



# EXECUTIVE COUNCIL OF IOWA

Teleconference Only

Monday, February 05, 2024 at 10:00 AM

---

## AGENDA

### MEMBERS OF COUNCIL

Hon. Kim Reynolds | **Governor**  
Hon. Paul D. Pate | **Secretary of State**  
Hon. Rob Sand | **Auditor of State**  
Hon. Roby Smith | **Treasurer of State**  
Hon. Mike Naig | **Secretary of Agriculture**

### Teleconference Only

Conference Call Phone Number: (877) 304-9269

Conference Code Pin: 364626

### 1. **Approval of Minutes**

A. Approval of the minutes from the Executive Council meeting held on January 9, 2024.

### 2. **Personal Appearances**

A. Dennis Harper, Iowa Department of Homeland Security and Emergency Management, will be present to request the following:

1. Allocate an additional \$5,673,058.00 pursuant Iowa Code 29C.6(17) for Presidential Disaster Declaration DR-4483 (Coronavirus Disaster 2019, 1/20/2020 and continuing).

### 3. **Iowa Code §7D.10**

A. Attorney General's office request Payment for Expenses under Iowa Code §7D.10 in the amount of \$30,965.22.

#### **4. Special Counsel**

- A. The Department of Justice, Attorney General's office, requests retention of special counsel pursuant to Iowa Code section 13.7 to represent District Judges of the Fifth Judicial District of Iowa, Judge David Nelmark and Judge Scott Beattie in matter McCleary v. Nelmark and Beattie (9:24-cv-00006-DLC) in United States District Court of Montana.

Firm: Landmark Law PLLC  
Attorney: Dale Schowengerdt  
7 West 6th Avenue  
Suite 518  
Helena, MT 59601  
Rate: \$400.00 per hour

- B. The Department of Justice, Attorney General's office, requests retention of special counsel pursuant to Iowa Code section 13.7 to represent Iowa with respect to investigations into and possible litigation of certain business practices of Meta Platforms, Inc.; Snap Inc.; and Alphabet Inc.

Firm: Cooper & Kirk, PLLC  
1523 New Hampshire Ave., N.W.  
Washington, DC 20036  
Rate: The engagement will be governed by a separate contingent fee agreement under Iowa Code section 23B.3.

- C. The Department of Justice, Attorney General's office, requests retention of special counsel pursuant to Iowa Code section 13.7 to represent Seventh District Court Judge Marlita Greve in matter McKenrick v. State of Iowa (07821 LACE134719) of Scott County, Iowa.

Firm: Betty Neuman McMahon PLC  
Attorney: Martha Shaff  
1900 East 54th Street  
Davenport, IA 52807  
Rate: \$350.00 per hour

#### **5. Litigation Expense Fund**

- A. Request from the Department of Revenue to expend \$130,000.00 to cover potential expenses for the third quarter of the 2024 fiscal year.

#### **6. Emergency Allocations**

- A. Department of Corrections - Fort Dodge is requesting an emergency allocation in the amount of \$116,628.00. On November 17, 2022, a hot water tank failed causing water damage. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends allocation subject to audit of actual invoices.

**7. Payment of Cost Items**

- A. Gray Miller Persh, LLP.....\$88.40  
2233 Wisconsin Avenue NW  
Suite 226  
Washington, D.C. 20007  
Iowa PBS

Leif Olson, Chief Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made from Iowa PBS.

- B. Richard J. Bennett, Sr.....\$2,766.00  
PO Box 65666  
West Des Moines, IA 50265  
Special Counsel for the Criminal Appeals Division of the Iowa Attorney General's Office

Leif Olson, Chief Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made from the Attorney General's Office's Forfeiture Fund.

- C. Dentons Davis Brown Law Firm.....\$1,726.00  
The Davis Brown Tower  
215 10th Street, Suite 1300  
Des Moines, IA 50309  
Unclaimed Property Probate Matters

Leif Olson, Chief Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made from the Unclaimed Property Fund.

- D. Patterson Law Firm L.L.P.....\$254.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Amy Ausborn v. Eldora State Training School and State of Iowa and Second Injury Fund of Iowa

Leif Olson, Chief Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

- E. Patterson Law Firm L.L.P.....\$240.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
John Baker v. Iowa Veterans Home and State of Iowa and Second Injury Fund of Iowa

Leif Olson, Chief Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

- F. Patterson Law Firm L.L.P. ....\$34.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Betty Detert v. DHS Johnson County and State of Iowa and Second Injury Fund of Iowa

Leif Olson, Chief Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

- G. Patterson Law Firm L.L.P. ....\$48.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Cheryl Doyle-Carrig v. UIHC and State of Iowa and Second Injury Fund

Leif Olson, Chief Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

- H. Patterson Law Firm L.L.P. ....\$1,137.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Sam Ferrell v. Iowa State Penitentiary and State of Iowa and Second Injury Fund

Leif Olson, Chief Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

- I. Patterson Law Firm L.L.P. ....\$597.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
David Funk v. Iowa State Fair and State of Iowa and Second Injury Fund of Iowa

Leif Olson, Chief Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

- J. Patterson Law Firm L.L.P. ....\$27.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Jason Hawk v. Iowa State Penitentiary and State of Iowa and Second Injury Fund of Iowa

Leif Olson, Chief Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

K. Patterson Law Firm L.L.P.....\$218.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Luanna Hollingsworth v. Woodward Resource Center and State of Iowa and Second Injury Fund of Iowa

Leif Olson, Chief Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

L. Patterson Law Firm L.L.P.....\$160.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Sharon Jackson v. University of Iowa Hospitals and Clinics and State of Iowa and Second Injury Fund of Iowa

Leif Olson, Chief Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

M. Patterson Law Firm L.L.P.....\$288.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Stephen Littlepage v. Eldora State Training School and State of Iowa and Second Injury Fund of Iowa

Leif Olson, Chief Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

N. Patterson Law Firm L.L.P.....\$25.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Wendy Netolicky v. University of Iowa Hospitals & Clinics and State of Iowa and Second Injury Fund

Leif Olson, Chief Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

O. Patterson Law Firm L.L.P.....\$18.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Ronald Simmons v. Iowa Department of Transportation and State of Iowa and Second Injury Fund of Iowa

Leif Olson, Chief Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

- P. Patterson Law Firm L.L.P.....\$128.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Jeffrey Welder v. Iowa State University, State of Iowa and Second Injury Fund of Iowa

Leif Olson, Chief Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

**8. Conveyance of Property**

- A. Request from the Iowa Armory Board, to approve the transfer of 0.71 acres of land in Polk County to Gregory and Buff Ross pursuant to Iowa Code 29A.57(2).

**9. Information Items**

- A. Status of State Aid (Iowa Code 29C.20) Allocations quarterly update.  
B. Civil Reparations Trust Fund Balance as of January 16, 2024 is approximately \$1,014,926.06.

**10. Adjourn Meeting**