

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

November 19, 2019

Ola Babcock Miller Bldg, Room 300
Des Moines IA

I. CALL TO ORDER

Chair, Albert, calls the meeting to order at 12:05 pm. Tillotson, Rueter, Olson, Walsh and Albert appear in person, Roos is by phone.

II. APPROVAL OF MINUTES

Motion by Rueter to approve the minutes of August 29 and November 13th minutes. Second by Tillotson with a correction to the joking comment about the manure from the August 29th meeting. All ayes. Motion carries.

III. CONTESTED CASE RE: HOWARD HILL APPEAL

Albert suggests moving the order of agenda since Dr. Hill is here. No motion needed. There was no objection. Dr. Hill requested a contested hearing. The entire board will now hear your argument and invite you to provide evidence/arguments and a chance to be heard.

Megan – explains basis for board's determination. Dr. Hill has been nothing but kind throughout this matter. We appreciate his attentiveness to the matter. We received a complaint at the end of last year, that he did not disclose all sources of income. The Board ordered an investigation.

At the end of the boards order, the Board found that 2017 statement covering 2017 filed in 18 did not disclose certain incomes. Megan listed those items in the statement. All sources produced more than \$1000 with exception of a few.

The 2018 statement was filed earlier this year and was more comprehensive but did not disclose consulting work that generated significantly more than \$1000 income/mo.

In past when not including all sources of income, we don't need to make a finding of intentionality but if you don't disclose, the board finds it to be a violation. Dr. Hills position was that it was submitted as part of his farming.

Dr. Hill explained the discrepancies and that he's learned a lot about the process. Says nothing was intentional. He had no training and the process is difficult, like pounding a square peg in a round hole. The thing that bothers him the most is his reputation, not the money. He would reexam how this is done in the future. Felt he was found guilty before he even defended himself and doesn't feel this is fair. He was really upset when he got the letter that things were left out when most of it is under his farming operation. Nothing in Nancy D.'s complaint should have been found in fault. Her confusion about Breeze Hill farms and owned by new modern concepts. They only do the manure management plan. So what she complained about wasn't what you found me guilty of. He suggested to Ed and Kelly that we have more formal training. You can go through others and find the same thing. Do you split out your dividends?... no its all in his farming operations.

V. RETURN TO OPEN SESSION

Board returns to open session at 1:01 pm.

Discussion regarding Dr. Hill Appeal.

Albert – We understood very clearly that there was no intent here to violate the law. We heard you say that failure to disclose the consulting income on the 2017 report was a mistake. The board considers that a material omission. The law requires us to collect on these forms and we have to enforce but we are very mindful of your sincerity and everything you told us. Is there any motions. Carole – based on our conversation and based on our motion we draft an order of reprimand one of the 2017 for not stating any profession.

Motion by Tillotson – motion to reprimand civil penalty for \$250 for omitting material information from 2018 disclosure consulting fees from the two business that you unintentionally omitted 2nd by Walsh.

Any further discussion? Would it be fair to say that in closed session that Dr. Hill admitted it was a mistake in not providing and that it was nothing personal. We are duty bound to have this information disclosed and the discussion in closed session was that there was the material omission and the fairest.

All those in favor to uphold the earlier decision to limit it to the consulting fees. All ayes. Motion carries.

Roos – you might wonder how sincere I am and I want to thank you for your service and time on that board and I really mean that. And we all feel that way.

Albert – let's take a five minute break.

VI. ADJOURN TO CLOSED SESSION

Olsen moved to adjourn to closed session, 2nd by Roos. All ayes. Roll call. Motion carries.

VII. RETURN TO OPEN SESSION

Board returns to open session at 2:32 pm

1. Executive Director Position

The Board decided that we will schedule a board interview of the two finalists of those two positions within the next two days and make a decision with respect after those interviews. In closed session the board discussed the qualifications and the competitiveness and salary related to the hiring of our new executive director. Motion by Rueter to meet with the two candidates. 2nd by Walsh. We will figure out a date and place to meet and follow along at home if you cannot attend in person. All ayes. Motion carries.

2. Update on Snodgrass/Kelley Investigation

Motion to draft a statement of charges by Olsen. Second by Rueter. All ayes. Motion carries.

XI. UPDATE FROM DNR RE: CONSENTS-TO-SELL


Update by Megan – they have now hired a new counsel and one of her things is managing officials at the DNR. She wants to do more on these topics. The plan is to do blanket consent and I've seen a draft and hope to file that with us soon. It's basically the same as the EPC members. One thing I did tell her that their employees needs to be well known by the department and what things they would have to give an individualized consent for. She was not able to make the meeting. There is nothing to vote on, just an update. I will send it once it's up dated.

Albert – it seems to me that the board should do something for Megan for her exemplary representation to the board. That we invite Megan back over in the spring, invite the staff and have a potluck for a proper send off. We all bring a dish. Rueter – I would like to say thank you and it's been a joy to work with you. Olsen – as a newer member I also want to say thank you. Megan – thank you, I do believe what the board does is important and commended the governor's that have appointed all you and putting good people on. I've never seen a partisan vote. We don't engage in political activity and that helps us stay partisan as we attract board members.

XII. ADJOURNMENT

Motion by Reuter to adjourn. Second by Olsen. All ayes. Motion carries.
Board adjourns at 3:27 pm.

Respectfully Submitted,



Nancy Wood
Executive Secretary

Approved 5/14/2020