

# **IOWA PUBLIC INFORMATION BOARD**

## **MEMBERS**

**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)**  
**William Peard, Waukee (Government Representative, 2016-2020)**  
**Julie Pottorff, Des Moines (Public Representative, 2017-2020)**  
**Suzan Stewart, Sioux City (Public Representative, 2018-2022)**  
**Renee Twedt, Story City (Government Representative, 2016-2020)**  
**Mary Unga-Sogaard, Dyersville (Media Representative, 2016-2020)**

## **STAFF**

**Margaret Johnson, Executive Director**  
**Brett Toresdahl, Deputy Director**  
**Vacant, Legal Counsel**

## **Electronic Meeting**

**(Pursuant to Iowa Code section 21.8)**

**Dial-in number: 866-685-1580    Conference Code: 2841441953**

## **Agenda**

**April 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 March 19, 2020 minutes \*
- III. Public Forum (5 minute limit per speaker)
- IV. Comments from the board chair. (Twedt)  
Board Transition
- V. Informational – Klein v. IPIB/BPD/DCI, Case No. CVCV057831
- VI. Advisory Opinions
  1. Clayworth, Jason (20AO:0001 – Chapter 22 - 3/11/20) \*

- VII. Cases involving Board Deliberation/Action. (Johnson)
1. Beymer, Jared (19FC:0132 – Chapter 21 – Crawford Co. Land Mobile Radio Advisory Board 11/10/19) \* Report
  2. Elam, Scott (20FC:0031 – Chapter 22 – City of Marion 3/15/20) \* Dismissal
  3. Kilgore, Kevin (20FC:0035 – Both chapters – Ringgold County 3/19/20) \* Dismissal
  4. Nehman, Logan (20FC:0027 – Chapter 21 – Fonda City Council 3/5/20) \* Dismissal
  5. Nehman, Logan (20FC:0028 – Chapter 21 – Fonda City Council 3/5/20) \* Acceptance
  6. 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
  7. Paup, Donna (20FC:0026 – Mechanicsville City Council 3/3/20) \* Dismissal
  8. Peck, Jerry (20FC:0030 – Chapter 22 – City of Zearing 3/12/20) \* Dismissal
  9. Sellers, Darran (19FC:0148 – Chapter 21 – Vinton City Council 12/31/19) \* Report
  10. Sojka, Abby (20FC:0020 – Chapter 22 – Washington Co. Extension 2/24/20) \* Dismissal
  11. Staley; Beymer; Vogt (19FC:0101 – Chapter 22 – Crawford Co. Firefighter Assn. 8/14/19) \* Probable Cause Report
  12. Winters, Al (20FC:0032 –Chapter 22 – Mitchell County Board of Supervisors 3/17/20) \* Dismissal
- VIII. Complaints Withdrawn, No Action Necessary. (Johnson)
1. Vaughn, Deb (20FC:0017 – Chapter 21- Lisbon Community School Board 2/13/20) \*
  2. Vaughn, Deb (20FC:0019 – Chapter 21 – Lisbon Community School Board 2/21/20) \*
- IX. Pending Complaints. (Johnson)
1. Baker, Joshua (19FC:0108 – Chapter 22 – City of Sheffield 9/18/19) Pending
  2. Baker, Patrick (20FC:0037 - Chapter 21 – City of Stockton 4/6/20) Intake
  3. Clayworth, Jason (19FC:0138 – Chapter 22 – Des Moines Water Works 11/26/19) Pending
  4. Henely, Eric (20FC:0039 – Chapter 21 – Gilbert Community School District 4/7/20) Intake
  5. Kilgore, Kevin (20FC:0040 – Both chapters – Ringgold County 4/7/20) Intake
  6. Latta, Stephanie (20FC:0038 – Chapter 22 –City of Emerson 4/7/20) Intake
  7. McGregor, Don (20FC:0015 – Chapter 21 – Kossuth Co. EMS Board) Pending
  8. Northway, Zach (20FC:0029 – Both Chapters – Craig City Council 3/10/20) Intake
  9. Peck, Jerry (20FC:0011 – Chapter 21 – City of Zearing 2/9/20) Pending
  10. Peck, Jerry (20FC:0014 – Both chapters – City of Zearing 2/10/20) Pending
  11. Radtke, Mari (20FC:0005 – Chapter 22 – Archer City Council 1/13/20) Pending
  12. Roston, David (20FC:0018 – Chapter 22 – University of Iowa 2/19/20) Intake
  13. Snell, Linn (20FC:0034 – Chapter 21 – City of Elberon 3/24/20) Intake
  14. Strait, Martin (20FC:0033 – Chapter 22 – Department of Corrections 3/24/20) Intake
  15. Vaccaro, Michelle (20FC:0036 – Chapter 22 – Polk County Sheriff Department & Polk County Attorney Office 3/31/20) Intake
- X. Committee Reports
1. Communications – (Ungs-Sogaard)
  2. Legislative – (Luchtel) – Update on legislation
  3. Rules – (Pottorff/Stewart)
- XI. Office status report.
1. Contacts and activity \* (Johnson)
  2. Financial/Budget Update (FY21) \* (Toresdahl)

3. Presentations/Trainings (Johnson)

Early Childhood Iowa – May 12, 2020

4. Staffing Update (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  
May 21, 2020 at 1:00 p.m.

XIII. Adjourn

**\* Attachments**

# IOWA PUBLIC INFORMATION BOARD

April 16, 2020

## Unapproved Minutes

The Board met electronically on April 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: E. J. Giovannetti, Urbandale; Keith Luchtel, Clive; Monica McHugh, Zwingle; Rick Morain, Jefferson; Julie Pottorff, Des Moines; Suzan Stewart, Sioux City; Renee Twedt, Story City; Mary Unga-Sogaard, Dyersville. Absent: William Peard, Waukee. Also present were IPIB Executive Director Margaret Johnson; IPIB Deputy Director Brett Toresdahl. A quorum was declared present.

Others identified on the call: Stan Thompson, Randy Evans, Susan Patterson-Plank, Joan Corbin, Tim Whipple, Scott Elam, Jerry Peck, Sarah Franklin, Tom Henderson, Nevan Conrad, Julie Jefferies, Jessica Zupp, Tamara Reed, Peggy Staley, Beth Vogt, April Adams, Matt Highland, and Zach Goodrich.

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 provided some ground rules to assist the meeting to be efficient and inclusive of all participants.

On a **motion** by Unga-Sogaard, **second** by Morain the agenda was unanimously adopted.

On a **motion** by McHugh, **second** by Stewart, to approve the March 19, 2020 minutes as amended. Unanimously adopted.

### Public Forum

No comments.

### Items Discussed

- 1) Board Chair – Discussed the rules for an orderly meeting.
- 2) Informational – Klein v. IPIB/BPD/DCI, Case No. CVCV057831 – Johnson shared with the Board that the District Court has dismissed this case.
- 3) Advisory Opinions
  - Clayworth, Jason (20AO:0001 – Chapter 22 - 3/11/20). A **motion** by Pottorff and **second** by Luchtel to convert the response to an informal advice letter and incorporate the substantive suggested changes and to bring back to the next meeting. Unanimously approved 8-0.
- 3) The board was briefed on cases and took action as indicated:
  1. Beymer, Jared (19FC:0132 – Chapter 21 – Crawford Co. Land Mobile Radio Advisory Board 11/10/19). A motion by McHugh and second by Giovannetti to

accept the informal resolution report. Approved, roll call 7-1 with Stewart voting nay.

2. Elam, Scott (20FC:0031 – Chapter 22 – City of Marion 3/15/20). A motion by Pottorff and second by Giovanetti to table for further clarification. Unanimously approved, roll call 7-0 with Unga-Sogaard recusing.
3. Kilgore, Kevin (20FC:0035 – Both chapters – Ringgold County 3/19/20). A motion by Luchtel and second by McHugh to approve the dismissal order. Unanimously approved, roll call 8-0.
4. Nehman, Logan (20FC:0027 – Chapter 21 – Fonda City Council 3/5/20). A motion by Morain and second by Unga-Sogaard to approve the dismissal order. Unanimously approved, roll call 8-0.
5. Nehman, Logan (20FC:0028 – Chapter 21 – Fonda City Council 3/5/20). A motion by Pottorff and second by Giovanetti to table for further review. Unanimously approved, roll call 8-0.
6. 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 Luchtel and second by McHugh to accept the informal resolution report. Unanimously approved, roll call 8-0.
7. Paup, Donna (20FC:0026 – Mechanicsville City Council 3/3/20). A motion by Luchtel and second by Pottorff to table for further review. Unanimously approved, roll call 8-0.
8. Peck, Jerry (20FC:0030 – Chapter 22 – City of Zearing 3/12/20). A motion by Stewart and second by McHugh to approve the dismissal order. Unanimously approved, roll call 7-0 with Twedt recusing.
9. Sellers, Darran (19FC:0148 – Chapter 21 – Vinton City Council 12/31/19). A motion by McHugh and second by Unga-Sogaard to accept the informal resolution report. Unanimously approved, roll call 8-0.
10. Sojka, Abby (20FC:0020 – Chapter 22 – Washington Co. Extension 2/24/20). A motion by Pottorff and second by Giovannetti to approve the dismissal order. Approved, roll call 7-1 with Stewart voting nay.

*Note: Twedt left meeting at 3:33pm.*

11. Staley; Beymer; Vogt (19FC:0101 – Chapter 22 – Crawford Co. Firefighter Assn. 8/14/19). A motion by Pottorff and second by Stewart to dismiss because the records as IPIB construed it have been produced. Approved, roll call 6-1 with Morain voting nay.
12. Winters, Al (20FC:0032 – Chapter 22 – Mitchell County Board of Supervisors 3/17/20). A motion by Giovannetti and second by Luchtel to approve the dismissal order. Unanimously approved, roll call 7-0.

#### 4) Complaints Withdrawn. No Action

1. Vaughn, Deb (20FC:0017 – Chapter 21- Lisbon Community School Board 2/13/20)
2. Vaughn, Deb (20FC:0019 – Chapter 21 – Lisbon Community School Board 2/21/20)

#### 5) Pending complaints that required no board action. Informational

1. Baker, Joshua (19FC:0108 – Chapter 22 – City of Sheffield 9/18/19) Pending
2. Baker, Patrick (20FC:0037 - Chapter 21 – City of Stockton 4/6/20) Intake
3. Clayworth, Jason (19FC:0138 – Chapter 22 – Des Moines Water Works 11/26/19) Pending
4. Henely, Eric (20FC:0039 – Chapter 21 – Gilbert Community School District 4/7/20) Intake
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6. Latta, Stephanie (20FC:0038 – Chapter 22 –City of Emerson 4/7/20) Intake
7. McGregor, Don (20FC:0015 – Chapter 21 – Kossuth Co. EMS Board) Pending
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11. Radtke, Mari (20FC:0005 – Chapter 22 – Archer City Council 1/13/20) Pending
12. Roston, David (20FC:0018 – Chapter 22 – University of Iowa 2/19/20) Intake
13. Snell, Linn (20FC:0034 – Chapter 21 – City of Elberon 3/24/20) Intake
14. Strait, Martin (20FC:0033 – Chapter 22 – Department of Corrections 3/24/20) Intake
15. Vaccaro, Michelle (20FC:0036 – Chapter 22 – Polk County Sheriff Department & Polk County Attorney Office 3/31/20) Intake

6) Committee Reports

1. Communications –Johnson discussed the COVID-19 press release sent by IPIB regarding access to public records. Staff will continue to respond to inquiries.
2. Legislative – No report
3. Rules – No report

7) Updates for the board.

- a. Johnson provided an overview of the March website use and YTD case totals.
- b. Toresdahl shared the FY20 financials. Also shared budget appropriation projections for FY21.
- c. Johnson shared upcoming presentations/trainings  
Early Childhood Iowa – May 12, 2020
- d. Staffing – Johnson introduced Zach Goodrich who was offered and has accepted the position of Attorney 2 in the office. He starts May 1, 2020.
- e. COVID-19 impact on IPIB – Discussed current work environment and levels of inquiries.
- f. Johnson extended a thank you to outgoing board members; Bill Peard, Renee Twedt, and Mary Unga-Sogaard. She also welcomed incoming board members; Joan Corbin, Stan Thompson, and Matt Highland.

The next IPIB meeting will be in the Wallace Building, **3rd Floor E/W Conference Room**, May 21, 2020, at 1:00 p.m.

At 4:08 p.m. the meeting adjourned on a motion by Giovannetti and a second by Unga-Sogaard. Unanimously approved.

Respectfully submitted  
Brett Toresdahl, Deputy Director

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IPIB, Chair

Approved