by the DNR.
- *Comment by Bob outside of the meeting. The PLSO will pass around proposed language a second time for comment and then move forward with the CR101 process.*

11 LCR Published

- Tim Kent has had problems adding the point locator on the .pdf graphic.
- Pat explained that the new form should be allowed exclusively after 11/28/2019.
- Kris and Paul recommended that the PLSO monitor recordings for the current form.
- The PLSO will address the new form in their presentation to the LSAW.
- The board has determined that the only approved format for now is the fillable .PDF.
- John Gasche proposed that Auditors charge the standard recording fee for LCRs.
- Martin agreed that the fee would be a good compromise.

- Pat reminded the SAB that the current language restricts the LCR use to PLSS monuments.
- Bob will contact Vicky Dalton concerning charging for recording LCRs.
- A breakout session was planned.

12 State Boundary Line Adjustment Standards

Martin reported:

- a • Background and current status of the boundary line adjustment model ordinance (BLAMO).
- Gary acted as LSAW liaison to solicited comments on the BLAMO. He received 20 comments which are attached to today's agenda.
- Martin explained the comments in detail.
- BLAMO allows for adjustments without surveys. Bruce commented that attorneys have always been allowed to write descriptions and it has been a problem.
- Bruce was also concerned about the process in regards to lenders' sign off.
- Pat liked the idea of recording both deeds and surveys simultaneously.
- Tom and Kris had examples of a BLA of an earlier BLA resulting in confusing parcel identifiers.
- Bruce commented that the SAB should limit its advice to when a survey is recorded as part of a BLA.
- The SAB did not reach a conclusion. A breakout was planned.
- Walt Dale had previously asked the members to whittle down the comments\suggestions provided by the LSAW to two which the taskforce should address.

13 ESB 5334 – RCW 64.90 Washington Uniform Common Interest Ownership Act.

Gary reported:

- a • Most surveyors are confused by this law.
- WUCIOA applies to plats, short plats and other subdivisions.
- Gary spoke with George Peters of WLTA who informed him that the declaration language is required.
- If your short plat does not have qualifying common interests a note to that effect is required on the map.
- Paul asked “Does the SAB have a role in WUCIOA?” The answer is no.

14

Amending a survey map which requires agency and owner signatures.

LSAW Liaison, Tom Barger reports on a cheap easy method for minor correction:

- a • LSAW has no committee on this topic at this time.
- LSAW in favor of a minor correction document.

b Gary provided a power point on the subject of using a record of survey to correct a plat, short plat, or condominium:

- The 2018 SAB\PLSO guidance is understood as only a document “of the same type” can amend a subdivision.
- Given the examples provided the SAB had no issues with using a record of survey to correct scrivener's errors on a subdivision.

- Paul explained that the 2018 guidance was intended to clarify amending a subdivision cannot be done with a record of survey. However, the 2015 guidance for correcting a scrivener's error is still in place.
- Paul explained that a lack of review\oversight for survey documents is the source of these issues.
- Bob expressed concern with corrections to boundary data affecting right title or interest in land ownership i.e. change of bearings.
- Gary will write a letter to the Evergreen Surveyor for review by the SAB.
- Paul explained again that a lack of review\oversight for survey documents is the source of these issues.
- Bob agreed with Paul and suggested action, at some point, by the SAB.
- Kris suggested that the same information by Gary be disseminated to planners around the state.

15 **Book and Page in the Auditor's Certificate.**

- Kim said Pierce County's planners asking to put book and page back into their process.
- Kris explained that all of the counties around the state do this differently.
- Pat and Gary said some counties are still using book and page.
- Kris commented that providing flexibility of recorders certificate lead to issues when a surveyor records in multiple counties.

16 **Review of Liaisons.**

- The Liaisons present were identified.
- IRWA liaison Richard Dickman has been missed.
- Paul asked if SAB should reestablish contact.
- Tom suggested a title agency liaison.

Did you know article.

- #### 17
- Jon Purnell submitted a "Did you know" article on stand-alone surveys.
 - Tim and Kris explained the background of these articles.
 - The SAB asks Mr. Purnell to amend the title of this article and approves its placement on the website.

Update on draft legislation revision to RCW 58.20, Washington Plane Coordinate System.

18 Pat reported:

- Joanna Eide is working to get sponsors by the first part of December.
- Sponsor two years ago deferred the legislation last year.
- Johanna is looking for a, short easy to understand, outline on the need for this legislation.
- Pat would appreciate input from anyone who would like to explain the need for this update in simple terms. There were no volunteers.

Outreach concerning monument destruction by agencies, groups and persons other than counties.

Paul explained this problem:

- Most of the monuments being destroyed and removed are the victims of construction and other activities.

- Construction companies, utility companies, driveway expansions by owners are some sources of destruction.
- Most work within and around roadways are unpermitted.
- Gary suggested stronger permit effort by local agencies.
- Kris mentioned that she has never seen enforcement of the statute on monument destruction.
- Martin asked about outreach in the Spanish language
- Kris mentioned that she had tried to talk with utility companies while she was at the PLSO to no avail.
- Sam suggested a pamphlet to be provided to permit applicants of agencies.
- Tom suggested a three minute video for education.
- Kris explained that monument loss have not been included in the statutes for 811 services of utility locates
- Several members of the Board remembered a YouTube video produced by a province in Canada.
Note by Bob outside of the meeting: The video was later found by Paul at <https://www.youtube.com/watch?v=4y0jNRkGuI8>

Concerns and requests by recorders for a change to “graphic representation” in WAC 332-130-050.

20 Addressed earlier

Obvious encroachment revealed by non-boundary surveying duty\obligation.

- 21
- Martin explained the issue.
 - There are differing opinions concerning the obligation by professionals to set monuments and file a survey when they discover boundary conflicts regardless of client approval and payment.
 - Martin will respond to the person who posed the question.

Lunch and warehouse tour 1201-1330

Breakout groups

BLA

Gary Letzring, Pat Beehler, Bruce Dodds, Sam Mutt, Martin Paquette, Paul Galli, Tom Barger, Tamara King.

LCR

Kris Horton, John Gasche, Tim Kent, Kim Eisenbacher, Marie Pearson.

Returned 1415

LCR group

- There is no authority to not charge for recording LCRs.

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- Do not publish .dwg or .doc format for the LCR.
- The GCBD should be made mandatory.
- How to complete an LCR presentation by Bob at LSAW conference.

BLA group

- Martin said progress was made but further review of BLAMO is necessary.
- There is a question about whether agreement format may be Model Ordinance or list of recommendations.
- The recommendations were to drop aggregation and RCW 58.04.007 agreements from BLAMO.
- The group would like to place this on the next agenda.

Plan next steps: Future meeting(s) dates/locations

22

- Next meeting tentatively scheduled at the Tumwater Compound on April 23, 2020,
- Tim asked that one meeting per year be on the east side of the state.

Meeting closed 1450

Assignments

- Members involved with BLAMO will continue working between now and the next meeting.
- Gary will produce a letter to all interested parties concerning ROS to correct subdivisions.
- Paul, Sam, Bruce, and Gary will produce a DYK article on graphic representation.
- Paul will present the SAB update at the 2020 LSAW Conference with Martin and Tim.
- Bob will contact Richard Dickman about the liaison for IRWA.
- Bob will redistribute proposed language for WAC 332-130-020.
- Bob will contact Vicky Dalton concerning charging for LCRs around the state.
- Bob will work with Mr. Purnell to upload his DYK to the PLSO and SAB websites.