



EXECUTIVE COUNCIL OF IOWA

Teleconference Only

Monday, March 03, 2025 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. Treasurer of State Roby Smith, Secretary of Agriculture Mike Naig, Secretary of State Paul Pate and Auditor of State Rob Sand were present.

1. Approval of Minutes

Moved by Secretary Pate and seconded by Treasurer that the Council approve of the minutes from the Executive Council meeting held on February 3, 2025.

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

2. Iowa Code §7D.10

Moved by Treasurer Smith and seconded by Secretary Naig that the Council approve the following request:

- A. Attorney General's office requested Payment for Expenses under Iowa Code §7D.10 in the amount of \$28,850.50.

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

3. Special Counsel

Moved by Secretary Naig and seconded by Treasurer Smith that the Council table the following requests:

- A. The Department of Justice, Attorney General’s Office, requested retention of outside counsel pursuant to Iowa Code section 13.3(1) in *Beitz, Michael v. Public Defense and State of Iowa, 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: \$175.00 Per Hour

- B. The Department of Justice, Attorney General’s Office, requested retention of outside counsel pursuant to Iowa Code section 13.3(1) in *Starrett, Christopher v. Department of Public Safety and State of Iowa, 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: \$175.00 Per Hour

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

4. Leases

Moved by Secretary Pate and seconded by Auditor Sand that the Council table the following lease:

- A. Lease between DNR and Fidelity Properties
Date of Lease: December 1, 2024 to November 30, 2029
Legal Description: East Okoboji Lake frontage adjacent to Government Lot 5 in Section 20, Township 99 North, Range 36 West of the 5th P.M., Dickinson County, Iowa
Purpose: Platform deck
Annual Fee: \$300.00

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

Moved by Secretary Pate and seconded by Auditor Sand that the Council table the following lease:

- B. Lease between DNR and Linwood Mining and Minerals Corporation

Date of Lease: December 1, 2024 to November 30, 2029

Legal Description: A portion of the bed of the Mississippi River approximately 560 feet in frontage and 230 feet in depth at Mississippi River Mile 475.2, located in the NW¹/₄ of Section 24, Township 77 North, Range 2 East of the 5th P.M, Scott County, Iowa.

Purpose: Barge load out

Annual Fee: \$7,985.60

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

Moved by Secretary Pate and seconded by Auditor Sand that the Council table the following lease:

- C. Lease between DNR and Matteson Marine Service, Inc. reassigned to Brennan Marine Inc., who has agreed to abide by the terms, covenants, conditions, obligations and provisions of the original lease.

Date of Lease: October 1, 2024 to May 31, 2029

Legal Description: A parcel in the bed of the Mississippi River including approximately 100 feet of depth by 600 feet of length, Mississippi River Mile 427.7, located in Sec. 22, Twp 73N, R 1W of the 5th P.M., Louisa County, Iowa. The leased area begins 400 feet downstream of the Minneapolis and St. Louis Railroad Bridge, which is approximately 25 miles south of Muscatine, IA.

Purpose: Barge fleeting

Annual Fee: \$2,712.00

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

Moved by Secretary Pate and seconded by Auditor Sand that the Council table the following lease:

- D. Lease between DNR and Matteson Marine Service, Inc. reassigned to Brennan Marine Inc., who has agreed to abide by the terms, covenants, conditions, obligations and provisions of the original lease.

Date of Lease: Date of Consent to April 16, 2027

Legal Description: Starting at the Burlington City limits and extending upstream on the main channel side of Baby Rush Island 150 feet in depth along 800 feet in frontage in Section 27, Township 70 North, Range 2 West of the 5th P.M., Des Moines, Iowa, at Mississippi River Mile 405.8

Purpose: Barge fleeting

Annual Fee: \$5,502.38

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

Moved by Secretary Pate and seconded by Auditor Sand that the Council table the following lease:

- E. Lease between DNR and Matteson Marine Service, Inc. reassigned to Brennan Marine Inc., who has agreed to abide by the terms, covenants, conditions, obligations and provisions of the original lease.

Date of Lease: May 1, 2024 to April 30, 2029

Legal Description: A parcel in the bed of the Mississippi River including approximately 1,600 feet of frontage by 175 feet of depth located at the vicinity of Mississippi River Mile 430.3 located in sections 9 and 16, Township 73 North, Range 1 West of the 5th P.M., Louisa County, Iowa.

Purpose: Barge fleeting

Annual Fee: \$12,656.00

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

5. Emergency Allocations

Moved by Secretary Pate and seconded by Auditor Sand that the Council table the following allocations:

- A. Iowa Workforce Development is requesting an emergency allocation and reimbursement in the amount of \$3,571.69. On June 25, 2024, the IWD office in Spencer was damaged due to heavy rains and river flooding. Request was to cover repair costs. This represents full and final payment and this allocation closed.
- B. Department of Corrections - Mitchellville is requesting an emergency allocation and reimbursement in the amount of \$74,625.00. On August 20, 2024, the geothermal heating/cooling system was damaged by a pipe break. Request was to cover repair costs. This represents full and final payment and this allocation closed.
- C. Iowa Communications Network is requesting an emergency allocation and reimbursement in the amount of \$31,935.88. On August 1, 2024, a cable was exposed along Roemer Avenue, east of Highway 34 in Wapello County. Request was to cover repair costs. This represents full and final payment and this allocation closed.
- D. Iowa Communications Network is requesting an emergency allocation in the amount of \$12,847.00. On November 26, 2024, a cable along 285th Avenue in Winneshiek County had extensive rodent damage. Request was to cover repair costs.

- E. Department of Natural Resources is requesting an emergency allocation in the amount of \$7,930.00. On November 19 and December 12, 2024, campground equipment shed at Elk Rock State Park was broken into. Request was to cover repair costs.
- F. Department of Natural Resources is requesting an emergency allocation in the amount of \$12,028.29. On April 27, 2023, Sny Magill boat ramp and Turkey River boat ramp and parking lot were damaged by a flood. Request was to cover repair costs.
- G. Department of Public Safety is requesting an emergency allocation and reimbursement in the amount of \$9,500.00. On December 31, 2024, Palo Alto ISICS communications tower was damaged by strong winds. Request was to cover repair costs.
- H. Department of Public Safety is requesting an emergency allocation in the amount of \$9,500.00. On December 30, 2024, a radome cover on Sioux County ISICS Communication Tower was damaged by winds and/or ice. Request was to cover repair costs.
- I. Board of Regents - University of Iowa is requesting an emergency allocation in the amount of \$35,946.75. On May 13, 2023, an eye wash station at Iowa Advanced Technology Laboratories was damaged. Request was to cover repair costs.
- J. Board of Regents - University of Iowa is requesting an emergency allocation in the amount of \$42,641.09. On December 28, 2022, a pipe at Bedell Entrepreneurship Learning Laboratory was damaged due to a failed soldering. Request was to cover repair costs.
- K. Board of Regents - University of Iowa is requesting an emergency allocation in the amount of \$32,476.04. On November 29, 2023, the roof at Medical Research Center was damaged due to a failed air handling. Request was to cover repair costs.
- L. Board of Regents - University of Iowa is requesting an emergency allocation in the amount of \$8,810.00. On September 9, 2023, a glass panel at the Stanley Museum of Art was damaged. Request was to cover repair costs.
- M. Board of Regents - University of Iowa is requesting an emergency allocation in the amount of \$13,060.21. On January 16, 2024, Trowbridge Hall had water damages due to lab equipment filter failure. Request was to cover repair costs.
- N. Board of Regents - Iowa is requesting an emergency allocation in the amount of \$20,592.60. On January 14, 2024, Van Allen Hall was damaged due to frozen fan coil. Request was to cover repair costs.
- O. Board of Regents - Iowa State University is requesting an emergency allocation and reimbursement in the amount of \$7,968.00. On January 17, 2024, Gilman Hall had water damage due to freezing temperatures causing a water line break. Request was to cover repair costs. This represents full and final payment and this allocation closed.
- P. Board of Regents - Iowa State University is requesting an emergency allocation and reimbursement in the amount of \$5,000.00. On January 17, 2024, Roy J. Carver Laboratory was damaged by freezing temperatures, burst fan coil unit and air handler coil. Request was to cover repair costs. This represents full and final payment and this allocation closed.

- Q. Department of Administrative Services is requesting a supplemental emergency allocation in the amount of \$17,354.00. This brings the total allocation to \$29,454.00. On May 21, 2024, multiple buildings on the Capitol Complex and Ankeny Labs Facility were damaged by storm. Request was to cover repair costs.
- R. Department of Administrative Services is requesting an emergency allocation in the amount of \$5,348.00. On September 18, 2024, Vehicle #127 was damaged by a coyote. Request was to cover repair costs.
- S. Department of Administrative Services is requesting a supplemental emergency allocation in the amount of \$4,205.47. This brings the total allocation to \$19,961.30. On October 31, 2024, Vehicle #234 was damaged by a deer. Request was to cover repair costs. This represents full and final payment and this allocation closed.
- T. Department of Administrative Services is requesting an emergency allocation in the amount of \$2,236.50. On September 19, 2024, Vehicle #346 was damaged by a raccoon. Request was to cover repair costs.
- U. Department of Administrative Services is requesting an emergency allocation in the amount of \$6,345.70. On September 23, 2024, Vehicle #381 was damaged by a deer. Request was to cover repair costs.
- V. Department of Administrative Services is requesting an emergency allocation in the amount of \$4,492.65. On November 2, 2024, Vehicle #403 was damaged by a deer. Request was to cover repair costs.
- W. Department of Administrative Services is requesting a supplemental emergency allocation in the amount of \$1,225.39. This brings the total allocation to \$17,658.40. On October 11, 2024, Vehicle #440 was damaged by a deer. Request was to cover repair costs. This represents full and final payment and this allocation closed.
- X. Department of Administrative Services is requesting a supplemental emergency allocation in the amount of \$205.00. This brings the total allocation to \$2,448.00. On June 17, 2024, Vehicle #468 was damaged by storm. Request was to cover repair costs. This represents full and final payment and this allocation closed.
- Y. Department of Administrative Services is requesting a supplemental emergency allocation in the amount of \$2,242.95. This brings the total allocation to \$5,634.35. On July 13, 2024, Vehicle #725 was damaged by a deer. Request was to cover repair costs. This represents full and final payment and this allocation closed.
- Z. Department of Administrative Services is requesting an emergency allocation in the amount of \$5,780.80. On December 15, 2024, Vehicle #824 was damaged by a deer. Request was to cover repair costs.
- AA. Department of Administrative Services is requesting an emergency allocation in the amount of \$5,772.14. On December 3, 2024, Vehicle #1035 was damaged by a deer. Request was to cover repair costs.
- BB. Department of Administrative Services is requesting a supplemental emergency allocation in the amount of \$549.27. This brings the total allocation to \$4,754.73. On October 16, 2024, Vehicle #1266 was damaged by a deer. Request was to cover repair costs. This represents full and final payment and this allocation closed.

- CC. Department of Administrative Services is requesting a supplemental emergency allocation in the amount of \$1,040.65. This brings the total allocation to \$6,750.15. On November 14, 2024, Vehicle #1336 was damaged by a deer. Request was to cover repair costs. This represents full and final payment and this allocation closed.
- DD. Department of Administrative Services is requesting an emergency allocation in the amount of \$9,030.35. On November 19, 2024, Vehicle #1661 was damaged by a deer. Request was to cover repair costs.
- EE. Department of Administrative Services is requesting an emergency allocation in the amount of \$5,945.65. On November 4, 2024, Vehicle #2215 was damaged by a deer. Request was to cover repair costs.
- FF. Department of Administrative Services is requesting a supplemental emergency allocation in the amount of \$4,087.51. This brings the total allocation to \$17,299.29. On September 17, 2024, Vehicle #2307 was damaged by a deer. Request was to cover repair costs. This represents full and final payment and this allocation closed.
- GG. Department of Administrative Services is requesting a supplemental emergency allocation in the amount of \$237.65. This brings the total allocation to \$2,322.65. On September 24, 2024, Vehicle #2318 was damaged by a raccoon. Request was to cover repair costs. This represents full and final payment and this allocation closed.
- HH. Department of Administrative Services is requesting an emergency allocation in the amount of \$4,468.98. On December 15, 2024, Vehicle #8398 was stolen. Request was to cover repair costs.
- II. Department of Administrative Services is requesting an emergency allocation in the amount of \$4,130.74. On January 10, 2025, Vehicle #105470 was damaged by a deer. Request was to cover repair costs.
- JJ. Department of Administrative Services is requesting a supplemental emergency allocation in the amount of \$353.59. This brings the total allocation to \$2,561.02. On October 19, 2024, Vehicle #105694 was damaged by a raccoon. Request was to cover repair costs.

The vote: Ayes: Governor Reynolds
 Treasurer Smith
 Secretary Naig
 Secretary Pate
 Auditor Sand

 Nays: None

6. Payment of Cost Items

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

- A. Iowa State Fair\$10,815.61

On March 24, 2024, a lightning strike caused damages to the communication equipment at Elwell Outdoor Area. Request was to cover repair costs. This represents full and final payment.

- B. Board of Regents - Iowa\$23,626.00
On July 31, 2023, a window was damaged at the Voxman Music Building. Request was to cover repair costs. This represents full and final payment.
- C. Department of Natural Resources\$193,000.00
On April 13, 2023, Loess Hills State Forest was damaged by a wildfire. Request was to cover repair costs. This represents partial payment.
- D. Iowa Communications Network\$16,772.46
On September 18, 2024, equipment was exposed along Highway 34 in Adams County due to excessive erosion. Request was to cover repair costs. This represents full and final payment, \$1,610.46 will be reverted and this allocation closed.
- E. Iowa Communications Network.....\$48,457.73
On July 8, 2024, a cable along Highway 75 between 490th and 550th streets at West Branch Floyd River was exposed due to excessive erosion. Request was to cover repair costs. This represents full and final payment, \$829.78 will be reverted and this allocation closed.
- F. Iowa Communications Network\$45,049.84
On October 16, 2024, equipment was exposed along Lily Avenue in Sioux County due to excessive erosion. Request was to cover repair costs. This represents full and final payment.
- G. Department of Public Safety\$17,267.75
On May 21, 2024, the Adair South ISICS communication tower was damaged by a tornado. Request was to cover repair costs. This represents partial payment.
- H. Department of Public Safety\$17,866.66
On May 26, 2024, Bremer ISICS Communication Tower sustained severe electronic damage due to a direct lightning strike. Request was to cover repair costs. This represents full and final payment, \$2,133.34 will be reverted and this allocation closed.
- I. Department of Public Safety\$9,066.67
On May 26, 2024, Fayette ISICS communication tower was damaged by storm. Request was to cover repair costs. This represents full and final payment, \$10,933.33 will be reverted and this allocation closed.
- J. Department of Public Safety\$15,000.00
On May 31, 2023 and July 29, 2024, radome covers on Grundy County ISICS Communication Towers were damaged by severe storms. Request was to cover repair costs. This represents full and final payment, \$4,000.00 will be reverted and this allocation closed.
- K. Department of Public Safety.....\$41,063.47
On June 21, 2024, Post 6 was damaged by flooding. Request was to cover repair costs. This represents full and final payment.
- L. Department of Public Safety\$19,950.00
On May 21, 2024, severe storms caused damage to the antenna at Tama ISICS Communication Tower. Request was to cover repair costs. This represents full and final payment, \$2,550.00 will be reverted and this allocation closed.

- M. Department of Public Safety\$9,500.00
On April 26 through May 9, 2024, various ISICS communication towers (Shelby, Iowa, Van Wert, Clarinda, Calhoun, Marion, Newton, Davis, Storm Lake) were damaged by storm and tornado. Request was to cover repair costs. This represents partial payment.
- N. Department of Administrative Services\$2,237.25
On April 26, 2024, Vehicle #72 sustained hail damage. Request was to cover repair costs. This represents full and final payment, \$57.50 will be reverted and this allocation closed.
- O. Department of Administrative Services\$6,292.46
On March 28, 2024, Vehicle #116 was damaged by a deer. Request was to cover repair costs. This represents full and final payment, \$1,086.22 will be reverted and this allocation closed.
- P. Department of Administrative Services\$6,213.99
On November 19, 2024, Vehicle #236 was damaged by a deer. Request was to cover repair costs. This represents full and final payment, \$324.48 will be reverted and this allocation closed.
- Q. Department of Administrative Services\$3,314.33
On October 11, 2024, Vehicle #353 was damaged by a raccoon. Request was to cover repair costs. This represents full and final payment, \$27.50 will be reverted and this allocation closed.
- R. Department of Administrative Services\$4,068.37
On September 12, 2024, Vehicle #393 was damaged by a deer. Request was to cover repair costs. This represents full and final payment, \$13,386.08 will be reverted and this allocation closed.
- S. Department of Administrative Services\$5,692.80
On October 10, 2024, Vehicle #465 was damaged by a deer. Request was to cover repair costs. This represents full and final payment.
- T. Department of Administrative Services.....\$5,708.32
On October 8, 2024, Vehicle #1721 was damaged by a deer. Request was to cover repair costs. This represents full and final payment, \$6,243.58 will be reverted and this allocation closed.
- U. Department of Administrative Services\$7,565.73
On October 16, 2024, Vehicle #1743 was damaged by a deer. Request was to cover repair costs. This represents full and final payment, \$7,146.62 will be reverted and this allocation closed.
- V. Department of Administrative Services\$4,151.99
On June 12, 2024, Vehicle #1886 sustained hail damage. Request was to cover repair costs. This represents full and final payment, \$7,698.69 will be reverted and this allocation closed.
- W. Department of Administrative Services\$4,277.69
On August 25, 2024, Vehicle #105967 was damaged by a deer. Request was to cover repair costs. This represents full and final payment, \$4,672.97 will be reverted and this allocation closed.
- X. Davis, Brown, Koehn, Shors & Roberts, P.C.....\$215.00
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

- Y. Dentons Davis Brown Law Firm.....\$1,050.00
The Davis Brown Tower
215 10th Street, Suite 1300
Des Moines, IA 50309
Unclaimed Property Probate Matters
- Z. Richard J. Bennett, Sr.....\$4,914.00
PO Box 65666
West Des Moines, IA 50265
Special Counsel for the Criminal Appeals Division of the Iowa Attorney General’s Office
- AA. Marquess & Hoyer Law Office, P.C.....\$6,000.00
203 W. High Street
P.O. Box 51
Toledo, IA 52342
Criminal Prosecution for Meskwaki Settlement Matters
- BB. Gray Miller Persh, LLP.....\$88.40
2233 Wisconsin Avenue NW
Suite 226
Washington, D.C. 20007
Iowa PBS
- CC. Patterson Law Firm L.L.P.....\$1,104.00
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
- DD. Patterson Law Firm L.L.P.....\$128.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Therese Blake v. Woodward Resource Center and State of Iowa and Second Injury Fund of Iowa
- EE. Patterson Law Firm L.L.P.....\$208.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Diane Chase v. Woodward Resource Center and State of Iowa and Second Injury Fund of Iowa
- FF. Patterson Law Firm L.L.P.....\$64.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Karen Crew v. University of Iowa Hospitals and Clinics, State of Iowa, Second Injury Fund of Iowa

GG. Patterson Law Firm L.L.P.....\$630.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Furnish, Lloyd v. Woodward Resource Center and State of Iowa and Second Injury Fund of Iowa

HH. Patterson Law Firm L.L.P.....\$608.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Gabel-Reisen, Regina v. Anamosa State Penitentiary and State of Iowa and Second Injury Fund of Iowa

II. Patterson Law Firm L.L.P.....\$1,519.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
McInroy, Mark v. Iowa Department of Natural Resources and State of Iowa and Second Injury Fund of Iowa

JJ. Patterson Law Firm L.L.P.....\$528.00
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

KK. Patterson Law Firm L.L.P.....\$144.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Shana Overstreet v. University of Iowa Hospitals and Clinics, State of Iowa and Second Injury Fund of Iowa

LL. Patterson Law Firm L.L.P.....\$48.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Brad Stevenson v. Iowa Department of Transportation, State of Iowa, Second Injury Fund of Iowa

MM. Patterson Law Firm L.L.P.....\$32.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Katherine Williams v. 6th Judicial District and Second Injury Fund of Iowa

The vote: Ayes: Governor Reynolds
 Treasurer Smith
 Secretary Naig
 Secretary Pate
 Auditor Sand

Nays: None

7. Information Items

- A. The Benton Washington Levee made their third Contingency Loan payment of \$55,555.56. This loan was approved for \$1,000,000.00 on June 8, 2020 and is prorated not to exceed twenty years. Total repayment to date: \$421,111.12.

Adjourn Meeting

Moved by Secretary Pate and seconded by Treasurer Smith that the meeting adjourns.

Respectfully submitted,

Kristi Onstot

Kristi Onstot