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IN THE IOWA DISTRICT COURT FOR MADISON COUNTY

Michele Brant as Madison County Auditor Plaintiff, vs. Heather Stancil, Jessica Hobbs as members of the Madison County Board of Supervisors Defendants.	Case No. **PETITION FOR WRIT OF CERTIORARI AND TEMPORARY INJUNCTION IN THE ALTERNATIVE A DECLARITORY JUDGMENT**

COMES NOW, The Plaintiff Michele Brant as Madison County Auditor (hereinafter "Plaintiff") by and through the undersigned legal counsel and for its Petition for Writ of Certiorari and Temporary Injunction respectfully states as follows:

I. PARTIES AND JURISDICTION

1. Plaintiff is Michele Brant as Madison County Auditor.

2. Defendants are Heather Stancil (District 1, Board Chair) and Jessica Hobbs (District 2), elected members of the Madison County Board of Supervisors (or "Board"), in their capacity as the majority of the Board of Supervisors for Madison County (hereinafter "Defendants").

3. This action is brought in the Iowa District Court for Madison County, which is the proper venue because the Respondents reside and perform their official duties in Madison County and the acts alleged occurred in Madison County, Iowa.

4. This Court has jurisdiction under Iowa Rule of Civil Procedure 1.1401 and Iowa Code Chapter 331.301 et seq. Venue is proper in Madison County.

II. FACTUAL ALLEGATIONS

5. On or about April 28, 2026, Defendants Stancil and Hobbs, voted to

reorganize, reduce staffing, outsource functions, alter the budget or otherwise change the organizational makeup of the Madison County Auditor's office by outsourcing building maintenance, creating a new position of Building Manager which takes authority away from the Auditor as Custodian of the Courthouse and by reducing the hours of Human Resources and making their full time position two part time positions with different duties under the Auditor, thirty hours as Human Resources and ten hours as a clerk for the Auditor. This change would take away a 20 hour a week clerk 2 from the Auditors office as well.

6. On October 14, 2025, the Board passed resolution SPV-Resolution-10-14-25 C which stated that in addition to the Auditor serving as the Custodian of the Courthouse, that the buildings and grounds department would also report to the County Auditor.

7. The April 28, 2026 budget entered by the Board, created a new position of Building and Operations Manager, which would oversee Building Maintenance, thus stripping that Authority from the County Auditor.

8. The Budget entered also outsourced the current building maintenance staff which reports to the County Auditor at this time.

9. On September 9, 2025 under resolution AO-Resolution-09-09-25, pursuant to Iowa Code §331.502, the Auditor was reinstated with authority over the Human Resources department.

10. The final vote on the April 28, 2026 budget was 2-1 with Defendant Stancil and Defendant Hobbs casting the decisive votes to pass the Budget which in part reorganized the Auditor's office.

11. At the time of the vote, Auditor Brant had filed an EEOC complaint and an Iowa Office of Civil Rights Complaint naming Defendant Stancil and Defendant Hobbs as Defendants in those matters. The EEOC complaint being filed on July 14, 2025 based on age and sex discrimination claims and the Iowa Civil Rights complaint on November 12, 2025 based on retaliation.

12. This conflict was known or should have been known by Defendants on Jan 5, 2026, during a closed meeting with Defendant's outside counsel Michael Boal, Defendants required Auditor Brant and her entire staff to be removed due to an undisclosed conflict. In an October attempted closed meeting as well as another upcoming closed meeting the board has discussed excluding the auditor due to unnamed conflicts as well.

13. On March 17, 2026, Jessica Hobbs and Heather Stancil were served with notice of the conflict with the auditor's office in a hand delivered letter by the County Attorney. The letter informed the Defendants that any further action involving the Auditor/s office may result in future legal claims against them.

14. Iowa Attorney General Opinion 1992 Iowa AG LEGIS 64 states in part " Iowa Code section 331.504(1) imposes a duty on a county auditor to act as clerk and to record the proceedings of the Board of Supervisors…It must be inferred from the language in the statute that the legislature intended an auditor to record the proceedings of both closed and open sessions of the Board of Supervisors."

15. Unless there was a conflict known to the Board at the time of the January 5th meeting, they had no authority to remove the Auditor from said meeting.

16. Iowa Code §68B.2A(1) prohibits any local official from engaging in any

outside activity that is subject to the official control, inspection, review, audit or enforcement authority of the person or that creates a conflict with official duties.

17. Iowa Code §68B.2A(2)(b) expressly mandates that, upon existence of such a conflict, the official "shall.. publicly disclose the existence of the conflict and refrain from taking any official action or performing any official duty that would detrimentally affect or create a benefit for the outside employment or activity." The statute defines "official action" or "official duty" to include but not be limited to "participating in a vote, taking affirmative action to influence any vote… or providing any other service…."

18.Iowa Code §331.342 further provides: "No Member of the board of supervisors shall be interested directly or indirectly in any contract made by the board, nor shall any member of the board vote upon or in any manner act upon any question involving the expenditure of money in which the member is interested." Any future expenditures involving the offices at issue fall squarely in this prohibition.

19. Iowa Code §331.302(14) recognized the disqualification of supervisors "by reason of conflict of interest" and provides that, when a statutory majority or unanimous vote is required, "the majority or vote shall be computed on the basis of the number of supervisors not disqualified by reason of conflict of interest." A supervisor's statement of conflict "is conclusive and shall be entered of record".

20.These statutory duties are reinforced by long standing Iowa common law, which holds that public officials must avoid placing themselves in a position where their private interests conflict with their public duties. The purpose of conflict of interest rules is "to avoid subjecting public officials to the difficult an often insoluble task of deciding between their duty to the public and their own private interest or advantage". Wilson v. Iowa City 165 N.W. 2d 822 (Iowa 1969).

21. The conflict that existed between the Board and the Auditor at the January 5th closed meeting was entered of record, survives to this day and would have been in the same situation at the April 28th budgetary vote when the Board determined to wrest authority and staff away from the Auditor's office.

22.The Defendants failed to disclose the conflict, recuse themselves or abstain from voting on the Auditor's budget, which substantially changed the makeup of the Auditor's office.

23. This action violates Iowa Ethics laws, common-law impartiality requirements and public policy against self-dealing.

24. This Action exceeds the Board's statutory duty and is illegal because it interferes with the independent duties of the elected Auditor under Iowa Code §§331.501- 331.507.

25. This action caused immediate and irreparable harm to Plaintiff, county operations, and the Auditor's statutory independence.

III. COUNT I – WRIT OF CERTIORARI

26. Plaintiff hereby incorporates herein paragraphs 1-25 as though fully set forth herein.

27.Defendants, acting as an inferior tribunal, exercised quasi-judicial or legislative functions but acted illegally and in excess of jurisdiction Iowa Rule of Civil Procedure 1.1401.

28. Plaintiffs request the Court issue a Writ of Certiorari directing Defendants to certify and return the full record of proceedings and that the Court annul and set aside the illegal

action.

IV. COUNT II – INJUCTIVE RELIEF

29. Plaintiffs are entitled to temporary and permanent injunctive relief under Iowa Rule of Civil Procedure 1.1501 to prevent irreparable injury to public functions and statutory rights. No Adequate remedy at law exists.

WHEREFORE, the Plaintiff, Michele Brant as Madison County Auditor, respectfully pray the Court grant a Wirt of Certiorari, and order the return of said Writ, and following the return of said Writ, declare that the Defendant, Heather Stancil and Jessica Hobbs acting as Madison County Supervisors, acted illegally by reorganizing the Madison County Auditor's office, outsourcing maintenance, creating a new position of Building manager, and cutting the hours of the Human Resources Department, declare the re-organization, outsourcing, creating of the new position of building manager, and cutting of hours illegal, due to the undeclared conflict of interest, direct the Board to halt any changes related to the Auditor's office, declare the budget illegal and void, direct the Board to abstain from any other actions directed at the Auditor's office, In the alternative, enter a Declaratory judgment declaring the actions by the Board illegal and declare the re-organization, outsourcing, creating of the new position of building manager, and cutting of hours illegal, due to the undeclared conflict of interest direct the Board to halt any changes related to the Auditor's office, declare the budget illegal and void, direct the Board to abstain from any other retaliatory actions directed at the Auditor's office, enjoin the supervisors from implementing the budget or interfering with the auditor's office. Assess costs against the Defendant, and further relief as the Court deems just, equitable and appropriate under the circumstances.

Respectfully Submitted,

/s/ Stephen J. Swanson

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