

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

August 20, 2020 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 July 16, 2020 minutes *
- III. Public Forum (5 minute limit per speaker)
- IV. Comments from the board chair. (Pottorff)
- V. Advisory Opinion
 1. Vandenberg, Charles (20AO:0005 – Chapter Both – 7/9/20) *
- VI. Cases involving Board Deliberation/Action. (Johnson)
 1. Baker, Joshua (19FC:0108 – Chapter 22 – City of Sheffield 9/18/19) * Continuance

2. Beymer, Jared (19FC:0132 – Chapter 21 – Crawford Co. Land Mobile Radio Advisory Board 11/10/19) * Report
3. Hamelton, Jerry (20FC:0065 – Chapter 22 – City of Fort Madison 7/4/20) * Dismissal
4. Henely, Eric (20FC:0070 – Chapter 21 – Gilbert Community School District 7/13/20) * Dismissal
5. Henely, Eric (20FC:0073 – Chapter 21 – Gilbert Community School District 7/15/20) * Dismissal
6. Johnson, Vanessa (20FC:0064 – Chapter 22 – Buchanan Co. Sheriff's Office 6/25/20) * Dismissal
7. Lewis, Jean (20FC:0075 – Both Chapters – Jasper County Board of Health 7/16/20) * Acceptance
8. McConville, Angela (20FC:0071 – Chapter 21- Oxford City Council 7/14/20) * Dismissal
9. 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) * Continuance
10. Radtke, Mari (20FC:0005 – Chapter 22 – Archer City Council 1/13/20) * Report
11. Silich, Paul (20FC:0068 – Chapter 22 – Western Dubuque Comm School Dist. 7/10/20) * Dismissal
12. Simpson, Jamie (20FC:0059 – Chapter 21 – Essex City Council 6/11/20) * Report
13. Stender, Deron (20FC:0047 – Chapter 22 – Clarinda Comm. School District 5/13/20) * Dismissal
14. Warth, Christine (20FC:0067 Both Chapters – Henry Co. Sheriff Department 7/8/20) * Dismissal
15. Wilcox, Fred (20FC:0069 – Chapter 22 – Iowa Olmstead Consumer Taskforce 7/10/20) * Dismissal
16. Yakobson, Alex (20FC:0072 – Chapter 22 – Ames Community School District 7/14/20) * Dismissal

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 Matters Withdrawn, No Action Necessary.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

1. None

VIII. Pending Complaints. (Johnson)

1. Becker, Julie (20FC:0077 – Chapter 21 – Dallas Center Library Board 7/25/20) Intake
2. Clayworth, Jason (19FC:0138 – Chapter 22 – Des Moines Water Works 11/26/19) Pending
3. Cooling, Toni (20FC:0058 – Chapter 21 – Oxford City Council 6/10/20) Pending
4. DeKoter, Daniel (20FC:0074 – Chapter 22 – Okoboji Community School District 7/15/20) Intake
5. Kruse, Anne (20FC:0076 – Chapter 22 – Postville Volunteer Fire Department 7/22/20) Intake
6. O'Brien, Debra (20FC:0079 – Story County Medical Examiner's Office 8/14/20) Intake
7. Schoenwolf, Andrew (20FC:0078 – Chapter 22 – Butler County Sheriff Department 8/13/20) Intake
8. Wright, Jordan (20FC:0048 – Chapter 21 – Richland City Council 5/13/20) Pending

IX. Committee Reports

1. Communications – Meeting was held Aug 7, 2020
2. Legislative – (Luchtel) Meeting was held Aug 5, 2020
3. Rules – Tentatively scheduled for September 17, 2020

X. Office status report.

1. Contacts and activity * (Johnson)
2. Financial/Budget Update (FY21) * (Toresdahl)

3. Update on District Court cases (Johnson)
4. Presentations/Trainings (Johnson) - Crawford County: July 29, 2020 (electronically)
ISBA Government Practice CLE: October 9, 2020
ISAC: January 13, 2021
5. COVID-19 update (Johnson/Toresdahl)

XII. Next IPIB Board Meeting will be held in the Wallace Building, 3rd Floor, E/W Conference Room
September 17, 2020 at 1:00 p.m.

XIII. 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

August 20, 2020

Unapproved Minutes

The Board met electronically on August 20, 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; Keith Luchtel, Clive; Monica McHugh, Zwingle; Rick Morain, Jefferson; Julie Pottorff, Des Moines; Suzan Stewart, Sioux City. Absent: 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: Holly Cockery, Eric Henely, Dennis Simon, Charles Vandenberg, and Randy Evans.

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 Giovannetti the agenda was unanimously adopted.

On a **motion** by Corbin, **second** by Luchtel, to approve the June 18, 2020 minutes. Unanimously adopted.

Public Forum

No comments.

Items Discussed

- 1) Board Chair – none
- 2) Advisory Opinions
 1. Vandenberg, Charles (20AO:0005 – Chapter Both – 7/9/20). A motion by Stewart and second by Luchtel to convert the opinion to an informal advice letter and approve. Unanimously approved 7-0.
- 3) 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 Morain to continue the informal resolution for 30 days. Unanimously approved, roll call 7-0.
 2. Beymer, Jared (19FC:0132 – Chapter 21 – Crawford Co. Land Mobile Radio Advisory Board 11/10/19). A motion by McHugh and second by Corbin to approve the final report and dismiss the complaint. Unanimously approved, roll call 7-0.

3. Hamelton, Jerry (20FC:0065 – Chapter 22 – City of Fort Madison 7/4/20). A motion by McHugh and second by Giovannetti to approve the dismissal order. Unanimously approved, roll call 7-0.
4. Henely, Eric (20FC:0070 – Chapter 21 – Gilbert Community School District 7/13/20). A motion by Giovannetti and second by Morain to accept the complaint. Unanimously approved, roll call 7-0.
5. Henely, Eric (20FC:0073 – Chapter 21 – Gilbert Community School District 7/15/20). A motion by McHugh and second by Luchtel to approve the dismissal order. Approved, roll call 5-2. Yea: Luchtel, McHugh, Morain, Pottorff, Stewart. Nay: Corbin and Giovannetti.
6. Johnson, Vanessa (20FC:0064 – Chapter 22 – Buchanan Co. Sheriff's Office 6/25/20). A motion by Stewart and second by McHugh to approve the dismissal order. Unanimously approved, roll call 7-0.
7. Lewis, Jean (20FC:0075 – Both Chapters – Jasper County Board of Health 7/16/20). A motion by McHugh and second by Luchtel to approve the acceptance order. Approved, roll call 6-1 with Stewart voting nay.
8. McConville, Angela (20FC:0071 – Chapter 21- Oxford City Council 7/14/20). A motion by McHugh and second by Luchtel to approve the dismissal order. Unanimously approved, roll call 7-0.
9. 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 Stewart to continue the informal resolution until September 30, 2020. Unanimously approved, roll call 7-0.
10. Radtke, Mari (20FC:0005 – Chapter 22 – Archer City Council 1/13/20). A motion by McHugh and second by Morain to approve the final report and dismiss the complaint. Unanimously approved, roll call 7-0.
11. Silich, Paul (20FC:0068 – Chapter 22 – Western Dubuque Comm School Dist. 7/10/20). A motion by McHugh and second by Luchtel to approve the dismissal order. Unanimously approved, roll call 7-0.
12. Simpson, Jamie (20FC:0059 – Chapter 21 – Essex City Council 6/11/20). A motion by Luchtel and second by McHugh to approve the informal resolution report. Unanimously approved, roll call 7-0.
13. Stender, Deron (20FC:0047 – Chapter 22 – Clarinda Comm. School District 5/13/20). A motion by Luchtel and second by Giovannetti to approve the dismissal order. Approved, roll call 6-0-1 with Corbin abstaining.
14. Warth, Christine (20FC:0067 Both Chapters – Henry Co. Sheriff Department 7/8/20). A motion by McHugh and second by Corbin to approve the dismissal order. Unanimously approved, roll call 7-0.
15. Wilcox, Fred (20FC:0069 – Chapter 22 – Iowa Olmstead Consumer Taskforce 7/10/20). A motion by Stewart and second by McHugh to approve the dismissal order with a footnote added. Unanimously approved, roll call 7-0.
16. Yakobson, Alex (20FC:0072 – Chapter 22 – Ames Community School District 7/14/20). A motion by Luchtel and second by Giovannetti to continue the complaint until the next meeting. Unanimously approved, roll call 7-0.

4) Matters Withdrawn. No Action - (None)

5) Pending complaints that required no board action. Informational

1. Becker, Julie (20FC:0077 – Chapter 21 – Dallas Center Library Board 7/25/20) Intake
2. Clayworth, Jason (19FC:0138 – Chapter 22 – Des Moines Water Works 11/26/19) Pending
3. Cooling, Toni (20FC:0058 – Chapter 21 – Oxford City Council 6/10/20) Pending
4. DeKoter, Daniel (20FC:0074 – Chapter 22 – Okoboji Community School District 7/15/20) Intake
5. Kruse, Anne (20FC:0076 – Chapter 22 – Postville Volunteer Fire Department 7/22/20) Intake
6. O’Brien, Debra (20FC:0079 – Story County Medical Examiner’s Office 8/14/20) Intake
7. Schoenwolf, Andrew (20FC:0078 – Chapter 22 – Butler County Sheriff Department 8/13/20) Intake
8. Wright, Jordan (20FC:0048 – Chapter 21 – Richland City Council 5/13/20) Pending

6) Committee Reports

1. Communications – The committee met on August 7, 2020
2. Legislative – The committee met on August 5, 2020. Bills proposals they are working on include: change complaint deadline from 60 to 90 days, change the 24 hour notice to not include weekends or holidays, a “clean-up” bill, and police officers investigative reports.
3. Rules – The next meeting is tentatively scheduled for September 17, 2020 @ 11:30 AM

7) Updates for the board.

- a. Johnson provided an overview of the July website use and YTD case totals.
- b. Toresdahl shared the FY21 financials.
- c. Johnson shared completed and future presentations/trainings – Crawford County was held on July 29, 2020. The ISBA Government Practice CLE will be on October 9, 2020. The ISAC New Officer training will be on January 13, 2021.
- d. Johnson provided an update on the District Court Cases. Klein case appealed to the Supreme Court proof brief has been filed. Rippinger case appealed to the Supreme Court, proof brief due 9/21/20.
- e. COVID-19 impact on IPIB – Discussed current work environment and future Board meetings.

The next IPIB meeting will be in the Wallace Building, **3rd floor E/W Conference Room**, September 17, 2020, at 1:00 p.m.

At 3:16 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