



**Turning lemons
into lemonade**

Unit 11 Forming Coalitions as an Advocate Instructor's Guide

Public Conflict Resolution

A lecture and role-play exercise explain the science and art of interest-based problem solving from the advocates' point of view.

Purpose

The advocate within a collaborative process often seeks to form coalitions with other parties on particular issues. The idea being that if all parties work at it, nobody has to completely lose in a public dispute.

Objectives

As a result, participants will:

- Get more practice on interest-based problem solving as an advocate.
- Reflect on what they have learned about the art and science of interest-based problem solving.

Time

30 minutes

Materials Needed

Flip Chart and Easel
Markers
Overhead Projector

Handouts

Agnes' Farm

Directions

1. Note that Chapter 8 focused on approaches to public conflict as an advocate. The most important end toward which the advocate moves is to satisfy their own interests. But satisfying one advocate's interests does not have to preclude meeting the interests of other parties. Recall that positions are what may seem entrenched and in conflict, but often interests are distinct or complimentary.

The handout "Agnes' Farm" will be used to demonstrate how an advocate can meet both their own, and others' interests through interest-based problem solving. Divide the group into threes through a count-off method and follow the instructions given to the trainer on the Discussion Guide for Conflict Coaches.

3. Once the groups have finished the Farmland Conversion Exercise Report open up discussion with the following questions:
 - a. Would a neutral have made these negotiations easier or more difficult? Why?
 - b. When would an advocate want a neutral involved in their negotiations? When would they not want a neutral involved?
 - c. Ask the participants to provide examples from their own lives of situations where advocates tried to meet all of the involved parties' interests. Did they succeed? Why?



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Unit 11
Forming Coalitions as an Advocate
Handouts



Agnes' Farm Handout 1

Public Conflict Resolution

DISCUSSION GUIDES FOR CONFLICT COACHES

Please note that there isn't a neutral in this case, all parties are advocates.

You will divide the group into threes through a count-off method. Each group of three will include Agnes (Angus) McCann (farmer), J. Swan (environmentalist) and Frances Sloan (developer). Everyone in the room receives a copy of the Farmland Conversion Exercise Report.

After about 25 minutes, ask the groups of three to fill out the exercise report (five minutes). Spend time debriefing after the report is completed.

These questions are designed to stimulate discussion among the participants. You are not expected to lecture or provide all the answers.

- 1) What are the positions in this case?
- 2) What are the real interests of the parties in the dispute?
- 3) Are there overlapping interests?
- 4) What terms of agreement were reached between these three parties? Why or why not?
- 5) What are some potential ways to meet everyone's needs in this situation? (You might want to post these on a flip chart.)

Stakeholders	Farmer (Average payment received)	Conservationist (Average total & per acre price)	Developer (Average total & per acre price)
Option # 1	Gets \$450,000 and life estate in farm house	Pays \$158,000 for 65 acres (marsh, buildings, woodlot and buffer) (\$2431/acre)	Pays \$292,000 for 120 acres; density 1 unit per acre max. (\$2433/acre)
Option # 2	Gets \$500,000	Buys 25 acres of marsh from developer for \$50,000 (\$2,000/acre)	Pays \$500,000 for farm; sells 25 acres to conservationist
Option # 3	Gets \$300,000 for development rights; retains title and house	Pays \$300,000 for use rights; sets up beekeeping institute; Arranges teaching stipend for farmer (\$1,757/acre)	Not included in settlement



Agnes' Farm Handout 1

Public Conflict Resolution

Public Information

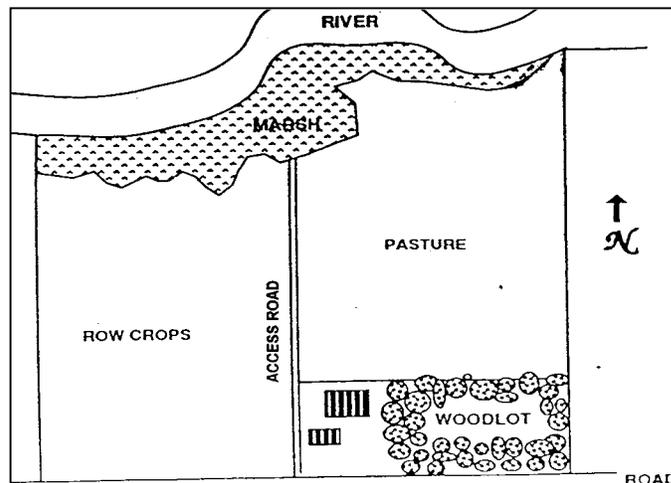
This information should be distributed to everyone.

Situation

Agnes (Angus) McCann, a widowed farmer, is about to retire and move to a smaller home in the city of Plainview. She/He wants to sell the farm, pay off existing debts, set up a trust fund for her/his grandchildren, and create a modest endowment for a Chair in Botany at the state university. To simplify and speed up things, McCann wants to sell to a single purchaser. The farm covers 189 acres, including 66 acres of river bottom cropland, 75 acres of rolling pasture, an 18-acre woodlot, 25 acres of wetlands/marsh, and a 5-acre homestead with the 120-year-old farmhouse, outbuildings, and a large garden where McCann pursues organic vegetable production and bee-keeping.

The farm lies two miles outside the county seat, Plainview (pop. 8750). The town has recently been selected as the site for a new manufacturing facility and there are substantial state government incentives involved in this decision. The new factory will be built in the county but on the other side of Plainview and will result in over 350 jobs with good pay and benefits. The Cabinet for Economic Development estimates that 1200 new people may eventually move to Plainview and the surrounding area. The factory is slated to open for production in 18 months. There is zoning in the city of Plainview but not in the county.

The farmer would like to complete the sale as soon as possible. Although she/he has no relatives living in the state, she expects to move into a small house in town, teach courses at the community college and the vocation school. When McCann began receiving Social Security checks, she/he leased the cropland and pasture to a neighbor and sold at auction all the farm equipment and livestock. She/He has only to dispose of the land and homestead to someone offering the right kind of deal.



Farmer Situation Paper

Instructions for role player: Do not read this script aloud, or let other role-play participants read it. Try to play the role in a way that is natural to you.

Agnes (Angus) McCann

You are a farmer approaching 65 years of age. At age 62 you quit active farming, leased the pasture and cropland, and sold all of your livestock and farm equipment. Now at age 65, you think you want to follow through with your long-held plan to leave the farm so you'll have the time and energy to teach principles of organic food production and bee-keeping at the community college and the vocational school. You know your Social Security check will provide a modest income, but you really feel that you must sell the farm so you can do some other things with your time and money. One developer has already written to you and offered \$350,000 cash-on-the-barrel for the entire farm.

You recently had the farm evaluated by a certified real estate appraiser for \$375,000. But you think that the farm may be worth \$450,000 with the new factory coming to Plainview. You figured that with \$450,000 you could pay off the \$100,000 mortgage on the farm, set up three \$50,000 educational trusts for your grandchildren, endow a Chair in Botany for \$100,000, and use the rest to buy a house in town and invest in mutual funds.

You have also received some tentative inquiries from a local conservation group about buying the farm. Many of these folks are people you know from Plainview and the county but the leaders are out-of-state people who teach at the community college. You are somewhat inclined toward this group's views about preserving the special parts of the farm environment which some of your friends have pointed out to you in recent weeks. You were especially impressed to find herons again nesting down by the river--something you remember from years ago. But can this conservation group get organized enough to produce a viable financial offer and have real money behind it?

You were having dinner recently with a friend and mentioned how a real offer to buy your farm made you realize how sad you may feel when you finally move away, give up the big garden and bees, and not have the rural lifestyle you enjoyed for so many years. But you realize that your goal all along was to retire at 65, provide for the grandkids, and teach the younger generation what you've learned about food production and bee-keeping. The money from the farm sale will make all this possible. Today you've set up a meeting with Frances Sloan, a developer, and J. Swan, a representative of the local conservation group to discuss things.

Conservationist Situation Paper

Instructions for role player: Do not read this script aloud, or let other role-play participants read it. Try to play the role in a way that is natural to you.

J. Swan

You are a faculty member at the community college and an officer in the local conservation group. You are also an avid organic gardener. You've been a member of the conservation group for several years but most of the members are long-time residents of the county.

The group has spent considerable time discussing the purchase of all or part of the McCann farm to preserve the wetland/marshes and create an outdoor environmental classroom for the younger generation. Considerable money has been raised over the past 2-3 years. You suspect McCann is "phasing out" of farming although you don't know any particular time table. The announcement about the new factory coming to Plainview has disturbed many members of the group and there is general opposition to seeing more rural subdivisions which may turn the McCann place into mini-estates, homes, or God forbid--apartments or trailer houses! Your group has a special concern about the marshes and wetlands on the McCann place since you know this is a critical environmental habitat and may be home to some threatened species of herons which have recently returned to this area for nesting.

Various state and local fundraising efforts over the years have produced a trust fund for your organization. The Board has voted to commit up to \$100,000 towards the purchase of the McCann farm. There is also the offer of a matching grant from a national conservancy group of \$100,000, giving you a total of \$200,000 in working funds. One wealthy member of the conservation group has also privately told you he would pay McCann per year for 10 years if the farm can be "saved" from development. It is unlikely that you can raise any more money than this in the near future.

Several of your group's members have heard McCann is a little distressed about finally selling off the family farm and moving to town. They are concerned about providing for McCann's emotional needs, as well as just offering money for the farm.

You have been invited to a meeting with McCann and Frances Sloan, a developer who is also trying to buy the farm. This is your chance to present a plan for the farm's future to McCann and make a financial offer.

Developer Situation Paper

Instructions for role player: Do not read this script aloud, or let other role-play participants read it. Try to play the role in a way that is natural to you.

Frances Sloan

You grew up in the next county and are somewhat familiar with Plainview. You have worked the last ten years for a national firm specializing in residential and commercial development in surrounding states. This will be your first big job in your home state and you look forward to moving closer to home. One of the Board of Directors for the conglomerate which is building the new factory in Plainview also sits on the board of your development firm. Some weeks ago he suggested that your company begin looking for new housing development sites near Plainview since he expected house building to "explode" once the factory deal was publicly announced.

You quietly discovered the McCann farm. You've heard McCann is "phasing out" and may be wanting to retire. You secretly inspected the farm and know it will make a wonderful site for new, upscale homes having a view of the river. You have reported back to the member of the Board of Directors that this site lies only two miles from town but is outside the zoning jurisdiction, has no environmental hazard problems, plus the existing road could be re-routed and improved to run the northeast corner of the property where river access could make a marina site possible. The home sites will be very attractive to the middle and upper-level management types who will be coming to Plainview in 18 months. But you have got to complete the sale and get a development plan underway immediately or someone else will begin developing home sites in this area.

You have been authorized to deal directly with the current owner on behalf of your company. The Board has allocated \$500,000 for the farm purchase but you have assured the Board you'll be able to buy it for much less. Failure to negotiate a deal under \$500,000 will be embarrassing to you and your patron on the Board. You forwarded an offer of \$350,000 via mail some time ago. You now want to discuss your preliminary development plans and financial offer with McCann.

You have learned that today you will be meeting not only with McCann, but also with J. Swan, a local conservation group representative.

Farmland Conversion Exercise Report

Participant Name(s):

Environmentalist/
Conservationist

Developer

Farmer

Settlement achieved? Yes No

If yes, what were the terms?

If no, what were the main obstacles to reaching agreement?
