

# STATE OF MONTANA

## JOB DESCRIPTION

*Montana state government is an equal opportunity employer. The State shall, upon request, provide reasonable accommodations to otherwise qualified individuals with disabilities.*

**Job Title: Right of Way Agent I Position Number:** 50011, 51215, 51217, 53002, 53215, 55215, 55218, 57215, 57245, 59002, 59215, 59226, 59228, 60010, 60033, 60047, 60053, 59218, 17010, 53070, 60010, 60022, 60039, 60067, 60076, 91938

**Location:** Helena                      **Department:** Transportation

**Division and Bureau:** Engineering Right of Way Bureau

**Section and Unit:** Special Programs

**Job Overview:** This position serves as a Right of Way Agent I and is responsible for assisting other agents with property appraisals and negotiations for highway project property valuations and acquisitions. This includes researching property information, conducting site inspections, conducting simple waiver valuations, and related duties. The position is expected to perform these support functions while gaining a progressively responsible knowledge of appraisal and negotiation processes, standards, and requirements. The position reports to the District Right of Way Manager or Special Programs Manager and does not directly supervise others.

**Essential Functions (Major Duties or Responsibilities):**

**Appraisal and Acquisition Support - 75%**

- Researches and examines property title information and ownership data to compile information about land titles, land classifications, and soil classifications. Reviews building and site improvement information, including sanitation regulations, zoning, planning, irrigation rights, covenants and deed restrictions, traffic flow and access control, and other issues for review by senior right of way staff.
- Conducts routine site inspections of residential and rural properties to identify factors affecting property values and collect data required for property maps, plats, and/or sketches used in appraisals. Designs property documents according to project specifications.
- Participates in discussions with engineering personnel regarding engineering details of proposed highway projects to identify engineering factors, clarify project scope, and ensure that relevant information is incorporated into right-of-way studies.
- Obtains routine construction cost estimates from private contractors and others for use in appraisals.
- Coordinates with appraisers to provide logistical support and field services throughout the course of appraisals and negotiations.
- Prepares land purchase agreements for use in purchasing interests in real property. Coordinates with senior Right of Way Agents (i.e., levels III and IV) to review and recommend project specifics, standard clauses, right of way plans, and other information for incorporation in agreements.
- Participates in pre-negotiation conferences with appraisers, review appraisers, negotiators, and others to assess the impact of right of way plans on various properties and land managers.
- Observes negotiations conducted by senior agents and may conduct routine negotiations for waiver valuations and performs basic evaluations under the direction of senior Right of Way Agents. This includes construction permits, simple acquisitions, and other projects as directed.

- Identifies suspect or illegal outdoor advertising services to ensure compliance with laws and requirements.

### **Project Coordination - 20%**

- Compiles, drafts, and disseminates a variety of reports, notices, correspondence, project lists, and other documents to provide accurate timely information. Coordinates review and revision cycles with appropriate staff.
- Establishes and maintains electronic records systems to ensure the availability of essential program data.
- Coordinates records retention and disposal procedures to ensure compliance with applicable requirements.
- Coordinates contacts with landowners, appraisers, District and headquarters staff, and others to ensure smooth communication channels.
- Provides administrative support to senior Right of Way Agents to assist with office and field activities while becoming familiar with processes, resources, and requirements of the appraisal and negotiation functions.

### **Other Duties - 5%**

Perform a variety of other duties as assigned by the Section Supervisor and/or the Bureau Chief in support of the MDT mission and Division objectives.

**Supervision:** The number of employees supervised is: 0

**Physical and Environmental Demands:** This position functions in a typical office environment. Work is performed in an office environment and in the field involving traversing rough terrain, working around heavy machinery and equipment, and contentious situations with landowners. The incumbent is expected to travel extensively throughout the state (e.g., up to 1,000 miles per month) to perform site visits, perform or evaluate appraisals, and negotiate acquisitions. Property inspections may require walking moderate distances, climbing over fences and ascending stairs, and working in inclement weather conditions. Contentious negotiations with landowners, legal representatives, and others; and heavy workloads may create stressful day-to-day working conditions.

### **Knowledge, Skills and Abilities (Behaviors):**

- Knowledge of real estate appraisal processes; principles of negotiation and conflict management; and laws and rules pertaining to acquisition of land for public purposes.
- Knowledge of mapping/platting methods and procedures.
  - Individuals new to Right of Way who may not completely meet this qualification on Day 1 of their employment at MDT are expected to acquire this knowledge within the first year of employment.
- Skills and abilities in reading and interpreting technical maps, plans, and legal documents.
- Skills in explaining and negotiating technical and sometimes contentious issues with the public; understanding and carrying out written and verbal instructions; and maintaining effective working relationships with Bureau staff, other MDT personnel, and the public.
- Ability to develop effective techniques and procedures to achieve goals and objectives; to provide technical assistance to team members to ensure effective operations and project activities; identify root causes of problems and develop of alternative solutions; confidently challenge the status quo by experimenting with new ideas; to communicate effectively orally and in writing; and to work effectively in a high stress and multi-task environment.

### **Minimum Qualifications (Education and Experience):**

- The required knowledge and skills are typically acquired through a combination of education and experience equivalent to a Highschool Diploma. Additional relevant education

and/or experience may substitute for experience as determined by the Panel.

- This position requires a minimum of One (1) year of experience in the following:
  - One (1) year equivalent work requiring communication or public contact skills involving one or more Right of Way Agent communication-related activities such as persuasion, conflict management, diplomacy, rapport-building, mediation, problem-solving, or decision-making.
  - Certifications, licensure, or other credentials include: N/A
  - Alternative qualifications include: Any combination of additional related work experience and education equivalent to the minimum qualifications.

**Special Requirements (List any other special required information for this position):**

- |                                     |                               |                                     |                                |
|-------------------------------------|-------------------------------|-------------------------------------|--------------------------------|
| <input type="checkbox"/>            | <b>Fingerprint check</b>      | <input checked="" type="checkbox"/> | <b>Valid Driver's License</b>  |
| <input type="checkbox"/>            | <b>Background check</b>       | <input type="checkbox"/>            | <b>Other; Describe</b>         |
| <input checked="" type="checkbox"/> | <b>Union code: 035 - MFPE</b> | <input checked="" type="checkbox"/> | <b>Safety Responsibilities</b> |

The specific statements shown in each section of this description are not intended to be all inclusive. They represent typical elements and criteria considered necessary to perform the job successfully.

**Signatures**

My signature below indicates the statements in the job description are accurate and complete.

<b>Immediate Supervisor</b>	<b>Title</b>	<b>Date</b>
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<b>Administrative Review</b>	<b>Title</b>	<b>Date</b>
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My signature below indicates that I have read this job description.

<b>Employee</b>	<b>Title</b>	<b>Date</b>
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**Human Resources Review**

**Job Code Title: Right of Way Agent      Job Code Number: P92021**

My signature below indicates that Human Resources has reviewed this job description for completeness and has made the following determinations:

- |   |  |
|---|--|
| <input type="checkbox"/> FLSA Exempt                        | <input checked="" type="checkbox"/> FLSA Non-Exempt    |
| <input checked="" type="checkbox"/> Telework Available      | <input type="checkbox"/> Telework Not Available        |
| <input checked="" type="checkbox"/> Classification Complete | <input type="checkbox"/> Organizational Chart attached |

**Human Resources:**  
**Tiffany Thornton - Human Resources Generalist      11-17-2023**

<b>Signature</b>	<b>Title</b>	<b>Date</b>
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