

# **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**

**Hannah Fordyce, Legal Counsel**

## **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**

**August 18, 2022 1:00 p.m.**

**Wallace Building**

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

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

**12:00 PM – IPIB Rules Committee**

**1:00 PM – IPIB Meeting**

- I. Approval of agenda\*
- II. Approval of the July 21, 2022 \*
- III. Public Forum (5 minute limit per speaker)
- IV. Comments from the board chair. (Pottorff)
- V. Advisory Opinion – Deliberation/Action. (Fordyce)
  1. IPIB 22AO:0004 – Timeliness of Record Release \*

- VI. Cases involving Board Deliberation/Action. (Johnson)
1. Beck, Tim (22FC:0036 – Both Chapters – Pleasant Valley School District 5/5/22) \* Accept  
\* Motion to Continue
  2. Bode, Ken (22FC:0063 – Chapter 22 – Woodbury Co. Sheriff Office 6/29/22) \* Dismiss
  3. Close, Valerie (22FC:0064 – Chapter 22 – Vinton Public Library 7/4/22) \* Dismiss
  4. Dingbaum, Heather (22FC:0039 – Chapter 22 – Central DeWitt Comm. School 5/11/22) \* Dismiss
  5. Evans, Randy (22FC:0062 – Chapter 22 – Carlisle Community School District 6/26/22) \* Dismiss
  6. Johnson, Jarod (22FC:0040 – Chapter 22 – City of Muscatine 5/13/22) \* Dismiss
  7. Radtke, Mari (22FC:0050 – Chapter 22 – City of Paullina 5/26/22) \* Accept
  8. Reed, Paul (22FC:0068 – Chapter 22 – City of West Liberty 7/12/22) \* Dismiss
  9. Ryan, Nicholas (22FC:0065 – Chapter 21 – South Central Regional Airport Agency 7/6/22) \* Dismiss
  10. Sly, Diana (22FC:0053 – Chapter 21 – Lorimor City Council 6/1/22) \* Report
- VII. Matters Withdrawn, No Action Necessary. (Johnson)
1. Negrete, Dan (22FC:0072 – Chapter 22 – City of Pleasant Hill 7/28/22) \* Withdrawn
  2. Porter, Robert (22FC:0056 – Chapter 22 – Ankeny Comm. School District 6/2/22) \*Withdrawn
- VIII. Pending Complaints. Informational Only (Johnson)
1. Castro, Paul (22FC:0073 – Chapter 21 – Bettendorf Community School Board 8/2/22) Intake
  2. Drish, Tom (22FC:0049 – Chapter 21 – Jefferson County Supervisors 5/26/22) Pending
  3. Frank, Leigh (22FC:0075 – Chapter 22 – City of Danbury 8/7/22) Intake
  4. Gomes, Analicia (22FC:0058 – Chapter 21 – Bettendorf Comm. School Board 6/2/22) Intake
  5. Huffman, David (22FC:0047 – Both Chapters – Batavia City Council 5/25/22) Pending
  6. Johnson, Kevin (22FC:0060 – Chapter 22 – City of Hamburg 6/6/22) Pending
  7. Kauffman, Clark (17FC:0029 – Chapter 22 – Polk County Assessor 4/6/17) Pending
  8. Klein, Adam (15FC:0034-Chapter 22 - DCI / Burlington Police Dept. 5/15/15) Pending
  9. Merritt, Michael (22FC:0070 – Chapter 22 – City of Marshalltown 7/20/22) Intake
  10. Merritt, Michael (22FC:0071 – Chapter 22 – City of Newton 7/20/22) Intake
  11. Merritt, Michael (22FC:0074 – Chapter 22 – Iowa State University Police Dept. 8/4/22) Intake
  12. Miller, Vanessa (22FC:0066 – Chapter 22 – University of Iowa 7/7/22) Intake
  13. Peasley, Courtney (22FC:0033 – Both Chapters – City of Derby 4/25/22) Pending
  14. Radtke, Mari (22FC:0069 – Chapter 22 – City of Paullina 7/21/22) Intake
  15. Van Scyoc, Ida (22FC:0067 – Chapter 21 – Fremont Co. Board of Supervisors 7/12/22) Intake
- IX. Committee Reports
1. Communications – (Toresdahl)
  2. Legislative – (Johnson)
  3. Rules – (Johnson) \*
    - a. Review comments on timeliness rule.
    - b. Discussion of 5-year review of rules.
- 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  
September 15, 2022 at 1:00 p.m.
- XII. Adjourn \* Attachment

# IOWA PUBLIC INFORMATION BOARD

August 18, 2022

## Unapproved Minutes

The Board met on August 18, 2022 for its monthly meeting at 1:02 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; Joan Corbin, Pella (phone); Barry Lindahl, Dubuque; Joel McCrea, Pleasant Hill; Monica McHugh, Zwingle (phone); Julie Pottorff, Des Moines. Absent: E. J. Giovannetti, Urbandale; Jackie Schmillen, Urbandale. Also present were IPIB Executive Director Margaret Johnson, and IPIB Deputy Director Brett Toresdahl. A quorum was declared present.

Others identified present or by phone: Susan Patterson-Plank, Randy Evans, Rick Morain, Matt Brick, Tim Beck, Allyson Dirkson, Paul Reed, Mike Petersen, Valerie Close, Laura Belin, Diane Sly, Mikkie Schiltz, Tina Halverson, Amy Beattie, and Doug Herman.

On a **motion** by Lindahl, **second** by Breitbarth the agenda was unanimously adopted.

On a **motion** by Breitbarth, **second** by Lindahl, to approve the July 21, 2022 minutes. Unanimously adopted.

### Public Forum

none

### Items Discussed

- 1) **Board Chair** – Pottorff offered brief remarks. She announced that Margaret Johnson has notified the Board that she plans to retire from the IPIB on March 30, 2023.
- 2) **Advisory Opinions** –
  1. IPIB – 22AO:0004 – Timeliness of record release – Chapter 22. A motion by Lindahl and second by McCrea to approve the advisory opinion. Unanimously approved, 6-0.
- 3) **The board was briefed on cases and took action as indicated:**
  1. 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 Lindahl and second by Breitbarth to approve the motion to continue the matter. Unanimously approved, 6-0.
  2. Bode, Ken (22FC:0063 – Chapter 22 – Woodbury Co. Sheriff Office 6/29/22). A motion by Lindahl and second by Breitbarth to approve the dismissal order. Unanimously approved, 6-0.
  3. Close, Valerie (22FC:0064 – Chapter 22 – Vinton Public Library 7/4/22). Doug Herman spoke on the matter. A motion by Breitbarth and second by Lindahl to approve the dismissal order. Unanimously approved, 6-0.

4. Dingbaum, Heather (22FC:0039 – Chapter 22 – Central DeWitt Comm. School 5/11/22). A motion by Breitbarth and second by Lindahl to approve the dismissal order. Unanimously approved, 6-0.
5. Evans, Randy (22FC:0062 – Chapter 22 – Carlisle Community School District 6/26/22). Randy Evans spoke on the matter. A motion by Lindahl and second by Breitbarth to approve the dismissal order. Approved 5-1 with Breitbarth, Corbin, Lindahl, McHugh, and Pottorff voting yea; and McCrea voting nay.
6. Johnson, Jarod (22FC:0040 – Chapter 22 – City of Muscatine 5/13/22). Matt Brick spoke on the matter. A motion by Breitbarth and second by McCrea to approve the dismissal order. Unanimously approved, 6-0.
7. Radtke, Mari (22FC:0050 – Chapter 22 – City of Paullina 5/26/22). Tina Halverson spoke on the matter. A motion by McCrea and second by Lindahl to approve the acceptance order. Unanimously approved, 6-0.
8. Reed, Paul (22FC:0068 – Chapter 22 – City of West Liberty 7/12/22). Paul Reed spoke on the matter. A motion by Breitbarth and second by Lindahl to approve the dismissal order. Unanimously approved, 6-0.
9. Ryan, Nicholas (22FC:0065 – Chapter 21 – South Central Regional Airport Agency 7/6/22). Amy Beattie spoke on the matter. A motion by Breitbarth and second by McCrea to approve the dismissal order. Unanimously approved, 5-0 with Corbin abstaining.
10. Sly, Diana (22FC:0053 – Chapter 21 – Lorimor City Council 6/1/22). A motion by Lindahl and second by Breitbarth to approve the informal resolution and set the matter for review. Unanimously approved, 6-0.

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

1. Negrete, Dan (22FC:0072 – Chapter 22 – City of Pleasant Hill 7/28/22)  
Withdrawn
2. Porter, Robert (22FC:0056 – Chapter 22 – Ankeny Comm. School District 6/2/22)  
Withdrawn

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

1. Castro, Paul (22FC:0073 – Chapter 21 – Bettendorf Community School Board 8/2/22) Intake
2. Drish, Tom (22FC:0049 – Chapter 21 – Jefferson County Supervisors 5/26/22)  
Pending
3. Frank, Leigh (22FC:0075 – Chapter 22 – City of Danbury 8/7/22) Intake
4. Gomes, Analicia (22FC:0058 – Chapter 21 – Bettendorf Comm. School Board 6/2/22) Intake
5. Huffman, David (22FC:0047 – Both Chapters – Batavia City Council 5/25/22)  
Pending
6. Johnson, Kevin (22FC:0060 – Chapter 22 – City of Hamburg 6/6/22) Pending
7. Kauffman, Clark (17FC:0029 – Chapter 22 – Polk County Assessor 4/6/17)  
Pending
8. Klein, Adam (15FC:0034-Chapter 22 - DCI / Burlington Police Dept. 5/15/15)  
Pending

9. Merritt, Michael (22FC:0070 – Chapter 22 – City of Marshalltown 7/20/22) Intake
10. Merritt, Michael (22FC:0071 – Chapter 22 – City of Newton 7/20/22) Intake
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15. Van Scyoc, Ida (22FC:0067 – Chapter 21 – Fremont Co. Board of Supervisors 7/12/22) Intake

## 6) Committee Reports

1. Communications – No report
2. Legislative – The committee has met and is planning to bring proposals to the September meeting.
3. Rules –  
The proposed rule on timeliness was not well received by interested parties. A motion by Lindahl and second by Breitbarth to not proceed with further action on this proposed rule. Unanimously approved, 6-0.  
A motion by Breitbarth and second by McCrea to proceed with a notice of intended action on the proposal to amend Chapter 2, “Complaint Investigation and Resolution Procedures” and Chapter 4, “Contested Cases.” Unanimously approved, 6-0.

## 7) Updates for the board.

- a. Johnson provided an overview of the July website use and YTD case totals.
- b. Toresdahl 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**, September 15, 2022, at 1:00 p.m.

At 2:49 p.m. the meeting adjourned on a motion by Lindahl and a second by Breitbarth. Unanimously approved.

Respectfully submitted  
Brett Toresdahl, Deputy Director

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IPIB, Chair  
Approved