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## FISCAL UPDATE Article

Fiscal Services Division

January 8, 2025



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Ground Floor, State Capitol Building

Des Moines, Iowa 50319

515.281.3566

### IOWA PUBLIC INFORMATION BOARD MEETING — DECEMBER 2024

**Meeting.** The Iowa Public Information Board (Board) met on December 19, 2024, at the Wallace State Office Building in Des Moines and took the following actions:

- **Approved Minutes.** The Board approved the minutes from the November 21, 2024, Board meeting.
- **Accepted Cases.** The Board accepted 11 complaint allegations. The Board found that these allegations fall under the Board's jurisdiction, are legally sufficient, or could have merit pursuant to Iowa Code section [23.8\(1\)](#).
- **Dismissed Cases.** The Board dismissed six complaint allegations. The Board found that the dismissed cases did not fall under the Board's jurisdiction, were legally insufficient, were harmless error, or did not have merit pursuant to Iowa Code section [23.8\(2\)](#).
- **Tabled Case.** The Board tabled one complaint allegation case for future discussion.
- **Accepted Probable Cause Reports.** The Board accepted four probable cause reports:
  - The Board accepted a probable cause report regarding the Union County Emergency Management Agency (UCEMA) for a violation of Iowa Code chapters [21](#) and [22](#), alleging the UCEMA did not properly maintain and provide meeting minutes; and did not properly disclose a closed session meeting in the agenda. Due to lack of responsiveness by the UCEMA, the Board approved to move to a contested case proceeding.
  - The Board accepted a probable cause report regarding the city of Des Moines for a violation of Iowa Code chapter 22, alleging the city blocked the complainant from a city councilmember's Facebook profile page. The Board dismissed the complaint allegation for a lack of probable cause due to no formal request for public records having been made by the complainant.
  - The Board accepted a probable cause report regarding the Clarke County Hospital Board of Trustees for a violation of Iowa Code chapters 21 and 22, alleging unkept meeting minutes, improperly posting meeting agendas, and holding meetings at unreasonable times by the Board of Trustees. The Board dismissed the complaint allegation for a lack of probable cause due to no violation occurring, as the meeting minutes were not properly requested from the Board of Trustees, the meeting agendas were properly posted, and the meeting times were reasonable.
  - The Board accepted a probable cause report regarding the city of Fairfield for a violation of Iowa Code chapter 21, alleging the city refused to provide public records. The Board dismissed the complaint allegation for lack of probable cause due to the city providing all requested public records.
- **Accepted Final Report.** The Board accepted a final report for a complaint against the city of Eagle Grove alleging the city violated Iowa Code chapter 22 by not providing all requested records to the complainant. The complaint allegation was dismissed as successfully resolved.
- **Accepted Informal Resolution Reports.** The Board accepted the following three informal resolution reports:
  - A complaint was filed alleging the Monroe County Sheriff's Office violated Iowa Code chapter 22 by not providing public records that were requested by the complainant regarding a missing persons case. As part of the informal resolution, the county created two case files: a historical case file referring to the missing persons case in 1984 and a new case file referring to the missing persons case after 1984; the county will provide the historical case file to the complainant; if the county is unable to provide the historical case file, the county will provide justification for each withheld record; the county will review the new case file and determine which records will be included in the public records request; and after receiving the records that were requested, the

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complainant will provide a list of records that are still believed to be missing and provide this list to the Board for review.

- A complaint was filed alleging the Jefferson County Board of Supervisors violated Iowa Code chapters 21 and 22 by not providing a complete public records request and for holding private discussions as a quorum of the Board of Supervisors. As part of the informal resolution, the Board of Supervisors will acknowledge that a violation in privately discussing Board of Supervisor matters may have occurred during an open meeting and meeting minutes will be provided to the Board; the Board of Supervisors will provide to the Board a record of public records that were provided to the complainant; the Board of Supervisors will conduct training at an open meeting regarding Iowa Code chapters 21 and 22; and the Board of Supervisors will approve the informal resolution request at an open meeting and provide the meeting minutes to the Board.
- A complaint was filed alleging the Pleasant Grove Township Trustees and the clerk to the Trustees violated Iowa Code chapter 21 by not conducting business effectively due to internal conflict. As part of the informal resolution, the Trustees will approve the informal resolution at an open meeting and the minutes will be provided to the Board; all Trustees and the clerk will complete training related to Iowa Code chapters 21 and 22; the Trustees will develop policies or procedures regarding the posting of agendas, scheduling of meetings, and providing documents in advance of meetings; and the new policy or procedure will be provided to the Board.

**Next Meeting.** The next Board meeting will be held on January 16, 2025, at 1:00 p.m. at the Wallace State Office Building in Des Moines.

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