

IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD

An Independent Agency of the Executive Branch

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

Board Meeting Minutes

Thursday, November 18, 2021, at 1:00 p.m.
Ola Babcock Miller Building, Room 300

CALL TO ORDER

Roll call and introductions. Present are Carole Tillotson to arrive later, Mary Rueter, Elaine Olson in route, James Albert, Jonathan Roos and John Walsh are by phone. Also present are Mike Marshall, Nancy Wood and Andrew Greenberg. Meeting begins at 1:28 pm.

APPROVAL OF MINUTES

Motion by Mary Rueter to approve minutes of August 12 and October 20, 2021 meetings.
Second by Jonathan Roos. All ayes, motion carries.

DIRECTOR'S UPDATE

Busy election cycle this last time and more contentious than expected. The Staff fielded hundreds of calls and emails and that is reflected in the number of complaints we received. Also, we uncovered a glitch in our old reporting system. Our law talks about political action committees or PACS are to follow reporting deadlines based upon the races that they are involved in or candidates they are contributing to. The old system is set up to when you go to form a PAC, the system asks you to identify which type of PAC based on those categories, state, local etc. The system sets those reporting deadlines based on those category types. The law doesn't place restrictions on the type of race that a PAC can be involved in. This has not occurred much, if at all, but in the recent election cycle we had some state PACs involved in school board and local races. When they tried to do their reporting, our system was not set up for it. Their reporting deadline was in January. The ones we tried to work with, we asked if they would file their January report early to capture activity in last election cycle and if there was any activity between now and January, to amend the report in January. We have asked our vendor, who is working on our new system, and hopefully not costly, to have the system set up to ask you if you are setting up a PAC or ballot issue committee. If a PAC then there should be a drop down and indicate which type of races the PAC will be involved in. We will view the change order cost and see if there are enough existing funds or whether will we need to request additional funds.

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

STATE COMMITTEES (Rule 351 IAC 4.59(3))

Urbandale Democrats
East Des Moines Area Democrats

COUNTY AND LOCAL COMMITTEES (Rule 351 IAC 4.59(2))

Friends of Cally Edelen

SUPPLEMENTARY REPORT (Rule 351 IAC 4.59(4))

None

VERIFIED STATEMENT OF REGISTRATION (VSR) ASSESSMENTS

None

PERSONAL FINANCIAL DISCLOSURE REPORTS

Jim McKinney

Motion by John Walsh to approve waiver requests as suggested by Executive Director, Mike Marshall. Second by Jonathan Roos

All ayes, with exception of Carole Tillotson who abstained. Motion carries.

ADMINISTRATIVE RULES—Proposed Adoption and Filed

Proposed amendments to implement the provisions of HF 491

Motion by Mary Rueter to adopt and file the administrative rules as presented.

Second by Jonathan Roos All ayes, motion carries

DISCUSSION RE PROPOSALS FOR 2022 LEGISLATIVE SESSION

Motion by Elaine Olson to authorize counsel to submit and approve the proposals for the 2022 legislative session. Second by Jonathan Roos. All ayes, motion carries.

MOVE TO CLOSE SESSION

In accordance with the provisions of Iowa Code sections 21.5(1) “c” and “g”, the Board may move into closed session to discuss complaints.

2021-01 Dallas & Polk County Democratic Coalition
2021-02 Roth Weinstein Law Firm
2021-03 Rob Green, Cedar Falls Mayor
2021-04 Mark Holm and Denny Elwell Company
2021-05 Sarah Barthole
2021-06 Aaron Lueders
2021-07 Solon Parents and Teachers to Keep SCSD Safe, et al.
2021-08 People for Kim Martorano
2021-09 Amara Andrews 4 CR, Iowa Voter Info, and Linn Co. Democrats
2021-10 Brett McCormick for Cedar Rapids City Council
2021-11 Craig McCormick for Cedar Rapids City Council
2021-12 Rocky Wicher for Cedar Rapids City Council
2021-13 Scott Spengler
2021-14 Jackie Wahl

Motion to move to closed session by Mary Rueter. Second by Elaine Olson.

Roll call, John Walsh Aye, Tillotson absent, Jonathan Roos Aye, Mary Rueter Aye, Elaine Olson Aye, James Albert Aye. Motion carries. Moved to closed session at 1:39 pm.

RETURN TO OPEN SESSION at 1:56 pm

Review of Discussion in Closed Session and entertain motions

Motion by Mary Rueter that we dismiss Complaints 1 and 2 for lack of jurisdiction. Second by Elaine Olson. No further discussion, all ayes with the exception of Carole Tillotson who abstained, motion carries.

Motion by Jonathan Roos to dismiss for lack of legal sufficiency on Complaints 3, 4, 5, 8 and 13. Second by Mary Rueter. No further discussion, all ayes with the exception of

Carole Tillotson who abstained, motion carries.

Motion by Elaine Olson, to dismiss due to prompt compliance and corrective action complaints 6,7, 8 and 14. Second by Mary Rueter. No further discussion, all ayes with the exception of Carole Tillotson who abstained, motion carries.

Motion to table and for further investigation and fact finding by our staff for 9, 10, 11 and 12 by Mary Rueter, Elaine Olson seconds. No further discussion, all ayes with the exception of Carole Tillotson who abstained, motion carries.

MOVE TO CLOSE SESSION

Motion to move into closed session by Carole Tillotson to discuss personnel issue before the Board which is the selection of a new Executive Director to replace our retiring Executive Director, Mike Marshall. Second by Mary Rueter. Roll call, John Walsh, Carole Tillotson, Jonathan Roos, Elaine Olson, James Albert. All ayes, motion carries. Move to closed session at 2:06 pm

RETURN TO OPEN SESSION at 4:33 pm Review of Discussion in Closed Session and entertain Motions.

Carole Tillotson moves to extend offer to the candidate discussed in closed session and authorize Chair Albert to negotiate the salary and start date. Elaine Olson seconds. All ayes, motion carries.

2022 MEETING DATE

Next meeting date is tentatively scheduled for February 17, 2022

ADJOURNMENT

Motion to adjourn by Elaine Olson, Second by Mary Rueter, All ayes, motion carries.

Meeting adjourns at 4:33 pm

Respectfully submitted by,

Nancy Wood

Nancy Wood, Executive Secretary

Approved 2/17/22