



EXECUTIVE COUNCIL OF IOWA

Teleconference Only

Tuesday, January 17, 2023 at 10:00 AM

MINUTES

The Executive Council met in regular session at 10:00 a.m. via conference call. Governor Kim Reynolds presided over the meeting. Secretary of State Paul Pate, Auditor of State Rob Sand, Treasurer of State Roby Smith, and Secretary of Agriculture Mike Naig were present.

1. Approval of Minutes

Moved by Secretary Pate and seconded by Auditor Sand that the Council approve the minutes from the Executive Council meeting held on December 12, 2022 and the Board of Canvass meeting held on December 16, 2022.

The vote:	Ayes:	Governor Reynolds Secretary Pate Auditor Sand Treasurer Smith Secretary Naig
	Nays:	None

2. Iowa Code §7D.10

Moved by Secretary Naig and seconded by Auditor Sand that the Council approve the request from the Attorney General's office for payment of Expenses under Iowa Code §7D.10 in the amount of \$7,001.14.

The vote:	Ayes:	Governor Reynolds Secretary Pate Auditor Sand Treasurer Smith Secretary Naig
	Nays:	None

Moved by Auditor Sand and seconded by Secretary Pate that the Council approve the request from the Attorney General's office for payment of Expenses under Iowa Code §7D.10 in the amount of \$20,800.00.

The vote:	Ayes:	Governor Reynolds Secretary Pate Auditor Sand Treasurer Smith Secretary Naig
	Nays:	None

3. Special Counsel

Moved by Auditor Sand seconded by Secretary Pate that the Council approve the request from the Department of Justice, Attorney General's office as follows:

- A. The Department of Justice, Attorney General's office requested retention of special counsel pursuant to Iowa Code section 13.7 to provide legal services and representation to University of Iowa with respect to potential litigation arising from the University's public-private partnership for the operation of the campus utility system.

Firm:	Baird Holm 1700 Farnam Street, Suite 1500 Omaha, NE 68102
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Rate:	Fees and associated costs of litigation will be paid by the University and will range from \$430 to \$220 per hour
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The vote:	Ayes:	Governor Reynolds Secretary Pate Auditor Sand Treasurer Smith Secretary Naig
	Nays:	None

4. Emergency Allocations

Moved by Secretary Pate and seconded by Secretary Naig that the Council approve the following emergency allocations:

- A. Department of Public Safety requested a supplemental emergency allocation in the amount of \$1,028.36. This brings to total allocation to \$8,126.29. On December 18, 2021, State Patrol Vehicle #31 was damaged by a deer. Request was to cover repair costs. This represents full and final payment and this allocation will be closed.
- B. Department of Public Safety requested an emergency allocation and reimbursement in the amount of \$8,085.91. On May 26, 2022, State Patrol Vehicle #272 was damaged by a rock. Request was to cover repair costs. This represents full and final payment and this allocation will be closed.

- C. Department of Public Safety requested an emergency allocation in the amount of \$3,957.55. On June 3, 2022, State Patrol Vehicle #438 was damaged by a deer. Request was to cover repair costs.
- D. Department of Public Safety requested an emergency allocation in the amount of \$2,781.00. On July 4, 2022, State Patrol Vehicle #105236 was damaged by hail. Request was to cover repair costs.
- E. Department of Public Safety requested a supplemental emergency allocation in the amount of \$1,480.73. This brings to total allocation to \$10,479.17. On August 19, 2022, State Patrol Vehicle #64 was damaged by hail. Request was to cover repair costs.
- F. Department of Public Safety requested an emergency allocation in the amount of \$3,370.25. On August 21, 2022, State Patrol Vehicle #344 was damaged by a deer. Request was to cover repair costs.
- G. Department of Public Safety requested an emergency allocation in the amount of \$10,024.81. On September 9, 2022, State Patrol Vehicle #105401 was damaged by a deer. Request was to cover repair costs.
- H. Department of Public Safety requested an emergency allocation in the amount of \$2,633.00. On September 17, 2022, State Patrol Vehicle #438 was damaged by hail. Request was to cover repair costs.
- I. Department of Public Safety requested an emergency allocation in the amount of \$5,276.60. On October 30, 2022, State Patrol Vehicle #104 was damaged by a deer. Request was to cover repair costs.
- J. Department of Public Safety requested an emergency allocation in the amount of \$14,441.40. On October 31, 2022, State Patrol Vehicle #434 was damaged by a deer. Request was to cover repair costs.
- K. Department of Administrative Services requested an emergency allocation in the amount of \$12,313.29. On August 19, 2022, Vehicle #2426 was damaged by hail. Request was to cover repair costs.
- L. Department of Administrative Services requested an emergency allocation in the amount of \$5,838.33. On September 17, 2022, Vehicle #2857 was damaged by hail. Request was to cover repair costs.
- M. Department of Administrative Services requested an emergency allocation in the amount of \$7,445.05. On October 30, 2022, Vehicle #1733 was damaged by a deer. Request was to cover repair costs.
- N. Department of Administrative Services requested an emergency allocation in the amount of \$5,837.86. On November 14, 2022, Vehicle #1645 was damaged by a deer. Request was to cover repair costs.
- O. Iowa Communications Network requested an emergency allocation in the amount of \$16,332.61. On September 27, 2022, an exposed cabled was damaged by excessive erosion at two locations along 90th Street in Louisa County. Request was to cover repair costs.

- P. Department of Human Services - Glenwood Resource Center requested an emergency allocation in the amount of \$391,195.70. On December 15, 2021, multiple buildings were damaged due to high winds. Request was to cover repair costs.
- Q. Iowa State Fair requested an emergency allocation in the amount of \$27,300.00. On August 19, 2022, multiple lightning strikes damaged the communications infrastructure. Request was to cover repair costs.

The vote: Ayes: Governor Reynolds
 Secretary Pate
 Auditor Sand
 Treasurer Smith
 Secretary Naig
 Nays: None

5. Payment of Cost Items

Moved by Secretary Pate and seconded by Secretary Naig that the Council approve the following cost items:

- A. Department of Public Safety.....\$11,260.80
 On November 21, 2021, State Patrol Vehicle #540 was damaged by a deer. Request was to cover repair costs. This represents full and final payment.
- B. Department of Public Safety.....\$2,041.60
 On December 7, 2021, State Patrol Vehicle #414 door was damaged due to high winds. Request was to cover repair costs. This represents full and final payment.
- C. Department of Public Safety.....\$2,572.00
 On February 25, 2022, State Patrol Vehicle #478 was damaged by a deer. Request was to cover repair costs. This represents full and final payment.
- D. Department of Public Safety.....\$3,019.40
 On February 28, 2022, State Patrol Vehicle #372 was damaged by a deer. Request was to cover repair costs. This represents full and final payment.
- E. Department of Public Safety.....\$4,119.00
 On July 2, 2022, State Patrol Vehicle #175 was damaged by a small animal. Request was to cover repair costs. This represents full and final payment.
- F. Department of Administrative Services.....\$5,773.44
 On October 5, 2020, Vehicle #2855 was damaged by a deer. Request was to cover repair costs. This represents full and final payment, \$255.35 will be reverted and this allocation closed.
- G. Department of Administrative Services.....\$16,799.38
 On July 9, 2021, multiple vehicles were damaged by hail. Request was to cover repair costs. This represents full and final payment, \$2,332.21 will be reverted and this allocation closed.
- H. Department of Administrative Services.....\$3,903.76
 On March 2, 2022, Vehicle #2204 was damaged by a deer. Request was to cover repair costs. This represents full and final payment.

- I. Department of Administrative Services.....\$2,458.72
On March 5, 2022, Vehicle #2804 was damaged by a tornado. Request was to cover repair costs. This represents full and final payment.

- J. Department of Administrative Services.....\$2,396.74
On May 17, 2022, Vehicle #1782 was damaged by a deer. Request was to cover repair costs. This represents full and final payment.

- K. Department of Administrative Services.....\$6,709.64
On August 24, 2022, Vehicle #1122 was damaged by a deer. Request was to cover repair costs. This represents full and final payment.

- L. Department of Administrative Services.....\$12,218.24
On August 31, 2022, Vehicle #1740 was damaged by a deer. Request was to cover repair costs. This represents full and final payment, \$977.00 will be reverted and this allocation closed.

- M. Richard J. Bennett, Sr.....\$4,014.00
PO Box 65666
West Des Moines, IA 50265
Special Counsel for the Criminal Appeals Division of the Iowa Attorney General's Office

- N. Richard J. Bennett, Sr.....\$1,104.00
PO Box 65666
West Des Moines, IA 50265
Special Counsel for the Criminal Appeals Division of the Iowa Attorney General's Office

- O. Gray Miller Persh, LLP.....\$699.20
2233 Wisconsin Avenue NW
Suite 226
Washington, D.C. 20007
Iowa PBS

- P. Gray Miller Persh, LLP.....\$874.00
2233 Wisconsin Avenue NW
Suite 226
Washington, D.C. 20007
Iowa PBS

- Q. Michael Marquess.....\$5,000.00
2183 Docks Drive
Garwin, IA 50632
Tribal cases when the offenses are committed by non-natives against non-natives (or without a victim) on the Sac and Fox Indian Settlement in Tama County

- R. Patterson Law Firm L.L.P.....\$64.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Richard Adrian v. University of Iowa, State of Iowa and Second Injury Fund of Iowa

- S. Patterson Law Firm L.L.P.....\$1,728.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Robert Allen v. University of Iowa Hospitals & Clinics, State of Iowa and Second Injury Fund of Iowa
- T. Patterson Law Firm L.L.P.....\$84.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Dawn Cline v. Eldora State Training School and State of Iowa and Second Injury Fund of Iowa
- U. Patterson Law Firm L.L.P.....\$464.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
David Denny v. University of Iowa and State of Iowa and Second Injury Fund of Iowa
- V. Patterson Law Firm L.L.P.....\$336.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Joseph Bernard Lampe v. Iowa State Penitentiary and State of Iowa and Second Injury Fund of Iowa
- W. Patterson Law Firm L.L.P.....\$224.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Debra Oelrich v. University of Iowa Hospitals & Clinics, State of Iowa and Second Injury Fund of Iowa
- X. Patterson Law Firm L.L.P.....\$34.00
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

The vote:	Ayes:	Governor Reynolds Secretary Pate Auditor Sand Treasurer Smith Secretary Naig
	Nays:	None

6. Information Items

- A. Status of State Aid (Iowa Code 29C.20) Allocations quarterly update.
- B. Settlement report of \$250,000 or more, pursuant to Iowa Code 13.2(1)(o).
- C. On December 12, 2022, Dennis Harper, Recovery Division Administrator, Iowa Department of Homeland Security and Emergency Management, was present to request an emergency allocation. Part 2 of the request was initially requested for a missing person in Winneshiek County near Decorah, Iowa. The request amount was correct, but the location should have been in the City of Yarmouth in Des Moines County, Iowa.

7. Adjourn Meeting

Moved by Secretary Naig and seconded by Secretary Pate that the meeting adjourns.

Respectfully submitted,

Victoria Newton

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