

# **IOWA PUBLIC INFORMATION BOARD**

## **MEMBERS**

**Daniel Breitbarth, Des Moines (Government Representative, 2022-2026)**

**Joan Corbin, Pella (Government Representative, 2020-2024)**

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

**Barry Lindahl, Dubuque (Government Representative, 2020-2024)**

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

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

**Julie Pottorff, Des Moines (Public Representative, 2020-2024)**

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

**vacant**

## **STAFF**

**Margaret Johnson, Executive Director**

**Brett Toresdahl, Deputy Director**

## **Meeting Access**

**Wallace Building has restricted access. Please use east entrance of building off E. 9<sup>th</sup> Street.**

**Once inside the atrium, proceed to the frosted glass sliding doors.**

**Use the lobby phone to dial the number provided on the door sign.**

**Proceed to the north set of elevators which is to your right down the hall.**

**A person will meet you at the elevator to escort you to the meeting on 3<sup>rd</sup> floor.**

## **If You Can't Attend In Person, Please Connect To The Meeting With The Following:**

**Dial-in number: 877-304-9269    Conference Code: 664760#**

***Note: ALL phones MUST remain on mute unless you are addressing the Board***

## **Agenda**

**September 15, 2022 1:00 p.m.**

**Wallace Building**

**502 East 9<sup>th</sup> Street, Des Moines**

**3rd Floor E/W Conference Room**

**11:45 AM – IPIB Legislative Committee**

**1:00 PM – IPIB Meeting**

- I. Approval of agenda\*
- II. Approval of the August 18, 2022 minutes \*
- III. Public Forum (5 minute limit per speaker)
- IV. Comments from the board chair. (Pottorff)
- V. Advisory Opinion – Deliberation/Action.
  1. None

- VI. Cases involving Board Deliberation/Action. (Johnson)
1. Abell, Ernie (22FC:0078 – Chapter 21 – Arispe City Council 8/18/22) \* Dismiss
  2. Beck, Tim (22FC:0036 – Both Chapters – Pleasant Valley School District 5/5/22) \* Accept
  3. Castro, Paul (22FC:0073 – Chapter 21 – Bettendorf Community School Board 8/2/22) \* Dismiss
  4. Drish, Tom (22FC:0049 – Chapter 21 – Jefferson County Supervisors 5/26/22) \* Report
  5. Frank, Leigh (22FC:0075 – Chapter 22 – City of Danbury 8/7/22) \* Dismiss
  6. Gomes, Analicia (22FC:0058 – Chapter 21 – Bettendorf Comm. School Board 6/2/22) \* Accept
  7. Merritt, Michael (22FC:0071 – Chapter 22 – City of Newton 7/20/22) \* Accept
  8. Merritt, Michael (22FC:0074 – Chapter 22 – Iowa State University Police Dept. 8/4/22) \* Dismiss
  9. Merritt, Michael (22FC:0082 – Chapter 22 – Panorama Comm. School 8/19/22) \* Dismiss
  10. Merritt, Michael (22FC:0083 – Chapter 22 – Mid-Prairie Comm. School 8/19/22) \* Dismiss
  11. Miller, Vanessa (22FC:0066 – Chapter 22 – University of Iowa 7/7/22) \* Dismiss
  12. Peasley, Courtney (22FC:0033 – Both Chapters – City of Derby 4/25/22) \* Motion
  13. Radtke, Mari (22FC:0069 – Chapter 22 – City of Paullina 7/21/22) \* Dismiss
  14. Van Scyoc (22FC:0067 – Chapter 21 – Fremont Co. Board of Supervisors 7/12/22) \* Report
  15. Wells, Sara (22FC:0076 – Chapter 22 – Bettendorf Comm. School District 8/9/22) \* Dismiss
- VII. Matters Withdrawn, No Action Necessary. (Johnson)
1. Merritt, Michael (22FC:0070 – Chapter 22 – City of Marshalltown 7/20/22) \* withdrawn
  2. Merritt, Michael (22FC:0080 – Chapter 22 – Bondurant-Farrar Comm. School 8/19/22) \* withdrawn
  3. Merritt, Michael (22FC:0081 – Chapter 22 – Mason City Comm. School 8/19/22) \* withdrawn
  4. Merritt, Michael (22FC:0084 – Chapter 22 – Sheldon Comm. School 8/19/22) \* withdrawn
  5. Merritt, Michael (22FC:0085 – Chapter 22 – Sibley-Ocheyedan Comm. School 8/19/22) \* withdrawn
  6. Vandello, Rosemary (22FC:0077 – Chapter 22 – Iowa Department of Public Health 8/15/22) \* withdrawn
- VIII. Pending Complaints. Informational Only (Johnson)
1. Anderson, Rodney (22FC:0079 – Both Chapters – Massena City Council 8/20/22) Intake
  2. Ellis, Sam (22FC:0089 - Chapter 22 – Warren County 9/6/22) Intake
  3. Henely, Eric (22FC:0088 – Chapter 22 – Gilbert Community School Board 9/2/22) Intake
  4. Huffman, David (22FC:0047 – Both Chapters – Batavia City Council 5/25/22) Pending
  5. Johnson, Kevin (22FC:0060 – Chapter 22 – City of Hamburg 6/6/22) Pending
  6. Kauffman, Clark (17FC:0029 – Chapter 22 – Polk County Assessor 4/6/17) Pending
  7. Klein, Adam (15FC:0034-Chapter 22 - DCI / Burlington Police Dept. 5/15/15) Pending
  8. Merritt, Michael (22FC:0090 – Chapter 22 – City of Ames 9/6/22) Intake
  9. Merritt, Michael (22FC:0091 – Chapter 22 – Jasper County 9/7/22) Intake
  10. Radtke, Mari (22FC:0050 – Chapter 22 – City of Paullina 5/26/22) pending
  11. Radtke, Mari (22FC:0087 – Chapter 22 – City of Paullina 8/30/22) Intake
  12. Sly, Diana (22FC:0053 – Chapter 21 – Lorimor City Council 6/1/22) Pending
  13. Zimmerman, Kate (22FC:0086 – Both Chapters – Ringgold County 8/23/22) Intake
- IX. Committee Reports
1. Communications – (Toresdahl)
  2. Legislative – (Johnson) -
    - a. Consideration of proposed legislative amendments to 22.4 (acknowledgement of record requests); 22.7(5) (peace officers investigative reports); 23.7(1) 90 days to file a complaint
  3. Rules – (Johnson) - update

- X. Office status report.
  - 1. Contacts and activity \* (Johnson)
  - 2. Financial/Budget Update (FY23) \* (Toresdahl)
  - 3. Presentations/Trainings (Johnson) –
  
- XI. Next IPIB Board Meeting will be held in the Wallace Building, 3rd Floor, E/W Conference Room  
October 20, 2022 at 1:00 p.m.
  
- XII. Adjourn **\* Attachment**

# IOWA PUBLIC INFORMATION BOARD

September 15, 2022

## Unapproved Minutes

The Board met on September 15, 2022 for its monthly meeting at 1:01 p.m. in person and by conference call in the 3rd floor E/W Conference Room in the Wallace Building with the following members participating: Daniel Breitbarth, Des Moines (arrived @1:17pm); Joan Corbin, Pella (phone); E. J. Giovannetti, Urbandale (phone); Barry Lindahl, Dubuque (phone); Joel McCrea, Pleasant Hill; Julie Pottorff, Des Moines; Jackie Schmillen, Urbandale. Absent: Monica McHugh, Zwingle. Also present were IPIB Executive Director Margaret Johnson. A quorum was declared present.

Others identified present or by phone: Zack Goodrich, Analicia Gomes, Mari Radtke, Paul Castro, Nathan Levin, Ernie Abell, Wendy Meyer, Erin Hardesty, Tim Beck, Mikki Schiltz, and Erin Jordan.

On a **motion** by McCrea, **second** by Schmillen, the agenda was unanimously adopted 6-0.

On a **motion** by Schmillen, **second** by McCrea, to approve the August 18, 2022 minutes. Unanimously adopted 6-0.

### Public Forum

none

### Items Discussed

- 1) **Board Chair** – Pottorff offered brief remarks.
- 2) **Advisory Opinions** –
  1. None

### 3) The board was briefed on cases and took action as indicated:

1. Abell, Ernie (22FC:0078 – Chapter 21 – Arispe City Council 8/18/22). Ernie Abell and Erin Hardesty spoke on the matter. A motion by McCrea and second by Breitbarth to approve the dismissal order. Unanimously approved, 7-0.
2. Beck, Tim (22FC:0036 – Both Chapters – Pleasant Valley School District 5/5/22). Tim Beck and Mikkie Schiltz spoke on the matter. A motion by Breitbarth and second by Lindahl to approve the acceptance order. Approved, 6-1 with Pottorff voting nay.
3. Castro, Paul (22FC:0073 – Chapter 21 – Bettendorf Community School Board 8/2/22). Paul Castro and Wendy Meyer spoke on the matter. A motion by Breitbarth and second by Schmillen to approve the dismissal order. Unanimously approved, 7-0.
4. Drish, Tom (22FC:0049 – Chapter 21 – Jefferson County Supervisors 5/26/22). A motion by Giovannetti and second by Corbin to approve the informal resolution and set the matter for review. Unanimously approved, 7-0.

5. Frank, Leigh (22FC:0075 – Chapter 22 – City of Danbury 8/7/22). Allyson Dirksen spoke on the matter. A motion by Schmillen and second by Breitbarth to approve the dismissal order. Unanimously approved, 7-0.
6. Gomes, Analicia (22FC:0058 – Chapter 21 – Bettendorf Comm. School Board 6/2/22). Analicia Gomes and Wendy Meyer spoke on the matter. A motion by Giovanetti and second by Breitbarth to approve the acceptance order. Approved, 6-1 with Lindahl voting nay.
7. Merritt, Michael (22FC:0071 – Chapter 22 – City of Newton 7/20/22). Matt Brick spoke on the matter. A motion by Breitbarth and second by Schmillen to approve the acceptance order. Unanimously approved, 7-0.
8. Merritt, Michael (22FC:0074 – Chapter 22 – Iowa State University Police Dept. 8/4/22). A motion by Breitbarth and second by McCrea to approve the dismissal order. Unanimously approved, 7-0.
9. Merritt, Michael (22FC:0082 – Chapter 22 – Panorama Comm. School 8/19/22). A motion by Schmillen and second by Breitbarth to approve the dismissal order. Unanimously approved, 7-0.
10. Merritt, Michael (22FC:0083 – Chapter 22 – Mid-Prairie Comm. School 8/19/22). A motion by Breitbarth and second by Schmillen to approve the dismissal order. Unanimously approved, 7-0.
11. Miller, Vanessa (22FC:0066 – Chapter 22 – University of Iowa 7/7/22). Erin Jordan and Nathan Levin spoke on the matter. A motion by Breitbarth and second by McCrea approve the dismissal order. Unanimously approved, 7-0.
12. Peasley, Courtney (22FC:0033 – Both Chapters – City of Derby 4/25/22). A motion by Breitbarth and second by Schmillen to continue until the next meeting. Unanimously approved, 7-0.
13. Radtke, Mari (22FC:0069 – Chapter 22 – City of Paullina 7/21/22). Mari Radtke spoke on the matter. A motion by Breitbarth and second by Schmillen to table the matter. Unanimously approved, 7-0.
14. Van Scyoc (22FC:0067 – Chapter 21 – Fremont Co. Board of Supervisors 7/12/22). A motion by Schmillen and second by McCrea approve the report as amended. Unanimously approved, 7-0.
15. Wells, Sara (22FC:0076 – Chapter 22 – Bettendorf Comm. School District 8/9/22). Sara Wells and Wendy Meyer spoke on the matter. A motion by Breitbarth and second by Lindahl approve the dismissal order. Unanimously approved, 7-0.

**4) Matters Withdrawn. No Action -**

1. Merritt, Michael (22FC:0070 – Chapter 22 – City of Marshalltown 7/20/22) withdrawn
2. Merritt, Michael (22FC:0080 – Chapter 22 – Bondurant-Farrar Comm. School 8/19/22) withdrawn
3. Merritt, Michael (22FC:0081 – Chapter 22 – Mason City Comm. School 8/19/22) withdrawn
4. Merritt, Michael (22FC:0084 – Chapter 22 – Sheldon Comm. School 8/19/22) withdrawn

5. Merritt, Michael (22FC:0085 – Chapter 22 – Sibley-Ocheyedan Comm. School 8/19/22) withdrawn
6. Vandello, Rosemary (22FC:0077 – Chapter 22 – Iowa Department of Public Health 8/15/22) withdrawn

**5) Pending complaints that required no board action. Informational**

1. Anderson, Rodney (22FC:0079 – Both Chapters – Massena City Council 8/20/22) Intake
2. Ellis, Sam (22FC:0089 - Chapter 22 – Warren County 9/6/22) Intake
3. Henely, Eric (22FC:0088 – Chapter 22 – Gilbert Community School Board 9/2/22) Intake
4. Huffman, David (22FC:0047 – Both Chapters – Batavia City Council 5/25/22) Pending
5. Johnson, Kevin (22FC:0060 – Chapter 22 – City of Hamburg 6/6/22) Pending
6. Kauffman, Clark (17FC:0029 – Chapter 22 – Polk County Assessor 4/6/17) Pending
7. Klein, Adam (15FC:0034-Chapter 22 - DCI / Burlington Police Dept. 5/15/15) Pending
8. Merritt, Michael (22FC:0090 – Chapter 22 – City of Ames 9/6/22) Intake
9. Merritt, Michael (22FC:0091 – Chapter 22 – Jasper County 9/7/22) Intake
10. Radtke, Mari (22FC:0050 – Chapter 22 – City of Paullina 5/26/22) pending
11. Radtke, Mari (22FC:0087 – Chapter 22 – City of Paullina 8/30/22) Intake
12. Schoenbaum, Michael (22FC:0092 – Both Chapters – City of Bonaparte 9/13/22) Intake
13. Sly, Diana (22FC:0053 – Chapter 21 – Lorimor City Council 6/1/22) Pending
14. Zimmerman, Kate (22FC:0086 – Both Chapters – Ringgold County 8/23/22) Intake

**6) Committee Reports**

1. Communications – No report
2. Legislative –
  - a. Consideration of proposed legislative amendments to 22.4 (acknowledgement of record requests) – Board requested additional information for October meeting.
  - b. 22.7(5) (peace officers investigative reports) – Board requested additional information for October meeting.
  - c. 23.7(1) 90 days to file a complaint – A motion by Breitbarth and seconded by Schmillen to approve filing of legislation. Unanimously approved 7-0.
3. Rules – No Report

**7) Updates for the board.**

- a. Johnson provided an overview of the August website use and YTD case totals.
- b. Johnson shared the FY22 financials and FY23 appropriations update.
- c. Johnson shared past presentations – none

The next IPIB meeting will be in the Wallace Building, **3rd Floor, E/W Conference Room**,  
October 20, 2022, at 1:00 p.m.

At p.m. the meeting adjourned on a motion by Breitbarth and a second by Schmillen. Unanimously  
approved.

Respectfully submitted  
Brett Toresdahl, Deputy Director

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IPIB, Chair  
Approved