

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

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.
Use the lobby phone to dial the number provided on the door sign.
Please wait and a person will meet you to escort you to the meeting on 3rd floor.**

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

November 18, 2021 1:00 p.m.
Wallace Building
502 East 9th Street, Des Moines
3rd Floor E/W Conference Room

1:00 PM – IPIB Meeting

- I. Approval of agenda*
- II. Approval of the October 21, 2021 minutes *
- III. Public Forum (5 minute limit per speaker)
- IV. Comments from the board chair. (Pottorff)
- V. Advisory Opinion – Deliberation/Action. (Johnson)
 1. Brick, Matt (21FC:0008 – Chapter 22 – 8/29/21) * withdrawn
- VI. Cases involving Board Deliberation/Action. (Johnson)
 1. Hoyt, Mallory (21FC:0045 – Both Chapters – Davenport Civil Rights Commission 6/4/21) * Probable Cause Report

2. Burgmaier, Don (21FC:0102 – Chapter 22 – Depart of Human Services 10/27/21) * Dismiss
3. Ehls, Thomas (21FC:0097 – Chapter 21 – Amana Colonies Land Use District 10/7/21) * Dismiss
4. Feddersen, Karen (21FC:0043 – Chapter 22 – City of Atalissa 5/23/21) * Final Report
5. Fichter, Clinton (21FC:0094 – Chapter 22 – City of Avoca 9/24/21) * Dismiss
6. Thompson, Larry 921FC:0100 – Both chapters – Jesup City Council 10/16/21) * Dismiss
7. Williams, Todd (21FC:0088 – Chapter 22 – Silver City City Council 9/15/21) * Dismiss
8. Williams, Todd (21FC:0099 – Chapter 21 – City of Silver City 10/15/21) * Dismiss
9. Winebrenner, Pamela (21FC:0086 – Chapter 21 – Grand Junction City Council 9/14/21) * Report
10. Zagozda, Robert (21FC:0090 – Both Chapters – City of Carter Lake 9/16/21) * Accept
11. Zagozda, Robert (21FC:0091 – Chapter 22 – City of Carter Lake 9/16/21) * Dismiss

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 Matters Withdrawn, No Action Necessary.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

1. Keirnes, Nathan (21FC:0087 – Chapter 22 – City of LeClaire 9/14/21) * withdrawn
2. McGhghy, Stephan (21FC:0101 – Both Chapters – Keokuk Comm. School Dist. 10/19/21) * withdrawn
3. Polley, Chris (21FC:0084 – Chapter 22 – City of Denison 9/4/21) * withdrawn

VIII. Pending Complaints. Informational Only (Johnson)

1. Byars, William (21FC:0081 – Chapter 21 – Adair City Council 8/22/21) Pending
2. Haueter, Kylee (21FC:0105) – Chapter 22 – Iowa State University 11/11/21) Intake
3. Hoffman, Wren (21FC:0048 – Chapter 21 – City of Steamboat Rock 6/18/21) Pending
4. Kauffman, Clark (21FC:0064 – Chapter 22 – Iowa Workforce Development 7/13/21) Pending
5. McDowell, Tad (21FC:0059 – Chapter 22 – Mills County Assessor 6/30/21) Pending
6. McGrath, Jeremy (21FC:0103 – Both Chapters – Chickasaw County Ambulance Council 11/4/21) Intake
7. Miller, Vanessa (21FC:0068 – Chapter 22 – University of Iowa 8/2/21) Pending
8. Pichone, Cherie (21FC:0104 – Chapter 22 – University of Iowa Police Dept. 11/9/21) Intake
9. Piper, Joni (21FC:0092 – Chapter 22 – City of Carter Lake 9/17/21) Intake

IX. Committee Reports

1. Communications – (Toresdahl)
2. Legislative – (Johnson)
3. Rules – (Goodrich)

X. Office status report.

1. Contacts and activity * (Johnson)
2. Financial/Budget Update (FY22 & FY23) * (Toresdahl)
3. Update on District Court cases (Goodrich)
 1. Klein – 2. Ripperger – November 16, 2021
4. Presentations/Trainings (Johnson) –

XI. Next IPIB Board Meeting will be held in the Wallace Building, 2nd Floor, N/S Conference Room December 16, 2021 at 1:00 p.m.

XII. 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

November 18, 2021

Unapproved Minutes

The Board met on November 18, 2021 for its monthly meeting at 1:00 p.m. in the 3rd floor E/W Conference Room in the Wallace Building with the following members present: Barry Lindahl, Dubuque; Keith Luchtel, Clive; Monica McHugh, Zwingle; Rick Morain, Jefferson; Julie Pottorff, Des Moines; Suzan Stewart, Sioux City; 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; IPIB Intern Logan Tucker. A quorum was declared present.

Others identified present or by phone: Becky Ehlts, Laura Burgess, Koley Meeks, Alex Carfrae, Brian Hire, David Bison, and Don Burgmaier.

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

On a **motion** by Luchtel, **second** by McHugh, to approve the October 21, 2021 minutes. Unanimously adopted.

Public Forum

Comments – none

Items Discussed

- 1) **Board Chair** – Meeting decorum addressed
- 2) **Advisory Opinions** –
 1. Brick, Matt (21FC:0008 – Chapter 22 – 8/29/21) withdrawn
- 3) **The board was briefed on cases and took action as indicated:**
 1. Hoyt, Mallory (21FC:0045 – Both Chapters – Davenport Civil Rights Commission 6/4/21). Brian Hire spoke on the matter. A motion by Morain and second by Stewart to table the probable cause report to request the Commission to ask for a ruling on the federal regulations that they cite as a reason not to release the record. Unanimously approved, 7-0.
 2. Burgmaier, Don (21FC:0102 – Chapter 22 – Depart of Human Services 10/27/21). Don Burgmaier spoke on the matter. A motion by McHugh and second by Thompson to approve the dismissal order. Unanimously approved, 7-0.
 3. Ehlts, Thomas (21FC:0097 – Chapter 21 – Amana Colonies Land Use District 10/7/21). Becky Ehlts and Laura Burgess spoke on the matter. A motion by Stewart and second by McHugh to approve the dismissal order including the additional footnote. Unanimously approved, 7-0.

4. Feddersen, Karen (21FC:0043 – Chapter 22 – City of Atalissa 5/23/21). A motion by Lindahl and second by Thompson to accept the final report and dismiss the matter. Unanimously approved 7-0.
5. Fichter, Clinton (21FC:0094 – Chapter 22 – City of Avoca 9/24/21). A motion by McHugh and second by Lindahl to approve the dismissal order. Unanimously approved, 7-0.
6. Thompson, Larry 921FC:0100 – Both chapters – Jesup City Council 10/16/21). A motion by Luchtel and second by Thompson to approve the dismissal order. Unanimously approved, 7-0.
7. Williams, Todd (21FC:0088 – Chapter 22 – Silver City City Council 9/15/21). A motion by McHugh and second by Morain to approve the dismissal order. Unanimously approved, 7-0.
8. Williams, Todd (21FC:0099 – Chapter 21 – City of Silver City 10/15/21). A motion by Luchtel and second by McHugh to approve the dismissal order. Unanimously approved, 7-0.
9. Winebrenner, Pamela (21FC:0086 – Chapter 21 – Grand Junction City Council 9/14/21). A motion by Thompson and second by Lindahl to accept the informal resolution report and set the matter for review. Unanimously approved 7-0.
10. Zagozda, Robert (21FC:0090 – Both Chapters – City of Carter Lake 9/16/21). A motion by McHugh and second by Lindahl to approve the acceptance order. Unanimously approved, 7-0.
11. Zagozda, Robert (21FC:0091 – Chapter 22 – City of Carter Lake 9/16/21). A motion by Luchtel and second by McHugh to approve the dismissal order. Unanimously approved, 7-0.

4) Matters Withdrawn. No Action -

1. Keirnes, Nathan (21FC:0087 – Chapter 22 – City of LeClaire 9/14/21) withdrawn
2. McGhghy, Stephan (21FC:0101 – Both Chapters – Keokuk Comm. School Dist. 10/19/21) withdrawn
3. Polley, Chris (21FC:0084 – Chapter 22 – City of Denison 9/4/21) withdrawn

5) Pending complaints that required no board action. Informational

1. Byars, William (21FC:0081 – Chapter 21 – Adair City Council 8/22/21) Pending
2. Haueter, Kylee (21FC:0105) – Chapter 22 – Iowa State University 11/11/21) Intake
3. Hoffman, Wren (21FC:0048 – Chapter 21 – City of Steamboat Rock 6/18/21) Pending
4. Kauffman, Clark (21FC:0064 – Chapter 22 – Iowa Workforce Development 7/13/21) Pending
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9. Piper, Joni (21FC:0092 – Chapter 22 – City of Carter Lake 9/17/21) Intake

6) Committee Reports

1. Communications – No report
2. Legislative – No report
3. Rules – No report

7) Updates for the board.

- a. Johnson provided an overview of the October website use and YTD case totals.
- b. Toresdahl shared the FY22 financials and budget Request for FY23.
- c. Johnson provided an update on the Supreme Court Cases.
 - Klein – Oral argument was held on October 20, 2021
 - Ripperger – Oral arguments was held on November 16, 2021
- d. Presentations/trainings – No report

The next IPIB meeting will be in the Wallace Building, **2nd Floor, N/S Conference Room**, December 16, 2021, at 1:00 p.m.

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

Respectfully submitted
Brett Toresdahl, Deputy Director

IPIB, Chair
Approved