

IOWA PUBLIC INFORMATION BOARD

MEMBERS

Joan Corbin, Pella (Government Representative, 2020-2024)
E. J. Giovannetti, Urbandale (Government Representative, 2018-2022)
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)
Vacant (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

November 19, 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 October 15, 2020 minutes *
- III. Public Forum (5 minute limit per speaker)
- IV. Comments from the board chair. (Pottorff)
- V. Cases involving Board Deliberation/Action. (Johnson)
 1. Anderson Cindy (20FC:0107 – Chapter 21 – Fairfax City Council 10/16/20) * Dismiss
 2. Belin, Laura (20FC:0095 – Chapter 22 – University of Iowa 9/17/20) * Accept
 3. Carlson, Heather (20FC:0096 – Chapter 21 – Davenport Community School District Board 9/18/20) * Dismiss

4. Choate, John (20FC:0108 – Both Chapters – Manly City Council 10/20/20) * Accept
5. Clayworth, Jason (19FC:0138 – Chapter 22 – Des Moines Water Works 11/26/19) * Final Report
6. Cooling, Toni (20FC:0058 – Chapter 21 – Oxford City Council 6/10/20) * Final Report
7. Henely, Eric (20FC:0102 – Chapter 21 – Gilbert Community School Board 10/3/20) * Dismiss
8. Knowles, Rich (20FC:0097 – Both Chapters – Crawford County Hospital Board 9/21/20) * Dismiss
9. Latta, Stephanie (20FC:0112 – Chapter 21 – City of Emerson 10/28/20) & Latta, Stephanie (20FC:0115 – Chapter 21 – City of Emerson 11/2/20) * Consolidate & Dismiss
10. Lewis, Jean (20FC:0075 – Both Chapters – Jasper County Board of Health 7/16/20) * Final Report
11. Resh, Amy (20FC:0109 – Chapter 21 – Essex City Council 10/24/20) * Dismiss
12. Shook, Julie (20FC:0099 – Both Chapters – City of Tama 9/29/20) * Accept
13. Swanson, Frank (20FC:0101 – Chapter 22 – City of Des Moines 10/2/20) * Dismiss
14. Warth, Christine (20FC:0104 – Chapter 22 – Henry County Sheriff Department 10/12/20) * Dismiss

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 Matters Withdrawn, No Action Necessary.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

1. Radtke, Mari (20FC:0103 – Chapter 22 – O'Brien County Conservation Board 10/7/20) * withdraw
2. Tidball, Derek (20FC:0116 – Chapter 22 – Des Moines Water Works 11/12/20) * withdraw

VII. Pending Matters. (Johnson)

1. Anderson, John (20AO:0006 – Chapter 22 - Request for AO re: Draft minutes 11/13/20) Pending
2. Beatty, Troy (20FC0087 – Chapter 22 – Evansdale WaterWorks 8/27/20) Pending
3. Christensen, Gary (20FC:0120 – Chapter 21 – City of Emerson 11/15/20) Intake
4. Czyzon, Sidney (20FC:0113 – Both Chapters – Waterloo Telecommunications Utility Board of Trustees 10/30/20) Intake
5. Dominick, Michael (20FC:0085 – Chapter 22 – Benton County Sheriff Department 8/26/20) Pending
6. Dunbar, Dennis (20FC:0114 – Chapter 22 – City of Barnum 11/2/20) Intake
7. Ferretti, Alec (20FC:0111 – Chapter 22 – Iowa Secretary of State 10/27/20) Intake
8. Gooder, Justin & Hillman, Lonnie (20FC:0105 – Both Chapters – City of Saint Ansgar 10/13/20) Intake
9. Henely, Eric (20FC:0070 – Chapter 21 – Gilbert Community School District 7/13/20) Pending
10. Henely, Eric (20FC:0081 – Chapter 21 – Gilbert Community School District 8/23/20) Pending
11. Kilgore, Kevin (20FC:0119 – Chapter 22 – Ringgold County 11/15/20) Intake
12. Krivachek, Maxwell (20FC:0110 – Both Chapters – City of Fort Atkinson 10/27/20) Intake
13. Osborn, Jane (20FC:0098 – Chapter 22 – City of Vinton 9/25/20) Intake
14. Marcus News (20FC:0106 – Chapter 22 – O'Brien County Conservation Board 10/16/20) Intake
15. Skalberg, Marlene (20FC:0117 – Chapter 21 – City of Emerson 11/12/20) Intake
16. Tidball, Derek (20FC:0118 – Chapter 22 – Des Moines Water Works 11/13/20) Intake
17. Wright, Jordan (20FC:0048 – Chapter 21 – Richland City Council 5/13/20) Pending

VIII. Committee Reports

1. Communications –
2. Legislative – * LSA bill draft
3. Rules – proposed rule review

- 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) -
Iowa Municipal Attorney Association: November 19, 2020
ISAC: January 13, 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) December 17, 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 in sections V and VI.*
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

November 19, 2020

Unapproved Minutes

The Board met electronically on November 19, 2020 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.

New Board member Barry Lindahl introduced himself to the meeting. Since he had only been appointed by the Governor earlier in the day, Mr. Lindahl stated that he would be listening in on the meeting but not actively participating due to the short time to prepare for the meeting.

Others identified on the call: Cynthia Stimson, Bernie Frieden, Brian Fagan, Susan Patterson-Plank, Brent Hinders, Alison Graham, and Laura Belin.

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 Luchtel the agenda was unanimously adopted.

On a **motion** by Morain, **second** by Stewart, to approve the October 15, 2020 minutes. Unanimously adopted.

Public Forum

No comments.

Items Discussed

- 1) Board Chair – Discussed future electronic meetings and indicated that board member preferred to continue with conference calls.
- 2) The board was briefed on cases and took action as indicated:
 1. Anderson Cindy (20FC:0107 – Chapter 21 – Fairfax City Council 10/16/20). Speaking on the matter Brian Fagan. A motion by Giovannetti and second by Luchtel to approve the dismissal order. Unanimously approved, roll call 7-0-2 with Lindahl and Thompson abstaining.
 2. Belin, Laura (20FC:0095 – Chapter 22 – University of Iowa 9/17/20). Speaking on the matter Laura Belin. A motion by Stewart and second by McHugh to table

matter until the next meeting. Unanimously approved, roll call 7-0-2 with Lindahl and Thompson abstaining.

3. Carlson, Heather (20FC:0096 – Chapter 21 – Davenport Community School District Board 9/18/20). A motion by Giovannetti and second by Corbin to approve the dismissal order. Unanimously approved, roll call 8-0-1 with Lindahl abstaining.
4. Choate, John (20FC:0108 – Both Chapters – Manly City Council 10/20/20). A motion by McHugh and second by Stewart to approve the acceptance order. Unanimously approved, roll call 8-0-1 with Lindahl abstaining.
5. Clayworth, Jason (19FC:0138 – Chapter 22 – Des Moines Water Works 11/26/19). A motion by Luchtel and second by Stewart to approve the final report and dismiss the complaint. Unanimously approved, roll call 7-0-2 with Giovannetti and Lindahl abstaining.
6. Cooling, Toni (20FC:0058 – Chapter 21 – Oxford City Council 6/10/20). A motion by Thompson and second by Corbin to approve the final report and dismiss the complaint. Unanimously approved, roll call 8-0-1 with Lindahl abstaining.
7. Henely, Eric (20FC:0102 – Chapter 21 – Gilbert Community School Board 10/3/20). A motion by Luchtel and second by Morain to approve the dismissal order. Unanimously approved, roll call 8-0-1 with Lindahl abstaining.
8. Knowles, Rich (20FC:0097 – Both Chapters – Crawford County Hospital Board 9/21/20). A motion by Stewart and second by Corbin to approve the dismissal order as amended. Unanimously approved, roll call 8-0-1 with Lindahl abstaining.
9. Latta, Stephanie (20FC:0112 – Chapter 21 – City of Emerson 10/28/20) & Latta, Stephanie (20FC:0115 – Chapter 21 – City of Emerson 11/2/20). Speaking on the matter Brent Hinders. A motion by Thompson and second by Luchtel to consolidate and approve the dismissal order. Unanimously approved, roll call 7-0-2 with Giovannetti and Lindahl abstaining.
10. Lewis, Jean (20FC:0075 – Both Chapters – Jasper County Board of Health 7/16/20). A motion by Giovannetti and second by Luchtel to approve the final report and dismiss the complaint. Unanimously approved, roll call 8-0-1 with Lindahl abstaining.
11. Resh, Amy (20FC:0109 – Chapter 21 – Essex City Council 10/24/20). A motion by McHugh and second by Giovannetti to approve the dismissal order. Unanimously approved, roll call 7-0-2 with Lindahl and Morain abstaining.
12. Shook, Julie (20FC:0099 – Both Chapters – City of Tama 9/29/20). A motion by Giovannetti and second by Luchtel to approve the acceptance order. Unanimously approved, roll call 8-0-1 with Lindahl abstaining.
13. Swanson, Frank (20FC:0101 – Chapter 22 – City of Des Moines 10/2/20). A motion by Morain and second by Giovannetti to table matter until the next meeting. Unanimously approved, roll call 8-0-1 with Lindahl abstaining.
14. Warth, Christine (20FC:0104 – Chapter 22 – Henry County Sheriff Department 10/12/20). A motion by Luchtel and second by Giovannetti to approve the dismissal order. Unanimously approved, roll call 8-0-1 with Lindahl abstaining.

3) Matters Withdrawn. No Action -

1. Radtke, Mari (20FC:0103 – Chapter 22 – O’Brien County Conservation Board 10/7/20) withdrawn
2. Tidball, Derek (20FC:0116 – Chapter 22 – Des Moines Water Works 11/12/20) withdrawn

4) Pending complaints that required no board action. Informational

1. Anderson, John (20AO:0006 – Chapter 22 - Request for AO re: Draft minutes 11/13/20) Pending
2. Beatty, Troy (20FC0087 – Chapter 22 – Evansdale WaterWorks 8/27/20) Pending
3. Christensen, Gary (20FC:0120 – Chapter 21 – City of Emerson 11/15/20) Intake
4. Czyzon, Sidney (20FC:0113 – Both Chapters – Waterloo Telecommunications Utility Board of Trustees 10/30/20) Intake
5. Dominick, Michael (20FC:0085 – Chapter 22 – Benton County Sheriff Department 8/26/20) Pending
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17. Wright, Jordan (20FC:0048 – Chapter 21 – Richland City Council 5/13/20) Pending

5) Committee Reports

1. Communications – No report
2. Legislative – Reviewed bill drafts received from LSA. No concerns raised.
3. Rules – Met on November 19, 2020. Committee discussed a proposed rule related to the Executive Director delegating advisory opinions to staff attorney to draft. The committee also decided to refer the issue of metadata in public records to the legislative committee for possible action.

6) Updates for the board.

- a. Johnson provided an overview of the October website use and YTD case totals.

- b. Toresdahl shared the FY21 financials.
- c. Johnson provided an update on the District Court Cases. Klein case, Ripperger case, and new case filed by Kevin Kilgore.
- d. Johnson shared completed and future presentations/trainings – Iowa Municipal Attorney Association on November 19, 2020. The ISAC New Officer training will be on January 13, 2021. Iowa Municipal Finance Officers Board on April 22, 2021.
- e. COVID-19 impact on IPIB – Discussed future Board meetings.

The next IPIB meeting will be in the Wallace Building, **3rd floor E/W Conference Room**, (or by electronic meeting if necessary), December 17, 2020, at 1:00 p.m.

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

Respectfully submitted
Brett Toresdahl, Deputy Director

IPIB, Chair
Approved