

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

March 18, 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*

Sunshine Week Recognition

Speaker: Keith Luchtel, IPIB Board Member and first IPIB Executive Director
Governor’s Proclamation *

II. Approval of the February 18, 2021 minutes *

III. Public Forum (5 minute limit per speaker)

IV. Comments from the board chair. (Pottorff)

V. Cases involving Board Deliberation/Action. (Johnson)

1. Bertch, Peter (21FC:0008 – Chapter 22 – Iowa Workforce Development 2/11/21) * Dismiss
2. Carlson, Tracy (21FC:0007 – Chapter 21 – Kossuth Co. Board of Supervisors 2/9/21) * Dismiss
3. Dye, Richard (21FC:0014 – Both Chapters – City of Albia 3/1/21) * Dismiss
4. Shook, Julie (20FC:0099 – Both Chapters – City of Tama 9/29/20) * Final Report
5. Swearingin, Kim (21FC:0009 – Chapter 21 – Wayne Co. Board of Supervisors 2/14/21) * Accept
6. Warth, Christine (21FC:0010 – Chapter 22 – State of Iowa, et.al. 2/18/21) * Dismiss
7. Watson, Steven (21FC:0011 – Chapter 21 – Indiana Township Bd. Of Trustees 2/22/21) * Accept

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 Matters Withdrawn, No Action Necessary.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

1. Schloz, Clark (21FC:0012 – Chapter 22 – East Central Intergovernmental Assoc. 2/25/21) *

VII. Pending Matters. (Johnson)

1. Allan, Bill (21FC:0024 – Chapter 22 – Mills County Board of Supervisors 3/15/21) Intake
2. Allan, Bill (21FC:0025 – Chapter 22 – Mills County Economic Development 3/15/21) Intake
3. Anonymous (21FC:0019 – Both Chapters - Moulton City Council 3/5/21) Intake
4. Aronson, Gavin (21FC:0021 – Chapter 22 – Des Moines Police Department 3/9/21) Intake
5. Beatty, Troy (20FC:0087 – Chapter 22 – Evansdale WaterWorks 8/27/20) Pending
6. Belin, Laura (20FC:0095 – Chapter 22 – University of Iowa 9/17/20) Pending
7. Bergren, Kay (21FC:0003 – Chapter 22 – City of Otho 1/7/21) Pending
8. Bergren, Kay (21FC:0018 – Chapter 21 -Otho City Council 3/7/21) Intake
9. Bruns, Rachel (21FC:0016 – Chapter 22 – Iowa Department of Public Health 3/5/21) Intake
10. Choate, John (20FC:0108 – Both Chapters – Manly City Council 10/20/20) Pending
11. Dini, Emir (21FC:0013 – Chapter 22 – Iowa Civil Rights Commission 2/28/21) Intake
12. Fichter, Clint (21FC:0005 – Chapter 21 – City of Avoca 1/20/21) Pending
13. Grange, Kathleen (21FC:0022 – Both Chapters – Harrison County Board of Supervisors/Auditor 3/10/21) Intake
14. Kauffman, Clark (21FC:0017 – Chapter 22 – Iowa Department of Public Health 3/5/21) Intake
15. Kauffman, Clark (21FC:0023 – Chapter 22 – Iowa Department of Public Health 3/15/21) Intake
16. Kuhn, Mark (20FC:0128 – Chapter 21 – Floyd County Board of Supervisors 12/17/20) Pending
17. Meardon, Charles (21FC:0020 – Chapter 22 - City of Tiffin 3/9/21) Intake
18. Rush, Francis (21FC:0015 -Chapter 21 – Emerson City Council 3/2/21) Intake
19. Wolf, Mike (21AO:0001 – Chapter 22 – Defining “possession” in 22.1(2) definition of lawful custodian. 3/15/21) Pending

VIII. Committee Reports

1. Communications – (Toresdahl)
2. Legislative – (Johnson) – HF786, HF791 *
3. Rules – (Goodrich) *

IX. 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) -
ISAC Spring Conference Q & A: March 3, 2021
Iowa Municipal Finance Officers Board: April 22, 2021
- 5.COVID-19 update (Johnson/Toresdahl)

X. Next IPIB Board Meeting will be held in the Wallace Building, 3rd Floor, E/W Conference Room (or electronic) April 15, 2020 at 1:00 p.m.

XI. 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

March 18, 2021

Unapproved Minutes

The Board met electronically on March 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: Barry Lindahl, Dubuque; Keith Luchtel, Clive; Monica McHugh, Zwingle; Rick Morain, Jefferson; Julie Pottorff, Des Moines; Suzan Stewart, Sioux City; and Stan Thompson, Clive. Absent: Joan Corbin, Pella; E. J. Giovannetti, Urbandale. 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: Mary Unga-Sogaard, Susan Patterson-Plank, Bob Breckenridge, Todd Holmes, Mark Kuhn, Tracy Carlson, and Kay Bergren.

On a **motion** by Thompson, **second** by Stewart the agenda was unanimously adopted.

The IPIB held a brief program in recognition of Sunshine Week in Iowa. Keith Luchtel gave a presentation about the creation and early days of the IPIB. Governor Reynolds issued a proclamation regarding Sunshine Week which was read aloud.

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 Lindahl, to approve the February 18, 2021 minutes. Unanimously adopted.

Public Forum

Mark Kuhn, Algona.

Items Discussed

- 1) Board Chair – No comments
- 2) The board was briefed on cases and took action as indicated:
 1. Bertch, Peter (21FC:0008 – Chapter 22 – Iowa Workforce Development 2/11/21). A motion by Luchtel and second by Stewart to approve the dismissal order. Unanimously approved, roll call 7-0.
 2. Carlson, Tracy (21FC:0007 – Chapter 21 – Kossuth Co. Board of Supervisors 2/9/21). A motion by Morain and second by McHugh to table until the next meeting. Unanimously approved, roll call 7-0.

3. Dye, Richard (21FC:0014 – Both Chapters – City of Albia 3/1/21). A motion by Lindahl and second by Luchtel to approve the dismissal order. Unanimously approved, roll call 7-0.
 4. Shook, Julie (20FC:0099 – Both Chapters – City of Tama 9/29/20). A motion by McHugh and second by Lindahl to approve the informal resolution final report and dismiss the complaint. Unanimously approved, roll call 7-0.
 5. Swearingin, Kim (21FC:0009 – Chapter 21 – Wayne Co. Board of Supervisors 2/14/21). A motion by Thompson and second by Luchtel to approve the acceptance order. Unanimously approved, roll call 7-0.
 6. Warth, Christine (21FC:0010 – Chapter 22 – State of Iowa, et.al. 2/18/21). A motion by Morain and second by McHugh to approve the dismissal order. Unanimously approved, roll call 7-0.
 7. Watson, Steven (21FC:0011 – Chapter 21 – Indiana Township Bd. Of Trustees 2/22/21). A motion by Thompson and second by Stewart to approve the acceptance order. Unanimously approved, roll call 7-0.
- 3) Matters Withdrawn. No Action -
1. Schloz, Clark (21FC:0012 – Chapter 22 – East Central Intergovernmental Assoc. 2/25/21) withdrawl
- 4) Pending complaints that required no board action. Informational
1. Allan, Bill (21FC:0024 – Chapter 22 – Mills County Board of Supervisors 3/15/21) Intake
 2. Allan, Bill (21FC:0025 – Chapter 22 – Mills County Economic Development 3/15/21) Intake
 3. Anonymous (21FC:0019 – Both Chapters - Moulton City Council 3/5/21) Intake
 4. Aronson, Gavin (21FC:0021 – Chapter 22 – Des Moines Police Department 3/9/21) Intake
 5. Beatty, Troy (20FC:0087 – Chapter 22 – Evansdale WaterWorks 8/27/20) Pending
 6. Belin, Laura (20FC:0095 – Chapter 22 – University of Iowa 9/17/20) Pending
 7. Bergren, Kay (21FC:0003 – Chapter 22 – City of Otho 1/7/21) Pending
 8. Bergren, Kay (21FC:0018 – Chapter 21 -Otho City Council 3/7/21) Intake
 9. Bruns, Rachel (21FC:0016 – Chapter 22 – Iowa Department of Public Health 3/5/21) Intake
 10. Choate, John (20FC:0108 – Both Chapters – Manly City Council 10/20/20) Pending
 11. Dini, Emir (21FC:0013 – Chapter 22 – Iowa Civil Rights Commission 2/28/21) Intake
 12. Fichter, Clint (21FC:0005 – Chapter 21 – City of Avoca 1/20/21) Pending
 13. Grange, Kathleen (21FC:0022 – Both Chapters – Harrison County Board of Supervisors/Auditor 3/10/21) Intake
 14. Kauffman, Clark (21FC:0017 – Chapter 22 – Iowa Department of Public Health 3/5/21) Intake
 15. Kauffman, Clark (21FC:0023 – Chapter 22 – Iowa Department of Public Health 3/15/21) Intake

16. Kuhn, Mark (20FC:0128 – Chapter 21 – Floyd County Board of Supervisors 12/17/20) Pending
17. Meardon, Charles (21FC:0020 – Chapter 22 - City of Tiffin 3/9/21) Intake
18. Rush, Francis (21FC:0015 -Chapter 21 – Emerson City Council 3/2/21) Intake
19. Wolf, Mike (21AO:0001 – Chapter 22 – Defining “possession” in 22.1(2) definition of lawful custodian. 3/15/21) Pending

5) Committee Reports

1. Communications – Toresdahl reported. Meeting held Marth 5, 2021. Overview of topics discussed at the meeting.
2. Legislative – Johnson reported. IPIB pre-filed bills: SF425 (ch. 21 bill) voted out of Senate. SF409 (ch. 23 bill) voted out of committee. SSB1106 (ch. 22 bill) failed to make first funnel. The Board discussed HF786 and HF791.
3. Rules – Notice of Intended Action – ARC 5377C. A motion by Stewart and second by Lindahl to approve the Notice of Intended Action. Unanimously approved, Roll call 7-0.

6) Updates for the board.

- a. Johnson provided an overview of the February website use and YTD case totals.
- b. Toresdahl shared the FY21 financials and budget appropriation update.
- c. Johnson provided an update on the District Court Cases.
 - Klein – Supreme Court is retaining.
 - Ripperger – Pending.
 - Kilgore – Nothing to report.
- d. Johnson shared completed and future presentations/trainings
 - 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), April 15, 2021, at 1:00 p.m.

At 2:46 p.m. the meeting adjourned on a motion by McHugh and a second by Luchtel. Unanimously approved.

Respectfully submitted
Brett Toresdahl, Deputy Director

IPIB, Chair
Approved