



Right of Way Consultant's Council Meeting Minutes
June 13, 2011
IRWA Annual International Education Conference
Atlanta, Georgia

Board Members Present: D. Wade Brown, Chair; Kerry Malone, Vice-Chair; Daryl Knobbe, Secretary; Charles Davis, Treasurer; Joe Coates, Membership; Lisa Harrison, Member-at-Large; Jerry Colburn, Member-at-Large, Teri Morgan, Member-at-Large; Steve Benson, Member-at-Large

Others Present: Trent Oglesby, Sandra Bowen, Tim Davis, Edye Lanzo, Wendi McAleese, Crissy Menghini, Mark Janicki, William Robertson, John Campbell, Ben Ward, Faith Roland, Dee Oakland, Larry Oakland & Cathy Muth.

*Charlie Davis advised that he had neglected to prepare the Treasurer's Report but he would prepare one as soon as he returns home and will distribute it to the Board.

*The minutes from the last meeting in January 2011 were previously approved and are posted on the Council's website.

*Wade advised there is nothing new in regards to the website.

*John Campbell, Director of the TXDOT Right of Way Division and current Chair of the AASHTO R/W and Utilities subcommittee had requested to speak to the group and at this point Wade turns the meeting over to John.

John advised that TxDOT going through major changes. He advised that while the Liaison Committee with the Consultant's Council has been an on again off again situation, John believes the time is right to proceed. John will pull together some of the District engineers managers to be part of the meetings. He said that going forward he expects more than 60% of R/W will be done by private side. John thinks this is Liaison Committee is an important first step. John thinks the transition in Texas may provide a great opportunity to bring right of way into more of a profession. John thinks there will be more projects in Texas and opportunities for consultants. This is an opportunity for consultants to help TXDOT understand the standards of performance

and care required to do our jobs well. John will not be chair from TXDOT side but he will be the liaison. John emphasizes this is our opportunity to help TXDOT formulate certain policies going forward.

Committee will be district engineers. He wants to make sure that the council representatives emphasize the standard of practice and care needed in R/W and this can't be compromised for speed.

The DE's will be from the big projects (Waco, Dallas, El Paso, and John Barton the Asst. Ex. Dir of Eng.) should be involved. Houston was to be involved but that DE has announced his retirement.

A second item is the TXDOT Modernization Initiative. Part of this initiative is to review the procedures for securing contracts and processes for improving the R/W process. John would like a representative from the council. (see the May 26, 2011 email from Wade)

Wade thanks John for the opportunity to meet with TxDOT. He emphasizes that we would like to do this with other states if members have states that may be amenable.

John said he would be willing to talk to other states about the contracting process. John said they have a big gap between their older staff and the next generation and in his opinion that will mean they will rely more heavily on consultants.

Lisa said she spoke at AASHTO for the council and offered that the council can help with contracting and developing contracts so they don't just get stuck with an engineering contract. Lisa said there was a positive response and believes they are hearing our message.

Wade offers to guests that perhaps the council can help not with only DOT contracting issues but all kinds of clients.

Faith asked if we would be allowed to do a best practices presentation on contracting to DOTs and other potential clients. Lisa said the challenge is to get the right people to actually attend. She thinks AASHTO may be the right spot since that is the best chance to get all of the DOT decision makers in the same location. Lisa said that if we want to do something like this we really need to do it next year while the AASHTO group is receptive to us.

As to the TXDOT liaison committee the question was asked how the council gets input to and from the council's liaison committee members. Charlie advised that the first meeting is a get acquainted and layout the frame work of the meetings. Charlie said one of the first thing John has asked him to do is to lay out the issues with R/W acquisition and to refute the TXDOT engineers opinion that R/W takes too long and causes delays.

Cathy Muth recommends that the liaison committee first do the presentation for the council so we can give feedback. Maybe a webex. The liaison committee members are Charlie Davis, Mark Janicki and Candy Spitzer.

Wade asks for motion to hold a special election to elect a council member to represent the council as part of the TXDOT Modernization Initiative, Daryl first, Jerry seconded. Passed unanimously. Wade will put it on the website for nominations and elections.

Lisa emphasizes that the persons on the committees have to represent the committee not their firms or their opinions. She suggests that perhaps the more people we have with the same message the better.

Joe Coates wants a better understanding of the message we are conveying. He agreed the more people carrying the message the better.

Wade said that as he understands that after the first meeting we will have an idea of what they are looking for and then Charlie's group will bring it back to the council to discuss our message.

Discussions took place as to whether the rep for modernization should be different from the reps to the liaison committee.

Lisa suggests we hold a special meeting to develop our message before the first meeting. Discussions revolved around the idea that the message we put forward fits not only Texas but all states at least on the Liaison Committee level. The modernization one may be more Texas specific.

Cathy suggests there be support committees for each committee.

*Item on Idaho licensing. Joe and Wade have been discussing this matter.

Joe advised that he passed along to the IRWA chapter there a position paper on this topic that a number of consultants had prepared on a similar issue. However, he was advised that the council may not be unified on this topic. While generally no one wants the licensing requirement the concern is that if you do not have licensing does that hurt our position of being "professional."

*During the last several months nominations and elections were held for the three open Board positions as the terms of Teri, Steve & Lisa expire this month. Three persons were nominated and all three were elected. They are Mark Bilyeu, Faith Roland and Lisa Harrison. All three accepted the positions and were approved unanimously.

*Nominations were taken for positions on the Board. Lisa can only serve as a member at large due to her role with the IRWA Executive Team. The following were nominated:

Faith Roland (2011) – Chair
Kerry Malone (2009) - Vice-Chair
Daryl Knobbe (2009) – Secretary
Charlie Davis (2010) – Treasurer
Joe Coates (2009) – Membership
D. Wade Brown (2010) – Website

All were approved unanimously.

Board Members at Large for the coming year are:

Mark Bilyeu (2011)
Lisa Harrison (2011)
Jerry Colburn (2010)

Each Board member serves a three year term on the Board. The year after each person's name indicates the year they were last elected to the Board. All Board positions are voted on annually.

Meeting adjourned at 11:30.