



Trailwinds

December 2003

Dakota Chapter 72

2004 IRWA DAKOTA'S CHAPTER 72 DEADWOOD, MEETING & COURSE 214 SKILLS OF EXPERT TESTIMONY FEBRUARY 5th & 6th, 2004---Holiday Inn Express: Make your own Motel Reservations--call 1-605-578-3330-

Message from Our Chapter 72 President



Here is hoping that this newsletter finds all of you well. I'm sure that like the rest of us you are busy with both family life and work. Getting kids back to school, fall activities and those end of the year work projects seem to make my favorite time of the year really fly by. Since the last time we talked Joanne and I have entered a new phase in our lives, Grandparent Hood. Within a month our daughter Ann has had a son, Hunter and our son Paul has had a daughter, McKenzie That is three for us now and they are really fun but at times make me feel really old.

On October 10th Ken Brilz, Jack Holt and myself attended the Region 3 Forum in Omaha, Nebraska. Dennis Stork the new Executive Vice President was also in attendance and gave about a two hour presentation on what he and the International Executive Committee have done since he was hired and what they hope to accomplish in the future. He is very much a business man and I believe he will change some things that need to be changed. He has already laid off some of the old staff because of performance. He is very open about not knowing a lot about Right of Way work. But I think the main thing for his position is that he understands business and that it has to be run to, if not make a profit at least, break even. He is asking a lot of questions and if he gets the we've always done it that way answer he changes the process to make sense. I believe Dennis will make some much needed changes in the organization.

Chapter 78 the host chapter to the Fall Forum borrowed an idea from believe it or not good old chapter 72. On Thursday evening they held a reception and had an auction. Many people brought items for it and donated them. I brought some Otter Tail Power Company stuff and others brought personal items or made up baskets. They made close to \$1,000.00. Jack Borgmayer past Region 3 Chairman said he got the idea from a Deadwood meeting of ours he attended.

Speaking of Deadwood. The dates are set. February 5th will be the class 214 Skills of Expert Testimony. Friday morning February 6th will be our chapter meeting. I hope that as many of you as possible can make it to the annual Deadwood meeting. The class should be good and we always seem to have fun there. Make plans to attend now. Ed will be taking care of the physical arrangements and Scott Sigette has agreed to be class coordinator. More news will follow when the time gets a little closer. Hope to see you there. And don't forget your donated items for what should be a fun auction.

Please take time to work and play safely. Have a wonderful Holiday Season and we will see you in Deadwood.

Sincerely, Bob Krava

CHAPTER 72 2003 OFFICERS

President	Bob Krava
President elect	Kennenth Brilz
Vice President	Mike Murry
2nd Vice President	Paul Mahlen
Secretary/Treasure	Larry Lloyd
Director 2/year	Don Hellman
Director 3/year	Kennenth Brilz

COMMITTEES FOR 2002

Education Chairman	Robert Larson
Membership Chairman	Robert Larson
PDC Chairman	Kenn Haugen
Newsletter Editor	Ed Schwab
Program Chairman	Don Hellman
Liaison Chairman	Paul Mahlen
Local Public Agency Chairman	Richard Sorneson
Nominations Chairman	Harvey Gabbert
Pipeline Chairman	Harvey Gabbert
Property Management Chair	Jack Holt
Relocations Chairman	Kenneth Brilz
Environment Chariman	Miachael Haupt
Valuation Chairman	Dennis Prochnow
Transportation Chairman	Kenneth Brilz
Survey	Russ Nelson
Utilities Chairman	Ronald Golden



His rifle poised, **Kenn Haugen** burst through the door stopped, and listened. Nothing but the gentle sound of running water and the rustling of magazines could be heard. The trail of that **Big Buck** apparently , had been false.

214 Skills of Expert Testimony, Sponsored by Chapter72

Holiday Inn Express Deadwood, SD, February 5, 2004

Contact Motel for your own Motel Registration and accommodations

Phone 605-578-23330

Registration Fee \$271.00 member/\$359 non-member

The aim of this course is to teach practical skills to individuals in the field of expert witness testimony.

Students will learn how to be: More believable--- More “in control”-- -
Better able to cope with manipulation, More effective in communicating with a jury

This course is team taught by an attorney and an appraiser. The problems faced by the expert witness are analyzed through extensive use of simulations based upon actual cases. The interplay between the attorney and the expert witness creates a unique learning experience.

Tuition includes: Student Manual----- Optional materials available
Principles of Right of Way textbook - \$25.00, Real Estate Dictionary - \$5.00

Instructor: Larry D. Martin, SR/WA is an Attorney/Appraiser and practices primarily in the area of eminent domain. He received his undergraduate degree from the University of Minnesota and his juris doctor, with honors, from the William Mitchell College of Law. Mr. Martin studied appraisal theory and technique extensively through several of the major appraisal organizations and earned his Certificate in Advanced Appraisal Study from the University of Saint Thomas Graduate School of Business. He is an active member of right-of-way related organizations and has served in leadership positions of the Minnesota Chapter of the International Right-of-Way Association and the Eminent Domain Committee of the Hennepin County Bar Association.

Course Cordinator: Scott Sigette, PO Box 400 Devils Lake, ND 58301
Phone 701-662-4021, Fax 701-662-5818 <mailto:ssigette@otpc.com>

MAY 2, 2003 IRWA CHAPTER 72 MEETING MINUTES

The meeting was called to order by President Bob Krava at the Minnkota Power offices in Grand Forks, ND, on May 2, 2003 at 10:05 am, CST. The following members and guests were present:



Harvey Gabbert, Paul Mahlen Matt Edman Ret.-- Minnkota Power
 Amy Spilman, Mike Murray, Jack Holt--- Basin Electric
 Jim Metcalf Kardell Blumhardt Scott Sigette Bob Krava, Otter Tail
 Power
 Don Hellman, MDU
 Ken Brilz, South Dakota DOT
 Daryl Brandt, Kenn Haugen Cass Co. Electric
 Larry Lloyd, BNI Coal

President Krava thanked everyone for coming and stated that the focus of the meeting is the presentation of the Employer of the Year award to Minnkota Power. Also, to select Committee Chairs, who best should serve and where and who matches up the best. President Krava handed out an agenda for the meeting.

Motion by Scott Sigette, second by Paul Mahlen to approve the minutes as presented from the February 7, 2003, Deadwood, SD meeting. Motion carried.

Motion by Don Hellman, second by Mike Murray to accept the Treasurer's report ending April 30, 2003. It was noted by Larry Lloyd that we have not received the per member return for the year from International. Jack Holt stated that they are working on it. Also, noted that we have not paid Mike Murray, as of yet, to attend the Leadership Development meeting (originally called the Young Leadership Conference), tentatively set for Baltimore, Maryland for Oct. 23-25. Mike will request the money when needed, which was previously approved.

Don Hellman discussed the Deadwood course and he will follow up on the financial report from International.

President Krava noted that our Chapter donated to Chapter #5 to help with the International Conference, (previously called Seminar). Should Chapter #5 make any money on the Conference, they will return some of the donation.

President Krava called on Jack Holt to give a Region 3 report. Jack is the Region 3 Vice President Elect. Jack and Bob attended the May Region 3 Spring Forum in Kansas City.

Jack said the Region does not like to use a tape recorder to tape meetings. The Region has a new web site, irwaregion3.org. 32 people present at the Spring Forum. They expect the Int'l. Conference to be one of the bigger ones because of the location. Jack mentioned the names of the Chapter Presidents in attendance at the Forum. Also, Jack reviewed the nominees for the Chapter Professional of the Year and the pick was Bruce Reed. One can run again for Professional of the Year even if you have been selected in the past. Our Chapter needs to choose our selection before the Fall Forum on Oct. 10th, in Omaha, Nebraska. Therefore, we will need to have a Chapter meeting before then.

Dan Beardsley, the International Treasurer, gave a talk on what has been happening at International headquarters. Int'l. recently hired a new Vice President. Dan discussed moving the headquarters and nothing resolved. The Mobile Seminar was \$33,000 in the black.

50th anniversary of Kansas City Chapter 5. Will be a display at the Int'l. Conference.

Nominations for the new Region 3 Chairs, of which Jack was nominated for Vice President and Craig Poorker was nominated for Secretary/Treasurer.

Jack discussed the golf tournament and donations from Int'l Seminar last year, \$27,000 went directly to the Int'l. education foundation from the golf tournament and \$12,000 from the

auction. Each Chapter is asked to sponsor a hole at the Conference golf tournament. There is over a million dollars in the education fund at present but not gaining much because of low interest rates.

President Krava stated that Nancy Halvorson will be the new Chair of Region 3 and she wants the nominees for Professional of the year by September. We will need to have a meeting probably in August. Bob also said if you or someone you know has the criteria to be a nominee, please consider this by our next meeting. The nominee probably will need some Region and International experience or background. Bob said that Don Hellman and Ken Brilz will need to be at the Monday meeting caucus for a sign-in for Directors at the Int'l. Conference. Bob handed out letters that will get them into the caucus. Chapter #41 in Iowa was the winner of the Newsletter of the Year award for under 100 members. Sunday, at the Int'l. Conference, there will be a leadership development meeting for upcoming officers that Ken Brilz might want to attend. Also, if Instructor's fees for courses are over \$600, than a 1099 must be sent to the Instructor. This came about from IRS auditors checking on IRWA.

President Krava asked for Committee reports. Bob realizes there are many open seats on the various Committees and asked than anyone interested or knows of someone that would be interested, please get the name to Bob and he will contact that person.

Education – Bob Larson, Chair, not present. Don will take this Chair.

PDC – Kenn Haugen announced that Mike Murray plans on getting his certification Also, Kenn got recertified as an SRWA. President Krava said to contact Kenn if interested in certification, which there are 4 main certifications now. \$20 to apply and \$50 for the certification.

Membership – Bob Larson, Chair. Don suggested we keep Bob as Membership Chair because of the good job he does.

Nominations – Harvey Gabbert, Chair. Harvey has been on International Committees.

Harvey will keep this Chair unless someone wants it.

Newsletter – Ed Schwab, Chair. Ed will keep this Chair. Be sure to send your 'stuff' to Ed for inclusion in the newsletter. Much easier if Ed has information.

Program – Don Hellman, Chair. Bob said Don was stuck with Program from the time we started having meetings in Deadwood. Don said he has also received help from members in the area where the meetings are held.

Environmental – open Chair. Bob will contact Michael Haupt on this Chair.

Local Public Agency – Richard Sorenson, not present. Discussion and decided to keep Richard as Chair.

Pipeline – Harvey Gabbert volunteered for this Chair.

Property Management – Jack Holt volunteered for this Chair.

Relocation – Ken Brilz volunteered for this Chair. Ken will talk to someone he works with on taking this Chair.

Survey – Bob will talk to Russ Nelson and ask him if he will take this Chair.

Transportation – Ken Brilz volunteered for this Chair.

Utilities – Mike Murray, Chair.

Valuation – Dennis Prochnow. Not present but stays on as Chair.

Liaison – Paul Mahlen, Chair. Paul said he has nothing from International on changes but expects something.

President Krava suggested hat as a report for the next meeting, Committee Chairs could contact International and get info on what your Committee is supposed to be doing. Bob will expect a report from each Committee at the next meeting. Bob wondered why there has never been a Law Committee to report on legislation from the states. Chapters can set up their own committees if they wish.

New Business

President Krava asked about the donations to the auction at the International Conference in Kansas City. Larry has the Black Hills gold pocket watch. Don is to contact the guy that does the knife and get it done. The info on the 2 items to be donated is to be e-mailed to Nancy Halvorson at Region 3 so that the items can be included in the auction list. Jack will get the e-mail address to Don.

Chapter #5 is looking for each Chapter in Region 3 to sponsor a golf hole at the International Conference. **Motion** by Don Hellman to send Chapter #5 a donation of \$100 toward a sponsorship of a golf hole, second by Harvey Gabbert. Motion carried. A check was given to Jack.

Kansas City Int'l. Conference - Chapter #5 might ask for volunteer help. They will contact Bob. Bob asked for show of hands who is going to the Conference. The following indicated they will be going:

Ken Brilz, Mike Murray, Amy Spilman, Paul Mahlen, Don Hellman, Jim Metcalf, Kardell Blumhardt, Jack Holt and Larry Lloyd. Ed Schwab and Bob Larson are expected to go but are not at the meeting.

Old Business

IRS issues resolved with Int'l. Auditing has been completed.

Future Winter meeting locations. Ken Brilz made a contact with Ramkota Inn in Watertown and they can handle the meeting, meals, lodging, etc. with meeting room furnished at no charge with 30 rooms. Terry Redlin museum is there and a casino outside of town. Scott Sigette contacted motels in Fargo and only one response and they weren't very interested in our small group. Bob said we need to make a decision at our Fall meeting for course and location for our February meeting. We have reservations in Deadwood if we decide to go back there.

Future classes. Discussion on 200 course. Harvey mentioned that George was working with a telephone cooperative group that wants a spinoff of our 200 course. Bob read a list of the 200 series courses. Bob suggested getting a list of your wants to Don.

As part of the presentation as Employer of the Year award to Minnkota Power, President Krava introduced Harvey Gabbert. Harvey then had the members introduce themselves to Minnkota President Dave Loer and VP and head of Legal Affairs David Sogard. Harvey discussed IRWA and the impact it has had on Minnkota Power. Harvey then introduced President Krava who discussed our membership and their varied backgrounds. Bob discussed the criteria regarding the Employer of the Year award and that Minnkota Power has achieved the highest standards of our Chapter. Bob stated that Matt, Harvey and Paul, all past or present Minnkota Power employees have received their IRWA certifications. Bob then presented the award to Dave Loer. Dave then discussed the award and how right of way is taken for granted and how Minnkota has taken advantage of our organization and how our organization has helped their employees.

Dave Loer and David Sogard joined the members for lunch.

Other Business

President Krava read a letter from Chapter #5 thanking Chapter #72 for the donation to help with the Int'l. Conference.

Region 3 is asking for \$35.00 from each Chapter for maintaining their Web site. **Motion** by Jack Holt, second by Kardell Blumbardt to do this, motion carried. A check for \$35.00 was written to Region 3 and given to Jack.

A check was written to Region 3 for \$66.00 and given to Jack. This is a required yearly contribution of \$1.00 per Chapter member.

A drawing was held for \$25.00 for the people in attendance and the winner was Kardell.

Harvey Gabbert lined up a tour of the Engelstad Arena after the meeting.

President Krava adjourned the meeting about 1:15 pm.

August 28, 2003, IRWA Dakotas Chapter #72 Minutes

The meeting was called to order by President Bob Krava at the Otter Tail Power Company offices in Jamestown, North Dakota, on August 28, 2003 at 10:45 am, CDST. The following members were present:

Jack Holt, Basin Electric	Mike Murray, Basin Electric
Kelly Suko, Basin Electric	Amy Spilman, Basin Electric
Ken Brilz, SD DOT	Scott Sigette, Otter Tail Power Co.
Kardell Blumhardt, Otter Tail Power Co.	Paul Mahlen, Minnkota Power Coop.
Larry Lloyd, BNI Coal	Bob Krava, Otter Tail Power Co.
Kenn Haugen, Cass County Electric	

President Krava thanked everyone for coming and reviewed some of the things he will be covering in the meeting.

President Krava introduced new member Kelly Suko with Basin Electric and asked that everyone introduce themselves, who they work for and what they do.

Motion by Paul Mahlen, second by Amy Spilman to approve the minutes of the May 2, 2003 meeting. A correction was noted by Jack Holt that the new Region 3 web site address is lower case letters. Motion carried.

Motion by Mike Murray, second by Kardell Blumhardt to accept the Treasurer's report ending August 25, 2003. It was noted by Larry Lloyd that the checkbook balance was corrected to the bank balance since the bank has not corrected a \$20.00 error on their part from February of 2002. Motion carried. President Krava noted that International has recommended a cap of \$20,000.00 on Chapter funds, which we are under.

Jack Holt and Bob Krava discussed happenings in Region 3. Jack handed out an invitation to the IRWA Region 3, 2003 Fall Forum on October 9 & 10, 2003. Jack and Bob are planning on attending the Fall Forum but would like 3 people to go. Ken Brilz will let Jack and Bob know if he decides to go and they can carpool. Ken Brilz and Don Hellman were Chapter 72 delegates at the Kansas City International Conference. Dennis Stork, the new Executive Vice President from International will be at Kansas City. Bob discussed a raffle for a fund raiser for Region 3 at Kansas City and has 40 tickets at \$1.00 each for a quilt raffle. **Motion** by Larry Lloyd, second by Amy Spilman that Chapter 72 buy the 40 tickets and should the Chapter win, auction or raffle the quilt at our winter meeting. Motion carried.

- President Krava asked for Committee reports. Education –
- Don Hellman, Chair, not present.
- PDC – Kenn Haugen, Chair, Mike Murray is certified in the program and has one class remaining. Kenn has officially been re-certified for 5 years (congratulations from all members).
- Membership – Bob Larson, Chair, not present.
- Nominations – Harvey Gabbert, Chair, not present.

- Newsletter – Ed Schwab, Chair, not present.
- Program – Don Hellman, Chair, not present.
- Environmental – Michael Haupt, Chair, not present. Bob contacted Michael after the May 2 meeting and he has agreed to be the Chair.
- Pipeline – Harvey Gabbert, Chair, not present. Bob had talked to Harvey yesterday and Harvey said he is having trouble getting info from International.
- Property Management – Jack Holt, Chair. This is now called Asset Management. The International committee is called International Asset Management Committee. There has been talk of upgrading the 700 course.

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- Relocation – Ken Brilz, Chair. Ken discussed courses on the website.
- Survey – Russ Nelson, Chair, not present.
- Transportation – Ken Brilz, Chair. Ken received an e-mail from the Federal Highway Administration in regard to their trying to streamline the right of way process. One thing they talk about is corridor management and another is access management. Ken had a hand-out in regards to this.
- Utilities – Mike Murray, Chair. Mike reported on the duties of this Chair.
- Valuation – Dennis Prochnow, Chair, not present.
- Liaison – Paul Mahlen, Chair. Paul had a hand-out and discussed the mission of the International Liaison Committee.
-

Old Business

Leadership Development Council. Mike Murray will be attending the Council in Baltimore, Maryland. Mike got good airline rates for him and his wife (\$307 each, round trip). The room is \$189 plus tax, per night. The Council is October 23-25 with course 213 offered the first day. Mike will be flying down the day before and back the day after. Mike has been paid the \$1500.00 which was approved by the Chapter. Basin paid for his registration. There was a discussion on Mike's expenses since it appears he will go over the \$1500.00. Mike will have a report on the council and his expenses at the winter meeting of our Chapter.

Kansas City International Conference. Discussion on the attendees from our Chapter at the conference. Don Hellman and Ken Brilz were delegates. Ken reported voting on amendments to bylaws, membership numbers, the 2008 Conference which went to Austin, Texas (Ken and Don voted for Spokane, Washington) and watched the installation of officers.

Discussion on the auction at Kansas City and our auction items did very well. We had the highest bid with the knife we donated.

Some of the sessions were not as good as in the past.

Kardell golfed, with over 100 entered. Chapter 72 donated \$100 to one of the holes and there was a sign showing the Chapter 72 donation.

Recess for lunch.

Winter meeting location. Discussion on various locations for the winter meeting and Ken Brilz, Scott Sigette and Ed Schwab were on a committee to check possible locations. Ken reported that most places checked didn't really care if they had our small group or not. Bob stated that the winter meeting is usually our biggest meeting and we have had it in Deadwood for several years. Scott said he talked to Ed and their feeling is to have it in Deadwood this winter and discuss future locations at that time so that more members are involved. Bob stated that we have reservations at the Holiday Express for the winter meeting. It is the feeling of the group that it is a very good place to have the meeting. **Motion** by Jack Holt that the winter meeting be held in Deadwood and the members decide in Deadwood where to have it in the future, second by Kardell Blumhardt. Motion carried.

Winter meeting course. Discussion on Skills of Expert Testimony 214 and a call was made to Bill Rottschaefter to see if he can, or will, instruct the course. This course requires an attorney and an instructor. Bill is to return the call. Most members in attendance have not had this course or it has been several years since they have had it. **Motion** by Scott Sigette to hold the Skills of Expert Testimony 214 course at the winter meeting in Deadwood with second by Jack Holt. Motion carried.

Class coordinator for the winter meeting. Ed Schwab has said in the past that he will coordinate the class. Scott Sigette volunteered to help Ed.

New Business

Introduction of Kelly Suko as a new member of Chapter 72. Kelly grew up in Gackle, ND, has lived in Minneapolis and Bismarck, has been married 21 years, has an 18 year old daughter going to Mary University this fall, a son currently in Iraq, and worked as an independent before going to work for Basin recently.

Professional of the Year. Jack Holt said the Chapter should pick a Professional of the Year to submit to Region 3. Discussion of past nominees. **Motion** by Kenn Haugen to nominate Ed Schwab as IRWA Chapter 72 Professional of the Year with second by Scott Sigette. Motion carried.

State certification of IRWA courses. Ken Brilz reported on registering our classes with the state of South Dakota so that those needing continuing education courses can take IRWA courses. Larry reported that a check for \$50.00 was sent to Bob Larson, at his request, for registering course 200 with South Dakota. **Motion** by Paul Mahlen with second by Kenn Haugen to make application to register course 214, Skills of Expert Testimony, with North Dakota and South Dakota for people who need the continuing education courses. Motion carried.

Other Business

A drawing was held for \$25.00 for the people in attendance and the winner was Larry.

President Krava adjourned the meeting about 2:30 pm.

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Did this ever happen to your electrical systems?

This one is cooked good



2003 Kansas City Education Convention



Ken has a new friend



I'm Proud of myself



We are having a great time



I 'm the 3rd brother of the blues boys



FEDERAL HIGHWAY ADMINISTRATION TECHNICAL SPECIALTIES AWARD 2003 EXCELLENCE IN RIGHT-OF-WAY AWARDS



submit by **Ken Brilz**:

The Appraisal Section of the Right of Way Program won an Honorable Mention Award from FHWA for technical innovations. You can see the write-up on it by going to:

<http://www.fhwa.dot.gov/realestate/rowea03/technical.htm#hm1>

“2004” MEMBERSHIP DUES

Your 2004 IRWA Dues will be arriving in the mail shortly. Please pay your due on time to be able to keep up to date on IRWA information, also you get a discount on IRWA Courses and I can keep your name on the membership list for receiving the Trailwinds.



TRAILWINDS EDITOR REPORT:

I would like to thank, **Larry Lloyd**, **Bob Krava**, **Ken Brilz** for submitting articles for this newsletter. It is great to have impute like this to get a newsletter together. If you have an article, please send to me for the next newsletter.



Deadline For Publication

The next issue of the Chapter 72 Newsletter will be published in **January 2004**. Material submitted for publication in the newsletter should be received by the editor no later than **January 10, 2004**. Items received after **January 13** will be published on available space. Thank you for your cooperation.

Send to **Ed Schwab, MDU 400 North 4th St., Bismarck, ND. 58501**

Email --at work:-----<mailto:ed.schwab@mdu.com>

Home: ----- <mailto:gped@gcentral.com>

When anyone of you as a member of Chapter 72 signs up a new member, please fax me a copy of the application so they can be listed in our newsletter and add them to the mailing list.
my **MDU Fax No. (701)222-7970. Attn: Ed Schwab**

SOME NFL TRIVA:

Which former San Francisco 49ers running back set an NFL playoff record for rushing touchdowns in a game with five, during a 1993 divisional playoff rout of the N.Y. Giants?

Who owned the packers' record for most yards from scrimmage in a season, until it was broken in 2001 by Ahman Green?

Which former Seattle Seahawks star is a member of the U.S. House of Representatives?

Answers: last page

The 2004 Chapter 72 Winter Meeting at Deadwood, South Dakota

Start making plans for Deadwood and start collecting those items for the Silent Auction and Social held after the class, on February 5th. Course 214: Meeting Feb 6, 2004.



Jake Raile
Sales Executive

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A. Ricky Watters B. Dorsey Levens C. Steve Larent