

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

June 18, 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 May 21, 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. Curran, Christopher (20AO:0002 – Chapter 22 – 5/12/20) *

VI. Cases involving Board Deliberation/Action. (Johnson)

1. Aultman, Richard (20FC:0055 – Chapter 22 – Fremont County Sheriff’s Office 5/31/20) * Dismissal
2. Baker, Joshua (19FC:0108 – Chapter 22 – City of Sheffield 9/18/19) * Report
3. Beymer, Jared (19FC:0132 – Chapter 21 – Crawford Co. Land Mobile Radio Advisory Board 11/10/19) * Motion to Continue
4. Clayworth, Jason (19FC:0138 – Chapter 22 – Des Moines Water Works 11/26/19) * Acceptance -- 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.
5. Henely, Eric (20FC:0053 – Chapter 21 – Gilbert Community School District 5/26/20) * Dismissal
6. Henely, Eric (20FC:0054 – Chapter 21 – Gilbert Community School District 5/28/20) * Dismissal
7. Kravitz, Derek (20FC:0051 – Chapter 22 – Wapello Co. Public Health 5/21/20) * Dismissal
8. Northway, Zach (20FC:0029 – Both Chapters – Craig City Council 3/10/20) * Dismissal
9. Olney, Bill (19FC:0146 – Chapter 21 – Marathon City Council 12/14/19) and; Robinson, Larry (19FC:0143 – Chapter 21 – Marathon City Council 12/12/19) * Report
10. Sellers, Darran (19FC:0148 – Chapter 21 – Vinton City Council 12/31/19) * Report
11. Vaccaro, Michelle (20FC:0036 – Chapter 22 – Polk County Sheriff’s Department & Polk County Attorney Office 3/31/20) * Acceptance
12. Wright, Jordan (20FC:0048 – Chapter 21 – Richland City Council 5/13/20) * Acceptance

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 Complaints Withdrawn, No Action Necessary.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

1. Donaldson, Alan (20FC:0045 – Chapter 22 - BCLUW Community School District 5/3/20) * Withdrawn
2. Johnson, Cody (20FC:0046 – Chapter 21 – Searsboro City Council 5/5/20) * Withdrawn
3. Nti, Bernard (20FC:0052 - Other – Iowa Board of Nursing 5/26/20) * Withdrawn
4. Staley, Peggy (20FC:0049 – Chapter 22 – Crawford County 911 Board 5/13/20) * Withdrawn

VIII. Pending Complaints. (Johnson)

1. Anderson, John (20FC:0057 – Chapter 22 – University of Iowa 6/5/20) Intake
2. Ccofbcjoe (20FC:0056 – Both Chapters – Butler Co. Board of Supervisors 6/5/20) Intake
3. Cooling, Toni (20FC:0058 – Chapter 21 – Oxford City Council 6/10/20) Intake
4. Henely, Eric (20FC:0060 – Chapter 21- Gilbert Community School District 6/15/20) Intake
5. Kauffman, Clark (20FC:0050 – Chapter 22 – IA. Dept. Inspections & Appeals 5/20/20) 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. Simpson, Jamie (20FC:0059 – Chapter 21 – Essex City Council 6/11/20) Intake
8. Radtke, Mari (20FC:0005 – Chapter 22 – Archer City Council 1/13/20) Pending
9. Snell, Linn (20FC:0034 – Chapter 21 – City of Elberon 3/24/20) Tabled
10. Stender, Deron (20FC:0047 – Chapter 22 – Clarinda Comm. School District 5/13/20) * Intake

IX. Committee Reports

1. Communications – (McHugh)
2. Legislative – (Luchtel) Set meeting after July 1, 2020
3. Rules – (Pottorff/Stewart) Set meeting after July 1, 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)
 5. COVID-19 impact on IPIB (Johnson/Toresdahl)
- XII. Next IPIB Board Meeting will be held in the Wallace Building, 3rd Floor, E/W Conference Room
July 16, 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

June 18, 2020

Unapproved Minutes

The Board met electronically on June 18, 2020 for its monthly meeting at 1:05 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, Tim Whipple, 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 Giovannetti the agenda was unanimously adopted.

On a **motion** by Stewart, **second** by Thompson, to approve the May 21, 2020 minutes as amended. Unanimously adopted.

Public Forum

No comments.

Items Discussed

- 1) Board Chair – Election of officers annually takes place at the July meeting. Chair discussed committees and invited board members to consider one to serve on.
- 2) Advisory Opinions
 1. Curran, Christopher (20AO:0002 – Chapter 22 – 5/12/20) A motion by McHugh and second by Corbin to adopt the advisory opinion. Unanimously approved, roll call 7-0 with Thompson abstaining.
- 3) The board was briefed on cases and took action as indicated:
 1. Aultman, Richard (20FC:0055 – Chapter 22 – Fremont County Sheriff's Office 5/31/20). A motion by Giovannetti and second by Morain to approve the dismissal order. Unanimously approved, roll call 8-0.
 2. Baker, Joshua (19FC:0108 – Chapter 22 – City of Sheffield 9/18/19). A motion by McHugh and second by Luchtel to accept the informal resolution report. Approved, roll call 8-0.

3. Beymer, Jared (19FC:0132 – Chapter 21 – Crawford Co. Land Mobile Radio Advisory Board 11/10/19). A motion by Giovannetti and second by Stewart to approve the motion to continue the informal resolution. Approved, roll call 8-0.
4. 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. Unanimously approved, roll call 7-0 with Giovannetti abstaining.

Into closed session 1:37 P.M.

Returned from closed session 2:33 P.M.

Clayworth 19FC:0138 continued. John Lande spoke on behalf of the Des Moines Waterworks and Tim Whipple spoke for the Iowa Association of Municipal Utilities. A motion by Stewart and second by McHugh to table for review of additional documents. Approved, roll call 6-1 with Morain voting nay and Giovannetti abstaining.

5. Henely, Eric (20FC:0053 – Chapter 21 – Gilbert Community School District 5/26/20). A motion by McHugh and second by Stewart to approve the dismissal order. Approved, roll call 7-1 with Giovannetti nay.
6. Henely, Eric (20FC:0054 – Chapter 21 – Gilbert Community School District 5/28/20). A motion by Thompson and second by McHugh to approve the dismissal order. Unanimously approved, roll call 8-0.
7. Kravitz, Derek (20FC:0051 – Chapter 22 – Wapello Co. Public Health 5/21/20). A motion by Giovannetti and second by McHugh to approve the dismissal order. Unanimously approved, roll call 8-0.
8. Northway, Zach (20FC:0029 – Both Chapters – Craig City Council 3/10/20). A motion by Luchtel and second by Morain to approve the dismissal order. Unanimously approved, roll call 8-0.
9. Olney, Bill (19FC:0146 – Chapter 21 – Marathon City Council 12/14/19) and; Robinson, Larry (19FC:0143 – Chapter 21 – Marathon City Council 12/12/19). A motion by Giovannetti and second by Corbin to accept the final report and dismissal order. Unanimously approved, roll call 8-0.
10. Sellers, Darran (19FC:0148 – Chapter 21 – Vinton City Council 12/31/19). A motion by McHugh and second by Giovannetti to accept the final report and dismissal order. Unanimously approved, roll call 8-0.
11. Vaccaro, Michelle (20FC:0036 – Chapter 22 – Polk County Sheriff's Department & Polk County Attorney Office 3/31/20). Complaint was withdrawn on 6/16/20.
12. Wright, Jordan (20FC:0048 – Chapter 21 – Richland City Council 5/13/20). A motion by Stewart and second by Luchtel to approve the acceptance order. Unanimously approved, roll call 8-0.

4) Complaints Withdrawn. No Action

1. Donaldson, Alan (20FC:0045 – Chapter 22 - BCLUW Community School District 5/3/20)
2. Johnson, Cody (20FC:0046 – Chapter 21 – Searsboro City Council 5/5/20)
3. Nti, Bernard (20FC:0052 - Other – Iowa Board of Nursing 5/26/20)
4. Staley, Peggy (20FC:0049 – Chapter 22 – Crawford County 911 Board 5/13/20)

5) Pending complaints that required no board action. Informational

1. Anderson, John (20FC:0057 – Chapter 22 – University of Iowa 6/5/20) Intake
2. Ccofbcjoe (20FC:0056 – Both Chapters – Butler Co. Board of Supervisors 6/5/20) Intake
3. Cooling, Toni (20FC:0058 – Chapter 21 – Oxford City Council 6/10/20) Intake
4. Henely, Eric (20FC:0060 – Chapter 21- Gilbert Community School District 6/15/20) Intake
5. Kauffman, Clark (20FC:0050 – Chapter 22 – IA. Dept. Inspections & Appeals 5/20/20) 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. Simpson, Jamie (20FC:0059 – Chapter 21 – Essex City Council 6/11/20) Intake
8. Radtke, Mari (20FC:0005 – Chapter 22 – Archer City Council 1/13/20) Pending
9. Snell, Linn (20FC:0034 – Chapter 21 – City of Elberon 3/24/20) Tabled
10. Stender, Deron (20FC:0047 – Chapter 22 – Clarinda Comm. School District 5/13/20) Intake.

6) Committee Reports

1. Communications –No report
2. Legislative – Johnson reported that the legislature adjourned without taking up HF2508 & HF2416.
3. Rules – No report

7) Updates for the board.

- a. Johnson provided an overview of the May website use and YTD case totals.
- b. Toresdahl shared the FY20 financials. Also shared budget appropriation projections for FY21.
- c. Johnson shared completed presentations/trainings – none currently scheduled.
- d. Johnson provided an update on the District Court Cases.
- 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**, July 16, 2020, at 1:00 p.m.

At 3:53 p.m. the meeting adjourned on a motion by McHugh and a second by Luchtel. Unanimously approved.

Respectfully submitted
Brett Toresdahl, Deputy Director

IPIB, Chair
Approved