

IOWA PUBLIC INFORMATION BOARD

MEMBERS

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

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

E. J. Giovannetti, Urbandale (Government 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.

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 3rd floor.

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

Dial-in number: 866-685-1580 Conference Code: 2841441953

Agenda

May 19, 2022 1:00 p.m.

Wallace Building

502 East 9th Street, Des Moines

3rd Floor E/W Conference Room

1:00 PM – IPIB Meeting

- I. Approval of agenda*
- II. Approval of the April 21, 2022 minutes *
- III. Public Forum (5 minute limit per speaker)
- IV. Comments from the board chair. (Pottorff) Introduction of new Board Members
- V. Advisory Opinion – Deliberation/Action. (Johnson)
 1. none

- VI. Cases involving Board Deliberation/Action. (Johnson)
1. Abell, Ernie (21FC:0119 – Chapter 21 – Arispe City Council 12/14/21); and, Abell, Ernie (22FC:0004 – Chapter 22 – Arispe City Council 1/31/22); and, Abell, Ernie (22FC:0021 – Chapter 21 – Arispe City Council 3/15/22) * Report
 2. Adams, Jesse (22FC:0023 – Both chapters – Sioux City Police Dept. 3/24/22) * Dismiss
 3. Byars, William (21FC:0081 – Chapter 21 – Adair City Council 8/22/21) * Motion to Continue
 4. Hall, Jacob (22FC:0024 – Chapter 22 – Linn-Mar School District 3/27/22) * Dismiss
 5. Merritt, Michael (22FC:0018 – Chapter 22 – Guthrie County 3/9/22) * Dismiss
 6. Merritt, Michael (22FC:0019 – Chapter 22 – City of Guthrie Center 3/9/22) * Accept
 7. Merritt, Michael (22FC:0025 – Chapter 22 – Iowa State University 3/30/22) * Dismiss
 8. Mierzwa, Frances (22FC:0031 – Chapter 21 – Pottawattamie Co. Board of Supervisors 4/7/22) * Dismiss
 9. Olson, Kevin-Dennis (22FC:0030 – Chapter 22 – City of West Des Moines 4/7/22) * Dismiss
 10. Sheakley, Cliff (22FC:0026 – Chapter 22 – Dubuque County 3/30/22) * Accept
 11. Swarm, Jack (22FC:0011 – Chapter 21 – Mt. Pleasant City Council 2/28/22) * Accept
 12. Wolf, Dean (22FC:0029 – Chapter 21 – Pocahontas Co. Board of Health 4/7/22) * Dismiss
- VII. Matters Withdrawn, No Action Necessary. (Johnson)
1. Bally, Kim (22FC:0035 – Chapter 22 – Iowa Dept. of Agriculture 4/28/22) * withdrawn
- VIII. Pending Complaints. Informational Only (Johnson)
1. Beck, Tim (22FC:0036 – Both Chapters – Pleasant Valley School District 5/5/22) Intake
 2. Dingbaum, Heather (22FC:0039 – Chapter 22 – Central DeWitt Comm. School 5/11/22) Intake
 3. Gomes, William (22FC:0038 – Chapter 21 – Bettendorf Comm. School Board 5/9/22) Intake
 4. Johnson, Jared (22FC:0040 – Chapter 22 – City of Muscatine 5/13/22) Intake
 5. Kauffman, Clark (17FC:0029 – Chapter 22 – Polk County Assessor 4/6/17) Pending
 6. Klein, Adam (15FC:0034-Chapter 22 - DCI / Burlington Police Dept. 5/15/15) Pending
 7. Mierzwa, Fran (22FC:0034 – Chapter 22 – Pottawattamie Co. Board of Supervisors 4/28/22) Intake
 8. Peasley, Courtney (22FC:0033 – Both Chapters – City of Derby 4/25/22) Intake
 9. Pichone, Cherie (21FC:0104 – Chapter 22 – University of Iowa Police Dept. 11/9/21) Pending
 10. Prichard, Todd (22FC:0041 – Chapter 22 – Iowa Department of Corrections 5/13/22) Intake
 11. purebreadgooddog@gmail.com (22FC:0028 – Both Ch. – Linden Public Library 4/5/22) Intake
 12. Rockdaschel, Stacey (22FC:0037 – Both Chapters – Danbury City Council 5/9/22) Intake
- IX. Committee Reports
1. Communications – (Toresdahl)
 2. Legislative – (Johnson)
 3. Rules – (Johnson/Fordyce) *
 - A) Preservation of Records
 - B) Withdrawl of a complaint
 - C) Anonymous complaints
 - D) Timeliness Rule – Public Hearing, June 21, 2022, 3:00 P.M.
- X. Office status report.
1. Contacts and activity * (Johnson)
 2. Financial/Budget Update (FY22 & FY23) * (Toresdahl)

3. Presentations/Trainings (Johnson) –

May 2022 - ISSDA Regional Training on Records Retention and Redaction:

May 4 -Webster City, May 11 – Denison, May 18 – Iowa City, May 25 – Osceola.

June 24, 2022 – Iowa State Assn. of County Auditor - Dubuque

XI. Next IPIB Board Meeting will be held in the Wallace Building, 3rd Floor, E/W Conference Room
June 16, 2022 at 1:00 p.m.

XII. Adjourn

*** Attachment**

IOWA PUBLIC INFORMATION BOARD

May 19, 2022

Unapproved Minutes

The Board met on May 19, 2022 for its monthly meeting at 1:10 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: Joan Corbin, Pella (phone); E. J. Giovannetti, Urbandale; Barry Lindahl, Dubuque; Joel McCrea, Pleasant Hill; Jackie Schmillen, Urbandale. Absent: Daniel Breitbarth, Des Moines; Monica McHugh, Zwingle; Julie Pottorff, Des Moines. Also present were IPIB Executive Director Margaret Johnson, IPIB Deputy Director Brett Toresdahl; IPIB Legal Counsel Hannah Fordyce. A quorum was declared present.

Others identified present or by phone: Fran Mierzwa, Susan Patterson-Plank, Meggen Weeks, Kristy Latta, Joe Simmons, Cliff Sheakley, Holly Corkery, and Jack Swarm.

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

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

Public Forum

none

Items Discussed

- 1) **Board Chair** – Pottorff was absent and asked Giovannetti to chair the meeting. Giovannetti asked the new Board members Joel McCrea and Jackie Schmillen to introduce themselves.
- 2) **Advisory Opinions** –
 1. none
- 3) **The board was briefed on cases and took action as indicated:**
 1. Abell, Ernie (21FC:0119 – Chapter 21 – Arispe City Council 12/14/21); and, Abell, Ernie (22FC:0004 – Chapter 22 – Arispe City Council 1/31/22); and, Abell, Ernie (22FC:0021 – Chapter 21 – Arispe City Council 3/15/22). Meggen Weeks spoke on the matter. A motion by Lindahl and second by McCrea to determine that probable cause exists to believe violations have occurred, but dismiss the matter as an exercise of administrative discretion. Unanimously approved, 5-0.
 2. Adams, Jesse (22FC:0023 – Both chapters – Sioux City Police Dept. 3/24/22). A motion by McCrea and second by Schmillen to approve the dismissal order. Unanimously approved, 5-0.

3. Byars, William (21FC:0081 – Chapter 21 – Adair City Council 8/22/21). A motion by Lindahl and second by McCrea to approve the motion to continue. Unanimously approved, 5-0.
4. Hall, Jacob (22FC:0024 – Chapter 22 – Linn-Mar School District 3/27/22). Kristy Latta spoke on the matter. A motion by Lindahl and second by Schmillen to approve the dismissal order. Unanimously approved, 5-0.
5. Merritt, Michael (22FC:0018 – Chapter 22 – Guthrie County 3/9/22). A motion by Corbin and second by Lindahl to approve the dismissal order. Unanimously approved, 5-0.
6. Merritt, Michael (22FC:0019 – Chapter 22 – City of Guthrie Center 3/9/22). A motion by Lindahl and second by McCrea to approve the acceptance order. Unanimously approved, 5-0.
7. Merritt, Michael (22FC:0025 – Chapter 22 – Iowa State University 3/30/22). A motion by Lindahl and second by Corbin to approve the dismissal order. Unanimously approved, 5-0.
8. Mierzwa, Frances (22FC:0031 – Chapter 21 – Pottawattamie Co. Board of Supervisors 4/7/22). Fran Mierzwa spoke on the matter. A motion by Lindahl and second by McCrea to approve the dismissal order. Unanimously approved, 5-0.

Note: Schmillen switch from attendance in-person to attendance by phone.

9. Olson, Kevin-Dennis (22FC:0030 – Chapter 22 – City of West Des Moines 4/7/22). A motion by Lindahl and second by McCrea to approve the dismissal order. Unanimously approved, 5-0.
10. Sheakley, Cliff (22FC:0026 – Chapter 22 – Dubuque County 3/30/22). Cliff Sheakley spoke on the matter. A motion by Lindahl and second by McCrea to approve the acceptance order. Unanimously approved, 5-0.
11. 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 Lindahl and second by McCrea to approve the motion to table the matter. Unanimously approved, 5-0.
12. Wolf, Dean (22FC:0029 – Chapter 21 – Pocahontas Co. Board of Health 4/7/22). A motion by McCrea and second by Lindahl to approve the dismissal order. Unanimously approved, 5-0.

4) Matters Withdrawn. No Action -

1. Bally, Kim (22FC:0035 – Chapter 22 – Iowa Dept. of Agriculture 4/28/22) withdrawn

5) Pending complaints that required no board action. Informational

1. Beck, Tim (22FC:0036 – Both Chapters – Pleasant Valley School District 5/5/22) Intake
2. Dingbaum, Heather (22FC:0039 – Chapter 22 – Central DeWitt Comm. School 5/11/22) Intake
3. Gomes, William (22FC:0038 – Chapter 21 – Bettendorf Comm. School Board 5/9/22) Intake

4. Johnson, Jared (22FC:0040 – Chapter 22 – City of Muscatine 5/13/22) Intake
5. Kauffman, Clark (17FC:0029 – Chapter 22 – Polk County Assessor 4/6/17)
Pending
6. Klein, Adam (15FC:0034-Chapter 22 - DCI / Burlington Police Dept. 5/15/15)
Pending
7. Mierzwa, Fran (22FC:0034 – Chapter 22 – Pottawattamie Co. Board of Supervisors 4/28/22) Intake
8. Peasley, Courtney (22FC:0033 – Both Chapters – City of Derby 4/25/22) Intake
9. Pichone, Cherie (21FC:0104 – Chapter 22 – University of Iowa Police Dept. 11/9/21) Pending
10. Prichard, Todd (22FC:0041 – Chapter 22 – Iowa Department of Corrections 5/13/22) Intake
11. purebreadgooddog@gmail.com (22FC:0028 – Both Ch. – Linden Public Library 4/5/22) Intake
12. Rockdaschel, Stacey (22FC:0037 – Both Chapters – Danbury City Council 5/9/22) Intake

6) Committee Reports

1. Communications – No report
2. Legislative – Monitoring the following bills: SF513, SF2322, HF2154, HF2565 (Administration Appropriation).
3. Rules – The Board discussed a proposed rule that would address the preservation of records. They also discussed an additional proposed rule on the withdrawal of a complaint. The consensus was to bring these back to the next Board meeting for additional discussion.
The timeliness rule has a public hearing date of July 11, 2022 at 3:00 P.M. in the IPIB Office Conference Room.

7) Updates for the board.

- a. Johnson provided an overview of the April website use and YTD case totals.
- b. Toresdahl shared the FY22 financials and FY23 appropriations update.
- c. Johnson shared upcoming presentations –
May 2022 - ISSDA Regional Training on Records Retention and Redaction:
May 4 -Webster City, May 11 – Denison, May 18 – Iowa City, May 25 – Osceola.
June 24, 2022 – Iowa State Assn. of County Auditors - Dubuque

The next IPIB meeting will be in the Wallace Building, **3rd Floor, E/W Conference Room**, June 16, 2022, at 1:00 p.m.

At 4:14 p.m. the meeting adjourned on a motion by Lindahl and a second by McCrea. Unanimously approved.

Respectfully submitted
Brett Toresdahl, Deputy Director

IPIB, Chair
Approved