

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

March 19, 2020 1:00 p.m.

Wallace Building

502 East 9th Street, Des Moines

3rd Floor IPIB Conference Room

12:00 PM – IPIB Sunshine Week Open House (Cancelled)

1:00 PM – IPIB Meeting

Electronic meeting pursuant to Iowa Code section 21.8 – In circumstances where such a 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 February 20, 2020 minutes *
- III. Public Forum (5 minute limit per speaker)
- IV. Comments from the board chair. (Twedt)
- V. Advisory Opinions
 1. Buol, Roy (19AO:0007 – Chapters 21 & 22 11/22/19) *
 2. Clayworth, Jason (20AO:0001 – Chapter 22 3/11/20) Pending

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

1. Good, Rick (20FC:0016 – Both Chapters – City of Zearing 2/10/20) * Dismissal
2. Kauffman, Clark (20FC:0007 – Chapter 22 – Iowa Workforce Development 1/21/20) * Dismissal
3. McGregor, Don (20FC:0015 – Chapter 21 – Kossuth Co. EMS Board) * Acceptance
4. Obrecht, Lisa (20FC:0021 – Chapter 21 – Zearing City Council 2/25/20) * Dismissal
5. Peck, Jerry (20FC:0011 – Chapter 21 – City of Zearing 2/9/20) * Dismissal
6. Peck, Jerry (20FC:0012 – Both chapters – City of Zearing 2/9/20) * Dismissal
7. Peck, Jerry (20FC:0013 – Both chapters – City of Zearing 2/10/20) * Dismissal
8. Peck, Jerry (20FC:0014 – Both chapters – City of Zearing 2/10/20) * Dismissal
9. Toepperwein, Kyndal (20FC:0025 – Both Chapters – Story County 3/3/20) * Dismissal
10. Vaughn, Deb (20FC:0017 – Chapter 21- Lisbon Community School Board 2/13/20) * Dismissal
11. Vaughn, Deb (20FC:0019 – Chapter 21 – Lisbon Community School Board 2/21/20) * Dismissal
12. Yakobson, Alex (20FC:0023 – Chapter 22 – Ames Comm. School District 2/26/20) * Dismissal

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 Complaints Withdrawn, No Action Necessary.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

1. McNeely, Shawn (20FC:0008 – Chapter 22 – Bettendorf Police Department 1/22/20) *
2. Obrecht, Lisa (20FC:0022 – Chapter 22 – City of Zearing 2/24/20) *
3. Obrecht, Lisa (20FC:0024 – Chapter 22 – City of Zearing 2/28/20) *

VIII. Declaratory Orders. (Johnson)

1. Brewbaker, Chad (20DO:0001 – Chapter 22 – Polk County Attorney 2/25/20) * Order of Refusal

IX. 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. Clayworth, Jason (19FC:0138 – Chapter 22 – Des Moines Water Works 11/26/19)
4. Elam, Scott (20FC:0031 – Chapter 22 – City of Marion 3/15/20) Intake
5. Northway, Zach (20FC:0029 – Both Chapters – Craig City Council 3/10/20) Intake
6. Nehman, Logan (20FC:0027 – Chapter 21 – Fonda City Council 3/5/20) Intake
7. Nehman, Logan (20FC:0028 – Chapter 21 – Fonda City Council 3/5/20) Intake
8. 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) Pending
9. Paup, Donna (20FC:0026 – Mechanicsville City Council 3/3/20) Intake
10. Peck, Jerry (20FC:0030 – Chapter 22 – City of Zearing 3/12/20) Intake
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. Sellers, Darran (19FC:0148 – Chapter 21 – Vinton City Council 12/31/19) Pending
14. Sojka, Abby (20FC:0020 – Chapter 22 – Washington Co. Extension 2/24/20) Intake
15. Staley; Beymer; Vogt (19FC:0101 – Chapter 22 – Crawford Co. Firefighter Assn. 8/14/19) Pending

X. Committee Reports

1. Communications – (Ungs-Sogaard) –
League of Cities Article
COVID-19 press release
2. Legislative – (Luchtel) – Update on legislation
3. Rules – (Pottorff/Stewart) - next meeting April 16, 2020

XI. Office status report.

1. Contacts and activity * (Johnson)
2. Financial/Budget Update (FY21) * (Toresdahl)
3. Presentations/Trainings (Johnson)
 - Sunshine Week – 3/15-21/2020 (cancelled)
 - ACYPL Conference (Malaysia) – 3/30-31/2020 (cancelled)
4. Staffing Update (Johnson)

XII. Next IPIB Board Meeting will be held in the Wallace Building, 3rd Floor, E/W Conference Room
April 16, 2020 at 1:00 p.m.

XIII. Adjourn

*** Attachments**

IOWA PUBLIC INFORMATION BOARD

March 19, 2020

Approved Minutes

The Board met electronically on March 19, 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: 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: Randy Evans, Susan Patterson-Plank, Jerry Peck, Sarah Franklin, Eric Goers, Tamara Reed, and Emily Willits.

The IPIB held an electronic meeting pursuant to Iowa Code section 21.8 – In circumstances where such a 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 McHugh, **second** by Unga-Sogaard the agenda was unanimously adopted.

On a **motion** by Luchtel, **second** by McHugh, to approve the February 20, 2020 minutes. Unanimously adopted.

Public Forum

No comments.

Items Discussed

- 1) Board Chair – No comments from chair.
- 2) Advisory Opinions
 - Buol, Roy (19AO:0007 – Chapters 21 & 22 11/22/19). A **motion** by Potttorff and **second** by Luchtel to not issue an opinion. Unanimously approved 6-0 with McHugh and Unga-Sogaard recusing.
- 3) The board was briefed on cases and took action as indicated:
 1. Good, Rick (20FC:0016 – Both Chapters – City of Zearing 2/10/20). A motion by Stewart and second by Giovanetti to approve the dismissal order. Unanimously approved, roll call 7-0 with Twedt recusing.
 2. Kauffman, Clark (20FC:0007 – Chapter 22 – Iowa Workforce Development 1/21/20). A motion by Giovanetti and second by Luchtel to approve the dismissal order. Unanimously approved, roll call 8-0.

3. McGregor, Don (20FC:0015 – Chapter 21 – Kossuth Co. EMS Board). A motion by Unga-Sogaard and second by McHugh to approve the acceptance order. Unanimously approved, roll call 8-0.
 4. Obrecht, Lisa (20FC:0021 – Chapter 21 – Zearing City Council 2/25/20). A motion by Luchtel and second by Stewart to approve the dismissal order. Unanimously approved, roll call 8-0.
 5. Peck, Jerry (20FC:0011 – Chapter 21 – City of Zearing 2/9/20). A motion by Giovanetti and second by McHugh to accept the complaint and direct the Executive Director to issue an order. Unanimously approved, roll call 8-0.
 6. Peck, Jerry (20FC:0012 – Both chapters – City of Zearing 2/9/20). A motion by Luchtel and second by Morain to approve the dismissal order. Approved, roll call 7-1 with Twedt voting nay.
 7. Peck, Jerry (20FC:0013 – Both chapters – City of Zearing 2/10/20). A motion by Pottorff and second by McHugh to approve the dismissal order. Unanimously approved, roll call 8-0.
 8. Peck, Jerry (20FC:0014 – Both chapters – City of Zearing 2/10/20). A motion by Luchtel and second by Unga-Sogaard to accept the complaint and direct the Executive Director to issue an order. Approved, roll call 7-1 with Morain voting nay.
 9. Toepperwein, Kyndal (20FC:0025 – Both Chapters – Story County 3/3/20). A motion by McHugh and second by Pottorff to approve the dismissal order. Unanimously approved, roll call 8-0.
 10. Vaughn, Deb (20FC:0017 – Chapter 21- Lisbon Community School Board 2/13/20) & Vaughn, Deb (20FC:0019 – Chapter 21 – Lisbon Community School Board 2/21/20). A motion by Luchtel and second by McHugh to continue these two complaints to the next meeting. Unanimously approved, roll call 7-0 with Unga-Sogaard recusing.
 11. Yakobson, Alex (20FC:0023 – Chapter 22 – Ames Comm. School District 2/26/20). A motion by Pottorff and second by Morain to approve the dismissal order. Unanimously approved, roll call 8-0.
- 4) Complaints Withdrawn. No Action
1. McNeely, Shawn (20FC:0008 – Chapter 22 – Bettendorf Police Department 1/22/20)
 2. Obrecht, Lisa (20FC:0022 – Chapter 22 – City of Zearing 2/24/20)
 3. Obrecht, Lisa (20FC:0024 – Chapter 22 – City of Zearing 2/28/20)
- 5) Declaratory Orders.
1. Brewbaker, Chad (20DO:0001 – Chapter 22 – Polk County Attorney 2/25/20). Johnson advised the Board that she had issued an Order of Refusal on this matter.
- 6) 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. Clayworth, Jason (19FC:0138 – Chapter 22 – Des Moines Water Works 11/26/19)

4. Elam, Scott (20FC:0031 – Chapter 22 – City of Marion 3/15/20) Intake
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9. Paup, Donna (20FC:0026 – Mechanicsville City Council 3/3/20) Intake
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13. Sellers, Darran (19FC:0148 – Chapter 21 – Vinton City Council 12/31/19) Pending
14. Sojka, Abby (20FC:0020 – Chapter 22 – Washington Co. Extension 2/24/20) Intake
15. Staley; Beymer; Vogt (19FC:0101 – Chapter 22 – Crawford Co. Firefighter Assn. 8/14/19) Pending

7) Committee Reports

1. Communications – The committee plans to meet prior to the April Board meeting. Toresdahl shared that he was asked to write an article for the League of Cities publication. Johnson discussed the COVID-19 press release sent by IPIB regarding electronic meetings. The Board then spent some time discussing the issue of open meetings and the Governor’s directives. Staff will continue to respond to inquiries.
2. Legislative – Johnson reported on status of IPIB legislation in light of the suspension of the legislative session.
3. Rules – Next meeting to be held April 16, 2020.

8) Updates for the board.

- a. Johnson provided an overview of the February 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
 - Sunshine Week – 3/15-21/2020 – (cancelled)
 - ACYPL Conference (Malaysia) – 3/30-31/2020 – (cancelled)
- d. Staffing – Johnson summarized the search process for the vacant attorney position in the office.

The next IPIB meeting will be in the Wallace Building, **3rd Floor E/W Conference Room**, April 16, 2020, at 1:00 p.m.

At 4:05 p.m. the meeting adjourned on a motion by Luchtel and a second by Giovanetti. Unanimously approved.

Respectfully submitted
Brett Toresdahl, Deputy Director

IPIB, Chair

Approved