

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

February 18, 2021 1:00 p.m.
Wallace Building
502 East 9th Street, Des Moines
3rd Floor IPIB Conference Room

11:30 AM – IPIB Communications Committee

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 January 21, 2021 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. Aude, Dan (21FC:0001 – Chapter 21 – Davenport Community School Board 1/4/21) & Janke, Lori (21FC:0002 – Chapter 21 – Davenport Community School Board 1/5/21) * Consolidate & Dismiss
 2. Belin, Laura (20FC:0095 – Chapter 22 – University of Iowa 9/17/20) * Accept
 3. Bergren, Kay (21FC:0003 – Chapter 22 – City of Otho 1/7/21) * Accept
 4. Corry, Robert (20FC:0127 – Chapter 22 – Iowa City Police Department 12/4/20) * Dismiss
 5. Dominick, Michael (20FC:0085 – Chapter 22 – Benton County Sheriff Department 8/26/20) * Final Report
 6. Fichter, Clint (21FC:0005 – Chapter 21 – City of Avoca 1/20/21) * Accept
 7. Henely, Eric (20FC:0132 – Chapter 21 – Gilbert Community School Board 12/28/20) * Dismiss
 8. Kuhn, Mark (20FC:0128 – Chapter 21 – Floyd County Board of Supervisors 12/17/20) * Accept
 9. Smith, Casey (20FC:0125 – Both Chapters – City of Blue Grass 12/1/20) * Dismiss
- VII. Matters Withdrawn, No Action Necessary. (Johnson)
1. Anliker, Mike (21FC:0006 – Chapter 22 – Harlan Municipal Utilities 1/25/21) * Withdrawl
- VIII. Pending Matters. (Johnson)
1. Beatty, Troy (20FC:0087 – Chapter 22 – Evansdale WaterWorks 8/27/20) Pending
 2. Bertch, Peter (21FC:0008 – Chapter 22 – Iowa Workforce Development 2/11/21) Intake
 3. Carlson, Tracy (21FC:0007 – Chapter 21 – Kossuth Co. Board of Supervisors 2/9/21) Intake
 4. Choate, John (20FC:0108 – Both Chapters – Manly City Council 10/20/20) Pending
 5. Shook, Julie (20FC:0099 – Both Chapters – City of Tama 9/29/20) Pending
 6. Swearingin, Kim (21FC:0009 – Chapter 21 – Wayne Co. Board of Supervisors 2/14/21) Intake
- IX. Committee Reports
1. Communications – (Toresdahl) – Sunshine Week
 2. Legislative – (Johnson)
 3. Rules – (Goodrich)
- X. Office status report.
1. Contacts and activity * (Johnson)
 2. Financial/Budget Update (FY21) * (Toresdahl)
 3. Update on District Court cases (Johnson)
 1. Klein
 2. Ripperger
 3. Kilgore
 4. Presentations/Trainings (Johnson) -
 - Iowa Department of Inspections and Appeals: January 28, 2021
 - ISU Extension and Outreach staff webinar: February 1, 2021
 - ISAC Spring Conference Q & A: March 3, 2021
 - Iowa Municipal Finance Officers Board: April 22, 2021
 - 5.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) March 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
February 18, 2021
Unapproved Minutes

The Board met electronically on February 18, 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, Donald Nielsen, Eric Henely, Mark Kuhn, Ian Arp, Carrie Weber, Alice Smith Waters, Kay Bergren, William McCullough, Laura Belin, Sue Dulek, David Mitchell, 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 Giovannetti the agenda was unanimously adopted.

On a **motion** by Morain, **second** by Stewart, to approve the January 21, 2021 minutes. Unanimously adopted.

Public Forum

No comments.

Items Discussed

- 1) Board Chair – No comments

- 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 Lindahl and second by Luchtel to adopt the advisory opinion. Unanimously approved, roll call 9-0.

- 3) The board was briefed on cases and took action as indicated:
 1. Aude, Dan (21FC:0001 – Chapter 21 – Davenport Community School Board 1/4/21) & Janke, Lori (21FC:0002 – Chapter 21 – Davenport Community School Board 1/5/21). A motion by Giovannetti and second by Corbin to consolidate the

complaints and to approve the dismissal order as amended. Unanimously approved, roll call 9-0.

2. Belin, Laura (20FC:0095 – Chapter 22 – University of Iowa 9/17/20). Speaking on the matter Laura Belin. A motion by Giovannetti and second by Morain to approve the acceptance order. Approved, roll call 5-3-1: Corbin, Giovannetti, Lindahl, Morain, Stewart in favor and with Luchtel, McHugh, Pottorff opposed. Thompson abstained.
 3. Bergren, Kay (21FC:0003 – Chapter 22 – City of Otho 1/7/21). A motion by McHugh and second by Stewart to approve the acceptance order. Unanimously approved, roll call 9-0.
 4. Corry, Robert (20FC:0127 – Chapter 22 – Iowa City Police Department 12/4/20). A motion by Thompson and second by McHugh to approve the dismissal order. Unanimously approved, roll call 9-0.
 5. Dominick, Michael (20FC:0085 – Chapter 22 – Benton County Sheriff Department 8/26/20). A motion by McHugh and second by Giovannetti to approve the informal resolution final report and dismiss the complaint. Unanimously approved, roll call 9-0.
 6. Fichter, Clint (21FC:0005 – Chapter 21 – City of Avoca 1/20/21). Speaking on the matter Clint Fichter and David Mitchell. A motion by Stewart and second by Thompson to approve the acceptance order. 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 and Carrie Weber. A motion by McHugh and second by Luchtel to approve the dismissal order. Unanimously approved, roll call 9-0.
 8. Kuhn, Mark (20FC:0128 – Chapter 21 – Floyd County Board of Supervisors 12/17/20). A motion by Giovannetti and second by Luchtel to approve the acceptance order. Unanimously approved, roll call 9-0.
 9. Smith, Casey (20FC:0125 – Both Chapters – City of Blue Grass 12/1/20). A motion by McHugh and second by Lindahl to approve the dismissal order. Unanimously approved, roll call 9-0.
- 3) Matters Withdrawn. No Action -
1. Anliker, Mike (21FC:0006 – Chapter 22 – Harlan Municipal Utilities 1/25/21) Withdrawl
- 4) Pending complaints that required no board action. Informational
1. Beatty, Troy (20FC:0087 – Chapter 22 – Evansdale WaterWorks 8/27/20) Pending
 2. Bertch, Peter (21FC:0008 – Chapter 22 – Iowa Workforce Development 2/11/21) Intake
 3. Carlson, Tracy (21FC:0007 – Chapter 21 – Kossuth Co. Board of Supervisors 2/9/21) Intake
 4. Choate, John (20FC:0108 – Both Chapters – Manly City Council 10/20/20) Pending
 5. Shook, Julie (20FC:0099 – Both Chapters – City of Tama 9/29/20) Pending

6. Swearingin, Kim (21FC:0009 – Chapter 21 – Wayne Co. Board of Supervisors 2/14/21) Intake

5) Committee Reports

1. Communications – Toresdahl reported. February meeting was cancelled. Review of topics to be discussed at the next meeting. Sunshine Week is the third week in March. The Governor will sign a proclamation. The March board meeting will include a recognition of Sunshine Week.
2. Legislative – Johnson reported. SSB 1114 (ch. 21 bill) voted out of committee with an amendment. SSB1116 (ch. 23 bill) voted out of committee. SSB1106 (ch. 22 bill) has been assigned to subcommittee. SF218 has been introduced which changes fees in ch. 22 to not include the cost of legal review. The IPIB Legislative Committee will meet on February 23, 2021 at 2:00p.m.
3. Rules – No report

6) Updates for the board.

- a. Johnson provided an overview of the January website use and YTD case totals.
- b. Toresdahl shared the FY21 financials and budget appropriation update. Personal Financial Disclosure reports to the Iowa Ethics Board is due April 30, 2021.
- c. Johnson provided an update on the District Court Cases.
 - Klein – No change.
 - Ripperger – No change.
 - Kilgore – He has appealed his district court case.
- d. Johnson shared completed and future presentations/trainings
 - Iowa Department of Inspections and Appeals - January 28, 2021
 - ISU Extension and Outreach staff webinar: February 1, 2021
 - ISAC Spring Conference Q & A: March 3, 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), March 18, 2021, at 1:00 p.m.

At 3:23p.m. the meeting adjourned on a motion by McHugh and a second by Giovannetti. Unanimously approved.

Respectfully submitted
Brett Toresdahl, Deputy Director

IPIB, Chair
Approved