

IOWA PUBLIC INFORMATION BOARD

MEMBERS

Joan Corbin, Pella (Government Representative, 2020-2024)
E. J. Giovannetti, Urbandale (Government Representative, 2018-2022)
Barry Lindahl, Dubuque (Government Representative, 2020-2024)
Keith Luchtel, Clive (Media Representative, 2018-2022)
Monica McHugh, Zwingle (Public Representative, 2018-2022)
Frederick (Rick) Morain, Jefferson (Media Representative, 2018-2022)
Julie Pottorff, Des Moines (Public Representative, 2020-2024)
Suzan Stewart, Sioux City (Public Representative, 2018-2022)
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

April 21, 2022 1:00 p.m.

Wallace Building

502 East 9th Street, Des Moines

3rd Floor E/W Conference Room

11:30 PM – IPIB Rules Committee – (IPIB Office Conference Room)

1:00 PM – IPIB Meeting

- I. Approval of agenda*
- II. Approval of the March 17, 2022 minutes *
- III. Public Forum (5 minute limit per speaker)
- IV. Comments from the board chair. (Pottorff)
- V. Board Correspondence - * Letter from Randy Evans, Freedom of Information Council

- VI. Advisory Opinion – Deliberation/Action. (Johnson)
1. none
- VII. Cases involving Board Deliberation/Action. (Johnson)
1. Abell, Ernie (22FC:0021 – Chapter 21 – Arispe City Council 3/15/22) * Motion
 2. Brewbaker, Chad (22FC:0017 – Chapter 22 – Office of Attorney General 3/9/22) * Dismiss
 3. Evans, Randy (22FC:0007 – Chapter 22 – Fayette County 2/16/22) * Dismiss
 4. Gavin, Clay (22FC:0027 – Chapter 22 – Cascade Municipal Utilities 4/1/22) * Dismiss
 5. Gries, Arthur (22FC:0022 – Chapter 21 – City of Hawarden 3/18/22) * Dismiss
 6. Merritt, Michael (22FC:0020 – Chapter 22 – City of Ames 3/9/22) * Dismiss
 7. Pettit, Harry (22FC:0015 – Chapter 22 – Madison County 3/7/22) * Dismiss
 8. Vogt, Beth Ann (22FC:0009 – Chapter 21 – Crawford Co. E911 Board 2/18/22) * Dismiss
 9. Weir, Douglas (22FC:0010 – Chapter 22 – City of Ruthven 2/20/22) * Dismiss
 10. Weir, Douglas (22FC:0016 – Chapter 22 – City of Ruthven 3/9/22) * Dismiss
 11. Wymore, Kevin (22FC:0013 – Chapter 21 – Cedar Rapids Citizen Review Bd. 2/28/22) * Dismiss
- VIII. Matters Withdrawn, No Action Necessary. (Johnson)
1. Beckler, Hannah (22FC:0014 – Chapter 22 – Department of Corrections 3/3/22) * Withdrawn
 2. Sienknecht, Randy (22FC:0032 – Chapter 21 – Green Mountain Garwin School Board 4/10/22) * Withdrawn
- IX. Pending Complaints. Informational Only (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) Pending
 2. Adams, Jesse (22FC:0023 – Both chapters – Sioux City Police Dept. 3/24/22) Intake
 3. Byars, William (21FC:0081 – Chapter 21 – Adair City Council 8/22/21) Pending
 4. Hall, Jacob (22FC:0024 – Chapter 22 – Linn-Mar School District 3/27/22) Intake
 5. Kauffman, Clark (17FC:0029 – Chapter 22 – Polk County Assessor 4/6/17) Pending
 6. Merritt, Michael (22FC:0018 – Chapter 22 – Guthrie County 3/9/22) Intake
 7. Merritt, Michael (22FC:0019 – Chapter 22 – City of Guthrie Center 3/9/22) Intake
 8. Merritt, Michael (22FC:0025 – Chapter 22 – Iowa State University 3/30/22) Intake
 9. Mierzwa, Frances (22FC:0031 – Chapter 21 – Pottawattamie Co. Board of Supervisors 4/7/22) Intake
 10. Olson, Kevin-Dennis (22FC:0030 – Chapter 22 – City of West Des Moines 4/7/22) Intake
 11. Pichone, Cherie (21FC:0104 – Chapter 22 – University of Iowa Police Dept. 11/9/21) Pending
 12. purebreadgooddog@gmail.com (22FC:0028 – Both Ch. – Linden Public Library 4/5/22) Intake
 13. Sheakley, Cliff (22FC:0026 – Chapter 22 – Dubuque County 3/30/22) Intake
 14. Swarm, Jack (22FC:0011 – Chapter 21 – Mt. Pleasant City Council 2/28/22) Intake
 15. Wolf, Dean (22FC:0029 – Chapter 21 – Pocahontas Co. Board of Health 4/7/22) Intake
- X. Committee Reports
1. Communications – (Toresdahl)
 2. Legislative – (Johnson)
 3. Rules – (Johnson) – Proposed rules amendments:
 - a) remove rules 497-2.1(6) and 497-4.17. *
 - b) review a proposed new rule addressing timeliness when responding to a record request. *

- XI. 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 Auditors
 4. Office Staffing – Introduce Hannah Fordyce
- XII. Board Recognition – Outgoing members
- XIII. Next IPIB Board Meeting will be held in the Wallace Building, 3rd Floor, E/W Conference Room
May 19, 2022 at 1:00 p.m.
- XIV. Adjourn *** Attachment**

IOWA PUBLIC INFORMATION BOARD

April 21, 2022

Unapproved Minutes

The Board met on April 21, 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: E. J. Giovannetti, Urbandale; Barry Lindahl, Dubuque (phone); Keith Luchtel, Clive; Monica McHugh, Zwingle; Rick Morain, Jefferson; Julie Pottorff, Des Moines; Suzan Stewart, Sioux City. Absent: Joan Corbin, Pella. 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: Tim Whipple, David Stein, Randy Evans, Susan Patterson-Plank, Ernie Abell, Jeff Hoeger, Wanda Woodley, Matt Schultz, Mark Lambert, Joel Fantz, Zach Goodrich, and Kevin Wymore.

On a **motion** by Stewart, **second** by Morain the agenda was unanimously adopted.

On a **motion** by Luchtel, **second** by Giovannetti, to approve the March 17, 2022 minutes. Unanimously adopted.

Public Forum

Zach Goodrich, Executive Director, Iowa Campaign & Ethics Disclosure Board, provided congratulatory remarks to the three outgoing IPIB Board members.

Items Discussed

- 1) **Board Chair** – Pottorff asked Stewart to share a suggestion. Stewart is considering ways that the IPIB website can be improved to aid members of the public in understanding and resolving their issues before it is necessary to file a complaint.
- 2) **Board Correspondence** - Randy Evans from the freedom of Information Council spoke regarding a letter that he sent to the board concerning preservation of records when complaints are filed. The board discussed the letter and suggested that the topic be added to the Rules Committee agenda for further discussion.
- 3) **Advisory Opinions** –
 1. none
- 4) **The board was briefed on cases and took action as indicated:**
 1. Abell, Ernie (22FC:0021 – Chapter 21 – Arispe City Council 3/15/22) Ernie Abell spoke on the matter. A motion by Giovannetti and second by Luchtel to consolidate with 21FC:0119 & 22FC:0004. Unanimously approved, 7-0.

2. Brewbaker, Chad (22FC:0017 – Chapter 22 – Office of Attorney General 3/9/22). A motion by Luchtel and second by McHugh to approve the dismissal order. Unanimously approved, 7-0.
3. Evans, Randy (22FC:0007 – Chapter 22 – Fayette County 2/16/22). Joel Franz and Jeff Hoeger spoke on the matter. A motion by Stewart and second by McHugh to approve the dismissal order. Approved by roll call vote, 5-2 with Giovannetti, Luchtel, McHugh, Pottorff, and Stewart voting yea; and Lindahl and Morain voting nay.
4. Gavin, Clay (22FC:0027 – Chapter 22 – Cascade Municipal Utilities 4/1/22). Tim Wipple spoke on the matter. A motion by Giovannetti and second by Luchtel to approve the dismissal order. Unanimously approved, 7-0.
5. Gries, Arthur (22FC:0022 – Chapter 21 – City of Hawarden 3/18/22). Wanda Woodley spoke on the matter. A motion by Stewart and second by Morain to approve the dismissal order as amended. Unanimously approved, 7-0.
6. Merritt, Michael (22FC:0020 – Chapter 22 – City of Ames 3/9/22). Mark Lambert spoke on the matter. A motion by Luchtel and second by Lindahl to approve the dismissal order as amended. Unanimously approved, 7-0.
7. Pettit, Harry (22FC:0015 – Chapter 22 – Madison County 3/7/22). Matt Schultz spoke on the matter. A motion by Stewart and second by Giovannetti to approve the dismissal order. Unanimously approved, 7-0.
8. Vogt, Beth Ann (22FC:0009 – Chapter 21 – Crawford Co. E911 Board/Crawford Co. Firefighters Assn. 2/18/22). A motion by Stewart and second by Giovannetti to approve the dismissal order as amended. Unanimously approved, 7-0.

Note: Luchtel left meeting at 2:46 PM, returned at 2:49 PM.

9. Weir, Douglas (22FC:0010 – Chapter 22 – City of Ruthven 2/20/22). David Stein spoke on the matter. A motion by Morain and second by Luchtel to approve the dismissal order. Unanimously approved, 7-0.
10. Weir, Douglas (22FC:0016 – Chapter 22 – City of Ruthven 3/9/22). David Stein spoke on the matter. A motion by Stewart and second by McHugh to approve the dismissal order. Unanimously approved, 7-0.
11. Wymore, Kevin (22FC:0013 – Chapter 21 – Cedar Rapids Citizen Review Bd. 2/28/22). Kevin Wymore spoke on the matter. A motion by Luchtel and second by Giovannetti to approve the dismissal order. Unanimously approved, 7-0.

Note: Giovannetti left meeting at 3:12 PM, returned at 3:17 PM.

5) Matters Withdrawn. No Action -

1. Beckler, Hannah (22FC:0014 – Chapter 22 – Department of Corrections 3/3/22) Withdrawn
2. Sienknecht, Randy (22FC:0032 – Chapter 21 – Green Mountain Garwin School Board 4/10/22) Withdrawn

6) Pending complaints that required no board action. Informational

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) Pending
2. Adams, Jesse (22FC:0023 – Both chapters – Sioux City Police Dept. 3/24/22) Intake
3. Byars, William (21FC:0081 – Chapter 21 – Adair City Council 8/22/21) Pending
4. Hall, Jacob (22FC:0024 – Chapter 22 – Linn-Mar School District 3/27/22) Intake
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13. Sheakley, Cliff (22FC:0026 – Chapter 22 – Dubuque County 3/30/22) Intake
14. Swarm, Jack (22FC:0011 – Chapter 21 – Mt. Pleasant City Council 2/28/22) Intake
15. Wolf, Dean (22FC:0029 – Chapter 21 – Pocahontas Co. Board of Health 4/7/22) Intake

7) Committee Reports

1. Communications – No report
2. Legislative – Monitoring the following bills: SF513, SF2322, HF2154, SF2565 (Admin. Approp.).

Note: Morain left meeting at 3:24 PM, returned at 3:27 PM.

Note: McHugh left meeting at 3:35 PM, returned at 3:37 PM.

3. Rules –
 1. The Board discussed the committee's proposal to delete two rules: 497-2.1(6) & 497-4.17. A motion by McHugh and second by Giovannetti to authorize staff to initiate the rulemaking process to eliminate these two rules. Unanimously approved 7-0.
 2. The Board discussed the committee's proposal for timely compliance with public records requests. A motion by Luchtel and second by Morain to share the proposal with interested interest groups and initiate rule making process. Unanimously approved 7-0.

8) Updates for the board.

- a. Johnson provided an overview of the March 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
- d. Office Staffing – Hannah Fordyce was introduced as the new Legal Counsel for IPIB.

9 Recognition of Outgoing Board Members.

Keith Luchtel – Clive, Iowa
Fredrick Morain – Jefferson, Iowa
Suzan Stewart – Sioux City, Iowa

The next IPIB meeting will be in the Wallace Building, **3rd Floor, E/W Conference Room**, May 19, 2022, at 1:00 p.m.

At 4:05 p.m. the meeting adjourned on a motion by Stewart and a second by Morain. Unanimously approved.

Respectfully submitted
Brett Toresdahl, Deputy Director

IPIB, Chair
Approved