

Senate Concurrent Resolution 4 - Reprinted

SENATE CONCURRENT RESOLUTION NO. 4

BY KIBBIE

(As Amended and Passed by the Senate March 8, 2011)

1 A Concurrent Resolution directing the Office of
2 Citizens' Aide/Ombudsman, under the supervision of
3 the Legislative Council, to assist the parties in a
4 dispute between the board of trustees of a drainage
5 district and residents of land in the district to
6 enter into mediation to resolve their dispute.

7 WHEREAS, on December 15, 2010, the Levee and
8 Drainage District Law Study Committee, as appointed by
9 the Legislative Council, met to consider a number of
10 issues affecting districts organized under chapter 468
11 of the Iowa Code; and

12 WHEREAS, the committee considered testimony and
13 evidence presented by persons involved in a dispute
14 concerning Muscatine-Louisa Drainage District 13; and

15 WHEREAS, the dispute involves the dredging of a
16 drainage ditch ordered by the Muscatine-Louisa Drainage
17 District 13 Board of Trustees and its decision to
18 dispose of the resulting spoil on the residential
19 property of district landowners who are not engaged in
20 farming; and

21 WHEREAS, the Levee and Drainage District Law
22 Study Committee recommended that the General Assembly
23 consider legislation authorizing the Office of
24 Citizens' Aide/Ombudsman to offer assistance to the
25 parties in settling the dispute; NOW THEREFORE,

26 BE IT RESOLVED BY THE SENATE, THE HOUSE OF

1 REPRESENTATIVES CONCURRING, That the Office of
2 Citizens' Aide/Ombudsman, under the supervision of the
3 Legislative Council, assist the parties in entering
4 into mediation with an appropriate mediation service or
5 mediator to resolve their dispute and monitor whether
6 mediation has occurred or been terminated and whether a
7 settlement was reached; and

8 BE IT FURTHER RESOLVED, That the parties to this
9 dispute are encouraged to cooperate with the Office of
10 Citizens' Aide/Ombudsman and the mediation service or
11 mediator in order to find common ground and achieve a
12 lasting solution, that satisfies all parties; and

13 BE IT FURTHER RESOLVED, That the Office of Citizens'
14 Aide/Ombudsman, to the extent allowed by law or by
15 agreement of the parties, provide a report to the
16 Legislative Council regarding the resolution of this
17 issue by December 1, 2011; and

18 BE IT FURTHER RESOLVED, That a copy of this
19 resolution be sent by mail or electronic means to Ms.
20 Ruth H. Cooperrider, Citizens' Aide/Ombudsman; to the
21 Board of Trustees of Muscatine-Louisa Drainage District
22 13; and to the following residents of Muscatine County:
23 Mr. Russell Alderin, Mr. Todd Reinsager, and Mr. Bill
24 Haag.