

# **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, 2017-2024)**  
**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**

**October 15, 2020 1:00 p.m.**  
**Wallace Building**  
**502 East 9<sup>th</sup> Street, Des Moines**  
**3rd Floor IPIB Conference Room**

**11:30 AM – Rules Committee Meeting**

**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 September 17, 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. Baker, Joshua (19FC:0108 – Chapter 22 – City of Sheffield 9/18/19) \* Report
2. Beatty, Troy (20FC0087 – Chapter 22 – Evansdale WaterWorks 8/27/20) \* Acceptance
3. Becker, Julie/ Robert Haxton (20FC:0077 – Chapter 21 – Dallas Center Library Board 7/25/20) \* Dismissal
4. Carlson, Heather (20FC:0080 – Chapter 21 – Davenport Community School District Board 8/21/20) \* Dismissal
5. Clayworth, Jason (19FC:0138 – Chapter 22 – Des Moines Water Works 11/26/19) \* Report
6. Dominick, Michael (20FC:0085 – Chapter 22 – Benton County Sheriff Department 8/26/20) \* Acceptance
7. Hoherz, Amy Jo (20FC:0090 – Chapter 21 – Iowa Board of Regents 9/2/20) \* Dismissal
8. Jones, Nate (20FC:0086 – Chapter 22 – Iowa Dept. of Public Health 8/27/20) \* Dismissal
9. Kilgore, Kevin (20FC:0094 – Both Chapters – Ringgold County 9/14/20) \* Dismissal
10. Korleski, Nicholas (20FC:0100 – Chapter 22 – City of Sioux City 9/30/20) \* Dismissal
11. Lewis, Jean (20FC:0075 – Both Chapters – Jasper County Board of Health 7/16/20) \* Report
12. Lewis, Jean (20FC:0092 – Chapter 22 – Jasper County 9/4/20) \* Dismissal
13. Lewis, Jean (20FC:0093 – Chapter 21 – Jasper County Board of Health 9/9/20) \* Dismissal
14. Peck, Jerry (20FC:0011 – Chapter 21 – City of Zearing 2/9/20) and Peck, Jerry (20FC:0014 – Both chapters – City of Zearing 2/10/20) \* Final Report
15. Simpson, Jamie (20FC:0059 – Chapter 21 – Essex City Council 6/11/20) \* Final Report
16. Yakobson, Alex (20FC:0072 – Chapter 22 – Ames Community School District 7/14/20) \* Dismissal

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 Matters Withdrawn, No Action Necessary.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

1. Carlson, Heather (20FC:0083 – Chapter 21 – Davenport Community School District Board 8/24/20) \* Withdrawn
2. IowaLive (20FC:0084 – Chapter 22 – Iowa State University Athletic Dept. 8/26/20) \* Withdrawn

VII. Pending Complaints. (Johnson)

1. Belin, Laura (20FC:0095 – Chapter 22 – University of Iowa 9/17/20) Intake
2. Carlson, Heather (20FC:0096 – Chapter 21 – Davenport Community School District Board 9/18/20) Intake
3. Cooling, Toni (20FC:0058 – Chapter 21 – Oxford City Council 6/10/20) Pending
4. Henely, Eric (20FC:0070 – Chapter 21 – Gilbert Community School District 7/13/20) Pending
5. Henely, Eric (20FC:0081 – Chapter 21 – Gilbert Community School District 8/23/20) Pending
6. Henely, Eric (20FC:0102 – Chapter 21 – Gilbert Community School Board 10/3/20) Intake
7. Knowles, Rich (20FC:0097 – Both Chapters – Crawford County Hospital Board 9/21/20) Intake
8. Osborn, Jane (20FC:0098 – Chapter 22 – City of Vinton 9/25/20) Intake
9. Radtke, Mari (20FC:0103 – Chapter 22 – O'Brien County Conservation Board 10/7/20) Intake
10. Shook, Julie (20FC:0099 – Both Chapters – City of Tama 9/29/20) Intake
11. Swanson, Frank (20FC:0101 – Chapter 22 – City of Des Moines 10/2/20) Intake
12. Warth, Christine (20FC:0104 – Chapter 22 – Henry County Sheriff Department 10/12/20) Intake
13. Wright, Jordan (20FC:0048 – Chapter 21 – Richland City Council 5/13/20) Pending

VIII. Committee Reports

1. Communications –
2. Legislative –
3. Rules –

- IX. Office status report.
1. Contacts and activity \* (Johnson)
  2. Financial/Budget Update (FY21) & (FY22/23 request) \* (Toresdahl)
  3. Update on District Court cases (Johnson)
  4. Presentations/Trainings (Johnson) -
    - ISBA Government Practice CLE: October 9, 2020
    - ACYPL: October 13, 2020
    - Iowa Municipal Attorney Association: November 19, 2020
    - ISAC: January 13, 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  
November 19, 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**  
**October 15, 2020**  
**Unapproved Minutes**

The Board met electronically on October 15, 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 (joined at 1:37 pm); Keith Luchtel, Clive; Monica McHugh, Zwingle; Rick Morain, Jefferson; Julie Pottorff, Des Moines; Suzan Stewart, Sioux City (joined at 1:07pm); 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: Amy Hoherz, Julie Becker, Aimee Claeys, Ralph Brown, Heather Willrich, Susan Patterson-Plank, Susan Dievers, Cindy Riesselman, Shelly Corey, Dusty Raus, Ryan Coons, Erin Cubit, John Lande, Randi Boelks, Susan Elgin, Juanita Waters, Bob Haxton, Katie Johnson, Amy Ramaeker, Daniel Rohrick, Thomas Strutt, and Jim Caulfield.

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.

On a **motion** by McHugh, **second** by Luchtel the agenda was unanimously adopted.

On a **motion** by Morain, **second** by Thompson, to approve the September 17, 2020 minutes. Unanimously adopted.

*Note: Stewart joined the meeting at 1:07pm.*

**Public Forum**

No comments.

**Items Discussed**

- 1) Board Chair – Discussed future electronic meetings.
- 2) The board was briefed on cases and took action as indicated:
  1. Baker, Joshua (19FC:0108 – Chapter 22 – City of Sheffield 9/18/19). A motion by Luchtel and second by McHugh to approve the final report and dismiss the complaint. Unanimously approved, roll call 7-0.
  2. Beatty, Troy (20FC0087 – Chapter 22 – Evansdale WaterWorks 8/27/20). A motion by Stewart and second by Thompson to approve the acceptance order as amended. Unanimously approved, roll call 7-0.

*Note: Giovannetti joined the meeting at 1:37pm.*

3. Becker, Julie/ Robert Haxton (20FC:0077 – Chapter 21 – Dallas Center Library Board 7/25/20). Speaking on the matter were Julie Becker, Bob Haxton, and Ralph Brown. A motion by Morain and second by Luchtel to approve the dismissal order. Unanimously approved, roll call 8-0.
4. Carlson, Heather (20FC:0080 – Chapter 21 – Davenport Community School District Board 8/21/20). A motion by McHugh and second by Giovannetti to approve the dismissal order. Unanimously approved, roll call 8-0.
5. Clayworth, Jason (19FC:0138 – Chapter 22 – Des Moines Water Works 11/26/19). A motion by Stewart and second by Corbin to approve the informal resolution report. Unanimously approved, roll call 7-0 with Giovannetti abstaining.
6. Dominick, Michael (20FC:0085 – Chapter 22 – Benton County Sheriff Department 8/26/20). A motion by Thompson and second by Giovannetti to approve the acceptance order. Unanimously approved, roll call 8-0.
7. Hoherz, Amy Jo (20FC:0090 – Chapter 21 – Iowa Board of Regents 9/2/20). Speaking on the matter were Amy Jo Heherz, and Amiee Claeys. A motion by Giovannetti and second by McHugh to approve the dismissal order. Unanimously approved, roll call 7-0 with Thompson abstaining.
8. Jones, Nate (20FC:0086 – Chapter 22 – Iowa Dept. of Public Health 8/27/20). A motion by Morain and second by Corbin to approve the dismissal order. Unanimously approved, roll call 8-0.
9. Kilgore, Kevin (20FC:0094 – Both Chapters – Ringgold County 9/14/20). A motion by Luchtel and second by McHugh to approve the dismissal order. Unanimously approved, roll call 8-0.
10. Korleski, Nicholas (20FC:0100 – Chapter 22 – City of Sioux City 9/30/20). A motion by McHugh and second by Corbin to approve the dismissal order. Unanimously approved, roll call 8-0.
11. Lewis, Jean (20FC:0075 – Both Chapters – Jasper County Board of Health 7/16/20). A motion by Corbin and second by Thompson to approve the informal resolution report. Unanimously approved, roll call 8-0.
12. Lewis, Jean (20FC:0092 – Chapter 22 – Jasper County 9/4/20). A motion by Luchtel and second by Stewart to approve the dismissal order. Unanimously approved, roll call 8-0.
13. Lewis, Jean (20FC:0093 – Chapter 21 – Jasper County Board of Health 9/9/20). A motion by Giovannetti and second by McHugh to approve the dismissal order. Unanimously approved, roll call 8-0.
14. Peck, Jerry (20FC:0011 – Chapter 21 – City of Zearing 2/9/20) and Peck, Jerry (20FC:0014 – Both chapters – City of Zearing 2/10/20). A motion by McHugh and second by Luchtel to approve the final report and dismiss the complaint. Unanimously approved, roll call 7-0 with Thompson abstaining.
15. Simpson, Jamie (20FC:0059 – Chapter 21 – Essex City Council 6/11/20). A motion by Corbin and second by Giovannetti to approve the final report and dismiss the complaint. Unanimously approved, roll call 8-0.
16. Yakobson, Alex (20FC:0072 – Chapter 22 – Ames Community School District 7/14/20). A motion by McHugh and second by Luchtel to approve the dismissal order. Unanimously approved, roll call 8-0.

3) Matters Withdrawn. No Action -

1. Carlson, Heather (20FC:0083 – Chapter 21 – Davenport Community School District Board 8/24/20) Withdrawn
2. IowaLive (20FC:0084 – Chapter 22 – Iowa State University Athletic Dept. 8/26/20) Withdrawn

4) Pending complaints that required no board action. Informational

1. Belin, Laura (20FC:0095 – Chapter 22 – University of Iowa 9/17/20) Intake
2. Carlson, Heather (20FC:0096 – Chapter 21 – Davenport Community School District Board 9/18/20) Intake
3. Cooling, Toni (20FC:0058 – Chapter 21 – Oxford City Council 6/10/20) Pending
4. Henely, Eric (20FC:0070 – Chapter 21 – Gilbert Community School District 7/13/20) Pending
5. Henely, Eric (20FC:0081 – Chapter 21 – Gilbert Community School District 8/23/20) Pending
6. Henely, Eric (20FC:0102 – Chapter 21 – Gilbert Community School Board 10/3/20) Intake
7. Knowles, Rich (20FC:0097 – Both Chapters – Crawford County Hospital Board 9/21/20) Intake
8. Osborn, Jane (20FC:0098 – Chapter 22 – City of Vinton 9/25/20) Intake
9. Radtke, Mari (20FC:0103 – Chapter 22 – O'Brien County Conservation Board 10/7/20) Intake
10. Shook, Julie (20FC:0099 – Both Chapters – City of Tama 9/29/20) Intake
11. Swanson, Frank (20FC:0101 – Chapter 22 – City of Des Moines 10/2/20) Intake
12. Warth, Christine (20FC:0104 – Chapter 22 – Henry County Sheriff Department 10/12/20) Intake
13. Wright, Jordan (20FC:0048 – Chapter 21 – Richland City Council 5/13/20) Pending

5) Committee Reports

1. Communications – Website changes.
2. Legislative – Bill drafts have been filed with LSA.
3. Rules – Met on October 15, 2020. Committee is working on the topic of metadata in public records. Also discussed additional topics.

6) Updates for the board.

- a. Johnson provided an overview of the September website use and YTD case totals.
- b. Toresdahl shared the FY21 financials and the submission of FY 22 & 23 budget requests.
- c. Johnson provided an update on the District Court Cases. Klein case appealed to the Supreme Court, response brief due October 16, 2020. Rippinger case appealed to the Supreme Court, response brief request for continuance.
- d. Johnson shared completed and future presentations/trainings – The ISBA Government Practice CLE was on October 9, 2020. ACYPL group from Tunisia on October 13, 2020. Iowa Municipal Attorney Association on November 19, 2020. The ISAC New Officer training will be on January 13, 2021.

e. COVID-19 impact on IPIB – Discussed future Board meetings.

The next IPIB meeting will be in the Wallace Building, **3<sup>rd</sup> floor E/W Conference Room**, (or by electronic meeting if necessary), November 19, 2020, at 1:00 p.m.

At 3:50 p.m. the meeting adjourned on a motion by Luchtel and a second by Giovanetti. Unanimously approved.

Respectfully submitted  
Brett Toresdahl, Deputy Director

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IPIB, Chair  
Approved