

STATE APPEAL BOARD

In Re:	Walker)	Order
	Amended Budget Appeal)	
	FY 2003-2004)	August 2, 2004

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 FY 2004 amended budget for the City of Walker, Iowa was published on or before June 8, 2004. The required public hearing was held on June 21, 2004 and the amended budget was adopted on the same day.

A petition protesting the FY 2004 amended budget was filed with the Linn County Auditor on June 25, 2004 and was received by the State Appeal Board on June 28, 2004. The petitioners stated on the petition document that they are protesting that the amended budget by the City of Walker, Iowa not be certified or allowed. The reasons for the protest was that the City of Walker mishandled and the amendment does not reflect the reversal of the careless use of these moneys nor does it clearly show the overdrafts of individual departments with the city budget. The specific objections were the increase in health insurance for two city employees, increased cost of budgeted culverts/bridges under road use funds, and increased costs of computer and software expenditures.

DISCUSSION

Upon receipt of the petition by the Department of Management and the communications between the Department of Management and County Auditor, it was determined that of the fifteen (15) signatures on the protest only eight (8) were registered voters of the City of Walker and one (1) was registered in another city.


FINDINGS OF FACT

1. Iowa Code section 384.19 states "A protest must be signed by registered voters equal in number to one-fourth of one percent of the votes cast for governor in the last preceding general election in the city, but the number shall not be less than ten persons and the number need not be more than one hundred persons." Therefore, the protest contains an insufficient number of signatures to comply with Iowa Code.

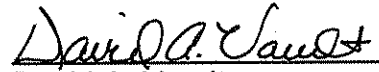
ORDER

The petition received by the State Appeal Board on June 28, 2004 is dismissed.


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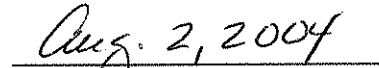
Michael L. Fitzgerald
Chairperson



David A. Vaudt
Vice Chairperson



Cynthia P. Eisenhauer
Member



Date