



EXECUTIVE COUNCIL OF IOWA

Teleconference Only

Monday, April 01, 2024 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 March 4, 2024.

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

2. Iowa Code §7D.10

A. Attorney General's office request Payment for Expenses under Iowa Code §7D.10 in the amount of \$29,231.07.

Moved by Secretary Naig and seconded by Treasurer Smith that the Executive Council approve the request.

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

3. Special Counsel

Moved by Treasurer Smith seconded by Auditor Sand 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 represent the University of Iowa Hospital and Clinics in arbitration proceedings seeking approximately \$20 million from two Medicare Advantage payors for purported underpayments associated with drugs eligible for 304B reimbursement. Attorney fees and costs will be paid from the University of Iowa Hospitals and Clinics Hospital Administration Fund.

Firm: Polsinelli Law Firm
150 N. Riverside Plaza, Ste. 3000
Chicago, IL 60606
Rate: \$485-\$805 per hour

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

4. Leases

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

- A. Lease between DNR and CF Industries Nitrogen, LLC
Date of Lease: August 7, 2023 to December 31, 2027
Legal Description: A part of the bed of the Missouri River approximately 50 feet in frontage and 616 feet of Depth at Missouri River mile 719.1 in Omadi Bend, 100 feet of frontage and 300 feet of depth at Missouri River mile 718.8 in Browers Bend, and 100 feet of frontage and 151 feet in depth at Missouri River Mile 718. 7 in Browers Bend, set back of existing pile revetment No. 789.7 in Sections 23 & 24 Township 87 North, Range 48 West of the 5th P.M., Woodbury County, Iowa.
Purpose: Operation and maintenance of the pump house, well, bridge and other structures located on the leased premises, barge unloading, and any related or incidental uses thereof
Annual Fee: \$3,337.50

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

Moved by Secretary Naig and seconded by Auditor Sand that the Council approve the following lease:

B. Lease between DNR and Holcim Cement

Date of Lease: September 1, 2023 to December 31, 2027

Legal Description: A portion of the sovereign bed of the Mississippi River more particularly described as a tract with a frontage of 300 feet by a depth of 250 feet at River Mile 486.8 located in NW1/4 of the NW1/4 of Section 34, Township 78 North, Range 4 East of the 5th P.M., Scott County, Iowa.

Purpose: Bulk barge loading and unloading of cement

Annual Fee: \$7,800.00

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 Auditor Sand that the Council approve the following cost items:

- A. Thomas Hillers.....\$5,000.00
112 Main St West, Suite 100
State Center, IA 50247
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
- B. Kevin Cmelik.....\$870.00
814 Shawnee Avenue
Des Moines, IA 50313
Special Counsel for the Criminal Appeals Division of the Iowa Attorney General’s Office
- C. Richard J. Bennett, Sr.....\$3,852.00
PO Box 65666
West Des Moines, IA 50265
Special Counsel for the Criminal Appeals Division of the Iowa Attorney General’s Office
- D. Gray Miller Persh, LLP.....\$839.80
2233 Wisconsin Avenue NW
Suite 226
Washington, D.C. 20007
Iowa PBS
- E. Landmark Law, PLLC.....\$2,553.00
7 West 6th Avenue, Suite 518
Helena, MT 59601
McCleary v. Nelmark and Beattie, United States District Court of Montana

- F. Betty Neuman McMahon, PLC.....\$1,890.00
1900 East 54th Street
Davenport, IA 52807
Special Counsel McKerrick v. State of Iowa
- G. Patterson Law Firm L.L.P.....\$391.00
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
- H. Patterson Law Firm L.L.P.....\$96.00
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
- I. Patterson Law Firm L.L.P.....\$32.00
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
- J. Patterson Law Firm L.L.P.....\$640.00
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
- K. Patterson Law Firm L.L.P.....\$32.00
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
- L. Patterson Law Firm L.L.P.....\$48.00
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
- M. Patterson Law Firm L.L.P.....\$1,803.00
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

- N. Patterson Law Firm L.L.P.....\$48.00
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
- O. Patterson Law Firm L.L.P.....\$800.00
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
- P. Patterson Law Firm L.L.P.....\$16.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Leland Mitchell v. Iowa Department of Transportation and State of Iowa and Second Injury Fund of Iowa
- Q. Patterson Law Firm L.L.P.....\$114.00
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
- R. Patterson Law Firm L.L.P.....\$80.00
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

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

6. Adjourn Meeting

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

Respectfully submitted,

Victoria Newton

Victoria Newton