

IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD

An Independent Agency of the Executive Branch

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BOARD MEMBERS:
James Albert, Chair
John Walsh, Vice Chair
Carole Tillotson
Jonathan Roos
Mary Rueter
Elaine Olson

MEETING MINUTES

August 29, 2019 at 12:00 pm
Ola Babcock Miller Building Rm 300
1112 E. Grand Avenue, Des Moines

I. CALL TO ORDER

Albert calls the meeting to order at 12:06 pm. Tillotson, Roos, Rueter, Olson and Albert appear in person. Walsh is absent.

II. APPROVAL OF MINUTES

Motion by Rueter, second by Roos, to approve May 16, 2019 minutes. All ayes. Motion carries.

III. ADJOURN TO CLOSED SESSION

Motion by Olson, Second by Tillotson, to adjourn to closed session pursuant to Iowa Code 21.5(1) "c" to discuss pending complaints and investigations. All ayes. Motion carries by roll call vote.

IV. RETURN TO OPEN SESSION

Board returns to open session at 1:13 pm.

1. Complaint against Howard Hill re: alleged failure to disclose all sources of income on personal financial disclosure statements

Motion by Roos, second by Rueter, to assess \$250 penalty for failing to disclose all sources of income on personal financial disclosure statements. All ayes. Motion carries.

Tooker says Dr. Hill is not violating Iowa Code section 68B.4 because he has a consent-to-sell by administrative rule from the EPC for the sale of grain and livestock. He also leases real estate but section 68B.4 does not require a consent for the sale or lease of real estate.

Albert says section 68B.4 clearly requires the DNR to file consents to sell and the failure to file such consents in the future would be a violation of section 68B.4.

Approved 11/19/19

Albert says the Board discussed the policy and practice of the EPC and DNR to issue blanket consents-to-sell rather than individualized consents. Roos thinks the DNR should seriously consider doing individualized consents.

Kelli Book, DNR's acting general counsel, says the department is certainly open to reviewing its rules governing consents-to-sell and she will review the topic with the DNR's new director.

2. Complaint against William and LeAnn Reinsbach re: alleged conflict of interest

Motion by Rueter, second by Olson, to dismiss the complaint due to lack of jurisdiction. All ayes. Motion carries.

3. Update on Russell Taub re: alleged campaign contributions in name of another

Albert says the Board received an update on Taub's prison sentence, which he is currently serving. He says the question is whether to investigate further to hold Taub civilly liable in Iowa. Given that substantial justice has been done with prison sentence and fine, the Board's consensus is that it would not be fruitful to pursue a civil action.

4. Update on Snodgrass/Kelley investigation re: alleged false attribution statement, alleged in-kind contributions from corporation, alleged campaign expenditure using cash, alleged PAC established by a legislative candidate; alleged in-kind contribution from one candidate committee to another candidate committee

Albert says the Board received an update on the Snodgrass/Kelley investigation, which is still ongoing.

V. PROPOSED ADVISORY OPINIONS

Motion by Rueter, second by Tillotson, to approve proposed opinion to Ted Brown regarding applicability of gift law. All ayes. Motion carries.

VI. NOTICE OF INTENDED ACTION ON ADMINISTRATIVE RULES

1. Amend rule 351—4.37(2) (supporting documentation required to be preserved by a committee)
2. Amend rule 351—4.47(4) (valuation of noncommercial air travel provided by corporate entity)

Motion by Olson, second by Roos, to publish notice of intended action to amend rules. All ayes. Motion carries.

VII. REQUEST FOR ADJUSTING ENTRIES

Motion by Tillotson, second by Rueter, to approve adjusting entry of \$250 for Adam Gregg for Iowa. All ayes. Motion carries.

VIII. REQUESTS FOR WAIVER OF CIVIL PENALTIES (RULE 351 IAC 4.60)

1. STATE COMMITTEES (Rule 351 IAC 4.59(3))
 - a. Friends of Tiffany Allison (recommend reduction to \$100)
2. COUNTY LOCAL COMMITTEES (Rule 351 IAC 4.59(2))
 - a. Tom Lind for City Council (recommend waiver)
 - b. Don Davis for County Supervisor (recommend reduction to \$100)
3. PERSONAL FINANCIAL DISCLOSURE STATEMENTS (Rule 351 IAC 7.5(1))
 - a. Rebecca Guinn (recommend waiver)

Motion by Tillotson, second by Rueter, to adopt Tooker's recommendations for waiver requests. All ayes. Motion carries.

IX. ADJOURNMENT

Motion by Olson, second by Roos, to adjourn meeting. All ayes. Motion carries. Board adjourns at 1:45 pm.

Respectfully submitted,

Megan Tooker

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