



WINTER 2021

THE CAROLINAS' COURIER



**PRESIDENT
STEVE CHASTAIN**



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A MESSAGE FROM THE PRESIDENT

As we begin the new year, I want to again take the opportunity to offer every member of our chapter a few words of encouragement. I firmly believe that our outlook on the future is strengthened by a positive attitude regarding the present. We're all suffering from a lack of tactile contact with one another while at the same time adjusting to the new environment of the virtual workplace. If you're like me, you're tired of sitting in front of the computer and attending virtual meetings ad nauseam. Place that against the constant pandemic and election news and you have a real formula for stress in both your personal and professional lives.



Mental health professionals have coined the phrase **Zoom Fatigue** to describe this condition. A recent article in the Psychiatric Times defined Zoom fatigue as, "...the tiredness, worry, or burnout associated with overusing virtual platforms of communication." It went on to say that the condition is, "...widely prevalent, intense, and completely new." (Sound familiar to anyone?) Unfortunately, there doesn't appear to be an alternative solution on the short horizon and many companies appear to be moving away from the office toward remote working environments which may expand the condition.

So, what can you do personally to combat Zoom Fatigue? There are a lot of answers out there and all seem to suggest breaking up the day and taking charge of your work environment. Here are some tips that may help you cope:

- Keep meetings brief – I know this may be out of your control but provide feedback to the folks scheduling meetings.
- Use speaker view – This one gets mixed opinions but is intended to allow you to be more relaxed and less formal than if you are on camera.
- Try using the phone instead – You can still make conference calls.
- Avoid back to back meetings – Again, you may have limited control over this one but do your best and give feedback to those scheduling meetings.
- Take breaks – This is important to stay fresh and engaged. Also, a good time to stretch and get out of the chair.
- Plan your meetings – this will make it easier for you and others to follow along.
- Check in with participants – it really does go better if you're engaged in the discussion.
- Don't work in your relax space – separating work from relaxation is an important component of the equation.

These are just a few suggestions. If you Google® "Zoom Fatigue" you'll find many more. The important thing is to recognize that our attitudes can be negatively affected by our current circumstances and that we need to prepare ourselves to meet this new environmental challenge.

Our chapter is working hard to make our meetings engaging and to provide options for "in person" meeting where they can be safely conducted. We're attempting to capitalize on the advantages of virtual meetings (free or less expensive and able to reach more people) while, at the same time, working hard to not lose our personal touch. We see virtual meetings as a way to increase our availability to our membership at large but never to replace the value we gain from networking together. There are some great ideas emerging from this experience so stay tuned to our newsletter and read those email blasts! If you have ideas, share them with us.

Final note – Don't let Zoom Fatigue cause you to allow your membership to expire. It's renewal time and all of you have something valuable to contribute to our association. The leadership team is working hard to insure we give you a program that provides value and meets your industry and professional certification needs. I look forward to seeing each of you at our February seminar in Fort Mill, SC.

Steve Chastain
President Chapter 31 IRWA

ANNOUNCEMENTS



ARE YOU LOOKING FOR:

- RECERTIFICATION FORM
- MINUTES FROM PAST BUSINESS MEETINGS
- SEMINAR PRESENTATIONS

RECERTIFICATION FORMS, MINUTES AND PRESENTATIONS FOR 2020 CAN BE LOCATED ON THE MEMBER NETWORK LIBRARY PAGE.

RECERTIFICATION FORMS AND MINUTES PRIOR TO 2020 CAN BE LOCATED ON CHAPTER 31'S WEBSITE.



CAROLINA RIGHT OF WAY



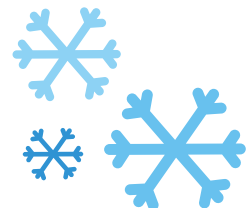
MARK YOUR CALENDARS



February 25-26th - 2021 Winter Social & Seminar

**Winter Social: February 25th, 6:00-8:00 PM
Towne Tavern, 2000 SC-160, Fort Mill, SC 29708**

**Winter Seminar: February 26th, 7:30 AM - 2:30 PM
Hampton Inn, 1520 Carolina Pl Dr, Fort Mill, SC 29708
To reserve your room at \$89.00 call 803-578-2600
code "IRA" or book online.**



The Chapter will also be hosting the Winter Seminar virtually through the Blue Jean Platform. Stay tuned for more information.

****REGISTRATION is now open for the Winter Social & Seminar****



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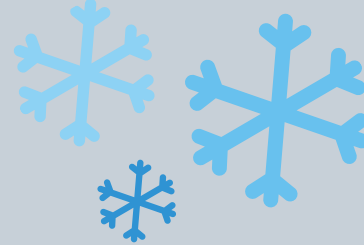
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John Palmer - Director (1 Year)
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SECRETARY'S REPORT

LISA NORRIS
CORRINA LAWRENCE

FALL SEMINAR 2020

The Fall Seminar and Business Meeting were held in Charleston, SC at the Charleston Harbor Resort & Marina in person and virtually on October 23, 2020 and was well attended. The meeting was called to order by President Steve Chastain at 8:00 am. Attendees were welcomed and announcements were made.

President thanked our Special Sponsors of the Fall Social:

- Sponsor of Alcoholic Beverages: THC, Inc. and North By Northwest Consulting
- Sponsors of Refreshments: LJA Engineering and Maser Consulting

President thanked the 2020 Fall Seminar Sponsors:

- Platinum: Smith Anderson, Integra Realty Resource, North By Northwest Consulting, THC, and Carolina Right of Way
- Gold: Southeastern Land Company, Inc

Attendees were shown presentations from the following:

- "To Incentive or not to Incentive, That is the Question", Hugh Haddock, SCDOT
- "The Future of the Lowcountry Lowline", Scott Parker, Board Member of the Lowcountry Lowline
- "Drones & Autonomous Vehicles; Change on the Horizon for the Right of Way Community", Frank Mundy, Stewart

The Business Meeting began at 1:04 pm. Minutes from the Summer Seminar held August 20, 2020 virtual were presented as posted online and shown in the Fall Newsletter and they were accepted and approved.

RECERTIFICATION CREDIT - a motion was made to approve 4 hours of credit towards recertification and it was seconded and approved.

FINANCIAL REPORT - Treasurer Neil Burleson presented the report and it was approved. Please see the Treasurer's section of the newsletter for details.

COMMITTEE REPORTS:

- Education: Incentives for Chapter if members attend Virtual Classes
- PDC: No report
- Membership: 28 new members as of September 23, 2020
- Nominations & Elections: No report
- Young Professional: Vacant
- Newsletter: Welcome pictures from Fall Event for newsletter
- Oil and Pipeline: No report
- Transportation: NCDOT - \$700 Million to kickstart projects, SCDOT moving forward with projects but concerned about resource availability
- Local Public Agency: Anthony Alderman taking over as Chair. Kevin Kilpatrick will be assisting Anthony. Steven King is joining the committee.
- Utilities: No report - need assistance
- Audit: No report
- Sponsorship: Two new sponsors: Carolina Right of Way and LJA Engineering
- Webmaster: No report

OLD BUSINESS: Winter Seminar - February 2021 - Charlotte Area

NEW BUSINESS:

- Dropbox - to eliminate issues with space on free Dropbox account - Chapter can establish a Dropbox account for \$120.00. Will need an email address - \$75.00 to open account. Motion made, accepted, and approved to obtain Chapter email address and open up Dropbox account.
- Communication email blast/website updates need to be improved for members.

Business Meeting adjourned at 1:55 pm.



Integra Realty Resources

MEMBERSHIP COMMITTEE REPORT

KEVIN MULDOWNEY

During the period between October 1, 2020 and December 31, 2020, two (2) new membership applications were processed and communicated as approved to IRWA HQ.

2nd Quarter New Members

Seneca L. Fritts

Jeremy Miller, LW Survey Company



<u>Quarter</u>	<u>New Members</u>
First	11
Second	6
Third	9
Fourth	2
Transfer In	2
Transfer Out	0
Total New	30

Total CH 31 Membership 295



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MEMBER CORNER SPOTLIGHT WITH KEVIN MULDOWNEY

WHY I AM A MEMBER

As chair of the Chapter 31 membership committee for the past 4 years, it has been an honor to be part of such an exciting and innovative group of right of way industry professionals. I, for one, tremendously value my membership in the International Right of Way Association.

I began in the right of way field in 2003 working for the City of Charlotte in their Real Estate Division. For the 18 years since, I have spent most of that time as a member of the IRWA. In fact, when a job opportunity took me to the western United States, I joined Dakotas Chapter 72. I knew the importance of staying involved in the professional association for right of way regardless of where I might be. It afforded me the opportunity to be around “my people” and to meet new friends!

Frequently, I consider how beneficial membership in the IRWA can be. As I mentioned in an article I wrote for our newsletter a few years ago, “...perhaps it is utilizing a technique I learned in a negotiation class; the ability to interpret and then simply explain road plans to a property owner; and, having the knowledge to comprehend and then present a complex appraisal in an understandable manner when making an offer.

Furthermore, in becoming more involved with residential and business relocations in the last several years, I have utilized IRWA’s member network and Communities of Practice (COPs). For me, these two resources provide such a great value that they alone are worth the cost of annual dues.

So, as we begin 2021, and begin to put the difficulties of 2020 in our rear view, I would encourage you, particularly if you have not yet renewed, to consider the importance of membership in the International Right of Way Association!

Please know this - creating and maintaining a broad and strong member base benefits our chapter immensely. Your continued membership in Carolinas Chapter 31 assures that!

Finally, I would ask that you, as an important member of our chapter, seek out other right of way industry professionals in your office or those you meet through clients. Ask them to check out our chapter (www.irwa31.com) and put them in touch with me or membership committee members Tim Huie (tim.huie@duke-energy.com) or Philip Porter (pporter@nxnwconsulting.com) so that we can share the value of an IRWA membership.

Happy New Year and all the best!

Kevin Muldowney

Kevin Muldowney, SR/WA
Chair, Chapter 31 Membership Committee



Our membership renewal deadline is January 31, 2021!



MERRICK[®]

MEMBER CORNER SPOTLIGHT WITH A. GRANT WHITNEY, JR.

New North Carolina Court of Appeals Case of Interest to Right of Way Professionals

A recent appeals court ruling shows that when securing a right of way or easement, bad things happen if you do not obtain a subordination of any existing and previously recorded deed of trust or mortgage on the property.

On November 17, the North Carolina Court of Appeals filed its opinion in the case of Home Realty Co. & Insurance Agency, Inc. v. Red Fox Country Club Owners Association, Inc. The opinion shows how the foreclosure of a previously recorded deed of trust wipes out subsequently recorded restrictions (as well as subsequently recorded easements). The opinion also touches on related easement issues near the end of the case.

In this case, the deed of trust on the Red Fox Country Club Golf Course was recorded in 1984 but the restrictions were not recorded until 1986. Apparently, there was no subordination of the 1984 deed of trust to the 1986 restrictions. The 1984 deed of trust was foreclosed in 1990. In 2018, the plaintiff golf course owner sued the property owners association and certain lot owners for, among other things, a declaratory judgment that the 1986 restrictions “had been extinguished by...[the] foreclosure in 1990.” Both the trial court and the court of appeals held that the 1986 restrictions had been invalidated (i.e., cut off) as to the golf course as a result of the 1990 foreclosure. In other words, the property owners association lost.

The holding in the Red Fox opinion is neither new nor unusual. It is in fact good North Carolina law and has been so as long as I am aware. But the practical point here is that if you do not obtain lender subordinations when you acquire your rights of way, your rights of way will be extinguished if the deed of trust is foreclosed. How do you avoid this terrible and embarrassing result? Answer: Have a title exam performed to determine if there are any deeds of trust on the property. If so, each lender must execute a consent and subordination to your right of way, either attached to your right of way or by separate document. Either way, the subordination must be recorded. Title insurance should be obtained when available. The good news is that in North Carolina, the trustee under the deed of trust no longer has to sign the subordination. It must only be executed by the current owner and holder of the deed of trust.

For more information, feel free to contact me.

A. Grant Whitney, Jr.

Legacy Union

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grantwhitney@parkepoe.com



TREASURER'S REPORT

NEIL BURLESON

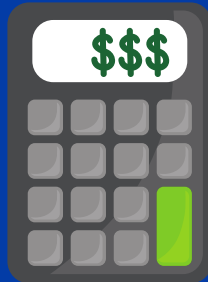


LJA ENGINEERING

Report Created 1/10/2021
July 1st, 2020 thru December 31st, 2020

Profit & Loss

Income:	\$ 19,848.84
Expense:	\$ 16,593.34
Net:	\$ 3,255.50



Balance Sheet

Checking:	\$ 39,937.22
Savings:	\$ 16,535.93
Total:	\$ 56,473.15



TELICS

LOCAL PUBLIC AGENCY COMMITTEE REPORT

ANTHONY ALDERMAN

IRWA Chapter 31 LPA Committee Report - January 2021

The LPA committee has scheduled a one-hour lunch and learn webinar event for February 10, 2021. The sign-up link will be emailed and posted on the chapter website. The webinar is geared towards LPA members, but all chapter members and associates (meaning anyone you wish to invite) are welcome. The presentations are listed below:

Presenter:

Claire Tronel, Associate Vice President
Right of Way Program Manager
AECOM Technical Services of North Carolina, Inc.
D 919.854.6235 C 919.946.5039
claire.tronel@aecom.com

Presentation:

Automating Right of Way Cost Estimation in a Post-Pandemic World

Description:

In an age of ever-decreasing budgets, social distancing and virtual meetings, we are discovering newer, faster, sleeker ways to deliver to our clients what they need. One area of recent innovation has been in right of way cost estimating. AECOM's GIS-Right of Way Cost Estimating Tool (ROW Tool) was developed to enhance or accelerate the cost estimating process by improving the cost/benefit analysis of proposed projects. This ROW Tool satisfies the requirements of accuracy, consistency, and timeliness. The ROW Tool was developed to be portable and it can easily be revised to fit the needs of any client, anywhere. The tool is a GIS-based, modern Python programming toolkit for creating ROW cost estimates. The tool encompasses a full circle approach from raw ROW or easement input to a deliverable of estimated costs per parcel, per property rights needed (right of way, permanent easement, temporary easement, etc.).

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LOCAL PUBLIC AGENCY COMMITTEE REPORT CONTINUED

Presenter:

Daniel C. Agresta III,
President & CEO | APC Towers
Cell: 919.349.2333
Desk: 919.324.1945
8601 Six Forks Road, Suite 250
Raleigh, NC 27615
dagresta@apctowers.com

Presentation:

Driving and Marketing Network Development Opportunities to Local Municipalities

Description:

APC Towers works with local public agencies to provide the wireless infrastructure that make communities greater, safer places to live. Developing a smart solution to broaden communications in municipalities across the country while creating synergy with infrastructure providers to create flexibility and economic stability for the carriers' future network deployment.

Respectfully submitted by the following LPA Committee Members:

Angela Ferguson
Kevin Kilpatrick, SR/WA, R/W-NAC, R/W-RAC
Claire Tronel
Anthony L. Alderman, MRICS
Steven King



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NOMINATIONS & ELECTIONS COMMITTEE

JULIE McDONALD

It's that time of year again; any and all nominations are encouraged for:

- Chapter 31 Professional of the Year Award
- Kent G. Winslow Chapter 31 Leadership Award

Also requesting nominations for the following awards:

- Frank C. Balfour Professional of the Year
- W. Howard Armstrong Instructor of the Year
- Young Professional of the Year
- Government Employer of the Year
- Employer of the Year
- Chapter of the Year
- SARPA Scholarship Sponsored by RWIEF
- Website of the Year*
- Newsletter of the Year*

The deadline for these applications is February 1, 2021.

The above award applications need to be emailed to irwainecchair@gmail.com

***These award applications need to be emailed to irwainecvicechair@gmail.com**

I know Region 6 has many intelligent, talented, dedicated individuals, businesses, and chapters. The INEC would love to read about them! Go to irwaonline.org, About Us, Awards. Here you can read about each award and see the past recipients. On this page, click Award Forms and fill out as many as possible.

Let's make Region 6 shine in San Antonio!

Thank you for your time.

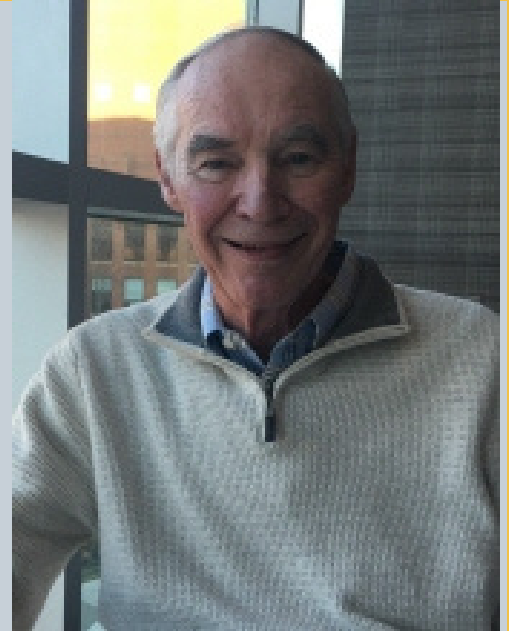
**Jenni Kriner, SR/WA, R/W-NAC
Region 6 INEC Representative
INEC Chair**



CELEBRATING LIFE



Remembering Kent Winslow



Obituary

On Saturday morning, December 26th, Kent Winslow passed away at Brookdale Southpark Assisted Living Memory Care facility with the loving care and support of the Brookdale staff and Hospice Team. Deepest appreciation is extended to the staff for every effort made on his behalf, especially during the many challenges of the COVID 19 pandemic. Grateful appreciation is also extended to Mike and Oleda Cannady for their constant love, support and encouragement as neighbors and friends.

Kent's legacy working for the City of Charlotte for 36 years was quite extensive, as he helped to shape the Charlotte City landscape we know today. His early years were spent developing the Charlotte airport. In 1982, Kent was appointed to be the manager of the Real Estate Division of Engineering and Property Management. Throughout the years, Kent was instrumental in the negotiation of securing the land for Discovery Place, new Jail and Law Enforcement Centers, the Bank of America Stadium, Charlotte Convention Center, Charlotte Trolley and the Cats Light Rail. He also managed the land acquisition for the Uptown Arena, now known as the Spectrum Center, as well as the NASCAR Hall of Fame. He loved his job and always worked diligently to find a win-win for both sides of all of his negotiations with individuals and developers. His main goal was to seek the fairest and best deal for Charlotte's growth and development. He loved driving around and looking at the City skyline and ongoing projects underway, with an in depth explanation of how they all came to be.

In 1969 Kent began to devote his energies to professional service groups, especially the International Right of Way Association IRWA. He enjoyed and cherished his "real estate family" and the many friends that he made, working together with colleagues in positions of leadership on various committees and attending the annual conventions. In 2001, he received the prestigious Frank C. Balfour Professional of the Year Award. The highest honor in the Right of Way Profession.

At home, you could find Kent busying himself in the yard and playing with his beloved dogs, Max and Molly. He was a craftsman and enjoyed working with wood on a wide variety of projects at any given time. Christmas decorating inside and out was Kent's most very favorite hobby. Every year, in early November, he began to decorate with his huge collection of Dept. 56 villages. He'd then moved outside to the yard, which would glow with numerous blowups, lights and decorations for all to enjoy. He would stand back with pride and look for the next fun blowup to buy for next year.

Kent leaves behind his beloved wife of 20 years, Jeanette Winslow, as well as his large family, Jeff Winslow, wife Dayna, Leigh Winslow, Neal Winslow and wife Sandy. Daughters: Mary Kent Splain, husband John, Lara Christopher, husband Vince, Julie Otto, husband Duane, Jenny Morrison and Jeff Stockdale, wife Lori.

He also leaves 14 grandchildren, Ryan Splain, wife Tara, Charlie Splain, wife D.J., Jessica Weems and Kyle, along with Calvin, Sophie, Libby, Amelia, Rose and Jonathan Otto, Alanah and Daniel Morrison and Walker, Weston and Wells Stockdale. Lastly, the newest additions to the family 3 great granddaughters, Mayer, Hallie Ryan, and newborn, Raelynn.

Most importantly, Kent loved God and his church, Matthews United Methodist. He sought to find the healing love and peace of Jesus through all of the personal struggles and challenges that life can bring. A memorial service will be held at MUMC later in January - to be announced. Memorials may be made to Matthews United Methodist Church for the purpose of an outdoor learning classroom for the children's playground, a project that Kent would have deeply enjoyed building for the boys and girls to learn and grow.

To plant a beautiful memorial tree in memory of Kent Winslow, please visit our [Tribute Store](#).



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THC, Inc. is a professional program management firm providing right of way land acquisition, relocation and noise mitigation services for airports, highway departments, utility companies, municipalities, governmental agencies and engineering firms around the nation since 1994. Whether you need help acquiring property for roadway expansion, relocating families from a flood-prone area or managing an airport sound insulation program, THC can provide you with professional services to complete your local, state or federally funded project.

The firm's President, Joe A. Carroll, founded THC on the belief in treating clients and property owners with respect and courtesy throughout the noise mitigation, land acquisition and relocation process. Following a servant leadership model, managers support the staff with strong leadership skills, a dedication to their craft and a full commitment to client requests. With more than 25 years of experience, THC has earned a reputation for providing excellent, uncompromising consulting services to clients.

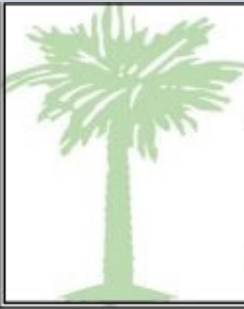
THC's purpose is to "Improve People's Lives" with the ultimate goal of finding common ground in land acquisition and noise mitigation to capture a "win-win" outcome for both the property owner and client. We look forward to working with you and your project community!



Maser Consulting has been consistently recognized as one of the fastest growing engineering firms in the US. With 35 office locations, it employs a workforce of over 1,000 nationwide and it isn't slowing down. Staying consistent with its strategic plan for growth, Maser Consulting has formalized an agreement in selling a controlling share of its company to Colliers International. Colliers is a leading global commercial real estate services and investment management firm.

It's important for you to know that under the leadership of Maser Consulting's President & CEO, Kevin L. Haney, the firm's senior management will remain as significant shareholders of the business in accordance with the Colliers' partnership model.

Maser Consulting will be re-branded as Colliers Engineering & Design in the first quarter of 2021. Although our corporate name will be changing, the company will continue to maintain its leadership and responsive reputation while systems, services, and dedication to clients will remain uninterrupted.



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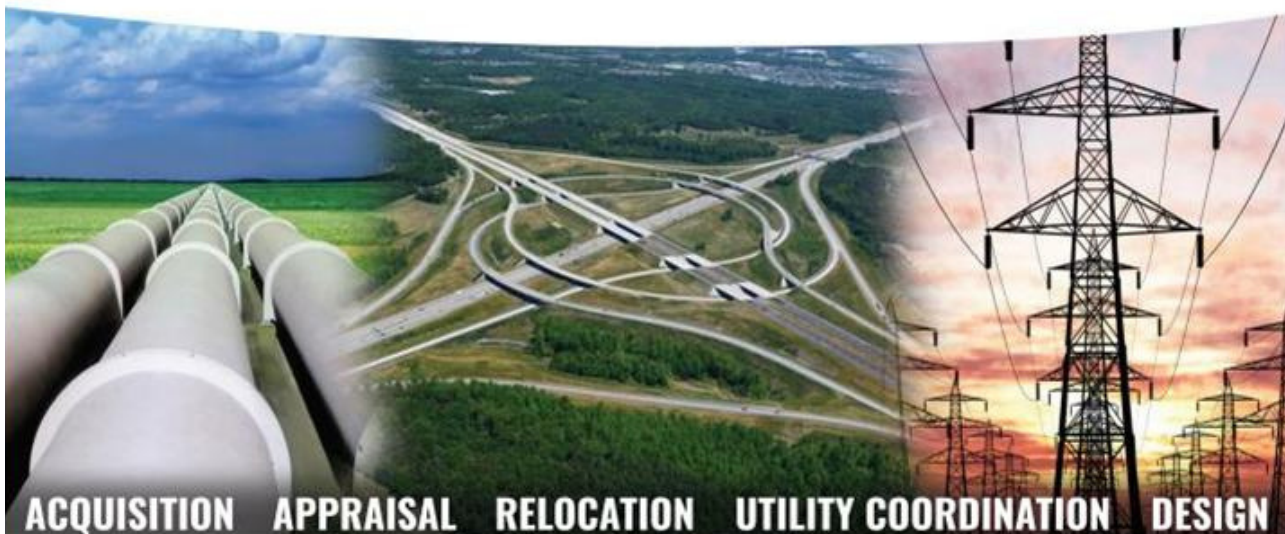
Client Types

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- State Governments
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- Cable Industry

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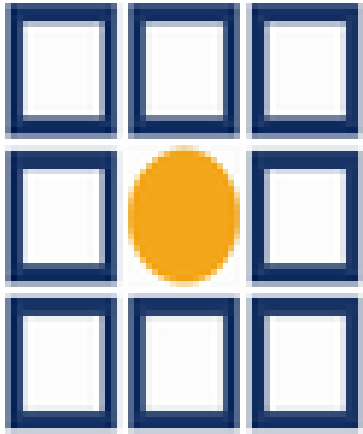
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- *Federal Highway Administration*
- *Departments of Transportation*
- *State/Federal Agencies*
- *Municipalities/Private Firms*
- *Airport Improvement Projects*
- *Water/Utility Projects*
- *Highway Projects*
- *Streetscape/Sidewalk Projects*

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Vaughn & Melton Consulting Engineers, Inc.

What began first with a single transportation assignment building one highway from their first office in Middlesboro, Kentucky has grown to multiple engineering disciplines offered by hundreds of employees, in 14 offices, across five states.

Transportation engineering may have started it all, but today Vaughn & Melton offers Civil Design, Construction Engineering and Inspection (CEI), Surveying and Geographic Information Systems (GIS), Right of Way Acquisition (ROW), Utility Coordination and Subsurface Utility Engineering (SUE), Bridges and Structures, Drone Data Collection and Photography and Water Resources.