

# IOWA PUBLIC INFORMATION BOARD

March 17, 2022

## Unapproved Minutes

The Board met on March 17, 2022 for its monthly meeting at 1:02 p.m. in person and by conference call in the 3<sup>rd</sup> 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; Keith Luchtel, Clive; Monica McHugh, Zwingle (phone); Rick Morain, Jefferson (phone); Julie Pottorff, Des Moines; Suzan Stewart, Sioux City (phone). Also present were IPIB Executive Director Margaret Johnson, IPIB Deputy Director Brett Toresdahl; IPIB Intern Logan Tucker. A quorum was declared present.

Others identified present or by phone: Bernardo Granehr, David Stein, Randy Evans, Susan Patterson-Plank, Ernie Abell, Jared Strong, Clark Kauffman, Tad McDowell, Carol Moser, Giada Morresi, and Jeff Hoeger.

The meeting began with a Sunshine Week (March 14-18) Presentation:

Keith Luchtel provided remarks about the history of the IPIB. This was followed by additional comments from Margaret Johnson, E.J. Giovannetti, and Suzan Stewart.

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

On a **motion** by McHugh, **second** by Corbin, to approve the February 17, 2022 minutes. Unanimously adopted.

### Public Forum

Comments – none

### Items Discussed

- 1) **Board Chair** – Pottorff introduced a guest present. Newly appointed Ombudsman, Bernardo Granwehr. He provided a brief greeting.  
Pottorff also announced the new legal counsel for the agency will be Hannah Fordyce.
- 2) **Advisory Opinions** –
  1. Brick, Matthew (22AO:0002 – Chapter 22 – 1/31/22). A motion by Luchtel and second by Giovannetti to approve the advisory opinion. Unanimously approved, 7-0.
- 3) **The board was briefed on cases and took action as indicated:**
  1. Abell, Ernie (22FC:0004 – Chapter 22 – Arispe City Council 12/14/21) Ernie Abell was present on the matter. A motion by Lindahl and second by Giovannetti to consolidate with 21FC:0119. Unanimously approved, 7-0.

2. Byars, William (21FC:0081 – Chapter 21 – Adair City Council 8/22/21) A motion by Lindahl and second by Luchtel to accept the informal resolution. Unanimously approved 7-0.
3. Evans, Randy (22FC:0007 – Chapter 22 – Fayette County 2/16/22). Randy Evans and Jeff Hoeger were present on this matter. A motion by McHugh and second by Giovannetti to table this complaint until next month at which time Mr. Sauer will be asked to appear before the Board. Unanimously approved 7-0.

Morain joined the meeting @2:20 pm

Stewart left the meeting @2:22 pm

4. Grassi, Brian (22FC:0002 – Chapter 22 – City of West Liberty 1/12/22) A motion by Lindahl and second by Luchtel to approve the dismissal order. Unanimously approved, 7-0.
5. Kauffman, Clark (21FC:0064 – Chapter 22 – Iowa Workforce Development 7/13/21) Clark Kauffman, David Steen were present on the matter. A motion by McHugh and second by Lindahl that probable cause exists to believe a violation occurred and dismiss the complaint as an exercise of administrative discretion. Approved 4-3 with Lindahl, Luchtel, McHugh, and Pottorff voting yea; Corbin, Giovannetti, and Morain voting nay.

Giovannetti left room @3:10 pm and returned @3:13 pm

6. McDowell, Tad (22FC:0006 -Chapter 22 – Mill County Assessor & Auditor 2/11/22). Tad McDowell was present on the matter. A motion by McHugh and second by Giovannetti to approve the dismissal order. Unanimously approved, 7-0.
7. Morresi, Giada (22FC:0005 – Chapter 22 – City of Des Moines 2/6/22). Giada Morresi and Carol Moser were present on this matter. A motion by Luchtel and second by Corbin to approve the dismissal order. Unanimously approved, 7-0.

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

1. Smetak, Jacqueline (22FC:0008 – Both Chapters – City of Lone Tree 2/18/22) Withdrawn
2. Evans, Randy (22FC:0012 – Chapter 22 – City of Adair 2/28/22) Withdrawn

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

1. Abell, Ernie (21FC:0119 – Chapter 21 – Arispe City Council 12/14/21) Pending
2. Abell, Ernie (22FC:0021 – Chapter 21 – Arispe City Council 3/15/22) Intake
3. Beckler, Hannah (22FC:0014 – Chapter 22 – Department of Corrections 3/3/22) Intake
4. Brewbaker, Chad (22FC:0017 – Chapter 22 – Office of Attorney General 3/9/22) 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:0020 – Chapter 22 – City of Ames 3/9/22) Intake
9. Pichone, Cherie (21FC:0104 – Chapter 22 – University of Iowa Police Dept. 11/9/21) Pending
10. Pettit, Harry (22FC:0015 – Chapter 22 – Madison County 3/7/22) Intake
11. Swarm, Jack (22FC:0011 – Chapter 21 – Mt. Pleasant City Council 2/28/22) Intake
12. Vogt, Beth Ann (22FC:0009 – Chapter 21 – Crawford Co. E911 Board 2/18/22) Intake
13. Weir, Douglas (22FC:0010 – Chapter 22 – City of Ruthven 2/20/22) Intake
14. Weir, Douglas (22FC:0016 – Chapter 22 – City of Ruthven 3/9/22) Intake
15. Wymore, Kevin (22FC:0013 – Chapter 21 – Cedar Rapids Citizen Review Bd. 2/28/22) Intake

#### **6) Committee Reports**

1. Communications – No report
2. Legislative – Monitoring the current IPIB legislative package,
3. Rules – the Rules Committee met prior to IPIB meeting on March 17, 2022. They will bring proposals to the April meeting.

#### **7) Updates for the board.**

- a. Johnson provided an overview of the February website use and YTD case totals.
- b. Toresdahl shared the FY22 financials and FY23 appropriations update.
- c. Johnson shared upcoming presentations – Law enforcement training in four locations statewide.
- d. Office Staffing – Hannah Fordyce has been hired as Legal Counsel for IPIB.

The next IPIB meeting will be in the Wallace Building, **3rd Floor, E/W Conference Room**, April 21, 2022, at 1:00 p.m.

At 4:10 p.m. the meeting adjourned on a motion by Giovannetti and a second by Luchtel. Unanimously approved.

Respectfully submitted  
Brett Toresdahl, Deputy Director

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IPIB, Chair  
Approved