

IOWA PUBLIC INFORMATION BOARD

MEMBERS

Althea Cole, Cedar Rapids (Media Representative, 2026-2030)
Joan Corbin, Pella (Government Representative, 2024-2028)
E. J. Giovannetti, Urbandale (Public Representative, 2026-2030)
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, 2026-2030)
Jackie Schmillen, Urbandale (Media Representative, 2026-2030)
Vacant

STAFF

Charlotte Miller, Executive Director
Charissa Flege, Deputy Director
J.T. Harris, Staff Attorney

Use the following link to watch the IPIB meeting live:

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

Note: If you wish to make public comment to the Board, please send an email to IPIB@iowa.gov prior to the meeting.

Agenda

August 20, 2026, 1:00 p.m.
Conference Room
Jessie Parker Building, East
510 East 12th Street, Des Moines

1:00 PM – IPIB Meeting

- I. Approval of agenda***
- II. Approval of the July 16, 2026 minutes ***
- III. Public Forum (5-minute limit per speaker)**
- IV. Comments from the board chair. (Lucas)**
- V. 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.
- VI. Cases involving Board Deliberation/Action.* (Miller)**
 - 1. 25FC:0221 (Gregory Armstrong - Chapter 22- Hamburg Community School Board) 12/22/2025 -Investigative Report Board Approval of Investigative Report
 - 2. 26FC:0025 (Linda Smithson - Chapter 21- Bettendorf Community School District Board of Directors) 1/30/2026 -Investigative Report Board Approval of Investigative Report
 - 3. 26FC:0090 (Dan Lett - Both- Delaware County Conference Board-Delaware County Board of Supervisors, Delaware County Auditor/HR Director, Delaware County HR Attorney) 3/25/2026 -Investigative Report Board Approval of

Investigative Report & 26FC:0090-02 (Dan Lett - Both- Delaware County Conference Board - Delaware County Board of Supervisors, Delaware County Auditor/HR Director, Attorney for Delaware County HR) 3/25/2026 - Information Gathering/Inf Resolution Process

4. 26FC:0096 (Jacob Franklin - Chapter 22- South Iowa Area Crime Commission (SIACC), South Iowa Area Detention Service Agency (SIADSA)) 4/2/2026 - Investigative Report Board Approval of Investigative Report
5. 26FC:0108 (Claire Logsdon - Chapter 22- Waukee Police Department) 4/10/2026 -Informal Resolution Board Approval of Informal Resolution Report
6. 26FC:0114 (Celina Charles - Chapter 22- Dubuque Police Department DCI IA DPS) 4/24/2026 -Investigative Report Board Approval of Investigative Report
7. 26FC:0138 (Brenda Naaktgeboren - Chapter 21- City of Harvey) 5/26/2026 - Investigative Report Board Approval of Investigative Report
8. 26FC:0139 (Dan McReavy - Chapter 22- Iowa Department of Public Safety, Public Information Officer) 5/26/2026 -Investigative Report Board Approval of Investigative Report
9. 26FC:0151 (Roger Slade - Both- Cedar Rapids, IA Mayor and City Council) 6/7/2026 -Investigative Report Board Approval of Investigative Report
10. 26FC:0128 (Tami Curry - Chapter 22- City of Runnells) 6/11/2026 -Investigative Report Information Gathering/Inf Resolution Process
11. 26FC:0159 (Eric Henely - Chapter 21- Gilbert Community School District Board of Directors) 6/19/2026 -Investigative Report Board Approval of Investigative Report
12. 26FC:0158 (James Madison - Chapter 22- Johnston School District) 6/23/2026 - Investigative Report Board Approval of Investigative Report
13. 26FC:0164 (Eric Henely - Chapter 21- Gilbert Community School District Board of Directors) 6/26/2026 -Investigative Report Board Approval of Investigative Report

VII. Consent Agenda *

a. Dismissals

- 1.Dismiss 26FC:0172 (Nicholas Bargren - Chapter 22- Iowa City Police Records Divison) 7/1/2026 - Board Approval of Facial Dismissal
- 2.Dismiss 26FC:0193 (Sharon Walsh - Chapter 22- Des Moines Public Schools) 7/23/2026 - Board Approval of Facial Dismissal
- 3.Dismiss 26FC:0200 (Chad Brewbaker - Chapter 22- State of Iowa Auditor Office) 7/28/2026 - Board Approval of Facial Dismissal
- 4.Dismiss 26FC:0202 (Austin Becker - Chapter 22- City of Davenport - Davenport Police Department) 7/29/2026 - Board Approval of Facial Dismissal

b. Acceptance

- 1.Accept 26FC:0164 (Eric Henely - Chapter 21- Gilbert Community School District Board of Directors) 6/26/2026 -Investigative Report Board Approval of Investigative Report
- 2.Accept 26FC:0168 (Naveen Kalia - Chapter 22- Iowa City Assessor's Office) 6/24/2026 - Board Approval of Acceptance

3. Accept 26FC:0175 (Gregory Armstrong - Chapter 22- City of Hamburg) 7/4/2026 - Board Approval of Acceptance
4. Accept 26FC:0176 (Scott Wilson - Chapter 21- Fruitland City Council) 7/6/2026 - Board Approval of Acceptance
5. Accept 26FC:0177 (Kerry Stewart - Chapter 22- Albia, Iowa, Police Department) 7/9/2026 - Board Approval of Acceptance
6. Accept 26FC:0178 (Mark Milligan - Chapter 21- Wapello County Board of Supervisors) 7/12/2026 - Board Approval of Acceptance
7. Accept 26FC:0180 (Stephen Allen - Chapter 22- City of Soldier, Iowa) 7/14/2026 - Board Approval of Acceptance
8. Accept 26FC:0183 (Agnitsch - Chapter 21- Iowa Valley Community College Board of Directors) 7/16/2026 - Board Approval of Acceptance
9. Accept 26FC:0184 (Blankenship - Chapter 21- Iowa Valley Community College Board of Directors) 7/16/2026 - Board Approval of Acceptance
10. Accept 26FC:0186 (Addison Delong - Chapter 22- City Of Runnells City Council) 7/16/2026 - Board Approval of Acceptance
11. Accept 26FC:0187 (Austin Gillis - Chapter 22- Marshall County Sheriff's Office) 7/20/2026 - Board Approval of Acceptance
12. Accept 26FC:0188 (Clint Fichter - Chapter 22- City of Avoca) 7/20/2026 - Board Approval of Acceptance
13. Accept 26FC:0189 (Summer Schooler - Chapter 22- Iowa Office of Civil Rights / Iowa Civil Rights Commission) 7/22/2026 - Board Approval of Acceptance
14. Accept 26FC:0190 (David Johnson - Chapter 22- Mills County Sheriff's Office) 7/22/2026 - Board Approval of Acceptance
15. Accept 26FC:0195 (White - Chapter 22- City of Iowa City Iowa City Police Department) 7/23/2026 - Board Approval of Acceptance
16. Accept 26FC:0197 (Dale Leslein - Chapter 22- Dubuque County Board of Supervisors) 7/27/2026 - Board Approval of Acceptance
17. Accept 26FC:0196 (Mark Beardmore - Chapter 21- Carroll County Conference Board) 7/27/2026 - Board Approval of Acceptance
18. Accept 26FC:0198 (Michele Brown - Chapter 22- City of Elkhart, Public Works Department) 7/27/2026 - Board Approval of Acceptance
19. Accept 26FC:0201 (Judi Wheeldon - Chapter 22- City of Council Bluffs Legal Department) 7/28/2026 - Board Approval of Acceptance
20. Accept 26FC:0203 (Polina Shumanova - Chapter 22- City of Mason City, Iowa) 7/29/2026 - Board Approval of Acceptance
21. Accept 26FC:0207 (Marco Yopez-Gomez - Chapter 21- City of Marshalltown) 7/31/2026 - Board Approval of Acceptance
22. Accept 26FC:0210 (DeVeon Harris - Chapter 22- Iowa Department of Education) 8/3/2026 - Board Approval of Acceptance
23. Accept 26FC:0211 (Lynne Flynn - Both- City of Montrose) 8/3/2026 - Board Approval of Acceptance
24. Accept 26FC:0213 (Lynne Flynn - Chapter 21- City of Montrose, Montrose City Council, Amy Barnes - City Clerk) 8/4/2026 - Board Approval of Acceptance

25. Accept 26FC:0222 (Rhonda Smith - Both- City of De Soto)
8/12/2026 - Board Approval of Acceptance

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

- a. 26FC:0141 (Mitch Giese - Chapter 21- City of Sheldon) 5/27/2026 -Withdrawn
Withdrawn
- b. 26FC:0150 (Michael Hardy - Chapter 22- Iowa Department of State) 6/6/2026 -
Withdrawn Withdrawn
- c. 26FC:0179 (Amy Farrell - Both- Polk County attorney office person who
answers the phone) 7/14/2026 -Withdrawn Withdrawn
- d. 26FC:0191 (Kayla Strempeke - Both- City of Fredericksburg) 7/22/2026 -
Withdrawn Withdrawn
- e. 26FC:0057 (Jacquelynn Zugg - Chapter 22- City of Centerville) 2/27/2026 - Withdrawn
Withdrawn
- f. 26FC:0057 -2 (Jacquelynn Zugg - Chapter 22- City of Centerville, Iowa) 3/13/2026 -
Withdrawn Withdrawn
- g. 25FC:0099 (Mount Pleasant Municipal Utilities - Chapter 21- Resale Power
Group of Iowa) 7/28/2025 - Withdrawn Withdrawn

IX. Pending Complaints. Informational Only (Miller)*

- 1. 25FC:0054 (Tim Ferguson - Chapter 22- City of Davenport) 5/19/2025 - Information
Gathering/Inf Resolution Process
- 2. 25FC:0055 (Justin Cole - Chapter 21- Mount Union Benefited Fire District)
5/21/2025 - Board Approval of Informal Resolution Report
- 3. 25FC:0061 (Dylan Southall - Chapter 22- Cedar Falls Utilities - Cedar Falls, Iowa)
5/23/2025 - Investigation
- 4. 25FC:0058 (Rachel Doyle - Both- City of Rolfe) 5/27/2025 - Information
Gathering/Inf Resolution Process
- 5. 25FC:0076 (Ken Allsup - Both- Oskaloosa School Board) 6/17/2025 - Board
Approval of Informal Resolution Report
- 6. 25FC:0082 (Tim Ferguson - Chapter 22- Davenport Police Department) 6/24/2025 -
Information Gathering/Inf Resolution Process
- 7. 25FC:0089 (Charlie Comfort - Chapter 22- Oskaloosa Community School District)
7/7/2025 - Board Approval of Informal Resolution Report
- 8. 25FC:0092 (Keith Wieland - Chapter 21- Buchanan County Solid Waste
Commission) 7/9/2025 - Information Gathering/Inf Resolution Process
- 9. 25FC:0104 (Tim Ferguson - Chapter 22- City of Davenport and Davenport Police
Department) 8/13/2025 - Information Gathering/Inf Resolution Process
- 10. 25FC:0109 (Jaicy Skaggs - Chapter 21- City of Kellogg) 8/18/2025 - Contested Case
- 11. 25FC:0119 (Tim Ferguson - Chapter 22- City of Davenport custodian) 8/21/2025 -
Information Gathering/Inf Resolution Process
- 12. 25FC:0120 (Tim Ferguson - Chapter 22- Davenport Police Department & City of
Davenport) 8/26/2025 - Complaint Opened/Acknowledged
- 13. 25FC:0121 (Tim Ferguson - Chapter 22- Scott County) 8/26/2025 - Information
Gathering/Inf Resolution Process
- 14. 25FC:0126 (Don McGregor - Chapter 22- Kossuth County Board of Supervisors)
9/11/2025 - Information Gathering/Inf Resolution Process

15. 25FC:0127 (Vince Johnson - Chapter 22- Kossuth County Board of Supervisors and Trustees of Drainage District DD4) 9/11/2025 - Information Gathering/Inf Resolution Process
16. 25FC:0151 (Gregory Armstrong - Chapter 22- Hamburg Community School Board) 10/8/2025 - Information Gathering/Inf Resolution Process
17. 25FC:0166 (James Possehl - Chapter 21- City of Parnell - city council) 10/27/2025 - Information Gathering/Inf Resolution Process
18. 25FC:0176 (Mikayla Simpson - Chapter 22- Madison County Board of Supervisors) 11/6/2025 - Information Gathering/Inf Resolution Process
19. 25FC:0187-1 (Mikayla Simpson - Chapter 22- Madison County) 11/19/2025 - Information Gathering/Inf Resolution Process
25FC:0187-2 (Mikayla Simpson - Chapter 22- Madison County Board of Supervisors) 11/19/2025 - Information Gathering/Inf Resolution Process
20. 25FC:0202 (Lori White - Chapter 22- City of Missouri Valley) 12/9/2025 - Information Gathering/Inf Resolution Process
21. 25FC:0215 (William Daggett - Chapter 22- City of Baxter) 12/16/2025 - Information Gathering/Inf Resolution Process
22. 25FC:0214 (Shannon Martinez - Chapter 22- Wilton Police Department) 12/18/2025 - Information Gathering/Inf Resolution Process
23. 26FC:0001 (Coltin Hatfield - Chapter 21- City of Kellerton) 1/1/2026 - Information Gathering/Inf Resolution Process
24. 26FC:0002 (Lori White - Chapter 22- Harrison County Sherriif) 1/2/2026 - Information Gathering/Inf Resolution Process
25. 26FC:0005 (Stephen Swanson - Chapter 21- Madison County Board of Supervisors) 1/5/2026 - Information Gathering/Inf Resolution Process
26. 26FC:0010 (Jennifer Benbow - Chapter 22- Marshall County Sheriff's Office) 1/8/2026 - Information Gathering/Inf Resolution Process
27. 26FC:0027 (Tim Ferguson - Both- Scott County and Scott County Attorney's Office) 1/21/2026 - Complaint Opened/Acknowledged
28. 26FC:0015 (James Phillips - Chapter 22- Madison County Board of Supervisors) 1/22/2026 - Information Gathering/Inf Resolution Process
29. 26FC:0023 (Jacquelynn Zugg - Chapter 22- City of Centerville) 1/23/2026 - Information Gathering/Inf Resolution Process
30. 26FC:0021 (Tim Ferguson - Both- City of Davenport and Davenport Police) 1/26/2026 - Information Gathering/Inf Resolution Process
31. 26FC:0030 (Anthony Teninty - Chapter 22- Wapello County) 1/29/2026 - Information Gathering/Inf Resolution Process
32. 26FC:0036 (William Daggett - Chapter 22- City of Baxter, Iowa) 1/30/2026 - Information Gathering/Inf Resolution Process
33. 26FC:0037 (Shane Martinson - Chapter 22- City of Stuart, Stuart, Iowa) 1/30/2026 - Information Gathering/Inf Resolution Process
34. 26FC:0039 (Wellington - Chapter 22- Henry County) 2/2/2026 - Information Gathering/Inf Resolution Process
35. 26FC:0040 (Jacquelynn Zugg - Chapter 22- City of Centerville) 2/2/2026 - Information Gathering/Inf Resolution Process

36. 26FC:0035 (Judith Lee - Chapter 22- City of Davenport) 2/6/2026 - Information Gathering/Inf Resolution Process
37. 26FC:0045 (Vendetta CeCe-Jackowiak - Chapter 22- Davenport Police Department City of Davenport, Iowa) 2/12/2026 - Information Gathering/Inf Resolution Process
38. 26FC:0047 (Tim Ferguson - Both- Scott County and Scott County Attorney's office) 2/15/2026 - Information Gathering/Inf Resolution Process
39. 26FC:0053 (Lori White - Chapter 22- Harrison County Sheriff and Harrison county attorney) 2/19/2026 - Information Gathering/Inf Resolution Process
40. 26FC:0052 (Justin Scott - Chapter 22- Denver Community School District) 2/24/2026 - Information Gathering/Inf Resolution Process
41. 26FC:0051 (Matthew Rollinger - Chapter 22- Iowa Department of Education) 2/25/2026 - Information Gathering/Inf Resolution Process
42. 26FC:0058 (Laura Johnston - Chapter 21- Story County Board of Health) 2/27/2026 - Information Gathering/Inf Resolution Process
43. 26FC:0065 (Kari Friedmann - Both- City of Sac City) 3/5/2026 - Information Gathering/Inf Resolution Process
44. 26FC:0068 (Nicholas Bargren - Chapter 22- Iowa City Police Department) 3/6/2026 - Information Gathering/Inf Resolution Process
45. 26FC:0070 (Henkel - Chapter 22- Henry County Board of Supervisors) 3/10/2026 - Information Gathering/Inf Resolution Process
46. 26FC:0071 (Chelsea Plaster - Chapter 22- City of Davenport Public Works- Neighborhood Services) 3/11/2026 - Information Gathering/Inf Resolution Process
47. 26FC:0074 (Rachel Doyle - Chapter 22- City of Rolfe) 3/12/2026 - Complaint Opened/Acknowledged
48. 26FC:0077 (Gregory Armstrong - Chapter 22- Hamburg Community School District) 3/15/2026 - Information Gathering/Inf Resolution Process
49. 26FC:0082 (Chris Baldus - Chapter 22- City of Clinton) 3/19/2026 - Information Gathering/Inf Resolution Process
50. 26FC:0084 (Mark Beardmore - Both- City of Carroll) 3/20/2026 - Information Gathering/Inf Resolution Process
51. 26FC:0087 (Citizen of Iowa - Chapter 22- Melcher Dallas Public Library, Melcher Dallas City Council) 3/23/2026 - Information Gathering/Inf Resolution Process
52. 26FC:0066 (Michael Dyer - Both- Decatur City Council) 3/23/2026 - Information Gathering/Inf Resolution Process
53. 26FC:0076 (Kaylene Jackson - Chapter 21- Okoboji Community School District School Board) 3/25/2026 - Information Gathering/Inf Resolution Process
54. 26FC:0088 (Thomas Colnot - Chapter 22- Waterloo Police Department) 3/26/2026 - Information Gathering/Inf Resolution Process
55. 26FC:0091 (Gustoff Carlson - Chapter 22- Marshalltown Police Department and the Marshall County Communications Commission) 3/26/2026 - Information Gathering/Inf Resolution Process
56. 26FC:0072 (Elaine Webb - Chapter 21- City of Mitchellville) 3/26/2026 - Information Gathering/Inf Resolution Process
57. 26FC:0094 (Daniella Jensen - Chapter 22- City of Mitchellville) 3/28/2026 - Investigation

58. 26FC:0095 (Sean Canto - Chapter 22- Wapello County Supervisors, Wapello County Emergency Management, Wapello County Emergency Medical Advisory Committee) 3/31/2026 - Information Gathering/Inf Resolution Process
59. 26FC:0100 (Claire Logsdon - Chapter 22- West Des Moines Police Department) 4/8/2026 - Information Gathering/Inf Resolution Process
26FC:0100-2 (Claire Logsdon - Chapter 22- West Des Moines Police Department) 4/10/2026 - Information Gathering/Inf Resolution Process
60. 26FC:0099 (Claire Logsdon - Chapter 22- Fort Dodge Police Department) 4/8/2026 - Information Gathering/Inf Resolution Process
61. 26FC:0101 (Andrew Hansen - Chapter 22- City of Tabor Police Department) 4/10/2026 - Information Gathering/Inf Resolution Process
62. 26FC:0107 (Claire Logsdon - Chapter 22- Perry Police Department) 4/10/2026 - Information Gathering/Inf Resolution Process
63. 26FC:0105 (Thomas Green - Chapter 22- Fort Dodge Police Department & City of Fort Dodge) 4/14/2026 - Information Gathering/Inf Resolution Process
64. 26FC:0106 (David Raymond - Both- City of Lewis Iowa) 4/15/2026 - Complaint Opened/Acknowledged
65. 26FC:0111 (Gustoff Carlson - Chapter 22- City of Ames Police Department) 4/23/2026 - Information Gathering/Inf Resolution Process
66. 26FC:0113 (Joshua James Burkholder - Chapter 22- Johnson County Sheriff's Office) 4/23/2026 - Information Gathering/Inf Resolution Process
67. 26FC:0115 (Justin Crawford - Chapter 21- Shellsburg, IA) 4/23/2026 - Information Gathering/Inf Resolution Process
68. 26FC:0103 (Vendetta CeCe-Jackowiak - Chapter 22- Scott Emergency Communications Center) 4/23/2026 - Information Gathering/Inf Resolution Process
69. 26FC:0110 (Claire Logsdon - Chapter 22- Davenport police department) 4/24/2026 - Information Gathering/Inf Resolution Process
70. 26FC:0112 (Kristin Steele - Chapter 21- City of Runnells) 4/28/2026 - Information Gathering/Inf Resolution Process
71. 23FC:0104-2 (Hendrik van Pelt - Chapter 22- City of West Des Moines / West Des Moines Police Department) 4/30/2026 - Information Gathering/Inf Resolution Process
72. 26FC:0121 (Tim Brown - Chapter 21- Conference Realignment Committee - Department of Education) 5/7/2026 - Information Gathering/Inf Resolution Process
73. 26FC:0117 (Erin Latona - Chapter 22- Iowa Department of Transportation and the Iowa Department of Administrative Services) 5/7/2026 - Information Gathering/Inf Resolution Process
74. 26FC:0124 (Stephanie Gabriel - Chapter 22- City of West Des Moines) 5/7/2026 - Information Gathering/Inf Resolution Process
75. 26FC:0123 (Claire Logsdon - Chapter 22- Iowa City Police Department) 5/11/2026 - Information Gathering/Inf Resolution Process
76. 26FC:0127 (Tyler Hunt - Chapter 22- Anamosa) 5/11/2026 - Information Gathering/Inf Resolution Process
77. 26FC:0132 (Richard Francis - Chapter 22- Dave Anderson Mayor of Manson Iowa. Jessica Hammen Police Chief of Manson Iowa) 5/19/2026 - Information Gathering/Inf Resolution Process

78. 26FC:0129 (Claire Logsdon - Chapter 22- Cedar Rapids Police Department) 5/22/2026 - Information Gathering/Inf Resolution Process
79. 26FC:0137 (Mary Clark - Chapter 22- Dallas County Sheriff's Office) 5/26/2026 - Information Gathering/Inf Resolution Process
80. 26FC:0134 (JoAnn Bohn - Chapter 21- Runnells City Council) 5/26/2026 - Information Gathering/Inf Resolution Process
81. 26FC:0136 (Kira Werstein - Chapter 22- Ames Public School District) 5/26/2026 - Information Gathering/Inf Resolution Process
82. 26FC:0126 (Michael Benson - Chapter 22- City of Moville) 5/26/2026 - Information Gathering/Inf Resolution Process
83. 26FC:0142 (Samantha Edgerton - Both- Clarke County Board of Public Health) 5/28/2026 - Information Gathering/Inf Resolution Process
84. 26FC:0143 (Melissa Duffield - Both- City of Cedar Rapids) 6/1/2026 - New / Complaint Information Reviewed
85. 26FC:0144 (Lynne Chalfant - Both- Hamilton County, Brigg's Woods Conference Center) 6/2/2026 - Information Gathering/Inf Resolution Process
86. 26FC:0145 (Kelly Goodwin-Ackerman - Both- Linn County Board of Supervisors) 6/2/2026 - Information Gathering/Inf Resolution Process
87. 26FC:0147 (Jeremy Anderson - Chapter 22- City of Bettendorf / Bettendorf Police Department) 6/4/2026 - Information Gathering/Inf Resolution Process
88. 26FC:0148 (Kristin Steele - Chapter 21- City Council of Runnells, Iowa) 6/4/2026 - Information Gathering/Inf Resolution Process
89. 26FC:0140 (Tiffany Seward - Both- City of Clinton) 6/4/2026 - Information Gathering/Inf Resolution Process
90. 26FC:0146 (Phil - Chapter 21- City of Shellsburg) 6/4/2026 - Complaint Opened/Acknowledged
91. 26FC:0162 (Jenny Hartman-Mendoza - Chapter 21- City of Westfield) 6/4/2026 - New / Complaint Information Reviewed
92. 26FC:0125 (Justin Crawford - Chapter 22- City of Shellsburg) 6/4/2026 - Information Gathering/Inf Resolution Process
93. 26FC:0149 (Paige Smith - Chapter 21- Iowa City Community School Board Members) 6/5/2026 - Information Gathering/Inf Resolution Process
94. 26FC:0155 (Smith - Chapter 22- City of Runnells) 6/8/2026 - New / Complaint Information Reviewed
95. 26FC:0154 (AL WELLS - Chapter 22- City of Solon, Iowa) 6/9/2026 - Complaint Opened/Acknowledged
96. 26FC:0131 (Summer Schooler - Chapter 22- City of Windsor Heights) 6/11/2026 - Information Gathering/Inf Resolution Process
97. 26FC:0135 (Navarre Sissel - Chapter 22- Marengo Police Department) 6/12/2026 - Information Gathering/Inf Resolution Process
98. 26FC:0156 (Stephen Figg - Chapter 21- Clinton Iowa; Grow Clinton) 6/12/2026 - Information Gathering/Inf Resolution Process
99. 26FC:0161 (Anthony Wynkoop - Chapter 22- Clinton PD) 6/15/2026 - Information Gathering/Inf Resolution Process
100. 26FC:0160 (Tyler McGhghy - Chapter 21- Keokuk Community School District Board of Education) 6/16/2026 - Information Gathering/Inf Resolution Process

101. 26FC:0157 (Stephen Peters - Chapter 21- Clinton City Council; Clinton County Board of Supervisors) 6/17/2026 - Information Gathering/Inf Resolution Process
102. 26FC:0122 (Emily Schinstock - Both- Mt Pleasant Community School District) 6/24/2026 - Information Gathering/Inf Resolution Process
103. 26FC:0163 (John Smith - Chapter 22- City of Eldon) 6/25/2026 - Information Gathering/Inf Resolution Process
104. 26FC:0165 (J Richards - Chapter 21- Des Moines County Iowa) 6/29/2026 - Information Gathering/Inf Resolution Process
105. 26FC:0169 (Mark Harting - Chapter 21- Zwingle City Council) 6/29/2026 - Information Gathering/Inf Resolution Process
106. 26FC:0171 (Kathy Butler - Chapter 22- Oskaloosa Community School District) 6/30/2026 - Information Gathering/Inf Resolution Process
107. 26FC:0174 (Agnitsch - Chapter 22- Iowa Valley Community College District) 7/1/2026 - Complaint Opened/Acknowledged
108. 26FC:0167 (Summer Schooler - Chapter 22- City of Windsor Heights and the Windsor Heights Police Department) 7/2/2026 - New / Complaint Information Reviewed
109. 26FC:0166 (Ben Ward - Chapter 22- Department of Corrections) 7/2/2026 - New / Complaint Information Reviewed
110. 26FC:0182 (Rachel Doyle - Chapter 22- City of Rolfe) 7/14/2026 - New / Complaint Information Reviewed
111. 26FC:0185 (JoAnn Bohn - Chapter 22- City of Runnells IA) 7/16/2026 - New / Complaint Information Reviewed
112. 26FC:0192 (Rachel Doyle - Chapter 22- City of Rolfe) 7/22/2026 - Complaint Opened/Acknowledged
113. 26FC:0194 (Michael Benson - Chapter 21- City of Merville) 7/23/2026 - New / Complaint Information Reviewed
114. 26FC:0199 (J Richards - Chapter 21- Des Moines County Iowa) 7/28/2026 - New / Complaint Information Reviewed
115. 26FC:0206 (Alex Woodruff - Chapter 22- City of Shambaugh, Iowa) 7/31/2026 - Complaint Opened/Acknowledged
116. 26FC:0208 (Michael Merritt - Chapter 22- Iowa Department of Public Safety) 8/3/2026 - Complaint Opened/Acknowledged
117. 26FC:0209 (Brittany Mullin - Chapter 22- ECICOG) 8/3/2026 - Complaint Opened/Acknowledged
118. 26FC:0212 (Kacie Meyer - Chapter 21- Iowa City School Board) 8/3/2026 - Complaint Opened/Acknowledged
119. 26FC:0215 (David Dunakey - Chapter 22- Scott County Recorder) 8/6/2026 - New / Complaint Information Reviewed
120. 26FC:0214 (Tina Fischer - Chapter 22- Appeal Board Clerk) 8/6/2026 - New / Complaint Information Reviewed
121. 26FC:0216 (Citizen of Iowa - Both- Pleasantville City Council/Sheriff) 8/10/2026 - New / Complaint Information Reviewed
122. 26FC:0217 (Joseph Buffington - Chapter 21- Henry County Board of Supervisors) 8/10/2026 - New / Complaint Information Reviewed

- 123. 26FC:0218 (josh patterson - Chapter 22- Polk County Public Works Department.) 8/11/2026 - New / Complaint Information Reviewed
- 124. 26FC:0219 (Chad Brewbaker - Chapter 22- Office of the Iowa Attorney General) 8/11/2026 - New / Complaint Information Reviewed
- 125. 26FC:0220 (Chritine Antinori - Chapter 22- Iowa Secretary of State - Election Office) 8/12/2026 - New / Complaint Information Reviewed
- 126. 26FC:0221 (Joe Larison - Chapter 22- Joel Jensen, Iowa Judicial Branch) 8/12/2026 - New / Complaint Information Reviewed
- 127. 26FC:0223 (Ryan Schupick - Chapter 22- Mason City Police Department) 8/12/2026 - New / Complaint Information Reviewed
- 128. 26FC:0224 (Austin Becker - Chapter 21- Davenport City Council - Iowa City City Council) 8/13/2026 - New / Complaint Information Reviewed

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 September 17, 2026, at 1:00 p.m.

XIII. Adjourn

*** Attachments**

IOWA PUBLIC INFORMATION BOARD

MEMBERS

Althea Cole, Cedar Rapids (Media Representative, 2026-2030)
Joan Corbin, Pella (Government Representative, 2024-2028)
E. J. Giovannetti, Urbandale (Public Representative, 2026-2030)
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Catherine Lucas, Johnston (Government Representative, 2024-2028)
Luke Martz, Ames (Public Representative, 2024-2028)
Monica McHugh, Zwingle (Public Representative, 2026-2030)
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Vacant

STAFF

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Use the following link to watch the IPIB meeting live:

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

Note: If you wish to make public comment to the Board, please send an email to IPIB@iowa.gov prior to the meeting.

DRAFT MINUTES

July 16, 2026, 1:00 p.m.

Conference Room

Jessie Parker Building, East

510 East 12th Street, Des Moines

The Iowa Public Information Board (IPIB) met on July 16, 2026, for a board meeting at 1 p.m. at the offices of the Iowa Public Information Board located at 510 East 12th Street, Des Moines. The following members participated: Catherine Lucas, Barry Lindahl (remote), Joan Corbin (remote), Althea Cole (remote), Luke Martz, E.J. Giovannetti, and Monica McHugh. Also present was IPIB staff: Executive Director, Charlotte Miller; Deputy Director, Charissa Flege; and Staff Attorney, J.T. Harris. A quorum was declared present.

1:00 PM – IPIB Meeting

- I. Approval of agenda*.** On a motion by Martz, to approve the agenda, Lindahl second. Approved, 7-0.
- II. Approval of the June 18, 2026 minutes *.** On a motion to approve the minutes as amended by Lindahl, second by Martz. Approved, 7-0.
- III. Public Forum (5-minute limit per speaker) *.**
- IV. Comments from the board chair.** Lucas introduced J.T. Harris as a new staff attorney.
 - a. *Discussion and action on raise for Executive Director as a continuation of evaluation process.* On a motion by Giovannetti, second by Martz, to increase Miller salary. Approved, 7-0.
- V. Advisory Opinion – Deliberation/Action.**

- a. **26AO:00008** - *Changes to Notice Requirements, Confidentiality Exceptions, and Injunctions Against Vexatious Requestors*. Flege and Miller presented on behalf of staff. Board discussion occurred. Motion by McHugh to adopt the advisory opinion, second by Giovannetti. **Approved 7-0.**

VI. Cases involving Board Deliberation/Action.* (Miller)

- a. **26FC:0059** (*Susan Lemon - Chapter 21- Woodward Public Library*) 2/27/2026 - *Investigative Report Board Approval of Investigative Report*. Harris presented on behalf of IPIB staff. Board discussion occurred. Motion by **Martz** to adopt the staff recommendation opinion, second by **Lindahl**. **Approved 7-0.**

Note: Jackie Schmillen joined the meeting at 1:30PM

- b. **26FC:0094** (*Daniella Jensen - Chapter 22- City of Mitchellville*) 3/28/2026 - *Investigative Report Information Gathering/Inf Resolution Process*. Miller presented on behalf of staff. Ms. Jensen addressed the Board. John Fatino, counsel for the City, addressed the Board on behalf of Respondent. Board discussion occurred. On a motion to table the matter for further investigation by **Giovannetti**, second by **McHugh**. **Approved 8-0.**
- c. **26FC:0102** (*Jaden Smith - Chapter 22- Nevada Police Department*) 4/20/2026 - *Investigative Report Board Approval of Investigative Report*. Harris presented on behalf of staff. Christopher Brandes, Police Chief for PD, addressed the Board on behalf of Respondent. Board discussion occurred. Motion by **Giovannetti** to adopt the staff recommendation opinion, second by **Martz**. **Approved, 8-0.**
- d. **26FC:0116** (*Jacquelynn Zugg - Chapter 22- City of Centerville*) 4/17/2026 - *Board Approval of Investigative Report*. Miller presented on behalf of staff. Board discussion occurred. Flege presented on behalf of staff. Motion by **McHugh** to adopt the staff recommendation opinion, second by **Lindahl**. **Approved, 8-0.**

VII. Consent Agenda *

- a. **Dismissals.** On a motion by **Martz** to dismiss, second by **Giovannetti**. **Approved 8-0.**
 - i. Dismiss 26FC:0118 (Seth Johnson - Both- City of Hampton) 5/12/2026 - Board Approval of Facial Dismissal
 - ii. Dismiss 26FC:0152 (Stephen Swanson - Chapter 21- Madison County Board of Supervisors) 6/8/2026 - Board Approval of Facial Dismissal
- b. **Acceptance.** On a motion by **Martz** to accept the matters on the agenda, second by **Lindahl**. **Approved 8-0.**
 - i. Accept 26FC:0122 (Emily Schinstock - Both- Mt Pleasant Community School District) 6/24/2026 - Board Approval of Acceptance
 - ii. Accept 26FC:0135 (Navarre Sissel - Chapter 22- Marengo police department) 6/12/2026 - Board Approval of Acceptance
 - iii. Accept 26FC:0138 (Brenda Naaktgeboren - Chapter 21- City of Harvey) 5/26/2026 - Board Approval of Acceptance
 - iv. Accept 26FC:0141 (Mitch Giese - Chapter 21- City of Sheldon) 5/27/2026 - Board Approval of Acceptance
 - v. Accept 26FC:0144 (Lynne Chalfant - Both- Hamilton County, Brigg's Woods Conference Center) 6/2/2026 - Board Approval of Acceptance

- vi. Accept 26FC:0149 (Paige Smith - Chapter 21- Iowa City Community School Board Members) 6/5/2026 - Board Approval of Acceptance
- vii. Accept 26FC:0150 (Michael Hardy - Chapter 22- Iowa Department of State) 6/6/2026 - Board Approval of Acceptance
- viii. Accept 26FC:0151 (Roger Slade - Both- Cedar Rapids, IA Mayor and City Council) 6/7/2026 - Board Approval of Acceptance
- ix. Accept 26FC:0156 (Stephen Figg - Chapter 21- Clinton Iowa; Grow Clinton) 6/12/2026 - Board Approval of Acceptance
- x. Accept 26FC:0157 (Stephen Peters - Chapter 21- Clinton City Council; Clinton County Board of Supervisors) 6/17/2026 - Board Approval of Acceptance
- xi. Accept 26FC:0158 (James Madison - Chapter 22- Johnston School District) 6/23/2026 - Board Approval of Acceptance
- xii. Accept 26FC:0159 (Eric Henely - Chapter 21- Gilbert Community School District Board of Directors) 6/19/2026 - Board Approval of Acceptance
- xiii. Accept 26FC:0160 (Tyler McGhghy - Chapter 21- Keokuk Community School District Board of Education) 6/16/2026 - Board Approval of Acceptance
- xiv. Accept 26FC:0161 (Anthony Wynkoop - Chapter 22- Clinton PD) 6/15/2026 - Board Approval of Acceptance
- xv. Accept 26FC:0163 (John Smith - Chapter 22- City of Eldon) 6/25/2026 - Board Approval of Acceptance
- xvi. Accept 26FC:0165 (J Richards - Chapter 21- Des Moines County Iowa) 6/29/2026 - Board Approval of Acceptance
- xvii. Accept 26FC:0169 (Mark Harting - Chapter 21- Zwingle City Council) 6/29/2026 - Board Approval of Acceptance
- xviii. Accept 26FC:0171 (Kathy Butler - Chapter 22- Oskaloosa Community School District) 6/30/2026 - Board Approval of Acceptance

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

- a. 26FC:0063 (Jonathan Uhl - Chapter 22- City of Davenport) 3/5/2026 -Withdrawn Withdrawn
- b. 26FC:0170 (Kristy Eisentrager - Chapter 21- City of Tama Board of Adjustments) 6/29/2026 -Withdrawn Withdrawn

IX. Pending Complaints. Informational Only (Miller)

- 1. 25FC:0054 (Tim Ferguson - Chapter 22- City of Davenport) 5/19/2025 - Information Gathering/Inf Resolution Process
- 2. 25FC:0055 (Justin Cole - Chapter 21- Mount Union Benefited Fire District) 5/21/2025 - Board Approval of Informal Resolution Report
- 3. 25FC:0058 (Rachel Doyle - Both- City of Rolfe) 5/27/2025 - Information Gathering/Inf Resolution Process
- 4. 25FC:0061 (Dylan Southall - Chapter 22- Cedar Falls Utilities - Cedar Falls, Iowa) 5/23/2025 - Investigation
- 5. 25FC:0076 (Ken Allsup - Both- Oskaloosa School Board) 6/17/2025 - Board Approval of Informal Resolution Report
- 6. 25FC:0082 (Tim Ferguson - Chapter 22- Davenport Police Department) 6/24/2025 - Information Gathering/Inf Resolution Process

7. 25FC:0089 (Charlie Comfort - Chapter 22- Oskaloosa Community School District) 7/7/2025 - Board Approval of Informal Resolution Report
8. 25FC:0092 (Keith Wieland - Chapter 21- Buchanan County Solid Waste Commission) 7/9/2025 - Information Gathering/Inf Resolution Process
9. 25FC:0099 (Mount Pleasant Municipal Utilities - Chapter 21- Resale Power Group of Iowa) 7/28/2025 - Information Gathering/Inf Resolution Process
10. 25FC:0104 (Tim Ferguson - Chapter 22- City of Davenport and Davenport Police Department) 8/13/2025 - Information Gathering/Inf Resolution Process
11. 25FC:0109 (Jaicy Skaggs - Chapter 21- City of Kellogg) 8/18/2025 - Contested Case
12. 25FC:0119 (Tim Ferguson - Chapter 22- City of Davenport custodian) 8/21/2025 - Information Gathering/Inf Resolution Process
13. 25FC:0120 (Tim Ferguson - Chapter 22- Davenport Police Department & City of Davenport) 8/26/2025 - Complaint Opened/Acknowledged
14. 25FC:0121 (Tim Ferguson - Chapter 22- Scott County) 8/26/2025 - Information Gathering/Inf Resolution Process
15. 25FC:0126 (Don McGregor - Chapter 22- Kossuth County Board of Supervisors) 9/11/2025 - Information Gathering/Inf Resolution Process
16. 25FC:0127 (Vince Johnson - Chapter 22- Kossuth County board of supervisors and trustees of Drainage district DD4) 9/11/2025 - Information Gathering/Inf Resolution Process
17. 25FC:0151 (Gregory Armstrong - Chapter 22- Hamburg Community School Board) 10/8/2025 - Information Gathering/Inf Resolution Process
18. 25FC:0166 (James Possehl - Chapter 21- City of Parnell - city council) 10/27/2025 - Information Gathering/Inf Resolution Process
19. 25FC:0176 (Mikayla Simpson - Chapter 22- Madison County Board of Supervisors) 11/6/2025 - Information Gathering/Inf Resolution Process
20. 25FC:0187-1 (Mikayla Simpson - Chapter 22- Madison County) 11/19/2025 - Information Gathering/Inf Resolution Process
21. 25FC:0187-2 (Mikayla Simpson - Chapter 22- Madison County Board of Supervisors) 11/19/2025 - Information Gathering/Inf Resolution Process
22. 25FC:0202 (Lori White - Chapter 22- City of Missouri Valley) 12/9/2025 - Information Gathering/Inf Resolution Process
23. 25FC:0214 (Shannon Martinez - Chapter 22- Wilton Police Department) 12/18/2025 - Information Gathering/Inf Resolution Process
24. 25FC:0215 (William Daggett - Chapter 22- City of Baxter) 12/16/2025 - Information Gathering/Inf Resolution Process
25. 25FC:0221 (Gregory Armstrong - Chapter 22- Hamburg Community School Board) 12/22/2025 - Investigation
26. 26FC:0001 (Coltin Hatfield - Chapter 21- City of Kellerton) 1/1/2026 - Information Gathering/Inf Resolution Process
27. 26FC:0002 (Lori White - Chapter 22- Harrison County Sherrif) 1/2/2026 - Information Gathering/Inf Resolution Process
28. 26FC:0005 (Stephen Swanson - Chapter 21- Madison County Board of Supervisors) 1/5/2026 - Information Gathering/Inf Resolution Process
29. 26FC:0010 (Jennifer Benbow - Chapter 22- Marshall County Sheriff's Office) 1/8/2026 - Information Gathering/Inf Resolution Process

30. 26FC:0015 (James Phillips - Chapter 22- Madison County Board of Supervisors) 1/22/2026 - Information Gathering/Inf Resolution Process
31. 26FC:0021 (Tim Ferguson - Both- City of Davenport and Davenport Police) 1/26/2026 - Information Gathering/Inf Resolution Process
32. 26FC:0023 (Jacquelynn Zugg - Chapter 22- City of Centerville) 1/23/2026 - Information Gathering/Inf Resolution Process
33. 26FC:0025 (Linda Smithson - Chapter 21- Bettendorf Community School District Board of Directors) 1/30/2026 - Information Gathering/Inf Resolution Process
34. 26FC:0027 (Tim Ferguson - Both- Scott County and Scott County Attorney's Office) 1/21/2026 - Complaint Opened/Acknowledged
35. 26FC:0030 (Anthony Teninty - Chapter 22- Wapello County) 1/29/2026 - Information Gathering/Inf Resolution Process
36. 26FC:0035 (Judith Lee - Chapter 22- City of Davenport) 2/6/2026 - Information Gathering/Inf Resolution Process
37. 26FC:0036 (William Daggett - Chapter 22- City of Baxter, Iowa) 1/30/2026 - Information Gathering/Inf Resolution Process
38. 26FC:0037 (Shane Martinson - Chapter 22- City of Stuart, Stuart, Iowa) 1/30/2026 - Information Gathering/Inf Resolution Process
39. 26FC:0039 (Wellington - Chapter 22- Henry County) 2/2/2026 - Information Gathering/Inf Resolution Process
40. 26FC:0040 (Jacquelynn Zugg - Chapter 22- City of Centerville) 2/2/2026 - Information Gathering/Inf Resolution Process
41. 26FC:0045 (Vendetta CeCe-Jackowiak - Chapter 22- Davenport Police Department City of Davenport, Iowa) 2/12/2026 - Information Gathering/Inf Resolution Process
42. 26FC:0047 (Tim Ferguson - Both- Scott County and Scott County Attorney's office) 2/15/2026 - Information Gathering/Inf Resolution Process
43. 26FC:0051 (Matthew Rollinger - Chapter 22- Iowa Department of Education) 2/25/2026 - Information Gathering/Inf Resolution Process
44. 26FC:0052 (Justin Scott - Chapter 22- Denver Community School District) 2/24/2026 - Information Gathering/Inf Resolution Process
45. 26FC:0053 (Lori White - Chapter 22- Harrison County Sheriff and Harrison county attorney) 2/19/2026 - Information Gathering/Inf Resolution Process
46. 26FC:0057-1 (Jacquelynn Zugg - Chapter 22- City of Centerville) 2/27/2026 - Information Gathering/Inf Resolution Process
26FC:0057-2 (Jacquelynn Zugg - Chapter 22- City of Centerville, Iowa) 3/13/2026 - Information Gathering/Inf Resolution Process
47. 26FC:0058 (Laura Johnston - Chapter 21- Story County Board of Health) 2/27/2026 - Information Gathering/Inf Resolution Process
48. 26FC:0065 (Kari Friedmann - Both- City of Sac City) 3/5/2026 - Information Gathering/Inf Resolution Process
49. 26FC:0066 (Michael Dyer - Both- Decatur city council) 3/23/2026 - Information Gathering/Inf Resolution Process
50. 26FC:0068 (Nicholas Bargren - Chapter 22- Iowa City Police Department) 3/6/2026 - Information Gathering/Inf Resolution Process
51. 26FC:0070 (Henkel - Chapter 22- Henry County supervisors@henrycountyiowa.us) 3/10/2026 - Information Gathering/Inf Resolution Process

52. 26FC:0071 (Chelsea Plaster - Chapter 22- City of Davenport Public Works- Neighborhood Services) 3/11/2026 - Information Gathering/Inf Resolution Process
53. 26FC:0072 (Elaine Webb - Chapter 21- City of Mitchellville) 3/26/2026 - Information Gathering/Inf Resolution Process
54. 26FC:0074 (Rachel Doyle - Chapter 22- City of Rolfe) 3/12/2026 - Complaint Opened/Acknowledged
55. 26FC:0076 (Kaylene Jackson - Chapter 21- Okoboji Community School District School Board) 3/25/2026 - Information Gathering/Inf Resolution Process
56. 26FC:0077 (Gregory Armstrong - Chapter 22- Hamburg Community School District) 3/15/2026 - Information Gathering/Inf Resolution Process
57. 26FC:0082 (Chris Baldus - Chapter 22- City of Clinton) 3/19/2026 - Information Gathering/Inf Resolution Process
58. 26FC:0084 (Mark Beardmore - Both- City of Carroll) 3/20/2026 - Information Gathering/Inf Resolution Process
59. 26FC:0087 (Citizen of Iowa - Chapter 22- Melcher Dallas Public Library, Melcher Dallas City Council) 3/23/2026 - Information Gathering/Inf Resolution Process
60. 26FC:0088 (Thomas Colnot - Chapter 22- Waterloo Police Department) 3/26/2026 - Board Approval of Acceptance
61. 26FC:0090 (Dan Lett - Both- Delaware County Conference Board-Delaware County Board of Supervisors, Delaware County Auditor/HR Director, Delaware County HR Attorney) 3/25/2026 - Information Gathering/Inf Resolution Process
62. 26FC:0090-02 (Dan Lett - Both- Delaware County Conference Board-Delaware County Board of Supervisors, Delaware County Auditor/HR Director, Attorney for Delaware County HR,) 3/25/2026 - Information Gathering/Inf Resolution Process
63. 26FC:0091 (Gustoff Carlson - Chapter 22- Marshalltown Police Department and the Marshall County Communications Commission) 3/26/2026 - Information Gathering/Inf Resolution Process
64. 26FC:0095 (Sean Canto - Chapter 22- Wapello County Supervisors, Wapello County Emergency Management, Wapello County Emergency Medical Advisory Committee) 3/31/2026 - Information Gathering/Inf Resolution Process
65. 26FC:0096 (Jacob Franklin - Chapter 22- South Iowa Area Crime Commission (SIACC), South Iowa Area Detention Service Agency (SIADSA)) 4/2/2026 - Information Gathering/Inf Resolution Process
66. 26FC:0099 (Claire Logsdon - Chapter 22- Fort Dodge Police Department) 4/8/2026 - Information Gathering/Inf Resolution Process
67. 26FC:0100 (Claire Logsdon - Chapter 22- West Des Moines Police Department) 4/8/2026 - Information Gathering/Inf Resolution Process
68. 26FC:0100-2 (Claire Logsdon - Chapter 22- West Des Moines Police Department) 4/10/2026 - Information Gathering/Inf Resolution Process
69. 26FC:0101 (Andrew Hansen - Chapter 22- City of Tabor Police Department) 4/10/2026 - Information Gathering/Inf Resolution Process
70. 26FC:0103 (Vendetta CeCe-Jackowiak - Chapter 22- Scott Emergency Communications Center) 4/23/2026 - Information Gathering/Inf Resolution Process
71. 26FC:0105 (Thomas Green - Chapter 22- Fort Dodge Police Department & City of Fort Dodge) 4/14/2026 - Information Gathering/Inf Resolution Process

72. 26FC:0106 (David Raymond - Both- City of Lewis Iowa) 4/15/2026 - Complaint Opened/Acknowledged
73. 26FC:0107 (Claire Logsdon - Chapter 22- Perry Police Department) 4/10/2026 - Information Gathering/Inf Resolution Process
74. 26FC:0108 (Claire Logsdon - Chapter 22- Waukee Police Department) 4/10/2026 - Information Gathering/Inf Resolution Process
75. 26FC:0110 (Claire Logsdon - Chapter 22- Davenport police department) 4/24/2026 - Information Gathering/Inf Resolution Process
76. 26FC:0111 (Gustoff Carlson - Chapter 22- City of Ames Police Department) 4/23/2026 - Information Gathering/Inf Resolution Process
77. 26FC:0112 (Kristin Steele - Chapter 21- City of Runnells) 4/28/2026 - Information Gathering/Inf Resolution Process
78. 26FC:0113 (Joshua James Burkholder - Chapter 22- Johnson County Sheriff's Office) 4/23/2026 - Information Gathering/Inf Resolution Process
79. 26FC:0114 (Celina Charles - Chapter 22- Dubuque Police Department – DCI IA DPS) 4/24/2026 - Information Gathering/Inf Resolution Process
80. 26FC:0115 (Justin Crawford - Chapter 21- Shellsburg, IA) 4/23/2026 - Information Gathering/Inf Resolution Process
81. 26FC:0117 (Erin Latona - Chapter 22- Iowa Department of Transportation and the Iowa Department of Administrative Services) 5/7/2026 - Information Gathering/Inf Resolution Process
82. 26FC:0121 (Tim Brown - Chapter 21- Conference Realignment Committee - Department of Education) 5/7/2026 - Information Gathering/Inf Resolution Process
83. 26FC:0123 (Claire Logsdon - Chapter 22- Iowa City Police Department) 5/11/2026 - Information Gathering/Inf Resolution Process
84. 26FC:0124 (Stephanie Gabriel - Chapter 22- City of West Des Moines) 5/7/2026 - Information Gathering/Inf Resolution Process
85. 26FC:0125 (Justin Crawford - Chapter 22- City of Shellsburg) 6/4/2026 - Information Gathering/Inf Resolution Process
86. 26FC:0126 (Michael Benson - Chapter 22- City of Moville) 5/26/2026 - Information Gathering/Inf Resolution Process
87. 26FC:0127 (Tyler Hunt - Chapter 22- Anamosa) 5/11/2026 - Information Gathering/Inf Resolution Process
88. 26FC:0128 (Tami Curry - Chapter 22- City of Runnells) 6/11/2026 - Information Gathering/Inf Resolution Process
89. 26FC:0129 (Claire Logsdon - Chapter 22- Cedar Rapids Police Department) 5/22/2026 - Information Gathering/Inf Resolution Process
90. 26FC:0131 (Summer Schooler - Chapter 22- City of Windsor Heights) 6/11/2026 - Information Gathering/Inf Resolution Process
91. 26FC:0132 (Richard Francis - Chapter 22- Dave Anderson Mayor of Manson Iowa. Jessica Hammen Police Chief of Manson Iowa) 5/19/2026 - Information Gathering/Inf Resolution Process
92. 26FC:0134 (JoAnn Bohn - Chapter 21- Runnells City Council) 5/26/2026 - Information Gathering/Inf Resolution Process
93. 26FC:0136 (Kira Werstein - Chapter 22- Ames Public School District) 5/26/2026 - Information Gathering/Inf Resolution Process

94. 26FC:0137 (Mary Clark - Chapter 22- Dallas County Sheriff's Office) 5/26/2026 - Information Gathering/Inf Resolution Process
95. 26FC:0139 (Dan McReavy - Chapter 22- Iowa Department of Public Safety, Public Information Officer) 5/26/2026 - Information Gathering/Inf Resolution Process
96. 26FC:0140 (Tiffany Seward - Both- City of Clinton) 6/4/2026 - Information Gathering/Inf Resolution Process
97. 26FC:0142 (Samantha Edgerton - Both- Clarke County Board of Public Health) 5/28/2026 - Information Gathering/Inf Resolution Process
98. 26FC:0143 (Melissa Duffield - Both- City of Cedar Rapids) 6/1/2026 - New / Complaint Information Reviewed
99. 26FC:0145 (Kelly Goodwin-Ackerman - Both- Linn County Board of Supervisors) 6/2/2026 - Information Gathering/Inf Resolution Process
100. 26FC:0146 (Phil - Chapter 21- City of Shellsburg) 6/4/2026 - Complaint Opened/Acknowledged
101. 26FC:0147 (Jeremy Anderson - Chapter 22- City of Bettendorf / Bettendorf Police Department, 1609 State Street, Bettendorf, IA 52722.) 6/4/2026 - Information Gathering/Inf Resolution Process
102. 26FC:0148 (Kristin Steele - Chapter 21- City Council of Runnells, Iowa) 6/4/2026 - Information Gathering/Inf Resolution Process
103. 26FC:0154 (AL WELLS - Chapter 22- City of Solon, Iowa) 6/9/2026 - Complaint Opened/Acknowledged
104. 26FC:0155 (Smith - Chapter 22- City of Runnells) 6/8/2026 - New / Complaint Information Reviewed
105. 26FC:0162 (Jenny Hartman-Mendoza - Chapter 21- City of Westfield) 6/4/2026 - New / Complaint Information Reviewed
106. 26FC:0164 (Eric Henely - Chapter 21- Gilbert Community School District Board of Directors) 6/26/2026 - Complaint Opened/Acknowledged
107. 26FC:0166 (Ben Ward - Chapter 22-) 7/2/2026 - New / Complaint Information Reviewed
108. 26FC:0167 (Summer Schooler - Chapter 22- City of Windsor Heights and the Windsor Heights Police Department) 7/2/2026 - New / Complaint Information Reviewed
109. 26FC:0172 (Nicholas Bargren - Chapter 22- Iowa City Police Records Divison) 7/1/2026 - New / Complaint Information Reviewed
110. 26FC:0174 (Agnitsch - Chapter 22- Iowa Valley Community College District) 7/1/2026 - Complaint Opened/Acknowledged
111. 26FC:0175 (Gregory Armstrong - Chapter 22- Hamburg) 7/4/2026 - Complaint Opened/Acknowledged
112. 26FC:0176 (Scott Wilson - Chapter 21- Fruitland City Council) 7/6/2026 - Complaint Opened/Acknowledged
113. 26FC:0177 (Kerry Stewart - Chapter 22- Albia, Iowa, Police Department) 7/9/2026 - New / Complaint Information Reviewed
114. (Naveen Kalia - - Iowa City Assessor's Office) 6/24/2026 - New / Complaint Information Reviewed

X. Committee Reports. Miller provided updates to the Board.

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

XI. Office status report. Miller provided updates to the Board.

- 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 August 20, 2026, at 1:00 p.m.

XIII. Adjourn at 2:05 P.M

The Iowa Public Information Board

In re the Matter of:

Gregory Armstrong,
Complainant

And Concerning:

Hamburg Community School District,
Respondent

Case Number: 25FC:0221

Investigative Report

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

On December 22, 2025, Gregory Armstrong (“Complainant”) filed formal complaint 25FC:0221, alleging the Hamburg Community School District (“Respondent”) violated Iowa Code Chapter 22.

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

Facts

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

22. Complainant then responded, again that he believed Respondent to be “ignoring public information” and that he believes they are responsible for releasing his children’s private information. He then stated he would be filing in district court. Further attempts to follow up with Complainant on February 3rd and 9th went unanswered. As best as IPIB staff could determine, the crux of the complaint was that Complainant believed Respondent unlawfully disclosed student information. IPIB staff submitted an investigative report recommending dismissal for failure to show probable cause of a violation for the March meeting of the Iowa Public Information Board. However, in the days leading up to the meeting, the Complainant provided additional information and asked IPIB to verify whether non-confidential public records were withheld by the Respondent in response to a public records request. IPIB staff withdrew their recommendation to continue the investigation.

IPIB worked with the Respondent to review copies of all possible responsive records, including two communications by a board member that were withheld from production because they related to her private work responsibilities and did not relate to school district business or her role or responsibilities as a board member. Upon reviewing the withheld records, IPIB staff confirmed that the withheld correspondence was correctly identified as not a public record. The communications withheld involved a board member acting in their capacity as a private citizen and had nothing to do with any information received or shared in the course of her duties as a school board member nor was it related to school district business.

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).

"Public records" includes all records, documents, tape, or other information, stored or preserved in any medium, of or belonging to this state or any county, city, township, school corporation, political subdivision, nonprofit corporation other than a fair conducting a fair event as provided in chapter 174, whose facilities or indebtedness are supported in whole or in part with property tax revenue and which is licensed to conduct pari-mutuel wagering pursuant to chapter 99D, or tax-supported district in this state, or any branch, department, board, bureau, commission, council, or committee of any of the foregoing. Iowa Code 22.1(1)(3)(a).

Analysis

Chapter 22 requires public entities to produce public records. A public record are only those records

that are of or belonging to the school district. A determination of whether the communication is a “public record” “does not turn on the physical location of the documents in question, rather, the appropriate inquiry is whether the documents are held by the [] officials in their official capacity.” *City of Dubuque v. Dubuque Racing Ass'n, Ltd.*, 420 N.W.2d 450, 453 (Iowa 1988). In the present matter, all responsive *public* records were provided to the Complainant. Two communications of a board member were reviewed by the Respondent and determined to be unrelated to the individual’s role as a school board member and therefore the record was deemed a private record for purposes of Chapter 22. IPIB staff’s review of the communications confirmed the initial assessment of the Respondent. The two communications withheld did not involve any information the individual received in the course of her duties on the school board, nor was she corresponding on behalf of or related to any school district business. Communications made by an official unrelated to their office or their duties therein are not records “of or belonging to the school district.”

The responsive public records were provided to Complainant. Any communications withheld are not public records subject to production under Chapter 22. Staff’s recommendation is therefore that there is insufficient evidence to find a violation of Chapter 22.

IPIB Action

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

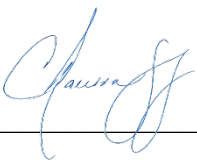
- a. Redirect the matter for further investigation;
- b. Dismiss the matter for lack of probable cause to believe a violation has occurred;
- c. Make a determination that probable cause exists to believe a violation has occurred, but, as an exercise of administrative discretion, dismiss the matter; or
- 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 provided all responsive public records, it is recommended the Board dismiss the matter for lack of probable cause to believe a violation has occurred.

By the IPIB Deputy Director,



Charissa Flege, J.D.

CERTIFICATE OF MAILING

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

Gregory Armstrong, Complainant

Hamburg Community School District, Respondent

The Iowa Public Information Board

In re the Matter of:	Case Number: 26FC:0025
Linda Smithson, Complainant	Investigative Report
And Concerning:	
Bettendorf Community School District, Respondent	

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

On January 26, 2026, Linda Smithson (“Complainant”) filed formal complaint 26FC:0025, alleging that the Bettendorf Community School District (“Respondent”) violated Iowa Code Chapter 21.

The IPIB accepted this Complaint on February 19, 2026.

Facts

The Respondent is a seven-member board that oversees the Bettendorf Community School District. In November, several new board members were sworn into their office. On December 1, 2025, the Respondent’s new school board held a special meeting.

On November 17, 2026, the vice president emailed the president requesting permission to reach out to the members and schedule a meeting to discuss board “priorities, expectations, processes, and goals moving into this new term.” In this email, he stated “My goal is to ensure everyone feels heard and represented in the planning process.” He attached a draft agenda. While these two individuals were not new to the board, they were new to their roles and had been elected to their leadership positions rights before the email was sent.

The following day, the vice president emailed each of the members with a nearly identical email requesting input for the special meeting, including “any topics you want included, any governance questions you want addressed, any concerns about current processes, and any ideas for improving the way our board operates and engages the community.” The vice president explained that after

gathering input from everyone, he would compile it and coordinate with the president to finalize the draft agenda.

In response, the vice president received direct responses from several members with ideas for the special meeting agenda. In following up, the vice president cc'd the president on some of his follow ups. However, in the emails provided to IPIB, at no time were a majority of the members included on a single email chain. Additionally, the content of the emails remained limited to compiling an agenda and did not exceed that scope.

On November 28, 2025, the vice president emailed the president a draft 'proposed workshop agenda' to be posted publicly that consisted of following items:

1. Call to Order & Purpose of Workshop
 - Welcome & Purpose: Board alignment, expectations, governance processes, and priorities as a newly seated Board
 - Note: This is a work session only; no actions will be taken.
2. Workshop Norms & Ground Rules
 - Establish how the Board wants to work together this term
3. Board Roles, Authority & Board–Administration Relationships
 - Establish clear boundaries and expectations for roles
4. Agenda Setting, Information Access & Communication Processes
 - Establish how Board business is prepared, communicated, and reviewed
5. Board Committees, Advisory Input & Stakeholder Feedback
 - Discuss how the Board gathers information and input to inform governance
6. Board Priorities for the Short Term & Long Term
 - Align the Board around primary governance priorities
 - Discuss future vision and planning
7. Summary & Next Steps
 - Summarize any follow-up actions
 - Adjourn

An even more detailed agenda was sent to members around the same time that included the following agenda items:

1. Call to Order & Purpose of Workshop (6:00–6:05)
 - Facilitators: Board President & Vice President
 - Welcome & Purpose: Board alignment, expectations, governance processes, and priorities as a newly seated board
 - NOTE: This is a work session only; no actions will be taken.
2. Workshop Norms & Ground Rules (6:05–6:15)
 - Establish how the Board wants to work together this term
3. Board Roles, Authority & Board–Administration Relationships (6:15–6:30)

- Establish clear boundaries and expectations for roles
- Expectations for communication between the Board and Superintendent
- Expectations for visibility in schools
- 4. Agenda Setting, Information Access, & Communication Processes (6:30–6:45)
 - Establish how Board business is prepared, communicated, and reviewed
 - Use of Outlook calendar invitations for meetings and Board events
 - Email expectations
 - Process for adding or removing items from the agenda
 - Discussion of desired data reports
 - Transparency regarding processes associated with fine arts, athletics, and fundraising
- 5. Board Committees, Advisory Input & Stakeholder Feedback (6:45–7:00)
 - Discuss how the Board gathers information and input to inform governance
 - Discuss how data will be shared with the Board
- 6. Board Priorities for the Short Term & Long Term (7:00–7:35)
 - Align the Board around primary governance priorities
 - Student safety and behavior
 - Academic performance
 - Staff morale and retention
 - Community trust and transparency
 - Operations and long-term planning
 - Updates to the Bett Strategic Plan: Future Vision & Planning
- 7. Summary & Next Steps (7:35–7:45)
 - Recap governance agreements
 - Summarize any follow-up actions
 - Adjourn

On November 28, 2025, the president emailed the superintendent, cc'ing the vice president, asking about location availability for the meeting. He also stated, “How do we get the agenda posted for the workshop? What is the process to have the workshop posted so that there is public notification that a meeting will be held? [The vice president] and I are still learning how these processes work in our new roles and we sincerely regret if we have made some missteps in this process.”

The Respondent posted notice more than twenty-four hours in advance of the meeting on December 1st. On November 30, 2025 at 12:19 p.m., the superintendent emailed the board president and told him that “the agenda has been drafted and I will post it in a few minutes.” The meeting minutes reflect that the special meeting was called to order at 6:04 p.m. on December 1, 2025. The tentative agenda posted for the public was as follows:

1. Call to Order (6:00 PM)
 - Call to Order

2. Board Workshop

- Board Workshop: Board Alignment, Expectations, Governance, Processes, and Priorities

3. Adjournment

- Motion to Adjourn

During the open meeting, the members referenced what appears to be the more detailed outline of the meeting that was sent out to members ahead of time and also referred to the communications made in advance of the meeting. After the meeting ended, several members stayed in the room and conversed together. The meeting ended at 7:46. The first board member left at 7:47. The next member left at 7:58. Two more left a minute later. And the final board members left at 8:11.

On January 26, 2026, Complainant filed this complaint alleging multiple violations of Chapter 21. On February 6, 2026, IPIB accepted the complaint to consider three allegations:

- Whether a meeting without notice occurred after the December 1, 2025 Bettendorf Board of Education Workshop, when a majority of the board members engaged in conversation after the adjournment of the regular meeting.
- Whether a meeting took place through electronic correspondence between members prior to the December 1 Workshop;
- Whether the board failed to use the posted agenda, formally adopt an agenda, and denied participation by council members and the district superintendent, resulting in a violation of Chapter 21.

Several pieces of evidence were submitted to IPIB for review, including the various draft agendas, meeting minutes, the email communications between board members and district staff in advance of the meeting, video and audio of the meeting in question, and a photo of the members conversing afterward.

The parties reached a tentative agreement on an informal resolution on June 29, 2026. IPIB staff drafted the terms for the parties. On July 23, 2026, Complainant withdrew her consent to the resolution and requested the matter be directed to a contested case proceeding. IPIB staff explained the determination to initiate a contested case proceeding rests with the Board, but the matter could be submitted to the Board for consideration through an Investigative Report. Complainant then requested the matter be directed to the Board for a decision on whether to initiate a formal contested case proceeding.

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).

"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

Conversation After Adjournment

Respondent acknowledged that, after the December 1, 2025 meeting adjourned, a majority of the board members remained in the room for several minutes before leaving. Complainant argues that because a majority of the members were gathered within hearing and speaking distance, they necessarily engaged in deliberation, resulting in an unnoticed meeting in violation of Iowa Code Chapter 21. Respondent maintains that the post-meeting conversation was purely social and did not involve any deliberation on matters within the Board's policy-making duties.

In order for a meeting to occur, all the elements must be present. A majority of the members must be present and the members engage in action or deliberation upon matters within their policy-making duties. Deliberation "generally involves 'discussion and evaluative processes in arriving at a decision or policy.'" *Hutchison*, 878 N.W.2d at 232 (quoting *Hettinga v. Dallas Cty. Bd. of Adjustment*, 375 N.W.2d 293, 295 (Iowa Ct. App. 1985)).

The mere presence of a majority of members in the same location does not, by itself, constitute a meeting. Chapter 21 does not prohibit board members from engaging in casual or social conversation before or after a public meeting, provided they are not deliberating on matters within the body's policy-making authority or attempting to avoid the requirements of the Open Meetings Act.

Although the record establishes that a majority of the members remained in the room after adjournment, no witness statements, recordings, photographs, or other evidence establish that the

conversation involved Board business or policy deliberations. The available evidence therefore establishes only the presence of a majority of members, not deliberation. Because both statutory elements are required, the evidence is insufficient to establish probable cause that an unnoticed meeting occurred following adjournment.

Electronic Meeting Via Email

Complainant also alleges that the Board conducted an unlawful electronic meeting through email correspondence before the December 1 workshop. The legal standard is the same whether the alleged meeting occurs in person or electronically. It requires both a majority of the members and deliberation.

The emails submitted to IPIB show that the vice president individually solicited input from each board member regarding possible workshop topics and governance issues to include on a proposed agenda. Members responded individually with suggested discussion topics, and the vice president later compiled those suggestions into a draft agenda for consideration. At no point did the emails include a majority of the Board participating in the same discussion or responding collectively to one another. Neither did the vice president's individual emails to each board member build consensus amongst members or seek to deliberate via a series of sub-majority meetings. Rather, the communications consisted of separate exchanges between individual board members and the vice president in which the vice president received each person's agenda ideas and added it to the draft agenda.

Moreover, even if a gathering of a majority of members had occurred, the substance of the communications was ministerial rather than deliberative. The emails sought input regarding potential agenda topics and the workshop's organization. They did not reflect members debating the merits of policy proposals, evaluating competing courses of action, building consensus, or reaching decisions on matters within the Board's policy-making responsibilities. Even if a majority of members had been copied on these emails, the nature of collecting agenda items is ministerial in function and not deliberation on substantive matters within the body's policy-making duties, and therefore not a violation of Chapter 21.

Deficient Agenda Notice

The Complainant also alleged that the agenda and the notice were in violation of Chapter 21. IPIB staff reviewed this allegation under the version of Chapter 21 in effect at the time of the alleged violation. Based upon the agenda, minutes, recordings, and emails submitted by both parties, the evidence establishes that the notice was properly posted at least 24 hours in advance of the public meeting. The remaining issue is whether the agenda reasonably apprised the public of the matters the Board intended to deliberate upon.

The notice posted publicly for a meeting lasting one hour and forty-one minutes listed only a single matter for public deliberation: “Board Workshop – Board Alignment, Expectations, Governance, Processes and Priorities.” In contrast, the draft agendas circulated among Board members before the meeting identified numerous specific topics, including Board roles and authority, Board-administration relationships, communication expectations, agenda-setting procedures, committee structure, information access, transparency, data reporting, strategic planning, student safety, academic performance, staff morale, community trust, and long-term planning. The draft agendas demonstrate that the Board anticipated discussing a wide range of discrete governance issues during the workshop. The record does not explain why the agenda was pared down to a single generalized heading from the previously proposed public agenda.

The Iowa Supreme Court has previously recognized that “the issue to be resolved is not whether the notice given by the governmental body could have been improved, but whether the notice sufficiently apprised the public and gave full opportunity for public knowledge and participation. In determining whether the public was sufficiently apprised, we may consider the public's knowledge of an issue and actual participation in events in light of the history and background of that issue.” *KCOB/KLVN, Inc. v. Jasper Cnty. Bd. of Sup'rs*, 473 N.W.2d 171, 173 (Iowa 1991).

In the present circumstances, the public was dealing with a governmental body where a majority of members had been seated less than a month. The public would have had very little dealings with the governmental body as it existed at the December 1st meeting, making it unlikely that members of the public could infer from the generalized workshop title what specific matters would be addressed. Even the vice president needed to reach out and collect input from each board member in order to determine what subjects would be included in the workshop, making it highly unlikely that the public would have known what the broad heading would encompass. While Chapter 21 does not require every subtopic to be included on a posted agenda, it does require sufficient specificity to reasonably apprise the public of the subjects to be considered by the Board. The December 1st agenda did not meet that standard.

To find a violation, IPIB must receive sufficient evidence of wrongdoing to satisfy the probable cause standard. The available evidence does not establish that a majority of the board deliberated electronically or in person outside of the public meeting. However, the record does establish that the single topic heading was so broad and vague that it is likely that it did not reasonably apprise the public of the matters the Respondent would deliberate upon during the December 1st special meeting.

On the other hand, the communications between the board officers leading up to the meeting expressed their concern that they properly comply with all public notice requirements and asked for understanding as they ‘learned the ropes’. They sought the guidance of the district employees more familiar with the notice process during their effort to create and publicly post the agenda. In addition, Respondent took prompt corrective action after this complaint was filed. Even before

IPIB made recommended resolution terms, the Respondent had six of the seven members attend training on February 3, 2026 covering the requirements of Chapter 21 and Chapter 22. The other member attended training in 2024, 2025 and again in February 2026. Lastly, the subsequent meeting agendas created by the Respondent and reviewed by IPIB staff have been significantly more detailed than the December 1st agenda.

Based upon these facts, the available evidence establishes that the Respondent's tentative agenda was inadequate to apprise the public of the matters to be deliberated or acted upon at the December 1, 2025 meeting. However, the evidence also shows the individuals crafting the agenda were brand new to their roles, attempted to get guidance from others with experience, and immediately undertook training efforts to prevent a reoccurrence of the issue.

IPIB Action

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

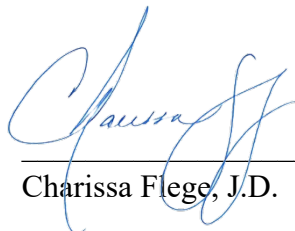
- a. Redirect the matter for further investigation;
- b. Dismiss the matter for lack of probable cause to believe a violation has occurred;
- c. Make a determination that probable cause exists to believe a violation has occurred, but, as an exercise of administrative discretion, dismiss the matter; or
- 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 evidence that the Respondent violated Chapter 21 by providing inadequate notice for the December 1st meeting, but there is also evidence that mistake was unintentional, the Respondent immediately undertook mitigating efforts and there is no ongoing violation, it is recommended that the Board find probable cause exists to find a violation occurred but, as a matter of administrative discretion, dismiss the matter.

By the IPIB Deputy Director,


Charissa Flege, J.D.

CERTIFICATE OF MAILING

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

Linda Smithson, Complainant

Bettendorf Community School District School Board, Respondent

The Iowa Public Information Board

In re the Matter of:	Case Number: 26FC:0090
Dan Lett, Complainant	Investigative Report
And Concerning:	
Delaware County Conference Board, Respondent	

COMES NOW, Johnathon T. Harris, Staff Attorney for the Iowa Public Information Board (“IPIB”), and enters this Investigative Report:

On March 25, 2026, Dan Lett filed formal complaint 26FC:0090, alleging the Delaware County Conference Board violated Iowa Code chapters 21 and 22.

The IPIB accepted this Complaint on April 16, 2026.

Facts

On January 26, 2026, Complainant attended a gathering at the request of the chair of the board of supervisors. At that gathering was the HR Director, who also serves as Delaware County Auditor, and a person from each of the voting units that make up the county conference board. Complainant states that he was told the meeting was about his performance. Complainant states that a representative present began to read a prepared statement out loud. Complainant states that he left the meeting after feeling blindsided by the entire thing. Complainant then requested a copy of the prepared statement and was initially told he would receive a copy and then the following day received an email stating the statement was covered by the attorney-client privilege which would not be provided.

Complainant filed two complaints with IPIB 26FC:0090 and 26FC:0090-02 which have been considered together since filing. On March 27, 2026 IPIB accepted the complaint and requested a response from Respondent. On April 1, 2026 Respondent provided their initial response. In response to the allegation from Complainant, Respondent first stated that the gathering described above was not a meeting of the Delaware County Conference Board. Respondent stated that with only three members of the county conference board present at the meeting, it could not constitute a “meeting” within the definition of Chapter 21. Respondent further stated that the prepared

statement is not subject to disclosure under Chapter 22 because it contains confidential personnel information and because it was prepared by legal counsel in anticipation of or in the course of providing legal advice and was therefore protected from disclosure by the attorney-client privilege.

After some more information gathering, an informal resolution was proposed on July 13, 2026. It was explained that the meeting of what was referred to during this investigation as the “executive committee” (meaning the representatives of the different voting units that met with Complainant on January 26, 2026) was likely not in violation of the meeting requirements as there was not a majority present at the meeting, but that it was not in keeping with best practices and had the appearance of something that could become a violation if it became a more frequently used and established subcommittee of the county conference board. To that end IPIB staff suggested, as an informal resolution term, that Respondent either stop using the “executive committee” or have its meetings comply with Chapter 21. In relation to the Chapter 22 issue, IPIB staff suggested, as an informal resolution term, that to the extent anything was read out loud to Complainant, any claim of attorney-client privilege was waived, and that Complainant should be provided as much of the requested record as was read out loud.

Respondent responded to IPIB staff’s suggested informal resolution on August 4, 2026. Respondent rejected the proposed term to stop using the “executive committee,” reasoning that since it did not constitute a majority of the county conference board, it was not in violation. Respondent also stated that the committee has never been formally created nor is it presently maintained as an official subcommittee with decision making authority. On the second issue Respondent stated that only the introductory portion of the “prepared statement” was read out loud to Complainant before he left the meeting and therefore attorney-client privilege had only been waived as to the introduction and not the rest of the document. Finally, Respondent’s proposal for informal resolution included providing the portions of the prepared statement that were read out loud, that any formally created, authorized, or delegated authority by the county conference board will comply with Chapter 21, and the resolution will state no violation occurred.

On August 10, 2026 Complainant provided a response to Respondent’s counter proposal. Complainant first pushed back on the definition of “meeting” and provided dictionary definitions of the word. Complainant also rejected the argument that attorney-client privilege applied only the portions of the document that were read out loud and stated that reading any of it out loud constituted a waiver of the entire document. Complainant’s counter proposal for informal resolution included that the agreement be approved during a meeting of the county conference board, that Respondent acknowledge violation took place, that Respondent provide the requested record with redactions for confidential personnel information, that Respondent cease using the “executive committee” unless it complies with Chapter 21, and that any committee formally

created by the Delaware County Conference Board will comply with Chapter 21. Complainant also stated he was starting to wonder if an informal resolution could be reached.

Respondent had already rejected the substance of IPIB staff's proposed terms, and Complainant's own counter proposal went beyond what Respondent had indicated it would accept.

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 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: Records which represent and constitute the work product of an attorney, which are related to litigation or claim made by or against a public body. Iowa Code § 22.7(4).

Analysis

Chapter 21 Improperly Noticed Meeting

Complainant’s primary claim is that the gathering that took place on January 26, 2026, between himself and the representatives of the voting units of the county conference board constituted an unlawful meeting under Chapter 21. In order for a meeting to have occurred there must first be a majority of members present at the gathering. In the instance of the county conference board, whether a majority of the members are gathered is a more complex question than a typical governmental body. Specifically, the quorum of a county conference board is measured by a quorum of the individual voting units.

“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. The majority vote of the members present of each unit shall determine the vote of the unit.” Iowa Code § 441.2. The statute lists four groups; however, county conference boards are made up of only three groups, the mayors, the school board

representatives, and the county supervisors. The city council members are not included in the county conference board.

The question is how many members of a voting unit must be present for the voting unit to be considered present for the purposes of Iowa Code § 21.2. Iowa Admin Code 701-102.19(3)(a) states “at least two members of each voting unit must be present in order for the unit to cast a vote.” Overall, then, in order for a gathering to constitute a meeting of a county conference board, there must be at least two members from at least two voting units present. In this case there was only one member from each of the three voting units present, the gathering did not have quorum to be considered a meeting of the Delaware County Conference Board. Because there was not a meeting, there is no Chapter 21 violation.

However, this is clearly not in keeping with best practices. IPIB staff has expressed concern to Respondent that continued use of representatives of the individual voting units in this manner may produce the appearance of trying to circumvent the requirements of Chapter 21, particularly when used to govern or discuss the employment of the county assessor, which is the main duty of the county conference board. It would be in keeping with best practices and preventing the possibility of future violations if Respondent did not use this smaller body to conduct these kinds of gatherings, or if they did, to comply with the requirements of Chapter 21 when doing so.

Chapter 22 Records Confidentiality

Iowa Code § 22.7(4) provides confidentiality for “[r]ecords which represent and constitute the work product of an attorney, which are related to litigation or claim made by or against a public body.” IPIB also recognizes the common-law attorney-client privilege as providing another source of potential confidentiality to requested public records. Here there is only one record in question, the “prepared statement” read out loud during the January 26, 2026, gathering. IPIB staff has not reviewed the document *in camera*. Assuming, however, the document was protected either by 22.7(4) or the attorney-client privilege, that privilege was at least partially waived when portions of the document were read out loud to Complainant. Respondent has stated that only the introduction of the statement was read out loud to Complainant because Complainant left the room. It is likely then that only the introduction is properly subject to disclosure. Respondent has not as yet actually produced the introduction to the prepared statement to Complainant. Respondent, however, stated their willingness to do so in the ultimately unsuccessful informal resolution process that preceded this investigative report. Therefore, even though Respondent has so far withheld the requested record, their willingness to provide the record, with appropriate redactions, has sufficiently discharged their duty to respond to Complainant’s records request. That informal resolution terms on all of the issues could not be reached does not make Respondent’s willingness to provide the record any less so. Therefore, it is now up to Complainant to accept the redacted record, which, based on the facts before IPIB, may be

properly redacted to the extent it contains the prepared work of an attorney that was not read out loud.

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 a violation of Chapter 21 took place, and Respondent has shown willingness to comply with Chapter 22, it is recommended for the board to dismiss the matter for lack of probable cause to believe a violation has occurred.

By the IPIB Staff Attorney:

J.T. Harris, J.D.

CERTIFICATE OF MAILING

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

Dan Lett
Delaware County Conference Board

Dear J.T. and IPB Board,

The purpose of this email is to straighten out the facts of January 26, 2026 meeting. This should provide basis for any future or current discussion. I'm writing to clarify fact of January 26, 2026. On January 21, 2026 Jeff Madlom (Chairperson of the Delaware County Supervisor, and Delaware County Conference Board) ask me (Dan Lett-Delaware County Assessor) if we could meet on Tuesday, January 26, 2026. Since the Budget Workshop for the Delaware County Assessor was the following night (January 27, 2026), I said okay. Thinking we were going over the budget figures as usual, I walked into a room with John Zietlow (Maquoketa Valley School Board Member) Connie Behnken (Mayor of Manchester), Jeff Madlom (County Supervisor and Delaware Conference Board Chairperson), and Carla Becker (Delaware County Auditor). Jeff Madlom stated that we were going to have an evaluation (which I have never had in 9 years at Delaware County). I said we aren't going over the budget figures? Jeff stated **no!** Carla Becker had a sign on the door saying, "**no one was allowed**" and the door was closed. I asked if this was a meeting (since nothing was posted). Carla Becker and Jeff Madlom stated that this wasn't a meeting. I said I wanted Andrea Schmidt (my Chief Deputy Assessor) in attendance. Carla Becker stated she wasn't needed. They finally got Andrea Schmidt in attendance as a witness. I asked Jeff if he knew about this meeting/gathering when he set the appointment with me, and he stated, **yes!** I asked him why did he lie to me? Jeff Madlom stated that he didn't think I would attend otherwise Jeff Madlom started to read a prepared statement by the HR attorney that Carla Becker hired (Mike Galloway). I did voice my opinion and walk out of the meeting. Having prepared statement from the HR attorney, wasn't looking out after my best interest (like Carla Becker claims). The prepared statement that I finally received with redactions on August 14, 2026 from Carla Becker, I'm not sure if that is the original statement. This was a set up pure and simple, because these people don't show up, out of the blue, on a Monday, at a specified time, for any reason, unless they were told to be there. They all had copies of statement prepared by the HR attorney, Mike Galloway. They all had my personal information (HIPPA data). I don't care what the law read, "but the white stuff on chicken poop is still chicken poop."

The original appeal **was to ALL of** the Conference Board Members, including Jeff Madlom, Connie Behnken, John Zietlow, plus Carla Becker, and Mike Galloway, but only has Mike Galloway, along with a few from law firm, along with Carla Becker from Delaware County are listed on the email. Sounds fair, doesn't it! I'm not sure what was so important that they contacted an HR attorney, without talking to me first. If they were truly concerned for my

health (as they claim) why didn't they discuss this issue with me 4 years ago (July of 2022 when I had a hip replace and had COVID), not when I'm almost 65 years old (I'm 65 now) and thinking about retirement.

I have asked in front of the County Board of Supervisor (including Jeff Madlom) to call a Conference Board Meeting to pay for my attorney fees. Carla Becker stated they wouldn't call a Conference Board Meeting, because they (the County) didn't have the money, yet we are putting up an addition to the Courthouse with county funds (to the tune of \$6 million). She doesn't have a say in the matter! She is always sticking her two-cents worth in, acting like the 4th Supervisor. Carla Becker might be the self-appointed hr mgr. of Delaware County, but she doesn't have a door separating the HR Department from her office? Really? In today's world? Everyone in her office can hear what is going on, or she is in immediately to find out what is going on.

I believe my rights have been violated. Plain and simple. I **will not** be a part of your meeting on Thursday, August 20, 2026. I will contact an attorney to seek other avenues for my claims(s).

If you have any questions, please contact me.

Dan Lett
Delaware County Assessor
563-357-1438



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August 4, 2026

VIA EMAIL

J.T. Harris

Iowa Public Information Board

Johnathon.harris@iowa.gov

RE: Delaware County, Iowa and Delaware County, Iowa Conference Board
IPIB Complaint No. 26FC:0090 – Proposed Informal Resolution

Dear Mr. Harris,

Our firm represents Delaware County, Iowa and the Delaware County Iowa Conference Board (the “County” or “Board”). Please accept this as the response of the Board to the above Informal Resolution.

The Board appreciates IPIB staff’s efforts to resolve this matter informally. Based upon the explanation provided in your correspondence, the Conference Board understands that IPIB staff has concluded: (1) the January 26, 2026 gathering did not constitute a “meeting” of the Conference Board under Iowa Code chapter 21; and (2) the Conference Board should disclose the prepared statement, subject to permissible redactions, because any applicable privilege was waived to the extent portions of the document were communicated to the Complainant.

While the Conference Board remains hopeful that an informal resolution may be possible, it respectfully requests revisions to the proposed terms concerning both the so-called “executive committee” and the scope of the required disclosure. Discussion regarding the two aforementioned Chapter 21 and 22 issues will be addressed in turn.

I. Chapter 21 Issue: January 26, 2026 Gathering

At the outset, the Board unequivocally agrees with IPIB staff’s conclusion that the January 26, 2026, gathering did not constitute a meeting subject to Iowa Code chapter 21. Importantly, the Informal Resolution issued by the Iowa Public Information Board indicates that, while the Board did not violate the Open Meetings rules of Iowa Code Chapter 21, the Board will be reprimanded nonetheless.

The January 26, 2026 gathering, as explained in Carla Becker’s April 1, 2026 email and confirmed by your email on July 13, 2026, *did not* constitute a formal meeting such that it was required to conform with Iowa Code Chapter 21 Open Meetings rules.

We would be remiss not to reiterate that the referenced “executive committee” is not a formally created or authorized committee of the Delaware County Conference Board pursuant to Iowa Code § 21.2(1). The referenced “executive committee” does not fall within the statutory framework of any governmental body recognized under Iowa Code § 21.2(1).

Under Iowa Code § 21.2(2), a meeting “means a gathering in person . . . of a majority of the members of a governmental body.” Per Iowa Admin Code §701-102.19(3)(a) “at least two members of each voting

unit must be present in order for the unit to cast a vote.” Thus, for a gathering to be considered a meeting, there must be at least two members from at least two voting units present. The gathering on January 26, 2026, was no such meeting. As the gathering consisted of three individual members of the Delaware County Conference Board equally representing each leg of the Board (i.e., the Delaware County Board of Supervisors, mayors of all cities within Delaware County, and all school districts within Delaware County), the majority requirement was not met. Per the Iowa Public Information Board’s own advisory opinion, “if there is not a majority, then chapter 21 does not apply, meaning sub-majority gatherings do not need to follow open meetings requirements.” IPIB Advisory Opinion 26AO:0007.

To fall within the control of Open Meetings rules, a meeting must also occur “where there is deliberation or action upon any matter within the scope of the governmental body’s policy-making duties.” Iowa Code § 21.1(2). Here, there was no deliberation or action by the Conference Board as a whole. With the purpose of ensuring the County Assessor’s office could continue to meet its obligations to the public, the members of the Board were not acting upon any matter within the scope of their duties (i.e., carrying out a termination), but rather creating a space for conversation between concerned members of the Board and Mr. Lett.

In your July 13, 2026 email, you explicitly agree that “because there was not a meeting, there is no Chapter 21 violation.” The Iowa Public Information Board was never explicitly granted the power to restrict gatherings which do not violate Iowa Code Chapter 21. Per Iowa Code § 23.6(8), the Iowa Public Information Board may, “after appropriate board proceedings, issue orders with the force of law, determining whether there has been a violation of chapter 21 or 22, requiring compliance with specified provisions of those chapters, imposing civil penalties equivalent to and to the same extent as those provided for in section 21.6, 21.12, or 22.10, as applicable, on a respondent *who has been found in violation of chapter 21 or 22*, and imposing any other appropriate remedies calculated to declare, terminate, or remediate any *violation* of those chapters.” (emphasis added). Furthermore, Iowa Code § 23.10(b)(1-3) indicates that the board may require the respondent to “take any remedial action deemed appropriate by the board” “*if the board determines, by a majority vote of its members, that the respondent has violated chapter 21 or 22.*” (emphasis added). Since the Delaware County Conference Board, per your own acknowledgement, has not violated Chapter 21, the Iowa Public Information Board has no authority to restrict future lawful meetings.

To require the Delaware County Conference Board to dissolve an “executive committee”—one which has not been formed—for potential future Chapter 21 violations is to establish a norm in which the Iowa Public Information Board advocates for pre-emptive punishment with no evidence that a violation will occur.

Notwithstanding the finding that no violation occurred and the preemptive nature of the remedial action proposed by the Informal Resolution, the Board would agree that to the extent any committee is formally created, authorized, or delegated authority by the Board that may deliberate or take action with respect to matters within the authority of the Board, it will comply with all applicable requirements of Iowa Code chapter 21. Accordingly, the Board requests that the Informal Resolution use this language rather than stating that an existing “executive committee” may continue to meet if it complies with chapter 21. Such language could inaccurately imply that the Conference Board previously created or presently maintains a

formally constituted executive committee. It could also imply that the January 26 gathering violated chapter 21, contrary to IPIB staff's express determination.

II. Chapter 22 Issue: Prepared Statement Document

The document, referred to as a "prepared statement" by Mr. Lett and yourself, was created by Delaware County's legal counsel to serve as guidance for the Conference Board members as they conversed with Mr. Lett about their concerns regarding his behavior. Mr. Lett was informed by the end of the business day on January 26, 2026, that the document was protected by attorney-client privilege because it was prepared by legal counsel in anticipation of or in the course of providing legal advice.

Iowa Courts recognize that "a confidential communication between an attorney and the attorney's client is absolutely privileged from the disclosure against the will of the client." *Fenceroy v. Gelita USA, Inc.*, 908 N.W.2d 235, 242-43 (Iowa 2018) (quoting *Shook v. City of Davenport*, 497 N.W.2d 883, 886 (Iowa 1993), *abrogated on other grounds by Wells Dairy, Inc. v. Am. Indus. Refrigeration, Inc.*, 690 N.W.2d 38, 48 (Iowa 2004)).

Iowa Code 22.7(4) provides that "[r]ecords which represent and constitute the work product of an attorney, which are related to litigation or claim made by or against a public body" shall be kept confidential unless otherwise ordered by court. Here, the document provided to Delaware County Conference Board by their legal representation was prepared by an attorney in anticipation of, and as an attempt to stave off, future litigation. As such, the document is not subject to disclosure; rather Iowa Code indicates that the document at issue shall be kept confidential.

As you well know, attorney-client privilege is not absolute, even when it comes to attorney work product. Parties may, explicitly or impliedly, waive their attorney-client privilege. One of these waivers, which you note in your July 13, 2026 email, is the third-party waiver. Under federal common law, a party's disclosure of privileged information to a third party constitutes a waiver of privilege. *In re Int'l Oil Trading Co., LLC*, 548 B.R. 825 (Bankr. S.D. Fla. 2016). In Iowa, "communications that could be cloaked by privilege may nevertheless be discoverable if made in the presence of, or disclosed to, a third party." *Fenceroy*, 908 N.W.2d at 248. *See State v. Romeo*, 542 N.W.2d 534, 548 (Iowa 1996). The Iowa Court created a carve out under which Delaware County Conference Board's document and subsequent communication would continue to be cloaked in attorney-client privilege. When a third party's presence is "essential for the rendition of a legal opinion, the presence of such persons at attorney-client conferences does not destroy privilege otherwise existing." *Id.* (quoting *Tausz v. Clarion-Goldfield Cmty. Schl. Dist.*, 569 N.W.2d 125, 127 (Iowa 1997); *See United States v. Adlman*, 68 F.3d 1495, 1499-1500 (2d Cir.1995); *In re Grand Jury Proceedings Under Seal v. United States*, 947 F.2d 1188, 1190-91 (5th Cir.1991); *United States v. Kovel*, 296 F.2d 918, 920-23 (2d Cir.1961). While the aforementioned cases focus on the presence of third parties such as physicians, accountants, and financial advisors, Mr. Lett's presence was essential for the Delaware County Conference Board to espouse the legal advice given to them via their attorney because it addressed Mr. Lett's conduct.

It appears IPIB's opinion is, *arguendo*, attorney work product and/or attorney client privilege applied to the document, anything on the document that was read aloud to Complainant is no longer privileged information. As a result of Mr. Lett's behavior during the January 26, 2026 gathering, only the introductory section of the document was read aloud. Per your email, only the contents of the document which were read

aloud are no longer privileged. Thus, should the Delaware County Conference Board be required to disclose aspects of the document read aloud to complainant, they need only disclose the introductory material.

Per Iowa Code § 22.7 (11)(a), “[p]ersonal information in confidential personnel records of government bodies relating to identified or identifiable individuals who are officials, officers, or employees of the governmental bodied” are considered confidential, with some exceptions. Save for a mention of the position that Mr. Lett held (County Assessor) with the government body; the document did not contain any personal information deemed an exception to confidentiality under Iowa Code § 22.7(11)(a)(3). Furthermore, the document contained, and was largely based upon, complaints from government employees. Under Iowa Code § 22.7(11)(a), these complaints constitute personal information relating to “identifiable individuals who are officials, officers, or employees of the government bodies.” You suggest that additional exceptions under Iowa Code 22.7(11) may apply, despite their going into effect on July 1, 2026, a date well after the supposed infraction. Iowa Code 22.7(11) does not apply retroactively. And, even if it did, the contents of the prepared document do not fall into the additional exceptions.

Accordingly, even if the document may constitute a public record subject to disclosure pursuant to Iowa Code chapter 22, the Conference Board maintains that, at minimum, all portions other than the introductory paragraph are confidential under the attorney-client privilege and applicable provisions of Iowa Code section 22.7. The introductory paragraph was the only portion read aloud or otherwise disclosed to Mr. Lett. Accordingly, any putative waiver of confidentiality was limited to that paragraph and did not extend to the remainder of the document.

III. Proposed Resolution

The Conference Board offers the following proposed resolution as a good-faith effort to resolve this matter informally and avoid the need for further proceedings. This proposal is made solely for informal resolution purposes and without waiving, limiting, or conceding any legal or factual argument, objection, defense, privilege, confidentiality protection, or procedural right the Board may assert if the matter is not resolved through the informal resolution process.

Accordingly, the Board proposes that the Informal Resolution be revised to reflect the following:

1. The Board will provide Mr. Lett with the portion of the prepared statement that was communicated to him during the January 26, 2026 gathering.
2. Any committee formally created, authorized, or delegated authority by the Conference Board for purposes of deliberation or taking action within the Board’s policymaking duties will comply with all applicable requirements of Iowa Code chapter 21.
3. The Informal Resolution will state that IPIB staff determined the January 26, 2026 gathering did not constitute a meeting under Iowa Code § 21.2(2) and that no violation of chapter 21 occurred, and execution of the Informal Resolution will not constitute an admission that the Board violated chapter 21 or chapter 22.

The County believes these revisions address IPIB staff’s stated objectives by resolving the present records dispute, clarifying the Board’s future practices, and reducing the possibility of future uncertainty under chapter 21. At the same time, the revisions avoid creating an inaccurate implication that the Board established an executive committee or violated Iowa’s open-meetings law.

July 31, 2026

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We welcome the opportunity to discuss these proposed revisions and work toward a mutually acceptable informal resolution.

Very truly yours,

AHLERS & COONEY, P.C.

/s/ Michael M. Galloway

Michael M. Galloway

4909-7752-0068-1\21711-003

The Iowa Public Information Board

In re the Matter of:	Case Number: 26FC:0096
Jacob Franklin, Complainant	Investigative Report
And Concerning:	
South Iowa Area Crime Commission, Respondent	

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

On April 1, 2026, Jacob Franklin (“Complainant”) filed formal complaint 26FC:0096, alleging that the South Iowa Area Crime Commission (“Respondent”) violated Iowa Code Chapter 22.

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

Facts

On March 8, 2026, Complainant submitted a public records request to the Respondent’s business office. The public records requested were extensive and included the “full personnel file” for three employees, any corrective action or disciplinary records related to two employees, the executive board names, positions, contact information, and personnel files, and then “all emails, texts and documents” related to a particular employee. In total, thirteen categories of records were requested.

On March 18, 2026, Respondent provided a response. In their response, the Respondent asserted several potential confidentiality provisions that would restrict the production of entire requested record categories, including Iowa Code 80F, 91B, 22.7(11), and 22.7(5). For request numbers 1, 2, 4, 6, 8, and 9, the Respondent stated “this record, as a whole, is confidential...” It also cited 22.7(18) to withhold a control room master log for the institution. The total fee estimate for the records the Respondent was willing to provide in numbers 1-11 was \$6. For the request of all emails, texts, and documents related to a particular employee, Respondent explained how they calculated the estimate. An initial IT search retrieved 5,612 records and they estimated their review and redaction would be at least \$46,766. They included legal review in their estimate, explaining that the legal team estimates 30 emails can be reviewed & redacted in an hour (2

minutes per email) at \$250 an hour. This would come out to 187 hours to cover all 5,612. For request number 13, the Respondent estimated \$16.67 to review and redact the two responsive records.

On March 21, 2026, Complainant followed up, requesting clarification for how entire categories of records were “denied in full” as confidential instead of segregating non-confidential material or redacting confidential material. He also offered to narrow his request to reduce the cost of production, and provided directions on how to narrow the records by date. He didn’t receive a response.

On March 31, 2026, Complainant filed a letter with the Respondent formally challenging their initial response & fee estimate. He then filed this complaint the following day before the Respondent’s legal counsel was able to respond.

Upon opening this complaint, Respondent provided an answer to the allegations. They conceded in their first communication that the initial blanket assertions of confidentiality for categories of records occurred in error, and the appropriate confidentiality provision should be applied to each record not categories of records. They also corrected two confidentiality provisions that were cited in the original request as better applied to different provisions under 22.7. Lastly, they provided a new estimate for the narrowed request the Complainant provided on March 21st, estimating \$17,675 for the 2,121 records that the updated inquiry produced. They offered to continue to work with the Complainant to further narrow his request to reduce the costs of production. Lastly, they explained that the responsive records related to dates of employment, positions held, disciplinary findings, suspension or termination outcomes, official reprimands, and misconduct findings that were originally withheld under a blanket assertion of confidentiality, but are actually part of the carve-out to personnel records would be provided to the Complainant immediately. They were attached to the email at no cost. Legal counsel explained the remaining records were confidential because they didn’t involve demotion, discharge, or resignation in lieu of termination or one of the other carve-outs.

The parties ultimately agreed to both the scope of the particular records that would be produced and a fee. Complainant and Respondent worked back and forth with IPiB’s facilitation to narrow the records down to those most important to the Complainant, identifying 34 responsive records. IPiB staff explained that government bodies may charge for legal review and redaction of confidential material and that 1-2 minutes a record was in line with other similar public record production costs reviewed by IPiB. On July 18, 2026, both parties agreed to a \$350 fee for the identified records. At that time, IPiB explained that the parties had resolved the legal complaints alleged and the only thing left to do was for the Complainant to remit payment for the records. IPiB followed up with the Complainant twice, but did not receive confirmation on when he intended to remit payment.

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).

“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 must be reasonable and shall be communicated to the requester upon receipt of the request. A person may contest the reasonableness of the lawful custodian's expenses as provided for in this chapter.” Iowa Code § 22.3(2)(a)-(c).

“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 public records. All reasonable expenses of the examination and copying shall be paid by the person desiring to examine or copy. 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.” Iowa Code § 22.3(5)(a)-(c).

“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:...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

Complainant raised two issues in his filing. First, he alleged that Respondent improperly applied Chapter 22's confidentiality requirements and withheld non-confidential materials. Second, he alleged that the fees were unreasonable.

Improper Withholding of Non-Confidential Materials

IPIB staff recognizes that Respondent's initial March 18 response contained errors. In particular, Respondent initially characterized certain entire categories of records as confidential rather than determining whether confidentiality applied to individual records or portions of records. Respondent also cited confidentiality provisions that were likely not the most appropriate provisions for certain requested records. Those errors, however, were subsequently acknowledged and corrected by Respondent. The record does not establish that the initial errors resulted in the permanent withholding of non-confidential records.

Respondent subsequently applied the correct confidentiality provisions to the individual records, identified non-confidential information subject to disclosure, and produced some of the records that were required to be disclosed at no charge. The parties ultimately agreed to apply the confidentiality requirements of Iowa Code section 22.7(11) to the remaining identified records and proceed with the necessary review and redaction.

Chapter 22 requires governmental bodies to substantially comply with its disclosure requirements, but not every error in an initial response necessarily constitutes a violation warranting a finding of probable cause. Here, the evidence does not establish that Respondent ultimately denied Complainant access to non-confidential responsive records. It also appears that the complaint was filed the day after the Complainant internally appealed the Respondent's initial analysis and estimate, which didn't allow sufficient time for Respondent's counsel to review and revise the initial response.

Unreasonable Fee

Complainant also alleged the fee estimate was unlawful. After the Respondent's initial response and fee estimate, the Complainant subsequently sought clarification and offered to narrow the scope of his request. The Respondent did not respond to that March 21 communication before this Complaint was filed on April 1, 2026. However, in their answer to this complaint, the Respondent did address the fee issue raised by Complainant, acknowledged the errors in its initial response, and generated a new estimate based upon the narrowed request Complainant had submitted on March 21st. Respondent also opened the door to further narrowing, which occurred over email while this complaint was open. The parties ultimately agreed to a fee of \$350 for the review and redaction of the thirty-four documents.

The original fee estimate was based upon the number of potentially responsive records identified through Respondent's initial IT search. That search identified 5,612 records. The records related to a former employee that was subsequently charged for crimes related to his conduct during his employment. Respondent estimated that legal counsel could review and redact approximately 30 records per hour, or approximately two minutes per record, at an hourly rate of \$250. Based upon those figures, Respondent estimated approximately 187 hours of attorney review, resulting in an estimated legal-review cost of approximately \$46,750, in addition to the other costs associated with the request. The fee estimate, although large because of the original breadth of the inquiry, was at all times a direct and actual cost, and the attorney fees were limited to the review and redaction of material.

Chapter 22.3 permits a governmental body to charge reasonable expenses associated with fulfilling a public records request. Iowa Code § 22.3(2). It further provides that costs for legal services may be utilized for the review or redaction of legally protected confidential information. Iowa Code § 22.3(5)(c). Thus, the mere inclusion of attorney review in a public-records fee does not make the fee impermissible. The relevant inquiry is whether the legal services are reasonably related to reviewing and redacting legally protected confidential information and whether the resulting charge is reasonable.

Here, the evidence indicates that Respondent's estimate was based upon the anticipated volume of records requiring review and the time necessary for legal counsel to identify and redact confidential information. The estimate was not based upon generalized administrative expenses or unrelated legal work. Rather, Respondent specifically identified the number of potentially responsive records, the anticipated review rate, and the hourly rate used to calculate the estimated cost. Although the resulting estimate was substantial, its size was largely attributable to the breadth of Complainant's original request and the 5,612 records identified by the initial search.

Based upon the evidence available to IPIB, there is insufficient evidence to establish that Respondent's fee estimate was unreasonable or included costs prohibited by Iowa Code section 22.3. Accordingly, the evidence does not establish probable cause that Respondent violated Chapter 22 by imposing an unreasonable or impermissible fee.

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

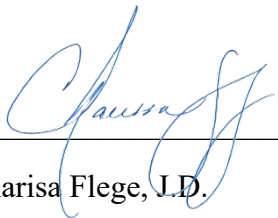
- d. Make a determination that probable cause exists to believe a violation has occurred, designate a prosecutor and direct the issuance of a statement of charges to initiate a contested case proceeding.

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

Recommendation

Therefore, because parties agreed to a narrowed scope of disclosure and a reasonable fee for the review and redaction of those materials resolving all alleged legal violations, there is insufficient evidence to find that the Respondent did not substantially comply with Chapter 22, and it is recommended the Board dismiss for a lack of probable cause.

By the IPIB Deputy Director,



Charisa Flege, I.D.

CERTIFICATE OF MAILING

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

Jacob Franklin, Complainant

South Iowa Area Crime Commission, Respondent

Iowa Public Information Board

In re the Matter of:	
Claire Logsdon, Complainant	Case Number: 26FC:0108
	Informal Resolution Report
And Concerning:	
Waukee Police Department, Respondent	

On April 10, 2026, Claire Logsdon (“Complainant”) filed formal complaint 26FC:0108, alleging that the Waukee Police Department (“Respondent”) violated Iowa Code Chapter 22.

The IPIB accepted this complaint at its meeting on May 21, 2026.

Facts

Complainant alleged that Respondent declined to fulfill a public records request in compliance with Chapter 22 and withheld non-confidential records without segregating confidential and non-confidential information.

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).

“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... 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 parties both expressed a desire to remedy the complaint 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 the police department’s public record policy should be updated to ensure compliance with Chapter 22.
2. The Respondent agrees to create a public records request policy and fee schedule for the police department.
3. The updated policy will be provided to IPIB for feedback.
4. The Respondent will provide evidence to IPIB once the new policy has been adopted by the police department.
5. The individual responsible for handling records requests at the police department will attend an approved Chapter 22 training session (if they haven't already done so) and provide a copy of the certificate to IPIB. (If IPIB conducts the training, IPIB staff will already have a copy of the certificate.)

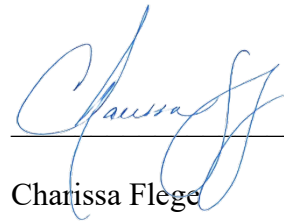
6. The parties agree that the requested records at issue in 26FC:0108 will be re-reviewed in light of the updated policy and produced to the requestor with only the redactions permitted under Iowa Code. If there is a dispute as to the confidentiality of a specific item, IPIB staff may provide guidance or the parties may request guidance from the Iowa Public Information Board through a Status Update.

Complainant approved the informal resolution terms on July 29, 2026.

Respondent approved the terms of the informal resolution on July 23, 2026.

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

By the IPIB Deputy Director



Charissa Flege

CERTIFICATE OF MAILING

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

Claire Logsdon, Complainant

Waukee Police Department, Respondent

The Iowa Public Information Board

In re the Matter of:	Case Number: 26FC:0114
Celina Charles, Complainant	Investigative Report
And Concerning:	
Iowa Department of Public Safety, Division of Criminal Investigation, and Dubuque Police Department, Respondents	

COMES NOW, Erika Eckley, Special Counsel for the Iowa Public Information Board (IPIB), and enters this Investigative Report:

On April 22, 2026, Celina Charles filed formal complaint 26FC:0114, alleging the Iowa Department of Public Safety [“Department”], Division of Criminal Investigation [“DCI”], and Dubuque Police Department [“Dubuque PD”] violated Iowa Code Chapter 22.

The Iowa Public Information Board accepted this complaint at its meeting on June 18, 2026.

Facts

On April 20, 2026, Complainant submitted a public records request to the Respondents. Complainant alleges she requested the body-worn camera footage, dash cam footage, and related investigative records of an officer-involved shooting that occurred in Dubuque, Iowa on January 4, 2026. She requested the records on January 14 from the Dubuque PD, January 15 from the Department and DCI. She was denied the records under Iowa Code § 22.7(5) as confidential police investigative files.

Following the initial records request, the Iowa Attorney General reviewed the police officer’s actions in regards to the shooting and deemed the actions justified. Complainant renewed her request for the video records on April 17, 2026, after the attorney general’s review was completed. Her request was again denied under Iowa Code § 22.7(5) as confidential police investigative files.

Complainant argues the investigation of the shooting concluded after the attorney general decision. She requests IPIB apply the appropriate balancing test and order the release of the video footage or redacted versions. She states the strong public interest in transparency for an officer-involved shooting now outweighs any remaining confidentiality concerns. Special counsel was appointed on June 29, 2026, following acceptance of the complaint by the IPIB on June 18, 2026, for investigation.

January 4, 2026, Events Related to the Records Requested

An officer from the Dubuque PD observed a fight on a public street. As the officer was exiting his vehicle he observed Jai Ondrick Quin-Charles Lovely shoot Cory Michael Wilson in the street. The officer fired his weapon at Lovely and struck him. Lovely ran into an adjacent bar. Both Lovely and Wilson died of their injuries. There were nine seconds between the officer arriving on the scene, the shooting death of Wilson, and the officer firing his weapon at Lovely. A narrative of the events was provided in the attorney general report and includes more detail than the immediate facts and circumstances required to be disclosed under Iowa Code § 22.7(5).

According to the Dubuque PD there was still an active investigation in April regarding the events leading up to and following the fight in the street and the two deaths. Further, the Dubuque PD, through counsel, provided a review of the *Hawk Eye* balancing test and argues the public interest would suffer from the disclosure.

Applicable Law

The confidentiality afforded to peace officer investigative reports under 22.7(5) is a qualified, rather than categorical, privilege. *Mitchell v. City of Cedar Rapids*, 926 N.W.2d 222, 232–234 (Iowa 2019). In addition to showing that a record is part of a police investigative report, the governmental entity claiming privilege must also show “(1) a public officer is being examined, (2) the communication was made in official confidence, and (3) the public interest would suffer by disclosure.” *Id.* at 232 (citing *Hawk Eye v. Jackson*, 521 N.W.2d 750, 752 (Iowa 1994)).

Part one of this test has been interpreted to include to “protect[] the communication itself, including any written report of the communication, and not just oral examination of the public office.” *State ex rel. Shanahan*, 356 N.W.2d 523, 528 (Iowa 1984). A record that has been determined to be part of an investigative report satisfies part one because “the privilege may be invoked at any stage of proceedings where confidential communications would otherwise be disclosed, not just when a witness is testifying.” *Id.* Part two concerns whether the information requested was communicated to the official in official confidence. 23AO0003, *Confidentiality of Police Investigative Files*. The last part considers weighing the public interest in disclosing the records against the potential harm that such a disclosure would cause. *Hawk Eye*, 521 N.W.2d at 753.

Analysis

Lawful Custodian of the Requested Records

The Department and DCI, through counsel, argue they are not the lawful custodians of the Dubuque PD's videos merely because of their involvement in the review of the incident. The video was shared with the Department and DCI for the limited purpose of its responsibility to investigate the office-involved shooting.

"Lawful custodian" means the government body currently in physical possession of the public record. The custodian of a public record in the physical possession of persons outside the government body is the government body owning that record. Iowa Code § 22.1(2). Providing limited access to a record from one government body to another to perform statutory duties, does not transform the government body into the lawful custodian of another government body's public records. See 21AO:0001, *"Possession" in the context of the definition of lawful custodian* (holding county attorney's access to records of city police department for prosecutorial duties does not make county attorney lawful custodian of city's records).

Therefore, the Department and DCI are not lawful custodians of the requested Dubuque PD videos. The Department and DCI gave Complainant a copy of the eight-page report from the Iowa Attorney General's office providing a detailed account of the incident including information beyond the required immediate facts and circumstances disclosure. Insofar as this complaint involves only release of the Dubuque PD video, the Department and DCI should be dismissed from this complaint as neither are the lawful custodian of the disputed records.

Records Requested Are Part of Police Investigatory File

There is no significant dispute the videos are part of a police investigative file created by the Dubuque PD. The videos were made during a police officer's investigation of an active fight in the middle of a city street and the subsequent shooting deaths of two people. In past decisions, the IPIB has interpreted 911 calls and similar communications, such as witness or victim reports, to be part of a police investigative. See, e.g., 23FC:0026, *Sydney Crnkovich/Carroll County Sheriff's Office*. The issue is whether the videos are confidential under Iowa Code § 22.7(5).

Complainant argues that now that the review of the officer-involved shooting has concluded, there is no open investigation and the *Hawk Eye* balancing test weighs in favor of disclosure of the requested records by the Dubuque PD. The Dubuque PD states there is still an open investigation concerning the fight that led to the deaths of Lovely and Wilson. Under *Mitchell*, whether an investigation is ongoing or has been closed is a factor to be considered under the balancing test. See *Mitchell*, 926 N.W.2d at 232 (police investigative reports do not lose their confidential status under section 22.7(5) when the investigation closes).

Balancing Test Under Hawk Eye

In determining whether a report is entitled to confidentiality under Chapter 22, courts apply the *Hawk Eye* balancing test, derived from Iowa Code § 622.11. As the Court explained in *Hawk Eye*, “[a]n official claiming the privilege must satisfy a three-part test: (1) a public officer is being examined; (2) the communication [to the officer] was made in official confidence; and (3) the public interest would suffer by disclosure.” *Mitchell*, 926 N.W.2d at 232 (quoting *Hawk Eye*, 521 N.W.2d at 753).

While a public entity must consider each record separately, rather than asserting blanket confidentiality for an entire investigative file, the individual records sought here—bodycam video and dashcam footage—can be analyzed under the same framework as they depict the same event.

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

In balancing the public interest versus the harm disclosure of the videos would cause, the factors weighing in favor of disclosure are that an officer was involved in the shooting death of an individual in the line of duty. Alternatively, the factors weighing against public disclosure include the following: an investigation is still ongoing regarding the fight that preceded the murder of Wilson; the video is only nine seconds long, but shows two individuals being mortally wounded; there is no way to redact the video to eliminate the deaths of two individuals, which would release into the public domain graphic and sensitive images; there has been no finding of wrong doing and no allegations of improper police conduct under the circumstances as disclosed; and the Dubuque PD has been working with the community regarding the situation.

In reviewing the factors related to this matter, this situation is similar to the facts reviewed by the IPIB in 24AO:0014: *Is a government body required to produce bodycam video and lifeguard statements in response to a public record request pursuant to Chapter 22?* In examining the advisory opinion, the IPIB agreed the balancing test weighed in favor of confidentiality of the police video as there was potential harm in releasing — as a public record — a video of the death

of a minor child in the absence of any cover-up or improper police behavior. The balancing test in this situation falls the same, the harm in releasing the video to the public outweighs the benefits.

Summary

Because (1) a public officer is being examined when investigative files are sought by a member of the public under Iowa Code Chapter 22; (2) the communications sought were made in official confidence; and (3) the public interest in disclosure is outweighed by the confidentiality interest in not releasing graphic and sensitive videos in the absence of any allegations of police impropriety in an open investigation, the qualified privilege of Iowa Code § 22.7(5) applies. Therefore, the records sought were properly withheld and there is no violation of Iowa Code chapter 22.

IPIB Action

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

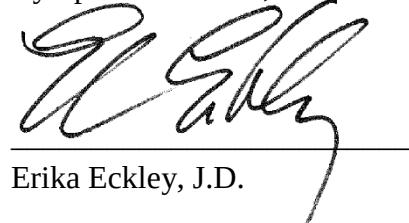
- a. Redirect the matter for further investigation;
- b. Dismiss the matter for lack of probable cause to believe a violation has occurred;
- c. Make a determination that probable cause exists to believe a violation has occurred, but, as an exercise of administrative discretion, dismiss the matter; or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

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

Recommendation

It is recommended the Board dismiss for a lack of probable cause. Because the records at issue are confidential records under Iowa Code section 22.7(5) and the extremely sensitive nature of records related to the shooting deaths of two individuals weighs in balance of preserving confidentiality.

By Special Counsel,



Erika Eckley, J.D.

CERTIFICATE OF MAILING

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

Celina Charles, Complainant

Catherine Lucas for Iowa Department of Public Safety and DCI, Respondents

Crenna Brumwell for Dubuque Police Department, Respondent

The Iowa Public Information Board

In re the Matter of:	Case Number: 26FC:0128
Tami Curry, Complainant	Investigative Report
And Concerning:	
City of Runnells, Respondent	

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

On May 8, 2026, Tami Curry (Complainant) filed formal complaint 26FC:0147, alleging that City of Runnells (Respondent) violated Iowa Code Chapter 22.

Facts

On March 27, 2026, Complainant submitted a public records request to Respondent seeking all audio and/or video recordings of public meetings made by Respondent member Erin LaBelle on a personal recording device, covering the period from December 9, 2025 to the date of the request. The request encompassed council meetings, work sessions, budget meetings, special meetings, and any other public meetings subject to Iowa's open meetings law, and asked that the records be provided electronically, with any denial accompanied by a written legal justification and any fees disclosed in advance.

Having received no response, Complainant followed up on April 16, 2026. The Respondent's attorney, Cameron K. Wright of Skinner Law Office, P.C., responded the same day, attributing the delay to a staff shortage and stating the City was working to fulfill the request. On April 23, 2026, Wright advised Complainant that a Dropbox link containing the requested records had been sent.

On May 5, 2026, Complainant acknowledged receipt of a USB drive containing recordings but raised concerns that the production was incomplete, specifically identifying a missing recording from a March 24, 2026 special council meeting, and noted that the files were poorly labeled with little indication of meeting dates. Complainant also asked for an update on a separate April 17, 2026 request that remained outstanding. Wright replied that same day, stating that the recordings were made on a councilmember's private device rather than under a standard City record-keeping process, that the entirety of what existed had been transferred to the USB, and that no recordings existed for meetings from April 1, 2026 forward.

On May 8, 2026, Complainant responded to Wright's explanation, stating that she had witnesses prepared to provide written statements that the councilmember's recording device had been visibly present at recent meetings, along with photographic evidence. Complainant argued the recordings should be treated as public record because they were made by a sitting council member, objected to the use of a "personal device" as justification, and noted the City lacked any policy or procedure governing recording of public meetings. Complainant also asked that IPIB scrutinize the sufficiency of the attorney's response given that a recording was known to have been made but not produced.

IPIB acknowledged receipt of the formal complaint on June 11, 2026. On June 12, 2026, following IPIB's facial review under Iowa Code § 23.8, the Board accepted the complaint for further investigation, framing the sole allegation as "failure to produce lawfully requested public records," and directed the City, its attorney, and involved parties to respond within two weeks. The notice advised that IPIB would first pursue informal resolution under Iowa Code § 23.9 before proceeding to a formal investigation under § 23.10 if necessary.

On June 23, 2026, the newly appointed City Clerk for Respondent, contacted Miller seeking clarification on the status of the complaint, stating her understanding based on a meeting with the City's attorney that all recordings had by then been turned over to Complainant. IPIB replied on June 24, 2026, indicating that the matter remained open but that she would note in the case file that the requested records had reportedly been produced.

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

Respondent has made the requested public records available to Complainant. Although a delay occurred between the submission of the request and the production of the records, Respondent appears to have acted in good faith. The delay can be attributed to the staff transition and the limitation associated with staff shortage. At no time did Respondent deny the records request.

Furthermore, when the complaint asserted that the records produced were not responsive to the request, the respondent contacted the city attorney to seek if any other responsive records existed. The respondent determined that all responsive records that existed had been turned over.

IPIB Action

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

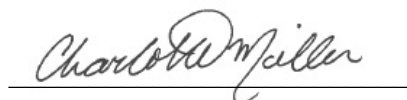
- a. Redirect the matter for further investigation;
- b. Dismiss the matter for lack of probable cause to believe a violation has occurred;
- c. Make a determination that probable cause exists to believe a violation has occurred, but, as an exercise of administrative discretion, dismiss the matter; or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

The evidence presented to IPIB suggests that all responsive records in the Respondent's possession directly related to the items requested were either disclosed upon request or do not exist. It is recommended that the Board dismiss for lack of probable cause to believe a violation has occurred.

By the IPIB Executive Director

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

Charlotte J.M. Miller, J.D.

CERTIFICATE OF MAILING

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

Tami Curry, Complainant

City of Runnells, Respondent

The Iowa Public Information Board

In re the Matter of:	Case Number: 26FC:0138
Brenda Naaktgeboren, Complainant	Investigative Report
And Concerning:	
City of Harvey City Council, Respondent	

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

On May 26, 2026, Brenda Naaktgeboren (“Complainant”) filed formal complaint 26FC:0138, alleging that the City of Harvey City Council (“Respondent”) violated Iowa Code Chapter 21.

The IPIB accepted this Complaint on June 18, 2026.

Facts

The Respondent is a city council with six members. On May 11, 2026, they met following the posting of a tentative agenda with the following items:

- Approve Agenda
- Open Proposed Disposal of Interest in Real Estate 411 Main Street, Harvey, IA Public Hearing
- Close Proposed Disposal of Interest in Real Estate 411 Main Street, Harvey, IA Public Hearing
- Open and review bids for 411 Main Street, Harvey, IA
- Open Proposed Disposal of Interest in Real Estate 301 Second Street, Harvey, IA Public Hearing
- Close Proposed Disposal of Interest in Real Estate 301 Second Street, Harvey, IA Public Hearing
- Open and review bids for 301 Second Street
- Approve Previous Minutes
- Approve Financial Report for April 2026
- Review City Investment Policy draft
- Dutch Masters Auto Club show tentatively set for June 12th, 2026, 9:30/10am

- Discuss moving City bulletin board to new location
- Discuss payment options for garbage bill
- Discuss garbage bill invoicing frequency
- Discuss replacing the Community Building's tables and chairs
- Discuss city clean-up plans and timeline
- Discuss Nuisance Abatement
- Water/Sewer Report
- Park Report
- Street Report
- Approve to pay bills
- Open Forum
- Adjourn

According to the May 11th meeting minutes, the Respondent approved a landscape work estimate of \$2,100 for DeFreece Land Services to mulch certain city property. This was discussed and voted upon under the "Park Report" agenda item.

On May 26, 2026, Complainant filed this complaint alleging deficient notice in violation of Chapter 21.

On July 8, 2026, the city clerk responded to the allegations in the complaint, explaining that, as a result of the complaint, she had consulted with the city attorney and the Iowa League of Cities regarding best practices. She acknowledged that the city clerk and Respondent should have provided more specific information and stated that they would do so moving forward. As a proposed resolution to the complaint, she further stated that the city would ensure that the tentative July 13, 2026, meeting agenda included additional details regarding the actual invoice from DeFreece Land Services that would require approval for the work at issue. She also stated that, moving forward, Respondent would provide "additional details and be more specific when posting agenda topics."

On July 12, 2026, Respondent provided the following proposed tentative agenda for their upcoming meeting:

- Approve Agenda
- Approve Previous Minutes
- Approve Financial Report for June 2026
- Approve End-of-Year FY 2025–2026
- Tony Hauenstein – Discussion regarding moving a camper onto 101 Fourth Street. The camper will be hooked up to water and sewer for temporary housing until his home is delivered in late fall 2026.

- Approve/Vote – Resolution 1-7-13-26 – Approving DeFreece Land Services invoice for \$2,750 to mulch public and city-owned land, ditches, and rights-of-way located at Rock Island, Wabash St., Main St., Third St., and the Community Building/City Hall.
- Approve/Vote – Resolution 2-7-13-26 – Approving City Park basketball court repairs with Surface One Sport Coating by Superior Line Striping & Construction for \$6,500.
- Approve/Vote – Resolution 3-7-13-26 – Approving sanitation service contract renewal with Country Trash for citywide weekly trash pickup at the current fee.
- Approve/Vote – Resolution 4-7-13-26 – Setting a fee of \$0.25 per page for physical copies of public records and a fee of \$15.60 per hour for public record requests taking longer than 30 minutes to fulfill.
- Approve/Vote – Resolution 5-7-13-26 – Approving the estimate from Manatts for \$177,521.05 for a single sealcoat using washed limestone chips for streets and the park.
- Review and Discuss – Updating fund accounting and billing software. Quotes received:
- ClerkBooks: \$9,000 initial one-time setup fee; \$1,126.40 annual fee
- gWorks: \$7,500 initial one-time setup fee; \$5,000 annual fee
- Banyon: \$9,193 initial one-time setup fee; \$2,195 annual fee
- Vote/Approve – Updating fund accounting and billing software
- Discuss Nuisance Abatement
- Discuss State Procedures – Transitioning council members from concurrent terms to staggered terms under Iowa Code Chapter 376.
- Park Report
- Street Report
- Approve Payment of Bills
- Open Forum
- Adjourn

On July 21, 2026, the Complainant declined all efforts toward an informal resolution and requested IPIB complete its formal investigation. In the same email, Complainant also alleged the additional following items she believed to be a violation:

- The Respondent concealed their new webpage launch and used “the new website to collect municipal funds while intentionally withholding official meeting notices and agendas from the platform” in violation of the new notice requirements that went into force on July 1st.
- Inadequate notice on the tentative agenda for July 13, 2026 meeting.
- The Respondent concealed their trespass onto private property.

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.

(1) Giving notice under this paragraph shall include all of the following:

(a) Advising the news media who have filed a request for notice with the governmental body.

(b) Posting the notice in a prominent and conspicuous place which is annually designated for such purposes by the governmental body, in a manner such that the notice is visible at all times.

(c) Posting the notice on the primary internet site owned or maintained and regularly updated by the governmental body or other primary internet presence moderated by the governmental body, if applicable.” Iowa Code § 21.4(1)(a)(1).

Analysis

Iowa Code § 21.4 requires that the public receive notice of agenda items to be considered at least twenty-four hours in advance of a meeting, unless there is good cause that such notice is impossible or impractical. In order to ascertain whether agenda items provide sufficient notice, IPIB must determine “whether the notice sufficiently apprised the public and gave full opportunity for public knowledge and participation.” *KCOB/KLVN, Inc. v. Jasper Cnty. Bd. of Sup'rs*, 473 N.W.2d 171, 173 (Iowa 1991). Furthermore, “the sufficiency of the detail on the tentative agenda must be viewed in the context of surrounding events.” *Id.*

The Iowa Supreme Court has previously recognized that “the issue to be resolved is not whether the notice given by the governmental body could have been improved, but whether the notice sufficiently apprised the public and gave full opportunity for public knowledge and participation.” *Id.* The Court further explained that, in determining whether the public was sufficiently apprised, “we may consider the public's knowledge of an issue and actual participation in events in light of the history and background of that issue.” *Id.* Furthermore, the legal standard the Respondent must meet is substantial, “rather than absolute compliance with the statutory requirements.” *Id.* at 176 (citing Iowa Code §§ 331.301(1), (5)).

Viewing past agendas, the Respondent has a consistent practice of providing a great deal of detail regarding proposed resolutions, property agreements, and other agenda matters. However, the Respondent has consistently included three recurring agenda items: “water/sewer report,” “park report,” and “street report.” There is nothing inherently unlawful about having these agenda items; many governmental bodies receive standing reports from employees or committees. However, when the governmental body is aware of a resolution or action that must be taken in relation to those reports at a public meeting, it would be best practice to specify the deliberation or action to

be taken. The Respondent, in fact, admitted as much in its response and immediately made efforts to improve its agenda notice.

It is unclear from the evidence provided to IPIB whether, considering the context surrounding the estimate proposal, the community would have known that this item would be considered in May or whether such an item would have been included under “Park Report.” IPIB staff could find no previous mention of the matter in meeting minutes or agendas.

Additionally, the Complainant alleged that the Respondent did not provide digital notice on its primary internet presence for a subsequent July meeting, in violation of the notice amendments that took effect on July 1, 2026. However, IPIB could find no evidence of this. When IPIB staff viewed the Respondent’s website, the website had both the agenda and minutes posted for the July 13, 2026, meeting. This was, of course, after the meeting occurred because the new concern was not raised until July 21, 2026. IPIB also later found that the tentative agenda for the August 10, 2026, meeting was posted on the Respondent’s website (www.harveyiowa.org/government/meetings/).

The other allegations related to property trespass and safety concerns are outside of Chapters 21 and 22. Therefore, IPIB has no jurisdiction or enforcement authority over them.

To find probable cause of a violation, IPIB must receive sufficient evidence of wrongdoing to satisfy the probable-cause standard. In the present circumstances, notice was physically posted at least twenty-four hours in advance for the May 11, 2026, meeting; however, the Respondent deliberated and acted to approve a work estimate under the broad heading “Park Report.” While Chapter 21 does not require every subtopic to be included on a posted agenda, it does require sufficient specificity to reasonably apprise the public of the subjects to be considered by the Board. The May 11 agenda likely did not meet that standard. The Respondent has admitted that the tentative agenda could have been improved and has stated that it will be improved moving forward. Accordingly, there may be sufficient evidence to find probable cause of a Chapter 21 violation with respect to the May 11, 2026, meeting. As to the July notice, however, the available evidence does not establish that a subsequent violation of the internet-posting requirement occurred.

IPIB Action

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

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

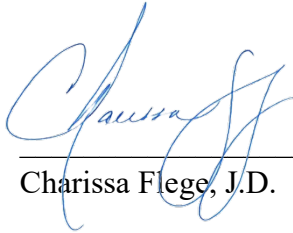
d. Make a determination that probable cause exists to believe a violation has occurred, designate a prosecutor and direct the issuance of a statement of charges to initiate a contested case proceeding.

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

Recommendation

Because there is evidence that the Respondent may have violated Chapter 21 by providing inadequate notice for the May 11, 2026, but there is also evidence the Respondent immediately undertook mitigating efforts and there is no ongoing violation, it is recommended that the Board find probable cause exists to find a violation occurred but, as a matter of administrative discretion, dismiss the matter. Alternatively, if the Board does not believe there is sufficient evidence to find probable cause of an inadequate agenda notice, it is recommended that the Board dismiss the matter for lack of probable cause to believe a violation occurred.

By the IPIB Deputy Director,



Charissa Flege, J.D.

CERTIFICATE OF MAILING

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

Brenda Naaktgeboren, Complainant
City of Harvey City Council, Respondent

Fwd: Accepting Complaint for Investigation - Case #26FC:0138

1 message

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

For the board packet

Charissa Flege



"IPIB has been experiencing a substantial increase in the number of complaints the agency is receiving, which has outpaced our current resources. As a result, we anticipate delays in

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

From: **Brenda Naaktgeboren** <legal.naaktgeboren@proton.me>
Date: Tue, Aug 18, 2026 at 8:57 AM
Subject: Re: Accepting Complaint for Investigation - Case #26FC:0138
To: Flege, Charissa <charissa.flege@iowa.gov>
Cc: Jennifer Geery <jgeerycoh@gmail.com>, Miller, Charlotte <charlotte.miller@iowa.gov>, Jake Hughes <jake@johnsonlanelaw.com>, Kelly Cooper <maziekelly1977@gmail.com>, I

Subject: Supplemental Evidence Submission - Case Number 26FC:0138

Please note Council Members Scott Starmer, Don Nilius and Leonard Geery are missing from this email due to the lack of viable email addresses.

Dear Members of the Board,

Thank you for your thorough investigation. Please accept my apologies for the timing of presenting this additional information; as the process moved forward, the necessity of document

My sole goal is to ensure the City Council understands and follows the Sunshine Laws so that town citizens can regain trust in our local government [26FC:0138]. While the Investigat

- **Ongoing Withholding of Public Ordinances (Chapter 22):** Official council records from October 14, 2025, prove the council voted unanimously to pay for a complete codifica
- **The "Discuss and Vote" Participation Barrier:** The structure of the Respondent's agendas actively subverts public participation. The council consistently pairs items back-to-b
- **Missing Historical Public Records:** While meeting documents are now displayed on the www.harveyiowa.org website starting with January 2024, the agendas and minutes rerr
- **Active Enforcement of Terminated Rules:** The public record documents ongoing concern regarding deceptive or misleading direction being conveyed to local citizens. Although

If these fundamental transparency issues cannot be resolved during next week's meeting, my only remaining recourse will be to step back and file separate formal complaints in the fut

Sincerely,

Brenda Naaktgeboren Klein

/s/Brenda K Naaktgeboren Klein
PO Box 101
404/406 Central Street
Harvey, IA 50119-0101
970-485-3017
legal.naaktgeboren@proton.me

Sent from [Proton Mail](#) for iOS.

----- Original Message -----

On Thursday, 08/13/26 at 16:36 Flege, Charissa <charissa.flege@iowa.gov> wrote:

Good afternoon,

The Iowa Public Information Board (IPIB) will review this [Investigative Report](#) for case [26FC:0138](#) at its meeting on [August 20, 2026](#). **The meeting will begin at 1:00 p.m.** The

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

_____ 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

The IPIB meeting will be held in open session, accessible to the public. You may attend in person at the Jessie Parker Building (East) in Des Moines, IA or join us remotely usin

Google Meet joining info

Video call link: <https://meet.google.com/ewe-mmsy-hhi>

Or dial: (US) +1 712-318-2666 PIN: 813 715 048#

If you prefer, you may also provide written comments to the Board prior to the meeting, which will be considered alongside the IPIB staff report. If you would like to submit writte

Charissa Flege



**IPIB has been experiencing a substantial increase in the number of complaints the agency is receiving, which has outpaced our current resources. As a result, we anticipate de*

On Mon, Aug 10, 2026 at 4:40 PM Flege, Charissa <charissa.flege@iowa.gov> wrote:
Received. Thank you.

Charissa Flege



**IPIB has been experiencing a substantial increase in the number of complaints the agency is receiving, which has outpaced our current resources. As a result, we anticipate*

On Wed, Aug 5, 2026 at 11:51 AM Jennifer Geery <jgeerycoh@gmail.com> wrote:
Ms. Flege,

Thank you for the update. I have attached the items listed below as well as the signed copies of the resolution and minutes. I will provide any additional i
Thank you,

Jennifer Geery
City Clerk
City of Harvey
PO Box 87
Harvey, IA 50119
641-949-6294

From: Flege, Charissa <charissa.flege@iowa.gov>
Sent: Monday, August 3, 2026 1:28 PM
To: Brenda Naaktgeboren <legal.naaktgeboren@proton.me>
Cc: Jennifer Geery <jgeerycoh@gmail.com>; Kelly Cooper <maziekelly1977@gmail.com>; Dennis Seibert <dennyseib@gmail.com>; Adam Dubois ·
Subject: Re: Accepting Complaint for Investigation - Case #26FC:0138

Ms. Naaktgeboren,

Thank you for your follow up email. IPIB cannot review any complaints outside of Chapter 21. It appears that most of your email is addressing matters outside of the
be limited to only the alleged Chapter 21 violation.

Ms. Geery,

Can you provide the agenda, resolution, and minutes for the July 13th meeting?

I understand the complainant has declined any efforts at informal resolution. IPIB staff will complete our investigation and make our recommendation to the Board. I will req
when their case is considered or they may submit written comments in advance.

Thanks,

Charissa Flege



**IPIB has been experiencing a substantial increase in the number of complaints the agency is receiving, which has outpaced our current resources. As a result, we anticipa*

On Tue, Jul 21, 2026 at 10:00 AM Brenda Naaktgeboren <legal.naaktgeboren@proton.me> wrote:

Dear Ms. Flege,

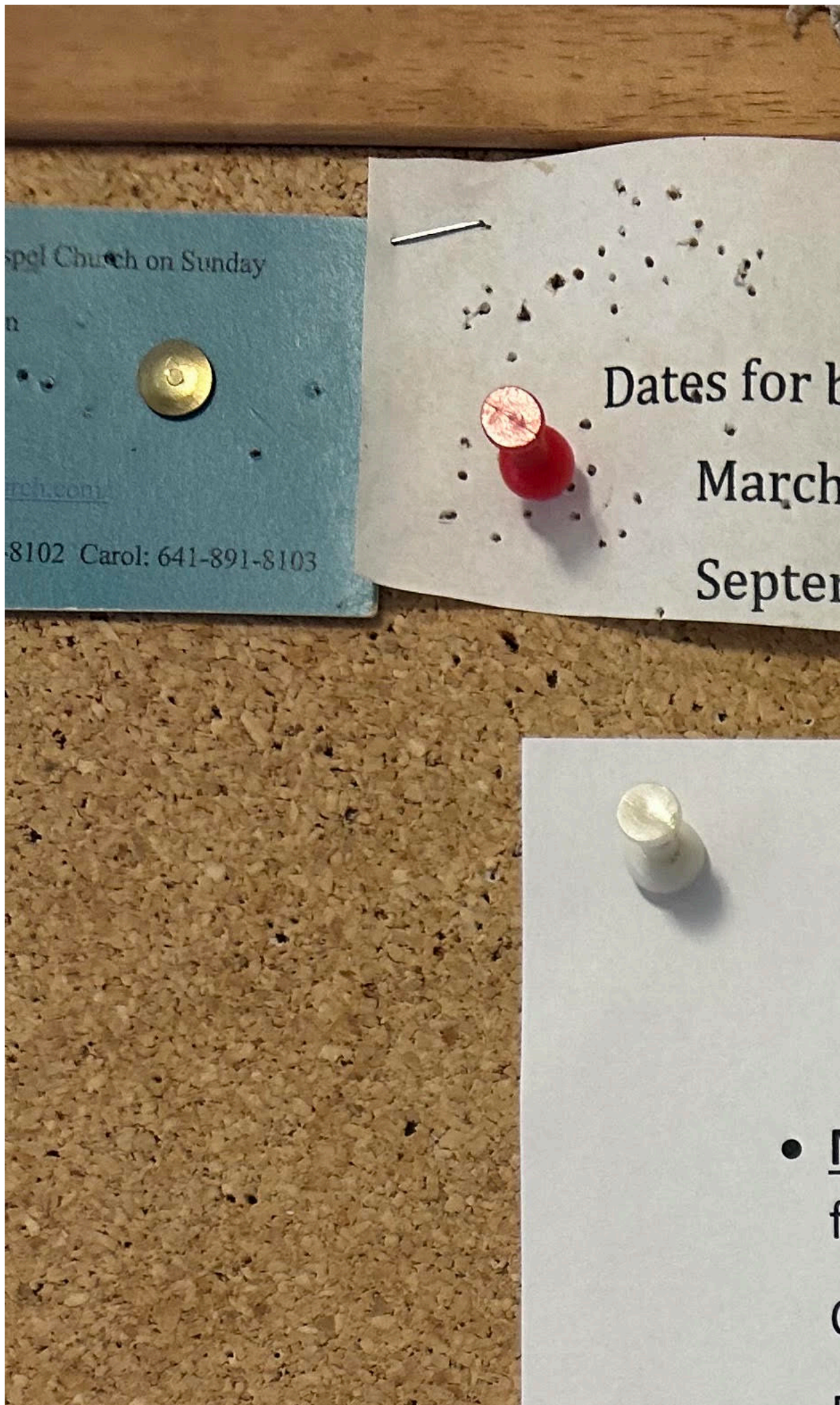
I am formally requesting that the IPIB continue processing this complaint. I ask the board to reject the city's claim that a retroactive agenda addition fixes thes

Adding an item to an agenda after a meeting does not change the fact that the city failed to give lawful public notice under Iowa Code Chapter 21.

My rebuttal is focused strictly on the following simple notice violations:

1. Public Notice and Open Meetings Violations (Iowa Code Chapter 21)

- **Concealing the Webpage Launch While Enforcing Utility Updates:** The city completely withheld public notification regarding their new webpage launch and thei
meeting notices and agendas from the platform, failing the transparency requirements of Chapter 21 for property owners who live out of state.



spel Church on Sunday

n

rch.com

8102 Carol: 641-891-8103

Dates for b

March

Septe

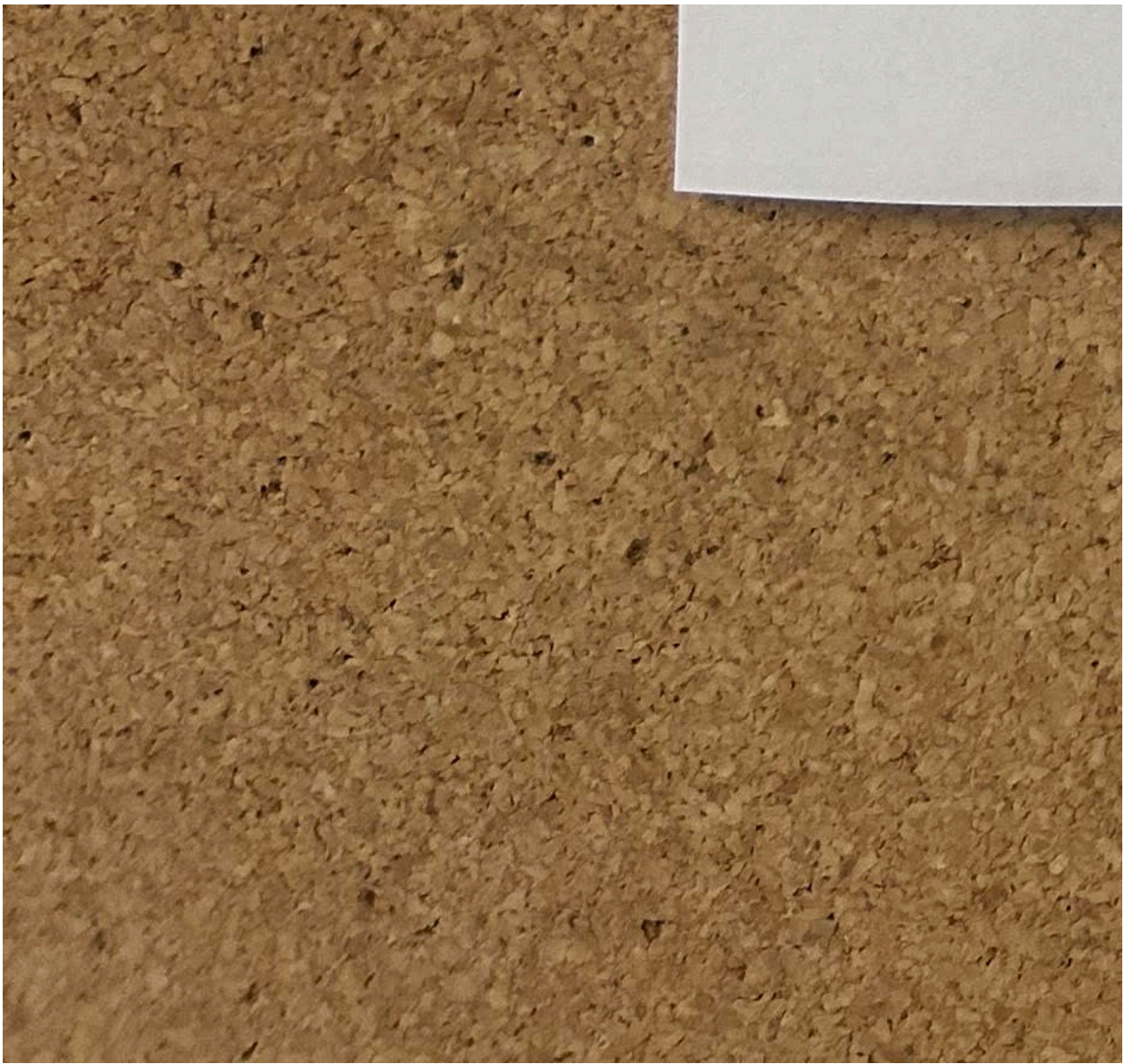
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Local

If you
641-9
Thank



- **Violating the July 1st Digital Notice Mandate:** Under the new Iowa law that went into effect on July 1, 2026, governmental bodies are strictly required to post not
- **The July 13th Agenda Ambush:** The city used the exact same illegal tactic at the July 13th meeting. The City Council added a major \$177,521.05 public works c

2. Administrative Concealment to Bypass Property and Safety Rights

The City Clerk's response claims that no private property was entered, which stems from the city's ongoing confusion between a public alleyway and a private utility eas

- **The Public Alley Terminates:** As official county plat maps show, the city's unimproved public alleyway completely stops before it reaches my boundary line. The
- **Law Enforcement Order to Halt Work:** The city's administration and contractors were mulching completely blind, with absolutely no markings on the ground to sh
- **Motive for Record Concealment (Iowa Code Chapter 480):** Under the Iowa One Call Law, any operation using heavy tracked machinery within 25 feet of active u

3. Rejection of Informal Resolution and Request for Formal Ruling

I completely decline any efforts toward an informal resolution. Given the city's documented pattern of ignoring open meeting rules to execute unannounced and non-comp

Therefore, I respectfully request that the IPIB continue its formal investigation, reject the city's excuses, and issue a **binding non-compliance ruling** to ensure the City

Formal Notice Regarding Communication:

To maintain a clear and verifiable record, I require all communications from the city administration, its council members, and utility operators regarding this matter be conc

Sincerely,

Brenda Naaktgeboren

Petitioner

/s/Brenda K Naaktgeboren Klein
PO Box 101
Harvey, IA 50119-0101
970-485-3017
legal.naaktgeboren@proton.me

Sent from [Proton Mail](#) for iOS.

----- Original Message -----

On Thursday, 07/16/26 at 11:51 Flege, Charissa <charissa.flege@iowa.gov> wrote:

Ms. Geery,

Thank you for your prompt response and your effort to improve transparency.

Ms. Naaktgeboren,

If the city remedies the agenda deficiency by including a more detailed notice and public discussion, would that address your concerns or do you want IPIB

Charissa Flege



**IPIB has been experiencing a substantial increase in the number of complaints the agency is receiving, which has outpaced our current resources. As a result, we*

On Sun, Jul 12, 2026 at 12:21 PM Jennifer Geery <jgeerycoh@gmail.com> wrote:

Good afternoon Charissa,

Per my last email, I've attached the agenda for the city's upcoming council meeting.

Thank you,

Jennifer Geery
City Clerk
City of Harvey
PO Box 87
Harvey, IA 50119
641-949-6294

From: Jennifer Geery <jgeerycoh@gmail.com>

Sent: Wednesday, July 8, 2026 10:21 AM

To: Flege, Charissa <charissa.flege@iowa.gov>; Brenda Naaktgeboren <legal.naaktgeboren@proton.me>; Kelly Cooper <maziekelly1977@gmail.com>

Subject: Re: Accepting Complaint for Investigation - Case #26FC:0138

Good morning Charissa,

Thank you for bringing this complaint to my attention. I would like to take this opportunity to clarify a few misleading details stated in the comj meeting on May 11th, 2026, was an open meeting to the public, which several residents attended.

However, after discussing the complaint with the city's attorney and Iowa League of Cities, as well as reviewing Iowa Code, I should have been DeFreece Land Services invoice for \$2,750 to mulch public and city owned land/ditches located at Rock Island, Wabash St., Main St., Third St., z

Moving forward, I will add additional details and be more specific when posting agenda topics. Please advise further steps I should take to reso

Also, I have included the city's attorney, Mayor, and three of the Council members in this email.

Thank you,

Jennifer Geery
City Clerk
City of Harvey
PO Box 87
Harvey, IA 50119
641-949-6294

From: Flege, Charissa <charissa.flege@iowa.gov>
Sent: Tuesday, June 30, 2026 2:48 PM
To: Brenda Naaktgeboren <legal.naaktgeboren@proton.me>; jgeerycoh@gmail.com <jgeerycoh@gmail.com>
Subject: Accepting Complaint for Investigation - Case #26FC:0138

Good afternoon,

On May 26, 2026, the Iowa Public Information Board received a formal complaint, assigned case # **26FC:0138**, alleging a violation of Iowa Code § 22.2. Facial review has been completed. Facial review means IPiB considers only the facts alleged by the complainant and, assuming the respondent government body is contacted.

After conducting an initial facial review of this complaint under Iowa Code § 23.8, we have decided to accept the case for further investigation. IPiB has accepted formal complaint 26FC:0138 for further review, to consider the following allegations:

- On May 11, 2026, the City of Harvey city Council voted on and approved a contract with DeFreece Land Services without proper notice.
- Complainant alleges the agenda did not reasonably apprise the public of the matters to be discussed and was therefore a violation of Iowa Code § 22.2.

Upon acceptance of this complaint, IPiB is directed to seek an informal, expeditious resolution of the complaint. Iowa Code § 23.9. If you have any questions about the complaint, please contact me. Iowa Code § 23.10.

Please review this email and the attached information and provide a response to the allegations to the IPiB **within two weeks**. When you have completed your review, please let me know who should be included on future emails, please let me know.

**IPiB has been experiencing a substantial increase in the number of complaints the agency is receiving, which has outpaced our current resources. As a result,*



Charissa Flege, J.D.

Deputy Director
Iowa Public Information Board (IPiB)
510 E 12th Street
Jessie M. Parker Building, East
Des Moines, Iowa 50319
(515) 393-7664
charissa.flege@iowa.gov
www.ipib.iowa.gov

**IPiB has been experiencing a substantial increase in the number of complaints the agency is receiving, which has outpaced our current resources. As a result,*

The Iowa Public Information Board

In re the Matter of:	Case Number: 26FC:0139
Dan McReavy, Complainant	Investigative Report
And Concerning:	
Iowa Department of Public Safety, Respondent	

COMES NOW, Erika Eckley, Special Counsel for the Iowa Public Information Board (IPIB), and enters this Investigative Report:

On May 26, 2026, Dan McReavy filed formal complaint 26FC:0139, alleging the Iowa Department of Public Safety [“Department”] violated Iowa Code Chapter 22.

The Iowa Public Information Board accepted this complaint at its meeting on June 18, 2026.

Facts

On April 24, 2026, Complainant submitted a public records request to the Department for audio and video recording and “telemetry data” related to a traffic stop involving Complainant as well as all video for a period of 20 minutes before his traffic stop and 20 minutes after his traffic stop. He followed up on May 14, 2026, and was told his request had been flagged as a phishing attempt, but the Department would look into the request. On May 20, 2026, the Department notified the Complainant they would not provide the requested records because the Complainant had a pending open case regarding the traffic violation. Complainant alleges this is an improper withholding of a public record and a violation of Chapter 22. He filed a formal complaint against the Department. Special counsel was appointed on June 29, 2026, following acceptance of the complaint for investigation.

On July 15, 2026, three video records from the traffic stop involving Complainant were provided to Complainant as part of the court’s discovery process regarding the traffic stop and citation. These videos included the officer’s bodycam, dashcam and interior squad car footage. The Department confirmed there was no radio traffic associated with the traffic stop and provided a copy of the call for service to resolve the matter.

Complainant stated he had not received any other video records nor any of his requests for “telemetry” documents. After clarification, he stated the requested telemetry data documents included: 1.) the Make, Model and Year of the trooper's vehicle; 2) Radar internal logs or audit data, if retained; 3) calibration certificates; 4) Daily tuning-fork and beginning/end of shift testing records; 5) The officer's training records for the specific radar - and its make and model; and 6) Any and all MDT/CAD timestamps associated with the stop.

The Department provided all existing information and documents related to this request except for the videos and employee training records, which the Department withheld as confidential under Iowa Code § 22.7(11).

Complainant claims he should receive the requested records because they are relevant, contain exculpatory evidence, and he is owed the information because he has been criminally charged. As this is a complaint regarding his public records request the determination regarding his request is considered only under Iowa Code chapter 22.

Applicable Law

Iowa Code defines a public record to include all records, documents, tape, or other information, stored or preserved in any medium, of or belonging to the government body. (Iowa Code § 22.1(3)(a)). Iowa Code also identifies types of public records that are exempt from disclosure due to confidentiality. Listed among these exemptions are peace officers’ investigative reports. (Iowa Code § 22.7(5)). Additionally, under Iowa Code § 22.7(11), personal information in confidential personnel records of government bodies relating to identified or identifiable individuals who are officials, officers, or employees of the government bodies may also be withheld as confidential records.

Analysis

Video and audio recordings provided to Complainant

Complainant sought video and audio records related to the traffic stop concerning himself and for a period before and after his involvement. The Department’s position is that the dash and body camera footage are exempt from public record disclosure pursuant to Iowa Code § 22.7(5). Although the records are exempt from disclosure as public records, on July 15, 2026, video records related to Complainant’s traffic stop were provided to Complainant as part of the discovery process in the active court case regarding the citation. Recordings for the period before or after his traffic stop were not provided.

Under Iowa Code § 22.7(5), all of these recordings could be withheld as confidential as part of a police investigative file if the *Hawk Eye* balancing test determines confidentiality outweighs the

public interest in disclosing the information as a public record. *See Hawk Eye v. Jackson*, 521 N.W.2d 750 (Iowa 1994).

Existing case law has demonstrated the ongoing nature of an investigation weighs in favor of confidentiality in determining whether the public interest would suffer from disclosure as a public record at this stage. This is true when there are claims of use of officer force or officer misconduct that would “tilt the scales in favor of public disclosure.” *Id.* at 753. Complainant sought police investigative videos of not only his traffic stop, but all stops before and after his for a period of time. The Department provided Complainant a copy of the recordings related to his stop through the court’s discovery process. In an effort to resolve this complaint, the Department also provided a copy of the citation issued prior to Complainant’s as well as video related to the traffic stop.¹ Complainant states there is a public interest in ascertaining the fidelity of the officer’s conduct and the merits of the traffic stop and charge he has filed against the Complainant. There is no public interest, however, that would be served under these facts by disclosing other individuals’ traffic stops as public records. Complainant has been advised to use the discovery process to obtain additional information that would be relevant to the court case.

While the Department should have made their balancing test review a bit more explicit when responding to the open records request, the Department has responded to Complainant’s public records request. The Department provided relevant, confidential information to him through the discovery process in the trial court proceedings rather than providing the recordings as a public record. The Department also provided documents from a traffic case from the same general time and area that had been concluded even though it could have been retained as confidential to assist in resolution of this matter as Complainant sought the information for his upcoming jury trial. The remaining video records are confidential public records under Iowa Code § 22.7(5). There is no violation of Chapter 22. *See* 24FC:0055, *Chandler Trautwein/Marshalltown Police Department - Dismissal Order* (“The City has responded to Mr. Trautwein’s public records request and has attempted to work with Mr. Trautwein to provide the confidential information to him through the trial court proceedings rather than providing the recordings as a public record. For this reason, there is no violation of Chapter 22.”)

“Telemetry Data” Records

Complainant’s initial records request sought all “telemetry data generated by” the specific Iowa State Trooper involved. After clarification, Complainant stated these documents included: 1.) the Make, Model and Year of the trooper’s vehicle; 2) Radar internal logs or audit data, if retained; 3) calibration certificates; 4) Daily tuning-fork and beginning/end of shift testing records; 5) The officer’s training records for the specific radar - and its make and model; and 6) Any and all MDT/CAD timestamps associated with the stop. The Department responded with what

1

documents existed, provided the existing information and documents related to this request.² The Department withheld the employee training records as confidential under Iowa Code § 22.7(11).

The withheld records included the “officer's training records for the specific radar.” Training records of identified or identifiable employees are confidential as a public record under Iowa Code § 22.7(11). *See* 24FC:0069, *William Vandenberg/Lee County - Dismissal Order* (“The information the complainant seeks – ‘[f]irearm qualifications training for each deputy . . . to include officer, date, and weapon system trained on’ and ‘[a]nnual training documentation . . . to include officer, training course name, and training hours per each course’ – is particular to the identified or identifiable officers who completed the training, and training data belongs to the category of records which would naturally be included with confidential personnel files for individual employees.”)

The information and/or records that existed were provided to Complainant upon clarification of what was being sought as “telemetry data” or were properly withheld as a confidential records under Iowa Code § 22.7(11), therefore, there is no violation of Chapter 22.

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.

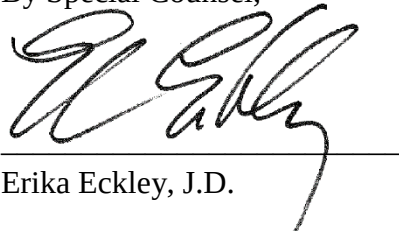
Iowa Admin. Code r. 497-2.2(4).

Recommendation

Complainant received responsive videos as part of the discovery process in his open court case and all other existing documents have been provided or properly withheld as confidential under Iowa Code § 22.7. The Complainant received more than was required under Iowa Code chapter 22. There is no violation of Iowa Code chapter 22. Because there is no violation, it is recommended the Board dismiss the matter for lack of probable cause to believe a violation has occurred.

² The Department stated the MDT/CAD timestamps were previously disclosed.

By Special Counsel,



Erika Eckley, J.D.

CERTIFICATE OF MAILING

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

Dan McReavy, Complainant

Catherine Lucas for Iowa Department of Public Safety, Respondent

The Iowa Public Information Board

In re the Matter of:	Case Number: 26FC:0151
Roger Slade, Complainant	Investigative Report
And Concerning:	
City of Cedar Rapids, City Council, Respondent	

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

On June 7, 2026, Roger Slade (“Complainant”) filed formal complaint 26FC:0151, alleging that the City of Cedar Rapids (“Respondent”) violated Iowa Code Chapter 21 and 22.

The IPIB accepted this Complaint on June 18, 2026.

Facts

This complaint arises from the Respondent’s decision to change the public comment period for open meetings from five minutes to three minutes.

On May 5, 2026 at 2:50 pm the Mayor of Cedar Rapids emailed the members of the City Council to notify them she was proposing changes to the procedural rules for public meetings. The email explained what changes would be proposed and notified the members that the city attorney would follow up with appropriate language to implement her proposed changes.

On May 6, 2026 at 12:33 pm the Mayor sent another email stating:

After consulting with fellow council members, as well as citizens in the community, I propose we move forward with amended changes to our meetings, exempt of removing the final public input period. The concern, and I agree, is that this move may negatively impact those constituents with viable concerns AND solutions due to the actions of a few, disrespectful and disruptive individuals. As always, I appreciate your willingness to be open-minded and supportive of the process. We will continue to evaluate safety concerns as well as decorum at meetings and adjust, as necessary.

On May 12, 2026, the Respondent held a public meeting. The agenda was posted more than 24 hours in advance in compliance with the law, and on the consent agenda portion was included the following: “11. Resolution adopting the updated Procedural Rules of the Cedar Rapids City Council.” A copy of the resolution and proposed changes were in the council packet.

The city adopted the proposed changes at that meeting.

On May 26, 2026, the Cedar Rapids City Council held a public meeting with a public comment period of only three minutes, in alignment with the adopted changes from May 12th.

On May 28, 2026, the Complainant submitted a request to the Respondent for the following: a copy of “communication regarding this change of time allowed with reasoning for change and any communications following the directive; who gave the directive; and confirmation as to whether this change is permanent or temporary”.

On May 29, 2026, the city clerk responded with a confirmation of receipt of the request and let Complainant know that the request had been forwarded to the appropriate individuals. On the same day, the communications division manager provided Complainant with minutes from the meeting where the procedural updates were approved by the City Council, the resolution that was passed, and the adopted rules. In response, Complainant clarified that he wanted all “email communications, text communications, in person meeting, etc...” related to how the public comment period “conversation was started and how it took shape...”.

On June 1, 2026, Respondent informed Complainant that the IT department would have to conduct a search to identify responsive records. The same email requested any additional accounts Complainant would like searched and whether he wanted to define what terms and dates for the electronic search. The email included standard language on Respondent’s fee policy, including the following paragraph:

Please be aware that requests for information are charged at a rate of \$20 per hour after the first 30 minutes. This includes staff time to research, gather, compile and review information to remove documents/information deemed confidential by open records laws. You will be asked to agree to payment of these charges before the requested information is provided. You will only be charged for the actual time needed to fulfill the request. If the request takes staff less than 30 minutes, you will not be charged.

The email concluded by explaining as soon as they received the parameters for the electronic search, the Respondent could provide an expected time frame and cost estimate. The Complainant never responded to that email.

On June 7th, Complainant filed this complaint alleging that the fee language in the email was designed to deter citizens from requesting public records and therefore amounted to a violation of Chapter 22. Complainant alleged that Respondent had engaged in an unnoticed meeting in order to initiate and agree to the public comment change before the public meeting on May 12, 2026, in violation of Chapter 21.

IPIB staff were provided and reviewed copies of the meeting agenda, minutes, recordings, and all the emails related to the proposed procedural changes except the privileged emails between the city attorney and the mayor or council members.

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).

“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

Improperly Noticed Private Meeting

IPIB staff considered this complaint against the version of Chapter 21 in effect at the time of the alleged violation. To establish that a meeting occurred for purposes of chapter 21, there must generally be both: (1) a gathering, in person or through electronic or other means, involving a majority of the members of a governmental body; and (2) deliberation concerning an issue within the governmental body's jurisdiction. The available evidence does not establish both elements. If a meeting occurred, the governmental body must provide adequate notice of matters to be deliberated upon at least twenty-four hours in advance.

Based upon the agenda, meeting packet, minutes, recording, and emails submitted by both parties, the City Council considered and approved the proposed changes to its public comment procedures during a properly noticed meeting on May 12, 2026. The agenda for that meeting was posted more than 24 hours in advance and included the adoption of the updated Procedural Rules of the Cedar Rapids City Council as an item on the consent agenda.

Before that meeting occurred, the Complainant alleges that an unnoticed meeting must have occurred either electronically or in person in advance of the May 12, 2026 meeting in order for the Respondent to vote to amend the procedural rules.

The evidence provided to IPIB indicates that the mayor requested the city attorney draft proposed language concerning potential changes to the City Council's public comment procedures to address concerns about decorum and safety. Communications between the mayor and the city attorney could not, by themselves, constitute a meeting under chapter 21 because those communications did not involve members of the City Council. In addition, communications made from the attorney to a council member for the purpose of providing legal advice would not involve the majority of the governmental body needed to constitute a meeting.

The mayor subsequently emailed the draft proposed changes to the members of the City Council. Although the email was sent to a majority of the governmental body, the evidence provided to IPIB does not indicate that any council member responded to that email or that the email resulted in any discussion, exchange of views, or deliberation among members of the City Council. Even though a majority of the City Council were included, the unilateral transmission of information or a proposal to the members of a governmental body by an outside individual, without responsive communications among a majority, does not constitute deliberation and therefore does not establish a meeting under chapter 21.

The Complainant also suggested that the absence of written communications concerning the proposed changes supports an inference that the Council members must have discussed or agreed upon the changes through an unnoticed verbal meeting. However, the absence of written

communications is not, standing alone, evidence that an unnoticed meeting occurred. No evidence that such a verbal meeting amongst a majority of members occurred was presented to IPIB. The Respondent's explanation that the proposal was drafted by legal counsel at the request and direction of the mayor, and then sent to the City Council in advance of the meeting, is a reasonable explanation as to how the changes were proposed and passed. In fact, most governmental bodies send out their tentative agendas with supplemental materials in advance of public meetings without ever having an unnoticed meeting. This allows members of governmental bodies to have sufficient knowledge of the issues on the agenda to act at the public meeting. That practice is not evidence that an unnoticed meeting occurred. Having reviewed the resolution and materials provided to the City Council, the information in the materials provided would have been sufficient for City Council members to make a determination on whether they wanted to adopt the resolution or not.

To find a violation, there must be sufficient evidence of wrongdoing to satisfy the probable cause standard. The available evidence does not establish that a majority of the City Council met, communicated, or deliberated concerning the proposed procedural changes outside of a properly noticed public meeting. The evidence instead shows that the proposed changes were presented to the full Council and approved during the properly noticed May 12, 2026, public meeting. Accordingly, IPIB staff do not have sufficient evidence to establish probable cause that the Respondent violated Iowa Code chapter 21.

Unreasonable Fee and Constructive Denial

The Complainant also alleges that the fee language included in the Respondent's June 1, 2026, email was intended to deter citizens from requesting public records and therefore violated Iowa Code chapter 22.

The Complainant submitted his public records request on May 28, 2026. The following day, the city clerk acknowledged receipt of the request and informed the Complainant that the request had been forwarded to the appropriate individuals. Also on May 29, the Respondent provided the Complainant with the meeting minutes, resolution, and adopted procedural rules relating to the changes approved by the City Council.

After the Complainant clarified that he was seeking additional communications, including emails, text messages, and records of in-person communications, the Respondent explained on June 1 that its IT department would need to conduct an electronic search to identify potentially responsive records. The Respondent requested additional information concerning the scope of the electronic search, including whether the Complainant wished to identify particular accounts, search terms, or date ranges. The Respondent also provided its standard fee language and explained that, once the search parameters were established, it could provide an estimated

timeframe and cost for responding to the request. The Complainant did not respond to the request for the search parameters before filing this complaint on June 7, 2026.

The inclusion of information concerning potential fees does not, by itself, establish that a governmental body intended to discourage or deter a public records request. Chapter 22 permits a lawful custodian to charge reasonable fees for certain services associated with responding to a public records request, including the costs of supervising the examination of records and providing copies. Providing a requester with notice of a governmental body's fee policy and informing the requester that an estimate may be provided before work is undertaken can promote transparency and allow the requester to make an informed decision regarding the scope of their request. IPIB also recognizes that communication between a requester and a governmental body may be necessary to clarify the scope of a request, identify relevant search terms or date ranges, and avoid unnecessary work or expense. Such communications are generally consistent with IPIB's recommended practices for responding to public records requests.

At the time the Complainant filed this complaint, approximately ten days had passed since the initial request, and only six days had passed since the Respondent requested additional information needed to conduct the electronic search. During that period, the Respondent acknowledged the request, provided certain records, responded to the Complainant's clarification, explained that an electronic search would be required, and requested additional information necessary to conduct the electronic search and prepare an estimated timeframe and cost. The Complainant had not provided the requested search parameters or otherwise responded to the Respondent's June 1 email.

Based upon these facts, the available evidence does not establish that the Respondent provided an unreasonable fee estimate, denied the Complainant access to public records, delayed its response for such a length of time, or under such circumstances, that the delay constituted a constructive denial under chapter 22.

IPIB Action

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

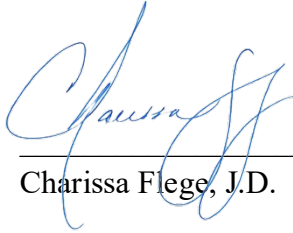
- a. Redirect the matter for further investigation;
- b. Dismiss the matter for lack of probable cause to believe a violation has occurred;
- c. Make a determination that probable cause exists to believe a violation has occurred, but, as an exercise of administrative discretion, dismiss the matter; or
- 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 that the Respondent violated Chapter 21 or 22, it is recommended that the Board dismiss the matter for lack of probable cause to find a violation occurred.

By the IPIB Deputy Director,



Charissa Flege, J.D.

CERTIFICATE OF MAILING

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

Roger Slade, Complainant
City of Cedar Rapids, City Council, Respondent

The Iowa Public Information Board

In re the Matter of:	Case Number: 26FC:0158
James Madison, Complainant	Investigative Report
And Concerning:	
Johnston Community School District, Respondent	

COMES NOW, Johnathon T. Harris, Staff Attorney for the Iowa Public Information Board (“IPIB”), and enters this Investigative Report:

On June 23, 2026, James Madison (“Complainant”) filed formal complaint 26FC:0158, alleging Johnston Community School District (“Respondent”) violated Iowa Code chapter 22.

The IPIB accepted this Complaint on July 16, 2026.

Facts

Respondent held a school board meeting that Complainant attended on June 8, 2026. On June 12, 2026, Complainant submitted two public records requests to Respondent. Both requests were related to actions taken by a specific board member during the open meeting. Specifically, Complainant requested any text messages, emails, social media messages, messages sent through messenger apps, communications received or sent on any handheld device, metadata for the communication, and records identifying where the communication was transmitted from for any responsive records sent or received during the open meeting. Complainant also requested photographs, including the ten photographs taken before or after a picture that Complainant stated the board member took of him during that meeting.

On June 15, 2026 Respondent provided Complainant with the photograph that the board member took of him during the public meeting and the associated metadata. Respondent stated at that time that the image was not sent to anyone so there were no records related to that portion of the request. On June 17, 2026, Complainant responded to Respondent and stated he the response was not sufficient to cover his request. On June 18, 2026 Respondent responded to Complainant stating that the photo provided was the only responsive record found and that other records on the device were of a solely personal nature and not subject to public records production.

Complainant filed his IPIB Complainant on June 23, 2026. The main issue raised in the complaint is whether Respondent had provided all responsive documents to his public records requests.

Respondent was notified of the complaint on July 2, 2026. On July 16, 2026 Respondent provided a response to the complaint. Included with the response was a position statement, email communications between the Respondent and Complainant as well as emails regarding the request, a signed affidavit from the board member whose records are being sought, and additional responsive records.

In their position statement, Respondent explains what they did in response to the initial requests and what they have since done as a result of this complaint. Following the request, the Superintendent contacted all board members and requested they each provide responsive records. The board member whose electronic data was the subject of the records requests responded with the photograph that was subsequently initially provided to complainant. The board member stated she was frightened for her personal safety related to alleged past conduct of Complainant and that is why she took the photograph

Respondent continued in their position statement that since receiving this complaint, with the help of legal counsel, the district conducted a more in-depth review of the videos and photographs on the board member's device and all emails and text sent and received during the board meeting, or from approximately 6:01 p.m. to 7:41 p.m. on June 8, 2026. After conducting this review, Respondent found additional responsive documents that were provided with their July 16, 2026 reply to this complaint. These include a text message exchange with a member of the public regarding Complainant's presence at the meeting, a text informing a member of the public she was attending the meeting, an email, and another text message with a board member regarding the spelling of the name of a district employee who spoke at the meeting. Respondent stated that other messages sent during that time were of a private nature and do not contain district business and have therefore either been excluded entirely or redacted when they cannot be separated from the responsive records.

Respondent also included a signed affidavit from the board member who was the subject of the records request. The board member affirmed in this affidavit that they conducted a full search of their personal cell phone, computer, email accounts, and any other device that may contain public records. The board member stated that after they requirements of the law were explained to them by counsel they searched again on July 6, 2026 and found the responsive documents that were then provided by Respondent to IPIB in their response to this complaint. They also affirmed they did not destroy or delete any records. This affidavit was signed and notarized.

After receiving and reviewing this information, IPIB staff requested Complainant review the responsive documents provided by Respondent to determine whether Complainant had received the documents they requested. Complainant responded July 21, 2026. First complainant pushed

back against conduct allegations made by Respondent. Then regarding the records request specifically, Complainant stated that any record created by a board member during a public meeting is a public record, regardless of the device they use to do so. Complainant then used the example of a board member sending their significant other a grocery list during a board meeting as creating a record. Complainant stated “The issue is not whether the communication is ultimately exempt from disclosure; it is whether the record exists and whether the district conducted an adequate search for responsive records consistent with Iowa law.” Complainant also raised the issue that these records were only provided after complaining to IPIB and that the delay brings the legal adequacy of the initial response into question.

On July 26, 2026 Complainant requested an in-camera review of all of the unredacted and unproduced records found in the board member’s personal devices which Respondent agreed to on July 29, 2026. IPIB staff reviewed the unredacted and unproduced records on August 3, 2026. In that review, IPIB staff found no records had been over redacted and all records not produced were properly withheld under 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.” Iowa Code § 22.2(1).

Analysis

Complainant is correct in that it does not matter that the records were created on a privately owned electronic device. “If a government official or employee uses privately owned electronic devices or services, such as cell phones, computers, email accounts, smart phones, or such to conduct official government business, then the record generated is a public record.” Margaret E. Johnson, *21AO:0009 Public Records on Privately-Owned Electronic Devices*, IPIB (Jan. 20, 2022) <https://ipib.iowa.gov/privately-owned-electronic-devices>. However, Complainant incorrectly states the law surrounding what is and is not a public record. If a record on private device does not concern government business, then it is not a public record, even if it was created during an open meeting. To use Complainant’s example specifically, a grocery list sent from a board member to their spouse during a board meeting, is not a public record that is exempt under a rule; it is not a public record at all. “What governs the issue is the content of the message. If it concerns public business relating to public duties of an official or employee, then

it is a public record.” *Id.* Respondent is not required to provide a list of everything they did not provide because it is not a public record and grocery lists or any other non-government business, even those sent during a public meeting, are not public records.

However, Complainant is correct in that the issue is whether Respondent conducted an adequate search for responsive records. Respondent admitted in their correspondence with IPIB that they misunderstood and thus underprovided responsive records in their initial response to Complainant. However, through the IPIB process, Respondent conducted a thorough search of the board member’s personal devices and the board member themselves has provided a notarized affidavit affirming there are no more responsive records. Additionally, IPIB staff conducted a full in-camera review of all unredacted and unproduced records responsive to complainant’s request and found no improper redactions nor impermissible non-productions. These records provided in response to this complaint are responsive, and based on the sworn statement of the board member, and the review of IPIB staff, are complete. As discussed above, Respondent was entitled to exclude or redact records unrelated to government business. Because Respondent has now provided all responsive and non-confidential records to Complainant, the matter is moot.

IPIB Action

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

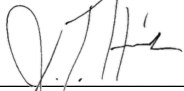
- a. Redirect the matter for further investigation;
- b. Dismiss the matter for lack of probable cause to believe a violation has occurred;
- c. Make a determination that probable cause exists to believe a violation has occurred, but, as an exercise of administrative discretion, dismiss the matter; or
- 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 now conducted a sufficient search and provided all responsive documents to Complainant’s June 12, 2026, records requests, there is insufficient evidence to find that an ongoing violation of Chapter 22 and it is recommended the Board dismiss for lack of probable cause to believe a violation has occurred.

By the IPIB Staff Attorney:



Johnathon T. Harris, J.D.

CERTIFICATE OF MAILING

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

James Madison, Complainant

Jazmine Polk, Attorney for Respondent

The Iowa Public Information Board

In re the Matter of:	Case Number: 26FC:0159
Eric Henely, Complainant	Investigative Report
And Concerning:	
Gilbert Community School District, Respondent	

COMES NOW, Johnathon T. Harris, Staff Attorney for the Iowa Public Information Board (“IPIB”), and enters this Investigative Report:

On June 19, 2026, Eric Henely (“Complainant”) filed formal complaint 26FC:0159, alleging Gilbert Community School District (“Respondent”) violated Iowa Code Chapter 21.

The IPIB accepted this Complaint on July 16, 2026.

Facts

On April 21, 2026, Respondent had a special meeting of the Board of Directors during which, among other things, Respondent voted to enter into “Closed session pursuant to Iowa Code 279.24(4) and Iowa Code 21.5(1)(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[.]” *Special Meeting to Approve FY27T.A./Closed Session of the Board of Education*, Gilbert Community School District (April 21, 2026) https://simbli.eboardsolutions.com/SB_Meetings/ViewMeeting.aspx?S=36031382&MID=30069&Tab=Minutes. After the closed session the school board then returned to open session to “Consider/Take Possible Action on Superintendent's Recommendation to Non-Renew Probationary Administrator Contract.” *Id.* This action passed unanimously and the meeting was then adjourned.

Respondent did not name the probationary administrator whose retention was the subject of the closed meeting and the board action. Complainant filed their complaint on June 19, 2026. The issue presented in the complaint is whether Respondent was required to list the name of the

probationary administrator discussed during closed session and whose retention a vote was taken on.

Applicable Law

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

“Each governmental body shall keep minutes of all its meetings showing the date, time and place, the members present, and the action taken at each meeting. The minutes shall show the results of each vote taken and information sufficient to indicate the vote of each member present. The vote of each member present shall be made public at the open session. The minutes shall be public records open to public inspection.” Iowa Code § 21.3(2).

Analysis

“A tentative agenda must be provided ‘in a manner reasonably calculated to apprise the public of’ matters to be discussed. This standard considers whether the notice sufficiently apprised the public and gave full opportunity for public knowledge and participation, judged in the context of surrounding events, including the public’s knowledge of a given issue and actual participation in light of the history and background of that issue. This is not considered a high bar, though IPIB has previously found agendas insufficient in cases where topics are summarized with single-word descriptions like ‘Parks’ or ‘Streets,’ as well as in cases where a ‘catch-all’ description was used across multiple meetings as an umbrella for any possible discussion within a broad range of policy issues.” *Chapter 21 Frequently Asked Questions*, IPIB (2026) <https://ipib.iowa.gov/open-meetings/chapter-21-frequently-asked-questions-0>.

This case involves a single probationary administrator whose employment was being voted on for non-renewal. Gilbert Community School District has “a current enrollment of over 1,500 students” among four schools. *About Us*, Gilbert Community School District (2026) <https://gilbertcsd.org/district/about-us/>. Given the district's small size, it is reasonable to infer that news of an administrator's non-renewal would circulate throughout the school community. Simply put, the meeting agenda contained enough information to reasonably apprise the public of what was occurring at the meeting. This was not the kind of one-word agenda point that IPIB has found to be insufficient in the past. Nor was the agenda a catch-all umbrella term covering multiple unrelated issues. The public was generally apprised that an administrator’s probationary contract was not being renewed, and the public in such a small school community could easily find out which administrator it was. Since the public can be said to have been sufficiently apprised given “the public’s knowledge of [the] issue ... in light of the history and background of [the] issue,” Respondent did not violate Chapter 21 by not naming the administrator specifically in their meeting agenda. *Chapter 21 FAQ*.

IPIB Action

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

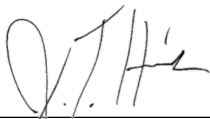
- a. Redirect the matter for further investigation;
- b. Dismiss the matter for lack of probable cause to believe a violation has occurred;
- c. Make a determination that probable cause exists to believe a violation has occurred, but, as an exercise of administrative discretion, dismiss the matter; or
- 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 agenda provided sufficient information to make the reasonably apprise the public of the actions taking place at the meeting, there is insufficient evidence to show a violation of Chapter 22. Therefore, it is recommended the matter be dismissed for lack of probable cause to believe a violation has occurred.

By the IPIB Staff Attorney:



Johnathon T. Harris, J.D.

CERTIFICATE OF MAILING

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

Eric Henely, Complainant
Gilbert Community School District, Respondent

The Iowa Public Information Board

In re the Matter of:	Case Number: 26FC:0164
Eric Henely, Complainant	Investigative Report
And Concerning:	
Gilbert Community School District, Respondent	

COMES NOW, Johnathon T. Harris, Staff Attorney for the Iowa Public Information Board (“IPIB”), and enters this Investigative Report:

On June 26, 2026, Eric Henely (“Complainant”) filed formal complaint 26FC:0164, alleging Gilbert Community School District (“Respondent”) violated Iowa Code 21.

The IPIB accepted this Complaint on August 20, 2026.

Facts

Respondent’s school board president sent out an email on April 24, 2026, stating that the husband of the district superintendent passed away after a battle with pancreatic cancer. The email also stated that the superintendent would be taking a leave of absence following the death of her husband. Then the school board president stated that in the months leading up to the tragic death of the superintendent’s husband “conversations have taken place about this possibility and a plan has been put into place to ensure continuity of Gilbert CSD leadership throughout this unique time.” This plan was to appoint an interim superintendent for the duration of the superintendent’s leave. The email announced the intended interim superintendent and provided some information on his background and that his appointment would be approved at a special board meeting on April 27, 2026.

Most relevant to the present matter before IPIB, the email stated “In speaking extensively with [interim superintendent candidate] and taking his vast experience into account, the Governing Board feels it has found the right individual to lead our district during this interim period and continue the great work done previously by [superintendent] and our entire administrative team.” The special meeting occurred and the measure was adopted unanimously. *See Special Meeting of*

the Board of Education to Approve Personnel, Gilbert CSD, (April 27, 2026)
https://simbli.eboardsolutions.com/SB_Meetings/ViewMeeting.aspx?S=36031382&MID=30185.

On June 26, 2026, Complainant filed the present complaint with IPIB. Complainant stated that the language used in the email suggests that improper closed meetings occurred between Respondent's school board and the interim superintendent candidate leading up to the email from the school board president and the special meeting. Specifically, Complainant points to language including "In speaking extensively with [interim superintendent candidate] ..., *the Governing Board feels* it has found the right individual to lead our district during this interim period" and "[interim superintendent candidate] has a wealth of experience in district leadership and *we* are confident he shares [superintendent's] vision, values, and belief in our core mission of Every Student. Every Day." (emphasis added). Complainant stated that the references in the email to the board and to a plural amount of people is evidence that the greater school board had conversations with and/or about the interim superintendent candidate before his appointment and that those conversations were not done in accordance with meeting and notice requirements of Iowa Code Chapter 21.

On July 13, 2026, the complaint was facially accepted, and Respondent was notified and given a chance to respond. Respondent provided a response on July 24, 2026. Respondent stated that Complainant misinterpreted the email from the school board president. Respondent stated that only the school board president met with the interim superintendent candidate prior to his hiring by the full board. Respondent specifically stated that the interim superintendent candidate never met with the entire school board, only with the school board president. Respondent also provided a statement from the school board president. In this statement, the school board president stated that there never was a meeting prior to the special meeting on April 27, 2026. The school board president stated that his first communication with the interim superintendent candidate was on April 21, 2026, and was brief and about scheduling a time to meet in person. According to the school board president, they then met in person on April 22, 2026, at the district office. The school board president stated that only he and the interim superintendent candidate were present for the meeting.

After the meeting, the school board president stated he emailed a draft interim superintendent contract to the other school board members to review prior to the scheduled special meeting. The school board president stated "There were no group discussions regarding the contract, [interim superintendent candidate's] candidacy, or any related matter. At no point did the Board deliberate as a group, and at no point was a quorum present or engaged in discussions prior to the Special Meeting of the Board of Education to Approve Personnel on 04/27/2026 at 06:00 PM." The school board president also stated that his email was not intended to convey that a meeting had taken place but only that he had personally had extensive discussions with the interim superintendent candidate and recommended him to the school board for approval.

Complainant provided a rebuttal on July 26, 2026. In his rebuttal, Complainant pointed out that the Special Meeting of the Board of Education to Approve Personnel, was only open and in order for about two minutes. IPIB reviewed the video of the meeting; there was no discussion of the temporary hire by the board members during the meeting: the agenda point is opened and the vote is taken. Complainant provided this as evidence that discussion occurred outside of an open meeting on the appointment. Complainant further explained his position on the email and much of that argument was addressed above in laying the foundation for the complaint. Complainant then questioned whether the statement discussed above from the school board president was actually from the school board president or whether Respondent's attorney in some way created or doctored the statement because it did not contain the school board president's signature nor was the president CC'd on the email. Complainant also raised some concerns about whether the school board followed the internal policies related to the appointment of an interim superintendent.

Respondent provided an additional rebuttal to Complainant's statement on July 27, 2026. The rebuttal included a signed and notarized affidavit from the school board president affirming that no meeting with the school board and the interim superintendent candidate took place and reaffirming the information presented in the first statement provided to IPIB by Respondent. Respondent also included an email from the superintendent to the school board president from March 23, 2026, suggesting and proposing that the interim superintendent candidate would be good for the job if and when an interim replacement became necessary.

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(1).

"'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

Complainant alleges that improperly noticed or closed meetings occurred between the interim superintendent candidate and Respondent's school board. While the wording of the email might

suggest that a meeting occurred, regardless of the wording of the email, the question still remains: did a gathering meeting the requirements of a meeting under Chapter 21 actually occur? For a gathering to be considered a meeting under Chapter 21, a majority of members of the board must be present, and there must be deliberation on a matter within the scope of the policy making duties of the governmental body. *See* Iowa Code § 21.2(2). None of the evidence provided by Complainant tends to show that a meeting did occur. The length of the meeting and the wording of the email may lead an individual to conclude that a separate meeting occurred, however they do not actually show that one did occur. In addition to the lack of affirmative evidence of a meeting, the school board president provided a signed and notarized affidavit affirming one did not take place. Absent more concrete evidence to the contrary, there is insufficient reason to doubt the sworn statement of the school board president on this issue.

Therefore, because there is insufficient evidence to show that a chapter 21 meeting ever occurred (outside of the special meeting), there is no chapter 21 violation.¹

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.

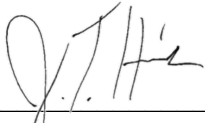
Iowa Admin. Code r. 497-2.2(4).

Recommendation

Because there is insufficient evidence to show a meeting subject to Chapter 21 took place, there is insufficient evidence to find probable cause that a violation of Chapter 21 occurred. Therefore, it is recommended the Board dismiss for lack of probable cause to believe a violation has occurred.

¹ Any allegations of the school board not following its own procedure or not following internal guidelines for the appointment of a replacement superintendent are outside of IPIB jurisdiction and are therefore not addressed in this analysis.

By the IPIB Staff Attorney:



Johnathon T. Harris, J.D.

CERTIFICATE OF MAILING

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

Eric Henely, Complainant
Gilbert Community School District, Respondent

The Iowa Public Information Board

In re the Matter of:	Case Number: 26FC:0175
Gregory Armstrong, Complainant	Investigative Report
And Concerning:	
City of Hamburg, Respondent	

COMES NOW, Johnathon T. Harris, Staff Attorney for the Iowa Public Information Board (“IPIB”), and enters this Investigative Report:

On July 4, 2026, Gregory Armstrong (Complainant) filed formal complaint 26FC:0175, alleging City of Hamburg (Respondent) violated Iowa Code 22.

The IPIB accepted this Complaint on July 16, 2026.

Facts

Complainant submitted a public records request to Respondent requesting all records of communication between a specific former member of the Zoning and Adjustment Board in his capacity as a member of that board and Complainant’s landlord. Complainant stated in his complaint that Respondent stated the records did not exist or were not covered and did not provide information on how the search was conducted.

On July 16, 2026, IPIB opened the complaint and requested information from Respondent. Respondent provided a response on July 17, 2026. Respondent, through their records custodian, stated that in responding to the records request, the records custodian examined zoning board meeting minutes during the timeframe in question and found that they did not contain any reference to Complainant, his residence, landlord, or family. Respondent also stated they interviewed the former zoning board member whose records were the subject of the records request. The former zoning board member stated that he did not have any communication with Complainant’s landlord related to city business. Respondent stated that, based on the zoning board minutes and the former board member’s statement that his personal devices contained no responsive records, the custodian concluded there was no reason to personally examine those devices. The custodian therefore did not personally examine the former board member’s devices. Based on their search, according to Respondent, the custodian concluded there were no

responsive records to Complainant and informed him of that conclusion. Complainant then filed the present complaint.

Additional context to this matter is that Complainant's landlord, whose alleged communications with the former board member are the subject of the records request, told Complainant that she was contacted by someone from the city regarding issues related to the state of Complainant's residence. Complainant stated this message is proof that someone contacted her. IPIB requested the text message from Complainant, which he provided. The text provided by Complainant states, in part, "I just had the city contact me again about the yard clutter."

Applicable Law

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

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. Iowa Code § 22.2(1).

Analysis

It is difficult to affirmatively prove the nonexistence of a thing. That being said, the issue of public records being commingled with private records on a privately owned device is not novel. "What governs the issue is the content of the message. If it concerns public business relating to public duties of an official or employee, then it is a public record." Margaret E. Johnson, AO21:0009 Public Records Maintained on Privately-Owned Electronic Devices, IPIB (Jan 20, 2022) <https://ipib.iowa.gov/privately-owned-electronic-devices>. The inverse is also true: a record that does not concern governmental business, whether located on a privately owned device or even on a public device or using a public email, for example, is not a public record. Respondent is therefore able to withhold any records that do not contain information related to public business.

The main issue in this matter is not just whether Respondent was justified in withholding records it considers non-public, but whether Respondent conducted an adequate search to determine whether responsive records exist. It is the mechanics of conducting searches of privately owned devices and accounts that make the commingling of public and private records such a complicated issue. The inherent privacy concerns that come along with the potential review of records on a privately owned device, and the potential refusal of the owner of the private device to submit to a search, all create the kind of difficulty associated with these matters. Compounding this issue is that Chapter 22 does not provide any specific guidance on what the custodian must do to have conducted a legally sufficient search involving private devices. That brings us to the central issue: whether the custodian's decision to rely on the former board member's statement, rather than personally reviewing his private devices, constituted a legally sufficient search to conclude that no responsive records exist. To begin, there is no requirement to personally check privately owned devices for every records request. For example, IPIB employees do not keep public records on their private devices as policy. It is therefore not required that, every time IPIB receives a public records request, the IPIB custodian must review all of staff's privately owned devices to affirm that there are no responsive public records on those devices.

In this instance where there does appear to be commingling, was the custodian entitled to rely on the former board member's statement that there were no responsive records? Under these circumstances, the custodian's decision not to personally search the former board member's devices likely was not a violation. The search conducted by the custodian revealed no zoning board business relating to Complainant or his landlord. The custodian had no reason to doubt the former board member's statement that no responsive records existed, and relying on that statement without a further personal search was not a violation.

These kinds of searches happen internally in governmental bodies as well. For example, custodians sometimes ask members of a board or government employees to review their own emails to provide responsive public records even if the public records are not commingled. Specific facts and circumstances of a situation may require that the custodian conduct a more in-depth search, but the method itself is not facially prohibited.

Whether a custodian must conduct a more thorough personal search is therefore a fact-specific inquiry, turning on whether there is sufficient evidence to doubt the reliability of the record holder's statement that no responsive records exist. Here there is not. First, Respondent found no evidence that any communication or business regarding Complainant or his landlord had come before the board within the time frame provided for in the records request. In other words, nothing else found in the search suggested the records exist. Second, Complainant provided a text message from his landlord as proof of interaction from the city; however, there is nothing about the text that suggests that it is related to the former board member at all. The text provided

to IPIB only states “I just had the city contact me again about the yard clutter.” Assuming Complainant’s landlord is telling the truth, there is no reason presented to IPIB that it must be the former board member that contacted Complainant’s landlord. There may well be records of communications between the city and Complainant’s landlord. But Complainant’s request is narrow: it seeks only communications between the landlord and the former board member. Crucially, this text message does not tend to make it more or less true that the former board member specifically was the one to contact Complainant’s landlord. This means Complainant’s evidence does nothing to cast doubt on the former board member’s statement that no public records exist of conversations between him and Complainant’s landlord.

All this said, it is not best practice either to allow for the commingling of public and private records or to not have a policy in place for how these searches are conducted:

It would be appropriate for a government body to develop a policy governing the use of private devices for government business. This policy could require that the lawful custodian have access to private devices and the mechanics of such access, including any privacy concerns... The IPIB has also recommended that a government could require the use of a specific government email address anytime a government official or employee uses a private device to conduct government business. That could facilitate the retrieval of public records and guard against any privacy concerns. Margaret E. Johnson, AO21:0009 Public Records Maintained on Privately-Owned Electronic Devices, IPIB (Jan 20, 2022) <https://ipib.iowa.gov/privately-owned-electronic-devices>.

A policy will avoid judgment calls on the part of the custodian and give the public more faith that the results of their records requests are accurate. While it is the recommendation of IPIB staff that under these specific circumstances the search conducted by Respondent is not a violation of Chapter 22, a policy would help to prevent the ambiguity that creates the perception of misconduct and may help to prevent future disputes. It is highly recommend that Respondent create such a policy.

Because there is insufficient evidence of the inadequacy of Respondent’s records search, and insufficient evidence to doubt the veracity of the former board member’s statement that there are no responsive records on his personal devices, it was not a violation of Chapter 22 to inform Complainant there were no responsive records to his request.

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 search was reasonably conducted and the custodian discovered no responsive records, there is insufficient evidence to find probable cause that a violation of Chapter 22 occurred. Therefore, it is recommended the Board dismiss for lack of probable cause to believe a violation has occurred.

By the IPIB Staff Attorney:



Johnathon T. Harris, J.D.

CERTIFICATE OF MAILING

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

Gregory Armstrong, Complainant
Colleen Pelsler Clerk City of Hamburg, Respondent

The Iowa Public Information Board

In re the Matter of:

Nicholas Bargren,
Complainant

And Concerning:

Iowa City Police Department, Respondent

Case Number: 26FC:0172

Dismissal Order

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

On July 1, 2026, Nicholas Bargren filed formal complaint 26FC:0172, alleging the Iowa City Police Department violated Iowa Code Chapter 22.

Facts

In the initial complaint to IPIB, the complainant stated that “information should be non-privileged.” It listed the Iowa City Police Department as the entity involved but provided no further information.

On July 6, 2026, IPIB staff contacted complainant to collect additional information. The email stated:

You filed a complaint with IPIB on July 1, 2026. The only information provided in the complaint was the respondent agency and the statement "the information should be non-privileged". Your allegation provides insufficient information for IPIB to complete a facial review of the matter. Please provide the details and context of the alleged violation so our agency can conduct a facial review. If we don't receive enough details to process the complaint, it will be rejected. Please feel free to reach out with any questions.

IPIB received no response. On July 20th, staff again followed up with the Complainant giving him until the end of the month to provide additional details: “We have received no further information from you regarding your filing. If IPIB doesn't receive further information by July 30, 2026, our agency will have to facially dismiss your complaint at the August IPIB board meeting.”

On July 21, 2026, the Complainant responded, “And why is that? It seems like you’re just “accepting”

their answer, is that correct?" IPIB staff responded the following day.

I haven't spoken to the respondent at all & I don't have enough context from your filing to understand what you're referring to. Legally, it is the Complainant's obligation to provide sufficient information to IPIB to be able to assess whether, if everything Complainants allege is true, the allegation would state a violation of Chapter 21 or 22 within IPIB's jurisdiction. If the Complainant cannot or chooses not to provide that information, the complaint is facially dismissed as legally insufficient. If you have questions about what you need to put in an IPIB complaint, please feel free to reach out and we are happy to help the public with our administrative process.

Complainant then stated, "This complaint was referenced IPIB #26FC:0068." IPIB staff responded and explained that the communication is in reference to #26FC:0172 and attached a copy of his filing. IPIB received no further response. On August 4, 2026, IPIB staff informed the complainant they intended to submit a facial dismissal because we had been unable to collect sufficient information to determine that the allegation stated a violation of Chapter 22 that occurred within 60 days of the complaint filing.

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 22 only delegates enforcement power to this Board when a complaint appears legally sufficient on its face. The allegations posed by the Complainant, even if true, do not provide enough information to determine that a violation of Chapter 22 occurred within 60 days of filing this complaint. Therefore, the matter should be dismissed by IPIB as legally insufficient.

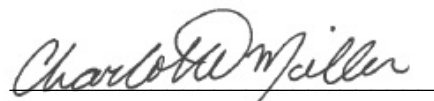
Conclusion

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:0172 is dismissed as legally insufficient for IPIB to proceed with an investigation pursuant to Iowa Code § 23.8(2) and Iowa Administrative Rule 497-2.1(2)(b).

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

By the IPIB Executive Director


Charlotte J.M. Miller, J.D.

CERTIFICATE OF MAILING

This draft document was sent via email on August 13, 2026, to:

Nicholas Bargren, Complainant

The Iowa Public Information Board

In re the Matter of:	Case Number: 26FC:0193
Sharon Walsh, Complainant	Dismissal Order
And Concerning:	
Des Moines Public Schools, Respondent	

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

On July 23, 2026, Sharon Walsh filed formal complaint 26FC:0193, alleging that Des Moines Public Schools (DMPS) violated Iowa Code Chapter 22.

Facts

Complainant alleges that DMPS published their annual salary list in the Des Moines Register on July 20. According to Complainant the 5,000 employees were listed in a completely random order, making finding a single employee's salary next to impossible. Complainant also mentions another local Des Moines Metro school district started doing this as well.

Applicable Law

“Upon receipt of a complaint alleging a violation of chapter 21 or 22, the [Iowa Public Information Board] shall do either of the following:

2. Determine that, on its face, the complaint is outside its jurisdiction, is legally insufficient, is frivolous, is without merit, involves harmless error, or relates to a specific incident that has previously been finally disposed of on its merits by the board or a court.” Iowa Code § 23.8(2).

Analysis

IPIB's statutory jurisdiction to hear complaints is limited to Chapters 21 and 22, which deal with open meetings and public records law, respectively. Iowa Code § 23.6(4). While this complaint does deal with information that could be contained in public records, there is no provision of Iowa Chapter 22 that calls for the routine publication of school employee salaries nor any restrictions on how clearly the salaries must be arranged once published.

In its initial facial review, IPIB considers all factual allegations provided by the complainant to be true and accurate for the purposes of deciding whether to accept or dismiss a complaint. Because none of the allegations described in the present complaint could serve as the basis for a finding that the respondents violated either Chapter 21 or 22, IPIB lacks authority to weigh in on the merits of the complaint.

Conclusion

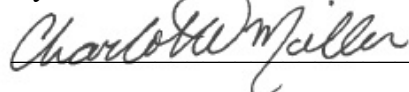
Iowa Code § 23.8 requires that a complaint be within the IPIB's jurisdiction, appear legally sufficient, and have merit before the IPIB accepts a complaint. Following a review of the allegations on their face, it is found that this complaint does not meet those requirements.

On facial review, the complaint does not allege a violation within IPIB's jurisdiction.

IT IS SO ORDERED: Formal complaint 26FC:0193 is dismissed as outside IPIB's jurisdiction pursuant to Iowa Code § 23.8(2) and Iowa Administrative Rule 497-2.1(2)(b).

Pursuant to Iowa Administrative Rule 497-2.1(3), the IPIB may "delegate acceptance or dismissal of a complaint to the executive director, subject to review by the board." The IPIB will review this Order on August 20, 2026. Pursuant to IPIB rule 497-2.1(4), the parties will be notified in writing of its decision.

By the IPIB Executive Director



Charlotte J.M. Miller, J.D.

CERTIFICATE OF MAILING

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

Sharon Walsh

The Iowa Public Information Board

In re the Matter of:

Chad Brewbaker,
Complainant

And Concerning:

Office of Auditor of State, Respondent

Case Number: 26FC:0200

Dismissal Order

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

On July 28, 2026, Chad Brewbaker filed formal complaint 26FC:0200, alleging the Office of the Auditor of the State of Iowa violated Iowa Code Chapter 22.

Facts

In the original complaint to IPIB, Complainant alleged that Respondent is in violation of Chapter 22 because its website blocks large language models like OpenAI, Anthropic, and Grok from retrieving information and indexing the reports on the website. It further stated “there is no legitimate administrative process behind hiding Iowa’s public audit data from indexing.”

IPIB staff followed up with the Complainant explaining that there was no evidence that a person had requested and been denied a public record, that an unreasonable fee had been assessed or that an unreasonable delay to a public records request had occurred. Staff requested Complainant provide additional information sufficient to state a violation of the requirements of Chapter 22. No response was received.

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 22 only delegates enforcement power to this Board when a complaint appears legally sufficient on its face. The allegations posed by the Complainant, even if true, do not state a violation of Chapter 22 that occurred within 60 days of filing this complaint. Therefore, the matter should be dismissed by IPIB as legally insufficient.

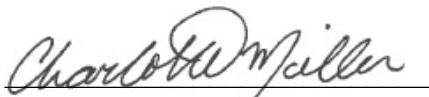
Conclusion

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:0200 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", written in black ink.

Charlotte J.M. Miller, J.D.

CERTIFICATE OF MAILING

This draft document was sent via email on August 13, 2026, to:

Chad Brewbaker, Complainant

Chad Brewbaker
7798 Geneva St.
Indianola, IA 50125
crb002@gmail.com | 515-822-2347

August 13, 2026

VIA ELECTRONIC MAIL — REQUEST FOR EXPEDITED CONSIDERATION

Charlotte J.M. Miller, J.D., Executive Director
Iowa Public Information Board
Wallace State Office Building
502 E. 9th Street, Des Moines, IA 50319

cc: Members of the Iowa Public Information Board
cc: Office of Auditor of State — Records Custodian; Deputy Auditor Brian Brustkern
cc: Office of the Attorney General — Records Custodian
cc: Secretary, Executive Council of Iowa

RE: Objection to Draft Dismissal Order and Request for Reconsideration — IPIB Case No. 26FC:0200

Director Miller:

I object to the draft Dismissal Order in 26FC:0200 and ask that the Board decline to approve it on review under Iowa Admin. Code r. 497—2.1(3). I ask instead that the Board defer action and permit the record to be completed.

1. What This Matter Concerns

Five private attorneys appeared and acted on behalf of the “State of Iowa” in a proceeding concerning me. I have been unable to locate any record that they were authorized to do so, and I have been unable to locate any record of what they were paid or from which public funds.

That is the whole of the records question. It is narrow, it is answerable from documents, and it does not require this Board to resolve any contested fact about the underlying proceeding.

Background, stated as my contention

I set out the following so that the Board understands why the records matter. I state it as my contention. I do not ask the Board to find any of it, and none of it is necessary to the relief I request.

Following a written communication I sent in May 2024 to United States Senator Charles Grassley and to Iowa House Speaker Pat Grassley, concerning what I believed to be improper Medicaid billing, I was charged under Iowa Code § 708.7(1)(a)(1) — the provision reaching communication “without legitimate purpose and in a manner likely to cause the other person annoyance or harm” — and was subsequently detained at the Cherokee Mental Health Institute.

I contend that (i) the detention continued past the deadlines fixed by Iowa Code § 812.9 without statutory authority, and (ii) the predicate charge was pretextual, in that a communication to a United States Senator and to the Speaker of the Iowa House regarding suspected misuse of public funds is core petitioning speech, and an “annoyance” standard applied to such a communication raises substantial constitutional concerns.

I intend to pursue those contentions in the forum that can decide them. I raise them here for one purpose only: they explain why the identity, authorization, and compensation of counsel appearing for the State in that proceeding are not an abstract curiosity to me.

2. Why These Records Fall Squarely Within This Board’s Purpose

Iowa Const. art. III, § 23 provides that no person who is “a collector or holder of public monies” shall “be eligible to hold any office of trust or profit in this state, until he shall have accounted for and paid into the treasury all sums for which he may be liable.”

That provision is enforced by the public. Objections to eligibility are brought by citizens, not by the State on its own motion. But a citizen cannot show that public monies have not been accounted for without access to the accounts.

This is the ordinary case for which Chapter 22 and this Board exist. The constitutional provision supplies the reason the financial records matter; Chapter 22 supplies the mechanism for obtaining them; and this Board supplies the remedy when the mechanism fails. A constitutional accounting requirement whose supporting records are unobtainable is not a limited right — it is an unenforceable one.

I do not ask the Board to construe art. III, § 23, and I recognise that its jurisdiction runs to Chapters 21, 22, and 23 alone. I ask only that the Board recognise, in weighing whether this complaint “could have merit” under Iowa Code § 23.8(2), that the records sought are the evidentiary predicate for a constitutional provision the public is expected to enforce.

3. The Order Does Not State What Was Insufficient

The order concludes that my allegations “do not state a violation of Chapter 22 that occurred within 60 days of filing.” It does not say *which* requirement of Chapter 22 was not pleaded, *what* would have satisfied it, or *what* the requested supplementation was to consist of.

A determination that recites the standard and announces the result, without identifying the gap,

cannot be answered by a complainant or meaningfully reviewed by the Board.

I do not allege bad faith. But the order carries three marks of a template applied without individualized review:

1. The running footer reads “**26FC:0172 Facial Dismissal Order**” — a different case number than the one being decided.
2. The order states the Board will review it on **February 19, 2026**, approximately six months *before* the July 28, 2026 complaint was filed. No such review can occur.
3. The “Applicable Law” section attributes the governing standard to “Iowa Code § 497-2.1(2),” which is an administrative rule, not a Code section. The statute is Iowa Code § 23.8(2).

The order declares one ground and reasons from another

Rule 497—2.1(2)(b) lists six distinct grounds for facial dismissal. They are not interchangeable, and two carry different consequences: a dismissal for want of jurisdiction is not curable by amendment, while a dismissal for legal insufficiency is.

The order *declares* legal insufficiency. Its Analysis, however, reasons that the allegations do not state a violation “*that occurred within 60 days of filing*” — and untimeliness under Iowa Code § 23.7(1) is a jurisdictional defect, which this Board’s own orders describe as placing a matter “outside the jurisdiction of the IPIB.” *See* 19FC:0056; 25FC:0208/0209.

There are exactly two ways to repair this, and I state now that I accept either:

- **If the Board means the complaint is untimely**, the order should say so and rest on lack of jurisdiction. I would then be on notice of a jurisdictional ruling and could seek review of it, and the Board would have to address the requests of July 27, August 11, and August 12, 2026 on the record.
- **If the Board means the complaint is insufficiently pleaded**, the sixty-day sentence has no work to do and should be removed — and the dismissal is curable by amendment, which I request leave to make rather than be dismissed.

What the order cannot do is declare the curable ground while reasoning from the preclusive one. That combination leaves a complainant unable to tell whether to amend or to appeal.

4. The Record the Order Does Not Address

The order rests on the absence of any request, denial, fee, or delay. The following were in existence before it issued, and none is mentioned.

A. A published request docket showing requests inside the window

Since December 4, 2024 I have maintained a recurring public records request to the Office of the Attorney General concerning Iowa Code § 13.7 compliance. The full correspondence history is public at:

<https://www.muckrock.com/foi/iowa-246/iowa-code-137-embezzlements-177182/>

The docket shows **forty-one communications**, of which roughly thirty-nine are follow-ups transmitted on my behalf at approximately fifteen-day intervals. The two most recent were sent **July 27, 2026** and **August 11, 2026** — both inside the sixty days preceding this filing.

The status on that docket, as of today, remains “**Awaiting Acknowledgement.**” In 617 days the Attorney General has transmitted no acknowledgment, no clarification request, no fee estimate, no confidentiality assertion, no partial production, and no denial.

I acknowledge that request was broadly drafted and that some categories may lie with other custodians. That does not bear on the point. Chapter 22 offered that office several lawful responses — seek clarification, narrow by agreement, produce and redirect, assert an exemption with a citation, or deny. Silence is not among them, and a requester’s inartful drafting does not convert into a licence to disregard the statute.

B. A communication to the Respondent dated August 12, 2026

On August 12, 2026 — inside the window, and addressed to the Respondent in this matter — I transmitted a records communication to Deputy Auditor Brian Brustkern following the office’s recent report on the University of Iowa and UIHC.

C. Voicemail messages I am unable to produce

I have left multiple voicemail messages with the Office of Auditor of State. Iowa Code § 22.1(3) defines a public record to include information “stored or preserved in any medium.” Voicemail and call-detail records are public records, and the Office of Auditor of State is their sole custodian.

The difficulty is not merely that this evidence is inconvenient for me to obtain. It is that a sufficiency standard requiring the complainant to produce proof held *exclusively by the respondent* cannot distinguish a true allegation from a false one. Applied to this class of case, the standard screens on what a complainant can produce rather than on what occurred, and returns the same answer — dismissal — whether the calls were made or not. A test insensitive to the truth of the thing it screens for is not performing the function Iowa Code § 23.8(2) assigns to it.

I have requested those records from Respondent, together with the applicable voicemail retention interval, and ask the Board to note the request is outstanding. These recordings are frequently purged on a short cycle, and a purge would make the asymmetry permanent.

5. Grounds for Expedited Consideration

Iowa Code § 43.24(1)(b) requires that objections filed with the state commissioner be filed **not less than seventy-four days before the date of the election**. For the November 3, 2026 general election that date falls on or about **August 21, 2026**.

Records bearing on the accounting of public monies therefore have a use-by date measured in days. Records produced afterward cannot inform a proceeding that has closed. I ask nothing of this beyond prompt sequencing.

6. Relief Requested of the Board

Within the Board's authority under Iowa Code § 23.8 and rule 497—2.1, I request that the Board:

1. **Decline to approve** the draft order on review, or defer action pending completion of the record;
2. **Direct** that any dismissal state the specific requirement of Chapter 22 found unmet and what would satisfy it;
3. **Correct** the three clerical defects identified above before any order issues;
4. **Treat** the requests of July 27, August 11, and August 12, 2026 as within the sixty-day window of Iowa Code § 23.7(1); and
5. **Accept** the complaint under Iowa Code § 23.8(2)(a), or in the alternative permit amendment rather than dismiss.

7. Matters Directed to the Auditor of State, Not to the Board

I state these separately because they lie outside what this Board can order, and I do not wish the two confused. I ask the **Office of Auditor of State**, under its authority in Iowa Code chapter 11, to:

- (a) **Reconcile** the payments made to the five private attorneys who appeared on behalf of “State of Iowa” in the proceeding arising from the complaint that followed my May 2024 communication to Senator Grassley regarding alleged Medicaid fraud at Broadlawns, the Polk County public hospital — reconciling those payments against the corresponding State, county, and municipal audits, and identifying the authorizing instrument for each payment;
- (b) **Determine**, as to each, whether authorization existed under Iowa Code § 13.7 or § 13.3 (Executive Council approval) or under Iowa Code § 331.903 (board resolution, certificate of appointment filed with the county auditor, and endorsed oath); and
- (c) **Report** to the **Executive Council** and to the public any attorney fees identified as paid without

the authorization § 13.7(1) requires — a provision directing that the Council’s “reasons and action . . . shall be entered upon its records,” such that the absence of an entry is itself the answer.

I ask the Board to note these as pending, not to order them.

I ask that this letter be placed in the file in 26FC:0200 and provided to the Board with the draft order.

Respectfully,

Chad Brewbaker

Transmitted by encrypted, cryptographically signed electronic mail. No wet signature is appended; authenticity is established by the message signature.

The Iowa Public Information Board

In re the Matter of:	Case Number: 26FC:0202
Austin Becker, Complainant	Dismissal Order
And Concerning:	
Davenport Police Department, Respondent	

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

On July 29, 2026, Austin Becker filed formal complaint 26FC:0202, alleging that the Davenport Police Department violated Iowa Code 22.

Facts

Complainant filed the present complainant stating in full “Submitted an open records request, got acknowledgement back of the request the same day. Waited 2 weeks, sent a follow up email and have not heard anything back.” On July 31, 2026, IPIB Staff opened the complaint for facial review and informed Complainant via email. Later that day Complainant responded to said email and stated “Thank you for your help. I wanted to let you know that Davenport promptly responded with the information once I submitted the complaint.” On August 3, 2026, IPIB staff responded to Complainant asking if there were any other issues and telling him that he may withdraw his complaint if he chooses. Complainant did not respond to that August 3, 2026 email.

Applicable Law

“Upon receipt of a complaint alleging a violation of chapter 21 or 22, the [Iowa Public Information Board] shall do either of the following:

2. Determine that, on its face, the complaint is outside its jurisdiction, is legally insufficient, is frivolous, is without merit, involves harmless error, or relates to a specific incident that has previously been finally disposed of on its merits by the board or a court.” Iowa Code § 23.8(2).

Analysis

In this instance, while there was some delay in the production of records, the records have now been provided and the situation resolved. Seeing as there is no longer a standing potential violation, the issue is moot and therefore without ongoing merit.

Conclusion

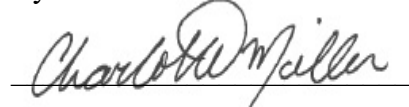
Iowa Code § 23.8 requires that a complaint be within the IPIB's jurisdiction, appear legally sufficient, and have merit before the IPIB accepts a complaint. Following a review of the allegations on their face, it is found that this complaint does not meet those requirements.

On facial review, Complainant no longer states a violation.

IT IS SO ORDERED: Formal complaint 26FC:0202 is dismissed as it is without merit pursuant to Iowa Code § 23.8(2) and Iowa Administrative Rule 497-2.1(2)(b).

Pursuant to Iowa Administrative Rule 497-2.1(3), the IPIB may “delegate acceptance or dismissal of a complaint to the executive director, subject to review by the board.” The IPIB will review this Order on August 20, 2026. Pursuant to IPIB rule 497-2.1(4), the parties will be notified in writing of its decision.

By the IPIB Executive Director,

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

Charlotte J.M. Miller, J.D.

CERTIFICATE OF MAILING

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

Austin Becker

Subject	Contact Name	Name of Entity Involved	Complaint Type	Description
26FC:0168	Naveen Kalia	Iowa City Assessor's Office	Chapter 22	Dear IPIB Intake Staff, Following up on my Chapter 22 complaint filed online on June 17, 2026, regarding the Iowa City Assessor's Office. Please accept this email and the attached documents as a Formal Brief and Supplemental Evidence to be immediately appended to my pending case file. These materials provide the necessary context regarding the systemic nature of the Chapter 22 violations and the intentional withholding of public records that occurred during my appeal window. RE: Evidence of Intentionality and Administrative Prejudice Regarding Case No. [Your Case Number] To the Iowa Public Information Board: The Assessor's Office has characterized its failure to timely release the requested Chapter 22 data fields as an inadvertent "oversight" or an excusable administrative delay. However, a structural analysis of the concurrent property assessment timeline, coupled with the official Board of Review (BOR) evidentiary record, demonstrates a knowing, tactical withholding de
26FC:0164	Eric Henely	Gilbert Community School District Board of Directors	Chapter 21	On April 24, 2026, School Board President Nathan Kerns sent out an email to school district patrons regarding the hiring of Matt Patton as Interim Superintendent. This email stated "In speaking extensively with Mr. Patton and taking his vast experience into account, the Governing Board feels it has found the right individual to lead our district during this interim period and continue the great work done previously by Dr. Trujillo and our entire administrative team." However, there is no evidence that the board held any properly noticed meetings with Matt Patton prior to April 24, 2026. As such, the Gilbert CSD Board of directors violated Iowa Code Chapter 21 by holding meetings with Matt Patton without providing notice or making them easily accessible to the people. I attempted to submit this complaint via email and via the web form on June 19, 2026, but the IPIB rejected the email version and claims that it did not receive the form submission.
26FC:0175	Gregory Armstrong	Hamburg	Chapter 22	I asked for records for Brad yost including phone and email. Colleen said the records did not exist or were not covered. She did not provide information on how the search was performed
26FC:0176	Scott Wilson	Fruitland City Council	Chapter 21	https://fruitlandia.com/wp-content/uploads/2026/06/Fruitland-Minutes-6-9-26-Signed.pdf Prior to June 8th a citizen was told by the mayor their pet pig violated City Ordinance and needed to be removed. During Citizen's Opportunity. The citizen brought up the issue of owning a pig as a pet. The board then performed a discussion about the topic and rendered a decision that no action would be taken unless a formal complaint was made. Any item of discussion by the board must be on the agenda and posted to give citizens opportunity to know about the topic. Also, the board did technically vote on overriding a mayoral decisions and no motion or vote outcome is stated in the meeting minutes.
26FC:0177	Kerry Stewart	Albia, Iowa, Police Department	Chapter 22	I am filing a formal complaint against the Albia Police Department. I submitted a written Public Records Request..the Chief of Police, Nathan Pritchard refused to provide a legally required written response or denial, choosing instead to corner me at the local car wash and issue a verbal denial without a paper trail

26FC:0178	Mark Milligan	Wapello County Board of Supervisors	Chapter 21	Sunshine Law Violation: The Board violated Iowa's Open Meetings Law (Iowa Code Chapter 21) by discussing and deliberating a specific employment position during a public meeting without providing adequate notice on the posted agenda. Rather than identifying the employment matter as a separate agenda item, the discussion was conducted under a vague heading such as "Other Business," which failed to reasonably inform the public of the subject matter to be considered. Iowa law requires agendas to be sufficiently specific to apprise the public of topics that will be discussed by a quorum of a governmental body. By using a generic catch-all agenda item to address a foreseeable employment-related matter, the Board deprived the public of meaningful notice and the opportunity to attend, monitor, and participate in the governmental decision-making process. This lack of agenda specificity undermined transparency and may constitute a violation of Iowa Code §21.4.
26FC:0180	Stephen Allen	City of Soldier, Iowa	Chapter 22	I was declined to be supplied with the information located on the City of Soldier's water lines after I requested it. This is verbatim as to Melanie McAndrews reply: "We do have a very large, original map that could be copied. I don't know if it fits your needs. I'd need to reach out to the Onawa Democrat or the Mapleton Press for copying services if they can copy that large. Let me know if you're interested and I can seek the cost of doing so." I am tired of dealing with the City of Soldier, Iowa, as they are a tight-knit group of people, and only serve the people they want to. I am asking for your help in getting the information I requested, as I asked for a list of what streets were supplied with the new water lines compared to the old lines, and this is the total response that I received, and that is verbatim. I am tired of the way the City treats me, as is beyond rude.... Please let me know what other information you need, and I will reply in another email. Thanks
26FC:0183	Agnitsch	Iowa Valley Community College Board of Directors	Chapter 21	The IVCCD Board operates an ongoing pattern of withholding meeting agendas from the public, consistently uploading them to their online portal only after the meetings have already taken place.

26FC:0184	Blankenship	Iowa Valley Community College Board of Directors	Chapter 21	I am filing this complaint against the IVCCD Board of Directors for a continuous, systemic violation of Iowa Code § 21.4 (Open Meetings Law). Most recently, the Board held an official public meeting on July 15, 2026. The Board failed to post the tentative agenda for this meeting 24 hours in advance, either physically or on their digital portal. This is not an isolated oversight. The IVCCD Board operates under an ongoing pattern of non-compliance where meeting agendas are routinely withheld from the public and only uploaded to the online portal days after the meetings have concluded. This practice completely defeats the purpose of the Open Meetings Law denying the public their right to advance notice and participation. I request that the IPIB investigate this chronic pattern, issue a remedial order declaring votes taken at the July 15 meeting void, and mandate open meetings retraining for all board members and disciplinary action against the board secretary for her dereliction of duty.
26FC:0186	Addison Delong	City Of Runnells City Council	Chapter 22	I am filing this complaint pursuant to Iowa Code Chapter 22 regarding a violation of Iowa's Open Records Law by the City of Runnells. For the City Council meeting held on June 9, 2026, the City published a meeting packet on its official website containing my personal information without proper review or redaction. The packet remained publicly available until I notified the City, after which it was removed. The City has not acknowledged the error or taken responsibility. The disclosed information included my home address, personal email address, personal telephone number, employer, and job title. After notifying the City, I was informed by the City Attorney that releasing this information was "fine." However, Iowa Code Chapter 22, including Iowa Code § 22.7 regarding confidential records, requires government bodies to properly review records before disclosure and withhold information protected by law. Specifically, Iowa Code § 22.7.
26FC:0187	Austin Gillis	Marshall County Sheriff's Office	Chapter 22	Please accept the attached formal complaint submitted by the Animal Rescue League of Marshalltown regarding the Marshall County Sheriff's Office and its handling of an open records request originally submitted on May 27, 2026. The complaint outlines a complete chronology of events, statutory concerns under Iowa Code Chapter 22, and supporting documentation demonstrating repeated delays, incomplete production, non-response, and an improper attempt to assess additional fees after the original scope was clarified and the quoted fee was paid. ARL respectfully requests that the Board review this matter, investigate the Sheriff's Office's handling of the request, and take any action deemed appropriate under Iowa Code Chapters 22 and 23.
26FC:0188	Clint Fichter	City of Avoca	Chapter 22	On April 22, 2026, I transmitted several records requests detailed via email to help me advise a client on a zoning matter before the City. I have a copy of this email. These included emails and text messages sent amongst city officials related to the zoning matter. Other documents were provided on May 20, 2026, and the City at that time communicated that the remaining text and emails would follow. To date, the records have not yet been received. The complainant alleges that the records are being concealed because they contain improper deliberations on public matters by the city officials.
26FC:0189	Summer Schooler	Iowa Office of Civil Rights / Iowa Civil Rights Commission	Chapter 22	This complaint is limited to Respondent's handling of Complainant's May 26, 2026 public-records request. It does not ask the Board to review the merits of CP# NJ54770, the January 14, 2026 administrative closure of that complaint, or the April 21, 2026 Order Affirming Agency Decision. It also does not ask the Board at this stage to order disclosure of records that are confidential by statute, privileged, or properly withheld under a valid exemption. Rather, Complainant asks the Board to require Respondent to comply with Chapter 22 and its own public-records rules by completing the partial production Respondent offered and Complainant accepted; producing non-confidential records; producing redacted records where full withholding is not required; identifying any records or categories withheld; identifying the lawful custodian; citing the specific statutory or regulatory basis for each withholding or redaction; explaining any delay; and providing a written category-by-category dis

26FC:0190	David Johnson	Mills County Sheriff's Office	Chapter 22	Mills County Sheriff's Office has produced NO records in 56+ days on two Ch.22 requests: (A) 5/27/26 re patrol car S65-3 (in-car video, GPS/AVL, CAD); (B) 5/29/26 for the 22.7(11) personnel roster, pay, hire dates. Its 7/9/26 letter produced nothing: it denied possessing the in-car video, DVR access logs, and GPS-contradicting Chief Deputy England's recorded 5/27 statement that the footage was retrievable (spoliation risk after my 5/28 preservation demand); reserved vague '22.7 exceptions'; and ignored Request B. Unlawful grounds: a post-request investigation; Ch.80F (exempts no records); and demands I file a complaint form and self-identify because 'the deputy needs to know who her accuser is'-which the Sheriff conceded 'is not the law.' The 22.7(11) roster and 22.7(5) incident facts are mandatory-public yet withheld. Full 8-page complaint + Exhibits 1-10 (incl. 2 recorded calls) available on request/by mail. Requested: order production, or a record-specific exemption per record.
26FC:0195	White	City of Iowa city Iowa city police department	Chapter 22	They will not release any information about calls for service no basic information even, about what the call was about. Will not release the 911 audio claiming State Code §22.7(18)
26FC:0197	Dale Leslein	Dubuque County Board of	Chapter 22	Looking for filed harrassment complaints from Jan 1, 2019 to May 1 2026
26FC:0196	Mark Beardmore	Carroll County Conference Board	Chapter 21	I believe violation(s) occurred in this meeting that its discussion, deliberation, and content went beyond 21.5(1)(i) restrictions. It was under the guise of "...to evaluate employee.." when in fact it was to discuss assessor salary increase and budget impact. Furthermore, although the agenda was posted on the courthouse door, it was not posted on the county or assessor website in violation of the law and policy. I have pictures on my phone to prove that. I can provide minutes of the open section of the meeting and additional details. I have corroboration from 2 members in attendance if allowed (in accordance of closed session requirements). Most convincing as evidence would be the actual recording of the meeting if IPIB can have that court ordered. Today's public hearing contained a statement by the board chair that the assessor's deputy would not be raised "as we discussed last meeting". The 7/14 minutes do not contain any mention. Today's meeting was also not on website properly.
26FC:0198	Michele Brown	City of Elkhart, Public Works Department	Chapter 22	On July 15, 2026, I submitted an open records request to the City of Elkhart seeking sewer and lift station records related to a sewer backup that occurred in my home on July 3, 2026. The City acknowledged the request, provided a cost estimate, and stated the records would take approximately three hours to gather and provide electronically. I agreed to the cost estimate and asked them to provide the records. I also asked for their preferred method of payment. As of July 27, the City has not provided any records, has not communicated any delay, and has not offered a timeline. I sent a follow-up email on July 27, and the City has not responded. This lack of communication and failure to provide public records constitutes an alleged violation of Iowa's open records law. I request that the IPIB direct the City of Elkhart to immediately provide the records I requested on July 15. Follow-up to previous complaint. I requested existing electronic records from the City of Elkhart. The City ag
26FC:0201	Judi Wheeldon	City of Council Bluffs Legal Department	Chapter 22	The City of Council Bluffs is in violation of Iowa Code Chapter 22 by using exorbitant, legally unsupported financial barriers to intentionally obstruct a citizen's right to examine public records. Following Chapter 22 requests submitted on June 3, 2026, regarding "Project Lola" data center communications, the City issued a 44-day delayed response on July 17, 2026, demanding an unconscionable prepayment totaling \$2,908.00 (\$1,922.48 and \$985.52). The City artificially inflated these fees by allocating 36 hours of high-rate attorney review (\$67.57/hr) for standard administrative communications, violating the statutory duty to utilize the lowest-paid competent staff. Furthermore, the City issued broad, premature blanket privilege exemptions under § 622.10 without providing a particularized log, and weaponized a strict 14-day link expiration to force compliance. This financial paywall effectively denies public access to low-income residents.

26FC:0203	Polina Shumanova	City of Mason City, Iowa	Chapter 22	On May 6, 2026, I submitted an Iowa Code Chapter 22 public-records request to the City of Mason City concerning the Southwest Industrial Corridor, related infrastructure, industrial recruitment, and potential data-center development. I repeatedly narrowed and clarified the request on May 20, June 2, June 3, and June 19. On July 2, the City offered an initial 30-minute search at no charge. I accepted on July 3, prioritized City Administration, Development Services/Planning, and the City Clerk, supplied focused search terms, and asked for records on a rolling basis. On July 6, the City's attorney stated the search would begin. As of July 29, I have received no records and no explanation of whether the search occurred, what was searched, whether records were found or withheld, or whether any part is complete. I believe the extended delay, failure to complete or report on the agreed search, and failure to provide records or a clear status may violate Iowa Code Chapter 22.
26FC:0207	Marco Yepez-Gomez	City of Marshalltown	Chapter 21	I am alleging that the City of Marshalltown held a closed session on July 27, 2026 that violated Iowa Code section 21.3 and misused Iowa Code section 21.5.
26FC:0210	DeVeon Harris	Iowa Department of Education	Chapter 22	I respectfully submit this complaint against the Iowa Department of Education for failing to comply with Iowa Code Chapter 22. I submitted a public records request on June 18, 2026, which the Department acknowledged the same day. More than five weeks have passed without producing records, providing a meaningful update, or explaining the delay. On July 23, 2026, I sent a formal demand letter requesting prompt production or a legally sufficient explanation, but received no response. Chapter 22 requires records to be produced promptly unless a lawful exemption or reasonable, good-faith delay applies. The Department has identified neither. Its prolonged inaction raises concerns about noncompliance, transparency, and possible unequal treatment. I respectfully request that the Iowa Public Information Board investigate, determine whether Chapter 22 has been violated, order production of all non-exempt records, require a written explanation for any withholding, and take any enforcement action.
26FC:0211	Lynne Flynn	City of Montrose	Both	The city clerk, Amy Barnes, gave me a copy of signed Ordinance 262 on July 27th. She had certified and signed it stating it was published on June 10th. The meeting where this ordinance was fraudulently passed was on July 10th at 4:30 pm. so could not possibly have been published that date, and was not actually published until July 9th. Secondly, the Montrose City Council agendas are posted onto the city's website weeks after the meetings occur. Lastly, waiving of the 2nd and 3rd readings of the ordinance did not receive a 3/4ths majority vote, thus the ordinance was passed illegally.
26FC:0213	Lynne Flynn	City of Montrose, Montrose City Council, Amy Barnes - City Clerk	Chapter 21	Ultra Vires (Unauthorized) Action: Amy Barnes sent me a letter claiming the council "carefully considered" your request when the council was never given the document, staff made a false official representation and acted without legal authority. Minutes & Roll Call Votes (§ 21.3): Iowa law requires complete minutes showing the date, time, place, and exact votes/actions taken on every matter. There is no record in the meeting minutes showing your request was received and read.
26FC:0222	Rhonda Smith	City of De Soto	Both	I allege violations of Iowa Code Chapters 21 and 22 by the City of De Soto. Chapter 22 requests directly relevant to my Aug. 18 enforcement appeal are now about 17 and 9 days old. Only the personnel handbook has been produced; I have received virtually none of the records needed to prepare my appeal and, for many requests, not even acknowledgment or meaningful status. City code-enforcement records reportedly remain with the former contractor who created/maintained them for the City, who reportedly intends to charge the City \$1/file to retrieve its own records, although my three 2023 violations were quickly produced electronically free. City Hall has also been unavailable when I attempted access during posted business hours. I also allege a Chapter 21 violation: the July 7 special-meeting agenda says notice was posted July 3, but no notice appears on the City's website or Facebook despite §21.4's online-posting requirement effective July 1. I preserved screen recordings of both.
Total	Count	25		

RE: IPIB Complaint - Case # 26FC:0057

1 message

WeThePeople CitizensActionGroup <wethepeopleCAG@outlook.com>

Mon, Aug 17, 2026 at 9:06 PM

To: "Flege, Charissa" <charissa.flege@iowa.gov>, Eric Updegraff <eric@hinderslaw.com>

Cc: Jason Fraser <jfraser@centerville-ia.org>, Brent Hinders <brent@hinderslaw.com>, Sheila Cassady <scassady@hinderslaw.com>

Ms. Flege,

Thank you for completing the review. Based on your review of the withheld records and the City's clarification regarding the absence of additional responsive records, I am satisfied that the Chapter 22 issues raised in this complaint have been addressed and wish to withdraw Case #26FC:0057.

Thank you,

Jacquelynn "Jackie" Zugg

**From:** Flege, Charissa <charissa.flege@iowa.gov>**Sent:** Monday, August 17, 2026 1:19 PM**To:** Eric Updegraff <eric@hinderslaw.com>**Cc:** Jason Fraser <jfraser@centerville-ia.org>; WeThePeople CitizensActionGroup <wethepeopleCAG@outlook.com>; Brent Hinders <brent@hinderslaw.com>; Sheila Cassady <scassady@hinderslaw.com>**Subject:** Re: IPIB Complaint - Case # 26FC:0057

Ms. Zugg,

I believe that the following provisions cover the withheld records: Iowa Code 80F, 22.7(11)(a), and 22.7(65). I do not believe the records contain non-confidential information that could be segregated from the confidential material and released. Additionally, IPIB staff's review of the record confirm's legal counsel's assessment that the exemption in 22.7(11)(a)(5) does not apply in these circumstances to the records in question because there is no evidence that a disciplinary action was taken by the Respondent against the employee that resulted in a demotion, discharge, or resignation in lieu of termination.

Based upon this, I believe the city has complied with Chapter 22 in responding to this request. If you are satisfied with my analysis, you can withdraw the complaint; or alternatively, I can proceed with drafting an investigative report for the IPIB board with my recommendation based upon my review of the record.

Sincerely,

Charissa Flege

Re: Accepting Complaint for Investigation - Case #26FC:0099

1 message

Claire <clogsdon413@gmail.com>

Mon, Aug 17, 2026 at 8:15 AM

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

Cc: Dennis Quinn <dquinn@fortdodgeiowa.org>, Mark Crimmins <mcrim@frontiernet.net>, Ryan Kehm <ryankeh@frontier.com>

Good morning,
I understand, and I am willing to withdraw the complaint for this department.
Thank you,
Claire

On Thu, Aug 13, 2026 at 5:34 PM Flege, Charissa <charissa.flege@iowa.gov> wrote:

Good afternoon,

I am following up on my earlier communication. I believe IPIB staff have sufficient information to draft an investigative report to the IPIB Board with a recommendation to dismiss the complaint based on insufficient evidence of an unreasonable fee or delay.

Ms. Logsdon,

I will again offer to go over our review of the facts here if you'd like to understand our reasoning here. If you'd rather focus on your other requests rather than going through the investigative report process, you can also withdraw the complaint at any time.

Sincerely,

Charissa Flege



**IPIB has been experiencing a substantial increase in the number of complaints the agency is receiving, which has outpaced our current resources. As a result, we anticipate delays in the processing of complaints for the foreseeable future. We appreciate your patience as we manage this unprecedented volume, and we encourage you to reach out to us at any time regarding your case.*



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

IPIB Complaint 26FC:0141: Response from the City of Sheldon

Mitch Giese <mitchgiese@gmail.com>

Tue, Jul 28, 2026 at 8:06 AM

To: Micah Schreurs <Micah.Schreurs@woodsfuller.com>

Cc: "Miller, Charlotte" <charlotte.miller@iowa.gov>, Meg George <Meg.George@woodsfuller.com>

All,

Based on the information provided, I no longer believe there was a violation of Iowa code in this instance. I would like to formally withdraw my complaint to the IPIB. Thank you all for your assistance with this matter.

Respectfully,

Mitch Giese

[Quoted text hidden]

Re: [EXTERNAL] Accepting Complaint for Investigation - Case # 26FC:0150

1 message

Michael <michaelhardy1993@gmail.com>
To: "Russell-Stone, Emily" <Emily.Russell-Stone@sos.iowa.gov>
Cc: "Flege, Charissa" <charissa.flege@iowa.gov>

Wed, Aug 12, 2026 at 12:42 PM

Okay then I am willing to rescind my complaint.

Michael Hardy
319-670-9859

On Wed, Aug 12, 2026 at 12:41 PM Russell-Stone, Emily <Emily.Russell-Stone@sos.iowa.gov> wrote:

Charissa,

Employees handling these requests are expected to acknowledge each one upon receipt, so it was disappointing to learn that Mr. Hardy's request had been overlooked.

These are not excuses, but context for what was an unusual situation. Like Secretary of State offices across the country, we were experiencing an unprecedented increase in records requests when Mr. Hardy's request arrived. At the same time, the employee responsible for these requests was preparing for extended leave and managing the transition of her other duties.

Going forward, our policy remains to respond to requests as they are received. We have also taken steps to prevent a recurrence, including assigning additional staff to open records requests and holding meetings to review outstanding requests and necessary follow-up.

Thank you,

Emily Russell-Stone
Legal Counsel

Office of Iowa Secretary of State Paul D. Pate
(515) 210-9159
sos.iowa.gov



This electronic mail message, including attachments, is covered by the Electronic Communications Privacy Act, 18 U.S.C. §2510-2521, and is legally privileged and/or may contain information that is privileged, confidential, and/or exempt from disclosure under applicable law and which may (1) be subject to the attorney-client privilege, (2) be an attorney work product, or (3) contain otherwise confidential information. If you are not the intended recipient, you are hereby notified that any unauthorized review, disclosure, copying, printing, distribution, saving, disseminating, or use of the information contained herein (including any reliance thereon) is STRICTLY PROHIBITED. If you received this transmission in error, please immediately contact the sender and delete or otherwise destroy the material in its entirety. Unauthorized interception of this e-mail is a violation of federal criminal law.

Withdraw of IPIB Case

1 message

Harris, J.T. <johnathon.harris@iowa.gov>
To: Amy <sexygreeneyedlady1981@gmail.com>

Fri, Jul 17, 2026 at 10:02 AM

Good Morning,

I am following up on our call from 7/17/26 during which you agreed to withdraw your IPIB complaint due to lack of jurisdiction. This decision will be affirmed at the meeting of the IPIB Board on August 20, 2026. You will receive two additional emails, one a week before the board meeting giving you notice of that meeting and one following that meeting letting you know your complaint has been officially closed. If you wish to continue with the withdrawal process you do not need to respond to any of these emails nor attend the meeting. Thank you.

Best regards,
J.T. Harris

--



J.T. Harris, J.D.
Staff Attorney
Iowa Public Information Board (IPIB)
510 E 12th Street
Jessie M. Parker Building, East
Des Moines, Iowa 50319
(515) 401-4461
johnathon.harris@iowa.gov
www.ipib.iowa.gov

IPIB has been experiencing a substantial increase in the number of complaints the agency is receiving, which has outpaced our current resources. As a result, we anticipate delays in the processing of complaints for the foreseeable future. We appreciate your patience as we manage this unprecedented volume, and we encourage you to reach out to us at any time regarding your case

Re: Receipt of IPIB Case # 26FC:0191

1 message

Kayla Stempke <khoffman.07@gmail.com>
To: "Flege, Charissa" <charissa.flege@iowa.gov>

Thu, Aug 6, 2026 at 4:33 PM

Feel free to withdraw.

On Tue, Aug 4, 2026 at 5:34 PM Flege, Charissa <charissa.flege@iowa.gov> wrote:

Ms. Stempke,

I don't see a follow up response from you. Would you like to add additional facts that state a violation, withdraw your complaint or I can move forward with drafting a facial dismissal?

Thanks,

Charissa Flege



**IPIB has been experiencing a substantial increase in the number of complaints the agency is receiving, which has outpaced our current resources. As a result, we anticipate delays in the processing of complaints for the foreseeable future. We appreciate your patience as we manage this unprecedented volume, and we encourage you to reach out to us at any time regarding your case.*

Department 592
 Iowa Public Information Board

To: Charlotte Miller
 cc: Mirela Jusic, Jennifer Caldwell

 From: Marty Musser

 Date: August 7, 2026

 Re: **FY 2027 FINANCIAL ANALYSIS**
Period 1 - July 2026

Unit	Current Cash Balance	Projected FYE Cash Balance	CB - Iowa Advantage	Difference
0P22 - General Fund	481,542.29	0.08		
P22T - Training and Technology	0.00	0.00		
Totals	\$ 481,542.29	\$ 0.08	\$ 481,542.29	\$ -

Areas to Monitor:

RED:

YELLOW:

GREEN:

Outstanding issues that may affect the financial statements

Questions and review of financials:

Accounting conventions:

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

Unit	0001	General Fund																EDas Customer Number:		1882	Forecast Annual	
Sub Unit	0P22																	Percent of Year Complete		8.33%		
Approp:	Blank	FY2027																				
	P22	Iowa Public Information Board																				
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	
		Actual	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Actual	(C=A+B)	(D)	To Date	Forecasted EOY	
Appropriation		496,227																	496,227			
Revenue Collected																						
401	Fees	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0%	0%	
Total Revenue Collected:		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	496,227	0%	0%	Revenue C
Expenditures																						
101	Personal Services	14,614	34,524	51,786	34,524	34,524	34,524	34,524	34,524	51,786	34,524	34,524	34,524	19,910	-	-	14,614	448,812	448,812	3%	100%	
202	In State Travel	-	186	17	122	91	67	273	170	146	-	169	2,246	-	-	-	-	3,487	3,487	0%	100%	
301	Office Supplies	-	153	120	120	393	120	120	374	120	120	120	120	120	-	-	-	2,000	2,000	0%	100%	
309	Printing & Binding	-	-	-	-	-	-	-	1	-	-	-	99	-	-	-	-	100	100	0%	100%	
313	Postage	-	14	-	6	3	10	3	7	12	5	1	7	6	-	-	-	75	75	0%	100%	
401	Communications	-	130	130	130	130	130	130	130	130	130	130	810	130	-	-	-	2,240	2,240	0%	100%	
406	Outside Services	-	-	-	-	-	-	-	-	-	-	340	3,358	-	-	-	-	3,698	3,698	0%	100%	
414	Reimbursements To Other Agency	-	2,150	2,551	2,786	2,013	1,875	2,045	2,022	2,385	2,410	2,377	2,478	2,642	-	-	-	27,734	27,734	0%	100%	
416	ITD Reimbursements	70	2,247	1,988	343	10,850	(13,626)	343	1,269	(501)	450	345	1,272	(410)	-	-	70	4,640	4,640	2%	100%	
418	IT Outside Services	-	154	154	154	154	154	154	175	154	154	154	628	154	-	-	-	2,341	2,341	0%	100%	
701	Licenses	-	-	-	-	-	-	-	-	1,100	-	-	-	-	-	-	-	1,100	1,100	0%	100%	
Total Expenditures:		14,685	39,558	56,746	38,184	48,159	23,254	37,592	38,671	55,332	37,793	38,160	45,542	22,551	-	-	14,685	496,227	496,227	3%	100%	
Current Month Operations		481,542	(39,558)	(56,746)	(38,184)	(48,159)	(23,254)	(37,592)	(38,671)	(55,332)	(37,793)	(38,160)	(45,542)	(22,551)	-	-						
Cash Balance		481,542	441,985	385,238	347,054	298,895	275,642	238,050	199,379	144,047	106,254	68,093	22,551	0	0	0						

Footnotes:

Revenues

401 - Charged fees for large records requests.

Expenditures

- 101 - Months of September and March have 3 payroll warrants written.
- 202 - Costs include monthly board member cost traveling for meetings, misc training costs, and car rentals for staff to travel to training.
- 301 - Costs include West Publishing Corporation for \$120/month, Ricoh Quarterly billings estimated at \$30/month and misc office supplies.
- 313 - Costs include postage charges.
- 401 - T-Mobile cell phone expenses.
- 414 - Monthly costs are located on eDAS tab - approx. \$2,300 including Finance support costs which will vary each month.
- 416 - Monthly costs are located on eDAS tab - \$350 plus quarterly OCIO charges & vendor pass-through and can vary each month depending on usage for storage.
July is prepaid for Adobe.
- 418 - Insight bill for current employees.

FTE's:

						Original	Updated
Name/Employee Number		WD EI	Job Class	Budgeted	Filled	Budget \$	Budget
Charlotte Miller	80071	115682	09617 - Executive Director	1.0	1.0		
Charissa Flege	105703	115690	90644 - Attorney II	1.0	1.0		
JT Harris (Alexander Lee)	102526	115691	90643 - Attorney I	1.0	1.0		
Jayde Hilton	95304	151623	70006 - Temporary Worker	0.0	0.0		
Vacant			90643 - Attorney I	1.0	0.0		
E.J. Giovannetti - Urbandale	N/A	115683	14000 - Board Member - Public Rep.				
Althea Cole - Cedar Rapids (wa	N/A	115684	14000 - Board Member - Media Rep.				
Jackie Schmillen, Urbandale	N/A	115685	14000 - Board Member - Media Rep.				
Luke Martz(per diem), Ames	94509	115686	14000 - Board Member - Public Rep.				
Joan Corbin(mileage), Pella	81714	115687	14000 - Board Member - Government Rep.				\$ -
Monica McHugh, Zwingle	75146	115688	14000 - Board Member - Public Rep.				
Barry Lindahl, Dubuque	83315	115689	14000 - Board Member - Government Rep.				
Vacant		141688	14000 - Board Member				
Total Funded Positions				4.00		\$ 448,812	\$ 448,812
Total Filled Positions					3.00		

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
		Actual	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast	Actual	(C=A+B)	(D)	To Date	Forecasted EOY
	BBF (T&T)	-																			
Expenditures																					
401	Communications	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0%	0%
406	Outside Services	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0%	0%
416	ITD Reimbursements	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0%	0%
503	Equipment-Non Inventory	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0%	0%
Total Expenditures:		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	#DIV/0!	#DIV/0!
Current Month Operations		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-					
Cash Balance		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-					

Footnotes:

Expenditures

416 - Carahsoft - Salesforce licenses (tbd)

Spent FY26	-
Obligated FY26	-
Revert FY26	-
	-

Department 592
Iowa Public Information Board

To: Charlotte Miller
cc: Mirela Jusic, Jennifer Caldwell

From: Marty Musser

Date: August 7, 2026

Re: **FY 2026 FINANCIAL ANALYSIS**
Period 13 - July 2026

Unit	Current Cash Balance	Projected FYE Cash Balance	CB - Iowa Advantage	Difference
0P22 - General Fund	97,706.84	97,582.75		
P22T - Training and Technology	0.00	0.00		
Totals	\$ 97,706.84	\$ 97,582.75	\$ 97,706.84	\$ -

Areas to Monitor:

RED:

YELLOW:

GREEN:

Outstanding issues that may affect the financial statements

Questions and review of financials:

Accounting conventions:

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

0001 Unit Sub Unit Approp:		General Fund FY2026 Iowa Public Information Board															EDas Customer Number: 1882 Percent of Year Complete 108.33%				Forecasted 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	Percent of Budget		
		Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Forecast	Forecast	Actual	(C=A+B)	(D)	To Date	Forecasted EOY		
	Appropriation	467,227																		467,227			
Revenue Collected																							
401	Fees	-	-	-	45	-	-	71	-	-	-	-	-	-	-	-	116	116	-	0%	0%		
Total Revenue Collected:		-	-	-	45	-	-	71	-	-	-	-	-	-	-	-	116	116	467,227	0%	0%		
Expenditures																							
101	Personal Services	15,883	19,083	25,865	23,061	26,676	26,578	26,569	26,710	41,892	27,376	20,354	20,137	11,680	-	-	311,865	311,865	329,979	95%	95%		
202	In State Travel	186	-	17	122	91	67	273	170	146	-	169	-	-	-	-	1,241	1,241	3,487	36%	36%		
301	Office Supplies	-	33	240	-	273	360	120	435	1,599	(705)	120	120	962	-	-	3,558	3,558	2,000	178%	178%		
309	Printing & Binding	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	1	1	100	1%	1%		
313	Postage	-	14	-	6	3	10	3	7	12	5	1	7	9	-	-	78	78	75	104%	104%		
401	Communications	-	-	115	-	489	-	308	154	154	-	154	-	177	124	-	1,552	1,676	2,240	69%	75%		
406	Outside Services	-	-	-	-	-	-	-	-	-	-	340	-	-	-	-	340	340	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	2,500	2,581	-	-	27,977	27,977	17,734	158%	158%		
416	ITD Reimbursements	-	2,247	2,410	(78)	10,850	(5,736)	343	1,269	343	450	(197,473)	199,090	1,819	-	-	15,533	15,533	7,371	211%	211%		
418	IT Outside Services	-	-	154	77	154	154	154	175	154	154	154	154	154	-	-	1,637	1,637	2,341	70%	70%		
434	Gov Transfer Other Agencies	-	-	-	-	-	-	99	-	-	-	-	-	-	-	-	99	99	-	0%	0%		
503	Equipment-Non Inventory	-	-	-	-	-	-	-	-	-	-	-	1,322	3,610	-	-	4,932	4,932	-	0%	0%		
510	IT Equipment & Software	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0%	0%		
701	Licenses	-	-	-	-	-	-	-	-	-	825	-	-	-	-	-	825	825	1,100	75%	75%		
Total Expenditures:		16,069	23,527	31,352	26,173	40,550	23,308	29,914	30,943	46,734	30,537	(173,792)	223,329	20,992	124	-	369,636	369,761	467,227	79%	79%		
Current Month Operations		451,158	(23,527)	(31,352)	(26,173)	(40,550)	(23,308)	(29,914)	(30,943)	(46,734)	(30,537)	173,792	(223,329)	(20,992)	(124)	-							
Cash Balance		451,158	427,631	396,279	370,151	329,601	306,293	276,450	245,507	198,773	168,236	342,028	118,699	97,707	97,583	97,583							

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 had 3 payroll warrants written.
Alex Lee's last day was May 7th, position was filled by JT Harris on June 19th.
- 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 \$30/month and misc office supplies.
H013 includes supplies from Staples.
- 313 - Costs include postage charges.
- 401 - Verizon and T-Mobile (moved in May) cell phone expenses.
- 406 - May is for Language Training interpreter.
- 414 - Monthly costs are located on eDAS tab - approx. \$2,200 including Finance support costs which vary each month.
- 416 - Monthly costs are located on eDAS tab - approx. \$350 and can vary each month depending on usage for storage.
May includes eDAS correction from October billing that was manually corrected. Manual correction will be reversed in June.
June includes reversal of manual correction made in November to correct eDAS error and quarterly OCIO charges of \$926.
H013 includes \$1,522 for system improvements by Carahsoft.
- 418 - Insight bill for current employees.
- 503 - June is docking stations and monitors for new hires.
H013 is Laptops for new hires.

FTE's:

					Original	Updated
Name/Employee Number	WD EI	Job Class	Budgeted	Filled	Budget \$	Budget
Charlotte Miller 80071	115682	09617 - Executive Director	1.0	1.0		
Charissa Flege 105703	115690	90644 - Attorney II	1.0	1.0		
JT Harris (Alexander Lee) 102526	115691	90643 - Attorney I	1.0	1.0		
Jayde Hilton 95304	151623	70006 - Temporary Worker	0.0	0.2		
E.J. Giovannetti - Urbandale N/A	115683	14000 - Board Member - Public Rep.				
Althea Cole - Cedar Rapids (wa N/A	115684	14000 - Board Member - Media Rep.				
Jackie Schmillen, Urbandale N/A	115685	14000 - Board Member - Media Rep.				
Luke Martz(per diem), Ames 94509	115686	14000 - Board Member - Public Rep.				
Joan Corbin(mileage), Pella 81714	115687	14000 - Board Member - Government Rep.				
Monica McHugh, Zwingle 75146	115688	14000 - Board Member - Public Rep.				
Barry Lindahl, Dubuque 83315	115689	14000 - Board Member - Government Rep.				
Vacant	141688	14000 - Board Member				
Total Funded Positions			3.00		\$ 329,979	\$ 311,865
Total Filled Positions				3.20		

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
		Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Forecast	Forecast	Actual	(C=A+B)	(D)	To Date	Forecasted EOY
	BBF (T&T)	6,080																			
Expenditures																					
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%
Total Expenditures:		-	-	-	-	-	6,080	-	-	-	-	-	-	-	-	-	6,080	6,080	-	#DIV/0!	#DIV/0!
Current Month Operations		6,080	-	-	-	-	(6,080)	-	-	-	-	-	-	-	-	-					
Cash Balance		6,080	6,080	6,080	6,080	6,080	-	-	-	-	-	-	-	-	-	-					

Footnotes:

Expenditures

416 - Carahsoft - Salesforce licenses

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

Year	Month	Opened Complaints	Number of those cases currently closed
2024			
	January	15	15
	February	18	18
	March	18	18
	April	17	17
	May	9	9
	June	13	13
	July	14	14
	August	11	11
	September	13	13
	October	20	20
	November	16	16
	December	13	13
Total 2024 Complaints Opened		179	
2025			
	January	14	14
	February	15	15
	March	9	9
	April	20	20
	May	18	14
	June	24	22
	July	19	16
	August	25	20
	September	25	23
	October	24	22
	November	27	24
	December	40	36
Total 2025 Complaints Opened		260	
2026	January	40	28
	February	26	16
	March	43	24
	April	35	18
	May	19	4
	June	37	3
	July*	36	0
YTD 2026 Complaints Opened		252	
Projected 2026 Complaints Based on Monthly Average		372	

*Legislature allocated new 1.0 FTE for additional investigator

Active Cases Report

🔍 📄

185

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Active Questions

🔍 📄

17

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Active AO Rejections

🔍 📄

4

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New complaints &/or question last 30 day

🔍 📄

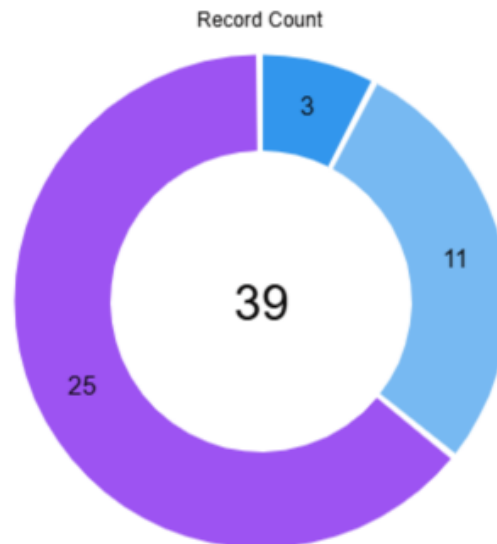


[View Report \(New complaints &/or questions\)](#)

As of Aug 14, 2026, 10:35 AM

Broad Type (Filed in Current Year)

🔍 📄



Complaint Type

Both

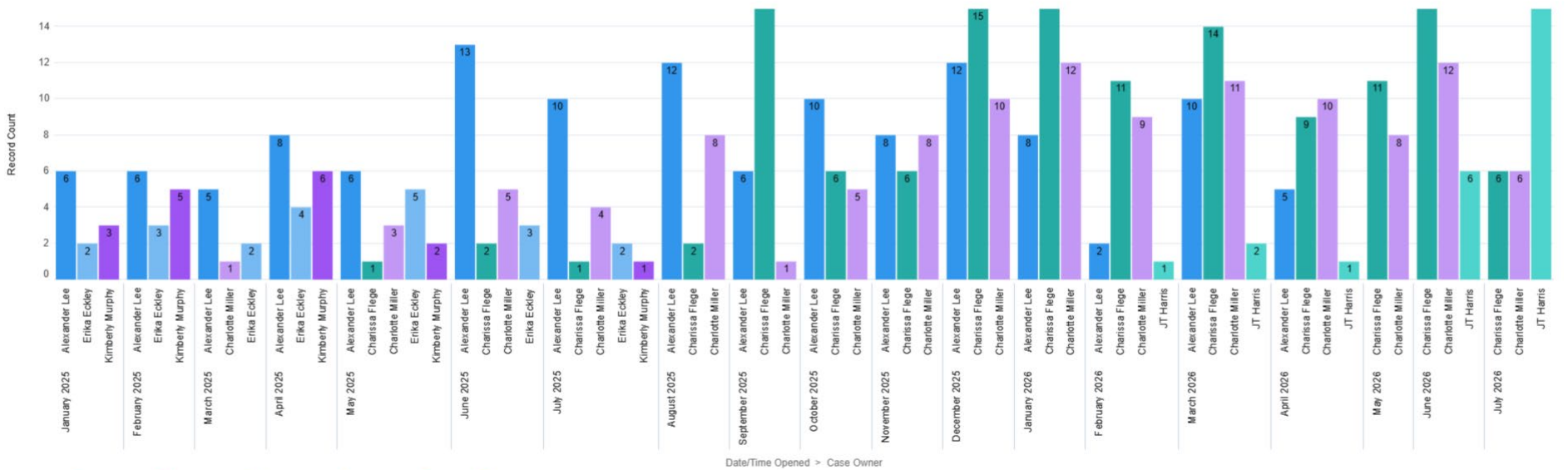
Chapter 21

Chapter 22

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

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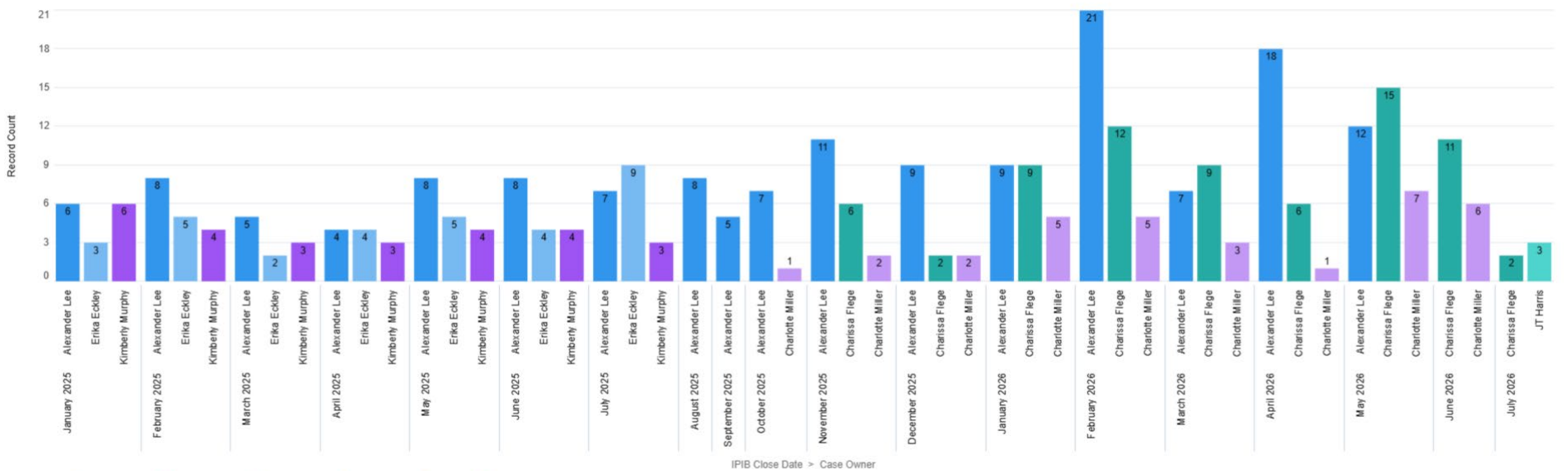
Case Opening Timeline (IPIB Version)



Case Owner ● Alexander Lee ● Charissa Flegge ● Charlotte Miller ● Erika Eckley ● JT Harris ● Kimberly Murphy
View Report (Case Opening Timeline (IPIB Version))

As of Aug 14, 2026, 10:35 AM

Case Closure Timeline (IPIB Version)



Case Owner ● Alexander Lee ● Charissa Flegge ● Charlotte Miller ● Erika Eckley ● JT Harris ● Kimberly Murphy
View Report (Case Closure Timeline (IPIB Version))

As of Aug 14, 2026, 10:35 AM