

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 prior to the meeting.

Agenda

March 19, 2026, 1:00 p.m.
Conference Room
Jessie Parker Building, East
510 East 12th Street, Des Moines

1:00 PM – IPIB Meeting

- I. Approval of agenda***
- II. Approval of the February 19, 2026 minutes and March 12, 2026 Minutes. ***
- III. Public Forum and Public Comment.* (5-minute limit per speaker)**
- IV. Comments from the board chair. (Lucas)**
- V. Cases involving Board Deliberation/Action.* (Miller)**
 1. 25FC:0031 (Michael Chapman - Chapter 21- Waterloo Community School District Board of Education) 3/26/2025 -Informal Resolution Draft OrderIR Agreed to by Parties
 2. 25FC:0055 (Justin Cole - Chapter 21- Mount Union Benefited Fire District) 5/21/2025 -Informal Resolution IR Agreed to by Parties
 3. 25FC:0065- 2 (John Rasmussen - Chapter 21- Pottawattamie County Board of Supervisors) 7/9/2025 -Final Report IR Agreed to by Parties
 4. 25FC:0072 (Jonathan Uhl - Chapter 22- Scott County / Scott County Attorney's Office) 6/13/2025 - Informal Resolution IR Agreed to by Parties

5. 25FC:0099 (Mount Pleasant Municipal Utilities & West Liberty Electric – Chapter 21- Resale Power Group of Iowa) 7/28/2025 – Investigative Report Probable Cause Investigation
6. 25FC:0116 (Crystal Davis - Chapter 21- Larchwood City Council and Mayor) 8/27/2025 -Final Report Draft Order
7. 25FC:0126 (Don McGregor - Chapter 22- Kossuth County Board of Supervisors) 9/11/2025 -Status Report Information Gathering/IR Process; 25FC:0127 (Vince Johnson - Chapter 22- Kossuth County board of supervisors and trustees of Drainage district DD4) 9/11/2025 -Status Report Information Gathering/IR Process; AND 25FC:0127 (Vince Johnson - Chapter 22- Kossuth County board of supervisors and trustees of Drainage district DD4) 9/11/2025 -Status Report Information Gathering/IR Process
8. 25FC:0131 (Gregory Armstrong - Chapter 21- Hamburg city council.) 9/16/2025 -Final Report Completed IR/Final Report
9. 25FC:0132 (Melissa Hannover - Chapter 21- City of Havelock) 9/16/2025 -Final Report Completed IR/Final Report
10. 25FC:0143 (Brandon Talsma - Chapter 21- Jasper County Conservation) 10/1/2025 - Investigative Report Probable Cause Investigation
11. 25FC:0160 (Michael Benson - Chapter 22- City of Merville) 10/21/2025 -Investigative Report Draft Order
12. 25FC:0207 (William Hendrikson - Chapter 22- Carlyle Dalen, Cerro Gordo County Attorney) 12/17/2025 -Investigative Report Probable Cause Investigation
13. 25FC:0210 (Matthew Rollinger - Chapter 22- Iowa Department of Education) 12/12/2025 - Investigative Report Draft Order
14. 25FC:0221 (Gregory Armstrong - Chapter 22- School board) 12/22/2025 -Investigative Report Probable Cause Investigation
15. 26FC:0008 (Torry Peck - Chapter 22- Seymour Community School District) 1/6/2026 - Investigative Report Probable Cause Investigation
16. 26FC:0016 (Tremaine J Woods - Chapter 21- Cedar Rapids Board of Education) 1/18/2026 - Investigative Report Probable Cause Investigation
17. 26FC:0031 (Tamara Jabali - Chapter 22-) 2/2/2026 -Investigative Report Probable Cause Investigation

VI. Contested Case Update.

1. 24FC:0092 (Aubrey Burress – Chapter 21 – Pleasant Grove Township)

VII. Consent Agenda *

1. Dismissals

- 1) Dismiss 25FC:0189 (Frank Lee - Chapter 21-) 12/18/2025 - Board Approval of A/D
- 2) Dismiss 25FC:0217 (Matthew Rollinger - Chapter 22- Office of the Iowa Attorney General) 12/12/2025 - Draft Order
- 3) Dismiss 26FC:0032 (Steve Hebert - Both- City of Fort Dodge) 1/29/2026 - Draft Order
- 4) Dismiss 26FC:0050 (Chris Holthaus - Chapter 21- Bremer County Emergency Management Commission) 2/19/2026 - Draft Order

2. Acceptance

- 1) Accept 25FC:0202-225FC:0202 (Lori White - Chapter 22- City of Missouri Valley) 12/9/2025 - Board Approval of A/D
- 2) Accept 26FC:0002 (Lori White - Chapter 22- Harrison County Sherrif) 1/2/2026 - Board Approval of A/D

- 3) Accept 26FC:0023 (Jacquelynn Zugg - Chapter 22- City of Centerville) 1/23/2026 - Board Approval of A/D
- 4) Accept 26FC:0024 (Jarrod Diers - Both- Oskaloosa School District Mahaska Police Department) 1/23/2026 - Information Gathering/IR Process
- 5) 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
- 6) Accept 26FC:0028 (Curtis Bloes - Chapter 21- Sac County Iowa Board of Supervisors) 1/27/2026 - Information Gathering/IR Process
- 7) Accept 26FC:0029 (Richard Francis - Chapter 22- Webster County Shierffs Department) 1/28/2026 - Complaint Opened/Acknowledged
- 8) Accept 26FC:0036 (William Daggett - Chapter 22- City of Baxter, Iowa) 1/30/2026 - Information Gathering/IR Process
- 9) Accept 26FC:0040 (Jacquelynn Zugg - Chapter 22- City of Centerville) 2/2/2026 - Board Approval of A/D
- 10) Accept 26FC:0035 (Judith Lee - Chapter 22- City of Davenport) 2/6/2026 - Information Gathering/IR Process
- 11) Accept 26FC:0049 (Jacquelynn Zugg - Chapter 21- City of Centerville) 2/16/2026 - Board Approval of A/D
- 12) Accept 26FC:0048 (Melissa Duffield - Chapter 22- City of Robins) 2/20/2026 - Board Approval of A/D
- 13) Accept 26FC:0054 (Tyler Jett - Chapter 22- Polk County Sheriff's Office) 2/25/2026 - Board Approval of A/D
- 14) Accept 26FC:0051 (Matthew Rollinger - Chapter 22- Iowa Department of Education) 2/25/2026 - Information Gathering/IR Process
- 15) Accept 26FC:0056 (Jacquelynn Zugg - Both- City of Centerville) 2/27/2026 - Board Approval of A/D
- 16) Accept 26FC:0057 (Jacquelynn Zugg - Chapter 22- City of Centerville) 2/27/2026 - Board Approval of A/D
- 17) Accept 25FC:0192 (Rachel Doyle - Chapter 22- City of Rolfe) 11/27/2025 - Board Approval of A/D

VIII. Advisory Opinions for Board Consideration.* (Flege)

1. 26AO:0004 (David Fierke - -) 2/11/2026 - Information Gathering/IR Process 22.7(5)
Confidentiality post inadmissibility order or order to seal

IX. Matters Withdrawn, No Action Necessary. (Miller)

1. 25FC:0144 (Tony Hamson - Chapter 22- Rake City) 9/26/2025 -Withdrawn
Resolved/Withdrawn
2. 25FC:0157 (Byron Jimmerson - Chapter 21- Clarke County Board of Health) 11/19/2025 -
Resolved/Withdrawn
3. 26FC:0011 (Kari Rose - Chapter 22- City of Carson) 1/12/2026 - Resolved/Withdrawn
4. 26FC:0012 (Justin Scott - Chapter 22- Denver Community School District) 1/15/2026 -
Withdrawn Resolved/Withdrawn
5. 26FC:0019 (Michael Merritt - Chapter 22- Iowa Attorney General's Office) 1/22/2026 -
Withdrawn Resolved/Withdrawn
6. 26FC:0033 (Melanie Reeves - Chapter 22- Vinton ia police department) 1/12/2026 - Withdrawn
Resolved/Withdrawn
7. 26FC:0041 (Sally Hanna - Chapter 22- City of Spirit Lake, Iowa) 2/4/2026 -Withdrawn
Resolved/Withdrawn

X. Pending Complaints. Informational Only (Miller)

1. 25FC:0054 (Tim Ferguson - Chapter 22- City of Davenport) 5/19/2025 - Information Gathering/IR Process
2. 25FC:0054 (Tim Ferguson - Chapter 22- City of Davenport) 5/19/2025 - Information Gathering/IR Process
3. 25FC:0061 (Dylan Southall - Chapter 22- Cedar Falls Utilities - Cedar Falls, Iowa) 5/23/2025 - Information Gathering/IR Process
4. 25FC:0058 (Rachel Doyle - Both- City of Rolfe) 5/27/2025 - Information Gathering/IR Process
5. 25FC:0070-2 (Keith Wieland - Chapter 22- Buchanan County, Iowa) 6/10/2025 - Information Gathering/IR Process
6. 25FC:0070-4 (Keith Wieland - Chapter 22- Buchanan County, Iowa) 6/10/2025 - Draft Order
7. 25FC:0070-4 (Keith Wieland - Chapter 22- Buchanan County, Iowa) 6/10/2025 - Draft Order 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 Information Gathering/IR Process
10. 25FC:0075 (Chris Stevens - Chapter 22- City of Swea City IA) 6/17/2025 - Information Gathering/IR Process Information Gathering/IR Process
11. 25FC:0076 (Ken Allsup - Both- Oskaloosa School Board) 6/17/2025 - Information Gathering/IR Process Information Gathering/IR Process
12. 25FC:0079 (Judith Lee - Chapter 22- City of Davenport) 6/24/2025 - Information Gathering/IR Process Information Gathering/IR Process
13. 25FC:0082 (Tim Ferguson - Chapter 22- Davenport Police Department) 6/24/2025 - Information Gathering/IR Process Information Gathering/IR Process
14. 25FC:0089 (Charlie Comfort - Chapter 22- Oskaloosa Community School District) 7/7/2025 - Information Gathering/IR Process
15. 25FC:0092 (Keith Wieland - Chapter 21- Buchanan County Solid Waste Commission) 7/9/2025 – Draft Order Information Gathering/IR Process
16. 25FC:0104 (Tim Ferguson - Chapter 22- City of Davenport and Davenport Police Department) 8/13/2025 - Information Gathering/IR Process
17. 25FC:0109 (Jaicy Skaggs - Chapter 21- City of Kellogg) 8/18/2025 - Information Gathering/IR Process
18. 25FC:0109 (Jaicy Skaggs - Chapter 21- City of Kellogg) 8/18/2025 - 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:0134 (Richard Francis - Chapter 22- Cerro Gordo County Attorney's Office) 9/20/2025 - Information Gathering/IR Process
22. 25FC:0136 (Alisha Beers - Chapter 22- City Council of Pisgah and Clerk Heather) 9/22/2025 - Information Gathering/IR Process
23. 25FC:0151 (Gregory Armstrong - Chapter 22- Hamburg Community School Board) 10/8/2025 - Information Gathering/IR Process
24. 25FC:0153 (Michael Merritt - Chapter 22- Iowa Attorney General's Office) 10/16/2025 - Information Gathering/IR Process
25. 25FC:0155 (Paullina Resident - Chapter 21- Paullina City Council
26. Paullina Personnel Board) 10/20/2025 - Information Gathering/IR Process

27. 25FC:0166 (James Possehl - Chapter 21- City of Parnell City Council) 10/27/2025 - Information Gathering/IR Process
28. 25FC:0167 (Jacob Hall - Chapter 22- City of Storm Lake) 10/28/2025 - Information Gathering/IR Process
29. 25FC:0176 (Mikayla Simpson - Chapter 22- Madison County Board of Supervisors) 11/6/2025 - Information Gathering/IR Process
30. 25FC:0187-2 (Mikayla Simpson - Chapter 22- Madison County Board of Supervisors) 11/19/2025 - Information Gathering/IR Process
31. 25FC:0187-1 (Mikayla Simpson - Chapter 22- Madison County) 11/19/2025 - Information Gathering/IR Process
32. 25FC:0198 (OpenRec2025 - Chapter 22- Iowa Western Community College) 12/5/2025 - Information Gathering/IR Process
33. 25FC:0200 (John Doe - Chapter 22- Keokuk, IA Police Department) 12/8/2025 - Information Gathering/IR Process
34. 25FC:0191 (Jonathan Uhl - Chapter 22- City of Davenport) 12/9/2025 - Information Gathering/IR Process
35. 25FC:0191 (Jonathan Uhl - Chapter 22- City of Davenport) 12/9/2025 - Information Gathering/IR Process
36. 25FC:0191-225FC:0191 (Jonathan Uhl - Chapter 22- City of Davenport) 12/9/2025 - Information Gathering/IR Process
37. 25FC:0201-225FC:0201 (Lori White - Chapter 22- City of Missouri Valley Iowa) 12/9/2025 - Information Gathering/IR Process
38. 25FC:0188-225FC:0188 (Kyle Ocker - Chapter 22- City of Pleasantville) 12/10/2025 - Information Gathering/IR Process
39. 25FC:0215-225FC:0215 (William Daggett - Chapter 22- City of Baxter) 12/16/2025 - Information Gathering/IR Process
40. 25FC:0208-225FC:0208 (William Hendrikson - Chapter 22- Sheriff David Hepperly - Cerro Gordo County Sheriff's Office) 12/17/2025 - Information Gathering/IR Process
41. 25FC:0209-225FC:0209 (William Hendrikson - Chapter 22- Cerro Gordo County) 12/17/2025 - Information Gathering/IR Process
42. 25FC:0206-225FC:0206 (William Hendrikson - Chapter 22- City of Clear Lake Police Department) 12/18/2025 - Information Gathering/IR Process
43. 25FC:0212-225FC:0212 (Travis Petsche - Chapter 22- City of Fayette) 12/18/2025 - Information Gathering/IR Process
44. 25FC:0214-225FC:0214 (Shannon Martinez - Chapter 22- Wilton Police Department) 12/18/2025 - Information Gathering/IR Process
45. 26FC:0004 (Rebecca Bianchi - Both- City of Mitchellville) 1/4/2026 - New / Complaint Information Reviewed
46. 26FC:0005 (Stephen Swanson - Chapter 21- Madison County Board of Supervisors) 1/5/2026 - Information Gathering/IR Process
47. 26FC:0006 (Jacob Hall - Chapter 22- Sioux Center Library - City of Sioux Center) 1/5/2026 - Information Gathering/IR Process
48. 26FC:0010 (Jennifer Benbow - Chapter 22- Marshall County Sheriff's Office) 1/8/2026 - Information Gathering/IR Process
49. 26FC:0014-1 (Caleb Housh - Chapter 21- Seymour Community School District) 1/9/2026 - Information Gathering/IR Process
50. 26FC:0027 (Tim Ferguson - Both- Scott County and Scott County Attorney's Office) 1/21/2026 - New / Complaint Information Reviewed
51. 26FC:0015 (James Phillips - Chapter 22- Madison County Board of Supervisors) 1/22/2026 - Information Gathering/IR Process

52. 26FC:0021 (Tim Ferguson - Both- City of Davenport and Davenport Police) 1/26/2026 - New / Complaint Information Reviewed
53. 26FC:0034 (Gregory Armstrong - Chapter 21- Hamburg city council Hamburg iowa) 1/29/2026 - Information Gathering/IR Process
54. 26FC:0030 (Anthony Teninty - Chapter 22- Wapello County) 1/29/2026 - Information Gathering/IR Process
55. 26FC:0025 (Linda Smithson - Chapter 21- Bettendorf Community School District Board of Directors) 1/30/2026 - Information Gathering/IR Process
56. 26FC:0018 (Steven Bowman - Chapter 22- City of Des Moines) 1/30/2026 - Information Gathering/IR Process
57. 26FC:0037 (Shane Martinson - Chapter 22- City of Stuart, Stuart, Iowa) 1/30/2026 - Information Gathering/IR Process
58. 26FC:0039 (Wellington - Chapter 22- Henry County) 2/2/2026 - Complaint Opened/Acknowledged
59. 26FC:0042 (Lori Daughenbaugh - Chapter 22- City of Runnells) 2/4/2026 - Information Gathering/IR Process
60. 26FC:0043 (Judith Lee - Chapter 22- City of Davenport) 2/6/2026 - Complaint Opened/Acknowledged
61. 26FC:0047 (Tim Ferguson - Both- Scott County and Scott County Attorney's office) 2/15/2026 - Complaint Opened/Acknowledged
62. 26FC:0046 (Tim Ferguson - Both- Scott County and Scott County Attorney's Office) 2/15/2026 - Complaint Opened/Acknowledged
63. 26FC:0053 (Lori White - Chapter 22- Harrison County Sheriff and Harrison county attorney) 2/19/2026 - New / Complaint Information Reviewed
64. 26FC:0052 (Justin Scott - Chapter 22- Denver Community School District) 2/24/2026 - Complaint Opened/Acknowledged
65. 26FC:0055 (Curtis Bloes - Chapter 22- Kids World Advisory Board (a joint 28E entity of the City of Sac City and East Sac County Community School District)) 2/26/2026 - Complaint Opened/Acknowledged
66. 26FC:0058 (Laura Johnston - Chapter 21- Story County Board of Health) 2/27/2026 - Complaint Opened/Acknowledged
67. 26FC:0059 (Susan Lemon - Chapter 21- Woodward Public Library) 2/27/2026 - New / Complaint Information Reviewed
68. 26FC:0060 (Jason Battin - Chapter 22- City of Mitchellville) 3/1/2026 - Complaint Opened/Acknowledged 26FC:0061 (Jeremy Newsom - Chapter 22- Iowa department of public safety) 3/1/2026 - Complaint Opened/Acknowledged
69. 26FC:0064 (Heather Duncan-Detrick - Chapter 22- Iowa Department of Corrections) 3/3/2026 - Complaint Opened/Acknowledged
70. 26FC:0062 (Jonathan Uhl - Chapter 22- Scott County, IA) 3/5/2026 - Complaint Opened/Acknowledged
71. 26FC:0063 (Jonathan Uhl - Chapter 22- City of Davenport) 3/5/2026 - Complaint Opened/Acknowledged
72. 26FC:0068 (Nicholas Bargren - Chapter 22- Iowa City Police Department) 3/6/2026 - Complaint Opened/Acknowledged
73. 26FC:0069 (Angela Newcomb - Both- Marion Independent School District) 3/12/2026 - Complaint Opened/Acknowledged

XI. Committee Reports

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

3. Rules – (Miller)

XII. Office status report.

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

XIII. Next IPIB Board Meeting will be held on April 16, 2026, at 1:00 p.m.

XIV. Adjourn

*** Attachments**

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IOWA PUBLIC INFORMATION BOARD

DRAFT MINUTES

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

The Iowa Public Information Board (IPIB) met on February 19, 2026, for its monthly meeting at 1 p.m. at the offices of the Iowa Public Information Board located at 510 East 12th Street, Des Moines. The following members participated: E.J. Giovannetti, Catherine Lucas, Barry Lindahl (remote), Luke Martz (remote), Joel McCrea (remote), Joan Corbin (remote), and Monica McHugh (remote). Jackie Schmillen (remote) joined at 2:30PM. Also present were IPIB Executive Director, Charlotte Miller; IPIB Deputy Director, Charissa Flege; IPIB Agency Counsel, Alexander Lee, and Conflict Counsel for IPIB, Erika Eckley. A quorum was declared present.

- I. Approval of agenda.** On a motion by Lindahl, second by Giovannetti to approve the agenda. **Approved, 7-0.**
- II. Approval of the January 15, 2026 minutes.** On a motion by Lindahl, second by Giovannetti to approve the Jan. 15, 2026 minutes. Lucas abstained. **Approved 6-0.**
- III. Approval of the January 27, 2026 minutes.** On a motion by Giovannetti, seconded by McCrea to approve the Jan. 27, 2026 minutes. **Approved, 7-0**
- IV. Public Forum** (5-minute limit per speaker) Mr. Nocera provided a statement to regarding information request for age data. Lee provided a response on behalf of IPIB staff. Giovannetti provided comment.
- V. Comments from the board chair.** Lucas stated advisory opinion for after the deliberation cases.

VI. 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.** Lee presented on behalf of IPIB staff. Board discussion occurred. On a motion by McHugh, second by Giovanetti, to approve the advisory question. **Approved, 8-0.**
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?** Lee presented on behalf of IPIB staff. Board discussion occurred. On a motion by Giovannetti, second by Lindahl, to adopt advisory opinion. **Approved, 8-0.**
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?** Lee presented on behalf of IPIB staff. Board discussion occurred. On a motion by McHugh, second by Corbin, to accept advisory opinion. Board discussion on motion to approve occurred. **Approved, 8-0.**

VII. Cases involving Board Deliberation/Action.

1. **24FC:0092 (Aubrey Burress - Both- Pleasant Grove township) 10/21/2024 -Final Report Contested Case.** Lee presented on behalf of IPIB staff. On a motion by Lindahl receive and file, Giovannetti seconded. **Approved 7-0.**
2. **25FC:0106 (Bradley Thrasher - Chapter 21- City of Le Grand board of adjustments) 8/14/2025 -Informal Resolution Completed IR/Final Report.** Flege presented on behalf of IPIB staff. Holly Cockery, counsel for the City, addressed the Board. On a motion by Giovannetti, second by Martz, to accept staff recommendation. **Approved 7-0.**
3. **25FC:0112 (Robert Alvarez - Chapter 22- University of Iowa) 8/20/2025 - Draft Order.** Lee presented on behalf of IPIB staff. Alvarez addressed the Board and referenced submitted written statement. Gay Pelzer, Deputy General Counsel for the University, addressed the Board on behalf of the University. Lucas and Lindahl asked clarifying questions for University counsel. Board discussion occurred regarding the use of University letterhead not in official capacity of the University. On a motion by Giovannetti, second by Lindahl, to adopt staff recommendation. McHugh opposed. **Approved, 6-1.**
4. **25FC:0134 (Richard Francis - Chapter 22- Fort Dodge Police Department) 9/20/2025 – Status Report.** Flege presented on behalf of IPIB staff. Richard Francis addressed the Board. David Fierke, City Manager of Fort Dodge, and Dennis Quinn, Chief of Fort Dodge Police Department, addressed the Board on behalf of the respondent. Board discussion occurred; McHugh, Martz, and Lucas provided

comments. On a motion by Lindahl, second by Martz, to find that the record is not confidential. **Approved, 7-0.**

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.** Flege presented on behalf of IPIB staff. On a motion by Giovannetti, second by Martz, to adopt staff recommendation. **Approved, 7-0.**
6. **25FC:0171 (David Kakavand Kordi - Chapter 22- University of Iowa Office of Transparency) 10/30/2025 -Investigative Report Probable Cause Investigation.** Flege presented on behalf of IPIB staff. On a motion by Martz, second by McCrea, to dismiss. Approved, 7-0.
7. **25FC:0174 (Lance Miller - Chapter 21- City of Marion Iowa) 11/4/2025 - Investigative Report Information Gathering/IR Process.** Miller presented on behalf of IPIB staff. Holly Cockery, counsel for the City, addressed the Board. On a motion by Lindahl, second by Giovannetti, to adopt staff recommendation. **Approved, 7-0.**
8. **25FC:0193 (William Hendrikson - Chapter 22- Cerro Gordo County) 12/17/2025 -Investigative Report Probable Cause Investigation.** Erika Eckley, Conflict Counsel, presented on behalf of IPIB staff. Lucas abstained. On a motion by Lindahl, second by Martz, to adopt conflict counsel recommendation to dismiss the matter for lack of probable cause. **Approved, 6-0. Lucas abstained.**

Jackie Schmillen joined at 2:30P.M.

9. **25FC:0197 (Linda Smithson - Chapter 21- Bettendorf school board) 12/3/2025 - Investigative Report Probable Cause Investigation.** Flege presented on behalf of IPIB staff. Wendy Meyer, Counsel for Bettendorf School Board, addressed the Board. Lindahl provided comment. On a motion by Giovanetti, second by Lindahl, to dismiss for lack for probably cause. **Approved, 8-0.**
10. **25FC:0203 (Christopher Wyant - Chapter 21- Lewis, Iowa) 12/10/2025 - Investigative Report Draft Order.** Lee presented on behalf of IPIB staff. Board discussion occurred. On a motion by Lindahl, second by Corbin, to adopt staff recommendation. **Approved, 8-0.**
11. **25FC:0205 (John Johnson - Chapter 22- Hancock County) 12/18/2025 - Investigative Report Probable Cause Investigation.** Flege presented on behalf of IPIB staff. John Johnson addressed the Board. Board discussion occurred. On a motion by Martz, second by Lindahl, to dimiss for lack of probable cause. **Approved 8-0.**
12. **25FC:0218 (Nick Cattell - Chapter 22- City of Chariton) 12/19/2025 - Investigative Report Draft Order.** Lee presented on behalf of IPIB staff. Douglas Anderson, City Manager, addressed the Board on behalf of City of Chariton. On a motion by McCrea, second by Giovannetti, to dismiss for lack of probable cause. **Approved, 8-0.**

VIII. Consent Agenda.

a. Dismissals. On a motion by Lindahl, second by McHugh, to approve consent agenda dismissals. **Approved 8-0.**

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. On a motion by Giovannetti, second by Martz, to approve consent agenda approvals. **Approved, 8-0.**

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

IX. 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

X. 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 Sheriff 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

XI. Committee Reports

1. **Training.** Lee provided the Board an update on trainings provided by staff.
2. **Legislative.** Miller provided an update on the legislative session.
3. **Rules.** Miller provided an update regarding rules.

XII. Office status report.

1. **Office Update.** Miller provided an office update to the Board.
2. **Financial/Budget Update.** Miller provided an update to the Board on finances.
3. **Presentations/Trainings.** Miller provided an update to the Board on trainings.
4. **District Court Update.** Miller provided an update to the Board on District Court filings.

XIII. Next IPIB Board Meeting will be held on March 19, 2025, at 1:00 p.m.

XIV. Adjourn.

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 prior to the meeting.

DRAFT MINUTES

March 12, 2026, 3:00 p.m.

The Iowa Public Information Board (IPIB) met on March 12, 2026, for a special meeting at 3 p.m. at the offices of the Iowa Public Information Board located at 510 East 12th Street, Des Moines. The following members participated: E.J. Giovannetti, Catherine Lucas, Barry Lindahl (remote), Joan Corbin (remote), and Monica McHugh (remote). Also present were IPIB Executive Director, Charlotte Miller; IPIB Deputy Director and Attorney General Counsel, John Lundquist. A quorum was declared present.

- I. Chair Comment.** Lucas noted that the meeting was rescheduled due to technical difficulties on the original scheduled date March 9, 2026.
- II. Approval of agenda.** On a motion by Lindahl, second by Giovannetti, to approve agenda. Approved 5-0.
- III. Board review of Van Pelt v. Iowa Public Information Board, No. 24-2039 Decision.** *Board discussion on the Van Pelt v. Iowa Public Information Board, No. 24-2039 Decision.* John Lundquist addressed the Board relating to the Van Pelt Decision and answered questions. Discussion occurred between Board Members.
- IV. Board deliberation and potential action on Van Pelt v. Iowa Public Information Board, No. 24-2039 Decision Appeal Action.** No action taken.
 - I. Next IPIB Board Meeting will be held on March 19, 2026, at 1:00 p.m.**
 - II. Adjourn**

Share with Board

To Whom It May Concern,

I did not begin this process lightly.

My original request was straightforward: I asked for login records to determine how many days our County Treasurer, Deb Engstler, was physically present and working in the courthouse. I was informed that the county does not track system login records. In other words, there is no record of who logs into the county computer system, or when.

That answer alone should concern every taxpayer.

Since login records were unavailable, I requested key fob access data. I was then informed that only records from October 30 through the end of January were available. Any data prior to that was, for reasons not clearly explained, unavailable.

With no login records and only partial key fob data, I moved to the only remaining measurable indicator of physical presence: outgoing email activity.

I requested nothing more than the dates on which emails were sent from the Treasurer's courthouse computer. The county has confirmed there is no remote access capability. That means emails must be sent while physically present in the office.

The results for the calendar year are as follows:

- Total emails sent: 259
- Documented days physically present in the office: 98
- Standard work year: 261 days

Ninety-eight days out of 261 represents approximately 37.5% of a standard working year.

When dividing the annual salary of \$83,885.89 by 259 emails, that equals approximately \$323.89 per email sent.

When dividing the annual salary by the 98 documented days of physical presence, the compensation equals approximately \$855.98 per documented day in the office.

Conversely, approximately 62.5% of the standard work year — representing roughly \$52,428.68 in salary — corresponds to days for which no physical presence in the courthouse is documented.

This calculation does not include IPERS contributions, insurance benefits, or other employment costs paid by taxpayers.

To be clear: I am not asserting what occurred on those undocumented days. I am stating only what the available records show — and what they do not show.

Taxpayers should not have to file multiple public records requests and reconstruct attendance through indirect data simply to determine whether a full-time elected official is regularly present and performing the duties of the office.

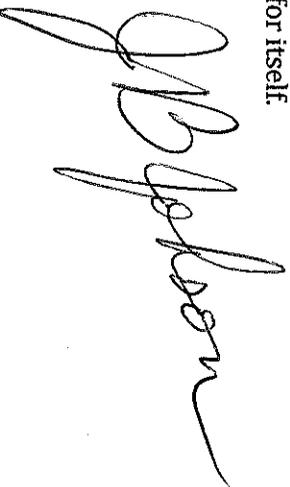
Basic accountability and transparent recordkeeping are not unreasonable expectations.

The attached calendar reflects the documented email activity for the year.

The math speaks for itself.

Sincerely,

John B. Johnson
Britt, Iowa



25 FC 0205

What the report shows for calendar year 2025

- Total sent-email entries captured: 259
- Distinct days with at least one sent email: 99 days
- That's 99 / 261 weekdays = ~38% of weekdays showing *any* sent email activity.
- Weekend activity: 1 day (Sat 8/2/2025)

Sent-email days by month (2025)

Month	Days with sent email	Sent items (count)
2025-01	12	26
2025-02	10	18
2025-03	6	18
2025-04	10	20
2025-05	6	24
2025-06	9	23
2025-07	9	20
2025-08	10	24
2025-09	9	23
2025-10	6	19
2025-11	5	19
2025-12	6	24

The actual days (by month)

- Jan 2025: 2, 6, 7, 8, 9, 10, 13, 17, 20, 27, 28, 31
- Feb 2025: 3, 7, 10, 12, 13, 14, 19, 20, 24, 28
- Mar 2025: 3, 6, 10, 11, 19, 25
- Apr 2025: 1, 2, 4, 7, 8, 10, 14, 15, 21, 29
- May 2025: 2, 5, 8, 9, 19, 30
- Jun 2025: 4, 5, 6, 9, 10, 11, 13, 18, 27
- Jul 2025: 1, 2, 3, 7, 8, 16, 21, 22, 25
- Aug 2025: 2, 6, 13, 18, 19, 20, 21, 25, 27, 28
- Sep 2025: 4, 5, 8, 15, 16, 17, 22, 23, 30
- Oct 2025: 1, 15, 16, 17, 20, 24
- Nov 2025: 3, 5, 6, 10, 21
- Dec 2025: 4, 5, 17, 23, 30, 31

Notable gaps (no sent-email days shown)

Biggest stretches *between* days with any sent-email activity:

- Oct 2 → Oct 14 (13 days with none shown)
- Dec 6 → Dec 16 (11 days)
- Nov 11 → Nov 20 (10 days)
- May 20 → May 29 (10 days)

Instead of more law + rules
on how to have meetings
how about some help getting
them to show up for work

The Iowa Public Information Board

In re the Matter of: Michael Chapman, Complainant And Concerning: Waterloo Community School District Finance Committee, Respondent	Case Number: 25FC:0031 Informal Resolution
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On March 26, 2025, Michael Chapman filed formal complaint 25FC:0031, alleging the Finance Committee of the Waterloo Community School District Board of Education (Board) violated Iowa Code Chapter 21.

The IPIB accepted this complaint at its meeting on April 17, 2025.

Background

The Waterloo Community School District is a public school district in Black Hawk County, which is governed by a seven-member Board of Education. All parties to this case agree that the Board is “[a] board, council, commission, or other governing body of a political subdivision or tax-supported district in this state” which qualifies as a governmental body subject to Chapter 21 open meeting law. Iowa Code § 21.2(1)(b).

Under this Board, there is a Finance Committee, a multimembered body which currently includes the Board’s President, the Board’s Vice President, and another Board member, though this specific composition is not required by any rule. While the District was unable to locate records describing how or when the Finance Committee was created, the record suggests that it predates the terms of any of the current Board members, and similar committees within the District have existed for over three decades.

The Finance Committee typically meets once per month, and it is broadly responsible for reviewing the District’s budget, expenses, balance sheets, and related financial matters. These responsibilities include initial review of monthly expense summaries, for the purposes of ensuring the District stays within its budget. The Finance Committee also researches and makes recommendations on larger financial expenditures before they go to the full Board. Matters within

the Finance Committee’s purview often begin at the committee level before being presented to the Board for final approval.

On March 26, 2025, the complainant, Michael Chapman, attempted to attend a meeting of the Finance Committee. Before the meeting began, the District Superintendent informed Chapman that the meeting was not open to the public, and Chapman was then escorted out of the building. The same day, Chapman filed formal complaint 25FC:0031, alleging that he had been unlawfully excluded from a meeting required to be held in open session under Chapter 21.

On September 18, 2025, IPIB considered an investigative report with stipulated facts about the nature and duties of the Finance Committee. While no final, formal decision was made on this case, IPIB’s executive board adopted staff’s recommended analysis that there was probable cause to find the Finance Committee qualified as a governmental body under Iowa Code § 21.2(1)(c) based on the facts presented. *See* 25FC:0031, *Michael Chapman/Waterloo Community School District Finance Committee*. The matter was redirected for further consideration, and the District subsequently agreed to proceed with informal resolution.

Applicable Law

“*Governmental body*’ means:

b. A board, council, commission, or other governing body of a political subdivision or tax-supported district in this state.

c. A multimembered body formally and directly created by one or more boards, councils, commissions, or other governing bodies subject to paragraphs ‘*a*’ and ‘*b*’ of this subsection.” Iowa Code § 21.2(1)(b), (c).

Analysis

Iowa Code § 21.2(1) provides ten categories of governmental bodies whose meetings are subject to the open meetings requirements of Chapter 21, including Iowa Code § 21.2(1)(c), which covers any “multimembered body formally and directly created by one or more boards, councils, commission, or other governing bodies subject to paragraphs ‘*a*’ or ‘*b*’ of this subsection.”

The Finance Committee is a “multimembered body,” which generally includes three members of the Board of Directors. Its parent body, the Board of Directors, is as a governmental body based on the definition provided by Iowa Code § 21.2(1)(b).

It is disputed by the District whether the Finance Committee qualifies as “formally” created by the Board of Directors. The District was unable to provide conclusive evidence for exactly when or how the Finance Committee was created. However, the Finance Committee functions with the formal recognition of the Board of Directors and other District staff, which treat it as a distinct secondary committee and acknowledge it as such in official contexts. It is IPIB’s interpretation that these practices distinguish the Finance Committee from the sort of *ad hoc*, transient, or

indefinite groupings which would be excluded by the formality requirement (in conjunction with the prerequisite of being a definite “multimembered body”). *See* 25FC:0031, *Michael Chapman/Waterloo Community School District Finance Committee*.

Likewise, it is IPIB’s interpretation that the Finance Committee is “directly” created, as its members are selected directly from the Board of Directors, rather than being independently created by an intermediary. *See id.*

Finally, governmental bodies only hold meetings subject to Chapter 21 if their deliberations or actions are “in furtherance of any policy-making duty,” meaning that purely advisory bodies (other than those specified advisory bodies covered by Iowa Code § 21.2(1)(e) or (h)) are effectively exempt from the requirements of Chapter 21. *Mason v. Vision Iowa Bd.*, 700 N.W.2d 349, 354 (Iowa 2005). Policy-making, for the purposes of open meetings law, means “deciding with authority a course of action,” as opposed to merely “recommending or advising what should be done.” *Id.*

In this case, it is IPIB’s interpretation that the Finance Committee has a scope of functional authority tantamount to policy-making, beyond merely “recommending or advising what should be done” on assigned matters. Although the Finance Committee’s work is ultimately subject to final approval by the Board of Directors, it nevertheless “decides” on a course of action for the District when it sets its own priorities and agendas within its jurisdiction over district finances (e.g. when it chooses what to include or exclude from a draft budget). This discretion to act within a broad category of policy matters, coupled with the implicit influence which comes from their overlapping membership, indicates that the Finance Committee acts “with authority,” unlike the class of “purely advisory” entities contemplated by the *Mason* Court and related judicial precedent, which are limited to researching and advising on narrowly defined, delegated topics. *See id.* at 356. This interpretation is disputed by the District.

Because IPIB’s interpretation is that the Finance Committee is a multimembered body, which was formally and directly created by the Board of Education as a qualifying parent body and which has at least some policy-making authority of its own, it should be considered a “governmental body” pursuant to Iowa Code § 21.2(1)(c) and must hold its meetings according to the requirements of Chapter 21.

Informal Resolution

The District maintains this is a disputed area of law and that there is support for its position under Iowa law and prior IPIB guidance. However, in an effort to resolve the complaint, the District has agreed to the terms below. By entering into this agreement, the parties acknowledge it is not to be construed as an admission of any liability or wrongdoing, which is expressly denied by the District.

Pursuant to Iowa Code § 23.9, IPIB presents the following terms for an informal resolution of this matter:

1. This Informal Resolution will be formally approved at meetings of both the Waterloo Community School District Board of Directors and the District's Finance Committee. Both the Board of Directors and the Finance Committee will include a copy of this Informal Resolution in their respective meeting minutes and will provide IPIB staff with a copy of the minutes demonstrating approval.
2. In approving this Informal Resolution, the District will agree that future meetings of the Finance Committee, so long as it continues to exist in its current form, will be held pursuant to the requirements of Chapter 21, including access for all members of the public, except in situations where a valid justification to enter closed session applies.
3. The District further acknowledges that Term #2 applies to other, permanent committees that have substantially similar committee members and which are given similar authority and discretion to set their own priorities and agendas within broad policy categories.

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 showing of proof of compliance, the IPIB will dismiss this complaint as successfully resolved.

Michael Chapman approved the Informal Resolution on March 10, 2026.

The Waterloo Community School District Board of Directors and Finance Committee each approved the Informal Resolution on March 9, 2026.

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

By the IPIB Agency Counsel,



Alexander Lee, J.D.

CERTIFICATE OF MAILING

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

Michael Chapman, Complainant
Waterloo Community School District, Respondent

The Iowa Public Information Board

<p>In re the Matter of:</p> <p>Justin Cole, Complainant</p> <p>And Concerning:</p> <p>Mount Union Benefitted Fire District, Respondent</p>	<p>Case Number: 25FC:0055</p> <p>Informal Resolution</p>
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On May 21, 2025, Justin Cole filed formal complaint 25FC:0055, alleging that the Mount Union Benefitted Fire District Board (Board) violated Iowa Code Chapter 21.

The IPIB accepted this complaint at its meeting on June 19, 2025.

Background

The Mount Union Benefitted Fire District is a tax-supported local fire district, located in the unincorporated community of Mount Union, in Henry County, Iowa. They are represented by three trustees, who are appointed by the Henry County Board of Supervisors.

On May 21, 2025, the complainant, Justin Cole, filed formal complaint 25FC:0055, alleging that the Board was not providing required public notice of its official meetings. Cole also alleged that he and other members of the public had been denied access to past Board meetings.

Following IPIB’s acceptance of the complaint, the Board largely acknowledged the Chapter 21 concerns described in the complaint, though the trustees indicated they were not previously aware that they were subject to open meetings laws as a governmental body.

Applicable Law

“*Governmental body*’ means:

- b. A board, council, commission, or other governing body of a political subdivision or tax-supported district in this state.” Iowa Code § 21.2(1)(b).

“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.” Iowa Code

§ 21.3(1). “*Open session*’ means a meeting to which all members of the public have access.” Iowa Code § 21.2(3).

“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 the information sufficient to indicate the vote of each member present. The vote of each member present shall be made public at the open session.” Iowa Code § 21.3(2).

“Except as provided in [Iowa Code § 21.4(3)], a governmental body shall give notice of the time, date, and place of each meeting including a reconvened meeting of the governmental body, and the tentative agenda of the meeting, in a manner reasonably calculated to apprise the public of that information. Reasonable notice shall include advising the news media who have filed a request for notice with the governmental body and posting the notice on a bulletin board or other prominent place which is easily accessible to the public and clearly designated for that purpose at the principal office of the body holding the meeting, or if no such office exists, at the building in which the meeting is to be held.” Iowa Code § 21.4(1)(a).

Informal Resolution

The parties have agreed to an informal resolution focused on implementing the requirements of Chapter 21 for future meetings of the Board.

Pursuant to Iowa Code § 23.9, IPIB presents the following terms for an informal resolution of this matter:

1. This Informal Resolution will be formally approved at a meeting of the Mount Union Benefitted Fire District, and the following terms shall be read into the record. The Board 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. By adopting this Informal Resolution, the Board acknowledges that it is a governmental body subject to Chapter 21. The Board further agrees that it is required to comply with the open meetings requirements for governmental bodies in Chapter 21, including but not limited to posting a notice and agenda for each meeting at least twenty-four hours in advance of that meeting’s commencement, limiting action or deliberation amongst trustees on matters within the scope of the Board’s policy-making duties to open session, and producing official minutes for all future meetings.
3. Except where closed session is expressly permitted by law, all future meetings of the Board will be held in open session, meaning all members of the public are given access.
4. All trustees currently serving on the Board will complete training with IPIB staff on their responsibilities under open meetings and public records law. This term may be fulfilled by registering for and attending any of IPIB’s online training sessions.

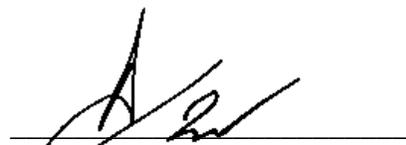
The terms of the Informal Resolution will be completed within 90 days of the date of approval of this Informal Resolution by all parties. Upon showing of proof of compliance, the IPIB will dismiss this complaint as successfully resolved.

Justin Cole approved the Informal Resolution on February 18, 2026.

The Mount Union Benefitted Fire District approved the Informal Resolution on February 18, 2026.

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

By the IPIB Agency Counsel,



Alexander Lee, J.D.

CERTIFICATE OF MAILING

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

Justin Cole, Complainant
Mount Union Benefitted Fire District, Respondent

The Iowa Public Information Board

In re the Matter of: John Rasmussen, Complainant And Concerning: Pottawattamie County, IA, Respondent	Case Number: 25FC:0065 Final Report
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COMES NOW, Charlotte Miller, Executive Director for the Iowa Public Information Board (“IPIB”), on June 3, 2025, John Rasmussen filed formal complaint 25FC:0065, alleging that Pottawattamie County Board of Supervisors violated Iowa Code Chapter 21.

IPIB accepted this Complaint on June 27, 2025. This Informal Resolution is adopted in response to the IPIB acceptance of the complaint.

Facts

Pottawattamie County is located in Southwest Iowa. John Rasmussen (“Complainant”) is a resident of the County. Complainant contends that the Pottawattamie County Board of Supervisors (“Respondent”) failed to comply with the requirements set forth in Iowa Code Chapter 21. Specifically, the allegation concerns the Board failure to provide adequate information of items for discussion during the meeting, thereby impeding adequate public notice and meaningful engagement.

The underlying dispute pertains to whether the Board provided proper notice that the county would be vote on employment contracts of all department heads on May 27, 2025, which includes the Board’s contract with the Complainant. The agenda item read as follows:

“A. Matt Wilber and Kristen Bracker/Attorney – Discussion and/or decision to approve and authorize Chairperson to sign Employment Agreements with Chief Information Officer David Bayer, Human Resources Director Jana Lemrick, Buildings and Grounds Director Jason Slack, Chief Financial Officer Mitch Kay, Planning and Development Director Matt Wyant, Administrator Veterans Services Office Peggy Becker, GIS Coordinator Jamie Petersen, Director Chief Medical Examiner Investigator Cody Pane, and Engineer John Rasmussen.”

The Complaint’s employment contract was brought forth during the discussion of the action item above. A motion for termination of the Complaint’s employment contract was made by a supervisor of Respondent, seconded by another supervisor, and subsequently passed by a 3-2 vote.

Complainant filed a grievance with Respondent in June 2025.

No violation was alleged with respect to the required twenty-four-hour notice or the posting location for either the May 21 or June 4 meeting agendas.

Complainant's IPIB formal complaint 25FC:0065 was accepted June 27, 2025.

After opening the cases to both parties, Respondent expressed its willingness to change the way it drafts meeting agendas to better satisfy the notice requirements of Chapter 21.

Applicable Law

“Except as provided in [Iowa Code § 21.4(3)], a governmental body shall give notice of the time, date, and place of each meeting including a reconvened meeting of the governmental body, and the tentative agenda of the meeting, in a manner reasonably calculated to apprise the public of that information.” Iowa Code § 21.4(1)(a).

Procedure

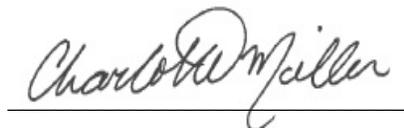
IPIB accepted this formal complaint, 25FC:0065, on accepted June 27, 2025. Upon acceptance, the parties worked toward an informal resolution.

Respondent approved the informal resolution terms on January 27, 2026.

Complainant approved the Informal Resolution on February 24, 2026.

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

By the IPIB Executive Director,



Charlotte J.M. Miller, J.D.

CERTIFICATE OF MAILING

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

John Rasmussen, Complainant

Pottawattamie County, IA, Respondent

The Iowa Public Information Board

<p>In re the Matter of:</p> <p>John Rasmussen, Complainant</p> <p>And Concerning:</p> <p>Pottawattamie County, IA, Respondent</p>	<p>Case Number: 25FC:0065</p> <p>Informal Resolution</p>
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COMES NOW, Charlotte Miller, Executive Director for the Iowa Public Information Board (“IPIB”), on June 3, 2025, John Rasmussen filed formal complaint 25FC:0065, alleging that Pottawattamie County Board of Supervisors violated Iowa Code Chapter 21. IPIB accepted this Complaint on June 27, 2025. This Informal Resolution is adopted in response to the IPIB acceptance of the complaint.

Facts

Pottawattamie County is located in Southwest Iowa. John Rasmussen (“Complainant”) is a resident of the County. Complainant contends that the Pottawattamie County Board of Supervisors (“Board”) failed to comply with the requirements set forth in Iowa Code Chapter 21. Specifically, the allegation concerns the Board failure to provide adequate information of items for discussion during the meeting, thereby impeding adequate public notice and meaningful engagement.

The underlying dispute pertains to whether the Board provided proper notice that the county would be vote on employment contracts of all department heads on May 27, 2025, which includes the Board’s contract with the Complainant. The agenda item read as follows:

“A. Matt Wilber and Kristen Bracker/Attorney – Discussion and/or decision to approve and authorize Chairperson to sign Employment Agreements with Chief Information Officer David Bayer, Human Resources Director Jana Lemrick, Buildings and Grounds Director Jason Slack, Chief Financial Officer Mitch Kay, Planning and Development Director Matt Wyant, Administrator Veterans Services Office Peggy Becker, GIS Coordinator Jamie Petersen, Director Chief Medical Examiner Investigator Cody Pane, and Engineer John Rasmussen.”

The Complaint's employment contract was brought forth during the discussion of the action item above. A motion for termination of the Complaint's employment contract was made by a supervisor of the Board, seconded by another supervisor, and subsequently passed by a 3-2 vote.

Complainant filed a grievance with the Board in June 2025.

No violation was alleged with respect to the required twenty-four-hour notice or the posting location for either the May 21 or June 4 meeting agendas.

Complainant IPIB formal complaint 25FC:0065 was accepted June 27, 2025.

After opening the cases to both parties, the Board expressed its willingness to change the way it drafts meeting agendas to better satisfy the notice requirements of Chapter 21.

Applicable Law

“Except as provided in [Iowa Code § 21.4(3)], a governmental body shall give notice of the time, date, and place of each meeting including a reconvened meeting of the governmental body, and the tentative agenda of the meeting, in a manner reasonably calculated to apprise the public of that information.” Iowa Code § 21.4(1)(a).

Analysis

Iowa Code § 21.4(1)(a) states that a tentative agenda must be provided “in a manner reasonably calculated to apprise the public” of matters to be discussed at a meeting. The Iowa Supreme Court has interpreted this language to require advance notice to be provided on an agenda for any item to be discussed as a meeting, with an exception for “discussion and action on emergency items that are first ascertained at a meeting for which proper notice was given” which cannot “be reasonably deferred to a later meeting.” *KCOB/KLVN, Inc. v. Jasper Cnty. Bd. of Sup'rs*, 473 N.W.2d 171, 174 (1991).

The applicable standard is “whether the notice sufficiently apprised the public and gave full opportunity for public knowledge and participation,” when considering “the public’s knowledge of an issue and actual participation in events in light of the history and background of that issue.” *Id.* at 173 (affirming a trial court’s finding that “Industries Council—Mr. Jack Lipovac” was sufficient to notify the public that a body would discuss the firing of the named employee, as the termination had appeared on a previous agenda and evidence showed that it was well known and publicized in the community that the Industries Council had been hired to set up termination hearings, including for the particular employee under consideration). Subsequent case law has clarified, however, that the *KCOB/KLVN* decision “does not provide a basis for excusing an agenda item omission on the ground that the public and press were already familiar with the subject” and that “the adequacy of the notice must be determined on the basis of what the words

in the agenda would mean to a typical citizen or member of the press who reads it.” *Barrett v. Lode*, 603 N.W.2d 766, 769 (Iowa 1999).

IPIB’s case law applying *KCOB/KLVN* and *Barrett* has identified certain categories of agenda items which may fail to provide sufficient notice, including single-word descriptors and “catch-all” umbrella phrases which fail to adequately describe actual matters deliberated. See 20FC:0128, *Mark Kuhn/Floyd County Board of Supervisors* (finding that “Review/Action coronavirus (COVID-19) issues as applicable” was insufficient when reused over a period of several months to cover all possible county actions related to COVID-19 protection); 18FC:0061, *Lindsey Larrington/Lucas City Council* (finding that agenda topics such as “Parks” or “Streets” were not descriptive enough on their own to apprise the public).

Informal Resolution

Pursuant to Iowa Code § 23.9, IPIB presents the following terms for an informal resolution of this matter:

1. This Informal Resolution will be formally approved at a meeting of the Pottawattamie County Board of Supervisors. The Board 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. In adopting this Informal Resolution, the Board agrees that items requiring deliberation or action by the Board, including consent agenda items, will be listed on the tentative agenda under a heading or subheading which sufficiently apprise the public that action may be taken, including but not limited to “Old Business” or “New Business.”
3. With regards to routine contract renewal decisions, the Board specifically agrees to include notice on its agenda which reasonably distinguishes employment decisions from other personnel matters which may be considered ambiguous based on only a one-word agenda item.

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 showing of proof of compliance, the IPIB will dismiss this complaint as successfully resolved.

Pottawattamie County approved the Informal Resolution on January 27, 2026.

John Rasmussen approved the Informal Resolution on February 24, 2026.

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

By the IPIB Executive Director,



Charlotte J.M. Miller, J.D.

CERTIFICATE OF MAILING

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

John Rasmussen, Complainant
Pottawattamie County, IA, Respondent

Title: _____

The Iowa Public Information Board

In re the Matter of: Jonathon Uhl, Complainant And Concerning: Scott County Attorney's Office, Respondent	Case Number: 25FC:0072 Informal Resolution Report
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COMES NOW, Charlotte Miller, Executive Director for the Iowa Public Information Board ("IPIB"), on June 6, 2025, Jonathan Uhl ("Complainant") filed formal complaint 25FC:0072, alleging Scott County ("County") violated Iowa Code chapter 22. The IPIB accepted this Complaint on June 10, 2025. This Informal Resolution is adopted in response to the IPIB acceptance of the complaint.

Facts

The complainant alleges County violated Iowa Code Chapter 22 by failing to disclose records responsive to each request, unreasonable delay for production of the records, and unreasonable fees charged for production.

On April 27, 2025, Complainant emailed Ms. Wierman, an employee of the County, a formal public records request to County seeking information pertaining to conflicts of interest within the Scott County Attorney's office.

On May 16, 2025, Complainant followed up with the Ms. Wierman asking the status of the request. On May 19, 2025, Ms. Wierman responded stating that the public records "request is currently being processed with our Risk Management department and remains in progress." On the same date, Complainant asked the follow up questions to County regarding the risk management department and an anticipated production date.

On May 21, 2025, Complainant reached out to Ms. Wierman asking her to comply with Chapter 22 law in regards to his public records requests. On May 22, Ms. Wierman responded asserting the County commitment to complying with Iowa Code Chapter 22 and indicated that production of records for Complainant other public records request have been provided and that County is

continuing to review responsive records that are related to the record request that IPIB Formal Complaint 25FC:0072 arises from.

On June 30, Complainant followed up with County and requested an update on the status of the public records request. County responded on July 1, 2025, providing a partial response, completed by County on June 26, 2025, responsive to the public records complain and stated that County had additional materials to review that may be relevant to the request.

On August 19, 2025, Complainant provided a memorandum in support of pending formal complaint 25FC:0072. Complainant followed up on October 3, 2025 to check the status of the formal complaint.

On October 6, 2025, IPIB reached out to County and Complainant inquiring the status of the production of the remaining records. Complainant alleged that he has not received any response in regards to his complaint.

On October 15, 2025, County outreached to Complainant and indicated that the documents were ready to be received. County stated the payment for release of the records for \$678.84 which was based on 12 hours of work at the rate \$56.57 per hour.

On October 29, Kristina Lyon, Scott County Civil Attorney, updated IPIB on the status of the information requested indicating that they had not received a response from the Complainant regarding the prepayment for the production of the outstanding public records.

Over the months of October, November, December, and January, communications occurred in which Complainant attempted to collect records and understand the status of his requests.

On January 15, 2025, IPIB directed staff to seek an informal resolution with parties regarding the delay in the productions of records. The County responded to the delay in production of records and indicated the process was involved and time consuming as it was broad and voluminous request.

Applicable Law

Iowa Code Chapter 22 governs the facts of this complaint.

- The lawful custodian shall make every reasonable effort to provide the public record requested at no cost other than copying costs for a record which takes less than thirty minutes to produce. Iowa Code § 22.3(1).
- In the event expenses are necessary, such expenses shall be reasonable and communicated to the requester upon receipt of the request. Iowa Code § 22.3(1).
- 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, but the fee for the copying service shall not exceed the actual

cost of providing the service. Iowa Code § 22.3(2).

- Actual costs shall include only those reasonable expenses directly attributable to supervising the examination of and making and providing copies of public records and 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. Iowa Code § 22.3(2).
- Iowa caselaw allows for relief to a requestor when an unreasonable delay occurs. *Belin v. Reynolds*, 989 N.W. 2d 166, 174 (Iowa 2023). Unreasonable delay in the production of public records pursuant to Iowa Code Chapter 22 requires an analysis that includes how promptly the lawful custodian acknowledged the request and follow-up inquiries, whether the requestor was assured of the intent to provide the requested records, whether the governmental body explained why requested records were not immediately available, whether the governmental body produced records as they became available, whether the governmental body updated the requestor on efforts to obtain and produce records, and whether the governmental body provided information about when records could be expected. *Belin*, 989 N.W.2d at 175.

Informal Resolution

Pursuant to Iowa Code § 23.9, the parties have agreed to the following terms and have executed an agreement (Informal Resolution) indicating consent to be governed by these terms:

1. The governmental body will acknowledge that there are sufficient facts to show the governmental body failed to produce records in compliance with Iowa Code Chapter 22. The governmental body will specifically state as follows: “This governmental body acknowledges there are sufficient facts to demonstrate this governmental body failed to produce records in compliance with Iowa Code Chapter 22.” This acknowledgement will be provided to IPIB.
2. All members of the Scott County Attorney’s Office that handle Iowa Code Chapter 22 requests will complete training related to public meetings and records. This training will be arranged by governmental body and conducted by IPIB, the Iowa League of Cities, or the Iowa State Association of Counties.
3. a. The Scott County Attorney’s Office will develop policies or procedures to address the following:
 - Fees charged for production of records, including rates and how rates are calculated. The policy or procedure must include rates for members of the Scott County Attorney’s Office. The policies or procedures must be compliant with Iowa Code Chapter 22.

- Retention requirements for public records located on private devices of governmental officials, including personal computers and personal cell phones.
 - Response to requests for public records and production of public records that contains the requirements established in *Belin v. Reynolds*.
- b. Any developed policies or procedures will be provided to IPIB staff for review before approval by the governmental body.

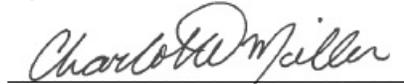
The terms of the Informal Resolution will be completed within 60 days of the date of approval of this Informal Resolution by all parties. Upon showing of proof of compliance, the IPIB will dismiss this complaint as successfully resolved.

Scott County Attorney's Office approved the Informal Resolution on February 26, 2026.

Jonathon Uhl approved the Informal Resolution on March 2, 2026.

IPIB staff recommend IPIB approve the Informal Resolution Report.

By the IPIB Executive Director,



Charlotte J.M. Miller, J.D.

CERTIFICATE OF MAILING

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

Jonathon Uhl, Complainant
Scott County Attorney's Office, Respondent

The Iowa Public Information Board

In re the Matter of:	Case Number: 25FC:0099
Mount Pleasant Municipal Utilities & West Liberty Electric, Complainants	Investigative Report
And Concerning:	
Resale Power Group of Iowa, Respondent	

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

On July 28, 2025, Mount Pleasant Municipal Utilities and West Liberty Electric (Complainants) filed formal complaint 25FC:0099, alleging that the Resale Power Group of Iowa (Respondent) violated Iowa Code Chapter 21.

The IPIB accepted this Complaint on August 21, 2025.

Facts

Respondent is an association of public and private municipal utility agencies, created pursuant to Iowa Code Chapter 28E, which provides for the joint exercise of governmental powers. Respondent’s stated purpose is to “purchase[] electric energy, capacity, and transmission service as agent for and on behalf of [their] participant members,” allowing the member utilities to negotiate for lower costs. Complainants are Iowa Code Chapter 388 city utilities which held membership in Respondent’s governing bodies at the time this complaint was brought.

Respondent is comprised of a General Body made up of representatives from each of the approximately two dozen participating agencies and administratively governed by a seven-member Administrative Board, elected from the General Body. The parties agree that both the General Body and the Administrative Board are governmental bodies, as described by Iowa Code § 21.2(1)(j). Meetings of the General Body are held on an annual, quarterly, and special basis. Meetings of the Administrative Board are held on a monthly and special basis.

In July 2025, both the Administrative Board and the General Body held meetings to consider entering into a proposed “participation agreement” with Networked Transmission Systems, Inc.

(“NTSI”), a third-party entity. On July 28, 2025, Complainants filed formal complaint 25FC:0099, alleging four violations of Chapter 21 arising from Respondent’s meetings on this subject. Three alleged violations were accepted on facial review for further investigation, as described below.

I. Allegations Related to Meeting Notice & Access

On July 24, Respondent’s Administrative Board held a hybrid meeting, which included discussion of responses to a pending legal action. On July 25, a special session virtual meeting of Respondent’s General Body was held to discuss the NSTI Agreement, which the Administrative Board had already voted to pursue at a prior meeting on July 18. Agendas for both the July 24 and July 25 meetings were uploaded to Respondent’s website through an online file sharing service, but these postings required special login access to view and were therefore effectively inaccessible to the general public. IPIB staff confirmed this access issue at the time the complaint was received.

It is undisputed that Respondent typically only posts meeting notices to its website, without a physical posting. However, Respondent believes that there is not an obvious physical location which would satisfy Chapter 21, as the 28E entity lacks a principal office, generally hosts its meetings virtually, and does not have a clear point of origin for its meetings.

After receiving this complaint, Respondent held additional meetings, with online notice posted on its website, to recertify each of the votes taken at the July 24 and July 25 meetings. Respondent had also stated its willingness to follow IPIB’s guidance with regards to physical posting requirements, which presents a novel issue of law.

II. Missing Information in Meeting Minute

In August 2025, during the investigation phase of this complaint, Respondent released a series of six draft meeting minutes to their members, including four Administrative Board meetings and two General Body meetings from July 2025 and August 2025. Following this email, the Complainants expanded their complaint on August 29, 2025, to include an additional allegation for deficiencies in the draft minutes relating to the identification of members present and the documentation of how individual members voted.

Respondent states that the attendance and voting information existed in separate meeting notes, which could be used to supplement the existing draft records. On October 22, 2025, Respondent released amended drafts of the minutes which were intended to address these deficiencies.

III. Respondent’s Closed Session on July 18

On July 18, Respondent’s Administrative Board went into closed session pursuant to Iowa Code § 21.5(1)(a) to review confidential records related to the NTSI agreement under consideration. Following the closed session, the Administrative Board returned to open session and voted to proceed with the NTSI contract, subject to the approval of the General Body on July 25.

Complainants allege this closed session was improper, as no NTSI contract existed prior to or as of the General Body's July 25 meeting, and discussion of the prospective agreement without an existing record entitled to confidentiality would exceed the scope of the closed session exception. Respondent asserts that the closed session was held to review proprietary information from the NTSI, rather than a draft contract or the NTSI agreement as a whole.

Applicable Law

“Except as provided in [Iowa Code § 21.4(3)], a governmental body shall give notice of the time, date, and place of each meeting including a reconvened meeting of the governmental body, and the tentative agenda of the meeting, in a manner reasonably calculated to apprise the public of that information. Reasonable notice shall include advising the news media who have filed a request for notice with the governmental body and posting the notice on a bulletin board or other prominent place which is easily accessible to the public and clearly designated for that purpose at the principal office of the body holding the meeting, or if no such office exists, at the building in which the meeting is to be held.” Iowa Code § 21.4(1)(a).

“A governmental body shall provide for hybrid meetings, teleconference participation, virtual meetings, remote participation, and other hybrid options for the members of the governmental body to participate in official meetings. A governmental body conducting a meeting pursuant to this subsection shall comply with all of the following:

- a. The governmental body provides public access to the conversation of the meeting to the extent reasonably possible.
- b. The governmental body complies with section 21.4. For the purpose of this paragraph, the place of the meeting is the place from which the communication originates or where public access is provided to the conversation.” Iowa Code § 21.8(1).

“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.” Iowa Code § 21.3(2).

“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.” Iowa Code § 21.5(1)(a).

Analysis

I. Allegations Related to Meeting Notice & Access

Respondent has acknowledged that the login access restrictions for its July 24 and July 25 meetings prevented the public (and some of its members) from receiving the advance meeting notice required by Iowa Code § 21.4, as Respondent's website was the only location where notice was ever posted.

It is recommended that IPIB redirect this portion of the complaint for further mediation pursuant to Iowa Code § 23.9, including on the novel legal issue of "reasonable" notice for purely electronic meetings held by a governmental body without a principal office or a publicly accessible "place of the meeting" within the definition provided by Iowa Code § 21.4(1)(a).

II. Missing Information in Meeting Minutes

Chapter 21 requires governmental bodies to keep meeting minutes with "the date, time and place, the members present, and the action taken at each meeting." Iowa Code § 21.3(2). Whenever action is taken, minutes must also include "the results of each vote taken and information sufficient to indicate the vote of each member present." *Id.*

Respondent has acknowledged that some of its draft meeting minutes were missing statutorily required details.¹ Nevertheless, the minutes in question were drafts emailed to members for review, not final version released at the request of any member of the public. During the course of IPIB's investigation, Respondent amended its draft minutes to be statutorily compliant and released finalized versions to Complainants.

Because the deficiencies in the draft minutes shared with members did not interfere with Respondent's duty to "keep minutes of all its meetings" including required information and maintain those minutes as "public records open to public inspection," it is recommended that IPIB dismiss this portion of the complaint for lack of probable cause to believe a violation has occurred.

III. Respondent's Closed Session on July 18

Iowa Code § 21.5(1)(a) permits governmental bodies to enter closed session "[t]o review or discuss records which are required or authorized by state or federal law to be kept confidential." Respondent's Administrative Board relied on this provision for its July 18 closed session, which Respondent asserts was used to review certain proprietary information provided by the NTSI as part of its consideration of a proposed agreement for membership. According to Respondent, these records were confidential pursuant to Iowa Code § 22.7(3) as "[t]rade secrets which are recognized and protected as such by law." *See* Iowa Code § 550.2(4) (defining "trade secret").

Complainants relied on the July 18 meeting minutes for this portion of the complaint, as the minutes reflect a vote taken upon return to open session "to proceed with [the] NTSI contract."

¹ One set of minutes for July 11 was missing its start time. Another, for the July 25 meeting, included two split votes which lacked "information sufficient to indicate the vote of each member."

Complainants alleged that this action item was evidence of a possible closed session violation, as Respondent has separately reported that no NTSI contact existed as of July 25, and discussion of a non-existent contract would be outside the scope of trade secret documents allowed to be kept confidential by Iowa law. However, Respondent has plausibly clarified that this closed session was instead held to review pre-agreement materials provided by the NTSI, rather than a proposed contract which both parties agree did not exist at the time.

Because Respondent's explanation is consistent with the meeting minutes, and because no other evidence has been presented to suggest other records were reviewed during this closed session, it is recommended that IPIB dismiss this portion of the complaint for lack of probable cause to believe a violation has occurred.

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

Based on the foregoing analysis, it is recommended that the second and third allegations described in the complaint be dismissed for lack of probable cause, with the first allegation redirected for further investigation and informal resolution.

By the IPIB Agency Counsel,



Alexander Lee, J.D.

CERTIFICATE OF MAILING

This document was sent on March 10, 2026, to:

Mount Pleasant Municipal Utilities & West Liberty Electric, Complainants

Resale Power Group of Iowa, Respondents

The Iowa Public Information Board

In re the Matter of:	Case Number: 25FC:0116
Crystal Davis, Complainant	Final Report
And Concerning:	
City of Larchwood, Respondent	

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

On August 27, 2025, Crystal Davis filed formal complaint 25FC:0116, alleging that the City of Larchwood (City) violated Iowa Code Chapter 21.

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

Background

On August 27, 2025, the complainant, Crystal Davis, filed formal complaint 25FC:0116, alleging two violations of Iowa Code Chapter 21.

Public Recording of City Council Meetings

On August 25, 2025, the complainant's husband, Zac Davis, attended a city council meeting, which he livestreamed from his phone. Shortly before the meeting was called to order, two city council members approached Mr. Davis, informed him that city policy no longer allowed him to record meetings, and asked him to turn off the livestream. The City has acknowledged this interaction, which was recorded, though they note that Mr. Davis was ultimately able to create a recording of the full meeting. Counsel for the City has also stated that there is no ordinance in the City's Code of Ordinances restricting the public's right to use recording devices at meetings.

Deliberation and Action on Agenda Items Without Sufficient Notice

Ms. Davis's complaint also raised concerns about the City's practice of adding agenda items for deliberation or action on less than twenty-four hours' notice. Shortly after IPIB accepted the complaint, Ms. Davis provided a video from the City's September 8, 2025 council meeting, in

which the City voted to certify an application for a third-party grant to improve the condition of the City's public baseball fields. There was no corresponding agenda item for this vote.

The City provided context for this discussion. While the topic of field leveling was not included on the agenda for September 8, the agenda did include consideration of funding for a robotic field painter, which would be used to paint stripes on the City's baseball diamonds. After hearing from the representative invited to speak on this topic, the condition of the baseball fields was discussed more generally, and the city council was informed about the possibility that Larchwood's baseball club could apply for an open grant from the Lyon County Riverboat Foundation for funding to level its baseball fields. This application required both official approval from the City and verification that the baseball club was a qualifying social welfare non-profit. Because the grant application was due on September 19 and the baseball club would be unable to proceed without the City's approval, the Mayor determined that there was a qualifying emergency for the purposes of Iowa Code § 21.4(2)(a). The matter was deliberated and voted on at the September 8 meeting.

Informal Resolution

Following mediation, all parties agreed to an Informal Resolution to resolve the complaint, which IPIB approved on December 18, 2025.

1. The Informal Resolution was formally approved at a meeting of the Larchwood City Council on December 8, 2025. The City provided minutes to demonstrate its approval.
2. By adopting the Informal Resolution, the City acknowledged the standard set forth in the Informal Resolution as the appropriate standard for emergency items to be added to a tentative agenda during a meeting.
3. On December 8, 2025, the City provided a written statement certifying that it did not have any ordinance or policy which would prevent members of the public from using recording devices during open session meetings.
4. The City officially recertified its approval of the grant application during its February 2026 city council meeting, which was preceded by proper agenda notice.
5. On January 12, 2026, the Larchwood City Council completed a training on Iowa's open meetings and public records laws with IPIB staff.

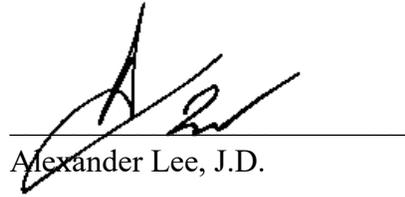
Crystal Davis approved the Informal Resolution on November 21, 2025.

The City of Larchwood approved the Informal Resolution on December 8, 2025.

IPIB approved the Informal Resolution Report on December 18, 2025.

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

By the IPIB Agency Counsel,



Alexander Lee, J.D.

CERTIFICATE OF MAILING

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

Crystal Davis, Complainant
City of Larchwood, Respondent

The Iowa Public Information Board

<p>In re the Matter of:</p> <p>Don McGregor & Vince Johnson, Complainants</p> <p>And Concerning:</p> <p>Kossuth County Board of Supervisors, Respondent</p>	<p>Case Numbers: 25FC:0126, 25FC:0127</p> <p>Status Report</p>
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COMES NOW, Alexander Lee, Agency Counsel for the Iowa Public Information Board (IPIB), and enters this Status Report:

On September 9, 2025 and September 11, 2025, respectively, Don McGregor and Vince Johnson (Complainants) filed formal complaints 25FC:0126 and 25FC:0127, alleging that the Kossuth County Board of Supervisors (Respondent) violated Iowa Code Chapter 22.

The IPIB accepted these complaints on October 16, 2025. This Status Report is presented to update the Board on the status of the complaint and to seek additional guidance on the confidential status of a particular disputed record.

Background & Issue Presented

Although 25FC:0126 and 25FC:0127 were accepted as separate formal complaints, they involve substantially similar allegations and have been considered together throughout IPIB's review process. Both Complainants sought county records related to a FEMA repair project in Kossuth County Drainage District 4, which Complainants allege have been improperly withheld.

To date, Respondent has released over a hundred distinct records, largely consisting of hundreds of pages of invoices. Respondent maintains that there are no further responsive records and nothing has been withheld on the basis of confidentiality, though the completeness of disclosure is disputed by Complainants. IPIB staff are currently working on possible affidavits to resolve this portion of the dispute.

During the court of IPIB's mediation, a specific dispute arose with respect to a spreadsheet held by one of the Kossuth County Supervisors. This spreadsheet contains an organized accounting of

drainage warrants levied within Drainage District 4 over a period of years for the construction, repair, or maintenance of drainage infrastructure, which Complainants allege was used to help calculate the amount of the 2024 levy.

Respondent contends that the spreadsheet should not be considered a public record subject to request under Chapter 22. The supervisor in possession of the spreadsheet had stated that the spreadsheet was created as a personal favor by an individual outside of government, who used their skills to compile existing information from available public records into a single record for ease of review. The supervisor has further maintained that the spreadsheet was never stored on a county email or server prior to being shared with IPIB staff and that it was not disclosed to other county officials or departments for their consideration.

The parties seek IPIB’s guidance on the applicable law for this spreadsheet.

Applicable Law

“*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, [or other government body].” Iowa Code § 22.3(1).

Confidential records protected by Iowa Code § 22.7 include “[c]ommunications not required by law, rule, procedure, or contract that are made to a government body or to any of its employees by identified persons outside of government, to the extent that the government body receiving those communications from such persons outside of government could reasonably believe that those persons would be discouraged from making them to that government body if they were available for general public examination. As used in this subsection, ‘persons outside of government’ does not include persons or employees of persons who are communicating with respect to a consulting or contractual relationship with a government body or who are communicating with a government body with whom an arrangement for compensation exists. Notwithstanding this provision:

- a.* The communication is a public record to the extent that the person outside of government making that communication consents to its treatment as a public record.
- b.* Information contained in the communication is a public record to the extent that it can be disclosed without directly or indirectly indicating the identity of the person outside of government making it or enabling others to ascertain the identity of that person.”

Iowa Code § 22.7(18).

Analysis

I. Whether the Spreadsheet is a Public Record

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].” Because the spreadsheet originated from outside of county government and was not the result of a contractual relationship or government function performed on the county’s behalf, the relevant question for this analysis is whether the spreadsheet may be considered a record “belonging to” the government, which the Iowa Supreme Court has defined to “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). Access to such records is provided to ensure the public has “an opportunity to determine whether those who have been entrusted with the affairs of government are honestly, faithfully and competently performing their function as public servants.” *Id.* at 452–53 (quoting *MacEwan v. Holm*, 359 P.2d 413, 418 (Or. 1961)). *See also Howard v. Des Moines Reg. & Trib. Co.*, 283 N.W.2d 289, 299 (Iowa 1979) (finding records which documented the involuntary sterilization of a young woman in a county home became public records of the Governor’s Office upon receipt from a group of private citizens who wished to bring the potential medical abuses to the Governor’s attention).

Respondent claims the spreadsheet fails to meet this standard, as the spreadsheet was created for the county supervisor by a personal acquaintance and was “not used as the basis for any governmental decision, but merely as a tool [for the supervisor] to better understand the financial position of Drainage District No. 4.” Because it was never shared more broadly with others in the county and the record was never “stored or preserved in any medium” controlled by the county, Respondent asks IPIB to treat the spreadsheet as a private record belonging solely to the supervisor.

As the Court held in *Linder v. Eckard*, “[i]t is the nature and purpose of the document, not the place where it is kept, which determines its status.” 152 N.W.2d 833, 835 (Iowa 1967). IPIB has consistently held that records sent and received by public employees based on roles other than their official capacities fall outside of Chapter 22, regardless of location. *See, e.g.*, 24FC:0081, *Joe Monahan/Ames Public Library* (finding communications between members of the Iowa Library Association’s executive board were non-public records belonging to the ILA as a distinct non-profit, rather than public records of the public libraries which employed those members); 24AO:0007, *Private Email Communications Sent From a Government Email Address* (finding emails sent and received on a police officer’s government account concerning an ongoing child custody dispute were not public records subject to Chapter 22 despite their location, as they were “personal and deeply private conversations” held outside the officer’s official capacity in law enforcement). Following Respondent’s argument, a similar outcome would be warranted in this case, as the supervisor was not acting in any official capacity when he received the spreadsheet as a purely personal favor from a friend, and to hold otherwise would only serve to undermine any privacy an official or employee might have to discuss their work with friends or family.

On the other hand, for the Complainant’s side of the dispute, the spreadsheet is comprised of thousands of datapoints of information from various non-confidential public records, and the purpose of creating the spreadsheet was clearly to assist the supervisor with his work as a county official, even if the author’s subjective motivation was a personal favor. Unlike the Iowa Library Association records in *Monahan* or the police officer’s communications about private child custody issues in 24AO:0007, any connection to the supervisor’s private capacity in this case is tenuous at best, as the spreadsheet is nothing more than a compilation of other public records put together at the request of a public official. Although a public official may discuss their work within their personal social circles without creating a public record, this spreadsheet could be readily distinguished from ordinary private conversation based on its “nature and purpose.”

Put differently, this was essentially a scenario in which the supervisor was struggling to process a large set of data found in other records, and the private individual’s contribution was to lend their proficiency with Microsoft Excel, which allowed the supervisor to organize information from other public records into a more useful format. When the supervisor took the resulting spreadsheet built from county records held in the supervisor’s official capacity and used it to inform his policy decisions as a county official, Complainants’ analysis would submit that it was held in his “official capacity” at that time and therefore should be considered a public record subject to disclosure.

II. Confidentiality Under Iowa Code § 22.7(18)

In the event that the spreadsheet is determined to be a public record “of or belonging to” the county as a government body, Respondent also argues that the name of the author would be subject to redaction based on Iowa Code § 22.7(18), the third-party communications exception.

Iowa Code § 22.7(18) would apply in this instance, as 1) the communication was not required by any law, rule, procedure, or contract, 2) it was made by an identified person outside of government, 3) the custodian could reasonably believe the author would be discouraged from communicating with government if they were publicly identified,¹ and 4) the lack of consent to release from the author. *See* 17AO:0009, *Release of Job Application Information*. However, this confidentiality would only apply to the author’s name and other personally identifying information, as Iowa Code § 22.7(18) specifies that “[i]nformation contained in [a] communication is a public record to the extent that it can be disclosed without directly or indirectly indicating the identity of the person outside of government making it or enabling others to ascertain the identity of that person.”

Request for Guidance

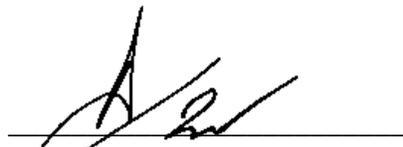
¹ Respondent cites the active controversy within the drainage district and the risk that disclosure of the author’s identity would bring unwanted attention from members of the public who disagree with the county’s decisions.

Both parties have signaled their willingness to defer to the Board's judgment on this legal question for the purposes of informal resolution. As such, IPIB staff seek the Board's guidance.

Two options are recommended:

1. If the Board determines the spreadsheet is a public record held by the supervisor in his official capacity, it should direct Respondent to release the spreadsheet as a public record, with appropriate redactions pursuant to Iowa Code § 22.7(18) to protect the identity of the author as a third-party communicator.
2. If the Board determines the spreadsheet is *not* a public record held by the supervisor in his official capacity, it should direct staff to continue with the remaining portions of the complaint and, if necessary, prepare a dismissal order finding a lack of probable cause on the portion of the complaints alleging Respondent improperly withheld the spreadsheet.

By the IPIB Agency Counsel,



Alexander Lee, J.D.

CERTIFICATE OF MAILING

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

Don McGregor & Vince Johnson, Complainants
Kossuth County Board of Supervisors, Respondent

Iowa Public Information Board

In re the Matter of: Gregory Armstrong, Complainant And Concerning: City of Hamburg, Respondent	Case Number: 25FC:0131 Final Report
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On September 16, 2025, Gregory Armstrong (“Complainant”) filed formal complaint 25FC:0131, alleging that the City of Hamburg (“Respondent”) violated Iowa Code Chapter 21.

The IPIB accepted this complaint at its meeting on October 16, 2025.

Facts

On September 8th, 2025, Respondent held a city council meeting. Notice for this meeting was posted in the post office rather than the city hall and was not available to the public for twenty-four hours prior to the meeting on Monday. Respondent was utilizing a temporary, contracted clerk during this time period and did not instruct the clerk regarding the rules and responsibilities of proper notice.

After being notified of this complaint, the city council discussed the matter during the October 13, 2025 meeting and adopted a policy change requiring an earlier cutoff date for agenda items to allow the city council adequate time to post notice properly. IPIB staff made recommendations for an informal resolution, which both parties agreed to. Respondent has provided evidence to IPIB staff that all terms in the informal resolution have been completed.

Law

“Except as provided in subsection 3, a governmental body shall give notice of the time, date, and place of each meeting including a reconvened meeting of the governmental body, and the tentative agenda of the meeting, in a manner reasonably calculated to apprise the public of that information. Reasonable notice shall include advising the news media who have filed a request for notice with the governmental body and posting the notice on a bulletin board or other prominent place which is easily accessible to the public and clearly designated for that purpose at the principal office of the body holding the meeting, or if no such office exists, at the building in which the meeting is to be held.” Iowa Code 21.4(1)(a).

Procedure

IPIB accepted this complaint on October 16, 2025. Upon acceptance, the parties worked toward an informal resolution.

Complainant approved the informal resolution terms on November 12, 2025.

Respondent approved the terms of the informal resolution on December 8, 2025 at a city council meeting.

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 March 13, 2026, to:

Gregory Armstrong, Complainant

City of Hamburg, Respondent

Iowa Public Information Board

In re the Matter of: Gregory Armstrong, Complainant And Concerning: City of Hamburg, Respondent	Case Number: 25FC:0131 Informal Resolution Report
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On September 16, 2025, Gregory Armstrong (“Complainant”) filed formal complaint 25FC:0131, alleging that the City of Hamburg (“Respondent”) violated Iowa Code Chapter 21.

The IPIB accepted this complaint at its meeting on October 16, 2025.

Facts

On September 8th, 2025, the Respondent held a city council meeting. Notice for this meeting was posted in the post office rather than the city hall and was not available to the public for twenty-four hours prior to the meeting on Monday. Respondent was utilizing a temporary, contracted clerk during this time period and did not instruct the clerk regarding the rules and responsibilities of proper notice.

After being notified of this complaint, the city council discussed the matter during their October 13, 2025 meeting and adopted a policy change requiring an earlier cutoff date for agenda items to allow the city council adequate time to post notice properly.

Law

“Except as provided in subsection 3, a governmental body shall give notice of the time, date, and place of each meeting including a reconvened meeting of the governmental body, and the tentative agenda of the meeting, in a manner reasonably calculated to apprise the public of that information. Reasonable notice shall include advising the news media who have filed a request for notice with the governmental body and posting the notice on a bulletin board or other prominent place which is easily accessible to the public and clearly designated for that purpose at the principal office of the body holding the meeting, or if no such office exists, at the building in which the meeting is to be held.” Iowa Code 21.4(1)(a).

Analysis

The parties both expressed a desire to remedy the notice 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 Hamburg City Council. The city council 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. Respondent acknowledges that a violation of Iowa Code 21 notice requirements occurred on September 8, 2025.
3. Respondent agrees to ensure that future meetings of governmental bodies will be noticed and conducted in compliance with Chapter 21 requirements.
4. The city council will revisit the items on the September 8th meeting agenda, and recertify the votes for all resolutions passed at the September meeting. Following the recertification, the Respondent will provide IPIB staff with a copy of the meeting minutes recording the recertification.
5. The Respondent will attend or hold a training session hosted by IPIB covering the requirements of Chapter 21. Attendees shall include anyone legally responsible for compliance with Chapter 21 notice requirements for the City.
6. The Respondent will develop a Chapter 21 notice checklist to assist the person responsible for providing meeting notice under Chapter 21. A copy will be provided to IPIB for review and approval.
7. 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 12, 2025.

Respondent approved the terms of the informal resolution on December 8, 2025 at a city council meeting.

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

By the IPIB Deputy Director



Charissa Flege

CERTIFICATE OF MAILING

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

Gregory Armstrong, Complainant

City of Hamburg, Respondent

Iowa Public Information Board

In re the Matter of: Melissa Hannover, Complainant And Concerning: City of Havelock, Respondent	Case Number: 25FC:0132 Final Report
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On September 16, 2025, Melissa Hannover (“Complainant”) filed formal complaint 25FC:0132, alleging that the City of Havelock (“Respondent”) violated Iowa Code Chapter 21.

IPIB accepted this complaint at its meeting on October 16, 2025.

Facts

Complainant alleged that in July 2025, the mayor spoke with council members individually to get consent regarding changing the terms of a service for the city. A separate allegation was made that an unnoticed meeting occurred when a majority of council members discussed policy within their decision-making duties via group messages.

Law

“Except as provided in subsection 3, a governmental body shall give notice of the time, date, and place of each meeting including a reconvened meeting of the governmental body, and the tentative agenda of the meeting, in a manner reasonably calculated to apprise the public of that information. Reasonable notice shall include advising the news media who have filed a request for notice with the governmental body and posting the notice on a bulletin board or other prominent place which is easily accessible to the public and clearly designated for that purpose at the principal office of the body holding the meeting, or if no such office exists, at the building in which the meeting is to be held.” Iowa Code 21.4(1)(a).

“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.” Iowa Code 21.3.

Procedure

IPIB accepted this complaint on October 16, 2025. Upon acceptance, the parties worked toward an informal resolution.

Complainant approved the informal resolution terms on February 4, 2026.

Respondent approved the terms of the informal resolution on March 5, 2025 at a city council meeting.

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 March 13, 2026, to:

Melissa Hannover, Complainant

City of Havelock, Respondent

Iowa Public Information Board

In re the Matter of: Melissa Hannover, Complainant And Concerning: City of Havelock, Respondent	Case Number: 25FC:0132 Informal Resolution Report
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On September 16, 2025, Melissa Hannover (“Complainant”) filed formal complaint 25FC:0132, alleging that the City of Havelock (“Respondent”) violated Iowa Code Chapter 21.

The IPIB accepted this complaint at its meeting on October 16, 2025.

Facts

Complainant alleged that in July 2025, the mayor spoke with council members individually to get consent regarding changing the terms of a service for the city. A separate allegation was made that an unnoticed meeting occurred when a majority of council members discussed policy within their decision-making duties via group messages.

Law

“Except as provided in subsection 3, a governmental body shall give notice of the time, date, and place of each meeting including a reconvened meeting of the governmental body, and the tentative agenda of the meeting, in a manner reasonably calculated to apprise the public of that information. Reasonable notice shall include advising the news media who have filed a request for notice with the governmental body and posting the notice on a bulletin board or other prominent place which is easily accessible to the public and clearly designated for that purpose at the principal office of the body holding the meeting, or if no such office exists, at the building in which the meeting is to be held.” Iowa Code 21.4(1)(a).

“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.” Iowa Code 21.3.

Analysis

The parties both expressed a desire to remedy the notice 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. The city acknowledges that a violation of Chapter 21 notice requirements may have occurred.
2. The city will ensure that all future policy-making deliberation and action will occur at a meeting that is noticed and conducted in compliance with Chapter 21 requirements.
3. Members of the city council and the mayor will attend a training session covering the requirements of Chapter 21 offered by IPIB or an approved training provider.
4. The signed Informal Resolution will be formally approved at a meeting of the government entity, and the terms shall be read into the record.
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 February 4, 2026.

Respondent approved the terms of the informal resolution on March 5, 2025 at a city council meeting.

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

By the IPIB Deputy Director



Charissa Flege

CERTIFICATE OF MAILING

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

Melissa Hannover, Complainant

City of Havelock, Respondent

The Iowa Public Information Board

<p>In re the Matter of:</p> <p>Brandon Talsma, Complainant</p> <p>And Concerning:</p> <p>Jasper County Conservation Board, Respondent</p>	<p>Case Number: 25FC:0143</p> <p>Investigative Report</p>
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COMES NOW, Charissa Flege, Deputy Director for the Iowa Public Information Board (IPIB), and enters this Investigative Report:

On October 1, 2025, Brandon Talsma (“Complainant”) filed formal complaint 25FC:0143, alleging that the Jasper County Conservation Board (“Respondent”) violated Iowa Code Chapter 21.

The IPIB accepted this Complaint on October 16, 2025.

Facts

On August 25, 2025 at 1:00 p.m. Respondent held a special meeting. Notice was posted the prior Friday on August 22, 2025. The agenda was posted on the county’s website at 4:49 p.m. Around the same time, a paper notice was posted on the bulletin board at the Conservation Office. However, the bulletin board used for public notices is located inside the building in a location is often locked on evenings and weekends.

IPIB staff recommended an informal resolution. They recommended Respondent update their notice policy to require meeting agendas and notice be posted on the window next to the office door or another location that is easily accessible to the public when the building is locked. They also recommended Respondent recertify the actions taken at the August 25, 2025 meeting. Respondent agreed to the terms. No response was received from complainant. Despite multiple attempts to communicate with Complainant both via email and phone, no further response has been received from Complainant since November 7, 2025. Nevertheless, Respondent completed all the recommended changes and recertified their actions taken on August 25.

Complainant also alleged no notice was provided to the media; however, Respondent provided evidence that no requests for notice had been made by media outlets.

Applicable Law

“Except as provided in subsection 3, a governmental body shall give notice of the time, date, and place of each meeting including a reconvened meeting of the governmental body, and the tentative agenda of the meeting, in a manner reasonably calculated to apprise the public of that information. Reasonable notice shall include advising the news media who have filed a request for notice with the governmental body and posting the notice on a bulletin board or other prominent place which is easily accessible to the public and clearly designated for that purpose at the principal office of the body holding the meeting, or if no such office exists, at the building in which the meeting is to be held.” Iowa Code § 21.4(1)(a).

“Except as otherwise provided in paragraph “c”, notice conforming with all of the requirements of subsection 1 shall be given at least twenty-four hours prior to the commencement of any meeting of a governmental body unless for good cause such notice is impossible or impractical, in which case as much notice as is reasonably possible shall be given.” Iowa Code § 21.4(2)(a).

Analysis

Although the complaint was accepted for investigation and IPIB staff made recommendations for informal resolution, no agreement was able to be reached due to the Complainant’s lack of participation. Complainant has constructively abandoned the complaint. Nevertheless, Respondent made every change recommended by IPIB staff. Therefore, any dispute regarding proper notice has been abandoned by Complainant and any concerns IPIB staff had have been resolved by the mitigating efforts of Respondent.

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 Complainant has abandoned the complaint and all concerns of IPIB staff were resolved by the mitigating actions taken by Respondent, it is recommended that the Board dismiss the matter for lack of probable cause to find a violation occurred.

By the IPIB Deputy Director,



Charissa Flege, J.D.

CERTIFICATE OF MAILING

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

Brandon Talsma, Complainant
Jasper County Conservation Board, Respondent

The Iowa Public Information Board

In re the Matter of:	Case Number: 25FC:0160
Michael Benson, Complainant	Investigative Report
And Concerning:	
Respondent of Merville, Respondent	

COMES NOW, Charlotte Miller, Executive Director for the Iowa Public Information Board (“IPIB”), and enters this Investigative Report:

On October 21, 2025, Michael Benson (“Complainant”) filed formal complaint 25FC:0160, alleging that the City of Merville (“Respondent”) violated Iowa Code Chapter 22.

The Iowa Public Information Board accepted this complaint October 30, 2025.

Facts

On October 17, 2025, Complainant verbally requested records, copies of an officer’s sticky notes, at City Hall and did not provide a written open records request. Respondent requested Complainant submit the request in writing, to better understand the nature of the request. Complainant did not submit a records request in writing in person nor by email and did not submit over the by phone.

Respondent later confirmed that the requested records, the sticky notes, did not exist.

On November 5, 2025 at Respondent Council Meeting, Complainant verbally stated to the council his desire to have certain records pertaining to the former police chief. At that meeting, it was explained to Complainant the Respondent’s policy on how to properly make a records request. The Mayor even offered to assist Complainant in filling out the written request form and offered to assist Complainant filling out the written record request form. Complainant never contacted the Mayor for assistance.

On December 11, 2025, IPIB opened the complaint.

On December 18, 2025, Respondent provided that the Complainant frequents the window at Respondent Hall and verbally requests a Respondent Clerk to write down a public request for

Complainant. The Respondent has explained to Complainant on different occasions that a public records request needs to be specific.

Respondent further provided that it does provide open records request papers in the open part of the City Hall which Complainant may pick up and fill out at a public request form at any time. Respondent maintains that once the written request is received, it can then be forwarded to the lawful custodian to respond to the records request.

On March 11, 2026, IPIB staff spoke with Respondent's counsel who asserted a willingness to provide the Complainant upon clarification of the public records request.

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

Complainant alleges a violation of Iowa Code Chapter 22 based on the refusal to accept a verbal public records request. Respondent requested Complainant make his request in one of the following manners: in person, writing, emailed, or called in. The question is whether Respondent is able to hinder access to public records by restricting the method in which a public record may be requested. Iowa Code section 22.2, subsection 1, provides that “person shall have the right to examine and copy a public record.” As recommended by IPIB in a FAQ: “Can a government body impose other limitations on how requests are submitted?” on the IPIB website, Iowa Code “Chapter 22 does not allow government bodies to require that individuals make records requests though one communication method versus another, but it does permit reasonable conditions, so long as these do not prevent requesters from exercising their rights.” The FAQ further provides examples of such reasonable conditions, including “for security reasons, require a request received

over email to be stated in the body of the email itself, rather than in a downloadable attachment or link.”

Furthermore, Iowa Code § 22.4(1) provides for in-person verbal requests for public records, if made “during the customary office hours of the lawful custodian of the records.” However, the public’s rights under Chapter 22 only apply to public records as defined by Iowa Code § 22.1(3), rather than general requests for information. Respondent contends that it is willing and ready to comply with the Complainants public records request once Complainant specifies what he is requesting. On many occasions, Respondent has attempted to help and clarify Complainant’s record request to no avail. Due to 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:

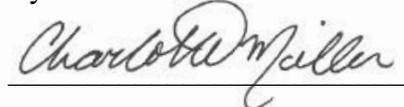
- a. Redirect the matter for further investigation;
- b. Dismiss the matter for lack of probable cause to believe a violation has occurred;
- c. Make a determination that probable cause exists to believe a violation has occurred, but, as an exercise of administrative discretion, dismiss the matter; or
- 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 Respondent has been willing to accept the Complainant’s public records request and is required under Iowa Code Chapter 22 to accept in person requests, at any time during normal office hours of the lawful custodian of the records, it is recommended the Board dismiss for a lack of probable cause to believe a violation has occurred.

By the IPIB Executive Director,



Charlotte J.M. Miller, J.D.

CERTIFICATE OF MAILING

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

Michael Benson, Complainant
City of Merville, Respondent

The Iowa Public Information Board

In re the Matter of: William Hendrikson, Complainant And Concerning: Cerro Gordo County Attorney's Office, Respondent	Case Number: 25FC:0207 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 2, 2025, William Hendrikson ("Complainant") filed formal complaint 25FC:0207, alleging the Cerro Gordo County Attorney's Office ("Respondent") violated Iowa Code Chapter 22.

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

Facts

On April 14, 2025, Mr. Hendrikson submitted an email request to the Cerro Gordo sheriff for public records, cc'ing the Respondent. At the time, the county attorney was advising the sheriff's office as to their legal obligations under Chapter 22. Because of that, the county attorney responded to the request on April 22, 2025 on behalf of the sheriff's office with the following statement:

"I have received your public records request sent to Sheriff Hepperly. Your allegations go back several years and include multiple incarcerations. The sheriff's office is in the process of gathering media and documents related to your incarcerations. They will not destroy any relevant information applicable to your allegations currently in their system. Based on the nature of your statements and other law enforcement agencies being involved, Sheriff Hepperly has decided to open an investigation. All reports and information contained in his file that are part of his investigation are confidential records under Iowa Code 22.7(5). You already have the date, time, specific location and the

immediate facts and circumstances surrounding the incident. At this time, the documents requested will not be provided. Thank you for your attention to this matter.”

Subsequent to that communication, the sheriff’s office retained outside counsel to assist in their response to further public records requests. Respondent was not the custodian of the records and was not involved as legal counsel on this matter after his initial response on April 22, 2025. This complaint was filed on December 2, 2025, 224 days after the county attorney responded to the request.

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

The allegations in this complaint occurred 224 days before filing. Any alleged violation should have been discovered with any reasonable diligence in fewer than 224 days after the response from the Respondent. 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:0207 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). For these reasons, there is insufficient evidence of probable cause of a violation of Chapter 22 by the Respondent.

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 complaint was filed far outside the 60-day requirement for review and IPIB has no jurisdiction over 25FC:0207, it is recommended the Board dismiss the matter for lack of probable cause to believe a violation has occurred.

By the IPIB Deputy Director,



Charissa Flege, J.D.

CERTIFICATE OF MAILING

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

William Hendrikson, Complainant
Cerro Gordo County Attorney's Office, Respondent

The Iowa Public Information Board

In re the Matter of:	Case Number: 25FC:0210
Matt Rollinger, Complainant	Investigative Report
And Concerning:	
Iowa Department of Education, Respondent	

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

On December 12, 2025, Matthew Rollinger (Complainant) filed formal complaint 25FC:0210, alleging that the Iowa Department of Education (Respondent) violated Iowa Code Chapter 22.

The IPIB accepted this Complaint on February 19, 2026.

Facts

On September 15, 2025, Complainant submitted a Chapter 22 request to the Iowa Department of Education, seeking records related to State Complaint #26-01 and an ensuing investigative report. This request was considered by IPIB in case 25FC:0146, which Complainant voluntarily withdrew on October 28, following the release of responsive records on October 16.

On October 17, 2025, Complainant submitted a new Chapter 22 request for additional records relating to State Complaint #26-01, with an expanded time range running from July 1 to October 16, 2025.¹ The October 17 request was focused on communications between employees of the Department of Education who had been involved with the matter and the Iowa Attorney General’s Office, as Respondent had consulted with an assistant attorney general in her capacity as Respondent’s legal counsel prior to the release of records responsive to the original September 15 request. Further clarification about the request was sought and given on November 10, 2025.

On October 21, 2025, a parallel request filed with the Attorney General’s Office, which also sought communications between the two government bodies about State Complaint #26-01. This request,

¹ At least one other Chapter 22 request, which separately sought invoices and other payment records related to State Complaint #26-01, was filed with Respondent the same day.

which is the subject of formal complaint 25FC:0217, was fulfilled on December 12, 2025 with the release of 123 pages of records, largely consisting of emails responsive to both requests.

On December 12, 2025, Complainant filed formal complaint 25FC:0210, alleging an unreasonable delay in responding to the request.² During IPIB's initial facial review process, IPIB staff asked Complainant whether the aforementioned 123-page file had satisfied both requests. Complainant answered that 25FC:0210 should be treated as a standalone complaint, adding:

For this request, no communications were provided at all. The issue is whether the request submitted through the IDOE portal was properly processed and fulfilled under Iowa Code Chapter 22 and FERPA.

IPIB first notified Respondent of its facial acceptance of the complaint on January 20, 2026. Subsequently, on January 26, 2026, Respondent released additional records in an attempt to satisfy the records request, including the original and final reports for State Complaint #26-01, which had already been provided in response to the original September 15 request, and several pages of additional communications from within the Department of Education, a substantial portion of which were Complainant's own emails. The request was marked closed at this time. According to Complainant, none of the January 26 disclosures were responsive to his October 17 request.

On February 6, 2026, Respondent asserted that all responsive records had been disclosed. In response, Complainant reiterated his position that "no records responsive to the October 17, 2025 request [had been] provided," that the January 26 records had not been responsive, and that, specifically, a particular email sent on October 15, 2025 had been improperly omitted.

The October 15 email was a brief message sent by the assistant attorney general serving as Respondent's legal counsel to two of Respondent's attorneys in connection with the original September 15 request, advising them on their ability to release the report.

Folks,

We are good to release the first report here. [Other Attorney] has confirmed for me this is solely at your folks discretion and highly factual so we don't have to worry about precedent.

Thanks,

[Assistant Attorney General]

This email was voluntarily disclosed to Complainant by Respondent's general counsel, who waived the protection of attorney-client privilege which otherwise applied in order to provide additional transparency into Respondent's decision-making process.

² Notably, the complaint was filed around ninety minutes prior to the release of records by the Attorney General's Office, meaning it was not a response to this disclosure.

As an explanation for Complainant's assertion that the response was incomplete at the time of closure, Complainant stated, quote:

The October 17 request sought records related to State Complaint #26-01. When the Department closed that request as "fulfilled," it did not include the October 15 email from [Assistant Attorney General] to [Respondent's Attorney], which was copied to [Respondent's General Counsel] and later forwarded by him outside the Department. That email existed at the time of the request and was responsive, but it was not produced before the request was closed.

That omission is why I believe the response was incomplete when it was closed.

During IPIB's investigation of 25FC:0210, Complainant also filed an additional Chapter 22 request seeking Respondent's records related to the October 15 email. This request, which is the subject of formal complaint 26FC:0051, is being processed separately from the present case.

Analysis

Notwithstanding waiver, the October 15 email was unambiguously protected by attorney-client privilege at the time it was sent, as it was a communication sent in confidence between an attorney (the assistant attorney general) and her client (the Department of Education), which contained legal advice on whether a report could be released in response to the September 15 records request.

Complainant cites the existence of the October 15 email as the basis for his disagreement that Respondent "fulfilled" his October 17 records request. However, by Complainant's own admission, this responsive record was released to him at the time Respondent's general counsel waived privilege to provide it to him. Complainant suggests that the email "existed at the time of the request and was responsive." While true, this disregards the fact that the email was one of a half dozen records which the Attorney General's Office explained were withheld as privileged communications in their response to the parallel October 21 request. *See 25FC:0217, Matthew Rollinger/Iowa Attorney General.* Respondent was under no obligation to disclose the record until privilege was waived through the act of releasing the record to Complainant.

Complainant subsequently expanded his argument to state that the October 15 email is only an example of an omitted record, as it "reflects an answer or conclusion that necessarily arose from prior or contemporaneous communications or inquiries, none of which were produced when the request was closed or fulfilled."

These "prior or contemporaneous communications or inquiries" would be protected by attorney-client privilege for the same reason as the October 15 email itself, as private communications between Respondent and their legal counsel made for the purpose of obtaining legal advice about Respondent's handling of the September 15 request. Waiver of privilege for this specific email did

not waive privilege for the remainder of the conversation, and confidentiality on this basis was properly asserted and explained by the Attorney General's Office in their December 12 disclosure.

The evidence suggests that all non-confidential records responsive to the October 17 request were released by the joint disclosure made by the Attorney General's Office, which included non-privileged communications like video conference invites and emails sent by Complainant to employees of both government bodies. The October 15 email, which was disclosed to Complainant, cannot be considered improperly withheld simply because it was released separately. Likewise, the decision to withhold other privileged communications did not prevent the request from being fulfilled and closed.

IPIB Action

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

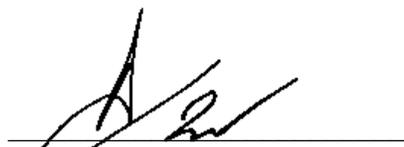
- a. Redirect the matter for further investigation;
- b. Dismiss the matter for lack of probable cause to believe a violation has occurred;
- c. Make a determination that probable cause exists to believe a violation has occurred, but, as an exercise of administrative discretion, dismiss the matter; or
- 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

There is no evidence that any non-privileged, responsive records have been improperly withheld. Although Complainant asserts the October 15 email was omitted, he acknowledges that it was released to him by Respondent, and related communications on the same topic would still be protected by attorney-client privilege. 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 March 13, 2026, to:

Matthew Rollinger, Complainant
Iowa Department of Education, Respondent

The Iowa Public Information Board

In re the Matter of: Gregory Armstrong, Complainant And Concerning: Hamburg Community School District, Respondent	Case Number: 25FC:0221 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 22, 2025, Gregory Armstrong (“Complainant”) filed formal complaint 25FC:0221, alleging the Hamburg Community School District (“Respondent”) violated Iowa Code Chapter 22.

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

Facts

In the initial complaint to IPIB, Complainant alleged Respondent violated Iowa Code Chapter 22 by disclosing information about his’s family’s plans to move to a third party. Because Chapter 22 doesn’t provide a remedy for FERPA violations or improper disclosures of student records, IPIB staff reached out requesting additional information, including what records were requested from Respondent and their response. Complainant responded with screenshots showing partial pieces of communications between the superintendent and himself where he accused Respondent of unlawfully disclosing information about his children. He also included part of a message from himself to the superintendent stating, “[t]here is a 14 day window for the public information request. That request also includes the school board members and the charter board members.” The rest of the message is not visible. A later message from an unknown individual states “I have responded, multiple times, letting you know that I have no information regarding the request. If you continue to ask, I will report this as harassment. Remove me from further correspondence.” The screenshot doesn’t show who this second communication is from or whether the individual worked for the Respondent, nor did Complainant provide that information. IPIB staff followed up again on January 6, 2026 asking for clarifying information because we couldn’t determine who was communicating with Mr. Armstrong or what

records he believed to be withheld in violation of Chapter 22. Complainant then responded, again that he believed Respondent to be “ignoring public information” and that he believes they are responsible for releasing his children’s private information. He then stated he would be filing in district court. Further attempts to follow up with Complainant on February 3rd and 9th went unanswered.

As best as IPIB staff could determine, the crux of the complaint was that Complainant believed Respondent unlawfully disclosed student information. It’s also possible Respondent made a request for copies of the disclosure and received an answer that no such communications existed, however, IPIB staff were unable to confirm that such an allegation was being made during any of the follow up communications with the 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).

Analysis

Chapter 22 requires public entities to product public records if they exist. IPIB has never held that Chapter 22 provides remedies for an unlawful or inappropriate disclosure. IPIB’s jurisdiction is limited to the matters within Chapter 21 and Chapter 22, and does not extend to alleged FERPA violations. Despite several attempts by IPIB staff to obtain additional information about a potential Chapter 22 violation, they were unable to obtain information from Complainant stating a violation of Chapter 22. Alternatively, even if the Board were to find sufficient information to present a potential violation within IPIB’s statutory jurisdiction over Chapter 21 and 22 warranting acceptance of the complaint, Complainant has constructively abandoned his complaint when he notified IPIB staff on February 2, 2026 that he intended to instead file in district court and stopped responding to communications from IPIB.

IPIB Action

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

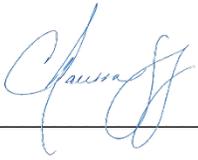
- a. Redirect the matter for further investigation;
- b. Dismiss the matter for lack of probable cause to believe a violation has occurred;
- c. Make a determination that probable cause exists to believe a violation has occurred, but, as an exercise of administrative discretion, dismiss the matter; or

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 Complainant provided insufficient information to show a violation of Chapter 22 and constructively abandoned his complaint, it is recommended the Board dismiss the matter for lack of probable cause to believe a violation has occurred.

By the IPIB Deputy Director,



Charissa Flege, J.D.

CERTIFICATE OF MAILING

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

Gregory Armstrong, Complainant

Hamburg Community School District, Respondent

The Iowa Public Information Board

In re the Matter of: Torry Peck / Caleb Housh, Complainants And Concerning: Seymour Community School District, Respondent	Case Number: 26FC:0008 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 January 8, 2026, Torry Peck and Caleb Housh (“Complainants”) filed formal complaint 26FC:0008, alleging that the Seymour Community School District (“Respondent”) violated Iowa Code Chapter 22.

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

Facts

On December 15, 2025, Complainants submitted separate, but nearly identical requests for records from the Seymour Community School District. Complainants’ request was as follows:

1. “Complete and unredacted copies of all email correspondence—including sent, received, forwarded, archived, or internally circulated communications related to student open enrollment requests from September 1, 2025, to present. For absolute clarity, this request specifically includes:

Full email subject line

Full sender and recipient email addresses (including CC and BCC)

Full timestamp

Full body content of the email

All attachments

Original metadata and headers

2. Complete and unredacted copies of all text message or any other form of electronic communications and messaging, including those sent and received related to student open enrollment requests from September 1, 2025, to present.
3. Complete and unredacted copies of all athletic program sharing agreement discussions with any other school district for the 2024–2025 and 2025–2026 school years.

This request applies to all Seymour Community School District officials, employees, departments, and board members, including communications sent from personal devices or accounts if used for public business as established under Iowa case law.”

On January 4, 2026—the final day of winter break and twenty calendar days after the request was submitted—Complainant Housh emailed the superintendent requesting an update. The superintendent responded the same day, emailing both Complainants to state that the estimated cost for production would be \$1,059 and noting that the estimate did not yet include the cost of redacting confidential records by legal counsel. In his response, the superintendent stated that the legal “cost won’t be calculated until our counsel has reviewed and redacted every one of the several hundred messages [that] have [been] forwarded to him.” The email further stated that the costs would need to be paid before the records were provided.

On January 6, 2026, both Complainants sent identical follow-up emails to Respondent outlining their concerns regarding the response time and the fee estimate. Specifically, Complainants alleged that Respondent was required to respond within ten business days under Iowa Code section 22.8(4)(d), and that responding twenty days after the request constituted a clear violation of Chapter 22. They further asserted that the fee was unreasonable because (1) it included charges for impermissible attorney work, and (2) the estimate was not provided before costs were incurred; therefore, any work performed before the estimate was provided was impermissible and would not be paid. The email also requested an itemized breakdown of the costs and confirmation that impermissible attorney charges—such as legal analysis and review—would not be included.

On January 8, 2026, Complainants filed this complaint for IPIB review. In the course of the IPIB investigation, Respondent provided the following breakdown of the fee estimate for the records:

CW: 14 hours (840 minutes)	x 30.41 (hourly salary)	= \$425.72
TC: 16 hours (960 minutes)	x 39.59 (hourly salary)	= \$633.50
Legal Redaction (65 records)	x 305 (hourly rate)	= \$305
	Total	\$1,364.22

Respondent reported that the record request produced 575 emails and 285 text messages, totaling 860 records retrieved and reviewed. When divided by the total amount of time spent on the records request, employees spent approximately two minutes reviewing each record retrieved by the search. Respondent's counsel also clarified that no legal analysis was actually included in the final fee estimate, regardless of the earlier statements by the superintendent.

Applicable Law

“All reasonable expenses of the examination and copying shall be paid by the person desiring to examine or copy....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.” Iowa Code 22.3(2).

“...Although fulfillment of a request for a copy of a public record may be contingent upon receipt of payment of reasonable expenses, the lawful custodian shall make every reasonable effort to provide the public record requested at no cost other than copying costs for a record which takes less than thirty minutes to produce. In the event expenses are necessary, such expenses shall be reasonable and communicated to the requester upon receipt of the request. A person may contest the reasonableness of the custodian's expenses as provided for in this chapter....” Iowa Code 22.3(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

Unreasonable Delay

Complainants allege that Respondent's response to their request constitutes an unreasonable delay. The Iowa Code does not prescribe a specific timeline for governmental entities to respond to records requests. Instead, whether a response time is reasonable depends on the factual circumstances of each case. The statutory language cited by Complainants refers to a reasonable delay to review and determine confidentiality of records, not the standard timeframe for all public records requests.

Respondent provided an estimate for the records request twenty days after it was received. In this case, the district office was closed for winter break for a significant portion of those twenty days. Furthermore, when Complainants followed up on January 4, the superintendent responded the same day, stating that the request had been completed and providing the associated cost, excluding legal costs. This response indicates that staff began working on the request as soon as the central office reopened after the break.

Additionally, the nature of the requested school records generally involves student information and therefore typically requires individual review to ensure that protected confidential information is not disclosed. Spending approximately two minutes per record to review school communications for confidential information is reasonable under these circumstances.

Unreasonable Fees

Complainants also allege the fee is unreasonable because it is excessive, it includes work that was done before they agreed to the fee, and includes impermissible legal fees. Iowa Code § 22.3(2) provides that “actual costs” incurred by the government body may be charged to a requestor as a condition of production. “Such a fee is limited to the actual, direct costs of responding, including the hourly rates of employees assigned to the task and the cost of materials, such as paper and ink, if physical copies are provided.” 25FC:0011 *Cliff Williams v. City of Keomah*, citing 22AO:0003, *Reasonable Fees for Producing Records Requests*.

Respondent has provided a detailed breakdown of the expenses incurred in this matter. The breakdown demonstrates that Respondent is only charging for the actual time spent responding to the request, including the specific amounts attributable to each employee’s salary. Although the total number of hours spent on the request is substantial, when considered in light of the number of records captured and reviewed and the nature of the records reviewed, spending approximately two minutes per record to review each communication is not unreasonable.

As a practical matter, it is best practice to provide a cost estimate before undertaking work on a records request. Doing so allows a requestor the opportunity to narrow their request—reducing costs and administrative burden. It can also prevent governmental entities from expending their resources on records production that requesters ultimately decline to pay for. However, neither the statute nor precedent limits a governmental entity’s ability to recover the actual costs of production solely because the work was undertaken before the estimate was provided.

With respect to legal fees, the superintendent initially stated in email communications that he intended to calculate the attorney’s time spent reviewing the retrieved records. However, when the final cost was provided by legal counsel, those fees were not passed along. Instead, the legal fee

estimate was limited to one hour for redaction of sixty-five records. Iowa Code § 22.3(2) specifically permits recouping legal service fees “for the reaction or review of legally protected confidential information.” The superintendent’s earlier misstatement of the law does not preclude Respondent from recouping permissible legal service costs associated with the redaction of confidential information.

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’s fee included actual costs of the production, permissible legal services, and was ready for Complainants within twenty days of the request, 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,



Charisa Flege, J.D.

CERTIFICATE OF MAILING

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

Torry Peck / Caleb Housh, Complainants

Seymour Community School District, Respondent

Submitted March 16, 2026

Members of the Board,

Thank you for the opportunity to submit this statement. After reviewing the investigative report, I believe several critical issues were overlooked or inaccurately presented, and these issues directly affect the conclusion that no probable cause exists.

First, the District never provided the detailed breakdown your staff repeatedly requested. Deputy Director Flege asked for this information **at least four separate times** during the investigation. Each time, the District responded with the same three numbers—14 hours, 16 hours, and one hour of legal redaction—without ever separating time spent searching, reviewing, determining confidentiality, or redacting. They provided no dates, no time logs, no task descriptions, and no documentation showing how the 30+ hours were calculated. Despite this, the investigative report states that a “detailed breakdown” was provided. It was not.

Second, the timeline presented in the report is internally inconsistent. The report states that the District office was closed for a significant portion of the 20-day period due to winter break. Yet the District claims to have accrued more than 30 hours of work during that same timeframe. If the office was closed and staff were not working, those hours could not have been accrued. If staff were working, then the explanation for the delay is inaccurate. Without the detailed breakdown your staff requested multiple times, there is no way to verify the legitimacy of the hours claimed.

Third, the District did not conduct a complete or thorough search. My request explicitly included **all officials, employees, and board members**, including personal devices used for public business. According to my source, the superintendent did not request emails or text messages directly from all staff or board members. Instead, he instructed a single IT employee—identified as “TC” in the District’s breakdown—to search the email system on his own. TC is not the lawful custodian, nor is he in a position to determine what is responsive or what must be produced. He also cannot access personal devices or personal text messages. My brother-in-law served on the school board during the relevant period and confirmed he was never contacted, meaning his text messages were never reviewed. This raises serious concerns about whether responsive records were missed, either intentionally or unintentionally. It is not typical for a single IT employee to conduct a public records search without direct involvement from the individuals whose records are being requested.

Additionally, when I emailed the District’s attorney on March 3 to confirm whether the records were fully prepared and ready for release upon payment, he refused to answer the question. Instead, he stated only that the District would respond “upon payment.” This refusal to confirm whether the records were complete further demonstrates the lack of transparency surrounding the District’s handling of this request. If the records were truly complete, the District could have easily confirmed that fact. Their unwillingness to do so raises additional concerns about whether the search was completed, whether the hours billed were accurate, and whether the fee reflects actual work performed.

Fourth, the District did not provide a cost estimate “upon receipt” as required by Iowa Code §22.3(1). By completing the work before providing an estimate, the District removed our ability to narrow the request or avoid unnecessary costs. This is not a harmless procedural issue—it directly affected the cost and scope of the request.

Finally, I want to highlight a statement made by Deputy Director Flege in earlier correspondence: **“While the district did not follow the law, there is no legal precedent that would allow us to find a violation based on that alone.”** This is a significant admission. The staff agrees the District did not follow the law. The recommendation for dismissal is based solely on a belief that no precedent exists. But this Board is the body empowered to set precedent. A lack of precedent is not a legal basis to conclude that no violation occurred.

For these reasons, I respectfully ask the Board to reject the recommendation for dismissal and require the District to provide the detailed breakdown and search documentation necessary to evaluate compliance with Chapter 22.

Thank you for your time and consideration.

Sincerely, Caleb Housh and Torry Peck

The Iowa Public Information Board

In re the Matter of: Tremaine Woods, Complainant And Concerning: Cedar Rapids Board of Education, Respondent	Case Number: 26FC:0016 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 January 18, 2026, Tremaine Woods (“Complainant”) filed formal complaint 26FC:0016, alleging that Cedar Rapids Community School District Board of Directors (“Respondent”) violated Iowa Code Chapter 21.

The Iowa Public Information Board accepted this complaint at its meeting on February 19, 2026.

Facts

The Respondent is a board of education, consisting of seven elected individuals. On January 17, 2026, four members of the Cedar Rapids Community School District Board of Directors attended a gathering with at least five state public officials at Hiawatha Elementary School at 8:30 AM. On January 12, 2026, notice of the gathering was posted on the door of Hiawatha Elementary. It was simultaneously posted on the bulletin board at the Educational Leadership and Support Center typically used for posting public notices. Notices were posted by the executive assistant to the superintendent. The meeting notice was also posted in the Gazette on January 14, 2026.

Complainant alleged insufficient public notice of the January 17, 2026 meeting.

Applicable Law

“Except as provided in subsection 3, a governmental body shall give notice of the time, date, and place of each meeting including a reconvened meeting of the governmental body, and the tentative agenda of the meeting, in a manner reasonably calculated to apprise the public of that information. Reasonable notice shall include advising the news media who have filed a request for notice with the governmental body and posting the notice on a bulletin board or other prominent place which

is easily accessible to the public and clearly designated for that purpose at the principal office of the body holding the meeting, or if no such office exists, at the building in which the meeting is to be held.” Iowa Code 21.4(1)(a).

“Except as otherwise provided in paragraph “c”, notice conforming with all of the requirements of subsection 1 shall be given at least twenty-four hours prior to the commencement of any meeting of a governmental body unless for good cause such notice is impossible or impractical, in which case as much notice as is reasonably possible shall be given.” Iowa Code 21.4(2)(a).

Analysis

Respondent alleges that the gathering itself did not meet the definition of a “meeting” requiring notice under Chapter 21.4, because the four members were attending in their capacity in the “Superintendent Legislative Advocacy Core Committee” – “a purely advisory committee” not subject to meeting notice requirements.

However, for the sake of this complaint, IPIB doesn’t need to answer the question of whether the committee was a purely advisory committee exempt from Chapter 21 requirements. Assuming, *arguendo*, that the four members were attending in their capacity as board members and creating a “meeting” with “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” requiring the Respondent to comply with Chapter 21 notice requirements, Respondent met their obligations for notice under Chapter 21.4.

The notice was posted far in advance of the twenty-four hour requirement and was posted in a “bulletin board or other prominent place which is easily accessible to public and clearly designated for that purpose.” The bulletin board is located in a glass case outside the door of the building so that the notices are accessible at all hours for the public. The meeting was held in a place reasonably accessible to the public, at a time reasonably convenient to the public. The elementary school is a reasonable location for the meeting. A staff member was seated at the front door of the building to ensure the public could access and find the meeting. Respondent went above and beyond by physically posting notice in two physical locations and a local newspaper. For these reasons, Respondent met any and all notice obligations they may have had in regards to the January 17, 2026 meeting.

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 sufficient evidence they met all requirements for public notice if the meeting on January 17, 2026 constituted a “meeting” for purposes of Chapter 21, no violation of Chapter 21’s requirement occurred, and it is recommended the Board dismiss for a lack of probable cause.

By the IPIB Deputy Director,



Charisa Flege, J.D.

CERTIFICATE OF MAILING

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

Tremaine Woods, Complainant

Cedar Rapids Community School District Board of Directors, Respondent



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

Notice of IPIB Consideration of Complaint #26FC:0016

Elizabeth Heffernan <eheffernan@ahlerslaw.com>

Tue, Mar 17, 2026 at 9:05 AM

To: "Flege, Charissa" <charissa.flege@iowa.gov>, "tremainewoods@aol.com" <tremainewoods@aol.com>

Cc: Charlotte Miller <charlotte.miller@iowa.gov>

Good morning, Charissa,

The District does not plan to address the Board, but a representative will be available if there are questions from the Board. Here is a written statement:

The District supports the determination of the Investigative Report that, assuming notice requirements applied, notice was appropriately provided. The District relies on the response and materials submitted with the initial complaint.

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

[vCard](#) | [Email](#) | [Bio](#) | [Firm Website](#) |

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The Iowa Public Information Board

In re the Matter of: Tamara Jabali, Complainant And Concerning: City of Sioux City Animal Control, Respondent	Case Number: 26FC:0031 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 January 31, 2026, Tamara Jabali (“Complainant”) filed formal complaint 26FC:0031, alleging the City of Sioux City Animal Control (“Respondent”) violated Iowa Code Chapter 22.

The Iowa Public Information Board accepted this complaint at its meeting on February 19, 2026.

Facts

On December 23, 2025, Complainant emailed the Sioux City Attorney’s Office in regard to the seizure of her pet and its designation as ‘vicious’ by animal control. In her email, Complainant requested the city “Pause all proceedings, including forfeiture or euthanasia, until evidence and due process requirements are satisfied; Provide written notice of the alleged violation and the evidence relied upon; Provide information regarding deadlines and hearing rights; and Immediate release of my dog for removal from city limits, or prompt scheduling of a formal hearing.” The email did not include any other request for public records.

The assistant city attorney responded on December 30, 2025 detailing the specifics of the seizure of Complainant’s dog and why the dog was deemed ‘vicious’. The attorney attached a copy of the letter previously sent to Complainant on September 23, 2025 with her appeal rights related to the dog’s seizure, a copy of the agreement Complainant signed on September 23, 2025 agreeing to remove her dog from city limits, the incident report from September 14 involving her dog, and an incident from December 22 when the dog was picked up by the animal control unit again. No follow up was made to the city attorney’s office alleging a deficient production of public records.

Complainant also alleged that she emailed the animal control unit directly on January 1, 2026 and followed up on January 14, 2026. IPIB has not been provided these emails; but has no reason to doubt they occurred. However, Complainant admits the emails were sent to chris@siouxcityanimalcontrol.com, a domain that does not exist or belong to Respondent. Upon the opening of this complaint, Respondent provided the correct email address to Complainant and advised they would be willing and ready to respond to any records request they receive.

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

Counsel for Respondent answered Complainant’s December 23rd email within seven days. The assistant city attorney was never notified Complainant believed their response to be deficient. Any other records requests that may have been made by the Complainant were never received by the Respondent or their attorney. Iowa code does not prescribe a specific timeline for governmental entities to respond to records requests; however, seven days is well within the timeline that IPIB has previously found to be reasonable. Further, nothing in Chapter 22 holds governmental entities responsible for responding to records requests sent to the wrong address. For these reasons, it appears there was 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

Therefore, because counsel for Respondent provided the requested records in a timely manner and no further requests for public records were received by Respondent, 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,



Charisa Flege, J.D.

CERTIFICATE OF MAILING

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

Tamara Jabali, Complainant

City of Sioux City Animal Control, Respondent

The Iowa Public Information Board

In re the Matter of: Lee Frank, Complainant And Concerning: Oelwein Community School District, Respondent	Case Number: 25FC:0189 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 December 20, 2025, IPIB received in the mail Lee Frank formal complaint 25FC:0189, alleging that Oelwein Community School District (District) violated Iowa Code chapter 21.

Facts

In December, IPIB received two letters from Frank requesting information and investigation into the District meetings. The main purpose of both letters is inquiring the ability of a governmental body to conduct a meeting.

On February 12, 2026, IPIB mailed an answer to both letters to the Frank answering his questions specific questions.

Applicable Law

“The public may use cameras or recording devices at any open session. Nothing in this chapter shall prevent a governmental body from making and enforcing reasonable rules for the conduct of its meetings to assure those meetings are orderly, and free from interference or interruption by spectators.” Iowa Code Section 21.7

Analysis

Letter One from Frank requested a definition of what a public meeting was and asked for clarification on whether a government body could limit the speech of the people commenting. Frank included the December 8, 2025 meeting agenda with the letter. Letter Two asked more specific question about District using Robert’s Rules of Order to limit debate time. Frank included multiple meeting agendas, including agendas from August 18, 2025; September 15, 2025; October 13, 2025; and December 8, 2025. Frank provided that the public was unable to comment after

agenda item 5 which states “Open Forum for District Residents who would like to speak to any item on the agenda”. The District allowed the public to address them regarding every action item.

Chapter 21 does not prevent a governmental body from making and enforcing rules for conduct at its meeting. Based upon the information provided to IPIB, it appears the District was merely doing just that.

The facts of this complaint do not support a legal conclusion that Iowa Code section 21.7 was violated.

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.

IT IS SO ORDERED: Formal complaint 25FC:00189 is dismissed as it is legally insufficient 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 25, 2026, to:

Lee Frank, Complainant
Oelwein Community School District, Respondent

The Iowa Public Information Board

In re the Matter of: Jason Boge, Complainant And Concerning: Iowa Public Information Board, Respondent	Case Number: 25FC:0216 Dismissal Order
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COMES NOW, Charlotte Miller, Executive Director for the Iowa Public Information Board (IPIB), and enters this Dismissal Order:

In December, 2025, Jason Boge, (Complainant) filed formal complaint 25FC:0216, requesting records from IPIB relating to Mount Pleasant Correctional Facility insurance form.

Facts

In December, 2025, IPIB received a letter requesting access to the insurance records of the Mount Pleasant Correctional Facility.

On February 10, 2026, Complainant was notified that the IPIB was not the custodian of the records he sought and directed him to contact the lawful custodian. Complainant was further informed that IPIB's jurisdiction is restricted Iowa Code Chapters 21 (Open Meetings) and 22 (Public Records).

Applicable Law

“‘Government body’ means this state, or any county, city, township, school corporation, political subdivision, tax-supported district . . . or other entity of this state, or any branch, department, board, bureau, commission, council, committee, official, or officer of any of the foregoing or any employee delegated the responsibility for implementing the requirements of [chapter 22].” Iowa Code § 22.1(1).

“‘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. The records relating to the investment of public funds are the property of the public body responsible for the public funds.” Iowa Code § 22.1(3).

Analysis

Chapter 22 grants the public a right to examine and copy public records of government bodies. Public records, as defined in Iowa Code § 22.1(3)(a), include “all records, documents, tape, or other information, stored or preserved in any medium, of or belonging to [a government body].”

Iowa Code § 22.1(3)(b) provides that public records also include “all records relating to the investment of public funds . . . whether in the custody of the public body responsible for the public funds or a fiduciary or other third party.” The responsibility for complying with Chapter 22 belongs to the “lawful custodian” of a record, a term which may refer to (1) “the government body currently in physical possession of the public record,” (2) “the government body owning [a] record” which is “in the physical possession of persons outside of a government body,” or (3) “the public body responsible for [] public funds,” in the case of “records relating to the investment of public funds.” Iowa Code § 22.1(2).

IPIB does fall under the ten statutory definitions of a Chapter 22 government body, however, the lawful custodian of the record would be the body responsible for those public records, not IPIB. Therefore, Chapter 22 does not provide an avenue for Complainant to request these records from IPIB, as IPIB is not the lawful custodian of the requested records.

Conclusion

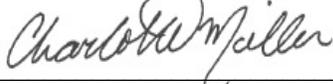
Iowa Code § 23.8 requires that a complaint be within the IPIB’s jurisdiction, appear legally sufficient, and have merit before the IPIB accepts a complaint. Following a review of the allegations on their face, it is found that this complaint does not meet those requirements.

Because the complaint is brought against IPIB, which is not a potential lawful custodian of the record under Chapter 22, IPIB’s failure to provide the requested records is not enforceable under Chapter 22.

IT IS SO ORDERED: Formal complaint 25FC:0216 is dismissed as it is legally insufficient 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 March 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 26, 2026, to:

Jason Boge, Complainant

The Iowa Public Information Board

In re the Matter of: Matthew Rollinger, Complainant And Concerning: Iowa Attorney General, Respondent	Case Number: 25FC:0217 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 December 12, 2025, Matthew Rollinger (Complainant) filed formal complaint 25FC:0217, alleging that the Office of the Iowa Attorney General (Respondent) violated Iowa Code Chapter 22.

Facts

On September 15, 2025, Complainant submitted a Chapter 22 request to the Iowa Department of Education, seeking records related to State Complaint #26-01 and an ensuing investigative report. This request was considered by IPIB in case 25FC:0146, which Complainant voluntarily withdrew on October 28, following the release of responsive records on October 16. Before these records were released, the Department of Education consulted with a particular assistant attorney general in her capacity as their legal counsel, seeking advice about whether they were permitted to release the finalized investigative report to Complainant.

On October 21, 2025, after the release of the investigative report, Complainant submitted a new Chapter 22 request to Respondent, seeking all communications between them and the Department of Education pertaining to the release of the report, including “[a]ny legal advice, review, or consultation provided to the Department concerning the publication, withholding, or modification of the investigator’s findings.”

On December 1, 2025, following the exchange of several additional emails, Respondent provided a preliminary answer, noting that many of the files sought would likely be withheld based on either attorney-client privilege or work product confidentiality. Complainant responded by asking the

custodian to “please ensure that any factual material, transmittal emails, or non-legal communications are produced where severable from privileged content.”

On December 12, 2025, Respondent released a 123-page disclosure file, along with a statement that “[s]ix emails across three email chains” had been withheld based on attorney-client privilege. With reference to the December 1 emails, they also “confirm[ed] that no factual, non-privileged transmittal emails, or non-legal documents existed,” beyond what was provided in the disclosure.

Later the same day, Complainant replied by sharing a copy of an email dated October 15, 2025, provided to him by the Department of Education in response to a separate records request. The October 15 email was sent by the aforementioned assistant attorney general to two attorneys representing the Department of Education, with the subject “Open Records Request.” The email, in its entirety, reads as follows:

Folks,

We are good to release the first report here. [Other Attorney] has confirmed for me this is solely at your folks discretion and highly factual so we don’t have to worry about precedent.

Thanks,

[Assistant Attorney General]

Respondent replied that this email would have been entitled to privilege and that it was “not a non-legal transmittal email.”

On December 12, 2025, Complainant filed formal complaint 25FC:0217, alleging a violation of Chapter 22.¹ Complainant offered the October 15 email as evidence Respondent may have misrepresented and therefore improperly withheld additional records, as he alleged it was a “factual, non-legal transmittal email” the custodian had failed to acknowledge.

The Department of Education has subsequently clarified that privilege associated with the October 15 email was voluntarily waived in an effort to provide additional transparency to Complainant.

Analysis

Complainant does not dispute that attorney-client privilege may serve as a permissible basis for withholding records in response to a Chapter 22 request. *See Horsfield Materials, Inc. v. City of Dyersville*, 834 N.W.2d 444, 463 (Iowa 2013) (finding attorney-client privilege could be asserted to withhold emails sought in a Chapter 22 request despite appearing in a different section of the

¹ Notably, the complaint was filed around ninety minutes prior to the release of records by the Attorney General’s Office, meaning it was not a response to this disclosure.

Code, outside the confidentiality exceptions listed in Iowa Code § 22.7). Complainant also does not dispute that the October 15 email could have been privileged, notwithstanding the Department of Education's voluntary waiver.

Rather, Complainant's core argument is that the October 15 is evidence which contradicts the respondent's "categorical" representation that there were no "factual, non-legal transmittal emails" left undisclosed.² If the representation was inaccurate, Complainant suggests, this would be sufficient circumstantial evidence to cast doubt on the remainder of the response, warranting a full IPIB investigation. Complainant specifically claims that the October 15 email *was* a "factual, non-legal transmittal email" because it 1) transmitted a disclosure decision about the report, 2) identified the attorney who had offered her second opinion, and 3) described the underlying report as "highly factual."

This proposed analysis mischaracterizes Respondent's representation about "factual, non-legal transmittal emails." The original use of this language came from Complainant's own directions to produce "factual material, transmittal emails, or non-legal communication," after Respondent indicated that records would be withheld based on attorney-client privilege. In other words, the phrase was an ad hoc means of differentiating a category of records Complainant was concerned could be withheld from the privileged communications which he acknowledged would not be produced. Although the records custodian later combined the three terms when she said that "no factual, non-privileged transmittal emails, or non-legal documents" remained, the mutual meaning assigned by the parties did not change.

Therefore, Respondent's representation about having no additional "factual, non-legal transmittal emails" must be understood to mean that there were no *purely* factual transmissions which were not entitled to attorney-client privilege, not that there were no emails which *contained* anything which could be described as a "fact" or "transmittal."

Turning to the October 15 email, there is no real question about whether privilege would have applied at the time of sending, as the email was a communication between an attorney and her client conveying legal advice about the permissibility and possible ramifications of releasing a particular record. The "disclosure decision" referenced by Complainant ("[w]e are good to release") was legal advice, not a "fact" or "transmittal." The "fact" that confirmation came from a particular named attorney – in this case Respondent's records custodian, who was presumably sought for her expertise in that area of the law – offered support and a second source for the advice. Lastly, the phrase "highly factual" ostensibly refers to the disclosure decision (the "this" which was "solely at your folks discretion") rather than the underlying report, but it would be within the

² Several different variations of this phrase have been used by both parties. For the purposes of this analysis, "factual, non-legal transmittal emails" should be understood to cover all variations, as it was the version used in the complaint and accurately characterizes the disputed language.

scope of legal advice regardless, as part of the explanation for why the attorney believed her client could safely release the report.

As discussed in the foregoing analysis, the October 15 email was facially entitled to attorney-client privilege, and its existence did not contradict Respondent's representations about the lack of any undisclosed "factual, non-legal transmittal emails." Because there is no other evidence to suggest Respondent failed to provide a complete response to the disputed Chapter 22 request, the complaint should be dismissed for lack of merit.

Conclusion

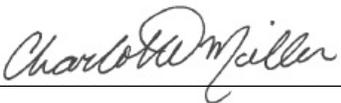
Iowa Code § 23.8 requires that a complaint be within the IPIB's jurisdiction, appear legally sufficient, and have merit before the IPIB accepts a complaint. Following a review of the allegations on their face, it is found that this complaint does not meet those requirements.

Because the October 15 email was consistent with the statements of the records custodian in closing the Chapter 22 request and there is no other evidence to indicate the response was incomplete, the complaint is without merit on facial review. Dismissal is required for this reason.

IT IS SO ORDERED: Formal complaint 25FC:0217 is dismissed as it is 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 March 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 March 13, 2026, to:

Matthew Rollinger, Complainant

The Iowa Public Information Board

In re the Matter of:	Case Number: 26FC:0032
Steve Hebert, Complainant	Dismissal Order
And Concerning:	
City of Fort Dodge, Respondent	

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

On January 26, 2026, Steve Hebert (“Complainant”) filed formal complaint 26FC:0032, alleging that the City of Fort Dodge (“Respondent”) violated Iowa Code Chapter 22.

Facts

Complainant alleges two separate complaints, which are reviewed jointly under the heading 26FC:0032 for administrative convenience.

In 26FC:0032-1, Complainant presents several related allegations arising from Respondent’s handling of a water account dispute and a related administrative hearing for residential property located within the city. The complaint highlights several alleged inconsistencies in Respondent’s records-keeping, including possible evidence that a letter dated “October 29, 2025” was written or transmitted later than its stated date, an incorrect name listed in place of the property owner’s for hourly meter data associated with the property, and usage data which is inconsistent with the Respondent’s claim of “continuous flow” or “active use.” Complainant indicates that these inconsistencies led to procedural issues in Respondent’s handling of the administrative dispute.

All alleged violations described in this 26FC:0032-1 occurred on or before November 10, 2025. Complainant originally attempted to submit this portion of the complaint on this day, but the filing did not reach IPIB, as Complainant inadvertently sent his complaint to the incorrect email address.

In 26FC:0032-2, Complainant submitted a Chapter 22 request on November 17, 2025, seeking police investigative records held by the Fort Dodge Police Department in relation to a burglary reported by Complainant a month prior to the request. Respondent released a four-page case file on the reported burglary, including the date and time, the location, the name of the responding officer, the identities of individuals taken into custody, and basic information about the nature of the alleged crime. Complainant alleges he did not receive other records sought in his request,

including body-worn camera footage, written or audio statements, and supplemental narratives. On December 8, 2025, the County Attorney confirmed that his office would not be proceeding with prosecution, though Complainant would be able to pursue the other party in civil court.

Based on this response, Complainant filed formal complaint 26FC:0032-2, alleging that Respondent had misapplied Iowa Code § 22.7(5) to withhold additional responsive records from the investigative file once the County Attorney's Office declined to prosecute and the investigation was closed. Complainant also alleged an unreasonable delay of over ten days before the original Chapter 22 request was acknowledged, as Respondent only replied to the request on December 8, twenty-one days later (which was also when records were released).

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:

5. 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.” Iowa Code § 22.7(5).

“The [Iowa Public Information 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

I. 26FC:0032-1

Iowa Code § 23.7(1) limits IPIB's ability to consider complaints filed more than sixty days from the time of an alleged violation or, where applicable, the time the complainant could have become aware of the violation with reasonable diligence. Because all relevant alleged violations for this portion of the complaint were known to Complainant at the time of the original attempted filing on November 10, 2025, 77 days prior to the time the complaint was submitted on January 26, 2026, 26FC:0032-1 falls outside Iowa Code § 23.7's sixty-day statute of limitations. This would be true despite the fact that the failure to file on time was accidental, as the error was based on

Complainant's use of an incorrect email address, rather than an issue with IPIB's receipt of an otherwise properly filed complaint.

To the extent that the statute of limitations could be excused for any portion of 26FC:0032-1, the allegations described would be outside of IPIB's jurisdiction, as potential inconsistencies found in the *contents* of public records (e.g. inaccuracies in the disputed meter data) are beyond the scope of Chapter 22.

II. 26FC:0032-2

In the second half of the complaint, which was properly filed within Iowa Code § 23.7's sixty-day window, Complainant alleges that portions of the investigative file associated with the October burglary were improperly withheld, as the County Attorney's decision not to prosecute meant that "the case [wa]s no longer exempt from disclosure as an 'active' criminal investigation." However, as the Iowa Supreme Court held in *Mitchell v. City of Cedar Rapids*, the "ongoing investigation" language from Iowa Code § 22.7(5) applies only to the third listed item in the exception ("specific portions of electronic mail and telephone billing records of law enforcement agencies"), while the "investigative reports" remain confidential regardless of timing. 926 N.W.2d 222, 231-32 (Iowa 2019) ("[w]e hold that police investigative reports do not lose their confidential status under section 22.7(5) when the investigation closes").

As provided by the second sentence of Iowa Code § 22.7(5), confidentiality for police investigative files generally does not extend to the "date, time, specific location, and immediate facts and circumstances surrounding a crim or incident." In this case, the four-page case file released to Complainant satisfied this disclosure obligation, and Respondent was not required to provide additional records like body-camera footage or supplemental narratives in order to fulfill the request. Complainant also did not allege any additional facts which would support additional disclosure under the Iowa Supreme Court's *Mitchell/Hawk Eye* precedent.

Although other areas of the law, including judicial discovery, could provide alternative routes to access based on Complainant's particular relationship to the underlying incident, this would be outside of IPIB's jurisdiction over Chapter 22, which applies to same to all requesters.

Complainant also alleged unreasonable delay, based on Iowa Code § 22.8(4)(d). However, as the Iowa Supreme Court held in *Horsfield Materials, Inc. v. City of Dyersville*, the timeline provided by this section is specific to the determination of "whether a confidential record should be available for inspection and copying to the person requesting the right to do so," and reasonable delay is otherwise determined by the "size and nature" of the request. 834 N.W.2d 444, 462 (Iowa 2013). For this request, which was submitted the week before the Thanksgiving holiday and fulfilled the week after, a twenty-one-day delay does not present a facial violation, even if best practice might have been to send the initial acknowledgement earlier.

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.

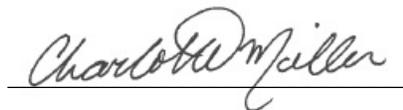
Because Formal Complaint 26FC:0032-1 was filed more than sixty days from the time the alleged violations occurred and inaccuracies within public records are beyond the scope of Chapter 22, IPIB lacks jurisdiction to consider the first half of the complaint on its merits.

Formal Complaint 26FC:0032-2, meanwhile, is legally insufficient on facial review, as Iowa Code § 22.7(5) provided confidentiality for the remaining portions of the investigative file beyond the "immediate facts and circumstances" which were properly disclosed.

IT IS SO ORDERED: Formal complaint 26FC:0032 is dismissed as outside IPIB's jurisdiction and legally insufficient 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 March 19, 2026. Pursuant to IPIB rule 497-2.1(4), the parties will be notified in writing of its decision.

By the IPIB Agency Counsel,



Charlotte J.M. Miller, J.D.

CERTIFICATE OF MAILING

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

Steve Hebert, Complainant

The Iowa Public Information Board

In re the Matter of: Chris Holthaus, Complainant And Concerning: Bremer County Emergency Management Commission, Respondent	Case Number: 26FC:0050 Dismissal Order
-------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------

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

On February 18, 2026, Chris Holthaus (Complainant) filed formal complaint 26FC:0050, alleging that the Bremer County Emergency Management Commission (Respondent) violated Iowa Code Chapter 21.

Facts

Respondent is a local emergency management commission, organized pursuant to Iowa Code § 29C.9, with representation from the Bremer County Board of Supervisors, the Bremer County Sheriff's Office, and the mayors of eight cities within Bremer County.

This complaint concerns a burn ban issued on January 30, 2025 for Bremer County, which Complainant alleges was the result of an improper meeting outside of open session. As part of his complaint, Complainant offered a series of emails exchanged between commission members preceding the burn ban, in which the commission coordinator sought "input" from members about the possible need for action in response to drought conditions. In addition to the coordinator, the evidence presented shows five members providing input before a final decision was reached.

On December 22, 2025, Complainant discovered the emails which documented this discussion as a result of an unrelated records request. Subsequently, on February 18, 2026, Complainant filed formal complaint 26FC:0050, alleging Respondent violated Chapter 21 by conducting a meeting over email without proper notice, public access, or meeting minutes.

Applicable Law

“The [Iowa Public Information 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

Iowa Code § 23.7(1) limits IPIB’s ability to consider complaints filed more than sixty days from the time of an alleged violation or, where applicable, the time the complainant could have become aware of the violation with reasonable diligence. Because this is a categorical statutory restriction on IPIB’s authority, a complaint which is not filed within the sixty-day window must be dismissed.

The alleged violation took place on January 30, 2025, but the formal complaint was not submitted until February 18, 2026, 384 days later. Complainant asserts that the private nature of the email exchange prevented him from learning of the potential violation and the statute of limitations should instead be measured from December 22, 2025, the day he inadvertently discovered the potential issue while reviewing records related to a separate concern.

Although Iowa Code § 23.7(1) allows some leeway for circumstances in which a potential violation is not readily discoverable, the “reasonable diligence” standard does not extend the opportunity for filing indefinitely. In this case, the burn ban and subsequent decisions were made available to the public, and the official proclamation included relevant information about the decision-makers involved. A reasonably diligent member of the public with concerns about the circumstances surrounding the burn ban would have had sufficient opportunity to investigate and “become aware of” this discussion prior to December 20, 2025 (the date sixty days before the complaint was submitted on February 18, 2026).

For this reason, dismissal is required.

Conclusion

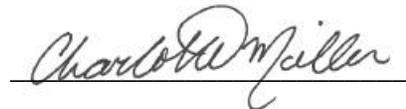
Iowa Code § 23.8 requires that a complaint be within the IPIB’s jurisdiction, appear legally sufficient, and have merit before the IPIB accepts a complaint. Following a review of the allegations on their face, it is found that this complaint does not meet those requirements.

Because the complaint was filed more than sixty days from the time the alleged violations occurred or the complainant could have become aware of the violations with reasonable diligence, IPIB lacks jurisdiction to consider the complaint on its merits.

IT IS SO ORDERED: Formal complaint 26FC:0050 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,

A handwritten signature in cursive script, reading "Charlotte J.M. Miller", is written over a horizontal line.

Charlotte J.M. Miller, J.D.

CERTIFICATE OF MAILING

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

Chris Holthaus, Complainant

Consent Agenda Accept Cases

IPIB Case Number	Contact Name	Name of Entity Involved	Complaint Type	Description
25FC:0192	Rachel Doyle	City of Rolfe	Chapter 22	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.
25FC:0202	Lori White	City of Missouri Valley	Chapter 22	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.
26FC:0002	Lori White	Harrison County Sherrif	Chapter 22	I requested documents related to a city employee investigation and Flaherty wouldnt 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 doesnt match with the amount of documents being provided. I stated I would inspect only and he refused unless I paid the 125. I still do not have the documents
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 requested clarification regarding the scope of the search, but no clarification has been provided. I request IPIB review of the adequacy of the search and compliance with Iowa Code Chapter 22.
26FC:0024	Jarrold Diers	Oskaloosa School DistrictMahaska Police Depar	Both	[See Complaint Addendum]
26FC:0020	Smith	Des Moines Co. Supervisors, Des Moines Co. Er	Chapter 21	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. 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."
26FC:0028	Curtis Bloes	Sac County Iowa Board of Supervisors	Chapter 21	I checked to see what the numbers were for 2024 and it was simil Complaint #1 - Item on the agenda listed as "Ben Riggerberg - Wage Adjustment" - Item was set on the agenda to commence at 10:15am on January 27, 2026. The item commenced at 10:04am on that date. Complaint #2 - The governing body violated Iowa Code chapter 21 by taking formal action on a matter that was not sufficiently noticed on the meeting agenda. The January 27, 2026 agenda listed the item only as "11:30 a.m. – Engineer." During that agenda item, which commenced at about 10:35am and ended at about10:38amthe body discussed bid results for multiple asphalt projects and adopted a resolution awarding a combined construction contract in the amount of \$2,635,891.74, including authorization for the engineer to execute contract documents. The agenda description did not reasonably inform the public that a contract award, resolution, or expenditure of public funds would be considered. On January 17, 2026, a Freedom of Information Act (FOIA) request was mailed to Sneritt Luke Heener, and a physical copy was non-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 Driscoll has a personal relationship with the Deputy in question, which may present a conflict of interest. Further complicating matters, Mr. Driscoll has demanded \$32,786.00 to fulfill the information request. I am appealing to the Iowa Public Information Board
26FC:0036	William Daggett	City of Baxter, Iowa	Chapter 22	On 12/31/2025 and 1/1/2026 I presented a total of three Chapter 22 open records requests to the City of Baxter regarding records maintained for the compensation, scheduling and communications by Mayor Doug Bishop. On 1/7/2026 I received a response from Mr. Zelinski acknowledging receipt of the requests and directing me to complete the same bar association release to obtain the information. Again the failure to communciate regarding these requests, follow the procedures outlined in Chapter 22 and use of the law firm as the representation for the custodian of records without council resolution is a violation of Chapter 22.

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:0035	Judith Lee	City of Davenport	Chapter 22	The Davenport City Council will be discussing the proposed city budget in a meeting that will be live-streamed and which the public may attend the budget work session but cannot speak during the meeting. The meetings will be held on January 31, February 3, and February 7, 2026. In order to prepare for the meetings and so I can contact my aldermen to express my interests and concerns prior to the aldermen meetings to discuss the proposed budget, I requested the Interim City Clerk/Interim City Administrator Tim Gleason, Deputy City Clerk Brian Krup, Corporation Counsel Samuel Huff IV, and the members of the City Council to upload the proposed budget to the city website for public review. I have attached the email with my request, dated January 26, 2026. I did not receive any response or even acknowledgement of my emailed request from any of the recipients. When I did not receive a response and the Deputy City Clerk was not available for two phone calls and did not return my calls,
26FC:0045	Vendetta CeCe-Jackowiak	Davenport Police Department City of Davenport	Chapter 22	This complaint is filed pursuant to Iowa Code §§ 22 and 23.9 and is timely submitted within sixty (60) days of the violation. On January 11, 2026, I submitted a public records request to the Davenport Police Department via the City's JustFOIA portal (Request No. PD-85-2026; Security Key 8DE4CC66). I received automated confirmation of receipt. As of February 12, 2026, I have received no substantive response, no estimated timeline for production, and no written denial or citation to any legal exemption. I submitted a written follow-up on February 12, 2026, but no response has been provided. Under Iowa Code § 22.2(1), public records must be made available for examination and copying. Under Iowa Code § 22.8(4)(d), custodians must respond promptly and provide written justification for any denial. The absence of any response constitutes unreasonable delay and constructive denial in violation of Chapter 22. The failure to respond impedes my ability to obtain necessary records.
26FC:0049	Jacquelynn Zugg	City of Centerville	Chapter 21	I am filing this complaint regarding the City of Centerville's closed session on February 16, 2026, cited under Iowa Code §21.5(1)(a). While the agenda referenced the correct statutory exemption, it lacked sufficient detail, failing to specify which records or department were involved. This leaves the public unclear about the session's purpose, violating Iowa Code §21.5, which requires adequate public notice of closed session purposes. I requested clarification from Jason Fraser, but he dismissed the request, stating no revision would be provided. IPIB rulings emphasize that public meetings and agendas must provide adequate notice (Iowa Code §21.5(4)) and that the public should understand the purpose of a session. According to the Iowa League of Cities, agendas must be specific enough to inform the public. I respectfully request IPIB review this issue and ensure the City complies with transparency requirements with this meeting and in the future
26FC:0048	Melissa Duffield	City of Robins	Chapter 22	The City of Robins has violated, and continues to violate, the Iowa Open Records Act in the following ways: a. Violation of Iowa Code § 22.8 (Unreasonable Delay): Iowa Code § 22.8(4) provides that a good-faith, reasonable delay to determine the status of a record "shall not exceed twenty calendar days and ordinarily should not exceed ten business days." The City's ongoing delay of over 90 days is a flagrant violation of this statutory timeframe. This is not a "reasonable delay" but a complete failure to act. b. Implicit Refusal to Provide Records: The Iowa Supreme Court has held that an agency's non-response or "unreasonable delay in producing records" can constitute an "implied or 'silent' refusal" to comply with the law. The City's 60 day, intimately 90-day delay in producing the most substantive and incriminating documents constitutes an implicit refusal and a clear violation of Chapter 22. c. Failure to Fulfill Statutory Duty: The Iowa Supreme Court found a violation of the Open
26FC:0054	Tyler Jett	Polk County Sheriff's Office	Chapter 22	I filed a request to the Polk County Sheriff's Office. (Polk County Request reference number: S010970-1114250). The sheriff's office told me processing the request would cost \$700. IT needed 4.5 hours at \$65 an hour. The office needed 8.5 hours for "administrative research" at \$35 an hour. Violations: (1) The fees and time estimates are grossly exaggerated. They are charging an IT rate that is \$137,000 on an annual basis, as well as general clerical rate of \$73,000 on an annual basis. The estimate of 12.5 hours is also unreasonable. The sheriff's office declined to provide an itemized breakdown for its estimate. (2) The processing cost estimate is illogical. I offered to reduce my request from 10 sets of documents to 5. The sheriff's office stated the request would still cost \$700 and take 12.5 hours. My understanding is that IPIB staff has said such logic is unreasonable in a similar, pending case from Storm Lake (25-FC-0167).
26FC:0051	Matthew Rollinger	Iowa Department of Education	Chapter 22	On January 26, 2026, I submitted a public records request to the Iowa Department of Education. The request was acknowledged, but no records have been produced, no exemption cited, no denial issued, and no timeline provided. This constitutes an unreasonable delay and a violation of Iowa Code Chapter 22. I request a finding of probable cause and an order requiring production of records or citation to a specific statutory exemption. This complaint concerns only the Department's response to the January 26, 2026 request and is independent of any other matter.

26FC:0056	Jacquelynn Zugg	City of Centerville	Both	<p>I am filing a complaint regarding the Centerville City Council's closed session on February 2, 2026. The agenda cited Iowa Code §21.5(1)(c) but lacked sufficient detail. Under Iowa Admin. Code r. 497-8.1(3), a mere statutory citation is insufficient; the agenda must include a brief purpose statement to comply with Iowa Code §21.4. The statutory basis cited during the meeting shifted to §21.5(1)(a) (confidential records), creating inconsistency and violating both §21.4 and §21.5. Despite my request, the City has withheld non-confidential minutes, which are subject to in-camera review by IPIB. I respectfully request such a review.</p> <p>No formal vote was taken on the resignation of the Fire Chief or the appointment of the Acting Fire Chief, as required by Iowa Code §21.5(3). The minutes only record adjournment, and a press release was issued after the meeting, suggesting a violation of transparency laws.</p>
26FC:0057	Jacquelynn Zugg	City of Centerville	Chapter 22	<p>I filed a public records request with the City of Centerville on January 23, 2026, for records related to the resignation of Fire/EMS Chief Christopher Jennings. On February 11, 2026, the City estimated \$200-\$275/hour for a third-party law firm to review records for confidentiality. I object to these fees, as they violate Iowa Code § 22.3 and IPIB Advisory Opinion 23AO:0002, which prohibit charging for attorney time spent identifying whether confidential information exists. Additionally, the City has exceeded the 20-day deadline for producing records under Iowa Code § 22.8(4), as it has been 35 days without producing the records. These records should be public and require only minimal redactions, which could be handled by staff at a lower cost per the "lowest cost" mandate in § 22.3. I formally requested a revised estimate on February 27, which the City refused. I request that the IPIB investigate and order the City to produce the records without these prohibited fees.</p>
Total	Count	18		



502 East 9th Street
Des Moines, Iowa 50319
www.ipib.iowa.gov

Charlotte Miller, JD
Executive Director
(515) 393-8339
Charlotte.miller@iowa.gov

Advisory Opinion 26AO:0004

DATE: March 19, 2026

SUBJECT: Inadmissible and Sealed Evidence

This opinion concerns confidentiality of certain records related to police investigative reports under Iowa Code 22.7(5). Advisory opinions may be adopted by the board pursuant to Iowa Code § 23.6(3) and Rule 497–1.2(2): “[t]he board may on its own motion issue opinions without receiving a formal request.” 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.

QUESTIONS POSED:

1. When a criminal court suppresses evidence obtained as the direct result of an unconstitutional traffic stop, does that suppression ruling (standing alone) affect whether the corresponding body-worn camera footage and associated evidence within an investigative report must/may be disclosed under Iowa Code Chapter 22?
2. If the district court grants relief consistent with a pending motion sealing/preventing public dissemination of “any video evidence or other evidence obtained following the traffic stop”—does that court order render the relevant requested records “subject to nondisclosure” for Chapter 22 purposes? And, if so, how should the City document and apply that restriction to the requested recordings?

OPINION:

When a criminal court suppresses evidence obtained as the direct result of an unconstitutional traffic stop, does that suppression ruling (standing alone) affect whether the corresponding body-worn camera footage and associated evidence within an investigative report must/may be disclosed under Iowa Code Chapter 22?

Iowa Code Chapter 22 opens Iowa’s public records, giving “all persons the rights to examine public records . . . [but] then lists specific categories of records that must be kept confidential.” *Mitchell v. City of Cedar Rapids*, 926 N.W.2d 222, 229 (Iowa 2019) (citing *ACLU of Iowa, Inc. v. Recs. Custodian, Atl. Cmty. Sch. Dist.*, 818 N.W.2d 231, 232 (Iowa 2012)). While Chapter 22 favors transparency, Iowa Code § 22.7 carves out confidentiality for certain types of public records.¹ In some circumstances, the type of body-worn camera footage discussed here *may* be a public record subject to disclosure; at other times, it may be lawfully withheld

¹ “[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.”

Board Members

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

as a confidential part of a police officer investigative report.² Investigative reports, which may include the type of bodycam footage referenced here, are generally analyzed individually to determine their confidentiality status.³ When disclosure is disputed under Iowa Code § 22.7(5), the responding governmental body must undertake an analysis under the *Mitchell/Hawk Eye* balancing test to determine whether, when weighing public interest in disclosure against the potential harm of such disclosure, the record should be withheld as confidential.⁴

This question turns on whether, and how, an order suppressing evidence in a criminal trial affects that confidential status. The court’s authority to suppress evidence in a trial is a separate legal standard and analysis than a confidentiality determination. A judge’s analysis and determination regarding the admissibility of evidence at trial stem from other legal authority from the determination of whether the record is a non-confidential public record under Chapter 22. A judge’s determination to suppress evidence in a particular trial does not automatically render the same record a confidential record under Chapter 22. The custodian of the record still needs to undertake an individualized analysis under *Mitchell/Hawkeye* to make a determination on the confidential status of the record.

Although it is beyond the scope this advisory opinion, it is possible a court’s reasoning or determination regarding the admissibility regarding a particular piece of evidence *may* constitute one factor under the *Mitchell/Hawk Eye* test to determine the confidential status of a police investigative report.

If the district court grants relief consistent with a pending motion sealing/preventing public dissemination of “any video evidence or other evidence obtained following the traffic stop”—does that court order render the relevant requested records “subject to nondisclosure” for Chapter 22 purposes? And, if so, how should the City document and apply that restriction to the requested recordings?

The Court has previously recognized the separate, though intertwined, nature of the Court’s authority over discovery and evidentiary matters and the requirements of Chapter 22 governing public records.⁵ At the same time, courts derive authority from other statutory provisions within the Iowa Code as well as from common law. Where a court properly exercises its authority to restrain a governmental entity from disclosing certain records, nothing in Chapter 22 suggests that the statute supersedes other provisions of law or limits the court’s authority to issue such an order. Accordingly, a governmental entity should not disregard a valid court order restricting disclosure when that order is issued pursuant to another source of legal authority.

If a governmental entity has been restrained from disclosing or producing a particular record, they may respond to the request for the record by reference to the applicable court order.

² See 22AO:0002 *Body Camera Footage and Investigative Reports*

³ See 23AO:0003 *Confidentiality of Police Investigative Files*

⁴ 24AO:0014 *Is a government body required to produce bodycam video and lifeguard statements in response to a public record pursuant to Chapter 22?* demonstrates how the IPIB has applied the *Mitchell/Hawk Eye* balancing test in the past.

⁵ In *Mitchell v. City of Cedar Rapids*, the Court found that “section 22.7 does not trump our discovery rules.” 926 N.W.2d 222, 228 (Iowa 2019). It further held that Iowa Code § 22.7 does not create a “true privilege against discovery of . . . confidential information.” See *id.* at 66. “[T]here is nothing in section 22.7 that suggests the legislature intended to limit the discovery rights of litigants in cases involving governmental entities.” *Id.* at 69. “To the contrary, section 22.7 indicates the opposite because it allows disclosure upon a court order.” *Id.*

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:

Charissa Flege, J.D.
Deputy Director
Iowa Public Information Board

ISSUED ON:

March 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 Case #25FC:0144 - Withdrawal

1 message

Flege, Charissa <charissa.flege@iowa.gov>
To: tham62pan@gmail.com

Thu, Mar 12, 2026 at 9:20 AM

Mr. Hamson,

This email is to confirm your withdrawal of IPIB Case # 25FC:0144. Based upon our phone conversation this morning, you have received the records requested, are planning to work with the ombudsman going forward, and would like to withdraw your complaint.

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) 393-7664
charissa.flege@iowa.gov
www.ipib.iowa.gov



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

New Formal Complaint 26FC:0011

Kari Rose <karimarierose@gmail.com>
 To: "Miller, Charlotte" <charlotte.miller@iowa.gov>

Wed, Mar 4, 2026 at 1:09 PM

Please do.

Kari Rose

(402)-253-5228
karimarierose@gmail.com

**"Kindness is the language which the deaf can hear
 and the blind can see"**
 - Mark Twain

*"A person's a person no matter how small."
 - Horton Hears a Who!, Dr Seuss.*

**"People will forget what you said, people will forget what you did, but people
 will never forget how you made them feel."**
 - Maya Angelou

On Tue, Mar 3, 2026 at 4:23 PM Miller, Charlotte <charlotte.miller@iowa.gov> wrote:
 Wonderful, would you like to withdraw your complaint?

Best,
 Charlotte Miller

On Tue, Mar 3, 2026 at 1:26 PM Kari Rose <karimarierose@gmail.com> wrote:
 My apologies- I somehow missed this email.

Yes, the documents were provided.

Kari Rose

(402)-253-5228
karimarierose@gmail.com

**"Kindness is the language which the deaf can hear
 and the blind can see"**
 - Mark Twain

*"A person's a person no matter how small."
 - Horton Hears a Who!, Dr Seuss.*

**"People will forget what you said, people will forget what you did, but
 people will never forget how you made them feel."**
 - Maya Angelou

On Tue, Mar 3, 2026 at 10:22 AM Miller, Charlotte <charlotte.miller@iowa.gov> wrote:

Re: Fw: Accepting Complaint for Investigation - Case # 26FC:0041

1 message

Sally Oordt <soordt@msn.com>
To: "Flege, Charissa" <charissa.flege@iowa.gov>
Cc: "gregg.owens cityofspiritlake.org" <gregg.owens@cityofspiritlake.org>

Fri, Feb 20, 2026 at 10:01 AM

Ms. Flege,

I would like you to withdraw it. Thank you again for your prompt assistance.

Sally Hanna

From: Flege, Charissa <charissa.flege@iowa.gov>
Sent: Friday, February 20, 2026 9:52 AM
To: Sally Oordt <soordt@msn.com>
Cc: gregg.owens cityofspiritlake.org <gregg.owens@cityofspiritlake.org>
Subject: Re: Fw: Accepting Complaint for Investigation - Case # 26FC:0041

Ms. Hanna,

Would you like us to continue with the complaint process or would you like to withdraw at this time?

Sincerely,

Charissa Flege



On Thu, Feb 19, 2026 at 12:47 PM Sally Oordt <soordt@msn.com> wrote:

Ms. Flege,

I have received the records requested. Thank you for your assistance with this matter.

Sally Hanna

From: Flege, Charissa <charissa.flege@iowa.gov>
Sent: Thursday, February 19, 2026 10:03 AM
To: Sally Oordt <soordt@msn.com>
Cc: gregg.owens cityofspiritlake.org <gregg.owens@cityofspiritlake.org>
Subject: Re: Fw: Accepting Complaint for Investigation - Case # 26FC:0041

Thank you for keeping me in the loop. I will wait for your follow up.

Charissa Flege



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

Updated Plans for You Re: URGENT: Formal Complaint – Administrative Predation, Facility Safety Hazards, and Procurement Irregularities (Denver CSD)

Justin Scott <jscottimages@gmail.com>
To: "Lee, Alexander" <alexander.lee@iowa.gov>

Tue, Feb 24, 2026 at 11:33 AM

Dear Mr. Lee,

Thank you for your follow-up and the clarification of pending matters. And my apologies for the seemingly constant stream of emails. I seriously cannot wrap my head around the way this district thinks it can operate.

To ensure the most efficient use of IPIB resources, I am requesting to withdraw or cease the following issues:

- **The "Turf Project" Timeline:** I accept your assessment that the clearing of the room likely constituted a preemptive action rather than a clear meeting violation.
- **Pending Complaint 26FC:0012:** I wish to set aside the allegations regarding digital manipulation and physical archive suppression for the time being.
- **Informal Resolution 25FC:0073:** I am electing not to reopen the breach allegation at this time.

While these were significant issues at the time, they have been eclipsed by the potential multi-million dollar, multi-agency misappropriation "shell game" I have uncovered. This includes a possible \$2.5 million infrastructure gift by the City to the District and a private for-profit business, as well as the misappropriation of massive amounts of taxpayer funds in the absence of a valid 28E agreement and the suspected fraud of state paperwork.

Fwd: Response - IPIB Complaint (26FC:0019)

Michael J. Merritt <5079726520486172626F72@protonmail.com>

Wed, Mar 4, 2026 at 8:46 AM

To: "Lee, Alexander" <alexander.lee@iowa.gov>, Open Records <openrecords@ag.iowa.gov>

Mr. Lee:

This email confirms that IPIB Complaint 26FC:0019 is being withdrawn. The criteria utilized in arriving at this conclusion are unique to the circumstances of this case, including evidence supporting a behavioral trend manifested by the Iowa Attorney General's Office. This complaint withdrawal should not be used as a basis for consideration or disqualification of future complaints, as the evidence indicates that the Iowa Public Information Board manifested evidence of irregularities during its complaint intake process during August of 2023.

Respectfully,

Michael J. Merritt, USN (Ret.)

Founder: Phoenix Harbor

Writer/Musician

Information Systems Manager/Engineer

Information Warfare Specialist - OSINT

 2510 S 6TH ST D24

Marshalltown, IA 50158

 5079726520486172626F72@protonmail.com Matrix jzordpdtksrv35jkfde5oqatv6j5oq4jztxmxwndbp4g6kitdixaf6lyd.onion/Phoenix Harbor |  Open Source |  Dark Web Self-Hosted InfrastructurePowered by [Linux](#) | [Tor](#) | [Cryptomator](#) | [WireGuard](#) | [Syncthing](#) | [Matrix](#) | [WordPress](#) | [Baserow](#) | [n8n](#) | [LibreOffice](#) | [Logseq](#)

"The study of ethics is a pursuit of understanding the philosophical nature of right and wrong in its most perfect form. A society's justice system is an ever-evolving pursuit of that perfection. Corruption is the cultural, political, or personal bias that overrules and interferes with that system." [Perfection, Flaws, and Corruption](#)

Legal Disclaimer: Phoenix Harbor (2025-00002034) is a registered trade name in Marshall County, IA.

[Quoted text hidden]

3 attachments **Memorandum - Iowa Public Information Board Executive Director Erika Eckley - 22 AUG 2023.pdf**
431K **publickey - 5079726520486172626F72@protonmail.com - 0x3FC353C7.asc**
1K **signature.asc**
1K

Notice of New IPIB Complaint (26FC:0033)

Mufasa Lynn <melbykay78@gmail.com>
To: "Lee, Alexander" <alexander.lee@iowa.gov>

Fri, Mar 13, 2026 at 3:56 PM

Yes thank u for helping me

On Fri, Mar 13, 2026, 3:32 PM Lee, Alexander <alexander.lee@iowa.gov> wrote:

Good afternoon,

I'm glad you were able to get the investigation records and have a possible next step with the Office of Ombudsman. I hope you're able to find some of the answers you're looking for.

Just to confirm, would I be correct to say that the records request is now closed, as far as IPIB's involvement is concerned? I understand you have other work to do with the Ombudsman, so I'm only asking for the purposes of our case number 26FC:0033.

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
www.ipib.iowa.gov



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

Iowa Public Information Board Complaint 25FC:0157

Byron Jimmerson <byron.jimmerson@gmail.com>

Thu, Mar 12, 2026 at 11:17 AM

To: "Miller, Charlotte" <charlotte.miller@iowa.gov>

Cc: njimmerson@clarkecountyiowa.org, clarkebos@clarkecountyiowa.org, atty@clarkecountyiowa.org

Yes

Byron Jimmerson

On Thu, Mar 12, 2026, 11:08 AM Miller, Charlotte <charlotte.miller@iowa.gov> wrote:

Thank you for the update, it is my understanding that you believe the issue has been resolved. Would you like to withdraw your formal complaint?

Best,
Charlotte Miller

On Thu, Mar 12, 2026 at 10:46 AM Byron Jimmerson <byron.jimmerson@gmail.com> wrote:

I am writing in regard to the complaint filed concerning an alleged violation of the Iowa Code Chapter 21 and referenced under Iowa Code Chapter 23.

My intent in submitting the complaint was not to target the Board of Supervisors or the County Attorney. Rather, the purpose was to bring awareness to a concern regarding compliance with the open meetings requirements. Likewise, my concern was not directed at the Board of Health as a whole. Several members did recognize the issue at the time, though they were in the minority.

The primary concerns related to the actions of two board members, Paula McClafflin and Brian Crawford. Both individuals' terms concluded in December, and the Board of Supervisors subsequently appointed new members to fill those positions. Since those changes occurred, I have observed a noticeable shift in the culture of the board and a stronger adherence to the requirements of Chapter 21.

Based on my review of prior Iowa Public Information Board outcomes, many cases are resolved through education on the code and implementation of policies to ensure compliance moving forward. In this particular situation, those remedies would likely have limited value, as training had previously occurred. With the two primary individuals no longer serving and the board now demonstrating improved compliance, the underlying issue appears to have been effectively corrected.

While the code does allow for accountability of individuals involved, the circumstances that led to the complaint have largely been resolved through the change in board membership and the resulting improvement in adherence to open meetings requirements. From my perspective, that outcome has addressed the primary concern that prompted the complaint.

Thank you for your time and consideration.

Respectfully,

Byron Jimmerson

On Thu, Mar 12, 2026 at 8:00 AM Miller, Charlotte <charlotte.miller@iowa.gov> wrote:

Good Morning,

I have yet to receive responses from either party regarding the alleged violation of chapter 21. Under Iowa Code Chapter 23 IPIB is directed to seek an informal, expeditious resolution of the complaint. Iowa Code § 23.9. If any party declines informal assistance or if informal assistance fails to resolve the matter to the satisfaction of all parties, the IPIB is to initiate a formal investigation concerning the facts and circumstances set forth in the complaint. Iowa Code § 23.10.

Department 592
Iowa Public Information Board

To: Charlotte Miller
 cc: Mirela Jusic, Jennifer Caldwell

From: Marty Musser

Date: March 6, 2026

Re: **FY 2026 FINANCIAL ANALYSIS**
Period 8 - February 2026

Unit	Current Cash Balance	Projected FYE Cash Balance	CB - Iowa Advantage	Difference
0P22 - General Fund	245,506.74	30,195.11		
P22T - Training and Technology	0.00	0.00		
Totals	\$ 245,506.74	\$ 30,195.11	\$ 245,506.74	\$ -

Areas to Monitor:

RED:

YELLOW:

GREEN:

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	Obj/Rev Class Name	JULY	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	HO13	HO14	HO15	YTD	End of Year Forecast	Annual Budget	Percent of Budget	Percent of Budget Forecasted
		Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Forecast	Actual	(C=A+B)	(D)	To Date	Forecasted EOY						
Appropriation		467,227																	467,227		
Revenue Collected																					
401	Fees	-	-	-	45	-	-	71	-	-	-	-	-	-	-	-	-	116	-	0%	0%
Total Revenue Collected:		-	-	-	45	-	-	71	-	-	-	-	-	-	-	-	-	116	467,227	0%	0%
Expenditures																					
101	Personal Services	15,883	19,083	25,865	23,061	26,676	26,578	26,569	26,710	43,210	24,104	27,974	27,974	13,098	-	-	190,426	326,784	329,979	58%	99%
202	In State Travel	186	-	17	122	91	67	273	170	326	247	675	650	357	-	-	926	3,181	3,487	27%	91%
301	Office Supplies	-	33	240	-	273	360	120	435	790	150	150	120	150	-	-	1,462	2,822	2,000	73%	141%
309	Printing & Binding	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	1	1	100	1%	1%
313	Postage	-	14	-	6	3	10	3	7	5	4	4	8	1	-	-	44	66	75	59%	89%
401	Communications	-	-	115	-	489	-	308	154	187	187	187	187	187	-	-	1,066	2,000	2,240	48%	89%
406	Outside Services	-	-	-	-	-	-	-	-	8,400	8,400	8,400	8,400	25,200	-	-	-	58,800	100,800	0%	58%
414	Reimbursements To Other Agency	-	2,150	2,551	2,986	2,013	1,875	2,045	2,022	2,225	2,490	1,992	2,177	2,457	-	-	15,642	26,983	17,734	88%	152%
416	ITD Reimbursements	-	2,247	2,410	(78)	10,850	(5,736)	343	1,269	344	344	1,270	344	344	-	-	11,304	13,950	7,371	153%	189%
418	IT Outside Services	-	-	154	77	154	154	154	175	154	154	154	154	154	-	-	868	1,637	2,341	37%	70%
434	Gov Transfer Other Agencies	-	-	-	-	-	-	99	-	-	-	-	-	-	-	-	99	99	-	0%	0%
701	Licenses	-	-	-	-	-	-	-	-	825	-	-	-	-	-	-	-	825	1,100	0%	75%
Total Expenditures:		16,069	23,527	31,352	26,173	40,550	23,308	29,914	30,943	56,466	36,080	40,806	40,013	41,947	-	-	221,837	437,148	467,227	47%	94%
Current Month Operations		451,158	(23,527)	(31,352)	(26,173)	(40,550)	(23,308)	(29,914)	(30,943)	(56,466)	(36,080)	(40,806)	(40,013)	(41,947)	-	-					
Cash Balance		451,158	427,631	396,279	370,151	329,601	306,293	276,450	245,507	189,041	152,961	112,155	72,142	30,195	30,195	30,195					

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.
 202 - Costs include monthly board member cost traveling for meetings, misc training costs, and car rentals for staff to travel to training.
 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 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 - Forecast is 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. February and May includes quarterly OCIO charges of \$926. 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 - March 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 Budget \$	Updated Budget
Charlotte Miller 80071	115682	09617 - Executive Director	1.0	1.0		
Charissa Flege 105703	115690	90644 - Attorney II	1.0	1.0		
Alexander Lee 102526	115691	90643 - Attorney I	1.0	1.0		
Jayde Hilton 95304	151623	70006 - 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 Schmillen, 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	\$ 326,784
Total Filled Positions				3.20		

Active Cases Report

128

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New complaints &/or question last 30 day



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As of Mar 13, 2026, 1:05 PM

Active Questions

4

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Active AO Requests

7

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Broad Type (Filed in Current)



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Cases by Entity



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