



Oregon

**State Board of Examiners for
Engineering & Land Surveying**

670 Hawthorne Ave. SE, Suite 220

Salem, OR 97301

(503) 362-2666

Fax (503) 362-5454

E-mail: osbeels@osbeels.org

**STANDARDS OF LAND SURVEYING
PRACTICES COMMITTEE**

Minutes of Meeting

October 8, 2009

Members present:

Dan Linscheid, Chair

Ken Hoffine

Sue Newstetter

Carl Tappert

Staff present:

Mari Lopez

Jenn Gilbert

Others present:

Joanna Tucker-Davis, AAG

The meeting of the Standards of Land Surveying Practices Committee was called to order at 3:30 p.m. in the conference room of the Oregon State Board of Examiners for Engineering and Land Surveying (OSBEELS) office at 670 Hawthorne Avenue SE, Suite 220, Salem, OR 97301.

As a result of the 2009 Legislative Session Senate Bill (SB) 274 and law enforcement cases brought before the Board, it was recommended by Assistant Attorney General Katharine Lozano that standards of practice for land surveying be considered. The passing of SB274 relates to the evidentiary standards. As a result of SB274, to overturn a finding of historical fact, the amendments in SB274A change to a much higher standard of clear and convincing evidence, which will be difficult, especially when highly technical fields such as engineering and land surveying are involved. These fields incorporate very complex mathematical and science concepts. Having standards of practice codified in rule would also greatly assist the in the regulation of land surveying and assist the Law Enforcement Committee (LEC) in its deliberations. Therefore, the Standards of Land Surveying Practices Committee was formed during the September 2009 Board meeting and consists of the following members; Dan Linscheid, Ken Hoffine, Sue Newstetter, and Carl Tappert.

To facilitate the discussion, Mr. Linscheid provided the standards used by many other states. It was noted that in several states, the standards were developed and contained in documentation of the professional land surveying associations; not in the laws and rules under the authority of the state boards. Unfortunately, standards developed by professional land surveying associations have no enforceable features. In the remaining rules developed by other state boards, attention is given into various survey classifications standards, minimum measurement standards, and other technical aspects that the Committee will not address. However, the Committee would like the

rule to contain standards for showing encroachments, for boundary determinations which do not properly evaluate found original monumentation, and for junior/senior rights. These are the topics the Committee felt would be beneficial to the registrants of the Board.

With the wealth of information provided to the Committee, it was determined that the outline and information from Pennsylvania would be a good starting point. From there, each member would review and add comments to the document accordingly. It is the goal of the Committee to complete this document by the March 2010 Board meeting.

Once approved by the Board, it was determined that there will be the opportunity for public review of this document prior to any adoption. Furthermore, the Committee anticipates presenting this document to the Professional Land Surveyors of Oregon (PLSO) Board of Directors for expanded dissemination to their respective Chapters for input.

The meeting adjourned at 4:20 p.m.