

# **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, (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**

**July 16, 2020 1:00 p.m.**

**Wallace Building**

**502 East 9<sup>th</sup> 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 June 18, 2020 minutes \*
- III. Public Forum (5 minute limit per speaker)
- IV. Comments from the board chair. (Pottorff)  
Board elections  
Committee assignments
- V. Advisory Opinion
  1. Vandenberg, Charles (20AO:0005 – Chapter Both – 7/9/20) pending

- VI. Cases involving Board Deliberation/Action. (Johnson)
1. Ccofbcjoe (20FC:0056 – Both Chapters – Butler Co. Board of Supervisors 6/5/20) \* Dismissal
  2. Cooling, Toni (20FC:0058 – Chapter 21 – Oxford City Council 6/10/20) \* Acceptance
  3. Henely, Eric (20FC:0060 – Chapter 21- Gilbert Community School District 6/15/20) \* Dismissal
  4. Jones, Nate (20FC:0061 – Chapter 22 - Iowa Dept Public Health 6/19/20) \* Dismissal
  5. Kauffman, Clark (20FC:0050 – Chapter 22 – IA. Dept. Inspections & Appeals 5/20/20) \* Dismissal
  6. Kopsieker, LaNelle (20FC:0062 – Chapter 21 – City of Richland 6/22/20) \* Dismissal
  7. Simpson, Jamie (20FC:0059 – Chapter 21 – Essex City Council 6/11/20) \* Acceptance
  8. Snell, Linn (20FC:0034 – Chapter 21 – City of Elberon 3/24/20) \* Dismissal
  9. Stender, Deron (20FC:0047 – Chapter 22 – Clarinda Comm. School District 5/13/20) \* Dismissal
  10. Clayworth, Jason (19FC:0138 – Chapter 22 – Des Moines Water Works 11/26/19) \*Acceptance  
Possible closed session pursuant to Iowa Code §21.5(1)(a): To review or discuss records which are required or authorized by state or federal law to be kept confidential.
- VII. Matters Withdrawn, No Action Necessary. (Johnson)
1. Anderson, John (20FC:0057 – Chapter 22 – University of Iowa 6/5/20) \* Withdrawn
  2. Evans, Randy (20AO:0004 – Chapter 22 – 6/29/20) \* Withdrawn
  3. Jaster, Lori (20FC:0063 – Chapter 22 – Benton County Sheriff’s Office 6/22/20) \* Withdrawn
  4. Scholz, Clark (20FC:0066 – Chapter 21 – Jackson Co. Board of Supervisors 7/6/20) \* Withdrawn
  5. Updegraff, Eric (20AO:0003 – Chapter 22 – 6/11/20) \* Withdrawn
- VIII. Pending Complaints. (Johnson)
1. Baker, Joshua (19FC:0108 – Chapter 22 – City of Sheffield 9/18/19) Pending
  2. Beymer, Jared (19FC:0132 – Chapter 21 – Crawford Co. Land Mobile Radio Advisory Board 11/10/19) Pending
  3. Hamelton, Jerry (20FC:0065 – Chapter 22 – City of Fort Madison 7/4/20) Intake
  4. Henely, Eric (20FC:0070 – Chapter 21 – Gilbert Community School District 7/13/20) Intake
  5. Johnson, Vanessa (20FC:0064 – Chapter 22 – Buchanan Co. Sheriff’s Office 6/25/20) Intake
  6. 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) Pending
  7. Radtke, Mari (20FC:0005 – Chapter 22 – Archer City Council 1/13/20) Pending
  8. Silich, Paul (20FC:0068 – Chapter 22 – Western Dubuque Comm School Dist. 7/10/20) Intake
  9. Warth, Christine (20FC:0067 Both Chapters – Henry Co. Sheriff Department 7/8/20) Intake
  10. Wilcox, Fred (20FC:0069 – Chapter 22 – Iowa Olmstead Consumer Taskforce 7/10/20) Intake
  11. Wright, Jordan (20FC:0048 – Chapter 21 – Richland City Council 5/13/20) Pending
- IX. Committee Reports
1. Communications –
  2. Legislative –
  3. Rules –
- 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<sup>th</sup> (electronically)
  5. COVID-19 update (Johnson/Toresdahl)
- XII. Next IPB Board Meeting will be held in the Wallace Building, 3rd Floor, E/W Conference Room  
August 20, 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

July 16, 2020

## Unapproved Minutes

The Board met electronically on July 16, 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; 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: John Lande, Eric Henely, Susan Elgin, Linn Snell, Charles Vandenberg, Kristi Latta, Randy Evans, and Susan Patterson-Plank.

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 Morain the agenda was unanimously adopted.

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

### Public Forum

No comments.

### Items Discussed

- 1) Board Chair – Election of officers for the 2020/2021 board year: A motion by Stewart and second by Giovannetti to nominate Pottorff as Chair of the Iowa Public Information Board. The motion was approved unanimously. A motion by Giovannetti and second by Luchtel to nominate McHugh as Vice-Chair of the Iowa Public Information Board. The motion was approved unanimously.

Pottorff announced Committee assignments: Rules Committee -Stewart, Pottorff, and Corbin. Legislative Committee – Luchtel, Giovannetti, Thompson, and Morain. Communications Committee – McHugh, Pottorff, and Stewart.

- 2) Advisory Opinions
  1. Vandenberg, Charles (20AO:0005 – Chapter Both – 7/9/20) pending
- 3) The board was briefed on cases and took action as indicated:

1. Ccofbcjoe (20FC:0056 – Both Chapters – Butler Co. Board of Supervisors 6/5/20). A motion by Giovannetti and second by McHugh to approve the dismissal order. Unanimously approved, roll call 8-0.
2. Cooling, Toni (20FC:0058 – Chapter 21 – Oxford City Council 6/10/20). A motion by Luchtel and second by McHugh to approve the acceptance order. Unanimously approved, roll call 8-0.
3. Henely, Eric (20FC:0060 – Chapter 21- Gilbert Community School District 6/15/20). A motion by Giovannetti and second by Corbin to approve the dismissal order. Unanimously approved, roll call 8-0.
4. Jones, Nate (20FC:0061 – Chapter 22 - Iowa Dept Public Health 6/19/20). A motion by Stewart and second by McHugh to approve the dismissal order. Approved, roll call 7-0-1 with Thompson abstaining.
5. Kauffman, Clark (20FC:0050 – Chapter 22 – IA. Dept. Inspections & Appeals 5/20/20). A motion by McHugh and second by Luchtel to approve the dismissal order. Unanimously approved, roll call 8-0.
6. Kopsieker, LaNelle (20FC:0062 – Chapter 21 – City of Richland 6/22/20). A motion by Luchtel and second by Thompson to approve the dismissal order. Unanimously approved, roll call 8-0.
7. Simpson, Jamie (20FC:0059 – Chapter 21 – Essex City Council 6/11/20). A motion by McHugh and second by Corbin to approve the acceptance order. Unanimously approved, roll call 8-0.
8. Snell, Linn (20FC:0034 – Chapter 21 – City of Elberon 3/24/20). A motion by Giovannetti and second by McHugh to approve the dismissal order. Unanimously approved, roll call 8-0.
9. Stender, Deron (20FC:0047 – Chapter 22 – Clarinda Comm. School District 5/13/20). A motion by Stewart and second by Giovannetti to table for additional language to be added to the order. Approved, roll call 7-0-1 with Corbin abstaining.
10. Clayworth, Jason (19FC:0138 – Chapter 22 – Des Moines Water Works 11/26/19). A motion by McHugh and second by Stewart to go into closed session pursuant to Iowa Code §21.5(1)(a): To review or discuss records which are required or authorized by state or federal law to be kept confidential. Motion failed for lack of a 2/3 vote, roll call 5-2-1; Yea- Corbin, McHugh, Morain, Pottorff, and Stewart, Nay - Luchtel and Thompson, with Giovannetti abstaining. A motion by Thompson and second by Morain to approve the acceptance order. Approved, roll call 4-3-1; Yea- Corbin, McHugh, Morain, and Thompson, Nay – Luchtel, Pottorff, and Stewart, with Giovannetti abstaining.

4) Matters Withdrawn. No Action

1. Anderson, John (20FC:0057 – Chapter 22 – University of Iowa 6/5/20)
2. Evans, Randy (20AO:0004 – Chapter 22 – 6/29/20)
3. Jaster, Lori (20FC:0063 – Chapter 22 – Benton County Sheriff’s Office 6/22/20)
4. Scholz, Clark (20FC:0066 – Chapter 21 – Jackson Co. Board of Supervisors 7/6/20)
5. Updegraff, Eric (20AO:0003 – Chapter 22 – 6/11/20)

- 5) Pending complaints that required no board action. Informational
1. Baker, Joshua (19FC:0108 – Chapter 22 – City of Sheffield 9/18/19) Pending
  2. Beymer, Jared (19FC:0132 – Chapter 21 – Crawford Co. Land Mobile Radio Advisory Board 11/10/19) Pending
  3. Hamelton, Jerry (20FC:0065 – Chapter 22 – City of Fort Madison 7/4/20) Intake
  4. Henely, Eric (20FC:0070 – Chapter 21 – Gilbert Community School District 7/13/20) Intake
  5. Johnson, Vanessa (20FC:0064 – Chapter 22 – Buchanan Co. Sheriff’s Office 6/25/20) Intake
  6. McConville, Angela (20FC:0071 – Chapter 21- Oxford City Council 7/14/20) Intake
  7. 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) Pending
  8. Radtke, Mari (20FC:0005 – Chapter 22 – Archer City Council 1/13/20) Pending
  9. Silich, Paul (20FC:0068 – Chapter 22 – Western Dubuque Comm School Dist. 7/10/20) Intake
  10. Warth, Christine (20FC:0067 Both Chapters – Henry Co. Sheriff Department 7/8/20) Intake
  11. Wilcox, Fred (20FC:0069 – Chapter 22 – Iowa Olmstead Consumer Taskforce 7/10/20) Intake
  12. Wright, Jordan (20FC:0048 – Chapter 21 – Richland City Council 5/13/20) Pending

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 June website use and YTD case totals.
- b. Toresdahl shared the FY20 & FY21 financials.
- c. Johnson shared completed presentations/trainings – Crawford Co. on July 29<sup>th</sup> electronically.
- d. Johnson provided an update on the District Court Cases. Klein case appealed to the Supreme Court appellate brief due 8/17/20. Ripinger case appealed to the Supreme Court appellant brief due 8/21/20.
- e. COVID-19 impact on IPIB – Discussed current work environment and future Board meetings.

The next IPIB meeting will be in the Wallace Building, **5th Floor 5E Conference Room**, August 20, 2020, at 1:00 p.m.

At 3:30 p.m. the meeting adjourned on a motion by McHugh and a second by Giovannetti. Unanimously approved.

Respectfully submitted  
Brett Toresdahl, Deputy Director

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IPIB, Chair  
Approved