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**Beaver Tales**



BEAVER STATE CHAPTER 3 — SINCE 1950

OREGON-SW WASHINGTON

June 12, 2009 —Chapter Meeting

>>>>> JACKPOT IS NOW \$100<<<<<<

To be eligible for the JACKPOT, you must make a lunch reservation, be a member, and be present!!

ERNESTO's  
8544 SW Apple Way  
Portland, Oregon 97225  
Take I-5 to 217, take Beaverton exit, east on  
Beaverton Hillsdale Hwy (just west of AAA bldg)  
then right into the shopping center. Lots of parking!!

Board Meeting\*: 10:30 am  
Meeting: 12:00 noon  
Speaker: 12:15 pm

\*All members welcome. Ernesto's requests that we  
not arrive until 10:30 AM

Ernesto's Italian Buffet  
Pizza, Pasta, Fish, Veggies,  
Salad Bar, and  
Non-Alcoholic Beverage  
-----> \$12 <-----



ELECTRONIC  
MEETING  
REMINDER

Would you like an e-mail reminder for  
the next chapter meeting??

CONTACT

Meeting Coordinator Kayla Gutierrez  
[KaylaGutierrez@epicland.com](mailto:KaylaGutierrez@epicland.com)

### SPEAKER:

Christine Miles  
Public Affairs Specialist  
Oregon Department of Transportation

### TOPIC:

**Working with the Media  
(whether or not you want to)**

Meal Reservations due  
June 10, 2009  
Clark Co: Pam Mason  
(360) 397-6118 x4376  
(360) 759-5284 fax

All Others: Kayla Gutierrez  
(503) 213-3974  
[KaylaGutierrez@epicland.com](mailto:KaylaGutierrez@epicland.com)



### Magdalena Campuzano

Lost \$75 because he wasn't present at the  
May Meeting!!

Dawneen Dostert won the  
Bob Jones Commemorative Free  
Lunch for  
Bringing a Potential New Member





## THE PREZ SEZ

### Get stimulus money?

As managers pass the word that the stimulus package projects, at least for transportation, are for projects that have already completed the environmental and right of way phases of work, there were some gloomy faces. Passed by again.

**DO NOT BE GLOOMY!** First, do you really want to be under pressure to purchase any type of right of way interest in a very short time frame? We do pull rabbits out of hats all the time, but we are more efficient when we can follow the processes. But the good news is really about the next projects to be built after this latest infusion of money. The “projects on the shelf” are disappearing, and that means they need to put new projects there.

As you look at the infrastructure – power, road, rail, schools, water & sewer – around you, and then add in the aged public buildings and other facilities, you can see we are falling farther and farther behind our goals of being viable and healthy communities and states. Where will we build those new facilities? In so many instances, we have stretched out infrastructure real estate resources to the max. Major transportation improvement projects may typically see the real estate costs becoming equal to or exceeding the construction costs. In order to continue the creation of design and construction jobs, there will be the creation of right of way jobs. As you acquire projects to put on the shelf for

future rounds of construction monies, I would like you to plan in advance how you are going to handle some sticky issues.

- Temporary easements/construction permits. The edges of projects frequently minimize costs by blending the new project with the existing land forms by securing only temporary permission to do construction work. Some of these permits are a part of a larger fee acquisition, others are the only rights needed from an owner. When and how should we acquire them? I have seen projects where a diligent manager secured all needed rights with expiration dates set two years into the future, only to see the project placed on the shelf for ten years. What was thought to be a fully acquired project became one needing work, and the earlier work in this area faded into the trash can.
- Displacement of businesses and people. For projects with no funded construction date, do we try to acquire and relocate everyone on the project first, and let them watch the land lie fallow for years, or do we leave them to be the last properties acquired?
- Buildings acquired but not needed. When we acquire properties with buildings upon them at the start of the project, we may move the people quickly but we then own a house or store. What is the right thing to do with that improvement? Remove it from the right of way, most likely by de-

molition, or maintain and rent it until the project moves to construction? Do not count on finding a unanimous answer to this question. The surrounding community, as well as the condition of the buildings acquired, will have significant influence on what you should do. Your motivators for renting out the buildings include maintaining the feel of community and retaining the value of an asset should the project not ultimately receive full funding and the property become excess. What can really surprise you is when you clear the right of way corridor and the project remains unfunded for a long time. Then the neighbors start to believe that your infrastructure right of way is not really that, but perhaps a public open space. Recently in British Columbia their power company, BC Hydro, was directed to acquire houses next to a power utility corridor they owned all rights to for their new line through Tsawwassen. While as adjacent property owners these home owners should have known that a high capacity power line was to be constructed some day next to their homes, the government officials decided otherwise and optional

offers to purchase had to be made to over 100 adjacent dwelling owners. Putting projects on the shelf are not just a challenge to those of us in right of way. The engineering staffs have similar challenges, the largerst of which is the potential for changed engineering standards for the project being proposed. And the environmental staffs are likewise at risk, because environmental approvals also start to age. The environmental circumstances and influences can change also and any past analysis may need to be re-evaluated. In right of way, as well as in my community, I am pleased that some added monies are now flowing into meeting our infrastructure needs. We do not have the size and clout of the engineering and construction communities, but for them to be successful, we will have to do a lot of work, and do it right. That is the IRWA way.

*Glenn*

## ***Appraisal Discussions***

Submitted by: Jerry Swan, SRWA

Over the years I have been repeatedly asked why a discussion of owner contact by the appraiser is required by various agencies. The following is my understanding of the issue.

Agencies commonly require appraisals is to discuss "Owner Contact." The appraiser is required to provide the property owner (or representative) the opportunity to accompany the appraiser during the property inspection. The federal regulation is 49 CFR 24.102.c. The Oregon Department Of Transportation requirement is explained in the Right of Way Manual Section 4.140. In addition, Oregon Law (ORS 35.346) requires a minimum of a fifteen-day notice to the owner. By the way, this is a certified or registered letter, return receipt. I recommend you keep the receipt in your work file. I recommend you also notify the tenant in the same way.

What should you include in your owner contact? Discussing the following points is a minimum.

1- Did you give the property owner adequate notice. In Oregon, this is fifteen days notice. They can waive the fifteen days, but they have to be informed of their right to a fifteen day waiting period. Please attach your letter in the addendum, but comment on any conversations.

2- Did you give them the opportunity to accompany you? Both Federal and State law require the owner to have the opportunity to accompany the appraiser and explain their concerns. They can waive the right, but they need to be informed of that right. Again document the conversations in the appraisal. If they waive either in writing, include a copy in the addendum. Include the time and date, and all persons present during the inspection.

3- What were the owner's concerns? This gives the agency a 'heads up' as to their concerns. The concerns might be:

- Grandma's prize rose bush?
- The relocation (or closure) of a driveway?
- They owe more on their property than the current value?
- The proximity of the new right of way to the buildings?
- The effect of a change in traffic on a business?
- Underground improvements or systems that cannot be readily seen but might be impacted; i.e. water lines, drainfields, etc
- Are there tenant owned improvements that need to be separated out?

4 - In addition, this is an excellent

opportunity to glean information from the owner about the property.

When an owner (or tenant) expresses a concern, please make an effort to address the concern completely in the appraisal; even if the concern is not directly related to the appraisal. At the minimum, since state law requires the appraisal to be given to the owner, at least show you listened. It also gives the acquisition agent a chance to be prepared for that issue.

Please document the above items in the report. Keep in mind, under Oregon Law, the agency will hand over the appraisal. I recommend you keep it businesslike, and to the point.

As a bonus, here are references to the Code of Federal Regulations, the State Right of Way Manual, and the ODOT

Guide to Appraising Real Property.

49 CFR 24

<http://www.fhwa.dot.gov/realestate/ua/index.htm>

ODOT Right of Way Manual Section 4.140

<http://www.oregon.gov/ODOT/HWY/ROW/rowmanual.shtml>

ODOT Guide to Appraising Real Property

The Guide is available under Appraisal Publications at <http://www.oregon.gov/ODOT/HWY/ROW/publications.shtml>

## Did you know...

Everyone knows an acre is 43,560 SF. But do you know why? The original concept of an acre was the area a peasant and ox could plow in a day. In Medieval England an acre was a chain by a furlong. A furlong is ten chains or an eighth of a mile. So an acre is 66 feet (one chain) by 660 (ten chains or one furlong) or 43,560 SF. And you thought an acre was an arbitrary number.

A mile is based on the Roman 'Milum pacem,' or a thousand paces for the Roman army (which was 5,000 feet). Later, in England it was lengthened to its current length of eight English furlongs or 5,280 feet.

# T-COEF STIMULUS PACKAGE

We have some **fantastic** news for chapter members. T-COEF (the Chapter's Own Education Foundation) has developed an economic stimulus package for Chapter 3 members. T-COEF will offer partial tuitions for Chapter 3 members to all our courses this year. For 1- and 2-day courses, Chapter 3 members need pay only \$50. For 3- and 4-day courses, Chapter 3 members need pay only \$75. *This opportunity won't come around too often, so be sure your employer knows what is happening.*

## **Two Special Workshops** **Coming Soon for Chapter 3**

***Pencil in these dates on your calendars if:***

- You're thinking about earning your SR/WA or Specialty Certification, SR/WA Review with Joe Pestinger, SR/WA; Sept 18- 20 (location near Ernesto's TBD). Call Carl Toland at 503-297-8342 and let him know your status!
- Thinking about becoming a Course Facilitator? And you've got a good R/W discipline background - but [reluctantly] haven't asked, yet!

Chapter 3 plans to host a Facilitator's Clinic, July 23 & 24, led by Joe Pestinger! . Joe has a list, and you may be on it, - but call him at 253-820-0283 or email him to be sure: [pestinger@earthlink.net](mailto:pestinger@earthlink.net) This Clinic will be held at the Woodburn Fire Department located at 1776 Newberg Highway, Woodburn, Oregon. Please go to the following link for directions: [www.woodburnfire.com](http://www.woodburnfire.com)

This is the perfect time to be a member of Chapter 3! Capitalize on your membership! These are both outstanding opportunities for Chapter 3 Members to grow your careers and professional skills! It may also be the time to introduce a co-worker to Chapter 3 IRWA membership!



## Meet Axl Rose

Axl Rose is Darlene Rose's newest addition to her home.  
Who can resist!

# LOOKING AHEAD



JUNE 2009  
June 12  
Chapter Meeting  
Ernesto's

[KaylaGutierrez@epicland.com](mailto:KaylaGutierrez@epicland.com)

June 3-4  
IC-200, Principals of  
Real Estate Negotiations  
[Laura.Slye@clark.wa.gov](mailto:Laura.Slye@clark.wa.gov)

June 28-July 1  
IRWA Annual Convention  
Indiannapolis, IN\_

JULY 2009

July 10  
Chapter Meeting  
Ernesto's

[KaylaGutierrez@epicland.com](mailto:KaylaGutierrez@epicland.com)

July 23-24  
Facilitator's Clinic  
Woodburn Fire Department  
1776 Newberg Hwy  
Woodburn OR  
[www.woodburnfire.com](http://www.woodburnfire.com)  
Joe Pestinger, SR/WA  
[pestinger@earthlink.net](mailto:pestinger@earthlink.net)

July 28  
C-504, Computing Replacement  
Housing Payments  
D. Marty Goosey

July 29-30  
Relocation Rendevous  
Red Lion  
Salem, OR  
[MartaGo@comcast.net](mailto:MartaGo@comcast.net)

AUGUST 2009  
August 14  
Chapter Meeting  
Ernesto's  
[KaylaGutierrez@epicland.com](mailto:KaylaGutierrez@epicland.com)

SEPTEMBER 2009  
September 11  
Chapter Meeting  
Ernesto's  
[KaylaGutierrez@epicland.com](mailto:KaylaGutierrez@epicland.com)

September 16-17  
C-803 Eminent Domain Law  
Basics for ROW Professionals  
D. Marty Goosey

September 18-20  
SR/WA - Specialty Certification  
SR/WA Review  
Joe Pesinger, SR/WA  
Carl Toland, SR/WA

OCTOBER 2009  
October 7-8 2009  
C-205 Bargaining Negotiations  
[Emmy.R.Jenson@ci.eugene.or.us](mailto:Emmy.R.Jenson@ci.eugene.or.us)

NOVEMBER 2009  
November 3-4  
C-400 Principles of Real  
Estate State Appraisal  
Kat Halpenny

Annual Membership Meeting

# Computing Relocation Housing Payments

**July 27-28, 2009      8:00 am - 5:00 pm**

Computing Replacement Housing Payments is an advanced relocation course, designed for agents with thorough knowledge and experience using the Uniform Act. Realistic and complex residential case studies utilized. Collecting pertinent information at interview stage; Critical time lines. Copies of household surveys and interview sheets are in the student materials. Students will be assigned to compute replacement housing payments as for an Agency. Emphasis on group discussions and exercises maximizing practical application of the cases studies. Legal references: The Uniform Relocation Assistance & Real Property Acquisition Policies Act of 1970 (Public Law 91-646) as amended; Regulatory Reference 49CFR part 24.

### FACILITATOR

**AI House, SR/WA**, has been in the right of way field since 1972 and is the President and Principal consultant of Alan C. House & Associates LLC, specializing in Relocation Assistance. AI's experience includes 29 years with a state transportation agency and 7 years as a right of way consultant, working with many different public agencies involved in major airport and light rail projects. AI is certified to teach all IRWA relocation assistance courses (500 series).

### REGISTRATION

**Register ONLY to Course Registrar**, as shown below. Advance payment not required. You will receive a confirmation if you provide an email address. **\$35 late fee for registration on day of course (full course materials may not be available).**

**Register early: course may be cancelled if there are insufficient registrants 21 days before start date.**

### CANCELLATION

Written cancellation notice required. Full refund if received by Course Registrar 15 days before start of course. 75% refund if received less than 15 days before start of course. No refund after start of course, but your printed course materials will be available upon request.

### LOCATION

Red Lion Hotel  
3301 Market St. NE  
Salem, OR 97301  
503-370-7888

### ACCOMMODATIONS

Contact facility directly; mention IRWA

### REQUIRED MATERIALS

Hand-held Calculator, pen/pencil

### PREREQUISITES

Completed IRWA C-501, Residential Relocation Assistance, or two (2) years prior experience performing relocation assistance. Students should know how to calculate basic payments.

For course information, contact  
Coordinator D. Martin Goosey  
503-389-4402  
[martysspot@comcast.net](mailto:martysspot@comcast.net)

**IRWA & Recert Credit:  
2 Days (16 hours)**

Name, Last	First		Chapter 3	\$20	\$
Company			Member	\$415	\$
Address			Non-member	\$520	\$
City	State	ZIP	Facility Fee*	\$30	\$
Membership Number			Total Enclosed		\$
Phone		Email			

**Beaver State Chapter 3 (TIN 93-6023076) is a non-profit organization**

**To Register**, click  
or form and mail to  
Course Registrar  
139 Barker Avenue  
Oregon City, OR 97045

**Method of Payment**

Check enclosed	Email invoice to
M/C	Visa
Card No.	Exp Date
Name on Card	

\*Mandatory

# Relocation Rendezvous II\*

\*another interactive experience

**July 29-30, 2009**

**8:00 am - 5:00 pm**

A relocation event designed **by** relocation specialists **for** relocation specialists. Crammed with practical knowledge and advice about real-life problems encountered in the field. Bring your own thorny issue or pet peeve and either submit it anonymously or discuss it in interactive sessions with experts from across the US. We promise there will be no canned readings of the regulations or PowerPoint presentations. We do promise there will be stimulating and relevant sessions with an opportunity for everyone who wishes to discuss their issues. Held in the heart of the Oregon wine country, with the Oregon coast and summer skiing on Mt. Hood nearby, this is a great vacation spot for the entire family.

## GUEST EXPERTS *(partial list)*

**AI House, Alan House & Associates**

**Glenn Bridger, HDR Engineering, Inc.**

**Gerald Cain, Land Acquisitions, Inc.**

**Brad Thomas, Pharos Corp.**

**Martyn Daniel, M. Daniel Cons.**

**Dennis Johnson**

**Rick Etter, FAA**

**Lou Schwab, Universal Field Services**

**Marta Goosey, GraGoose Consultants**

**Hunter Manson, NW Relocation Consultants**

**Dave Leighow, FHWA**

**Joan Morgan, HUD**

## REGISTRATION

**Register ONLY to Course Registrar, as shown below.** Advance payment not required. You will receive a confirmation if you provide an email address. **\$25 late fee for registration on day of course (full course materials may not be available).**

**Beaver State Chapter 3 (TIN 93-6023076) is a non-profit organization**

## SR/WA & Recertification

*credit pending*

## CANCELLATION

Written cancellation notice required. Full refund if received by Course Registrar 15 days before start of event. 75% refund if received less than 15 days before start of event. No refund after start of event.

## LOCATION

Red Lion Hotel  
3301 Market St., NE  
Salem, OR 301  
503 370-7888  
[desk@redlionsalem.com](mailto:desk@redlionsalem.com)

**ACCOMMODATIONS**  
contact facility directly; mention IRWA

**Airport Shuttle:** [www.hutshuttle.com](http://www.hutshuttle.com)

**For course information, contact**  
**AI, Glenn, Marta**  
**Terri, or Carol**

Name, Last	First	Member	\$185	\$
Company		Non-member	\$260	\$
Address		Facility Fee*	\$30	\$
City	State	ZIP	Total Due	\$
Membership Number				*Facility Fee is mandatory *
Phone		Email		

**To Register,** click  
or form and mail to

Course Registrar  
139 Barker Avenue  
Oregon City, OR 97045

Check enclosed  
M/C  
Card No.  
Name on Card

## Method of Payment

Email invoice to  
Visa Exp Date



BEAVER STATE CHAPTER 3

COURSE 205

# Bargaining Negotiations

October 7-8, 2009

8:00 am - 5:00 pm

This course teaches the skills required to win at bargaining negotiations. Problem-solving negotiations, as taught in C-100, 200 and 201, are widely accepted as preferred type of negotiations. Participants learn when to bargain, how to be more successful in a bargaining situation.

Topics include: Steps in a bargaining negotiation; Analyze the negotiations to determine whether the progress is in a bargaining or problem-solving mode; Identify skills and attitudes required of successful bargainers; Initial offers; Concessions; Role play and case studies tie negotiations to on-the-job situations.

### INSTRUCTOR

Carol L. Brooks, SR/WA, a Right-of-Way Consultant, whose expertise includes easement and land acquisition, negotiations, easement valuation and law, permitting, project management, and eminent domain support, entered the R/W profession in 1989, and was awarded the IRWA Mark A. Green Award, 2000 for Outstanding Journalistic Excellence: "The Art of Successful Negotiations."

Acomplishments include: Editorial Board for Right of Way Magazine; General Session speaker at 2008 IRWA conference; 1999 Frank C. Balfour Professional of the Year Finalist; Bachelor's Degree in Business Admin. and Management from the Univ. of Redlands,

### REGISTRATION

**Register ONLY to Course Registrar,** as shown below. Advance payment not required. You will receive a confirmation if you provide an email address. **\$35 late fee for registration on day of course (full course materials may not be available).**

**Register early: course may be cancelled if there are insufficient registrants 21 days before start date.**

### CANCELLATION

Written cancellation notice required. Full refund if received by Course Registrar 15 days before start of course. 75% refund if received less than 15 days before start of course. No refund after start of course, but your printed course materials will be available upon request.

### LOCATION

Portlander Inn & Marketplace  
Meeting/Conf Room  
10350 N. Vancouver Way  
Portland, OR 97217  
503-345-0300

### ACCOMMODATIONS

Contact facility directly; mention IRWA

### RECOMMENDED MATERIALS

**"Successful Communication and Negotiation" – Textbook (separate purchase). Course tuition includes Participant's Manual.**

### PREREQUISITES

**Completed IRWA C-100 & 200 and/or 201 prior to this class is**

For course information, contact  
Coordinator Emmy Jenson  
541-682-5190  
[emmy.r.jenson@ci.eugene.or.us](mailto:emmy.r.jenson@ci.eugene.or.us)

**IRWA & Recert Credit:  
2 Days (16 hours)**

Name, Last First  
Company  
Address  
City State ZIP  
Membership Number  
Phone Email

Chapter 3 \$20 \$  
Member \$415 \$  
Non-member \$520 \$  
Facility Fee\* \$30 \$  
Total Enclosed \$

\*Mandatory

**Beaver State Chapter 3 (TIN 93-6023076) is a non-profit organization**

**To Register,** click  
or form and mail to

Course Registrar  
139 Barker Avenue  
Oregon City, OR 97045

Check enclosed  
M/C  
Card No.  
Name on Card

### Method of Payment

Email invoice to  
Visa Exp Date

## HANNA, McELDOWNEY & ASSOCIATES

Right of Way Services

### Roger D. Hanna

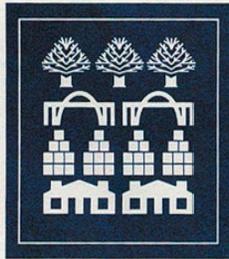
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Shannon L. Fish  
Project Coordinator



10186 SW Laurel Street  
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Phone | 503.644.3436  
Cell | 503.720.1584  
Fax | 503.644.7400  
[david@rowainc.com](mailto:david@rowainc.com)

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**Peter G. Arvidson, SRA, SRPA**  
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**Arvidson & Associates, Inc.**

Real Estate Appraisal & Consulting Services  
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Beaverton, Oregon 97005

Tel.: 503/469.9200  
FAX: 503/352.0402  
petearvidson@yahoo.com

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Portland, Oregon 97229  
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**Jay J. DeVoe, MAI, SR/WA**  
Certified General Real Estate Appraiser

**J.J. DEVOE & ASSOCIATES**

Real Estate Appraisal and Consulting

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[gbridger@teleport.com](mailto:gbridger@teleport.com)  
 503-245-0729

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 503 286-2216

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[matthew.c.gossett@odot.state.or.us](mailto:matthew.c.gossett@odot.state.or.us)  
 503 731-8425

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 Jaci Margeson, Chair  
[jrmargeson@bpa.gov](mailto:jrmargeson@bpa.gov)  
 503 230-4020

**Awards/Recognition**  
 Evar Knudtson, SR/WA, Chair  
[EvarKnudtson@comcast.net](mailto:EvarKnudtson@comcast.net)  
 503 357-8301

**Asset Property Management**  
 Vacant

**Liaison to Education Foundation**  
 Pam Mason, Chair  
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