

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

May 20, 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 April 15, 2021 minutes *
- III. Public Forum (5 minute limit per speaker)
- IV. Comments from the board chair. (Pottorff)
- V. Advisory Opinion
 1. Bond, Stefanie (21AO:0002 – Chapter 22 – Victim impact statements. 4/8/21) *

- VI. Cases involving Board Deliberation/Action. (Johnson)
1. Anonymous (21FC:0030 – Both Chapters – Linden City Council 4/6/21) * Accept & Informal Report
 2. Beatty, Troy (20FC:0087 – Chapter 22 – Evansdale Water Works 8/27/20) * Final Report
 3. Belin, Laura (20FC:0095 – Chapter 22 – University of Iowa 9/17/20) * Probable Cause Report
Possible Closed Session pursuant to Iowa Code chapter 21.5 (1)(a): *To review or discuss records which are required or authorized by state or federal law to be kept confidential or to be kept confidential as a condition for that governmental body's possession or continued receipt of federal funds.*
 4. Boustead, Heather (21FC:0035 – Both Chapters – Linden City Council 4/25/21) * Dismiss
 5. Brewbaker, Chad (21FC:0026 – Chapter 22 – Iowa Workforce Development 3/25/21) * Dismiss
 6. Burnham, Boyd (21FC:0033 – Both Chapters – Linden City Council 4/24/21) * Dismiss
 7. Carlson, Tracy (21FC:0007 – Chapter 21 – Kossuth Co. Board of Supervisors 2/9/21) * Dismiss
 8. Fichter, Clint (21FC:0005 – Chapter 21 – City of Avoca 1/20/21) * Final Report
 9. Kauffman, Clark (21FC:0028 – Chapter 22 – Iowa Alcoholic Beverages Division 4/1/21) * Dismiss
 10. Knapp, Christine (21FC:0032 – Chapter 22 – Des Moines Co. Sheriff Dept. 4/22/21) * Dismiss
 11. Kuhn, Mark (20FC:0128 – Chapter 21 – Floyd County Board of Supervisors 12/17/20) * Report
 12. Swearingin, Kim (21FC:0009 – Chapter 21 – Wayne Co. Board of Supervisors 2/14/21) * Report
 13. Triplett, Deanna (21FC:0029 – Chapter 22 – City of Polk City 4/5/21) * Dismiss
 14. Williams, Todd (21FC:0036 – Chapter 21 - City of Silver City 4/29/21) * Accept
- VII. Matters Withdrawn, No Action Necessary. (Johnson)
1. Brick, Matthew (21AO:0003 – Chapter 22 – Definition of types of records. 5/3/21) * withdrawn
 2. Henely, Eric (21FC:0031 – Chapter 21 – Gilbert City Council 4/20/21) * withdrawn
 3. Meardon, Charles (21FC:0020 – Chapter 22 - City of Tiffin 3/9/21) * withdrawn
- VIII. Pending Complaints. (Johnson)
1. Belin, Laura (21FC:0037 – Chapter 22 – Iowa Dept. of Public Health 5/4/21) Intake
 2. Bergren, Kay (21FC:0003 – Chapter 22 – City of Otho 1/7/21) Pending
 3. Bruns, Rachel (21FC:0016 – Chapter 22 – Iowa Department of Public Health 3/5/21) Pending
 4. Chorneau, Tom (21FC:0039 – Chapter 22 – Iowa Department of Public Safety 3/16/21) Intake
 5. Kauffman, Clark (21FC:0017 – Chapter 22 – Iowa Department of Public Health 3/5/21) Pending
 6. Stewart, Margie (21FC:0038 – Chapter 22 – City of Cincinnati 5/12/21) Intake
 7. Sullivan, Cristie (21FC:0034 – Chapter 22 – City of Van Meter 4/25/21) Intake
 8. Vaughn, Deb (21FC:0027 – Chapter 21 – Springville City Council 3/29/21) Intake
 9. Watson, Steven (21FC:0011 – Chapter 21 – Indiana Township Bd. Of Trustees 2/22/21) Pending
- IX. Committee Reports
1. Communications – (Toresdahl)
 2. Legislative – (Johnson)
 3. Rules – (Goodrich)
 1. Discussion about “Anonymous” submissions of complaints.
- 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

4. Presentations/Trainings (Johnson) -

Iowa Municipal Finance Officers Board: April 22, 2021

ISBA Government Practice CLE: May 7, 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) June 17, 2021 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

May 20, 2021

Unapproved Minutes

The Board met electronically on May 20, 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: Susan Patterson-Plank, Todd Holmes, Maria Wagenhoffer, Lolani Lekkas, Jake Holmes, Clark Kauffman, Lisa Thorn, Eddie Fishman, Tracy Carlson, and Kay Bergren.

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.

Agenda was amended to move item VI. 3 down the agenda to section VIII. On a **motion** by McHugh, **second** by Lindahl the agenda was unanimously adopted as amended.

On a **motion** by Giovannetti, **second** by Thompson, to approve the April 15, 2021 minutes. Unanimously adopted.

Public Forum

No comments

Items Discussed

- 1) Board Chair – Thanked the board for their support during her absence last meeting.
- 2) Advisory Opinion
 1. Bond, Stefanie (21AO:0002 – Chapter 22 – Victim impact statements. 4/8/21). A motion by Stewart and second by McHugh to approve the advisory opinion. Unanimously approved, roll call 9-0.
- 3) The board was briefed on cases and took action as indicated:
 1. Anonymous (21FC:0030 – Both Chapters – Linden City Council 4/6/21). Eddie Fishman made comments. A motion by Lindahl and second by McHugh to approve the acceptance order and the informal resolution report. Approved, roll call 8-0-1 with Giovannetti abstaining.

2. Beatty, Troy (20FC:0087 – Chapter 22 – Evansdale Water Works 8/27/20). A motion by Morain and second by Stewart to approve the informal resolution final report and dismiss the complaint. Unanimously approved, roll call 9-0.
3. Belin, Laura (20FC:0095 – Chapter 22 – University of Iowa 9/17/20). No action taken. Moved on agenda to section VIII.
4. Boustead, Heather (21FC:0035 – Both Chapters – Linden City Council 4/25/21). Eddie Fishman spoke. A motion by Thompson and second by McHugh to approve the dismissal order. Approved, roll call 8-0-1 with Giovannetti abstaining.
5. Brewbaker, Chad (21FC:0026 – Chapter 22 – Iowa Workforce Development 3/25/21). A motion by Luchtel and second by Corbin to approve the dismissal order. Unanimously approved, roll call 9-0.
6. Burnham, Boyd (21FC:0033 – Both Chapters – Linden City Council 4/24/21). Eddie Fishman spoke. A motion by McHugh and second by Luchtel to approve the dismissal order. Unanimously approved, roll call 8-0-1 with Giovannetti abstaining.
7. Carlson, Tracy (21FC:0007 – Chapter 21 – Kossuth Co. Board of Supervisors 2/9/21). Tracy Carlson and Todd Holmes spoke. A motion by Giovannetti and second by Stewart to approve the dismissal order. Approved, roll call 6-3, ayes: Giovannetti, Lindahl, Luchtel, McHugh, Pottorff, and Stewart; nays: Corbin, Morain, and Thompson.
8. Fichter, Clint (21FC:0005 – Chapter 21 – City of Avoca 1/20/21). A motion by Morain and second by Corbin to approve the informal resolution final report and dismiss the complaint. Unanimously approved, roll call 9-0.
9. Kauffman, Clark (21FC:0028 – Chapter 22 – Iowa Alcoholic Beverages Division 4/1/21). Clark Kauffman and Lolani Lekkas spoke. A motion by McHugh and second by Giovannetti to approve the dismissal order. Unanimously approved, roll call 9-0.
10. Knapp, Christine (21FC:0032 – Chapter 22 – Des Moines Co. Sheriff Dept. 4/22/21). A motion by Thompson and second by Lindahl to approve the dismissal order. Unanimously approved, roll call 9-0.
11. Kuhn, Mark (20FC:0128 – Chapter 21 – Floyd County Board of Supervisors 12/17/20). A motion by Luchtel and second by McHugh to approve the informal resolution report. Unanimously approved, roll call 9-0.
12. Swearingin, Kim (21FC:0009 – Chapter 21 – Wayne Co. Board of Supervisors 2/14/21). A motion by Lindahl and second by Morain to approve the informal resolution report. Unanimously approved, roll call 9-0.
13. Triplett, Deanna (21FC:0029 – Chapter 22 – City of Polk City 4/5/21). A motion by Giovannetti and second by McHugh to approve the dismissal order. Unanimously approved, roll call 9-0.
14. Williams, Todd (21FC:0036 – Chapter 21 - City of Silver City 4/29/21). A motion by McHugh and second by Thompson to approve the acceptance order. Unanimously approved, roll call 9-0.

4) Matters Withdrawn. No Action -

1. Brick, Matthew (21AO:0003 – Chapter 22 – Definition of types of records. 5/3/21) withdrawn

2. Henely, Eric (21FC:0031 – Chapter 21 – Gilbert City Council 4/20/21) withdrawn
 3. Meardon, Charles (21FC:0020 – Chapter 22 - City of Tiffin 3/9/21) withdrawn
- 5) Pending complaints that required no board action. Informational
1. Belin, Laura (21FC:0037 – Chapter 22 – Iowa Dept. of Public Health 5/4/21) Intake
 2. Bergren, Kay (21FC:0003 – Chapter 22 – City of Otho 1/7/21) Pending
 3. Bruns, Rachel (21FC:0016 – Chapter 22 – Iowa Department of Public Health 3/5/21) Pending
 4. Chorneau, Tom (21FC:0039 – Chapter 22 – Iowa Department of Public Safety 3/16/21) Intake
 5. Kauffman, Clark (21FC:0017 – Chapter 22 – Iowa Department of Public Health 3/5/21) Pending
 6. Stewart, Margie (21FC:0038 – Chapter 22 – City of Cincinnati 5/12/21) Intake
 7. Sullivan, Cristie (21FC:0034 – Chapter 22 – City of Van Meter 4/25/21) Intake
 8. Vaughn, Deb (21FC:0027 – Chapter 21 – Springville City Council 3/29/21) Intake
 9. Watson, Steven (21FC:0011 – Chapter 21 – Indiana Township Bd. Of Trustees 2/22/21) Pending
- 6) Committee Reports
1. Communications – No report
 2. Legislative – Johnson provided a brief update on legislation this session.
 3. Rules – No report. Discussion regarding how anonymous submission of complaints are handled. Referred to Rules Committee for consideration.
- 7) Updates for the board.
- a. Johnson provided an overview of the April 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 – Supreme Court is retaining.
 - d. Johnson shared completed and future presentations/trainings
Iowa Municipal Finance Officers Board on April 22, 2021.
ISBA Government Practice CLE: May 7, 2021
 - e. COVID-19 impact on IPIB – Discussed future in-person Board meetings and building status.

The next IPIB meeting will be in the Wallace Building, **3rd floor E/W Conference Room**, June 17, 2021, at 1:00 p.m.

At 3:04 p.m. the meeting adjourned on a motion by Giovannetti and a second by McHugh.

Unanimously approved.

Respectfully submitted
Brett Toresdahl, Deputy Director

IPIB, Chair
Approved