

MINUTES OF SPECIAL MEETING OF BOARD OF
TRUSTEES OF THE IOWA GREAT LAKES SANI-
TARY DISTRICT, FEBRUARY 5, 1953.

A special meeting of the board of trustees of The Iowa Great Lakes Sanitary District was called by Chairman Dyson and held commencing at 4:00 o'clock p.m., February 5, 1953, at the offices of K. B. Welty in the city of Spirit Lake, Iowa, the members present being H. B. Dyson, President, presiding; W. W. Bean, Treasurer; and Fred K. Thomas, Clerk.

It was explained that the meeting was called for the purpose of giving consideration to the fact that it had just been learned by the board as a whole that the County Auditor of Dickinson County, Iowa, in the fall of 1952, had failed to spread the five-mills previously levied by the board by Resolution adopted October 3, 1951, and filed in the Auditor's office October 5, 1951.

After serious discussion of this fact and of the necessity of continuing the district in the status quo as previously ordered by the Court in connection with the litigation presently pending against the district in the Dickinson County District Court, and after discussing briefly the method of procedure and correction of this error by the County Auditor, it was moved by trustee Thomas and seconded by trustee Dyson that the County Auditor be requested to forthwith recall from the County Treasurer's office those certain tax books known as the "Tax Lists" certifying to the Treasurer's office the taxes collectible in 1953 involving property in the Sanitary District and that the Auditor then correct said books and tax lists as readily as possible and as provided by the provisions of Chapter 443 of the Code of Iowa, 1950, more particularly Section 443.6 of said Chapter, by adding to the taxes against each of the properties in the District subject thereto the amount provided by the Resolution hereinabove referred to, and that the County Auditor be requested to take any and all proper legal steps to correct said books and tax lists as soon as possible and return them to the County Treasurer's office for collection.

After discussion of this motion, upon roll call the trustees voted as follows:

Ayes: Thomas, Dyson, Bean.

Nays: None.

Thereupon, the President declared the motion carried and directed that it be spread upon the Minutes and instructed the attorney for the District to prepare a formal request for delivery to the County Auditor as provided in said Motion and

that there be attached thereto a copy of these proceedings.

There being no further business, upon motion duly seconded and carried, upon roll call the meeting was adjourned subject to the call of the President. ✓

J. B. Dyer
President of the Board of Trustees

Attest:

Fred K. Thomas
Clerk

K. B. WELTY
ATTORNEY-AT-LAW
WELTY BUILDING
SPIRIT LAKE, IOWA

February 6, 1953

Office of County Auditor
Dickinson County
Spirit Lake, Iowa

In re: The Iowa Great Lakes Sanitary District.

Dear Mr. Smith:

A few days ago it came to the attention of the board of trustees of The Iowa Great Lakes Sanitary District that the County Auditor preceding you in office had not spread the five-mill levy made and provided for by the board of trustees in October 1951 for collection through the years 1951 to 1970, inclusive, as provided by a Resolution and Ordinance of the board of trustees dated October 3, 1951, published October 4, 1951, and filed in your office October 5, 1951.

For your information the board of trustees were not consulted with respect to this error in failing to spread the tax and the County Attorney informs me that he was not consulted about it. In a brief visit with Mr. Wiese, the former County Auditor, he indicates that this was a mistake which was made apparently because the Resolution had been misplaced or something.

Any way, the board of trustees of the district held a special meeting yesterday for the consideration of this most serious problem. For your information, I attach to this letter a copy of the complete Minutes of that meeting which embrace the action taken by the board with respect to this matter. Pursuant to that action, I, as attorney for the District, have been directed to request your office to correct the tax list which was delivered to the County Treasurer's office on or before December 31, 1952, by adding to the taxes against the properties in the District the tax levied and assessed by the board pursuant to said Resolution. That request is hereby formally made.

We sincerely appreciate, Mr. Smith, that this is going to involve a substantial work on your part. If there is anything about this with which the trustees can be of help, please feel free to call upon them.

Respectfully submitted,

K. B. Welty

KBW: jw
Encl.

President of the board of trustees