



CLASSIFICATION NO. 155
Established: 10/07
FLSA: Non Exempt
EEO: 2

RIGHT-OF-WAY AGENT, SENIOR

CLASS CHARACTERISTICS

Under general direction, to provide right-of-way program management; to acquire property rights for the most complicated and sensitive rights-of-way, other easements, and fee acquisitions required for the construction of county roads, bridges and related projects; and to perform other work as required.

DISTINGUISHING CHARACTERISTICS

The Right-of-Way Agent classifications conduct and/or oversee all types of appraisals and negotiations for easement and fee acquisitions with an emphasis in the areas of Capital Project Construction, Road Maintenance and Development Review for the Department of Transportation and Development (DTD) and assists other county departments as needed. These classifications exercise functional and technical direction over technical, administrative staff and outside consultants in order to secure land rights, relocation assistance, appraisal and survey support functions and assistance.

The Right-of-Way Agent, Senior is the advanced journey level classification in the Right-of-Way Agent series. It is distinguished from the lower level classification by its responsibility for program management and completing the most complex and sensitive right-of-way acquisitions including project planning and review of property rights in order to determine project impacts while protecting the public's interest; appraisals involving problems of a highly complex nature such as dual-premises or appraisal of income producing properties; complex negotiations on files characterized by extensive title clearance, high values, potential damages, outside state and/or federal agencies to obtain master reciprocal agreements and other factors; follow-up to negotiations which have reached an impasse; relocations posing more complex issues such as retail businesses, farms, apartment complexes; and/or by its responsibility for planning, assigning, reviewing, and approving the work of consultants or lower-level agents, if employed. This level requires a high level of public contact and use of considerable independence, initiative and discretion within established guidelines. This classification series is currently filled by a single incumbent assigned to this advanced level who performs all associated right of way work.

Right of Way Agent classifications differ from Property Appraiser classifications which describe, classify and estimate the replacement cost of structures, obtain and analyze sales data and determine market value appraisals of property for tax assessment purposes and from Property Agent classifications which perform professional property disposal work including marketing surplus properties and supervising the coordination of public auctions and private sales, and the transfer of real and personal property, easements and leases.

TYPICAL TASKS

Duties may include but are not limited to the following:

1. Develop, design, implement and manage County right-of-way program including standards, filing procedures, policies and procedures to respond to DTD and other internal agency needs; create all master documents; may lead the work of lower level Right-of-Way Agents if hired in the future; works with state and federal agency personnel to assure county compliance with acquisition programs required for certification; presents information and explains procedures to public pertaining to past, present and future right-of-way acquisitions; plans, designs, and presents county position at public hearings on proposed and planned right-of-way acquisition projects; trains, advises and assists other county departments on right-of-way, other property rights acquisitions, easement requirements on county-owned fee properties and compliance with federal and state regulations.
2. Conducts project planning responsibilities; reviews capital project, development and alternative plans to determine property rights and types of property rights required for road construction and related projects as designed; balances delicate issues of project needs and property impacts in right of way and easement acquisitions; prepares estimates of right-of-way costs; participates in project meetings with design engineers, project managers and other appropriate persons to assist in budgetary, alignment, feasibility and scheduling recommendations.
3. Identifies and evaluates potential complexities in projects and provide estimates, scheduling, appraisals methods and negotiations; identifies need to hire consultants based on workload or expertise required, hires and monitors performance of consultants; reviews and recommends invoices for approval; analyzes and determines best approach to complete acquisition projects by consultant or staff.
4. Researches and develops or directs technical or administrative staff to research and develop all acquisition documents, including documents that will be recorded; researches or directs staff in determining and obtaining ownership information, legal descriptions and maps; through site review, research into historic records and occupant interviews, determines or advises if further site analysis is required to address potential contamination issues; analyzes existing acquisitions documents for errors or flaws and if found, develops strategies to mitigate impact to project; performs or directs staff to perform site inspections.
5. Contacts and advises property owners of contemplated projects, alternatives under consideration, and need for preliminary design work; obtains permission for survey crews to enter property and remove survey obstructions; works with property owners or tenants under difficult conditions to resolve issues or barriers to rights-of-entry; advises owner(s) of the need for and the scope of project(s), of the impact to remaining property and of owners' rights under federal and state laws and county ordinances, policies and procedures.
6. Reviews the most complicated appraisals for total or partial acquisitions, before-and-after appraisals, easements, permits and damages; coordinates independent reviews of all appraisals in accordance with federal, state and county policies and procedures; maintains contact with property owners throughout process; directs survey crews, appraisers and relocation experts to potential acquisition sites.

7. Prepares Requests for Proposals for on-call appraisal contracts and right of way acquisition and relocation services contracts; reviews submittals and recommends contract awards; manages outside professional service contracts for appraisers and other real property professionals; requests appraisal reports from independent appraisers to determine the value of easements or real property to be acquired; coordinates resolution of discrepancies between original appraisal and independent review of appraisal; evaluates methodology of reports submitted, approves reports and sets just compensation.
8. Authorized to provide administrative summary determinations (ASD) for just compensation for acquisitions on lesser evaluations including determines appraisal methodology, researches and site reviews subject properties, researches and determines appropriate comparables, determines highest and best use, determines before and after impacts and adjusts valuations; writes formal ASD and presents with 40-day offer packet to owners.
9. Negotiates and acquires rights-of-way, easements, fee ownership, letters of agreement, dedications and permits for properties needed for county projects, including roads, slopes, storm drainage, sewer lines, utilities, park sites, greenways and maintenance sites including complex business and industrial properties of high value and all properties with high public visibility or sensitivity; obtains, directs or assists outside service providers in obtaining necessary mortgage and lien releases; reviews and directs preparation of certain escrow instructions for the closing of more complicated acquisitions.
10. Recommends and provides support to County Counsel in condemnation or eminent domain actions when negotiations cannot be concluded in a timely manner by providing exhibits, appraisal updates, records support documents and trial testimony.
11. Develops and presents Staff Reports to the Board of County Commissioners (BCC) for acceptance of rights of way and fee acquisitions: develops and presents master condemnation ordinances for BCC approvals.
12. Explains relocation assistance program and benefits to property owners and tenants including complicated relocations with high public visibility or sensitivity; hires relocations specialists and monitors their performance for conformity with Uniform Relocation Act and County policy.
13. Researches and responds to other County and external agencies and citizen inquiries; investigates complaints and advises internal county departments as necessary, recommending corrective actions to resolve complaints.

REQUIRED KNOWLEDGE AND SKILLS

Thorough knowledge of: State of Oregon right-of-way and real land property law including condemnation law, and the Federal Uniform Relocation Act; principles, techniques and methods of right of way acquisition including highway engineering practices; appraisal theory, methods, and interpretation as applied to eminent domain, specialty appraisals and other land valuation documents and administrative summary determinations; principles of negotiation to acquire all types of land and land rights; title reports and the interpretation of encumbrances identified in the reports; fundamentals of accounting; depreciated replacement cost, capitalized income and a variety of market data comparison methods and techniques; legal descriptions of real property and associated instruments of ownership; interpretation of engineering plan and profile design drawings, assessor maps and other map reading.

Working knowledge of: Basic supervisory techniques; Level 1 Environmental Site Assessment (ESA); office equipment, including personal computers and software programs.

Skill to: Review, plan, prioritize, manage and coordinate right-of-way acquisition projects; read and interpret simple to complex legal descriptions, instruments of ownership, survey and assessor maps, engineering plans and profiles and other design drawings; create exhibit maps and legal descriptions; negotiate and acquire complex rights of way, easements and real property; mitigate potential damages and resolve trespass and other land or damage claims; deal effectively with property owners, tenants under difficult conditions, and outside agency personnel to reach consensus and agreement; communicate complex technical information in non-technical terms to property owners or affected individuals, working partners and stakeholders; monitor staff or outside consultants work on assigned projects; research, develop, implement and manage up-to-date right-of-way standards; operate computer software and other office equipment; communicate effectively, both orally and in writing with a variety of internal and external individuals, groups and agencies; prepare and deliver oral presentations; establish and maintain effective working relationships with supervisors, coworkers, other departments and agencies, and general public.

WORKING CONDITIONS

Occasional duties in the field require walking, twisting, balancing, and involve exposure to inclement weather, noise, and slippery and/or uneven surfaces.

MINIMUM QUALIFICATIONS

Minimum qualifications are used as a guide for establishing the minimum experience, education, licensure, and/or certifications required for employment in the classification. The following minimum qualifications are established for this classification. Additional minimum qualifications and special conditions may apply to a specific position within this classification and will be stated on the job announcement.

Experience: A minimum of five (5) years of related experience that would provide the required knowledge and skills to perform the responsibilities of this position.

Licenses/Certifications:

The following licensure/certifications are required at the time of hire.

- Possession of Notary Public in the State of Oregon.

PRE-EMPLOYMENT REQUIREMENTS

Driving is required for County business on a regular basis or to accomplish work. Incumbents must possess a valid driver's license, and possess and maintain an acceptable driving record throughout the course of employment.

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