Overview

For non-incorporated communities across the country, dramatic increases in their populations coupled with heightened environmental concerns in regards to septic tanks and their use as opposed to central sewage lines. The possible contamination of underlying water tables and nearby lakes and streams have focused the EPA’s attention on the use and regulation of septic tanks. The conflict usually centers on an aversion to new development and an increase in the local population, the costs of a new system, and a lack of education over the pros and cons of each system. These conflicts can turn an otherwise quick and mutually beneficial process into a long, costly struggle that leaves all parties involved bitter and unsatisfied.

The purpose of this plan is to provide a standard procedure plan that:

- Provides an avenue for mediation
- Provides information on how the mediation will be conducted
- Illustrates how a neutral third party is to be selected to mediate and how they will conduct the process
• Explains the procedure for gaining a final decision and responding to any challenges
• Explains the implementation of the final decision

Proposed Process:

(I) Initiation of mediation: A letter from a resident or interested party requesting mediation is to be sent to the County Commissioner Chair, and involved parties. The letter needs to identify the parties involved, the nature of the dispute and the issues involved, a clear description of their position in regard to the issue and contact information.

(II) Response to request: A letter is to be sent to all parties previously identified as well as any additional parties the County Chair feels should be involved. This letter will include a copy of the original request for mediation as well as any historical information deemed need to know by the County Chair. The letter will also call for the designation of a representative from each party to be involved in the process. The recipients of the letter have 45 days to respond and voice their desire to engage in the process.

(III) Decision to mediate: Providing that the principle parties have responded and are willing to participate and that the County Chair feels that the case is in need of mediation, the following must be done: 1) a mediator must be selected, 2) all parties involved in the process must be identified, 3) the time-table and location for the process must be determined, and 4) responsibility for costs must be assigned.
(IV) Mediator selection: The County Chair has the ability to select: 1) a county staff member, or 2) a professional dispute resolution officer from the state directory. Due to the usual small nature of these communities these are the best options.

(V) Notification of process: Once the previous steps have been reached all parties involved will be presented with the following information:

- The time and location of the mediation
- The name and position of the mediator
- The parties involved

Mediation:

(I) Mediator Responsibilities: The mediator will: 1) begin the session, and present ground rules 2) facilitate the dispute utilizing his/her expertise, 3) provide a report of final agreements and implementation plans

(II) Adjustments to Implementation Procedure: The parties involved will be given one last opportunity to adjust the final agreement before it is submitted to the Commission Chair.

(III) The guidelines and requirements of the Florida Sunshine Law shall be applicable to all documents, verbal agreements, and statements making them open to public record

(IV) The County shall absorb all costs providing that the mediation does not detour from its set parameters.
Time Frame:

(I) Response letters must be sent within 12 days of the receipt of the initiation letter

(II) The initial mediation session will be scheduled and held within 30 days of the Notification process

(IV) All mediation sessions shall be completed within 30 days of the initial mediation session

(V) Only by special approval of the County Chair can this process be lengthened or shortened

Process Institutionalization:

Once the final agreements have been adjusted and submitted to the County Commission Chair, if there has been an agreement to pursue a new sewage system, the measure to become a special water district must be presented to the County Commission for a vote.