

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)
Stan Thompson, Clive (Public Representative, 2020-2024)

STAFF

Margaret Johnson, Executive Director
Brett Toresdahl, Deputy Director
vacant, 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 down hallway. Room is on the right.**

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

January 20, 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 December 16, 2021 minutes *
- III. Public Forum (5 minute limit per speaker)
- IV. Comments from the board chair. (Pottorff)
 Report on the Ripperger decision *
 Report on the Klein decision *
- V. Advisory Opinion – Deliberation/Action. (Johnson)
 1. Zeschke, Dustin (21AO:0009 – Chapter 22 – 12/23/21) *
- VI. General discussion of rule-making topics. *

- VII. Cases involving Board Deliberation/Action. (Johnson)
1. Brewbaker, Chad (21FC:0114 – Chapter 22 – Broadlawns Hospital 12/7/21) * Dismiss
 2. Brewbaker, Chad (21FC:0115 – Chapter 22 – City of Waukee 12/7/21) * Dismiss
 3. Davenport, Marian (21FC:0121 – Chapter 22 – Lorimor City Council 12/14/21) * Dismiss
 4. Ehltz, Becky (21FC:0117 -Chapter 22 – Amana Colonies Land Use District 12/9/21) * Dismiss
 5. Funk, Michael (21FC:0123 – Both Chapters – Cerro Gordo Co. Sheriff 12/22/21) * Dismiss
 6. Heather, Ellen (21FC:0110 – Chapter 21 - Mitchellville Library Board 11/23/21) * Dismiss
 7. Hoffman, Wren (21FC:0048 – Chapter 21 – City of Steamboat Rock 6/18/21) * Motion
 8. Kite-Warth, Cody (21FC:0116 – Chapter 21 – Bonaparte City Council 12/8/21) * Dismiss
 9. McGrath, Jeremy (21FC:0103 – Both Chapters – Chickasaw County Ambulance Council 11/4/21) * Dismiss
 10. Miller, Vanessa (21FC:0068 – Chapter 22 – University of Iowa 8/2/21) * Report
 11. Monroeiowa1867 (21FC:0120 – Chapter 21 – City of Monroe 12/14/21) * Dismiss
 12. Winebrenner, Pamela (21FC:0086 – Chapter 21 – Grand Junction City Council 9/14/21) * Motion
- VIII. Matters Withdrawn, No Action Necessary. (Johnson)
1. Hamilton, Abbe (21FC:0122 – Chapter 22 – Iowa State University 12/15/21) *
- IX. Pending Complaints. Informational Only (Johnson)
1. Abell, Ernie (21FC:0119 – Chapter 21 – Arispe City Council 12/14/21) Intake
 2. Bell, E.J. (21FC:0109 – Chapter 22 – City of Atkins 11/23/21) Intake
 3. Byars, William (21FC:0081 – Chapter 21 – Adair City Council 8/22/21) Pending
 4. DeMeulenaere, Julie (21FC:0111 – Chapter 22 – City of Atkins 11/29/21) Intake
 5. Grassi, Brian (22FC:0002 – Chapter 22 – City of West Liberty 1/12/22) Intake
 6. Henely, Eric (21FC:0124 – Chapter 21 – Gilbert Community School Board 12/23/21) Intake
 7. Kauffman, Clark (21FC:0064 – Chapter 22 – Iowa Workforce Development 7/13/21) Pending
 8. Krivachek, Maxwell (22FC:0001 – Chapter 22 – City of Fort Atkinson 1/6/22) Intake
 9. Lawton, Kiajuana (21FC:0113 – Both Chapters – Iowa Vocational Rehabilitation Services 12/6/21) Intake
 10. Pichone, Cherie (21FC:0104 – Chapter 22 – University of Iowa Police Dept. 11/9/21) Intake
 11. Weir, Doug (21FC:0118 – Chapter 22 - City of Ruthven 12/13/21) Intake
 12. Zagozda, Robert (21FC:0090 – Both Chapters – City of Carter Lake 9/16/21) Pending
- X. Committee Reports
1. Communications – (Toresdahl)
 2. Legislative – (Johnson)
 3. Rules – (Johnson)
- XI. Office status report.
1. Contacts and activity * (Johnson)
 2. Financial/Budget Update (FY22 & FY23) * (Toresdahl)
 3. Annual Report * (Toresdahl)
 4. Presentations/Trainings (Johnson)
- XII. Next IPiB Board Meeting will be held in the Wallace Building, 2nd Floor, N/S Conference Room February 17, 2022 at 1:00 p.m.
- XIII. Adjourn

* **Attachments**

Meeting & Electronic Participation Guidelines:

1. Each agenda item will be called in order.
2. Public Forum – Comments are limited to five minutes per speaker.
3. IPIB staff will introduce the agenda item.
4. Parties to the agenda item will be asked for comment -- complainant, then respondent.
5. Chair will ask IPIB members for comment -- called upon alphabetically if meeting is electronic.
6. Chair will request a motion and second.
7. There will be a voice or roll call vote on each motion.
8. We request that speakers other than IPIB members identify themselves before speaking. Only speak when the chair acknowledges you.
9. Place phones on mute when not speaking during the meeting. Do not place your phone on hold as background music will then play over the conference call.
10. Speak directly into your phone (please no speaker phones).

IOWA PUBLIC INFORMATION BOARD
January 20, 2022
Unapproved Minutes

The Board met on January 20, 2022 for its monthly meeting at 1:00 p.m. in the 2nd floor N/S Conference Room in the Wallace Building with the following members present: Joan Corbin, Pella (phone); E. J. Giovannetti, Urbandale; Barry Lindahl, Dubuque (phone); Keith Luchtel, Clive; Monica McHugh, Zwingle (phone); Rick Morain, Jefferson; Julie Pottorff, Des Moines; Suzan Stewart, Sioux City. Absent: Stan Thompson, Clive. Also present were IPIB Deputy Director Brett Toresdahl; former IPIB Legal Counsel Zach Goodrich. A quorum was declared present.

Others identified present or by phone: Amy Beatty, Susan Patterson-Plank, Laura Bergus, Becky Ehls, Joe Moser, Erin Mullinick, Steve Brick, and Emily Willits.

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

On a **motion** by Luchtel, **second** by Giovannetti, to approve the December 16 , 2021 minutes. Unanimously adopted.

Public Forum

Comments – none

Items Discussed

- 1) **Board Chair** – Chair summarized the Supreme Court decisions handed down in the Ripperger case and the Klein case. Emily Willits, Assistant Attorney General shared with the Board the next steps.
- 2) **Advisory Opinions** –
 1. Zeschke, Dustin (21AO:0009 – Chapter 22 – 12/23/21). A motion by Giovannetti and second by Lindahl to approve the advisory opinion. Unanimously approved, 8-0.
- 3) **Rule-Making Discussion** – Goodrich lead a discussion of topics that the Rules Committee should consider when they meet. The board offered several suggestions for the committee to look at and bring back to the full Board.

Note: Stan Thompson arrived at the meeting at 1:20p.m. He spoke to the Board to state his resignation from the IPIB Board due to him being appointed by the Governor as the Executive Director of the Iowa Civil Right Commission.

4) The board was briefed on cases and took action as indicated:

1. Brewbaker, Chad (21FC:0114 – Chapter 22 – Broadlawns Hospital 12/7/21). Joe Moser was present on the matter. A motion by Corbin and second by McHugh to approve the dismissal order. Unanimously approved, 8-0.

2. Brewbaker, Chad (21FC:0115 – Chapter 22 – City of Waukee 12/7/21). Steve Brick was present on the matter. A motion by Luchtel and second by Giovannetti to approve the dismissal order. Unanimously approved, 8-0.
3. Davenport, Marian (21FC:0121 – Chapter 22 – Lorimor City Council 12/14/21). A motion by Morain and second by Stewart to approve the dismissal order. Unanimously approved, 8-0.
4. Ehltz, Becky (21FC:0117 -Chapter 22 – Amana Colonies Land Use District 12/9/21). Becky Ehltz and Laura Bergus spoke on the matter. A motion by Giovannetti and second by Luchtel to approve the dismissal order. Unanimously approved, 8-0.
5. Funk, Michael (21FC:0123 – Both Chapters – Cerro Gordo Co. Sheriff 12/22/21). A motion by Stewart and second by Luchtel to approve the dismissal order. Unanimously approved, 8-0.
6. Heather, Ellen (21FC:0110 – Chapter 21 - Mitchellville Library Board 11/23/21). Amy Beatty and Tammy Delebro were present for this matter. A motion by Giovannetti and second by Luchtel to approve the dismissal order. Unanimously approved, 8-0.
7. Hoffman, Wren (21FC:0048 – Chapter 21 – City of Steamboat Rock 6/18/21). A motion by Stewart and second by Morain to continue this matter a second time for four weeks to allow staff to determine compliance with the terms of the resolution. Unanimously approved 8-0.
8. Kite-Warth, Cody (21FC:0116 – Chapter 21 – Bonaparte City Council 12/8/21). A motion by Stewart and second by Morain to approve the dismissal order. Unanimously approved, 8-0.
9. McGrath, Jeremy (21FC:0103 – Both Chapters – Chickasaw County Ambulance Council 11/4/21). A motion by Lindahl and second by Stewart to approve the dismissal order. Unanimously approved, 8-0.
10. Miller, Vanessa (21FC:0068 – Chapter 22 – University of Iowa 8/2/21). A motion by Stewart and second by Lindahl to accept the informal resolution report and dismiss the matter as the terms being satisfactorily met. Unanimously approved 8-0.
11. Monroeiowa1867 (21FC:0120 – Chapter 21 – City of Monroe 12/14/21). A motion by Stewart and second by Morain to approve the dismissal order. Unanimously approved, 8-0.
12. Winebrenner, Pamela (21FC:0086 – Chapter 21 – Grand Junction City Council 9/14/21). A motion by Giovannetti and second by Luchtel to continue this matter to allow staff to determine compliance with the terms of the resolution. Unanimously approved 8-0.

5) Matters Withdrawn. No Action -

1. Hamilton, Abbe (21FC:0122 – Chapter 22 – Iowa State University 12/15/21) withdrawn

6) Pending complaints that required no board action. Informational

1. Abell, Ernie (21FC:0119 – Chapter 21 – Arispe City Council 12/14/21) Intake

2. Bell, E.J. (21FC:0109 – Chapter 22 – City of Atkins 11/23/21) Intake
3. Byars, William (21FC:0081 – Chapter 21 – Adair City Council 8/22/21) Pending
4. DeMeulenaere, Julie (21FC:0111 – Chapter 22 – City of Atkins 11/29/21) Intake
5. Grassi, Brian (22FC:0002 – Chapter 22 – City of West Liberty 1/12/22) Intake
6. Henely, Eric (21FC:0124 – Chapter 21 – Gilbert Community School Board 12/23/21) Intake
7. Kauffman, Clark (21FC:0064 – Chapter 22 – Iowa Workforce Development 7/13/21) Pending
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12. Weir, Doug (21FC:0118 – Chapter 22 - City of Ruthven 12/13/21) Intake
13. Zagozda, Robert (21FC:0090 – Both Chapters – City of Carter Lake 9/16/21) Pending

7) Committee Reports

1. Communications – No report
2. Legislative – Monitoring the current IPIB legislative package,
3. Rules – the Rules Committee will convene to discuss and bring back and recommendation to the Board regarding topics discussed earlier in the meeting.

7) Updates for the board.

- a. Toresdahl provided an overview of the December website use and YTD case totals.
- b. Toresdahl shared the FY22 financials.
- c. Toresdahl presented a draft of the 2021 Annual Report. A motion by Stewart and second by Giovannetti to approve the report and submit it to the Governor and the General Assembly pursuant to Iowa Code section 23.6(12).
- d. Presentations/trainings – No report

The next IPIB meeting will be in the Wallace Building, **2nd Floor, N/S Conference Room**, February 17, 2022, at 1:00 p.m.

At 3:10 p.m. the meeting adjourned on a motion by Giovannetti and a second by Morain. Unanimously approved.

Respectfully submitted
Brett Toresdahl, Deputy Director

IPIB, Chair
Approved