

Intermunicipal Dispute Resolution Initiative

AGREEMENT BUILDS FRIENDSHIP

County of Wetaskiwin ↔ Summer Village of Crystal Springs

When neighboring municipalities try to solve mutual problems, there can be a lot more in the mix than just the issues at hand. Size can play a role when one municipality is bigger than the other. Sometimes the process is impacted by how challenges have been faced – and resolved – in the past.

The good news is these challenges can be effectively resolved through a more collaborative process: mediation. Mediation is a process for negotiating issues using an independent moderator. It helps participants cut through emotions, past history and issues to arrive at a mutually satisfactory agreement.

A stalemate results in mediation

Two rural neighbors of differing sizes – the County of Wetaskiwin and the Summer Village of Crystal Springs – found themselves in a stalemate after years of negotiations over annexation, subdivision, land use and road maintenance. One contentious issue led them to Alberta Municipal Affairs, where mediation was suggested prior to approaching the Municipal Government Board.

Bill Diepeveen, Alberta Municipal Affairs' Coordinator of Mediation Services, suggested an innovative mediation process called the Intermunicipal Dispute Resolution Initiative. The program helps parties work through their issues with the help of trained private sector mediators to arrive at an agreement that satisfies all parties.

The mediation process made so much sense to Frank Coutney, Chief Administrative Officer for the County of Wetaskiwin, and Bill Sadler, Mayor of the Summer Village of Crystal Springs, that they also included other neighboring summer villages in the process.

"It's unusual to bring in other parties who aren't part of the initial dispute," says Diepeveen. "However, they thought getting together all at once was smart since the same issues would come up in the future for the other summer villages."

Parties learned the power of consensus building

In the end, there were representatives from four summer villages around the table – Crystal Springs, Poplar Bay, Norris Beach and Grandview – plus the County of Wetaskiwin. Although a question was raised about the perceived effect that a four-to-one balance might have, it was a non-issue because mediation takes a consensus-building approach.

Garry Dearing, Reeve of the County of Wetaskiwin, quickly saw the benefits of this approach. "I had come from an environment where everything was voted on, so I was worried the County might be out-voted in this process. But, in mediation, nothing is voted on. It is all based on group consensus. If we didn't agree, we worked on it until we did. That was a great thing. Plus, the mediators often suggested a middle ground, or presented solutions we may not have thought of ourselves."

In this case, two private mediators, Jeanne Byron and Archie Grover, lead the group's discussions. Byron says there are a number of mediation techniques used to make the process more collaborative. One successful technique was to make an exhaustive list of all the issues on a board, then give each member the same number of vote stickers. Individuals prioritize the issues by placing their stickers beside an issue. Participants can split their votes among issues, or put all votes on one issue they feel strongly about. Once the tally is done, it's clear which issues are most important to the group.

“It’s very important to get all the issues out,” says Byron, “It’s also equally important for the group to identify the important issues to focus on to give us a place to start.”

Courtney adds: “This is an excellent technique that gives everyone an equal voice so no one dominates the discussion.”

Another technique was to forbid the group from yes or no answers. Leona Campbell, Councilor for the Summer Village of Poplar Bay, thought this was really effective: “Jeanne would always ask: ‘What can you live with?’ which changed the whole context completely. We had to rethink our position and look for solutions, not barriers.”

Building trust brings barriers down

The group really blossomed by using these techniques, according to mediator Byron. “Once they realized they could trust each other, they went from seeing all the downsides and the negatives, to seeing all the possibilities of what they could accomplish together.”

Sadler, too, saw that building trust and gaining an understanding of each other’s position meant consensus could be reached fairly quickly. He says another benefit of mediation was an excellent working relationship with the County that opened communication on future projects.

“This was a very valuable process,” Sadler says. “Mediation allowed us to add things throughout the process, so we ended up with a much broader, stronger agreement. You can’t do that when you go to court. In court, it’s either a win or lose situation.”

Owen Hamblin, Councilor with the Summer Village of Grandview, also pointed out that mediation is much more cost-effective than litigation. “If we had to hire lawyers to do a similar task, it could easily have run us about \$100,000. We paid about \$15,000 for the mediation, shared by all the parties. We were really fortunate it could be solved this way.”

Wetaskiwin Reeve, Garry Dearing, says that perhaps the most telling thing to come out of the mediation process was strengthened relationships among the group. “Through this we built a friendship that we didn’t have before,” he says. “That friendship was lost through the years because we didn’t agree. Now, we know each other as people again, not just as a position across the table.”