



EXECUTIVE COUNCIL OF IOWA

Teleconference Only

Monday, March 06, 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 January 23, 2023.

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

2. Personal Appearances

Dennis Harper, Recovery Division Administrator, Iowa Department of Homeland Security and Emergency Management, will be present to request the following:

1. Allocate an additional \$2,460,000.00 pursuant Iowa Code 29C.6(17) for Presidential Disaster Declaration DR-4483 (Corona virus Disaster 2019, 1/20/2020 and continuing).

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

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

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

- B. The Department of Justice, Attorney General's office requests retention of outside counsel pursuant to Iowa Code section 13.3(1) in *Amy Ausborn v. Eldora State Training School and State of Iowa and Second Injury Fund of Iowa*, a workers' compensation case filed by a state employee.

Firm: Patterson Law Firm, L.L.P.
Attorney: Ryan Clark
505 5th Avenue
Suite 729
Des Moines, IA 50309
Rate: \$160.00 Per Hour

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

5. Litigation Expense Fund

Moved by Secretary Pate and seconded by Treasurer Smith that the Council approve the following litigation expense fund request:

- A. Request from the Attorney General's office on behalf of the Department of Revenue to expend \$175,000.00 to cover potential expenses for the third quarter of the 2023 fiscal year.

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

6. Emergency Allocations

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

- A. Department of Natural Resources requested a supplemental emergency allocation in the amount of \$110.46. This brings to total allocation to \$12,187.99. From March 21, 2019 to July 11, 2019, floods caused damages at various wildlife management areas within the Great Lakes Wildlife Unit. Request was to cover repair costs. This represents full and final payment and this allocation will be closed.

- B. Department of Natural Resources requested a supplemental emergency allocation in the amount of \$14,165.55. This brings to total allocation to \$39,988.50. On May 30, 2019, a flood caused damages at Odessa Wildlife Management Area in Louisa County. Request was to cover repair costs. This represents full and final payment and this allocation will be closed.
- C. Department of Natural Resources requested an emergency allocation in the amount of \$408,102.00. On March 5, 2022, Red Haw State Park was damaged by a tornado. Request was to cover repair costs.
- D. Iowa Communications Network requested an emergency allocation and reimbursement in the amount of \$4,300.00. On November 16, 2022, a cable was cut at the Intersection of Plank Road and High Street in Lee County. Request was to cover repair costs. This represents full and final payment and this allocation will be closed.
- E. Department of Administrative Services requested a supplemental emergency allocation in the amount of \$365.86. This brings to total allocation to \$7,810.91. On October 30, 2022, Vehicle #1733 was damaged by a deer. Request was to cover repair costs. This represents full and final payment and this allocation will be closed.
- F. Department of Administrative Services requested an emergency allocation in the amount of \$8,570.19. On November 15, 2022, Vehicle #1650 was damaged by a deer. Request was to cover repair costs.
- G. Department of Administrative Services requested an emergency allocation in the amount of \$4,130.43. On December 14, 2022, Vehicle #1343 was damaged by a deer. Request was to cover repair costs.
- H. Department of Administrative Services requested an emergency allocation in the amount of \$2,558.00. On January 4, 2023, Vehicle #1948 was damaged by vandalism. Request was to cover repair costs.
- I. Iowa Veterans Home requested a supplemental emergency allocation and reimbursement in the amount of \$206,718.74. This brings to total allocation to \$590,624.97. On May 17, 2017, straight line winds caused damage to various roofs, buildings, trees and the cemetery. Request was to cover repair costs. This represents full and final payment and this allocation will be closed.
- J. Iowa Veterans Home requested a supplemental emergency allocation and reimbursement in the amount of \$352,790.84. This brings to total allocation to \$422,262.79. On July 19, 2018, a tornado damaged buildings and trees. Request was to cover repair costs. This represents full and final payment and this allocation will be closed.
- K. Iowa State University requested an emergency allocation and reimbursement in the amount of \$2,000,000.00. On February 22, 2021, a fire in the 1st floor custodial room caused damages to Ross Hall. Request was to cover repair costs. This represents full and final payment and this allocation will be closed.

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

7. Payment of Cost Items

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

- A. Department of Natural Resources.....\$4,235.00
On July 26, 2019, Red Rock Wildlife Management Unit was damaged by a flood. Request was to cover repair costs. This represents full and final payment, \$787.50 will be reverted and this allocation closed.
- B. Department of Administrative Services.....\$8,865.15
On November 3, 2021, Vehicle #2971 was damaged by a deer. Request was to cover repair costs. This represents full and final payment, \$3,238.75 will be reverted and this allocation closed.
- C. Department of Administrative Services\$3,503.29
On August 19, 2022, Vehicle #2426 was damaged by hail. Request was to cover repair costs. This represents full and final payment, \$8,810.00 will be reverted and this allocation closed.
- D. Department of Administrative Services.....\$5,838.33
On September 17, 2022, Vehicle #2857 was damaged by hail. Request was to cover repair costs. This represents full and final payment.
- E. Department of Public Safety.....\$3,957.55
On June 3, 2022, State Patrol Vehicle #438 was damaged by a deer. Request was to cover repair costs. This represents full and final payment.
- F. Department of Public Safety.....\$2,781.00
On July 4, 2022, State Patrol Vehicle #105236 was damaged by hail. Request was to cover repair costs. This represents full and final payment.
- G. Department of Public Safety.....\$10,024.81
On September 9, 2022, State Patrol Vehicle #105401 was damaged by a deer. Request was to cover repair costs. This represents full and final payment.
- H. Department of Public Safety.....\$8,259.17
On October 31, 2022, State Patrol Vehicle #434 was damaged by a deer. Request was to cover repair costs. This represents full and final payment, \$6,182.23 will be reverted and this allocation closed.
- I. Department of Human Services - Woodward Resource Center.....\$442,008.60
On July 10, 2021, a storm caused window, roof and siding damage at the Woodward Resource Center. Request was to cover repair costs. This represents full and final payment, \$144,871.40 will be reverted and this allocation closed.
- J. Iowa Communications Network.....\$4,813.28
On August 10, 2020, a derecho caused damages to equipment, fiber cable, HVAC and service outages. Request was to cover repair costs. This represents full and final payment, \$56,451.08 will be reverted and this allocation closed.
- K. Board of Regents - University of Iowa.....\$40,275.78
On May 23, 2020, a sewer back up caused damages to the Lindquist Center. Request was to cover repair costs. This represents full and final payment.

- L. Board of Regents - University of Iowa.....\$247,270.29
On June 20, 2020, a broken leg on the exterior fire hydrant caused water damages to the Main Library. Request was to cover repair costs. This represents full and final payment.
- M. Board of Regents - University of Iowa\$20,508.88
On July 26, 2020, an air handling unit leak caused water damages to the Sciences Library. Request was to cover repair costs. This represents full and final payment.
- N. Board of Regents - University of Iowa\$14,611.05
On March 9, 2021, snow and ice caused damages to the lighting protection system at the Hawkeye Tennis and Recreation Center. Request was to cover repair costs. This represents full and final payment.
- O. Richard J. Bennett, Sr.....\$2,862.00
PO Box 65666
West Des Moines, IA 50265
Special Counsel for the Criminal Appeals Division of the Iowa Attorney General's Office
- P. Gray Miller Persh, LLP.....\$2,359.80
2233 Wisconsin Avenue NW
Suite 226
Washington, D.C. 20007
Iowa PBS
- Q. Patterson Law Firm L.L.P.....\$616.00
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
- R. Patterson Law Firm L.L.P.....\$1,328.00
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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
- S. Patterson Law Firm L.L.P.....\$48.00
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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.....\$336.00
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505 Fifth Avenue
Des Moines, IA 50309-2390
Donald Briggie v. Iowa DOT, State of Iowa and Second Injury Fund of Iowa

- U. Patterson Law Firm L.L.P.....\$957.00
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Des Moines, IA 50309-2390
Joseph Bernard Lampe v. Iowa State Penitentiary and State of Iowa and Second Injury Fund of Iowa
- V. Patterson Law Firm L.L.P.....\$176.00
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505 Fifth Avenue
Des Moines, IA 50309-2390
Gail Martens v. University of Iowa and State of Iowa and Second Injury Fund of Iowa
- W. Patterson Law Firm L.L.P.....\$146.00
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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
- X. Patterson Law Firm L.L.P.....\$1,376.00
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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
- Y. Patterson Law Firm L.L.P.....\$228.00
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
- Z. 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
- AA. Davis, Brown, Koehn, Shors & Roberts, P.C.....\$617.80
The Davis Brown Tower
215 10th Street, Suite 1300
Des Moines, IA 50309-3993
Legal Services to state agencies on issues related to the visa status of prospective state employees
- BB. Davis, Brown, Koehn, Shors & Roberts, P.C.....\$97.50
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