

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. 9th Street.

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

Turn right and proceed down the hallway to the conference room.

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

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

Agenda

July 21, 2022 1:00 p.m.

Wallace Building

502 East 9th Street, Des Moines

2nd Floor N/S Conference Room

1:00 PM – IPIB Meeting

- I. Approval of agenda*
- II. Approval of the May 19, 2022 & June 16, 2022 minutes *
- III. Public Forum (5 minute limit per speaker)
- IV. Election of Board Officers (Pottorff)
- V. Comments from the board chair. (Pottorff)
- VI. Advisory Opinion – Deliberation/Action. (Fordyce)
 1. IPIB – 22AO:0003 – Reasonable fees – Chapter 22 *

VII. Cases involving Board Deliberation/Action. (Johnson)

1. Beck, Tim (22FC:0036 – Both Chapters – Pleasant Valley School District 5/5/22) * Dismiss
2. Behrens, Chris (22FC:0042 – Both Chapters – Tama County Board of Supervisors 5/18/22) * Dismiss
3. Byars, William (21FC:0081 – Chapter 21 – Adair City Council 8/22/21) * Final Report
4. Case, Jesse (22FC:0043 – Chapter 22 – Cedar Rapids Community School District 5/18/22) * Dismiss
5. Drish, Tom (22FC:0049 – Chapter 21 – Jefferson County Supervisors 5/26/22) * Accept
6. Evans, William (22FC:0061 – Chapter 22 – Department of Revenue 6/13/22) * Dismiss
7. Gomes, Analicia (22FC:0058 – Chapter 21 – Bettendorf Comm. School Board 6/2/22) * Dismiss
8. Gomes, William (22FC:0038 – Chapter 21 – Bettendorf Comm. School Board 5/9/22) * Dismiss
9. Huffman, David (22FC:0047 – Both Chapters – Batavia City Council 5/25/22) * Accept
10. Johnson, Kevin (22FC:0060 – Chapter 22 – City of Hamburg 6/6/22) * Accept
11. Mierzwa, Fran (22FC:0034 – Chapter 22 – Pottawattamie Co. Board of Supervisors 4/28/22) * Dismiss
12. Merritt, Michael (22FC:0019 – Chapter 22 – City of Guthrie Center 3/9/22) * Final Report
13. Motz, Roger (22FC:0048 – Chapter 21 – Rand Peterson Levee District 5/23/22) * Dismiss
14. Peasley, Courtney (22FC:0033 – Both Chapters – City of Derby 4/25/22) * Accept & Report
15. Pichone, Cherie (21FC:0104 – Chapter 22 – University of Iowa Police Dept. 11/9/21) * Probable Cause Report
16. Prichard, Todd (22FC:0041 – Chapter 22 – Iowa Department of Corrections 5/13/22) * Dismiss
17. purebreadgooddog@gmail.com (22FC:0028 – Both Ch. – Linden Public Library 4/5/22) * Dismiss
18. Rockdaschel, Stacey (22FC:0037 – Both Chapters – Danbury City Council 5/9/22) * Dismiss
19. Sly, Diana (22FC:0053 – Chapter 21 – Lorimor City Council 6/1/22) * Accept
20. Swarm, Jack (22FC:0011 – Chapter 21 – Mt. Pleasant City Council 2/28/22) * Dismiss
21. Whitehead, Richard (22FC:0044 – Both Chapters – Center Point-Urbana Community Schools 5/24/22) * Dismiss
22. Wilson, Janet (22FC:0051 – Chapter 21 – Tama Co. Board of Supervisors 5/27/22); and, Wilson, Janet (22FC:0052 – Chapter 21 – Tama Co. Board of Supervisors 5/27/22); and, Wilson, Janet (22FC:0055 – Chapter 22 – Tama Co. Board of Supervisors 6/1/22); and, Wilson, Janet (22FC:0057 – Chapter 21 – Tama Co. Board of Supervisors 6/2/22) * Consolidate and Dismiss

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

1. Miller, Vanessa (22FC:0046 – Chapter 22 – University of Iowa 5/24/22) * withdrawal
2. Silich, Paul (22FC:0045 – Chapter 22 – Dubuque Co. Sheriff's Office 5/24/22) * withdrawal
3. Sheakley, Cliff (22FC:0026 – Chapter 22 – Dubuque County 3/30/22) * withdrawal
4. Stoecklein, Thomas (22FC:0059 – Chapter 22 – Lee County Sheriff's Office 6/3/22) * withdrawal
5. Stratton, James (22FC:0054 – Chapter 22 – City of Iowa Falls 6/1/22) * withdrawal

IX. Pending Complaints. Informational Only (Johnson)

1. Bode, Ken (22FC:0063 – Chapter 22 – Woodbury Co. Sheriff Office 6/29/22) Intake
2. Close, Valerie (22FC:0064 – Chapter 22 – Vinton Public Library 7/4/22) Intake
3. Dingbaum, Heather (22FC:0039 – Chapter 22 – Central DeWitt Comm. School 5/11/22) Intake
4. Evans, Randy (22FC:0062 – Chapter 22 – Carlisle Community School District 6/26/22) Intake
5. Johnson, Jared (22FC:0040 – Chapter 22 – City of Muscatine 5/13/22) Intake
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. Miller, Vanessa (22FC:0066 – Chapter 22 – University of Iowa 7/7/22) Intake

9. Porter, Robert (22FC:0056 – Chapter 22 – Ankeny Community School District 6/2/22) Intake
10. Radtke, Mari (22FC:0050 – Chapter 22 – City of Paullina 5/26/22) Intake
11. Reed, Paul (22FC:0068 – Chapter 22 – City of West Liberty 7/12/22) Intake
12. Ryan, Nicholas (22FC:0065 – Chapter 21 – South Central Regional Airport Agency 7/6/22) Intake
13. Van Scyoc, Ida (22FC:0067 – Chapter 21 – Fremont Co. Board of Supervisors 7/12/22) Intake

X. Committee Reports

1. Communications – (Toresdahl)
2. Legislative – (Johnson)
3. Rules – (Fordyce)
 - A) Timeliness Rule – Public Hearing, July 11, 2022, 3:00 P.M.

XI. Office status report.

1. Contacts and activity * (Johnson)
2. Financial/Budget Update (FY22 & FY23) * (Toresdahl)
3. Presentations/Trainings (Johnson) –
 - June 24, 2022 – Iowa State Assn. of County Auditor – Dubuque
 - July 8, 2022 – Iowa Council of School Board Attorneys – Des Moines

XII. Next IPIB Board Meeting will be held in the Wallace Building, 3rd Floor, E/W Conference Room August 18, 2022 at 1:00 p.m.

XIII. Adjourn

*** Attachment**

IOWA PUBLIC INFORMATION BOARD

July 21, 2022

Unapproved Minutes

The Board met on July 21, 2022 for its monthly meeting at 1:03 p.m. in person and by conference call in the 2nd floor N/S Conference Room in the Wallace Building with the following members participating: Daniel Breitbarth, Des Moines; Joan Corbin, Pella (arrived at 1:07); E. J. Giovannetti, Urbandale; Barry Lindahl, Dubuque; Monica McHugh, Zwingle; Julie Pottorff, Des Moines; Jackie Schmillen, Urbandale. Absent: Joel McCrea, Pleasant Hill. Also present were IPIB Executive Director Margaret Johnson, IPIB Deputy Director Brett Toresdahl. A quorum was declared present.

Others identified present or by phone: Analisa Gomes, William Gomes, Randy Evans, Holly Corkery, Jack Swarm, Megan Adams, Emily Ellingson, Stacey Rockaschel, Rick Morain, Jared Strong, Kevin Johnson, Matt Brick, Tom Drish, James Stratton, Doug Stricht, Tim Beck, Chauncy Moulding, Lucas Helling, Wendy Meyer, Sarah Kleaver, Allison Dirkson, and Lorraine Wallace.

On a **motion** by McHugh, **second** by Giovannetti the agenda was unanimously adopted.

On a **motion** by Giovannetti, **second** by Lindahl, to approve the May 19, 2022 minutes and the June 16, 2022 minutes. Unanimously adopted.

Public Forum

none

Items Discussed

1) **Board Chair** – Pottorff offered brief remarks.

2) **IPIB Board Elections -**

McHugh nominated Julie Pottorff to serve as the Chair of the IPIB for another year.

Giovannetti seconded the nomination. Pottorff was selected by a unanimous vote of the Board.

Pottorff nominated Monica McHugh to serve as the Vice-Chair of the IPIB for another year. Giovannetti seconded the nomination. McHugh was selected by a unanimous vote of the Board.

Committee assignments were announced by Pottorff

3) **Advisory Opinions –**

1. IPIB – 22AO:0003 – Reasonable fees – Chapter 22. A motion by Giovannetti and second by McHugh to approve the advisory opinion. Unanimously approved, 7-0.

Note: At 1:24, the conference call was momentarily disconnected and then reconnected to address background noise on the call.

4) 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 Randy Evans spoke on the matter. A motion by McHugh and second by Lindahl to approve the motion to table the matter. Unanimously approved, 7-0.
2. Behrens, Chris (22FC:0042 – Both Chapters – Tama County Board of Supervisors 5/18/22). A motion by Breitbarth and second by Lindahl to approve the dismissal order. Unanimously approved, 7-0.
3. Byars, William (21FC:0081 – Chapter 21 – Adair City Council 8/22/21). A motion by Breitbarth and second by Giovannetti to accept the final report and to approve the dismissal order as the terms of the agreement have been met. Unanimously approved, 7-0.
4. Case, Jesse (22FC:0043 – Chapter 22 – Cedar Rapids Community School District 5/18/22). Emily Ellingson spoke on the matter. A motion by Breitbarth and second by Lindahl to approve the dismissal order. Unanimously approved, 7-0.
5. Drish, Tom (22FC:0049 – Chapter 21 – Jefferson County Supervisors 5/26/22). Tom Drish and Chauncey Moulding spoke on the matter. A motion by Lindahl and second by Corbin to approve the acceptance order. Unanimously approved, 7-0.
6. Evans, William (22FC:0061 – Chapter 22 – Department of Revenue 6/13/22). A motion by Giovannetti and second by Schmillen to approve the dismissal order. Unanimously approved, 7-0.
7. Gomes, Analicia (22FC:0058 – Chapter 21 – Bettendorf Comm. School Board 6/2/22). Analicia Gomes, Wendy Meyer, and Randy Evans spoke on the matter. A motion by Giovannetti and second by McHugh to table the matter. Unanimously approved, 7-0.
8. Gomes, William (22FC:0038 – Chapter 21 – Bettendorf Comm. School Board 5/9/22). William Gomes and Wendy Meyer spoke on the matter. A motion by Breitbarth and second by McHugh to approve the dismissal order. Unanimously approved, 7-0.
9. Huffman, David (22FC:0047 – Both Chapters – Batavia City Council 5/25/22). Lucas Helling spoke on the matter. A motion by Giovannetti and second by McHugh to approve the acceptance order. Approved, 5-2 with Corbin, Giovannetti, McHugh, Pottorff, and Schmillen voting yea; and Breitbarth and Lindahl voting nay.
10. Johnson, Kevin (22FC:0060 – Chapter 22 – City of Hamburg 6/6/22). A motion by Breitbarth and second by Schmillen to approve the acceptance order. Unanimously approved, 7-0.
11. Mierzwa, Fran (22FC:0034 – Chapter 22 – Pottawattamie Co. Board of Supervisors 4/28/22). A motion by Giovannetti and second by Lindahl to approve the dismissal order. Unanimously approved, 7-0.

Note: *The Board took a break from the meeting at 3:17 PM and reconvened at 3:23 PM.*

12. Merritt, Michael (22FC:0019 – Chapter 22 – City of Guthrie Center 3/9/22). A motion by Breitbarth and a second by Giovannetti to approve the informal resolution and dismiss the matter as satisfactorily completed. Unanimously approved, 7-0.
13. Motz, Roger (22FC:0048 – Chapter 21 – Rand Peterson Levee District 5/23/22). Sarah Kleber spoke on the matter. A motion by McHugh and second by Lindahl to approve the dismissal order. Unanimously approved, 7-0.
14. Peasley, Courtney (22FC:0033 – Both Chapters – City of Derby 4/25/22). A motion by McHugh and second by Breitbarth to approve the acceptance order and the informal resolution. Unanimously approved, 7-0.
15. Pichone, Cherie (21FC:0104 – Chapter 22 – University of Iowa Police Dept. 11/9/21). A motion by McHugh and second by Breitbarth to determine that probable cause does not exist to believe violations have occurred and to dismiss the matter. Unanimously approved, 7-0.
16. Prichard, Todd (22FC:0041 – Chapter 22 – Iowa Department of Corrections 5/13/22). Loraine Wallace spoke on the matter. A motion by McHugh and second by Corbin to approve the dismissal order. Unanimously approved, 7-0.
17. purebreadgooddog@gmail.com (22FC:0028 – Both Ch. – Linden Public Library 4/5/22). A motion by McHugh and second by Corbin to approve the dismissal order. Unanimously approved, 7-0.
18. Rockdaschel, Stacey (22FC:0037 – Both Chapters – Danbury City Council 5/9/22). Stacy Rockdaschel and Allyson Dirksen spoke on the matter. A motion by Breitbarth and second by McHugh to approve the dismissal order. Unanimously approved, 6-0 with Giovannetti abstaining.
19. Sly, Diana (22FC:0053 – Chapter 21 – Lorimor City Council 6/1/22). A motion by McHugh and second by Schmillen to approve the acceptance. Unanimously approved, 7-0.
20. Swarm, Jack (22FC:0011 – Chapter 21 – Mt. Pleasant City Council 2/28/22). Jack Swarm and Holly Corkery spoke on the matter. A motion by McHugh and second by Giovannetti to approve the dismissal order. Approved, 5-2 with Breitbarth, Giovannetti, McHugh, Pottorff, and Schmillen voting yea; and Corbin and Lindahl voting nay.

Note: *Schmillen left the meeting at 5:03 PM.*

21. Whitehead, Richard (22FC:0044 – Both Chapters – Center Point-Urbana Community Schools 5/24/22). Emily Ellingson spoke on the matter. A motion by Giovannetti and second by McHugh to approve the dismissal order. Unanimously approved, 7-0.
22. Wilson, Janet (22FC:0051 – Chapter 21 – Tama Co. Board of Supervisors 5/27/22); and, Wilson, Janet (22FC:0052 – Chapter 21 – Tama Co. Board of Supervisors 5/27/22); and, Wilson, Janet (22FC:0055 – Chapter 22 – Tama Co. Board of Supervisors 6/1/22); and, Wilson, Janet (22FC:0057 – Chapter 21 – Tama Co. Board of Supervisors 6/2/22). A motion by Breitbarth and second by Lindahl to consolidate and approve the dismissal order. Unanimously approved, 7-0.

5) Matters Withdrawn. No Action -

1. Miller, Vanessa (22FC:0046 – Chapter 22 – University of Iowa 5/24/22) withdrawal
2. Silich, Paul (22FC:0045 – Chapter 22 – Dubuque Co. Sheriff’s Office 5/24/22) withdrawal
3. Sheakley, Cliff (22FC:0026 – Chapter 22 – Dubuque County 3/30/22) withdrawal
4. Stoecklein, Thomas (22FC:0059 – Chapter 22 – Lee County Sheriff’s Office 6/3/22) withdrawal
5. Stratton, James (22FC:0054 – Chapter 22 – City of Iowa Falls 6/1/22) withdrawal

6) Pending complaints that required no board action. Informational

1. Bode, Ken (22FC:0063 – Chapter 22 – Woodbury Co. Sheriff Office 6/29/22) Intake
2. Close, Valerie (22FC:0064 – Chapter 22 – Vinton Public Library 7/4/22) Intake
3. Dingbaum, Heather (22FC:0039 – Chapter 22 – Central DeWitt Comm. School 5/11/22) Intake
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12. Ryan, Nicholas (22FC:0065 – Chapter 21 – South Central Regional Airport Agency 7/6/22) Intake
13. Van Scyoc, Ida (22FC:0067 – Chapter 21 – Fremont Co. Board of Supervisors 7/12/22) Intake

7) Committee Reports

1. Communications – No report
2. Legislative – The committee will be meeting in the next few months.
3. Rules –
The proposed rules were discussed at a public hearing date on July 11, 2022 at 3:00 P.M. in the IPIB Office Conference Room. The committee will meet on August 18, 2022, at 11:30 AM. to discuss feedback.

8) Updates for the board.

- a. Johnson provided an overview of the June website use and YTD case totals.
- b. Toresdahl shared the FY22 financials and FY23 appropriations update.
- c. Johnson shared shared past presentations –
 - June 24, 2022 – Iowa State Assn. of County Auditor – Dubuque
 - July 8, 2022 – Iowa Council of School Board Attorneys – Des Moines

The next IPIB meeting will be in the Wallace Building, **3rd Floor, E/W Conference Room**, August 18, 2022, at 1:00 p.m.

At 5:27 p.m. the meeting adjourned on a motion by Giovannetti and a second by Lindahl. Unanimously approved.

Respectfully submitted
Brett Toresdahl, Deputy Director

IPIB, Chair
Approved