

Motion by Supervisor Chapman and seconded by
Supervisor Golightly to approve the following
Resolution:

RESOLUTION 2019-0016

WHEREAS, a 100% voluntary annexation not in an urbanized area is complete upon acknowledgement by the Secretary of State that the legal description, map and resolution have been received (See Iowa Code Section 368.7(2)); and

WHEREAS, a 100% voluntary annexation in an urbanized area is complete upon approval by the City Development Board and the subsequent filing and recording of the annexation documents (See Iowa Code Section 368.7(3)); and

WHEREAS, the Dallas County Auditor's office seeks uniformity by creating a policy stating that a 100% voluntary annexation in an urbanized area will not be considered complete until receipt of acknowledgement by the Secretary of State affirming they have received *copies of the proceedings including the original petition or plan and any amendments, the order of the board approving the petition or plan, proofs of service and publication of required notices, certification of the election result, and any other material deemed by the board to be of primary importance to the proceedings* (See Iowa Code Section 368.20(1)(b)); and

WHEREAS, the County Home Rule Amendment adopted and agreed to by the 66th and the 67th General Assembly, and approved by vote on November 7, 1978, allows counties to act in any area not specifically prohibited by state law; and

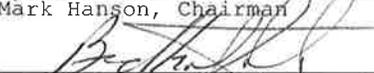
WHEREAS, Iowa Code Section 331.301(6) states: *A county shall not set standards and requirements which are lower or less stringent than those imposed by state law, but may set standards and requirements which are higher or more stringent than those imposed by state law, unless a state law provides otherwise;* and

NOW THEREFORE BE IT RESOLVED that beginning February 5, 2019, the Dallas County Auditor's office will implement said policy by this Resolution for the purposes of uniformity when responding to requests and making administrative decisions regarding annexation perfection.

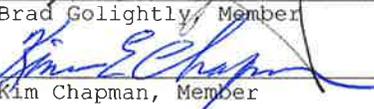
AYE



Mark Hanson, Chairman



Brad Golightly, Member



Kim Chapman, Member

NAY

Mark Hanson, Chairman

Brad Golightly, Member

Kim Chapman, Member

Dated this 5th day of February, 2019

ATTEST: 

Julia Helm, Dallas County Auditor