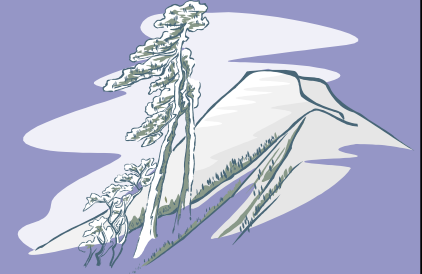


Issue 25  
May-June, 2009

SIERRA NEVADA CHAPTER 46  
INTERNATIONAL RIGHT OF WAY ASSOCIATION



# The Zephyr



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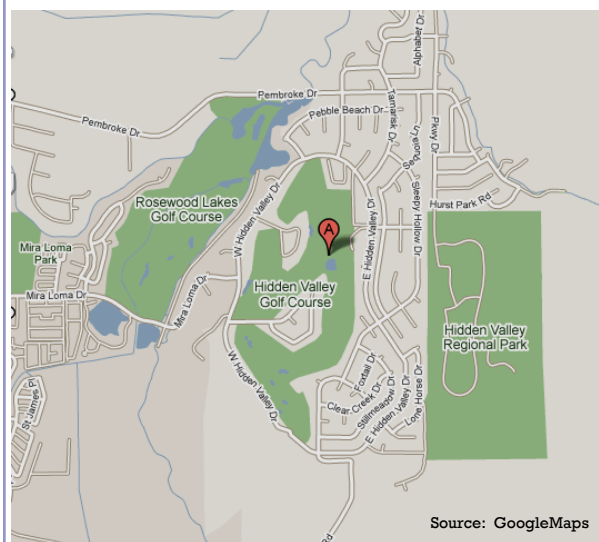
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## Inside this issue:

President's Message	2
Spring Forum Report	3
Little Pink House	4,5,6
Education Update	7
Resource Navigation	7

## New Officers to be Installed at May Meeting



This year's Installation Luncheon will be held at the Hidden Valley Country Club on Wednesday, May 20th. The chef has planned a beautiful menu with several choices of entrée. The cost is \$15 per person and can be paid at the luncheon.

**Please RSVP to Carolyn Carrica with your preference right away.** You can reach her by phone at 834-4989 or by email at [ccarrica@nvenergy.com](mailto:ccarrica@nvenergy.com).

Former International President, George Wilkerson will once again do us the honor of installing the new officers.

Hidden Valley Country Club is located at 3575 Hidden Valley Drive.

## Installation Luncheon Selections

- Spinach Artichoke Chicken Breast  
Fresh vegetable sauté, roasted garlic potato puree
- Pan Roasted Salmon  
Fresh vegetable sauté, roasted garlic potato puree, Thai BBQ Sauce
- Slow Roasted Tri-Tip  
Fresh vegetable sauté, roasted garlic potato puree and Red Wine Sauce

*All entrees are served with Garden Green Salad and Rolls and followed by Cheese Cake for dessert.*



## Message from the President

By Dana Abney, SR/WA



*Greetings one and all,*

Being your IRWA Chapter 46 President for the last year has been exciting...fun...challenging...and a great learning tool. I have been volunteering for various organizations and charities for most of my life, and have always come away from the experience contented that I had helped the wheel turn, that the work I had helped with had made a difference to a few lives.

This time was different.

Instead of a sense of satisfaction, I find that there seems to be more to do, that there is too much work and not enough hands. Too often in a volunteer organization like the International Right of Way Association there are the same people doing everything, with a crowd around watching them do it.

Time to step up, fellow members! "Many hands make light work," and the Chapter needs your help to fill committee chairs and other small duties. This is your organization, and the more you put into making it run successfully, the more you will get out of it and the better it will become. Go to your new Chapter president and offer a hand!

At this time, I'd like to say thank you to all members for an eventful year, and we'll see you in September - have a happy and safe summer.

Until next time, remember to enjoy your family, friends and loved ones, rest and realize that what you give and receive on a daily basis is a gift of life.

Dana D. Abney, SR/WA  
President, IRWA Chapter 46

## Happy Trails to You ... Anne DeBolt Retires

By Frank Borghetti



Anne enjoying herself at the party

On Thursday, March 12th, 2009 about 30 of Anne's friends and co-workers met at Mi-Casa Restaurant on 4th Street to celebrate Anne's next phase of life. Retirement. After a lengthy period of consideration beginning in early 2009, Anne reached that important decision that she was ready to take that big step towards retirement. The IRWA membership turned out in good fashion to wish Anne a happy send off along with many of her co-workers from the City of Reno.

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# Notes on the Region 1 Spring Forum

Held on April 4, 2009 in Universal City, California

By Kelly Hirning



I had a fellow board member ask me in a chagrined tone, “So why does the Chapter pay for certain individuals to attend these forums? How does this expense benefit the Chapter? I don’t understand.” “Good question. I used to wonder the same myself,” I replied.

Well after attending my first forum this last April in Universal City, California I realized the importance of attending these regional forums. I was completely surprised at how much I got out of the event. I can’t say I’m any kind of expert at this point because I’m no rocket scientist, but it definitely opened my eyes.

There were 48 attendees, just to name a few, Carolyn Carrica, Region 1 Chair, Chris Banks, Region 1 Vice Chair, Randy Williams, International Secretary, Bill Busch, Region 1 Public Agency Chair and Ed Opstein, International PDC Vice Chair, so it was a cozy social event in comparison to the International Conference. I met leaders from other chapters and several of the various committee chairs from Region 1. Many of these individuals were quite passionate about their responsibilities and more than enthusiastic about sharing their successes and shortcomings. While some chapters are quite successful, some are not and

seem to constantly struggle. I was a bit overwhelmed at the time and regret that I am unable to share more of the details. But what I would like to share is the benefit I felt and some things that I learned.

Unfortunately I missed the education session that was held the day before but a number of those that did attend said it was very good.

One of the main items on the agenda was a discussion of what became of the realignment of the regions item that was brought up in Hawaii - most importantly the issue of Arizona realigning with Region 9. There has been some discussion of this at a couple of our meetings. Kevin Winner, Region 9 Chair was expected to attend the forum to share his thoughts on the benefits of this realignment but he was a no-show. What the leaders of Region 1 did agreed upon was having an impromptu get together with Region 9 in Indiana at the International Conference to at least express a willingness to hear them out so we can decide if we want to have a joint forum at some time in the future. So of course this item is still at the table.

Another agenda item was an update from the Professional Development Committee. I found this very interesting! Besides upgrading all of the courses that need to be revamped due to the ever changing technologies and markets, the PDC wants to change the SR/WA Designation to be more stringent on testing and they want to tailor the designation for different levels of seniority. This makes perfect sense to me because for example an SR/WA that received their designation

25 years ago is considered to be at the same level of achievement as someone who received their designation quite recently. We all know that especially in the right of way field the more experience and continued education you have raises the bar on your qualifications as a right of way agent. So these avenues are going to be explored in the near future.

There could not have been enough said about the importance of what the IRWA does as an organization, and that is educate. Chris Banks was very passionate about the importance of education. She said she always remembers her high school’s motto, “Education is a possession of which man cannot be robbed.” Heather Morrison was there and said that Education Chairs and Course Coordinators are always encouraged to contact her for assistance with marketing courses in attempt to achieve better attendance. There will be a special education session at the International Conference in Indianapolis in June and I plan to attend.

I would also like to inform you that the Fall Forum 2009 is going to be held in the San Francisco Bay Area hosted by Chapter 2 on October 2-3, 2009.

So all in all, I expect to improve on my methods of information gathering at future conferences and forums, thus improving the quality of the information I plan to share with you all.

Last but not least! Chapter 46 tied with Chapter 73 for newsletter of the year for chapters under a hundred members. Go Zephyr!



## Little Pink House

### A review of Jeff Benedict's book about Kelo v. City of New London

By Carol Buonanoma, CMS, GISP

All of us in the IRWA are familiar with the landmark Supreme Court decision in what is one of the most famous court cases in the history of the United States – Kelo v. City of New London. However there is much more to know about what happened in New London, Connecticut over the course of the years during which the situation unfolded beginning in 1997 until Susette Kelo finally reached a settlement with the city in June, 2006.

Newspaper and magazine articles at the time provided a good overview of the case but were short on details about the people who lived in the neighborhood that had become an obstacle in the path of the city's redevelopment plans. If you are curious about the lives of the property owners involved in the controversy, most notably Susette Kelo whose name appeared first in the list of plaintiffs in the lawsuit, Jeff Benedict's book, [Little Pink House](#) will grab your interest and hold it, as you read about a cast of real-life characters that are the equal of any a novelist could have imagined.

Although it is apparent that the author's sympathies lie with Kelo and her neighbors, Benedict does a good job of presenting the point of view of the members of the New London Development Committee (NLDC) who began planning the redevelopment project with the idea of revitalizing a waterfront area of the city and the adjacent park surrounding historic Fort Trumbull.

Located on the Thames River, the fort was built during the years 1839 to 1852 to defend the coastline of New London. At the time the redevelopment plan was being developed, the park had fallen into neglect and the nearby neighborhood was beginning to show its age. It was a working class area, where some of the elderly resi-

dents had lived in their houses all their lives. However a number of the houses had changed hands in recent years, purchased by people who restored them and valued the architectural style of the time in which they were built. Unfortunately, residents of the neighborhood had to put up with the city's nearby wastewater treatment plant and its accompanying odors as well as the Calamari Junkyard which was just across the street from the house Susette Kelo bought at a bargain price in 1997. The property had a view of the Thames River and the fact that the house and yard needed quite a bit of work did not bother her.

Kelo had been raised in poverty and was no stranger to hard work.

In spite of the treatment plant and the junkyard, when Susette Kelo first spotted the house during a response to an emergency call as an emergency medical technician, she knew right away that she wanted to buy it. Her purchase was the first in a chain of events that took place over the next decade that brought the public's attention to the issue of what many consider to be the abuse of eminent domain by government organizations that use the authority to seize property from private individuals and then, instead of using it for roads or other public use projects, sell the property to private individuals and compa-

nies in order to increase the tax base by increasing property values. When the case finally reached the United States Supreme Court, Sandra Day O'Connor wrote in her dissenting opinion, "Today the Court abandons this long-held, basic limitation on government power... Under the banner of economic development, all private property is now vulnerable to being taken and transferred to another

*"Eminent domain is the government's power to take private property for public use. Nobody particularly likes it. But occasionally it's essential to make way for roads, schools, hospitals, and the like. And Americans accept this practice as long as deprived property owners receive due process and just compensation... But the Supreme Court changed the rules in 2005 when it decided Kelo v. City of New London."*

*-Jeff Benedict*

(Continued on page 5)



(Continued from page 4)

private owner, so long as it might be upgraded.”

One of the most interesting people in the book was Claire Gaudiani, who was the president of Connecticut College in New London. Not content merely to run a small college with 1700 students, Gaudiani became interested in the Fort Trumbull area as a possible site for a research and development facility for the Pfizer Corporation. In 1978, the city had established the New London Development Corporation and tasked it with planning economic development for the city. Having been inactive for many years, once the wheels began turning on the waterfront project, the agency was reactivated and a new president was needed. The attractive, ambitious and hard-driving president of Connecticut College soon found herself at the helm of the NLDC. She and Susette Kelo were on a collision course.

The two women could not have been more different. Claire Gaudiani was the daughter of a doctor and her parents had raised her with very high academic standards. Though not wealthy, her family was well to do. As the mother of an infant, Gaudiani was the first woman with a child to obtain a PhD in the French and Italian Depart-

ment at Indiana University. In contrast, Susette Kelo was raised by a single mother who worked as a waitress. Kelo became a mother at the age of sixteen and had five children by the time she was twenty-five. The house she purchased just five months before the NLDC began to approach the residents of the neighborhood with buy out offers, was the first thing of any value Kelo had ever owned. What the two women had in common was a commitment to what each saw as her duty during the nearly ten years that followed. Kelo’s name became synonymous with resistance to governmental abuse of eminent domain powers and as such, she was called on to testify before government officials, speak to the press on behalf of her neighbors and act as a spokesperson against the abuse of eminent domain. Gaudiani remained steadfast in her support of the vision of the NLDC’s development plan and its desire to turn New London into a “Hip Little City.” Kelo and members of the Coalition to Save Fort Trumbull were fond of saying “Hip” stood for “Higher Income People.” Gaudiani became so involved in her work with the NLDC that she was forced to resign from her position as President of Connecticut College for neglecting her academic duties.

(Continued on page 6)



(Continued from page 5)



The Kelo House today

Source: <http://historicbuildingsct.com/>

What most people do not know is that Susette Kelo's block, as well as the block to the northwest were not really necessary to the development plan. An alternate plan was submitted to the NLDC by the citizen's group, Coalition to Save Fort Trumbull, but it was dismissed without consideration by the NLDC and the City. By then, the situation had become a battle of the wills and no one was backing down. Although Pfizer did end up building a facility on the site, once all the residential lots were cleared of structures, nothing was built on the vacant lots. They remain unoccupied and overgrown with weeds today. Plans for establishing an upscale neighborhood on the land have never been implemented. Had the original houses remained, there would have been some tax revenue for the city. Currently, the vacant lots, now in the ownership of the city, bring in no taxes.

Today, Susette Kelo lives in a small house with a water view, in the town of Groton, almost directly across the Thames River from where she lived in New London. She decided she did not want to live in New London anymore. Her iconic Little Pink House was dismantled board by board and moved to another neighborhood in New London where it has been preserved as an historic site. Claire Gaudiani lives in New York City and teaches

at New York University's Heyman Center for Philanthropy and Fundraising.

If you're interested in knowing more about the case, there are many other interesting people who were involved in this story: the mayor of New London, Lloyd Beachy, who sided with Kelo and her neighbors, Scott Bullock and Dana Berliner who work for the Institute for Justice and provided free legal services for Kelo and her neighbors. Also part of the story were Connecticut Governor, John Rowland, his successor, Governor Jodi Rell, and all the other property owners in the waterfront neighborhood.

The unfortunate fallout from the Supreme Court's decision in *Kelo v. New London* is the turning of public opinion against

any use of eminent domain. Public use projects that benefit communities are coming under severe scrutiny and sometimes opportunities are missed because of the increased pressure on public officials to justify their actions. I think the Ballardini Ranch eminent domain debacle in which Washoe County was unable to overcome legal obstacles and exorbitant costs in order to obtain 1000 acres of pristine area for preservation as a public park is a good example of this. The ranch, now in the ownership of a development company is slated for residential development.

***"...as of 2008, seven states have passed constitutional amendments to ban taking private property for economic development and forty-two of the fifty states have passed legislation to protect property owners from abusive eminent-domain practices.***

***Notably, Connecticut, the Constitution State, is one of the few states that haven't changed their eminent-domain law in any way."***

***- Jeff Benedict***

Benedict, Jeff. *Little Pink House* New York: Grand Central Publishing, 2009



## Chapter 46 Education Update

By Carolyn Carrica, SR/WA

### Meeting Dates

Board	September 4 2008
Membership	September 17 2008
Board	October 2, 2008
Membership	October 15, 2008
Board	November 6, 2008
Membership	November 19, 2008
Board	December 4 2008
Membership	December 17, 2008
Board	January 8, 2009
Membership	January 21, 2009
Board	February 5, 2009
Membership	February 18, 2009
Board	March 5, 2009
Membership	March 18, 2009
Board	April 2, 2009
Membership	April 15, 2009
Board	May 7, 2009
Membership	May 20, 2009



### Next Member Meeting

May 20th, 2009 at the Hidden Valley Country Club.

New Officers will be installed, so don't miss it.

Hi Everyone. This is to remind you that you need to turn in the Course Survey that was emailed out. Please get them in so the Education Committee can put the course schedule together.

We have 2 Environmental Courses coming up in July. 604 "Environmental Due Diligence and Liability" a 1 day course on July 15<sup>th</sup> and 602 "Project Development and the Environmental Process" a 2 day course will be given on July 16<sup>th</sup> and 17<sup>th</sup>. They will be held at NV Energy. Our course coordinator is Karen SooHoo at 775-332-6500 ext 105 and our facilitator will be Clyde B. Johnson, SR/WA, RW-RAC. Clyde is a member of the International Environment Committee and an excellent facilitator. Sign up now so you don't get left out.

Please make sure your email address is up to date so you are on my email list and any courses I receive from the Region can be sent on as well as the Course Survey or other information I receive. Email changes to [ccarrica@nvenergy.com](mailto:ccarrica@nvenergy.com) or call me at 775-834-4989. Thank You in advance!

## Resource Navigation

By Kelly Hirning

It is truly amazing how much modern technology has changed the ways people gather and share information, whether for our jobs or our own personal purposes. And more recently "going green" has really been pushing the envelope. These advances in alternatives for sharing information have increased conservation efforts and curved spending for businesses and agencies across the board.

IRWA World Headquarters (WHQ) has been revamping courses and offering more to its members via the Internet. If you haven't been to WHQ's website it is a "must do" for all members. WHQ has recently changed the view of their homepage. You can access course information, course registration forms, membership applications, membership transfer forms, membership change forms. If you do need to update or change any of your information with WHQ you can do it by printing a form or you can easily do it online by editing "My Information". You can view a complete membership list which happens to be the most up to date official membership list you can possibly get your hands on.

Member Carol Buonanoma is our very own webmaster for the Sierra Nevada Chapter 46 and the IRWA Region 1 websites. She has been commended by Region 1 Chair, Chris Banks for her hard work developing and maintaining these websites. She really has done a beautiful job with these websites, another "must do". In our own efforts to get on the *green machine* we are now offering The Zephyr (newsletter) on the chapter website. In addition the "Meeting Minutes" have been available to you on the website since it was developed.

Please familiarize yourself by visiting the following websites:

- IRWA WHQ [www.irwaonline.org](http://www.irwaonline.org)
- Chapter 46 [www.irwachapter46.org](http://www.irwachapter46.org)
- Region 1 <http://region1.irwachapter46.org/pages/>

#### Zephyr Advertising Rates:

2" x 3.5" (business card size) \$25.00 per year	3.5" x 4.5" (quarter-page) \$75.00 per year
4.5" x 7" (half-page) \$150.00 per year	7" x 9" (full-page) \$300.00 per year

## Help Wanted

Chapter 46 desperately needs a volunteer for Membership Chair.

Duties consist of maintaining the current membership roster, handling administration of new recruitments and selling raffle tickets. HQ provides easy online training.

Contact Kelly Hirning @ (775) 834-8214 or [khirning@tmwa.net](mailto:khirning@tmwa.net)

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## An Invitation to Party!



Chapter 46's official Party Girl, Heather Edmunson would like to invite all our members to celebrate and congratulate (and inebriate) our newly elected officers at a year-end party at

her house on May 29th from 5:30 till the cows come home.

Her address is 675 Barnwood Ct., Reno. Feel free to contribute the wine or beer of your choice. Or just show up and enjoy Heather's newly landscaped back yard.

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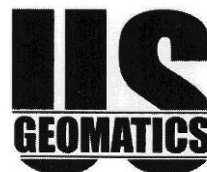
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