# **Iowa Public Information Board Complaint 25FC:0014 acceptance**

From Eckley, Erika <erika.eckley@iowa.gov>

To Scott Nicholson <a href="mailto:snicholson@jaspercoatty.org">Scott Nicholson <a href="mailto:snicholson@jaspercoatty.org">snicholson@jaspercoatty.org</a>, pyrebird@phoenixharbor.net

Date Wednesday, March 5th, 2025 at 8:33 AM

# Good morning,

The Iowa Public Information Board received formal complaint 25FC:0015, alleging a violation of Chapter. After conducting an initial facial review of this complaint under Iowa Code § 23.8, we have decided to accept the case for further investigation.

Facial review means the IPIB considers only the facts alleged by the complainant and, assuming they are true, determines whether the complaint presents a potential violation of lowa's open meeting or public records law. If there is no potential violation, the complaint is dismissed. If further investigation is required to determine whether a violation occurred, the complaint is accepted and the respondent government body is contacted.

Applying this standard, IPIB has accepted formal complaint 25FC:0014 for further review, to consider the following allegations:

• whether all non-confidential public records have been provided under lowa Code chapter 22. Please review this email and the attached information and provide a response to the allegations to the IPIB within two weeks. To ensure all parties are copied on the information, please use the "reply all" function to respond to this email.

Upon acceptance of this complaint, IPIB is directed to seek an informal, expeditious resolution of the complaint. Iowa Code § 23.9. If any party declines informal assistance or if informal assistance fails to resolve the matter to the satisfaction of all parties, the IPIB is to initiate a formal investigation concerning the facts and circumstances set forth in the complaint. Iowa Code § 23.10.



# Erika Eckley, JD, MPA

Executive Director

Iowa Public Information Board (IPIB)

510 E 12th Street

Jessie M. Parker Building, East

Des Moines, Iowa 50319

(515) 393-8339

erika.eckley@iowa.gov

www.ipib.iowa.gov

# 268.83 KB 1 file attached

25FC\_0014.pdf 268.83 KB

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# Case: 00009743

Account Name	Guest Account	Contact Name	Michael Merritt
IPIB Case Number	25FC:0014	Contact Phone	N/A
Case Owner	Erika Eckley	Contact Email	pyrebird@phoenixharbor.net
IPIB Copied Date		County	
IPIB Open Date	2/5/2025	Outcome	
IPIB Close Date		Board Review Document	
Category	Public Records - Delay	Board Approval Date	
Board Meeting		Case Record Type	Complaint
Board accept date			
First eligible board meeting	2/20/2025		
Board Meeting Consent			
Additional Information			
Status	Complaint Opened/Acknowledged	Priority	
Case Origin	Web	Туре	
Date of Alleged Violation	1/14/2025	Complaint Type	Chapter 22
Contested Case		Petitioner type	Citizen
Date of First Board Meeting		Type of Entity	County
Reviewed within two board meetings			
mooningo			
<b>Description Information</b>			
Subject	25FC:0014		
Description			their Microsoft 365 commerical vendor subscriptions. As sper County, IA Attorney's office has once again disregarded
	a public records request. The purpose	of this request is to gather data to build a statewide data	atabase that will halt the evidence of unethical fees that
O	some government bodies are currently	deploying.	
Gov't Employees/Officials Involved	Scott Nicholson, Ryan Eaton		
Other Person and Contact Information	N/A		
Web Information			
Date/Time Opened	2/3/2025, 10:56 AM	Case Number	00009743
Case Source		Date/Time Closed	
System Information			
Created By	Erika Eckley, 2/3/2025, 10:56 AM	Last Modified By	Erika Eckley, 2/6/2025, 3:50 PM
	•		
Contact Information			
Name	Michael Merritt	Account Name	Guest Account
Contact Owner	System	Work Phone	N/A
Title		Home Phone	
Email	pyrebird@phoenixharbor.net	Mobile	
Fax		Contact Record Type	Customers
Address Information			
Mailing Address	308 East Street Grinnell, IA 50112		
	,		
Additional Information			

#### **System Information**

Created By System, 3/5/2024, 3:54 AM Last Modified By Erika Eckley, 11/21/2024, 11:28 AM

### **Activity History**

## Email: IPIB Complaint 25FC:0014 Received

Name Michael Merritt

Task 🗸

Due Date 2/5/2025

Assigned To Erika Eckley

Last Modified Date/Time 2/5/2025, 12:25 PM

To: pyrebird@phoenixharbor.net

BCC:

Attachment: --none--

Subject: IPIB Complaint 25FC:0014 Received

We have received your complaint, which has been given the following number: 25FC:0014

Comments We will be reviewing the allegations solely as alleged (a facial review) to determine whether we will accept or dismiss this complaint. Facial review means that we look at the complaint and if we assume everything stated is true, we would determine we could find a violation of lowa's open meeting or public records law. If upon review we could find a violation, then we will accept the complaint. If we could not find a violation of lowa Code chapters 21 or 22 based on the facts, then we will dismiss the complaint.

We will advise you regarding the acceptance or dismissal and next steps at that time.

Erika Eckley, JD, MPA

Executive Directorlowa Public Information Board (IPIB)510 E 12th Street Jessie M. Parker Building, EastDes Moines, Iowa 50319(515) 393-8339 erika.eckley@iowa.govwww.ipib.iowa.gov

#### Email: IPIB Complaint 25FC:0014 Received

Name Erika Eckley

Task ✓

Due Date 2/5/2025

Assigned To Erika Eckley

Last Modified Date/Time 2/5/2025, 12:25 PM

To: pyrebird@phoenixharbor.net

CC:

BCC:

Attachment: --none--

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## Email: Fw: Iowa Open Records Request - Iowa Counties - Combined

Name Michael McPeek

Task 🗸

Due Date 2/3/2025

Assigned To Erika Eckley

Last Modified Date/Time 2/5/2025, 12:15 PM

Comments To: snicholson@jaspercoatty.org; reaton@jasperia.org; btalsma@jasperia.org; dcupples@jasperia.org; bshutts@jaspersheriff.org; ipib@iowa.gov CC: RandyE@newtongov.org; evelyng@newtongov.org; joelm@newtongov.org; markh@newtongov.org; markh@newtongov.org;

melissad@newtongov.org; robb@newtongov.org; stacys@newtongov.org; stevem@newtongov.org

BCC:

Attachment: --none--

Subject: Fw: Iowa Open Records Request - Iowa Counties - Combined

Body:

The below records request is related to the complaint I filed today against Jasper County, IA. The below video provides evidence that the Jasper County, IA Attorney Scott Nicholson is the direct point of contact for all public records requests directed to Jasper County, IA. https://stream.phoenixharbor.net/w/u3zQPmhsCxQeb3UaGuCAv7?start=10m13s

https://www.youtube.com/watch?v=79MQ4\_r7QZM&t=4s

Respectfully, Michael J. Merritt, USN Retired/WriterFounder: phoenixharbor.netCreative Writer/MusicianInformation Warfare SpecialistInformation Systems Manager

----- Forwarded Message ------

From: Michael J. Merritt <pyrebird@phoenixharbor.net>

Date: On Wednesday, December 18th, 2024 at 7:30 AM

Subject: Iowa Open Records Request - Iowa Counties - Combined

To: attorney@adaircountyiowa.org <attorney@adaircountyiowa.org>, acattorney@adamscounty.iowa.gov <acattorney@adamscounty.iowa.gov>, agericke@allamakeecounty.iowa.gov <agericke@allamakeecounty.iowa.gov>, tstewart@appanoosecounty.net <tstewart@appanoosecounty.net>, cswensen@auduboncountyia.gov <cswensen@auduboncountyia.gov>, rlough@bentoncountyia.gov <rlough@bentoncountyia.gov>, bwilliams@blackhawkcounty.iowa.gov <bwilliams@blackhawkcounty.iowa.gov>, mspeers@boonecounty.iowa.gov <mspeers@boonecounty.iowa.gov>, drobinson@co.bremer.ia.us <drobinson@co.bremer.ia.us>, sharden@co.buchanan.ia.us <sharden@co.buchanan.ia.us>, paul@bvcountyattorney.org <paul@bvcountyattorney.org>, dave@sgllawoffice.com <dave@sgllawoffice.com <dave@sgllawoffice.com>, bsmith@calhouncounty.iowa.gov <bsmith@calhouncounty.iowa.gov>, jwerden@carrollcountyattorney.org <jwerden@carrollcountyattorney.org>, vstrazdas@casscoia.us <vstrazdas@casscoia.us>, ablank@cedarcounty.iowa.gov <ablank@cedarcounty.iowa.gov>, cdalen@cgcounty.org <cdalen@cgcounty.org>, rrkolpin@co.cherokee.ia.us <rrkolpin@co.cherokee.ia.us>, d.laudner@chickasawcounty.iowa.gov <d.laudner@chickasawcounty.iowa.gov>, atty@clarkecountyiowa.org <atty@clarkecountyiowa.org>, tjohnson@claycounty.iowa.gov <tjohnson@claycounty.iowa.gov>, zherrmann@claytoncountyia.gov <zherrmann@claytoncountyia.gov>, mwolf@clintonca.net <mwolf@clintonca.net>, colin.johnson@crawfordca.org <colin.johnson@crawfordca.org>, Jeannine.ritchie@dallascountyiowa.gov <Jeannine.ritchie@dallascountyiowa.gov>, attorney@daviscountyiowa.org <attorney@daviscountyiowa.org>, coattdec@grm.net</a>
<coattdec@grm.net>, jwbernau@msn.com <jwbernau@msn.com>, dmca@dmcounty.com <dmca@dmcounty.com>, sgoodlow@dickinsoncountyiowa.gov <sgoodlow@dickinsoncountyiowa.gov>, Scott.nelson@dubuquecountyiowa.gov <Scott.nelson@dubuquecountyiowa.gov>, mbauler@emmetcountyia.gov <mbauler@emmetcountyia.gov>, nlein@co.fayette.ia.us <nlein@co.fayette.ia.us>, tprichard@floydcoia.org <tprichard@floydcoia.org>, amiller@co.franklin.ia.us <amiller@co.franklin.ia.us</a>, pjohnson@co.fremont.ia.us <pjohnson@co.fremont.ia.us>, tlaehn@greenecounty.iowa.gov <tlaehn@greenecounty.iowa.gov> Erika.allen@grundycountyiowa.gov <Erika.allen@grundycountyiowa.gov>, d.minteer@guthriecounty.gov <d.minteer@guthriecounty.gov>, hamcoatt@wmtel.net <hamcoatt@wmtel.net>, rachel.martinez@hancocklaw-ia.com <rachel.martinez@hancocklaw-ia.com> dmeyer@hardincountyia.gov <dmeyer@hardincountyia.gov>, attorney@harrisoncounty.iowa.gov <attorney@harrisoncounty.iowa.gov>, coattorney@henrycountylowa.us <coattorney@henrycountylowa.us>, howatty@howardcounty.iowa.gov <howatty@howardcounty.iowa.gov> jbeaty@humboldtcounty.iowa.gov <jbeaty@humboldtcounty.iowa.gov>, mwhitmer@idacountyia.us <mwhitmer@idacountyia.us>, iacoatty@netins.net <iacoatty@netins.net>, jkies@jacksoncounty.iowa.gov <jkies@jacksoncounty.iowa.gov>, snicholson@jaspercoatty.org <snicholson@jaspercoatty.org>, cmoulding@jeffersoncola.us <cmoulding@jeffersoncola.us>, rzimmerm@johnsoncountylowa.gov <rzimmerm@johnsoncountyiowa.gov>, kristofer.lyons@jonescountyiowa.gov <kristofer.lyons@jonescountyiowa.gov>, athompson@keokukcounty.iowa.gov <athompson@keokukcounty.iowa.gov>, tholmes@kossuthcounty.iowa.gov <tholmes@kossuthcounty.iowa.gov>, rbraden@leecountyiowa.gov <rbraden@leecountyiowa.gov>, nick.maybanks@linncountyiowa.gov <nick.maybanks@linncountyiowa.gov>, aparsons@louisacountyia.gov <aparsons@louisacountyia.gov>, brandon@sheltonlaw.org <br/>
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CC: AG Webteam [AG] <webteam@ag.iowa.gov>

## State of Iowa County Attorneys

I am respectfully requesting your government body's most recent monthly billing receipt with Microsoft 365, Google Workspace, or other vendors providing information system licensing and the quantity of users licensed by your government body.

I am going to correct the evidence of unethical conduct that some have manifested evidence supporting regarding fees that are not consistent with lowa Code Section 22.3 so that the State of Iowa is no longer able to victimize future Iowa citizens.

Fact: Iowa State University, University of Iowa, and University of Northern Iowa completed all of my previous record requests for \$60 or less.Fact: These universities have tens of thousands of users that these searches were conducted on.Fact: These universities have reported information system licenses and quantities.

Thereby obsoleting any future lowa government body with 100 or 300 end users with the ability of pulling 3 or 4 figure fees out of thin air for an identical search.

Fact: The originator of this record request has already uncovered nearly 1 half million in alleged fraud generated by the City of Marshalltown, IA through evidence supporting the City of Marshalltown IA's misrepresentation of their government body's Zimbra 8 and 9 mail server capabilities. Fact: Public records are on hand showing dozens of lowa Counties involved in the lowa Public Information Board's alleged disability-based discrimination via a 2023 teleconference with the lowa State Association of Counties.

Fact: Approximately 80 lowa Counties Attorney's produced evidence of failing to respond to my January 2024 record request. Fact: 1 lowa Public Information Board Executive Director produced evidence of sweeping these complaints under the rug.

Operational Timeline18 DEC 2024: Submission of open records request in accordance with Iowa Code Section 22.4(2.)07 JAN 2025: Expiation of suggested time provided in Iowa Code Section 22.8(4.)(d.)08 JAN 2025: Production of evidence of county attorney's violation of Iowa Rules of the Court Chapter 32 (See: Iowa Rules of the Court Sections 32:4.4(a.) and 32:8.4(a.))

To those who have answered my previous public record requests with compassion and honor it was my honor to serve you. At the same time, it is those few that have preserved my faith in this nation.

I am committed to protecting and defending the rights and liberties of those I have served for twenty years of my life. The evidence showing the State of Iowa's discrimination against me, unethical attacks, and criminalization are irrelevant. It is impossible to cause further damage to someone or take anymore away from those who have nothing left to live for except the hope and prayer that light will shine in the morning.

To any Veterans reading this when our bodies are no longer standing watch in defense of our great nation's physical borders it is then we must work

to defend the spirit of this great democracy.

Respectfully, Michael J. Merritt, USN Retired/WriterFounder: phoenixharbor.netCreative Writer/MusicianInformation Warfare SpecialistInformation Systems Manager

#### Email: Fw: Iowa Open Records Request - Iowa Counties - Combined

Name Michael Merritt

Task 🗸

Due Date 2/3/2025

Assigned To Erika Eckley

Last Modified Date/Time 2/5/2025, 12:15 PM

Comments To: snicholson@jaspercoatty.org; reaton@jasperia.org; btalsma@jasperia.org; dcupples@jasperia.org; bshutts@jaspersheriff.org; ipib@iowa.gov CC: RandyE@newtongov.org; evelyng@newtongov.org; joelm@newtongov.org; markh@newtongov.org; matt@newtongov.org; melissad@newtongov.org; robb@newtongov.org; stacys@newtongov.org; stevem@newtongov.org

BCC:

Attachment: --none--

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<jharmon@marioncountyiowa.gov>, jgaffney@marshallcountyia.gov <jgaffney@marshallcountyia.gov>, dbirdsell@millscountyiowa.gov <dbirdsell@millscountyiowa.gov>, aaron.m@walkprichard.com <aaron.m@walkprichard.com>, mocoatt2@mononacounty.org <mocoatt2@mononacounty.org>, laura.davis@monroecolaw.com <laura.davis@monroecolaw.com>, montcoatty@swanlawredoak.com <montcoatty@swanlawredoak.com>, jim.barry@muscatinecountyiowa.gov <jim.barry@muscatinecountyiowa.gov>, kmorgan@obriencounty.iowa.gov <kmorgan@obriencounty.iowa.gov>, nmcgowan@osceolacoia.org <nmcgowan@osceolacoia.org>, pagecoatty@co.page.ia.us <draymond@plymouthcountyiowa.gov>, dfeistner@pocahontascoia.us <dfeistner@pocahontascoia.us>, kimberly.graham@polkcountyiowa.gov <kimberly.graham@polkcountyiowa.gov>, matthew.wilber@pottcounty-ia.gov <matthew.wilber@pottcounty-ia.gov>

klaver\_coatty@poweshiekcounty.org <klaver\_coatty@poweshiekcounty.org>, rtca@ringgoldcounty.us <rtca@ringgoldcounty.us>,

ben.smith@saccountyiowa.gov <ben.smith@saccountyiowa.gov>, kelly.cunningham@scottcountyiowa.gov

<kelly.cunningham@scottcountyiowa.gov>, mgross@sdsllaw.com <mgross@sdsllaw.com>, thomask@siouxcounty.org <thomask@siouxcounty.org>, tmeals@storycountyiowa.gov> <theals@storycountyiowa.gov>, bheeren@tca.tamacountyiowa.gov> <br/>, bheeren@tca.tamacountyiowa.gov <spotoole@unioncountyiowa.gov>, spotoole@unioncountyiowa.gov> <spotoole@unioncountyiowa.gov>, hcmiller@vanburencounty.iowa.gov>, sgrove@wapellocounty.org <sgrove@wapellocounty.org>, douge@warrencountyia.org>, nrepp@washingtoncounty.iowa.gov <nrepp@washingtoncounty.iowa.gov>, mileslaw@grm.net < mileslaw@grm.net>, darren.driscoll@webstercountyia.gov <darren.driscoll@webstercountyia.gov>, kelsey.beenken@winnebagocountyiowa.gov> <kelsey.beenken@winnebagocountyiowa.gov <kelsey.beenken@winnebagocountyiowa.gov>, grevelaw@yahoo.com<avandermaaten@co.winneshiek.ia.us>, jloomis@woodburycountyiowa.gov> (sloomis@woodburycountyiowa.gov>, grevelaw@yahoo.com<grevelaw@yahoo.com>, esimonson@wrightco.iowa.gov

CC: AG Webteam [AG] <webteam@ag.iowa.gov>

#### State of Iowa County Attorneys

I am respectfully requesting your government body's most recent monthly billing receipt with Microsoft 365, Google Workspace, or other vendors providing information system licensing and the quantity of users licensed by your government body.

I am going to correct the evidence of unethical conduct that some have manifested evidence supporting regarding fees that are not consistent with lowa Code Section 22.3 so that the State of Iowa is no longer able to victimize future Iowa citizens.

Fact: lowa State University, University of lowa, and University of Northern lowa completed all of my previous record requests for \$60 or less.Fact: These universities have tens of thousands of users that these searches were conducted on.Fact: These universities have reported information system licenses and quantities.

Thereby obsoleting any future lowa government body with 100 or 300 end users with the ability of pulling 3 or 4 figure fees out of thin air for an identical search.

Fact: The originator of this record request has already uncovered nearly 1 half million in alleged fraud generated by the City of Marshalltown, IA through evidence supporting the City of Marshalltown IA's misrepresentation of their government body's Zimbra 8 and 9 mail server capabilities. Fact: Public records are on hand showing dozens of lowa Counties involved in the lowa Public Information Board's alleged disability-based discrimination via a 2023 teleconference with the lowa State Association of Counties.

Fact: Approximately 80 lowa Counties Attorney's produced evidence of failing to respond to my January 2024 record request. Fact: 1 lowa Public Information Board Executive Director produced evidence of sweeping these complaints under the rug.

Operational Timeline18 DEC 2024: Submission of open records request in accordance with Iowa Code Section 22.4(2.)07 JAN 2025: Expiation of suggested time provided in Iowa Code Section 22.8(4.)(d.)08 JAN 2025: Production of evidence of county attorney's violation of Iowa Rules of the Court Chapter 32 (See: Iowa Rules of the Court Sections 32:4.4(a.) and 32:8.4(a.))

To those who have answered my previous public record requests with compassion and honor it was my honor to serve you. At the same time, it is those few that have preserved my faith in this nation.

I am committed to protecting and defending the rights and liberties of those I have served for twenty years of my life. The evidence showing the State of lowa's discrimination against me, unethical attacks, and criminalization are irrelevant. It is impossible to cause further damage to someone or take anymore away from those who have nothing left to live for except the hope and prayer that light will shine in the morning.

To any Veterans reading this when our bodies are no longer standing watch in defense of our great nation's physical borders it is then we must work to defend the spirit of this great democracy.

Respectfully, Michael J. Merritt, USN Retired/WriterFounder: phoenixharbor.netCreative Writer/MusicianInformation Warfare SpecialistInformation Systems Manager

#### Email: Fw: Budgets for FY26 (1 July 2025-30 June 2026)

Name Michael McPeek

Task 🗸

Due Date 2/3/2025

Assigned To Erika Eckley

Last Modified Date/Time 2/3/2025, 2:52 PM

Comments To: IPIB@iowa.gov

CC:

BCC.

Attachment: --none--

Subject: Fw: Budgets for FY26 (1 July 2025-30 June 2026)

Body:

From: Johnson, Carrie < Carrie. Johnson@dom.iowa.gov>

Sent: Wednesday, January 22, 2025 8:53 AM

To: Kevin Kilgore <gkkilgore@hotmail.com>

Subject: RE: Budgets for FY26 (1 July 2025-30 June 2026)

The instructions are provided within our budget software to user as they complete their budget within our online system.

For your reference, they are attached.

Carrie

From: Kevin Kilgore <gkkilgore@hotmail.com>

Sent: Monday, January 20, 2025 3:10 PM

To: Johnson, Carrie < Carrie. Johnson@dom.iowa.gov>

Subject: Budgets for FY26 (1 July 2025-30 June 2026)

I find no instructions on your website to the county budgeteers for implementation of Code sec 331.423(2025). They got a free ride for FY2025 (budget year beginning 1July 2024)

but the mandated reductions kick in for FY2026. Clearly the budget certification process must begin with the 331.423 levy limitation, but there is no visible process to ascertain that limitation before the draft budget is "worked" by the Supervisors.

As a point of discussion, the max levy rate portion of the Certification of Taxes has been rescinded (331.433A), and neither the City budget form nor the school budget form has

a separate line item for the general fund levy despite also being subject to mandatory reductions (384.1 and 257.3).

Request advise (return email, phone call, or letter response is acceptable).

Kevin Kilgore

PO Box 55

Diagonal, Iowa 50845

641-278-1185

### Email: Fw: Budgets for FY26 (1 July 2025-30 June 2026)

Name Kevin Kilgore

Task 🗸

Due Date 2/3/2025

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	Kevin Kilgore		
	PO Box 55		
	Diagonal, Iowa 50845		
	641-278-1185		
Case History 2/5/2025, 12:22 PM			
User Erika Eckley			
Action Changed Subje	ct to 25FC:0014. Changed Status from New / Complaint Information Reviewed to Complaint Opened/Acknowledged.		
2/3/2025, 10:56 AM			
User Erika Eckley			

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Action Created.