

## **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)**  
**Monica McHugh, Zwingle (Public Representative, 2022-2026)**  
**Jackie Schmillen, Urbandale (Media Representative, 2022-2026)**  
**Vacant**  
**Vacant**

### **STAFF**

**Charlotte Miller, Executive Director**  
**Charissa Flege, Deputy Director**  
**Vacant, Agency Counsel**

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

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

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

### **Agenda**

**May 21, 2026, 1:00 p.m.**

**Conference Room**

**Jessie Parker Building, East**

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

#### **1:00 PM – IPIB Meeting**

- I. Approval of agenda\***
- II. Approval of the April 16, 2026 minutes \***
- III. Public Forum (5-minute limit per speaker)**
- IV. Comments from the board chair. (Lucas)**
  
- V. Advisory Opinion – Deliberation/Action.**
  - a. 25AO:0003 The Relationship Between Iowa Code § 22.7(11)(a)(1)–(5) and Other Confidentiality
  - b. 26AO:0006 Status of the SUDAS Corporation Under Chapter 21
  - c. 26AO:0007 Applicability of Chapter 21 to Conference Boards
  
- VI. Cases involving Board Deliberation/Action.\* (Miller)**
  - a. 25FC:0072 (Jonathan Uhl - Chapter 22- Scott County / Scott County Attorney's Office) 6/13/2025 -Final Report Completed IR/Final Report
  - b. 25FC:0109 (Jaicy Skaggs - Chapter 21- City of Kellogg) 8/18/2025 -Investigative Report Probable Cause Investigation

- c. 25FC:0136 (Alisha Beers - Chapter 22- City council of Pisgah and Clerk Heather) 9/22/2025 -Investigative Report Probable Cause Investigation
- d. 25FC:0155 (Paullina Resident - Chapter 21- Paullina City Council Paullina Personnel Board) 10/20/2025 -Investigative Report Probable Cause Investigation
- e. 25FC:0192 (Rachel Doyle - Chapter 22- City of Rolfe) 11/27/2025 – Investigative Report Probable Cause Investigation
- f. 25FC:0200 (John Doe - Chapter 22- Keokuk, IA Police Department) 12/8/2025 - Investigative Report Probable Cause Investigation
- g. 25FC:0206 (William Hendrikson - Chapter 22- City of clear lake police department) 12/18/2025 -Investigative Report Probable Cause Investigation
- h. (1) 25FC:0208 (William Hendrikson - Chapter 22- Sheriff David Hepperly - Cerro Gordo County Sheriff's Office) 12/17/2025 - Information Gathering/IR Process  
(2) 25FC:0209 (William Hendrikson - Chapter 22- Cerro Gordo County) 12/17/2025 -Investigative Report Probable Cause Investigation
- i. 26FC:0003 (Jacob Hall - Chapter 22- City of Sioux Center) 1/2/2026 -Informal Resolution Board Acceptance of IR
- j. 26FC:0006 (Jacob Hall - Chapter 22- Sioux Center Library - City of Sioux Center) 1/5/2026 - Information Gathering/IR Process
- k. 26FC:0024-1 (Jarrod Diers - Chapter 22- Oskaloosa School District) 1/23/2026 - Investigative Report Draft Order
- l. 26FC:0034 (Gregory Armstrong - Chapter 21- Hamburg City Council) 1/29/2026 -Investigative Report Probable Cause Investigation
- m. 26FC:0049 (Jacquelynn Zugg - Chapter 21- City of Centerville) 2/16/2026 - Investigative Report Probable Cause Investigation
- n. 26FC:0073 (Benjamin Ward - Chapter 22- Fort Des Moines Correctional Facility / Iowa Department of Corrections (IDOC)) 3/16/2026 -Investigative Report Probable Cause Investigation
- o. 26FC:0080 (Tanner Mikel - Chapter 22- City of Clive) 3/19/2026 -Investigative Report Probable Cause Investigation
- p. 26FC:0085 (Andrew Oltrogge - Chapter 22- West Des Moines (City attorney, West Des Moines Police Department)) 3/27/2026 -Investigative Report Probable Cause Investigation
- q. 26FC:0089 (Gabe Schaapveld - Open Meetings Law- Johnson County Board of Supervisors) 3/24/2026 -Investigative Report Probable Cause Investigation

## VII. Consent Agenda \*

### a. Dismissals

1. Dismiss 26FC:0004 (Rebecca Bianchi - Both- City of Mitchellville) 1/4/2026 - Draft Order
2. Dismiss 26FC:0046 (Tim Ferguson - Both- Scott County and Scott County Attorney's Office) 2/15/2026 - Draft Order
3. Dismiss 26FC:0055 (Curtis Bloes - Chapter 22- Kids World Advisory Board) 2/26/2026 - Draft Order
4. Dismiss 26FC:0078-1 (Tony Jensen - Chapter 21- City of Mitchellville) 3/13/2026 - Draft Order

5. Dismiss 26FC:0078-2 (Amber Turner - Chapter 21- Mitchellville City Council) 3/13/2026 - Draft Order
6. Dismiss 26FC:0093-1 (Vendetta CeCe-Jackowiak - Chapter 22- Davenport Police Department) 4/2/2026 - Draft Order
7. Dismiss 26FC:0093-2 (Vendetta CeCe-Jackowiak - Chapter 22- Davenport Police Department) 4/24/2026 - Draft Order
8. Dismiss 26FC:0106 (David Raymond - Both- City of Lewis Iowa) 4/15/2026 – Draft Order
9. Dismiss 26FC:0109-1 (Jenny Hartman-Mendoza - Chapter 21- City of Westfield) 4/13/2026 - Draft Order
10. Dismiss 26FC:0109-2 (Dustin Brunsting - Both- City of Westfield) 4/13/2026 - Draft Order
11. Dismiss 26FC:0119 (Stuart McGruff - Chapter 22- Representative Helena Hayes) 4/30/2026 - Draft Order

**b. Acceptance**

1. Accept 23FC:0104-2 (Hendrik van Pelt - Chapter 22- City of West Des Moines / West Des Moines Police Department) 4/30/2026 - Accept/Dismiss
2. Accept 26FC:0021 (Tim Ferguson - Both- City of Davenport and Davenport Police) 1/26/2026 - Accept/Dismiss
3. Accept 26FC:0039 (Wellington - Chapter 22- Henry County) 2/2/2026 - Accept/Dismiss
4. Accept 26FC:0052 (Justin Scott - Chapter 22- Denver Community School District) 2/24/2026 - Board Approval of A/D
5. Accept 26FC:0059 (Susan Lemon - Chapter 21- Woodward Public Library) 2/27/2026 - Accept/Dismiss
6. Accept 26FC:0063 (Jonathan Uhl - Chapter 22- City of Davenport) 3/5/2026 - Accept/Dismiss
7. Accept 26FC:0077 (Gregory Armstrong - Chapter 22- Hamburg Community School District) 3/15/2026 - Accept/Dismiss
8. Accept 26FC:0084 (Mark Beardmore - Both- City of Carroll) 3/20/2026 - Accept/Dismiss
9. Accept 26FC:0087 (Citizen of Iowa - Chapter 22- Melcher Dallas Public Library, Melcher Dallas City Council) 3/23/2026 - Accept/Dismiss
10. Accept 26FC:0094 (Daniella Jensen - Chapter 22- City of Mitchellville) 3/28/2026 - Accept/Dismiss
11. Accept 26FC:0095 (Sean Canto – Chapter 22- Wapello County Supervisors, Wapello County Emergency Management , Wapello County Emergency Medical Advisory Committee) 3/31/2026 - Board Approval of A/D
12. Accept 26FC:0099 (Claire Logsdon - Chapter 22- Fort Dodge Police Department) 4/8/2026 - Board Approval of A/D
13. Accept 26FC:0100 (Claire Logsdon - Chapter 22- West Des Moines Police Department) 4/8/2026 - Accept/Dismiss
14. Accept 26FC:0100-2 (Claire Logsdon - Chapter 22- West Des Moines Police Department) 4/10/2026 - Accept/Dismiss

15. Accept 26FC:0101 (Andrew Hansen - Chapter 22- City of Tabor Police Department) 4/10/2026 - Accept/Dismiss
16. Accept 26FC:0102 (Jayden Smith - Chapter 22- Nevada Police Department) 4/20/2026 - Board Approval of A/D
17. Accept 26FC:0103 (Vendetta CeCe-Jackowiak - Chapter 22- Scott Emergency Communications Center) 4/23/2026 - Accept/Dismiss
18. Accept 26FC:0105 (Thomas Green - Chapter 22- Fort Dodge Police Department & City of Fort Dodge) 4/14/2026 - Accept/Dismiss
19. Accept 26FC:0107 (Claire Logsdon - Chapter 22- Perry Police Department) 4/10/2026 - Accept/Dismiss
20. Accept 26FC:0108 (Claire Logsdon - Chapter 22- Waukee Police Department) 4/10/2026 - Board Approval of A/D
21. Accept 26FC:0110 (Claire Logsdon - - Davenport police department) 4/24/2026 - Board Approval of A/D
22. Accept 26FC:0112 (Kristin Steele - Chapter 21- City of Runnells) 4/28/2026 - Board Approval of A/D
23. Accept 26FC:0113 (Joshua James Burkholder - Chapter 22- Johnson County Sheriff's Office) 4/23/2026 - Accept/Dismiss
24. Accept 26FC:0114 (Celina Charles - Chapter 22- Dubuque Police Department DCI IA DPS) 4/24/2026 - Board Approval of A/D
25. Accept 26FC:0115 (Justin Crawford - Chapter 21- Shellsburg, IA) 4/23/2026 - Accept/Dismiss
26. Accept 26FC:0117 (Erin Latona - Chapter 22- Iowa Department of Transportation and the Iowa Department of Administrative Services) 5/7/2026 - Accept/Dismiss
27. Accept 26FC:0121 (Tim Brown - Chapter 21- Conference Realignment Committee - Department of Education) 5/7/2026 - Accept/Dismiss
28. Accept 26FC:0124 (Stephanie Gabriel - Chapter 22- City of West Des Moines) 5/7/2026 - Accept/Dismiss
29. Accept 26FC:0123 (Claire Logsdon - Chapter 22- Iowa City Police Department) 5/11/2026 - Board Approval of A/D
30. Accept 26FC:0127 (Tyler Hunt - Chapter 22- Anamosa) 5/11/2026 - Board Approval of A/D

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

- a. 25FC:0153 (Michael Merritt - Chapter 22- Iowa Attorney General's Office) 10/16/2025 -Withdrawn Resolved/Withdrawn
- b. 25FC:0188 (Kyle Ocker - Chapter 22- City of Pleasantville) 12/10/2025 - Withdrawn Resolved/Withdrawn
- c. 26FC:0062 (Jonathan Uhl - Chapter 22- Scott County, IA) 3/5/2026 - Resolved/Withdrawn

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

1. 25FC:0054 (Tim Ferguson - Chapter 22- City of Davenport) 5/19/2025 - Information Gathering/IR Process

2. 25FC:0055 (Justin Cole - Chapter 21- Mount Union Benefited Fire District) 5/21/2025 - Board Acceptance of IR
3. 25FC:0061 (Dylan Southall - Chapter 22- Cedar Falls Utilities - Cedar Falls, Iowa) 5/23/2025 - Probable Cause Investigation
4. 25FC:0058 (Rachel Doyle - Both- City of Rolfe) 5/27/2025 - Information Gathering/IR Process
5. 25FC:0075 (Chris Stevens - Chapter 22- City of Swea City IA) 6/17/2025 - Information Gathering/IR Process
6. 25FC:0076 (Ken Allsup - Both- Oskaloosa School Board) 6/17/2025 - Information Gathering/IR Process
7. 25FC:0082 (Tim Ferguson - Chapter 22- Davenport Police Department) 6/24/2025 - Information Gathering/IR Process
8. 25FC:0089 (Charlie Comfort - Chapter 22- Oskaloosa Community School District) 7/7/2025 - Information Gathering/IR Process
9. 25FC:0092 (Keith Wieland - Chapter 21- Buchanan County Solid Waste Commission) 7/9/2025 - Information Gathering/IR Process
10. 25FC:0099 (Mount Pleasant Municipal Utilities - Chapter 21- Resale Power Group of Iowa) 7/28/2025 - Information Gathering/IR Process
11. 25FC:0104 (Tim Ferguson - Chapter 22- City of Davenport and Davenport Police Department) 8/13/2025 - Information Gathering/IR Process
12. 25FC:0119 (Tim Ferguson - Chapter 22- City of Davenport custodian) 8/21/2025 - Information Gathering/IR Process
13. 25FC:0120 (Tim Ferguson - Chapter 22- Davenport Police Department & City of Davenport) 8/26/2025 - Board Approval of A/D
14. 25FC:0121 (Tim Ferguson - Chapter 22- Scott County) 8/26/2025 - Information Gathering/IR Process
15. 25FC:0126 (Don McGregor - Chapter 22- Kossuth County Board of Supervisors) 9/11/2025 - Information Gathering/IR Process
16. 25FC:0127 (Vince Johnson - Chapter 22- Kossuth County board of supervisors and trustees of Drainage district DD4) 9/11/2025 - Information Gathering/IR Process
17. 25FC:0151 (Gregory Armstrong - Chapter 22- Hamburg Community School Board) 10/8/2025 - Information Gathering/IR Process
18. 25FC:0166 (James Possehl - Chapter 21- City of Parnell - city council) 10/27/2025 - Information Gathering/IR Process
19. 25FC:0167 (Jacob Hall - Chapter 22- City of Storm Lake) 10/28/2025 - Board Acceptance of IR
20. 25FC:0176 (Mikayla Simpson - Chapter 22- Madison County Board of Supervisors) 11/6/2025 - Information Gathering/IR Process
21. 25FC:0187-2 (Mikayla Simpson - Chapter 22- Madison County Board of Supervisors) 11/19/2025 - Information Gathering/IR Process
22. 25FC:0187-1 (Mikayla Simpson - Chapter 22- Madison County) 11/19/2025 - Information Gathering/IR Process
23. 25FC:0191 (Jonathan Uhl - Chapter 22- City of Davenport) 12/9/2025 - Information Gathering/IR Process
24. 25FC:0201 (Lori White - Chapter 22- City of Missouri Valley Iowa) 12/9/2025 - Information Gathering/IR Process

25. 25FC:0202 (Lori White - Chapter 22- City of Missouri Valley) 12/9/2025 - Information Gathering/IR Process
26. 25FC:0215 (William Daggett - Chapter 22- City of Baxter) 12/16/2025 - Information Gathering/IR Process
27. 25FC:0214 (Shannon Martinez - Chapter 22- Wilton Police Department) 12/18/2025 - Information Gathering/IR Process
28. 25FC:0221 (Gregory Armstrong - Chapter 22- Hamburg Community School Board) 12/22/2025 - Probable Cause Investigation
29. 26FC:0001 (Coltin Hatfield - Chapter 21- City of Kellerton) 1/1/2026 - Information Gathering/IR Process
30. 26FC:0002 (Lori White - Chapter 22- Harrison County Sherrif) 1/2/2026 - Information Gathering/IR Process
31. 26FC:0005 (Stephen Swanson - Chapter 21- Madison County Board of Supervisors) 1/5/2026 - Information Gathering/IR Process
32. 26FC:0010 (Jennifer Benbow - Chapter 22- Marshall County Sheriff's Office) 1/8/2026 - Information Gathering/IR Process
33. 26FC:0027 (Tim Ferguson - Both- Scott County and Scott County Attorney's Office) 1/21/2026 - Complaint Opened/Acknowledged
34. 26FC:0015 (James Phillips - Chapter 22- Madison County Board of Supervisors) 1/22/2026 - Information Gathering/IR Process
35. 26FC:0023 (Jacquelynn Zugg - Chapter 22- City of Centerville) 1/23/2026 - Information Gathering/IR Process
36. 26FC:0020 (Smith - Chapter 21- Des Moines County Board of Supervisors) 1/26/2026 - Information Gathering/IR Process
37. 26FC:0028 (Curtis Bloes - Chapter 21- Sac County Board of Supervisors) 1/27/2026 - Information Gathering/IR Process
38. 26FC:0030 (Anthony Teninty - Chapter 22- Wapello County) 1/29/2026 - Information Gathering/IR Process
39. 26FC:0036 (William Daggett - Chapter 22- City of Baxter, Iowa) 1/30/2026 - Information Gathering/IR Process
40. 26FC:0025 (Linda Smithson - Chapter 21- Bettendorf Community School District Board of Directors) 1/30/2026 - Information Gathering/IR Process
41. 26FC:0018 (Steven Bowman - Chapter 22- City of Des Moines) 1/30/2026 - Information Gathering/IR Process
42. 26FC:0037 (Shane Martinson - Chapter 22- City of Stuart) 1/30/2026 - Information Gathering/IR Process
43. 26FC:0040 (Jacquelynn Zugg - Chapter 22- City of Centerville) 2/2/2026 - Information Gathering/IR Process
44. 26FC:0035 (Judith Lee - Chapter 22- City of Davenport) 2/6/2026 - Information Gathering/IR Process
45. 26FC:0043 (Judith Lee - Chapter 22- City of Davenport) 2/6/2026 - Information Gathering/IR Process
46. 26FC:0045 (Vendetta CeCe-Jackowiak - Chapter 22- Davenport Police Department
47. City of Davenport, Iowa) 2/12/2026 - Information Gathering/IR Process
48. 26FC:0047 (Tim Ferguson - Both- Scott County and Scott County Attorney's office) 2/15/2026 - Information Gathering/IR Process

49. 26FC:0053 (Lori White - Chapter 22- Harrison County Sheriff and Harrison county attorney) 2/19/2026 - Information Gathering/IR Process
50. 26FC:0048 (Melissa Duffield - Chapter 22- City of Robins) 2/20/2026 - Information Gathering/IR Process
51. 26FC:0054 (Tyler Jett - Chapter 22- Polk County Sheriff's Office) 2/25/2026 - Information Gathering/IR Process
52. 26FC:0051 (Matthew Rollinger - Chapter 22- Iowa Department of Education) 2/25/2026 - Information Gathering/IR Process
53. 26FC:0056 (Jacquelynn Zugg - Both- City of Centerville) 2/27/2026 - Information Gathering/IR Process
54. 26FC:0057 (Jacquelynn Zugg - Chapter 22- City of Centerville) 2/27/2026 - Information Gathering/IR Process
55. 26FC:0058 (Laura Johnston - Chapter 21- Story County Board of Health) 2/27/2026 - Information Gathering/IR Process
56. 26FC:0065 (Kari Friedmann - Both- City of Sac City) 3/5/2026 - Information Gathering/IR Process
57. 26FC:0068 (Nicholas Bargren - Chapter 22- Iowa City Police Department) 3/6/2026 - Information Gathering/IR Process
58. 26FC:0070 (Henkel - Chapter 22- Henry County supervisors@henrycountyiowa.us) 3/10/2026 - Information Gathering/IR Process
59. 26FC:0071 (Chelsea Plaster - Chapter 22- City of Davenport Public Works- Neighborhood Services) 3/11/2026 - Information Gathering/IR Process
60. 26FC:0074 (Rachel Doyle - Chapter 22- City of Rolfe) 3/12/2026 - Complaint Opened/Acknowledged
61. 26FC:0057 -2 (Jacquelynn Zugg - Chapter 22- City of Centerville, Iowa) 3/13/2026 - Complaint Opened/Acknowledged
62. 26FC:0082 (Chris Baldus - Chapter 22- City of Clinton) 3/19/2026 - Information Gathering/IR Process
63. 26FC:0066 (Michael Dyer - Both- Decatur city council) 3/23/2026 - Information Gathering/IR Process
64. 26FC:0090 (Dan Lett - Both- Delaware County Conference Board-Delaware County Board of Supervisors) 3/25/2026 - Information Gathering/IR Process
65. 26FC:0090-02 (Dan Lett - Both- Delaware County) 3/25/2026 - Information Gathering/IR Process
66. 26FC:0076 (Kaylene Jackson - Chapter 21- Okoboji Community School District School Board) 3/25/2026 - Information Gathering/IR Process
67. 26FC:0088 (Thomas Colnot - Chapter 22- Waterloo Police Department) 3/26/2026 - Complaint Opened/Acknowledged
68. 26FC:0091 (Gustoff Carlson - Chapter 22- Marshalltown Police Department and the Marshall County Communications Commission) 3/26/2026 - Information Gathering/IR Process
69. 26FC:0072 (Elaine Webb - Chapter 21- City of Mitchellville) 3/26/2026 - Information Gathering/IR Process
70. 26FC:0097 (Billy Frazier - Chapter 22- Linn County) 4/9/2026 - New / Complaint Information Reviewed

71. 26FC:0116 (Jacquelynn Zugg - Chapter 22- City of Centerville) 4/17/2026 - Information Gathering/IR Process
72. 26FC:0111 (Gustoff Carlson - Chapter 22- City of Ames Police Department) 4/23/2026 - Complaint Opened/Acknowledged
73. 26FC:0024-2 (Jarrod Diers - Chapter 22- Mahaska Police Department) 5/7/2026 - Complaint Opened/Acknowledged
74. 26FC:0122 (Landis Cross - Chapter 22- ) 5/11/2026 - New / Complaint Information Reviewed
75. 26FC:0118 (Seth Johnson - Both- City of Hampton) 5/12/2026 - Complaint Opened/Acknowledged

**X. Committee Reports**

- a. Training – (Miller)
- b. Legislative – (Miller)
- c. Rules – (Miller)

**XI. Office status report.**

- a. Office Update \* (Miller)
- b. Financial/Budget Update (FY25) \* (Miller)
- c. Presentations/Trainings (Miller)
- d. District Court Update (Miller)

**XII. Next IPIB Board Meeting will be held on June 18, 2026, at 1:00 p.m.**

**XIII. Adjourn**

**\* Attachment**

## **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**

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### **Agenda**

**April 16, 2026, 1:00 p.m.**

**Conference Room**

**Jessie Parker Building, East**

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

### **DRAFT MINUTES**

#### **1:00 PM – IPIB Meeting**

The Iowa Public Information Board (IPIB) met on April 16, 2026, for a board meeting at 1 p.m. at the offices of the Iowa Public Information Board located at 510 East 12<sup>th</sup> Street, Des Moines. The following members participated: E.J. Giovannetti, Catherine Lucas, Barry Lindahl (remote), Joel McCrea, Joan Corbin (remote), Luke Martz, and Monica McHugh (remote). Also present was IPIB staff: IPIB Executive Director, Charlotte Miller; IPIB Deputy Director, Charissa Flege; and IPIB Agency Counsel, Alexander Lee. John Lundquist, counsel for the board, was also present, as well as, members of the public. A quorum was declared present.

- I. Approval of agenda.** On a motion by Lindahl, seconded by Giovannetti, to approved the agenda. **Approved, 7-0.**
- II. Approval of the March 19, 2026 minutes.** On a motion by Martz, second by McCrea, to approve the March 19, 2026 minutes. **Approved, 7-0.**
- III. Public Forum (5-minute limit per speaker).** Discussion about the agenda website posting, confirmed it is posted on the website.

**IV. Comments from the board chair.** Lucas addressed the Board and public. Board Members thanked and congratulated McCrea on the conclusion of his appointment and last meeting. McCrea addressed the Board, thanking staff and fellow board members.

**V. Cases involving Board Deliberation/Action.**

1. *25FC:0031 (Michael Chapman - Chapter 21- Waterloo Community School District Board of Education) 3/26/2025 -Final Report Draft Order.* Lee presented on behalf of staff. On a motion by Martz, second by Giovannetti, to adopt staff recommendation. **Approved 7-0.**
2. *25FC:0061 (Dylan Southall - Chapter 22- Cedar Falls Utilities - Cedar Falls, Iowa) 5/23/2025 -Investigative Report Draft Order.* Miller presented on behalf of staff. Jeffrey Edgar, Counsel for CFU, addressed the Board. Giovannetti suggested sending back the matter for further staff investigation. Board discussion occurred. Motion to table by Giovannetti, second by McCrea. **Approved, 7-0.**
3. *25FC:0070(1-4) (Keith Wieland - Chapter 22- Buchanan County, Iowa) 6/10/2025 -Investigative Report Draft Order.* Lee presented on behalf of staff. Mr. Wieland addressed the Board. Holly Cockery, counsel for Respondent, addressed the Board. Martz asked the parties clarifying questions, parties answered and responded. Board discussion occurred. Board direct staff to modify report to indicate that this conclusion was a fact specific and was due to reasonable ambiguity. On a motion by Lindahl, second by Martz, to amend and approve staff recommendation and require disclosure of records. Board discussion occurred on the amendment of report. **Approved, 7-0.**
4. *25FC:0079 (Judith Lee - Chapter 22- City of Davenport) 6/24/2025 -Investigative Report Draft Order.* Lee presented on behalf of staff. Judith Lee addressed the Board. Samuel Huff, Davenport City Attorney, addressed the Board. Lindahl asked clarifying questions. Board deliberation occurred. On a motion by Lindahl, second by Martz, to adopt staff recommendation, emphasizing that certain aspects of the handling of the request fell short of best practice. **Approved, 7-0.**
5. *25FC:0099 (Mount Pleasant Municipal Utilities (MPMU) - Chapter 21- Resale Power Group of Iowa) 7/28/2025 -Informal Resolution Draft Order.* Lee presented on behalf of staff. Aaron Hilligas, counsel for MPMU, was present on behalf of MPMU. Molly Parker, counsel for Resale Power Group of Iowa addressed the Board. Board discussion occurred. On a motion by Martz, second by Giovannetti, to adopt staff recommendation. **Approved, 7-0.**
6. *25FC:0116 (Crystal Davis - Chapter 21- Larchwood City Council and Mayor) 8/27/2025 -Final Report.* Lee presented on behalf of staff. Board discussion occurred. On a motion by Giovannetti, second by Lindahl, to adopt staff recommendation. **Approved, 7-0.**
7. *25FC:0194 (Justin Brady - Chapter 22- Des Moines Public Schools (DMPS), State Department of Education) 12/1/2025 -Investigative Report Draft Order.* Flege presented on behalf of staff. Jazmin Polk, counsel for DMPS, was present. Board discussion occurred. On a motion by Martz, second by Giovannetti, to approve staff recommendation. McCrea recused himself. **Approved, 6-0.**
8. *25FC:0212 (Travis Petsche - Chapter 22- City of Fayette) 12/18/2025 - Investigative Report Information Gathering/IR Process Information Gathering/IR Process.* Miller presented on behalf of staff. Holly Cockery, counsel for Fayette,

address the Board. Board discussion occurred. On a motion by McCrea, second by Lindahl, to approve staff recommendation. **Approved, 7-0.**

9. *26FC:0014 (Caleb Housh - Chapter 21- Seymour Community School District (SCSD)) 1/9/2026 -Investigative Report Draft Order.* Flege presented on behalf of staff. Caleb Housh addressed the board. Brett Nitzchke, counsel for the SCSD, addressed the board. Board discussion occurred. On a motion by Martz, second by Giovannetti, to dismiss based on staff recommendation. **Approved, 6-1. Corbin voted nay.**
10. *25FC:0167 (Jacob Hall - Chapter 22- City of Storm Lake) 10/28/2025 – Informal Resolution Report.* Flege presented on behalf of staff. Board discussion occurred. On a motion by Lindahl, second by Corbin, to approve Informal Resolution report. **Approved, 7-0.**

**VI. Potential Closed Session under Iowa Code § 21.5(1)(c).** *To discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation.* Lundquist provided a legal update regarding pending legal matters involving the Board. Giovannetti asked counsel if the subject matter was appropriate for closed session. John Lundquist, Attorney General Counsel for the Board, addressed the Board and stated there are issues that need to be discussed with the Board that would disadvantage the position of the IPIB if discussed in open session and indicated that closed session is appropriate. On a motion by Martz and second by McCrea, to enter closed session pursuant to Iowa Code § 21.5(1)(c) to discuss strategy with counsel in matters that are presently in litigation where disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation.

Roll Call vote:

Joan Corbin – aye

E. J. Giovannetti – aye

Barry Lindahl – aye

Catherine Lucas – aye

Luke Martz – aye

Joel McCrea – aye

Monica McHugh – aye

**Approved, 7-0.**

Board returned from closed session at 4:34 PM.

**VII. Consent Agenda. \***

1. **Dismissals.** On a motion by Martz, second Lindahl, to accept the consent agenda dismissals with the exception of item 2 (*26FC:0061*) and item 7 (*26FC:0086*). **Approved, 7-0.**
  - 1) *Dismiss 26FC:0060 (Jason Battin - Chapter 22- City of Mitchellville) 3/1/2026 - Draft Order*
  - 2) *Dismiss 26FC:0061 (Jeremy Newsom - Chapter 22- Iowa Department of Public Safety) 3/1/2026 - Draft Order*

- 3) *Dismiss 26FC:0064 (Heather Duncan-Detrick - Chapter 22- Iowa Department of Corrections) 3/3/2026 - Draft Order*
- 4) *Dismiss 26FC:0075 (Kevin-Dennis Olson - Chapter 22- City of Des Moines and Polk County court) 3/12/2026 - Draft Order*
- 5) *Dismiss 26FC:0079 (Tony Jensen - Chapter 21- City of Mitchellville) 3/19/2026 - Draft Order*
- 6) *Dismiss 26FC:0081 (Chey Hixson - Chapter 22- Mitchellville Mayor) 3/19/2026 - Draft Order*
- 7) *Dismiss 26FC:0086 (Terri Hay - Chapter 22- City of Clarksville) 3/26/2026 - Draft Order*
- 8) *Dismiss 26FC:0092 (Amber Turner - Chapter 21- City of Mitchellville) 3/26/2026 - Draft Order*

On a motion to dismiss 26FC:0061 by Martz, second by Lindahl. **Approved 6-0, Lucas abstained.**

On a motion dismiss 26FC:0086 by Giovannetti, second by Martz, **Approved 7-0.**

2. **Acceptance.** On a motion by Martz, second McCrea, to accept the consent agenda acceptances. **Approved, 7-0.**

- 1) *Accept 25FC:0120 (Tim Ferguson – Chapter 22 – City of Davenport) 8/26/2025- Accept/Dismiss*
- 2) *Accept 26FC:0043 (Judith Lee - Chapter 22- City of Davenport) 2/6/2026 - Information Gathering/IR Process*
- 3) *Accept 26FC:0047 (Tim Ferguson - Both- Scott County and Scott County Attorney's office) 2/15/2026 - Accept/Dismiss*
- 4) *Accept 26FC:0053 (Lori White - Chapter 22- Harrison County Sheriff and Harrison county attorney) 2/19/2026 - Accept/Dismiss*
- 5) *Accept 26FC:0058 (Laura Johnston - Chapter 21- Story County Board of Health) 2/27/2026 - Information Gathering/IR Process*
- 6) *Accept 26FC:0065 (Kari Friedmann - Both- City of Sac City) 3/5/2026 - Board Approval of A/D*
- 7) *Accept 26FC:0066 (Michael Dyer - Both- Decatur city council) 3/23/2026 - Board Approval of A/D*
- 8) *Accept 26FC:0068 (Nicholas Bargren - Chapter 22- Iowa City Police Department) 3/6/2026 - Information Gathering/IR Process*
- 9) *Accept 26FC:0070 (Henkel - Chapter 22- Henry County supervisors@henrycountyiowa.us) 3/10/2026 - Board Approval of A/D*
- 10) *Accept 26FC:0071 (Chelsea Plaster - Chapter 22- Public works- Neighborhood services) 3/11/2026 - Board Approval of A/D*
- 11) *Accept 26FC:0072 (Elaine Webb - Chapter 21- City of Mitchellville) 3/26/2026 - Accept/Dismiss*
- 12) *Accept 26FC:0073 (Benjamin Ward - Chapter 22- Fort Des Moines Correctional Facility / Iowa Department of Corrections (IDOC)) 3/16/2026 - Board Approval of A/D*

- 13) *Accept 26FC:0076 (Kaylene Jackson - Chapter 21- Okoboji Community School District School Board) 3/25/2026 - Board Approval of A/D*
- 14) *Accept 26FC:0080 (Tanner Mikel - Chapter 22- City of Clive) 3/19/2026 - Board Approval of A/D*
- 15) *Accept 26FC:0082 (Chris Baldus - Chapter 22- City of Clinton) 3/19/2026 - Board Approval of A/D*
- 16) *Accept 26FC:0090-01 (Dan Lett - Both- Delaware County Conference Board-Delaware County Board of Supervisors Delaware County Auditor/HR Director-Carla Becker Mike Galloway-Delaware County HR Attorney) 3/25/2026 - Board Approval of A/D*
- 17) *Accept 26FC:0090-02 (Dan Lett - Both- Delaware County Conference Board-Delaware County Board of Supervisors Delaware County Auditor/HR Director-Carla Becker Mike Galloway-Attorney for Delaware County HR,) 3/25/2026 - Board Approval of A/D*
- 18) *Accept 26FC:0091 (Gustoff Carlson – Chapter 22 - Marshalltown Police Department and the Marshall County Communications Commission) 3/28/2026 – Accept/Dismiss*
- 19) *Accept 26FC:0094 (Daniella Jensen - Chapter 22- City of Mitchellville) 3/28/2026 - Accept/Dismiss*

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

- 1. 26FC:0029 (Richard Francis - Chapter 22- Webster County Shierffs Department) 1/28/2026 -Withdrawn Resolved/Withdrawn
- 2. 26FC:0042 (Lori Daughenbaugh - Chapter 22- City of Runnells) 2/4/2026 - Withdrawn Resolved/Withdrawn
- 3. 26FC:0083 (Kaleb Frey - Both- YSS of Marshall County Marshalltown Police and Community Team) 3/20/2026 –Withdrawn Resolved/Withdrawn
- 4. 25FC:0198 (OpenRec2025 - Chapter 22- Iowa Western Community College) 12/5/2025 -Withdrawn Resolved/Withdrawn
- 5. 25FC:0222 (Richard Francis - Chapter 22- Police Chief of Manson Iowa & Sheirff Deputy for Calhoun County & Mayor of Manson Iowa) 12/22/2025 - Withdrawn Resolved/Withdrawn
- 6. 26FC:0062 (Jonathan Uhl - Chapter 22- Scott County, IA) 3/5/2026 - Withdrawn Resolved/Withdrawn
- 7. 26FC:0069 (Angela Newcomb - Both- Marion Independent School District) 3/12/2026 - Withdrawn Resolved/Withdrawn
- 8. 25FC:0134 (Richard Francis - Chapter 22- Fort Dodge Police Department) 9/20/2025 - Withdrawn Resolved/Withdrawn

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

- 1. 25FC:0055 (Justin Cole - Chapter 21- Mount Union Benefited Fire District) 5/21/2025 - Board Acceptance of IR
- 2. 25FC:0058 (Rachel Doyle - Both- City of Rolfe) 5/27/2025 - Information Gathering/IR Process
- 3. 25FC:0072 (Jonathan Uhl - Chapter 22- Scott County / Scott County Attorney's Office) 6/13/2025 - Information Gathering/IR Process
- 4. 25FC:0075 (Chris Stevens - Chapter 22- Cerro Gordo County Attorney's Office) 6/17/2025 - Information Gathering/IR Process

5. 25FC:0076 (Ken Allsup - Both- Oskaloosa School Board) 6/17/2025 - Information Gathering/IR Process
6. 25FC:0082 (Tim Ferguson - Chapter 22- Davenport Police Lieutenant Dennis) 6/24/2025 - Information Gathering/IR Process
7. 25FC:0089 (Charlie Comfort - Chapter 22- Oskaloosa Community School District) 7/7/2025 - Information Gathering/IR Process
8. 25FC:0092 (Keith Wieland - Chapter 21- Buchanan County Solid Waste Commission) 7/9/2025 - Information Gathering/IR Process
9. 25FC:0104 (Tim Ferguson - Chapter 22- City of Davenport and Davenport Police Department) 8/13/2025 - Information Gathering/IR Process
10. 25FC:0109 (Jaicy Skaggs - Chapter 21- City of Kellogg) 8/18/2025 - Information Gathering/IR Process
11. 25FC:0119 (Tim Ferguson - Chapter 22- City of Davenport custodian) 8/21/2025 - Information Gathering/IR Process
12. 25FC:0121 (Tim Ferguson - Chapter 22- Scott County) 8/26/2025 - Information Gathering/IR Process
13. 25FC:0126 (Don McGregor - Chapter 22- Kossuth County Board of Supervisors) 9/11/2025 - Information Gathering/IR Process
14. 25FC:0127 (Vince Johnson - Chapter 22- Kossuth County board of supervisors and trustees of Drainage district DD4) 9/11/2025 - Information Gathering/IR Process
15. 25FC:0136 (Alisha Beers - Chapter 22- City council of Pisgah and Clerk Heather) 9/22/2025 - Information Gathering/IR Process
16. 25FC:0151 (Gregory Armstrong - Chapter 22- Hamburg Community School Board) 10/8/2025 - Information Gathering/IR Process
17. 25FC:0153 (Michael Merritt - Chapter 22- Iowa Attorney General's Office) 10/16/2025 - Information Gathering/IR Process
18. 25FC:0054 (Tim Ferguson - Chapter 22- City of Davenport) 5/19/2025 - Information Gathering/IR Process
19. 25FC:0192 (Rachel Doyle - Chapter 22- City of Rolfe) 11/27/2025 - Information Gathering/IR Process
20. 25FC:0187-1 (Mikayla Simpson - Chapter 22- Madison County) 11/19/2025 - Information Gathering/IR Process
21. 25FC:0155 (Paullina Resident - Chapter 21- Paullina City Council Paullina Personnel Board) 10/20/2025 - Information Gathering/IR Process
22. 25FC:0166 (James Possehl - Chapter 21- City of Parnell - city council) 10/27/2025 - Information Gathering/IR Process
23. 25FC:0191 (Jonathan Uhl - Chapter 22- City of Davenport) 12/9/2025 - Information Gathering/IR Process
24. 25FC:0201 (Lori White - Chapter 22- City of Missouri Valley Iowa) 12/9/2025 - Information Gathering/IR Process
25. 25FC:0202 (Lori White - Chapter 22- City of Missouri Valley) 12/9/2025 - Information Gathering/IR Process
26. 25FC:0188 (Kyle Ocker - Chapter 22- City of Pleasantville) 12/10/2025 - Information Gathering/IR Process
27. 25FC:0215 (William Daggett - Chapter 22- City of Baxter) 12/16/2025 - Information Gathering/IR Process

28. 25FC:0208-1 (William Hendrikson - Chapter 22- Sheriff David Hepperly - Cerro Gordo County Sheriff's Office) 12/17/2025 - Information Gathering/IR Process
29. 25FC:0209 (William Hendrikson - Chapter 22- Cerro Gordo County) 12/17/2025 - Information Gathering/IR Process
30. 25FC:0206 (William Hendrikson - Chapter 22- City of clear lake police department) 12/18/2025 - Information Gathering/IR Process
31. 25FC:0214 (Shannon Martinez - Chapter 22- Wilton Police Department) 12/18/2025 - Information Gathering/IR Process
32. 25FC:0221 (Gregory Armstrong - Chapter 22- School board) 12/22/2025 - Probable Cause Investigation
33. 26FC:0001 (Coltin Hatfield - Chapter 21- City of Kellerton) 1/1/2026 - Information Gathering/IR Process
34. 26FC:0002 (Lori White - Chapter 22- Harrison County Sherrif) 1/2/2026 - Information Gathering/IR Process
35. 26FC:0003 (Jacob Hall - Chapter 22- City of Sioux Center) 1/2/2026 - Information Gathering/IR Process
36. 26FC:0004 (Rebecca Bianchi - Both- City of Mitchellville) 1/4/2026 - New / Complaint Information Reviewed
37. 26FC:0005 (Stephen Swanson - Chapter 21- Madison County Board of Supervisors) 1/5/2026 - Information Gathering/IR Process
38. 26FC:0006 (Jacob Hall - Chapter 22- Sioux Center Library - City of Sioux Center) 1/5/2026 - Information Gathering/IR Process
39. 26FC:0010 (Jennifer Benbow - Chapter 22- Marshall County Sheriff's Office) 1/8/2026 - Information Gathering/IR Process
40. 26FC:0027 (Tim Ferguson - Both- Scott County and Scott County Attorney's Office) 1/21/2026 - New / Complaint Information Reviewed
41. 26FC:0015 (James Phillips - Chapter 22- Madison County Board of Supervisors) 1/22/2026 - Information Gathering/IR Process
42. 26FC:0023 (Jacquelynn Zugg - Chapter 22- City of Centerville) 1/23/2026 - Information Gathering/IR Process
43. 26FC:0024 (Jarrod Diers - Both- Oskaloosa School District Mahaska Police Department) 1/23/2026 - Information Gathering/IR Process
44. 26FC:0020 (Smith - Chapter 21- Des Moines Co. Supervisors, Des Moines Co. Engineer, Sara Doty Auditor Des Moines Co.) 1/26/2026 - Information Gathering/IR Process
45. 26FC:0021 (Tim Ferguson - Both- City of Davenport and Davenport Police) 1/26/2026 - New / Complaint Information Reviewed
46. 26FC:0028 (Curtis Bloes - Chapter 21- Sac County Iowa Board of Supervisors) 1/27/2026 - Information Gathering/IR Process
47. 26FC:0034 (Gregory Armstrong - Chapter 21- Hamburg city council Hamburg iowa) 1/29/2026 - Information Gathering/IR Process
48. 26FC:0030 (Anthony Teninty - Chapter 22- Wapello County) 1/29/2026 - Information Gathering/IR Process
49. 26FC:0036 (William Daggett - Chapter 22- City of Baxter, Iowa) 1/30/2026 - Information Gathering/IR Process

50. 26FC:0025 (Linda Smithson - Chapter 21- Bettendorf Community School District Board of Directors) 1/30/2026 - Information Gathering/IR Process
51. 26FC:0018 (Steven Bowman - Chapter 22- City of Des Moines) 1/30/2026 - Information Gathering/IR Process
52. 26FC:0037 (Shane Martinson - Chapter 22- City of Stuart, Stuart, Iowa) 1/30/2026 - Information Gathering/IR Process
53. 26FC:0039 (Wellington - Chapter 22- Henry County) 2/2/2026 - Complaint Opened/Acknowledged
54. 26FC:0040 (Jacquelynn Zugg - Chapter 22- City of Centerville) 2/2/2026 - Information Gathering/IR Process
55. 26FC:0035 (Judith Lee - Chapter 22- City of Davenport) 2/6/2026 - Information Gathering/IR Process
56. 26FC:0045 (Vendetta CeCe-Jackowiak - Chapter 22- Davenport Police Department City of Davenport, Iowa) 2/12/2026 - Information Gathering/IR Process
57. 26FC:0046 (Tim Ferguson - Both- Scott County and Scott County Attorney's Office) 2/15/2026 - Complaint Opened/Acknowledged
58. 26FC:0049 (Jacquelynn Zugg - Chapter 21- City of Centerville) 2/16/2026 - Information Gathering/IR Process
59. 26FC:0048 (Melissa Duffield - Chapter 22- City of Robins) 2/20/2026 - Information Gathering/IR Process
60. 26FC:0052 (Justin Scott - Chapter 22- Denver Community School District) 2/24/2026 - Complaint Opened/Acknowledged
61. 26FC:0054 (Tyler Jett - Chapter 22- Polk County Sheriff's Office) 2/25/2026 - Information Gathering/IR Process
62. 26FC:0051 (Matthew Rollinger - Chapter 22- Iowa Department of Education) 2/25/2026 - Information Gathering/IR Process
63. 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
64. 26FC:0056 (Jacquelynn Zugg - Both- City of Centerville) 2/27/2026 - Information Gathering/IR Process
65. 26FC:0057 (Jacquelynn Zugg - Chapter 22- City of Centerville) 2/27/2026 - Information Gathering/IR Process  
26FC:0057 -2 (Jacquelynn Zugg - Chapter 22- City of Centerville, Iowa) 3/13/2026 - Complaint Opened/Acknowledged
66. 26FC:0059 (Susan Lemon - Chapter 21- Woodward Public Library) 2/27/2026 - New / Complaint Information Reviewed
67. 26FC:0063 (Jonathan Uhl - Chapter 22- City of Davenport) 3/5/2026 - Complaint Opened/Acknowledged
68. 26FC:0074 (Rachel Doyle - Chapter 22- City of Rolfe) 3/12/2026 - Complaint Opened/Acknowledged
69. 26FC:0078-1 (Tony Jensen - Chapter 21- City of Mitchellville) 3/13/2026 - Complaint Opened/Acknowledged  
26FC:0078-2 (Amber Turner - Chapter 21- Mitchellville City Council) 3/13/2026 - Complaint Opened/Acknowledged

70. 26FC:0077 (Gregory Armstrong - Chapter 22- Hamburg csd) 3/15/2026 - Complaint Opened/Acknowledged
71. 26FC:0084 (Mark Beardmore - Both- City of Carroll) 3/20/2026 - Complaint Opened/Acknowledged
72. 26FC:0087 (Citizen of Iowa - Chapter 22- Melcher Dallas Public Library, Melcher Dallas City Council) 3/23/2026 - Complaint Opened/Acknowledged
73. 26FC:0089 (Gabe Schaapveld - Open Meetings Law- Johnson County Board of Supervisors) 3/24/2026 - Complaint Opened/Acknowledged
74. 26FC:0088 (Thomas Colnot - Chapter 22- Waterloo Police Department) 3/26/2026 - Complaint Opened/Acknowledged
75. 26FC:0085 (Andrew Oltrogge - Chapter 22- West Des Moines (City attorney, West Des Moines Police Department)) 3/27/2026 - Complaint Opened/Acknowledged
76. 26FC:0096 (Jacob Franklin - Chapter 22- South Iowa Area Crime Commission (SIACC), South Iowa Area Detention Service Agency (SIADSA)) 4/2/2026 - Complaint Opened/Acknowledged
77. 26FC:0093 (Vendetta CeCe-Jackowiak - Chapter 22- City of Davenport) 4/2/2026 - Complaint Opened/Acknowledged

**X. Legal update.**

1. *Public Records Request.* Flege addressed the board on behalf of staff regarding the public records request regarding the hiring of the new executive director in 2025.
2. *ICRC Complaint Update.* Lee addressed the board on behalf of staff providing the board with an update on ICRC complaint.

**XI. Committee reports.**

1. *Training.* Lee presented on behalf on staff updating the board on the training committee and approved trainer providers.
2. *Legislative.* Miller presented on behalf of staff, giving a status update of pending legislation.
3. *Rules.* Miller presented on behalf of staff, giving status on uniform rules.

**XII. Office status report.**

1. *Office Update.*
  - i. *Staff Attorney Resignation.* Lee addressed the board regarding his resignation with IPIB.
  - ii. *IPIB Retention Policy.* Miller presented to the board the retention policy to be adopted by the board. On a motion by Giovannetti, second by McCrea, to adopt the retention policy. **Approved 7-0.**
2. *Financial/Budget Update (FY25).* Miller provided the board with an update on agency's finances.
3. *Presentations/Trainings.* No updates.
4. *District Court Update.* No updates.

**XIII. Next IPIB Board Meeting will be held on May 21, 2026, at 1:00 p.m.**

**XIV. Adjourn.** McCrea moved to adjourn at 4:54 PM.

\* Attachment



510 East 12<sup>th</sup> Street  
Des Moines, Iowa 50319  
www.ipib.iowa.gov

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

**Advisory Opinion 25AO:0003**

**DATE: May 21, 2026**

**SUBJECT: The Relationship Between Iowa Code § 22.7(11)(a)(1)–(5) and Other Confidentiality Exceptions**

Kalen McCain  
Southeast Iowa Union Newspaper  
111 North Marion Avenue  
Washington, IA 52353

Dear Mr. McCain,

We are writing in response to your request dated June 19, 2025, seeking an advisory opinion from the Iowa Public Information Board (IPIB) pursuant to Iowa Code chapter 23 and Iowa Administrative Code rule 497-1.3. This advisory opinion discusses the relationship between the exemptions to confidentiality in Iowa Code § 22.7(11)(a)(1)–(5) and other confidentiality rules found elsewhere in the law.

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

**FACTS PRESENTED:**

This advisory opinion arises from a public records dispute in which the Southeast Iowa Union sought information from records in the possession of a county government related to the “documented reasons and rationale” for a particular employee’s resignation in lieu of termination. According to the requester, this records request was denied despite the existence of responsive records, as the government custodian determined that the relevant information (contained in a recording) was protected by Iowa Code § 22.7(4) as the work product of an attorney prepared in anticipation of litigation. The newspaper questioned whether this withholding was permitted in light of Iowa Code § 22.7(11)(a)(5).

**Board Members**

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

In this opinion, IPIB has not been asked to adjudicate the particular records dispute. Rather the newspaper seeks general interpretation of whether the exemptions to confidentiality found in Iowa Code § 22.7(11)(a)(1)–(5) should be read to override other confidentiality rules found elsewhere in the law.

### QUESTION POSED:

If information contained in a record falls into one of the exemption categories of Iowa Code § 22.7(11)(a)(1)–(5), should it be considered a non-confidential public record as a rule even if another confidentiality protection would otherwise apply?

### OPINION:

Iowa Code § 22.7(11)(a) provides confidentiality for “[p]ersonal information in confidential personnel records of government bodies relating to identified or identifiable individuals who are officials, officers, or employees of government bodies.” The Iowa Supreme Court has described this as a “categorical” exception, reasoning that, “where the legislature has used broadly inclusive language in the exception, we do not mechanically apply the narrow-construction rule.” *ACLU Foundation of Iowa, Inc. v. Recs. Custodian, Atl. Cmty. Sch. Dist.*, 818 N.W.2d 231, 233 (Iowa 2012) (quoting *DeLaMater v. Marion Civ. Serv. Comm’n.*, 554 N.W.2d 875, 878 (Iowa 1996)). The Court has also held that confidentiality applies according to the nature of the record, rather than the record’s place in a filing system. *Des Moines Indep. Cmty. Sch. Dist. Pub. Recs. v. Des Moines Reg. & Trib. Co.*, 487 N.W.2d 666, 670 (Iowa 1992) (finding evaluation records collected by a school district in the course of an internal investigation were “essentially in-house, job performance documents exempt from disclosure,” despite the fact that they were not kept in a literal personnel file).

Despite the general rule, the second sentence of Iowa Code § 22.7(11)(a) states that several categories of “information relating to such individuals contained in personnel records shall be public records, except as otherwise provided in section 80G.3.”<sup>1</sup> At time of writing, these categories include name, compensation, dates and positions of employment, certain information concerning education and previous employment, and both the fact and the “documented reasons and rationale” for an individual’s resignation in lieu of termination, discharge, or demotion as the result of disciplinary action. Iowa Code § 22.7(11)(a)(1)–(5). The requester asks whether the quoted language should be understood as a carve-out to the personnel files exception alone or else whether “shall be public records” creates a disclosure standard which takes precedent over *all* other confidentiality aside from Iowa Code § 80G.3.

IPIB interprets these categories as particular to the Iowa Code § 22.7(11)(a). Although the word “shall” imposes a duty, this language is presented by contrast to a particular confidentiality rule, the clause itself refers specifically to information “contained in personnel records,” and each of the five categories which follow are types of personal information relating to officials, officers, or employees which might otherwise be covered by the overall rule of the section. The requirement that these categories of information “shall be public records” must be read in this light. *See Swanson v. Oldenburger*, No. 21-1176, 2022 WL 4362097, at \*3 (Iowa Ct. App. Sept. 21, 2022) (discussing Iowa Code § 22.7(11)(a)(1)–(5) as information “excluded” by the legislature which would “otherwise fall under” the personnel files confidentiality exception).

To read this language as a universal disclosure requirement would serve to undermine numerous other confidentiality rules set forth elsewhere in state law, including near-absolute protections like attorney-client privilege. If the legislature had intended this clause to take precedent over its other confidentiality determinations,

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<sup>1</sup> Iowa Code § 80G.3 is a special protection for personal identifying information relating to undercover law enforcement officers during the course of active investigations.

it would have clearly stated this intent, and such a disclosure obligation would presumably have been introduced as its own section, rather than appearing in the second sentence of a specific confidentiality rule. Indeed, the same legislation which amended Iowa Code § 22.7(11)(a)(5) to its current form did exactly this, adding Iowa Code § 22.13A as a new section with special disclosure rules for personnel settlement agreements involving state employees. 2017 Iowa Legis. Serv. Ch. 2 (H.F. 291) (West).

In its request, the newspaper also referenced IPIB’s Advisory Opinion 18AO:0008, which was issued in response to the then-recent legislation which added the “documented reasons and rationale” language to Iowa Code § 22.7(11)(a)(5). As reflected in that opinion, IPIB understood this new language to withdraw confidentiality which would otherwise apply to internal performance evaluations and disciplinary records when an employee is forced to resign, discharged, or demoted as the result of disciplinary action. 18AO:0008, *Definition of ‘Documented Reasons and Rationale’*. See also *ACLU Foundation*, 818 N.W.2d at 235 (finding that “[d]isciplinary records and information regarding discipline” were covered by categorical exemption of Iowa Code § 22.7(11)). However, IPIB also acknowledged the government’s need to “ensure that documents within the employee’s file that should remain confidential are not inadvertently released,” as it did not interpret “documented reasons and rationale” to include *all* information from a personnel file connected to an adverse employment condition. In an effort to reconcile these two interests, the opinion suggested that a government body could draft a separate document to be provided to the employee at the time of discharge, demotion, or resignation which explained the basis for the action taken, which could then be disclosed with appropriate notice as provided for by Iowa Code § 22.15. 18AO:0018.

Crucially, the disclosure letter contemplated by 18AO:0008 was presented as an alternative to “releasing memorandums or correspondence within the personnel file,” which could involve extensive redaction and put the government at risk of accidental over-disclosure. This opinion did not create a disclosure rule which would require a public employer to create a new record if there were no “documented reasons and rationale” for an adverse employment decision in the first place (for much the same reason that a public employee would not need to create a comprehensive list of their previous employers upon demand, even though Iowa Code § 22.7(11)(a)(4) provides that “the names of [an] individual’s previous employers” are exempt from personnel files confidentiality where they appear in public records).

This opinion advises that the categories listed in Iowa Code § 22.7(11)(a)(1)–(5) should be interpreted as exemptions to Iowa Code § 22.7(11)(a) only, rather than overriding other bases for confidentiality outside the personnel files exception.

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

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

**SUBMITTED BY:**

Alexander Lee  
 Agency Counsel  
 Iowa Public Information Board

**ISSUED ON:**

May 21, 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.*



Iowa Public Information Board

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Executive Director  
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**Advisory Opinion 26AO:0006**

**DATE: May 21, 2026**

**SUBJECT: Status of the SUDAS Corporation Under Chapter 21**

David Carney  
ISU Institute for Transportation  
2711 South Loop Drive, Suite 4700  
Ames, IA 50010

Dear Mr. Carney,

We are writing in response to your request dated March 10, 2026, seeking an advisory opinion from the Iowa Public Information Board (IPIB) pursuant to Iowa Code chapter 23 and Iowa Administrative Code rule 497-1.3. This advisory opinion answers the question of whether the Board of Directors or Regional Committees of the Statewide Urban Design and Specifications Corporation are governmental bodies subject to the open meetings requirements of Chapter 21.

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

**FACTS PRESENTED:**

The Iowa Statewide Urban Design and Specifications Corporation is a nonprofit incorporated pursuant to Chapter 504A, which develops and maintains uniform design and specification manuals used for public improvements across the state. Although SUDAS standards are not statutorily mandated, many city and county governments across the state have voluntarily adopted the SUDAS manuals for their public projects. Both the SUDAS Standard Specifications Manual and Design Manual are updated on an annual basis.

At time of writing, SUDAS is governed by a thirty-eight-member Board of Directors, with voting representatives appointed from various other stakeholder entities.<sup>1</sup> This board typically meets twice a year to approve changes to

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<sup>1</sup> According to the SUDAS Corporation’s by-laws, the voting membership of the Board of Directors currently includes six representatives from the Department of Transportation, one representative from each city with a population over 100,000, one

**Board Members**

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

the SUDAS Manuals, approve a yearly work plan and budget, and make other administrative decisions for the program. The program is also supported by three Regional Committees (West, Central, and East), each of which meet three times each year to gather input from stakeholders across the state. Proposals for revision and addition to the manuals are first presented at Regional Committee meetings, and changes recommended by a majority of the committees are reviewed by the Board of Directors for final approval to appear in future editions.

The SUDAS program began with the Central Iowa Committee, which was established in the late 1980s by a group of city and county governments in central Iowa for the development of common standards for urban public improvement initiatives within their neighboring jurisdictions. By the turn of the century, the Central Iowa Committee (which had expanded beyond the Des Moines area) began work to convert their manuals into statewide standards. This initiative became known as the SUDAS program and, in 2002, a statewide steering committee was created between the Iowa Department of Transportation, participating cities and counties, and various non-government consultant and stakeholder groups to oversee the program. Iowa State University's Center for Transportation Research and Education (now known as the Institute for Transportation) was selected to manage the program. Later, in 2004, the then-director of the CTRE incorporated the SUDAS Corporation to carry out this work, with its Board of Directors primarily drawn from the statewide steering committee.

In 2005, the Central Iowa Committee officially transferred ownership of its manuals to the newly formed SUDAS Corporation. Since then, the SUDAS program has been continuously managed by ISU's Institute for Transportation (InTrans), with its principal office located at ISU Research Park. Outside of its Board of Directors, the SUDAS Corporation is staffed by InTrans personnel, with significant funding from the Iowa Department of Transportation.

### **QUESTION POSED:**

Are meetings of the SUDAS Corporation's Board of Directors or Regional Committees subject to Chapter 21?

### **OPINION:**

#### **I. Requirements for Chapter 21 to Apply**

The statutory open meetings requirements of Chapter 21 apply only to meetings of governmental bodies. In order to qualify as a "governmental body," an entity must be described by at least one of the definitions presented in Iowa Code § 21.2(1), which currently includes ten categories of governmental body (subsections *a* through *j*).

Several of these categories are clearly inapplicable to SUDAS. Neither the Board of Directors nor the three Regional Committees are governing bodies of any political subdivision or tax-supported district (Iowa Code § 21.2(1)(b)), and neither are associated with intercollegiate athletic programs (Iowa Code § 21.2(1)(d)), Chapter 99D pari-mutuel wagering (Iowa Code § 21.2(1)(f)), Chapter 99F gambling games (Iowa Code § 21.2(1)(g)), or the administration of any drainage or levee district under Chapter 468 (Iowa Code § 21.2(1)(i)).

Although the SUDAS Corporation involves the collaboration of various public and private stakeholders, it is not a Chapter 28E entity, meaning also does not apply Iowa Code § 21.2(1)(i)). And, while the push for statewide construction standards was supported in part by the Governor's Blue Ribbon Task Force on Transportation, the

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representative from each of Iowa's Metropolitan Planning Organizations and Transportation Management Areas, the Chair and Vice Chair of each of SUDAS's three Regional Committees, six representatives from Iowa's chapter of the American Public Works Association, six representatives of the Iowa County Engineers Association, and two representatives from the Iowa American Council of Engineering.

SUDAS Corporation was not expressly created by state statute or executive order for the purposes of Iowa Code § 21.2(1)(a), nor was it otherwise “created” by the governor or general assembly as an Iowa Code § 21.2(1)(e) advisory body.

This leaves two possible categories:

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

## II. Applicability of Iowa Code § 21.2(1)(c)

For Iowa Code § 21.2(1)(c) to apply, the SUDAS Corporation would need to be “formally and directly created” by one or more qualifying parent bodies described by Iowa Code § 21.2(a) or (b). In this case, there are two potential “creators” which need to be considered.

The first is InTrans, as the SUDAS Corporation was incorporated in 2004 by the CTRE/InTrans Director in his official capacity. InTrans is a university-based research institute covering over a dozen different programs (including SUDAS), under the administration of Iowa State University. Because InTrans is not a board, council, commission, or other governing body “expressly created by the statutes of this state or by executive order” or “of a political subdivision or tax-supported district,” it is not a qualifying entity.

Alternatively, there is a reasonable argument that the SUDAS Corporation was actually “created” by the statewide steering committee, which selected InTrans to manage the SUDAS program and take control of the Manuals from the Central Iowa Committee, then chose its own members to make up most of the initial Board of Directors. While the steering committee did not literally incorporate the SUDAS Corporation,<sup>2</sup> this history appears sufficient to qualify as formal and direct creation, as InTrans acted based on the steering committee’s decision to re-assign oversight of the SUDAS program to them.<sup>3</sup> Assuming for the purposes of this analysis that the steering committee can be said to have “formally and directly created” the SUDAS Corporation, it also would not seem to satisfy either Iowa Code § 21.2(1)(a) or (b), as was not created by statute or executive order and was not the governing body of any political subdivision or tax-supported district.

This leaves another problem, however, in that the steering committee itself seemingly met the definition of Iowa Code § 21.2(1)(c), as a multimembered body formally and directly created by one or more other governmental bodies (i.e. the various cities and counties). The SUDAS Corporation’s Board of Directors was, by both purpose and composition, a direct successor to the steering committee when it was established. While precedent on this point is limited, it would be inconsistent with the purposes of Chapter 21 for a governmental body to be permitted to evade open meetings requirements by sleight of hand – that is, by creating a new entity, appointing its members to the governing board of said entity, and then delegating its powers. Nevertheless, the actual sequence of events which led to the SUDAS Corporation would likely still leave the direct creation element too tenuous to qualify.

<sup>2</sup> The historical materials made available to IPIB staff are unclear about whether the CTRE Director was acting as an agent of the CTRE or the steering committee when he filed the articles of incorporation. This analysis assumes the former.

<sup>3</sup> Even if the steering committee’s role in this process is insufficient on its own, there is also precedent for a theory of creation-by-designation for the purposes of Iowa Code § 21.2(1)(c). *See* Op. No. 84-7-4(L), 1984 Iowa Op. Atty. Gen. 140 at \*1 (1984) (advising that the Iowa Lakes Area Agency on Aging became a governmental body subject to open meetings requirements at the time it was officially designated as an area agency on aging with corresponding statutory authority by the Iowa Commission on Aging, as the act of designation had “created” a designee public body, despite the preexistence of the selected nonprofit).

That is, if 1) the steering committee’s hypothetical status as a governmental body would have been dependent on its own direct creation by the other governmental bodies which established it, 2) CTRE/InTrans created the SUDAS Corporation to handle the responsibilities which had been assigned to them by the steering committee, and 3) the Central Iowa Committee then transferred their control of the Design and Specifications Manuals to the SUDAS Corporation, then the steering committee should be properly understood as a mere mechanism to bridge the gap between the Central Iowa Committee’s local coordination and the SUDAS program’s statewide uniform standards.<sup>4</sup> Given that, the appropriate analysis is found in the previous paragraph.

Furthermore, even if Iowa Code § 21.2(1)(c) could be said to apply on any of the above arguments, the Iowa Supreme Court has held that governmental bodies (other than specified advisory bodies expressly identified by the legislature) only hold meetings subject to Chapter 21 if their deliberations or actions are “in furtherance of any policy-making duty,” based on the separate definition of “meeting” found in Iowa Code § 21.2(2). *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, any power the SUDAS Corporation possesses is the result of voluntary adoption of their standards by other bodies with actual policy-making authority. In practice, this does mean that new material added to their manuals each year automatically *becomes* policy for those jurisdictions which have fully embraced SUDAS, but the degree of trust given by a decision-maker to a recommendation does not in-and-of-itself transform the recommendation into anything more.

### III. Applicability of Iowa Code § 21.2(1)(h)

The *Mason* standard, discussed in closing above, does not apply to Iowa Code § 21.2(1)(h), as the *Mason* Court acknowledged the legislative intent to include this type of advisory group despite the implied policy-making duty requirement for all other governmental bodies. *Id.* at 355.

Given that the SUDAS Corporation’s purpose is to “develop and make recommendations on public policy issues” through the publication of their Design and Specifications Manuals, the question is whether the SUDAS Commission was “created by an executive order of a political subdivision of this state.” No judicial precedent is available interpreting this phrase, but a 1993 Attorney General advisory opinion written shortly after the amendment which added this category suggested that the “use of the term ‘executive order’ [was intended to] confine[] the authority to create such advisory committees to those elected entities with final executive authority for the political subdivision, rather than restricting the manner in which such advisory committees are created.” Op. No. 93-11-5, 1993 Iowa Op. Att’y. Gen. 59 at \*2 (1993). To give effect to legislative intent, “executive order” should therefore be read to encompass any “comparable enactment” by the bodies possessing final executive authority for a political subdivision, like a city council or county board of supervisors. *Id.* at \*3.

For similar reasons to those given in the prior section, the SUDAS Corporation does not qualify. Neither InTrans nor the statewide steering committee are executive authorities of political subdivisions, and the political subdivisions which formed the Central Iowa Committee or the statewide steering committee cannot be said to have created the SUDAS Corporation by executive order.

Because there is no definition of governmental body which applies to the SUDAS Corporation’s Board of Directors or Regional Committees, this analysis concludes that neither group is subject to the open meetings requirements of Chapter 21.

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<sup>4</sup> Of course, this is not to say that the stakeholder governmental bodies did not in some sense “create” the SUDAS Corporation if the steering committee *was* merely a mechanism for the purpose described. Rather, this role was simply far too indirect for Iowa Code § 21.2(1)(c)’s formal and direct creation requirement.

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

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

**SUBMITTED BY:**

Alexander Lee  
Agency Counsel  
Iowa Public Information Board

**ISSUED ON:**

May 21, 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.*



Iowa Public Information Board

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Charlotte Miller, JD  
Executive Director  
(515) 393-8339  
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**Advisory Opinion 26AO:0007**

**DATE: May 21, 2026**

**SUBJECT: Independent Caucus Deliberation by Voting Units to a County Conference Board**

Chris Whitaker  
Region XII Council of Governments  
1009 E Anthony Street  
Carroll, IA 51401

Dear Mr. Whitaker,

We are writing in response to your request dated March 29, 2026, seeking an advisory opinion from the Iowa Public Information Board (IPIB) pursuant to Iowa Code chapter 23 and Iowa Administrative Code rule 497-1.3. This advisory opinion discusses the applicability of Chapter 21 to the individual multi-member voting units which comprise county conference boards, as described by Iowa Code § 441.2, and specifically whether the members of these voting units are subject to Chapter 21 open meetings requirements when they caucus independently.

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

**FACTS PRESENTED:**

Chapter 441 governs the assessment and valuation of property for taxation purposes. Amongst other things, it establishes an office of the assessor for each county and every city above a certain population threshold, defines procedures for property valuation, and outlines certain rights for taxpayers in assessment disputes.

Iowa Code § 441.2 creates county conference boards, which provide oversight for their respective county assessors. According to this section, each conference board is made up of three groups: 1) the mayors of each of the incorporated cities in the county, 2) one representative chosen from each of the boards of directors of each high school district of the county, and 3) the county board of supervisors. Notably, each of these three groups is

**Board Members**

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

considered a separate voting unit of the conference board, and votes are counted by voting unit, such that all of the representatives in a given group cast only a single vote. The statutory procedure is expressed as follows:

In any action taken by the conference board, the mayors of all incorporated cities in the county whose property is assessed by the county assessor shall constitute one voting unit, the members of the city board of education or one representative from the board of directors of each high school district of the county shall constitute one voting unit, the members of the city council shall constitute one voting unit, and the county board of supervisors shall constitute one voting unit, each unit having a single vote and no action shall be valid except by the vote of not less than two out of the three units.

Iowa Code § 441.2.

This advisory request is presented to IPIB on behalf of multiple county officials who serve on these conference boards, who have asked IPIB to weigh in on the status of these individual voting units. Specifically, they seek advice about whether individual voting units (e.g. each of the mayors representing their respective cities) may caucus independently during a caucus board meeting to reach a consensus within their group before casting a vote or otherwise participating in full board deliberations.

### **QUESTION POSED:**

Are individual voting units of a county conference board under Iowa Code § 441.2 subject to Chapter 21 open meetings requirements when they caucus independently?

### **OPINION:**

A Chapter 441 county conference board unquestionably qualifies as a governmental body, as it is a “board, council, commission, or other governing body expressly created by the statutes of this state or by executive order.” Iowa Code § 21.2(1)(a). The question presented here is whether Chapter 21 applies when any of the three individual voting units which make up a conference board caucus amongst themselves on a matter before the conference board, without the presence of the other two voting units.

This analysis advises that Chapter 21 does *not* apply when individual voting units deliberate amongst themselves, except when they are deliberating or acting on a matter over which the voting unit has independent statutory authority.

#### **I. Individual Voting Units Cannot Create a Meeting of the Conference Board**

Chapter 21 only applies where there is a “meeting.” Iowa Code § 21.2(2) defines this term for the purposes of the chapter to mean “a gathering in person or by electronic means, formal or informal, of a majority of the members of a governmental body where there is deliberation or action upon any matter within the scope of the governmental body’s policy-making duties.” In most instances, a majority of members is determined by a simple head count, such that a five-person city council meets at least this element of a statutory meeting with any gathering of at least three council members. If there is not a majority, then Chapter 21 does not apply, meaning sub-majority gatherings do not need to follow open meetings requirements. *But see Hutchison v. Shull*, 878 N.W.2d 221, 234 (Iowa 2016) (finding a board of supervisors may have created “meetings” when county supervisors held a series of one-on-one sessions with a county administrator to restructure their annual budget, as the administrator effectively acted as a “conduit” for a majority of members to deliberate by proxy).

The unique structure of Iowa Code § 441.2 implies a different standard for a majority, as actions of the conference board depend on the votes cast by voting units collectively. For example, if a meeting of a county conference board were attended by five mayors, two school board representatives, and two county supervisors, then a vote on a given motion supported by all five mayors would fail if the school board representatives and county supervisors all opposed, as the result would be a 2-1 vote of the voting units rather than a 5-4 vote of individual representatives.<sup>1</sup>

In this context, where “no action shall be valid except by the vote of not less than two out of the three units,” the majority element required to establish the existence of a meeting must be understood as a majority of voting units, as these voting units (and not the individual representatives) function as the “members” of the conference board for any action taken by the conference board as a whole. Such a reading is consistent with the apparent purpose of including the word “majority” in Iowa Code § 21.2(2) to begin with, as the effect is to provide for public access only when policy deliberations involve enough members to actually wield the authority of the governmental body. *See Telegraph Herald, Inc. v. City of Dubuque*, 297 N.W.2d 529, 533 (Iowa 1980) (evaluating cases from other states evaluating similar majority requirements in their respective sunshine laws, finding “that such laws do not prohibit gatherings of less than a majority of the governing body where decisions are not made and official actions are not taken and that the right of free speech might be violated by a law forbidding any discussion by public officers between meetings”).

Because a majority requires at least two voting units, a caucus of an individual voting unit does not create a meeting of the county conference board that voting unit belongs to.

## II. Voting Units as Individual Governmental Bodies

The above does not address the separate question of whether the voting units themselves could be considered governmental bodies in their own right and be subject to Chapter 21 on that basis. This opinion advises that they *are*, but they still do not hold “meetings” subject to Chapter 21 except in special situations where the law grants them the ability to exercise policy-making authority on their own.

Like conference boards, each voting unit appears to be “[a] board, council, commission, or other governing body expressly created by the statutes of this state or by executive order,” as they are expressly created by Iowa Code § 441.2. Iowa Code § 21.2(1)(a). While a potential argument exists that a voting unit is not a “governing body,” this analysis assumes, *arguendo*, that the deliberately inclusive wording chosen by the legislature in the phrase “board, council, commission, or other governing body” is meant to be read broadly.

Nevertheless, the Iowa Supreme Court has held that Iowa Code § 21.2(2)’s definition of meeting, which requires “deliberation or action upon any matter within the scope of the governmental body’s policy-making duties,” implicitly restricts the application of Chapter 21 to only those bodies with “policy-making duties,” except where the legislature has explicitly included purely advisory bodies (as in Iowa Code § 21.2(1)(e) and (h)). *Mason v. Vision Iowa Bd.*, 700 N.W.2d 349, 354–55 (Iowa 2005). Per *Mason*, policy-making means “deciding with authority a course of action,” rather than merely “recommending or advising what should be done.” *Id.* at 354. On this reasoning, the *Mason* Court found that a negotiating committee which merely met with grant applicants before a state board and made a recommendation based on their findings did not hold meetings subject to Chapter 21, as they had no responsibility beyond “simply recommending or suggesting” a course of action, and it was the state board which made “the ultimate decision on the course to be taken on the project.”

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<sup>1</sup> Notably, at least two members of any voting unit must be present for the unit to cast its vote. Iowa Att’y Gen. Op., 1959 WL 107733, at \*2 (July 21, 1959). *See also* Iowa Admin. Code r. 701–102.19(3)(a).

With a few exceptions, the individual voting units created by Iowa Code § 441.2 do not possess any policy-making power of their own. Although the ability to cast a vote is undoubtedly *more* than “recommending or advising what should be done,” it is still something less than “deciding with authority a course of action.” Like the state board in *Mason*, ultimate authority lies solely with the conference board comprised of voting units, not the voting units themselves. The section itself is clear on this point, stating that “no action shall be valid except by the vote of not less than two out of the three units.” *See also* 21FC:0047, *Brenda Loftus/Harrison County Board of Supervisors* (finding that a board of supervisors did not create a meeting when discussing a matter within the scope of the conference board’s power over the county auditor, as the supervisors comprised only one of three members of the conference board, and “[o]ne constituency member gathering is not a quorum”).

However, this is not true where the statute grants power to the voting units individually. Iowa Code § 441.3, for example, gives the process for the creation of an examining board, providing that “each voting unit of the conference board shall appoint one person who is a resident of the assessor jurisdiction to serve as a member of an examining board to hold an examining for the positions of assessor or deputy assessor.” Likewise, Iowa Code § 441.4 allows voting units to remove their appointed members on an examining board, subject to certain conditions (including a public hearing, if requested by the person to be removed). When a voting unit exercises one of these powers, it *does* have policy-making duties of its own, and Chapter 21 would thus apply.

Outside of the limited circumstances in the previous paragraph, the lack of policy-making duties is dispositive. Of course, the public may have a reasonable interest in listening to the deliberations which take place in these private caucuses. *See* Iowa Code § 21.1 (describing the purpose of Chapter 21 as assuring, “through a requirement of open meetings of governmental bodies, that the basis and rationale of governmental decisions, as well as those decisions themselves, are easily accessible to the public”). However, if the same interest would not provide them access to a sidebar discussion held between two members of a five-person board, it is not clear why the outcome should be any different for a caucus of a voting unit. To treat voting units as separate governmental bodies would assign them a status which is not evident in the statute, where they are mere artefacts of a unique voting system. *See Donahue v. State*, 474 N.W.2d 537, 539 (Iowa 1991) (recognizing that, though open meetings law was to be “liberally construed,” it was nevertheless “for the legislature to set its parameters”).

Given the above analysis, this opinion concludes that Chapter 21 does not apply when an individual voting unit of a Chapter 441 conference board caucuses independently on an action to be taken by the conference board.

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

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

**SUBMITTED BY:**

Alexander Lee  
 Agency Counsel  
 Iowa Public Information Board

**ISSUED ON:**

May 21, 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.*

**The Iowa Public Information Board**

<p>In re the Matter of:</p> <p>Jonathon Uhl, Complainant</p> <p>And Concerning:</p> <p>Scott County Attorney’s Office, Respondent</p>	<p>Case Number: 25FC:0072</p> <p>Final Report</p>
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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. 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.

**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.

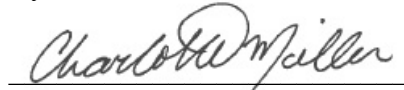
Scott County Attorney's Office approved the Informal Resolution on February 26, 2026.

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

IPIB approved the Informal Resolution on March 19, 2026.

All the 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 Executive Director,



Charlotte J.M. Miller, J.D.

#### CERTIFICATE OF MAILING

This document was sent on May 14, 2026, to:

Jonathon Uhl, Complainant

Scott County Attorney's Office, Respondent

## The Iowa Public Information Board

<p>In re the Matter of:</p> <p>Jaicy Skaggs, Complainant</p> <p>And Concerning:</p> <p>City of Kellogg, Respondent</p>	<p>Case Number: 25FC:0109</p> <p>Investigative 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 August 15, 2025, Jaicy Skaggs (Complainant) filed formal complaint 25FC:0109, alleging that the City of Kellogg (Respondent) violated Iowa Code Chapter 21.

The IPIB accepted this Complaint on September 18, 2025.

### Facts

Kellogg is a small city in Jasper County, Iowa, which is represented by a five-person city council. Prior to the events of the complaint, Complainant was employed as the city clerk and had been placed on a 90-day probationary period based on performance and competency concerns.

On June 9, 2025, the city council held a normally scheduled open session meeting, with the mayor and all five council members present. As reflected in the audio record taken of the open session, the meeting ended with an announcement that the council would be holding a brief additional closed session. Rather than moving to enter closed session, though, a motion was made (and passed) to adjourn the meeting, and Complainant was asked to leave at this time.

The council then held a closed session which lasted approximately half an hour. Although the statutory basis was not announced, the meeting was seemingly held pursuant to Iowa Code § 21.5(1)(i), to evaluate Complainant's professional competency. Following the discussion, the council reached a consensus that they would terminate Complainant's employment before the end of her probationary period. Neither recording from the June 9 meeting reflects a return to open session or any official motion or vote to terminate employment.

On August 15, 2025, Complainant filed formal complaint 25FC:0109, alleging that Respondent had gone into closed session to evaluate her professional competency without her consent, as required by Iowa Code § 21.5(1)(i). Complainant also alleged procedural violations, including a lack of vote to enter closed session and a failure to return to open session to take final action.

During the course of IPIB's investigation, Complainant was given access to the closed session audio recording. After reviewing, she expanded the complaint to allege that certain comments, including questions about potential misconduct in the course of her work and discussion about the handling of her termination, exceeded the scope of Iowa Code § 21.5(1)(i). Complainant also suggests that these comments created a risk of reputational harm which went against the purpose of the exception ("to prevent needless and irreparable injury to [an] individual's reputation").

On March 17, 2026, following mediation attempts pursuant to Iowa Code § 23.9, Complainant confirmed that she was not interested in informal resolution. Pursuant to Iowa Code § 23.10, IPIB is not asked to make a probable cause determination for each allegation under Iowa Code § 23.10.

### **Applicable Law**

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

*i.* To evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session." Iowa Code § 21.5(1)(i).

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

"Final action by any governmental body on any matter shall be taken in an open session unless some other provision of the Code expressly permits such actions to be taken in closed session." Iowa Code § 21.5(3).

### **Analysis**

#### **I. Failure to Satisfy Requirements of Iowa Code § 21.5(1)(i)**

The primary violation alleged in this complaint is a failure to satisfy the requirements of Iowa Code § 21.5(1)(i), which permits closure 1) for the evaluation of the professional competency of “an individual whose appointment, hiring, performance, or discharge is being considered,” if 2) closure is “necessary to prevent needless and irreparable injury to that individual’s reputation” and 3) “that individual requests a closed session.”

In this case, the first two elements are undisputed between the parties. The purpose of the discussion was to consider whether to terminate Complainant’s employment as city clerk, based on concerns about her professional competency, and discussing these concerns in closed session would have clearly met the standard for reputational harm. *See Teig v. Hart*, 28 N.W.3d 272, 277–78 (Iowa 2025) (holding that necessity in the context of Iowa Code § 21.5(1)(i) may be satisfied by the fact of an individual’s request and members’ concerns about possible harms without specific information about a reputational threat which may arise).

Despite this, Complainant states that she was never asked about whether she wanted a closed session, and the audio recorded from the open session meeting before closure suggests that Complainant was asked to leave along with other members of the public, without indication that the closed session which followed adjournment would be about her. Respondent has not provided any evidence to indicate Complainant requested the closed session.

Because closed session under Iowa Code § 21.5(1)(i) requires the affirmative consent of the individual whose professional competency is evaluated and Complainant would have wanted the discussion to occur in open session, it is recommended that IPIB find probable cause to commence contested case proceedings for this portion of the complaint.

## **II. Discussion Exceeding the Scope of Closed Session**

Complainant also alleges that portions of the closed session conversation exceeded the scope of Iowa Code § 21.5(1)(i), in violation of Iowa Code § 21.5(2). Two rough categories of discussion were identified.

First, Complainant cited several “personal and reputationally damaging remarks” which she argues were unnecessary for the evaluation of her professional competency, including comments which referenced alleged misconduct by Complainant and council members’ concerns about their ability to trust her. Contrary to Complainant’s position, if council members believed that Complainant might engage in improper conduct or generally had doubts about her character, then this would clearly be relevant to her professional competency (i.e. her ability to fulfill the duties of her position). This is true regardless of whether the concerns were accurate or reasonably grounded, which is a consideration beyond the scope of Chapter 21.

Complainant also argues that discussion from this first category was “extremely harmful” to her reputation, causing exactly the type of harm which the closed session exception was designed to avoid. Of course, this is the purpose of the exception; the allowance for closed session to “prevent needless and irreparable injury to [an] individual’s reputation” is meant to facilitate reputationally damaging discussion outside the public view, not prevent it. As such, the fact that Complainant believes the comments were “extremely harmful” only serves to support a finding that they were directly related to the closed session justification for the purposes of Iowa Code § 21.5(2).

Second, Complainant sought review of the final portion of the closed session discussion, which considered practical aspects of termination. Without unnecessary disclosure of details in a public memorandum, the topics cited for this portion were still directly related to Complainant’s professional competency (e.g. discussion of whether the city should wait until the end of the probationary period to terminate Complainant involved an evaluation of whether performance was likely to improve and the merits of replacing Complainant on a shorter timescale based on competency issues, all of which was directly related to the closed session justification).

Putting aside the question of whether Respondent’s closed session was proper without Complainant’s express consent, review of the closed session audio does not show any discussion which exceeded the scope of Iowa Code § 21.5(1)(i). As such, it is recommended that IPiB dismiss this portion of the complaint for lack of probable cause to believe a violation has occurred.

### **III. Closed Session Procedural Issues**

Following review of the open session audio, there is no evidence that a vote was ever taken to enter closed session, and the recording instead reflects a unanimous vote to adjourn so that the council could hold a closed session. Because this motion was equivalent in effect to a motion to close the meeting, there would be a potential basis to find harmless error if this were the only concern. However, the motion for closed session also did not announce the reason for holding the closed session, and the minutes provided by the city do not reflect the closed session in any way.<sup>1</sup> As such, it is recommended that IPiB find probable cause to proceed with a contested case on the alleged violation of Iowa Code § 21.5(2).

There is also no evidence that the city council ever returned to open session to take final action to terminate Complainant’s employment. On review of the audio from both sessions, the city council appears to have instead come to a consensus in closed session without a vote. It is recommended

<sup>1</sup> Notably, deficiencies in the minutes may be at least partially attributable to Complainant, who was still employed as city clerk at the time, but this potential defense is separate from the question of whether Iowa Code § 21.5(2)’s announcement and record-keeping requirements were met.

IPIB find probable cause to proceed with a contested case on the issue of whether final action was taken in open session as required by Iowa Code § 21.5(3).

### **IPIB Action**

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

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


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

### **Recommendation**

It is recommended that IPIB determine that probable cause exists to commence contested case proceedings on three matters: 1) whether Respondent met the requirements for a closed session pursuant to Iowa Code § 21.5(1)(i), 2) whether Respondent properly announced the reason for closed session and recorded the meeting closure in its meeting minutes as required by Iowa Code § 21.5(2), and 3) whether final action to terminate Complainant was taken in open session as required by Iowa Code § 21.5(3).

However, because all substantive discussion in closed session was directly related to the purpose of evaluating Complainant's professional competency, it is recommended that IPIB dismiss the portion of the complaint alleging improper discussion during closed session for lack of probable cause to believe a violation has occurred.

By the IPIB Agency Counsel,



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Alexander Lee, J.D.

### **CERTIFICATE OF MAILING**

This document was sent on May 6, 2026, to:

Jaicy Skaggs, Complainant  
City of Kellogg, Respondent

## The Iowa Public Information Board

<p>In re the Matter of:</p> <p>Alicia Beers, Complainants</p> <p>And Concerning:</p> <p>City of Pisgah, Respondent</p>	<p>Case Number: 25FC:0136</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 September 22, 2025, Alicia Beers (“Complainant”) filed formal complaint 25FC:0136, alleging that the City of Pisgah (“Respondent”) violated Iowa Code Chapter 22.

The Iowa Public Information Board accepted this complaint at its meeting on October 16, 2025.

### Facts

This complaint stems from a series of difficult interactions between members of the Pisgah city council. Complainant made several public records requests in the summer of 2025. Respondent believed they had complied with production. As relationships broke down further, Respondent directed all communications and requests through their legal counsel. This complaint alleged a public records request had been submitted on August 19, 2025 and that it hadn’t been responded to. The content of the IPIB complaint stated:

“When was Heather sworn into office as the clerk? What meeting and date was that? I want all receipts for the credit cards for the town, and what the products went to fix in the town that were purchased! Also, I want a receipt from the health insurance that shows the breakdown of what the town is paying for every month on Todd, since it is on his wife's insurance plan. Also, why are Todd's paychecks never on the monthly bill statement?”

Records provided to IPIB showed that the city attorney had responded to the Complainant’s communications twice just on the date of August 19<sup>th</sup> alone. In that communication, the attorney attached some records and sought clarification of which other records were being requested. Complainant responded with the following email:

“I only need two: one permit for my garage to be built, and my chickens that the mayor's niece hatched out for me 2 years ago. Everything in my yard, including my decks, is portable. Then we have Scott, who has been harassing his neighbors about extending their handicap ramp on their deck. They called me and City Hall about it. I would appreciate it if you could tell them the law again for the council NOT being the ones to approve permits. Scott needs to cease & desist. Then this lady goes to City Hall, and Heather tells her to fill out a paper to be put on the agenda, and it won't be until next month that she can talk ..... then proceeds to tell this gal that the council voted on this. Which is a lie as well. We were told at the last meeting that we are done talking about the things that have been discussed in the last several meetings. We are being silenced because we have the proof to show that Todd has not been upfront with his pay and hours with the town, and defamed me to save face.... Also, they have not made a retraction for all the mistakes and defamatory remarks they made about me and my family. Heather is also telling people what a terrible person I am and how I am making Todd out to be the bad guy when they go into City Hall. She needs to stop!!! I don't know how many chances I need to give them to make a good decision on how they talk about me and treat me. That is against the ethics code we just passed last month. \*\*\*\* When was Heather sworn into office as the clerk? What meeting and date was that? \*\*\*\*\* I want all receipts for the credit cards for the town, and what the products went to fix in the town that were purchased! Also, I want a receipt from the health insurance that shows the breakdown of what the town is paying for every month on Todd, since it is on his wife's insurance plan. Also, why are Todd's paychecks never on the monthly bill statement?

I think that's it!

Just trying to be more prepared for the meeting!

Thank you for getting me that paperwork.

Upon IPIB's staff involvement, the agency attempted to clarify the request being made and mediate communications between the parties. Upon IPIB's involvement, we assisted by clarifying that Chapter 22 is limited to record requests, not information requests. IPIB staff also clarified the exact scope of what records the Complainant was seeking, which ultimately ended up being narrowed to the following: “Hi there, I want copies of all checks for payroll, for all employees of Pisgah, for the past 11 months.” IPIB staff then worked with the Respondent on how to calculate fees and allocated city staff time to production of public records based on the city's very limited staff and resources.

In April 2026, the Complainant paid the fee and collected the records from the Respondent. When collecting the first batch of records, the Complainant stated she wanted copies of the checks and not the electronic payment records she had been provided. The Respondent promptly

provided all check copies they could find for the requested time period without any additional fees.

Complainant has maintained there should have been additional records; however, IPIB reviewed the produced records and they appeared on their face to be complete and responsive to the requested information. Respondent maintains no records were withheld.

### **Applicable Law**

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

“All reasonable expenses of the examination and copying shall be paid by the person desiring to examine or copy....The 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).

### **Analysis**

IPIB staff were not provided any evidence that the Respondent engaged in a deliberate delay or withholding of records. Based upon the communications provided herein and many other similar exchanges, IPIB staff feel strongly that the challenges of successful production of the desired records was due to misunderstanding from communication difficulties between the parties – not an unlawful withholding of records.

While Complainant felt sure that additional records *should* exist, that is not a violation of Chapter 22. Public records production often leads the public to realize that some kinds of records are not being generated or retained. A governmental body's failure to create or retain a particular kind of record is not a violation of Chapter 22. No evidence was provided that responsive records were withheld from the Complainant.

The fee charged by the Respondent was reasonable under the circumstances. The Complainant agreed to the fee and paid the fee. Respondent provided the records within a couple weeks of receiving the payment.

### **IPIB Action**

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

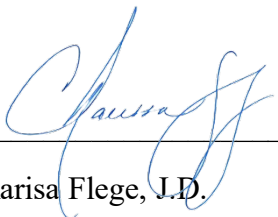
- a. Redirect the matter for further investigation;
- b. Dismiss the matter for lack of probable cause to believe a violation has occurred;
- c. Make a determination that probable cause exists to believe a violation has occurred, but, as an exercise of administrative discretion, dismiss the matter; or
- 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 estimate was reasonable and all responsive records to the request were provided, the Respondent has substantially complied with Chapter 22's requirements, and it is recommended the Board dismiss for a lack of probable cause.

By the IPIB Deputy Director,



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Charisa Flege, J.D.

### **CERTIFICATE OF MAILING**

This document was sent on May 14, 2026, to:

Alicia Beers, Complainants

City of Pisgah, Respondent

## The Iowa Public Information Board

<p>In re the Matter of:</p> <p>Paullina Resident, Complainant</p> <p>And Concerning:</p> <p>City of Paullina, Respondent</p>	<p>Case Number: 25FC:0155</p> <p>Investigative Report</p>
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COMES NOW, Alexander Lee, Agency Counsel for the Iowa Public Information Board (IPIB), and enters this Investigative Report:

On September 30, 2025, Paullina Resident (Complainant) filed formal complaint 25FC:0155, alleging that the City of Paullina (Respondent) violated Iowa Code Chapter 22.

IPIB accepted this Complaint on November 20, 2025.

### Facts

Paullina is a small city in northwest Iowa, which is represented by a five-member city council.

On July 4, 2025, the City's long-time police chief announced his intention to retire, effective August 22. Respondent promptly posted notice of the open position. Amongst other information in these postings, Respondent included a requirement that any candidate be able to obtain certification from the Iowa Law Enforcement Academy (ILEA) within one year, with preference given to candidates who were already certified with at least one year of law enforcement experience.

Three candidates ultimately applied for the position, including one ILEA certified candidate, one non-certified candidate, and a third candidate who was also certified but later chose not to proceed with the interview process. An employee committee consisting of two city council members was chosen to conduct these interviews, alongside the mayor and county sheriff. After interviewing both candidates, the committee determined that the certified candidate met all of the qualifications for the position and recommended the city council hire him.

During the interim period between the interviews and the next meeting of the full city council, a text message was sent to the non-certified candidate, informing him that an offer would be made

to the certified officer and asking the other candidate whether he wished to proceed with qualifications testing or wait to see if the certified candidate would accept the offer. On October 6, 2025, the city council agenda included an action item to approve the hiring of the certified candidate, which was approved. The non-certified candidate's application was not presented on the agenda for the meeting.

On September 30, 2025 – during the interim period – Complainant filed formal complaint 25FC:0155, alleging that the text notice was evidence of an improper meeting to approve the hiring of the new police chief outside of open session. Complainant later amended the complaint to allege, in the alternative, that the interviewing committee had violated Chapter 22 by meeting outside of open session when conducting the interviews and selecting the certified candidate to fill the vacant position.

### **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).”

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

### **Analysis**

Based on IPIB’s investigation, there is no evidence to suggest that a majority of the five-person city council discussed or voted on the eventual hiring of the certified candidate outside of open session, meaning there was never any “meeting” of the council for the purposes of Iowa Code § 21.2(2).

The more nuanced question is whether there was an improper meeting of the interviewing committee as a separate entity, as Iowa Code § 21.2(1)(c) defines “governmental body” to include any “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.”

Existing judicial precedent suggests that sub-majority interviews are generally permitted outside of open session. In *Telegraph Herald, Inc. v. City of Dubuque*, the Supreme Court held that no violation occurred where members of a five-person city council met with candidates for a city manager position in groups or one or two members at a time, as these sessions never resulted in a majority gathering at any stage of the interview process. 297 N.W.2d 529, 533–34 (Iowa 1980). The *Telegraph Herald* Court concluded its analysis by expressly finding that the two-member interview groups did not qualify as governmental bodies in their own right, as they had not been “formally and directly created” by the city council. *Id.* at 234. In a more recent case, *Teig v. Hart*, the Court reaffirmed its specific ruling in *Telegraph Herald*, indicating that sub-majority interviews could be a valid “workaround” to open meetings requirements for a city council to shield its interviewees from the public scrutiny of open session. 28 N.W.3d 272, 280 (Iowa 2025).

The case at hand differs from *Telegraph Herald* in the sense that the task of interviewing was given to two specific council members as part of a committee, rather than having each council member interview both candidates separately. Although the committee was effectively performing the same function as the groups in *Telegraph Herald*, the treatment of the committee as a distinct group could, in principle, lead to a different outcome with respect to whether they were “formally and directly created.”<sup>1</sup> See also 25FC:0031, *Michael Chapman/Waterloo Community School District* (discussing formal and direct creation in the context of subcommittees).

Assuming the interview committee could meet the definition of a governmental body under Iowa Code § 21.2(1)(c), the Iowa Supreme Court has held that governmental bodies only hold meetings as defined by Iowa Code § 21.2(2) if their deliberations or actions are “in furtherance of any policy-making duties,” meaning that purely advisory bodies (other than specified advisory bodies covered by Iowa Code § 21.2(1)(e) or (h)) are not required to hold their meetings pursuant to Chapter 21. *Mason v. Vision Iowa Board*, 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 *Mason*, the Court applied this standard to find that a negotiating committee created to meet with grant applicants for a particular proposal and make an approval recommendation for the full state board’s consideration lacked policy-making duties of their own which would require them to follow Chapter 21, as they had no authority to *set* the award amount or *decide* whether and how it should be granted. *Id.* at 354.

Similar to *Mason*, it appears that the interview committee was only ever directed to interview candidates and present a recommendation for final approval. It is undisputed that the official hiring decision occurred only when the city council voted on its resolution to select the certified

<sup>1</sup> Specifically, the one- and two-person groups in *Telegraph Herald* were a byproduct of an interview schedule designed to allow each council member to meet with final candidates without triggering Chapter 21, and the grouping decisions were based on availability rather than being directly assigned by the council as a whole. By contrast, the city council in this case specifically selected the two members who made up the interview committee, which was then assigned special tasks which distinguished them from the other three members who did not participate. Presented in the light most charitable to Complainant’s case, this could plausibly warrant a different result from *Telegraph Herald*.

candidate, rather than when the committee made its recommendation. Indeed, as the text message sent to the other candidate stated, Respondent was still moving forward with its next steps in the hiring process after the interviews, at least until the October 6 city council meeting.

Complainant contends the interim period text message reflected an “offer” to the certified candidate and that only the certified candidate was presented to the council for approval, suggesting the council’s decision was a rubber stamp for a decision the committee had functionally already made. However, Respondent has emphasized that the choice to present only the certified candidate was the result of the city council’s previous decisions, as only the certified candidate met all of the criteria laid out for the position. Additionally, pursuant to Section 15.02 of the Paullina City Code (based on Iowa Code § 372.4(2)), the police chief’s appointment was officially made by the mayor subject to the consent of the city council, meaning the offer reflected the mayor’s decision and the resolution considered by the council was to approve this *appointment*, rather than the interview committee’s recommendation.

Under these circumstances, it does not appear that the interviewing committee actually possessed the policy-making authority contemplated by *Mason* to turn their activities into meetings. There is also no evidence to suggest that they were officially “created by an executive order of a political subdivision of this state to develop and make recommendations on public policy issues” for the purposes of Iowa Code § 21.2(1)(h) as an exception to the *Mason* rule. Although Respondent should be aware that subcommittees may qualify as governmental bodies subject to Chapter 21, this particular subcommittee does not appear to meet that standard.

### **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**

Following IPIB staff’s investigation, it appears that the two-member “committee” in this case merely conducted interviews and made a recommendation, while the city council made the actual decisions when it chose the criteria for selection before the interviews and later voted to approve

the only candidate who met their established criteria. As such, it is recommended that the Board dismiss for lack of probable cause to believe a violation has occurred.

By the IPIB Agency Counsel,



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Alexander Lee, J.D.

#### CERTIFICATE OF MAILING

This document was sent on May 6, 2026, to:

Paullina Resident, Complainant  
City of Paullina, Respondent

## The Iowa Public Information Board

<p>In re the Matter of:</p> <p>Rachel Doyle, Complainant</p> <p>And Concerning:</p> <p>City of Rolfe, Respondent</p>	<p>Case Number: 25FC:00192</p> <p>Investigative Report</p>
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COMES NOW, Charlotte Miller, Executive Director for the Iowa Public Information Board (IPIB), and enters this Investigative Report:

On November 27, 2025, Rachel Doyle (“Complainant”) Brown filed formal complaint 25FC:0192, alleging City of Rolfe (“Respondent”) violated Iowa Code chapter 22.

The IPIB accepted this Complaint on February 19, 2026.

### Facts

On October 18, 2025, Complainant submitted a records request Certified Copy of the Final Asbestos Abatement Report from the Respondent.

On October 29, 2025, Respondent emailed the Complainant acknowledging the request and indicated that it would charge a reasonable fee for costs of retrieval and copying of the report, noting that the record was in possession of a third-party vendor, Site Services. Respondent advised that an hour of time would be necessary for the production. Complainant was provided an invoice on October 30, 2025 for the totaling \$28.50 for the production of records. The invoice provided the following:

- Records Request-Initial email received 10/18/25 (Saturday): 1 min
- 10/20/25: computer research, finding out who did the work and when it was done, asked questions of individuals who would remember project, dug through storage room for box that included the original invoice: 38 mins
- 10/20/25: I called and spoke to employee at Site Services, whom completed the work. He had to leave a message for the owner to return my call: 3mins
- 10/20/25: Site Services owner returned call. Asked for more info. Said the same individual had called and spoke to him asking for info. With over 40 yrs in the business, he has never had any request compare to this: 8 mins
- 10/21/25: Email received from Site Services containing their records: 1 min
- 10/29/25: Email correspondence with City attorney to form response: 2 mins
- 10/29/25: Response to Ms. Doyle informing of the fee required before sharing info: 1

mins

- 10/29/25: Email from Ms. Doyle asking for detailed receipt: 1 min
- 10/30/25: Invoice prep and response submitted: 10 mins

Total time: 65 mins @ \$28.50/hour

SUB TOTAL \$28.50

IPIB formally opened this complaint on February 19, 2026. Respondent submitted a response on February 23, 2026 providing the above invoice and indicating that they are unlikely the custodians of the requested report because it was made by Site Services to for the Iowa Department of Natural Resources. Respondent indicated that the cost of retrieval was based upon IPIB's Advisory Opinion 22AO:0003.

### **Applicable Law**

“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.” Iowa Code § 22.3(1).

“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).

### **Analysis**

The question is whether the fee was unreasonable. Iowa Code § 22.3 is clear that governmental bodies can charge reasonable fees for the production of public records and can produce the public records contingent upon receipt of payment. The requested record in question was not a record readily available to the government body. The government body was not in possession of the record at the time of the request. The government body had to reach out to a number of different persons in an effort to comply with Complainant's record request. They provided a timeframe for retrieval to the complainant upon acknowledgement and also estimated reasonable fees for production of the record that were the direct and actual costs for the time spent producing the requested record. Respondent charged the hourly rate of the employee producing the record.

The Code merely requires the actual costs to the government body for retrieving and providing the records. Respondent stated the actual costs of performing the search and pull of the records was one hour of employee time to search and produce the records.

Additionally, Iowa Code § 22.3(2) provides that reasonable expenses based on “actual costs” incurred by the government body may be charged to a requester as a condition of production even if this impacts the requester. “[R]etrieval fees may in fact hamper access to public documents. However, such fees may also ensure continuing access to public records through increased funding and deterring excessive or overly broad requests. In any event, weighing these policy interests is for the general assembly. [citation omitted] We hold that in allowing for the recovery of expenses incurred in fulfilling requests for public records, Iowa Code section 22.3(1) authorizes reasonable fees for the time spent by the custodian or its employees in fulfilling the request.” *Teig v. Chavez*, 8 N.W.3d 484, 497 (Iowa 2024).

Based on the request and the breakdown from Respondent, the fees requested for the retrieval of the records appears direct, actual and reasonable.

### **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 fee estimate reflects the actual, direct and reasonable costs of producing the asbestos report, there no violation of Chapter 22 and it is recommended IPIB dismiss the matter for 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 May 15, 2026, to:

Rachel Doyle, Complainant

Brian Yung, for City of Rolfe, Respondent



Miller, Charlotte &lt;charlotte.miller@iowa.gov&gt;

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**Notice of IPIB Consideration of 25FC:0192 on May 21, 2026**

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**Rach Doyle** <rmdmomx3@gmail.com>

Fri, May 15, 2026 at 2:48 PM

To: "Miller, Charlotte" &lt;charlotte.miller@iowa.gov&gt;

Cc: Brian Yung &lt;Brian.Yung@johnsonlawia.com&gt;, "Rolfe City Clerk, Brandi Henderson" &lt;rolfeclerk@ncn.net&gt;, Jim Pentico &lt;rolfemayor@ncn.net&gt;

Date: May 15, 2026

To: Iowa Public Information Board (IPIB)

Regarding: Case Number 25FC:0192 – Written Comments for May 21, 2026 Board Packet

Dear Members of the Board,

I am submitting these formal comments regarding the investigative report for Case Number 25FC:0192. The research and search fees charged by the city in this matter are completely unreasonable and unnecessary. I did not make a broad, vague request that required a fishing expedition through years of city email servers. I asked for a highly specific, standardized packet of project closeout records for the RAM Center / school gym structure: a Certified Copy of the Final Asbestos Abatement Report (including all waste shipment records, air monitoring results, and certification of completion statements). These three items are standard, mandatory compliance documents under federal EPA NESHAP and state environmental rules:

Waste Shipment Records: The city is legally required to hold these 3-part landfill manifests to prove hazardous waste was legally buried.

Air Monitoring Results: The city cannot legally clear a public building for demolition without this independent safety clearance.

Certification of Completion: This is the primary closeout invoice required to pay the contractor with public funds.

The mayor in office during the project possessed direct, personal knowledge of this work. Furthermore, the city was legally mandated to maintain these exact documents in their primary project or property files to avoid state and federal penalties. Instead of pulling these standard, legally required files from their designated folders, the city claims to have wasted substantial administrative time digging through general records and emails. Charging a citizen extensive research fees because an agency failed to maintain mandatory environmental records in an organized, accessible manner is entirely unreasonable. Public record fees should reflect efficient administrative processes, not the costs of a redundant or disorganized internal search.

I request that the Board consider these facts during the review on May 21, 2026, and find that the assessed fees are unreasonable.

Sincerely,

Rachel Doyle  
29915 460th st  
Rolfe, Ia 50581  
515-565-0060

[Quoted text hidden]

## The Iowa Public Information Board

<p>In re the Matter of:</p> <p>John Doe, Complainant</p> <p>And Concerning:</p> <p>Keokuk Police Department, Respondent</p>	<p>Case Number: 25FC:0200</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 December 8, 2025, John Doe (“Complainant”) filed formal complaint 25FC:0200, alleging that the Keokuk Police Department (“Respondent”) violated Iowa Code Chapter 22.

The IPIB accepted this Complaint on January 15, 2026.

### Facts

Complainant submitted a public records request for a digital copy of the police department policies. Respondent provided a fee estimate of \$47. To attempt to reduce the cost of the request, Complainant then modified his request to view the policies in person, which resulted in a higher fee estimate. Complainant submitted a complaint to contest Respondent’s fee policy.

On March 18, 2026, in response to the investigation, IPIB staff recommended an informal resolution through which Respondent would make recommended changes to their policy. On March 25<sup>th</sup>, the Complainant requested the policy table of contents so he could better narrow his request. On March 25<sup>th</sup>, IPIB staff responded to the parties supporting the suggestion of providing the table of contents as a starting place. On March 27, 2026, Respondent provided their response to the informal resolution terms. By that date, Respondent had updated their fee policy and provided a copy to IPIB in the same email.

IPIB staff followed up with the Complainant on March 30<sup>th</sup>, April 15<sup>th</sup>, and April 29<sup>th</sup>. Despite giving the Complainant a deadline for the end of April to respond to the proposed terms and two follow up reminders, IPIB staff have received no further communications from 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).

“The examination and copying of public records shall be done under the supervision of the lawful custodian of the records or the custodian’s authorized designee. The lawful custodian shall not require the physical presence of a person requesting or receiving a copy of a public record and shall fulfill requests for a copy of a public record received in writing, by telephone, or by electronic means. 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).

### **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 reasonable fees 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

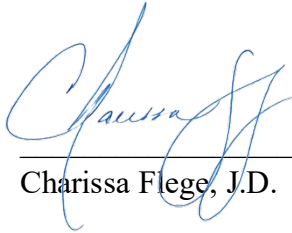
d. Make a determination that probable cause exists to believe a violation has occurred, designate a prosecutor and direct the issuance of a statement of charges to initiate a contested case proceeding.

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,



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Charissa Flege, J.D.

### **CERTIFICATE OF MAILING**

This document was sent on May 14, 2026, to:

John Doe, Complainant  
Keokuk Police Department, Respondent

## The Iowa Public Information Board

<p>In re the Matter of:</p> <p>William Hendrikson, Complainants</p> <p>And Concerning:</p> <p>City of Clear Lake Police Department, Respondent</p>	<p>Case Number: 25FC:0206</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 December 2, 2025, William Hendrikson (“Complainant”) filed formal complaint 25FC:0206, alleging that the City of Clear Lake Police Department (“Respondent”) violated Iowa Code Chapter 22.

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

### Facts

In April 2025, Complainant submitted a public records request to the Respondent. Subsequent to that request, Complainant spoke with IPIB and alleged violations of Chapter 22 related to that request. When the Respondent raised those concerns, the matter was well outside the 60-day filing deadline and he was informed that IPIB would be unable to review any alleged violations from April 2025.

On December 2, 2025, Complainant filed a formal complaint with IPIB against the Respondent. On December 6, 2025, Complainant submitted another records request that was partly duplicative of the April request, but also requested several additional items. On December 16, 2025, the records clerk responded to the request in part and provided a fee estimate. The December fee estimate was \$1,680 for the following records: “41 Calls for Service (\$5.00), 14 Incident Reports (\$5.00); 55 Miscellaneous related documents such as witness statements and report attachments (\$5.00), 30 body or dash cam videos (\$10.00 each), USBs for video storage (\$15.00 each), and hourly staff time (\$20.00/hour for admin staff and \$60.00/hour for the Chief) for retrieving, copying, reviewing, and redacting confidential information.” The Respondent

requested pre-payment of fees. Complainant did not respond to the fee estimate, but did raise an unreasonable fee allegation during the pending IPIB investigation.

On January 26, 2026, without prompting by IPIB, the Respondent provided to the Complainant an amended and reduced fee estimate for the requested incident reports and dispatch logs from \$275.00 to \$49.32. They maintained the rest of the fee estimate remained the same. They then re-requested prepayment.

On January 27, 2026, the Complainant submitted another request to the Respondent which was largely duplicative of the December request. The Respondent answered the fee request with another fee estimate.

IPIB began working with the parties to address the matter informally. IPIB staff provided feedback recommending the police department amend its fees (and fee policy) to remove any flat per record expenses except where a flat fee was elsewhere provided for in the law. The Respondent promptly updated its fee policy based upon IPIB's recommendations.

The Complainant then added the following allegations during the informal negotiations:

1. Unreasonable and excessive fees.
2. Citation to the improper code section.
3. Failure to provide records.
4. Records were withheld without a clear statutory explanation
5. Improper narrowing of the scope of the request
6. An incomplete fee estimate
7. Delay and failure to respond within a reasonable time
8. Lack of clarity and transparency regarding which records exist and retention
9. Responses that fail to clearly state whether a record exists, has been retained or been destroyed, along with no retention policy or supporting documentation.

IPIB staff followed up to the new additional allegations, explaining that any allegations related to the April 2025 request were outside the agency's jurisdiction. As to the following allegations that were related to the newly requested items in December, IPIB staff provided the following feedback to the Complainant.

1. IPIB made policy suggestions as part of an attempt to reach informal resolution
2. IPIB staff explained this is not a violation of Chapter 22.
3. IPIB staff explained that the governmental body has not been paid for the production and is entitled to receive payment before undertaking work.
4. IPIB staff explained that the governmental body has not withheld any records as confidential yet, because the production hasn't been started.
5. IPIB staff found no evidence of this occurring.
6. IPIB staff explained that breaking a production into smaller, more manageable or affordable pieces is not a violation of Chapter 22.

7. IPiB staff explained the Respondent replied within two weeks and provided a fee estimate, which is not an unreasonable delay in response.
8. IPiB staff explained that the Respondent cannot be expected to explain which records exist before undertaking the records production.
9. IPiB staff explained that the Respondent can't identify unavailable records before starting the production.

IPiB staff recommended informal resolution terms. On April 9, 2026, Respondent provided their new fee policy, which provides for the first 30 minutes free and removes all flat fee production costs. They also explained that the estimate provided on January 26<sup>th</sup> would be in alignment with the new policy. They explained they remained open and willing to work with the Complainant on production as soon as fees were paid for the records.

Complainant maintained that the improper fee calculation couldn't be remedied by amending the policy and fee estimate, and requested a probable cause determination as to whether the Respondent has violated Chapter 22.

### **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*

Complainant alleges an unreasonable delay. He has also maintained that the failure to produce the records is an unlawful denial under Chapter 22, even though he is contesting the fees and has not paid for the records. To the extent this refers to the April 2025 request, the matter is outside IPIB's jurisdiction. To the extent it refers to the December 2025 and January 2026 request, the Respondent acknowledged the request and provided a fee estimate in two weeks for the first and days for the second. The Complainant elected to pursue this complaint challenging the reasonableness of the fees. It is permissible for a government body to make the production of the records contingent on prepayment of the fee. The requestor has not paid for any of the record production, including the two items that the Respondent attempted to provide first. For these reasons, no unreasonable delay has occurred within the jurisdiction of IPIB.

### *Unreasonable Fees*

Complainant also alleged the fee is unreasonable because it is excessive and because it was later reduced. 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 estimate includes substantial time reviewing and redacting audio/video footage and other potentially confidential information for redaction. While IPIB had concerns about the December 2025 fee estimate breakdown, the Respondent immediately attempted to work with the Complainant to narrow the scope and review the fee estimate. Furthermore, when IPIB recommended informal resolution terms, the Respondent immediately updated their fee policy to incorporate recommended changes and remained willing to work with the Complainant to amend the fee estimate under the new policy.

The Respondent's efforts demonstrate a good faith effort to provide a reasonable fee estimate and substantial compliance with the law. To the extent that any of the flat fees in the original estimate were not actual and direct costs, that has been remedied by the updated policy before any fees were paid. The breakdown provided to IPIB staff most recently 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 fee estimate is substantial, when considered in light of the number of records requested and reviewed for redaction, IPIB staff believe the current fee estimate is reasonable. If the costs exceed a requestor's resources, that does not

automatically make the fee estimate unreasonable. In that instance, the parties can and should work together to identify the most important records sought and narrow the scope of the request to reduce production costs.

### **IPIB Action**

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

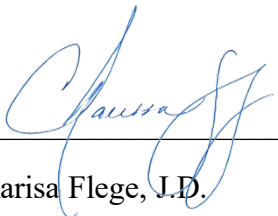
- a. Redirect the matter for further investigation;
- b. Dismiss the matter for lack of probable cause to believe a violation has occurred;
- c. Make a determination that probable cause exists to believe a violation has occurred, but, as an exercise of administrative discretion, dismiss the matter; or
- 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 estimate is for the actual costs of the production, permissible legal services, and a response to the request was provided within two weeks, no violation of Chapter 22's requirements occurred, and it is recommended the Board dismiss for a lack of probable cause.

By the IPIB Deputy Director,



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Charisa Flege, J.D.

### **CERTIFICATE OF MAILING**

This document was sent on May 14, 2026, to:

William Hendrikson, Complainants

City of Clear Lake Police Department, Respondent

To the Members of the IPIB Board,

The City of Clear Lake, including its Police Department, endeavors to follow all current law and guidance pertaining to Iowa Code Chapter 22, Open Records.

In the last approximately six months, the complainant Mr. Hendrikson has submitted three extensive public records requests to the City PD. While the City timely and thoroughly responded to each, only one is at issue in Mr. Hendrikson's complaint.

Regarding this request, we understand the IPIB staff found that:

- 1) Complainant's complaint to IPIB was untimely as to his April 2025 public records request;
- 2) As to his December 6, 2025 records request, the City provided an initial timely response to each individual records request, with a fee prepayment estimate of \$1,680, based on a good faith but erroneous understanding of production costs and allowable charges;
- 3) This fee estimate was amended less than a month later on January 26, 2026, with a significantly reduced revised fee estimate of \$49.12, that IPIB staff considered reasonable and based on actual cost; and
- 4) Complainant submitted another records request on January 27, 2026, which was somewhat duplicative. Complainant continued to partially seek records in the possession of other agencies, or confidential records. The City again responded to each request. It issued another fee prepayment estimate that IPIB staff considered reasonable and based on actual cost, as well as provided copies of requested law enforcement call reports to Complainant at no cost.

The City has adopted a new and revised Open Records policy to reflect IPIB's staff's recommendations for legal compliance and best practice around the estimate of actual, reasonable costs for public record production, and has applied these principles twice in considering Complainant's records requests. In fact, IPIB staff found in its report that: "The City's efforts demonstrate a good faith effort to provide a reasonable fee estimate and substantial compliance with the law. To the extent that any of the flat fees in the original estimate were not actual and direct costs, that has been remedied . . . before any fees were paid."

To the extent Mr. Hendrikson has raised other allegations against the City as to the timeliness of its responses, improper narrowing of his requests, unreasonable delays, and otherwise, IPIB staff considered them without merit based on the record.

The City requests and urges the Board to dismiss Mr. Hendrikson's complaint for a lack of probable cause, as recommended by the IPIB Deputy Director.



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**Re: Notice of IPIB Consideration of Case# 25FC:0206 on May 21, 2026**

1 message

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**W** <willhendrikson@gmail.com>

Thu, May 14, 2026 at 7:53 PM

To: "Flege, Charissa" &lt;charissa.flege@iowa.gov&gt;

Cc: Mike Colby &lt;mcolby@cityofclearlake.org&gt;, "Rebecca E. Reif" &lt;rreif@ahlerslaw.com&gt;, "Miller, Charlotte" &lt;charlotte.miller@iowa.gov&gt;

Good Evening,

Yes, I would like the Board to review the matter and make a determination.

At the core of this complaint is a simple issue: whether access to public records was conditioned on a fee estimate that complied with Iowa Code Chapter 22 at the time it was imposed.

The original estimate provided to me was approximately \$1,930. That estimate was later reduced to approximately \$1,249, and later reduced again to approximately \$49 for portions of the same request. During this process, the City also revised its fee policy and acknowledged that the estimate "needed to be updated to be in compliance" with Chapter 22 requirements.

To me, those facts are central. If the estimate needed to be updated in order to comply with Chapter 22, then the original estimate necessarily raises a legitimate question as to whether it complied with Chapter 22 when access to records was initially conditioned upon payment of that amount.

I understand that some earlier requests may fall outside the Board's 60-day jurisdictional limitations. However, after those earlier disputes, I submitted a second request that is properly before the Board, and many of the same issues regarding fees and responses continued. It was only after the second request, more than a year of dispute, repeated communications, and IPIB involvement that the City substantially revised its fee estimates and policies.

I also continue to dispute whether the City provided a sufficiently complete and itemized response to the requests at issue. While general explanations were provided in some instances, I do not believe the City clearly identified, on a record-specific basis, which requested records were produced, which did not exist, and which were being withheld under specific statutory authority.

I recognize that the City later revised its policies and estimates, and I acknowledge those changes. However, I do not believe corrective action taken after the fact resolves whether Chapter 22 was violated at the time the original estimate and prepayment requirement were imposed.

I believe accountability is an important part of the purpose of Chapter 22 and of the Board's role in reviewing these matters. If government entities can impose substantially inflated estimates that later require major revisions to become compliant, yet avoid any determination regarding whether the original conduct complied with the law, then it raises a serious question as to how public bodies are ultimately held accountable under Chapter 22.

For those reasons, I respectfully request that the Board independently determine whether probable cause exists that Chapter 22 was violated based on the record before it.

Thank you,

William Hendrikson

On Thu, May 14, 2026, 7:30 PM Flege, Charissa &lt;charissa.flege@iowa.gov&gt; wrote:

Good Afternoon,

The Iowa Public Information Board (IPIB) will review this Investigative Report for case 25FC:0206 at its meeting on May 21, 2026. **The meeting will begin at 1:00 p.m.** The meeting agenda is generally posted to the IPIB website (<https://ipib.iowa.gov/iowa-public-information-board-meetings/2025-board-meetings>) on the Tuesday afternoon before the board meeting. Cases are generally considered in order of case number, meaning older cases are heard first.

The IPIB normally allows brief (under five minutes) comments from the parties to a case, though Board members may ask questions for further clarification after both sides have had the opportunity to present. You are under no obligation, but if you wish to speak at the meeting, please reply to this email and indicate your agreement to this statement:

\_\_\_\_\_ I want to address the Board and respond to any questions Board members may have when the initial processing of this complaint is considered. In the event this complaint proceeds to a contested case, I waive any objection that I might have concerning personal investigation of this complaint by a Board member.

The IPIB meeting will be held in open session, accessible to the public. You may attend in person at the Jessie Parker

## The Iowa Public Information Board

<p>In re the Matter of:</p> <p>William Hendrikson, Complainant</p> <p>And Concerning:</p> <p>Cerro Gordo County Sheriff's Department / Jail, Respondent</p>	<p>Case Number: 25FC:0208; 25FC:0209</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 December 2, 2025, William Hendrikson (“Complainant”) filed formal complaints 25FC:0208 & 25FC:0209, alleging the Cerro Gordo County Sheriff’s Department / Jail (“Respondent”) violated Iowa Code Chapter 22.

The Iowa Public Information Board accepted these complaints at its meeting on January 15, 2026.

These two complaints were combined because all requests submitted to the Respondent entities were identical, submitted on the same communications which cc’d multiple individual employees, and were responded to as one request by legal counsel for the County.

### Facts

On April 14, 2025, Mr. Hendrikson submitted an email request to the Cerro Gordo sheriff for public records. The county attorney responded on behalf of Respondent on April 22, 2025:

“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.”

No further response was received from Complainant until November 20, 2025 when he sent another request with some of the same information from his April 14<sup>th</sup> request, but including additional new record requests. On December 2, 2025, Respondent's attorney confirmed receipt the request and provided an expected timeline.

On December 3, 2025, Complainant submitted another records request with additional, new requests. On December 3, 2025, Respondent's counsel answered the two requests.

For each requested item, Respondent either asserted confidentiality, stated the records did not exist, requested clarification, or notified Complainant that the information was being collected. Specifically, they explained that video footage is destroyed after four months, so was not available anymore. They also specifically asserted confidentiality of the internal investigation into allegations of assault based upon 22.7(5), 22.7(11), and 80F.1. On December 15, 2025, Respondent provided records for two of the requested categories.

On December 22, 2025, Complainant submitted another request. On December 23, 2025, Respondent acknowledged the request and provided an expected timeline. On January 28, 2026, Respondent provided the policies requested on December 23<sup>rd</sup>.

### **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).

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

“The following public records shall be kept confidential, unless otherwise ordered by a court, by the lawful custodian of the records, or by another person duly authorized to release such information: . . . (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. Specific portions of electronic mail and telephone billing records may only be kept confidential under this subsection if the length of time prescribed for commencement of prosecution or the finding of an indictment or information under the statute of limitations applicable to the crime that is under investigation has not expired.” Iowa Code 22.7(5).

### **Analysis**

The allegations in this complaint from April occurred hundreds of days before the filing of this complaint. Any alleged violation should have been discovered with any reasonable diligence earlier than the filing of this complaint. 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 over violations alleged to have occurred in April 2025, those alleged violations must be dismissed for lack of jurisdiction.

As to whether a violation occurred in November or December, the Respondent provided an affidavit that verified the records identified to the Complainant for withholding were proper under 80F and 22.7(5). IPIB is unable to interpret 80F; however, the affidavit provided by Respondent swore that an internal investigation occurred that required confidentiality under 80F. No evidence was provided to the contrary.

In regards to the Respondent’s delay, all evidence of communications provided to IPIB for the time period within the agency’s jurisdiction show that Respondent repeatedly responded promptly to new and voluminous requests.

### **IPIB Action**

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

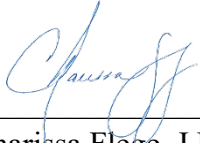
- a. Redirect the matter for further investigation;
- b. Dismiss the matter for lack of probable cause to believe a violation has occurred;
- c. Make a determination that probable cause exists to believe a violation has occurred, but, as an exercise of administrative discretion, dismiss the matter; or
- 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 jurisdictional requirement for review and IPIB has no jurisdiction over those matters, and all responses within the 60-day deadline complied with Chapter 22, it is recommended the Board dismiss the matter for lack of probable cause to believe a violation has occurred.

By the IPIB Deputy Director,

A handwritten signature in blue ink, appearing to read 'Charissa Flege', written over a horizontal line.

Charissa Flege, J.D.

CERTIFICATE OF MAILING

This document was sent on May 15, 2026, to:

William Hendrikson, Complainant

Cerro Gordo County Sheriff's Department / Jail, Respondent



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**Re: Notice of IPIB Consideration of Case# 25FC:0209 on May 21, 2026**

1 message

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**W** <willhendrikson@gmail.com>

Fri, May 15, 2026 at 11:22 AM

To: "Rice, Georgia" &lt;grice@ldmlaw.com&gt;

Cc: "Flege, Charissa" &lt;charissa.flege@iowa.gov&gt;, "Palmer, Jason" &lt;jpalmer@ldmlaw.com&gt;, "Miller, Charlotte" &lt;charlotte.miller@iowa.gov&gt;, David Hepperly &lt;dhepperly@cerrogordo.gov&gt;

To the Iowa Public Information Board,

I respectfully submit these written comments in response to the investigative reports and recommendations in Cases 25FC:0208 and 25FC:0209.

I disagree with the recommendation that these matters be dismissed for lack of probable cause.

As the County itself has acknowledged through counsel, these are related complaints involving the same underlying disputes regarding records requests, confidentiality assertions, withheld records, unavailable video evidence, and the County's handling of my repeated requests for information relating to my incarcerations and allegations of misconduct.

In my view, these matters should not be evaluated as isolated technical disputes. When viewed collectively, the record reflects an ongoing pattern in which requests for records were repeatedly met with broad confidentiality claims, shifting explanations, delayed responses, and the eventual assertion that potentially relevant video evidence no longer existed due to retention practices.

The recommendation relies heavily upon generalized assertions that an internal investigation existed and that confidentiality applied under Iowa Code sections 22.7(5) and 80F. However, despite repeated requests, I was never provided meaningful detail regarding:

- when the investigation was initiated,
- the scope or subject of the investigation,
- whether it remained active,
- what records specifically were withheld,
- or how each withheld category directly related to the alleged investigation.

This is significant because the County simultaneously asserted that responsive video footage had already been deleted or was otherwise unavailable. As a practical matter, this left me unable to verify the County's claims while the County itself retained exclusive control over the underlying records and evidence.

I understand that certain records may lawfully be withheld under limited circumstances. However, I respectfully submit that generalized assertions of confidentiality should not automatically shield a public body from further scrutiny where:

- the allegations involve official misconduct and confinement conditions,
- records requests were made seeking documentation of those incidents,
- and the requester is provided no meaningful record-specific explanation supporting the withholdings.

I also believe the chronology matters. These disputes did not arise from a single request or misunderstanding. The issues continued across multiple requests over an extended period of time before policies, explanations, or limited productions changed. In the related Clear Lake matter, substantial fee reductions and policy changes occurred only after prolonged disputes and IPIB involvement. In these County matters, the pattern similarly reflects repeated resistance to meaningful disclosure followed by evolving explanations and confidentiality assertions.

At minimum, I respectfully submit that probable cause exists to require a more particularized showing identifying:

- which records were produced,

- which records allegedly no longer existed,
- which records were withheld,
- and the specific statutory basis for each withholding.

Without that level of specificity, a requester is effectively required to accept generalized assertions at face value while having no meaningful ability to evaluate whether Chapter 22 was properly applied.

I recognize that the Board may ultimately determine that some records were properly withheld under Iowa law. However, based on the full record before the Board, I respectfully believe there are sufficient unanswered questions regarding the timing, scope, specificity, and practical effect of the County's responses to warrant further review rather than dismissal.

For those reasons, I respectfully request that the Board reject the recommendation for dismissal and find that probable cause exists in Cases 25FC:0208 and 25FC:0209.

Respectfully,

William J. Hendrikson

On Fri, May 15, 2026, 9:54 AM Rice, Georgia <[grice@ldmlaw.com](mailto:grice@ldmlaw.com)> wrote:

Ms. Flege,

Thank you. Mr. Hendrikson has made two related complaints against the County—25FC:0208 and 25FC:0209. I want to confirm that the investigative report and recommendation applies to both complaints.

Additionally, the County would like to submit its written statement for the Board's review that was previously emailed on April 9, 2026, which I have attached here for your convenience.

Thank you,

Georgia

**GEORGIA RICE**  
ATTORNEY

6400 Westown Pkwy ste. 280 | West Des Moines, IA 50266

M: (515)513-5003

[grice@ldmlaw.com](mailto:grice@ldmlaw.com) | [www.ldmlaw.com](http://www.ldmlaw.com)



April 9, 2026

**VIA EMAIL ONLY**

Charissa Flege  
Deputy Director  
Iowa Public Information Board (IPIB)  
510 E 12th Street  
Jessie M. Parker Building, East  
Des Moines, Iowa 50319  
[Charissa.flege@iowa.gov](mailto:Charissa.flege@iowa.gov)

RE: *IPIB Case Nos. 25FC:0208 (Cerro Gordo County Sheriff) and 25FC:0209 (Cerro Gordo County Jail)*

Dear Ms. Flege:

Please accept the following as Cerro Gordo County's ("County") written statement to be submitted to the Iowa Public Information Board ("IPIB") regarding the above-captioned case numbers.

On April 14, 2025, William Hendrikson ("Hendrikson") sent an email to Sheriff David Hepperly ("Sheriff Hepperly").<sup>1</sup> Hendrikson alleged that he was assaulted by jail staff multiple times while he was incarcerated in the Cerro Gordo County Jail in approximately October 2023 and October 2024. The email also included the following:

Pursuant to Iowa Code Chapter 22, I am formally requesting access to the following records related to my incarceration, court transport, and complaints:

1. All surveillance footage, bodycam, and inmate video/audio recordings related to:
  - a. Jail incidents involving physical removal from cell
  - b. Wheelchair transport and hallway altercation
  - c. Lockdown, suicide watch, or isolation periods
2. All incident reports, use-of-force reports, and disciplinary documentation involving me
3. All internal communications (email, memos, messages) mentioning William Hendrikson or relevant to the incidents described, between jail staff, deputies, Steenblock, Faught, Ryker, or the County Attorney's office

<sup>1</sup> All emails and letters referenced in this written statement have previously been provided as Exhibits attached to the response provided by the County on January 28, 2026.

4. My medical request forms, grievances, and any documentation of denied care or ignored health-related needs
5. All photos, injury reports, or documentation relating to visible injuries sustained while in custody or upon release

After receiving this email, the Sheriff's Office conducted an investigation of the alleged incidents at the Cerro Gordo County Jail. *See* attached Affidavit of Sheriff David Hepperly.

Cerro Gordo County Attorney Carlyle Dalen responded on April 22, 2025, and stated the following:

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.

Hendrikson did not make a complaint to the IPIB within sixty days of this denial, as required under Iowa Code section 23.7. *See* Iowa Code § 23.7(1) ("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."). Hendrikson submitted his complaints to the IPIB on December 2, 2025—224 days after the alleged violation. Any alleged violation of Chapter 22 related to this request and response is untimely.

Further, any alleged violation of Chapter 22 by the improper application of section 22.7(5) is harmless because, as will be shown through Hendrikson's additional open records requests and the County's responses, Hendrikson has been provided with the entirety of his jail records, including his medical records and incident reports, and there is no audio/video available.

On November 20, 2025, Hendrikson sent an email to Sheriff Hepperly which included the following:

[P]lease treat the following as a formal public records request under Iowa Code Chapter 22:

1. Jail Staff Roster – Past 25 Months

Please provide a complete roster of *all* jailers who have been employed at the Cerro Gordo County Jail within the past twenty-five (25) months, including:

- Full legal names
- Job titles / ranks
- Dates of employment

- Badge numbers (if applicable)
- Photographs used for internal jail identification

These items constitute public employment records and are not exempt from disclosure under Iowa law.

## 2. Records of the “Investigation” Used to Deny My Prior Request

Your office previously cited an “open investigation” as the reason for refusing to release records.

Please provide:

- The investigation case number or internal reference number
- The date the investigation was opened
- The nature and scope of what was being investigated
- Copies of any incident, supplemental, or investigative reports
- The names/titles of the individuals who made the determination to deny my request
- The statutory authority relied upon for withholding the information
- The final disposition, or current status if still open

If the investigation is still open, please explain what specific records cannot be released and the exact legal exemptions you are invoking under Iowa Code § 22.7.

## 3. Clarification of Legal Representation

Because I received a denial directly from County Attorney Carlyle Dalen *on behalf of your office*, and you have now stated that your office has separate counsel, please confirm the following:

- The name(s) of the attorney(s) or law firm(s) currently representing the Sheriff’s Office
  - Whether your outside counsel reviewed, approved, or authorized Dalen’s denial
  - Whether the County Attorney’s Office is or is not acting as your legal counsel
  - Who, specifically, is responsible for determining what records your office can release
- This clarification is necessary because your statement conflicts with the previous response issued by the County Attorney.

## 4. Required Response Under Iowa Code 22

If any portion of this request is denied:

- Please cite the exact Iowa Code exemption used,
- Provide the statutory text,
- And identify the individual making the determination.

I am requesting all non-exempt portions of these records be produced promptly as required by law.

The County, through the undersigned counsel, sent an email to Hendrikson on December 2, 2025, informing him that it was in receipt of his open records request and anticipated getting back to him that week.

The County received an email back from Hendrikson on December 3, 2025. He further requested the following:

1. All findings, notes, and communications regarding the “investigation” that Sheriff Hepperly and County Attorney Dalen stated was opened only after my April request.
2. My complete jail records;
3. My complete jail medical records (requested under both Iowa Code Chapter 22 and HIPAA);
4. All video, body-worn camera footage, and jail surveillance from the dates of:
  - the October 28–29, 2023 assaults,
  - the wheelchair hallway assault near the courtroom,
  - the retaliatory placement into 23-hour isolation in October/November 2024,
  - the assault that occurred during my suicide attempt, when force was used against me and I was left with a black eye, and
  - all incidents involving Justin Faught, Jail Administrator Andrew Steenblock, Sgt. Ryker, and any additional unnamed jailers who participated in these events.

The County responded with a letter on December 3, 2025, which stated the following:

In response to your emails dated November 20, 2025, and December 3, 2025, please see below:

1. A complete roster of all jailers who have been employed at the Cerro Gordo County Jail within the past twenty-five (25) months.

This information is currently being gathered and will be provided.

2. Records of the open investigation.

The records regarding this internal review investigation are confidential under Iowa Code Sections 22.7(5), 22.7(11), and/or 80F.1.<sup>2</sup>

3. Information regarding Cerro Gordo County’s legal representation.

Please clarify the specific documents you are requesting regarding Cerro Gordo County’s legal representation. Notwithstanding, Lamson Dugan and Murray is currently representing Cerro Gordo County regarding this matter.

4. Your complete jail records, including medical records.

This information is currently being gathered and will be provided.

5. All video, body-worn camera footage, and jail surveillance from the alleged assaults on October 28-29, 2023.

<sup>2</sup> See attached Affidavit of Sheriff David Hepperly.

There is no video available from this alleged incident due to the system retention limit of four (4) months. The officers' reports of the incident are included in your jail records.

6. All video, body-worn camera footage, and jail surveillance from the alleged wheelchair hallway assault near the courtroom.

There is no video available from this alleged incident due to the system retention limit of four (4) months. The officers' reports of the incident are included in your jail records.

7. All video, body-worn camera footage, and jail surveillance from the alleged placement in 23-hour isolation in October/November 2024.

There is no video available from this alleged incident due to the system retention limit of four (4) months.

8. All video, body-worn camera footage, and jail surveillance from the alleged assault that occurred during your suicide attempt.

There is no video available from this alleged incident due to the system retention limit of four (4) months. The officers' reports of the incident are included in your jail records.

9. All video, body-worn camera footage, and jail surveillance from all incidents involving Justin Faught, Jail Administrator Andrew Steenblock, Sgt. Ryker, and any additional unnamed jailers who participated in these events.

Please clarify what you mean by "all incidents" involving these employees. Please provide dates and types of incidents that you are seeking. Additionally, please keep in mind the video system retention limit of four (4) months.

The County provided the complete jail roster as well as Hendrikson's jail records and medical records to him via email on December 15, 2025, and via USPS on December 17, 2025.

Hendrikson sent an additional open records request on December 22, 2025, requesting the following:

1. The Cerro Gordo County Jail's video retention policy, including: The policy currently in effect; The version(s) in effect in October 2023 and October–November 2024; The original adoption date of the policy; Any amendments, revisions, or superseding policies, with effective dates.
2. Any written policies or procedures governing evidence preservation, including: Preservation obligations when an inmate sustains visible physical injury; Preservation requirements when use of force occurs; Preservation requirements once litigation is reasonably anticipated or a records request is received.

3. Any written policy addressing medical incidents, injuries, or suicide attempts, including whether such events trigger mandatory video preservation or reporting obligations.

The County responded on December 23, 2025, acknowledging the request was received and informing Hendrikson that the County was working on gathering the responsive policies and would provide them likely after the holidays. The County provided responsive policies on January 28, 2026, via email and USPS.

Please contact me if you have any questions or require any further information.

Sincerely,

LAMSON DUGAN & MURRAY LLP



Jason C. Palmer, Partner  
[jpalmer@ldmlaw.com](mailto:jpalmer@ldmlaw.com)  
FOR THE FIRM



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**Re: Notice of IPIB Consideration of Case# 25FC:0209 on May 21, 2026**

1 message

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**W** <willhendrikson@gmail.com>

Thu, May 14, 2026 at 8:02 PM

To: "Flege, Charissa" &lt;charissa.flege@iowa.gov&gt;

Cc: "Rice, Georgia" &lt;grice@ldmlaw.com&gt;, "Palmer, Jason" &lt;jpalmer@ldmlaw.com&gt;, "Miller, Charlotte" &lt;charlotte.miller@iowa.gov&gt;, David Hepperly &lt;dhepperly@cerrogordo.gov&gt;

To the Iowa Public Information Board,

I respectfully request that the Board reject the recommendation for dismissal and find that probable cause exists for further review in Case 25FC:0209.

This matter is not simply about whether the Respondent eventually replied to records requests. The issue is whether Iowa Code Chapter 22 was meaningfully complied with when records relating to alleged jail misconduct, use of force, confinement conditions, and medical treatment were requested, and whether the Respondent provided sufficiently specific and supportable grounds for withholding records under claims of confidentiality.

The recommendation relies heavily upon a generalized affidavit asserting that an internal investigation existed and that confidentiality applied under Iowa Code sections 22.7(5) and 80F. However, throughout this process I repeatedly requested basic information necessary to evaluate those assertions, including:

when the alleged investigation was opened,  
the scope and subject of the investigation,  
whether the investigation remained active,  
and how the withheld records specifically related to that investigation.

Those details were never meaningfully provided.

The issue is significant because the Respondent simultaneously asserted that potentially relevant video evidence no longer existed due to retention practices. From my perspective, this created a situation where:

records were withheld based on broad investigative confidentiality claims,  
while responsive evidence was also reportedly unavailable by the time meaningful responses were provided,  
leaving me with no practical ability to verify the basis for the withholdings or evaluate what records once existed.

I understand that Chapter 22 permits limited confidentiality in certain circumstances. However, generalized assertions of confidentiality should not automatically foreclose further review where:

allegations involve official misconduct and confinement conditions,  
the requester seeks records relating to those incidents,  
the agency itself controls all underlying evidence,  
and the requester is provided no meaningful record-specific explanation identifying what was withheld and why.

Importantly, this matter did not arise from a single isolated request. The disputes regarding records, responses, and confidentiality assertions continued across multiple requests over an extended period of time. While some earlier requests may fall outside the Board's jurisdictional time limits, the later requests that are properly before the Board involved many of the same unresolved concerns regarding withheld records, unavailable video evidence, and broad confidentiality claims.

At minimum, I respectfully submit that probable cause exists to require a more particularized showing from the Respondent identifying:

which requested records were produced,  
which records allegedly no longer existed,  
which records were withheld,  
and the specific statutory basis for each withholding.

Without that level of specificity, the practical effect is that a requester is forced to accept generalized confidentiality assertions at face value while lacking any meaningful ability to test those claims.

I recognize that the Board may ultimately determine that some requested records are properly confidential under Iowa law. However, I respectfully submit that the current record raises sufficient unanswered questions regarding the timing, scope, specificity, and practical effect of the Respondent's withholding and preservation practices to warrant further review rather than dismissal.

For those reasons, I respectfully request that the Board reject the recommendation for dismissal and find that probable cause exists in this matter.

Respectfully,

William J. Hendrikson

## Iowa Public Information Board

<p>In re the Matter of:</p> <p>Jacob Hall, Complainant</p> <p>And Concerning:</p> <p>City of Sioux Center, Respondent</p>	<p style="text-align: center;">Case Number: 26FC:0003</p> <p style="text-align: center;">Informal Resolution Report</p>
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On January 2, 2026, Jacob Hall (“Complainant”) filed formal complaint 26FC:0003, alleging that the City of Sioux Center (“Respondent”) violated Iowa Code Chapter 22.

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

### Facts

Complainant alleged that Respondent declined to fulfill public records request unless he used a specific form, that some records were not produced, and he was charged unreasonable legal fees in violation of Chapter 22.

### Law

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

“All reasonable expenses of the examination and copying shall be paid by the person desiring to examine or copy. The lawful custodian may charge a reasonable fee for the services of the lawful custodian or the custodian’s authorized designee in supervising the examination and copying of the records. If copy equipment is available at the office of the lawful custodian of any public records, the lawful custodian shall provide any person a reasonable number of copies of any public record in the custody of the office upon the payment of a fee. The fee for the copying service as determined by the lawful custodian shall not exceed the actual cost of providing the service. Actual costs shall include only those reasonable expenses directly attributable to supervising the examination of and making and providing copies of public records. Actual costs shall not include charges for ordinary expenses or costs such as employment benefits, depreciation, maintenance, electricity, or insurance associated with the administration of the office of the lawful custodian.

Costs for legal services should only be utilized for the redaction or review of legally protected confidential information. However, a county recorder shall not charge a fee for the examination and copying of public records necessary to complete and file claims for benefits with the Iowa department of veterans affairs or the United States department of veterans affairs.” Iowa Code 22.3(2).

### **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:

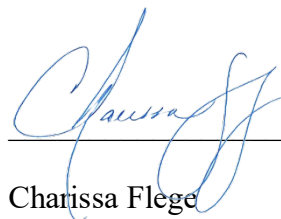
1. The City acknowledges its public record policy needed to be updated. The updated policy has been provided to IPIB for feedback.
2. The City agrees to update the public records request and fee schedule. It will provide a copy of the minutes documenting city council approval of the updated documents.
3. The City agrees to refund \$175 of the previously paid fee of \$178.
4. The City Clerk will attend a training session covering the requirements of Chapter 22.
5. The parties agree that the records requested and required information has been provided and produced.
6. Once this agreement is approved, the City will provide a copy of the city council’s approval to IPIB.

Complainant approved the informal resolution terms on April 2, 2026.

Respondent approved the terms of the informal resolution on April 20, 2026 at a city council meeting.

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

By the IPIB Deputy Director



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Charissa Flege

CERTIFICATE OF MAILING

This document was sent on May 14, 2026, to:

Jacob Hall, Complainant

City of Sioux Center, Respondent

## Iowa Public Information Board

<p>In re the Matter of:</p> <p>Jacob Hall, Complainant</p> <p>And Concerning:</p> <p>Sioux Center Library, Respondent</p>	<p style="text-align: center;">Case Number: 26FC:0006</p> <p style="text-align: center;">Informal Resolution Report</p>
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On January 5, 2026, Jacob Hall (“Complainant”) filed formal complaint 26FC:0003, alleging that the Sioux Center Library (“Respondent”) violated Iowa Code Chapter 21.

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

### Facts

Complainant alleged that Respondent declined to fulfill public records request unless he used a specific form and he was charged unreasonable legal fees in violation of Chapter 22.

### Law

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

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

and copying of public records necessary to complete and file claims for benefits with the Iowa department of veterans affairs or the United States department of veterans affairs.” Iowa Code 22.3(2).

### **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:

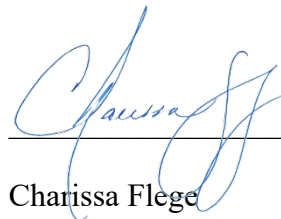
1. The Respondent acknowledges its public record policy needs to be updated to be in compliance with Chapter 22 requirements.
2. The Respondent will update their fee policy and provide a copy to IPIB for feedback.
3. The Respondent will provide documentation to IPIB showing that the updated policy has been adopted or approved by the library board or other authorized individual or body.
4. The Respondent agrees to recalculate the records fee to remove the legal fees. The Respondent will refund \$72.25 and submit a receipt to IPIB when this is complete.
5. The librarian will attend a Chapter 22 training if they have not already, and submit a copy of the certificate to IPIB.
6. The parties agree that the library has provided the records requested on March 31, 2026.
7. The Respondent will provide documentation to IPIB showing that this agreement has been approved by the authorized individual or body.

Complainant approved the informal resolution terms on April 8, 2026.

Respondent approved the terms of the informal resolution on May 18, 2026.

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

By the IPIB Deputy Director



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Charissa Flege

CERTIFICATE OF MAILING

This document was sent on May 18, 2026, to:

Jacob Hall, Complainant

Sioux Center Library, Respondent

## The Iowa Public Information Board

<p>In re the Matter of:</p> <p>Jarrold Diers, Complainant</p> <p>And Concerning:</p> <p>Oskaloosa Community School District, Respondent</p>	<p>Case Number: 26FC:0024</p> <p>Investigative Report</p>
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COMES NOW, Alexander Lee, Agency Counsel for the Iowa Public Information Board (IPIB), and enters this Investigative Report:

On January 23, 2026, Jarrod Diers (Complainant) filed formal complaint 26FC:0024, alleging that the Oskaloosa Community School District (Respondent) violated Iowa Code Chapter 22.

IPIB accepted this Complaint on March 19, 2026.

### Facts

On August 22, 2024, the Oskaloosa Police Department issues a criminal trespass notice against Complainant, barring him from all Oskaloosa Community School District properties indefinitely. On January 6, 2026, Respondent's Superintendent sent a written letter stating that the decision had been made in consultation between Respondent and law enforcement.

On January 23, 2026, Complainant filed formal complaint 26FC:0024-1, alleging unreasonable delay in response to a Chapter 22 request seeking records related to the trespass notice, including communications between Respondent and the Oskaloosa Police Department, policies and other documentation relied upon to justify exclusion, and materials from the police investigative file related to the underlying incident.<sup>1</sup>

After opening the complaint, Respondent stated their willingness to produce responsive records, though fulfillment of the request would be contingent on payment of reasonable fees. During the

<sup>1</sup> Complainant also alleged additional violations of Chapter 21 and Chapter 22, which were not accepted for further investigation on facial review.

course of IPIB's investigation, Complainant revised the scope of his Chapter 22 request multiple times. The most recent revision, from April 20, 2026, narrowed the request to the following:

1. Communications between District staff and law enforcement concerning Complainant;
2. Incident reports, internal notes, or summaries describing the alleged conduct;
3. Emails or directives involving the Superintendent related to the decision; and
4. Any documentation identifying the source of statements made in the January 26 letter.

Complainant also narrowed the timeframe for the request to focus on records from August 2024.

On April 24, 2026, after conducting a new search which identified 139 emails and seven Google Drive files as potentially responsive, Respondent provided a final fee estimate of \$222.75. According to Respondent, this was based on an estimated seven hours of required review time at a rate of \$35/hour.<sup>2</sup> Respondent notes that, while multiple individuals will be involved in fulfilling the request, \$35/hour is lower than any of their actual hourly rates. Additionally, Respondent has waived legal fees associated with expected confidentiality review for these records.

Complainant has raised various objections throughout the course of investigation. Within the scope of the accepted complaint, Complainant asserts:

1. That Respondent must assign fulfillment of the records request to the lowest paid qualified employee in order to avoid unreasonable fees;
2. That Respondent's fee estimate must be substantiated by a detailed breakdown of each category of work involved in the request;
3. That Respondent is entitled to an opportunity to examine the records at no cost before paying for copies; and
4. That Respondent had separately failed to answer Complainant's questions about the underlying dispute (e.g. how they identified him at the school event in August 2024).

### **Applicable Law**

"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).

<sup>2</sup> Note: Seven hours at \$35/hour would be \$245.00. The \$222.75 figure was a prorated estimate based on the \$595.00 estimate given for a previous version of the request, based on the fact that Respondent's staff had already conducted twelve hours on that request. Although \$245.00 would be the "correct" value based on the estimated time expenditure for the new request alone, Respondent has opted to maintain the lower figure to avoid unnecessary conflict.

“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.” Iowa Code 22.3(2).

### **Analysis**

Iowa Code § 22.3(1) and (2) permit a government body to charge a reasonable fee for the production of records, though this fee “shall not exceed the actual cost of providing the service” and “[a]ctual costs shall include only those reasonable expenses directly attributable to supervising the examination of and making and providing copies of public records.”

Respondent’s fee estimate appears consistent with that standard. The new search relied upon for the revised estimate revealed 146 potentially responsive records, including seven files in addition to the emails. Based in part on work already done on the previous versions of the request, Respondent expects the total time expenditure to produce these records to come to approximately seven hours. Without accounting for the portion of this estimate which would be used to verify that all records have actually been located (which may result in a higher number of total records), this suggests a rate of approximately twenty records per hour, or around 2.75 minutes per record.

Although this rate may be a bit longer than what might be considered “typical,” it does not appear unreasonable under the circumstances, as the required records will inherently involve multiple potential categories of confidentiality, including potential protections for students, Iowa Code § 22.7(5) confidentiality for police investigative materials, and Iowa Code § 22.7(50) confidentiality for security records. This necessitates closer review to avoid unintentional disclosure of protected information. Notably, Respondent has also already made concessions to reduce the fee to charge less than the actual costs to be incurred, as the hourly rate used is intentionally lower than the hourly rates of the individuals involved in the request, and the fee does not include expected legal fees associated with secondary confidentiality review.

Despite Complainant’s assertions, nothing in Chapter 22 requires a lawful custodian to assign records production to its lowest paid employee capable of doing the work. Although fees must be “reasonable,” reasonableness does not imply the lowest possible cost, and neither IPIB nor the courts have ever interpreted Iowa Code § 22.3(2) to bar a lawful custodian from charging the actual hourly rate of an employee simply because there is another employee with a lower hourly rate who could have performed the work. A government body may reasonably choose to allocate these duties differently based on any number of considerations, including a higher compensated

employee's familiarity with specific records, general experience dealing with records requests, authorization to review confidential materials, or simple availability and workload balance.

Next, Complainant argues that the fee estimate cannot be deemed reasonable without a detailed breakdown of the type of work to be done, the proportion of work done by each person assigned to the task, and similar information. This is not what the law requires. Although such a breakdown may be requested by a court (or IPIB) in assessing "reasonable expenses," the \$222.75 figure is an *estimate* given in advance for work which has not yet been done, meaning that the level of detail being requested would be impossible to accurately produce. At this stage, the standard of review is whether the fee estimate is reasonable based on the initial search and related factors which can be known about the records production before it is done. For the reasons given above, the estimate appears to be reasonable. Of course, Respondent would still be responsible for keeping track of the actual costs incurred during the fulfillment of the request, and it would have a duty to reimburse Complainant in the event that they overestimated. Notably, because Respondent is only seeking half of the quoted fee in advance, there is essentially no risk that Complainant would be overpaying (even without considering the measures taken to reduce the fee).

Complainant also asserts a right to examine the records once they have been assembled before he is required to pay. In support of this, he cites Iowa Code § 22.2(1), which states that "[u]nless 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." This argument neglects the various fee provisions located in the following section, which clearly "provide otherwise." *See, e.g.*, Iowa Code § 22.3(1) ("fulfillment of a request for a copy of a public record may be contingent upon receipt of payment of reasonable expenses"); Iowa Code § 22.3(2) ("[t]he 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"). Where these provisions clearly authorize a government body to recover costs associated with fulfillment of a request, it would directly conflict with the plain language of the statute to allow a requester to make a request, allow the government body to incur hours' worth of costs, and then evade statutorily authorized fees simply because they opt to inspect the records in-person rather than receiving copies.

Finally, Complainant separately asserts a violation from Respondent's failure to answer various inquiries about the underlying incident (e.g. how they identified him at the school event or how they obtained certain personal information about him found in subsequent reports). Because these questions are not requests for public records, they are beyond the scope of IPIB's jurisdiction over Chapter 22.

Dismissal of this case would not negate Respondent's duty to fulfill the request in the event that Complainant chooses to pay the estimated fee.

### **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 Respondent has fulfilled its obligations under Chapter 22 by providing a reasonable fee estimate for the production of the requested records, it is recommended that the Board dismiss the matter for lack of probable cause to believe that a violation has occurred.

By the IPIB Agency Counsel,



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Alexander Lee, J.D.

### **CERTIFICATE OF MAILING**

This document was sent on May 15, 2026, to:

Jarrold Diers, Complainant  
Oskaloosa Community School District, Respondent



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## Info

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**Jarrold Diers** <jarroddiers1@gmail.com>  
To: "Lee, Alexander" <alexander.lee@iowa.gov>

Thu, May 7, 2026 at 10:00 AM

Mr. Lee and Members of the Iowa Public Information Board,

I respectfully object to the proposed recommendation for dismissal in IPIB Complaint 26FC:0024 involving the Oskaloosa Community School District.

This matter should not be dismissed at the probable-cause stage because substantial factual disputes remain unresolved concerning fee reasonableness, barriers to access, delays in production, preservation concerns, and the District's handling of records requests under Iowa Code Chapter 22.

The issue before the Board is not simply whether the District communicated with me. Communication alone does not establish compliance with Chapter 22. The issue is whether the District acted reasonably, consistently, transparently, and in good faith in facilitating lawful access to public records.

My records requests were directly connected to significant governmental actions involving:

- A broad trespass exclusion from school property,
- Restrictions affecting access to public board meetings,
- Coordination between the District and law enforcement,
- Allegations made against me by public officials,
- Questions concerning preservation of security footage and body camera evidence.

On January 6, 2026, Superintendent Dr. Mike Fisher issued a written letter alleging aggressive and inappropriate conduct and stating that law enforcement had concerns regarding my behavior. The letter further confirmed that the District consulted with law enforcement before issuing the trespass notice.

However, the letter relied upon generalized allegations without identifying specific reports, documented incidents, supporting evidence, video documentation, or investigative findings. As a result, I submitted Chapter 22 requests seeking records necessary to examine:

- The factual basis for those allegations,
- Communications between District officials and law enforcement,
- Preservation efforts regarding security footage,
- Internal correspondence concerning the trespass decision,
- Public meeting access issues.

Additionally, substantial disputes remain regarding fee calculations and access barriers. The District provided changing estimates involving different record counts, hour calculations, and projected costs. I repeatedly sought clarification regarding search time, review time, employee roles, duplication concerns, and actual-cost methodology under Iowa Code § 22.3.

I also made repeated good-faith efforts to narrow requests, prioritize records, and agree to pay for selected categories of documents. Despite those efforts, delays allegedly continued and records were not promptly produced.

Questions also remain regarding:

- Preservation of security footage,
- Retention practices,
- Potential overwriting of responsive evidence,
- Body camera activation issues.

This matter involves significant public-interest concerns regarding transparency, public access, preservation of evidence, fee reasonableness, and governmental accountability.

For these reasons, I respectfully request that the Iowa Public Information Board reject the recommendation for dismissal and allow this matter to proceed for further review and investigation.

Respectfully,

Jarrold Diers

[Quoted text hidden]



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## Police department

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jarrod diers <armyjarrod@yahoo.com>  
To: "Lee, Alexander" <alexander.lee@iowa.gov>

Fri, May 1, 2026 at 10:26 AM

Dear Mr. Lee,

Thank you for your continued review of this matter.

I respectfully submit the following for consideration by the Board in Complaint No. 26FC:0024. I understand the jurisdiction of the Iowa Public Information Board is limited to Iowa Code Chapter 22, and I am focusing this submission solely on issues related to access to public records and the reasonableness of associated fees as they relate to the City of Oskaloosa Police Department.

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### 1. Failure to Demonstrate "Actual Cost" Under Iowa Code §22.3

The Police Department has issued fee estimates and/or invoices that have not been supported with a sufficient itemized breakdown to demonstrate compliance with the "actual cost" requirement under §22.3.

To date, I have not received:

- A breakdown of hours spent on specific tasks (search, retrieval, review, redaction, duplication)
- Identification of the roles or titles of personnel performing the work
- The hourly rates applied to each individual involved
- Clarification as to whether the work was performed by the lowest-paid employee capable of performing the task, or justification for any deviation

Without this information, it is not possible to determine whether the fees assessed reflect actual, reasonable costs as required by statute.

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### 2. Reasonableness and Necessity of Time and Charges

The total charges presented appear disproportionate to the scope of the request, particularly where:

- The records requested are digital in nature (e.g., reports, body camera records, or related documentation)
- Standard retrieval and export systems are available to the agency
- The request does not appear to require extraordinary search or reconstruction

Additionally, there is concern that the billing may reflect time beyond what is necessary to fulfill the request, without adequate explanation or documentation.

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### 3. Inconsistency and Lack of Clarity in Billing

There have been inconsistencies in the amounts quoted and/or invoiced by the Police Department across communications. This creates uncertainty as to:

- How the total cost was calculated
- Whether the charges are cumulative or represent separate requests
- Whether the charges accurately reflect the work performed

A clear, consistent, and itemized accounting is necessary to ensure compliance with Chapter 22.

---

### 4. Transparency in Fee Calculation

Despite requests for clarification, the Police Department has not provided a sufficiently detailed accounting of how the fees were derived.

Specifically, I have not received:

- A line-item breakdown of work performed
- Allocation of time by task category
- Explanation of how duplication or overlapping work was avoided

Without this transparency, it is not possible to verify that the charges meet the statutory requirements of being reasonable and based on actual cost.

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#### 5. Request for Board Consideration

Based on the above, I respectfully request that the Board consider whether:

- The fees assessed by the Police Department comply with the "actual cost" requirement under Iowa Code §22.3
- The time and labor attributed to the request were reasonable and necessary
- The Police Department has met its obligation to provide sufficient transparency in its fee calculations

If the Board determines additional documentation is necessary, I respectfully request that the Police Department be directed to provide a fully itemized breakdown of all charges associated with this request.

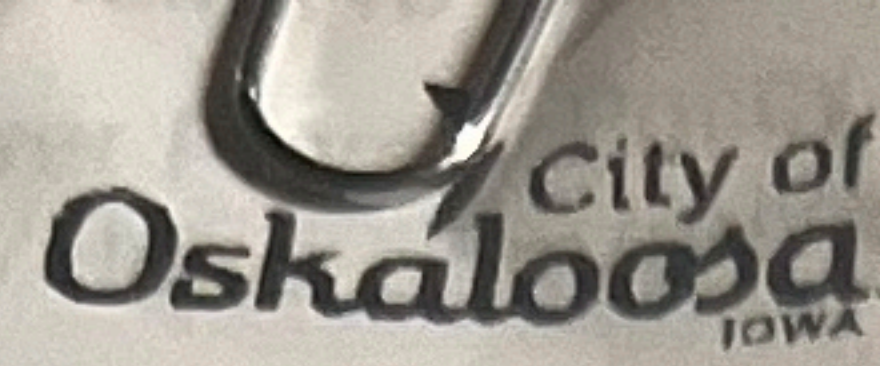
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Thank you for your time and consideration.

Respectfully,







**City of Oskaloosa Police**  
 214 HIGH AVENUE EAST  
 OSKALOOSA, IA 52577  
 641 673 3201  
 WWW.OSKALOOSAIOWA.ORG

Jarrold

Cashier: Police Department

03/2026 No. 105159  
 \$ 403.64  
 e Included \_\_\_\_\_ DOLLARS  
 records Request  
 VI \_\_\_\_\_ TO \_\_\_\_\_  
 [Signature]  
 3-11

DICE

4/21/2026

ent  
 ast  
 2577

**BILL TO:** Jarrod Diers  
 Keomah Village

Service Date	Qty	Description	Rate	Amount Due
03/05/26	19.0	Color printed pages	\$0.50	\$ 9.50
03/05/26	1.0	DVD of requested videos	\$25.00	\$ 25.00
03/05/26	1.0	B&W printed page	\$0.25	\$ 0.25
03/05/26	4.5	Chief documented time	\$ 52.18	\$ 234.81
03/05/36	0.5	CSO documented time	\$ 21.20	\$ 10.60
03/05/26	0.5	Admin Assistant documented time	\$ 32.41	\$ 16.21
03/18/26	1.0	Chief documented time	\$ 52.18	\$ 52.18
04/08/26	1.0	DVD of requested videos	\$ 25.00	\$ 25.00
04/21/26	0.5	Chief documented time	\$ 52.18	\$ 26.09
				\$ -
				\$ -
				\$ -
				\$ -
<b>Due within 30 days</b>			<b>Total Due</b>	<b>\$ 399.64</b>

**Make check payable to:** City of Oskaloosa  
**Remit to:** 214 High Ave E  
 Oskaloosa, IA 52577

Internal use only :



# Diers updated invoice 4-8...



## INVOICE

Invoice Date: 4/8/2026

**Billing Department** Police Department  
**Address** 214 High Ave. East  
Oskaloosa, IA 52577  
**Questions?** 641-673-3201

**BILL TO:** Jarrod Diers  
Keomah Village

Service Date	Qty	Description	Rate	Amount Due
03/05/26	19.0	Color printed pages	\$0.50	\$ 9.50
03/05/26	1.0	DVD of requested videos	\$25.00	\$ 25.00
03/05/26	1.0	B&W printed page	\$0.25	\$ 0.25
03/05/26	4.5	Chief documented time	\$ 52.18	\$ 234.81
03/05/36	0.5	CSO documented time	\$ 21.20	\$ 10.60
03/05/26	0.5	Admin Assistant documented time	\$ 32.41	\$ 16.21
03/18/26	1.0	Chief documented time	\$ 52.18	\$ 52.18
04/08/26	1.0	DVD of requested videos	\$ 25.00	\$ 25.00
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
<b>Due within 30 days</b>			<b>Total Due</b>	\$ 373.55

**Make check payable to:** City of Oskaloosa  
**Remit to:** 214 High Ave E  
Oskaloosa, IA 52577

For internal use only :

## The Iowa Public Information Board

<p>In re the Matter of:</p> <p style="margin-top: 20px;">Gregory Armstrong, Complainant</p> <p style="margin-top: 20px;">And Concerning:</p> <p style="margin-top: 20px;">City of Hamburg, Respondent</p>	<p>Case Number: 26FC:0034</p> <p style="margin-top: 20px;">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 January 29, 2026, Gregory Armstrong (“Complainant”) filed formal complaint 26FC:0034, alleging that the City of Hamburg (“Respondent”) violated Iowa Code Chapter 21.

The IPIB accepted this Complaint on February 19, 2026.

### Facts

On January 14, 2026, the city council conducted an open meeting. The agenda listed a possible closed session under Iowa Code § 21.5(1)(i). Complainant alleged that Respondent actually improperly entered a closed session to discuss sale of a property.

In the course of IPIB’s investigation, Respondent provided copies of the approved meeting minutes which indicated that the posted agenda notice did include a possible closed session citing Iowa Code § 21.5(1)(i) to “discuss an employee salary”; however, during the course of the open meeting, the council discussed whether a salary discussion that didn’t involve performance issues should be held in open session. In the end, no one voted to enter a closed session. According to the city council meeting minutes, all discussion related to the employee salary was held in open session.

### Applicable Law

“Meetings of governmental bodies shall be preceded by public notice as provided in section 21.4 and shall be held in open session unless closed sessions are expressly permitted by law. Except as provided in section 21.5, all actions and discussions at meetings of governmental bodies, whether formal or informal, shall be conducted and executed in open session.” Iowa Code § 21.3.

### **Analysis**

Respondent provided public notice in compliance with Chapter 21 for their public meeting on January 14th. Although the agenda listed a *possible* closed session, Respondent provided IPIB with the meeting minutes from January 14, 2026 showing that no closed session was entered during the January 14th meeting. Respondent provided proper notice and public access to the salary discussion. Therefore, Respondent has met the requirements of Chapter 21.

### **IPIB Action**

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

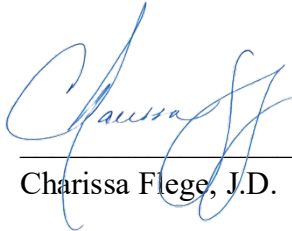
- a. Redirect the matter for further investigation;
- b. Dismiss the matter for lack of probable cause to believe a violation has occurred;
- c. Make a determination that probable cause exists to believe a violation has occurred, but, as an exercise of administrative discretion, dismiss the matter; or
- 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 Respondent did not enter a closed session in violation of Chapter 21, it is recommended that the Board dismiss the matter for lack of probable cause to find a violation occurred.

By the IPIB Deputy Director,



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Charissa Flege, J.D.

### **CERTIFICATE OF MAILING**

This document was sent on May 14, 2026, to:

Gregory Armstrong, Complainant  
City of Hamburg, Respondent

## The Iowa Public Information Board

<p>In re the Matter of:</p> <p>Jacquelynn Zugg, Complainant</p> <p>And Concerning:</p> <p>City of Centerville, Respondent</p>	<p>Case Number: 26FC:0049</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 February 16, 2026, Jacquelynn Zugg (“Complainant”) filed formal complaint 26FC:0049, alleging that City of Centerville (“Respondent”) violated Iowa Code Chapter 21.

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

### Facts

On February 16, 2026, Respondent’s city council met. In advance of this meeting, the Respondent posted a tentative agenda, which included an item described as: “Possible Closed Session Pursuant to Iowa Code Chapter Section 21.5, Subsection 1, Paragraph (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.’”

The parties do not contest whether the proper subsection was referenced or whether Respondent properly entered the closed session. The sole dispute is whether the tentative agenda item was sufficient to reasonably apprise the public of what was to be discussed to meet the requirements of Chapter 21. Respondent asserts that requiring additional details would defeat the purpose of Iowa Code § 21.5(1.)

### 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).

“A governmental body may hold a closed session only by affirmative public vote of either two-thirds of the members of the body or all of the members present at the meeting. A governmental body may hold a closed session only to the extent a closed session is necessary for any of the following reasons: a. To review or discuss records which are required or authorized by state or federal law to be kept confidential or to be kept confidential as a condition for that governmental body’s possession or continued receipt of federal funds.” Iowa Code 21.5(1)(a).

“When a governmental body includes a closed session item on the tentative agenda, the notice shall include a brief statement of the purpose of the closed session... The brief statement of purpose does not require the governmental body to provide more information than what is required under subparagraphs (a) through (l) in Iowa Code section 21.5(1). Examples of notice deemed sufficient would be “closed session 21.5(1)(c) discuss litigation with counsel” or “closed session 21.5(1)(l) discuss patient care quality or discuss marketing and pricing strategies.” Iowa Administrative Code 497-8.1(3).

### **Analysis**

Complainant alleges that Respondent’s closed session notice was deficient under that law. However, Iowa Administrative Code 497-8.1(3) provides for the exact kind of description required by law. The examples provided in subsection (3) are similar to the one the Respondent provided in their tentative agenda. While governmental bodies are certainly allowed to provide additional information or details about closed session, nothing in Chapter 21 or Iowa Administrative Code 497-8.1(3) requires the kind of additional details requested by Complainant. For this reason, Respondent met their closed session notice requirements.

### **IPIB Action**

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

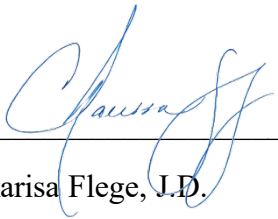
- a. Redirect the matter for further investigation;
- b. Dismiss the matter for lack of probable cause to believe a violation has occurred;
- c. Make a determination that probable cause exists to believe a violation has occurred, but, as an exercise of administrative discretion, dismiss the matter; or
- 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 of the closed session on February 16, 2026, 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,



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Charisa Flege, J.D.

### **CERTIFICATE OF MAILING**

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

Jacquelynn Zugg, Complainant

City of Centerville, Respondent

Subject: Rebuttal to Investigative Report – IPIB Case #26FC:0049 - Jacquelynn E Zugg

Dear Ms. Flege and IPIB Board,

This is my formal written rebuttal to the Investigative Report for Case #26FC:0049.

**For the Board’s consideration:**

The February 16, 2026, closed session agenda for the City of Centerville reads as follows:

“Possible Closed Session Pursuant to Iowa Code Chapter Section 21.5, Subsection 1, Paragraph (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.’”

While this cites the statutory authority, it provides no descriptive context identifying the department or type of records to be discussed. I requested clarification from the City Administrator regarding which records or department were involved, and the response indicated that no additional information would be provided (*Exhibit A, Page 3*).

While this approach is not unique to Centerville, the legal requirement under Rule 497-8.1(3) applies to all Iowa municipalities. Closed session agendas must include a brief statement of purpose identifying the general topic or department. Even if quoting the statute is common practice elsewhere in the state, it still does not satisfy the legal standard for public notice.

The Investigative Report recommends dismissal by claiming the City’s generic notice matches examples in Iowa Administrative Code r. 497-8.1(3). This interpretation is factually incorrect. The rule mandates that a closed session notice include a brief statement of purpose and provides descriptive examples such as "discuss litigation" or "discuss patient care quality." The City of Centerville provided no such descriptive purpose; they provided only the broad statutory language.

IPIB Advisory Opinions 23AO:0002 and 24AO:0009 emphasize that transparency expectations go beyond statutory minimums. Furthermore, in 18FC:0033 (*Ashley Anthony v. Mt. Vernon Community School District*), the agenda included both the statutory authority and descriptive text (“Student Appeal”), which IPIB found sufficient. By contrast, the Centerville agenda provided no context whatsoever.

Consistent with Iowa Supreme Court precedent (*Barrett v. Lode*), an agenda must state with particularity what will be discussed. If the Board allows a municipality to simply quote a broad statute on an agenda without any brief statement of purpose, the “notice” requirement of Chapter 21 becomes effectively meaningless. This leaves the public with no reasonable way to understand the subject matter or to ensure compliance with the open-session “final action” requirement of Iowa Code § 21.5(3).

I again respectfully ask the Board to reject the staff recommendation and find that a generic statutory citation alone does not meet the legal standard for public notice of a closed session.

Thank you for your consideration.

**wethepeopleCAG@outlook.com**

---

**From:** Jason Fraser <jfraser@centerville-ia.org>  
**Sent:** Monday, February 16, 2026 10:16 AM  
**To:** WeThePeople CitizensActionGroup; ashleybyrd@gopitchtv.com; news@kcci.com; news@ktvo.com; Moravia Union; Ottumwa Radio; AJ Anderson; becky@albianews.com; cstott@hometownradio.net; Kyle Ocker  
**Subject:** Re: Regular City Council Meeting Packet 02-16-2026  
**Categories:** Bitdefender: Safe

Jackie,

The Agenda description as presented is sufficient for a closed session. No additional revision will be provided.

Thank you,  
Jason Fraser  
City Administrator  
City of Centerville, IA  
Phone: (641) 437-4339  
Email: jfraser@centerville-ia.org

---

**From:** WeThePeople CitizensActionGroup <wethepeopleCAG@outlook.com>  
**Sent:** Monday, February 16, 2026 9:47 AM  
**To:** Jason Fraser <jfraser@centerville-ia.org>; ashleybyrd@gopitchtv.com <ashleybyrd@gopitchtv.com>; news@kcci.com <news@kcci.com>; news@ktvo.com <news@ktvo.com>; Moravia Union <moravianews@gmail.com>; Ottumwa Radio <news@ottumwaradio.com>; AJ Anderson <news@gopitchtv.com>; becky@albianews.com <becky@albianews.com>; cstott@hometownradio.net <cstott@hometownradio.net>; Kyle Ocker <kocker@ottumwacourier.com>  
**Subject:** FW: Regular City Council Meeting Packet 02-16-2026

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**Subject:** Regular City Council Meeting Packet 02-16-2026

**Resending due to previous delivery failure.**

Dear Mr. Fraser,

I am writing in the interest of transparency to request further clarification regarding the agenda for tonight's City Council meeting, specifically the proposed closed session under Section 21.5(1)(a) of the Iowa Code.

The agenda states the closed session is 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." However, it is not clear to the public which records or department will be discussed in this session. Could you please provide more details on which records or department will be involved? Specifically, will the discussion involve personnel records, financial records, or another category of confidential records for a specific department or departments?

Thank you for your attention to this matter. I look forward to your response.

Sincerely,

Jacquelynn "Jackie" Zugg

## Statement for the Board's Consideration: Case #26FC:0049

For the Board's consideration in Case #26FC:0049, I submit the following analysis regarding the February 16, 2026, closed session agenda for the City of Centerville.

The agenda item in question reads as follows:

**“Possible Closed Session Pursuant to Iowa Code Chapter Section 21.5, Subsection 1, Paragraph (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.’”**

The investigator's report suggests that providing descriptive context would be "going above and beyond" and is not "legally mandated." I respectfully disagree. This interpretation ignores the plain language of the law and the guidance provided by Iowa's chief legal authorities. Quoting the statute verbatim does not provide descriptive information about the specific topic of the meeting, such as whether it concerns the Police Department, City Hall records, or a personnel file, and therefore does not satisfy the requirements of Rule 497-8.1.

### **1. The "More Information" Mandate (Rule 497-8.1)**

Iowa Administrative Code r. 497-8.1(3) explicitly states: "It shall not be deemed sufficient notice for the governmental body to only reference the statute by number and subparagraph without more information." The "more information" required is a **legal mandate**, not an optional act of transparency. By providing only the verbatim text of the subparagraph along with the number, the City offered zero information about the actual topic. The City's verbatim quote is a distinction without a difference; it does not provide the descriptive information required by Rule 497-8.1(3), so the public is not given meaningful notice of the meeting's subject.

### **2. Direct Support from the Iowa Attorney General**

**The Iowa Attorney General's Sunshine Advisories** explicitly reject "barebones" agendas. The AG explains that the public relies on a **descriptive agenda** to verify that a board is not closing a session for an unauthorized reason. By providing only the statutory text, the City failed to give the public the opportunity to assess the legal basis for the closed session.

### **3. Ignoring Iowa League of Cities Guidance**

The Iowa League of Cities advises against a "bare minimum" approach. Their Open Meetings Desk Reference instructs cities to **"set forth the topic"** for a closed session and recommends: **"If in doubt, give more rather than less information."** Centerville chose minimal information, which does not align with these best practices.

### **4. The Inconsistency of "Reasonable Notice" (Barrett v. Lode)**

Every other item on the City's February 16 agenda was descriptive. The sudden shift to a vague, verbatim legal quote—and the City Administrator's refusal to provide even a general category of records—undermines the "reasonable notice" standard established in *Barrett v. Lode*. This standard requires notice to be "reasonably calculated to apprise the public." A verbatim quote of the statute does not identify the specific subject matter of the meeting. The February 16 meeting

concerned a specific set of records or a particular department, which the agenda did not describe. Without a "brief statement of purpose," the public cannot verify if a session is legally authorized.

### **5. Correcting Misinterpretation of the Mt. Vernon Precedent (18FC:0033)**

The staff report relies on *Ashley Anthony v. Mt. Vernon Community School District*, but that case actually supports my position. In Mt. Vernon, the agenda included the descriptive text "**Student Appeal**," which provided the "more information" required by Rule 497-8.1(3). **Centerville provided no such descriptor.**

### **6. Review of the February 16 Attempted Correction (Exhibit A, p. 3; Exhibit B, p. 4)**

The City Attorney's response (*Exhibit B, p. 4*) to Case 26FC:0056 acknowledges that the February 2 agenda contained an error. The February 2 closed session lasted approximately 56 minutes (entered at 6:18 PM, resumed at 7:14 PM), while the February 16 session lasted only about 9 minutes (entered at 6:31 PM, resumed at 6:40 PM). The February 16 session did not re-discuss all topics from the February 2 meeting. Given the brevity and limited scope, the February 16 session could not meaningfully restore the public's right to notice. My request for clarification to the City Administrator (*Exhibit A, p.3*) further demonstrates that no descriptive information was provided regarding the February 16 session. The February 16 agenda was presented as a correction; however, **it included only the verbatim statutory text without any descriptive context.** As a result, the public was still not provided meaningful notice of the session's topic. The attempt to correct the prior error did not restore the public's right to know and did not satisfy the requirements of Rule 497-8.1(3) regarding 'more information,' which mandates a brief statement of purpose identifying the general topic or department.

### **7. Public Interest and Transparency**

Modern transparency standards emphasize that meeting agendas should provide sufficient descriptive information to inform the public about the topics to be discussed. Providing only a verbatim statutory citation limits the public's ability to understand the purpose of the closed session and does not meet the intent of Chapter 21 to ensure governmental decisions are accessible and understandable. Even when a session is labeled as a "cure" for a previous agenda error, without descriptive text, the public cannot meaningfully assess the subject matter, the department involved, or the scope of discussion.

### **Conclusion**

If the Board accepts a verbatim quote of the law as "sufficient notice," it would render Rule 497-8.1(3) meaningless. A statute defines the legal authority to close a meeting but does not provide descriptive information about the specific topic. Without a descriptor such as "Personnel" or "Audit," the public remains uninformed about the session's actual subject matter. Accepting a bare statute as notice would allow any governmental body to meet the law's technical requirements while effectively preventing the public from understanding the business being conducted. I therefore respectfully and strongly ask the Board to reject the dismissal recommendation and find that a statutory citation, standing alone, does not meet the legal standard for public notice.

**wethepeopleCAG@outlook.com**

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**From:** Jason Fraser <jfraser@centerville-ia.org>  
**Sent:** Monday, February 16, 2026 10:16 AM  
**To:** WeThePeople CitizensActionGroup; ashleybyrd@gopitchtv.com; news@kcci.com; news@ktvo.com; Moravia Union; Ottumwa Radio; AJ Anderson; becky@albianews.com; cstott@hometownradio.net; Kyle Ocker  
**Subject:** Re: Regular City Council Meeting Packet 02-16-2026  
**Categories:** Bitdefender: Safe

Jackie,

The Agenda description as presented is sufficient for a closed session. No additional revision will be provided.

Thank you,  
 Jason Fraser  
 City Administrator  
 City of Centerville, IA  
 Phone: (641) 437-4339  
 Email: jfraser@centerville-ia.org

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**From:** WeThePeople CitizensActionGroup <wethepeopleCAG@outlook.com>  
**Sent:** Monday, February 16, 2026 9:47 AM  
**To:** Jason Fraser <jfraser@centerville-ia.org>; ashleybyrd@gopitchtv.com <ashleybyrd@gopitchtv.com>; news@kcci.com <news@kcci.com>; news@ktvo.com <news@ktvo.com>; Moravia Union <moravianews@gmail.com>; Ottumwa Radio <news@ottumwaradio.com>; AJ Anderson <news@gopitchtv.com>; becky@albianews.com <becky@albianews.com>; cstott@hometownradio.net <cstott@hometownradio.net>; Kyle Ocker <kocker@ottumwacourier.com>  
**Subject:** FW: Regular City Council Meeting Packet 02-16-2026

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**Subject:** Regular City Council Meeting Packet 02-16-2026

**Resending due to previous delivery failure.**

Dear Mr. Fraser,

I am writing in the interest of transparency to request further clarification regarding the agenda for tonight's City Council meeting, specifically the proposed closed session under Section 21.5(1)(a) of the Iowa Code.

The agenda states the closed session is 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." However, it is not clear to the public which records or department will be discussed in this session. Could you please provide more details on which records or department will be involved? Specifically, will the discussion involve personnel records, financial records, or another category of confidential records for a specific department or departments?

Thank you for your attention to this matter. I look forward to your response.

Sincerely,

Jacquelynn "Jackie" Zugg

**wethepeopleCAG@outlook.com**

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**From:** Jonathan Lewis <jlewis@hinderslaw.com>  
**Sent:** Friday, March 13, 2026 11:34 AM  
**To:** charissa.flege@iowa.gov  
**Cc:** Jason Fraser; Brent Hinders; wethepeoplecag@outlook.com  
**Subject:** Re: Accepting Complaint for Investigation - Case #26FC:0056  
**Attachments:** council-minutes-02-02-2026-city-signed.pdf; Regular Council Agenda 02-02-2026.pdf; Regular Council Agenda 02-16-2026 - Final.pdf

**Categories:** Bitdefender: Safe

Dear Iowa Public Information Board (“IPIB”),

As city attorney, I write on behalf of the City of Centerville (“City”) in response to the complaint assigned case number 26FC:0056, alleging a violation of Iowa Code Chapter 21. According to the Complainant, the City entered a closed session on February 2, 2026. The agenda for the February 2, 2026, closed session listed the statutory subsection authorizing the closed session and statement of purpose as falling under Iowa Code § 21.5(1)(c) (2026) (“to discuss strategy with counsel regarding matters that are presently in litigation or where litigation is imminent, where its disclosure would likely prejudice or disadvantage the position of the governmental body in that litigation”); *see also* Regular Council Meeting Agenda of the City of Centerville Council Monday, February 2, 2026.

The City acknowledges that this statutory subsection and statement of purpose were listed in error.

At the meeting, however, participants were under common understanding—as reflected in the minutes of the same—that the accurate statutory subsection and statement of purpose for entering a closed session fell under Iowa Code § 21.5(1)(a) (2026). During the February 2, 2026, meeting, the City properly entered into a closed session pursuant to Iowa Code § 21.5(1)(a) (2026) (“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”); *see also* City of Centerville Regular Session Meeting Minutes, February 2, 2026. No action was taken as a result of this closed session.

Shortly after the February 2, 2026, meeting, the City realized the error in its agenda. Consulting with counsel, the City promptly cured the agenda and public notice issue. The City properly noted a closed session on its next regular February 16, 2026, meeting agenda. This agenda properly denotes a closed session pursuant to Iowa Code § 21.5(1)(a) (2026), which included a re-discussion of the same topic from the previous meeting. *See* Regular Council Meeting Agenda of the City of Centerville Council Monday, February 16, 2026. No action was taken as a result of this closed session.

Complainant’s issue was promptly corrected. In curing the technical issue with the meeting agenda, the City has already restored the public’s rights. The City acted in good faith and no prejudice remains.

Take care,

Jonathan Lewis  
Attorney at Law

## The Iowa Public Information Board

<p>In re the Matter of:</p> <p>Benjamin Ward, Complainant</p> <p>And Concerning:</p> <p>Department of Corrections, Respondent</p>	<p>Case Number: 26FC:0073</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 March 12, 2026, Benjamin Ward (Complainant) filed formal complaint 26FC:0073, alleging that the City of Des Moines (Respondent) violated Iowa Code Chapter 22.

The Iowa Public Information Board accepted this complaint at its meeting on April 16, 2026.

### Facts

Complainant alleged that he submitted a records request on February 12, 2026 through the Fort Des Moines Correctional Facility facility kiosk. According to the Complainant, he requested “Security camera footage (video and audio) from outside Officer Beau Murray’s office, the Building 68 Library, and the Front Desk” and “Facility communication logs, including emails and call logs between Officer Murray and "UCS" or other treatment providers regarding my person.” Requests were submitted through the facility kiosk designated for inmate use.

Complainant alleged he didn’t receive an acknowledgement of his request or responsive records. On March 12, 2026, he filed this complaint. Complainant also alleged that the requirement that inmates only use the kiosk to submit public records requests violates Chapter 22. During the course of the investigation, the Complainant also requested the “behavioral contract and the discharge summary status report” be provided by the Department of Corrections.

In responding to this Complaint, the Respondent reviewed all correspondence directed at the Iowa Department of Correction Custodian of Records and no requests from Complainant were found. They also asserted that now they were aware of the request, all requests for security footage from inside the facility would not be provided as they are confidential under Iowa Code 904.602(10).

During the course of the investigation, Respondent submitted several objections regarding his treatment by his probation officer, other Fort Des Moines staff, and disciplinary decisions. These concerns are outside of IPIB's jurisdiction of Chapter 21 and 22 and cannot be reviewed by the agency.

### **Applicable Law**

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

"The 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 the 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 that Respondent's efforts to identify responsive records was deficient under Chapter 22 and also that records were improperly withheld. However, records requests should be submitted to the proper custodian in order to initiate the government's obligation to respond. In the case of the Department of Corrections, their website provides for a portal, but also lists the Public Records Request Coordinator's contact information. It's unclear how the Complainant attempted to submit his records requests, but according to his own statement, it appears he was provided direction on how to reach the website on April 1, 2026 by DOC staff.

IPIB was not provided any evidence that a properly submitted request was received and ignored by the Respondent. A governmental body cannot be deficient in responding to a request that was not submitted to the records custodian. Respondent has searched communications with the records custodian and was unable to locate the request the Complainant says he submitted. Therefore, there is no violation of Chapter 22's obligation to identify and produce public records.

To the extent that the governmental body was not previously aware of Complainant's request, that is no longer the case. The request should be directed to the proper custodian to respond to the request in accordance with the agency's regular procedures.

### **IPIB Action**

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

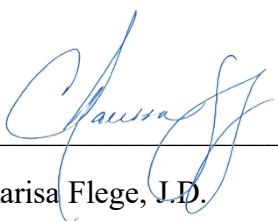
- a. Redirect the matter for further investigation;
- b. Dismiss the matter for lack of probable cause to believe a violation has occurred;
- c. Make a determination that probable cause exists to believe a violation has occurred, but, as an exercise of administrative discretion, dismiss the matter; or
- 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 records request was not received by the Department of Corrections records custodian, there is insufficient evidence to find probable cause that a violation of Chapter 22 occurred and it is recommended the Board dismiss for a lack of probable cause.

By the IPIB Deputy Director,



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Charisa Flege, J.D.

### **CERTIFICATE OF MAILING**

This document was sent on May 14, 2026, to:

Benjamin Ward, Complainant

Department of Corrections, Respondent

## The Iowa Public Information Board

<p>In re the Matter of:</p> <p>Tanner Mikel, Complainant</p> <p>And Concerning:</p> <p>City of Clive, Respondent</p>	<p>Case Number: 26FC:0080</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 March 19, 2026, Tanner Mikel (Complainant) filed formal complaint 26FC:0080, alleging that the City of Clive (Respondent) violated Iowa Code Chapter 22.

The Iowa Public Information Board accepted this complaint at its meeting on April 16, 2026.

### Facts

On March 4, 2026, Complainant submitted a public records request to the City of Clive for the following: written policies or SOP's governing the Clive Police Department's official Facebook page and written policies, retention schedules, or guidance relied upon in determining whether a Facebook post should remain publicly accessible.

Respondent coordinated a search between the police chief, the city clerk, and other staff involved in managing the police department's social media accounts. Respondent searched the police department files, city emails and servers of individuals involved in police communications, and the city's Laserfiche records repository. Search efforts were directed at identifying written policies, SOPs, directives, memoranda, retention schedules, or guidance related to the topics request.

During the initial response to the request, Respondent turned over a responsive record to the Complainant; however, they also cited to 22.7 as a possible basis for withholding confidential records. After Complainant submitted this complaint, Respondent clarified no records had actually been withheld, but that the clerk cited to the statute to explain that if any legal recommendations had been provided to the city and they matched the search parameters, they could be withheld as confidential.

In the course of this investigation, Respondent also re-reviewed the search results they had previously completed. Respondent identified two other items that they believed to be related to the records the Complainant was searching for. Respondent maintained that these two records – the city’s social media policy and their communication policy & toolkit - were not responsive to the original request for records related to the police department’s social media usage; however, Respondent felt they were related enough it warranted disclosure in the interests of transparency. Respondent then provided the city’s social media policy and their communication policy & toolkit for free, but maintained that these weren’t a match with the original 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. 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**

Complainant alleges that Respondent’s efforts to identify responsive records was deficient under Chapter 22 and also that records were improperly withheld.

Implied in Chapter 22 is a requirement that the government engage in due diligence when responding to a public records request in order to demonstrate substantial compliance with the law. In this matter, the Respondent identified reasonable locations and employees that would hold or have knowledge of the type of records requested. They then undertook to search the locations in which the type of records requested would be stored. Chapter 22 doesn’t require the governmental entity to search every existing public record depository within their custody. Governmental entities are entitled to utilize their judgement to identify and search the locations (physical and electronic) where responsive records would reasonably exist. The efforts taken by Respondent demonstrate due diligence in searching and identifying the records. The original communication was admittedly confusing, but the Respondent’s answer to this complaint clarified that no confidential records were actually identified or withheld.

Further, the Respondent’s decision to release two records that did not exactly match the initial request, but were related, does not demonstrate bad faith or insufficient effort; rather, it shows that the Respondent is making efforts to be transparent.

### **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 Respondent can demonstrate they exercised due diligence in searching and identifying responsive records and did not improperly withhold any non-confidential public records, there is insufficient evidence to find probable cause that a violation of Chapter 22 occurred. Therefore, it is recommended the Board dismiss for a lack of probable cause

By the IPIB Deputy Director,



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Charisa Flege, J.D.

### **CERTIFICATE OF MAILING**

This document was sent on May 14, 2026, to:

Tanner Mikel, Complainant

City of Clive, Respondent

## The Iowa Public Information Board

<p>In re the Matter of:</p> <p>Andrew Oltrogge, Complainants</p> <p>And Concerning:</p> <p>City of West Des Moines, Respondent</p>	<p>Case Number: 26FC:0085</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 March 22, 2026, Andrew Oltrogge (“Complainant”) filed formal complaint 26FC:0085, alleging that the City of West Des Moines (“Respondent”) violated Iowa Code Chapter 22.

The Iowa Public Information Board accepted this complaint at its meeting on May 21, 2026.

### Facts

On January 12, 2026, Complainant submitted an open records request for certain police reports and related records. On January 14<sup>th</sup>, Respondent provided the redacted responsive records. On January 14<sup>th</sup>, Complainant made a second request for records and followed up asking for an explanation of the redactions. On January 20<sup>th</sup>, the police department reached out to the legal department to confirm the reasoning for the redactions. On January 23<sup>rd</sup> the Respondent provided the second set of documents and Complainant asked about the redaction basis again. On January 27<sup>th</sup>, the Respondent submitted a web question to IPIB to get guidance on the legal basis for redactions. On January 30<sup>th</sup>, IPIB provided guidance to the Respondent. However, the City forgot to follow up and provide the legal analysis to the Complainant. No further communications occurred between the parties until this complaint was filed on March 22<sup>nd</sup>.

In responding to this complaint, Respondent promptly provided an appropriate legal justification for each redaction category to both the Complainant and IPIB. IPIB staff independently verified the unredacted records to ensure that the cited legal basis was correct.

The first set of records were produced in two days. The second request was completed in just over a week. The redactions were properly applied to confidential materials. The crux of the

complaint is whether the failure to provide the requested legal analysis of redacted portions before the filing of this complaint is a violation of Chapter 22.

### **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 22.3(1).

“The following public records shall be kept confidential, unless otherwise ordered by a court, by the lawful custodian of the records, or by another person duly authorized to release such information:...(18) Communications 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. c. Information contained in the communication is a public record to the extent that it indicates the date, time, specific location, and immediate facts and circumstances surrounding the occurrence of a crime or other illegal act, except to the extent that its disclosure would plainly and seriously jeopardize a continuing investigation or pose a clear and present danger to the safety of any person. In any action challenging the failure of the lawful custodian to disclose any particular information of the kind enumerated in this paragraph, the burden of proof is on the lawful custodian to demonstrate that the disclosure of that information would jeopardize such an investigation or would pose such a clear and present danger.” Iowa Code 22.7(18)(a)-(b).

## **Analysis**

The evidence provided to IPIB indicates that both requests were completed in an extremely efficient manner and the records were properly and lawfully redacted. The only delay that occurred in this case is a delay in an explanation of the redactions. In this matter, the Respondent had actually reached out to IPIB in good faith to ensure their legal redaction and reasoning was proper; however, the follow up to the requestor was delayed through oversight. The delay in production considered in Chapter 22 refers to the production of the public record. In this case, there was no delay in public record production. Chapter 22 does put the burden on the governmental body to show that they have a legal basis for withholding. The only delay that occurred was in providing the redaction explanation to the requestor. The Respondent promptly remedied it upon the opening of this complaint. Because there is no requirement that an explanation for withholding be provided in a timely manner in Chapter 22, no violation of Chapter 22 occurred here. However, even if there was a violation, the violation would have been a harmless error, because the justification was provided and upon IPIB's review, all redacted information had been properly withheld and so no public records production was delayed when the city attorney forgot to follow up with the requestor after receiving an answer from IPIB. The evidence shows that the Respondent was acting in good faith at all times.

## **IPIB Action**

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

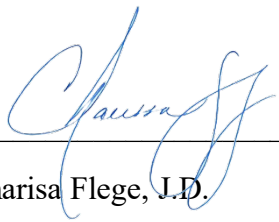
- a. Redirect the matter for further investigation;
- b. Dismiss the matter for lack of probable cause to believe a violation has occurred;
- c. Make a determination that probable cause exists to believe a violation has occurred, but, as an exercise of administrative discretion, dismiss the matter; or
- 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 promptly completed production of all public records, no violation of Chapter 22's requirement occurred, and it is recommended the Board dismiss for a lack of probable cause. Alternatively, if the Board believes a violation occurred because of a delay in providing a redaction explanation, it is recommended that the Board make a determination that probable cause exists to believe a violation has occurred, but, as an exercise of administrative discretion, dismiss the matter.

By the IPIB Deputy Director,



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Charisa Flege, J.D.

CERTIFICATE OF MAILING

This document was sent on May 15, 2026, to:

Andrew Oltrogge, Complainant

City of West Des Moines, Respondent

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**Re: [EXT] Accepting Complaint for Investigation - Case # 26FC:0085**

1 message

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**Andrew Oltrogge** <andrewoltrogge@icloud.com>  
To: Charissa Flege <charissa.flege@iowa.gov>

Mon, Apr 27, 2026 at 7:03 PM

Yes

Sent from my iPhone

On Apr 27, 2026, at 4:01 PM, Flege, Charissa <charissa.flege@iowa.gov> wrote:

Mr. Oltrogge,

Would you like this email submitted to the Board with their packet for consideration?

**Charissa Flege**



On Mon, Apr 27, 2026 at 3:08 PM Andrew Oltrogge <andrewoltrogge@icloud.com> wrote:

Thank you for your time and for reviewing this matter.

I understand the Board's role and the staff recommendation. I want to briefly clarify the concern from my perspective.

This case is not about whether certain categories of information can be redacted. I recognize that some information may properly be withheld. My concern is about the timing and clarity of the response provided.

When the records were produced in January, they contained substantial redactions without any explanation identifying the legal basis for those redactions. I followed up multiple times—by email and by phone—requesting that information and received no response. It was only after filing this complaint that a detailed explanation was provided.

From a requester's standpoint, the ability to meaningfully understand and evaluate a response depends on receiving that explanation at the time the records are produced, not after the fact.

I appreciate that staff found the redactions themselves were likely proper. My concern is that without timely explanation, the transparency intended by Chapter 22 is diminished in practice.

Thank you again for your time and consideration.

Sent from my iPhone

## The Iowa Public Information Board

<p>In re the Matter of:</p> <p>Gabe Schaapveld, Complainant</p> <p>And Concerning:</p> <p>Johnson County Board of Supervisors, Respondent</p>	<p>Case Number: 26FC:0089</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 March 24, 2026, Gabe Schaapveld (“Complainant”) filed formal complaint 26FC:0089, alleging that the Johnson County Board of Supervisors (“Respondent”) violated Iowa Code Chapter 21.

The IPIB accepted this Complaint on May 21, 2026.

### Facts

The complaint arises from a policy decision on whether to approve an SRO contract for the Clear Creek-Amana School Board. On March 11, 2026, the Respondent met in a properly noticed public meeting. In that meeting, all five county supervisors discussed the proposal to establish a school resource officer program at length. A copy of those meeting minutes and a video were provided to IPIB. During the discussion, several supervisors provided feedback that was unfavorable to approving such a program. The final decision on the SRO program was then tabled for the following supervisor meeting.

On March 18, 2026, one of the supervisors emailed the school district regarding the proposed program. The relevant content stated, “Hello everyone, First of all, I want to thank you for the service you provide your community. Secondly, while our recent Board of Supervisors meeting resulted in us not moving forward with the SRO contract, I do want to make myself available to you all for further conversations...” In response to this email, a concern was raised that an improperly noticed meeting had occurred in violation of Chapter 21. Complainant alleged that the content made it sound as though a decision had been reached by the supervisors outside of the public’s view after the March 11<sup>th</sup> meeting.

On March 19, 2026, Respondent held another properly noticed public meeting. During the meeting, the supervisors voted to table the SRO contract indefinitely.

In response to this investigation, Respondent provided affidavits from the five county supervisors, including the supervisor that emailed the school district. In the affidavits, three supervisors detailed individual (2-person) conversations they had during the interim between March 11 and the March 19<sup>th</sup> meeting. However, all supervisors stated that no quorum meeting occurred electronically or in person. The supervisor that sent the email explained that the email referenced their belief about the likely outcome of the vote based upon the sentiments expressed on March 11<sup>th</sup>, not based upon external conversations had outside of the March 11<sup>th</sup> meeting.

No counter evidence was provided that the supervisors met in violation of Chapter 21.

### **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**

Based upon the information provided to IPIB, it appears the only conversations that occurred outside of the properly noticed March 11<sup>th</sup> and March 19<sup>th</sup> meetings were individual conversations that did not create the quorum required to form a meeting under Chapter 21. The Respondent’s explanation as to the March 18<sup>th</sup> email referencing the publicly made sentiments on March 11<sup>th</sup> is reasonable based upon the content recorded in the minutes and the meeting recording provided to IPIB.

Therefore, there is insufficient evidence to find probable cause that a meeting of the supervisors occurred outside of the March 11<sup>th</sup> and 19<sup>th</sup> properly noticed meetings in violation of Chapter 21.

### **IPIB Action**

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

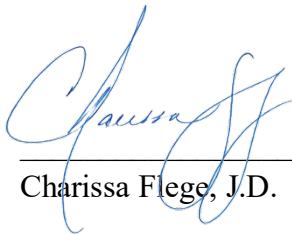
- a. Redirect the matter for further investigation;
- b. Dismiss the matter for lack of probable cause to believe a violation has occurred;
- c. Make a determination that probable cause exists to believe a violation has occurred, but, as an exercise of administrative discretion, dismiss the matter; or
- 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 there is insufficient evidence to find probable cause that a meeting of the supervisors occurred outside of the March 11<sup>th</sup> and 19<sup>th</sup> properly noticed public meetings in violation of Chapter 21, it is recommended that the Board dismiss the matter for lack of probable cause to find a violation occurred.

By the IPIB Deputy Director,



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Charissa Flege, J.D.

### **CERTIFICATE OF MAILING**

This document was sent on March 14, 2026, to:

Gabe Schaapveld, Complainant  
Johnson County Board of Supervisors, Respondent

## The Iowa Public Information Board

<p>In re the Matter of:</p> <p>Rebecca Bianchi, Complainant</p> <p>And Concerning:</p> <p>Mithchellville City</p> <p>Councilperson, Respondent</p>	<p>Case Number: 26FC:0004</p> <p>Dismissal Order</p>
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COMES NOW, Charlotte Miller, Executive Director for the Iowa Public Information Board (IPIB), and enters this Dismissal Order:

On January 4, 2026, Rebecca Bianchi (Complainant) filed formal complaint 26FC:0004 alleging Mitchellville City Councilperson Turner (Respondent), violated Iowa Code chapter 22.

### Facts

This matter relates to content posted on a personal political social media page maintained by a public official not by a government body.

On January 4, 2026 IPIB received the complaint alleging the following:

[Respondent] posted her video from the town hall meeting on 12/30/25. Then 16 minutes later she states her video is an unedited version. Then the next day after she was called out by several residents that her video was edited compared to the Vlogger's video she went out on 12/31/25 and updated her post again. As a council member she's states she is transparent and accountable. Making a post on her council page and then changing her post several times is wrong. I have screenshots that I can email.

On February 11, 2026, IPIB staff sent Complainant two key clarifying questions — whether the video was posted on a personal or official city social media page, and whether she was actually denied access to town hall records.

On March 12, 2026, after two follow-ups, Complainant confirmed the video was on Respondent's personal politician social media page, and that she had not been denied any records.

### **Applicable Law**

“Upon receipt of a complaint alleging a violation of chapter ... 22, the board shall do either of the following:

Determine that, on its face, the complaint is within the board’s jurisdiction, appears legally sufficient, and could have merit. In such a case the board shall accept the complaint, and shall notify the parties of that fact in writing.

Determine that, on its face, the complaint is outside its jurisdiction, is legally insufficient, is frivolous, is without merit, involves harmless error, or relates to a specific incident that has previously been finally disposed of on its merits by the board or a court. In such a case the board shall decline to accept the complaint. If the board refuses to accept a complaint, the board shall provide the complainant with a written order explaining its reasons for the action.” Iowa Code § 23.8.

### **Analysis**

Complainant alleges Respondent has acted improperly by stating that the video posted to the Respondent’s social media page was unedited was violating public record requirements under Chapter 22. Complaint does not provide any instances of a records requests being denied or produced. Applying the test from Advisory Opinion 25AO:0002, the posts didn't meet the threshold for government records. Respondent’s use of a personal political social media page is outside of the jurisdiction of IPIB to investigate. Therefore, this complaint must be dismissed.

### **Conclusion**

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

The facts alleged are outside IPIB’s jurisdiction to review.

IT IS SO ORDERED: Formal complaint 25FC:0163 is dismissed as it is legally insufficient pursuant to Iowa Code § 23.8(2) and Iowa Administrative Rule FC: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 May 21, 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 Miller, J.D.

CERTIFICATE OF MAILING

This document was sent on May 15, 2025, to:

Rebecca Bianchi

## The Iowa Public Information Board

<p>In re the Matter of:</p> <p>Tim Ferguson , Complainant</p> <p>And Concerning:</p> <p>Scott County, Respondent</p>	<p>Case Number: 26FC:0046</p> <p>Dismissal Order</p>
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COMES NOW, Charlotte Miller, Executive Director for the Iowa Public Information Board (IPIB), and enters this Dismissal Order:

On February 15, 2026, Tim Ferguson (Complainant) filed formal complaint 26FC:0046, alleging that Scott County (Respondent) violated Iowa Code Chapter 22.

### Facts

On February 15, 2026, Complainant filed formal complaint 26FC:0046, alleging the following “personnel of the Scott County Attorney’s Office and the Davenport Police Department intentionally altered or directed the alteration of case-management data in the Judicial Dialog (JD) system . . . [these] alterations included modifications to witness lists and Minutes of Testimony, which were made without documentation or disclosure to the defense, thereby impeding data integrity and the defendant’s ability to assess the completeness of prosecutorial evidence.”

On March 4, 2026, IPIB staff reached out to Complainant for clarification on the alleged chapter 22 violation. The Complainant has not responded.

### Applicable Law

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

### Analysis

Iowa Code section 23.12 specifically denies the IPIB jurisdiction over the judicial branch or any entity, officer or employee of that branch. The judicial branch has decided the issue of the

release of certain records by the enactment of Chapter 25 of the Iowa Court Rules and by interpreting Iowa Code section 22.7(50) as that pertains to courthouse security.

### **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 26FC:0093 is dismissed as it is legally insufficient, frivolous, and without merit pursuant to Iowa Code § 23.8(2) and Iowa Administrative Rule 497-2.1(2)(b).

IPIB lacks jurisdiction to review complaints against the Iowa Judicial Branch.

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 May 21, 2026. Pursuant to IPIB rule 497-2.1(4), the parties will be notified in writing of its decision.

By the IPIB Executive Director,



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Charlotte J.M. Miller, J.D.

### **CERTIFICATE OF MAILING**

This document was sent on May 15, 2026, to:

Tim Ferguson, Complainant

## The Iowa Public Information Board

<p>In re the Matter of:</p> <p>Curtis Bloes, Complainant</p> <p>And Concerning:</p> <p>Kids World, Respondent</p>	<p>Case Number: 26FC:0055</p> <p>Dismissal Order</p>
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COMES NOW, Charlotte Miller, Executive Director for the Iowa Public Information Board (IPIB), and enters this Dismissal Order:

On February 26, 2026, Curtis Bloes (Complainant) filed formal complaint 26FC:0055, alleging that the Kids World Advisory Board (Respondent) violated Iowa Code Chapter 22.

### Facts

Kids World is a state-licensed Early Childhood Development Center, which is run as a joint 28E entity between Sac City and the East Sac Community School District. Respondent, as the advisory board of an entity organized under Chapter 28E, is a governmental body subject to Chapter 21, as provided by Iowa Code § 21.2(1)(j).

On February 16, 2026, Respondent held an open session meeting. On February 17, 2026, Complainant made a Chapter 22 request for any audio, video, or other recordings of that meeting. Later that same day, Respondent replied that its board meetings are not recorded and there were therefore no responsive records. Complainant alleges that Kids World operates a security camera system which may have captured the meeting, which should have been disclosed.

After acknowledging receipt of the complaint, IPIB staff sought copies of email correspondence between the parties and asked clarifying questions about the alleged recording. Unfortunately, IPIB has been unable to reestablish contact with Complainant despite multiple attempts at contact on March 5, March 11, and April 3.

### Analysis

Without the opportunity to clarify the allegations with Complainant, IPIB is unable to complete its facial review. It appears the matter has been abandoned.

### 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.

Complainant has constructively abandoned the case, and IPIB has been unable to seek clarification on the allegations to determine whether they could have merit as a result.

IT IS SO ORDERED: Formal complaint 26FC:0055 is dismissed as abandoned pursuant to Iowa Code § 23.8(2) and Iowa Administrative Rule 497-2.1(2)(b).

Pursuant to Iowa Administrative Rule 497-2.1(3), the IPIB may “delegate acceptance or dismissal of a complaint to the executive director, subject to review by the board.” The IPIB will review this Order on May 21, 2026. Pursuant to IPIB rule 497-2.1(4), the parties will be notified in writing of its decision.

By the IPIB Executive Director,



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Charlotte J.M. Miller, J.D.

### CERTIFICATE OF MAILING

This document was sent on May 6, 2026, to:

Curtis Bloes, Complainant

## The Iowa Public Information Board

<p>In re the Matter of:</p> <p>Tony Jensen, Complainant</p> <p>And Concerning:</p> <p>City of Mitchellville, Respondent</p>	<p>Case Number: 26FC:0078</p> <p>Dismissal Order</p>
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COMES NOW, Charlotte Miller, Executive Director for the Iowa Public Information Board (IPIB), and enters this Dismissal Order:

On March 19, 2026, Tony Jensen (Complainant) filed formal complaint 26FC:0078-1, alleging that the City of Mitchellville (Respondent) violated Iowa Code Chapter 21.

On March 13, 2026, Amber Turner (Complainant) filed formal complaint 26FC:0078-2, alleging that the City of Mitchellville (Respondent) violated Iowa Code Chapter 21.

The complaints were combined as the allegations dealt with the same set of facts.

### Facts

The Complainants alleged that a violation of Chapter 21 occurred when an email was sent to the city council members together. When IPIB followed up on May 5, the parties seemed to believe there wasn't actually a violation because no one responded to the group email – only in individual responses. IPIB staff requested that the parties provide the email if they felt a violation may have occurred and wanted IPIB to review it.

On May 5<sup>th</sup>, IPIB staff requested Complainants send the email to IPIB for review. Although Complainant Jensen responded to IPIB staff three times on May 5<sup>th</sup>, he continued to not attach the email in question. On May 7, IPIB staff followed up again and asked for the Complainants to provide the email by May 14<sup>th</sup>, 2026 so the agency could make a determination on facial acceptance or dismissal. No response was received.

### Analysis

The information before IPIB indicates that even if the Complainant's allegation is true that a single email was sent but no one responded to the group, no violation of Chapter 21 occurred. Without seeing any of the emails, IPIB can only act on Complainant's statements as to what occurred.

### 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.

Complainant has constructively abandoned the case, and IPIB has been unable to seek clarification on the allegations to determine whether they could have merit as a result.

IT IS SO ORDERED: Formal complaint 26FC:0078 is dismissed as 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 May 21, 2026. Pursuant to IPIB rule 497-2.1(4), the parties will be notified in writing of its decision.

By the IPIB Executive Director,



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Charlotte J.M. Miller, J.D.

#### CERTIFICATE OF MAILING

This document was sent on May 14, 2026, to:

Tony Jensen, Complainant

Amber Turner, Complainant

## The Iowa Public Information Board

<p>In re the Matter of:</p> <p>Vendetta CeCe-Jackowiak, Complainant</p> <p>And Concerning:</p> <p>Davenport Police Department, Respondent</p>	<p>Case Number: 26FC:0093</p> <p>Dismissal Order</p>
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COMES NOW, Charlotte Miller, Executive Director for the Iowa Public Information Board (IPIB), and enters this Dismissal Order:

On March 27, 2026, Vendetta CeCe-Jackowiak (Complainant) filed formal complaint 26FC:0093-1, alleging that the Davenport Police Department (Respondent) violated Iowa Code Chapter 22. On April 21, 2026, a second, related complaint was filed and joined as 26FC:0093-2.

### Facts

On March 12, 2026, Complainant submitted a Chapter 22 request through the City of Davenport's online request portal, seeking seven categories of records related to a November 2025 traffic stop, which resulted in Complainant's arrest and multiple criminal charges. This request included personnel and employment records for the officers involved, investigative file records related to her criminal case, and policies and procedures relevant to the incident. Complainant has also filed at least one other Chapter 22 request during the same period relating to the same arrest incident.

On March 27, 2026, Complainant filed formal complaint 26FC:0093-1, alleging unreasonable delay in responding to the request. On March 31, 2026, however, Respondent uploaded several documents for Complainant's review through the online portal, including over two dozen responsive records, a confidentiality explanation for certain information which had been withheld, and an additional record created in response to the request which provided the involved officers' date of hire, rank at the time of incident, and assignments. Respondent noted that a few portions of the request were still pending in their summary document.

On April 3, 2026, Complainant acknowledged receipt of the records and amended 26FC:0093-1, alleging that Respondent's assertion of Iowa Code § 22.7(11)(a) had been overbroad, as confidentiality exceptions needed to be narrowly construed, and that the protection for personnel

records needed to be balanced against the “significantly heightened” public interest in identifying possible patterns which could be found in disciplinary histories.

Following initial production, Respondent notified Complainant that there would be a \$167.75 fee due for the remainder of the request. On April 21, 2026, Complainant requested a full waiver of the fee, citing a “clear and compelling public interest” because the request was non-commercial and “likely to contribute significantly to public understanding of government operations and activities,” including furtherance of civil rights and public accountability. In support of this position, Complainant offered citations to US Supreme Court cases addressing the public interest waiver in federal FOIA litigation.

After Respondent denied this request for fee waiver, Complainant filed formal complaint 26FC:0093-2 the same day, alleging constructive denial of the records request on the grounds that the request for fee waiver based on public interest had been improperly denied and the fee imposed created an inequitable barrier to access in light of Complainant’s disability status and income.

### **Applicable Law**

“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 request upon receipt of the request.” Iowa Code § 22.3(1).

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

11. a. Personal information in confidential personnel records of government bodies relating to identified or identifiable individuals who are officials, officers, or employees of the government bodies.” Iowa Code § 22.7(11)(a).

### **Analysis**

#### **I. Formal Complaint 26FC:0093-1**

Complainant has seemingly dropped the initial allegation of unreasonable delay. To the extent it is still asserted, thirteen business days passed between the initial request and the fulfillment of the majority of the request (aside from the remainder covered by the fee estimate). Given the size and nature of the seven-part request, this cannot be considered unreasonable for the purposes of facial review, particularly given the additional steps taken to explain confidentiality and create an

additional record with further disclosure. See *Horsfield Materials, Inc. v. City of Dyersville*, 834 N.W.2d 444, 462 (Iowa 2013).

Once records were released, Complainant argued instead for the release of internal investigation and disciplinary records, which Respondent had withheld to the extent that they existed. This argument cited Chapter 22's "broad presumption in favor of public access" and various policy-based concerns about ensuring "[p]ublic oversight be meaningful—not merely symbolic" and the "significantly heightened" public interest in disclosure which arises "when government conduct reflects a pattern or practice," in reference to the possibility that officers involved in Complainant's arrest might have notable disciplinary histories. Across multiple AI-generated briefings, Complainant also discussed the relevance of this information to federal civil rights litigation, citing use of pattern evidence in establishing systemic violations of the rights of citizens.

None of these arguments have any bearing on Chapter 22 confidentiality. As the Iowa Supreme Court held in *ACLU Foundation of Iowa, Inc. v. Records Custodian, Atlantic Community School District*, Iowa Code § 22.7(11) is a "categorical" confidentiality exception, which does not require a balancing test and is not subject to narrow construction. 818 N.W.2d 231, 233 (Iowa 2012) ("where the legislature has used broadly inclusive language in the exception, we do not mechanically apply the narrow-construction rule") (quoting *DeLaMater v. Marion Civ. Serv. Comm'n*, 554 N.W.2d 875, 878 (Iowa 1996)). In this case, the records Complainant is seeking are clearly personal information in confidential personnel records, analogous to the disciplinary records the *ACLU Court* held were protected as "in-house job performance documents exempt from disclosure." *Id.* at 235 (quoting *Des Moines Indep. Cmty. Sch. Dist. Pub. Recs. v. Des Moines Reg. & Tribune*, 467 N.W.2d 666, 669 (Iowa 1992)). The hypothetical possibility that confidential records may establish the existence of a pattern of misconduct or civil rights violations would not affect this.

## II. Formal Complaint 26FC:0093-2

Complainant has subsequently challenged Respondent's decision to charge a \$167.75 fee as constructive denial of the Chapter 22 request. For this portion of the complaint, Complainant has not alleged that the fee estimate exceeds actual, direct costs permitted by Iowa Code § 22.3, but rather that Respondent's denial of her fee waiver request was unreasonable.

In another AI-generated briefing, Complainant references *Horsfield Materials* to argue that "Chapter 22 must be liberally construed in favor of access," and her status as a disabled veteran with a fixed income through Social Security Disability Insurance makes this \$167.75 fee "a disproportionate and inequitable burden," as it limits her "ability to access public records due to financial and health-related constraints." While Complainant recognizes that Chapter 22 does not actually include any fee waiver requirement, she asserts that such a waiver is implicit in light of the chapter's purpose. Complainant also argues public interest in the availability of these records, which she says "concern public accountability and civil rights implications," with citations to federal court opinions interpreting public waiver under the Freedom of Information Act.

As Complainant has acknowledged, Chapter 22 does not contain any fee waiver provision, and no court interpreting the chapter has ever found that one is implied, whether based on public interest or the financial circumstances of individual requesters. Although Complainant is correct that Chapter 22 favors public access to government records, Iowa Code § 22.3(1) and (2) permit a government body to charge reasonable fees, based on the actual, direct costs of fulfilling a request. Respondent's decision to impose fees permitted by statute despite the requested fee waiver cannot be considered a constructive denial of the request.

The significant majority of emails received in connection with both halves of this complaint were AI-generated, asserting legal arguments with no legitimate basis in statute or judicial interpretation. Given the character of these communications and the underlying dispute between the parties, it appears these complaints are being submitted in retaliation, rather than being good-faith allegations describing potential violations of Chapter 22.

### **Conclusion**

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

Dismissal is appropriate, as the disputed category of records are facially entitled to confidentiality under Iowa Code § 22.7(11) (26FC:0093-1) and Chapter 22 does not require a fee waiver based on public interest or a requester's financial circumstances (26FC:0093-2).

IT IS SO ORDERED: Formal complaint 26FC:0093 is dismissed as it is legally insufficient, frivolous, and without merit pursuant to Iowa Code § 23.8(2) and Iowa Administrative Rule 497-2.1(2)(b).

Pursuant to Iowa Administrative Rule 497-2.1(3), the IPIB may "delegate acceptance or dismissal of a complaint to the executive director, subject to review by the board." The IPIB will review this Order on May 21, 2026. Pursuant to IPIB rule 497-2.1(4), the parties will be notified in writing of its decision.

By the IPIB Executive Director,



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Charlotte J.M. Miller, J.D.

CERTIFICATE OF MAILING

This document was sent on May 6, 2026, to:

Vendetta CeCe-Jackowiak, Complainant

## The Iowa Public Information Board

<p>In re the Matter of:</p> <p>David Raymond, Complainant</p> <p>And Concerning:</p> <p>City of Lewis, Respondent</p>	<p>Case Number: 26FC:0106</p> <p>Dismissal Order</p>
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COMES NOW, Charlotte Miller, Executive Director for the Iowa Public Information Board (IPIB), and enters this Dismissal Order:

On April 15, 2026, David Raymond filed formal complaint 26FC:0106, alleging the City of Lewis violated Iowa Code Chapter 21 and 22.

### Facts

In the initial complaint to IPIB, the complainant alleged that the mayor of City of Lewis violated Iowa Code 21 by criticizing members of the public for taking notes. Complainant also alleged that the city council members were arguing with each other and telling others to grow up. No other violations were alleged.

### Applicable Law

“Upon receipt of a written complaint alleging a violation of Iowa Code chapter 21 or 22, the board shall either: (a) Accept the complaint, following a review of the allegations on their face, having determined that the complaint is within the board’s jurisdiction, appears legally sufficient, and could have merit; or (b) Dismiss the complaint, following a review of the allegations on their face, having determined that the complaint is outside the board’s jurisdiction, appears legally insufficient, is frivolous, is without merit, involves harmless error, or relates to a specific incident that has previously been disposed of on its merits by the board or a court.” Iowa Code § 497-2.1(2).

### Analysis

Chapter 21 and 22 only delegate enforcement power to this Board when a complaint appears legally sufficient on its face. The allegations posed by the Complainant, even if true, would not state a

violation of Chapter 21 or Chapter 22. Therefore, the matter should be dismissed by IPIB.

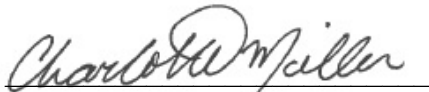
### **Conclusion**

Iowa Code § 23.8 requires that a complaint be within the IPIB's jurisdiction, appear legally sufficient, and have merit before the IPIB accepts a complaint. Due to failure to state a violation of Chapter 21 or 22, it is found that this complaint does not meet those requirements.

IT IS SO ORDERED: Formal complaint 26FC:0106 is dismissed as legally insufficient for IPIB to proceed with an investigation pursuant to Iowa Code § 23.8(2) and Iowa Administrative Rule 497-2.1(2)(b).

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

By the IPIB Executive Director

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 draft document was sent via email on May 18, 2026, to:

David Raymond, Complainant

## The Iowa Public Information Board

<p>In re the Matter of:</p> <p>Jenny Hartman-Mendoza &amp; Dustin Brunsting, Complainants</p> <p>And Concerning:</p> <p>City of Westfield, Respondent</p>	<p style="text-align: center;">Case Number: 26FC:0109</p> <p style="text-align: center;">Dismissal Order</p>
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COMES NOW, Charlotte Miller, Executive Director for the Iowa Public Information Board (IPIB), and enters this Dismissal Order:

On March 13, 2026, Jenny Hartman-Mendoza and Dustin Brunsting (Complainants) filed formal complaint 26FC:0109, alleging that the City of Westfield (Respondent) violated Iowa Code Chapter 21.

### Facts

On March 13, 2026, Complainants filed a series of nine complaints, alleging various different violations of Chapter 21 open meetings law. Given their overlapping nature, these complaints were combined to be considered jointly under the subject 26FC:0109.

Six of these complaints were against either the mayor or a particular member of the city council, alleging that these individuals had met with the city attorney or the city water supervisor without the consent or involvement of other city council members.

The other three complaints alleged that the mayor and two city council members had told a resident that he could disregard a city livestock ordinance and have up to twelve chickens on his property. The complaints allege that this direction contradicted the existing ordinance.

### Applicable Law

“*Meeting*” means a gathering in person or by electronic means, formal or informal, of a majority of the members of a governmental body where there is deliberation or action upon any matter within the scope of the governmental body’s policy-making duties. Meetings shall not include a

gathering of members of a governmental body for purely ministerial or social purposes when there is no discussion of policy or no intent to avoid the purposes of this chapter.” Iowa Code § 21.2(2).

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

4. Receive complaints alleging violations of chapter 21 or 22, seek resolution of such complaints through informal assistance, formally investigate such complaints, decide after such an investigation whether there is probable cause to believe a violation of chapter 21 or 22 has occurred, and if probable cause has been found prosecute the respondent before the board in a contested case proceeding conducted according to the provisions of chapter 17A.” Iowa Code § 23.6(4).

### **Analysis**

Iowa Code § 21.2(2) defines a meeting as having four key attributes. For any meeting, there must be (1) a majority of members (2) of a governmental body subject to Chapter 21, in which (3) members engage in action or deliberation (4) on any matter within the scope of their policy-making duties, as opposed to purely ministerial or social purposes. Regardless of the content of the conversations described by the first six complaints, Complainants specifically allege that none of the other council members were involved, meaning the majority element was unmet. Absent a majority, none of the conversations described in the complaint could have qualified as meetings subject to Chapter 21. Because it is not a violation of open meetings laws for individual members (or other city officials) to meet with non-members outside the public view, these allegations do not describe any potential violation within IPIB’s jurisdiction on facial review.

Complainants also allege that multiple city officials gave a resident inaccurate or improper advice about the number of chickens he could have on his property, despite a livestock ordinance which they claim sets a higher standard. Regardless of whether this is true, mischaracterization of a local ordinance (inadvertent or otherwise) is not covered by any provision of Chapter 21 or Chapter 22. IPIB lacks the authority to enforce local livestock ordinances.

### **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.

Dismissal is required, as none of the allegations presented against Respondent or its elected officials describe any potential violation within IPIB’s jurisdiction.

**IT IS SO ORDERED:** Formal complaint 26FC:0109 is dismissed as it is outside of IPIB’s jurisdiction pursuant to Iowa Code § 23.8(2) and Iowa Administrative Rule 497-2.1(2)(b).

Pursuant to Iowa Administrative Rule 497-2.1(3), the IPIB may “delegate acceptance or dismissal of a complaint to the executive director, subject to review by the board.” The IPIB will review this Order on May 21, 2026. Pursuant to IPIB rule 497-2.1(4), the parties will be notified in writing of its decision.

By the IPIB Executive Director,



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Charlotte J.M. Miller, J.D.

#### CERTIFICATE OF MAILING

This document was sent on May 6, 2026, to:

Jenny Hartman-Mendoza & Dustin Brusting, Complainants

## The Iowa Public Information Board

<p>In re the Matter of:</p> <p>Stuart McGriff, Complainant</p> <p>And Concerning:</p> <p>Iowa Representative, Respondent</p>	<p>Case Number: 26FC:0119</p> <p>Dismissal Order</p>
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COMES NOW, Charlotte Miller, Executive Director for the Iowa Public Information Board (IPIB), and enters this Dismissal Order:

On April 27, 2026, Stuart McGriff (Complainant) filed formal complaint 26FC:0119, alleging that a member of the Iowa House of Representatives (Respondent) violated Iowa Code Chapter 22.

### Facts

On April 12, 2026, Complainant alleges that he was blocked from an official Facebook page organized by Respondent, an individual representative currently serving as a member of the Iowa House of Representatives. Complainant states that he has made multiple requests seeking an explanation and a reversal of the decision, including requests for public records related to the decision to block his account. On April 27, 2026, Complainant filed formal complaint 26FC:0119, alleging a failure to respond to his requests, exclusion from a public forum, and a general lack of transparency surrounding the incident.

### Applicable Law

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

### Analysis

Respondent is an officer of the state legislative branch, and this complaint is brought against her in that capacity. Because Iowa Code § 23.12 provides that IPIB does not have jurisdiction over the state legislative branch or “any entity, officer, or employee of” thereof, IPIB must dismiss this complaint for lack of jurisdiction without considering the allegations on their merits.

### 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.

Iowa Code § 23.12 excludes the state legislative branch, including legislative branch officials like Respondent, from the scope of IPIB's jurisdiction. Dismissal is required without further review.

IT IS SO ORDERED: Formal complaint 26FC:0119 is dismissed as it is outside of IPIB's jurisdiction pursuant to Iowa Code § 23.8(2) and Iowa Administrative Rule 497-2.1(2)(b).

Pursuant to Iowa Administrative Rule 497-2.1(3), the IPIB may “delegate acceptance or dismissal of a complaint to the executive director, subject to review by the board.” The IPIB will review this Order on May 21, 2026. Pursuant to IPIB rule 497-2.1(4), the parties will be notified in writing of its decision.

By the IPIB Executive Director,



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Charlotte J.M. Miller, J.D.

### CERTIFICATE OF MAILING

This document was sent on May 6, 2026, to:

Stuart McGriff, Complainant









## Status Report for 25FC:0153

Michael Merritt <cipher.hunter@pyreharbor.net>

Thu, Apr 30, 2026 at 9:04 PM

To: Iowa Public Information Board Legal Counsel Alexander Lee <alexander.lee@iowa.gov>, State of Iowa Deputy Attorney General Steven Blankinship <steven.blankinship@ag.iowa.gov>, State of Iowa Deputy Attorney General Daniel Barnes <daniel.barnes@ag.iowa.gov>, State of Iowa Deputy Attorney General Ed Bull <ed.bull@ag.iowa.gov>, State of Iowa Deputy Attorney General Jeffrey Peterzalek <jeffrey.peterzalek@ag.iowa.gov>, State of Iowa Deputy Attorney General Susan Krisko <susan.krisko@ag.iowa.gov>, State of Iowa Deputy Attorney General Eric Wessan <eric.wessan@ag.iowa.gov>, "igov@governor.iowa.gov" <igov@governor.iowa.gov>, "IPIB, IPIB" <ipib@iowa.gov>, "icrc@iowa.gov" <icrc@iowa.gov>  
 Cc: "charlotte.miller@iowa.gov" <charlotte.miller@iowa.gov>, "City of Marshalltown, IA, City Council Member Barry Kell" <bkell@marshalltown-ia.gov>, "City of Marshalltown, IA, City Council Member Gary Thompson" <gthompson@marshalltown-ia.gov>, "City of Marshalltown, IA, City Council Member Greg Nichols" <gnichols@marshalltown-ia.gov>, "City of Marshalltown, IA, City Council Member Jeff Schneider" <jschneider@marshalltown-ia.gov>, "City of Marshalltown, IA, City Council Member Mark Mitchell" <mmitchell@marshalltown-ia.gov>, "City of Marshalltown, IA, City Council Member Melissa Fonseca" <mfonseca@marshalltown-ia.gov>, "City of Marshalltown, IA City Administrator Carol Webb" <cwebb@marshalltown-ia.gov>, "City of Marshalltown, IA, City Council Member Sue Cahill" <scahill@marshalltown-ia.gov>, "City of Marshalltown, IA, Fire Marshall Warnell" <jwarnell@marshalltown-ia.gov>, "City of Marshalltown, IA, Attorney Holly Corkery" <hcorkery@lynchdallas.com>, "City of Marshalltown, IA City Clerk Alicia Hunter" <ahunter@marshalltown-ia.gov>, "City of Marshalltown, IA, Mayor Mike Ladehoff" <mayor@marshalltown-ia.gov>, "City of Marshalltown, IA, Mayor Mike Ladehoff" <mladehoff@marshalltown-ia.gov>, "City of Marshalltown, IA, Police Department Captain Stevenson" <kstevenson@marshalltown-ia.gov>, "City of Marshalltown, IA, Police Department Chief Christopher Jones" <cjones@marshalltown-ia.gov>, "Marshall County, IA, Attorney Jordan Gaffney" <jgaffney@marshallcountya.gov>, "Marshall County, IA, Board of Supervisors" <bos@marshallcountya.gov>, "Marshall County, IA, Chief Information Officer James Nehring" <jnehring@marshallcountya.gov>, "Marshall County, IA, Recorder Nan Benson" <nbenson@marshallcountya.gov>, "Marshall County, IA, Sheriff Joel Phillips" <jphillips@marshallcountya.gov>, "Jasper County, IA Attorney Scott Nicholson" <snicholson@jaspercoatty.org>, "reaton@jasperia.org" <reaton@jasperia.org>, Suzanne Reed <sreed@yss.org>, tbeadle@yss.org, rrobinson@yss.org, "info@iowacapitaldispatch.com" <info@iowacapitaldispatch.com>, "rachel@registermedia.com" <rachel@registermedia.com>, "ckauffman@iowacapitaldispatch.com" <ckauffman@iowacapitaldispatch.com>

### **"Sufferin' Public Records Cash"**

Mr. Lee,

I respectfully submit that your most recent status report in Case No. 25FC:0153 reflects the highest level of accountability the Iowa Public Information Board has demonstrated in any of my matters since 2022. Had this posture been maintained consistently, it is likely we would not be in the present situation.

As noted in your December 2025 correspondence, you acknowledged reviewing evidence establishing that I conducted a communications verification by contacting every State of Iowa judge, senator, representative, and executive director of a state agency. In my view, that record directly undermines the position previously asserted by Deputy Iowa Attorney General Blankinship regarding the alleged confidentiality of the Attorney General's email address.

I further question whether any public records exist documenting that Brenna Bird was subjected to harassment via electronic mail. In light of the record, I also question whether a statewide public records request for such materials (assuming they would qualify as public records under Iowa Code § 22.7(5)) would yield any responsive records, or whether such records exist at all.

At this point, I have reached the conclusion that if the Attorney General maintains that her office is uniquely exempt from providing the public with a direct electronic means of communication, despite the accessibility standards reflected across other state officials (<https://www.legis.iowa.gov/publications/departments>), then that position should stand on its own for public evaluation.

In these circumstances, continued dispute serves no further purpose. The evidentiary record is complete and speaks for itself. It is therefore appropriate to allow that record to stand so that others may assess whether the conduct at issue reflects the integrity, character, and accountability required of the office.

Accordingly, I request dismissal of Case No. 25FC:0153.

**Legal Disclaimer:** The following video contains chest camera and security footage documenting my attempts to request and obtain access to public records which evidence indicates are maintained by the Attorney General's Office. I believe this footage reflects practical risks and barriers encountered by citizens seeking to exercise their rights of access to public records stored and preserved by the State of Iowa Attorney General, and raises serious concerns regarding whether those conditions are consistent with lawful and constitutional requirements. It is provided for evidentiary context.

[https://youtu.be/ueHkKj\\_aXxs?si=wNDULKWLiMXjNbQu&t=14](https://youtu.be/ueHkKj_aXxs?si=wNDULKWLiMXjNbQu&t=14)

**AG Bird:** *"I tawt I taw a puddy tat! I did! I did taw a puddy tat!"*

Respectfully,

Retired Puddy Tat



**Legal Name:**

Michael J. Merritt

Marshalltown, IA 50158

[Quoted text hidden]



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

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## Disclosures for 25FC:0188

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**Kyle Ocker** <kocker@ottumwacourier.com>

Wed, May 6, 2026 at 12:25 PM

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

Cc: Kellie Paschke <kellie@splawiowa.com>, Bob Stuyvesant <rlstuyvesant@sskclaw.com>

Alex, just got your voicemail.

I did mean to reply to this sooner, so my apologies. At this time I would say this disclosure is sufficient under Iowa Code. Therefore we would move to proceed to closing this out and marking the complaint as resolved.

Thanks,

**Kyle J. Ocker**

Publisher/Editor – *The Ottumwa Courier & Oskaloosa Herald*

Media Coordinator – Iowa Courts Region 12

 [kocker@ottumwacourier.com](mailto:kocker@ottumwacourier.com) |  641-954-4136

 Twitter: [@Kyle\\_Ocker](https://twitter.com/Kyle_Ocker)

[Quoted text hidden]



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

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## New Formal Complaint 26FC:0062

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**Jonathan Uhl** <uhl.jonathan@yahoo.com>  
To: "Miller, Charlotte" <charlotte.miller@iowa.gov>

Fri, May 15, 2026 at 11:07 AM

Mrs Miller,

Thank you for confirming. I confirm that I am withdrawing this matter from IPIB to seek legal action instead.

Jonathan Uhl

Cell: (563) 723-2230

[Quoted text hidden]

### Active Cases Report

137

As of May 15, 2026, 9:09 AM

[View Report \(Active Cases\)](#)

### New complaints &/or question last 30 day

24

As of May 15, 2026, 9:11 AM

[View Report \(New complaints &/or question\)](#)

### Active Questions

5

As of May 15, 2026, 9:09 AM

[View Report \(Active Questions\)](#)

### Active AO Rejections

7

As of May 15, 2026, 9:09 AM

[View Report \(Active AO Rejections\)](#)

### Broad Type (Filed in Current Year)

300

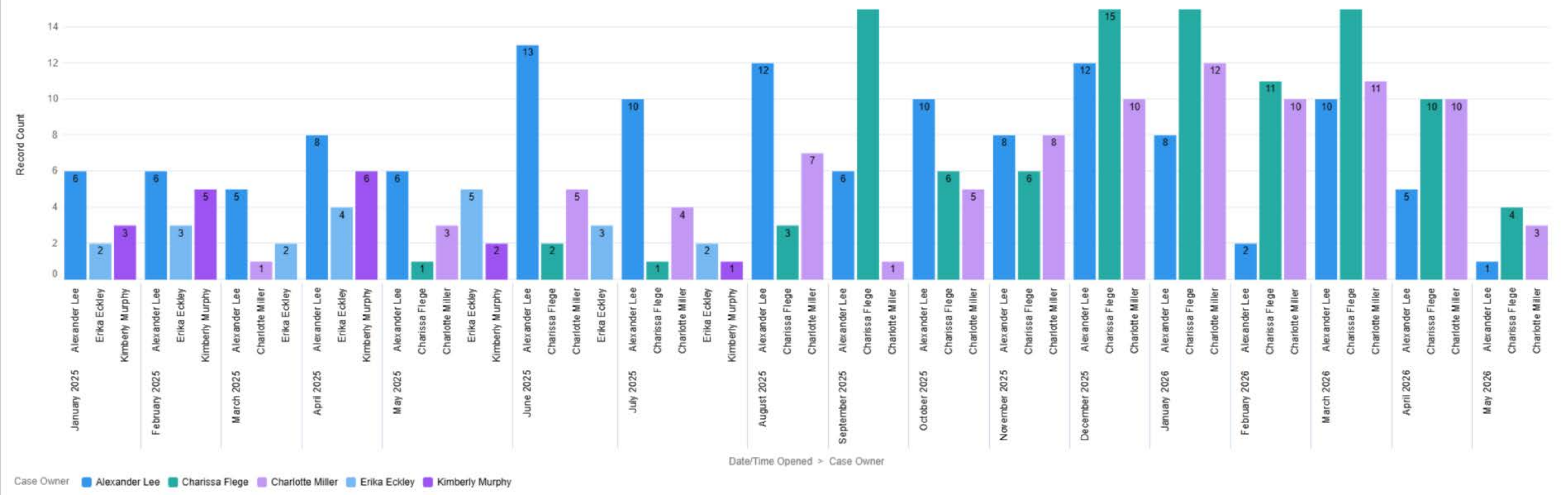
Record Count

- Both: 41
- Chapter 21: 63
- Chapter 22: 194
- Other: 2

As of May 15, 2026, 9:10 AM

[View Report \(Broad Type \(Cases Filed in Current Year\)\)](#)

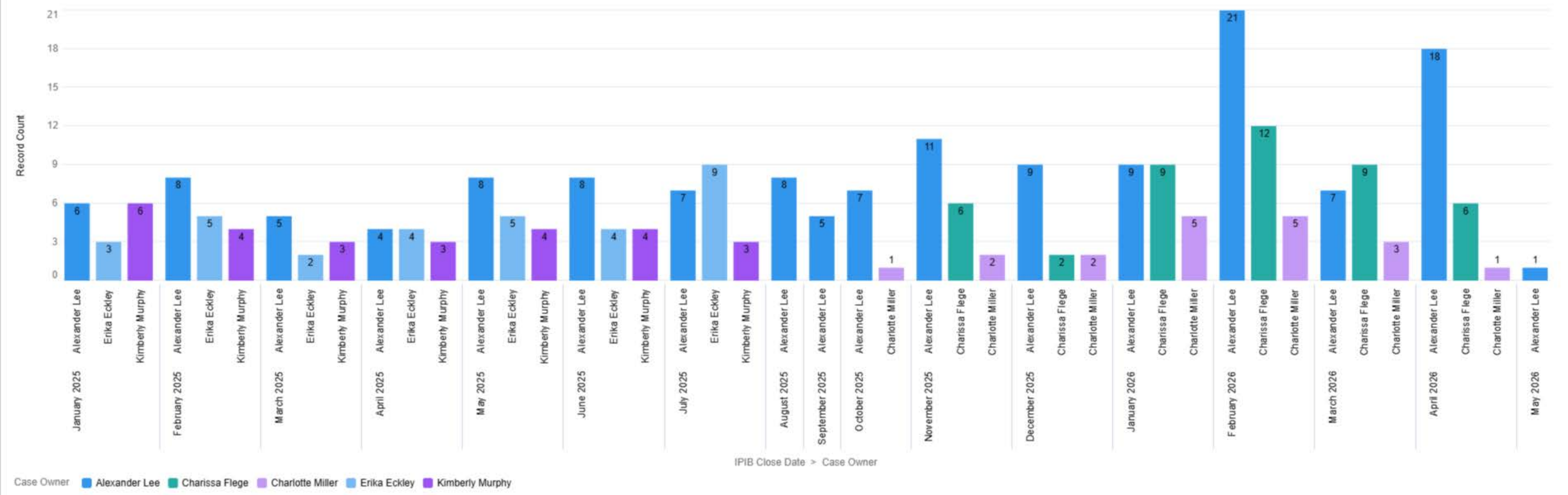
Case Opening Timeline (IPIB Version)



[View Report \(Case Opening Timeline \(IPIB Version\)\)](#)

As of May 15, 2026, 9:04 AM

Case Closure Timeline (IPIB Version)



[View Report \(Case Closure Timeline \(IPIB Version\)\)](#)

As of May 15, 2026, 9:04 AM

**Department 592**  
**Iowa Public Information Board**

To: Charlotte Miller  
 cc: Mirela Jusic, Jennifer Caldwell

From: Marty Musser

Date: May 7, 2026

Re: **FY 2026 FINANCIAL ANALYSIS**  
**Period 10 - April 2026**

Unit	Current Cash Balance	Projected FYE Cash Balance	CB - Iowa Advantage	Difference
0P22 - General Fund	168,235.63	89,912.38		
P22T - Training and Technology	0.00	0.00		
<b>Totals</b>	<b>\$ 168,235.63</b>	<b>\$ 89,912.38</b>	<b>\$ 168,235.63</b>	<b>\$ (0.00)</b>

**Areas to Monitor:**

**RED:**

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**YELLOW:**

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**GREEN:**

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**Outstanding issues that may affect the financial statements**

**Questions and review of financials:**

**Accounting conventions:**

Financial statements that have been prepared are on Cash basis.  
 For Fiscal 2026, September and March are "3 Payroll" months.  
 Budget or forecast updates will be discussed during the monthly financial review meetings and will be included in the next months financials.

Obj/Rev Class	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	Actual	Actual	Forecast	Forecast	Forecast	Forecast	Forecast	Actual	(C=A+B)	(D)	To Date	EOY	
Appropriation		467,227																		467,227		
<b>Revenue Collected</b>																						
401	Fees	-	-	-	45	-	-	71	-	-	-	-	-	-	-	-	116	116	-	0%	0%	
<b>Total Revenue Collected:</b>		-	-	-	45	-	-	71	-	-	-	-	-	-	-	-	116	116	467,227	0%	0%	
<b>Expenditures</b>																						
101	Personal Services	15,883	19,083	25,865	23,061	26,676	26,578	26,569	26,710	41,892	27,376	23,693	24,136	10,542	-	-	259,693	318,064	329,979	79%	96%	
202	In State Travel	186	-	17	122	91	67	273	170	146	-	-	326	59	-	-	1,072	1,456	3,487	31%	42%	
301	Office Supplies	-	33	240	-	273	360	120	435	1,599	(705)	120	551	250	-	-	2,355	3,277	2,000	118%	164%	
309	Printing & Binding	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	1	1	100	1%	1%	
313	Postage	-	14	-	6	3	10	3	7	12	5	1	8	1	-	-	61	71	75	81%	95%	
401	Communications	-	-	115	-	489	-	308	154	154	-	308	154	154	-	-	1,220	1,836	2,240	54%	82%	
406	Outside Services	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	100,800	0%	0%	
414	Reimbursements To Other Agency	-	2,150	2,551	2,986	2,013	1,875	2,045	2,022	2,435	2,433	2,388	2,377	2,457	-	-	20,509	27,731	17,734	116%	156%	
416	ITD Reimbursements	-	2,247	2,410	(78)	10,850	(5,736)	343	1,269	343	450	345	7,248	344	-	-	12,097	20,035	7,371	164%	272%	
418	IT Outside Services	-	-	154	77	154	154	154	175	154	154	154	154	154	-	-	1,175	1,637	2,341	50%	70%	
434	Gov Transfer Other Agencies	-	-	-	-	-	-	99	-	-	-	-	-	-	-	-	99	99	-	0%	0%	
510	IT Equipment & Software	-	-	-	-	-	-	-	-	-	-	-	2,400	-	-	-	-	2,400	-	0%	0%	
701	Licenses	-	-	-	-	-	-	-	-	-	825	-	-	-	-	-	825	825	1,100	75%	75%	
<b>Total Expenditures:</b>		16,069	23,527	31,352	26,173	40,550	23,308	29,914	30,943	46,734	30,537	27,009	37,354	13,960	-	-	299,108	377,431	467,227	64%	81%	
<b>Current Month Operations</b>		451,158	(23,527)	(31,352)	(26,173)	(40,550)	(23,308)	(29,914)	(30,943)	(46,734)	(30,537)	(27,009)	(37,354)	(13,960)	-	-						
<b>Cash Balance</b>		451,158	427,631	396,279	370,151	329,601	306,293	276,450	245,507	198,773	168,236	141,226	103,873	89,912	89,912	89,912						

**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. Alex Lee's last day is May 7th, hoping to fill his position by mid-June.  
 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. March included copy machine toner and supplies from Staples and annual law licenses that were moved to 701 in April.  
 309 - February is for share of 1099/W2 printing costs.  
 313 - Costs include postage charges.  
 401 - Verizon cell phone expenses.  
 414 - Monthly costs are located on eDAS tab - approx. \$2,200 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 June includes quarterly OCIO charges of \$926. June includes \$5,979 for system improvements by Carahsoft.  
 418 - Insight bill for current employees.  
 510 - June is Laptop and monitors for new hire.  
 701 - April is for annual law license renewal of \$275 per employee.

**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		
<i>E.J. Giovannetti - Urbandale</i> N/A	115683	14000 - Board Member - Public Rep.				
<i>Joel McCrea, Pleasant Hill</i> N/A	115684	14000 - Board Member - Media Rep.				
<i>Jackie Schmillen, Urbandale</i> N/A	115685	14000 - Board Member - Media Rep.				
<i>Luke Martz(per diem), Ames</i> 94509	115686	14000 - Board Member - Public Rep.				
<i>Joan Corbin(mileage), Pella</i> 81714	115687	14000 - Board Member - Government Rep.				
<i>Monica McHugh, Zwingle</i> 75146	115688	14000 - Board Member - Public Rep.				
<i>Barry Lindahl, Dubuque</i> 83315	115689	14000 - Board Member - Government Rep.				
<i>Vacant</i>	141688	14000 - Board Member				
Total Funded Positions			3.00		\$ 329,979	\$ 318,064
Total Filled Positions				3.20		

\* Last day May 7th

Fund: 0001 General Fund  
 Unit: P22T  
 Sub Unit: Blank  
 Approp: P22 Iowa Public Information Board

EDas Customer Number: 1882  
 Percent of Year Complete: 83.33%

Forecast  
Actual

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 To Date	Percent of Budget forecasted EOY
		Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Forecast	Forecast	Forecast	Forecast	Forecast	Actual	(C=A+B)	(D)		
	BBF (T&T)	6,080																			
<b>Expenditures</b>																					
401	Communications	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0%	0%
406	Outside Services	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0%	0%
416	ITD Reimbursements	-	-	-	-	-	6,080	-	-	-	-	-	-	-	-	-	6,080	6,080	-	0%	0%
503	Equipment-Non Inventory	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0%	0%
<b>Total Expenditures:</b>		-	-	-	-	-	<b>6,080</b>	-	-	-	-	-	-	-	-	-	<b>6,080</b>	<b>6,080</b>	-	<b>#DIV/0!</b>	<b>#DIV/0!</b>
<b>Current Month Operations</b>		<b>6,080</b>	-	-	-	-	<b>(6,080)</b>	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Cash Balance</b>		<b>6,080</b>	<b>6,080</b>	<b>6,080</b>	<b>6,080</b>	<b>6,080</b>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

Footnotes:

Expenditures

416 - Carahsoft - Salesforce licenses

Spent FY26	6,079.94
Obligated FY26	-
Revert FY26	-
	<u>6,079.94</u>