

Conflict Resolution Process (CRP)

Purpose:

To provide the framework for resolving planning related conflicts. The CRP is intended to provide a low-cost, flexible approach to resolving planning disputes between governmental entities. This process should not supersede local processes established for conflict resolution and is not intended to be used by parties dissatisfied with the appropriate application of local rules and regulations within their jurisdiction.

1. Open Discussion and Debate

Communication and open discussion between parties involved in a dispute will be the first action taken to resolve conflicts by reaching consensus. Oftentimes, open dialog and debate between affected parties will be sufficient to resolve most conflicts. This action will be undertaken without outside assistance from a neutral third-party.

2. Negotiation Techniques

If parties cannot reach consensus through discussion and debate it may be necessary to utilize facilitation or mediation techniques involving the use of a neutral third-party.

- Facilitation – A conflict resolution method which involves use of a neutral third party to act as a facilitator in discussions between disputants. The facilitator’s role is normally limited to providing a forum for the parties to interact directly, including the enforcement of very basic rules of communication during discussions and negotiations.
- Mediation – A form of a conflict resolution in which the parties bring their dispute to a neutral third party, who helps them agree on a settlement. Planning disputes should be mediated by a neutral third-party. A mutually acceptable mediator is to be selected from the Conflict Resolution Subcommittee.

3. Litigation

If discussion and negotiation techniques fail to achieve a resolution to the dispute, the process will move to litigation. This process involves the use of the court system to resolve disputes. While many cases are settled in pre-trial proceedings, this alternative can be very time-consuming and expensive for all parties involved.

Initiating the CRP

The process may be initiated by a local jurisdiction or Douglas County at any time during the planning process. Requests to initiate CRP should be submitted to the consultant and to affected jurisdictions and shall clearly and concisely identify the issue, the jurisdictions involved, and the affected jurisdiction’s authorized representatives. Upon receipt of CRP notification, and unless otherwise requested by the jurisdictions involved, the consultant will schedule a meeting between the affected parties to discuss and debate the issue (see #1). If this step fails

to resolve the dispute, the consultant will coordinate meeting to address the dispute using negotiation techniques (see #2). The consultant may, at the request of both parties, act as a facilitator and/or mediator, otherwise this party selected from the Conflict Resolution Subcommittee.

