

Facilitating the Tenkiller Utilities Authority Public Water Decision Project  
Oklahoma Water Resources Research Institute (2003OK19B)  
August 25, 2004

Background

The Institute of Issue Management and Alternative Dispute Resolution (IIMADR) was created within the OSU Seretean Wellness Center by a statute (70 O.S. §3430) enacted by the Oklahoma Legislature in the spring of 2002. According to this legislation, IIMADR provides:

Issue management and alternative dispute resolution services and activities for agriculture, rural living, agribusiness, environmental, natural resources, and rural business or industry issues. The Institute is authorized to deliver issue management and alternative dispute resolution services and related activities to individuals, organizations, local, state, and federal government agencies, Native American tribes, and others that have an interest in or need for such services and activities.

The scope of services that IIMADR may provide to these entities include: collaborative discussion, deliberation, issue management, conflict prevention, dispute resolution, communication, training, and decision making. IIMADR was also charged with operating the Oklahoma Agricultural Mediation Program (OAMP) and the program is housed within the Institute.

The U.S. Army Corps of Engineers assessment report of 2001 found that the three-county Lake Tenkiller region of northeastern Oklahoma lacked adequate water storage and distribution capacity to serve the current population of the region. The region's population is projected to increase rapidly due to the desirability of the area as a retirement and recreation location.

At the same time that the region has exceeded service capacity, Lake Tenkiller's water quality has been affected by concentrated animal production, increased

wastewater discharges, and the demands of industrialization within the watershed. The region was traditionally the poorest area in the state of Oklahoma and any economic development no matter how adverse was welcomed by the local citizens. By the 1980s the degradation of water resources had become apparent. In 1992, the Oklahoma Legislature enacted a resolution establishing a commission to investigate methods for solving the dilemma of natural resources and economic development in eastern Oklahoma.

Two municipal water systems and over thirty rural water districts serving nearly 100,000 people in this region participated in establishing the Tenkiller Utilities Authority (TUA) as a trust in 1995. The concept of the TUA was to centralize water supply and treatment for the region's water systems. The purpose of the TUA project is:

1. Serving to prevent political units from competing for water storage, water rights, and the struggles for independent funding and compliance;
2. Creating collaboration and partnering for the benefit of the entire the region;
3. Preventing costly litigation and harsh competition among resource-strapped government offices; and
4. Generating more productive, direct methods of addressing both social and economic issues.

For nearly a decade the TUA floundered as parties attempted to work together and vied for state and federal government grants to fund the project. Two years ago, TUA contacted IIMADR for the purpose of facilitating a dialog among the various participants. The mission of IIMADR, mandated in its enabling legislation enacted by the Oklahoma Legislature, was well-suited for providing needed direction to the TUA project.

## Project Objectives

The project proposal outlined a statement of critical regional or state water problem; a statement of results or benefits and the nature, scope and objectives of the project; established a timetable for the project; outlined methods, procedures, and facilities of the project; and commented on related research and training potential.

Among the objectives outlined in the project proposal, IIMADR was responsible for:

1. assembling various data related to the project, based on geographical considerations, political boundaries, population densities, natural resource availability, census figures and other published projections, and developing computer data bases for use by the stakeholders;
2. assembling and neutrally disseminating contact data on and for stakeholders choosing to join in the IIMADR efforts;
3. planning, organizing, marketing, publicizing, and convening preliminary stakeholder meetings regarding TUA's water project, its long-term planning and cost recovery, and all facets of construction;
4. surveying and documenting consumer preferences and other stakeholder dynamics involved in the project; and,
5. neutrally engaging stakeholders in the direction and scope they choose to take the project.

Data on the evaluation of how IIMADR met these project objectives is found in Appendix D of this report.

## Methods, Procedures, and Facilities Used in the Facilitation Process

Two types of meetings were held in conjunction with IIMADR's involvement with the TUA project: a) neutral convenor/informational communicator meetings and b) formal facilitation process meetings.

The neutral convenor/informational communicator meetings were those meetings in which the IIMADR program manager relayed information and related focus of activities regarding the project which had escaped the TUA Board of Directors, RWD Boards of Directors, municipal policy makers, and state environmental and water agency representatives. A total of eight \*neutral convenor meetings were held by the IIMADR program manager. In addition, numerous informational communicator meetings were convened. These meetings were called by the IIMADR program manager by scheduling appointments with various TUA members' representatives or by the IIMADR program manager serving as a neutral convenor/informational communicator during TUA Board meetings, RWD Boards' monthly public meetings, and other conferences dealing with the issue of the TUA. These conferences included the Governor's Water Quality Conference, Department of Environmental Quality meetings, and other agricultural-related meetings. The neutral convenor/informational communicator meetings took place at a variety of locations including the Tahlequah Public Works Authority office in Tahlequah, the Webbers Falls City Hall, and state agency offices in Oklahoma City. IIMADR attended a total of 25 TUA Board meetings and six other conferences falling under the category of neutral convenor/informational communicator meetings.

The formal facilitation process meetings were those meetings where the IIMADR program manager served as the focal point of discussion about TUA and its project. There were two specifically convened facilitated meetings were called by IIMADR for

the facilitation purpose. Both meetings were prefaced by an early neutral assessment meeting with individuals prior to the group meeting.

The two facilitation sessions were held in Tahlequah, one at the Resource Conservation and Development (RC&D) office and the other at the Tahlequah Public Library. In both instances free public meeting rooms were utilized. Coffee and other refreshments were provided by the RC&D office.

### Research Question(s)

The primary research question addressed in this study:

1. Was the facilitation process of the TUA project effective in averting or overcoming a dispute or disputes regarding water supply to Eastern Oklahoma?

The secondary research question addressed in this study:

2. Were the evaluation methods, protocols, and instruments effective measurement devices?

### Research Methodology

The purpose of this research was to evaluate the application of the facilitation/issue management processes to avert a regional water dispute involving the Lake Tenkiller Utilities Authority, a public water supply, treatment and distribution system in northeastern Oklahoma. A secondary purpose was to investigate methods used to evaluate the process and determine if those methods or variations of methods could be applied in other similar situations.

The importance of this study is to evaluate efficacy of the facilitation process and to determine the efficacy of the evaluation methods. Little or no research has been conducted evaluating facilitation processes and/or the instruments/methods themselves.

Research methodology was developed by members of the IIMADR staff, IIMADR board, and private contract consultants.

The research methodology utilized for the evaluation was the case study method; a qualitative research method that used for the study of an organization, program, or project and understanding the effectiveness, interaction or dynamics of the organization, program or project.

Case study interview questions were asked of TUA board members and other stakeholders in the TUA project. Those questions are found in Appendix A.

A secondary research method was developed to be administered to members of the Independent Water District Boards who make up the majority of the TUA board. These survey questions are found in Appendix B.

In addition to measuring the efficacy of the facilitation process, the study provided a case study of the successes, weaknesses, opportunities, and threats of a facilitation of a dispute over natural resources in a rapidly-developing rural area to funding agencies, facilitators, and scholars of facilitation and conflict resolution efforts. Research findings may also be used by the participants of the study and their agencies in future facilitation processes.

It should be noted that the facilitation process began before this retrospective study. IIMADR conducted early neutral assessments of stakeholders' attitudes and abilities. The actual measurement time is not necessarily reflective of the total amount of time

required for all components of the facilitation process. Facilitating board meetings and planning sessions were an integral part of the process. But the process also included several interviews, phone conversations, letters, emails, and faxes in the early neutral assessment phase. The entire facilitation process will continue after the conclusion of this study. Facilitation may not be completed until after the project is finished.

Early neutral assessment and initial facilitated dialogues began in the summer and fall of 2003. The research was conducted during the late Fall of 2003 and early spring of 2004.

Two groups of stakeholders in the Tenkiller Utilities Authority asked to participate in the study. One group consisted of members of the board of directors of the Tenkiller Utilities Authority who were directly involved in the facilitation process. A second group consisted of policy-makers who serve on the governing bodies of the municipalities and rural water districts within the region. These agencies selected representatives that served on the Authority's board of directors.

Interviews of Group I were conducted in November and December 2003 and in January 2004. The sampling method employed in this study was critical case sampling. Critical case sampling is a qualitative design method that permits logical generalization and maximum application of the sample case to other cases. A definition of critical case sampling is found in the Definitions section of this report. Group I consists of all 30 members of the board of directors of the Tenkiller Utilities Authority.

A total of 19 members of the Group I population of 30 members were interviewed. Group I participants were interviewed in a face-to-face interview with open-ended questions. The purpose of the interview was to collect data describing and documenting

the activities of the facilitation process and its success and failures regarding the TUA and its project. The interview was the standardized open-ended interview approach. The interview instrument consisted of questions that were written in advance of the interview. The interview questionnaire contained eleven questions. The structure of the interview allowed for additional follow-up questions so the interviewer, who in effect became the interview instrument, could dig deeper in eliciting information on the interviewees perceptions of the facilitation process and the TUA.

The interview instrument used in the evaluation is Appendix A. All of the interviews were conducted in the individual offices or homes of the study participants. The Tenkiller Utilities Authority board members yielded the most information on the facilitation process and had the greatest role in the development of knowledge in the field of issue management and the facilitation process.

The interviews were taped. After the interviewer returned to the IIMADR office the tapes were transcribed along with field notes from the interviewer about the interview. The interview transcripts were analyzed by assigning codes to contiguous units of the transcript text. The coding marked off fixed units of the text for later retrieval and indexing. Analytical statements were developed out of the coded transcripts.

Other project objectives were also addressed in this study. These may be found in Appendix C.

## Results

The evidence from the Group 1 interviews indicates that the facilitation project was effective. Coded responses support the idea that the TUA project was at a “stand still” until IIMADR began providing facilitation process support. Members of the TUA



board and other stakeholders in the project were not communicating in an effective and positive manner. IIMADR early neutral assessment and facilitated dialogue assisted the project members in re-establishing communication, conduct productive meetings, and return the project to a positive direction.

Research Question: Was the facilitation process of the TUA project effective in averting or overcoming a dispute or disputes regarding water supply to Eastern Oklahoma? The preponderance of data indicate that the facilitation process was effective in overcoming an existing dispute regarding water supply.

The evidence gleaned from the interviews supports the notion that these methods, protocols, instruments were effective measurement devices. Interview subjects willingly gave testimonial information regarding the facilitation process and research study. Not all participants completely understood the entire facilitation process.

The interview data suggest that participants believed that IIMADR was to take a more directive role; seeking funding, contracting consultants, and leading the lobbying efforts in the political arena. During many of the early neutral assessments and facilitated dialogues, IIMADR facilitators stated and re-stated that IIMADR's role was that of a neutral convener, fact finder, and issue manager.

All participants in the Group 1 interviews agreed that the facilitation process was positive and more is needed, especially when disputes or issues arise among the board.

In the initial planning of research methods, it was determined that a secondary stakeholder evaluation should be conducted. A Likert scale written survey was

developed (See Appendix B) to administer to each of the board members of the Independent Water Districts represented on the TUA board.

The initial plan was to administer this survey at a series of meetings called by the districts. This would allow IIMADR to explain the survey, its purpose, and importance.

These meetings were to be in conjunction with the development of proposal for grant funding to the USDA/RD. At the time of the conclusion of this research study those meetings had not been coordinated by the Independent Water Districts.

Therefore, written surveys were not administered to the secondary participant group.

Research Question: Were the evaluation methods, protocols, and instruments effective measurement devices? Interviews were effective in determining the efficacy of the process. It is not known at the time of this writing if the written survey instruments were effective at determining the efficacy with regard to the secondary participant group.

### Discussion of Results

The purpose of this evaluation report was to examine as a case study the efficacy of the facilitation process in the TUA public water decision project, and to determine if the evaluation methods, protocols, and instruments were effective measurement tools. The TUA project at the time that IIMADR became involved was stalled because of the difficulty of bringing together 32 public water systems, and in addition, a Native American Indian tribal government, and numerous federal and state agencies, to agree on a course of action for the project.

The evaluation of the TUA facilitation process was a qualitative study involving TUA board members and other TUA stakeholders who had firsthand knowledge of IIMADR

activities. The study involved in-depth interviews with open-ended questions written in advance of the interviews and with follow-up questions to clarify responses.

Techniques such as the facilitation process, issue management, and ADR are novel tools which can be utilized among stakeholders to stave off litigation and legislative battles. The IIMADR staff perfected these techniques through the Oklahoma Agricultural Mediation Project experience. The enabling legislation expanded the scope of IIMADR and mandated that these techniques be utilized in other agriculture, rural living, agribusiness, environmental, natural resources, and rural business or industry issues.

The purpose of the use of the IIMADR facilitation process in the TUA project was to keep stakeholders linked to the ongoing data or status of activities, and to energize the level of ideas and willingness to do something related to funding, permitting, or design of the project, tasks necessary to get the project moving.

Regardless of the type of meeting conducted by IIMADR, the program manager always stated IIMADR's neutrality and the capacity IIMADR had to link the participation of all stakeholders. In neutral convenor/informational communicator meetings, the IIMADR staff used a leadership role to ask for specific participation; to ask probing questions of those representatives who had information but had not had an opportunity to describe their findings or opinions; to test the viability and feasibility of data through the use of questions that were outside the scope of any particular individual, but relevant to the context of the general project.

In the two facilitated sessions, in addition to asking participants for participation through questions and refining statements, IIMADR staff would write notes on flip charts and use

diagrams to bring focus and clarity to the statements and questions that participants would forward to the session through the role of neutral facilitator.

The facilitation process worked well in the TUA project. This is evidenced by the comments of the TUA Board members to evaluator's questions and through the continuation of work by the TUA Board in seeking funding for the project through the USDA-RD and in working on a preliminary concept design for a scaled-down project in the project area's North End.

The facilitation process, issue management, and ADR are new techniques in public policy decision-making. As a pioneering effort it is helpful to have examples of how these techniques work in real world situations. Both strengths and weaknesses of these techniques were revealed in the TUA project. The TUA project is one such example of the use of these techniques in a public utilities dispute. The lessons learned from the use of these techniques in the TUA project can be applied to other public works projects.

A Likert-scale survey was to be administered to Independent Water District board members. The administration of the survey depended upon a series of meetings to be called and conducted by the districts. These meetings had not taken place at the time of this writing.

As a casual observation from the project investigator, one should not rely on other individuals or entities to determine or affect the administration of research methods, such as written surveys.

A further research opportunity exists to expand the data by administering the Likert-scale survey. This qualitative survey, if administered to an expanded sample consisting of waters system policymakers who are potential wholesale consumers of TUA and a sample

of retail customers of the water systems themselves, could provide supporting data to both research questions.

### Conclusions and Recommendations

The primary research question addressed in this study: Was the facilitation process of the TUA project effective in averting or overcoming a dispute or disputes regarding water supply to Eastern Oklahoma?

The evidence from the Group 1 interviews indicate that the facilitation process was effective at averting disputes regarding the water supply issue.

Recommendations include conducting more interviews with primary stakeholders. Recommendations for the facilitation process should include more information about the role of the facilitation to preclude a lack of knowledge about the process on the part of the stakeholders.

The secondary research question addressed in this study: Were the evaluation methods, protocols, and instruments effective measurement devices?

It appeared from the interview data that this method was an effective measurement tool. A lack information regarding the administration of the Likert-scale did not reveal a conclusion to this question.

APPENDIX A

Group I Interview Questions

## TUA Interview Questions

1 Concerning the Lake Tenkiller regional water dispute, how would you describe the situation as it existed before the OSU Institute became involved?

#2 Along those same lines, how would you now describe the current situation since the OSU Institute became involved 15 months ago?

#3 Could you describe how you feel the OSU Institute contributed to that change?

#4 In your own words, would you describe what the OSU Institute facilitation process is?

#5 In your opinion what do you see as being the strengths of the OSU Institutes facilitation process?

#6 Conversely, what do you see as being the major weaknesses in the OSU Institutes facilitation process?

#7 Are there any areas you feel the institute has not explored, which would be positive in nature, or that would further enhance the facilitation process among all the participants?

#8 In your opinion, what are the biggest threats to the institutes dispute resolution process?

#9 If you were attempting to resolve a dispute of a similar nature, and were acting as a neutral participant, what processes would you invoke to facilitate its resolution?

#10 If IIMADR were to leave and other than legal intradiction by the court, what do you feel the chances are that some form of neutral party dispute resolution would continue?

#11 Are there any skills or lessons you have personally learned through watching the Institutes processes?

APPENDIX B

Group II (Likert-Scale) Survey



## Tenkiller Utilities Authority Group II Survey

How important to you is the supply of drinkable water?

1 2 3 4 5 6 7 8 9 10  
not important very important

How concerned are you about the current drinking water supply situation in your area?

1 2 3 4 5 6 7 8 9 10  
not concerned very concerned

How concerned are you about the future of your drinking water supply in your area?

1 2 3 4 5 6 7 8 9 10  
not concerned very concerned

The present cost of my drinking water is reasonable.

1 2 3 4 5 6 7 8 9 10  
very reasonable too expensive

I am very concerned about the future cost of my drinking water.

1 2 3 4 5  
strongly agree strongly disagree

In the next ten years, it is anticipated that the cost of drinking water will increase. A fair cost increase would be:

0% 1-10% 11-25% 26-50% 50%+

The my drinking water comes from:

Well  
Cistern  
Stream  
Lake in Arkansas  
Lake in Oklahoma

The source of my drinking water is very important.

1 2 3 4 5  
strongly agree strongly disagree

Why is drinking water of such concern to you

Lack of supply  
Cost  
Distance to pipe  
Quality

In my opinion, there seems to be a lot of conflict among people/communities concerning drinking water.

1 2 3 4 5  
strongly agree strongly disagree

In my opinion, there is more disagreement concerning water supply than in the past year.

1 2 3 4 5  
strongly agree strongly disagree

In my opinion, there will be more conflict and disagreement concerning water supply in the future.

1 2 3 4 5  
strongly agree strongly disagree

In my opinion, the reason for the conflict over water is because

Nobody knows who owns the water  
Arkansas poultry wastes  
Cities want all the water  
Indian tribal claims on the water rights  
Texas is stealing our water  
Big corporations

I am optimistic about future of drinking water supply in my area.

1 2 3 4 5  
strongly agree strongly disagree

We are working on a solution to the water problem in our area.

1 2 3 4 5  
strongly agree strongly disagree

I am confident that all parties in this area will discuss the water issue and come to an agreement.

1 2 3 4 5  
strongly agree strongly disagree

I am more optimistic about a future solution to the problem of the supply of good drinking water than I was a few months ago.

1 2 3 4 5  
strongly agree strongly disagree

Using a neutral facilitator has been beneficial to finding a solution to our area's water supply.

1 2 3 4 5  
strongly agree strongly disagree

If a neutral facilitator left the discussions today, I think the parties would still reach an agreement.

1 2 3 4 5  
strongly agree strongly disagree

The reason the neutral facilitator is important to the water supply project is:

It keeps the parties talking.

Helps focus on issues.

Eliminates petty bickering.

Doesn't allow one party to take over the whole project.

The use of a neutral facilitator was new to me.

1

2

3

4

5

strongly agree

strongly disagree

My understanding is that neutral facilitation includes:

I do not know.

Leads the discussion.

Introduces everyone.

Conducts background evaluation.

Furnishes information.

## APPENDIX C

### Interview Coding Memo

## CODING MEMO: TENKILLER EVALUATION REPORT

Facilitating the Tenkiller Utilities Authority Public Water Decision Project  
Oklahoma Water Resources Research Institute (2003OK19B)  
July 1, 2004

The Institute of Issue Management and Alternative Dispute Resolution (IIMADR) was created within the OSU Seretean Wellness Center by Oklahoma Statutes (70 O.S. §3430) enacted by the Oklahoma Legislature in the spring of 2002 . According to this statute, IIMADR provides:

issue management and alternative dispute resolution services and activities for agriculture, rural living, agribusiness, environmental, natural resources, and rural business or industry issues. The Institute is authorized to deliver issue management and alternative dispute resolution services and related activities to individuals, organizations, local, state, and federal government agencies, Native American tribes, and others that have an interest in or need for such services and activities.

The scope of services that IIMADR may provide to these entities include: collaborative discussion, deliberation, issue management, conflict prevention, dispute resolution, communication, training, and decision making. IIMADR was also charged with operating the Oklahoma Agricultural Mediation Program (OAMP) and the program is housed within the Institute.

Two municipal water systems and over thirty rural water districts in the Lake Tenkiller region participated in establishing the Tenkiller Utilities Authority (TUA) as a trust in the 1990s. The purpose of the TUA was to centralize water supply and treatment for the region's water systems. For nearly a decade the TUA floundered as parties attempted to work together and vied for state and federal government grants to fund the project. Nearly two years ago, TUA contacted IIMADR for the purpose of facilitating a dialog among the various participants (see Appendix I).

### Research Methodology

The purpose of this research is to evaluate the application of the issue management processes to avert a regional water dispute involving the Lake Tenkiller Utilities Authority, a public water supply, treatment and distribution system in northeastern Oklahoma. The study is within the mandate of the original grant application (2003OK19B) to "survey and document consumer preferences and other stakeholder dynamics within TUA's project."

The research question to be addressed is: How did the utilization of the issue management process work in averting a water supply dispute in the Lake Tenkiller region.

The research will provide funding agencies, facilitators, and scholars of facilitation and conflict resolution efforts a case study of the successes, weaknesses, opportunities, and threats of a facilitation of a dispute over natural resources in a rapidly-developing rural area. Research findings may also be used by the participants of the study and their agencies in future facilitation processes.

There are two groups of stakeholders in the Tenkiller Utilities Authority who were going to be asked to participate in the study. One group consisted of members of the board of directors of the Authority who were directly involved in the facilitation process. A second group consisted of policy-makers who serve on the governing bodies of the municipalities and rural water districts within the region. These agencies select representatives that serve on the Authority board.

Interviews of Group I were conducted in November and December 2003 and in January 2004. The sampling method employed in this study was critical case sampling. Critical case sampling is a qualitative design method that permits logical generalization and maximum application of the sample case to other cases. Group I consists of all 30 members of the board of directors of the Tenkiller Utilities Authority. The Tenkiller Utilities Authority board members yielded the most information on issue management and have the greatest impact on the development of knowledge in the field of issue management.

Group I participants were interviewed in a face-to-face interview with open ended questions. The interview was the standardized open-ended interview approach. The interview instrument consisted of questions that are written in advance of the interview. The exact interview instrument used in the evaluation is available for inspection by those who will use the findings of the study. All of the interviews were conducted in the individual offices or homes of the study participants.

The interviews were taped. After the interviewer returned to the IIMADR office the tapes were transcribed along with field notes from the interviewer about the interview. The interview transcripts were analyzed by assigning codes to contiguous units of the transcript text. The coding marked off fixed units of the text for later retrieval and indexing. Analytical statements were developed out of the coded transcripts.

### Findings

The following are six analytical statements developed from the data gathered from Group I participants' interviews:

1. IIMADR, especially Weldon, got people talking, closer together, and higher visibility to the project.
2. IIMADR brings people together to exchange information, brainstorm, find common ground, and move a once stalled project forward.

3. IIMADR is credible as it is neutral, partly because it is associated with OSU. It's neutrality put those involved at ease and did not have an attitude. Some participants hope that IIMADR will bring in grant money to their project.
4. IIMADR seemed to come late to the process and some participants found that it was not clear why they were there at first. Some of the issues were not fully covered and others missed because of time constraints, plus, Weldon was hard to get a hold of and IIMADR is not close to the community. Finally, not only didn't IIMADR have funds, but the communication process to the people outside the facilitation was rather slow.
5. Threats to the process were that the process was confusing, for example, the schedule and planning wasn't clear, the project was not finished and what was done was not what they said they would do, and there were no hard figures, such as the cost of water, and most people don't see where IIMADR fits in to the discussion.
6. Participants, overall, seemed to have learned about how a facilitation process, that once seemed doomed, can move things along even when emotions flare.

### Analysis

#### Respondents perceptions of how IIMADR helped.

**IIMADR, especially Weldon, got people talking, closer together, and higher visibility to the project.**

TUA board members believe the intervention by IIMADR helped focus the board members and was an impetus for coalescing the members who represented the participating water systems to work for funding the TUA concept.

when I got there, there was an established concept and a project that...um...was in trouble because it was unfundable. And to try and break the log jam you guys came in and I think **you did some due diligence in terms of trying to find out where things are and we're all the different parties saw it where in needed to go** and I think at this point now from what I understand there's a the concept has been downsized to something that is probably something that has a better chance of getting support and you've requested funding at the federal level which everyone always recognized that was kind of silver bullet. So I think from the movement **I've seen I think things have a better chance of happening now then they did a year ago.**

Another participant commented:

I think that the **facilitation at least got the project moving.**

IIMADR helped TUA board members to see look beyond the parochial interests of the individual water systems and appreciate the TUA regional approach:

OSU got parties talking and got the project moving. Ya know and got us looking, the meetings I was in, got us looking at the **project from a regional standpoint as opposed to just what Cherokee Nation might think instead of just that more of an idea of what could we do to benefit the entire area from utilization of Tenkiller water.**

There were various levels of involvement for members of the TUA board and this member's comment reflected those who had difficulty finding time to participate:  
not very involved, so not sure.

Many members of the TUA board had a different impression of IIMADR's purpose and instead viewed the Institute as a grant-seeking agency:

Weldon he works as a mediator up there with people that have maybe put their hands on grants that maybe we wouldn't have the opportunity by not being up there.

Other TUA board members identified the focus and utility of the issue management and conflict resolution activities of IIMADR:

**you really brought us together more** when you came in and we could see maybe there were some answers out there for us in financing that we could that we would be able to move forward then.

Many TUA board members viewed the IIMADR involvement as reinvigorating the TUA regional water concept:

I'm very appreciative after working on a project for some time you get so tired so worn out it is great to have somebody else come in that has the skills to get people fired back up and refocused. And I'm very appreciative. **Weldon came in fired things back up**

I think the current situation the involvement of OSU has been more positive and people looking forward to possibility and getting things established than before. But I think there is still probably a little **more leanness of all this of who is going to actually going to have the control.** Now since OSU came in or course one thing that helped what Weldon did and what Weldon came in on was **a increased interest of elected officials at the federal level to become more involved** and to see what they could do to get funds to this project.

Another role that the TUA board identified that IIMADR fulfilled was for research on water issues and in getting the TUA story out to federal and state policymakers.

Information gathering personal input

I hope it has been able to get more people involved at the meeting that Weldon has been at, this is prior to your thing, but as to what he has done in here and the information he has got to keep us informed and **Weldon being an errand boy to the various agencies which none of us had the time for effort or initial contact to make these contacts with Oklahoma water systems with congressional reps with state politicians with DEQ etc.**

TUA members appreciated the IIMADR facilitator Weldon Schieffer's approach, empathy, and personal appeal:



And I think that that part of it IIMADR or **Weldon Schieffer has done a real good job of keeping them informed and he is a real intelligent person who does a really good job as a facilitator.**

I think that IIMADR with Weldon Schieffer in these series of meetings and getting other people involved and **getting people to talking and going across on the board** that this there was money here and then coming in that there was a research project available with money to extend farther into the government did give validity that hey this maybe is gonna go.

Respondents perceptions of what IIMADR does?

**IIMADR brings people together to exchange information, brainstorm, find common ground, and move a once stalled project forward.**

Most of the TUA members appreciated the third party neutrality of IIMADR contributing to the resolution of the impasse:

is basically you come in as a **third party and try to brainstorm solutions and manage them** I guess brainstorm go through a process and break a logjam and bring something to a point where it can be resolved

similar to what OSU did ya know to **try and meet with the parties and find some common ground and find where some strengths and weaknesses are found.** And it's not my cup of tea so I don't really know but that's what I would say

Some TUA members felt that the board lacked a certain sophistication but that IIMADR helped to provide a degree of that in their efforts to contact federal and state policy makers:

Well it appeared to me that, we had a bunch of people at that meeting who were workers in the rural water districts they were usually the people in charge of the water districts and as a result they were just ordinary people and we really did lack what I consider the ability to somehow mount an effort by someone to make this go. We just met and we couldn't ever seem to get it together. Jim Wilson came into that meeting who is the state rep here and that was one of the things he suggested that we somehow get off the pot and get moving and this had been going on for years and we just didn't seem to get it together and it was kinda discouraging to me that we really needed some help from someone who could give us some help.

IIMADR also helped the board in doing some of their homework and maintaining contact on behalf of the board with the policymakers:

What I see is your getting to the entities that is involved in this where maybe our board didn't get a chance to get out there, they tried somewhat ya know just like this **interview your gonna go meet with everybody and get some input from them and what they want which is pretty tough for these guy to do**

Ok, in my words and I'm not positive that I understood properly but I think it is a means of **assembling people and getting information from people that would assist in better understanding in what the project is about how it's going to be implemented and how it could be carried out.** Letting the people know then the pros and cons of the state agency, the federal agency and others that could impact this program, today and in the future.

Several board members commented that IIMADR provided guidance to the board:

**you're probably a guiding light there that well your someone that we can come to and request you assistance and your there to give it for us and the support** and this is what is so very important in something like this.

Well it could be a lot of different things depending on the situation. Weldon has on two occasions facilitated meetings between two different agencies different governmental groups employees as well as politicians being there. A maybe I got off board there just that facilitation part is what I appreciate.

Board members also commented on the fact that their experience with IIMADR motivated them to expend more efforts to bring people to the table so the TUA regional effort could become a reality:

Trying to, in my opinion, trying to **be a catalyst to progress and get TUA and bring information out to all the members and keep them supporting themselves more and more**

I think that IIMADR with Weldon Schieffer in these series of meetings and getting other **people involved and getting people to talking** and going across on the board that this there was money here and then coming in that there was a research project available with money to extend farther into the government did give validity that hey this maybe is gonna go.

#### Perceptions of IIMADR's Strengths

**IIMADR is credible as it is neutral, partly because it is associated with OSU. It's neutrality put those involved at ease and did not have an attitude. Some participants hope that IIMADR will bring in grant money to their project.**

TUA board respondents believed that IIMADR's third party status gave them credibility with all of the participants:

your going to have some **credibility**, and then your going to be a **disinterested party**, which will most likely make you acceptable in any kind of a conflict type of situation your going to acceptable to both parties

A, the neutral atmosphere that they brought created a and I'm gonna say the **expertise** in Weldon too ya know his domineer and working with people that makes a big difference **made them feel comfortable.** There's a lot that goes along with a personality how they

are approached stand point from where they are being approached so I think that neutral atmosphere helped a lot.

**Getting information out to people**, and to the water associations. Meeting with them and as a **neutral agency** being neither for nor against being as a facilitation agency that can explain the project, hopefully, and to then come back to the TUA board with the both pro and con or what the feelings are of the people about the project as a whole.

Some TUA board members recognized the communication skills IIMARD as a great strength in the facilitation process:

I think the **communication process** that you utilized was appropriate and adequate and I think that's the key to a lot of this is communication and so I think you guys did a good job at that

TUA board members perceived a positive attitude on the part of IIMADR personnel. While IIMADR was associated with Oklahoma State University, they did not act as though they had all of the answers or they were there to tell rural people how to operate their organization:

the facilitator **didn't come in oh he wasn't patronizing** which is something that tribes run into routinely I'm from the government and I'm here to help kind of attitude, he just came in and to provide a service to assist in this project and generally Native American people are open to that, **they are opened to assistance as long as a person isn't coming in with the attitude that you don't know how to fix this so** I'm going to show you how and that wasn't the attitude at all so I didn't pick up on any problems that anyone had with that issue

TUA board members also recognized the ability of IIMADR to keep the group focused:

I suppose the strengths are the **ability to get groups of people discussing pertinent issues** as I said earlier or...um, to draw together a group to actually accomplish a goal to **keep a meeting on track.**

**Neutrality.** I believe that the strongest aspect being able to relieve any animosity anyone might have or a lot of people are reserved about their opinion but when the scene is set a certain stage they are willing to open up what their reservations are and if you can get those out then naturally you can resolve some of the problems.

TUA board members appreciated IIMADR's association with Oklahoma State University will assist in more funding of the TUA concept:

**if the money comes through** then I think OSU could really give us some help.

They got a **good track record and OSU**; I went to school at OSU so I gotta say it's good

I think that the familiarity with working through OSU cause they got **direct contact with senators and congressmen** and then with them having that direct contact and then you

getting back here with the local I think you should put it together and show the needs properly better than just local people

Well I think that you can do a lot of information that we haven't had before and probably **assist us with some grants**

Well I think with your participation is will strengthen us and I think it's going to encourage us to go forward more, otherwise **without you participating I really don't think we would be able to go forward**

#### Perceived weaknesses of IIMADR

**IIMADR seemed to come late to the process and some participants found that it was not clear why they were there at first. Some of the issues were not fully covered and others missed because of time constraints, plus, Weldon was hard to get a hold of and IIMADR**

The leading weakness that IIMADR faces according to TUA informants is the TUA members did not understand the role of IIMADR:

I didn't have background on what exactly they were there to do. I didn't know who had called in the facilitator or if anyone had I knew nothing of that and so I had a little **problem understanding why they were there and what it was the were hoping to accomplish** and ya know that's not so much a problem with facilitation as much as it was whoever called the meeting and set it up but ya know I think the big weakness

I think there was a couple of other people in the tribe that might **have been confused about why exactly we were there**

that perhaps the fact that **the grant for that came through when we were way down the line** probably hurt them in their ability to really understand the program and help us at that point because they got some money and came into help us we had years of effort that had been going to prior to that time. And I don't even know if they had the documentation that we had necessary for the to do a lot of the work,

Consistent with the misunderstanding over the role of IIMADR is the belief that IIMADR was brought in to provide grant funds or technical assistance to secure grants:

Well the major weakness is that you **don't have the funds for us.**

Another weakness identified is TUA members perceived that IIMADR did not have time to deal effectively with TUA problems:

is the fact that you **just haven't had enough time** to get right down to the point to see the needs and understand the needs and getting the things together that would help to get the grant to me

Probably just like most people, you've got more work out there than you've got time for I know Weldon is just covered up **it's hard to cover all the basis**. There's a lot of issues out there that really need attention and it's hard to jump from one issue to another and that's difficult to switch I don't know how many people are in Weldon's position?

It seems like there are pretty well overloaded. I **don't we've tried to access Weldon a few times and he was out of pocket and that gets a little frustrating** but you realize that people are out working the field and you can't always get a hold of him. But I would say a he always responds back at a reasonable time if he was out of the country or out of the state he gets back to us it's just the time breakdown.

With any type of situation like this there are **150 miles away and not right here in the community per say I think that that might possible be**, but I don't know whether to cause ya know their here mostly for me and they come on their own it's not local I mean it could be a positive or negative

There would be a weakness in the speed in which the information could get to the people the actual being able to communicate to the people the balancing act of a water system and it's meaning and what the future holds for it. This could be a weakness because I don't think any agency that being a not involved from the word go could go out here and communicate totally to the people what **they've done and what the project is all about and being able to get back their feelings in a should I say systematic manner which could be transmitted into working project itself**.

#### TUA perceptions of threats to the IIMADR facilitation process

**Threats to the process were that the process was confusing, for example, the schedule and planning wasn't clear, the project was not finished and what was done was not what they said they would do, and there were no hard figures, such as the cost of water, and most people don't see where IIMADR fits in to the discussion.**

TUA members' perceptions of the threats to the IIMADR facilitation process was an opinion that IIMADR lacked a coherent plan for the TUA situation:

probably the biggest threat to that **not having some kind of a schedule and a plan** here's what we're here's how were going to proceed and here's the milestone.

The only thing I can think of **not finished what they started and not doing what the said they were gonna do**, I mean I don't know.

Likewise, was the lack of understanding about IIMADR's role in relation to the TUA project:

No, no, I think that from the time I observed the guy at the meeting he was very helpful and what he's done since then, I don't know anything about it.

**Lack of understanding of the people that's going to be talking to. That they don't understand where you fit where the OSU project fits into the total mix and I think that's is probably the biggest.**

Some TUA members confused the issue of threats to the process with the issue of threats to TUA going forward with a regional water plan for individual water systems in the Tenkiller region:

**They want to know what's the water gonna cost and** that's the first question we run into and how do you tell them that when you don't have the project off the ground yet ya know. Everybody asks us what does it cost that's gonna be tough to answer cause who can you really can't until the thing gets going and we can see ya know. There has been some studies but that's still kind of up **in the air because 'm seen some of those figures and I have a hard time believing them.**

I would say **funding** like everybody else.

What TUA board members learned about the IIMADR process.

**Participants, overall, seemed to have learned about how a facilitation process, that once seemed doomed, can move things along even when emotions flare.**

Some TUA board members learned how a neutral, third party facilitator could revive enthusiasm in a project:

I don't know that I learned a lot other than just an **overall concept that a third party coming in can sometimes move something along that looks like it's doomed to failure** and where it stood a year ago I think we gave it a five percent chance of it going anywhere.

said **the longer we work with those groups the less we become neutral** to an outside group internally the folks that are setting on that board and dealing with us understand that we are neutral and we're there to facilitate whatever we do a lot of their administrative work just to keep their group going we would have to step back in and hopefully regain that **neutrality with people** and I don't see anyone else stepping up to be a neutral to facilitate there's no one out there that I know of that does that.

I haven't served 25 years a community developer I'm not sure I saw any really new processes but what's being done with the process is basically the correct manner in going about it. Trying to serve as a **facilitator a neutral agency to get closure or to get to help an organization get a real good project going.**

Mmm over the years I have worked 28 years with the state worked on federal programs and everything so I'm pretty familiar with the process.

TUA members were impressed that a third party facilitator could enter a highly-charged situation and could get parties working together without leaving in frustration:

One of the things was as I said the mediator would **keep us on track** ya know that that's not what we are here to talk about today, this is the important issue maybe so but that's not what we're here to talk about today **and he never got flustered, I don't keep my cool** that well that's why I say I'm usually have to be mediated

Other TUA respondents had the opportunity to learn tools of diplomacy and how professionals function within such circumstances:

**I like your diplomacy that you use.** When you meet with the boards and everything you have been very good, very educational, but **very professional and everything** and professional and I like that. I like people being professional and that's one thing that I really commend them on. And that's important to me, it always has been. So but if you're a professional person, I think they have been very professional.

### Final Considerations

The evaluation of the TUA facilitation process was a qualitative study of involving TUA board members and other TUA stakeholders who had firsthand knowledge of IIMADR activities. The study involved in-depth interviews with open-ended questions written in advance of the interview and with follow-up questions to clarify responses.

A further research opportunity exists to expand the data by administering a Likert-scale survey. This qualitative survey would be administered to an expanded sample consisting of water system policymakers who are potential wholesale consumers of TUA and a sample of retail customers of the water systems themselves. This proposed study (see Appendix B) would generate in-depth data on the preferences and dynamics of proposed users of the TUA project.

## APPENDIX D

### Evaluation Data for Project Objectives



## Meeting Project Objectives

IIMADR according to the following narrative met the objectives of the IIMADR

Tenkiller project proposals:

### Objective One: Project Data Base

- Assembling various data related to the project, based on geographical considerations, political boundaries, population densities, natural resource availability, census figures and other published projections, and developing computer data bases for use by the stakeholders.

IIMADR met this objective by providing information to stakeholders at facilitation meetings, bringing together engineers and other natural resources and/or consultants to provide consultation to the TUA Board of Directors, and coordinating the flow of information to federal and state policymakers. IIMADR was credible as a neutral party. The Institute was credible because it was associated with OSU. Its neutrality put those involved at ease. It discouraged participants from having “an attitude.” Some participants hoped involvement with IIMADR would bring in grant money to their project.

A board member observed how IIMADR’s data base was appreciated by the stakeholders: “[The IIMADR program manager] being an errand boy to the various agencies which none of us had the time or effort or initial contact to make these contacts with Oklahoma water systems and congressional representatives.”

### Objective Two: Stakeholder Contact Data

- Assembling and neutrally disseminating contact data on and for stateholders choosing to join in the IIMADR efforts.

IIMADR met the second project proposal objective by developing and maintaining a computerized data base on the stakeholders of the TUA project for use by all stakeholders.

Board members interviewed in the project evaluation used phrases and terms such as “credibility”, “disinterested party”, “expertise”, and “made them feel comfortable”, in describing how they felt about turning over information about themselves to IIMADR. IIMADR’s “disinterested third-party” status enabled IIMADR staff to “getting information out of people” and facilitated the “communications process”.

#### Objective Three: Stakeholders’ Meetings

- Planning, organizing, marketing, publicizing, and convening preliminary stakeholder meetings regarding TUA’s water project, its long-term planning and cost recovery, and all facets of construction.

IIMADR met the third project objective by conducting two facilitation meetings in Tahlequah, Oklahoma in 2003. IIMADR, especially with the help of IIMADR’s program manager, got people talking, brought them closer together, and gained higher visibility for the project. The meetings were attended by all of the stakeholders interested in TUA and the IIMADR facilitation process. Attendees at the facilitation process believed that the preliminary stakeholder meetings helped focus the board members and was an impetus for coalescing the members who represented the participating water systems for work on implementing the TUA concept.

A participant at one of the meetings, a representative of an interested federal agency, stated “you [IIMADR] did some of the due diligence in terms of trying to find out where things are, where all the different parties saw it, and where you needed to go...I think things have a better chance of happening now than they did a year ago.”

Another participant commented:

The facilitation at least got the project moving...[it] got us looking at the project from a regional standpoint as opposed to what Cherokee Nation might think instead of just more of an idea of what could we do to benefit the entire area from utilization of Tenkiller water.

#### Objective Four: Consumer Preferences and Stakeholder Dynamics

- Surveying and documenting consumer preferences and other stakeholder dynamics involved in the project.

IIMADR was not able to complete the survey and documentation of consumer and stakeholder preferences specified in Objective Four. IIMADR proposed to conduct a survey of stakeholders in Groups II and III but only completed a survey of board members under this evaluation. There was no time nor opportunity to complete this survey. IIMADR recommends that this objective be completed by surveying the Group II and III populations.

#### Objective Five: Engaging the Stakeholders

- Neutrally engaging stakeholders in the direction and scope they choose to take the project.

IIMADR met the objective of engaging the stakeholders and directing them toward a goal or resolution for the project. Respondents in interviews believed that IIMADR brought people together to exchange information, brainstorm, find common ground, and move a once stalled project forward. TUA members appreciated the neutrality that IIMADR contributed to resolving impasses. He observed “basically you [IIMADR] come in as a third party and try to brainstorm solutions and manage them, I guess go through

a process and break a logjam and bring something in to a point where it can be resolved.”

The IIMADR involvement pushed the stakeholders to choose a direction for the program that many of the stakeholders believed they had the training to accomplish. The engagement helped to develop direction for stakeholders as one board member describes:

We had a bunch of people at that meeting who were workers in the rural water district...As a result they were just ordinary people and we were just ordinary people and we really did lack what i consider the ability to somehow mount an effort by someone to make this go. We just met and couldn't ever get it together. Jim Wilson came into that meeting, who is the state representative here, and that was one of the things he suggested that we somehow get off the pot and get moving and this had been going on for years and we just didn't seem to get it together and it was kinda discouraging to me that we really needed some help from someone who could give us help.

IIMADR enabled the stakeholders to develop a vision for the TUA project, in the words of one board member, “by assembling people and getting information from people that would assist in better understanding what the project is about, how its going to be implemented, and how it could be carried out.”

Another stakeholder attributed a large role to IIMADR in providing guidance, stating, IIMADR was “probably a guiding light here . . . someone that we [could] come to and request assistance and [it was] there to give it to us.”

The neutral engagement in assisting TUA participants in choosing a direction for the project was observed by one stakeholder as follows:

Well it could be a lot of different things depending on the situation. [The IIMADR program manager] has on two occasions facilitated different agencies, different groups, employees as well as politicians being there. . . . [T]hat facilitation part is what I appreciate.

The IIMADR facilitation process helped board members to see a workable program for the TUA project. Still another board member commented:

In my opinion, [IIMADR was] trying to be a catalyst to progress, bringing information out to all the members . . . getting other people involved and getting people talking . . . [Knowing] that there was money here and . . . that there was a research project available with money to extend farther into the government, did give validity, that hey, this maybe is gonna go!

### Timetable

The IIMADR activities specified in the timetable of overlapping activities were accomplished within the specific time periods.

### Related Research

The IIMADR project in conjunction with the Tenkiller Utilities Authority and the evaluation of this project were designed to add to research on the utilization of alternative dispute resolution processes relative to public sector utility projects in Oklahoma. Journal articles, conference presentations, and other publications will be developed from the data generated by this case study.

### Training Potential

The IIMADR project, "Facilitating the Tenkiller Utilities Authority Public Water Decision Project," provided opportunities for graduate and undergraduate students to be involved in the design, management, and business topics associated with environmental, economic, and other public utilities issues impacting eastern Oklahoma. Three graduate students and one undergraduate student were employed by IIMADR on various phases of the TUA project. These students were enrolled in agricultural economics, environmental science, and occupational education programs. The

exposure to the IIMADR issue management and facilitation process and to the TUA and the project's issues of water quality, water supply, and water treatment supplement the students' classroom experiences and provide potential research opportunities.

The project provided contacts for additional research in issue management and alternative dispute resolution and in related interdisciplinary studies.