

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
Saima Zafar
Carole Tillotson
Jonathan Roos
Mary Rueter

MINUTES

OPEN SESSION

August 25, 2011

4:00 pm Telephonic

JESSIE PARKER BUILDING

510 E. 12TH STREET

DES MOINES, IA

Board Members:

Present: James Albert, Chair, Carole Tillotson, Jonathan Roos, Mary Rueter

Absent: Saima Zafar, John Walsh

Quorum present? Yes

Others Present:

Exec. Director: Megan Tooker

Administrative Staff: Sharon Wright

Proceedings:

- Meeting called to order at 4:05 p.m. by Chair, James Albert
- Approval of Minutes from July 19, 2011 meeting deferred to next in person meeting

In accordance with the provisions of Iowa Code section 21.5(1) "c" & "g", Mary Rueter moved, Carole Tillotson 2nd, that the Board move into closed session to discuss complaint regarding Polk County's Redistricting plan. Motion carried unanimously in roll call vote.

RETURN TO OPEN SESSION –

Meeting returned to open session at 4:13 p.m.

- Chair Albert explained the process used with a formal complaint, and asked Counsel whether she found the complaint legally sufficient.
- Counsel explained that legally sufficient means the complaint contains allegations which, if proved, violate a provision of the Code of Iowa under the Board's jurisdiction. Counsel stated her opinion that the complaint is legally sufficient.

- Chair Albert stated Counsel has determined complaint to be legally sufficient and has referred the complaint to him for review. Albert asserted that he, as Board Chair, also found the complaint legally sufficient and referred the complaint to the full Board for their determination.

- Jonathan Roos moves the Board find the complaint to be legally sufficient. Carole Tillotson seconds. Motion carried unanimously.

- Chair recommended investigation start immediately with an initial budget not to exceed \$2,500. If investigation is started now, then Board and Counsel will be prepared to act expediently should the State Commissioner of Elections approve the map. Chair offered to entertain motion to same. Motion made by Tillotson and seconded by Roos after discussion. Motion passed unanimously.

- Counsel reported that the State Commissioner of Elections will review any map under complaint as soon as it is submitted to his office. The State Commissioner will notify the Board whether the map is approved or rejected within 3 days of submission. The State Commissioner recognizes the need for the Board to review the complaint in an expedited manner.

- Chair Albert expressed confidence the Board will act on this complaint in a fair and unbiased manner consistent with the public's expectation. Albert stated that if the complaint should go to contested case hearing, the whole Board, as opposed to one member, should preside over the hearing at some neutral location.

- Chair Albert asked for any other business, and after hearing none stated he would entertain a motion to adjourn. Motion made by Jonathan Roos and seconded by Mary Rueter. Motion carried unanimously.

- Meeting adjourned at 4:29 p.m.

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Respectfully submitted,

Sharon Wright, Board Secretary.