

## **IOWA PUBLIC INFORMATION BOARD**

### **MEMBERS**

**Joan Corbin, Pella (Government Representative, 2024-2028)**

**E. J. Giovannetti, Urbandale (Public Representative, 2022-2026)**

**Barry Lindahl, Dubuque (Government Representative, 2024-2028)**

**Catherine Lucas, Johnston (Government Representative, 2024-2028)**

**Luke Martz, Ames (Public Representative, 2024-2028)**

**Joel McCrea, Pleasant Hill (Media Representative, 2022-2026)**

**Monica McHugh, Zwingle (Public Representative, 2022-2026)**

**Jackie Schmillen, Urbandale (Media Representative, 2022-2026)**

**Vacant**

### **STAFF**

**Charlotte Miller, Executive Director**

**Charissa Flege, Deputy Director**

**Alexander Lee, Agency Counsel**

**Use the following link to watch the IPIB meeting live:**

<https://youtube.com/@IowaPublicInformationBoard>

**Note: If you wish to make public comment to the Board, please send an email to [IPIB@iowa.gov](mailto:IPIB@iowa.gov) prior to the meeting.**

### **Agenda**

**February 19, 2026, 1:00 p.m.**

**Conference Room**

**Jessie Parker Building, East**

**510 East 12<sup>th</sup> Street, Des Moines**

### **1:00 PM – IPIB Meeting**

- I. Approval of agenda\***
- II. Approval of the January 15, 2026 and January 27, 2026 minutes \***
- III. Public Forum (5-minute limit per speaker)**
- IV. Comments from the board chair. (Lucas)**
- V. Advisory Opinion – Deliberation/Action.**
  - 1. 26AO:0001 (Alexander Lee - - Iowa Public Information Board) 1/14/2026 - Advisory Opinion Information Gathering/IR Process Additional Questions on Section 21.12
  - 2. 26AO:0002 (Alexander Lee - - Iowa Public Information Board) 1/29/2026 - Advisory Opinion Information Gathering/IR Process How does the grace period of Iowa Code § 21.12(4) apply in practice?
  - 3. 26AO:0003 (Brooke Lovelace - - Iowa Developmental Disabilities Council) 1/14/2026 -Advisory Opinion Information Gathering/IR Process Is the Iowa Developmental Disabilities Council a governmental body subject to Chapter 21?
- VI. Cases involving Board Deliberation/Action.\* (Miller)**
  - 1. 24FC:0092 (Aubrey Burress - Both- Pleasant Grove township) 10/21/2024 -Final Report Contested Case

2. 25FC:0106 (Bradley Thrasher - Chapter 21- City of Le Grand board of adjustments) 8/14/2025 -Informal Resolution Completed IR/Final Report
3. 25FC:0112 (Robert Alvarez - Chapter 22- University of Iowa) 8/20/2025 - Draft Order
4. 25FC:0134 (Richard Francis - Chapter 22- Fort Dodge Police Department) 9/20/2025 – Status Report
5. 25FC:0138 (Carlton Beers - Chapter 22- City Council of Pisgah and Todd Noah/Admin of Pisgah) 9/24/2025 -Investigative Report Probable Cause Investigation
6. 25FC:0171 (David Kakavand Kordi - Chapter 22- University of Iowa Office of Transparency) 10/30/2025 -Investigative Report Probable Cause Investigation
7. 25FC:0174 (Lance Miller - Chapter 21- City of Marion Iowa) 11/4/2025 - Investigative Report Information Gathering/IR Process
8. 25FC:0193 (William Hendrikson - Chapter 22- Cerro Gordo County) 12/17/2025 - Investigative Report Probable Cause Investigation
9. 25FC:0197 (Linda Smithson - Chapter 21- Bettendorf school board) 12/3/2025 - Investigative Report Probable Cause Investigation
10. 25FC:0203 (Christopher Wyant - Chapter 21- Lewis, Iowa) 12/10/2025 - Investigative Report Draft Order
11. 25FC:0205 (John Johnson - Chapter 22- Hancock County) 12/18/2025 -Investigative Report Probable Cause Investigation
12. 25FC:0218 (Nick Cattell - Chapter 22- City of Chariton) 12/19/2025 -Investigative Report Draft Order

## **I. Consent Agenda \***

### **a. Dismissals**

1. Dismiss 25FC:0168 (Ted Clark - Chapter 22- Dallas County Sheriff's Department) 10/29/2025 - Draft Order
2. Dismiss 25FC:0183 (Nicole Jimmerson - Chapter 22- Clarke County Public Health) 11/12/2025 - Draft Order
3. Dismiss 25FC:0184 (Charles Nocera - Chapter 22- Department of Administrative Services) 11/14/2025 - Draft Order
4. Dismiss 25FC:0190 (David Woods - Chapter 22- Muscatine County) 12/18/2025 - Board Approval of A/D Dismiss
5. Dismiss 25FC:0199 (Joshua Haynes - Both- Madison County) 12/4/2025 - Draft Order
6. Dismiss 25FC:0213 (Toni Moore - Chapter 22- Hardin County Sheriff's Office) 12/15/2025 - Draft Order
7. Dismiss 26FC:0022 (Agnitsch - Chapter 22- Iowa Valley Community College Board of Directors) 12/3/2025 - Draft Order
8. Dismiss 26FC:0038 (Lee Delva Nelson - Chapter 22- Black Hawk County Clerk of Court) 2/2/2026 - Draft Order
9. Dismiss 26FC:0044 (Rachelle Santora – Chapter 22 – Des Moines County Sheriff's Department) 1/22/2026 – Draft Order

### **b. Acceptance**

1. Accept 25FC:0157 (Byron Jimmerson - Chapter 21- Clarke County Board of Health) 11/19/2025 - Board Approval of A/D
2. Accept 25FC:0192 (Rachel Doyle - Chapter 22- City of Rolfe) 11/27/2025 - Board Approval of A/D
3. Accept 25FC:0201 (Lori White - Chapter 22- City of Missouri Valley Iowa) 12/9/2025 - Board Approval of A/D
4. Accept 25FC:0202 (Lori White - Chapter 22- City of Missouri Valley) 12/9/2025 - Board Approval of A/D
5. Accept 25FC:0210 (Matthew Rollinger - Chapter 22- Iowa Department of Education) 12/12/2025 - Information Gathering/IR Process
6. Accept 26FC:0002 (Lori White - Chapter 22- Harrison County Sheriff) 1/2/2026 - Board Approval of A/D
7. Accept 26FC:0003 (Jacob Hall - Chapter 22- City of Sioux Center) 1/2/2026 - Board Approval of A/D
8. Accept 26FC:0006 (Jacob Hall - Chapter 22- Sioux Center Library - City of Sioux Center) 1/5/2026 - Board Approval of A/D
9. Accept 26FC:0008 (Torry Peck - Chapter 22- Seymour Community School District) 1/6/2026 - Complaint Opened/Acknowledged
10. Accept 26FC:0010 (Jennifer Benbow - Chapter 22- Marshall County Sheriff's Office) 1/8/2026 - Information Gathering/IR Process
11. Accept 26FC:0014 (Caleb Housh - Chapter 21- Seymour Community School District) 1/9/2026 - Board Approval of A/D
12. Accept 26FC:0015 (James Phillips - Both- Madison County Board of Supervisors) 1/22/2026 - Information Gathering/IR Process
13. Accept 26FC:0016 (Tremaine J Woods - Chapter 21- Cedar Rapids community School District School Board) 1/18/2026 - Accept/Dismiss
14. Accept 26FC:0018 (Steven Bowman - Chapter 22- City of Des Moines) 1/30/2026 - Complaint Opened/Acknowledged
15. Accept 26FC:0019 (Michael Merritt - Chapter 22- Iowa Attorney General's Office) 1/22/2026 - Information Gathering/IR Process
16. Accept 26FC:0020 (Smith - Chapter 21- Des Moines Co. Supervisors, Des Moines Co. Engineer, Sara Doty Auditor Des Moines Co.) 1/26/2026 - Board Approval of A/D
17. Accept 26FC:0023 (Jacquelynn Zugg - Chapter 22- City of Centerville) 1/23/2026 - Board Approval of A/D
18. Accept 26FC:0025 (Linda Smithson - Chapter 21- Bettendorf Community School District Board of Directors) 1/30/2026 - Complaint Opened/Acknowledged
19. Accept 26FC:0031 (Tamara Jabali - Chapter 22- ) 2/2/2026 - New / Complaint Information Reviewed
20. Accept 26FC:0033 (Melanie Reeves - Chapter 22- Vinton ia police department) 1/12/2026 - Information Gathering/IR Process
21. Accept 26FC:0034 (Gregory Armstrong - Chapter 21- Hamburg city council Hamburg iowa) 1/29/2026 - Complaint Opened/Acknowledged
22. Accept 26FC:0037 (Shane Martinson - Chapter 22- City of Stuart, Stuart, Iowa) 1/30/2026 – Complaint Opened/Acknowledged

23. Accept 26FC:0040 (Jacquelynn Zugg - Chapter 22- City of Centerville)  
2/2/2026 - Complaint Opened/Acknowledged
24. Accept 26FC:0041 (Sally Hanna - Chapter 22- City of Spirit Lake, Iowa)  
2/4/2026 - Complaint Opened/Acknowledged
25. Accept 26FC:0042 (Lori Daughenbaugh - Chapter 22- City of Runnells)  
2/4/2026 - Complaint Opened/Acknowledged

## **II. Matters Withdrawn, No Action Necessary. (Miller)**

1. 25FC:0114 (Andrew Smith - Chapter 22- Cedar Rapids Police Department)  
8/27/2025 -Withdrawn Resolved/Withdrawn
2. 25FC:0128 (Kellen Garfield - Chapter 22- Iowa City Community School District)  
9/11/2025 -Withdrawn Resolved/Withdrawn
3. 25FC:0154 (Iowa Pulse - Chapter 22- Des Moines Public Schools (DMPS))  
10/17/2025 -Withdrawn Resolved/Withdrawn
4. 25FC:0186 (Wendy Frost - Chapter 22- Madison County Board of Supervisors)  
11/19/2025 -Withdrawn Resolved/Withdrawn
5. 25FC:0195 (Teri Patrick - Both- West Des Moines Community School District)  
12/3/2025 -Withdrawn Resolved/Withdrawn
6. 25FC:0196 (Nick Cattell - Chapter 22- City of Chariton) 12/2/2025 -Withdrawn Resolved/Withdrawn
7. 25FC:0204 (Elaine Johnson - Chapter 22- Waterloo Police Department & Black Hawk County Attorney) 12/18/2025 - Withdrawn Resolved/Withdrawn
8. 25FC:0211 (Michael Adams - Chapter 22- City of Winterset, Iowa) 12/12/2025 - Withdrawn Resolved/Withdrawn
9. 25FC:0219 (Thomas Green - Chapter 22- Humboldt Police Department)  
12/18/2025 – Withdrawn Resolved/Withdrawn
10. 25FC:0224 (Marc Craig - Chapter 22- Iowa HHS Open Records) 12/27/2025 - Withdrawn Resolved/Withdrawn
11. 25FC:0225 (Timothy Carey - Chapter 22- City of Parkersburg) 12/31/2025 - Withdrawn Resolved/Withdrawn
12. 26FC:0009 (Warren Drake - Chapter 22- City of Creston) 1/13/2026 -Withdrawn Resolved/Withdrawn
13. 26FC:0013 (Brian Hansen – Chapter 21 – City of Grimes) 1/14/2026 -Withdrawn Resolved/Withdrawn
14. 26FC:0017 (Andrew Oltrogge - Chapter 22- West Des Moines Police Department) 1/18/2026 - Withdrawn Resolved/Withdrawn
15. 26FC:0026 (Cody Dewall - Chapter 21- City of Pocahontas council) 1/26/2026 - Withdrawn Resolved/Withdrawn
16. 26FC:0026-2 (Duane Flaherty - Chapter 21- City of Pocahontas) 1/27/2026 - Withdrawn Resolved/Withdrawn

## **III. Pending Complaints. Informational Only (Miller)**

1. 25FC:0031 (Michael Chapman - Chapter 21- Waterloo Community School District Board of Education) 3/26/2025 - Information Gathering/IR Process
2. 25FC:0054 (Tim Ferguson - Chapter 22- City of Davenport) 5/19/2025 - Information Gathering/IR Process

3. 25FC:0055 (Justin Cole - Chapter 21- Mount Union Benefited Fire District) 5/21/2025 - Information Gathering/IR Process
4. 25FC:0061 (Dylan Southall - Chapter 22- Cedar Falls Utilities - Cedar Falls, Iowa) 5/23/2025 - Information Gathering/IR Process
5. 25FC:0058 (Rachel Doyle - Both- City of Rolfe) 5/27/2025 - Information Gathering/IR Process
6. 25FC:0070-2 (Keith Wieland - Chapter 22- Buchanan County, Iowa) 6/10/2025 - Information Gathering/IR Process
7. 25FC:0070-4 (Keith Wieland - Chapter 22- Buchanan County, Iowa) 6/10/2025 - Information Gathering/IR Process
8. 25FC:0070-1 (Keith Wieland - Chapter 22- Buchanan County, Iowa) 6/10/2025 - Information Gathering/IR Process
9. 25FC:0070-3 (Keith Wieland - Chapter 22- Buchanan County, Iowa) 6/10/2025 - Information Gathering/IR Process
10. 25FC:0072 (Jonathan Uhl - Chapter 22- Scott County / Scott County Attorney's Office) 6/13/2025 - Information Gathering/IR Process
11. 25FC:0075 (Chris Stevens - Chapter 22- City of Swea City IA) 6/17/2025 - Information Gathering/IR Process
12. 25FC:0076 (Ken Allsup - Both- Oskaloosa School Board) 6/17/2025 - Information Gathering/IR Process
13. 25FC:0079 (Judith Lee - Chapter 22- City of Davenport) 6/24/2025 - Information Gathering/IR Process
14. 25FC:0082 (Tim Ferguson - Chapter 22- Davenport Police Lieutenant Dennis Colclasure of the Davenport Police) 6/24/2025 - Information Gathering/IR Process
15. 25FC:0089 (Charlie Comfort - Chapter 22- Oskaloosa Community School District) 7/7/2025 - Information Gathering/IR Process
16. 25FC:0065-2 (John Rasmussen - Chapter 21- Pottawattamie County Board of Supervisors) 7/9/2025 - IR Agreed to by Parties
17. 25FC:0092 (Keith Wieland - Chapter 21- Buchanan County Solid Waste Commission) 7/9/2025 - Information Gathering/IR Process
18. 25FC:0099 (Mount Pleasant Municipal Utilities - Chapter 21- Resale Power Group of Iowa) 7/28/2025 - Information Gathering/IR Process
19. 25FC:0104 (Tim Ferguson - Chapter 22- City of Davenport and Davenport Police Department) 8/13/2025 - Information Gathering/IR Process
20. 25FC:0109 (Jaicy Skaggs - Chapter 21- City of Kellogg) 8/18/2025 - Information Gathering/IR Process
21. 25FC:0119 (Tim Ferguson - Chapter 22- City of Davenport) 8/21/2025 - Information Gathering/IR Process
22. 25FC:0120 (Tim Ferguson - Chapter 22- Davenport Police Department & City of Davenport) 8/26/2025 - Complaint Opened/Acknowledged
23. 25FC:0121 (Tim Ferguson - Chapter 22- Scott County) 8/26/2025 - Information Gathering/IR Process
24. 25FC:0116 (Crystal Davis - Chapter 21- Larchwood City Council and Mayor) 8/27/2025 - Board Acceptance of IR

25. 25FC:0126 (Don McGregor - Chapter 22- Kossuth County Board of Supervisors) 9/11/2025 - Information Gathering/IR Process
26. 25FC:0127 (Vince Johnson - Chapter 22- Kossuth County Board of Supervisors and Trustees of Drainage district DD4) 9/11/2025 - Information Gathering/IR Process
27. 25FC:0131 (Gregory Armstrong - Chapter 21- Hamburg city council.) 9/16/2025 - Information Gathering/IR Process
28. 25FC:0132 (Melissa Hannover - Chapter 21- City of Havelock) 9/16/2025 - Information Gathering/IR Process
29. 25FC:0136 (Alisha Beers - Chapter 22- City council of Pisgah and Clerk Heather) 9/22/2025 - Information Gathering/IR Process
30. 25FC:0144 (Tony Hamson - Chapter 22- Rake City) 9/26/2025 - Information Gathering/IR Process
31. 25FC:0143 (Brandon Talsma - Chapter 21- Jasper County Conservation) 10/1/2025 - Information Gathering/IR Process
32. 25FC:0151 (Gregory Armstrong - Chapter 22- Hamburg Community School Board) 10/8/2025 - Information Gathering/IR Process
33. 25FC:0153 (Michael Merritt - Chapter 22- Iowa Attorney General's Office) 10/16/2025 - Information Gathering/IR Process
34. 25FC:0155 (Paullina Resident - Chapter 21- Paullina City Council Paullina Personnel Board) 10/20/2025 - Information Gathering/IR Process
35. 25FC:0160 (Michael Benson - Chapter 22- City of Moville) 10/21/2025 - Information Gathering/IR Process
36. 25FC:0166 (James Possehl - Chapter 21- City of Parnell - city council) 10/27/2025 - Information Gathering/IR Process
37. 25FC:0167 (Jacob Hall - Chapter 22- City of Storm Lake) 10/28/2025 - Information Gathering/IR Process
38. 25FC:0176 (Mikayla Simpson - Chapter 22- Madison County Board of Supervisors) 11/6/2025 - Information Gathering/IR Process
39. 25FC:0187-2 (Mikayla Simpson - Chapter 22- Madison County Board of Supervisors) 11/19/2025 - Information Gathering/IR Process
40. 25FC:0187-1 (Mikayla Simpson - Chapter 22- Madison County) 11/19/2025 - Information Gathering/IR Process
41. 25FC:0194 (Justin Brady - Chapter 22- Des Moines Public Schools, State Department of Education) 12/1/2025 - Information Gathering/IR Process
42. 25FC:0198 (OpenRec2025 - Chapter 22- Iowa Western Community College) 12/5/2025 - Information Gathering/IR Process
43. 25FC:0200 (John Doe - Chapter 22- Keokuk, IA Police Department) 12/8/2025 - Information Gathering/IR Process
44. 25FC:0191 (Jonathan Uhl - Chapter 22- City of Davenport) 12/9/2025 - Information Gathering/IR Process
45. 25FC:0188 (Kyle Ocker - Chapter 22- City of Pleasantville) 12/10/2025 - Information Gathering/IR Process
46. 25FC:0217 (Matthew Rollinger - Chapter 22- IOWA Attorney General's office) 12/12/2025 - Complaint Opened/Acknowledged

47. 25FC:0214 (Shannon Martinez - Chapter 22- Wilton Police Department) 12/18/2025 -Investigative Report Information Gathering/IR Process
48. 25FC:0215 (William Daggett - Chapter 22- City of Baxter) 12/16/2025 - Information Gathering/IR Process
49. 25FC:0207 (William Hendrikson - Chapter 22- Cerro Gordo County Attorney's Office) 12/17/2025 - Information Gathering/IR Process
50. 25FC:0208 (William Hendrikson - Chapter 22- Sheriff David Hepperly - Cerro Gordo County Sheriff's Office) 12/17/2025 - Information Gathering/IR Process
51. 25FC:0209 (William Hendrikson - Chapter 22- Cerro Gordo County) 12/17/2025 - Information Gathering/IR Process
52. 25FC:0206 (William Hendrikson - Chapter 22- City of clear lake police department) 12/18/2025 - Information Gathering/IR Process
53. 25FC:0212 (Travis Petsche - Chapter 22- City of Fayette) 12/18/2025 - Information Gathering/IR Process
54. 25FC:0189 (Frank Lee - Chapter 21- Oelwein Community School District) 12/18/2025 - Complaint Opened/Acknowledged
55. 25FC:0216 (Jason Boge - Chapter 22- Department of Corrections) 12/18/2025 - New / Complaint Information Reviewed
56. 25FC:0221 (Gregory Armstrong - Chapter 22- School board) 12/22/2025 - Information Gathering/IR Process
57. 25FC:0222 (Richard Francis - Chapter 22- Jessica Hammen is the Police Chief of Manson Iowa- she Is also a Sheirff Deputy for Calhoun County & Dave Anderson is the Mayor of Manson Iowa.) 12/22/2025 - Information Gathering/IR Process
58. 26FC:0001 (Coltin Hatfield - Chapter 21- City of Kellerton) 1/1/2026 - Information Gathering/IR Process
59. 26FC:0004 (Rebecca Bianchi - Both- City of Mitchellville) 1/4/2026 - New / Complaint Information Reviewed
60. 26FC:0005 (Stephen Swanson - Chapter 21- Madison County Board of Supervisors) 1/5/2026 - Information Gathering/IR Process
61. 26FC:0011 (Kari Rose - Chapter 22- City of Carson) 1/12/2026 - Complaint Opened/Acknowledged
62. 26FC:0012 (Justin Scott - Chapter 22- Denver Community School District) 1/15/2026 - Complaint Opened/Acknowledged
63. 26FC:0027 (Tim Ferguson - Both- Scott County and Scott County Attorney's Office) 1/21/2026 - New / Complaint Information Reviewed
64. 26FC:0024 (Jarrod Diers - Both- Oskaloosa School District Mahaska Police Department) 1/23/2026 - Complaint Opened/Acknowledged
65. 26FC:0021 (Tim Ferguson - Both- City of Davenport and Davenport Police) 1/26/2026 - New / Complaint Information Reviewed
66. 26FC:0028 (Curtis Bloes - Chapter 21- Sac County Iowa Board of Supervisors) 1/27/2026 - Complaint Opened/Acknowledged
67. 26FC:0029 (Richard Francis - Chapter 22- Webster County Shierffs Department) 1/28/2026 - Complaint Opened/Acknowledged
68. 26FC:0030 (Anthony Teninty - Chapter 22- Wapello County) 1/29/2026 - Complaint Opened/Acknowledged

69. 26FC:0032 (Steve Hebert - Both- City of Fort Dodge) 1/29/2026 - Information Gathering/IR Process
70. 26FC:0036 (William Daggett - Chapter 22- City of Baxter, Iowa) 1/30/2026 - Complaint Opened/Acknowledged
71. 26FC:0039 (Wellington - Chapter 22- Henry County) 2/2/2026 - Complaint Opened/Acknowledged
72. 26FC:0035 (Judith Lee - Chapter 22- City of Davenport) 2/6/2026 - Complaint Opened/Acknowledged
73. 26FC:0043 (Judith Lee - Chapter 22- City of Davenport) 2/6/2026 - Complaint Opened/Acknowledged

**IV. Committee Reports**

1. Training – (Lee)
2. Legislative – (Miller)
3. Rules – (Miller)

**V. Office status report.**

1. Office Update \* (Miller)
2. Financial/Budget Update (FY25) \* (Miller)
3. Presentations/Trainings (Miller)
4. District Court Update (Miller)

**VI. Next IPIB Board Meeting will be held on March 19, 2026, at 1:00 p.m.**

**VII. Adjourn**

**\* Attachment**

**IOWA PUBLIC INFORMATION BOARD****DRAFT MINUTES****January 15, 2026, 1:00 p.m.**

The Iowa Public Information Board (IPIB) met on January 15, 2026, for its monthly meeting at 1 p.m. at the offices of the Iowa Public Information Board located at 510 East 12<sup>th</sup> Street, Des Moines. The following members participated: E.J. Giovannetti, Barry Lindahl (remote), Luke Martz (remote), Joel McCrea, Joan Corbin, and Monica McHugh. Also present were IPIB Executive Director, Charlotte Miller; IPIB Deputy Director, Charissa Flege; and IPIB Agency Counsel, Alexander Lee. Also present was John Lundgren, Attorney General Counsel for IPIB. A quorum was declared present.

- I. Approval of agenda.** On a motion by McCrea, second McHugh to approve the agenda. **Approved 6-0**
- II. Approval of the December 18, 2025 minutes.** On a motion by McHugh, second by Lindahl, approve December 18, 2025 minutes. **Approved 6-0.**
- III. Public Forum** (5-minute limit per speaker) Questions were asked and answer regarding to the contents of the agenda.
- IV. Comments from the board chair.** Giovannetti addressed the board that he would be assuming the role of chair for the purpose of the meeting.
- V. Cases involving Board Deliberation/Action.\* (Miller)**
  - 1. 25FC:0130 (Kellen Garfield - Chapter 22- City of Iowa City) 9/16/2025 - Investigative Report Draft Order.** Flege presented on behalf of IPIB staff. A Portuguese interpreter was present at the request of the complainant, Garfield. Garfield addressed the Board through the interpreter. Sue Dulek, an Assistant City Attorney for Iowa City, IA, addressed the Board on behalf of the respondent. Flege provided a rebuttal on behalf of IPIB staff. Board discussion occurred, Lindahl and Giovannetti provided feedback. On a motion by Lindahl, second by Martz, to approve option one of the staff recommendation. **Approved, 6-0.**
  - 2. 25FC:0012 (Matt Loffer - Chapter 22- City of Marengo, Marengo Police Department) 2/3/2025 -Final Report Draft Order.** Lee presented on behalf of IPIB. Police Chief for Marengo was present for questions. Board discussion occurred. On a motion by McHugh to approve the staff recommendation, second by McCrea. **Approved 6-0.**
  - 3. 25FC:0027 (Jerry Hamelton - Chapter 22- Keokuk Police Department) 3/12/2025 -Investigative Report Draft Order.** Miller presented on behalf of IPIB staff. Holly Corkery, counsel for the respondent, addressed the Board. On a motion by McHugh to accept the staff recommendation to dismiss the matter, second by Corbin. **Approved 6-0.**
  - 4. 25FC:0070(1-4) (Keith Wieland - Chapter 22- Buchanan County, Iowa) 6/10/2025 - Investigative Report Draft Order.** Lee presented on behalf of the Board. Weiland addressed the Board. Holly Cockery, on behalf of Buchanan County, addressed the Board. Board discussion occurred, McHugh and Martz provided comments. McHugh made a motion to table until resolution of the other Buchanan County case, second by Martz. **Approved 6-0.**
  - 5. 25FC:0072 (Jonathan Uhl - Chapter 22- Scott County - Scott County Attorney's Office) 6/13/2025 -Investigative Report Draft Order.** Miller presented on behalf of staff. Uhl addressed the Board. Kristina Lyon, Scott County Civil Assistant

County Attorney, addressed the Board. Doctor Ezra Sidran addressed the Board regarding unreasonable delay of production of records. On a motion by McHugh, second by Lindahl, to table the matter and redirect staff for further investigation to find an informal resolution, include the original complaint and FOIA language in the status report. **Approved, 6-0.**

6. **25FC:0074 (Noelle Bolibaugh - Chapter 22- Oskaloosa School District)**  
**6/16/2025 -Investigative Report Draft Order.** Miller presented on behalf of staff. Bolibaugh provided written comment to the Board. Brett Nitzchke, counsel for the Oskaloosa School District, addressed the Board. Board discussion occurred. On a motion by McHugh, second by McCrea, to accept staff recommendation to dismiss the matter. **Approved 6-0.**
7. **25FC:0111 (Jennifer Benbow - Chapter 21- City of Granger City Council)**  
**8/19/2025 -Investigative Report Draft Order.** Lee presented on behalf of staff. Jennifer Benbow addressed the Board. Adam Humes, counsel for the City, addressed the Board. On a motion by McHugh, second Corbin, to adopt staff recommendation. **Approved 6-0.**

The Board took a 5-minute break, meeting resumed at 3:35PM.

8. **25FC:0141 (Eulando Hayes - Chapter 22- Black Hawk County Attorney's Office)**  
**9/25/2025 -Investigative Report Probable Cause Investigation Draft Order.** Flege presented on behalf of staff. Board discussion occurred. On a motion by McCrea, second by Martz, to dismiss based on staff recommendation. **Approved 6-0.**
9. **25FC:0142 (Eulando Hayes - Chapter 22- Waterloo Police Department)**  
**9/25/2025 -Investigative Report Probable Cause Investigation Draft Order.** Flege presented on behalf of staff. Board discussion occurred. Wendy Drinvoksy, counsel for the police department addressed the Board. On a motion by McHugh, second by McCrea, to adopt staff recommendation. **Approved, 6-0.**
10. **25FC:0159 (Ashley Richards - Chapter 22- North Liberty Police Department Records Division) 10/31/2025 -Investigative Report Probable Cause Investigation.** Flege presented on behalf of staff. Ashley Richards addressed the Board. Grant Lientz, counsel for the City, addressed the Board. Flege provided a rebuttal on behalf of the staff. On a motion by Lindahl, second by Martz, to adopt staff recommendation. **Approved 6-0.**
11. **25FC:0161 (Melissa Smith - Chapter 21- Hamburg City Hall) 10/23/2025 -Investigative Report Probable Cause Investigation.** Flege presented on behalf of staff. On a motion by McHugh, second Corbin, to adopt staff recommendation. Approved 6-0.
12. **25FC:0169 (Dale Alison - Chapter 21- Des Moines County Board of Supervisors) 11/4/2025 - Information Gathering/IR Process Draft Order.** Lee presented on behalf of staff. Trent Henkelvig addressed the Board on behalf of Des Moines County. Board discussion occurred. On a motion by Lindahl, second by McHugh, to dismiss for lack of probable cause. **Approved 5-0.**

Corbin left the meeting at 4:14PM. Quorum was still present.

13. **25FC:0175 (Timothy Gray - Both- Woodbury County) 11/4/2025 -Investigative**

**Report Information Gathering/IR Process Draft Order.** Miller presented on behalf of staff. Motion by Lindahl, second by Martz, to dismiss for lack of probable cause. **Approved 5-0.**

14. **25FC:0180 (David Boll - Chapter 22- Dubuque County) 11/9/2025 -Investigative Report Probable Cause Investigation Draft Order.** Flege presented on behalf of staff. Keith Lucy addressed the Board on behalf of the county. David Boll addressed the Board. On a motion by McHugh, second Martz, to dismiss matter lack of probable cause. **Approved 5-0.**
15. **25FC:0181 (April Armstrong - Chapter 22- City of Pisgah Iowa, City Council) 11/11/2025 -Investigative Report Probable Cause Investigation Draft Order.** Flege presented on behalf of staff. On a motion by McCrea, second by McHugh, to dismiss for lack of probable cause. **Approved 5-0.**
16. **24FC:0092 (Aubrey Burress - Both- Pleasant Grove township) 10/21/2024 - Contested Case – Status Update and Board discussion for scheduling of special session to address the contested case 24FC:0092- 26IPIB0001.** Lee presented on behalf of staff. McCrea makes a motion to set a special meeting for Wednesday, January 21, 2025 at 1P.M or Thursday, January 22, 2025 at 1 P.M., second by McHugh. **Approved 5-0.**

## VI. Consent Agenda \*

1. **Dismissals.** On a motion by McHugh, second Lindahl, to approve dismissal consent agenda.
  - a. Dismiss 25FC:0164 (Jared McDonald - Chapter 21- Madison County Iowa Board of Supervisors) 10/27/2025 - Draft Order
  - b. Dismiss 25FC:0165 (Brooklyn Krings - Chapter 21- Madison County Board of Supervisors) 10/28/2025 - Draft Order
  - c. Dismiss 26FC:0007 (Matthew Knowles - Both- City of Charter Oak Iowa) 1/6/2026 – Draft Order
2. **Acceptance.** On a motion by McHugh, second by Martz, to approve acceptances on the acceptance consent agenda.
  - 1) Accept 25FC:0144 (Tony Hamson - Chapter 22- Rake City) 9/26/2025 - Board Approval of A/D
  - 2) Accept 25FC:0187-1 (Mikayla Simpson - Chapter 22- Madison County) 11/19/2025 - Information Gathering/IR Process
  - 3) Accept 25FC:0187-2 (Mikayla Simpson - Chapter 22- Madison County Board of Supervisors) 11/19/2025 - Information Gathering/IR Process
  - 4) Accept 25FC:0188 (Kyle Ocker - Chapter 22- City of Pleasantville) 12/10/2025 - Information Gathering/IR Process
  - 5) Accept 25FC:0190 (David Woods - Chapter 22- Muscatine County) 12/18/2025 - Board Approval of A/D
  - 6) Accept 25FC:0193 (William Hendrikson - Chapter 22- Cerro Gordo County) 12/17/2025 - Board Approval of A/DAccept 25FC:0195 (Teri Patrick - Both- West Des Moines Community School District) 12/3/2025 - Board Approval of A/D
  - 7) Accept 25FC:0200 (John Doe - Chapter 22- Keokuk, IA Police Department) 12/8/2025 - Board Approval of A/D

- 8) Accept 25FC:0203 (Christopher Wyant - Chapter 21- Lewis, Iowa) 12/10/2025 - Information Gathering/IR Process
- 9) Accept 25FC:0204 (Elaine Johnson - Chapter 22- Waterloo Police Department Black Hawk County Attorney) 12/18/2025 - Board Approval of A/D
- 10) Accept 25FC:0205 (John Johnson - Chapter 22- Hancock County) 12/18/2025 - Board Approval of A/D
- 11) Accept 25FC:0206 (William Hendrikson - Chapter 22- City of clear lake police department) 12/18/2025 - Board Approval of A/D
- 12) Accept 25FC:0207 (William Hendrikson - Chapter 22- Cerro Gordo County Attorney's Office) 12/17/2025 - Board Approval of A/D
- 13) Accept 25FC:0208 (William Hendrikson - Chapter 22- Cerro Gordo County) 12/17/2025 - Board Approval of A/D
- 14) Accept 25FC:0209 (William Hendrikson - Chapter 22- Cerro Gordo County) 12/17/2025 - Board Approval of A/D
- 15) Accept 25FC:0212 (Travis Petsche - Chapter 22- City of Fayette) 12/18/2025 - Accept/Dismiss
- 16) Accept 25FC:0214 (Shannon Martinez - Chapter 22- ) 12/18/2025 - Accept/Dismiss
- 17) Accept 25FC:0215 (William Daggett - Chapter 22- City of Baxter) 12/16/2025 - Information Gathering/IR Process
- 18) 25FC:0216 (Jason Boge - Chapter 22- ) 12/18/2025 - New / Complaint Information Reviewed
- 19) Accept 25FC:0218 (Nick Cattell - Chapter 22- City of Chariton) 12/19/2025 - Information Gathering/IR Process
- 20) Accept 25FC:0219 (Thomas Green - Chapter 22- Humboldt Police Department) 12/18/2025 - Accept/Dismiss
- 21) Accept 25FC:0221 (Gregory Armstrong - Chapter 22- School board) 12/22/2025 - Board Approval of A/D
- 22) Accept 25FC:0222 (Richard Francis - Chapter 22- Jessica Hammen is the Police Chief of Manson Iowa- she Is also a Sheirff Deputy for Calhoun County & Dave Anderson is the Mayor of Manson Iowa.) 12/22/2025 - Board Approval of A/D
- 23) Accept 25FC:0224 (Marc Craig - Chapter 22- Iowa HHS Open Records) 12/27/2025 - Information Gathering/IR Process
- 24) Accept 25FC:0225 (Timothy Carey - Chapter 22- City of Parkersburg) 12/31/2025 - Information Gathering/IR Process
- 25) Accept 26FC:0001 (Coltin Hatfield - Chapter 21- City of Kellerton) 1/1/2026 - Information Gathering/IR Process
- 26) Accept 26FC:0005 (Stephen Swanson - Chapter 21- Madison County Board of Supervisors) 1/5/2026 - Information Gathering/IR Process

## VII. Questions for the Board.\* (Lee)

1. **Course of Training Qualification Question.** *Board discussion, direction for staff on determining “course of training” qualifications for the purposes of Iowa Code section 21.12. Lee presented on behalf of staff. Board discussion occurred. McHugh in favor*

of a potential training provider have the ability to utilize other providers materials with express permission from the provider to provide another course of training. Michael Wolf addressed the board. Giovannetti and Lindahl also provided comments.

### **VIII. Matters Withdrawn, No Action Necessary. (Miller)**

1. 25FC:0129 (Robert Stewart - Chapter 22- OELWEIN POLICE DEPARTMENT) 9/15/2025 -Withdrawn Resolved/Withdrawn
2. 25FC:0150 (Vickie Pyevich - Chapter 22- Bettendorf Community School District) 10/8/2025 -Withdrawn Resolved/Withdrawn
3. 25FC:0162 (Wendy Frost - Chapter 22- County Supervisor) 10/24/2025 - Withdrawn Resolved/Withdrawn
4. 25FC:0220 (Jason Bumpus - Chapter 22- MUSL - multi state lottery association) 12/18/2025 -Withdrawn Resolved/Withdrawn
5. 25FC:0065-2 (John Rasmussen - Chapter 21- Pottawattamie County Board of Supervisors) 7/9/2025 -Withdrawn Information Gathering/IR Process
6. 25FC:0135 (Marisa Schneider - Chapter 22- Madison County Iowa) 9/22/2025 Withdrawn Resolved/Withdrawn
7. 25FC:0185 (Marisa Schneider - Chapter 22- Madison County Treasurer) 11/14/2025 -Withdrawn Resolved/Withdrawn
8. 25FC:0211 (Michael Adams - Chapter 22- City of Winterset, Iowa) 12/12/2025 – Withdrawn Resolved/Withdrawn

### **IX. Pending Complaints. Informational Only (Miller)**

1. 25FC:0031 (Michael Chapman - Chapter 21- Waterloo Community School District Board of Education) 3/26/2025 - Information Gathering/IR Process
2. 25FC:0054 (Tim Ferguson - Chapter 22- City of Davenport) 5/19/2025 - Information Gathering/IR Process
3. 25FC:0055 (Justin Cole - Chapter 21- Mount Union Benefited Fire District) 5/21/2025 - Information Gathering/IR Process
4. 25FC:0061 (Dylan Southall - Chapter 22- Cedar Falls Utilities - Cedar Falls, Iowa) 5/23/2025 - Information Gathering/IR Process
5. 25FC:0058 (Rachel Doyle - Both- City of Rolfe) 5/27/2025 - Information Gathering/IR Process
6. 25FC:0065-1 (John Rasmussen - Chapter 21- Pottawattamie County Board of Supervisors) 6/3/2025 - Information Gathering/IR Process
7. 25FC:0075 (Chris Stevens - Chapter 22- City of Swea City IA) 6/17/2025 - Information Gathering/IR Process
8. 25FC:0076 (Ken Allsup - Both- Oskaloosa School Board) 6/17/2025 - Information Gathering/IR Process
9. 25FC:0079 (Judith Lee - Chapter 22- City of Davenport) 6/24/2025 - Information Gathering/IR Process
10. 25FC:0082 (Tim Ferguson - Chapter 22- Davenport Police Lieutenant Dennis Colclasure of the Davenport Police department informed me as well as per the document says I will be provided in writing of the outcome of the investigation. I would like to know any and all information pertaining to the) 6/24/2025 - Complaint Opened/Acknowledged
11. 25FC:0089 (Charlie Comfort - Chapter 22- Oskaloosa Community School District) 7/7/2025 - Information Gathering/IR Process

12. 25FC:0092 (Keith Wieland - Chapter 21- Buchanan County Solid Waste Commission) 7/9/2025 - Information Gathering/IR Process
13. 25FC:0099 (Mount Pleasant Municipal Utilities - Chapter 21- Resale Power Group of Iowa) 7/28/2025 - Information Gathering/IR Process
14. 25FC:0104 (Tim Ferguson - Chapter 22- City of Davenport and Davenport Police Department) 8/13/2025 - Information Gathering/IR Process
15. 25FC:0106 (Bradley Thrasher - Chapter 21- City of Le Grand board of adjustments) 8/14/2025 - IR Agreed to by Parties
16. 25FC:0109 (Jaicy Skaggs - Chapter 21- City of Kellogg) 8/18/2025 - Information Gathering/IR Process
17. 25FC:0112 (Robert Alvarez - Chapter 22- University of Iowa) 8/20/2025 - Information Gathering/IR Process
18. 25FC:0119 (Tim Ferguson - Chapter 22- City of Davenport custodian) 8/21/2025 - Information Gathering/IR Process
19. 25FC:0120 (Tim Ferguson - Chapter 22- Davenport Police Department & City of Davenport) 8/26/2025 - Complaint Opened/Acknowledged
20. 25FC:0121 (Tim Ferguson - Chapter 22- Scott County) 8/26/2025 - Information Gathering/IR Process
21. 25FC:0114 (Andrew Smith - Chapter 22- Cedar Rapids Police Department) 8/27/2025 - Information Gathering/IR Process
22. 25FC:0116 (Crystal Davis - Chapter 21- Larchwood City Council and Mayor) 8/27/2025 - Board Acceptance of IR
23. 25FC:0117 (Gary Clear - Chapter 21- East Union Community School District Board of Education) 8/27/2025 - Resolved/Withdrawn
24. 25FC:0122 (Tim Ferguson - Chapter 22- Muscatine County recorder@muscatinecountyiowa.gov) 8/30/2025 -Withdrawn Information Gathering/IR Process
25. 25FC:0126 (Don McGregor - Chapter 22- Kossuth County Board of Supervisors) 9/11/2025 - Information Gathering/IR Process
26. 25FC:0127 (Vince Johnson - Chapter 22- Kossuth County board of supervisors and trustees of Drainage district DD4) 9/11/2025 - Information Gathering/IR Process
27. 25FC:0131 (Gregory Armstrong - Chapter 21- Hamburg city council.) 9/16/2025 - Information Gathering/IR Process
28. 25FC:0132 (Melissa Hannover - Chapter 21- City of Havelock) 9/16/2025 - Information Gathering/IR Process
29. 25FC:0134 (Richard Francis - Chapter 22- Fort Dodge Police Department) 9/20/2025 Information Gathering/IR Process
30. 25FC:0136 (Alisha Beers - Chapter 22- City council of Pisgah and Clerk Heather) 9/22/2025 - Information Gathering/IR Process
31. 25FC:0148 (Gary Clear - Chapter 21- East Union Community School District Board of Education) 9/24/2025 - Resolved/Withdrawn
32. 25FC:0138 (Carlton Beers - Chapter 22- CITY COUNCIL OF PISGAH AND TODD NOAH/ADMIN OF PISGAH) 9/24/2025 - Information Gathering/IR Process
37. 25FC:0143 (Brandon Talsma - Chapter 21- Jasper County Conservation) 10/1/2025 - Information Gathering/IR Process

38. 25FC:0151 (Gregory Armstrong - Chapter 22- Hamburg Community School Board) 10/8/2025 - Information Gathering/IR Process
39. 25FC:0153 (Michael Merritt - Chapter 22- Iowa Attorney General's Office) 10/16/2025 - Information Gathering/IR Process
40. 25FC:0154 (Iowa Pulse - Chapter 22- Des Moines Public Schools (DMPS)) 10/17/2025 - Information Gathering/IR Process
41. 25FC:0155 (Paullina Resident - Chapter 21- Paullina City Council Paullina Personnel Board) 10/20/2025 - Information Gathering/IR Process
42. 25FC:0160 (Michael Benson - Chapter 22- City of Moville) 10/21/2025 - Information Gathering/IR Process
43. 25FC:0166 (James Possehl - Chapter 21- City of Parnell - city council) 10/27/2025 - Information Gathering/IR Process
44. 25FC:0167 (Jacob Hall - Chapter 22- City of Storm Lake) 10/28/2025 - Information Gathering/IR Process
45. 25FC:0168 (Ted Clark - Public Records Law- Dallas County Sheriff's Department) 10/29/2025 - Complaint Opened/Acknowledged
46. 25FC:0171 (David Kakavand Kordi - Chapter 22- University of Iowa Office of Transparency) 10/30/2025 - Information Gathering/IR Process
47. 25FC:0174 (Lance Miller - Chapter 21- City of Marion Iowa) 11/4/2025 - Information Gathering/IR Process
48. 25FC:0176 (Mikayla Simpson - Chapter 22- Madison County Board of Supervisors) 11/6/2025 - Information Gathering/IR Process
49. 25FC:0183 (Nicole Jimmerson - Chapter 22- Clarke County Public Health) 11/12/2025 - Complaint Opened/Acknowledged
50. 25FC:0184 (Charles Nocera - Chapter 22- Department of Administrative Services) 11/14/2025 - Complaint Opened/Acknowledged
51. 25FC:0157 (Byron Jimmerson - Open Meetings Law- Clarke County Board of Health) 11/19/2025 - New / Complaint Information Reviewed
52. 25FC:0186 (Wendy Frost - Chapter 22- Madison County Board of Supervisors) 11/19/2025 - Complaint Opened/Acknowledged
53. 25FC:0189 (Frank Lee - Chapter 21- ) 12/18/2025 - New / Complaint Information Reviewed
54. 25FC:0192 (Rachel Doyle - Chapter 22- City of Rolfe) 11/27/2025 - New / Complaint Information Reviewed
55. 25FC:0194 (Justin Brady - Chapter 22- Des Moines Public Schools, State Department of Education) 12/1/2025 - Information Gathering/IR Process
56. 25FC:0196 (Nick Cattell - Chapter 22- City of Chariton) 12/2/2025 - Information Gathering/IR Process
57. (Agnitsch - Public Records Law- Iowa Valley Community College Board of Directors) 12/3/2025 - New / Complaint Information Reviewed
58. 25FC:0197 (Linda Smithson - Chapter 21- Bettendorf school board) 12/3/2025 - Information Gathering/IR Process
59. 25FC:0199 (Joshua Haynes - Both- Madison County) 12/4/2025 - Complaint Opened/Acknowledged
60. 25FC:0198 (OpenRec2025 - Chapter 22- Iowa Western Community College)

12/5/2025 - Information Gathering/IR Process

61. 25FC:0191 (Jonathan Uhl - Chapter 22- City of Davenport) 12/9/2025 - New / Complaint Information Reviewed
62. 25FC:0201 (Lori White - Public Records Law- City of Missouri Valley Iowa) 12/9/2025 - New / Complaint Information Reviewed
63. 25FC:0202 (Lori White - Public Records Law- City of Missouri Valley) 12/9/2025 - New / Complaint Information Reviewed
64. 25FC:0217 (Matthew Rollinger - Chapter 22- IOWA Attorney General's office) 12/12/2025 - Complaint Opened/Acknowledged
65. 25FC:0210 (Matthew Rollinger - Chapter 22- Iowa department of education) 12/12/2025 - Complaint Opened/Acknowledged
66. 25FC:0213 (Toni Moore - Chapter 22- Hardin county sheriff's department) 12/15/2025 - Complaint Opened/Acknowledged
67. 26FC:0002 (Lori White - Chapter 22- Harrison County Sherrif) 1/2/2026 - New / Complaint Information Reviewed
68. 26FC:0003 (Jacob Hall - Chapter 22- City of Sioux Center) 1/2/2026 - New / Complaint Information Reviewed
69. 26FC:0004 (Rebecca Bianchi - Both- City of Mitchellville) 1/4/2026 - New / Complaint Information Reviewed
70. 26FC:0006 (Jacob Hall - Chapter 22- Sioux Center Library - City of Sioux Center) 1/5/2026 - New / Complaint Information Reviewed
71. 26FC:0008-1 (Torry Peck - Chapter 22- Seymour Community School District) 1/6/2026 - New / Complaint Information Reviewed
72. 26FC:0008-2 (Caleb Housh - Chapter 22- Seymour Community School District) 1/6/2026 - New / Complaint Information Reviewed
73. 26FC:0010 (Jennifer Benbow - Chapter 22- Marshall County Sheriff's Office) 1/8/2026 - New / Complaint Information Reviewed

**X. Committee Reports.** No committees met this month.

1. Training – (Lee)
2. Legislative – (Miller)
3. Rules – (Miller)

**XI. Office status report.**

1. Office Update. Miller provided an update on office.
2. Financial/Budget Update (FY25). Miller provided an update on financials and proposed FY27 budget.
3. Presentations/Trainings. No updates.
4. District Court Update. John Lungren provided status update on pending court cases involving the Board.

**XII. Next IPIB Board Meeting will be held on February 19, 2025, at 1:00 p.m.**

**XIII. Adjourned at 5:24 P.M.**

**\* Attachments**

## **IOWA PUBLIC INFORMATION BOARD**

### **MEMBERS**

**Joan Corbin, Pella (Government Representative, 2024-2028)**

**E. J. Giovannetti, Urbandale (Public Representative, 2022-2026)**

**Barry Lindahl, Dubuque (Government Representative, 2024-2028)**

**Catherine Lucas, Johnston (Government Representative, 2024-2028)**

**Luke Martz, Ames (Public Representative, 2024-2028)**

**Joel McCrea, Pleasant Hill (Media Representative, 2022-2026)**

**Monica McHugh, Zwingle (Public Representative, 2022-2026)**

**Jackie Schmillen, Urbandale (Media Representative, 2022-2026)**

**Vacant**

### **STAFF**

**Charlotte Miller, Executive Director**

**Charissa Flege, Deputy Director**

**Alexander Lee, Agency Counsel**

**Use the following link to watch the IPIB meeting live:**

<https://youtube.com/@IowaPublicInformationBoard>

**Note: If you wish to make public comment to the Board, please send an email to [IPIB@iowa.gov](mailto:IPIB@iowa.gov) prior to the meeting.**

### **DRAFT MINUTES**

**January 27, 2026, 1:00 p.m.**

**Conference Room**

**Jessie Parker Building, East**

**510 East 12<sup>th</sup> Street, Des Moines**

The Iowa Public Information Board (IPIB) met on January 27, 2026, for a special meeting at 1 p.m. at the offices of the Iowa Public Information Board located at 510 East 12<sup>th</sup> Street, Des Moines. The following members participated: E.J. Giovannetti, Catherine Lucas, Jackie Schmillen (remote), Barry Lindahl (remote), Joel McCrea (remote), Joan Corbin (remote), and Monica McHugh (remote). Also present were IPIB Executive Director, Charlotte Miller; IPIB Deputy Director, Charissa Flege (remote); and IPIB Agency Counsel, Alexander Lee. A quorum was declared present.

#### **1:00 PM – IPIB Special Meeting**

**I. Approval of agenda.** Motion by Giovannetti, second by Corbin, to approve agenda. Approved 6-0.

Lindahl joined after approval of agenda.

**II. Board review of 24FC:0092 (Aubrey Burress - Pleasant Grove Township) Settlement Agreement** - Board discussion on the settlement agreement reached between parties. Lee presented on behalf of IPIB staff as the Designated Prosecutor. Aubrey Burress addressed the

Board. Giovannetti provided comment. On a motion by Lindahl to approve all three settlement agreements, second by Giovannetti. Approved 7-0.

- III. Board deliberation and potential action on contested case status.** Board discussion occurred. Giovannetti provided comment. On a motion by Lindahl to approve all three settlement agreements, second by Giovannetti. Approved 7-0.
- IV. New records request guidance and potential action** - seeking Board guidance on fee estimate provided to Michael Merritt for January 21, 2026 Chapter 22 public record request. Lee presented on behalf of staff. Board discussion occurred. Board directed staff to discuss options with Attorney General office prior to contacting requester with payment estimate.

**I. Next IPIB Board Meeting will be held on February 19, 2026, at 1:00 p.m.**

**II. Adjourn.**



## Advisory Opinion 26AO:0001

**DATE:** February 19, 2026

**SUBJECT:** Additional Questions on Section 21.12

This advisory opinion responds to a series of miscellaneous additional questions submitted to IPIB following our previous advisory opinion on the recently enacted Iowa Code § 21.12, which imposes a mandatory training requirement for any “newly elected or appointed public official who is a member of a governmental body.” *See 25AO:0011, Individuals Subject to Section 21.12 Training Requirements.*

“Any person may request a board advisory opinion construing or applying Iowa Code chapters 21, 22, and 23. An authorized agent may seek an opinion on behalf of any person. The board will not issue an opinion to an unauthorized third party. The board may on its own motion issue opinions without receiving a formal request.” We note at the outset that IPIB’s jurisdiction is limited to the application of Iowa Code chapters 21, 22, and 23, and rules in Iowa Administrative Code chapter 497. Advice in a Board opinion, if followed, constitutes a defense to a subsequent complaint based on the same facts and circumstances.

### FACTS PRESENTED:

In 2025, the legislature passed HF 706, “an Act relating to open meetings and open records, providing penalties, and making penalties applicable.” HF 706 introduced a new section, Iowa Code § 21.12, which imposes a “member education course” requirement. Iowa Code § 21.12(1) provides as follows:

A newly elected or appointed public official who is a member of a governmental body shall complete a course of training of not less than one and not more than two hours regarding the responsibilities of the governmental body and the governmental body’s members under this chapter and chapter 22 not later than the ninetieth day after the date the member does one of the following, as applicable:

- a. Takes the initial oath of office.
- b. Assumes responsibilities, if the member is not required to take an oath of office.
- c. Is elected to the office.

Following Advisory Opinion 25AO:0011, IPIB has received a variety of additional questions about ambiguities in the application of this training requirement which were left unanswered in the original opinion. This opinion provides further guidance on the following six questions:

### Board Members

Joan Corbin • E. J. Giovannetti • Barry Lindahl • Catherine Lucas  
Luke Martz • Joel McCrea • Monica McHugh • Jackie Schmillen

1. If a person was elected or appointed to a governmental body prior to July 1, 2025 but did not take their oath of office or assume the responsibilities of office until after this date, are they subject to mandatory training?
2. If a person who is not (yet) subject to Iowa Code § 21.12(1) voluntarily attends an approved course of training, does this satisfy the training requirement for any future election or appointment to a governmental body?
3. If a person is appointed to a governmental body subject to Iowa Code § 21.12(1), can they satisfy the training requirement by attending an approved course of training prior to the time that they either take their oath of office or assume responsibilities of their office?
4. Does Iowa Code § 21.12(1) apply to a person who is elected or appointed to a governmental body if the position is set to expire in fewer than 90 days?
5. Does a person who was previously exempt from Iowa Code § 21.12(1) based on a legacy position held prior to July 1, 2025 become subject to mandatory training if they are later elected or appointed to a different position within the same governmental body?
6. Are members of bodies which are required to follow the open meetings requirements of Chapter 21 but which are not described by any definition of “governmental body” in Iowa Code § 21.2(1) subject to mandatory training under Iowa Code § 21.12(1)?

### OPINION:

**I. *If a person was elected or appointed to a governmental body prior to July 1, 2025 but did not take their oath of office or assume the responsibilities of office until after this date, are they subject to mandatory training?***

No; this person would not be required to attend training. As discussed in Advisory Opinion 25AO:0011, the phrase “newly elected or appointed” covers only members of governmental bodies who are elected or appointed after the statute came into effect on July 1, 2025. 25AO:0011, *Individuals Subject to Section 21.12 Training Requirements*. While the three events described in Iowa Code § 21.12(1)(a)–(c) are relevant to the time a person is allowed to satisfy the training requirement, these events do not affect whether a person is subject to Iowa Code § 21.12(1) in the first place.

For this reason, if a board of supervisors appointed an individual to serve on a county commission on June 30, 2025, that individual would have a legacy position exempted from the training requirement even if they did not “assume responsibilities” associated with that appointment until the first commission meeting at a later date. However, exemption is based on position, meaning that the same individual may later become “newly elected or appointed” and thus subject to Iowa Code § 21.12(1) if they are later appointed to a different governmental body.

**II. *If a person who is not (yet) subject to Iowa Code § 21.12(1) voluntarily attends an approved course of training, does this satisfy the training requirement for any future election or appointment to a governmental body?***

No. The plain language of the statute provides that a person subject to mandatory training is required to complete a course of training “not later than the ninetieth day *after* the date the member does one of the following.” Iowa Code § 21.12(1) (emphasis added). As discussed in Advisory Opinion 25AO:0011, the original version of the law was written with only two mutually exclusive qualifying events, such that the 90-day timer for completing training would begin when a new member’s oath of office is administered (subsection *a*) or, if no oath was required, at the time they assumed the responsibilities of office (subsection *b*). However, the section was amended in the Iowa House before its passage to add the time of election as a third qualifying event (subsection *c*), with the express

purpose of ensuring newly elected school board members could meet their training requirements at a conference held shortly after statewide elections.<sup>1</sup>

Both the letter of the law and apparent legislative intent point to the same conclusion: Training completed *before* any of the three events listed in Iowa Code § 21.12(1)(a)–(c) does not satisfy the training requirement, though a person elected to a governmental body may take training within ninety days of *any* listed event for the same reasons. *See* 25AO:0011. Additionally, Iowa Code § 21.12(3)(a) provides that a member who completes mandatory training for one governmental body satisfies the requirements of the section for other governmental bodies the same individual may serve on.

Those who are not subject to the requirement may nevertheless benefit from Section 21.12 training, and there is nothing in the law which would prevent a person from voluntarily attending an approved course.

***III. If a person is newly appointed to a governmental body, can they satisfy the training requirement by attending an approved course of training prior to the time that they either take their oath of office or assume responsibilities of their office?***

No. As discussed in the section above, the mandatory training requirement may only be satisfied within the 90-day window defined by Iowa Code § 21.12(1). When the legislature amended the statute to add subsection *c*, the explicit intent of the bill's sponsor (who also introduced the amendment) was to provide extra accommodation for newly elected officials. Because similar accommodation was not given for appointed officials, it must be assumed that the statute was intended to differentiate between election and appointment in this context.

Therefore, an appointed official must wait to complete their required course of training until the 90-day period *after* they either take their initial oath of office or assume responsibilities of office, if the member is not required to take an oath.

***IV. Does Iowa Code § 21.12(1) apply to a person who is newly elected or appointed to a governmental body if the qualifying position expires within 90 days?***

Yes. There are certain situations in which a person's membership with a governmental body may naturally expire within the 90-day window given to complete training, as in the case of a member appointed to fill a vacancy shortly before a general election or a limited purpose task force created by executive order. In these cases, the determining factor is still whether a person was "newly elected or appointed" to a governmental body, as the term is defined in Iowa Code § 21.2(1). A person in this situation is still required to training within the 90-day window.

***V. Does a person who was previously exempt from Iowa Code § 21.12(1) based on a legacy position held prior to July 1, 2025 become subject to mandatory training if they are later elected or appointed to a different position within the same governmental body?***

Yes, a person in this situation would continue to be exempt, provided their membership with the governmental body is otherwise continuous. In Advisory Opinion 25AO:0011, IPIB interpreted the "newly elected or appointed" language of Iowa Code § 21.12(1) to provide an implied legacy status for individuals who were members of governmental bodies before July 1, 2025. A member of a governmental body may be "exempted by virtue of their pre-existing role," to include later reelection or reappointment to "a new term in the same position." However, for reasons explained in that opinion, the exemption is limited to so-called "legacy positions," rather than providing a lifetime exemption for other governmental bodies to which the same person may later be "newly" elected or appointed. *See* 25AO:0011.

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<sup>1</sup> H.R., Debate on Amendment H-1088 to HF 706, 91st Gen. Assemb., 2025 Leg. Sess. (Iowa Mar. 24, 2025), <https://www.legis.iowa.gov/perma/0801202515214>

The term “position,” as used in both the prior opinion and this one, is intended to refer to membership with the governmental body, not a member’s role *within* the body. Thus, a school board member who was appointed to an at-large position before July 1, 2025 does not become “newly elected or appointed” to the governmental body if they are re-elected to a district-specific position on the same board, so long as they are continuously “a member of [the] governmental body.” The same would be true in the case of a member who wins reelection after redistricting places them in a new district, as well as to a member who is selected for a new role within the same governmental body (e.g. a member who is chosen to serve as chair of their board by other members). Because none of these scenarios actually cause the affected member to be “newly elected or appointed” to a distinct governmental body, the position-based exemption would remain, and the training requirement would not apply.

As noted in Advisory Opinion 25AO:0011, this does not extend to an individual who was a member of a governmental body at the time the law came into effect who leaves and is later “newly elected or appointed” to the same governmental body after a period of inactivity.

***VI. Are members of bodies which are required to follow the open meetings requirements of Chapter 21 but which are not described by any definition of “governmental body” in Iowa Code § 21.2(1) subject to mandatory training under Iowa Code § 21.12(1)?***

No; by its own terms, Iowa Code § 21.12(1) only applies to a member of a “governmental body.” If another statute or rule specifies that a particular entity is required to follow the open meetings requirements of Chapter 21 but that entity is *not* covered by any of the definitions of “governmental body” provided in Iowa Code § 21.2(1), members of that entity would not be subject to the mandatory training requirement.

Nevertheless, new members belonging to such an entity may still benefit from attending training on a voluntary basis to better understand their responsibilities under Chapters 21 and 22.

**BY DIRECTION AND VOTE OF THE BOARD:**

Joan Corbin  
 E.J. Giovannetti  
 Barry Lindahl  
 Catherine Lucas  
 Luke Martz  
 Joel McCrea  
 Monica McHugh  
 Jackie Schmillen

**SUBMITTED BY:**

Alexander Lee  
 Agency Counsel  
 Iowa Public Information Board

**ISSUED ON:**

February 19, 2026

*Pursuant to Iowa Administrative Rule 497-1.3(3), a person who has received a board opinion may, within 30 days after the issuance of the opinion, request modification or reconsideration of the opinion. A request for modification or reconsideration shall be deemed denied unless the board acts upon the request within 60 days of receipt of the request. The IPIB may take up modification or reconsideration of an advisory opinion on its own motion within 30 days after the issuance of an opinion.*

*Pursuant to Iowa Administrative Rule 497-1.3(5), a person who has received a board opinion or advice may petition for a declaratory order pursuant to Iowa Code section 17A.9. The IPIB may refuse to issue a declaratory order to a person who has previously received a board opinion on the same question, unless the requestor demonstrates a significant change in circumstances from those in the board opinion.*



## Advisory Opinion 26AO:0002

**DATE:** February 19, 2026

**SUBJECT:** The Grace Period of Iowa Code § 21.12(4)

This advisory opinion offers clarification on the grace period of Iowa Code § 21.12(4), which provides an additional opportunity for those subject to mandatory training under Iowa Code § 21.12(1) to satisfy the requirement if they fail to complete a course of training within the allotted ninety-day window. According to Iowa Code § 21.12(4), a member who fails to complete training “must complete training within sixty days or may be assessed damages as described in section 21.6, subsection 3.” IPIB has received multiple requests asking for interpretation of this “grace period,” including in the context of a formal complaint.

“Any person may request a board advisory opinion construing or applying Iowa Code chapters 21, 22, and 23. An authorized agent may seek an opinion on behalf of any person. The board will not issue an opinion to an unauthorized third party. The board may on its own motion issue opinions without receiving a formal request.” We note at the outset that IPIB’s jurisdiction is limited to the application of Iowa Code chapters 21, 22, and 23, and rules in Iowa Administrative Code chapter 497. Advice in a Board opinion, if followed, constitutes a defense to a subsequent complaint based on the same facts and circumstances.

### FACTS PRESENTED:

In 2025, the legislature passed HF 706, “an Act relating to open meetings and open records, providing penalties, and making penalties applicable.” HF 706 introduced a new section, Iowa Code § 21.12, which imposes a “member education course” requirement. Iowa Code § 21.12(1) provides as follows:

A newly elected or appointed public official who is a member of a governmental body shall complete a course of training of not less than one and not more than two hours regarding the responsibilities of the governmental body and the governmental body’s members under this chapter and chapter 22 not later than the ninetieth day after the date the member does one of the following, as applicable:

- a. Takes the initial oath of office.
- b. Assumes responsibilities, if the member is not required to take an oath of office.
- c. Is elected to the office.

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Luke Martz • Joel McCrea • Monica McHugh • Jackie Schmillen

Iowa Code § 21.12(4) describes the consequences if a person subject to this requirement fails to complete an approved course of training within the 90-day window provided by Iowa Code § 21.12(1). Quote:

If one or more members of a governmental body fail to complete the training required by this section, the failure does not affect the validity of an action taken by the governmental body. However, the member must complete training within sixty days or may be assessed damages as described in section 21.6, subsection 3.

IPIB has been asked to provide clarity on how this “grace period” applies in practice.

### **QUESTION POSED:**

How does the grace period of Iowa Code § 21.12(4) apply in practice?

### **OPINION:**

#### ***I. The 60-Day Grace Period***

Although Iowa Code § 21.12(4) does not specify when the “sixty days” to complete training begins, the apparent legislative intent behind the subsection is to prevent the new training requirement from creating an undue burden on governmental bodies, by specifying that a member’s failure to complete by training does not interfere with actions taken by the body and providing a “grace period” for remedy. This is especially important in light of the nuances and gray areas which exist when applying the requirement, if members may reasonably be unaware that they qualify as “newly elected or appointed” or be uncertain of whether they serve on a “governmental body” in the first place. *See 25AO:0011, New Training Requirements Under Iowa Code Section 21.12* (interpreting who may qualify as a “newly elected or appointed public official who is a member of a governmental body”).

Because the purpose of the section is to provide an opportunity for remedy to those who fail to attend training within the initial ninety-day window, the sixty-day grace period must be interpreted to begin only after a member has received notice of the need for remedy. Such notice could include, but would not be limited to, a court order or a decision of the Iowa Public Information Board. *See Iowa Code § 23.6(10)* (granting IPIB the power to “[m]ake training opportunities available to lawful custodians, governmental bodies, and other persons subject to the requirements of chapters 21 and 22 and require, in its discretion, appropriate persons who have responsibilities in relation to chapters 21 and 22 to receive periodic training approved by the board”).

#### ***II. The Effect of the Grace Period***

Completing training within the grace period fully cures a violation of Iowa Code § 21.12.

Other violations of Chapter 21 are subject to a list of possible sanctions provided by Iowa Code § 21.6(3), including statutory damages (subsection *a*), payment of costs and reasonable attorney fees (subsection *b*), the possible voiding of actions taken in violation of Chapter 21 (subsection *c*), removal of a member for a second violation (subsection *d*), and injunction against future violations punishable by civil contempt (subsection *e*).

Nevertheless, the language chosen by the legislature in enacting Section 21.12 indicates an intent that it be treated as a distinct section in the context of civil enforcement, given the discretionary language used (“may” vs “shall”) and the separate listing of the section in Chapter 23, as amended by the same legislation. *See Iowa Code § 23.6(8)* (granting IPIB the power to “impos[e] civil penalties equivalent to and to the same extent as those provided for in section 21.6, 21.12, or 22.10, as applicable”); Iowa Code § 23.10(3)(b)(1) (allowing IPIB to require a

respondent found in violation of Chapter 21 or 22 “to pay damages as provided for in section 21.6, 21.12, or 22.10, whichever is applicable, to the extent that provision would make such damages payable if the complainant had sought to enforce a violation in court instead of through the board”) (emphasis added).

Given these distinctions, the phrase “or may be assessed damages as described in section 21.6, subsection 3” must be understood as the consequence which “may” be imposed for a failure to take advantage of the grace period, rather than a partial waiver of liability for damages which would leave an underlying violation and the possibility of other sanctions intact.

**BY DIRECTION AND VOTE OF THE BOARD:**

Joan Corbin  
E.J. Giovannetti  
Barry Lindahl  
Catherine Lucas  
Luke Martz  
Joel McCrea  
Monica McHugh  
Jackie Schmillen

**SUBMITTED BY:**

Alexander Lee  
Agency Counsel  
Iowa Public Information Board

**ISSUED ON:**

February 19, 2026

*Pursuant to Iowa Administrative Rule 497-1.3(3), a person who has received a board opinion may, within 30 days after the issuance of the opinion, request modification or reconsideration of the opinion. A request for modification or reconsideration shall be deemed denied unless the board acts upon the request within 60 days of receipt of the request. The IPIB may take up modification or reconsideration of an advisory opinion on its own motion within 30 days after the issuance of an opinion.*

*Pursuant to Iowa Administrative Rule 497-1.3(5), a person who has received a board opinion or advice may petition for a declaratory order pursuant to Iowa Code section 17A.9. The IPIB may refuse to issue a declaratory order to a person who has previously received a board opinion on the same question, unless the requestor demonstrates a significant change in circumstances from those in the board opinion.*



# IPIB

Iowa Public Information Board

510 East 12<sup>th</sup> Street  
Des Moines, Iowa 50319  
[www.ipib.iowa.gov](http://www.ipib.iowa.gov)

Charlotte J.M. Miller, J.D.  
Executive Director  
(515) 393-8339  
[charlotte.miller@iowa.gov](mailto:charlotte.miller@iowa.gov)

## Advisory Opinion 26AO:0003

**DATE:** February 19, 2026

**SUBJECT:** The Iowa Developmental Disabilities Council & Chapter 21

Brooke Lovelace  
Iowa Developmental Disabilities Council  
700 2nd Avenue Suite 101  
Des Moines, IA 50309

Dear Ms. Lovelace,

We are writing in response to your request dated January 14, 2026, seeking an advisory opinion from the Iowa Public Information Board (IPIB) pursuant to Iowa Code chapter 23 and Iowa Administrative Code rule 497-1.3. This advisory opinion offers clarification on whether the Iowa Developmental Disabilities Council is a governmental body subject to Chapter 21.

“Any person may request a board advisory opinion construing or applying Iowa Code chapters 21, 22, and 23. An authorized agent may seek an opinion on behalf of any person. The board will not issue an opinion to an unauthorized third party. The board may on its own motion issue opinions without receiving a formal request.” We note at the outset that IPIB’s jurisdiction is limited to the application of Iowa Code chapters 21, 22, and 23, and rules in Iowa Administrative Code chapter 497. Advice in a Board opinion, if followed, constitutes a defense to a subsequent complaint based on the same facts and circumstances.

### FACTS PRESENTED:

The Iowa Developmental Disabilities Council is a federally-funded, governor-appointed body, created pursuant to 42 U.S.C. § 15025 to advocate for the needs of Iowans with developmental disabilities. According to the Council’s by-laws, “[t]he purpose of the DD Council is to assure that individuals with developmental disabilities and their families participate in the design of and have access to needed community services, individualized supports, and other forms of assistance that promote self-determination, independence, productivity, and integration and inclusion in all facets of community life through culturally competent programs.”

42 U.S.C. § 15025(a), a federal law, provides for the establishment of the Council as follows:

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Luke Martz • Joel McCrea • Monica McHugh • Jackie Schmillen • vacant

Each State that receives assistance under this part shall establish and maintain a Council to undertake advocacy, capacity building, and systemic change activities (consistent with subsections (b) and (c) of section 15001 of this title) that contribute to a coordinated, consumer- and family-centered, consumer- and family-directed, comprehensive system of community services, individualized supports, and other forms of assistance that contribute to the achievement of the purpose of this part. The Council shall have the authority to fulfill the responsibilities described in subsection (c).

Pursuant to 42 U.S.C. § 15025(b), the members of the Council are appointed at the Governor's discretion, subject to certain membership requirements to ensure representation from "individuals with developmental disabilities," "parents or guardians of children with developmental disabilities," and the "immediate relatives or guardians of adults with mentally impairing developmental disabilities who cannot advocate for themselves," along with representation from certain other State entities and non-government organizations. 42 U.S.C. § 15025(b)(3)–(4). States are also required to select a designated state agency to support the Council, with statutory responsibilities as provided in 42 U.S.C. § 15025(d).

Consistent with federal law, the Iowa Developmental Disabilities Council is comprised of up to twenty-six members appointed by the governor to three-year terms. Iowa Admin. Code r. 441–1.6(1). The Iowa Department of Health and Human Services serves as the Council's designated state agency. Iowa Admin. Code r. 441–1.6(2). As provided for in 42 U.S.C. § 15025(c) and the Council's by-laws, the Council engages in a variety of advocacy activities, manages a federally-funded budget, and develops periodic five-year plans intended to guide state policy, among other responsibilities.

The Council has sought IPIB's guidance on whether it qualifies as a governmental body required to follow the open meetings requirements of Chapter 21, given that it exists pursuant to a federal law requirement. In investigating this question, neither the Council nor IPIB staff were able to locate an executive order or any specific chapter or section of the Iowa Code which expressly establishes the Council. The Council's representative has also noted that the Council is considered separate from the HHS, despite the designated state agency relationship.

### **QUESTION POSED:**

Is the Iowa Developmental Disabilities Council a governmental body subject to Chapter 21?

### **OPINION:**

The Council appears to be a governmental body under the definition provided by Iowa Code § 21.2(1)(e).

Iowa Code § 21.2(1) provides the definition of "governmental body" for the purposes of Chapter 21's open meetings requirements. At the time this opinion is issued, there are ten categories of governmental body provided by Iowa Code § 21.2(1)(a)–(j), including two definitions which are specific to advisory bodies, added to the statute in 1989 and 1991, respectively.

*e.* An advisory board, advisory commission, or task force created by the governor or the general assembly to develop and make recommendations on public policy issues.

*h.* An advisory board, advisory commission, advisory committee, task force, or other body created by statute or executive order of this state or created by an executive order of a political subdivision of this state to develop and make recommendations on public policy issues.

There is minimal precedent interpreting these sections. Nevertheless, “it is clear the legislature intended to make the[se] delineated advisory groups subject to the open meetings requirement” and thereby provide the public with access to the deliberative processes behind the recommendations used to guide state (and local) public policy. *Mason v. Vision Iowa Bd.*, 700 N.W.2d 349, 355 (Iowa 2005).<sup>1</sup> While both sections include requirements based on origin and purpose, the language used by the legislature is broadly inclusive, consistent with their apparent intent to capture these advisory groups. *See also* 1993 Iowa Op. Att'y. Gen. 59 at \*3 (1993) (“[b]y passing this amendment, the legislature clearly aimed to extend open meetings mandates to both advisory bodies created by state government action and advisory bodies created by local government action”).

In this context, there is no question that the Council qualifies as a type of “advisory body, advisory commission, or task force,” as these terms are used in Iowa Code § 21.2(1)(e).

Likewise, the Council’s purpose is clearly to “develop and make recommendations on public policy issues.” In reaching this conclusion, IPIB notes that this language may exclude some advisory groups. *See, e.g.*, 1993 Iowa Op. Att'y. Gen. 59 at \*5 (offering the hypothetical of “a task force created to measure the extent of a problem and deliver raw data to the board of supervisors or school board,” which “would not be covered because it would not be charged with recommending any particular course of action”). Such an exception does not apply here, as the Council’s advocacy duties fall squarely within the plain meaning of the statutory language.

Finally, there is the question of the Council’s creation. There is no evidence to suggest that the Council was created by state statute or an executive order of the state or any political subdivision of the state, meaning Iowa Code § 21.2(1)(h) does not apply. This leaves Iowa Code § 21.2(1)(e), which instead looks to whether an advisory group was “created by the governor or the general assembly.” In statutory interpretation, an “amendment is examined with an eye towards determining the legislative design which motivated the change,” and it is assumed that “an amendment is adopted to accomplish a purpose and was not simply a futile exercise of legislative power.” *Jenney v. Iowa Dist. Ct.*, 456 N.W.2d 921, 923 (Iowa 1990). It therefore must be assumed that the legislature intended the phrase “created by the governor or the general assembly” to mean something distinct from “created by statute or executive order of this state.”

Iowa Code § 21.1 provides that “[a]mbiguity in the construction or application of this chapter should be resolved in favor of openness.” In this case, federal law (42 U.S.C. § 15025) requires each state to “establish and maintain a Council,” and the key considerations in carrying out this requirement are expressly assigned to the governor, who is given the discretion to appoint members, make “appropriate provisions” for the rotation and membership, and select a designated state agency to support the Council.<sup>2</sup> Although the statute does not define what it means for a body to be “created by the governor,” there is nothing in this definition which suggests the creation requirement would fail simply because the governor was acting to fulfill a condition for federal funding. Instead, the Council appears to be precisely the type of advisory body Iowa Code § 21.2(1)(e) was designed to cover.

Because the Council is “[a]n advisory board, advisory commission, or task force created by the governor or the general assembly to develop and make recommendations on public policy issues,” it qualifies as a governmental body subject to the open meetings requirements of Chapter 21.<sup>3</sup>

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<sup>1</sup> In *Mason*, the Iowa Supreme Court found that advisory groups without policy-making duties were generally excluded from Chapter 21’s open meetings requirements based on Iowa Code § 21.2(2), which defines a “meeting” to require deliberation or action on a matter “within the scope of [a] governmental body’s policy-making duties.” 700 N.W.2d at 354–55. However, the *Mason* Court also recognized the legislature’s intent to apply open meetings law to two categories of statutorily-specified advisory groups, which remain “subject to the open-meetings requirement when they deliberate or act within the scope of their duty to develop and make recommendations on public policy issues” despite the holding of *Mason*. *Id.* at 355.

<sup>2</sup> 42 U.S.C. § 15025(d)(2)(B) allows a state legislature to make designation decisions in lieu of the governor “where appropriate and in accordance with State law,” but this possibility would not affect the analysis of whether the Council was “created by the governor or the general assembly.”

<sup>3</sup> Notably, both Iowa Admin. Code r. 441–1.6(3) and the Council’s own by-laws already required meetings to follow Chapter 21 prior to this advisory opinion.

**BY DIRECTION AND VOTE OF THE BOARD:**

Joan Corbin  
E.J. Giovannetti  
Barry Lindahl  
Catherine Lucas  
Luke Martz  
Joel McCrea  
Monica McHugh  
Jackie Schmillen

**SUBMITTED BY:**

Alexander Lee  
Agency Counsel  
Iowa Public Information Board

**ISSUED ON:**

February 19, 2026

*Pursuant to Iowa Administrative Rule 497-1.3(3), a person who has received a board opinion may, within 30 days after the issuance of the opinion, request modification or reconsideration of the opinion. A request for modification or reconsideration shall be deemed denied unless the board acts upon the request within 60 days of receipt of the request. The IPIB may take up modification or reconsideration of an advisory opinion on its own motion within 30 days after the issuance of an opinion.*

*Pursuant to Iowa Administrative Rule 497-1.3(5), a person who has received a board opinion or advice may petition for a declaratory order pursuant to Iowa Code section 17A.9. The IPIB may refuse to issue a declaratory order to a person who has previously received a board opinion on the same question, unless the requestor demonstrates a significant change in circumstances from those in the board opinion.*

IN THE IOWA ADMINISTRATIVE HEARINGS DIVISION  
CENTRAL PANEL BUREAU

IN THE MATTER OF:  IOWA PUBLIC INFORMATION BOARD,  Petitioner,  v.  PLEASANT GROVE TOWNSHIP TRUSTEES, et. al.,  Respondents.	Case No.: 26IPIB0001 Complaint No.: 24FC:0092    <b>Order Accepting Settlements and Dismissal</b>
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On February 9, 2026, the Petitioner filed a Motion to Accept Settlement Agreements and Dismiss. The motion states on January 17, 2026, the Board ratified settlement agreements with each and every Respondent for whom civil enforcement is available under Iowa Code section 21.6. The motion is not resisted by the Respondents and the same is granted. The settlements are hereby ACCEPTED.

The parties, having resolved all pending issues, leave no justiciable issues to be resolved at the time of the scheduled hearing. Therefore, this matter is DISMISSED, and the previously scheduled hearing is cancelled.

**IT IS SO ORDERED.**

Dated this 10<sup>th</sup> day of February, 2026.



Toby J. Gordon  
Administrative Law Judge

CC: Aubrey Burress, Petitioner, 659 25th Place, Swan, IA 50252 [auburress@gmail.com](mailto:auburress@gmail.com) (by Mail and Email)  
Pleasant Grove Township Trustees, Respondents, 214 E. Main St., Knoxville, IA 50138 (by Mail)  
Norman Fry, Respondent, 1012 Business Hwy 5, Pleasantville, IA 50225 (by Mail)  
Robert L. Stuyvesant, Attorney for Raymond White, Respondent, 1005 Hwy 5, P.O. Box 517, Carlisle, IA 50047 (by AEDMS)  
Cameron K. Wright, Attorney for Jocelyn Richards, Respondent, P.O. Box 367, Altoona, IA 50009 (by AEDMS)

Jared Harmon, Marion County Courthouse, 214 E. Main St., Knoxville, IA 50138,  
[jharmon@marioncountyiowa.gov](mailto:jharmon@marioncountyiowa.gov) (by Mail and Email)  
Charlotte Miller, IPIB, (by AEDMS)  
Alexander Lee, IPIB, 510 E 12th St., Des Moines, IA 50319, [alexander.lee@iowa.gov](mailto:alexander.lee@iowa.gov)  
(by Mail and Email)

**Case Title:** AUBREY BURRESS V. PLEASANT GROVE TOWNSHIP  
(24FC:0092)  
**Case Number:** 26IPIB0001  
**Type:** Order - Dismissal

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read "Toby Gordon".

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Toby Gordon, Administrative Law Judge

## The Iowa Public Information Board

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In re the Matter of: Bradley Thrasher, Complainant And Concerning: <u>City of Le Grand, Respondent</u>	Case Number: 25FC:0106 Informal Resolution Report
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On August 14, 2025, Bradley Thrasher filed formal complaint 25FC:0106, alleging the City of Le Grand (“Respondent”) violated Iowa Code chapter 21.

The IPIB accepted this complaint at its meeting on September 18, 2025.

### Facts

On July 31, 2025, the Board of Adjustment for Le Grand held a meeting to consider and decide a request for a building code variance. The meeting was held at the property in question. Notice for this meeting was posted twenty-four hours in advance. It described the business matter on the agenda. It did not note a closed session.

During the course of the meeting, board members stepped a distance away from the other individuals, including the Complainant, to deliberate privately. The content of that conversation is unknown because the individuals had stepped away and out of hearing range. The board members returned from this private discussion and subsequently voted on the matter listed on the agenda. No request for a closed session was made. The meeting minutes also reflect that no vote was held to agree on a closed session. No basis for a closed session under Chapter 21 was recorded in the meeting minutes. There are no detailed minutes of the closed session available.

The City of Le Grand considered this complaint and adopted Resolution 80-2025 on October 14, 2025. Resolution 80-2025 included a new policy and closed session checklist to prevent future confusion on the requirements of Chapter 21.5.

### Law

“A governmental body may hold a closed session only by affirmative public vote of either two-thirds of the members of the body or all of the members present at the meeting. A governmental body may hold a closed session only to the extent a closed session is necessary for any of the following reasons:

- a. To review or discuss records which are required or authorized by state or federal law to be kept confidential or to be kept confidential as a condition for that governmental body’s possession or continued receipt of federal funds.

- b. To discuss application for letters patent.
- c. To discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation.
- d. To discuss the contents of a licensing examination or whether to initiate licensee disciplinary investigations or proceedings if the governmental body is a licensing or examining board.
- e. To discuss whether to conduct a hearing or to conduct hearings to suspend or expel a student, unless an open session is requested by the student or a parent or guardian of the student if the student is a minor.
- f. To discuss the decision to be rendered in a contested case conducted according to the provisions of chapter 17A.
- g. To avoid disclosure of specific law enforcement matters, such as current or proposed investigations or inspection or auditing techniques or schedules, which if disclosed would enable law violators to avoid detection.
- h. To avoid disclosure of specific law enforcement matters, such as allowable tolerances or criteria for the selection, prosecution, or settlement of cases, which if disclosed would facilitate disregard of requirements imposed by law.
- i. To evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session.
- j. To discuss the purchase or sale of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property or reduce the price the governmental body would receive for that property. The minutes and the audio recording of a session closed under this paragraph shall be available for public examination when the transaction discussed is completed.
- k. To discuss information contained in records in the custody of a governmental body that are confidential records pursuant to section 22.7, subsection 50.
- l. To discuss patient care quality and process improvement initiatives in a meeting of a public hospital or to discuss marketing and pricing strategies or similar proprietary information in a meeting of a public hospital, where public disclosure of such information would harm such a hospital's competitive position when no public purpose would be served by public disclosure. The minutes and the audio recording of a closed session under this paragraph shall be available for public inspection when the public disclosure would no longer harm the hospital's competitive position. For purposes of this paragraph, "public hospital" means a hospital licensed pursuant to

chapter 135B and governed pursuant to chapter 145A, 226, 347, 347A, or 392, or a health care facility operated by an institution governed by the state board of regents. This paragraph does not apply to the information required to be disclosed pursuant to section 347.13, subsection 11, or to any discussions relating to terms or conditions of employment, including but not limited to compensation of an officer or employee or group of officers or employees.” Iowa Code 21.5(1).

“The vote of each member on the question of holding the closed session and the reason for holding the closed session by reference to a specific exemption under this section shall be announced publicly at the open session and entered in the minutes. A governmental body shall not discuss any business during a closed session which does not directly relate to the specific reason announced as justification for the closed session.” Iowa Code 21.5(2).

“A governmental body shall keep detailed minutes of all discussion, persons present, and action occurring at a closed session, and shall also audio record all of the closed session.” Iowa Code 21.5(5)(a).

### **Analysis**

The parties agreed that a closed session occurred in violation of Iowa Code 21.5 on July 31, 2025. The parties both expressed a desire to remedy the error through an informal agreement.

Pursuant to Iowa Code §23.9, the parties negotiated and reached an informal resolution.

The parties agreed to the following terms:

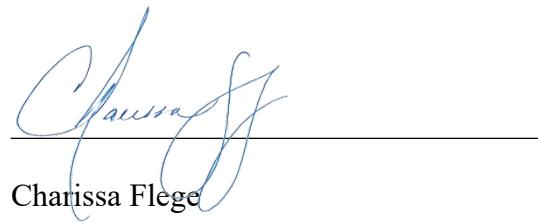
1. This Informal Resolution will be formally approved at a meeting of the Le Grand City Council. The City will include a copy of this Informal Resolution in its meeting minutes and will provide IPIB staff with a copy of the minutes demonstrating approval.
2. The City acknowledges that a violation of Iowa Code 21.5 occurred on July 31, 2025.
3. The City agrees to ensure that future meetings of governmental bodies will be noticed and conducted in compliance with Chapter 21 requirements.
4. The City will reconsider the July 31, 2025 agenda item at a meeting following proper notice. The discussion will be held in open session, unless there is a lawful basis for a closed session. If there is a lawful basis for a closed session, the City will comply with all the closed session requirements, including the public vote and detailed minutes with audio recording. Following this action, the Respondent will provide IPIB staff with a copy of the meeting minutes.
5. The terms of the Informal Resolution will be completed within 60 days of the date of approval of this Informal Resolution by all parties. Upon a showing of proof of compliance, the IPIB will dismiss this complaint as successfully resolved.

Complainant approved the informal resolution terms on November 13, 2025.

Respondent approved the terms of the informal resolution on December 9, 2025 at a city council meeting.

The IPIB staff recommend the IPIB approve the Informal Resolution Report.

By the IPIB Deputy Director

A handwritten signature in blue ink, appearing to read "Charissa Flege", is written over a horizontal line. The signature is fluid and cursive.

Charissa Flege

## The Iowa Public Information Board

In re the Matter of:  Bradley Thrasher, Complainant  And Concerning:  City of Le Grand, Respondent	Case Number: 25FC:0106  Final Report
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On August 14, 2025, Bradley Thrasher filed formal complaint 25FC:0106, alleging the City of Le Grand (“Respondent”) violated Iowa Code chapter 21.

The IPIB accepted this complaint at its meeting on September 18, 2025.

### Facts

On July 31, 2025, the Board of Adjustment for Le Grand held a meeting to consider and decide a request for a building code variance. The meeting was held at the property in question. Notice for this meeting was posted twenty-four hours in advance. It described the business matter on the agenda. It did not note a closed session.

During the course of the meeting, board members stepped a distance away from the other individuals, including the Complainant, to deliberate privately. The content of that conversation is unknown because the individuals had stepped away and out of hearing range. The board members returned from this private discussion and subsequently voted on the matter listed on the agenda. No request for a closed session was made. The meeting minutes also reflect that no vote was held to agree on a closed session. No basis for a closed session under Chapter 21 was recorded in the meeting minutes. There are no detailed minutes of the closed session available.

The City of Le Grand considered this complaint and adopted Resolution 80-2025 on October 14, 2025. Resolution 80-2025 included a new policy and closed session checklist to prevent future confusion on the requirements of Chapter 21.5.

### Applicable Law

“A governmental body may hold a closed session only by affirmative public vote of either two-thirds of the members of the body or all of the members present at the meeting. A governmental body may hold a closed session only to the extent a closed session is necessary for any of the following reasons:

- a. To review or discuss records which are required or authorized by state or federal law to be kept confidential or to be kept confidential as a condition for that governmental body’s possession or continued receipt of federal funds.
- b. To discuss application for letters patent.

- c. To discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation.
- d. To discuss the contents of a licensing examination or whether to initiate licensee disciplinary investigations or proceedings if the governmental body is a licensing or examining board.
- e. To discuss whether to conduct a hearing or to conduct hearings to suspend or expel a student, unless an open session is requested by the student or a parent or guardian of the student if the student is a minor.
- f. To discuss the decision to be rendered in a contested case conducted according to the provisions of chapter 17A.
- g. To avoid disclosure of specific law enforcement matters, such as current or proposed investigations or inspection or auditing techniques or schedules, which if disclosed would enable law violators to avoid detection.
- h. To avoid disclosure of specific law enforcement matters, such as allowable tolerances or criteria for the selection, prosecution, or settlement of cases, which if disclosed would facilitate disregard of requirements imposed by law.
- i. To evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session.
- j. To discuss the purchase or sale of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property or reduce the price the governmental body would receive for that property. The minutes and the audio recording of a session closed under this paragraph shall be available for public examination when the transaction discussed is completed.
- k. To discuss information contained in records in the custody of a governmental body that are confidential records pursuant to section 22.7, subsection 50.
- l. To discuss patient care quality and process improvement initiatives in a meeting of a public hospital or to discuss marketing and pricing strategies or similar proprietary information in a meeting of a public hospital, where public disclosure of such information would harm such a hospital's competitive position when no public purpose would be served by public disclosure. The minutes and the audio recording of a closed session under this paragraph shall be available for public inspection when the public disclosure would no longer harm the hospital's competitive position. For purposes of this paragraph, "public hospital" means a hospital licensed pursuant to chapter 135B and governed pursuant to chapter 145A, 226, 347, 347A, or 392, or a health care facility operated by an institution governed by the state board of regents. This paragraph does not apply to the information required to be disclosed pursuant to section 347.13, subsection 11, or to

any discussions relating to terms or conditions of employment, including but not limited to compensation of an officer or employee or group of officers or employees.” Iowa Code 21.5(1).

“The vote of each member on the question of holding the closed session and the reason for holding the closed session by reference to a specific exemption under this section shall be announced publicly at the open session and entered in the minutes. A governmental body shall not discuss any business during a closed session which does not directly relate to the specific reason announced as justification for the closed session.” Iowa Code 21.5(2).

“A governmental body shall keep detailed minutes of all discussion, persons present, and action occurring at a closed session, and shall also audio record all of the closed session.” Iowa Code 21.5(5)(a).

### **Procedure**

IPIB accepted this complaint on September 18, 2025. Upon acceptance, the parties worked toward an informal resolution.

Complainant approved the informal resolution terms on November 13, 2025.

Respond approved the terms of the informal resolution on December 9, 2025.

All terms of the Informal Resolution have been met. IPIB staff recommend this Final Report be adopted and the complaint be dismissed as resolved.

By the IPIB Deputy Director



Charissa Flege

### **CERTIFICATE OF MAILING**

This document was sent on February 13, 2026, to:

Bradley Thrasher, Complainant

City of Le Grand, Respondent

## The Iowa Public Information Board

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In re the Matter of:  Robert Alvarez, Complainant  And Concerning:  University of Iowa, Respondent	Case Number: 25FC:0112  Investigative Report
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COMES NOW, Alexander Lee, Agency Counsel for the Iowa Public Information Board (“IPIB”), and enters this Investigative Report:

On August 20, 2025, Robert Alvarez filed formal complaint 25FC:0112, alleging that the University of Iowa (University) violated Iowa Code Chapter 22.

The IPIB accepted this Complaint on October 16, 2025.

### Facts

On July 3, 2025, the complainant, Robert Alvarez, submitted a Chapter 22 request seeking “[a]ll email communications exchanged between” a particular professor emeritus using his University of Iowa email account and any of fourteen other listed email addresses. The date range for the request was June 23, 2024 to the time of the request.

On July 17, 2025, the University responded by asserting that the Professor had not been employed by the University since 2022, and any emails sent or received by him after this time were not considered public records of the University for this reason. Additional emails were exchanged between the parties, and the University ultimately closed the request without releasing any records.

On August 20, 2025, Alvarez filed formal complaint 25FC:0112, alleging that the University had violated Chapter 22 by improperly withholding responsive records without a proper basis for confidentiality. After receiving notice of the complaint, the University responded that the Professor was retired and no longer worked for the University, although he had been granted emeritus status in recognition of his years of service, and retirement policy allowed him to continue to use his “uiowa.edu” email account. The University argues that the emails sought instead belonged solely to the International Society for Neoplatonic Studies (ISNS), and the Professor received these emails solely in his capacity as the President of the ISNS.

The other emails named in the Chapter 22 request are associated with other members of the ISNS, which is an international association formed to promote the study of Platonic philosophy as an academic discipline. None of these other individuals have any apparent connection to the University beyond their association with the Professor through the ISNS. The University maintains 1) that the Professor's involvement with the ISNS is based on personal interest, 2) that the Professor does not act as a delegate or agent of the University to the ISNS, 3) that the Professor's post-retirement academic work is not funded or sponsored by the University, and 4) that the University has no relationship with the ISNS or its other members outside of the Professor.

Alvarez argues that, regardless of the above, the Professor's outward representations qualify his communications as the ISNS President as public records of Chapter 22. Alvarez accurately observes that the Professor's communications with the ISNS are made using a University email account, that the ISNS's official website includes the "University of Iowa" under the Professor's name, and that the Professor has used University-branded letterhead in at least one letter he sent as the ISNS President (notifying another researcher that their academic paper had been accepted for presentation at the ISNS's annual conference in Dublin). Alvarez also presented evidence that a student enrolled at the University had worked as an assistant to the ISNS, and another officer of the ISNS had presented a research award to this student. Finally, Alvarez argues that the Professor's prominent role within the ISNS "directly advances" the University's institutional interests by improving the reputation of their Department of Classics and creating opportunities for collaboration with other universities, while the Professor advances his own interests through his continued use of the University's institutional identity.

In the alternative, the University has asserted confidentiality pursuant to Iowa Code § 22.7(18), for communications from third parties outside of government. Because IPIB's investigation focused on whether the emails were public records of the University in the first place, this point has not been meaningfully briefed by either party.

### **Applicable Law**

"*Lawful custodian*" means the government body currently in physical possession of the public record. The custodian of a public record in the physical possession of persons outside a government body is the government body owning that record." Iowa Code § 22.1(2).

"*Public records*" includes all records, documents, tape, or other information, stored or preserved in any medium, of or belonging to this state or any county, city, township, school corporation, political subdivision, nonprofit corporation other than a fair conducting a fair event as provided in chapter 174, whose facilities or indebtedness are supported in whole or in part with property tax revenue and which is licensed to conduct pari-mutuel wagering pursuant to chapter 99D, or tax-supported district in this state, or any branch, department, board, bureau, commission, council, or committee of any of the foregoing." Iowa Code § 22.1(3)(a).

“A government body shall not prevent the examination or copying of a public record by contracting with a nongovernment body to perform any of its duties or functions.” Iowa Code § 22.2(2).

## Analysis

Under Chapter 22, “[i]t is the nature and purpose of the document, not the place where it is kept, which determines its status.” *Linder v. Eckard*, 152 N.W.2d 833, 835 (Iowa 1967). For this reason, emails sent and received by public employees on government email accounts do not automatically become public records simply because they are found in a government-issued email inbox. *See 24AO:0008, Are Private Email Communications Sent from a Government Email Address Public Records?*

In interpreting Iowa Code § 22.1(3)(a), which defines public records to include “all records, documents, tape, or other information, stored or preserved in any medium, of or belonging to [a government body],” the Iowa Supreme Court has clarified that “[a] document of the government is a document that was produced by or originated from the government,” while “[d]ocuments belonging to the government would include those documents that originate from other sources but are held by public officers in their official capacity.” *City of Dubuque v. Dubuque Racing Ass’n*, 420 N.W.2d 450, 452 (Iowa 1988).

Applying this standard, the *Dubuque Racing* Court held that records of a non-profit gaming association were not public records “of or belonging to” the City of Dubuque, even though four members of the city council held reserved seats on the non-profit’s board of directors and the records were physically maintained in the city manager’s office at the time of the request. 420 N.W.2d at 453 (“[s]imply because members of a city council serve on the board of directors of a private nonprofit corporation, the affairs of the corporation do not become the affairs of the government”). The Court suggested that the goals of Chapter 22 for government transparency would not be furthered by providing for public access to the records at issue and that, instead, “the realistic effect of disclosure of the minutes [would] be to provide public scrutiny over the affairs of a private nonprofit corporation.” *Id.* at 453–54.

More recently, IPIB considered a Chapter 22 request seeking the emails of public librarians who also held leadership roles within the Iowa Library Association. 24FC:0081, *Joe Monahan/Ames Public Library*. Because the emails sought were communications between ILA members, related to the ILA’s work in advocating against a particular piece of legislation related to libraries, IPIB held that the librarians’ business with the ILA did not create records “of or belonging” to the public libraries they worked for. *Id.* Although the library covered certain employee expenses related to ILA membership, neither these payments nor the ILA’s work on behalf of libraries generally changed the nature of the emails themselves, as records of the ILA as a distinct non-profit. *Id.*

Substantively similar analysis applies here. The evidence presented during the course of IPIB's investigation indicates that the ISNS is a distinct, non-government entity, which has no connection to the University beyond the Professor's current involvement as the group's President. Neither the use of a "uiowa.edu" email account nor the use of University-branded letterhead affect the "nature and purpose" of the communications. *Linder*, 152 N.W.2d at 835. The other individuals named in the request are members of the ISNS from other academic institutions around the world, and their communications ostensibly would relate to the ISNS, the study of Neoplatonist philosophy, or perhaps private social matters, but not University business. The Professor does not act as a delegate of the University, and he has not conducted research or worked on other projects on the University's behalf since his retirement.

As the University acknowledges, the Professor's "academic accomplishments as a former University professor in the field of Classics [are] internationally respected," and the University has "welcome[d] his continued association with the institution following his retirement." It is likely that the Professor's association with both entities has contributed to the University's prestige amongst other academic institutions, and the work of the ISNS as a whole likely conveys at least some indirect benefit to the University's Classics Department. None of these considerations, however, convert the internal communications of ISNS members into records "of or belonging to" the University as a government body. *Cf.* 24FC:0081 (finding emails sent and received by librarians in their capacities as members of the Iowa Library Association were not records "of or belonging to" the public library they worked for, despite the ILA's role in organizing library events, advocating for libraries, and providing professional advancement opportunities for members). Likewise, there is no evidence to suggest that the ISNS performs any "government function" on behalf of the University which would lead to the creation of public records, regardless of the reputational benefits which may accrue to the University as a result of the ISNS's activities. *But see Gannon v. Bd. of Regents*, 692, N.W.2d 31, 41–42 (finding that the records of a non-profit which fundraised and managed donations for the exclusive benefit of a public university were public records of that university, as Iowa Code § 22.2(2) prevented the university from avoiding the disclosure requirements of Chapter 22 by "contract[ing] away" one of its core functions).

As in *Dubuque Racing*, "the realistic effect of disclosure" in this case would be "to provide public scrutiny over the affairs of a private nonprofit," rather than transparency into the University's conduct as a government body.

## IPIB Action

The Board may take the following actions upon receipt of a probable cause report:

- a. Redirect the matter for further investigation;
- b. Dismiss the matter for lack of probable cause to believe a violation has occurred;

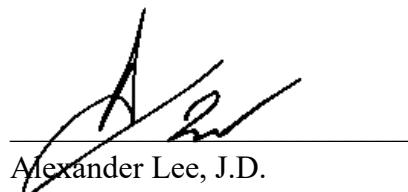
- c. Make a determination that probable cause exists to believe a violation has occurred, but, as an exercise of administrative discretion, dismiss the matter; or
- d. Make a determination that probable cause exists to believe a violation has occurred, designate a prosecutor and direct the issuance of a statement of charges to initiate a contested case proceeding.

Iowa Admin. Code r. 497-2.2(4).

### **Recommendation**

Because the emails sought in this case do not appear to be public records “of or belonging to” the University, the University was not required to make any disclosures in response to the complainant’s request. Dismissal is recommended for lack of probable cause to believe a violation has occurred.

By the IPIB Agency Counsel,



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Alexander Lee, J.D.

### **CERTIFICATE OF MAILING**

This document was sent on February 9, 2026, to:

Robert Alvarez, Complainant  
University of Iowa, Respondent

## **Response to Investigative Report: Case 25FC:0112**

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**TO:** The Iowa Public Information Board

**FROM:** Robert Alvarez, Complainant

**DATE:** February 16, 2026

### **Formal Objection to Investigative Report and Recommendation for Dismissal**

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Dear Members of the Iowa Public Information Board,

With all due respect for the Agency Counsel's labor, the recommendation for dismissal arbitrarily ignores both Iowa state law and the University of Iowa's (Uiowa) own internal policies.

#### **I. Arbitrary Disregard of Controlling Law and Evidence**

While the Investigative Report acknowledges that letterhead evidence was provided, it fails to provide any substantive analysis of this evidence in its "Analysis" section. Furthermore, the report selectively excludes the following crucial legal frameworks from its "Applicable Law" section:

- **Uiowa Policy Manual Chapter 33:** Use of University Name.
- **Uiowa Policy Manual Chapter 18:** Conflicts of Interest and Commitment.
- **Iowa Code Title XVI, Chapter 721.2:** Nonfelonious misconduct in office.
- **Iowa Administrative Code 351—6.8(68B):** Misuse of public property.

Crucial to this case, these foundational laws and policies, which govern the boundary between public and private action, are included as attachments to this response for the Board's review (Exhibits D, E, F, and G).

#### **II. Distinguishing Precedent: Verifiable Operational Nexus**

The Investigative Report relies on *Dubuque Racing* and *Monahan* to argue that the ISNS is independent. However, these cases are factually and legally distinguishable from the present matter, as they turned on the absence of a meaningful operational nexus between the private organization and the public body.

- **Absence of Nexus in Precedent:** In *Dubuque Racing*, the Court found that the mere presence of city council members on a nonprofit board did not convert the corporation's affairs into government business. In *Monahan*, the librarians' work with the ILA was deemed private because it did not involve the performance of government functions for their specific libraries.
- **Active Institutional Nexus:** Differently from those precedents, this case provides unambiguous evidence of an active, ongoing institutional nexus. The "Acceptance Letters" signed by the Professor as President on University letterhead demonstrate that the ISNS presidency was executed under the color of University authority.
- **Merged Identity:** While the librarians in *Monahan* acted as private members, the Professor here has inextricably merged his University identity with the governance of the ISNS.

By ignoring this operational nexus, the Investigative Report fails to address the core factual distinction that separates this matter from the "incidental" participation found in the cited precedents.

### **III. False Analogies and the Evidentiary Gap in the Investigative Report**

In prior correspondence, the Agency Counsel attempted to dismiss the significance of the University letterhead by comparing its use to a government email account or a hypothetical scenario where a professor writes to a doctor or family member. These comparisons constitute fallacious false analogies:

- **Legal Prohibition:** Ulowa Policy Manual Chapter 33, Review 1, explicitly states that "The use of university letterhead in any non-university correspondence is strictly prohibited."
- **Conflict of Interest:** Ulowa Policy Manual 18.5(d)(4)(c) defines as strict "prohibited" activity the use of "university stationery or letterhead in connection with outside activities, other than activities having a legitimate relationship to the performance of the employee's university obligations." **University stationery or letterhead can only be used for official representation purposes.** There are no ambiguities or exceptions as suggested by the Agency Counsel.
- **Public Property Misconduct:** Considering institutional letterhead as public property, the same misconduct and conflict of interest are framed under Iowa Code § 721.2(5) and Iowa Administrative Code 351—6.8(68B).

- **Official Assertion:** Using official stationery to issue conference "Acceptance Letters" is an exercise of administrative authority, not a private social interaction.
- **Systemic Consistency:** The use of letterhead was not a "clerical mistake." The Complainant is attaching new evidence of Acceptance Letters for ISNS conferences in 2018 (Los Angeles) and 2023 (Sicily), in addition to the previously provided 2024 (Dublin) letter (Exhibits A, B, and C). This demonstrates a consistent, multi-year pattern of conducting ISNS governance under the color of University authority.

#### **IV. The Contradiction in the University's Argument and Requirement for Clarification**

The University maintains that the Professor's role is "solely" personal and "never supported" by the institution. However, this argument is directly contradicted by physical evidence of official state branding used for the nonprofit's governance.

- (a) **The Consequences of the Argument:** If the Board accepts the University's argument that this work is purely private, it must acknowledge the resulting implication: that the Professor has engaged in a sustained, multi-year pattern of misrepresentation and misuse of public property.
- (b) **Requirement for Clarification:** The Board must present specific reasons for ignoring the institutional nexus created by the letterhead and explain how such a conclusion avoids the implication of fraud or misconduct.

#### **V. Requested Action**

The Complainant requests that the Board reject the recommendation for dismissal. Given that documentary evidence confirms the use of official University of Iowa letterhead, the Complainant requests that the IPIB find, at a minimum, that all records related to the **2024 ISNS Dublin Conference** are public records. As the University's authority was used to certify the conference's legitimacy, the use of state branding created an **indivisible institutional nexus**, transforming the conference into a University-sanctioned activity. This scope must include the entire administrative lifecycle of conference-related communications, including, but not limited to the planning, execution, and subsequent governance decisions arising from the event, such as records of incidents, disciplinary actions, or governance shifts.

Nonetheless, to limit disclosure only to the "narrow content of the letter" rewards the University for its lack of transparency. It allows the University to maintain a veil over the

remainder of the nonprofit's governance despite clear evidence that the University's brand and resources were being used to conduct that business. If the Professor used the University's "color of authority" for one act of governance, it must be presumed that his entire tenure as President was conducted under that same cloud of state authority.

*/s/ Robert U. Alvarez*  
 Robert U. Alvarez, Complainant

### Table of Exhibits

Exhibit	Document Description	Relevance
<b>A</b>	2024 Dublin Conference Acceptance Letter	Proves use of Ulowa Letterhead/Classics Dept identity for ISNS governance.
<b>B</b>	2023 Sicily Conference Acceptance Letter	Demonstrates multi-year systemic use of Ulowa branding for ISNS business.
<b>C</b>	2018 Los Angeles Conference Acceptance Letter	Establishes the institutional nexus predates Emeritus status.
<b>D</b>	Ulowa Policy Manual Chapter 33	Explicitly prohibits use of letterhead for non-university correspondence.
<b>E</b>	Ulowa Policy Manual Chapter 18.5	Defines use of stationery for outside activities as a "Prohibited Activity."
<b>F</b>	Iowa Code § 721.2	Governs nonfelonious misconduct regarding misuse of state property.
<b>G</b>	Iowa Admin. Code 351—6.8	Addresses the misuse of public property for personal gain/interest.

## EXHIBIT A

**Document:** 2024 ISNS Dublin Conference Acceptance Letter

**Relevance:** Establishes a contemporary operational nexus between the University of Iowa and the ISNS by proving the use of official University stationery for nonprofit governance.



**College of Liberal Arts & Sciences**

Department of Classics

University of Iowa  
210 Jefferson Building  
Iowa City, Iowa 52242-1418  
319-335-2323  
[clas.uiowa.edu/classics/](http://clas.uiowa.edu/classics/)

June 11, 2024

Dr. [REDACTED]  
[REDACTED]

Dear Dr. [REDACTED],

This is to verify that your paper, entitled “[REDACTED],” has been accepted for inclusion in the program of the annual conference of the International Society for Neoplatonic Studies to be held in Dublin, Ireland June 19-23, 2024. Your paper is scheduled to take place at [REDACTED], June [REDACTED], 2024.

I also wish to thank you for [REDACTED] on this conference [REDACTED] of the International Society for Neoplatonic Studies and [REDACTED].

I look forward to hearing your paper in Dublin.

Yours,

A handwritten signature in black ink, appearing to read 'John F. Finamore'.

John F. Finamore  
U.S. President of the International Society for Neoplatonic Studies

## EXHIBIT B

**Document:** 2023 ISNS Sicily Conference Acceptance Letter

**Relevance:** Demonstrates a systemic and consistent multi-year pattern of utilizing University authority for nonprofit business, directly contradicting the University's claim of "incidental" or "personal" interest.



**College of Liberal Arts & Sciences**

Department of Classics

University of Iowa

210 Jefferson Building

Iowa City Iowa 52242-1418

319-335-2323

[clas.uiowa.edu/classics/](http://clas.uiowa.edu/classics/)

March 30, 2023

Dr. [REDACTED]

[REDACTED]

Dear Dr. [REDACTED],

This is to verify that your paper, entitled [REDACTED]  
[REDACTED]," has been accepted for presentation at the annual conference of the International Society  
for Neoplatonic Studies. The conference will be held in Catania, Sicily on June 14-17, 2023, and  
your paper will be presented on [REDACTED] June [REDACTED].

Yours,

A handwritten signature in cursive ink, appearing to read 'John F. Finamore'.

John F. Finamore

U.S. President of the International Society for Neoplatonic Studies

## EXHIBIT C

**Document:** 2018 ISNS Los Angeles Conference Acceptance Letter

**Relevance:** Proves that the institutional nexus and the practice of conducting the non-profit governance under the color of University authority predates the Professor's Emeritus status.



**COLLEGE OF  
LIBERAL ARTS & SCIENCES**  
**Department of Classics**  
 210 Jefferson Building  
 Iowa City, Iowa 52242-1409  
 319-335-2323 Fax 319-335-3884

March 29, 2018

[REDACTED]

Dear [REDACTED]:

Thank you for submitting an abstract of your paper, “[REDACTED]” for the sixteenth annual conference of the International Society for Neoplatonic Studies to be held in Los Angeles in the U.S.A., June 13-16, 2018, hosted by Loyola Marymount University. I am delighted to accept the paper for inclusion in the conference program, and I formally invite you to attend and deliver your paper.

The conference will be held on the campus of Loyola Marymount University. For further information about the conference, please see our web site:

<https://isns2018.wordpress.com/>

I look forward to hearing your paper and seeing you in Los Angeles in June.

Yours,

John F. Finamore  
 The Erling B. "Jack" Holtsmark Professor in Classics  
 Conference Organizer and President, U.S. Section of ISNS

## **EXHIBIT D**

**Document:** Ulowa Policy Manual Chapter 33: Use of University Name

**Relevance:** Review 1 **Prohibits the use of University letterhead for non-university correspondence;** establishes the state-mandated boundary the Professor crossed when administering the nonprofit.

# Chapter 33 – Use of University Name

*Office of the Senior Vice President for Finance and Operations; Office of the Executive Vice President and Provost; Office of the General Counsel; Office of the Vice President for External Relations -- Strategic Communication*

(President 4/9/73; amended 9/97; 11/10)

- a. Definition. "Non-university endeavor" refers to any activity which is not part of or is unrelated to the fulfillment of the missions of the university.
- b. The use of the university name for any purpose in any non-university endeavor not previously sanctioned by the [Office of Strategic Communication](https://osc.uiowa.edu) (<https://osc.uiowa.edu>) is prohibited. Individuals or entities who contract with the university for goods or services are not permitted to imply an endorsement by the university of their goods or services by virtue of their contract with the university.
- c. University faculty or staff may, acting in their capacities as individuals, use the name of the university for self-identification purposes before the general public, with the following exceptions:
  - (1) The university name may not be used by such university faculty or staff in any event, writing, broadcast, or other media presentation, advocating, or endorsing the sale of an item of commerce, be it product or service, where the university is represented as benefiting from, having an interest in, or advocating such sale.
  - (2) The university name may not be used by such university faculty or staff in any event, writing, broadcast, or other media presentation, where both of the following apply: 1) the context is such that the average recipient of the presentation would reasonably believe that it was the university itself rather than merely the faculty or staff member that was advocating or endorsing the sale of an item of commerce, be it product or service, and 2) the university faculty or staff member has a pecuniary interest, direct or indirect, in the product or service, or receives money or any valuable thing, any commission, percentage, discount or other payment, gift, bonus, tip, or

gratuity, directly or indirectly, as a result of participating in the presentation.

d. University faculty or staff may use their name in conjunction with the name of the university for self-identification purposes in connection with products or services when they are the subject of a pending U.S. patent, a valid in-force U.S. patent, or a U.S. copyright, in which a pecuniary interest is held by the university, and which arose out of university research or scholarship, or in other manner arose out of activity connected with the university. Prior written authorization shall be required from the [Vice President for Research](https://research.uiowa.edu/) (<https://research.uiowa.edu/>), based on a finding that the foregoing facts regarding patent, copyright, and interest in the university apply in a given case.

## Review

**1. Under this policy, may university faculty, staff, and students use university letterhead and their university title when writing to their legislator or congressional representative to express an opinion or concern?**

The use of university letterhead in any non-university correspondence is strictly prohibited. Personal stationery should be used for all personal correspondence, including personal correspondence with elected officials. The institutional position on legislative issues is determined by the Board of Regents in consultation with university administration. While individuals are free to correspond with elected representatives on their own time, the use of university letterhead for that purpose is potentially confusing to elected officials because it implies that the writer is speaking on behalf of the university. The use of the staff member's university title for self-identification purposes in this context is permitted, so long as the title is not used in a way that implies that the writer is expressing an institutional position or viewpoint. (See also [II-18.1d\(1\)\(a\) \(/node/131#Introduction\)](#).)

**2. A university employee is starting a new business selling hand-crafted furniture. He decides to develop some advertisements to help sell the furniture. So he has a photograph taken of himself sitting in a hand-crafted chair on the Pentacrest lawn in front of the Old Capitol. He uses this image in newspaper and television advertisements for his furniture. Is this permissible under the policy?**

No. The sale of furniture is a "non-university endeavor." Taking a picture of the chair on university property implies an endorsement of the product by the university, which is prohibited under the policy.

## EXHIBIT E

**Document:** Ulowa Policy Manual Chapter 18.5: Conflicts of Interest and Commitment

**Relevance:** 18.5.d.(4)(c) Explicitly defines the **use of University stationery for "outside activities" as prohibited** unless it has a **legitimate relationship to official University obligations.**

# Chapter 18 – Conflicts of Interest and Commitment

*Office of the Executive Vice President and Provost; Office of the Vice President for Research; Chief Human Resources Officer; Faculty Senate; Staff Council*

(President 9/95; 2/03; 4/05; 2/06; 1/09; 8/24/12; 10/1/13; 1/14; 5/15; 7/1/17; 3/20; 1/14/21; 6/1/25)

Note: This chapter is one of several that address conflicts of interest of various types at The University of Iowa. Others include: [II-5 \(/community-policies/consensual-relationships-involving-students\)](#) Consensual Relationships Involving Students, which addresses faculty-student relationships that are either prohibited or discouraged due to role conflicts; and [III-8 \(/human-resources/conflict-interest-employment-nepotism\)](#) Conflict of Interest in Employment (Nepotism), which addresses role conflicts when there is a direct reporting line between two employees. See also [II-18.8 \(#OtherUniversityofIowaPoliciesRelatedtoConflictofInterest\)](#) below for a complete list of policies that address or are related to conflicts of interest.

- [18.1 Introduction \(#Introduction\)](#)
- [18.2 General Definition \(#GeneralDefinition\)](#)
- [18.3 Principles of Disclosure, Review, and Management \(#PrinciplesofDisclosureReviewandManagement\)](#)
- [18.4 Conflicts of Commitment \(Effort\) \(#ConflictsofCommitmentEffort\)](#)
- [18.5 Conflict of Interest in the Workplace \(#ConflictofInterestintheWorkplace\)](#)
- [18.6 Conflict of Interest in Research \(#ConflictofInterestinResearch\)](#)
- [18.7 Institutional Conflict of Interest in Human Subjects Research \(#InstitutionalConflictofInterestinHumanSubjectsResearch\)](#)
- [18.8 Other University of Iowa Policies Related to Conflict of Interest \(#OtherUniversityofIowaPoliciesRelatedtoConflictofInterest\)](#)
- [18.9 Federal Conflict of Interest Regulations \(#FederalConflictofInterestRegulations\)](#)

## 18.1 Introduction

(Amended 10/1/13)

The University of Iowa community is committed to the principle of free, open, and objective inquiry in the conduct of its teaching, research, and service missions. Further, The University of Iowa encourages its employees to engage in external activities that promote the University's mission, contribute to their professional fields, enhance their professional skills, and/or enhance the public good. However, the University also expects its employees to fulfill their University obligations first and foremost commensurate with their appointment requirements. To ensure that external activities are conducted in a manner consistent with institutional and public values, the following policy conveys expectations and procedures to ensure that University employees avoid improper conflicts whenever possible, or otherwise disclose activities for review and management.

After consultation with their relevant employees, individual units within the University may adopt more stringent rules, which must be approved by the vice president or Executive Vice President and Provost responsible for that unit. Other University policies that address conflicts of interest not covered by this policy are referenced at the end of this chapter.

It should be noted that the following rules governing outside professional activities do not apply to the intramural practice of medicine, nursing, and dentistry conducted in the Colleges of Medicine, Dentistry, and Nursing by members of those faculties according to the plan approved and regulated by the Iowa Board of Regents and specific provisions of the *Iowa Code*.

## 18.2 General Definition

(Amended 2/06; 10/1/13)

A conflict exists whenever personal, professional, commercial, or financial interests or activities outside of the University have the possibility (either in actuality or in appearance) of: 1) interfering with UI employees' ability to fulfill their employment obligations; 2) compromising a faculty or staff member's professional judgment; 3) biasing research or compromising, or giving the appearance of compromising, the sound professional judgment of its investigators; or 4) resulting in personal gain for the employee or employee's immediate family, at the expense of the University and/or the state.

# 18.5 Conflict of Interest in the Workplace

(Amended 10/1/13; 1/14; 3/20; 1/14/21; 6/1/25)

a. Policy. Conflicts of interest in the workplace involve situations in which UI employees have financial interests and/or other personal considerations with a non-university entity that may compromise, or have the appearance of compromising, their professional judgment in performing their university duties (e.g., teaching, research, business decision-making). (See also [II-18.6 \(#ConflictofInterestinResearch\)](#) Conflict of Interest in Research [below] and [III-8 \(/human-resources/conflict-interest-employment-nepotism\)](#) Conflict of Interest in Employment [Nepotism].) Faculty and staff members are expected to disclose their own actual or potential conflicts of interest in the workplace per the guidelines below.

Examples of conflicts of interest in the workplace that require disclosure, review, and management include, but are not limited to:

- (1) Owning or acquiring a financial interest in, holding a position in, or having a consulting or other relationship with, any non-university entity that supplies goods, services, or finances to the university when the employee has decision-making authority for those transactions (see also [V-11.14 \(/node/521#ConflictofInterest\)](#) Conflict of Interest -- Purchasing);
- (2) Promoting or providing information about goods or services to the university community when the employee or their immediate family has a financial interest in or other relationship with the relevant business entity (see also [III-17.17\(3\) \(/node/316#RoyaltiesfromCourseMaterials\)](#) Royalties from Course Materials);
- (3) Assuming or accepting any non-university duties requiring, or appearing to require, the use of university data, processes, procedures, or proprietary or confidential information (see also [III-17.17\(1\) \(/node/316#UseofUniversitySupplies\)](#) Use of University Supplies);
- (4) Assigning duties or offering employment to another faculty or staff member to participate in or benefit the assigning employee's outside professional activity;
- (5) Assigning duties or offering employment related to the assigning employee's

outside professional activities to a student, when the student is enrolled in a course being taught by the employee or the student's academic work (including work as a teaching or research assistant) is being supervised by the assigning employee;

(6) Teaching a university course for academic credit that includes a member of employee's immediate family or a person with whom the instructor has a relationship that may compromise, or have the appearance of compromising, their professional judgment (see also [II-5 \(/community-policies/consensual-relationships-involving-students\)](#) Consensual Relationships Involving Students).

b. Scope of Policy. This policy applies to all University of Iowa employees -- faculty, staff, and student employees, including graduate assistants.

c. Oversight of Policy. University Human Resources oversees this policy for employee-related conflicts of interest, doing so in consultation with the Office of the Executive Vice President and Provost for conflicts of interest involving faculty.

d. Definitions.

(1) "Financial interest" means anything of monetary value, whether or not the value is readily ascertainable, and may include compensation, equity (e.g., stock, stock options), or royalty/licensing income.

(2) "Compensation" means anything of value received in exchange for work performed but does not include reimbursement for reasonable expenses.

(3) "Immediate family" includes the employee's spouse/domestic partner and children for purposes of this policy. The definition may be different in the Conflicts of Interest in Employment ([III-8 \(/human-resources/conflict-interest-employment-nepotism\)](#)) and Purchasing Conflicts of Interest ([V-11.14 \(/node/521#ConflictofInterest\)](#)) policies.

(4) "Prohibited activities" are activities that are impermissible in accordance with state law governing the behavior of state employees. These include, but are not limited to:

(a) Using university time (including directing UI personnel), facilities, equipment, or supplies in a way that may result in personal financial gain to an employee without approval of and payment to

the university.

- (b) Undertaking a business or research opportunity ordinarily conducted by or for the university before the university has been offered the right of first refusal. For faculty members and staff within a college, a written waiver of university interest must be obtained from the dean of the college. For other employees, a written waiver must be obtained from the vice president, or their designee, of the unit in which the person is employed.
- (c) Using university stationery or letterhead in connection with outside activities, other than activities having a legitimate relationship to the performance of the employee's university obligations.
- (d) Receiving compensation without the approval of the President or the Iowa Board of Regents for serving on the board of directors of business entities when the employee is appointed to that position by the university or is serving as a representative of the university.
- (e) Using university facilities or employee's position at the university, to advocate, endorse, or market a product or a service, unless in conjunction with employee's university duties or requested or approved by employee's dean or other appropriate university official.
- (f) Other prohibited activities under related university policies may be found through the web links at the end of this policy (see [II-18.7 \(/node/131#InstitutionalConflictofInterestinHumanSubjectsResearch\)](#)).

e. Implementation of Policy.

- (1) Disclosure of Conflict of Interest in the Workplace: This policy requires that all university employees disclose any potential or actual conflicts of interest in the workplace in advance of initiating an activity or when the employee, in the exercise of reasonable diligence, first becomes aware of the potential or actual conflict. Supervisors who become aware of actual or potential conflicts of interest are expected to inform employees of the requirement to disclose such conflicts. Disclosures must be made using the online eCOI system (<http://ecoi.uiowa.edu> (<http://ecoi.uiowa.edu/>)). The existence of a

potential or actual conflict of interest is not always clear-cut. University employees are expected to make a reasonable effort to determine whether their activities create, or appear to create, such conflicts. If there is any uncertainty, employees should consult their departmental executive officer (DEO) or equivalent, or supervisor.

Additional disclosure may be required under different policies (see [II-18 \(/community-policies/conflicts-interest-and-commitment\)](#) Conflicts of Commitment and Interest and [II-18.8](#)

[\(#OtherUniversityofIowaPoliciesRelatedtoConflictofInterest\)](#) Other University of Iowa Policies Related to Conflict of Interest.

- (2) Review: Each disclosure will be reviewed by central university offices. If further review is needed to evaluate a disclosure, it will be forwarded to the respective Associate Dean for Faculty (for faculty), the Senior HR Representative (for staff), or other appropriate HR executive or designee. Unless such individual determines that no potential or actual conflict of interest exists, the disclosure also will be reviewed by the employee's supervisor and/or DEO. A copy of the disclosure form shall be retained in the college/organizational unit.
- (3) Management: If it is determined that the disclosed external activity or interest poses, or appears to pose, a conflict of interest in the workplace, the employee's supervisor and/or DEO and the respective Associate Dean for Faculty or the Senior HR Representative shall develop a written management plan using templates provided by the Provost Office (see <https://provost.uiowa.edu/conflict-interest-workplace> (<https://provost.uiowa.edu/conflict-interest-workplace>)). The proposed plan will be forwarded to the respective collegiate dean or vice-president or designee for review and approval. A copy of this management plan shall be shared with the appropriate parties and maintained in the employee's personnel file. Approval of management plans in UI Health Care will follow the procedures outlined in the UI Health Care Conflict of Interest and Conflict of Commitment Policy. Management plan actions may include: strategies to eliminate the conflictual elements of the activity, and/or prohibition of the activity.
- (4) Monitoring: An employee's conflict of interest disclosures and any existing

management plans will be reviewed at least annually, but more frequently if needed, by the central administrative office, the employee's employing unit, and the respective dean or vice president.

(5) **Annual Reporting:** All 50 percent or greater regular faculty members, including administrators with faculty appointments, P&S staff members, and merit staff members in revenue-generating units, are required to complete an online Annual Report of Outside Professional Activities and Interests for the previous calendar year by April 30 of each year. However, all university employees are required to disclose conflicts of interest as described in II-18.5e(1) above, regardless of whether they are subject to the annual reporting process.

- f. **Appeal.** Employees who are subject to a management plan and wish to challenge administrative actions that are taken pursuant to this policy may do so following the appropriate policy for their employment status: specifically, for faculty in the tenure track or any of the specialized tracks, the Faculty Dispute Procedures (III-29); for staff, III-28 Conflict Management Resources for University Staff; for graduate assistants, the Graduate Assistant Employment Standards; and for other student employees, the Grievance Procedure for Biweekly Student Employees (III-30).
- g. **Noncompliance.** Failure to disclose a conflict and/or comply with required management strategies constitutes a violation of this policy and may also violate state and federal law. A supervisor's failure to address a potential or actual conflict of which they become aware also constitutes a violation of this policy. Employees may be subject to sanctions for violation of this policy, including disciplinary action up to and including termination of employment.
- h. **Campus Education.** An annual notification will be sent to all regular UI employees by the Office of the Provost, University Human Resources, and the Office of Vice President for Research to remind the campus of the existence of conflicts of interest and commitment policies and the importance of campus compliance with the disclosure and management provisions. Additionally, campuswide resources will be available online for individuals and DEOs/supervisors regarding how to disclose, review, and manage conflicts.
- i. **Records.** Records relating to all employee disclosures and the university's review and management of such disclosures, will be maintained by the university for as long as

<sup>67</sup> of <sup>163</sup>  
the conflict situation exists but no less than three years after the employee's termination.

## **EXHIBIT F**

**Document:** Iowa Code Title XVI, Chapter 721.2: Nonfelonious Misconduct in Office

**Relevance:** Outlines the legal consequences for a public officer or employee who uses public property (such as official stationery) for an unauthorized purpose.

## CHAPTER 721

### OFFICIAL MISCONDUCT

Referred to in [§39A.7](#), [331.307](#), [364.22](#), [701.1](#)

Candidates; see also [§49.120](#), [49.121](#)

721.1	Felonious misconduct in office.	721.7	Penalty for violating sections 721.3 through 721.5.
721.2	Nonfelonious misconduct in office.	721.8	Labeling publicly owned motor vehicles.
721.3	Solicitation for political purposes.	721.9	Punishment for violation of section 721.8.
721.4	Using public motor vehicles for political purposes.	721.10	Misuse of public records and files.
721.5	State employees not to participate.	721.11	Interest in public contracts.
721.6	Exception to sections 721.3 through 721.5.	721.12	Profiting from inmates — penalty.

#### **721.1 Felonious misconduct in office.**

Any public officer or employee, who knowingly does any of the following, commits a class "D" felony:

1. Makes or gives any false entry, false return, false certificate, or false receipt, where such entries, returns, certificates, or receipts are authorized by law.
2. Falsifies any public record, or issues any document falsely purporting to be a public document.
3. Falsifies a writing, or knowingly delivers a falsified writing, with the knowledge that the writing is falsified and that the writing will become a public record of a government body.
4. For purposes of [this section](#), "government body" and "public record" mean the same as defined in [section 22.1](#).

[C51, §2677; R60, §4304, 4309; C73, §3968, 3971; C97, §1136, 4907, 4910; C24, 27, 31, 35, 39, **§13283, 13311, 13314**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, §738.21, 740.9, 740.12; C79, 81, §721.1]

[2001 Acts, ch 31, §1](#)

#### **721.2 Nonfelonious misconduct in office.**

Any public officer or employee, or any person acting under color of such office or employment, who knowingly does any of the following, commits a serious misdemeanor:

1. Makes any contract which contemplates an expenditure known by the person to be in excess of that authorized by law.
2. Fails to report to the proper officer the receipt or expenditure of public moneys, together with the proper vouchers therefor, when such is required of the person by law.
3. Requests, demands, or receives from another for performing any service or duty which is required of the person by law, or which is performed as an incident of the person's office or employment, any compensation other than the fee, if any, which the person is authorized by law to receive for such performance.
4. By color of the person's office and in excess of the authority conferred on the person by that office, requires any person to do anything or to refrain from doing any lawful thing.
5. Uses or permits any other person to use the property owned by the state or any subdivision or agency of the state for any private purpose and for personal gain, to the detriment of the state or any subdivision thereof.
6. Fails to perform any duty required of the person by law.
7. Demands that any public employee contribute or pay anything of value, either directly or indirectly, to any person, organization or fund, or in any way coerces or attempts to coerce any public employee to make any such contributions or payments, except where such contributions or payments are expressly required by law.
8. Permits persons to use the property owned by the state or a subdivision or agency of the state to operate a political phone bank for any of the following purposes:

## **EXHIBIT G**

**Document:** Iowa Administrative Code 351—6.8(68B): Misuse of Public Property

**Relevance:** Reinforces the **prohibition** against using government resources, including branding and physical property, **for personal gain or the benefit of a private entity.**

**351—6.8 (68B) Misuse of public property.** Iowa Code section 68B.32A(13) directs the board to establish rules relating to the misuse of public property by of employees, and candidates for statewide of

**6.8(1)** *of public property.* “Public property” means any real or personal property owned or controlled by the state of Iowa including but not limited to buildings, facilities, equipment, supplies, funds, records, and materials.

**6.8(2) Prohibited uses.** The following are deemed to be the misuse of public property by an of employee, or candidate for statewide of

*a.* Using public property to engage in an outside employment or activity that leads to an unacceptable of interest as prohibited in Iowa Code section 68B.2A(1) “a.”

*b.* Using public property to knowingly and purposefully send, receive, or view obscene material. “Obscene material” means any material depicting or describing the genitals, sex acts, masturbation, excretory functions, or sadomasochistic abuse which the average person, taking the material as a whole and applying contemporary community standards with respect to what is suitable material, would appeals to the prurient interest and is patently offensive; and the material, taken as a whole, lacks serious literary, political, or artistic value.

This paragraph shall not apply to obscene materials that are sent or received as part of a law enforcement investigation or are authorized by law to be sent or received.

*c.* Using public property for personal gain. This prohibition does not apply to the receipt of lawful compensation for the performance of of state duties.

*d.* Using public property for a personal to the detriment of the state.

*e.* Removing public property from a state building or facility for personal use.

*f.* Using public property to engage in political activities as prohibited in 351—Chapter 5.

This rule is intended to implement Iowa Code section 68B.32A(13).

[Editorial change: IAC Supplement 4/8/09]

## The Iowa Public Information Board

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In re the Matter of:  Richard Francis, Complainant  And Concerning:  Fort Dodge Police Department, Respondent	Case Number: 25FC:0134  <b>Status Report</b>
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On September 20, 2025, Richard Francis (“Complainant”) filed formal complaint 25FC:0134, alleging the Fort Dodge Police Department (“Respondent”) violated Iowa Code chapter 22. The IPIB accepted this complaint on October 16, 2025. This Status Report is developed to update the IPIB and to seek additional guidance.

### Facts

On September 10, 2025, an officer of the Fort Dodge Police Department initiated a traffic stop. The stop was allegedly initiated for reckless driving. The driver involved in the stop was the mayor of Fort Dodge. Officers turned on their recording devices for the stop. The stop resulted in an OWI charge against the mayor.

On September 16, 2025, Complainant requested any bodycam and dashcam footage of the stop from Respondent. On September 17, 2025, Respondent informed Complainant that they were withholding the footage based on Iowa Code 22.7(5). Respondent reported they had been advised by the County Attorney’s office that evidence of an ongoing prosecution should be withheld.

A complaint was filed with IPIB on September 20, 2025, alleging that the withholding of the video was improper under Chapter 22. During IPIB’s investigation, Respondent asserted that “until a pending case is either dismissed or a conviction is obtained, it is an ongoing investigation and any evidence collected by the police department is considered confidential records until such time the case is disposed of.” Upon the request of IPIB, the county attorney provided the following reasoning for their advice to Respondent: “if Chapter 22 were to be applied to release “discovery” information, it would permit defendants in pending criminal matters to obtain “discovery” without filing a motion for discovery in the criminal case, and therefore bypassing and undermining the State’s entitlement to reciprocal discovery from the

Defendant under the Iowa Rules of Criminal Procedure 2.14.” The county attorney did not address any other analysis or factors contemplated by *Hawk Eye*.

On December 19, 2025, the court issued an order suppressing evidence in the pending criminal case. Subsequently, the county attorney dismissed the charges and withdrew their opposition to the release of the requested footage. However, IPIB was then notified of a pending motion to seal the criminal record and evidence pending in district court by the defendant’s legal counsel, involving the same recordings at issue in the public records request. IPIB awaited the ruling from the district court before proceeding. On January 28, 2026, the district court denied the request to seal the evidence, directing the matter to be addressed in civil court or with the Iowa Public Information Board.

Respondent has not changed its stance and released the records; however, because the status of the records remains contested by the public official. Respondent and the city have been awaiting a decision by the Iowa Public Information Board to determine what their next steps should be.

IPIB staff requests a recommendation from the IPIB to determine the appropriate next steps.

### **Applicable Statutory Law**

Iowa Code § 22.7 designates certain categories of public records as confidential: “[T]he following public records shall be kept confidential unless otherwise ordered by a court, by the lawful custodian of the records, or by another person duly authorized to release such information[.]”

Peace officers’ investigative reports are included among the records that may be treated as confidential. Iowa Code § 22.7(5) provides:

Peace officers’ investigative reports, privileged records or information specified in section 80G.2, and specific portions of electronic mail and telephone billing records of law enforcement agencies if that information is part of an ongoing investigation, except where disclosure is authorized elsewhere in this Code. However, the date, time, specific location, and immediate facts and circumstances surrounding a crime or incident shall not be kept confidential under this section, except in those unusual circumstances where disclosure would plainly and seriously jeopardize an investigation or pose a clear and present danger to the safety of an individual. Specific portions of electronic mail and telephone billing records may only be kept confidential under this subsection if the length of time prescribed for commencement of prosecution or the finding of an indictment or information under the statute of limitations applicable to the crime that is under investigation has not expired. Iowa Code § 22.7(5).

## Analysis

Iowa Code § 22.7(5) has been interpreted in greater detail through subsequent litigation.

***Mitchell v. City of Cedar Rapids*, 926 N.W.2d 222 (Iowa 2019)** involved a high provide officer-involved shooting. Mitchell was shot by police during a traffic stop and filed a civil suit for compensatory and punitive damages. As part of the civil suit, Mitchell sought discovery including Reports related to the traffic stop and a prior traffic stop involving the same officer that also resulted in a shooting. The district court allowed release of the Reports over the defendants' objections because the investigation was complete and there were no confidential informants used or identified within the Report. The defendants appealed the district court decision and the Iowa Supreme Court accepted the appeal.

The Court noted the case involved discovery and stated discovery is provided notwithstanding the confidentiality provisions of Iowa Code § 22.7. For this reason, the Court reviewed the requirements of Iowa Code Chapter 22 and applied the balancing test applicable to police investigative reports as required by Iowa Code § 22.7(5). *Mitchell*, 926 N.W.2d at 228-229. The holding in *Mitchell* found that the type of confidentiality afforded to police investigative reports under 22.7(5) is a qualified, rather than categorical, privilege and that a balancing test must be applied to determine whether confidentiality should be maintained. *Mitchell v. City of Cedar Rapids*, 926 N.W.2d 222 (Iowa 2019) (“We hold that *Hawk Eye* remains the controlling precedent for disputes over access to police investigative reports.”). The Court distinguished between the qualified privilege under 22.7(5) which is analyzed under the *Hawk Eye* balancing test and the categorical privilege under 22.7(11), which is not subject to the balancing test.

In applying the analysis, the Court relied heavily on the precedent established by *Hawk Eye v. Jackson*, 521 N.W.2d 750 (Iowa 1994). The Court opined that like *Hawk Eye*, the *Mitchell* fact pattern demonstrated the investigation was closed and that a confidential informant or unidentified suspect was not included in the Report. It also noted the public interest in the misconduct of public officers.

**25FC:0027, *Hamelton v. Keokuk Police Department*.** In a previous decision, IPIB held 6 to 2 that the body camera footage of the police department related to a charge for OWI against a city administrator should be released as non-confidential under a *Hawk Eye* factor analysis. In that instance, the IPIB considered the following facts: the investigation was closed, not reports contains confidential or unidentified suspects, the charged individual held a public official position that worked closely with the police department implicating a public interest ensuring proper processing of the case without a conflict of interest or cover up.

**25FC:0102, *Johnson v. Polk City Police Department*.** In a subsequent decision, the IPIB found that there were not sufficient public interest factors weighing in favor of disclosure for the

recording of a 911 call involving a noise complaint by a neighbor, even though the caller was a city council member. The IPIB upheld the city's decision to withhold the recording as confidential and dismiss the complaint.

The Court held in *Hawk Eye*, “[a]n official claiming the privilege must satisfy a three-part test: (1) a public officer is being examined, (2) the communication [to the officer] was made in official confidence, and (3) the public interest would suffer by disclosure.” *Id.* at 232 (quoting *Hawk Eye v. Jackson*, 521 N.W.2d 750, 753 (Iowa 1994)).

Confidentiality determinations often hinge on the last prong, which balances the public interest in disclosure against the potential harm, including considerations like the involvement of confidentiality informants, the presence of named but innocent suspects, and any “hearsay, rumor, or libelous comment” in investigation materials. *Hawk Eye*, 521 N.W.2d at 753; *see also* 23AO:0003, *Confidentiality of Police Investigative Files*. Whether the investigation is ongoing is another important factor, as temporary confidentiality may be necessary to protect the investigative process prior to its conclusion. However, this is not the only factor considered, and the Court has made clear that the “ongoing investigation” language in Iowa Code § 22.7(5) itself does not apply to the confidentiality for investigative reports. *Mitchell*, 926 N.W.2d at 230–31.

*Mitchell* and *Hawk Eye* establish the primary precedent used to apply the balancing test for investigative reports. There are numerous parallels between *Mitchell*, *Hawk Eye*, *Hamelton* decided by the IPIB, and the current complaint.

- The investigation is now closed.
- The Report contains no confidential or unidentified suspect. The suspect has been publicly identified.
- The individual arrested and charged is the mayor for the city and works with the police department in his official capacity. There is a public interest in ensuring the case was processed without conflict of interest or cover-up.

Factors that distinguish the current matter include that criminal charges have been dismissed after a finding by the court that the stop was not legally justified.

In this case, the official's attorney sought the record be sealed and the judge referred the parties to our agency as a more appropriate forum for determining that status of the records.

## Outstanding Issues

The parties are unable to reach agreement regarding the confidential status of the records. Complainant seeks release. Respondent is awaiting a decision to determine the legality of any decision to release any portion of the record.

IPIB staff, having reviewed the specific circumstances of the complaint and the applicable statutes and case law, recommend the body camera footage be released. The justification for release is based on the following elements as applied by the balancing test:

- The investigation is closed.
- The Report contains no confidential or unidentified suspect. The suspect has been publicly identified.
- The request is for body camera footage recorded on a street and in a public space.
- The individual arrested and charged was a public official for the City and worked closely with the police department. There is a public interest in ensuring the case was processed without conflict of interest or cover-up.
- One factor to consider justification for confidentiality in 22.7(5) cases is the innocence of the suspect until proven guilty and the impact release of the footage may have on a jury pool. However, this issue was considered by the Iowa Supreme Court in *Mitchell* and was found to be an inadequate justification.
- The public interest in the body camera footage outweighs any minimal privacy interests in this case. The individual arrested and charged has been publicly identified and there has been media coverage of the arrest.

IPIB staff is providing this update to the Board and seeking guidance on next steps regarding this complaint. IPIB staff recommend the footage be released based on the factors identified in *Mitchell* and *Hawk Eye*; however, they will proceed with seeking an informal resolution based upon the confidentiality status determined by the Board.

By the IPIB Deputy Director,



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Charissa Flege, J.D.

### CERTIFICATE OF MAILING

This document was sent on February 16, 2026, to:

Richard Francis, Complainant  
Fort Dodge Police Department, Respondent



Miller, Charlotte <charlotte.miller@iowa.gov>

## Notice of IPIB Consideration of Case# 25FC:0134 on February 19, 2026

David Fierke <dfierke@fortdodgeiowa.org>

Tue, Feb 17, 2026 at 10:39 AM

To: "charissa.flege@iowa.gov" <charissa.flege@iowa.gov>, Dennis Quinn <dquinn@fortdodgeiowa.org>

Cc: "darren.driscoll@webstercountyia.org" <darren.driscoll@webstercountyia.org>, "charlotte.miller@iowa.gov"

<charlotte.miller@iowa.gov>, Amanda Holmes <aholmes@fortdodgeiowa.org>

Dear Ms. Flege

This letter is the City of Fort Dodge's position as it relates to the complaint in case # 25FC:0134. The City's intent is to comply with the underlying records request once it is determined what constitutes a public record regarding body-worn camera video and related statements/evidence that are part of a peace officer's investigative report when the evidence has been suppressed by the court as the product of an unreasonable search and seizure.

After an exhaustive search, the City has been unable to locate guidance that directly addresses this specific set of circumstances (i.e., body-worn camera video and other evidence within an investigative report that has been suppressed as the product of an unconstitutional stop).

The City requested, and the Board will address at a later date, how the Mitchell confidentiality posture and the Hawk Eye balancing framework should be applied when (1) evidence has been suppressed by court order, (2) charges have been dismissed, (3) prosecutorial opposition has been withdrawn, and (4) the underlying stop has been adjudicated unconstitutional.

We patiently await the Board's advisory opinion and will act accordingly. The City's position is this complaint will be resolved with the Board's advisory opinion.

### David Fierke

City Manager

**From:** Dennis Quinn <dquinn@fortdodgeiowa.org>

**Sent:** Tuesday, February 17, 2026 9:41 AM

**To:** David Fierke <dfierke@fortdodgeiowa.org>

**Subject:** FW: Notice of IPIB Consideration of Case# 25FC:0134 on February 19, 2026

Not sure if you received this or not in a separate email. Your name is not listed below.

## The Iowa Public Information Board

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In re the Matter of:	Case Number: 25FC:0138
Carlton Beers, Complainant	Investigative Report
And Concerning:	
City of Pisgah, Respondent	

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COMES NOW, Charissa Flege, Deputy Director for the Iowa Public Information Board (“IPIB”), and enters this Investigative Report:

On September 25, 2025, Carlton Beers (“Complainant”) filed formal complaint 25FC:0205, alleging that the City of Pisgah (“Respondent”) violated Iowa Code Chapter 22.

The Iowa Public Information Board accepted this complaint at its meeting on November 20, 2025.

### Facts

The initial complaint alleged unreasonable fees. Upon communication with Complainant and counsel for Respondent, IPIB was able to advise the parties how to calculate reasonable fees for the requested records. IPIB also recommended narrowing the scope of the request to reduce the number of records being produced and cost of production. On November 6, 2025, Complainant narrowed the timeframe for his request, but stated he may no longer need the records. IPIB made recommendations to Respondent regarding allowable fees under Chapter 22. In subsequent emails, IPIB continued to work with Respondent on its fee policies but Complainant never responded as to whether he was willing to pay the updated fee estimate. IPIB staff emailed Complainant on January 23, 2026 and February 3, 2026, directly requesting Complainant respond as to their willingness to pay the fee estimate or respond to the Complaint, with a deadline of February 12, 2026. No response from Complainant has been received since November 6, 2025.

### Applicable Law

“Every person shall have the right to examine and copy a public record and to publish or otherwise disseminate a public record or the information contained in a public record. Unless otherwise provided for by law, the right to examine a public record shall include the right to examine a public record without charge while the public record is in the physical possession of the custodian of the

public record. The right to copy a public record shall include the right to make photographs or photographic copies while the public record is in the possession of the custodian of the public record. All rights under this section are in addition to the right to obtain a certified copy of a public record under section 622.46.” Iowa Code § 22.2(1).

“All reasonable expenses of the examination and copying shall be paid by the person desiring to examine or copy. The lawful custodian may charge a reasonable fee for the services of the lawful custodian or the custodian’s authorized designee in supervising the examination and copying of the records. If copy equipment is available at the office of the lawful custodian of any public records, the lawful custodian shall provide any person a reasonable number of copies of any public record in the custody of the office upon the payment of a fee. The fee for the copying service as determined by the lawful custodian shall not exceed the actual cost of providing the service. Actual costs shall include only those reasonable expenses directly attributable to supervising the examination of and making and providing copies of public records. Actual costs shall not include charges for ordinary expenses or costs such as employment benefits, depreciation, maintenance, electricity, or insurance associated with the administration of the office of the lawful custodian. Costs for legal services should only be utilized for the redaction or review of legally protected confidential information. However, a county recorder shall not charge a fee for the examination and copying of public records necessary to complete and file claims for benefits with the Iowa department of veterans affairs or the United States department of veterans affairs.” Iowa Code § 22.3(2).

“Upon receipt of a complaint alleging a violation of chapter 21 or 22, the [Iowa Public Information Board] shall do either of the following: 1. Determine that, on its face, the complaint is within the board’s jurisdiction, appears legally sufficient, and could have merit. In such a case the board shall accept the complaint, and shall notify the parties of that fact in writing. 2. Determine that, on its face, the complaint is outside its jurisdiction, is legally insufficient, is frivolous, is without merit, involves harmless error, or relates to a specific incident that has previously been finally disposed of on its merits by the board or a court.” Iowa Code § 23.8.

## Analysis

Chapter 22 only delegates enforcement power to this Board when 1) “the defendant is subject to the requirements of this chapter, [] the records in question are government records, and [] the defendant refused to make those government records available for the examination and copying by the plaintiff...” Iowa Code § 22.10(2) In this case, IPIB does not have sufficient information to proceed with an investigation or make a determination regarding a violation.

Respondent provided a modified fee estimate after the Complainant narrowed their request. Complainant didn’t respond to the modified fee estimate, contest the matter or respond to IPIB

staff's communications. Due to abandonment by Complainant and insufficient evidence before IPIB that a violation of Iowa Code 22 occurred, this complaint should be dismissed for lack of probable cause to believe a violation has occurred.

### **IPIB Action**

The Board may take the following actions upon receipt of an Investigative Report:

- a. Redirect the matter for further investigation;
- b. Dismiss the matter for lack of probable cause to believe a violation has occurred;
- c. Make a determination that probable cause exists to believe a violation has occurred, but, as an exercise of administrative discretion, dismiss the matter; or
- d. Make a determination that probable cause exists to believe a violation has occurred, designate a prosecutor and direct the issuance of a statement of charges to initiate a contested case proceeding.

Iowa Admin. Code r. 497-2.2(4).

### **Recommendation**

Because the county completed the public records request and is not required to create records that do not exist, no violation of Chapter 22 has occurred, and it is recommended the Board dismiss for a lack of probable cause.

By the IPIB Deputy Director,



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Charisa Flege, J.D.

### **CERTIFICATE OF MAILING**

This document was sent on February 13, 2026, to:

Carlton Beers, Complainant

City of Pisgah, Respondent

## The Iowa Public Information Board

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In re the Matter of:  David Kordi, Complainant  And Concerning:  University of Iowa Police Department, Respondent	Case Number: 25FC:0171  Investigative Report
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COMES NOW, Charissa Flege, Deputy Director for the Iowa Public Information Board (“IPIB”), and enters this Investigative Report:

On October 30, 2025, David Kordi (“Complainant”) filed formal complaint 25FC:0171, alleging that University of Iowa Police Department (“Respondent”) violated Iowa Code Chapter 22.

The Iowa Public Information Board accepted this complaint at its meeting on November 20, 2025.

### Facts

On October 10, 2025, Complainant submitted a public records request to the University of Iowa Police Department requesting “1. Radar/Lidar Training and Certification Records, including: The type(s) of radar or lidar devices Officer Dennis is certified to operate; The issuing institutions and dates of each certification or recertification; and Any documentation of radar/lidar requalification, continuing education, or retraining. 2. Departmental Policies, Standard Operating Procedures, or Memoranda related to: Radar/lidar calibration intervals and operator responsibilities; Evidentiary reliability standards or testing requirements; Certification renewal requirements for radar/lidar operators. 3. Records or Logs identifying: The last date Officer [] Dennis was verified as proficient in radar/lidar operation; and The most recent calibration or accuracy-verification date for the radar or lidar device assigned to Officer Dennis, or used in connection with case number STA0292437, involving a citation issued on August 5, 2025 in Iowa City, Iowa.”

On November 11, 2025, IPIB notified the parties that this complaint had been filed with our agency and that it contained allegations of failure to produce public records and an unreasonable delay.

On November 20, 2025, Respondent completed the records request. They provided a record and responded to each category of request stating that the requested records either didn't exist (as to #2), or they do not have such records but the Law Enforcement Academy may possess them (as #1), or attaching the responsive record they had (as to #3).

Respondent further clarified during the investigation that the department has extensive policies and remains willing to respond to modified or new records requests for other policies, but it does not have policies that match the narrow policy type requested by Complainant.

### **Applicable Law**

“Every person shall have the right to examine and copy a public record and to publish or otherwise disseminate a public record or the information contained in a public record. Unless otherwise provided for by law, the right to examine a public record shall include the right to examine a public record without charge while the public record is in the physical possession of the custodian of the public record. The right to copy a public record shall include the right to make photographs or photographic copies while the public record is in the possession of the custodian of the public record. All rights under this section are in addition to the right to obtain a certified copy of a public record under section 622.46.” Iowa Code 22.2(1).

“[P]ractical considerations can enter into the time required for responding to an open records request, including ‘the size or nature of the request.’ But the records must be provided promptly, unless the size or nature of the request makes that infeasible,” *Horsfield Materials, Inc. v. City of Dyersville*, 834 N.W.2d 444, 461 (Iowa 2013).

### **Analysis**

Respondent completed the records request in 41 days. Iowa code does not prescribe a specific timeline for governmental entities to respond to records requests. Instead, it considers the factual circumstances to determine whether the response time was reasonable. While it would have been preferable for the records request to be completed sooner, considering the case was referred to counsel for response because it involved a pending driving citation issued by the department and requested potentially confidential personnel records of the officer, it doesn't appear unreasonable for the request to be completed within 41 days.

As to the second allegation that Respondent failed to produce records. IPIB did not receive any information that indicated they have withheld records. The police chief confirmed that the department has an extensive policy manual, some of which are confidential policies and some of which are public records, but none of which matched the criteria provided by the request. They further stated that any training that the officer had received was completed through Iowa Law Enforcement Academy and certifications for those trainings were housed there. Again, IPIB did not receive any information that would indicate this is untruthful.

### **IPIB Action**

The Board may take the following actions upon receipt of an Investigative Report:

- a. Redirect the matter for further investigation;
- b. Dismiss the matter for lack of probable cause to believe a violation has occurred;
- c. Make a determination that probable cause exists to believe a violation has occurred, but, as an exercise of administrative discretion, dismiss the matter; or
- d. Make a determination that probable cause exists to believe a violation has occurred, designate a prosecutor and direct the issuance of a statement of charges to initiate a contested case proceeding.

Iowa Admin. Code r. 497-2.2(4).

### **Recommendation**

Therefore, because Respondent provided the substantive records and indicated for each category why there were no records produced if no substantive records were provided, no violation of Chapter 22's requirement occurred, and it is recommended the Board dismiss for a lack of probable cause.

By the IPIB Deputy Director,



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Charisa Flege, J.D.

### **CERTIFICATE OF MAILING**

This document was sent on February 12, 2026, to:

David Kordi, Complainant

University of Iowa Police Department, Respondent

## The Iowa Public Information Board

In re the Matter of:  Lance Miller, Complainant  And Concerning:  City of Marion, Respondent	Case Number: 25FC:0174  Investigative Report
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COMES NOW, Charlotte Miller, Executive Director for the Iowa Public Information Board (“IPIB”), and enters this Investigative Report:

On November 4, 2025, Lance Miller (“Complainant”) filed formal complaint 25FC:0174, alleging City of Marion (“City”) violated Iowa Code chapter 21.

The IPIB accepted this Complaint on November 14, 2025

### Facts

Complainant alleged that the City held an improper closed session in October, 2025.

Complainant alleges that the City entered into closed session to discuss nonexistent pending litigation regarding the cancellation of retirees’ insurance contracts.

Complainant believed the closed session to related to the retiree contracts because in April 2025, the City notified Retirees it would be cancelling the contracts requiring them to provide the Retirees with insurance effective January 1, 2026. This included notifying Mr. Miller that it would no longer be providing him with health insurance effective January 1, 2026. The City communicated that it would continue to make health insurance benefits available to the Retirees, including Mr. Miller, at their own cost. On August 4, 2025, City Human Resources Manager and Payroll and Benefits Manager met with Retirees, including Complainant. In that meeting the Retirees communicated that they had legal counsel working with them regarding the cancellation of the contracts.

On October 9, 2025, the Marion City Council met in closed session regarding litigation as permitted under Section 21.5(1)(c) of the Code of Iowa. Prior to the closed session the City took a roll call vote, and it was approved unanimously. The City Attorney, Kara Bullerman, provided her legal opinion that she had reviewed the subject matter of the closed session and it was appropriate for a closed session. The City had legal counsel present for the closed session providing legal advice. Upon opening this complaint, the City admitted a closed session occurred, but maintains that the closed session was related to a different legal matter and the pending litigation for that legal matter. The city attorney provided an affidavit stating that the contracts were not the subject of the closed session and that the city did not discuss the contracts or the retirees at the contested closed session. Furthermore, the City contends that they met all the legal requirements for the closed session in question.

On November 13, 2025, IPIB accepted the complaint. IPIB received Complainant's response on November 17, 2025 and the City's response on December 1, 2025. Complainant submitted a follow-up response to the City's December 1 response.

### **Applicable Law**

“A governmental body may hold a closed session only to the extent a closed session is necessary for any of the following reasons:

...

To discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation.” Iowa Code § 21.5(1)(c).

“When a governmental body includes a closed session item on the tentative agenda, the notice shall include a brief statement of the purpose of the closed session. It shall not be deemed sufficient notice for the governmental body to only reference the statute by number and subparagraph without more information. For example, it shall not be sufficient notice for the governmental body to list as an agenda item ‘closed session 21.5(1)(a).’ The brief statement of purpose does not require the governmental body to provide more information than what is required under subparagraphs (a) through (l) in Iowa Code section 21.5(1). Examples of notice deemed sufficient would be ‘closed session 21.5(1)(c) discuss with counsel’ or ‘closed session 21.5(1)(l) discuss patient care quality or discuss marketing and pricing strategies.’” Iowa Administrative Rule 497-8.1(3).

### **Analysis**

Complainant alleges the City entered into closed session under false pretenses, believing no litigation against the City was pending on October 9, 2025.

The City contends it did not enter closed session in relation to pending litigation concerning the cancellation of insurance benefits for Retirees, including Complainant. While the City has not waived attorney-client privilege regarding the closed session, it confirmed that the Retirees, their contracts, and related matters were not discussed during the October 9, 2025 closed session.

Furthermore, the City followed the provisions of Iowa Code Chapter 21 and Iowa Administrative Rule 497-8.1(3), including having an attorney present and providing a specific descriptive statement in the closed session agenda item. The agenda item stated: “[m]otion to adjourn to closed session regarding litigation as permitted under Section 21.5(1)(c) of the Code of Iowa.”

Per the examples in IPIB's administrative rules, this brief statement provides sufficient information. The rule's example indicates adequate notice includes “discuss with counsel” and the statutory provision authorizing the closed session. “Regarding litigation” is as descriptive as “discuss with counsel.” The statement is not required to provide details of the pending or imminent litigation.

### **IPIB Action**

The Board may take the following actions upon receipt of a probable cause report:

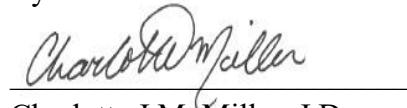
- a. Redirect the matter for further investigation;
- b. Dismiss the matter for lack of probable cause to believe a violation has occurred;
- c. Make a determination that probable cause exists to believe a violation has occurred, but, as an exercise of administrative discretion, dismiss the matter; or
- d. Make a determination that probable cause exists to believe a violation has occurred, designate a prosecutor and direct the issuance of a statement of charges to initiate a contested case proceeding.

Iowa Admin. Code r. 497-2.2(4).

### **Recommendation**

It is recommended the Board dismiss the matter for lack of probable cause to believe a violation has occurred, as the City fully complied with Chapter 21 closed session obligations. The City followed all procedural requirements, including conducting a proper roll call vote, obtaining the requisite two-thirds approval, having legal counsel present, and providing adequate notice through its agenda statement.

By the IPIB Executive Director:



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Charlotte J.M. Miller, J.D.

### **CERTIFICATE OF MAILING**

This document was sent on February 17, 2026, to:

Lance Miller, Complainant  
City of Marion, Respondent

## The Iowa Public Information Board

In re the Matter of:  William Hendrikson, Complainant  And Concerning:  Iowa State Patrol, Respondent	Case Number: 25FC:0193  Investigative Report
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COMES NOW, Erika Eckley, Special Counsel for the Iowa Public Information Board (IPIB), and enters this Investigative Report:

On December 2, 2025, William Hendrikson filed formal complaint 25FC:0193, alleging the Iowa State Patrol [“Department”] violated Iowa Code Chapter 22.

The Iowa Public Information Board accepted this complaint at its meeting on January 15, 2026.

### Facts

#### *April 8, 2025, Records Request*

On April 8, 2025, Mr. Hendrikson made a public records request to the Iowa State Patrol for the following documents from October 1, 2020 through December 31, 2024:

- Incident/Arrest Reports – Any State Patrol incident reports or citations involving William J. Hendrikson (Ventura, IA) during the specified period. Specifically to an incident where The home was broken into by law-enforcement by bashing in the front door.
- Traffic Stop Records – Records of any traffic stops conducted by troopers that involved William J. Hendrikson or his vehicle, including dash camera footage, trooper body camera footage, and dispatch logs/communications for those stops.
- Inter-Agency Communications – Any communications between the Iowa State Patrol and local agencies (e.g., Clear Lake Police, Cerro Gordo or Hancock County Sheriff’s Offices) regarding William Hendrikson. This includes email correspondence, radio logs, or other notes referencing his name or vehicle/license plate.
- License Plate/Tracking Inquiries – Any instances of license plate checks, call-ins or location tracking requests run through State systems (e.g., NLETS, State Patrol communications) specifically for William Hendrikson’s vehicle or license plate.
- October 2021 OWI Stop Involvement – All records related to an OWI arrest of William Hendrikson in October 2021 in Hancock County. This should include any State Patrol

involvement or assistance in that incident. For example, if a State Patrol trooper responded or was consulted, I request any reports, dispatch communications, or notes (especially any record of a tip from Holly Mae Hendrikson that precipitated the stop).

- Related Individuals – Any State Patrol records or references (within the context of William Hendrikson’s incidents) that involve Holly Mae Hendrikson, Wesley Enabnit, Justin Faught, Travis Stangle, or Sarah Stangle.
- Officer/Staff Communications – Copies of any internal communications or complaint records within the State Patrol that involve the officers named Pavelka, Conklin, Brandon Heinz, Pedelty, Hall, Deb Ryg, Mike Colby, or Jeremy Bossard, to the extent that those communications relate to William Hendrikson or the other individuals listed. (For instance, if any of those local officers reached out to State Patrol or were discussed in relation to incidents involving Mr. Hendrikson.)

Records located were provided. Following disclosure there were email communications between Mr. Hendrikson and the Department. The last communication was on May 6, 2025, in which Mr. Hendrikson took offense to the Department’s suggestion it would conduct a second search for the requested records with the exact date and address.<sup>1</sup> Mr. Hendrikson took no other action regarding his records request until filing this complaint on December 2, 2025.<sup>2</sup> The complaint was filed 210 days after Mr. Hendrikson would have been aware a violation would have occurred based on his email on May 6, 2025.

### ***December 8, 2025, Records Request***

On December 8, 2025, shortly after filing this complaint, Mr. Hendrikson made another records request to the Department for all records relating to the incident at his residence on October 28–29, 2023, in Ventura, Iowa. He requested the following:

1. All body-worn camera and in-car camera recordings from any Iowa State Patrol troopers present;
2. All dispatch logs, radio traffic, CAD entries, and 10-codes associated with that response;
3. All reports, field notes, case narratives, or supplemental reports generated by Iowa State Patrol personnel for that incident.
4. All inter-agency communications between Iowa State Patrol, Clear Lake Police Department, and Cerro Gordo County Sheriff’s Office regarding this event;
5. All emails, internal messages, or communications within DPS referring to either the forced entry any attempts to locate records about this incident any Chapter 22 requests filed by me related to it.

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<sup>1</sup> “You initially claimed that body cam footage, emails, dispatch logs, and related records were unavailable or confidential under Iowa Code 22.7(5) and 80F.1. Then, minutes later, you asked me for a date and location so you could “look again.” That’s a direct contradiction. If these records were already reviewed and deemed exempt, why do you now need to search again? Either you didn’t look in the first place—or you’re backpedaling after realizing the response was false or incomplete.”

<sup>2</sup> Mr. Hendrikson did send an email on September 2, 2025, serving “formal notice under Iowa Code § 669.5 of [his] tort claim against the Iowa Department of Public Safety and Iowa State Patrol.”

6. Any record indicating no report was filed or footage was not preserved and any retention/destruction logs relevant to this incident.

In response, an incident report and case were located that had misspelled his name. Two audio files were provided. Email communications were provided at no cost. The Department's retention policy was provided. In addition, the Department contacted its vendor to determine whether any documentation existed regarding how the original video from the incident in 2023 was classified at the time it had been saved. All other questions or concerns were addressed.

### **Applicable Law**

"The complaint must be filed within sixty days from the time the alleged violation occurred or the complainant could have become aware of the violation with reasonable diligence. All complaints filed with the board shall be public records." Iowa Code § 23.7(1).

### **Analysis**

Mr. Hendrikson's chapter 22 complaint and the allegations in his complaint occurred and any alleged violation should have been discovered with any reasonable diligence in fewer than 210 days after the final communications with the Department on May 6, 2025. IPIB's jurisdiction to review complaints does not exceed violations outside of those occurring within sixty days from when the issue could be discovered with reasonable diligence. Iowa Code § 23.7(1).

Because IPIB has no subject matter jurisdiction, 25FC:0193 must be dismissed for lack of jurisdiction. "Subject matter jurisdiction is conferred by constitutional or statutory power. The parties themselves cannot confer subject matter jurisdiction on a court by an act or procedure. Unlike personal jurisdiction, a party cannot waive or vest by consent subject matter jurisdiction. Lack of subject matter can be raised 'at any time.'" *Klinge v. Bentien*, 725 N.W.2d 13, 15–16 (Iowa 2006) (citations omitted).

Further, Special Counsel was included in all communications with Mr. Hendrikson and the Department regarding his subsequent records request on December 8, and all relevant records have been provided.

### **IPIB Action**

The Board may take the following actions upon receipt of a probable cause report:

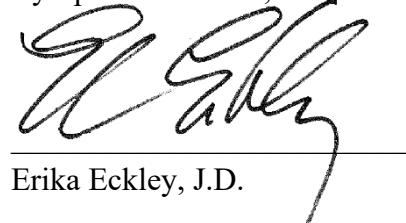
- a. Redirect the matter for further investigation;
- b. Dismiss the matter for lack of probable cause to believe a violation has occurred;
- c. Make a determination that probable cause exists to believe a violation has occurred, but, as an exercise of administrative discretion, dismiss the matter; or
- d. Make a determination that probable cause exists to believe a violation has occurred, designate a prosecutor and direct the issuance of a statement of charges to initiate a contested case proceeding.

Iowa Admin. Code r. 497-2.2(4).

### **Recommendation**

IPIB has no jurisdiction over 25FC:0193 because the complaint was filed far outside the 60-day jurisdictional requirement for review. Further, the December 8, 2025, records request has been resolved. It is recommended the Board dismiss the matter for lack of probable cause to believe a violation has occurred.

By Special Counsel,



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Erika Eckley, J.D.

### **CERTIFICATE OF MAILING**

This document was sent on February 13, 2026, to:

William Hendrikson, Complainant  
Catherine Lucas for Iowa State Patrol, Respondent

## The Iowa Public Information Board

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In re the Matter of:  Linda Smithson, Complainant  And Concerning:  Bettendorf Community School District, Respondent	Case Number: 25FC:0197  Investigative Report
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COMES NOW, Charissa Flege, Deputy Director for the Iowa Public Information Board (“IPIB”), and enters this Investigative Report:

On December 3, 2025, Linda Smithson (“Complainant”) filed formal complaint 25FC:0197, alleging that Bettendorf Community School District (“Respondent”) violated Iowa Code Chapter 21.

The Iowa Public Information Board accepted this complaint at its meeting on December 18, 2025.

### Facts

On November 13, 2025, Respondent held its regular meeting of the school board. This meeting followed an election for four (4) seats of the seven (7) school board seats.

The meeting was called to order at 6:00pm and opened with the sitting seven board members. The existing board approved the election results and completed the rest of the regular agenda. The meeting was adjourned at 6:52pm. A meeting was immediately called to order at 6:52 with the newly elected members present. After role call, the next agenda item was the administration of the oaths of office for the new board members and for the treasurer and secretary. The next agenda item was the election of the empty officer positions- president and vice president. There was a single motion and second, followed by a vote of 6 to 1 in favor of the nominated members. All four new members voted the same and no deliberations or disagreement occurred after the nomination.

Complainant brought this complaint alleging that the actions taken indicate that the board members had engaged in deliberation outside of a meeting as to who would be elected for officer seats, in violation of Chapter 21. Complainant alleges that the fact that there was no debate on

the officer nominations indicate that conversations took place outside the meeting. Respondent doesn't concede this occurred, but instead argues that even if it did, it would not be a violation of Chapter 21.

There is no dispute that the meetings that occurred were properly noticed with an agenda and twenty-four hours' notice. The crux of the complaint is whether the facts indicate that the four new school board members violated Chapter 21 by "deliberating" outside of that meeting.

### **Applicable Law**

"Meetings of governmental bodies shall be preceded by public notice as provided in section 21.4 and shall be held in open session unless closed sessions are expressly permitted by law. Except as provided in section 21.5, all actions and discussions at meetings of governmental bodies, whether formal or informal, shall be conducted and executed in open session. Each governmental body shall keep minutes of all its meetings showing the date, time and place, the members present, and the action taken at each meeting. The minutes shall show the results of each vote taken and information sufficient to indicate the vote of each member present. The vote of each member present shall be made public at the open session. The minutes shall be public records open to public inspection." Iowa Code § 21.3(1)-(2).

"Meeting" means a gathering, in person or by electronic means, formal or informal, of a majority of the members of a governmental body where there is deliberation or action upon any matter within the scope of the governmental body's policy-making duties. Meetings shall not include a gathering of members of a governmental body for purely ministerial or social purposes when there is no discussion of policy and no intent to avoid the purposes of this chapter." Iowa Code § 21.2(2).

### **Analysis**

In order for a meeting to occur, four elements must be present: 1) A gathering occurs in person or by electronic means 2) a majority of the governmental body members are present 3) deliberation or action occurs and 4) the deliberation or action is within the scope of the body's policy making duties.

The four elected officials became members of the governmental body when they were sworn in. The evidence presented to the board, including meeting minutes and a recording of the meeting, indicate from the time the election results were accepted and the officers were sworn in, no discussion between the four newly elected members took place outside the open session meeting. Discussions that occurred during the election campaign would have occurred before the individuals were part of the governmental body.

Although the parties contest whether discussions about officer elections occurred before the meeting on November 13, IPIB does not need to reach a conclusion on whether these discussions

occurred to determine whether a violation occurred. Even if they did occur, they would not have created a meeting under the meaning of Iowa Code 21.2(2), because a gathering and deliberation by the four individuals did not constitute “a majority of the members of a governmental body.” Therefore, no violation of Chapter 21’s open meeting requirement occurred.

### **IPIB Action**

The Board may take the following actions upon receipt of an Investigative Report:

- a. Redirect the matter for further investigation;
- b. Dismiss the matter for lack of probable cause to believe a violation has occurred;
- c. Make a determination that probable cause exists to believe a violation has occurred, but, as an exercise of administrative discretion, dismiss the matter; or
- d. Make a determination that probable cause exists to believe a violation has occurred, designate a prosecutor and direct the issuance of a statement of charges to initiate a contested case proceeding.

Iowa Admin. Code r. 497-2.2(4).

### **Recommendation**

Because any discussion between the incoming elected individuals would not have created a meeting under Iowa Code section 21, no violation of Chapter 21 has occurred, and it is recommended the Board dismiss for a lack of probable cause.

By the IPIB Deputy Director,



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Charisa Flege, J.D.

### **CERTIFICATE OF MAILING**

This document was sent on February 12, 2026, to:

Linda Smithson, Complainant

Bettendorf Community School District, Respondent

## The Iowa Public Information Board

In re the Matter of:

Christopher Wyant, Complainant

And Concerning:

David Raymond, Respondent

Case Number: 25FC:0203

Investigative Report

COMES NOW, Alexander Lee, Agency Counsel for the Iowa Public Information Board (“IPIB”), and enters this Investigative Report:

On December 10, 2025, Christopher Wyant filed formal complaint 25FC:0203, alleging that Lewis City Council Member David Raymond (Raymond) violated Iowa Code Chapter 22.

The IPIB accepted this Complaint on January 15, 2026.

### Facts

On August 19, 2025, the City of Lewis held a special election for a vacant at-large seat on its city council. David Raymond won this election to become a member of the city council, but lost the general election for the same position seventy-four days later.

On December 10, 2025, the complainant, Christopher Wyant, filed formal complaint 25FC:0203, alleging Raymond had failed to complete the course of training required by Iowa Code § 21.12(1) for newly elected and appointed members of governmental bodies.

After being notified of the complaint, Raymond agreed to attend a training session with IPIB to satisfy the training requirement and resolve the complaint, and he completed his mandatory training with IPIB on January 14, 2026.

### Applicable Law

“A newly elected or appointed public official who is a member of a governmental body shall complete a course of training of not less than one and not more than two hours regarding the responsibilities of the governmental body and the governmental body’s members under this

chapter and chapter 22 not later than the ninetieth day after the date the member does one of the following, as applicable:

- a. Takes the initial oath of office.
- b. Assumes responsibilities, if the member is not required to take an oath of office.
- c. Is elected to the office.” Iowa Code § 21.12(1).

“If one or more members of a governmental body fail to complete the training required by this section, the failure does not affect the validity of an action taken by the governmental body. However, the member must complete training within sixty days or may be assessed damages as described in section 21.6, subsection 3.” Iowa Code § 21.12(4).

### **Analysis**

Iowa Code § 21.12(1) requires any “newly elected or appointed public official who is a member of a governmental body” to complete a course of training within ninety days of one of three qualifying events listed in the subsection. Although the respondent’s term of office was less than ninety days, he was still subject to the law as a city council member elected to a new position after July 1, 2025, the effective date for the new requirement. *See 25AO:0011, New Training Requirements Under Iowa Code Section 21.12.* The respondent acknowledges that he did not attend training during the ninety-day window provided by Iowa Code § 21.12(1).

On January 14, 2026, however, the respondent completed a course of training with IPIB, and he has since been issued a certificate of course completion. The respondent therefore “complete[d] training within sixty days” of IPIB’s notice, as required for the Iowa Code § 21.12(4) grace period to apply. Any violation of Section 21.12’s mandatory training requirement has been cured.

### **IPIB Action**

The Board may take the following actions upon receipt of a probable cause report:

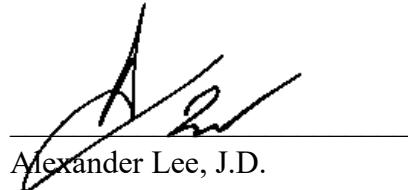
- a. Redirect the matter for further investigation;
- b. Dismiss the matter for lack of probable cause to believe a violation has occurred;
- c. Make a determination that probable cause exists to believe a violation has occurred, but, as an exercise of administrative discretion, dismiss the matter; or
- d. Make a determination that probable cause exists to believe a violation has occurred, designate a prosecutor and direct the issuance of a statement of charges to initiate a contested case proceeding.

Iowa Admin. Code r. 497-2.2(4).

### **Recommendation**

Although the respondent failed to complete mandatory training within the initial ninety-day period provided by Iowa Code § 21.12(1), his subsequent training with IPIB was completed within the Iowa Code § 21.12(4) grace period. Dismissal is recommended for lack of probable cause, as the respondent is no longer in violation of Iowa Code § 21.12.

By the IPIB Agency Counsel,



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Alexander Lee, J.D.

#### CERTIFICATE OF MAILING

This document was sent on February 12, 2026, to:

Christopher Wyant, Complainant  
David Raymond, Respondent

## The Iowa Public Information Board

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In re the Matter of:  John Johnson, Complainant  And Concerning:  Hancock County, Respondent	Case Number: 25FC:0205  Investigative Report
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COMES NOW, Charissa Flege, Deputy Director for the Iowa Public Information Board (“IPIB”), and enters this Investigative Report:

On December 8, 2025, John Johnson (“Complainant”) filed formal complaint 25FC:0205, alleging that Hancock County (“Respondent”) violated Iowa Code Chapter 22.

The Iowa Public Information Board accepted this complaint at its meeting on January 15, 2025.

### Facts

On November 15, 2025, Complainant submitted a public records request to the auditor for the following information:

“...[A]ccess to and copies of public records solely related to the physical attendance of the elected County Treasurer in the courthouse and in the Treasurer’s Office. This request applies to the timeframe January 1, 2025 through the present.

1. Attendance / Presence Records for the Elected Treasurer:

Please provide all records documenting the Treasurer’s physical presence in the courthouse or Treasurer’s Office, including timesheets or time-reporting records, daily attendance logs, sign-in/sign-out sheets (if used), and any electronic timekeeping entries.

2. Building / Office Access Records:

Please provide any records showing the Treasurer entering or accessing county facilities or the Treasurer’s Office, including key-card or fob entry logs, door access logs, security system access records, or any county system used to track building entry.

**3. County Computer Login Records (Only to Establish Presence or Absence):**

Please provide county computer login or network-access records for the Treasurer only to show whether she was working from the courthouse or remotely, including computer login timestamps, VPN login logs (if applicable), and network authentication logs indicating location (office vs. remote).

**4. Policies or Expectations for Physical Attendance:**

Please provide any county policy, handbook language, HR rule, directive, guidance, or communication establishing expectations for the Treasurer's physical presence in the courthouse, along with any acknowledgment indicating she received such policies. This request is limited strictly to attendance-related documents.

**5. Internal Communication Regarding Attendance:**

Please provide any correspondence (emails or memos) between the Treasurer, county supervisors, the Auditor, HR, or Treasurer's Office staff specifically discussing the Treasurer's physical presence or absence during the timeframe above.”

The information was forwarded to the county attorney on November 17<sup>th</sup>. Respondent provided several emails to IPIB detailing the county's work to search for requested emails, consulting with counsel. On December 3, 2025, the county attorney responded directly to Complainant addressing each of the five types of requests submitted. Requests 1, 3, 4, and 5 did not exist or were not maintained as a record by the county. Respondent explained request 2 was confidential based upon 22.7(50) as security information. Respondent also stated in that email the county believed this completed the records request.

Complainant never responded to that email. He filed this complaint five days later. Upon IPIB opening of this complaint, but not upon our request, Respondent worked with their IT department to create a new record (a calendar) that reflected fob information for the treasurer without including confidential information that could jeopardize security.

**Applicable Law**

“Every person shall have the right to examine and copy a public record and to publish or otherwise disseminate a public record or the information contained in a public record. Unless otherwise provided for by law, the right to examine a public record shall include the right to examine a public record without charge while the public record is in the physical possession of the custodian of the public record. The right to copy a public record shall include the right to make photographs or photographic copies while the public record is in the possession of the custodian of the public record. All rights under this section are in addition to the right to obtain a certified copy of a public record under section 622.46.” Iowa Code § 22.2(1).

“The following public records shall be kept confidential, unless otherwise ordered by a court, by the lawful custodian of the records, or by another person duly authorized to release such information:...Information and records concerning physical infrastructure, cyber security, critical infrastructure, security procedures, or emergency preparedness developed, maintained, or held by a government body for the protection of life or property, if disclosure could reasonably be expected to jeopardize such life or property. (a). Such information and records include but are not limited to information directly related to vulnerability assessments; information contained in records relating to security measures such as security and response plans, security codes and combinations, passwords, restricted area passes, keys, and security or response procedures; emergency response protocols; and information contained in records that if disclosed would significantly increase the vulnerability of critical physical systems or infrastructures to attack.” Iowa Code § 22.7(50)(a).

### **Analysis**

The evidence presented to IPIB staff shows the county ran the requested searches and turned up no records matching the request for emails. The evidence also shows that the IT manager was involved in determining whether the other records were maintained and existed in the county’s possession. No evidence was presented to IPIB that indicated the county was not honest about the existence of the records.

As to the security information that was withheld on confidentiality grounds, the information requested for the treasurer’s entry and exits into a secure building using their individualized key fob (“key-card or fob entry logs, door access logs, security system access records, or any county system used to track building entry”) are exactly the type of information included in 22.7(50)’s description of confidential “information and records”. Information about what fobs are used, when they are used, and at what secured entrances is the kind of information that if disclosed could put the safety of governmental employees at serious risk. Nevertheless, the county went above and beyond to try to share information about the days the fob was used in a fashion that protected information that could pose a threat. IPIB has repeatedly found that governmental entities are not required to *create* a record that doesn’t exist. *See 24AO:0003, Data and Public Records Requests.* The county’s actions went above and beyond to try to comply with the submitted public records request.

For these reasons, there appears to be no violation of Chapter 22.

### **IPIB Action**

The Board may take the following actions upon receipt of an Investigative Report:

- a. Redirect the matter for further investigation;
- b. Dismiss the matter for lack of probable cause to believe a violation has occurred;

- c. Make a determination that probable cause exists to believe a violation has occurred, but, as an exercise of administrative discretion, dismiss the matter; or
- d. Make a determination that probable cause exists to believe a violation has occurred, designate a prosecutor and direct the issuance of a statement of charges to initiate a contested case proceeding.

Iowa Admin. Code r. 497-2.2(4).

### **Recommendation**

Because the county completed the public records request and is not required to create records that do not exist, no violation of Chapter 22 has occurred, and it is recommended the Board dismiss for a lack of probable cause.

By the IPIB Deputy Director,



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Charisa Flege, J.D.

### **CERTIFICATE OF MAILING**

This document was sent on February 13, 2026, to:

John Johnson, Complainant

Hancock County, Respondent

## IPIB Comment – Accountability and Records Request

I am not submitting this comment solely as an individual. I am acting as the point person for a group of taxpayers who are tired of paying substantial public salaries without reliable proof that the associated duties are being performed. It should not require repeated public-records requests, citizen persistence, and state-level intervention simply to determine whether an elected official is regularly reporting to work.

If the treasurer had been regularly present and performing her job, none of this would have been necessary. Quite frankly, I have already invested more time and effort into this matter than its monetary value alone would justify. However, after a certain point, the issue ceases to be about convenience and becomes about establishing the facts and protecting the public interest. Everyone in the courthouse was aware of this situation, yet no one was willing to raise the issue or address it.

My initial public-records request sought basic login records maintained by the county's information-technology systems. As a point of contrast, we routinely see precise access and timestamp information produced in far more complex and sensitive situations. Yet here, I was told it was impossible to determine whether a county treasurer accessed county systems or even logged into the government network while purportedly working. As an over-the-road owner-operator, my electronic duty status records can pinpoint my truck's location six months ago within a few feet. Yet the county claims it cannot determine whether an elected official logged into its own network six minutes ago. That assertion strains credibility.

I was then informed that building-entry access records could not be produced due to security concerns. This rationale is difficult to accept. A member of the public could sit in the courthouse lobby and observe who enters and exits the office and at what times. The information sought through these records requests is functionally no different from what could be obtained through simple observation.

I was later informed by the county attorney that the records produced only go back to October 30, 2025, because all prior data was allegedly wiped during a system update when the engineer's new building in Britt came online. According to that explanation, nine months of data simply no longer exists on the county's system.

Taken together, the county's position is that (1) the system does not retain computer login records, and (2) even if such records once existed, a system update erased the very timeframe I requested. That explanation conveniently eliminates the precise period under review.

What makes this especially difficult to accept is the stark double standard being applied. A simple, inadvertent email draft mistake on my part is treated as a serious matter and held against me months later, yet the loss of nine months of government records — records directly tied to taxpayer-funded accountability — is dismissed as routine and inconsequential. Missing data on this scale is not a minor issue. It is a fundamental failure of record retention, oversight, or candor, and it directly frustrates the purpose of Iowa's open-records law.

It was only after the involvement of the Iowa Public Information Board that the county attorney began to produce anything resembling responsive information. That fact alone is telling.

Shortly after these records requests were initiated and scrutiny increased, the county treasurer announced her retirement. I make no claim regarding motive. I simply note the timing as part of the factual sequence of events.

You may wonder why I have continued to pursue this matter even after that retirement was announced. The reason is straightforward: this inquiry is not about one individual. It is about ensuring that a mechanism exists at the courthouse to verify whether elected officials are actually reporting to work.

In practical terms, taxpayers are paying full freight for a position even when supporting records do not reflect consistent, verifiable weekday presence. Based on the available data, demonstrable value can be documented for approximately one-third of the Treasurer's 85,560 annual salary — roughly 28,520 — assuming each recorded day represented a full day of productive work. Conversely, approximately 56,469.60 in base salary alone corresponds to days for which there is no reliable, verifiable attendance documentation. When public-records requests cannot produce clear attendance data for a publicly funded office, the broader concern is whether the accountability systems in place are functioning for the taxpayers who fund them.

During the period from October 30, 2025 through January 28, 2026, I count 77 available workdays after excluding Sundays, Thanksgiving, and Christmas. Based on the county's own records, the treasurer's key fob was used on 25 of those days. That equates to approximately 32.5 percent presence, meaning approximately 67.5 percent of available workdays show no recorded key-fob activity. Key-fob activity is not proof of work performed; it is simply the county's own electronic indicator of entry.

According to guidance received from the Iowa Ombudsman, an elected official could, in theory, take the oath of office on the first day of a term and never report to work again for the duration of that term, yet still receive full compensation. If that is an accurate statement of Iowa law and practice, it represents a serious accountability gap.

To myself and others seeking basic accountability, the cumulative effect of these responses leaves us with the unmistakable impression that the system is structured to protect officeholders rather than the taxpayers who fund those offices. The treasurer's conduct, combined with inconsistent explanations, missing records, and resistance to routine disclosure, has made it increasingly difficult to trust the accuracy or completeness of what we are being told. That loss of trust is not ideological or personal — it is the direct result of observed actions. When transparency must be forced and accountability must be fought for, the system has failed the very people it is supposed to serve.

Even accepting the county's calendar at face value, I must seriously question the accuracy and reliability of the information provided. The records show little to no weekday presence, yet reflect appearances on two Saturdays and on New Year's Day, a recognized holiday. That pattern is difficult to reconcile with normal office operations and raises legitimate concerns about whether the calendar reflects actual work activity, selective reporting, or incomplete reconstruction after the loss of prior records.

The absence of corroborating data — such as computer login records, network access logs, email metadata, or building access records — leaves no independent way to verify whether the calendar entries correspond to the actual performance of official duties. Without such verification, the data produced cannot reasonably be treated as complete or reliable.

When the only attendance data produced cannot be independently verified and routine records are missing, the issue is no longer attendance — it is the reliability of the public record itself.

I will be candid. To taxpayers seeking basic transparency, the system appears engineered to deflect accountability. The only process that operates flawlessly is the collection of taxpayer dollars.

## The Iowa Public Information Board

In re the Matter of:

Case Number: 25FC:0218

Nick Cattell, Complainant

Investigative Report

And Concerning:

City of Chariton, Respondent

COMES NOW, Alexander Lee, Agency Counsel for the Iowa Public Information Board (“IPIB”), and enters this Investigative Report:

On December 19, 2025, Nick Cattell filed formal complaint 25FC:0218, alleging that the City of Chariton (City) violated Iowa Code Chapter 22.

The IPIB accepted this Complaint on January 15, 2026.

### Facts

This case arises in the context of an ongoing dispute between the complainant, Nick Cattell, and the City of Chariton over a decommissioned sewage treatment plant and related property issues.

On December 5, 2025, in connection with this dispute, three individuals entered Cattell’s property to conduct an inspection, including the City Manager, an official from the Department of Natural Resources, and a subcontractor employed by a non-governmental water utilities company. During this time, Cattell confronted the group to object to their presence, which he has since argued was trespassing due to an allegedly defective notice of inspection.

The subcontractor recorded a video of this incident on his phone, which the City states was based on his concern that the argument would become violent (though the parties agree it did not). Cattell subsequently requested a copy of the video.

On December 19, 2025, the City responded that there was “no video to provide.” They have subsequently clarified that the video did exist but that it was deleted by the subcontractor when the incident did not escalate.

Cattell disputes whether the video was deleted *prior* to his Chapter 22 request and has requested IPIB's assistance in reviewing the timing, authority, and circumstances of deletion. The City has offered to seek an affidavit from the subcontractor if requested by IPIB.

### Applicable Law

“*Lawful custodian*’ means the government body currently in physical possession of the public record. The custodian of a public record in the physical possession of persons outside a government body is the government body owning that record.” Iowa Code § 22.1(2).

“*Public records*’ includes all records, documents, tape, or other information, stored or preserved in any medium, of or belonging to this state or any county, city, township, school corporation, political subdivision, nonprofit corporation other than a fair conducting a fair event as provided in chapter 174, whose facilities or indebtedness are supported in whole or in part with property tax revenue and which is licensed to conduct pari-mutuel wagering pursuant to chapter 99D, or tax-supported district in this state, or any branch, department, board, bureau, commission, council, or committee of any of the foregoing.” Iowa Code § 22.1(3)(a).

### Analysis

The parties dispute the timing of the video record’s deletion. The complainant alleges that the City may have deleted the record in order to avoid having to release it and that this could establish a violation despite the general lack of retention requirements in Chapter 22. At the time of this report, no further evidence has been made available to IPIB with regards to the timing issue.

Notwithstanding this dispute, the parties agree that the video was recorded by a private subcontractor, rather than a city employee. Under Iowa Code § 22.1(3)(a), public records are defined as “all records, documents, tape, or other information, stored or preserved in any medium, of or belonging to [a government body].” The Iowa Supreme Court has clarified that “[a] document of the government is a document that was produced by or originated from the government,” while “[d]ocuments *belonging to* the government would include those documents that originate from other sources but are held by public officers in their official capacity.” *City of Dubuque v. Dubuque Racing Ass’n*, 420 N.W.2d 450, 452 (Iowa 1988) (emphasis in original). In this case, the record was created by a person outside of city government, and there is no evidence to suggest that the video was ever received by the City or any of its employees in their official capacities.

The subcontractor’s apparent intent in recording the video was to document what the complainant has described as a “heated exchange.” There is no suggestion that the recording was made pursuant to the subcontractor’s contractual relationship with the City, even if the incident took place in the context of an inspection conducted for the benefit of the City.

The Iowa Supreme Court has interpreted Iowa Code § 22.2(2) to hold that records created and held by a non-government entity may nevertheless be considered public records of a government body subject to Chapter 22 when the entity performs a government function on the government's behalf. *Gannon v. Bd. of Regents*, 692 N.W.2d 31, 43–44 (Iowa 2005) (citing Iowa Code § 22.2(2) (“[a] government body shall not prevent the examination or copying of a public record by contracting with a nongovernment body to perform any of its duties or functions”)). In this case, recording the incident could not be considered a “government function” being performed by the contractor in the sense. *But see id.* at 42 (finding that the ability to raise money and manage finances was a core function of a public university which the university had “contracted away,” such that records of the affiliated non-profit foundation which managed the university’s fundraising remained public records subject to Chapter 22).

For the reasons described above, IPIB lacks probable cause to conclude that the disputed video ever qualified as a public record “of or belonging to” the City as a government body subject to Chapter 22, meaning the City would not have been the lawful custodian responsible for producing it in response to the complainant’s request in the first place.

### **IPIB Action**

The Board may take the following actions upon receipt of a probable cause report:

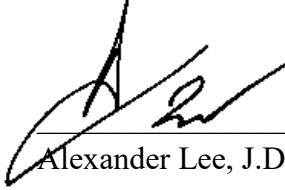
- a. Redirect the matter for further investigation;
- b. Dismiss the matter for lack of probable cause to believe a violation has occurred;
- c. Make a determination that probable cause exists to believe a violation has occurred, but, as an exercise of administrative discretion, dismiss the matter; or
- d. Make a determination that probable cause exists to believe a violation has occurred, designate a prosecutor and direct the issuance of a statement of charges to initiate a contested case proceeding.

Iowa Admin. Code r. 497-2.2(4).

### **Recommendation**

Although the parties dispute the timing of the disputed video record’s deletion, the available facts indicate that the video likely would not have qualified as a public record of the City subject to Chapter 22. As such, dismissal is recommended for lack of probable cause to believe a violation has occurred.

By the IPIB Agency Counsel,



Alexander Lee, J.D.

#### CERTIFICATE OF MAILING

This document was sent on February 13, 2026, to:

Nick Cattell, Complainant  
City of Chariton, Respondent

# **Supplemental Written Statement of Nick Cattell**

**IPIB Case No. 25FC:0218**

Submitted for February 19, 2026 Meeting

Dear Members of the Board:

I respectfully submit this supplemental statement in response to the Investigative Report recommending dismissal.

The central legal conclusion—that the disputed video was not a public record of the City of Chariton—rests on an incomplete application of Iowa Code §22.1 and §22.2(2).

## **1. The Recording Was Created at the Direction of the City Manager**

The subcontractor recorded the video **at the behest and direction of the City Manager** during an official City inspection on my property.

The City Manager later admitted the video existed and was deleted after I “did not become violent as expected.”

A recording created at the request of the City’s chief executive officer during the exercise of official municipal duties is not a private record. It is information created for and on behalf of the City in connection with official business.

Under Iowa Code §22.1(3)(a), public records include all records “of or belonging to” a government body. A record created at the direction of a City official in the course of official duties qualifies as belonging to that government body—even if temporarily held by a contractor.

## **2. Chapter 22 Cannot Be Avoided Through Contracting**

Iowa Code §22.2(2) expressly prevents a government body from avoiding disclosure obligations by contracting with a nongovernmental entity to perform its duties.

The subcontractor was present on my property in connection with management of the City’s sewer treatment plant—a core municipal function. He was acting within the scope of that contractual relationship when he recorded the incident at the City Manager’s request.

The Investigative Report concludes that recording was not a “government function.” Respectfully, that framing is too narrow. The relevant function was the inspection and oversight of municipal infrastructure. The recording was made during and because of that official activity, at the request of the City’s executive official.

If a city manager may direct a contractor to record an interaction during official business and then claim the recording is private simply because the contractor pressed “record,” Chapter 22 protections become meaningless.

### **3. The Record Documented Official Conduct**

The video reportedly captured:

- The City Manager threatening to have me arrested;
- A statement that “the cops work for me”;
- Assertions that the property was “City land” despite being an easement;
- Derogatory remarks directed at me by the contractor.

A DNR official present during the inspection later memorialized in writing that the City Manager stated “the cops work for me.” That independent documentation confirms that the interaction involved official conduct, not private conversation.

A recording documenting official threats of arrest made during a City inspection is squarely related to public business.

Since raising concerns regarding the City’s abandoned sewer infrastructure, I have encountered repeated resistance and delay in response to lawful public records requests. The deletion of this video is consistent with that pattern.

Transparency is especially critical when citizens allege misuse of authority or improper conduct. The destruction of this recording undermines public confidence and obstructs accountability.

### **4. Lawful Custody Extends Beyond Physical Possession**

Iowa Code §22.1(2) defines lawful custodian as the government body owning the record, including records in the possession of persons outside government.

The absence of evidence that the video was physically transferred to City servers does not resolve ownership. The relevant question is whether the recording was created for the City in connection with official duties.

Here, it was.

## 5. Timing of Deletion Remains Unresolved

The parties dispute whether the deletion occurred before or after my Chapter 22 request.

If the deletion occurred after the request, that would raise serious preservation concerns. Even if it occurred prior, the intentional destruction of a record created during official activity—particularly after review by the City Manager—warrants further investigation before dismissal.

At minimum, an affidavit from the subcontractor regarding:

- Who directed the recording,
- Whether the City Manager viewed it,
- When and why it was deleted,
- Whether backups exist,

should be obtained before concluding that no public record ever existed.

## 6. Relief Requested

I respectfully request that the Board:

1. Reject the recommendation for dismissal at this stage;
2. Direct further investigation into the direction, review, and deletion of the video;
3. Obtain sworn statements from relevant parties regarding custody and deletion;
4. Determine whether the video constituted a public record under Iowa Code Chapter 22.

This matter presents a significant question: whether a city may avoid transparency by directing contractors to create records during official business and then disclaiming ownership.

I also took a video that day and I didn't delete mine. After the illegal tour, I followed their footprints in the snow and the city manager stopped far away from showing the DNR any of the huge sink holes and active raw sewage running through my property, once again impeding the investigation. My video is 23 minutes long and taken while the event was fresh in my mind.

I appreciate the Board's time and consideration.

Respectfully submitted,

Nick Cattell

1120 North 12<sup>th</sup> Street

Chariton, Iowa 50049

[nbc1@mchsi.com](mailto:nbc1@mchsi.com) – 641-203-1869 – February 17, 2026

## The Iowa Public Information Board

In re the Matter of:

Ted Clark, Complainant

And Concerning:

Dallas County Sheriff's Department,  
Respondent

Case Number: 25FC:0168

Dismissal Order

COMES NOW, Charlotte Miller, Executive Director for the Iowa Public Information Board (IPIB), and enters this Dismissal Order:

On October 29, 2025, Ted Clark (Complainant) filed formal complaint 25FC:00168, alleging that Dallas County Sheriff's Department violated Iowa Code Chapter 22.

### Facts

On October 29, 2025, Complainant filed a complaint against Dallas County Sheriff's Department. This complaint alleged a potential violation of Chapter 22 relating to police investigative reports.

Following receipt, IPIB staff sought clarifications on the matters alleged. Despite attempts to reestablish contact Complainant has not been in touch with IPIB.

### Analysis

The complainant has not been in contact with IPIB since filing the complaint on October 29, 2025. IPIB staff has reached out on two separate occasions: December 11, 2025, and January 9, 2026. As a result, IPIB has been unable to complete its facial review of the matters alleged, and no further investigation has been conducted. The complainant has constructively abandoned the complaint by failing to respond to multiple follow-up emails in a period of over two months following the initial submission. For this reason, dismissal is warranted for abandonment.

In dismissing this complaint, IPIB does not make any findings on the allegations.

### Conclusion

Iowa Code § 23.8 requires that a complaint be within the IPIB's jurisdiction, appear legally sufficient, and have merit before the IPIB accepts a complaint. Following a review of the allegations on their face, it is found that this complaint does not meet those requirements.

The complainant has constructively abandoned the case, and IPIB has been unable to seek clarification on the allegations as a result.

IT IS SO ORDERED: Formal complaint 25FC:0164 is dismissed as constructively abandoned pursuant to Iowa Code § 23.8(2) and Iowa Administrative Rule 497-2.1(2)(b).

Pursuant to Iowa Administrative Rule 497-2.1(3), the IPIB may "delegate acceptance or dismissal of a complaint to the executive director, subject to review by the board." The IPIB will review this Order on February 19, 2026. Pursuant to IPIB rule 497-2.1(4), the parties will be notified in writing of its decision.

By the IPIB Executive Director,



Charlotte J.M. Miller, J.D.

#### CERTIFICATE OF MAILING

This document was sent on February 13, 2026, to:

Ted Clark, Complainant

## The Iowa Public Information Board

In re the Matter of:

Nicole Jimmerson, Complainant

And Concerning:

Clarke County Board of Public Health,  
Respondent

Case Number: 25FC:0183

Dismissal Order

COMES NOW, Charlotte Miller, Executive Director for the Iowa Public Information Board (IPIB), and enters this Dismissal Order:

On November 12, 2025, Nicole Jimmerson filed formal complaint 25FC:0183, alleging that the Clarke County Board of Public Health (Board) violated Iowa Code Chapter 21.

### Facts

On November 12, 2025, the complainant, Nicole Jimmerson, filed two complaints against the Clarke County Board of Public Health. These complaints alleged multiple potential violations of Chapter 21 relating to an emergency meeting held in early November 2025, including alleged inaccuracies in meeting minutes and improper amendments to a published meeting agenda. IPIB merged these allegations to be considered together with the subject 25FC:0183.

Following receipt, IPIB staff sought clarifications on the matters alleged. Jimmerson sent two emails on November 18, but she has not been in touch with IPIB since this time, despite multiple attempts to reestablish contact on December 22, December 29, and January 9.

### Analysis

The complainant has not been in contact with IPIB since November 18, 2025. As a result, IPIB has been unable to complete its facial review of the matters alleged, and no further investigation has been conducted. The complainant has constructively abandoned the complaint by failing to respond to multiple follow-up emails in a period of over two months following the initial submission. For this reason, dismissal is warranted for abandonment.

In dismissing this complaint, IPIB does not make any findings on the allegations. Notably, the matters described in this case appear to overlap significantly with another IPIB complaint, 25FC:0153, which remains active as of the time this dismissal recommendation is considered.

### **Conclusion**

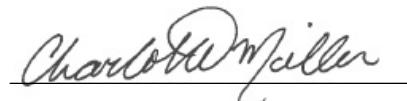
Iowa Code § 23.8 requires that a complaint be within the IPIB's jurisdiction, appear legally sufficient, and have merit before the IPIB accepts a complaint. Following a review of the allegations on their face, it is found that this complaint does not meet those requirements.

The complainant has constructively abandoned the case, and IPIB has been unable to seek clarification on the allegations as a result.

**IT IS SO ORDERED:** Formal complaint 25FC:0164 is dismissed as constructively abandoned pursuant to Iowa Code § 23.8(2) and Iowa Administrative Rule 497-2.1(2)(b).

Pursuant to Iowa Administrative Rule 497-2.1(3), the IPIB may "delegate acceptance or dismissal of a complaint to the executive director, subject to review by the board." The IPIB will review this Order on February 19, 2026. Pursuant to IPIB rule 497-2.1(4), the parties will be notified in writing of its decision.

By the IPIB Executive Director,



Charlotte J.M. Miller, J.D.

### **CERTIFICATE OF MAILING**

This document was sent on February 12, 2026, to:

Nicole Jimmerson, Complainant

## The Iowa Public Information Board

In re the Matter of:

Charles Nocera, Complainant

And Concerning:

Iowa Department of Administrative Services, Respondent

Case Number: 25FC:0184

Dismissal Order

COMES NOW, Charlotte Miller, Executive Director for the Iowa Public Information Board (IPIB), and enters this Dismissal Order:

On November 13, 2025, Charles Nocera filed formal complaint 25FC:0184, alleging that the Iowa Department of Administrative Services (DAS) violated Iowa Code Chapter 22.

### Facts

On September 22, 2025, the complainant, Charles Nocera, submitting the following records request through the State of Iowa's Chapter 22 request portal:

"I would like the current age group for all active Iowa state employees, combined with gender. Colorado example attached."

The referenced example was a chart with anonymized employee data, with three categories for Gender, Current Age Range, and Hire Age Range.

On October 22, 2025, the Department of Administrative Services responded that no responsive record existed, and the request was closed. Nocera filed formal complaint 25FC:0184 challenging this denial of his request.

Nocera has previously filed multiple complaints and inquiries with IPIB, based on nearly identical requests, all of which have been dismissed on the basis 1) that age and gender are considered personal information entitled to confidentiality under Iowa Code § 22.7(11) and/or 2) that Chapter 22 does not require the creation of new records not already in existence. *See 24FC:0020, Charles Nocera/Iowa Department of Administrative Services; 25FC:0093, Charles Nocera/Iowa Department of Administrative Services; 25FC:0137, Charles Nocera/Iowa Department of Management.*

During the course of facial review, IPIB staff offered to conduct an informal inquiry in response to specific concerns raised by Nocera. Representatives from Iowa Workforce Development subsequently confirmed the lack of any dataset or other responsive record specific to Nocera's request for the age (and gender) breakdown of state employees.<sup>1</sup>

### **Applicable Law**

“The following public records shall be kept confidential, unless otherwise ordered by a court, by the lawful custodian of the records, or by another person duly authorized to release such information:

11. Personal information in confidential personnel records of government bodies relating to identified or identifiable individuals who are officials, officers, or employees of the government bodies. However, the following information relating to such individuals contained in personnel records shall be public records, except as otherwise provided in section 80G.3.” Iowa Code § 22.7(11)(a).

“*Public records*” includes all records, documents, tape, or other information, stored or preserved in any medium, of or belonging to this state or any county, city, township, school corporation, political subdivision, nonprofit corporation other than a fair conducting a fair event as provided in chapter 174, whose facilities or indebtedness are supported in whole or in part with property tax revenue and which is licensed to conduct pari-mutuel wagering pursuant to chapter 99D, or tax-supported district in this state, or any branch, department, board, bureau, commission, council, or committee of any of the foregoing.” Iowa Code § 22.1(3)(a).

“*Public records*” also includes all records relating to the investment of public funds including but not limited to investment policies, instructions, trading orders, or contracts, whether in the custody of the public body responsible for the public funds or a fiduciary or other third party.” Iowa Code § 22.1(3)(b).

### **Analysis**

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<sup>1</sup> Nocera offered the IWD's published industry-level reports as evidence of the availability of responsive records. These reports, including annual reporting specific to the public administration sector, include data on employee race and gender. Nocera has asked for a subset of this data, narrowed to state employees only rather than all persons employed in public administration.

The IWD has verified that its demographic data is sourced from the federal Bureau of Labor Statistics, which offers free public access to both the raw census data and the same data processing tools used by the IWD. While the tools on the Bureau's website allow the dataset to be narrowed to the “public administration” sector, there are no NAICS subsectors or industries specific to state government. IPIB staff provided Nocera with links to the relevant websites and a partial explanation for the use of the relevant data processing tools.

Iowa Code § 22.7(11) provides confidentiality for “[p]ersonal information in confidential personnel records of government bodies relating to identified or identifiable individuals who are officials, officers, or employees of the government bodies,” except for five categories of employee information which are explicitly defined as exceptions to the exemption. Iowa Code § 22.7(11). The Iowa Supreme Court has held that it is a “categorical exemption,” with “broadly inclusive language” not subject to rote application of narrow construction rules. *ACLU Foundation of Iowa, Inc. v. Recs. Custodian, Atl. Cnty. Sch. Dist.*, 818 N.W.2d 231, 233 (Iowa 2012). Both the courts and IPIB have previously held that an employee’s age, date of birth, and gender are protected as “[p]ersonal information in confidential personnel files,” and this information is therefore entitled to confidentiality pursuant to the categorical exemption of Iowa Code § 22.7(11). *Clymer v. City of Cedar Rapids*, 601 N.W.2d 42, 48 (Iowa 1999) (“we are not convinced that the disclosure of addresses, gender or birth dates advances the general purposes of the open records law”). *See also* 24FC:0020, *Charles Nocera/Iowa Department of Administrative Services* (“an employee’s birth date is a confidential record as defined by chapter 22”).

The complainant seeks to circumvent the confidentiality of Iowa Code § 22.7(11) by requesting an anonymized spreadsheet with other employee information removed entirely. However, Chapter 22 deals only with public access to existing “public records” of or belonging to government bodies, and there is no requirement within this statute which requires the creation of new records or compilation of existing information into a custom spreadsheet. *See* 24AO:0003, *Data and Public Records Requests*. Because there is no existing public record responsive to the complainant’s request, and because the gender and age information requested is otherwise entitled to confidentiality under Iowa Code § 22.7(11)’s protection for personal information in confidential personnel files, dismissal is appropriate on facial review.

The complainant argues that, even if there are no existing responsive records, the State of Iowa should be required to create new records, given the importance of this information to oversight of possible age discrimination in the state’s hiring practices, and in light of the availability of similar information from other state and national governments. As a compromise, the complainant has volunteered to conduct the research himself, and he has asked for IPIB’s assistance in mediating an agreement in which he is provided the access required to do so.

As in previous cases filed by the complainant, IPIB lacks the authority to require the creation of new records or compel the State of Iowa to hire the complainant as a volunteer.

## Conclusion

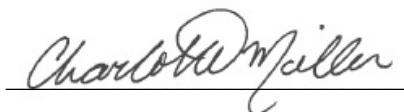
Iowa Code § 23.8 requires that a complaint be within the IPIB’s jurisdiction, appear legally sufficient, and have merit before the IPIB accepts a complaint. Following a review of the allegations on their face, it is found that this complaint does not meet those requirements.

Because there are no records responsive to the complainant’s request, the Department did not violate Chapter 22 when it closed the request. The State is not required to provide access to confidential personal information protected by Iowa Code § 22.7(11), and Chapter 22 does not require the creation or modification of existing records in response to a public records request.

IT IS SO ORDERED: Formal complaint 25FC:0184 is dismissed as it is legally insufficient, without merit, and identical to other complaints which have previously been dismissed on their merits pursuant to Iowa Code § 23.8(2) and Iowa Administrative Rule 497-2.1(2)(b).

Pursuant to Iowa Administrative Rule 497-2.1(3), the IPIB may “delegate acceptance or dismissal of a complaint to the executive director, subject to review by the board.” The IPIB will review this Order on February 19, 2026. Pursuant to IPIB rule 497-2.1(4), the parties will be notified in writing of its decision.

By the IPIB Executive Director,



Charlotte J.M. Miller, J.D.

#### CERTIFICATE OF MAILING

This document was sent on February 12, 2026, to:

Charles Nocera, Complainant

## The Iowa Public Information Board

In re the Matter of:

David Woods, Complainant

And Concerning:

Muscatine County Attorney's Office,  
Respondent

Case Number: 25FC:0190

Dismissal Order

COMES NOW, Charlotte Miller, Executive Director for the Iowa Public Information Board (IPIB), and enters this Dismissal Order:

On October 21, 2025, David Woods filed formal complaint 25FC:0190, alleging the Muscatine County Attorney's Office violated Iowa Code Chapter 22.

### Facts

In the initial complaint to IPIB, the complainant alleged that the Muscatine County Attorney's Office violated Iowa Code 22 by failing to provide two requested incident reports. He also alleged FOIA violations by the U.S. Marshall and U.S. Attorney offices. The complainant attached his correspondence with the government entities, including the letter from the Muscatine County Attorney denying his public records request on August 26, 2024. The complaint to IPIB was dated October 21, 2025, over a year later. The complainant also included the follow up letter he sent to the Muscatine County Attorney on September 3, 2024, detailing his disagreement with the county attorney's denial.

### Applicable Law

"The board shall adopt rules pursuant to chapter 17A providing for the timing, form content, and means by which any aggrieved person, any taxpayer to or citizen of this state, the attorney general, or any county attorney may file a complaint with the board alleging a violation of chapter 21 or 22. The complaint must be filed within sixty days from the time the alleged violation occurred or the complainant could have become aware of the violation with reasonable diligence. All complaints filed with the board shall be public records." Iowa Code § 23.7.

## Analysis

Chapter 22 only delegates enforcement power to this Board when a complaint is lodged within sixty (60) days of a violation or within sixty (60) days of when the complainant reasonably should have been aware of a violation. The complainant sent a letter back to the county attorney on September 3, 2024, within weeks of the county attorney's denial of the requested records, showing that he had received the decision by the county, knew the records had been denied, and disagreed with it. He mailed his complaint to IPIB 413 days after his letter to the county attorney, well outside the sixty-day filing deadline.

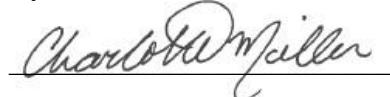
## Conclusion

Iowa Code § 23.8 requires that a complaint be within the IPIB's jurisdiction, appear legally sufficient, and have merit before the IPIB accepts a complaint. Due to the delay in filing, it is found that this complaint does not meet those requirements. IPIB does not have jurisdiction over federal agencies and does not have the authority to adjudicate the complaints related to federal agencies.

IT IS SO ORDERED: Formal complaint 25FC:0190 is dismissed as legally insufficient for IPIB to proceed with an investigation pursuant to Iowa Code § 23.8(2) and Iowa Administrative Rule 497-2.1(2)(b).

Pursuant to Iowa Administrative Rule 497-2.1(3), the IPIB may "delegate acceptance or dismissal of a complaint to the executive director, subject to review by the board." The IPIB will review this Order on February 19, 2026. Pursuant to IPIB rule 497-2.1(4), the parties will be notified in writing of its decision.

By the IPIB Executive Director



Charlotte J.M. Miller, J.D.

## CERTIFICATE OF MAILING

This draft document was sent via mail on January 29, 2026, to:

David Woods, Complainant

## The Iowa Public Information Board

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In re the Matter of:	Case Number: 25FC:0199
Joshua Haynes, Complainant	Dismissal Order
And Concerning:	
Madison County, Respondent	

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COMES NOW, Charlotte Miller, Executive Director for the Iowa Public Information Board (IPIB), and enters this Dismissal Order:

On November 21, 2025, Joshua Haynes filed formal complaint 25FC:0199, alleging that Madison County (County) violated Iowa Code Chapters 21 and 22.

### Facts

On November 21, 2025, the complainant, Joshua Haynes, filed formal complaint 25FC:0199, alleging numerous potential violations of Chapters 21 and 22 against Madison County and the County Attorney. Each of the allegations presented in the complaint relate to the resignation of the former County Auditor on May 6 and subsequent actions taken by the Board of Supervisors and other county officials during the process of filling the vacancy. The complaint includes:

1. An allegation that public notice posted by the Board immediately after the resignation omitted mandatory details about the public's right to petition for a special election, pursuant to Iowa Code § 69.14A(1)(a)(1) and Iowa Code § 331.305;
2. An allegation that the Board failed to provide appropriate public notice for its July 3 meeting appointing a new County Auditor;
3. Allegations that certain actions taken by the County Attorney and Sheriff in July 2025 lacked sufficient evidence or public disclosures to explain the bases for their decisions;
4. Allegations that the County Attorney failed to provide meeting minutes describing the decision-making process for decisions made by his office in July 2025;
5. An allegation that the search warrants issued against the Board Chair and the second Auditor lacked proper protocols for the preservation of public records which may have been stored on devices seized in the execution of these warrants;
6. An allegation of procedural defects in the aforementioned search warrants;
7. An allegation relating to delayed responses to litigation requests between parties to a federal lawsuit between county officials; and

8. An allegation that the County failed to publish post-election audit records after a third Auditor was elected in a special election on August 26.

Each of the alleged violations above relate to events which occurred between May 6 and August 26 (or, in the case of the eighth allegation, in an undefined period immediately after August 26).

The complaint also included a ninth alleged violation of Chapter 22 which occurred after the election. On October 9, 2025, Haynes alleges that the County Attorney contacted a local news organization to request they retract an article written about the various controversies associated with the County Auditor position.

### **Applicable Law**

“The board shall adopt rules pursuant to chapter 17A providing for the timing, form, content, and means by which any aggrieved person, any taxpayer to or citizen of this state, the attorney general, or any county attorney may file a complaint with the board alleging a violation of chapter 21 or 22. The complaint must be filed within sixty days from the time the alleged violation occurred or the complainant could have become aware of the violation with reasonable diligence. All complaints filed with the board shall be public records.” Iowa Code § 23.7(1).

“Every person shall have the right to examine and copy a public record and to publish or otherwise disseminate a public record or the information contained in a public record.” Iowa Code § 22.2(1).

### **Analysis**

Each of the first eight violations or categories of violation alleged in this complaint are excluded by the sixty-day statute of limitations in Iowa Code § 23.7(1), as the last relevant date for any of these violations would have come in the immediate aftermath of the August 26 special election, but the complaint was not filed until November 21, 2025 (87 days later). The widely publicized nature of the underlying events made it so the complainant “could have become aware of the [potential] violation[s] with reasonable diligence” at or around the time that they occurred. Because the complaint was not timely, IPIB cannot accept these portions of the complaint on facial review.

Notably, facial dismissal would also be required for most or all of these complaints regardless of the statute of limitations. IPIB lacks jurisdiction over the vacancy notice requirements provided by Iowa Code § 69.14A, the issuance or execution of search warrants, federal discovery requirements, and any statutory provisions which may require post-election audit records to be published following a special election. Nothing in Chapter 21 requires a County Attorney or Sheriff to publish “minutes” documenting their individual decision-making processes, and Chapter 22 does not require the government to affirmatively release supporting evidence or other documentation for their decisions absent a public records request. *See* Iowa Code § 22.4.

The final violation alleged against the County Attorney for messages sent to the local news organization was within sixty days of the complaint and therefore not excluded for timeliness. However, the complaint does not include the actual contents of the alleged communication, there is no allegation that the news article was ever retracted or amended as a result of this communication, and no evidence aside from the fact of the communication has been provided to support a potential violation based on improper interference with the news organization's right under Iowa Code § 22.2(1) to "publish or otherwise disseminate a public record." Nothing was provided in the complaint to indicate the basis for the County Attorney's request, and the complainant has not provided further clarification on this issue despite multiple attempts to reestablish contact. While a request from a public official to withdraw publication could potentially constitute a violation of Chapter 22 in other circumstances, there is no evidence in this complaint that the County Attorney's request targeted the publication of any public record.

### Conclusion

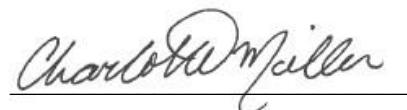
Iowa Code § 23.8 requires that a complaint be within the IPIB's jurisdiction, appear legally sufficient, and have merit before the IPIB accepts a complaint. Following a review of the allegations on their face, it is found that this complaint does not meet those requirements.

IPIB's sixty-day statute of limitation requires dismissal of all but one of the alleged violations, and the remaining allegation is without merit, as there is no factual basis presented to suggest that the County Attorney's retraction request could constitute improper interference with the publication rights of Iowa Code § 22.2(1). The complainant has also been unresponsive to IPIB staff, despite multiple attempts to reestablish communications.

IT IS SO ORDERED: Formal complaint 25FC:0184 is dismissed as it is outside of IPIB's jurisdiction, legally insufficient, and without merit pursuant to Iowa Code § 23.8(2) and Iowa Administrative Rule 497-2.1(2)(b).

Pursuant to Iowa Administrative Rule 497-2.1(3), the IPIB may "delegate acceptance or dismissal of a complaint to the executive director, subject to review by the board." The IPIB will review this Order on February 19, 2026. Pursuant to IPIB rule 497-2.1(4), the parties will be notified in writing of its decision.

By the IPIB Executive Director,



Charlotte J.M. Miller, J.D.

CERTIFICATE OF MAILING

This document was sent on February 12, 2026, to:

Joshua Haynes, Complainant

## The Iowa Public Information Board

In re the Matter of:

Toni Moore, Complainant

And Concerning:

Hardin County Sheriff's Office,  
Respondent

Case Number: 25FC:0213

Dismissal Order

COMES NOW, Charlotte Miller, Executive Director for the Iowa Public Information Board (IPIB), and enters this Dismissal Order:

On December 15, 2025, Toni Moore filed formal complaint 25FC:0213, alleging that the Hardin County Sheriff's Office (Sheriff's Office) violated Iowa Code Chapter 22.

### Facts

On December 15, 2025, the complainant, Toni Moore, filed formal complaint 25FC:0213, alleging that Hardin County and the Hardin County Sheriff's had "failed to maintain or provide public access to its jail detainee/inmate roster for a period exceeding six months." Moore states that the County previously maintained a publicly accessible list of detainees, but this is no longer available, and the Sheriff's Office has failed to explain why or provide an alternative method for obtaining the same information.

### Applicable Law

"Every person shall have the right to examine and copy a public record and to publish or otherwise disseminate a public record or the information contained in a public record." Iowa Code § 22.2(1).

"The rights of persons under this chapter may be exercised under any of the following circumstances:

1. In person, at any time during the customary office hours of the lawful custodian of the records. However, if the lawful custodian does not have customary office hours of at least thirty hours per week, such right may be exercised at any time from 9:00 a.m. to noon and from 1:00 p.m. to 4:00 p.m. Monday through Friday, excluding legal holidays, unless the person exercising such right and the lawful custodian agree on a different time.

2. In writing, by telephone, or by electronic means. The lawful custodian of records shall post information for making such requests in a manner reasonably calculated to apprise the public of that information.” Iowa Code § 22.4.

### **Analysis**

While Chapter 22 provides a general right to examine and copy public records of government bodies, a person seeking to exercise this right must actually submit a request for particular records. Chapter 22 does not contain an affirmative publication requirement. If another section of the Iowa Code would require the Sheriff’s Office to maintain a public listing with certain information on detainees, it would be outside of IPIB’s statutory jurisdiction to enforce. *See Iowa Code § 23.6(4).*

Although the matter is outside of IPIB’s jurisdiction, IPIB staff made an informal inquiry with the County, as it appeared the link to the inmate roster on their website was simply broken. The County clarified that the previous listing had been deactivated following an update to the Jail Management System, and county employees were actively working to resolve the issue with the third-party company which maintained their inmate roster.

### **Conclusion**

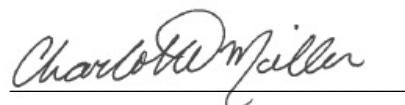
Iowa Code § 23.8 requires that a complaint be within the IPIB’s jurisdiction, appear legally sufficient, and have merit before the IPIB accepts a complaint. Following a review of the allegations on their face, it is found that this complaint does not meet those requirements.

IPIB does not have jurisdiction to require the Sheriff’s Office to maintain a public inmate roster on their website, even if the same records would be available through a Chapter 22 request.

**IT IS SO ORDERED:** Formal complaint 25FC:0213 is dismissed as it is outside of IPIB’s jurisdiction pursuant to Iowa Code § 23.8(2) and Iowa Administrative Rule 497-2.1(2)(b).

Pursuant to Iowa Administrative Rule 497-2.1(3), the IPIB may “delegate acceptance or dismissal of a complaint to the executive director, subject to review by the board.” The IPIB will review this Order on February 19, 2026. Pursuant to IPIB rule 497-2.1(4), the parties will be notified in writing of its decision.

By the IPIB Executive Director,



Charlotte J.M. Miller, J.D.

CERTIFICATE OF MAILING

This document was sent on February 12, 2026, to:

Toni Moore, Complainant

## The Iowa Public Information Board

In re the Matter of:

Case Number: 26FC:0022

Agnitsch, Complainant

Dismissal Order

And Concerning:

Iowa Valley Community College Board of  
Directors, Respondent

COMES NOW, Charlotte Miller, Executive Director for the Iowa Public Information Board (IPIB), and enters this Dismissal Order:

On December 3, 2025, Agnitsch filed formal complaint 26FC:0022, alleging that the Iowa Valley Community College Board of Directors violated Iowa Code Chapter 21.

### Facts

On December 3, 2025, Complainant filed a complaint against Iowa Valley Community College Board of Directors. This complaint alleged a potential violation of Chapter 21 relating to notice of an open meeting.

Following receipt, IPIB staff sought clarifications on the matters alleged. Despite attempts to reestablish contact Complainant has not been in touch with IPIB.

### Analysis

The complainant has not been in contact with IPIB since filing the complaint on December 3, 2025. IPIB staff has reached out on three separate occasions: December 4, 2025, January 23, 2026, and January 30, 2026. As a result, IPIB has been unable to complete its facial review of the matters alleged, and no further investigation has been conducted. The complainant has constructively abandoned the complaint by failing to respond to multiple follow-up emails in a period of over two months following the initial submission. For this reason, dismissal is warranted for abandonment.

In dismissing this complaint, IPIB does not make any findings on the allegations.

### Conclusion

Iowa Code § 23.8 requires that a complaint be within the IPIB's jurisdiction, appear legally sufficient, and have merit before the IPIB accepts a complaint. Following a review of the allegations on their face, it is found that this complaint does not meet those requirements.

The complainant has constructively abandoned the case, and IPIB has been unable to seek clarification on the allegations as a result.

IT IS SO ORDERED: Formal complaint 26FC:0022 is dismissed as constructively abandoned pursuant to Iowa Code § 23.8(2) and Iowa Administrative Rule 497-2.1(2)(b).

Pursuant to Iowa Administrative Rule 497-2.1(3), the IPIB may "delegate acceptance or dismissal of a complaint to the executive director, subject to review by the board." The IPIB will review this Order on February 19, 2026. Pursuant to IPIB rule 497-2.1(4), the parties will be notified in writing of its decision.

By the IPIB Executive Director,



Charlotte J.M. Miller, J.D.

#### CERTIFICATE OF MAILING

This document was sent on February 12, 2026, to:

Agnitsch, Complainant

## The Iowa Public Information Board

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In re the Matter of:  Lee Delva Nelson, Complainant  And Concerning:  Black Hawk County Clerk of Court, Respondent	Case Number: 26FC:0038  Dismissal Order
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COMES NOW, Charlotte Miller, Executive Director for the Iowa Public Information Board (IPIB), and enters this Dismissal Order:

On February 2, 2026, Lee Delva Nelson filed formal complaint 26FC:0038, alleging that the Black Hawk County Clerk of Court (Clerk) violated Iowa Code Chapter 22.

### Facts

On April 25, 2025, the complainant, Lee Delva Nelson, alleges that the Waterloo Police Department filed a traffic ticket and a criminal complaint with the Black Hawk County Clerk of Court, both of which were marked closed at the time of filing. Despite this closed status, Nelson alleges that there were hearings conducted afterwards, but no proceedings were recorded in the court record, and Nelson asserts that the Clerk has failed to properly respond to subsequent requests concerning the records.<sup>1</sup> Nelson also cites “discrepancies between what the public docket represents, what records are produced upon request, and what access information an administrative custodian states can or cannot be viewed or disclosed.”

Following the submission of formal complaint 26FC:0038 on February 2, 2026, Nelson supplemented the original complaint with additional allegations that the Clerk failed to properly respond to a new request made on February 4.<sup>2</sup>

### Applicable Law

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<sup>1</sup> The complaint cites Iowa Code § 22.6 (a repealed section), Iowa Court Rule 16.302(2) (which IPIB has no authority to review), Iowa Admin. Code Chapter 681 (the administrative rules of the Board of Regents).

<sup>2</sup> The supplemental filing included allegations based on Chapter 622 and Chapter 808B, both of which are outside of IPIB’s jurisdiction.

“The [Iowa Public Information Board] shall not have jurisdiction over the judicial or legislative branches of state government or any entity, officer, or employee of those branches, or over the governor or the office of the governor.” Iowa Code § 23.12.

### **Analysis**

Pursuant to Iowa Code § 23.12, the Iowa Public Information Board lacks jurisdiction to review complaints related to the state judicial branch, or “any entity, official, or employee” thereof. The Black Hawk County Clerk of Court is an “entity, official, or employee” of the state judicial branch. Because the case is facially outside IPIB’s jurisdiction, Iowa Code § 23.8(2) requires dismissal without further review.

### **Conclusion**

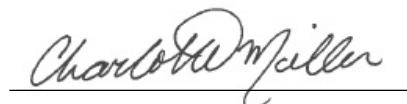
Iowa Code § 23.8 requires that a complaint be within the IPIB’s jurisdiction, appear legally sufficient, and have merit before the IPIB accepts a complaint. Following a review of the allegations on their face, it is found that this complaint does not meet those requirements.

IPIB lacks jurisdiction to review complaints against the state judicial branch.

**IT IS SO ORDERED:** Formal complaint 26FC:0038 is dismissed as outside IPIB’s jurisdiction pursuant to Iowa Code § 23.8(2) and Iowa Administrative Rule 497-2.1(2)(b).

Pursuant to Iowa Administrative Rule 497-2.1(3), the IPIB may “delegate acceptance or dismissal of a complaint to the executive director, subject to review by the board.” The IPIB will review this Order on February 19, 2026. Pursuant to IPIB rule 497-2.1(4), the parties will be notified in writing of its decision.

By the IPIB Executive Director,



Charlotte J.M. Miller, J.D.

### **CERTIFICATE OF MAILING**

This document was sent on February 12, 2026, to:

Lee Delva Nelson, Complainant

## The Iowa Public Information Board

In re the Matter of:

Case Number: 26FC:0044

Rachelle Santora, Complainant

Dismissal Order

And Concerning:

Des Moines County Sheriff's Office,  
Respondent

COMES NOW, Charlotte Miller, Executive Director for the Iowa Public Information Board (IPIB), and enters this Dismissal Order:

On January 22, 2026, Rachelle Santora filed formal complaint 26FC:0044, alleging that the Des Moines County Sheriff's Office (Sheriff's Office) violated Iowa Code Chapter 22.

### Facts

On January 16, 2026, the complainant, Rachelle Santora, alleges that her sixteen-year old child was searched, detained, and incarcerated by law enforcement in Burlington, Iowa. Following this incident, Santora contacted the Des Moines County Sheriff's Department with a demand letter and preservation notice for all records related to her son. According to Santora, the Sheriff's Office responded to her request by asserting confidentiality under Chapter 22 and refused to consider parental access provisions in Chapter 232.

On January 22, 2026, Santora filed formal complaint 26FC:0044, alleging a failure to provide access to juvenile justice records under Iowa Code § 232.149A.

### Applicable Law

“The [Iowa Public Information Board] shall have all of the following powers and duties:

4. Receive complaints alleging violations of chapter 21 or 22, seek resolution of such complaints through informal assistance, formally investigate such complaints, decide after such an investigation whether there is probable cause to believe a violation of chapter 21 or 22 has occurred, and if probable cause has been found prosecute the respondent before the board in a

contested case proceeding conducted according to the provisions of chapter 17A.” Iowa Code § 23.6(4).

### **Analysis**

Iowa Code § 23.6(4) limits IPIB’s jurisdiction to alleged violations of Chapter 21 and Chapter 22. In this case, the complainant acknowledges that the Sheriff’s Office has responded to her request under Chapter 22, but she alleges that she is entitled to disclosure as the parent of the minor child referred to in the requested juvenile justice records under Iowa Code § 232.149A.

Chapter 232 is outside of IPIB’s jurisdiction, and IPIB lacks the authority to enforce any special access which Chapter 232 may provide for the complainant based on her particular relationship to the subject of the records. The complainant does not argue that these records should have been released as non-confidential public records under Chapter 22.

### **Conclusion**

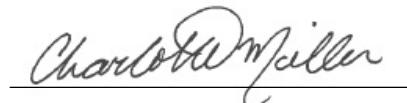
Iowa Code § 23.8 requires that a complaint be within the IPIB’s jurisdiction, appear legally sufficient, and have merit before the IPIB accepts a complaint. Following a review of the allegations on their face, it is found that this complaint does not meet those requirements.

Any special access to juvenile justice records the complainant may be entitled to based on Iowa Code § 232.149A would be outside of IPIB’s statutory jurisdiction to enforce.

**IT IS SO ORDERED:** Formal complaint 26FC:0044 is dismissed as outside IPIB’s jurisdiction pursuant to Iowa Code § 23.8(2) and Iowa Administrative Rule 497-2.1(2)(b).

Pursuant to Iowa Administrative Rule 497-2.1(3), the IPIB may “delegate acceptance or dismissal of a complaint to the executive director, subject to review by the board.” The IPIB will review this Order on February 19, 2026. Pursuant to IPIB rule 497-2.1(4), the parties will be notified in writing of its decision.

By the IPIB Executive Director,



Charlotte J.M. Miller, J.D.

### **CERTIFICATE OF MAILING**

This document was sent on February 12, 2026, to:

Rachelle Santora, Complainant

IPIB Case Number	Contact Name	Name of Entity Involved	Complaint Type	Description
26FC:0042	Lori Daughenbaugh	City of Runnells	Chapter 22	I would like to contest the reasonableness of fees assessed by the City of Runnells in response to a public records request I made. I have an entire email chain I would like to submit regarding this request. my last email I asked for justification of the fees and the Mayor Clinton Webster responded to my inquiry by stating that further communication could result in additional legal fees for "reading this email correspondence," accused me of wasting taxpayer dollars, and declared the matter closed unless payment was made. This response did not address the substance of my request for fee justification and
26FC:0041	Sally Hanna	City of Spirit Lake, Iowa	Chapter 22	On 12/22/25 I submitted a public records request under Iowa Code Chapter 22 seeking copies of two building permit records issued to my adjoining neighbor. That same day, Mr. Owens clarified the records I was requesting and emailed "we can locate them--but it will be sometime next week". As of this date, 30 business days have passed, and the city has not produced the requested records. The City has not communicated that additional time is required, or identified any exemption under Iowa Code 22. The City has previously provided building permits to me for this same neighbor through the
26FC:0040	Jacquelynn Zugg	City of Centerville	Chapter 22	The City of Centerville improperly redacted substantial portions of the Centerville Fire Rescue Review Report, including sections on "personnel", "recommendations", and "conclusions", violating Iowa Code Chapter 22. These redactions exceed what is legally permissible, as the report is a public document funded with taxpayer dollars. Under Iowa Code §22.7, public records are presumptively open, and only specific confidential information may be withheld. The City has not provided a clear statutory basis for these broad redactions, failing to apply the "least restrictive means" required by law. The redactions conceal vital public safety and governance information, including recommendations for leadership and operational improvements, thereby withholding public records without proper justification.
26FC:0037	Shane Martinson	City of Stuart, Stuart, Iowa	Chapter 22	On 1-13-26, I made a public records request for documents that showed whether any police department employees were paid overtime compensation at the premium rate of time and a half between January 2020-December 2025. I requested that the city reply, in writing, if those documents did not exist.  On 1-20-26, Sarah Stouffer (deputy clerk) replied with a cost estimation of the balance, that was due prior to receiving the documents (approx. 254 pages). I did inquire what those documents were and was told that they were payroll records.  On 01-26-26, I sent an email, reiterating the specific nature of my public records request.
26FC:0034	Gregory Armstrong	Hamburg city council Hamburg Iowa	Chapter 21	I am filing this complaint under Iowa Code §23.10 alleging violations of the Iowa Open Meetings Act, Iowa Code Chapter 21, by the City of Hamburg City Council. This complaint is timely because it involves continuing violations and a pattern of improper closed sessions.  City council minutes state that the council entered closed session to discuss "contract negotiations" related to the Northridge Acres development, followed immediately by approval of a related contract in open session. Discussion or negotiation of contracts is not a permitted purpose for a closed session under Iowa Code §21.5.  In addition, agendas lack sufficient descriptive detail to inform the public of the business to be discussed or acted upon, contrary to Iowa Code §21.4. Closed sessions occur at nearly every meeting and are routinely followed by substantive public action, limiting public awareness and scrutiny.
26FC:0033	Melanie Reeves	Vinton ia police department	Chapter 22	I lost my son in May 2024 in Vinton Iowa I've asked for statements, pictures, body cam and anything else that has to do with his investigation. I believe there was more to my sons death , especially when my sons ex girlfriend was there an my sons death was not properly investigated and the way the Vinton police department has treated is beyond crazy. I've caught them in so many lies about my sons death an they even lied on my sons autopsy. I want to know when 911 was called I want records of the phone call that was made to 911. Vinton is telling me I need to pay for all of this information I'm his mother I

				<p>Hi Charissa,</p> <p>No, I have not received any response from Animal Control to date.</p> <p>I submitted the original Iowa Open Records request and preservation-of-evidence notice on January 1, 2026, and followed up again on January 14, 2026. As of now, I have received no acknowledgment, response, or production timeline.</p> <p>For reference, I've included the follow-up email below showing the requests made and the lack of response.</p> <p>Please let me know if there are additional steps you recommend at this point, or if this matter should be escalated further given the continued non-response.</p> <p>Thank you for checking in.</p> <p>Best regards, Tamara Jabali</p>
26FC:0031	Tamara Jabali		Chapter 22	On or about 12/30/2025, I submitted a written public records request under Iowa Code Chapter 22 to Sioux City Animal Control, the Sioux City City Clerk, I am writing to file a complaint against the Wapello County Engineer and Wapello County Board of Supervisors.
				I am an employee of Wapello County Secondary Roads. On December 30, 2025, I did file a formal complaint and written notice with the Wapello County Engineer, of a violation of the Iowa Open Meeting Act, specifically Iowa Code §21.5(1)(i), arising from the meeting on December 22, 2025. During the above-mentioned meeting, Mark Milligan, a working foreman for secondary roads, discussed my employment that falls squarely within the scope of performance, dismissal, demotion, suspension, or discipline. Mark Milligan specifically stated, "Tony is his biggest problem" and other comments were made by Mark Milligan regarding me. These statements in an open meeting may cause needless and irreparable injury to my reputation. I have been an employee since June 2017, with no issues.
26FC:0030	Anthony Teninty	Wapello County	Chapter 22	On January 17, 2026, a Freedom of Information Act (FOIA) request was mailed to Sheriff Luke Fleener, and a physical copy was hand-delivered to the Sheriff's Office on January 20, 2026. The request seeks information regarding allegations against a Sheriff Deputy who has reportedly engaged in inappropriate relationships during work hours. This Deputy has been accused of using his authority to improperly access personal information from community residents, allegedly threatening arrest if demands were not met. Such behavior is only part of a broader concern.
26FC:0029	Richard Francis	Webster County Shierffs Department	Chapter 22	Webster County has faced criticism for alleged attempts to conceal information and for non-compliance with FOIA requests. County Attorney Mr. Darren [See attached complaints]
				Complaint #1 addresses agenda discrepancies, failure to approve changes to an agenda, and deliberation through private communications (including a rolling quorum) referenced during the public meeting.
26FC:0025	Linda Smithson	Bettendorf Community School District Board of Directors	Chapter 21	Complaint #2 addresses an alleged illegal meeting that occurred after adjournment, involving a quorum of board members remaining together in close proximity and continuing discussion without public notice.
26FC:0023	Jacquelynn Zugg	City of Centerville	Chapter 22	On December 29, 2025, I submitted an open records request to the City of Centerville seeking records related to the use of City resources in connection with estate administration activities. The request was acknowledged by the City Clerk.
				The City's response was authored by the City Administrator and reissued by the City Clerk. The response stated that no responsive records exist but did not identify the records custodian, describe the search conducted, or confirm whether City email systems or City-issued devices were searched.

				I have a question regarding the DesMoines County Supervisor meetings. It is common on our weekly agendas to have Road Tour or Project Tour listed under Work Sessions. This is an outing with the supervisors and the County Engineer, Brian Carter. I am told by our local County Auditor that this is open to the public but no one really knows that. We have a big county issue going on right now and people have been expressing concern to me wondering if this could constitute a closed session meeting. The supervisors commonly go out to lunch and then ride around to look at things. I tried to make this as correct as possible but the numbers might be of just a bit.
26FC:0020	Smith	Des Moines Co. Supervisors, Des Moines Co. Engineer, Sara Doty Auditor Des Moines Co.	Chapter 21	In 2025 there were 26 Road Tour or Project Tours listed on the weekly agenda. 11 were not mentioned in the minutes for that day. When they are mentioned it is just generic like "The Board of Supervisors went on a Road Tour with County Engineer, Brian Carter."
				I checked to see what the numbers were for 2024 and it was simil
26FC:0019	Michael Merritt	Iowa Attorney General's Office	Chapter 22	Evidence supports a failure to acknowledge or respond to a public-records request submitted pursuant to Iowa Code § 22.4(2) on 31 DEC 2025 (see: "Mitigation or Exposure – The Form of Two Roads Diverging in Robert Frost's Yellow Wood – 2nd Notice," sent 31 DEC 2025). This request is part of a broader record that, in the Complainant's view, reflects the Iowa Attorney General's Office's multi-year resistance to releasing public records that would connect the Office to actions and communications involving former Iowa Public Information Board Executive Director Erika Eckley and an alleged statewide effort to discriminate against, and attempt to criminalize, the Complainant's service-connected mental health disabilities.
				Please find my formal complaint against the City of Des Moines for violations of Iowa Code Chapter 22 arising from the City's handling of a public records request concerning municipal property sales.
				The City has repeatedly confirmed in writing that it limited its search to select departments, declined to search others it unilaterally deemed "non-recordholders," refused to search archived or legacy email systems, and declined to conduct any email search at all based on its own retention assumptions rather than a verified search. The City has further stated that its response constitutes a final action under Chapter 22.
26FC:0018	Steven Bowman	City of Des Moines	Chapter 22	
26FC:0016	Tremaine J Woods	Cedar Rapids community	Chapter 21	School Board members held a meeting on 01/17/2026 with Linn County state representatives and state senators before a league of women voters forum in Summary of Complaint
				This complaint alleges that the Madison County Board of Supervisors violated:
				<ul style="list-style-type: none"> <li>- Iowa Code Chapter 22 (Open Records Act) by failing to provide public records within a reasonable time, asserting an improper blanket attorney-client and work-product privilege, refusing to identify withheld records sufficiently to permit meaningful review, and failing to segregate and disclose non-exempt information; and</li> <li>- Iowa Code Chapter 21 (Open Meetings Law) by improperly conducting closed sessions for "pending litigation," excluding statutorily relevant officials without articulated legal justification, and frustrating statutory review mechanisms intended to ensure accountability for closed meetings.</li> </ul>
26FC:0015	James Phillips	Madison County Board of Supervisors	Both	The Board has acknowledged that responsive records exist but has taken the position that it has no obligation to provide any information supporting its
26FC:0014	Caleb Housh	Seymour Community School District	Chapter 21	On Jan. 7th the Board posted that they would be having a workshop on Jan. 8th. There was no mention of an official board meeting. I have the screenshot. However after the workshop the board voted and denied our open enrollment request for our kids. They did not notify us before the meeting that this
				An open records request under Chapter 22 was submitted on Sept 18th for reports, body cam footage, command ctr calls.
				I received a call back from Deputy Veren on the 19th in regards to the extreme expense of it and that it may be best to wait for an attorney to request the records, if any civil litigation was going to happen.
				On Oct 30th, I spoke with Deputy Veren in person and asked him about this request - he assured me they were still working on it.
				On Dec 15th, I emailed Sheriff Phillips to inquire about my request.
				Dec 16th, I received an email from Deputy Veren stating that I would be hearing from the Assistant with the cost associated and also informed me that I would need to reach out to the Command Center for phone calls or radio traffic, something that he had not informed me prior to this.
26FC:0010	Jennifer Benbow	Marshall County Sheriff's Office	Chapter 22	Received an email from Hayley Paige on the 16th with information on costs. I asked them to move forward and provided my mailing address.

				I am filing a complaint regarding the handling of my public records request by the Seymour Community School District.
26FC:0008	Torry Peck	Seymour Community School District	Chapter 22	<p>On December 15, 2025, I requested records on two topics: (1) my children's open enrollment request, and (2) any sports sharing discussions. The district did not provide any acknowledgment or cost estimate for 20 days, despite the 10-business-day requirement in Iowa Code §22.8(4)(d).</p> <p>After the delay, the district stated that \$1,059.22 had already been "incurred." Iowa Code §22.3 requires a prior, itemized estimate before costs are incurred, so retroactive billing is not permitted. The district has also not provided an itemized estimate showing hourly rates, time estimates, or duplication costs.</p>
26FC:0006	Jacob Hall	Sioux Center Library - City of Sioux Center	Chapter 22	<p>I am requesting that the IPIB determine whether the district violated Chapter 22 and direct the district to provide a lawful, itemized estimate and remove any non-chargeable activities from the cost calculation.</p> <p>I requested from the library the total number of minor accounts that have checked out a certain book. I explicitly stated I was not asking for information other than how many accounts of a person under 18 have been allowed to check out the book and specifically asked for the total number of minor accounts that have checked it out. I did this to avoid legal concerns.</p> <p>Yet the Library and city are attempting to charge me for "legal review." Bilby told me that "every request goes to the attorney first."</p>
26FC:0003	Jacob Hall	City of Sioux Center	Chapter 22	<p>I am filing a complaint regarding various elements of the open records process I experienced with the City of Sioux Center. My complaints are as follows:</p> <ol style="list-style-type: none"> <li>1. I submit open records requests, and the city continually asks me to fill out its "official" form for open records. I have told them that isn't how the law works, but they keep doing it.</li> <li>2. I received only some of the elements of records I requested. I received emails, but not the attachments that were included in the emails.</li> <li>3. I also know there are emails that should have been included but were not and this makes me wonder if I have received all the records that are responsive to my requests.</li> <li>4. I was charged \$170 in "legal review" fees for records that were NOT confidential and needed no legal review.</li> </ol>
26FC:0002	Lori White	Harrison County Sheriff	Chapter 22	<p>I requested documents related to a city employee investigation and Flaherty wouldn't release the call for service, incident report and narrative from the investigating deputy for the sheriff's office unless I paid \$125. This is excessive and cost prohibitive and doesn't match with the amount of documents being</p> <p>Description of Violation and Requested Remedy</p>
25FC:0210	Matthew Rollinger	Iowa Department of Education	Chapter 22	<p>On October 17, 2025, the Iowa Department of Education acknowledged receipt of my Chapter 22 request related to State Complaint #26-01. As of the date of this complaint, no responsive records have been produced, no rolling production has occurred, and no definite completion date has been provided, exceeding the reasonable time contemplated by Iowa Code § 22.8(4)(d). Because the request also included FERPA-covered education records related to FAPE, the 45-day federal deadline has been exceeded without explanation.</p>
25FC:0202	Lori White	City of Missouri Valley	Chapter 22	<p>On Oct. 9, 2025 I went to Missouri Valley City Hall to inspect public records about the fire hall expansion. I had been told the records were ready. Employee Katie Moyer led my husband and me to a break room where the file was already laid out. She set a 15 minute timer on her phone, sat in the room watching us, and when the alarm went off she let it continue to sound while telling us we could only keep reviewing the records if we paid her hourly wage because "city policy" only allows 15 minutes of free inspection per month. City Administrator Turri Colglazier joined the conversation and eventually told Katie to turn the alarm off but did not correct the claimed policy. I believe this "15 minutes per month" rule and the demand to pay staff time just to sit in the room are unreasonable barriers to my right to examine records under Iowa Code Chapter 22.</p>
25FC:0201	Lori White	City of Missouri Valley Iowa	Chapter 22	<p>The City of Missouri Valley denied my Iowa Code Chapter 22 request for records related to a "courtesy notice" about alleged chickens at 577 N 1st St and all addresses within the last 30 days. The City is withholding (1) all written complaints and complainant identity, (2) photos and notes, and (3) internal emails, claiming everything is confidential under Iowa Code §§22.7(18) and 22.7(5) because it is an "active investigation." This conflicts with the statute and with City policy. Council reaffirmed that nuisance complaints must be written and signed and that verbal complaints are not accepted, so they are "required by...procedure" and cannot be confidential under §22.7(18). The same code officer has previously given me three years of unredacted complaints with names. I believe the City is using "investigation" as a pretext to avoid producing complaint forms and basic facts that should be public.</p>
25FC:0192	Rachel Doyle	City of Rolfe	Chapter 22	<p>The city claims it took over an hour to produce the final asbestos report for the old school gym. Charging for time spent researching who did the work, time digging through storage room, phone calls and emails to site services.</p>

25FC:0157	Byron Jimmerson	Clarke County Board of Health	Chapter 21	<p>The October 17, 2025, Board of Health meeting, scheduled for 5:15 p.m., was labeled an "emergency meeting." However, during the meeting, board members stated on the record that the information pertaining to the meeting's topic had been received nearly a week in advance. This prior knowledge negates any claim of an emergency or good cause for waiving the 24-hour notice requirement, as the situation did not render full notice "impossible or impractical" under §21.4(2). Furthermore, Paula McClaflin stated on the record that the meeting notice was posted "before 5:00 p.m." on Thursday, October 16, 2025. Video evidence from the meeting clearly shows the notice was actually posted at 5:29 p.m. (17:29). Given the meeting's start time of 5:15 p.m. (17:15) on October 17, 2025, this posting provided only 23 hours and 46 minutes of notice, falling short of the 24-hour requirement mandated by §21.4(1).</p>
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Miller, Charlotte <charlotte.miller@iowa.gov>

## Iowa Public Information Board Complaint 25FC:0114 Acceptance

**Andrew Smith** <[andrew@midwest-safety.com](mailto:andrew@midwest-safety.com)>

Tue, Feb 10, 2026 at 3:00 PM

To: "Hawkins, Sherri D." <[S.Hawkins@cedar-rapids.org](mailto:S.Hawkins@cedar-rapids.org)>

Cc: "Miller, Charlotte" <[charlotte.miller@iowa.gov](mailto:charlotte.miller@iowa.gov)>, "Chavez, Vanessa R." <[V.Chavez@cedar-rapids.org](mailto:V.Chavez@cedar-rapids.org)>, "Madsen, Callie A." <[C.Madsen@cedar-rapids.org](mailto:C.Madsen@cedar-rapids.org)>

Received, and downloaded. I consider the matter to be closed. Thank you everyone for your cooperation and assistance!

Best,



**ANDREW SMITH**

EXECUTIVE TEAM

519-900-6623



[Andrew@midwest-safety.com](mailto:Andrew@midwest-safety.com)



<https://www.youtube.com/c/MNSafety>



<https://midwest-safety.com/>

[Quoted text hidden]



Flege, Charissa <charissa.flege@iowa.gov>

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## Re: IPIB Case # 25FC:0128

1 message

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K R <kellengarfield@gmail.com>  
To: "Flege, Charissa" <charissa.flege@iowa.gov>  
Cc: Elizabeth Heffernan <eheffernan@ahlerslaw.com>, Siobhan Schneider <sschneider@ahlerslaw.com>

Thu, Jan 22, 2026 at 11:27 AM

Yes.

On Thu, Jan 22, 2026 at 11:04 AM Flege, Charissa <charissa.flege@iowa.gov> wrote:  
Ms. Garfield,

Are you withdrawing your complaint from further processing then?

**Charissa Flege**



On Thu, Jan 22, 2026 at 11:02 AM K R <kellengarfield@gmail.com> wrote:  
Good Morning,

At this time, I have no further records to identify as outstanding. If additional questions arise, I will submit a separate request as appropriate.

On Wed, Jan 21, 2026 at 6:15 PM Elizabeth Heffernan <eheffernan@ahlerslaw.com> wrote:

Good afternoon,

It's our understanding that the request has been completed and there are no outstanding records. If Ms. Garfield disagrees, we would appreciate clarification on what records she believes still remain, or confirmation that the request has been completed.

Thank you,

**Elizabeth A. Heffernan**



Ahlers & Cooney, P.C.  
100 Court Avenue, Suite 600  
Des Moines, Iowa 50309-2231  
Phone: (515) 246-0356 | Fax: (515) 243-2149



Lee, Alexander <alexander.lee@iowa.gov>

## DMPS IPIB Complaint Response (25FC:0154)

Iowa Pulse <iowaspulse@gmail.com>  
To: "Lee, Alexander" <alexander.lee@iowa.gov>

Fri, Jan 30, 2026 at 3:14 PM

That would be great. Please close this case. Thank you very much. Have a great weekend.

On Fri, Jan 30, 2026 at 13:27 Lee, Alexander <alexander.lee@iowa.gov> wrote:

Good afternoon,

Glad you hear it! Just to confirm intent, would you be comfortable with IPIB closing the complaint as resolved at this time? This would not affect your ability to file future complaints or otherwise seek IPIB's assistance in the future, but we like to make sure before we close a particular matter.

Best,



**Alexander Lee, JD**  
Agency Counsel  
Iowa Public Information Board (IPIB)  
**510 E 12th Street**  
Jessie M. Parker Building, East  
Des Moines, Iowa 50319  
(515) 401-4461  
[alexander.lee@iowa.gov](mailto:alexander.lee@iowa.gov)  
[www.ipib.iowa.gov](http://www.ipib.iowa.gov)

On Fri, Jan 30, 2026 at 11:29 AM Iowa Pulse <iowaspulse@gmail.com> wrote:

We have completed our review of the materials provided.

Thank you to everyone involved for your timely responses and cooperation throughout this process. At this time, no further action or information is needed on our end.

We appreciate your assistance.

On Fri, Jan 30, 2026 at 10:48 AM Lee, Alexander <alexander.lee@iowa.gov> wrote:



Lee, Alexander <alexander.lee@iowa.gov>

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## Receipt of New IPIB Complaint (25FC:0186)

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**Wendy Frost** <jimwenfrost@gmail.com>  
To: Alexander Lee <alexander.lee@iowa.gov>

Fri, Jan 9, 2026 at 3:40 PM

I recently received all info from Joelle Stolte Warren County Public health.  
It can be dismissed.

[Quoted text hidden]



Flege, Charissa <charissa.flege@iowa.gov>

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## RE: IPIB Case # 25FC:0195

1 message

**teri patrick** <TerPatrick088@hotmail.com>  
To: "Flege, Charissa" <charissa.flege@iowa.gov>

Thu, Feb 5, 2026 at 8:09 AM

Yes please withdraw

Sent from Outlook

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**From:** Flege, Charissa <charissa.flege@iowa.gov>  
**Sent:** Wednesday, February 4, 2026 11:36 AM  
**To:** Teri Patrick <terpatrick088@hotmail.com>  
**Subject:** Re: IPIB Case # 25FC:0195

Mr. Patrick,

Are you willing to withdraw your complaint that was outside the 60 day filing deadline?

**Charissa Flege**



On Fri, Jan 23, 2026 at 4:23 PM Flege, Charissa <charissa.flege@iowa.gov> wrote:

Good afternoon,

IPIB has been unable to open this complaint because we don't have enough information to determine if the alleged violation(s) occurred within 60 days of filing with IPIB (11/29/25). If we do not get a response with additional information from you by 2/6 with exact dates of the alleged violations, we will consider this complaint abandoned and dismiss it.



----- Forwarded message -----

From: **Flege, Charissa** <[charissa.flege@iowa.gov](mailto:charissa.flege@iowa.gov)>  
Date: Wed, Dec 3, 2025 at 11:27 AM  
Subject: IPIB Case # 25FC:0195  
To: Teri Patrick <[terpatrick088@hotmail.com](mailto:terpatrick088@hotmail.com)>

Good Morning Mr. Patrick,

I am emailing to follow up with the complaint you filed. Under § 23.7(1), IPIB cannot review complaints that are more than 60 days old. Your Chapter 21 complaint is outside the 60 day review window and therefore will be dismissed at facial review. Even if it were within the 60 day window, Chapter 22 does not require board packets or reviewed attachments to be preemptively posted or to be included as part of the minutes under 22.3(2) or to meet notice under 21.4.

You also alleged a Chapter 22 violation. It was unclear from your complaint the date you believe the violation occurred. Based on the various dates you included, only one is within the 60 day window. Please submit a copy of your public records request and the response(s) you received from the government entity so we can move forward in determining whether a potential violation occurred within the 60 day window.

Sincerely,



**Charissa Flege, J.D.**

Deputy Director

Iowa Public Information Board (IPIB)

**510 E 12th Street**

Jessie M. Parker Building, East

Des Moines, Iowa 50319

(515)<sup>147 of 163</sup> 957864

[charissa.flege@iowa.gov](mailto:charissa.flege@iowa.gov)

[www.ipib.iowa.gov](http://www.ipib.iowa.gov)



Lee, Alexander <alexander.lee@iowa.gov>

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## IPIB Mediation in Complaint 25FC:0196

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nbc1@mchsi.com <nbc1@mchsi.com>  
To: "Lee, Alexander" <alexander.lee@iowa.gov>

Wed, Jan 28, 2026 at 11:59 PM

Alexander,

Thanks so much for your follow up letter. Yes, Mr. Anderson and I have reached an agreement on the fees for the information we requested and it has been paid for and received.

[REDACTED]

[REDACTED]

I sent an additional letter on January 19, requesting records and photos of an enforcement letter from the city and have received no further information on it so I may be filing a complaint on it soon as well. Seems to be an ongoing problem, losing photos, videos and evidence.

Sincerely,

Nick Cattell

[Quoted text hidden]

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**INSPECTION NOTES OBJECTION.docx**  
19K



Miller, Charlotte <charlotte.miller@iowa.gov>

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## Fwd: Request to Visit Regarding Possible Next Steps – WPD Records

1 message

**Flege, Charissa** <charissa.flege@iowa.gov>  
To: Charlotte Miller <charlotte.miller@iowa.gov>

Tue, Feb 17, 2026 at 10:56 AM

Charissa Flege



----- Forwarded message -----

From: **Elaine Johnson** <elainejohnson777@gmail.com>  
Date: Tue, Feb 17, 2026 at 10:52 AM  
Subject: Re: Request to Visit Regarding Possible Next Steps – WPD Records  
To: Flege, Charissa <charissa.flege@iowa.gov>

Hi Charissa,

Thank you for your email. Yes, I would like to withdraw my complaint. Please submit to your board for approval. Thank you again for Open Records' help with getting some of the documents that I needed! Very much appreciated!

Warm regards,

Elaine Johnson

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**From:** Flege, Charissa <charissa.flege@iowa.gov>  
**Sent:** Monday, February 16, 2026 11:30 PM  
**To:** Elaine Johnson <elainejohnson777@gmail.com>  
**Subject:** Re: Request to Visit Regarding Possible Next Steps – WPD Records

Ms. Johnson,

Considering everything we've discussed, I'm inclined to recommend dismissal of the complaint because I think they've complied with the things within our jurisdiction. I can write a report detailing my legal reasoning and then it goes to our board to make a final decision. You would have the right to appear and make your case to the board in that scenario. Otherwise, if you feel like you've accomplished what you can within our jurisdiction and you'd like to withdraw your complaint, I would submit that to the board and they would approve it.

Let me know what you'd like to do for the next steps.



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## FW: open record request Re: IPIB Complaint 25FC:0211 - Received

Mike Adams <chores2do@outlook.com>  
To: "Miller, Charlotte" <charlotte.miller@iowa.gov>

Tue, Jan 13, 2026 at 11:03 AM

Yes.

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**From:** Miller, Charlotte <[charlotte.miller@iowa.gov](mailto:charlotte.miller@iowa.gov)>  
**Sent:** Tuesday, January 13, 2026 10:17 AM  
**To:** Mike Adams <[chores2do@outlook.com](mailto:chores2do@outlook.com)>  
**Subject:** Re: FW: open record request Re: IPIB Complaint 25FC:0211 - Received

Ok, thanks for the update. Would you like to withdraw the complaint?

Best,  
Charlotte Miller

On Sat, Jan 10, 2026 at 9:48 AM Mike Adams <[chores2do@outlook.com](mailto:chores2do@outlook.com)> wrote:  
Yes, I met with him yesterday. He promised he would get me the information on Monday. I have no reason to think he won't.

Thank you,

Mile Adams

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**From:** Miller, Charlotte <[charlotte.miller@iowa.gov](mailto:charlotte.miller@iowa.gov)>  
**Sent:** Friday, January 9, 2026 12:25 PM  
**To:** Mike Adams <[chores2do@outlook.com](mailto:chores2do@outlook.com)>  
**Subject:** Re: FW: open record request Re: IPIB Complaint 25FC:0211 - Received

Mr. Adams,

I spoke with Mr. Barden yesterday and he indicated he was going to reach out to you regarding your requests. Have you been in contact with him?

Thanks,  
Charlotte Miller

On Thu, Jan 8, 2026 at 11:40 AM Mike Adams <[chores2do@outlook.com](mailto:chores2do@outlook.com)> wrote:

This is the request I made on November 22, 2025 and the follow up on November 28, 2028. Dbarden (Drew Barden) is the city administrator and cbush (cindy bush) is the account clerk.

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Mike Adams

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**From:** Mike Adams <[chores2do@outlook.com](mailto:chores2do@outlook.com)>  
**Sent:** Friday, November 28, 2025 10:30 PM  
**To:** [dbarden@cwmu.net](mailto:dbarden@cwmu.net)  
**Cc:** [cbush@cwmu.net](mailto:cbush@cwmu.net)  
**Subject:** Re: open record request



Miller, Charlotte <charlotte.miller@iowa.gov>

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## Acceptance Iowa Public Information Board Complaint 25FC:0219

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**PoopyPets Poop** <poopypetspoop@gmail.com>  
To: "Miller, Charlotte" <charlotte.miller@iowa.gov>  
Cc: "Miller, Jacob" <jacob.miller@humboldtpd.com>

Sun, Feb 15, 2026 at 5:43 PM

Dear Charlotte Miller,

I am writing to formally withdraw the complaint I previously filed with the Iowa Public Information Board. Since submitting the complaint, I have now received all of the records I was seeking. Upon reviewing the materials, I realized that my concerns were based on a misunderstanding regarding the applicable dates and the status of the requests. Those issues have since been clarified and resolved.

Because the requested records have been provided and the matter has been addressed to my satisfaction, I no longer believe there is any outstanding violation or need for further review. I appreciate the assistance provided during this process.

Thank you for your time and attention.

Sincerely,

Thomas Green  
319-420-2282

[Quoted text hidden]



Lee, Alexander <alexander.lee@iowa.gov>

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## Notice of New IPIB Complaint (25FC:0224)

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**Marc Craig** <ii3ejoe@yahoo.com>

Wed, Jan 14, 2026 at 1:41 PM

Reply-To: Marc Craig <ii3ejoe@yahoo.com>

To: kelsey.feller@hhs.iowa.gov, "Lee, Alexander" <alexander.lee@iowa.gov>

Alex/Kelsey,

Kelsey - Thank you for double checking, I appreciate the extra effort to ensure this issue is resolved correctly and in a timely manner. If there are any other documents I will let you know. Hopefully that process goes smoother.

Alex - Given the double checking for documents that I requested and being told that there aren't anymore this resolves the initial reason for contacting you. Thank you for helping address my concerns with this matter. As stated above if there are any further "specific" documents that I require I'll submit another request. Again thank you for helping resolve this issue. If I need your assistance in the future I'll reach out to your office again

Have A Great Rest Of Your Day And Week

-Marc

Marc A. Craig  
1111 Filmore St.  
Des Moines, Iowa 50315  
(515) 205-7258  
ii3ejoe@yahoo.com

[Yahoo Mail: Search, Organize, Conquer](#)

On Wed, Jan 14, 2026 at 8:31 AM, Feller, Kelsey [HHS]  
<kelsey.feller@hhs.iowa.gov> wrote:

[Quoted text hidden]



Lee, Alexander <alexander.lee@iowa.gov>

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## Follow up to Parkerburg complaint

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**Timothy Carey** <tcarey1009@icloud.com>  
To: Alexander Lee <alexander.lee@iowa.gov>

Fri, Jan 16, 2026 at 11:28 AM

Yes, you can close it out.

Thanks again   
Sent from my iPhone

On Jan 16, 2026, at 10:55 AM, Lee, Alexander <alexander.lee@iowa.gov> wrote:

Glad to be of help! If everything has been properly addressed, would you be alright with marking the complaint resolved and closing it at this time?

Best,



**Alexander Lee, JD**  
Agency Counsel  
Iowa Public Information Board (IPIB)  
**510 E 12th Street**  
Jessie M. Parker Building, East  
Des Moines, Iowa 50319  
(515) 401-4461  
[alexander.lee@iowa.gov](mailto:alexander.lee@iowa.gov)  
[www.ipib.iowa.gov](http://www.ipib.iowa.gov)

On Fri, Jan 16, 2026 at 10:49 AM Timothy Carey <tcarey1009@icloud.com> wrote:  
Thanks for your help in this matter, I believe I now have what was requested.

Tim C.  
Sent from my iPhone



Lee, Alexander <alexander.lee@iowa.gov>

## Receipt of New IPIB Complaint (26FC:0009)

**Karen Drake** <ksdrake20@gmail.com>  
To: Alexander Lee <alexander.lee@iowa.gov>

Mon, Jan 19, 2026 at 11:24 AM

Yes that would be fine. Thank you again for everything  
Sent from my iPhone

On Jan 19, 2026, at 10:40 AM, Lee, Alexander <alexander.lee@iowa.gov> wrote:

Dear Mr. Drake,

I'm glad to hear it. Would you feel comfortable with the complaint being closed as resolved for the time being, if the records have been made available? This wouldn't prevent you from reaching out with questions or other complaints down the line, if the need arises.

Best,



**Alexander Lee, JD**  
Agency Counsel  
Iowa Public Information Board (IPIB)  
**510 E 12th Street**  
Jessie M. Parker Building, East  
Des Moines, Iowa 50319  
(515) 401-4461  
[alexander.lee@iowa.gov](mailto:alexander.lee@iowa.gov)  
[www.ipib.iowa.gov](http://www.ipib.iowa.gov)

On Fri, Jan 16, 2026 at 10:24 PM Karen Drake <ksdrake20@gmail.com> wrote:

Yes I'm sorry I was going to e mail you and let you know I did go and get them. In her e mail she said she had tried to reach me for 2 weeks, I didn't have any missed calls or voice mails from her, that I'm aware of.

I would really like to thank you I'm sure I would never had gotten them without your help.  
Sent from my iPhone

On Jan 16, 2026, at 1:14 PM, Lee, Alexander <alexander.lee@iowa.gov> wrote:

Dear Mr. Drake,

Did you receive the email from earlier this week from the City? I want to make sure that you've been made aware that the records are (apparently) ready for pickup, and I want to hear back from you before responding.

Best,



## Grimes Iowa Grievance

Brian Hansen <bdhansen33@yahoo.com>  
 To: "charlotte.miller@iowa.gov" <charlotte.miller@iowa.gov>

Mon, Feb 2, 2026 at 9:12 PM

No. We were asking for all documents pertaining to this project. We revised that request and asked for a few. They were provided. As for the rest this project, they evidently did the rest of the requirements at a bare minimum. We found out that they are not required to give out any information. They are elected officials and can do pretty much what ever they want as long as they give at least 24 hour notice to the open meeting requirement. We are not pleased that a few have the authority make decisions for the many without any repercussions.

Thank you for your time. I know your scope is limited. We are pursuing other options. Just very frustrating.

Brian Hansen  
 Yahoo Mail: Search, Organize, Conquer

On Mon, Feb 2, 2026 at 5:07 PM, Miller, Charlotte <charlotte.miller@iowa.gov> wrote:

Mr. Hansen,

I'm following up on my previous email, would you like to move forward with the complaint alleging unreasonable fees?

Best,  
 Charlotte

On Fri, Jan 23, 2026 at 8:00 AM Miller, Charlotte <charlotte.miller@iowa.gov> wrote:  
 Good Morning,

I have not spoken with anyone from the City of Grimes. I did however look at the City's website where there are posted agendas and minutes of the city council meetings and spoke with you to clarify what your alleged violations of Chapter 21 and 22 were.

In relation to Chapter 21, you asserted the following potential violations: (1) Decisions regarding site selection made outside properly noticed public meetings ( § 21.3), (2) Inadequate or vague meeting notices failing to inform the public of park land conversion (§21.4); (3) Potential improper closed sessions used for planning or site selection ( § 21.5), (4) Failure to record complete minutes reflecting discussions, motions, or votes ( § 21.3), (5) Final action taken without a clear public vote authorizing site selection or contracts (§21.5(3)). From the information provided to me, it does not appear that there was a violation of open meeting in regards to determining the location of the site of the new building. It appears the City provided the required 24 hour notice of the action item on the agenda, the administrative building in accordance with §21.4. For parts (3) and (5)There is no evidence that the city entered into a closed session and did take the final action at an open meeting on December 16. And lastly, the minutes for the December Meeting are available as part of the January 13, 2026 meeting and upon review they appear to satisfy the requirements of § 21.3.

Regarding the alleged Chapter 22 violations, if you believe that there were wrongful fees assessed then that would be grounds for filing a complaint. I would note however that under 22.3 a lawful records custodian is allowed to assess actual costs for the production of the records.

Based upon the information you have provided me, the only potential violation I am seeing is that there may have been an unreasonable fee depending on the volume of records you have requested.

Best,

Charlotte Miller

On Thu, Jan 22, 2026 at 3:29 PM Brian Hansen <bdhansen33@yahoo.com> wrote:

Thank you for talking with me today. One thing that bothered me was the only thing you talked about was the 24 hour notice. We had never even mentioned that in our list of things we sent you. It occurred to me that you had talked to the city officials and that was the only thing they could defend.

I had emailed you an itemized list of code items that we thought they had broken. I have attached those documents again. Please take a look and let me know if we have a case against the city.

Thank you for your time.

Brian Hansen



Lee, Alexander <alexander.lee@iowa.gov>

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## Receipt of New IPIB Complaint (26FC:0017)

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Andrew Oltrogge <andrewoltrogge@icloud.com>  
To: Alexander Lee <alexander.lee@iowa.gov>

Mon, Feb 16, 2026 at 5:17 PM

Dear Mr. Lee,

Thank you for your time and for the opportunity to provide additional information regarding Complaint No. 26FC:0017.

After reviewing your analysis, I have decided to withdraw my complaint at this time. I appreciate the explanation of IPIB's jurisdiction and the limitations imposed by Iowa Code Chapters 22 and 23.

This withdrawal is not intended as a concession regarding the underlying issues raised, but rather reflects my decision to pursue other available avenues for addressing those concerns.

Please confirm that the complaint has been formally closed.

Respectfully,

Andrew Oltrogge

Sent from my iPhone  
[Quoted text hidden]



Flege, Charissa &lt;charissa.flege@iowa.gov&gt;

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**Re: IPIB Case # 26FC:0026**

1 message

Dewey <deweyflaherty56@gmail.com>  
 To: "Flege, Charissa" <charissa.flege@iowa.gov>

Fri, Feb 6, 2026 at 11:00 AM

I don't believe that we need to continue. However as the govinoring agency that is up to you.

Thank you

Duane " Dewey"

Flaherty

On Thu, Feb 5, 2026 at 4:08 PM Flege, Charissa <charissa.flege@iowa.gov> wrote:

What I believe you're asking is if a discussion leads to determining that a special meeting needs to be held, whether that is "deliberation on matters within your policy-making duties". Without knowing exactly what discussion occurred, I can't know for sure.

There could have been someone who started to discuss policy (budget) and someone else put the brakes on the out-of-meeting discussion by suggesting the conversation be held in a meeting and then they proceed to ask for members' availability. That redirection is exactly what we train folks to do if they get pulled into a deliberation. That person likely wouldn't have issues with our agency.

Additionally, if there was not a majority engaged in the conversation, it wouldn't have created a meeting. (note that a "walking" meeting can occur by getting the opinions of a majority of the body consecutively, even if they're not all in the conversation at the same time.)

On the other hand, discussing topics that should be addressed in an open special meeting outside the meeting with a majority of the governmental body will create a meeting & so that should be avoided. And again, if it can be put on the agenda, even if it's not absolutely required, it's often a good idea to do it in the interest of transparency. (Something like "scheduling special meeting to address budget" would be fine to put on an agenda.)

I hope this is helpful.

Mr. Flaherty & Mr. Dewall, please confirm whether you'd like me to proceed with the complaint investigation or whether you'd like to withdraw your complaints? Each of you can individually make a decision; you do not have to agree. Also, even if you withdraw your complaint, please feel free to reach out in the future with any questions or concerns you have.

Charissa Flege



On Thu, Feb 5, 2026 at 6:35 AM cody dewall <cdd0002@hotmail.com> wrote:

Thank you for the information. I don't think you really need to look into more if there is a violation occurred. I understand the date and time. And that's just purely ministerial duties. But like I said, I don't know for sure what was all discussed not discussed and I'm just asking for a little clarification so in the future, we will know. But it how was that special meeting decided to be held or not to be held and why are we wanting to have that special meaning if that was discussed amongst council before the date and time was discussedAnd if so that discussion prior to discussing the date and time would be in violation?

159 of 163  
Thanks Cody  
Sent from my iPhone

On Feb 2, 2026, at 3:48 PM, Flege, Charissa <charissa.flege@iowa.gov> wrote:

Thank you both for your genuine interest in making sure that government meetings comply with transparency laws. Here is the information we have in our FAQ's regarding when something counts as "deliberation" and when something is just purely "ministerial duties":

**What qualifies as "deliberation" to create a meeting?**

Deliberation happens when members share "thoughts, concerns, opinions, or potential action" on official policy-related business. This requires more than simply receiving information or asking clarifying questions, but a meeting may arise when members take the additional step of offering their own opinions or the reasoning behind those opinions.

While receiving information does not necessarily create a meeting, best practice is still to reserve information-gathering for open session, to avoid the risk of members accidentally creating a meeting by sharing opinions.

**What are social or ministerial purposes?**

Meetings only exist where members of a governmental body deliberate or act on matters within their policy-making duties. Social purposes include gatherings outside of official government business, such as holidays and birthday parties or attendance at community events, like a local

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Meetings only exist where members of a governmental body deliberate or act on matters within their policy-making duties. Social purposes include gatherings outside of official government business, such as holidays and birthday parties or attendance at community events, like a local As a side note, at IPIB's board meetings, we do discuss scheduling special meetings during the open meeting if we know about it in advance and put it on the agenda...just for transparency. We also send out date/time of the next board meeting emails to board members & BCC their emails, just in case someone would hit "reply all" and share an opinion on something (beyond just notifying whether they will attend). This helps prevent unintentional deliberation or meetings.

For training, we offer training to the public a couple times a month every month. Those dates are posted on our website as they are decided. Anyone is welcome to sign up for those & they are free.

From what you've said, the determination of date/time availability would likely fall under 'purely ministerial duties'; however, discussions about a budget would be more of a matter within the governmental bodies' "policy-making duties". With all of that information, please let me know if you'd like to continue to look into whether a violation occurred.

Sincerely,

**Department 592****Iowa Public Information Board**

To: Charlotte Miller  
 cc: Mirela Jusic, Jennifer Caldwell

From: Marty Musser

Date: February 6, 2026

Re: **FY 2026 FINANCIAL ANALYSIS**  
**Period 7 - January 2026**

Unit	Current Cash Balance	Projected FYE Cash Balance	CB - Iowa Advantage	Difference
0P22 - General Fund	276,450.16	21,011.04		
P22T - Training and Technology	0.00	0.00		
<b>Totals</b>	<b>\$ 276,450.16</b>	<b>\$ 21,011.04</b>	<b>\$ 276,450.16</b>	<b>\$ -</b>

**Areas to Monitor:**

**RED:**

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**YELLOW:**

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**GREEN:**

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**Outstanding issues that may affect the financial statements****Questions and review of financials:****Accounting conventions:**

Financial statements that have been prepared are on Cash basis.

For Fiscal 2026, September and March are "3 Payroll" months.

Budget or forecast updates will be discussed during the monthly financial review meetings and will be included in the next months financials.

Obj/Rev Class	161 of 163 Obj/Rev Class Name	FY2026															End of Year Forecast	Annual Budget	Percent of Budget	Percent of Budget Forecasted	
		July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	HO13	HO14	HO15	YTD				
		Actual	Actual	Actual	Actual	Actual	Actual	Actual	Forecast	Actual	(C=A+B)	(D)	To Date	EOY							
	Appropriation	467,227																467,227			
<b>Revenue Collected</b>																					
401	Fees	-	-	-	45	-	-	71	-	-	-	-	-	-	-	-	116	-	0%	0%	
<b>Total Revenue Collected:</b>		-	-	-	45	-	-	71	-	-	-	-	-	-	-	-	116	467,227	0%	0%	Revenue C
<b>Expenditures</b>																					
101	Personal Services	15,883	19,083	25,865	23,061	26,676	26,578	26,569	27,468	43,210	24,104	27,974	27,974	13,098	-	-	163,715	327,543	329,979	50%	99%
202	In State Travel	186	-	17	122	91	67	273	396	326	247	675	650	157	-	-	756	3,207	3,487	22%	92%
301	Office Supplies	-	33	240	-	273	360	120	147	790	150	150	120	150	-	-	1,026	2,533	2,000	51%	127%
309	Printing & Binding	-	-	-	-	-	-	0	-	-	-	-	-	-	-	-	-	0	100	0%	0%
313	Postage	-	14	-	6	3	10	3	9	5	4	4	8	1	-	-	37	68	75	49%	91%
401	Communications	-	-	115	-	489	-	308	187	187	187	187	187	-	-	-	913	2,033	2,240	41%	91%
406	Outside Services	-	-	-	-	-	-	-	8,400	8,400	8,400	8,400	8,400	8,400	25,200	-	-	67,200	100,800	0%	67%
414	Reimbursements To Other Agency	-	2,150	2,551	2,986	2,013	1,875	2,045	2,032	2,216	2,490	1,992	2,177	2,457	-	-	13,620	26,983	17,734	77%	152%
416	ITD Reimbursements	-	2,247	2,410	(78)	10,850	(5,736)	343	1,270	344	1,270	344	344	-	-	-	10,035	13,951	7,371	136%	189%
418	IT Outside Services	-	-	154	77	154	154	154	154	154	154	154	154	154	-	-	692	1,615	2,341	30%	69%
434	Gov Transfer Other Agencies	-	-	-	-	-	-	99	-	-	-	-	-	-	-	-	99	99	-	0%	0%
701	Licenses	-	-	-	-	-	-	-	1,100	-	-	-	-	-	-	-	-	1,100	1,100	0%	100%
<b>Total Expenditures:</b>		16,069	23,527	31,352	26,173	40,550	23,308	29,914	41,162	55,631	36,080	40,806	40,013	41,747	-	-	190,893	446,332	467,227	41%	96%
<b>Current Month Operations</b>		451,158	(23,527)	(31,352)	(26,173)	(40,550)	(23,308)	(29,914)	(41,162)	(55,631)	(36,080)	(40,806)	(40,013)	(41,747)	-	-					
<b>Cash Balance</b>		451,158	427,631	396,279	370,151	329,601	306,293	276,450	235,288	179,657	143,577	102,771	62,758	21,011	21,011	21,011					

Footnotes:

Unit should be managed to \$0 at year end.

Revenues

401 - Charged fees for large records requests.

Expenditures

101 - Months of September and March have 3 payroll warrants written.

Temporary worker started September 2025 and Attorney 2 started 9/23 with first check posting in October.

202 - Costs include monthly board member cost traveling for meetings, misc training costs, and car rentals for staff to travel to training.

Travel is being planned with new Director. Forecasts reflect FY25 actuals.

301 - Costs include West Publishing Corporation for \$120/month, Ricoh Quarterly billings estimated at \$30/month and misc office supplies.

December reflects catchup on billings for West Publishing.

309 - February forecast is for share of 1099/W2 printing costs.

313 - Costs include postage charges averaging around \$6.25 per month.

401 - Verizon Invoice was going to wrong location. November reflects catch up.

406 - Forecasted amounts are for hiring of contractor to implement mandatory training per approp language and/or to help with backlog. Will update when we get more details.

414 - Monthly costs are located on eDAS tab - approx. \$2,000 including Finance support costs which will vary each month.

416 - Monthly costs are located on eDAS tab - approx. \$350 and can vary each month depending on usage for storage.

November, February, and May includes quarterly OCIO charges of \$926.

November includes Salesforce licenses.

December includes moving some Salesforce license expense to P22T.

418 - Insight bill for current employees.

434 - January is second quarter payment to for services provided by the Administrative Hearing Division.

701 - Forecasted amount is for annual law license renewal of \$275 per employee. This is based on FY25 actuals.

**FTE's:**

Name/Employee Number	WD EI	Job Class	Budgeted	Filled	Original	Updated
Charlotte Miller	80071	115682 - Executive Director	1.0	1.0		
Charissa Flege	105703	115690 - Attorney II	1.0	1.0		
Alexander Lee	102526	115691 - Attorney I	1.0	1.0		
Jayde Hilton	95304	151623 - Temporary Worker	0.0	0.2		
E.J. Giovannetti - Urbandale	N/A	115683 - 14000 - Board Member - Public Rep.				
Joel McCrea, Pleasant Hill	N/A	115684 - 14000 - Board Member - Media Rep.				
Jackie Schmille, Urbandale	N/A	115685 - 14000 - Board Member - Media Rep.				
Luke Martz(per diem), Ames	94509	115686 - 14000 - Board Member - Public Rep.				
Joan Corbin(mileage), Pella	81714	115687 - 14000 - Board Member - Government Rep.				
Monica McHugh, Zwingle	75146	115688 - 14000 - Board Member - Public Rep.				
Barry Lindahl, Dubuque	83315	115689 - 14000 - Board Member - Government Rep.				
Vacant	141688	14000 - Board Member				
Total Funded Positions		3.00			\$ 329,979	\$ 327,543
Total Filled Positions		3.20				

Total Funded Positions 3.00  
Total Filled Positions 3.20

## Dashboard

**Board Dashboard**

## Dashboard for Board Meetings

As of Feb 13, 2026, 11:42 AM  Viewing as Charlotte Miller

## Active Cases Report

 **137**[View Report \(Active Cas](#)

As of Feb 13, 2026, 11:42 AM

## Active Questio



## Active AO Rep

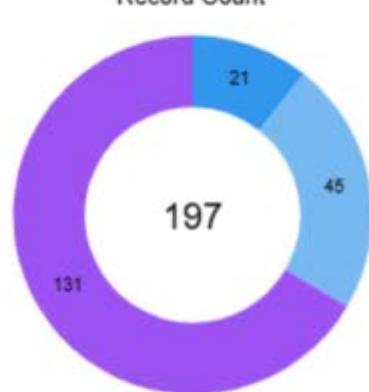
 **5**[View R](#)

As of Feb 13, 2026, 11:42 AM

**9**[View R](#)

As of Feb 13, 2026, 11:42 AM

## Broad Type (Filed in Current

 [View Report \(Broad Type](#)

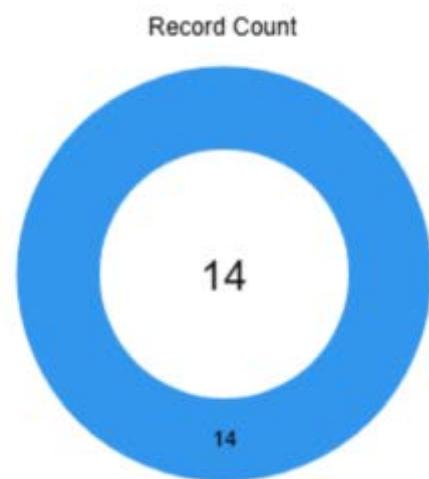
As of Feb 13, 2026, 11:42 AM

## New complaints &amp;/or question last 30 day

 [View Report \(New complaints &/or question](#)

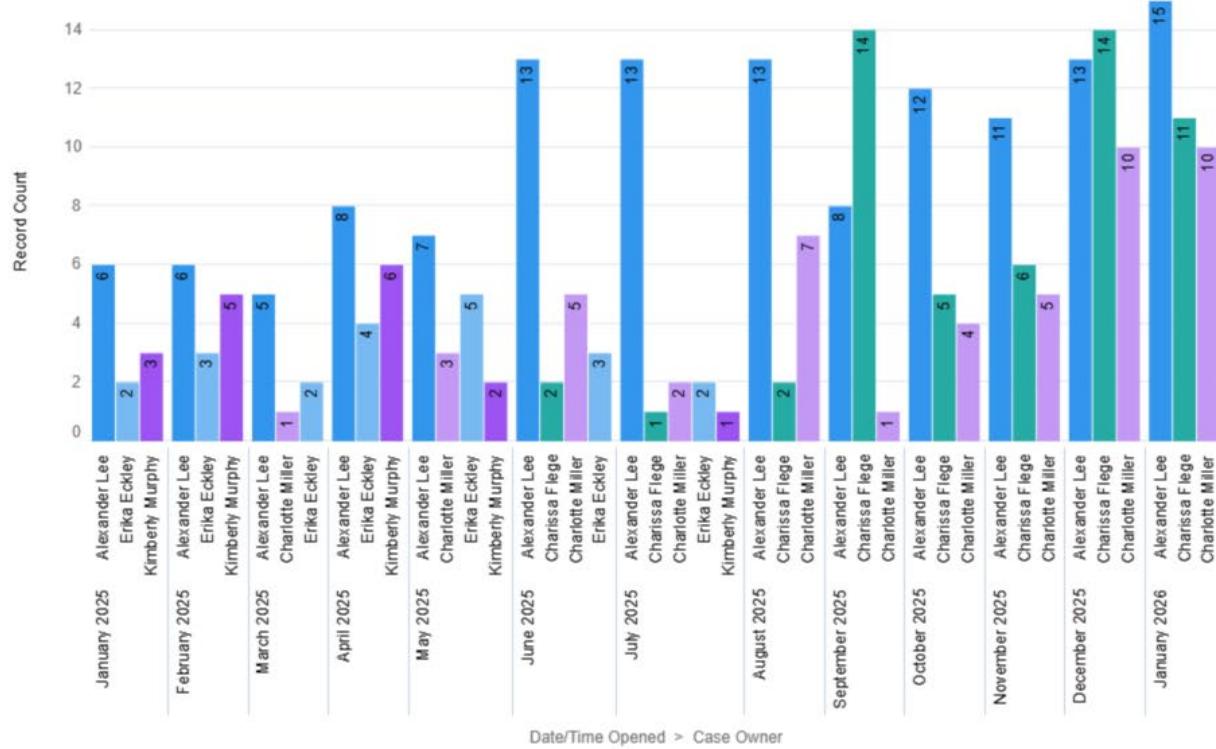
As of Feb 13, 2026, 11:42 AM

## Cases by Entity

 [View Report \(Cases by Entity\)](#)

As of Feb 13, 2026, 11:42 AM

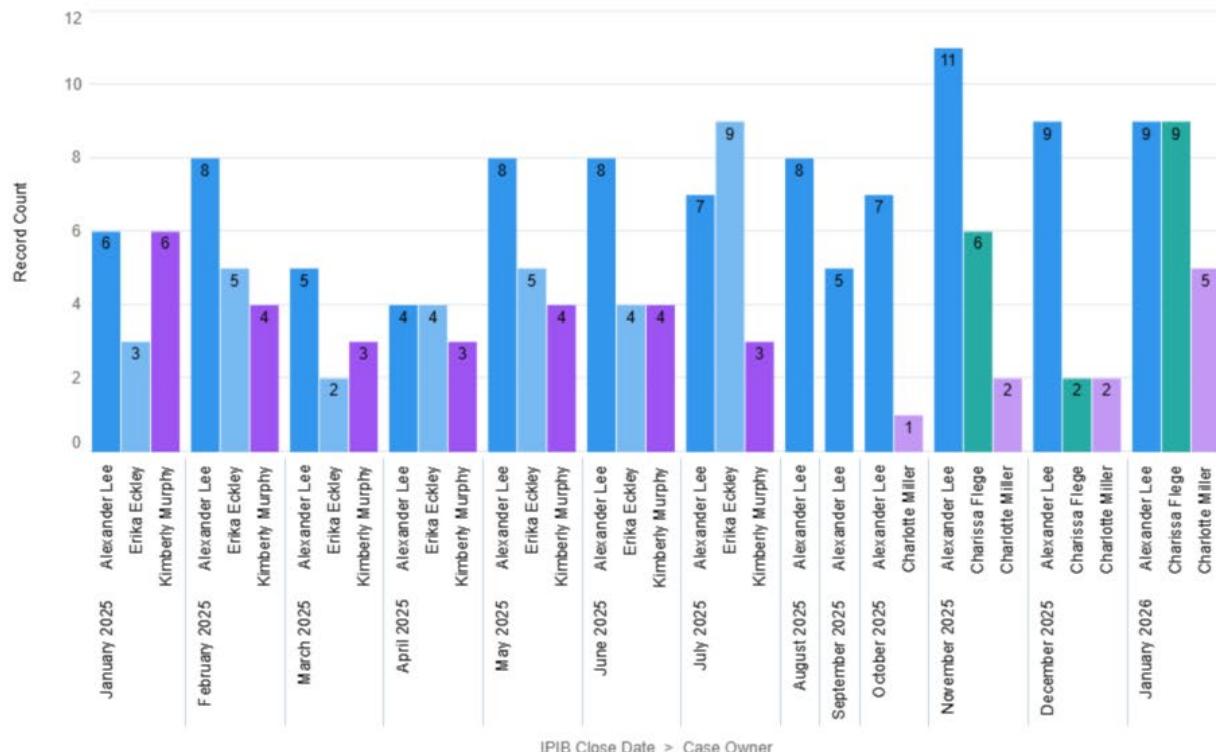
## Case Opening Timeline (IPIB Version)



Q1

Q2

## Case Closure Timeline (IPIB Version)



Q1

Q2

Case Owner: Alexander Lee (blue), Charissa Flege (teal), Charlotte Miller (purple), Erika Eckley (light blue), Kimberly Murphy (dark purple)

View Report (Case Closure Timeline (IPIB Version))

As of Feb 13, 2026, 9:05 AM