



OVERCOMING CHALLENGE IN THE NEW NORMAL

A collection of stories from the field

AS TOLD BY CONNER MCDONALD, SR/WA AND SARAH WILLIAMS, RWP

The life of a right of way professional demands perseverance — our professional path is no walk in the park. Whether we are the intermediary between negotiating parties, the project manager trying to balance a shoestring budget or the field agent trying to remember which of the 12 cattle gates the landowner wanted open versus closed, every day is a new, unique and daunting challenge.

The past year has been a difficult one. While we're no strangers to that, like so many others, we have been tested in ways we never could have imagined. But as always, the professionals in our practice never give up — we address challenges head-on, and we align ourselves with solutions.

The following stories are a few curated examples of our fellow right of way folks overcoming the challenges before them. Sometimes humorous, sometimes perplexing, we hope you enjoy these vignettes and that they will add a little fun to your day as you prepare to take on your next challenge...

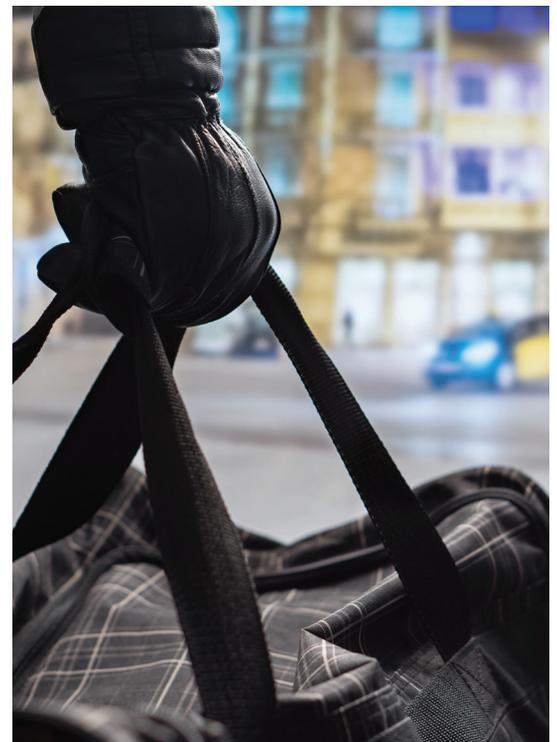


Making The Drop

The most suspicious sounding of professional transactions I've encountered began with a simple task. The agency was to deposit funds in escrow. This would normally be one of the most straightforward of processes — an easy courier service, or personal delivery, to the front desk. In this case, the instructions I received sounded more like code for executing a clandestine operation.

As a result of the lockdown/shelter-in-place orders during the pandemic, many of my state's escrow companies no longer allowed public access to their offices. As such, I personally coordinated all document deposits and delivery of funds with escrow companies. The agency representative offered to deliver their check directly to the escrow company, which helped me out a bit but required that I get detailed instructions to provide the agency representative for the drop-off. So, I contacted the escrow officer regarding drop-off procedures. What came back left me thinking that I was being pranked. The escrow officer asked that I direct the agency representative to meet in the back alley of the escrow office, officially known as "Money Lane," with a call beforehand to notify escrow of their anticipated time of arrival. Essentially, we arranged a money drop in a back alley called Money Lane.

Thankfully, the drop was successful. I have continued the habit of coordinating all deliveries during the pandemic and have considered investing in burner phones and pen cameras.





Head 'em Up, Move 'em Out!

Heading into the field is often one of the more exciting and fun aspects of the right of way professional's life. Getting some fresh air, seeing some new scenery and being "on the ground" are all things that your typical right of way person invites and hungers for. On the other side of the coin, field trips can also bring challenges that one doesn't face while safely in the confines of our offices — very few exciting right of way stories begin with "while I was sitting comfortably in my office..."

I have always found field trips to be exciting but not without their challenges. During the pandemic, the excitement of field trips remained, and the challenge component took on new and different forms.

While working as the real estate lead for a large infrastructure project, we were in the process of planning a geotechnical data collection field campaign. We had spent months in planning, selecting locations for exploration; lining up all the permitting, monitoring, and land access permissions; and coordinating field crew logistics. The field campaign was proposed to occur over five months across two counties, including numerous locations and activities; it was critical to advancing our project planning efforts. We were well into planning when the pandemic hit. A few months into the pandemic, we learned more about best practices for safety in our new normal, and it was determined that the campaign would be able to move forward, with the appropriate precautions.

One of those appropriate precautions, implemented by the agencies and consultants performing the work, was that carpooling was not feasible. Travel by vehicle would be limited to one person per vehicle. The number of personnel needed to deliver the field effort, on any given day, varied depending on the locations and activities but could get upwards of 30 individuals, including geologists, environmental monitors, drill crew

members and geotechnical specialists, with vehicles including everything from pick-up trucks to 10-wheel water trucks and drilling rigs.

We would be traveling through small towns and rural communities to reach our work locations. As the real estate lead, my responsibilities also include community relations, ensuring our project team receives community awareness training and maintaining the lightest footprint possible within the community. In addition to traveling through cozy little towns with less than one stoplight, we'd also be traveling on private roads, operations and maintenance roads, overland, across open country and on private land. To minimize our impacts, we evaluated each location and activity to determine the minimum necessary personnel, vehicles and equipment needed to be on site — there were many spreadsheets involved.

Even after our best efforts, I found myself leading convoys of upwards of 30 vehicles and equipment pieces — some of which being federal official vehicles (and definitely looking as such), and others being contractor equipment with logos emblazoned upon them — down Main Street of some of the coziest little towns in my state. With the rising morning sun bathing our caravan in a glow, we were doing our best to have the lightest community footprint possible, but we looked like a Fourth of July Parade on the way to build the next Golden Gate Bridge!

Thankfully, it all worked out. We engaged with the local communities ahead of our daily, months-long parades down their main streets, to let them know what we'd be doing; our team was ever aware of the need to be coordinated, careful, cautious and respectful; and the effort was delivered flawlessly with a great 30-vehicle team-building exercise that none of us will ever forget!





Notarizing In The New Normal

Those who shared this story do not intend to portray any criticism towards those taking pandemic precautions. The purpose of this story is simply to highlight the additional challenges and heightened tensions we may face as right of way professionals continuing to perform our jobs during a pandemic.

The mechanics of being a notary have evolved significantly due to the coronavirus. For the highly important sake of health, the job has become a bit more cumbersome and now includes some new accessories. The traditional checklist of notary book, stamp, ink pad, pen and documents is now supplemented with hand sanitizer, face mask and sterile gloves. There are also some new ground rules for meeting and exchanging documents. While we notaries are navigating a new path, property owners are similarly in uncharted territory, with all parties doing their best to be safe in an uncertain world. My first experience with pandemic notarizing was a memorable one.

I was informed that the signers were understandably reluctant to meet with a notary for a signing due to their concern with the pandemic, and I could relate. In addition, this was very early on, prior to clear mask and glove directives, and with significant public uncertainty regarding virus transmission. But we devised a plan.

I was to park on the street opposite their home and wait for them to approach me. There would be a plastic tub on the driveway to use as a neutral-zone demarcation point to facilitate the exchange of documents.

To prepare, I sanitized every piece of paper, my book and the ink pad. I stepped out of the car in a Lysol-flavored haze as they approached from across the street. Before anything could be exchanged, they quizzed me on everywhere I had been and everyone I had interacted with for the past two weeks.

After the discussion of my last two weeks (which were mostly sheltering in place), they gave me their driver's licenses in plastic baggies, and we used kitchen tongs to exchange documents. We each backed away from our neutral zone and went about the customary portions of the signing. I quickly scribbled down their license details in my book, and they went about signing the deeds.

Since this meeting, my notary bag is always packed with disinfectant, a mask and gloves, and I've realized that the best way to conduct a signing in a pandemic is to use the tools we've always used: communication, coordination and understanding. The signers and I met each other in our comfort zones, and we were able to get the job done! 🍀



Conner McDonald, SR/WA is a project manager and senior right of way consultant who loves overcoming challenges, seeking out new adventures and hearing great right of way stories. He is past president of his local Chapter, a CLIMB-Certified Instructor, prior Region 1 Professional of the Year, and past chair of the International Public Agency Committee. Conner can be reached at Conner@CMDWest.com — share a story with him!



Sarah Williams, RWP currently serves as Chapter 27 vice president and is the chair of the International Young Professionals Committee. In 2018 and 2020, she was recognized as Region 1 Young Professional of the Year, and led Chapter 27 to the title of International Website of the Year 2019-2020. In addition to her extensive list of accomplishments and accolades, she is known for her innate ability to overcome any challenge.