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## RIGHT OF WAY

The Voice of the Right of Way Profession

SEPTEMBER/OCTOBER 2018

Volume 65 Number 5

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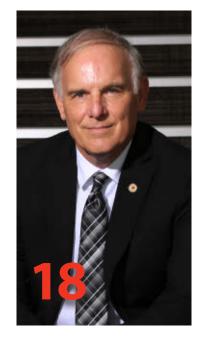
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### In This Issue...

We celebrate IRWA's new International President, Mr. Jeff Jones, SR/WA, on our cover and inside on pages 18-21. A long-time education advocate, President Jones promises to maintain our purpose to improve peoples' quality of life through infrastructure development, while building on our learner-centered, standards-based instructor development program. For Jeff, it's all about building member value.

We also highlight IRWA's 64<sup>th</sup> Annual Education Conference, held this June in Edmonton, AB beginning on page 28. This year's event, hosted by Edmonton Chapter 62 and chaired by IRWA leaders Brian Taylor, SR/WA, Koby Godwin, SR/WA, and Lauralee Harrison, SR/WA, welcomed over 800 participants to a great city and conference center. From the Opening Ceremonies to the Closing Gala, IRWA members and guests enjoyed a series of informative education sessions, networking events, Award Ceremonies and International Luncheons, fundraisers for our foundations and a not-so-subtle reminder that IRWA represents a body of knowledge and experience that cannot be found anywhere else in the world.

If you were able to join us in Edmonton, this issue is a pleasant reminder of a productive and fun series of events. And if you weren't able to attend this year's Conference, inside is a front row seat to all that transpired.

Enjoy!



Mark Rieck at Annual Conference with Past President Jerry Colburn, SR/WA, and General Counsel Brad Kuhn, Esq.

Mark Ruik

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Get to know the people behind the purpose

#### BY DEIDRE ALVES, M.ED.

Continuing the Instructor Spotlight Series, I am happy to present one of our IRWA CLIMB Certified Instructors from Canada. As a truly global organization, IRWA works with 17 countries, including Canada and the United States, striving everyday to improve people's quality of life through infrastructure development.

In this Spotlight, we will delve into the perspective of a CLIMB Certified instructor who teaches Real Estate Law and Expropriation Law Fundamentals in Canada. Guillaume Lavictoire received his LL.B. (Bachelor of Laws Degree) from the University of Ottawa, is fluent in both English and French, and he is on the Board of Directors of the Ontario Expropriation Association.

#### **GUILLAUME LAVICTOIRE**

### 1. What is the most rewarding part of instructing for the IRWA?

The opportunity to learn and to meet interesting and engaging members of the IRWA.



An instructor's learning experience manifests itself in a number of ways. To cite an old theory, you "learn by doing." Through the experience as an instructor, you relearn materials from a fresh perspective and discover what works best in preparing for and delivering a course. In time, you



are able to pinpoint the most efficient methodology for assisting students towards their learning objectives. That methodology can range widely and can include group discussion, a role-playing exercise and even an entertaining real-life example.

You also learn from your students. Although they may be new to the IRWA University, many course attendees are seasoned right of way professionals. They will typically complement the materials with their own unique points of view, stories and insights. Junior members also contribute to the learning experience, often providing a new perspective on long-established theories and models.

## 2. IRWA's purpose is to improve the quality of life through infrastructure development. As an instructor, how do you contribute to the fulfillment of this purpose?

The majority of the material I teach deals with expropriation, which is the focus of my legal practice. The expropriation process can generally be described as the compulsory acquisition of privately-owned land to advance infrastructure projects for a benefit to the public. To expropriated landowners, this process may initially appear to be a daunting and extreme exercise of legislative power. From the perspective of expropriating authorities, it is viewed as necessary for the greater good of the community.

Quality of life is improved when, as a group, we learn that expropriation is about balancing the public good with the rights of owners. The majority of attendees will work on behalf of expropriating authorities in their careers. They come to understand that although governments and other bodies are indeed equipped with these powers, the expropriations regime in Canada is structured to ensure expropriated owners are treated fairly and ultimately made whole through the process. We also explore various approaches to communicating with owners effectively to ensure they understand the process as well as their rights to fair compensation.

When owners feel they have been treated fairly, an expedited resolution is often achieved. This is a benefit to all parties. It lets the expropriated owner move on with their life and usually lowers acquisition costs for the expropriating authority.

### 3. What is the most important thing you would like your future students to know upon entering your class?

Be prepared to contribute. The learning experience is improved for those who contribute and IRWA members have a wealth of experience to share. A good portion of the learning happens through group discussion and exercises. The more people are willing to share their perspectives and knowledge, the more the students will benefit. When this becomes a collective group exercise, the learning experience is enhanced exponentially.

A special thank you to Guillaume for sharing his unique insights in our Instructor Spotlight Series. For more information on our CLIMB Certified Instructor Team or to book one of our CLIMB Certified Instructors with your Chapter today, please visit https://www.irwaonline.org/members/irwa-course-instructors and click "Find an Instructor" or contact education@irwaonline.org. •



Deidre Alves is IRWA's Chief Learning Officer.



# THINK BEFORE YOU SPEAK

The benefits of concentrating on the listener



#### BY CAROL L. BROOKS, SR/WA

Occasionally, I have a tendency to "shoot from the hip" and give little consideration to the impact of my words. As a team lead, this quick reaction unfortunately compromises clear, concise and caring conversation. One day while doing target practice off of my hip, I realized that my thoughtlessness needed a makeover. This realization was my moment to embark upon a journey to discipline my overly active mouth.

Like most efforts to modify behavior, it's helpful to follow a list of tips to ensure smoother travel when trying to break old habits and create new ones. The following "road map" has helped me to draw slower on the trigger by carefully analyzing my words and tone, and ultimately thinking before I speak.

#### Observe the Conversation

Instead of racing through a conversation, take a breath and make a commitment to listen to the other person without judgment or interruption. During this time, focus on the speaker and not on what you're going to say. Like a sponge, focus on absorbing. The mere act of listening helps to get the full story and understand where the other person is coming from. Since the listener controls the conversation, you not only hear their words, you also get to see what they're saying by watching their body language. If they cock their head or make a furrowed brow, you know that something isn't resonating with them.



Your goal is to find the best way to convey what you want to say in a manner that has a positive impact.



#### **Formulate Responses**

There are many different ways to say things. Your goal is to find the best way to convey what you want to say in a manner that has a positive impact. Search for the best word that is clear and concise. Most importantly, choose words that fit the listener. Communication is primarily a function of the recipient so it's necessary to communicate based on the listener.

#### **Consider the Information**

Does what you want to say ultimately pass the litmus test of thoughtful communication? Is what you say necessary, appropriate and timely (NAT)? If you are responding by way of automatic pilot, it's possible your communication doesn't fit the NAT model. If not, then sit back and continue to listen. You want what you say to have impact, not just make noise.

### **Be Thoughtful About Your**

It's not only what you say, but how you say it that matters. Tone of voice can convey enthusiasm and sincerity. Similarly, it can discourage and show sarcasm. When we use the wrong tone, then what we say can be taken in the wrong way. You can test the sound of your own tone by saying, "I'm hungry" in a pleading voice. Now, say it in a shout. Did you notice how using the same words with a different tone can send two different messages?

#### Be an Empathetic Listener

Don't just listen to the other person with your ears and eyes—listen to them with your heart. Pour out your own intrapersonal strengths by employing kindness, gentleness and graciousness. People want to be heard. They want to be understood, respected and accepted. An empathetic listener listens attentively to what the speaker isn't saying, determining what is being implied in between the lines.

#### Gauge the Reaction

Does the information you're going to present make a positive impact? How does the listener react? You want people to understand that you are contributing rather than detracting. While you're talking, consider what you're saying and keep a close watch on the reactions as they emerge. Be alert and be ready to adjust your behavior before the conversation spirals downward.

#### **Observe the Conversation Again**

After the conversation is over, review the whole process again in your mind and note what you might have done differently and why. This is an ongoing process. Over time, you will refine and improve. You'll become a better communicator and people will accept your responses with a more open mind.

By following these simple steps, you'll develop a keen awareness of your team in a way that is patient, thoughtful and generous. Challenge yourself today to put your full weight onto patience, thoughtfulness and selflessness by concentrating on the listener. Then get ready to reap the benefits of thinking before you speak. 3



Carol Brooks, SR/WA, is owner of Cornerstone Management Skills and a well-renown author and lecturer. With 20 years experience in right of way, she is an IRWA CLIMB Certified Lead Instructor and served four years as Vice-Chair of the Partnership for Infrastructure Professional Education. © 2018 Carol Brooks. Visit www.CornerstoneManagementSkills.com.



### MEMBER SNAPSHOTS

Donald Shirley celebrates 50 years with the IRWA



Donald Shirley began his career with the Iowa State Highway Commission in 1952 as part of the preliminary survey crew. 10 years later, he transferred into the Ames Office as a Design Technician with the Office of Right of Way—a field in which he would continue to thrive for decades.

Early in 1963, a new Chapter was forming within the IRWA (then called the American Right of Way Association), which would eventually become Iowa-Nebraska Chapter 41 before ultimately splitting into two Chapters. Ray Callahan and Bill Davis represented Iowa and were instrumental in seeking out new members. They quickly noticed Don's interest in advancing his career and spoke to him about joining the Association. In turn, Don went to his supervisor for some advice on the matter, but was surprised when this idea was met with laughter. His supervisor not only called it a mistake, he also insisted it was only an excuse to be out of the office and to get a free meal. Fortunately, Don decided against this piece of advice and joined the Association anyway.





Soon after becoming a member, Don was elected as Assistant Secretary-Treasurer of Chapter 41. In those early years, meetings simply consisted of a guest speaker, lunch and general discussions. Unsurprisingly, finances were a constant struggle. But the wonderful thing about being part of something from its early days is the ability to witness major growth, which is exactly what Don experienced in his 50 years with the IRWA. In fact, Don can still recall the very first female member and has watched as women have grown to make up a giant share of active membership and hold significant leadership roles.

"I am extremely proud of our organization today [which is] under competent, fiscally sound leadership and provides educational opportunities which would otherwise not be possible," Don reflects. He proudly points out that the Association has grown "from a joke in some minds 50 years ago to a worldwide recognized leader in the right of way field."

As Chapter 41 continued to make its way toward financial stability, Don served and led many committees. In the late 1960s, the Association began holding educational meetings where members could gain credit for the SR/WA designation, and Don soon received his in 1970. In 1974, he was named "Man of the Year" by his Chapter. Don was honored with the Professional of the Year Award in 1984 after holding nearly all Chapter elective and appointive offices and after spending eight years on the International Special Awards Committee. Most recently, Don was presented with the Lifetime Professional Award in July of 2018. It is evident that Don has spent decades as a mentor and an inspiration to countless IRWA members.

"I still have my eyes on what I believe is a vibrant, healthy, growing organization," Don remarks. "Chapter 41 is in good capable hands and will continue to contribute toward what began as a "good 'ol boys club" to what today is a leader in the right of way field." •







industry? Has it experienced noticeable changes as well? Of course it has.

#### A Look Back

We live in an age of incredible advancements which have been fascinating to observe and participate in. Improvements in transportation, the explosion of personal computing access, the increasing availability of information through the internet and other technological developments are dramatically changing society.

Progress is fast-paced and as a result, it is rearranging the public's wants and wishes. Businesses are eager to meet new consumer needs with innovative products and services, but what about the ethical issues in the midst of such change? Are our ethics also consumer driven? Maya Angelou, a notable author and community activist, apparently thinks so. She wrote, "The needs of society determine its ethics."



History reveals this to be true. Just take a look back to agrarian society where it was acceptable to use slave labor to achieve economic gains or in the dawn of the industrial revolution, where children were frequently used to reduce labor costs. While these practices are certainly unethical to us, they were not often challenged during their time. Instead, these practices were viewed as necessary for the "needs" of local culture. Thankfully, we continue to develop, evolve and improve as a society. As we do so, we must actively work to ensure our ethics align with our development.

#### The Evolution of Our Industry

Ethics considers how people relate to one another. In business, this includes employees, consumers, suppliers and the community. Our industry has experienced transformations which by necessity have been accompanied by a change in ethical viewpoints. It's important to highlight a few of the more obvious changes in our profession.

Perhaps the most significant is the evolution from being an industry dominated by men to a much more inclusive one that has recognized the



equal contributions of women. In addition, it is common for women to be both business owners and corporate executives.

Additionally, there's been a noticeable change in how employers handle employees. Ethical considerations increasingly influence the issues of hiring, firing, lay-offs, training, compensation and employee benefits. Today's businesses routinely define company values, policies and ethics standards, and manage accordingly. Respect for the dignity of employees as people is increasingly evident compared to their treatment as "units of labor" in decades past.

This ethical high ground is noticeable in the health and safety programs which have become a high priority within our industry. While companies benefit from a decrease in the high costs associated with accidents, the motivation for this focus is not merely economic. It seems to be based in a sincere concern for the employee's welfare.

Profitability is critical, but making money unethically is widely condemned in today's industry.

Nowhere is this more evident than in negotiating landowner agreements.

Companies commonly recognize that "the end does not justify the means."

Right of way professionals generally believe that it is ethically sound to disclose what a "reasonable" person would want to know and to provide

landowners with all information that is "relevant" to the decision being made. Ethical companies astutely understand the short and long term negative consequences of deceitful manipulation.

Concern for the environment is an issue which demonstrates the evolution of business ethics. Caring for the planet has become a moral issue. Twentieth century French writer Saint Exupery said, "We do not inherit the earth from our ancestors, we borrow it from our descendants." This view underpins our industry's increasing commitment to protect the environment.

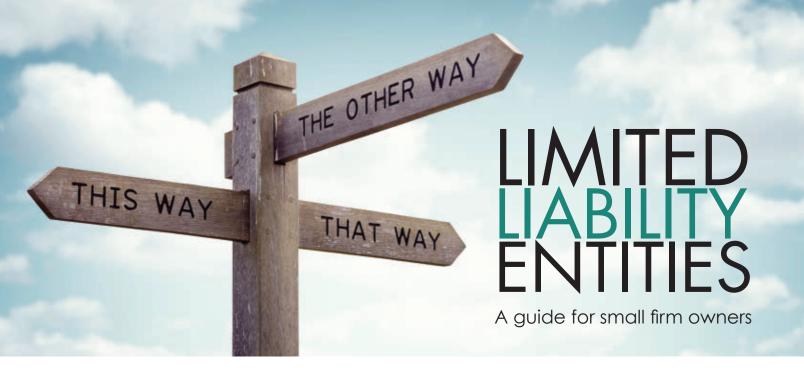
#### **Continuous Improvement**

I'm not convinced that the definition of right and wrong ought to evolve according to the current needs of a changing society. Perhaps it is unrealistic and utopian to think that ethics should be anchored in an unchanging, universal code. Nonetheless, as an Association, let's celebrate changes that demonstrate our desire to do things right and to treat people right. And let's support the IRWA as it champions ethical behavior within our industry and among our membership. •



Brad Yarbrough is the Owner and CEO of Pilgrim Land Services, a right of way services company in Oklahoma City. With over 35 years experience in oil and gas, he has clients nationwide and an extensive network of landmen and agents.

Ethical companies astutely understand the short and long term negative consequences of deceitful manipulation.



#### BY PETER T. CHRISTENSEN

"I don't have any personal liability risk for the work I do because I operate my firm as a limited liability company." We hear this often from professionals like right of way agents and appraisers who have started their own firms. Unfortunately, this is an incorrect understanding of the legal protections provided by organizing a firm as a limited liability type of business entity.

The most common forms of limited liability business entities are corporations, limited liability companies (LLCs) and limited liability partnerships (LLPs). Whether your firm provides right of way, appraisal or other property-related services, choosing to organize your business in one of these forms definitely can be a smart business move. Nevertheless, the legal reality is that corporations, LLCs and LLPs don't actually protect the professionals working in the firms from potential liability for claims about their own alleged professional errors and omissions. The easiest way to comprehend this legal conclusion is by thinking about a more commonly discussed area of professional liability: medical malpractice. When a doctor makes a bad mistake in treating a patient and the patient's lawyer pursues legal action, the lawsuit almost always

will name the doctor as an individual defendant (as well as other parties, like the hospital).

Whether it's a doctor, appraiser or right of way agent, the individual professional who performs the work has primary responsibility and potential legal liability for their own work. The firm itself also has potential liability risk for the work, but that liability stems vicariously from the staff member who actually performs the service. This is why in professional negligence lawsuits stemming from deficient right of way or appraisal work, we commonly see both the individual professionals who performed the work and the firm named as defendants. The cold truth that professionals don't escape liability for their own work, however, doesn't mean that owners of firms should avoid organizing their firms as limited liability business entities. Choosing the right entity form still offers plenty of other liability protections and additional benefits besides protecting oneself from professional liability. This is especially the case for the owners of small firms, as the largest of firms almost always are already formed as corporate or LLC entities.

#### **Basic Business Entity Options**

When considering the creation of a new firm or a change in the form of an existing firm, the principal business entity options available are: sole proprietorships, general partnerships, corporations, LLCs and limited liability partnerships. Let's take a look at each type of entity and at some of the key reasons why you might choose one over another as a right of way professional.

Sole Proprietorships and General Partnerships. If you're going into business for yourself— either alone or with colleagues—sole proprietorships and general partnerships are the easiest types of business entities to form. That's because they are formed by default if you don't take the official steps to create a different type of business entity. If you start a business alone, you'll have sole proprietorship by default. Similarly, in most states, if you start doing business with a colleague or several colleagues and do nothing to form a separate legal entity with them, the law will presume that you have a general partnership, with each of your ownercolleagues being a partner. These are the default forms of business. The downside is that they provide



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absolutely zero liability protection. For example, if three appraisers are working together and haven't formed a different type of entity, they will each be personally liable not only for their own professional work, but also personally at risk for the work of the two other partners—even for valuation errors by another partner. Moreover, they will each have full personal liability for all of the other non-professional debts and liabilities of their business. For example, if they lease an office together in the name of their partnership, they are each liable for lease obligations. If one of their administrative employees suffers an injury at the office, they may each face potential personal liability.

Despite the lack of protection, a sole-proprietor form of business may still be acceptable for a solo operator with no other professional employees performing services in the name of the firm and/or no other significant staff. This form of business is simple and inexpensive because it has no state registration requirements. Because a solo practitioner is potentially liable for their own professional errors anyway, there is less to gain in this scenario from using a limited liability entity unless the firm is exposed to significant non-professional risks or liabilities. For income tax purposes, it's also an easy entity to report because the income from your sole-proprietorship is simply reported on a Schedule C to your regular personal income tax return; no separate tax return is filed for the business.

However, when the solo operator starts taking on employees who also perform professional services, that's when the small firm owner should consider one of the limited liability entity types. Otherwise, in a scenario involving a significant claim about a professional employee's work, the sole proprietor may find him or herself personally liable for that claim. It's an especially important consideration because as the employer of the professional staff member, the firm and its sole proprietor likely have a

legal duty to the employee to pay the costs of defending the employee for work on behalf of the firm and paying any amount for which the employee may be found liable.

Multiple professionals in business together should also generally look toward one of the limited liability forms of business to protect themselves against personal liability for each other's work or the work of professional employees in the firm. As a general rule, they should not choose the default entity mode which usually means a general partnership. We have seen cases where one partner was held liable for the other partner's work and the innocent partner was forced to pay up because the responsible partner's assets could not satisfy the judgment.

Corporations. Corporations are the traditional form of business that people think of when it comes to limiting liability. One frequent misunderstanding, however, is confusion between so-called "C corporations" (or "C-corps") and "S-corps." Although some states do have special statutes for corporations with a small number of shareholders, the terms C-corp and S-corp specifically pertain to federal taxation chapters in the Internal Revenue Code. The choice between a C-corp or an S-corp deals with tax reporting purposes and does not relate to the organizational formalities of the corporation. With C-corps, a separate income tax is levied at the corporate level; while with an S-corp, the income is tallied at the corporate level but then flows through to each shareholder with all income taxes paid at the individual shareholder level. For tax purposes, the owners of relatively small right of way or appraisal firms will usually elect to be considered S-corps to avoid the double taxation imposed on C-corps. However, this is a matter to consult with your accountant because of the tax law changes taking effect for the 2018 tax year.

Regardless of the tax treatment elected by shareholders, corporations share the big advantage of limiting the personal liability of their owners. With a corporation, the shareholders are not personally liable for the debts and liabilities of the corporation, subject to some exceptions pertaining to piercing of the corporate veil.

Limited Liability Companies. Like corporations, LLCs also protect their owners—technically referred to as members—from personal liability for the debts/liabilities of the business. Thus, when an LLC is owned by multiple professional members, none of the members will have personal liability for the professional errors or omissions of the other members. And for tax purposes, the LLC's income flows through to its owners without separate taxation at the entity level. Furthermore, when an LLC is owned by a single member, that single member can even choose to report the LLC-earned income on a simple Schedule C, rather than preparing a separate return for the LLC.

Another key benefit to the LLC form is that the official paperwork required for operating LLCs under most state laws is generally reduced. For the most part, official meetings, minutes, resolutions and a lot of the regular administrative recordkeeping required for corporations are eliminated. This is one of the key reasons that many small firm owners choose the LLC form.

#### **Limited Liability Partnerships.**

Limited liability partnerships (LLPs) are a relatively new business entity form in many states. Like corporations and LLCs, LLPs can only be created by formal registration with the state. Under most states' laws, they also provide liability protection in that partners are not ordinarily liable for the negligence of another partner. Though the details will vary from state to state, there is often no

personal liability protection for contractual (non-professional) liabilities of the partnership.

### Choosing to Form a Limited Liability Entity

If the discussion in this article has moved you to consider organizing a new small firm or reorganizing an existing small firm as a limited liability entity, it is highly recommended that you seek two forms of advice:

- (1) Accounting advice to help you select the most tax appropriate entity applicable to your circumstances and
- (2) Legal advice from an attorney with experience helping small businesses.

The outline of tax matters in this article is greatly simplified and there are additional entity choices available in some states which may provide more benefits or come at lower regulatory cost. Accounting and legal advice for making good choices are not expensive services to retain, and doing it right from the beginning will save thousands of dollars in later professional fees to redo incorrect choices and/or unnecessary taxes.

### Preserving the Liability Protection of Your Entity

Corporations, LLCs and LLPs can provide excellent protection, but like most operating things, there's some maintenance involved. The principal way that liability protection can be lost is if a creditor is able to "pierce the veil" of the entity. Based on claims we've seen involving right of way and appraisal firm owners, the key details to handle correctly are:

• Respect the administrative requirements of the business form you've chosen. If it's an LLC, this will usually mean filing annual registration statements in your state and filing required tax returns. If it's a corporation, there will be more

formalities involved and you'll likely need some guidance as to the proper keeping of minutes and preparation of appropriate documentation regarding key decisions.

- Do not commingle the funds of any business entity with personal funds. Do not use the business bank account to pay personal bills. Pay yourself first, document it in your accounting and then pay your bills from your personal account.
- Sign all documents on behalf of the firm and in the name of the firm. For example, when using an engagement agreement for an LLC firm, always make sure that the agreement includes the full name of the firm at the beginning of the agreement and that the identification of the firm lists it as a limited liability company, either by including those words or using the LLC abbreviation. Sign the agreement with a reference to your working title and include the name of the firm in the signature block.

#### In Summary

Small firm owners can greatly benefit from gaining an understanding of the various elements involved in each limited liability entity. While there are advantages and disadvantages related to each type of entity, determining what best protects yourself, your staff, your clients and your company will be vital when matters of liability come into play. Good luck with your business! •



Peter Christensen is General Counsel for LIA Administrators & Insurance Services and has been an attorney since 1993. LIA has been offering errors and omission insurance to the appraisal profession since 1977.



#### An Interview with IRWA International President

### JEFF JONES, SR/WA

#### BY ETHEL NAVALES

Like many, Jeff Jones, SR/WA, stumbled upon the right of way profession rather unexpectedly. So when his boss suddenly made the suggestion to attend an IRWA event, who could have known that Jeff was about to embark on one of the most rewarding aspects of his professional career?

Flash-forward to current day and Jeff has held countless leadership positions in the Committee, Chapter, Region and International level. Passionate about IRWA mentorship and education, Jeff may perhaps be the best person to welcome an IRWA newcomer. Not only does he know this Association inside and out, he personally understands the true value that IRWA can bring to someone's life. After all, who better to lead our members than someone who's capable of empowering them?

### How did you first get started in the right of way industry?

Straight out of school, I went to work for the County of Oakland in Michigan, which led me to a position with the Road Commission for Oakland County (RCOC) in Engineering/Design. While creating the plans for road projects, I learned about the need for right of way and most importantly, the importance of communication between the engineering staff and the right of way staff. 17 years into my career at RCOC, a supervisor position opened in our Right of Way Division. I was chosen to fill the position and fell into the right of way profession with both feet running.

#### What led you to join IRWA?

Truthfully, it was thanks to a handful of inspiring people that I joined and grew invested in the Association. Shortly after starting in the Right of Way Division, my boss Jim Fanzini sent me to the Michigan Chapter 7 Fall Education Seminar. I sat down at a table with two strangers and as luck would have it,

those two strangers turned out to be the future IRWA International President Pat Petitto, SR/WA, and the Balfour Award recipient Alicia Worthley, SR/WA. After some great recruiting over the two and a half days, I went home with a membership application and lots of motivation to continue with IRWA. A short time later, I took classes 101-A and 101-L with Instructor David Burgoyne, SR/WA. I spoke to him about how much I enjoyed the classes and he suggested that I work toward my SR/WA. As you can see, these individuals were pivotal in my journey of growth within the organization.

### What do you find most rewarding about volunteering your time to IRWA?

The people. We have some amazing people in all the disciplines of the Association, from our young professionals to our seasoned professionals. I enjoy watching members that are asked to serve in Chapter, Region and International roles learn to embrace their positions. I thoroughly enjoyed coordinating courses and seeing the enthusiasm in learning and wanting more. Most of all, our networking and information sharing is something I am particularly proud of. I know I can always reach out—even to a competitor—for information to solve an issue with a property or project.

### What led you to become involved in IRWA leadership?

I can answer that with one name: Pat Petitto. During the 2001 Region 5 Spring Forum in Michigan, I was coordinating a pilot of the first Pipeline course with instructor Alan Wurtz, SR/WA. After the class, Pat stopped by and mentioned that the Region needed a representative for the Local Public Agency Committee and asked if I would be interested. I didn't know at the time, but by saying yes, I was stepping into the beginning of this incredible journey.

#### As President, what are some of your most immediate priorities?

I have always been a believer in our education process and I will continue to place IRWA education as a priority. I look forward to the continuing improvements that are coming out of the PIPE Committee, both in updating our current courses and in creating new courses. We are developing our instructional presentation with the CLIMB Instructor Program and I am excited to see our students engaged in such a dynamic and beneficial form of class instruction.

#### Can you expand on your passion for IRWA education and how it began?

When I came into the profession, right of way was a line in the sand you didn't cross without permission. But when I began taking IRWA classes, I learned how to obtain that permission, look for environmental issues, relocate a family or business and much more. It was thanks to this education that I gained the opportunity to grow both professionally and

personally. I got the opportunity to be Chapter Education Chair and Course Coordinator—positions which allowed me to work with the best instructors in our industry, such as W. Howard Armstrong, SR/WA, a true leader and mentor in the Association. My most recent enjoyment was working with the PIPE Committee who showed me that ambition can make IRWA education great.

#### Have you experienced a meaningful mentor relationship?

I have been blessed with countless mentors throughout my life, including my parents, Ron and Kay Jones, who were my first life mentors. Professionally, Pat Petitto has provided mentoring since my start in IRWA Education and introduced me to the International level of our Association. A particularly meaningful mentor relationship I've experienced is one with Past President Mary Anne Marr, SR/WA. I had the honor of serving on the IEC with Mary Anne and I can't count the number of hour-long phone conversations we've shared. Outside of IRWA,

I can turn to Dennis Kolar, my former co-worker at RCOC, league golf partner and friend. Dennis is a board member and Past President of the County Road Association in Michigan. We have had quite a few talks on the way associations work and conduct business. I hope that Dennis has even learned a little about IRWA as the proofreader of my candidate statements. These amazing mentors and equally amazing experiences lead me to believe highly in our mentor/mentee program. I encourage you all to learn though the experiences of others and reach out. Trust me, it can work.

#### How would you describe IRWA's higher purpose?

When we first discussed IRWA's purpose statement, "We improve the quality of people's lives through infrastructure development," I struggled with it because I had just been told by a property owner that I had ruined his life when we placed a sidewalk close to his home as part of a road widening project. However, I took a step back and thought of all the people the project was helping. And though he had not realized it yet, I thought about how the addition of the sidewalk though perhaps not ideal at first would provide a level of safety for the property owner and his family. Upon reflection, I grew to believe in our purpose statement more and more because ultimately, our members provide communities with safer roads, energy for businesses and homes, water, communications and much more with infrastructure development. I would imagine that many projects face similar situations but in the end, our primary goal is to make great improvements for people and communities.



### As President, what do you want our members to know?

I want the members to know that I am open to communication and certainly available for it. Both the IEC and the IGC want the best for the Association and we thoroughly observe the Association's programs and initiatives. No matter what, we are working with the best of each and every member in mind.

### What role will young professionals play in IRWA's future growth?

I believe the future is here. We have past young professionals serving on the IEC. There are many YP's serving in our Chapter, Region and International committees. As members, they have made a huge impact on our Education Foundations. I was a participant of the Young Leadership Program in the early part of this millennium and this group didn't achieve the momentum that our current group has. The mentor/mentee is a program that will continue to grow the YP group as they interact with the more seasoned IRWA members.

### How can the IRWA leverage technology to benefit the Association?

We have made quite a few technological advances in the past year, such as the new IRWA website, the creation of the Credentialing Concierge and more use of the IRWA Education Conference App. We are also using social media to promote job opportunities, highlight key



industry projects and promote our education and credentialing programs. This past year, the IGC approved working with a marketing team to further promote our Association and I am looking forward to the benefits from this partnership.

### What would you say to an industry newcomer about career opportunities?

I would tell any industry newcomer to take advantage of the IRWA job bank with all the postings, as well as job opportunities listed on social media. Of course, this is just one of the many benefits of this Association. And as an IRWA member, it always helps to get involved. Step up and volunteer in the Chapter because the rewards and the relationships formed are both amazing and beneficial to your career. I would also promote our education classes and encourage all members of our Association to work toward our certifications

and ultimately, our SR/WA. The knowledge you gain on your journey to receiving your SR/WA will be well worth it.

#### What would you say is the greatest benefit of membership?

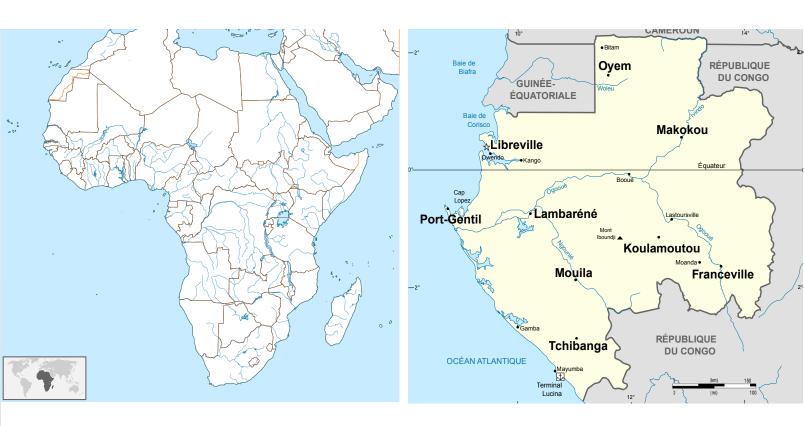
For me, the greatest benefit of being a member of the IRWA has been the opportunity to be a part of a professional organization that promotes our purpose. Our members have experience and expertise in our industry, and they are happy to share their knowledge. It is really rewarding to be part a group that has been invited to meet with FERC to assist in policy changes and influence International Ethics. Additionally, I couldn't be more pleased with our great education and credentialing program in infrastructure real estate. I am proud to be a part of the International Right of Way Association and I am honored to serve as your International President.

## CONTRIBUTING TO **ÖPMENT**

A commitment to capacity building



magine living in an environment where you lose power every time it rains. Imagine being delayed getting to work because you had to bail a foot of water out of your living room or because the dirt road access to where you work is now a lake. Of course, by lunch it will all have dried out so you will go about your business and prepare to repeat this routine tomorrow. Such is the way of life in Port Gentil, Gabon.



#### **Welcome to Central Africa**

Gabon is located on the western coast of Africa, straddling the equator. It is bordered by Equatorial Guinea and Cameroon in the north, and the Republic of the Congo in the south.

Due to its location, Gabon experiences a year-round tropical climate with temperatures ranging from 68°F in the cooler months to 88°F in its hottest month of January. The rainy season approaches in October and continues through May, with an annual rainfall of approximately 100 to 150 inches. This lends itself to very humid conditions most of the year.

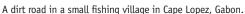
Gabon covers just over 250,000 square kilometers of land. The majority of the population can be found in the coastal cities and villages, while much of the remaining parts of the country are covered in rainforests and grasslands, which are home to Gabon's thriving biodiversity. In 2002, the President of Gabon designated

roughly 7.3 million acres of marine and land area for conservation, establishing the country's National Parks Service and 13 national parks.

#### Utilities, Transportation, Oil and Gas

Gabon's abundance of natural resources has allowed for a profitable economy through the exportation of timber, manganese and crude oil. Natural gas is also extracted and produced in country, however, it is strictly for Gabonese consumption. Half of the installed energy in Gabon is supplied by fossil fuels while the remaining half is supplied through hydroelectric power from the large river systems that run through the country. Despite this, nearly 12 percent of the population still remains without access to electricity. The movement of these resources within the country is restricted to approximately 12,000 kilometers of roadways, railways and gas and oil pipelines. Remarkably, of the 9,170 km of roadways, only 1,097 km are paved.







Oil exploration has shifted offshore to meet the economic demands for exportation in Port Gentil. Gabon.

#### **National Development**

Most countries have a National Development Plan, which is a document that lays out a strategy for economic growth and stability. It is prepared by an appointed council and addresses anything from infrastructure development to initiatives for agricultural growth that will boost the local economy.

Gabon recently approved an Economic Revitalization Plan in which the government has committed to improvement projects that will grow and diversify their economy, stabilize their infrastructure and improve the lives of their citizens. The Gabonese government realizes that in order to continue being an attractive destination for foreign investors, they must show commitment to this plan. But how do they do this?

By committing to initiatives within these plans, countries have access to external resources that can provide the tools, training and expertise to ensure they meet their goals through a sustainable progress, known as "capacity building."

#### **A Capacity Building Model**

Earlier this year, I was deployed to Gabon where I was part of a United States Coast Guard team training the Gabonese Navy. This training evolution was part of a much larger initiative which falls under the Defense Security Cooperation Agency (DSCA), whose purpose is to "develop and execute innovative Security Cooperation solutions that support the United States and

partner interests." The initiative focuses on these key themes: leadership, integrity, teamwork, innovation and efficiency.

We have a process for conducting exportable training that involves a sequence of three phases. When a country sees a gap or need, they request assistance and training. We identify which existing course curriculum might fit the request and select the appropriate personnel to deliver the training.

Phase I involves training personnel in basic skill sets for whatever the requested topic may be. Phase II is our "train the trainer" phase, which involves instruction in classroom management, development and delivery of the same topic content that was delivered in the previous training. And the third phase is the graduate level, where those personnel are delivering the content to their members under observation and evaluation from our teams.

In the case with Gabon, a team had previously conducted Phase I training with the group of Navy personnel. Our team arrived roughly a month later to deliver Phase II. The selected personnel were motivated, experienced and ready to take on the challenge of becoming the trainers. We were quickly impressed by their ability to effectively deliver the content to each other and our team.

They displayed the skills necessary to successfully develop, design and

deliver training, and they did so despite consistent power losses and heavy rain storms that delayed the training process. Their resilience further indicated the commitment and dedication to investing in sustainable training programs that will carry throughout their government.

#### **In Summary**

Nelson Mandela once said, "Education is the most powerful weapon which you can use to change the world." Sharing resources through global capacity building directly contributes to diplomacy and national development. A strong and capable government empowers strong and capable citizens. This combination facilitates progress and presents stable platforms to carry out plans for improvement, revitalization and development.  $\bullet$ 



Michelle Schopp is an officer in the United States Coast Guard and Chief of the International Resident Training Branch in Yorktown, VA. She has 20 years of extensive background in the maritime industry, including environmental management and training of maritime professionals from around the world.







I knew real estate, but what I didn't know was right of way.



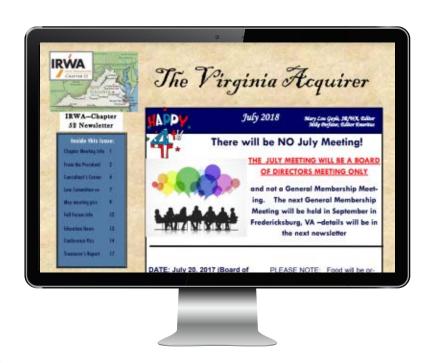
My career in right of way work began when I accepted a position as legal secretary for the Virginia Beach City Attorney's Office. My job duties included drafting/revising agreements of sale and closing documents, as well as reviewing plats, title reports and appraisals for road projects. What an eye opener! I thought I knew real estate, but what I didn't know was right of way. I worked for the City Attorney's office for 18 years and then transferred to the City of Virginia Beach's Public Works Department-Real Estate Division in January of 2014. My new position as a Right of Way Agent prompted me to join the IRWA.

#### Stepping into the Association

Shortly after I joined the Real Estate Division, I was asked by Robin Brandeburg, SR/WA(my boss and Chapter 52's then President-Elect) to consider taking over the newsletter. I told her I would think about it, but I wasn't ready to commit. I had just started a new job and more importantly, I needed to find out

more about the IRWA. I started going to the meetings within three weeks of joining the division. I met the most wonderful people at that first meeting and had a great time. It didn't hurt that the meeting was held in Charlottesville at Michie's Tavern, which boasts the best fried chicken in Virginia! My list of new acquaintances and contacts within the field began to grow.

After that first meeting, I was once again asked to take on the newsletter. I had edited newsletters at previous jobs and while I would not say that I jumped at the chance, I nervously agreed to give it a go. I needed some time to get acclimated to my new position in Public Works, so it was agreed that my stint would begin with the July edition. To prepare, I reviewed several copies of previous newsletters and began to brainstorm. I also attended Chapter meetings, general membership meetings and I even sat in on the board meetings to get a sense of what direction I wanted to take this newsletter.





#### **Creating a Vision**

Chapter 52's Region encompasses the entire Commonwealth of Virginia. It is rich in our nation's history and is the birthplace to eight of our United States Presidents. I wanted that heritage to be incorporated somehow into our newsletter, The Virginia Acquirer.

I chose a dark parchment background for the newsletter to be reminiscent of the Declaration of Independence, and I also chose a font for our logo that looked like it was written with a quill pen. I sent these ideas to the Chapter officers and received immediate thumbs up. I added a monthly recipe and asked Phyllis Lilly, SR/WA, a stalwart of our Chapter and Region, for a copy of her famous barbecue recipe. She gladly gave it to me, along with an article on appraisal news! And just like that, I had the first feature article.

#### **The Process**

The first newsletter consisted of only four pages, but I quickly realized that this was the beginning of something big. Sure enough, the newsletter grew and matured. Plans for the next

newsletter began immediately after the first one went out. Every board meeting presented an opportunity to solicit ideas, take pictures and enlist regular contributors.

In addition to the articles, I try to include some information from IRWA Headquarters, copies of our latest Treasurer's report, a word search with words taken from various IRWA classes (I pick a different class each month), credentialing and education information, conference and forum updates, as well as industry changes and news. The recipe of the month still appears and has resulted in taste tests at our Chapter meetings. The search for new ideas and features never ends. The newsletter must continue to evolve in order maintain interest from members.

I still start each newsletter a day or two after the previous newsletter goes out. Though finding good content is a constant concern, I have found that the longer I do this, the more the newsletter seems to write itself (though chasing my Chapter Presidents for their contribution can be a task in itself). Our last newsletter was 20 pages long and the only advertisement included was a one page ad dedicated to the company sponsoring that month's meeting.

#### A Source of Inspiration

Whenever I get emails from Chapter members commending the newsletter, I am reminded of how proud I am of how much this newsletter has grown over the years. The newsletter has become a great source of enjoyment and inspiration to become more active in the IRWA. I recently obtained my SR/WA and the knowledge received from all of that training has helped me do my job better. Last year, I was nominated as Chapter Secretary and this year, I was inaugurated as the 2<sup>nd</sup> Vice President of Chapter 52. My nomination caused some worry among members who believed I would have to give up the newsletter, but I have decided that I will continue my duties as newsletter editor. After all, the experience has been worth its weight in gold. 😂



Mary Lou Gayle, SR/WA, is a member of Region 4, Chapter 52. She works for the City of Virginia Beach, Public Works-Real Estate division. She is the proud mother of two children, grandmother of two grandbabies and owns a black pug named Abby.

### IRWA'S 64<sup>TH</sup> ANNUAL INTERNATIONAL EDUCATION

### CONFERENCE

BY ETHEL NAVALES





onference attendees quickly discovered that Edmonton offers even more than the largest mall in North America and an endless supply of ketchup chips. As it turns out, this Canadian province of Alberta was the perfect location for IRWA's 64th Annual International Education Conference. Hundreds of right of way professionals from around the world gathered in the Shaw Conference Centre for a week of educational sessions, networking opportunities and important Association business.

On behalf of Chapter 62, Conference Co-Chairs Brian Taylor, SR/WA, Koby Godwin, SR/WA, and Lauralee Harrison, SR/WA, welcomed over 800 conference attendees and thanked the countless individuals who worked to organize the successful event. They introduced the Royal Canadian Mounted Police and the 116th Lynwood Scout group for the presentation of the flags before reminding attendees to download the official IRWA Conference app.

After calling the Annual Meeting of the Members to order, International President Jerry Colburn, SR/WA, kicked off the Conference by recognizing the finalists for IRWA's most prestigious award, the Frank C. Balfour Professional of the Year. The finalists—Leslie Finnigan, SR/WA, Brad Krabel, SR/WA, and Patricia Thayer, SR/WA—took the stage to express their sentiments on being given such a recognition.







#### **Our Responsibility**

"We help to develop efficient transportation systems, deliver clean water, provide a reliable electric supply and bring natural gas and oil to our homes and industries," Jerry noted. "We help develop communities and provide people with opportunities that were not thought possible. We truly have the ability and the responsibility to improve the quality of people's lives."

Jerry went on to acknowledge the various Association accomplishments including the advancement of the Young Professionals Group, our increased visibility and relevance as an organization, our first batch of recipients for the Forty for Forty Scholarship, an increase in our global influence, the Second Annual Conference for Global Infrastructure Real Estate and the beginning of our Emerging Leaders Program.

"I want to say how proud I am to be a part of this tremendous organization," Jerry commented. "We've come so far in just the five years that I have been on the IEC—making investments in our future, modernizing the Association and focusing on succession planning. The leadership on the International Executive Committee is incredible and you have made great decisions in electing your leaders."







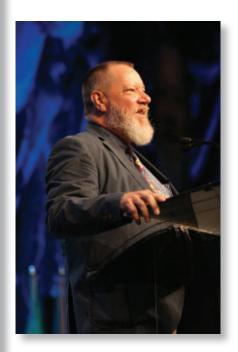


#### **Building the Future**

IRWA's Chief Executive Officer Mark Rieck reported our key performance measures. Membership income stands at \$1.715 million with 9,212 members. Education income stands at \$1.847 million with 7,654 IRWA classroom and online participants. We have 3,148 certified and designated members, with 34 percent of our membership holding a credential. Mark noted that he is particularly pleased with the collaborative effort demonstrated by Chapters and staff to produce 355 classroom courses this fiscal year.

Mark pointed out that over the last three years, we have worked tirelessly to modernize the IRWA by launching a new website, providing a weekly advocacy report, upgrading the Right of Way Agent curriculum, gaining Non-Government Organization Consultative Status with the United Nations, empowering 40 new IRWA scholars, completing our first-ever congress in Mexico City and creating a learner-centered instructional development program. And as Mark always says, we are just getting started.

"IRWA's body of knowledge and body of experience must be preserved, passed down and built upon in a way that makes right of way work in infrastructure development a deliberate career path, not a mid-career discovery." Mark commented. "The stakes have never been higher and our opportunity for impact in the 17 countries we represent is great. And if you need to hear it again, I have never been more proud of the Association than I am right now."



The Annual Awards Ceremony started on a high note with the introduction of Randall Kopfer, SR/WA, Chair of the International Nominations & Elections Committee (INEC). To begin, Randall congratulated the winners of the 16<sup>th</sup> Annual Mapping Competition. Randall then invited INEC Vice Chair Jenni Kriner, SR/WA, to announce the Student Scholarship Awardees. The SARPA Scholarship was awarded to Brooke Whelpley and the Canadian Scholarship was awarded to Bridget Willemse.

"The awards presented today symbolize the best of the IRWA and the professionals in this industry," Randall said. "Every recipient and finalist should be proud of their accomplishments."

Tamara Benson, SR/WA, and Janet Walker, SR/WA, were the recipients of The Louise L. & Y.T. Lum Award.











TOP: Trevor J. Martens, SR/WA, was named the W. Howard Armstrong Instructor of the Year.

TOP: Winner of the Employer of Year Award with less than 20 employees was Bohannan Huston.

BOTTOM: For the Employer of the Year with more than 20 employees, the award went to HDR Inc.

BOTTOM: The Alan D. Wurtz Young Professional Scholarship Award was presented to Amanda Vande Vorde.



The Young Professional of the Year Award was presented to Derrick W. Roma, SR/WA.



### AWARDS CEREMONY

IRWA's most esteemed honor, the Frank C. Balfour Professional of the Year, was awarded to Patricia F. Thayer, SR/WA. This award honors exemplary support and commitment to the Association. "It takes a village," Pat said as she explained the work that IRWA members take part in. "And this group here is amazing."





TOP: Newsletter of the Year was awarded to Chapter 2, Region 1 for "Bayviews."

BOTTOM: Chapter 2, San Francisco received the Chapter of the Year Award.





TOP: Chapter 4, Bellevue/Seattle won the Gene L. Land Award for highest numerical gain.

BOTTOM: Chapter 56, Delaware won the Gene L. Land Award for highest percentage gain.





TOP: Santa Clara Valley Water District was awarded the Government Employer of the Year.

BOTTOM: The Website of the Year Award was presented to Chapter 1, Region 1.

### SR/WA

### RECOGNITION







For years, the SR/WA Recognition Ceremony has been a beloved conference tradition, bringing participants together to celebrate and support the members who achieved IRWA's highest professional designation over the previous 12 months. The SR/WA designation is granted to right of way practitioners who have achieved professional status through a combination of experience, education and examination. While the SR/WA professional may be a specialist in one area, they must also be familiar with all disciplines associated with the right of way profession.

This year, special guest emcee Carrie Doll took the stage to announce the honorees. Owner and founder of Carrie Doll Consulting, Carrie worked for a variety of stations across Alberta before settling down in Edmonton where she anchored CTV news at 6pm for 13 years. During her career, she has interviewed countless news makers locally and across the country, speaking with key individuals in both the entertainment industry and politics.

Honorees in attendance were asked to come up on stage to accept their certificate before taking their photo with International President Jerry Colburn, SR/WA, Chair for the Partnership for Infrastructure Professional Education Tami Benson, SR/WA, and Chair for the Credentialing Committee Trevor Martens, SR/WA.









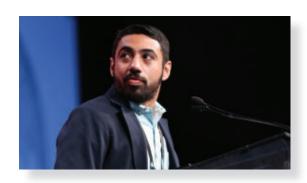




IRWA's global expansion continues to thrive. We now have members in 17 countries with our influence shaping regulations, policy and even laws regarding access for infrastructure projects around the globe.

Last year, right of way professionals from around the world gathered in Mexico City for the 2<sup>nd</sup> Annual Congress for Global Infrastructure Real Estate. This year, we brought that same wealth of knowledge to the Annual Conference with the International Luncheon on Tuesday, June 26<sup>th</sup>.

Mary Anne Marr, SR/WA, Chair of the Council on International Relations, took the stage to introduce the wonderful speakers, who each presented an update on current right of way matters in their country. Andrea Carolan spoke on behalf of Australia; Jeff Burke spoke on behalf of Canada; Jesus Sandoval and Ale Ceron Guedea spoke on behalf of Mexico; Emmanuel Mark Fnivs spoke on behalf of Nigeria; Marei Mashabela spoke on behalf of South Africa; and Salah Makhaytah spoke on behalf of Saudi Arabia.







# INTERNATIONAL LUNCHEON









### BOARD OF DIRECTORS



The Annual Board of Directors Meeting was held on Wednesday, June 27<sup>th</sup>. International President Jerry Colburn, SR/WA, welcomed the members in attendance and called the meeting to order. Jerry made note that the minutes of the previous Board of Directors meeting, the financial statements and the details of the 2018-2019 budget were all distributed electronically in advance.

Jerry invited International Treasurer Sharon Slauenwhite, SR/WA, to present the proposed 2018-2019 budget. Sharon reported that the Finance Committee met four times this year and provided monthly oversight over the budget of the Association. She noted that the budget proposal aligns with our strategies to increase the visibility of the IRWA, provide for the development and revision of our education programming and deliver a new leadership development program across the Association. The 2018-2019 budget was approved as presented.

Next on the agenda was the International Executive Committee elections. Jerry invited Chair of the International Nominations and Elections Committee Randall Kopfer, SR/WA, to present a report of the committee. Jeff Jones, SR/WA, was confirmed as IRWA's incoming International President. Aimie Mims, SR/WA, and Sharon Slauenwhite, SR/WA, were up for reelection and confirmed. Jake Farrell, SR/WA, joined the IEC as IRWA's incoming International Treasurer. James A. Olschewski, SR/WA, joined the IEC as IRWA's incoming International Secretary. Jerry announced that Brad Kuhn, Esq. will continue to serve as International General Counsel for 2018-2019.









International Secretary Ana Rausch, SR/WA, presented the International Region Officers while President-Elect Jeff Jones, SR/WA, announced the appointments of the 2018-2019 International Service and Industry Committee Chairs, Vice Chairs and Community Practice of Leaders.

Jerry then invited the slate of 2018-2019 elected officers to come forward in front of the stage to be sworn in by Past International Presidents, Mary Anne Marr, SR/WA, and Pat Petitto, SR/WA.

To continue tradition, Jerry invited Jeff to take the podium and give some insight into his plans as the 2018-2019 International President. Jeff pointed out that in the coming year, we can expect to see more promotion of the IRWA and an enhanced visibility. Working with a marketing and communications team, the Association will look at social media platforms and other routes to put the focus on us. He shared his interest in continuing to work closely with the Industry Committees, Communities of Practice and Young Professionals Group. Jeff also noted that the Association will move forward with a new Leadership Development Program. He highlighted the continued efforts of the Chapters and Regions, as well as the growth of the International Relations Council and the PIPE Committee. "As you can see, we have a lot going on in the organization," Jeff said. "I am honored and excited about being your President in the coming year. I am blessed to be part of the IRWA and to know that throughout the world, we are not only improving people's quality of life through infrastructure development, we are also building a better world together."

The Canadian Right of Way Education Foundation's board of trustees was called up to the stage for a report presented by CRWEF President Bill Giese, SR/WA. He noted a successful and productive Annual General Meeting and Monday Night Event. He thanked the Conference Co-Chairs and the RWIEF, reporting up to \$20,000 in profits during the Monday Night Event. The Right of Way Education Trustees lined the stage. President of the Right of Way International

Education Foundation, Carol Croft, SR/WA, provided an overview of the Foundation's efforts, as well as some changes such as the extension of the YP position to a three-year term and five new educational incentives.

"Some in attendance today are new to this boardroom. Some are new to the Annual Conference. Some are new to the profession. And some are new to trying to understand what this Foundation is all about," Carol said before donations began. "They really wonder how in the world we continue to develop new courses and give out scholarships. Friends, it's simple. It's called the ripple effect. So what do you say? Let's begin the ripple effect."











## COMMITTEES, COMMUNITIES, COUNCILS AND REGIONS

Encompassing All Aspects of the Profession



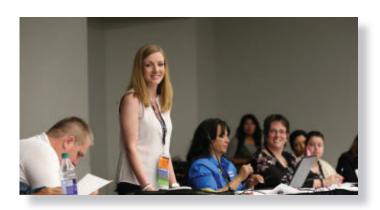




IRWA's strength is derived from the dedicated right of way professionals who serve on International Committees, Councils and Communities of Practice. The Association credits their participation, leadership and collaboration in advancing important industry initiatives.

The Annual Conference provides a unique opportunity for members to discuss topics, relevant industry changes, trends and upcoming educational initiatives. The Industry Committees focus on issues impacting the core segments associated with the right of way profession. They include Electric & Utilities, Public Agencies, Oil & Gas Pipelines and Transportation. IRWA's Communities of Practice (CoPs) focus on issues related to our major industry disciplines, including Asset Management, Environment, Relocation Assistance, Surveying & Engineering and Valuation. IRWA's Service Committees focus on maintaining and improving quality member value throughout the Association. They include Ethics, Credentialing and the Partnership for Infrastructure Professional Education.

IRWA is also guided and supported by the leadership of its various councils. The International Governing Council represents each of the 10 Regions working in conjunction with the International Executive Committee and Headquarters staff. The Advisory Council is comprised of Past International Presidents, and the International Relations Group focuses on building our international presence. The Right of Way Consultants Council represents the industry's service companies who work to develop standardized practices. And supporting the Association's educational initiatives are the Right of Way International Education Foundation and the Canadian Right of Way Education Foundation.















### GOLF TOURNAMENT



In conjunction with the 64<sup>th</sup> Annual International Education Conference, the Right of Way International Education Foundation (RWIEF) and the Canadian Right of Way Education Foundation (CRWEF) hosted their 22<sup>nd</sup> Annual Golf Tournament. The Oil City Classic was held on June 26<sup>th</sup> at The Ranch Golf and Country Club, giving conference attendees and golf enthusiasts a day outdoors for networking and an opportunity to raise funds for a worthy cause. The event successfully raised approximately \$28,000 in donations.

The Foundations would like to thank the participants, as well as the generous sponsors. Special thanks to **Platinum Sponsors:** Allen, Williford & Seale, Inc., CBRE, Croft & Associates, IRWA's International Pipeline Committee, IRWA Region 3, IRWA Region 5, IRWA Region 6; **Diamond Sponsors:** Paragon Partners, Ltd., Altus Group, Coates Field Services, Inc.; **Gold Sponsors:** Twin Peaks Field Services, Duff & Phelps, RWIEF Trustees; **Silver Sponsors:** Percheron, LLC., Pattison & Associates, Inc.; **Bronze Sponsor:** IRWA Chapter 3.





## YOUNG PROFESSIONALS

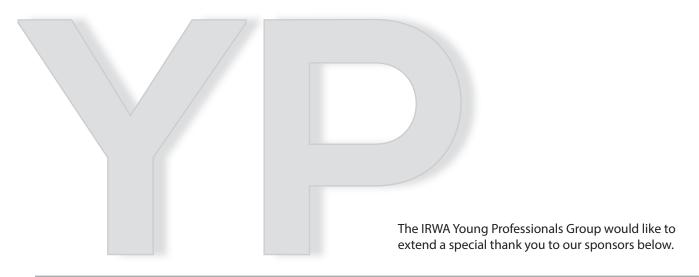
With the highest attendance of Young Professionals at an IRWA Conference, Edmonton was a great success for the Young Professionals Group (YPG). Over 150 people attended the Saturday Night Annual Conference Networking Reception and through hard work and dedication, the YPG was able to secure over \$9,000 in underwriting. A special thanks to our Purposeful Sponsor CBRE, as well as our other wonderful sponsors: Contract Land Staff, Coates, OPC, JCG Land Services, ORC, Clark Land Resources, Birchcliff Energy, SRLS, Santolucito Dore Group, Percheron, IRWA Region 4, IRWA Region 3, IRWA Chapter 13 and IRWA Chapter 54.

The YPG ran three successful educational sessions, including a ROW game show that showcased the group's amazing teamwork and humble attitudes. The entire audience participated in this unique, interactive session. Our panel of experts on YP paths provided valuable insight and our final presentation provided a detailed look at successful PM management from a YPG point of view. For the first time, we were able to successfully live stream all three sessions on social media. Additionally, the YPG was invited to "Meet the IRWA Instructor" session, which was enlightening for all.

As we all continue to invest into our education, we know we need invigorating instructors to keep our organization growing. The YPG is determined to continue forward with purpose in our hearts and dedication in our efforts. We look forward to providing more opportunities for our group to grow and assist in developing our organization. I could not be more proud or blessed to help lead this amazing and talented group of individuals. Portland here we come!

IRWA IVA IRWA

-Nikkiy Bestgen, Chair YPG



#### **Purposeful Sponsor**



#### **Advocates**







#### **Believers**







#### **Supporters**

















## CLOSING GALA



On Wednesday, June 27th, the Conference concluded with a memorable Closing Gala. This culminating event included the official presidential hand-off. In his farewell remarks, Jerry Colburn, SR/WA, thanked the wonderful people who worked alongside him in the International Executive Committee before reflecting on everything he has gained from the IRWA.

"IRWA is the umbrella that supports the folks that can make a positive difference in other people's lives with the work that we do. This makes us a unique family," Jerry noted. "I've often spoken about building relationships, both in business and in my personal life. The difference between business and personal has become fuzzy because some of my good friends are competitors, clients, partners and employees. This family we call IRWA is the catalyst for relationships that last a lifetime."

To celebrate stepping into the Association's highest elected position, Jeff Jones, SR/WA, was called to the stage for the presentation of the President's pin. "I have a challenge for all of you," Jeff remarked in his speech. "As we move through this year, I would like to ask all of us to open our arms and see if we can each bring one new person into the IRWA. A daunting task but worth a try. Most of all, I would like you to open your minds this year—not to what is best for me, my Chapter or my Region, but what is best for the International Right of Way Association."











#### **EXHIBIT** HALL

With hundreds of conference attendees, the Exhibit Hall served as an ideal venue for exhibitors to showcase their products and services to the dedicated right of way professionals in attendance. For a chance to win an iPad, each conference attendee received an Exhibit Hall Passport, which encourages participants to visit each booth to obtain a signature. This created a highly interactive environment among the participants and was a great success in generating traffic.































1) Abacus Datagraphics Ltd. 2) Altus Group 3) Appraisal Institute 4) Associated Right of Way Services 5) Atwell, LLC 6) Aurora Land Consulting Ltd. 7) Allen, Williford & Seale, Inc. 8) Canadian Association of Petroleum Landmen 9) CBRE 10) Contract Land Staff 11) Coates Field Service, Inc. 12) CoreLogic 13) CrossingsCloud 14) Canadian Right of Way Education Foundation 15) CWL Energy Management

### **EXHIBIT** HALL





























1) Digital Map Products 2) Doyle Land Services, Inc. 3) Duff & Phelps 4) Emerald Energy & Exploration 5) International Electric & Utilities Committee6) Evolve Surface Strategies Inc. 7) Farnsworth Group, Inc. 8) Flairsoft, Ltd. 9) geoAMPS 10) HDR, Inc. 11) JLL Valuation & Advisory Services, LLC 12) LIA Administrators & Insurance Services 13) McElhanney Geomatics Engineering Ltd 14) OPC































1) O.R. Colan Associates 2) Pandell 3) Percheron 4) 2019 Conference Host - Portland, OR 5) ROWE Professional Services Company 6) Right of Way International Education Foundation 7) International Surveying & Engineering Committee 8) Synergy Land Services Ltd. 9) TRC 10) Universal Field Services, Inc. 11) International Transportation Committee 12) Utility Mapping Services, Inc. 13) Valbridge Property Advisors 14) IRWA Young Professionals 15) Western Land Services, Inc.

### **CONFERENCE SPONSORS**

#### **In Appreciation**

IRWA is pleased to give special recognition to our sponsors for their generosity in making this year's conference a success.

**Exclusive Host Site Sponsor** 



#### **Platinum**







#### Gold















#### Silver

















#### Other



## IRWA MAPPING CONTEST

#### Award Winners Announced

#### BY GARY KENT

The winners of IRWA's 16<sup>th</sup> Annual Right of Way Mapping Competition were announced recently at the 64<sup>th</sup> International Education Conference in Edmonton, Alberta.

The competition is sponsored by the IRWA Surveying and Engineering Community of Practice and judged by its members. This Community of Practice promotes and supports the surveying and engineering professions and their interests within the right of way profession.

This year, there were over 20 entries with Bruce Schanz of Jackson, Michigan being awarded overall Grand Prize and free registration to the Annual Conference with his entry in the Industry General category.

Bruce also took second prize with his Transportation entry and Nick Ryan, also of Jackson, captured third prize with his entry in the Oil & Gas category. Each also received complementary memberships in the International Right of Way Association.

Individual category winners were:

## • Transportation Bruce Schanz Consumers Energy Company Jackson, Michigan, USA

Oil & Gas
 Nick Ryan
 Consumers Energy Company
 Jackson, Michigan, USA

#### • Electric & Utility

Nick Ryan Consumers Energy Company Jackson, Michigan, USA

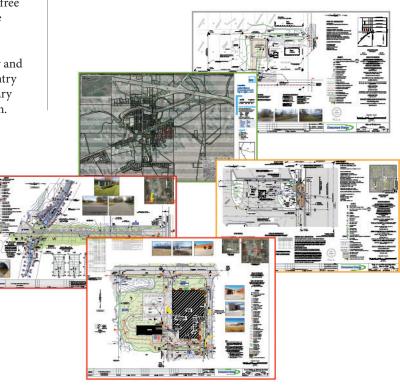
#### • GIS

Kevin Kleckner Information Services Corporation Regina, Saskatchewan, Canada

#### • Industry General

Bruce Schanz Consumers Energy Company Jackson, Michigan, USA Winning entries received well-deserved recognition by being prominently displayed during the Annual International Education Conference in Edmonton.

Entries for the 17<sup>th</sup> Annual Right of Way Mapping Competition must be received by April 5, 2019 and winners will be announced in June 2019 during the 65<sup>th</sup> Annual International Education Conference in Portland. Submittals may be entered in only one category and must be a stand-alone single sheet submitted as an Adobe pdf file. Anyone can enter a map, but non-members must be sponsored by an IRWA member. More details on the competition will appear in upcoming issues of Right of Way Magazine.





Gary Kent is the Integrated Services Director at Schneider Geomatics in Indianapolis. He is an IRWA Climb-certified instructor for the 900 series courses and has presented programs on surveying, title and leadership topics in all 50 states and three times in Europe.

## 17<sup>TH</sup> ANNUAL RIGHT OF WAY MAPPING Competition

#### **Enter your map today!**

Sponsored by IRWA's International Surveying & Engineering Community of Practice, this annual competition will be held in conjunction with IRWA's 65<sup>th</sup> Annual International Education Conference in June 2019 in Portland, Oregon.

Winners will be announced in Right of Way Magazine and at the Annual Education Conference, where winning maps will also be displayed. Winners will receive recognition at a national, regional or local IRWA meeting.

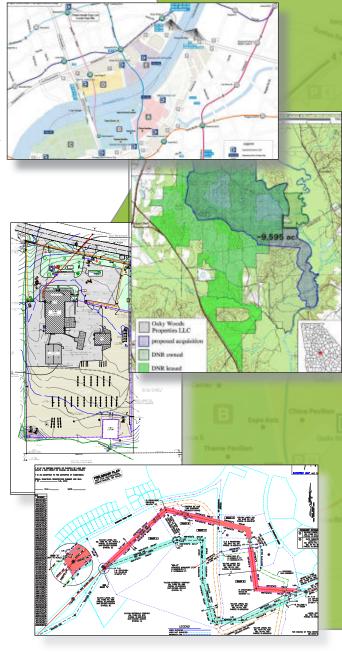
**Eligibility:** Anyone can enter, however, each entry must be sponsored by an IRWA member. Members may sponsor multiple entries. Maps must be associated with the right of way profession including related disciplines.

**Prizes:** The Grand place winner will receive a complimentary registration for IRWA's 65<sup>th</sup> Annual International Education Conference. A cash prize of \$250 will be given to the individual winners in the following categories: Transportation, Oil & Gas, Electric & Utility, GIS and Industry General.

**Rules:** One entry per person in each category. A map may only be entered in one category. Each entry shall be a standalone single sheet. Maps and entry forms must be submitted digitally using Adobe pdf files. Entries under the transportation, oil & gas and electric & utility categories must be maps/ plats prepared for, or in support of, boundary/right of way line retracement or acquisition. This includes, but is not limited to, property or right of way survey maps and plats. Entries under the GIS and industry general categories shall be maps or exhibits related to highways, pipelines, utility lines, telecommunication lines (or associated facilities) prepared for general purposes such as public hearings, presentations, conceptual plans, etc. Examples include, but are not limited to, ownership exhibits and aerial photos (with or without overlays), etc.

**Judging:** Entries will be judged on overall presentation, orientation and the effective use of graphics, legends, symbols and innovative methods

**Disclaimer Information:** : If contractual confidentiality precludes submission, the title block can be cleared of all pertinent information and state "Prepared for Competition due to Jurisdictional Confidentiality."



# 17th Annual Right of Way Mapping Competition Official Entry Form (please print or type) IRWA Sponsor Entrant's Name Company Name or Agency Address City Email Category Transportation Oil & Gas Electric & Utility General Deadline: April 5, 2019 Email 5, 2019 Deadline: April 5, 2019 Email 5, 2019 Email 7DF entries to: isecop@irwαonline.org



## UNDERSTANDING SELF-MOVE AGREEMENTS

Details for nonresidential displacees

BY DARRYL ROOT, JD, MBA, R/W-RAC

Often times, business owners choose to move personal property themselves when being displaced by a federally funded project. After all, the Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA) and its implementing regulations allow nonresidential owners and tenants to do so.

There are a multitude of reasons why a self-move may be chosen by the nonresidential displacee. Some displacees simply want the benefit paid directly to them rather than giving it to a commercial mover. Others believe they have equipment or inventory that is irreplaceable and do not want a commercial mover handling these items. Sometimes, displacees own machinery that must be delicately calibrated before and after the move. These displacees often feel it would be easier to calibrate the machines after the move if they personally relocate them.

Whatever the motivation, successfully implementing a self-move under the URA requires several practical considerations. First, the relevant regulation pertains to personal property only. That personal property should be included in an inventory submitted by the displacee and verified by the relocation professional. This verification process could involve carefully comparing the inventory against any real property or fixtures and equipment appraisals provided by the displacing agency. If a discrepancy exists, the appraiser should be contacted so a resolution is reached prior to approving any estimates to move the personal property. The relocation agent should also visit the displacement site to verify the contents of the inventory. Special attention should be paid to businesses whose inventory regularly fluctuates to ensure the inventory is accurate.



#### **Options for Payment**

As previously mentioned, regulations allow for personal property from a business, farm or nonprofit organization to be moved by the displacee. A self-move payment may be based on one or a combination of the following:

- (i) The lower of two bids or estimates prepared by a commercial mover or qualified Agency staff person. At the Agency's discretion, payment for a low cost or uncomplicated move may be based on a single bid or estimate; or
- (ii) Supported by receipted bills for labor and equipment. Hourly labor rates should not exceed the rates paid by a commercial mover to employees performing the same activity and, equipment rental fees should be based on the actual rental cost of the equipment but not to exceed the cost paid by a commercial mover.

Once the inventory is verified, the relocation professional should work with the business owner to discuss the two options for a self-move. Most business displacees choose the first option of being reimbursed based on the lower of two bids or estimates obtained from commercial movers. This option is less cumbersome than a receipted move and gives business owners an idea up front of the amount they will have to spend. Furthermore, the first option ensures that overinflated hours and/or equipment rental receipts will not be presented to the displacing agency after the move.

However, if the second option of receipted bills for labor and equipment is chosen, the relocation professional will have to verify the labor rates for the displacee's employees and compare them to labor rates charged by the commercial mover. Likewise, the costs for rental of equipment cannot exceed that paid by a commercial mover.

This can present a problem for the displacee, as many movers have special arrangements with vendors for moving equipment and those prices may not be indicative of what a displace would have to pay.

The first option for a self-move may also have some disadvantages for a displacee. Some displacing agencies may require that the overhead and profit be deducted from the movers' bids as these agencies believe that these costs would not be incurred by the displacee and should not be included in the bid. Businesses displaced by these agencies may argue that the time and effort required to move their personal property prevents them from earning overhead and profit from their business activities that they normally would earn.

#### **Bids and Estimates**

Regardless of the treatment of overhead and profit, the relocation professional should be present at the walkthrough of each commercial mover providing a bid or estimate. Each mover should be given a copy of the verified inventory list and be given an opportunity to ask questions. The relocation professional should review the completed bids to make sure there is a true "apples to apples" comparison in order to approve the bid that is truly the least expensive. If there is a significant price difference in the two bids, it is incumbent on the relocation professional to investigate the bids to determine the reason for the difference. This may result in obtaining a third bid from another commercial mover.

The contents of the bids should only deal with the movement of personal property. The self-move concept should not be used as a vehicle to include complicated installation and re-establishment tasks that a commercial mover would not normally do. The purpose of a self-move is to allow the displace the ability to move its personal property

and to perform tasks that it has the expertise to perform itself. Hence, the term "self-move". As a general rule, it should not include complex tasks performed by others. Tasks performed by other specialized vendors—such as complicated electrical and plumbing work—should only be reimbursed if the work falls under other moving benefit categories and is actual, reasonable and necessary. Otherwise, the self-move concept could be turned into a vehicle for what would amount to a global settlement on relocation benefits without the duty to provide proof of payment and evidence that the expenses incurred were actual. To include these expenses in a self-move could encourage the manufacturing of over-inflated bids in an attempt to "pocket the difference" between the bid and the expenses actually incurred. In any event, it is important that the relocation professional confirm that any work listed in the self-move agreement is actually completed.

#### **Final Steps**

After the bids are completed, the relocation professional should advise the displacee on the amount of the approved lower bid and answer any questions. The displacing agency will then have the displacee sign an agreement limiting reimbursement to the amount of the lower bid, along with timeframes and items included in the self-move. Finally, the relocation professional should monitor the self-move to ensure the old site is vacated on time and under the specifications of the self-move agreement.  $\bullet$ 



Darryl Root is a Program Manager and Northern California Regional Director for OPC. He has been in the right of way industry for 25 years.



## PREPARING CALIFORNIA FOR MAJOR EARTHQUAKES

What we learned from the infamous Northridge earthquake

BY MICHAEL F. YOSHIBA, ESQ.

Several recent press releases mentioned predictions of a major earthquake in California, which may reach a magnitude 8 or above on the Richter scale. Unsurprisingly, such predictions have sparked a renewed call for disaster preparedness—similar to what we saw just over two decades ago. In 1994, Southern California was hit with an earthquake event dubbed "the Northridge earthquake," which caused the collapse of several freeway bridges. Following that event, there was public outcry for the immediate review of the structural integrity of existing and new freeway bridges to ensure the continued safety of the freeway system.

There were countless lessons learned following the Northridge earthquake, including some that were both fortunate and surprising. Although several freeway bridges statewide suffered permanent and irreparable damage, thousands of statewide freeway bridges successfully remained upright despite suffering major structural damage. Most importantly, the Northridge earthquake prompted a comprehensive and immediate statewide effort by the

State of California, Department of Transportation ("Caltrans") to retrofit existing bridges and to improve the safety of all new freeway bridges being designed and constructed.

#### **Design Changes**

Along with the ambitious Caltrans retrofitting projects for existing bridges, there were immediate design changes made to the proposed new freeway bridges that were ready for or already under construction. Immediate design changes were made to reflect the new seismic information collected following the Northridge earthquake. Many of the new freeway bridges planned to heavily utilize concrete freeway bridge support columns, which are engineered steel rebar cages encased in concrete. New concrete freeway bridge support columns were going to add more steel rebar-reinforcement. More rebar into the designs meant more welds into each new support column. The additional rebar and welds translated into a quality control inspection nightmare for both Caltrans and the contractors building the concrete freeway bridge support columns.

#### **Quality Control**

For most freeway bridge construction projects, the steel rebar cages for the bridge columns are manufactured on site and all at once. Quality control of the rebar cages includes an initial visual inspection of all welds by a Caltrans engineer during fabrication, followed by a random sampling of the finished rebar cages for testing by x-ray, as well as destructive stress testing of the various weld joints to confirm the design strength and integrity of the rebar cages.

Increasing the number of required welds in the rebar cage design also created an unintended consequence: a shortage of qualified welders for constructing the rebar cages. The design changes to the contracts that required additional rebar and welding led to an immediate scramble among the working general

contractors for the hiring of more welders. Alternatively, the contractors increased the welders' overtime hours to meet existing construction deadlines. Private industry adapted to the increased workload burdens caused by the new design changes by recruiting, training and adding more qualified welders to the workforce.

The Caltrans workforce, however, was not able to adapt as quickly to the increased workload. Adding qualified Caltrans personnel to conduct weld inspections has historically been a very slow and meticulous process. The combination of more welds, less experienced private welders and the static number of Caltrans weld inspectors and testing facility capacities was certainly not a recipe for success.

#### Overburdened

Several problems arose following the design change calling for more rebar and welds in the rebar cages. First, there was a steadily increasing number of welds being rejected by the Caltrans weld inspectors at the visual inspection stage. Part of the blame for defective welds could be traced to the influx of less experienced welders. Good welding is a craft born out of experience and familiarity with the materials used and the welding process. Additionally, the welds had to be completed within the given project timeframe. Although not specifically studied, there appeared to have been an increased error rate caused by welders asked to work an excessive amount of overtime hours. Nonetheless, project delays were occurring from the increase in the number of rejected welds.

Second, Caltrans weld inspectors were correspondingly being overburdened because of the increased number of visual inspections now being required in every freeway bridge job. The Caltrans' hiring process didn't keep pace with the need for qualified Caltrans weld inspectors. The shortage of weld inspectors led to construction contacts delay claims and thus increased project

costs. Documentation of the weld inspections were less adequate and more abbreviated than required by the project auditors. Some Caltrans weld inspectors that did not meet the challenges of the increased workload were subject to the employee adverse action process.

Last, Caltrans had difficulty keeping up with the required secondary testing of the rebar cages. Working with limited lab equipment, engineers had to test twice the number of samples in the same amount of time. This overload caused an extreme backlog of the secondary weld testing and strained the capabilities of both the employees and the lab equipment.

The Legal Division became inundated from the handling of new administrative hearings for employee adverse action personnel matters. Contractor change order claims also increased dramatically. The Legal Division was called upon to draft, review and approve emergency contracts to repair the infrastructure damaged by the Northridge earthquake. And finally, there was a marked increase in Northridge earthquake-related tort claims against Caltrans for personal injury and property damage.

#### **Looking Ahead**

A major earthquake in California appears inevitable and will certainly result in even greater physical impacts than those caused by the Northridge earthquake. What will happen and how will we respond the next time? •



Michael Yoshiba is a shareholder in the Eminent Domain and Litigation Departments of the Los Angeles law firm, Richards, Watson & Gershon.

## IRWA COURSES

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230 235	Oil/Gas Land Basics & Related Surface Rights Issues The Canadian Oil & Gas Industry Overview	1 day 2 days
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303 304	Managing the Consultant Process When Public Agencies Collide	2 days
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400, 400C	Principles of Real Estate Appraisal	2 days
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502	Non-Residential Relocation Assistance	2 days
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604	Spot ON! Identifying Environmental Contamination of Property-	1 day
	Environmental Site Assessments: Phase I	
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701	Property/Asset Management: Leasing	2 day
703	Real Property/Asset Management	1 day
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801	United States Land Titles	2 day
801C	Canadian Land Titles	2 day
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803	Eminent Domain Law Basics for Right of Way Professionals	2 day
803C 804	Expropriation Law Basics for Right of Way Professionals Skills of Expert Testimony	2 day
		ı uay
ENGINEER		J 4
900, 900C	Principles of Real Estate Engineering	2 day
901	Engineering Plan Development and Application	1 day
902	Property Descriptions	1 day
SR/WA RI	EVIEW STUDY SESSION	
	WA Review Study Session	3 day
	R/WA Review Study Session (Canadian)	3 day
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100 Principles of Land Acquisition103 Ethics and the Right of Way Profession

104 Standards of Practice for the Right of Way Professional

105 The Uniform Act Executive Summary

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303 Managing the Consultant Process304 When Public Agencies Collide

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406B

400 Principles of Real Estate Appraisal
 402 Introduction to the Income Capitalization Approach

403 Easement Valuation

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of Professional Appraisal Practice (McKissock is the provider of The Appraisal Foundation's official online USPAP course).

7-Hour National USPAP Course Uniform Standards of Professional Appraisal Practice (McKissock is the provider of

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411 Appraisal Concepts for the Negotiatior

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802 Legal Aspects of Easements

#### **ENGINEERING**

900 Principles of Real Estate Engineering

903 IKT/IRWA Underground Infrastructure Panorama

For descriptions and to find a class, visit www.irwaonline.org.



#### PAST INTERNATIONAL PRESIDENTS

* Frank C. Balfour, SR/WA	1956-1957	Ronald L. Williams, SR/WA	1987-1988
* Richard Taylor	1957-1958	George D. Wilkerson, SR/WA	1988-1989
* Sam Houston	1958-1959	* Keith L. Densley, SR/WA	1989-1990
* Fred A. Crane	1959-1960	Gene A. Land, SR/WA	1990-1991
* Dan W. Rosencrans	1960-1961	Robert H. Tarvin, SR/WA	1991-1992
* Roger M. Lovell	1961-1962	* Donald A. Henley, SR/WA	1992-1993
* Roy A. Strobeck	1962-1963	* John W. Benson, SR/WA	1993-1994
* Dan H. Williamson	1963-1964	Donna B. Crosby, SR/WA	1994-1995
* Philip L. Rezos, SR/WA	1964-1965	Larry E. Griffin, SR/WA	1995-1996
* Adelbert W. Lee, SR/WA	1965-1966	Susan M. Serdahl, SR/WA	1996-1997
* Victor H. Eichhorn, SR/WA	1966-1967	* Woodrow Pemberton, Jr., SR/WA	1997-1998
* William F. Howard, SR/WA	1967-1968	Stephanie Rankin, SR/WA	1998-1999
* Garth J. Linkey, SR/WA	1968-1969	Dwight G. Pattison, SR/WA	1999-2000
* George R. Watson	1969-1970	* Wayne F. Kennedy, SR/WA	2000-2001
* Karl E. Baetzner, SR/WA	1970-1971	* Alan D. Wurtz, SR/WA	2001-2002
* Gene L. Land, SR/WA	1971-1972	Albert N. Allen, SR/WA	2002-2003
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* William P. Snyder, SR/WA	1974-1975	Daniel W. Beardsley, SR/WA	2005-2006
Richard L. Riemer, SR/WA	1975-1976	James H. Finnegan, SR/WA	2006-2007
William L. Reid, SR/WA	1976-1977	Jim L. Struble, SR/WA	2007-2008
* Robert K. McCue, SR/WA	1977-1978	Faith A. Roland, SR/WA	2008-2009
* Wade S. Manning, SR/WA	1978-1979	Sandy A. Grigg, SR/WA	2009-2010
R. Tom Benson, SR/WA	1979-1980	Kenneth L. Davis, SR/WA	2010-2011
George E. Midgett, SR/WA	1980-1981	Randy A. Williams, SR/WA	2011-2012
* F. Larry Stover, SR/WA	1981-1982	Patricia A. Petitto, SR/WA	2012-2013
Robert L. Art, SR/WA	1982-1983	Lisa R. Harrison, SR/WA	2013-2014
W.A. Thomasson, SR/WA	1983-1984	Lee S. Hamre, SR/WA	2014-2015
Richard D. Ricketts, SR/WA	1984-1985	Wayne L. Goss, SR/WA	2015-2016
* John E. Day, SR/WA	1985-1985	Mary Anne Marr, SR/WA	2016-2017
Carroll W. Keck, SR/WA	1985-1986	·	
Donald H. Ellis, SR/WA	1986-1987	* Deceased	
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#### **Thomas Nogaj Joins Cardno**



Cardno, Inc., is pleased to announce that Thomas Nogaj, PhD, PE, has joined the firm as the Water & Wastewater Infrastructure Practice Group Manager. Thomas brings more than 30 years of experience in the civil and environmental engineering fields.

Thomas provides consulting and project management on a broad range of water/wastewater treatment and conveyance projects for facilities of all sizes. He applies his expertise to develop innovative processes and solutions that result in cost savings for clients. He holds a PhD in Environmental Engineering from the University of Central Florida and is a licensed Professional Engineer in Florida and Illinois.

#### John Kabouris Joins Cardno

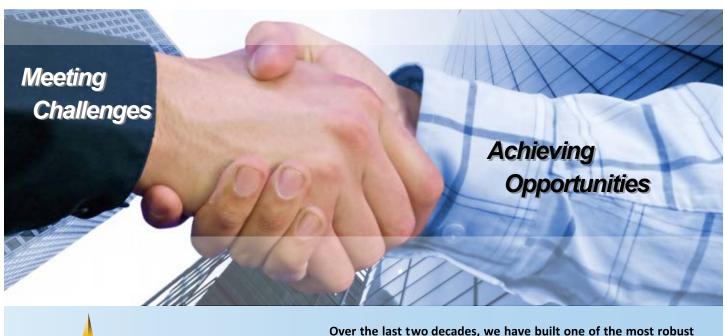


Cardno, Inc., is pleased to announce that **John Kabouris**, PhD, PE has joined the firm as Wastewater Technology Specialist. John has more than 30 years of experience in environmental engineering, offering expertise in modeling, plant controls and optimization of nutrient removal,

sidestream and mainstream anammox process development and optimization, and advanced digestion and biogas utilization. John holds a PhD in Civil and Environmental Engineering from the Georgia Institute of Technology and is a licensed Professional Engineer in Florida. He is actively involved at the national level with the Water Environment Federation and is Associate Editor of the environmental journal Water Environment Research.

#### **Percheron Announces Promotions of Directors**

Percheron, LLC announced the promotion of Jarratt Austin, Jordan Hohn and Mintra Rickelman to Directors, with the responsibility of ensuring the company continues to provide the superior customer service, project transparency and accurate deliverables our clients have come to expect from the Percheron team. Jarratt Austin has accepted the position of Director, South Central - Field Services. Jordan Hohn, PMP has accepted the position of Director, Southeast - Field Services and Mintra Rickelman, Esq. has accepted the position of Director of Public Sector. In addition to overseeing public sector projects across the country, Mintra will also be working with industry associations, including IRWA and AASHTO, to expand Percheron's footprint in the public sector arena.





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#### **Dale Lovelace Joins Maser Consulting**



Maser Consulting, a multidiscipline consulting and engineering design firm, is pleased to announce that it has hired Dale A. Lovelace, PLS as Geographic Discipline Leader of Survey/Geospatial Services. He will oversee the development of opportunities in the U.S. Southeastern states while heading-up the firm's

newest office location in Raleigh. Dale has over 20 years of combined professional experience that spans conventional survey, geospatial mapping and project management in both public and private sectors. Dale's survey expertise includes boundary, topographic, archaeological, architectural, wetlands, building monitoring, and GPS surveys. He has provided construction management and survey stakeout services on a range of project types, including commercial, residential, recreational, industrial, healthcare and transportation.

#### **Maser Consulting Hires John Gibson**



Maser Consulting is pleased to announce that it has hired John C. Gibson, PLS as Geographic Discipline Leader for Survey and Geospatial services in the Charlotte, NC region. John has over 28 years of experience in the management of surveying and field services operations including oil and gas, energy, commercial,

residential and municipal survey projects, with a strong focus on business development in the oil and gas markets and renewable energy. John will be providing oversight for surveying and subsurface utility engineering services throughout North Carolina as well as manage the survey operations here in Charlotte. Responsibilities will include operations and staff management, client management, project oversight and assist with business development in the Civil Site, Municipal, DOT and Energy markets.

#### **Brian Fairchild Joins Percheron**

**Percheron, LLC** announced the addition of **Brian Fairchild** as the Vice President, Environmental. Brian comes to Percheron with 28 years of experience in the environmental consulting industry. Brian previously served as General Manager, Environmental Services for QPSE. Prior, he served in various technical and management positions with SWCA Environmental Consultants. His experience encompasses financial management, strategic business and resource planning, client and market development, safety training and implementation, staff mentoring and management, natural resources management and permitting, and contaminated site assessment and investigation. He has managed and conducted projects throughout the southeast, Midwest, southwest and northeast U.S.



#### Universal Field Services, Inc.Celebrates Its 60th Anniversary



Universal Field Services, Inc. has reached a milestone this September, celebrating 60 years of service. The company was founded in Tulsa, Oklahoma in 1958 by Gene L. Land and has grown to become one of America's largest and most capable firms, delivering land and

right of way acquisition services with over 400 employees and 35 offices throughout the nation.

The company has maintained its privately-held ownership throughout its history. This has allowed Universal to control key strategic and business decisions that have ensured a consistent focus on meeting the needs of its clients.

Universal's motivation and founding spirit remain the same today: to deliver the best land and right of way services in the industry. Through leadership, knowledge, innovations and integrity, Universal serves the best interests of their clients, employees and those affected by land and right of way projects.

"We are grateful to our clients for the opportunities to provide them with innovative right of way solutions and value-added services," said Steve T. Benson, SR/WA, Universal's President. "Moving forward, our focus will remain on offering high-quality services and delivering dependable results to our clients. We are proud of our highly qualified personnel, whose individual talents, skills, and knowledge have made Universal a leader in the industry since its inception."

For more information on Universal Field Services, Inc. please visit www.ufsrw.com.



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#### **Woolpert Receives Google Cloud Partner Award**

Woolpert has received the 2017 Google Cloud Global Partner Award for Customer Success in Google Maps. This award was presented on July 23, 2018 in San Francisco at the Google Cloud Next Partner Summit, an event that showcases Google Cloud partners spanning G Suite, GCP, Maps, Devices and Education.

Woolpert was honored for its demonstrated sales, marketing, technical and support excellence to help customers of all sizes take advantage of the Google Cloud product suite to transform and elevate their businesses.

Jon Downey, Woolpert Vice President and Market Director for Google Cloud Platform, said Woolpert was thrilled to receive this award. "It's inspiring to see how we were able to start with our firm's extensive mapping roots and grow a partnership with a nontraditional mapping company to the degree that we have in four years," Downey said. "Coming from the public sector and expanding our geospatial mapping expertise into the private sector is a real accomplishment, and I am proud of my team for all they've done to achieve this incredible honor."

Downey added that this strong partnership will be even more important moving forward, as Woolpert incorporates Google Cloud solutions into more of its services. "There's literally no end to what we can do with this technology," he said.

"Our partners are fundamental to providing a great product to customers, particularly as demand for Google Cloud innovations grows," said Nina Harding, Global Channel Chief, Partner Strategy and Program, Google Cloud. "We are proud to provide this recognition to Woolpert, who has consistently demonstrated customer success across Google Maps. We're delighted to continue building together with Woolpert on behalf of customers."





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**WASTEWATER** 

#### Hawaii Unveils \$375 Million **Wastewater Project**



The completion of Hawaii's largest ever wastewater system upgrade has formally been announced by Honolulu Mayor Kirk Caldwell. Following a U.S. Environmental

Protection Agency Consent Decree to improve Windward Oahu's sewage collection and treatment system by June 2018, Brown and Caldwell, a leading environmental engineering and construction firm, worked with the City and County of Honolulu and its team of construction partners to deliver the Kaneohe-Kailua Wastewater Conveyance and Treatment Facilities Project on an accelerated schedule and within budget.

The solution involved connecting the Kaneohe Wastewater Pre-Treatment Facility (KWWPTF) to the Kailua Regional Wastewater Treatment Plant (KRWWTP) via a three-mile long, 10-foot diameter gravity sewer tunnel, increasing the region's wastewater conveyance and storage capacity while reducing overflows. The tunnel conveys wastewater by gravity flow, sloping from a depth of 39-feet below ground level at the KWWPTF down toward the KRWWTP, ending at 77feet below ground level. Traveling under Oneawa Hills was the preferred tunnel route, rather than placing a force main through Kaneohe Bay, thereby avoiding potential catastrophic sewage overflows into the environmentally sensitive public resource.

To lift the wastewater to the surface for treatment, a 45 million gallons per day (MGD) Tunnel Influent Pump Station was designed by Brown and Caldwell and constructed at the KRWWTP. The project also includes a new 15 MGD replacement for the existing Kailua Influent Pump Station, generator and headworks buildings, and odor control facilities.

A significant benefit of the project is reduced energy consumption paired with improved environmental protection. Wastewater conveyance via the new tunnel system occurs through gravity flow rather than pressure, eliminating three upstream pump stations and a three-mile long force main, all considered potential community overflow points.

"Our goal was to help the city construct and deliver an important asset to protect community health and wellbeing while not adversely affecting the environment," said Brown and Caldwell Pacific Area Leader Ray Matasci. "I feel privileged to be part of an engineered solution that protects and sustains Hawaii's cherished landscape."





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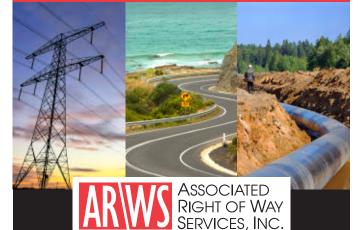


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#### >>> INDUSTRY BUZZ

#### **Urban Land Institute Assists** "A Bridge Home" Program



ULI Los Angeles, a District Council of the Urban Land Institute, is coordinating with Mayor Eric Garcetti's office to help implement key recommendations from its recent report on homelessness. ULI has gathered top-level architecture, landscape architecture and commercial real-estate leaders to assist in the City of Los Angeles' "A Bridge Home" program, which is building safe and clean shelters to help homeless people transition to long-term housing.

ULI Los Angeles' leadership recently met with the Mayor and staff to present report findings prior to his State of the City Address in April. The provision of a transitional housing plan, including increased access to shelters as well as transitional and permanent housing, is a key recommendation in the report.

ULI's recommendations informed provisions for homeless shelters that were included in the annual budget presented by the Mayor for the City of Los Angeles, including a commitment to provide temporary housing structures in every council district. The city's annual budget now includes \$30 million for the construction program. The city's supportive housing will be furnished with on-site mental health, employment, addiction, housing placement services, and wellness resources. ULI will soon assist the Mayor's office and some of the City Council members with housing design and development of the siting criteria.

"With Mayor Garcetti's acceptance of our help and key report recommendations, we convened high-level architecture and realestate leaders," said ULI Los Angeles Chair and founder of C+C Ventures Clare DeBriere. "The results of our design charrettes and outreach will help secure greater neighborhood support for the Bridge Home program by identifying site criteria and design solutions. We will soon formally submit them to the Mayor and his senior staff with the goal of building safe, clean, sanitary and visually attractive bridge housing that will transition people to permanent shelters."

ULI Los Angeles is collaborating with CBRE and Gensler to identify sites for the bed needs and a list of all sites in each City Council district which are owned by the Federal, State, County or City governments. ULI will then work with the City Council members (at their request) to determine the best sites in their districts.

#### Acrow Bridge Assists U.N. Efforts in Central Africa

Acrow Bridge, a leading international bridge engineering and supply company, recently furnished 10 modular steel bridges to the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA) in support of the agency's peacekeeping work throughout the country. Acrow also provided in-country training to MINUSCA personnel on the assembly, installation and maintenance of the critical infrastructure assets.

Acrow's bridges were sold to MINUSCA and will be used in various locations throughout the country where quality bridge infrastructure solutions are particularly critical. Upon receipt of the purchase order, it was required that Acrow have the bridges on-site within 90 days. Owing to the modular nature of Acrow's bridges, the components of the structure were able to be shipped in standard 20' (6.1 meters) containers and transferred to trucks for the final shipping destination, the capital city of Bangui.

The Acrow bridges supplied were single-lane structures 4.2 meters wide curb-to-curb, with varying lengths from 9m to 30m. Each meets the American Association of State Highway and Transportation Officials (AASHTO) Standard Specifications for Highway Bridges and has a live load of AASHTO HS25.

The bridges were delivered in August 2017 and training for 40 MINUSCA military personnel was provided by Acrow Bridge over a five-day period in February 2018 on the full assembly, installation and maintenance of the structures. Specific topics covered during the program included parts identification, assembly techniques, positioning and placement of the launching rollers, center-of-gravity calculations and abutment positioning.

The training program consisted of both classroom hours and field training. The MINUSCA personnel involved came from various countries, including Cambodia, Chile, Indonesia, Pakistan, Peru, Rwanda and Tanzania.

"It is gratifying to know Acrow bridging is helping to support efforts to alleviate suffering and promote stability in a very challenging region," said Bill Killeen, CEO of Acrow Bridge. "While Acrow bridges are designed and manufactured with high strength galvanized steel for a service life of 75-100 years, they also provide a solution for emergency applications as they can be quickly assembled within days with no heavy construction equipment, and reused wherever they are needed. Acrow has a long and successful history in Africa, and we remain grateful to be of service to customers, supporting sustainable development through high quality, durable infrastructure."



## ACKNOWLEDGING EXCELLENCE

The IRWA members listed below earned a certification or designation in the past two months. We applaud them for their commitment to professional growth in the right of way field.

#### GENERALIST CERTIFICATION/DESIGNATION

Reggie S. Abbo, RWP Realty Solution, LLC Chapter 7 Sterling Heights, MI

**Muad M. Al Ghulaiga, SR/WA** Saudi Aramco Chapter 87 Dhahran, Saudi Arabia

Salah A. Al-Makhaytah, RWA Saudi Aramco Chapter 87 Dhahran, Saudi Arabia

Khalid M. Al-Sharif, SR/WA Saudi Aramco Chapter 87 Dhahran, Saudi Arabia

Mohamed F. Aljafar, RWA Saudi Aramco Chapter 87 Dhahran, Saudi Arabia

**Ruby Arellano, SR/WA**Riverside County Transportation
Commission
Chapter 57 Riverside, CA

**Amy Atwood, RWA** universal Field Services Chapter 36 Tulsa, OK

**Travis Baird, RWA**City of Georgetown
Chapter 74 Georgetown, TX

Alex Berberian, RWA Southern California Edison Chapter 1 Pomona, CA

Chapter 1 Pomona, CA

Danny Bissonnette, RWA

Chapter 20 Minneapolis, MN

**Thorin Michael Burke, RWA** Summit Resources Chapter 73 Denver, CO

Cordelia Cisneros, RWP Crimson Midstream, LLC Chapter 1 Long Beach, CA **Gena Cox-Dorman, RWA**City of Tucson, RE Division
Chapter 73 Tucson, AZ

Joanne Daniel, RWA Timmons Group Chapter 52 Richmond, VA

**Frank Fucile, RWP**The Regional Municipality of Niagara
Chapter 29 Thorold, ON

Randy Gabbert, RWP Columbia Gas of Ohio Chapter 13 Columbus, OH

**Lisa Goss, RWA**Clark Land Resources, Inc.
Chapter 11 Oceanside, CA

Jessica A. Grivna, RWA Qk4, Inc. Chapter 25 Louisville, KY

Terry A. Halpin, SR/WA Emeren Illinois Chapter 12 Collinsville, IL

**Ryan Hart, SR/WA**Duke Energy
Chapter 10 Plainfield, IN

April Harvey, SR/WA Crimson Pipeline, LP Chapter 1 Long Beach, CA

Greg Hill, RWP
Clark Land Resources
Chapter 11 Oceanside, CA

**Kevin Jennings, RWA**Duke Energy
Chapter 13 Cincinnati, OH

Ann B. Korstad, RWA Clark Land Resources, Inc. Chapter 11 San Diego, CA

Diana Kwan, RWA
The Metropolitan Water District of Southern
California
Chapter 1 Los Angeles, CA

**Jacqulyn M. Lane, RWP** Virginia DOT Chapter 52 Richmond, VA

**Abdulrahman H. Maghlouth, RWA** Saudi Aramco Chapter 87 Dhahran, Saudi Arabia

Anthony Martinez, RWA
Clark Land Resources, Inc.
Chapter 11 Oceanside, CA

**Abdelhameed O. Medani, SR/WA** Saudi Aramco Chapter 87 Dhahran, Saudi Arabia

**Kai E Miller, RWP**Pierce County
Chapter 4 Tacoma, WA

Dwayne Myers, SR/WA lowa Department of Transportation Chapter 41 Ames, IA

Brittany Oglesby, RWA Universal Field Services Chapter 41 Urbandale, IA

Seyou Oh, RWA
The Metropolitan Water District
of Southern California
Chapter 1 Los Angeles, CA

Marlene Ozanich, RWA Yakima County Chapter 4 Yakima, WA

Mark Pearce, RWA Meshek & Associates, LLC Chapter 33 Tulsa, OK

**Krissy Plett, RWA**Utah DOT, ROW Division
Chapter 38 Taylorsville, UT

Sarah Riebe, SR/WA Pinnacle Consulting Management Group, Inc. Chapter 36 Bedford, TX

**Ryan Riley, RWA**Columbia Gas of Ohio
Chapter 13 Columbus, OH

Michael D. Robinson, SR/WA Enbridge Energy Chapter 33 Cushing, OK

Hugh Rowles, RWA

County of San Diego Chapter 11 San Diego, CA

Jessi Ruberto, RWP
The Corporation of the City of Thunder Bay
Chapter 29 Thunder Bay, ON

Matthew J. Rusch, RWA
Dallas County Public Works
Chapter 36 Dallas, TX

Justin Sago, RWA Sarasota County Government Chapter 26 Sarasota, FL

Rashid Saleem, RWA Saudi Aramco Chapter 87 Dhahran, Saudi Arabia

Menchu Segovia, RWA Clark Land Resources, Inc. Chapter 11 Oceanside, CA

Ashaq H. Sheikh, RWA Saudi Aramco Chapter 87 Dhahran, Saudi Arabia

**ALFarouq A. Tarabzouni, RWA** Saudi Aramco Chapter 87 Dhahran, Saudi Arabia

Christopher Whitehead, RWP
Oncor Electric Delivery Company

Chapter 36 Fort Worth, TX

Roxanne R. Williams, RWA

Ameren Missouri

**Jeff Wilox, RWA** Spire, Inc. Chapter 24 St. Louis, MO

Chapter 37 St. Louis, MO

**Note:** Education milestones include only newly certified individuals.



IRWA offers two career paths for right of way professionals: a generalist path and a specialist path.

#### **Generalist Certification/Designation**

RWA Right of Way Agent Certification

ARWP Associate Right of Way Professional Certification \*

RWP Right of Way Professional Certification

SR/WA Senior Right of Way Professional Designation

#### **Specialty Certifications**

R/W-AC Appraisal Certified

R/W-AMC Asset/Property Management Certified

R/W-EC Environmental Certified \*
R/W-NAC Negotiation and Acquisition Certified

R/W-RAC Relocation Assistance Certified

R/W-URAC Uniform Act Certified

#### **SPECIALTY CERTIFICATION**

Christa Bell, R/W-URAC Chapter 36 Richardson, TX

Maria D. Bertranaragon, R/W-RAC

Matthew Browne, R/W-AC Chapter 36 Fort Worth, TX Kate Evans, R/W-RAC Chapter 36 Fort Worth, TX

Timothy Fennema, R/W-NAC

**Stephanie Ferraris, R/W-AC** Chapter 74 Austin, TX Richard A. Foley, R/W-AC Chapter 52 Fairfax, VA

James A. Olschewski, R/W-AC Chapter 38 Salt Lake City, UT

Jesse Ortiz, R/W-RAC

Justin Sago, R/W-NAC Chapter 26 Sarasota, FL

Christina H. Thoreson, R/W-AC Chapter 32 Lookout Mountain, TN

Gurpinder Virk, R/W-RAC Chapter 2 Long Beach, CA

<sup>\*</sup>Retired as of September 1, 2014. Members who have earned this certification can retain it as long as they recertify every five years.



#### IRWA Member Farewell

#### ALAN CARL MORGANFIELD



Alan Carl Morganfield passed away on July 20, 2018 following a brief battle with Leukemia. He was born on February 28, 1944 in Denver, Colorado, as the firstborn child to Albert Rudolph Morganfield and Margaret Agnes Olsen Morganfield.

Alan earned multiple degrees and honors after high school. He graduated with associate degrees from both Mesa College and Metropolitan State College of Denver, and later went on to earn a Bachelors of Science from MSCD. In 1967, he began

his long career with Public Service/Xcel Energy and became a professional Land Surveyor in 1974. Alan joined the International Right of Way Association in 1971, where he served as President of the Denver Chapter before going on to serve as Vice Chair and Chair of Region 9, as well as serving on multiple committees at the international and local levels. He earned the professional designation of Senior Right of Way Agent (SR/WA) in 1984 and also taught educational classes for the IRWA all over the country. He was awarded Professional of the Year for Region 9 in 2002, and was a finalist for Professional of the Year at the international level that same year. He also received the Mark A. Green Award as co-author of the article "Zigs and Zags of Legal Descriptions, Part 1" in the January/February 2008 issue of Right of Way Magazine. In 2015, he received the prestigious Lifetime Achievement Award from Denver Chapter 6, which is named for him.

In 1964, Alan met Dixie Albert and they married December 3, 1966. In the years to come, their family would expand to include three sons, and five grandchildren. He passed on his passion for camping, fishing, and cars to his sons Jeff, Brian and Jason. One of the most important things Alan shared with his sons was his time in the Boy Scouts of America. As a child, Alan was in Cub Scouts and earned his Arrow of Light, and while he never reached the rank of Eagle Scout himself, as a Scout Master he saw his own three sons achieve this highest honor under his guidance. He served as a leader in Boy Scouts for 28 years, and he taught many young men important life skills to carry them through adulthood.

Alan is remembered by his friends as a relentless outdoorsman with infinite patience on the hunt, and he considered his hunting trips with his friends and family to be some of the best times in his life. Additionally, Alan inherited his father's interest in the art of stain glass and used his father's tools to make the many creations that adorn his and Dixie's home. He also crafted the stained glass Eagle Scout emblem on the podium used to award Scouting's highest rank for Troop 505.

In addition to his two brothers, he is survived by his wife Dixie Albert Morganfield, their children Jeffrey (Traci), Brian (Cory), and Jason (Jill), his five grandchildren, Dana, Gaaron, Aidan, Connor, and Ashlyn, three nieces and two nephews, as well as numerous great-nieces and nephews.

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If you are ready to take advantage of all the opportunities these joint partnerships offer, IRWA invites you to contact Mark Rieck at rieck@irwaonline.org.





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#### Locations\*:

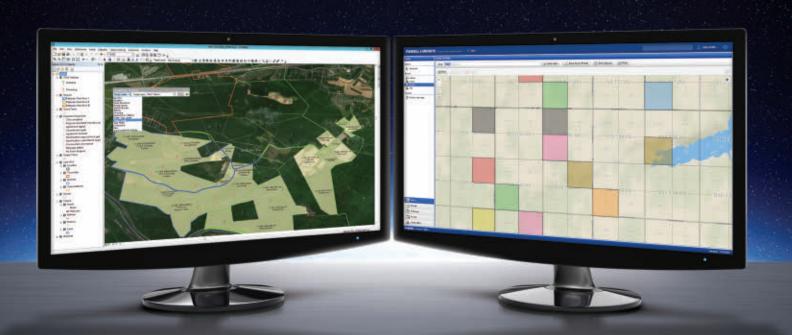
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