

DNR Survey Advisory Board Meeting Minutes

July 23, 2020

8:00 a.m. to 12:00 p.m.

Zoom Format

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 (Excused)
Gary Letzring, PLS, Urban
Martin Paquette, PLS, Education

Staff Present:

Pat Beehler, PLS
Bob Knuth, PLS
David Icenhower, PLS
Dennis Studeman

Invited Guests:

Sam Mutt, PLS, WCCS liaison
Tom Barger, PLS, LSAW liaison (Excused)
Vicky Dalton, WSACA liaison
Casey Kaul, WSACA liaison
Kim Eisenbacher, Pierce County Recorder's office
Richard Larson, Deputy Director, Washington Board of Registration

Audience Guests:

Tamara King, Snohomish County, Survey Project Lead
Kris Horton, PLS, City of Olympia, City Surveyor
Walt Dale, PLS, Benthin & Associates
Chris Jepson, PLS, Jepson & Associates
David Osterbrand, PLS, San Juan County Surveyor
Edward Ranck-Copher, PLS, City of Pullman
Jeff Graham, PLS, WA. DOT
Justin Holt, PLS, DNR, Manager Land Surveys
Michael Kulish King County
Max Walker, City of Olympia
Rich Angelo, DNR, Olympic Region
Ken Swindaman, PLS Kitsap County Surveyor
Brett Flippo, Kennewick Irrigation District
JP Warren, PLS, City of Bellevue
Kate Schalk, PLS, DNR Land Surveys
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Michael Kaminski
 Jeff Graham, PLS, WA. DOT

Meeting called to order 8:29

#

=Agenda item number

1 Chair Paul Galli called the meeting to order.

- Meeting format explained
- Introductions
- Large turnout acknowledged

2 The minutes of the April, 2020 meeting were unanimously approved.

3 Monument Removal/Destruction Permits update

- a
- David Icenhower (PLSO) reported 74 LCRs, 159 permits, and 37 completion reports. Reports were indexed to WebXtender.
 - A renewed effort is being undertaken to encourage applicants to submit completion reports for all 195 outstanding monument removal permits since 1/1/2019.

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

Kim Eisenbacher reported:

- a
- Some confusion with the proposed revision to RCW 332-130-050. Bob clarified that surveys will require a signature over the stamp which may be a scanned image in accordance with the latest revision to RCW 18.43 and SB 6028. No other signature by the surveyor will be required.
 - Ken Swindaman ask when these changes will become effective. Pat Beehler responded the CR105 process will take approximately 45 days.

b Gary Letzring Liaison to WSACA:

- Gary will follow up with the recorders for feedback after this meeting.

5 LSAW Liaison to SAB

Tom was excused Pat reported:

- The definition of the standard foot was placed into the updated RCW 58.20. When a surveyor uses NAD 83 they are restricted from using the standard foot but will have to use the U.S. Survey Foot.
- Metadata is required regardless of what datum is used.

6 WCCS Liaison

Sam reported:

- a
- The WCCS meetings are taking place via Zoom.
 - Online conference is intended.
 - Attendance is down. Sam will pursue membership increase.

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- Boundary Line Adjustment Model Ordinance will be retrieved from Walt Dale and distributed to WCCS.

DNR Report

7 Public Land Survey Office

a Pat B. reported:

- The 02A account revenue 2020, is \$753,190, expenses are \$884,930. Current balance \$886,000.
- Extraneous charges are being reviewed.
- Key to future is the rewrite to RCW 58.24. This, if implemented, will result in the PLSO being able to process records donations. These monies would also be available for the Statewide Monument Preservation Program (SMPP).

PLSO Staff

b Bob K. reported:

- Himself, five and one quarter full time staff.
- Staff have added 12,508 records to WebXtender.
- Staff is on furlough one day a week in July, then once a month through November. All staff are teleworking due to COVID. This has not greatly affected staff production.

c Records

- The inland Empire chapter of LSAW has purchased a records collection from Ramer Engineering in Spokane. Those records are waiting for pick-up by the PLSO.
- Thalacker records will be available through donation in seven months.
- McGinnis and Marshall records are being sought.
- Harmsen records are available as soon as the PLSO has processing capacity.

Note from outside of the meeting by Bob K.: All records in danger of being lost will be recovered expeditiously without regard to processing.

d Outreach\Training

- The new MOU has been provided to all previously participation counties. David I. is in day to day control of the program. Eight counties have not yet responded.
- Informal group is being developed for the update to RCW 58.09, The Survey Recording Act. All of RCW 58 may be scoped for potential updates.
- David I. asked about using the research records processing as an opportunity for continuing education hours for credit to the PLS renewal. The SAB thought the idea should be pursued. Rich L. said the BOR may be open to it. He will get back to the SAB.
- Paul G. believes the effort toward keeping up with current scanning should be set aside. Paul would like to see the PLSO staff working on the records donations.
- Bob responded that the recording surcharge fee has to be used first for filing current maps.
- Bob explained the PLSO is underfunded for records donation processing. He encouraged everyone to get behind the proposed funding revision to RCW 58.24 (SMPP).
- Tim asked if the PLSO will still accept donated time for processing. Bob said **YES**.

Required updates to WAC 332-130-050

Pat explained that Senate Bill 6028 which took effect 6/1/2020, forced some modifications to the WAC. The bill redefined signature on all RCWs. The proposed update language was provided to the SAB.

- Tim asked to drop “ink” from WAC 332-130-050.
- Kim asked for “Fully legible & reproducible” to be added to the checklist. Pat B. will place the language into the WAC.
- Ken Swindaman asked if DNR has publicized these revisions. Pat explained that the CR105 process will allow for a comment period. It will be published in the WSR.

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BLA Draft Model Ordinance

Martin Reported

- Not much input recently. The model history and outline presented.
- This is an SAB issue.
- Sam said he and Walt had agreed to wait until a final version was produced. **He will go forward with distribution.**
- Bob said he would like BLAs to be codified in law with monumentation. He made this comment as a land surveyor, NOT AS PLSO MANAGER.
- Sam agreed and believes even surveyors do not understand what should be done. BLAs under current processes have\will clog the courts.
- Martin is open to legislation.
- Further streamlining of the Model Law will be pursued
- Sam is concerned that BLA processes will not be voluntarily improved by local agencies because any improvement will cost someone money, and he is in favor legislation,
- PLSO presented a worst case BLA. Bob explained the issues.

Break 9:45-9:55

- **Continuing:** Jeff Donahue this needs to be addressed. This type of action needs to be curtailed.
- Sam asked for damage to the public with these types of land transfers.
- Paul listed uncertain boundaries, incomplete processes, no monuments set, segregations become large lot and then short platted without access. The result is a fifty to one hundred lot subdivision without deeded access. Loans and sales become problematic because of no access.
- Bob stated this example has clearly created latent ambiguity. This is what we are licensed to prevent.
- Paul gets a call on these issues by the public weekly or monthly.
- Martin said this appears to be an unregulated process.
- Tim and Pat agreed the descriptions could use some help.

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Outreach on monument destruction

- Paul is working hard from his position to educate and this is important
- Dave is watching monuments being destroyed in the subdivision he just moved into by the builders. He has only two monuments remaining around his new home.
- Kris wants to think bigger to reach out to the broader public
- Paul believes a PSA could be developed
- Sam suggested possibly using future money, if the SMPP were enacted, toward a PSA
- Pat agrees
- Gary L suggests reaching out to LSAW support for a PSA
- Sam believes we need a system to provide 811 data on monument locations

- Jeff D. explained DOT is creating a GIS layer for monuments +-95% complete

11 Survey Monument Preservation Program (SMPP)

- Pat described the draft language for the recording fee surcharge
- Vicky stated, “For housekeeping purposes, the surcharge also needs to be referenced in RCW 36.18.010, which is the general RCW for all the fees that the County Auditor collects.”
- Jeff D. asked for and received clarification that the language would not interfere with DOT efforts at monument preservation
- Jeff D. is in support of the SMPP
- Pat mentioned that having licensed surveyors working for local agencies is a benefit
- Pat would like to rescind or repurpose RCW 58.22 which has never been implemented
- Vicky D. noticed the language fails to exclude IRS filings from the surcharge. Pat will update based upon standard language.
- This proposal is currently on the list for the DNR agency request 2021 legislative calendar
- Pat will submit the language at the LSAW BOD meeting 8/15

12 Book and Page in the Auditor’s certificate.

- Vicky Dalton explained that almost all counties are using Auditor file numbers rather than Book and Page for recording maps.
- Vicky asked to have references to Book and Page removed from RCW 58.09.080
- Pat and Bob anticipate this will be included in an update, with several others. 2023 will be a target date. Vicky asked that 2023 be the furthest date.
- Several members and attendees asked if book and page will be available on all existing records. Vicky assured the group that they will continue to be.
- Jeff D. asked about indexing being referencing Donation Land Claims (DLCs)
- Paul explained that quarter quarters are superimposed on DLCs for referencing
- Vicky asked if the graphic representation will change from optional to required.
- Pat explained that quarter quarters will be required index by both text and graphic
- Vicky approved of the change
- Paul reminded everyone of the “Did You Know?” article on the subject.

13 Did you know? Articles.

- Tim K. volunteered to produce a Did You Know article on monument history on surveys

14 Update of the 2004 GPS Guidebook

- Bob explained that the 2004 GPS Guidebook by PLSO and LSAW needs updated
- Paul volunteered to assist
- Jeff D. has asked Kurt Williamson to assist

15 Example of a survey amending a plat

- Paul explained the history of the Westover Creek and Westover Creek Amendment surveys
- Bob asked when this type of issue elevate to a Board of Registration matter.
- Paul pointed to the adjusted exterior boundary of the plat and additional monumentation and an added easement
- Several attendees and SAB members agreed that this product is not acceptable
- Paul explained this survey is an example of why a statutory checking process is vital

- Sam believes financial realities are causing most errors in the public record and the way to avoid these issues is an imposed review prior to filing.
- Paul stated the paradigm of checking needs to change from inspection to assistance
- Kris H. input that local agency reviewers are routinely instructed to ONLY check those items covered in local code and this needs to change. Without a required sign off by a licensed reviewer improvement will not be possible.
- Martin believes a peer review system is in order.

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

Meet again in three months with exact date TBD.

Meeting closed 12:05**Assignments**

- Members involved with BLA Draft Model Ordinance will continue working between now and the next meeting.
- Tim will produce a Did You Know Draft.
- PLSO will create and maintain a list of possible updates to RCW 58 and associated WACs.
- Bob and Paul will work on rewrite of the GPS Guidebook
- Pat will continue to move the \$10 surcharge forward
- Pat will work on the update process for WAC 332-130