



Oregon

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

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**STANDARDS OF LAND SURVEYING
PRACTICES COMMITTEE**

Minutes of Meeting

August 12, 2011

Board Members present:

Dan Linscheid

Carl Tappert

Ken Hoffine

Sue Newstetter (excused absence)

Public Members present:

Gary Johnston, PLS

Chuck Gibbs, PLS (excused absence)

Bob Neathamer, PLS (excused absence)

Staff present:

Jenn Gilbert

Mari Lopez (excused absence)

Others present:

Joanna Tucker-Davis, AAG

Mark Mayer, PLS

The meeting of the Standards of Land Surveying Practices Committee was called to order at 8:00 a.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.

The Committee continued its discussion related to the narratives and reviewed the language drafted to date. Mr. Linscheid distributed his suggestions for revisions to the language. After a brief review, the Committee determined to continue its efforts after incorporating the suggestions from Mr. Linscheid. A paragraph was added to explain that the purpose of the narrative is to ensure a sufficient amount of information is included so the viewer of the document has the ability to evaluate the previous professional land surveyor's judgment. As a result of the discussion, the following language was drafted:

820-030-####

Narrative

To protect the interest of the landowner, neighboring landowner, the professional land surveyor, and future landowners, narratives create a clear historical record and justify any deviation from a "primary method." Furthermore, narratives allow other professional land surveyors and the court to understand and accept the work.

1) Narratives, as required by ORS 209.250(2), must reveal facts, data or information obtained, derived, or calculated and used as controlling in making a boundary determination.

- 2) When describing controlling or conflicting evidence or records the surveyor must include a description of found evidence or records that were not accepted as controlling and the reasons for their rejection.
- 3) When describing how boundary lines or other lines were established or reestablished the narrative must include a description of equipment used and the methods used to determine the boundary lines or other lines.
- 4) Record information must be given in detail and with a citation of its source.
- 5) Description and location of any relevant evidence of possession and occupation of adjoining properties that may be in conflict with the boundary being surveyed including, while not being limited to:
 - a. Condition of existing fences or other physical improvements;
 - b. Timber cutting boundaries;
 - c. Grazing boundaries;
 - d. Encroachments;
 - e. Easements.
- 6) Elements of a narrative may be expanded in other sections of a plat or survey map.

The Committee approved the draft language for distribution to the general public. Mr. Johnston offered to introduce the language to the Professional Land Surveyors of Oregon (PLSO) during their September Board meeting. In addition, the Committee is requesting public input for final discussion during October. If final language for a draft rule is determined in October, the Committee stated that placing the language into rule would be the next steps. A brief discussion then ensued regarding the timeline for the Rulemaking Process:

- November 8, 2011 Board meeting = Board approves the draft language to enter the Rulemaking Process;
- December 1, 2011 = Notices of Proposed Rulemaking and Rulemaking Hearing published in the December 1 Oregon Bulletin;
- January 10, 2012 Board meeting = Rulemaking Hearing held and final day of public comment.

Thereafter, public input remains welcome during the Rulemaking Process. There was no further discussion.

The meeting adjourned at 9:05 a.m.