

SECTION 4: PROCEDURES

4.1 Project Prioritization Methodology

This section satisfies, in part, the following FEMA requirements:

Requirement §201.6(c)(3)(ii): The mitigation strategy must include a section that identifies and analyzes a comprehensive range of specific mitigation actions and projects being considered to reduce the effects of each hazard, with particular emphasis on new and existing buildings and infrastructure.

Requirement: §201.6(c)(3)(ii): The mitigation strategy must also address the jurisdiction's participation in the NFIP, and continued compliance with NFIP requirements, as appropriate.

Requirement §201.6(c)(3)(iii): The mitigation strategy section must include an action plan describing how the actions identified in section (c)(3)(ii) will be prioritized, implemented, and administered by the local jurisdiction. Prioritization will include a special emphasis on the extent to which benefits are maximized according to a cost benefit review of the proposed projects and their associated costs.

Requirement §201.6(c)(3)(iv): For multi-jurisdictional plans, there must be identifiable action items specific to the jurisdiction requesting FEMA approval or credit of the plan.

4.1.1 Development and Rationale

The Goals and Objectives of the LMS were reviewed by the Working Group, Steering Committee, and specifically the Revisions Sub-Committee in 2023. Two of the guiding principles of the LMS effort are sustainability and resilience. Our project prioritization methodology ensures that mitigation efforts are in alignment with community needs and reduce the impacts of disasters, ease response, and accelerate recovery. Projects are submitted by local governments or special districts. Submitting entities must comply with PBC's LMS participation requirement set forth in [Section 1.4](#) Participation Requirements and remain in good standing. The LMS Evaluation Panel reviews, scores, and ranks projects then recommends the county-wide consolidated list to the LMS Steering Committee who adopts and approves for dissemination to the Working Group, local municipalities and special districts, and FDEM. The current Prioritized Project List (PPL) can be found in Appendix E.

The County established a scoring procedure when the plan was first written in 1999. The scoring procedure is detailed below along with examples in Appendix I. This procedure remains in place resulting in a structured scoring process for projects seeking alternative funding sources other than federal programs. Changes were made to comply with new Federal regulations.

FEMA requires all hazard mitigation projects to be cost-effective. The LMS has been proactive in providing participants with the information necessary to perform a Benefit/Cost Analysis federal funding eligibility. Projects with a total cost of less than \$1,000,000 may submit a narrative including qualitative and quantitative data demonstrating the benefits and cost-effectiveness of the project in lieu of a formal Benefit/Cost Analysis. Projects totaling over \$1,000,000 require a Benefit/Cost Analysis. The objective is to create an adequate strategy for PBC to prioritize projects for possible funding sources other than federal funds. Appendix F is a list of potential funding sources. There have been no changes in priorities in the evaluation process since the last LMS update.

To be effective and gain the support of all the communities involved, the instrument used to rank and prioritize proposed mitigation projects must accomplish the following objectives. The criteria must:

- ***Be fair and objective.*** Projects proposed by small communities must have equal opportunity to achieve as high or higher priority than mitigation projects proposed by larger communities or the County. Likewise, mitigation projects proposed by economically disadvantaged communities must have the opportunity to achieve as high a priority as those projects proposed by more affluent communities.
- ***Be flexible enough to effectively rank projects mitigating for a variety of hazards.*** The LMS is an “all-hazards” program. Ranking criteria must be capable of categorizing individual mitigation projects with diverse goals such as, but not limited to, flood mitigation, sea level rise, impacts from climate change, wildfire protection, or hazardous waste spill prevention.
- ***Be functional and tied to real-world considerations such as competitive grant funding requirements.*** The County will be developing a list of prioritized mitigation projects that will have to compete with a prioritized list of similar type projects from other counties in the state.
- ***Be simple, easily understood, and relatively easy to apply.*** The LMS Evaluation Panel members will be scoring many projects. These individuals must be able to perform the project scoring process expeditiously for each project.
- ***Be well defined and specific.*** Each scoring criterion must be well defined with the points matrix detailed to eliminate scoring divergence within categories.

The prioritization process is an ongoing process as the LMS is continually refined and updated. The criteria will be applied in a consistent manner with a minimal learning curve.

4.2 Scoring Criteria

These scoring categories are as follows:

- **Community Benefit** The single most important consideration for any mitigation project is “What benefit does the community derive from this effort? How and to what extent does this mitigation project benefit the citizens of a community?”
- **Project Implementation** Is this project technically, financially, and legally feasible? This requirement addresses the ease with which a project can be implemented, how easily can required permits be obtained, and the time frame for project accomplishment? It also identifies any technical problems that must be overcome to implement this project.
- **Community Commitment** What is the community’s level of commitment that is proposing this mitigation project? All mitigation projects have to compete for funding. If the community or governmental entity proposing a given project is not willing to commit substantial time, effort, and funding, the project has less chance of ever being accomplished even if it is a worthy project. There is no point in ranking a project highly that may never be accomplished even if funds are made available.

The rationale for each scoring criterion on the Project/Initiative Evaluation Score Sheet, its connections to known funding sources, and directions on specific numbers of points to award are discussed below.

4.2.1 Community Benefit

4.2.1.1 Community Benefit

What benefit does the community derive from this effort? How and to what extent does this mitigation project benefit the citizens of a community?

Mitigation Benefit	Points Awarded (maximum of 5)
Damage Reduction	5
Mapping and Regulatory	4
Preparedness Against Hazard	3
Public Information	2
Other	1
No Benefit	0

4.2.1.2 Project Benefit

Does the project address critical elements of the community infrastructure?

The critical question addressed is, “Does the proposed project protect the community by hardening some critical element within the community’s infrastructure that will reduce the potential loss of life or property damage if a disaster strikes”?

Points under this criterion are awarded based upon the nature of the facility or infrastructure element being hardened or protected. If the proposed projects mitigate a problem in a primary critical facility such as a hospital, EOC, or emergency shelter it would receive ten (10) points under this criterion. Primary critical facilities are defined as “Facilities critical to the immediate support of life and public safety.” These are the facilities that the community cannot afford to have any loss of function for any period of time.

Flooding produces widespread direct and indirect dangers to large segments of the community including damage or potential damage to critical infrastructure such as roads and stormwater drainage systems. Therefore, a project reducing or preventing stormwater accumulation and flooding would receive eight (8) points under this criterion.

Secondary critical facilities are defined as, “Facilities that will be critical for community recovery and restoration of services.” Projects that help protect these types of facilities will be awarded six (6) points.

Public convenience facilities are quality of life facilities such as parks, recreation areas, and non-essential public buildings. Projects protecting these types of public property will be awarded four (4) points under this criterion.

Residential structures are defined as private homes. Projects protecting these types of property will be awarded two (2) points under this criterion.

Project Benefit	Points Awarded (maximum of 10)
Primary Critical Facilities	10
Stormwater/flooding	8
Secondary critical facilities	6
Public Convenience facilities	4
Residential Structures	2
No Benefit	0

4.2.1.3 Community Exposure

Does the project mitigate a frequently occurring problem or a problem to which a community is particularly vulnerable?

This criterion attempts to balance the actual risk of a specific disaster versus the community’s exposure in terms of life and property damage. For example, a nuclear power

plant meltdown would be catastrophic, but the frequency with which meltdowns occur is unknown in the U.S. and optimistically extremely low. Therefore, a project proposing to mitigate for possible nuclear power plant meltdown by providing lead-lined emergency shelters would score lower than a project that mitigates for a more frequent, but less catastrophic, type of disaster such as the flooding of a library.

Data for this evaluation will come from the HVA portion of the LMS project and will be community-specific. For example, communities on the coastline experience thunderstorms, lightning, and frequent localized short-term flooding but loss of life and property damage are relatively low. Some specific communities (e.g. mobile home parks or areas with existing drainage problems) have higher exposure to the effects of thunderstorm hazards. The coastline has high exposure to damage from tropical storms and hurricanes. Category 1 and 2 hurricanes occur with relatively higher frequency than Category 3, 4, and 5 hurricanes. All of these factors must be considered when evaluating the projects.

Frequency is determined as:

- Low – One time per year
- Medium – 1 to 2 times per year
- High – At least 3 times per year

Specific guidelines for assigning points under this evaluation criterion are as follows:

Community Exposure # of People or \$ Value of Property	Frequency or Risk of Occurrence	Points Awarded (maximum of 10)
High	High	10 Points
Moderate	High	8 Points
Low	High	6 Points
High	Moderate	9 Points
Moderate	Moderate	7 Points
Low	Moderate	4 Points
High	Low	5 Points
Moderate	Low	2 Points
Low	Low	1 Points

4.2.1.4 Cost Effectiveness

What is the benefit/cost ratio of the project applying the following Benefit/Cost Ratio formula:

$(\text{Loss Exposure } (\$) \text{ Before Project} - \text{Loss Exposure } (\$) \text{ After Project}) \div \text{Cost of the Project}$

FEMA requires all hazard mitigation projects to be cost-effective. While a positive Benefit/Cost Ratio, also called Benefit/Cost Analysis, is a requirement for projects of \$1,000,000, it should be a primary consideration in evaluating projects. For this reason, it is the single most highly valued component of the prioritization process.

Depending upon the complexity of the proposed project and the amount of funding required, the Benefit/Cost ratio may require engineering drawings and/or evaluation of alternatives. Such a detailed analysis is beyond the scope of the LMS and in most cases beyond FEMA requirements. The formula above was developed to allow administrators to screen projects using a three (3) step process:

1. Screen the project by reviewing the application data.
2. Conduct a quick Benefit/Cost Ratio.
3. Continue processing the project if the Benefit/Cost Ratio is greater than one (1).

If the Benefit/Cost analysis is less than one (1), request additional information from the municipality/special district.

The higher the Benefit/Cost Ratio, the better return per dollar invested is achieved. Points under this criterion will be awarded as follows:

Benefit/Cost Ratio	Points (maximum of 20)
4.0 or greater	20 Points
3.0 to 3.9	16 Points
2.0 to 2.9	12 Points
1.0 to 1.9	8 Points
<1.0	0 Points

4.2.1.5 Area Benefit

How many people stand to benefit from the project implementation?

Area Benefit	Points (maximum of 5)
Multiple Jurisdictions	5 Points
Community	3 Points
Neighborhood	1 Point
No Benefit	0 Points

4.2.2 Project Implementation

4.2.2.1 Containment within the Existing Comprehensive Growth Mgmt Plan or Equivalent Plan?

Is the project or initiative consistent with or incorporated within the existing Comprehensive Growth Management Plan or equivalent document?

Contained Within the Existing Comprehensive Growth Management or Equivalent Plan	Points (maximum of 10)
Contained within a specific Policy/Plan	10 Points
Contained in “Goal” with proposed Policy/Plan amendment	8 Points
Contained within a broad “Goal”	5 Points
Contained in a proposed Amendment	3 Points
Not in conflict with any plan	1 Point
No Plan	0 Points

4.2.2.2 Contained Within an Existing Emergency Management Plan / Other Functional Plan Developed by an Official Local Governmental Entity / Organization

Has this project or initiative already been proposed as a management initiative or structural improvement in any emergency plan or proposed or adopted by County/local jurisdictions or entity?

This applies to both officially adopted plans and plans or amendments to plans that have been proposed but not yet officially adopted. One of the objectives of the LMS is to encourage local governments to officially adopt mitigation measures into their Comprehensive and Emergency Management Plans. If a community wants to improve the score of a proposed project or initiative, it can propose an amendment to its CGMP or CEMP containing the measure.

Contained within an Existing Emergency Management Plan (or other functional plan)	Points (maximum of 20)
Officially adopted	10 Points
Proposed/Not officially adopted	6 Points
Not in conflict with any plan	2 Points
No Plan	0 Points

4.2.2.3 Consistency with Existing Regulatory Framework

Is the project consistent with existing legal, regulatory, and environmental/cultural framework?

Does the proposed project require changes or waivers to existing building, zoning, or environmental statutes or ordinances? Projects that are consistent with existing legal and regulatory frameworks will receive five (5) points. Projects that are in conflict with some aspect of the existing regulatory framework will receive fewer points depending upon the seriousness and number of regulatory barriers in implementing the proposed project.

Consistency with Regulatory Framework	Points (maximum of 5)
No regulatory issues	5 Points
Local issues	4 Points
Regional issues	3 Points
State issues	2 Points
Federal issues	1 Point
No Consistency	0 Points

4.2.3 Community Commitment

4.2.3.1 Public Support

Is there demonstrated public support for this project or recognition of this problem?

Public Support is determined as follows:

Public Support	Points (maximum of 5)
Has this project or problem been the subject of:	
A) An Advertised Public Meeting	3 Points
B) Written evidence of public support	2 Points
Both A) and B)	5 Points
No evidence of public support	0 Points

Sub-section B can be letters from affected citizens, minutes from a public meeting addressing the concern by stakeholders, etc.

4.2.3.2 Funding Availability

Is there a funding source currently available for this particular project?

Funding Availability	Points (maximum of 10)
Funds available now	10 Points
Available in 1 year	8 Points
Available in 2 years	6 Points
Available in 3 years	4 Points
Available in 4 years	2 Points
Available in 5 years	1 Point
5+ years	0 Points

4.2.3.3 Matching Funds

Are matching funds or in-kind services available for this project?

Matching Funds/In-Kind Services	Points (maximum of 5)
Match of 50% or more	5 Points
40 to 49%	4 Points
30 to 39 %	3 Points
20 to 29 %	2 Points
1 to 20 %	1 Point
0%	0 Points

4.2.3.4 Timeframe for Accomplishing Objectives

How long will it take for the proposed mitigation project to accomplish its stated goals?

Projects that can be accomplished quickly have an inherent advantage over long-term projects, although long-term projects may ultimately be more beneficial to the community. The following weighted scale assigns points to proposed projects based on the length of time that will be required before a community begins to receive benefits from the project.

Timeframe for Accomplishing Objectives	Points (maximum of 5)
1 Year	5 Points
2 Years	4 Points
3 Years	3 Points
4 Years	2 Points

Timeframe for Accomplishing Objectives	Points (maximum of 5)
5 Years	1 Point
5+ Years	0 Points

In order for the LMS Evaluation Panel to score adequately and in a meaningful time frame, it is critical that municipalities/special districts provide as much of the critical information required when submitting their projects. Appendix I contains examples demonstrating the scoring process and ranking of the projects.

4.3 Tie-Break Procedure

Should projects receive the same scores, the following four (4) questions will be applied to break the tie.

When ties are broken, projects will be ranked and are not subject to the remaining questions. Ties will continue through the questions until broken.

Question #1: Which project has the highest Benefit/Cost Ratio?

Question #2: Which project has the highest Community Benefit score?

Question #3: Which project has the highest Community Commitment score?

Question #4: Which project mitigates for the most frequently occurring hazard?

4.4 LMS Evaluation Panel

The LMS Evaluation Panel is responsible for reviewing and scoring proposed projects submitted to the LMS as a basis for prioritization. Panelists are solicited by the LMS Coordinator on behalf of the LMS Steering Committee based upon LMS member recommendations and are subject to approval by the LMS Steering Committee. Volunteers are also eligible for consideration.

Candidates should possess a technical and administrative understanding of the LMS and its goals and objectives. In addition, candidates are expected to exercise objectivity and independent judgment in their evaluations and scoring. LMS Evaluation Panel members will notify the LMS Coordinator and recuse themselves from evaluating any projects submitted by their own agency or any agency they may have been employed by in the past. This is to eliminate any potential conflict of interest or bias. An alternate evaluator, usually the LMS Coordinator or DEM Planning Manager, will evaluate those projects on a case-by-case basis.

4.5 Eligibility for Federal Funding

In order to be deemed eligible for federal monies projects must:

- Produce a Benefit/Cost Ratio greater than one (1), and
- Meet additional program requirements, including being judged to be “environmentally sound” and “technically feasible.”

Federal funding may require additional applications or supporting documents which will be requested based upon each individual federal program.

The LMS Coordinator from the County’s Division of Emergency Management staff serves on the LMS Evaluation Panel. They will serve as an alternate evaluator for potential conflicts as well as in the place of any primary evaluator who may be sick or unavailable for scoring during an evaluation period. Also, any employee of the Division of Emergency Management may be called upon to act as an alternate evaluator if one is not available at the time of project scoring or if multiple primary evaluators have conflicts on a project.

4.6 Project Prioritization Updating Process

Each year after the Spring and Fall Submission/Evaluation periods, the existing countywide PPL will be updated. The approved PPL will be in effect until a new PPL has been adopted by the PBC LMS Steering Committee.

PPL Procedure	
STEP 1	<p>The County’s LMS Coordinator will activate the update process by notifying all LMS members of the beginning and ending dates for the submission period and by notifying all LMS Evaluation Panel members that the PPL ranking process is being initiated along with deadlines for submission and the evaluation timeframe. The notification will include instructions on the location of project submission forms in the DEM electronic LMS project tracking system and provided with a guidance document explaining each requested item on the submission form. All applicants must submit their proposed projects/initiatives by the submission deadline in order for their projects to be considered for inclusion in the updated PPL. Additionally, LMS members will be asked to review the current PPL and notify the LMS Coordinator of any projects that have been initiated or completed.</p> <p>All projects must be submitted electronically by the published deadline in the original notification. For a project/initiative to be considered, online forms must be completed thoroughly. The contact person and phone number on</p>

	<p>the online proposal will serve as the official point-of-contact for the application. As Federal grants are primarily awarded to governmental and private non-profits, a private citizen cannot be an applicant for these funds. With a viable and eligible project, a private citizen can request sponsorship from their jurisdiction, but must remain a subapplicant, with the jurisdiction being the applicant and retaining responsibility for all required documentation.</p> <p>Projects expire after five (5) years if not funded, initiated, or completed. Municipalities/special districts will be notified, via email, of expiring projects and asked to resubmit in the next submission period. Expired projects will be removed from the PPL and noted on the PPL Changes.</p>
STEP 2	<p>Once the proposals have been received, the LMS Coordinator will review each proposal for completeness and notify the LMS Evaluation Panel of which project submission are not complete. The Evaluation Panel will decide whether to score or reject the project. The LMS Coordinator will notify the submitting party, via email, that their project was rejected by the Evaluation Panel as incomplete and will not be eligible for inclusion on the PPL during this cycle and encourage them to resubmit during the next submission/evaluation period.</p>
STEP 3	<p>The LMS Coordinator will notify LMS Evaluation Panel members that all projects are ready to be scored.</p>
STEP 4	<p>Each LMS Evaluation Panel member will score the proposals and notify the LMS Coordinator, via email, when completed no later than the last day of the period. In the unlikely event that the online platform malfunctions or will not accept the evaluator's scores, a paper form will be used to complete the scoring process and emailed to the LMS Coordinator.</p>
STEP 5	<p>The LMS Coordinator will check the average attribute scores for each project. A comprehensive spreadsheet will be provided to the Evaluation Panel at their scheduled meeting.</p>
STEP 6	<p>The LMS Evaluation Panel Meeting is open to the public. Proposers may attend but will not be allowed to present or provide additional information or documentation.</p>

STEP 7	The LMS Evaluation Panel will hold a meeting to review/finalize all scores and create the Draft PPL. A quorum of the Evaluation Panel must be present during the meeting. Panel members will discuss possible inaccuracies and/or reliability of information used by proposers, such as obsolete cost data, questions regarding project feasibility, and project tie-breakers (see Tie-Break Procedure). Before the meeting concludes, a vote will be conducted to approve the "new" Draft PPL. DEM staff will provide a copy of the approved Draft PPL to the LMS Steering Committee for approval.
STEP 8	DEM staff will schedule a meeting of the LMS Steering Committee. One (1) week in advance of the scheduled meeting, the "new" Draft PPL will be distributed to the LMS Steering Committee membership.
STEP 9	<p>At the scheduled LMS Steering Committee meeting, the Draft PPL will be presented.</p> <p>Project applications received after the submission deadline, but before the next project prioritization updating process, may be accepted by the LMS Steering Committee as UNRANKED projects. Prior to the PPL adoption vote, such projects will be presented for consideration. The LMS Steering Committee may vote to include any or all of these projects on the draft PPL as "unranked". Unranked projects will be listed on the PPL under the sub-heading of Unranked Projects which will appear immediately following the list of ranked projects. Unranked projects will automatically be ranked in the next ranking cycle.</p> <p>Following discussion of the Draft PPL, the LMS Steering Committee will adopt as submitted or with modifications. Specific justification is required for any modification to the ranking of the projects as submitted by the LMS Evaluation Panel, excluded are unranked projects.</p>
STEP 10	DEM staff will distribute copies of the new revised PPL to all appropriate entities.

4.7 Conflict Resolution Procedures

4.7.1 Background

With multiple local governments involved in the development of the PBC LMS, differences of opinions may arise over the course of the program with regard to goals,

objectives, policies, and projects. In cases where an impasse occurs, a procedure is needed that can be activated to resolve such conflicts. This section describes the procedure that will be used to resolve conflicts arising among the participating governmental entities in the development and implementation of the PBC LMS.

The two types of conflicts that may arise are issues and disputes. Issues are technical problems that are susceptible to informal resolution by DEM staff. Disputes are problems that require formal resolution by neutral third parties. In either case, resolution and settlement are best settled through mutually agreed-upon understanding between the disputing parties. When that is not possible, some form of binding resolution is needed.

A Conflict Resolution Sub-Committee will be activated and comprised of three (3) people:

- One (1) member will be appointed by the LMS Steering Committee Chair
- One (1) member will be appointed by the DEM Director from the PBC DEM
- One (1) member of the LMS Steering Committee mutually selected by the LMS Steering Committee Chair and the Director of DEM.

No Conflict Resolution Sub-Committee member can be involved professionally or personally with the dispute or disputing parties.

Once the Sub-Committee has been activated, DEM will serve as the lead agency and will prepare a memorandum outlining the dispute, include supporting documentation, and schedule the Sub-Committee meeting.

If no resolution could be reached, the issue would then be heard by the entire LMS Steering Committee. The vote of the LMS Steering Committee would be binding. Other DEM staff shall provide support to the committee.

4.7.2 Procedure

The following provides a detailed, step-by-step procedure that would be followed should a dispute arise under the LMS.

Objective To institute a fair, effective, and efficient process to resolve conflicts among local governments during the development and implementation of the LMS.

During the development or implementation of the LMS, a local government(s) may reach an impasse on a particular issue or position. The local government has an opportunity to exercise the following LMS Conflict Resolution Procedure.

Dispute Initiation	
STEP 1	The local government submits a letter of dispute (LOD) to the DEM Director explaining in as much detail as possible, describing their concern and position along with documentation to support their position. Also,

	they should offer alternative solutions.
STEP 2	DEM Director reviews the LOD ensuring the position of the local government(s) and sufficient information supporting their position has been provided. If the DEM Director determines that additional information is needed, a written request for clarifying information will be sent to the disputing party.
Conflict Resolution Sub-Committee Activation	
STEP 3	Within seven (7) days of the LOD completeness determination, the LMS Coordinator will notify and arrange a virtual or in-person meeting of the LMS Steering Committee Chair and DEM Director to select individuals to serve on the LMS Conflict Resolution Sub-Committee. Only voting members of the LMS Steering Committee are eligible to serve on the Sub-Committee. Before the selection process is completed, a verification of willingness to serve will have been determined.
STEP 4	Within one (1) day of the Sub-Committee selection, (see STEP 3), the LMS Coordinator will email each Sub-Committee member confirming their appointment. The email will include the LOD and all submitted supporting documentation.
STEP 5	The LMS Coordinator will schedule the meeting within two (2) calendar weeks from the date the LOD was determined to be complete.
Conflict Resolution Sub-Committee Meeting Proceedings	
STEP 6	During the Conflict Resolution meeting, DEM will provide staff to document the proceedings. Every effort on the part of the two parties will attempt to resolve the impasse at the meeting.
STEP 7	If resolution is achieved, the LMS Coordinator will prepare a memorandum documenting the issue and the mutually agreed upon resolution. The memorandum will contain three (3) signature blocks; one (1) for the Chair of the Sub-Committee and two (2) for the representatives of the disputing parties. By their signature, all parties will formally agree to the mediated result. A copy will be provided to each party with an additional copy filed at the DEM.

If resolution is still not achieved, the process will move to STEP 8.	
LMS Steering Committee Conflict Resolution Proceedings	
STEP 8	If no resolution is achieved at the meeting, the Sub-Committee will develop an alternative proposal which will be presented to the disputing party within seven (7) days following the conclusion of the Conflict Resolution meeting.
STEP 9	If the dispute cannot be resolved through the Sub-Committee, the LMS Coordinator will schedule a meeting with the entire LMS Steering Committee membership within two (2) weeks. Each LMS Steering Committee member will be sent a copy of the LOD and any supportive materials provided by the disputing party. The disputing party will be notified of the meeting date and time.
STEP 10	During the meeting of the LMS Steering Committee, each disputing party representative will present their positions. The Conflict Resolution Sub-Committee present the Conflict Resolution Sub-Committee proceedings. If no mutually acceptable resolution is agreed upon, the LMS Steering Committee will vote to accept one (1) solution from among the offered solutions or develop their own solution. The determination of the LMS Steering Committee will be final.

The LMS Coordinator will craft a Memorandum of Understanding detailing the outcome of the meeting that will be signed by the LMS Steering Committee Chair. Thereafter, a disputing party can exercise the legal remedy of going to court.

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FINAL DRAFT