

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

December 17, 2020 1:00 p.m.
Wallace Building
502 East 9th Street, Des Moines
3rd Floor IPIB Conference Room

11:30 AM – IPIB Rules 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 November 19, 2020 minutes *
- III. Public Forum (5 minute limit per speaker)
- IV. Comments from the board chair. (Pottorff)
- V. Advisory Opinion
 1. Anderson, John (20AO:0006 – Chapter 22 - Request for AO re: Draft minutes 11/13/20) *
 2. Brick, Matthew (20AO:0007 – Chapter 22 – Request for AO re: Public Records 12/10/20) pending

- VI. Cases involving Board Deliberation/Action. (Johnson)
1. Belin, Laura (20FC:0095 – Chapter 22 – University of Iowa 9/17/20) * Accept
 2. Czyzon, Sidney (20FC:0113 – Both Chapters – Waterloo Telecommunications Utility Board of Trustees 10/30/20) * Dismiss
 3. Dominick, Michael (20FC:0085 – Chapter 22 – Benton County Sheriff Department 8/26/20) * Report
 4. Dunbar, Dennis (20FC:0114 – Chapter 22 – City of Barnum 11/2/20) * Dismiss
 5. Ferretti, Alec (20FC:0111 – Chapter 22 – Iowa Secretary of State 10/27/20) * Dismiss
 6. Gooder, Justin & Hillman, Lonnie (20FC:0105 – Both Chapters – City of Saint Ansgar 10/13/20) * Dismiss
 7. Henely, Eric (20FC:0070 – Chapter 21 – Gilbert Community School District 7/13/20) & Henely, Eric (20FC:0081 – Chapter 21 – Gilbert Community School District 8/23/20) * Probable cause report
 8. IowaLive (20FC:0122 – Chapter 22 – Iowa State University 11/20/20) * Dismiss
 9. Marcus News (20FC:0106 – Chapter 22 – O’Brien County Conservation Board 10/16/20) * Dismiss
 10. Osborn, Jane (20FC:0098 – Chapter 22 – City of Vinton 9/25/20) * Dismiss
 11. Pederson, Bridget (20FC:0123 – Chapter 21 – Des Moines City Council 11/23/20) * Dismiss
 12. Skalberg, Marlene (20FC:0117 – Chapter 21 – City of Emerson 11/12/20) & Christensen, Gary (20FC:0120 – Chapter 21 – City of Emerson 11/15/20) * Consolidate & Dismiss
 13. Tidball, Derek (20FC:0118 – Chapter 22 – Des Moines Water Works 11/13/20) * Dismiss
 14. Wright, Jordan (20FC:0048 – Chapter 21 – Richland City Council 5/13/20) * Report
- VII. Matters Withdrawn, No Action Necessary. (Johnson)
1. Friedman, Janelle (20FC:0124 – Chapter 22 – Iowa City Comm. School District 11/27/20) * Withdrawn
 2. Hines, Travis (20FC:0121 – Chapter 22 – Iowa State University 11/20/20) * Withdrawn
 3. Petersen, Martin (20FC:0126 -Chapter 22 – Iowa Board of Barbering 12/3/20) * Withdrawn
 4. Swanson, Frank (20FC:0101 – Chapter 22 – City of Des Moines 10/2/20) * Withdrawn
- VIII. Pending Matters. (Johnson)
1. Beatty, Troy (20FC0087 – Chapter 22 – Evansdale WaterWorks 8/27/20) Pending
 2. Choate, John (20FC:0108 – Both Chapters – Manly City Council 10/20/20) Pending
 3. Corry, Robert (20FC:0127 – Chapter 22 – Iowa City Police Department 12/4/20) Intake
 4. Kilgore, Kevin (20FC:0119 – Chapter 22 – Ringgold County 11/15/20) Intake
 5. Krivachek, Maxwell (20FC:0110 – Both Chapters – City of Fort Atkinson 10/27/20) Intake
 6. Shook, Julie (20FC:0099 – Both Chapters – City of Tama 9/29/20) Pending
 7. Smith, Casey (20FC:0125 – Both Chapters – City of Blue Grass 12/1/20) Intake
- IX. Committee Reports
1. Communications –
 2. Legislative –
 3. Rules – proposed rule review
- 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) -
 - ISAC: January 13, 2021
 - Iowa Department of Inspections and Appeals : January 28, 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) January 21, 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
December 16, 2021
Unapproved Minutes

The Board met on December 16, 2021 for its monthly meeting at 1:00 p.m. in the 2nd floor N/S Conference Room in the Wallace Building with the following members present: Joan Corbin, Pella (phone); E. J. Giovannetti, Urbandale; Barry Lindahl, Dubuque (phone); Keith Luchtel, Clive; Monica McHugh, Zwingle (phone); Rick Morain, Jefferson; Julie Pottorff, Des Moines; Suzan Stewart, Sioux City(phone); 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 present or by phone: James Stratton and Susan Patterson-Plank.

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

On a **motion** by Morain, **second** by Luchtel, to approve the November 18, 2021 minutes. Unanimously adopted.

Public Forum

Comments – none

Items Discussed

- 1) **Board Chair** – Addressed a letter received from the Iowa Freedom of Information Council and others regarding public comments at IPIB meetings.
The decision on the Ripperger case is due to be released by the Supreme Court on December 17, 2021.
Plan to put on a future agenda the topic of addressing the late release of records.
- 2) **Advisory Opinions** –
 1. none
- 3) **The board was briefed on cases and took action as indicated:**
 1. Haueter, Kylee (21FC:0105) – Chapter 22 – Iowa State University 11/11/21). A motion by Giovannetti and second by Morain to approve the dismissal order. Approved, 8-0-1 with Thompson abstaining.
 2. Hoffman, Wren (21FC:0048 – Chapter 21 – City of Steamboat Rock 6/18/21). A motion by Thompson and second by Luchtel to continue this matter for four weeks to allow staff to determine compliance with the terms of the resolution. Unanimously approved 9-0.
 3. Hoyt, Mallory (21FC:0045 – Both Chapters – Davenport Civil Rights Commission 6/4/21). Ms. Hoyt requested that the complaint be withdrawn. A motion by Luchtel and second by Giovannetti to honor the request of the complainant. Unanimously approved, 9-0.

4. McDowell, Tad (21FC:0059 – Chapter 22 – Mills County Assessor 6/30/21). A motion by Giovannetti and second by Luchtel to accept the informal resolution report and dismiss the matter as the terms being satisfactorily met. Unanimously approved 9-0.
5. McDowell, Tad (21FC:0108 – Chapter 22 – Mills County Assessor 11/23/21). A motion by Luchtel and second by Lindahl to approve the dismissal order. Unanimously approved, 9-0.
6. Piper, Joni (21FC:0092 – Chapter 22 – City of Carter Lake 9/17/21). A motion by Morain and second by Giovannetti to approve the dismissal order. Unanimously approved, 9-0.
7. Stratton, James (21FC:0107 – Chapter 22 – Office of Governor 11/16/21). James Stratton spoke on the matter. A motion by Morain and second by Luchtel to approve the dismissal order. Unanimously approved, 9-0.
8. Zagozda, Robert (21FC:0090 – Both Chapters – City of Carter Lake 9/16/21). A motion by Thompson and second by Luchtel to accept the informal resolution report and set the matter for review. Unanimously approved 9-0.

4) Matters Withdrawn. No Action -

1. Harris, Karl (21FC:0112 – Chapter 21 – Bouton City Council 11/30/21) withdrawn
2. Taylor, Wallace (21FC:0106 – Chapter 22 – Iowa Utilities Board 11/17/21) withdrawn

5) Pending complaints that required no board action. Informational

1. Abell, Ernie (21FC:0119 – Chapter 21 – Arispe City Council 12/14/21) Intake
2. Bell, E.J. (21FC:0109 – Chapter 22 – City of Atkins 11/23/21) Intake
3. Brewbaker, Chad (21FC:0114 – Chapter 22 – Broadlawns Hospital 12/7/21) Intake
4. Brewbaker, Chad (21FC:0115 – Chapter 22 – City of Waukee 12/7/21) Intake
5. Byars, William (21FC:0081 – Chapter 21 – Adair City Council 8/22/21) Pending
6. Davenport, Marian (21FC:0121 – Chapter 22 – Lorimor City Council 12/14/21) Intake
7. DeMeulenaere, Julie (21FC:0111 – Chapter 22 – City of Atkins 11/29/21) Intake
8. Ehls, Becky (21FC:0117 -Chapter 22 – Amana Colonies Land Use District 12/9/21) Intake
9. Heather, Ellen (21FC:0110 – Chapter 21 _ Mitchellville Library Board 11/23/21) Intake
10. Kauffman, Clark (21FC:0064 – Chapter 22 – Iowa Workforce Development 7/13/21) Pending
11. Kite-Warh, Cody (12FC:0116 – Chapter 21 – Bonaparte City Council 12/8/21) Intake
12. Lawton, Kiajuana (21FC:0113 – Both Chapters – Iowa Vocational Rehabilitation Services 12/6/21) Intake
13. McGrath, Jeremy (21FC:0103 – Both Chapters – Chickasaw County Ambulance Council 11/4/21) Intake
14. Miller, Vanessa (21FC:0068 – Chapter 22 – University of Iowa 8/2/21) Pending

15. Monroeiowa1867 (21FC:0120 – Chapter 21 – City of Monroe 12/14/21) Intake
16. Pichone, Cherie (21FC:0104 – Chapter 22 – University of Iowa Police Dept. 11/9/21) Intake
17. Weir, Doug (21FC:0118 – Chapter 22 - City of Ruthven 12/13/21) Intake
18. Winebrenner, Pamela (21FC:0086 – Chapter 21 – Grand Junction City Council 9/14/21) Pending

6) Committee Reports

1. Communications – Johnson distributed historical statistics for the IPIB. (see attached)
2. Legislative – Monitoring the current IPIB legislative package,
3. Rules – Goodrich will be assembling a memo for the Rules Committee with an analysis of issues for the committee to address.

7) Updates for the board.

- a. Johnson provided an overview of the November website use and YTD case totals.
- b. Toresdahl shared the FY22 financials.
- c. Johnson provided an update on the Supreme Court Cases.
 - Klein – Oral argument was held on October 20, 2021
 - Ripperger – Decision to be released on December 17, 2021
- d. Presentations/trainings – No report

The next IPIB meeting will be in the Wallace Building, **2nd Floor, N/S Conference Room**, January 20, 2022, at 1:00 p.m.

At 2:42 p.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

12/15/2021

Overview of IPIB Statistics

- 6,437 total inquiries to the IPIB
 - 2013 – 251 (4 months)
 - 2014 – 811
 - 2015 – 811
 - 2016 – 873
 - 2017 – 755
 - 2018 – 774
 - 2019 - 772
 - 2020 - 743
 - 2021 - 647 (11 months)

- 971 Formal Complaints filed
 - 2013 43 (4 months)
 - 2014 102
 - 2015 97
 - 2016 107
 - 2017 94
 - 2018 126
 - 2019 148
 - 2020 133
 - 2021 121 (YTD)