

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
Zach Goodrich, Legal Counsel

Electronic Meeting

(Pursuant to Iowa Code section 21.8)

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

Agenda

January 21, 2021 1:00 p.m.
Wallace Building
502 East 9th Street, Des Moines
3rd Floor IPIB Conference Room

1:00 PM – IPIB Meeting

Electronic meeting pursuant to Iowa Code section 21.8 – In circumstances where an in-person meeting is impossible or impractical due to concerns about COVID-19 and social distancing for the safety of board members and the public.

- I. Approval of agenda*
- II. Approval of the December 17, 2020 minutes *
- III. Public Forum (5 minute limit per speaker)
- IV. Comments from the board chair. (Pottorff)
- V. Advisory Opinion
 1. Brick, Matthew (20AO:0007 – Chapter 22 – Request for AO re: Public Records 12/10/20) *
- VI. Cases involving Board Deliberation/Action. (Johnson)
 1. Beatty, Troy (20FC0087 – Chapter 22 – Evansdale WaterWorks 8/27/20) * Report
 2. Choate, John (20FC:0108 – Both Chapters – Manly City Council 10/20/20) * Report

3. Evans, Randy (20FC:0133 – Chapter 21 – BCLUW Community School Board 12/29/20) * Dismiss
4. Fichter, Clint (20FC:0131 – Chapter 22 – City of Avoca 12/22/20) * Dismiss
5. Healey, Sharon (20FC:0129 – Chapter 22 – City of Parkersburg 12/20/20) * Dismiss
6. Healey, Sharon (20FC:0130 – Chapter 22 – City of Aplington 12/20/20) * Dismiss
7. Henely, Eric (20FC:0132 – Chapter 21 – Gilbert Community School Board 12/28/20) * Dismiss
8. Kilgore, Kevin (20FC:0119 – Chapter 22 – Ringgold County 11/15/20) * Dismiss
9. Kilgore, Kevin (21FC:0004 – Chapter 21 – Ringgold County 1/10/21) * Dismiss
10. Kuhn, Mark (20FC:0128 – Chapter 21 – Floyd County Board of Supervisors 12/17/20) * Dismiss
11. Shook, Julie (20FC:0099 – Both Chapters – City of Tama 9/29/20) * Report
12. Smith, Casey (20FC:0125 – Both Chapters – City of Blue Grass 12/1/20) * Dismiss

VII. Matters Withdrawn, No Action Necessary. (Johnson)

1. Krivachek, Maxwell (20FC:0110 – Both Chapters – City of Fort Atkinson 10/27/20) * Withdrawl

VIII. Pending Matters. (Johnson)

1. Aude, Dan (21FC:0001 – Chapter 21 – Davenport Community School Board 1/4/21) Intake
2. Belin, Laura (20FC:0095 – Chapter 22 – University of Iowa 9/17/20) Intake
3. Bergren, Kay (21FC:0003 – Chapter 22 – City of Otho 1/7/21) Intake
4. Corry, Robert (20FC:0127 – Chapter 22 – Iowa City Police Department 12/4/20) Intake
5. Dominick, Michael (20FC:0085 – Chapter 22 – Benton County Sheriff Department 8/26/20) Pending
6. Janke, Lori (21FC:0002 – Chapter 21 – Davenport Community School Board 1/5/21) Intake

IX. Committee Reports

1. Communications –
2. Legislative –
3. Rules – * Rule Notice

X. Office status report.

1. Contacts and activity * (Johnson)
2. Financial/Budget Update (FY21) * (Toresdahl)
3. IPIB Annual Report * (Toresdahl)
4. Update on District Court cases (Johnson)
 1. Klein
 2. Ripperger
 3. Kilgore
5. Presentations/Trainings (Johnson) -
 - ISAC: January 13, 2021
 - Iowa Department of Inspections and Appeals: January 28, 2021
 - ISU Extension and Outreach staff webinar: February 1, 2021
 - Iowa Municipal Finance Officers Board: April 22, 2021
6. COVID-19 update (Johnson/Toresdahl)

XI. Next IPIB Board Meeting will be held in the Wallace Building, 3rd Floor, E/W Conference Room (or electronic) February 18, 2020 at 1:00 p.m.

XII. Adjourn

*** Attachments**

Electronic Meeting Guide/Outline:

1. *Each agenda item will be called in order.*
2. *IPIB staff will introduce the agenda item.*
3. *Other parties to the agenda item will be asked for comment -- complainant, then respondent.*
4. *Chair will ask IPIB members for comment -- called upon alphabetically.*
5. *Chair will request a motion and second.*
6. *There will be a roll call vote on each agenda item to be voted on.*
7. *We request that speakers other than IPIB members identify themselves before speaking. Only speak when the chair acknowledges you.*
8. *Place phones on mute, not on hold.*
9. *Speak directly into your phone (please no speaker phones).*

IOWA PUBLIC INFORMATION BOARD

January 21, 2021

Unapproved Minutes

The Board met electronically on January 21, 2021 for its monthly meeting at 1:00 p.m. by conference call originating from the 3rd floor IPIB Office Conference Room in the Wallace Building with the following members participating by telephone: Joan Corbin, Pella; E. J. Giovannetti, Urbandale; Barry Lindahl, Dubuque; Keith Luchtel, Clive; Monica McHugh, Zwingle; Rick Morain, Jefferson; Julie Pottorff, Des Moines; Suzan Stewart, Sioux City; and Stan Thompson, Clive. Also present were IPIB Executive Director Margaret Johnson; IPIB Deputy Director Brett Toresdahl; IPIB Legal Counsel Zach Goodrich. A quorum was declared present.

Others identified on the call: Randy Evans, Susan Patterson-Plank, Matt Brick, Eric Henely, Mark Kuhn, and Clint Fichter.

The IPIB held an electronic meeting pursuant to Iowa Code section 21.8 – In circumstances where an in-person meeting is impossible or impractical due to concerns about COVID-19 and social distancing for the safety of board members and the public.

Johnson reviewed the electronic meeting rules and procedure.

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

On a **motion** by Lindahl, **second** by Stewart, to approve the December 17, 2020 minutes. Unanimously adopted.

Public Forum

No comments.

Items Discussed

- 1) Board Chair – Thanked the board and public for their patience as the board has held electronic meeting over the past several months.
- 2) The board was briefed, and discussed, and took action on advisory opinions as indicated:
 1. Brick, Matthew (20AO:0007 – Chapter 22 – Request for AO re: Public Records 12/10/20). A motion by Luchtel and second by Corbin to table matter until the next meeting. Unanimously approved, roll call 9-0.
- 3) The board was briefed on cases and took action as indicated:
 1. Beatty, Troy (20FC0087 – Chapter 22 – Evansdale WaterWorks 8/27/20). A motion by Giovannetti and second by Stewart to approve the informal resolution report. Unanimously approved, roll call 9-0.

2. Choate, John (20FC:0108 – Both Chapters – Manly City Council 10/20/20). A motion by Lindahl and second by Luchtel to approve the informal resolution report. Unanimously approved, roll call 9-0.
 3. Evans, Randy (20FC:0133 – Chapter 21 – BCLUW Community School Board 12/29/20). Speaking on the matter Randy Evans. A motion by Corbin and second by Giovannetti to approve the dismissal order. Unanimously approved, roll call 9-0.
 4. Fichter, Clint (20FC:0131 – Chapter 22 – City of Avoca 12/22/20). Speaking on the matter Clint Fichter. A motion by Giovannetti and second by McHugh to approve the dismissal order. Unanimously approved, roll call 9-0. Mr. Fichter will submit a request to staff for an informal advisory letter.
 5. Healey, Sharon (20FC:0129 – Chapter 22 – City of Parkersburg 12/20/20). A motion by Morain and second by Stewart to approve the dismissal order as amended. Unanimously approved, roll call 9-0.
 6. Healey, Sharon (20FC:0130 – Chapter 22 – City of Aplington 12/20/20). A motion by Corbin and second by Giovannetti to approve the dismissal order as amended. Unanimously approved, roll call 9-0.
 7. Henely, Eric (20FC:0132 – Chapter 21 – Gilbert Community School Board 12/28/20). Speaking on the matter Eric Henely. A motion by McHugh and second by Giovannetti to table matter until the next meeting. Approved, roll call 8-1 with Luchtel opposed.
 8. Kilgore, Kevin (20FC:0119 – Chapter 22 – Ringgold County 11/15/20). A motion by Luchtel and second by McHugh to approve the dismissal order. Unanimously approved, roll call 9-0.
 9. Kilgore, Kevin (21FC:0004 – Chapter 21 – Ringgold County 1/10/21). A motion by Luchtel and second by McHugh to approve the dismissal order. Unanimously approved, roll call 9-0.
 10. Kuhn, Mark (20FC:0128 – Chapter 21 – Floyd County Board of Supervisors 12/17/20). Speaking on the matter Mark Kuhn. A motion by Luchtel and second by Morain to table matter until the next meeting. Approved, roll call 8-1 with McHugh opposed.
 11. Shook, Julie (20FC:0099 – Both Chapters – City of Tama 9/29/20). A motion by Thompson and second by Giovannetti to approve the informal resolution report. Unanimously approved, roll call 9-0.
 12. Smith, Casey (20FC:0125 – Both Chapters – City of Blue Grass 12/1/20). A motion by Giovannetti and second by Lindahl to continue this matter until the next meeting at the request of the complainant. Unanimously approved, roll call 9-0.
- 3) Matters Withdrawn. No Action -
1. Krivachek, Maxwell (20FC:0110 – Both Chapters – City of Fort Atkinson 10/27/20) Withdrawl
- 4) Pending complaints that required no board action. Informational
1. Aude, Dan (21FC:0001 – Chapter 21 – Davenport Community School Board 1/4/21) Intake

2. Belin, Laura (20FC:0095 – Chapter 22 – University of Iowa 9/17/20) Intake
3. Bergren, Kay (21FC:0003 – Chapter 22 – City of Otho 1/7/21) Intake
4. Corry, Robert (20FC:0127 – Chapter 22 – Iowa City Police Department 12/4/20) Intake
5. Dominick, Michael (20FC:0085 – Chapter 22 – Benton County Sheriff Department 8/26/20) Pending
6. Janke, Lori (21FC:0002 – Chapter 21 – Davenport Community School Board 1/5/21) Intake

5) Committee Reports

1. Communications – Toresdahl reported on activities of the office. Meeting in February.
2. Legislative – Johnson reported waiting for our bills to be introduced.
3. Rules – Notice of Intended Action – ARC 5377C. Public comment deadline is February 2, 2021. The Administrative Rules Committee meets on February 5, 2021. A motion by Luchtel and second by Stewart to approve the Notice of Intended Action. Unanimously approved, voice vote.

6) Updates for the board.

- a. Johnson provided an overview of the December website use and YTD case totals.
- b. Toresdahl shared the FY21 financials and budget appropriation update.
- c. Toresdahl presented a draft IPIB Annual Report for 2020 which is statutorily required in chapter 23. A motion by Lindahl and second by Luchtel to approve the Annual Report. Unanimously approved, voice vote.
- d. Johnson provided an update on the District Court Cases.
 - Klein – Ready List Date.
 - Ripperger – as of 12/28/20 – fully briefed.
 - Kilgore – Hearing held January 7, 2021. Order issued – motion to dismiss granted.
- e. Johnson shared completed and future presentations/trainings
 - ISAC New Officer training - January 13, 2021
 - Iowa Department of Inspections and Appeals - January 28, 2021
 - ISU Extension and Outreach staff webinar: February 1, 2021
 - Iowa Municipal Finance Officers Board on April 22, 2021.
- e. COVID-19 impact on IPIB – Discussed future Board meetings and office status.

The next IPIB meeting will be in the Wallace Building, **3rd floor E/W Conference Room**, (or by electronic meeting if necessary), February 18, 2021, at 1:00 p.m.

At 4:11p.m. the meeting adjourned on a motion by Giovannetti and a second by Luchtel. Unanimously approved.

Respectfully submitted
Brett Toresdahl, Deputy Director

IPIB, Chair
Approved