

STATE APPEAL BOARD

In Re:	Mount Auburn)	Order
	Budget Appeal)	
)	
	FY 2003-2004)	June 2, 2003

BEFORE THE DIRECTOR OF THE IOWA DEPARTMENT OF MANAGEMENT, CYNTHIA P. EISENHauer; STATE TREASURER, MICHAEL L. FITZGERALD; AND STATE AUDITOR, DAVID A. VAUDT:

PROCEDURAL HISTORY

The FY2004 proposed budget summary for the City of Mount Auburn, Iowa was published on or before February 21, 2003. The required public hearing was held on March 3, 2003 and the budget was adopted on the same day.

A petition protesting the FY2004 budget was filed with the Benton County Auditor on March 24, 2003 and was received by the State Appeal Board on March 27, 2003. The petitioners stated on the petition document that they are protesting that the budget submitted for fiscal 2003-2004 by the City of Mount Auburn, Iowa not be certified or allowed. The reasons for the protest was that the City of Mount Auburn did not provide copies of the proposed budget, no agenda of the City Council Meeting was posted, the budget was not adoption as required by Iowa law and that an actual vote by the City Council did not take place.

DISCUSSION

Upon receipt of the petition by the Department of Management and the communications between the Department of Management, County Auditor and officials of the City of Mount Auburn. Officials of the City agreed to redo the City hearing and adoption process and re-certify its budget for FY2004.

FINDINGS OF FACT

1. The City of Mount Auburn pursuant to Iowa Code sections 24.28 and 394.19 re-certified its budget on April 21, 2003, using the FY2003 property tax levy as required by Section 384.16(6) of the Code of Iowa.
2. No petition was filed protesting the re-certified budget pursuant to Iowa Code Sections 24.28 and 384.19.
3. There are no outstanding disagreements between the City and petitioners because the petition filed protesting the budget certified on March 3, 2003 has been replaced with a new certified budget.


ORDER

The petition received by the State Appeal Board on March 27, 2003 is dismissed.


STATE APPEAL BOARD

Absent

Cynthia P. Eisenhauer
Chairperson



Michael L. Fitzgerald
Vice Chairperson



David A. Vaudt
Member

6/2/03
Date