



# EXECUTIVE COUNCIL OF IOWA

Teleconference Only

Monday, May 16, 2022 at 10:00 AM

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## 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 Michael Fitzgerald and Secretary of Agriculture Michael Naig were present.

### 1. Approval of Minutes

Moved by Auditor Sand and seconded by Secretary Naig that the Council approve the minutes of the Executive Council meeting held on May 9, 2022.

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

### 2. Iowa Code §7D.10

Moved by Treasurer Fitzgerald 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 \$15,522.10 for prosecuting cases under Iowa Code chapter 229A.

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

### 3. Outside Counsel

Moved by Secretary Naig 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 outside counsel pursuant to Iowa Code section 13.3(1) in *Toribo Joseph Estrada v. ISP; 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 Fitzgerald  
Secretary Naig  
Nays: None

### 4. Leases

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

- A. Lease between DNR and Fidelity Properties Ltd.  
Date of Lease: December 1, 2019 to November 30, 2024

Legal Description: An irregular strip of the bed of East Okoboji Lake adjoining Government Lot 5 in Section 20, Township 99N, Range 36W, Dickinson County, Iowa.  
Purpose: Continued presence of a platform deck  
Annual Fee: \$2,495.00

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

## 5. Emergency Allocations

Moved by Treasurer Fitzgerald and seconded by Auditor Sand that the Council approve the following emergency allocation items:

- A. The Department of Administrative Services requested an emergency allocation in the amount of \$3,084.50. On October 5, 2020, vehicle 1315 was damaged after striking a deer. Request was to cover repair costs.
- B. The Department of Administrative Services requested an emergency allocation in the amount of \$3,256.90. On May 19, 2019, vehicle 1601 was damaged after striking a deer. Request was to cover repair costs.
- C. The Department of Administrative Services requested an emergency allocation in the amount of \$2,562.20. On May 22, 2019, vehicle 2189 was damaged after striking a wild animal. Request was to cover repair costs.
- D. The Department of Administrative Services requested an emergency allocation in the amount of \$4,160.99. On July 7, 2019, vehicle 2462 was vandalized. Request was to cover repair costs.
- E. The Department of Administrative Services requested an emergency allocation in the amount of \$9,542.32. On June 2, 2020, vehicle 105537 was damaged after striking a deer. Request was to cover repair costs.
- F. The Department of Administrative Services requested an emergency allocation in the amount of \$2,113.08. On October 3, 2019, vehicle 105947 was damaged after striking a raccoon. Request was to cover repair costs.
- G. The Department of Public Safety requested an emergency allocation in the amount of \$2,486.86. On November 28, 2018, vehicle 248 was damaged after striking a deer. Request was to cover repair costs.
- H. The Department of Public Safety requested an emergency allocation in the amount of \$2,234.59. On December 24, 2020, vehicle 291 was damaged after striking a raccoon. Request was to cover repair costs.
- I. The Department of Public Safety requested a supplemental emergency allocation in the amount of \$1,031.18. This brings to total allocation to \$54,517.72. On September 7, 2021, the tower lighting system on the Waterloo ISICS Communication Tower was damaged by accumulative weather. Request was to cover repair costs.
- J. The Iowa Communications Network requested an emergency allocation in the amount of \$21,323.29. On March 22, 2022, equipment along US Highway 1 in Jefferson County was damaged due to erosion. Request was to cover repair costs.

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

## 6. Payment of Cost Items

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

- A. Department of Transportation .....\$280,290.20  
On August 10, 2020, a derecho damaged multiple buildings and facilities. Request was to cover repair costs.
- B. Iowa General Assembly .....\$8,760.21  
On February 2, 2020, the capitol building was damaged due to vandalism. Request was to cover repair costs.
- C. Department of Public Safety .....\$28,050.05  
On July 9, 2021, a hailstorm caused damage to multiple vehicles. Request was to cover repair costs.
- D. Patterson Law Firm L.L.P. ....\$48.00  
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
- E. Patterson Law Firm L.L.P. ....\$592.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Debra J. Breckenridge v. Iowa Judicial Branch, State of Iowa and Second Injury Fund of Iowa
- F. Patterson Law Firm L.L.P. ....\$48.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Donald Briggie v. Iowa DOT, State of Iowa and Second Injury Fund of Iowa
- G. Patterson Law Firm L.L.P. ....\$272.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Michelle Franz v. Woodward Resource Center, State of Iowa and Second Injury Fund of Iowa
- H. Patterson Law Firm L.L.P. ....\$1,232.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Cyril Irvine v. Anamosa State Penitentiary; State of Iowa and Second Injury Fund of Iowa
- I. Patterson Law Firm L.L.P. ....\$80.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Cyril Irvine v. Anamosa State Penitentiary; State of Iowa and Second Injury Fund of Iowa

- J. 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
- K. Patterson Law Firm L.L.P.....\$160.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Larry Opal v. Clarinda Correctional Facility, State of Iowa and Second Injury Fund of Iowa
- L. Patterson Law Firm L.L.P.....\$16.00  
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
- M. Patterson Law Firm L.L.P.....\$192.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Mark Ostring v. Woodward Resource Center, State of Iowa and Second Injury Fund of Iowa
- N. Patterson Law Firm L.L.P.....\$240.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Bryson Powell v. Glenwood Resource Center, State of Iowa and Second Injury Fund of Iowa
- O. Patterson Law Firm L.L.P.....\$700.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Geoffrey Ray Wellman v. Iowa State Penitentiary, State of Iowa and Second Injury Fund of Iowa
- P. Wandro & Associates, P.C. ....\$2,525.00  
2501 Grand Avenue, Suite B  
Des Moines, IA 50312  
Unclaimed Property Probate Matters

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

## **7. Information Items**

- A. The City of Nashua made their second Contingency Loan payment of \$163,204.00. This loan was approved for \$754,933.00 on March 8, 2021, and is prorated not to exceed twenty years. Total repayment to date: \$706,394.00.
- B. Fremont County made their second Contingency Loan payment of \$8,000.00. This loan was approved for \$131,250.00 on October 19, 2020, and is prorated not to exceed twenty years. Total repayment to date: \$14,562.50.
- C. On Monday, February 15, 2021, the Executive Council approved an emergency allocation for the Department of Public Safety in the amount of \$10,953.40. On August 10, 2020, State Patrol Vehicle #383 was damaged when a building collapsed on the vehicle while at the repair shop. Request was to cover repair costs.

The Department of Public Safety was reimbursed for these damages by the repair shop's insurance company; therefore, the allocation should be reverted to the State Treasury and the allocation closed.

## **8. Adjourn Meeting**

Moved by Auditor Sand and seconded by Secretary Pate that the meeting adjourn.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Victoria Newton", written in a cursive style.

Victoria Newton  
Executive Secretary