

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

