



EXECUTIVE COUNCIL OF IOWA

Teleconference Only

Monday, December 02, 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, Treasurer of State Roby Smith and Secretary of Agriculture Mike Naig were present. Auditor of State Rob Sand joined the call after approval of the minutes from the Executive Council meeting held on November 4, 2024.

1. Approval of Minutes

Moved by Secretary Pate and seconded by Secretary Naig that the Council approve of the minutes from the Executive Council meeting held on November 4, 2024.

| | | |
|-----------|-------|--|
| The vote: | Ayes: | Governor Reynolds Secretary Pate Treasurer Smith Secretary Naig |
| | Nays: | None |

2. Personal Appearances

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

- A. Dennis Harper, Iowa Homeland Security and Emergency Management Department, was present to request approval of Hazard Mitigation Financial Assistance in the amount of \$1,211,082.00 pursuant to Iowa Code §29C.7 with regard to the Flood Mitigation Assistance Swift Current (FMA SC) 2023 federal financial assistance awarded September 25, 2024.

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

3. Iowa Code §7D.10

Moved by Secretary Pate and seconded by Treasurer Smith that the Executive Council approve the following requests:

- A. Attorney General's office requested Payment for Expenses under Iowa Code §7D.10 in the amount of \$28,800.00.
- B. Attorney General's office requested Payment for Expenses under Iowa Code §7D.10 in the amount of \$32,800.00.

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

4. Outside Counsel

Moved by Secretary Naig and seconded by Secretary Pate that the Executive Council approve 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 *Crew, Karen v. University of Iowa Hospitals and Clinics 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 |

- B. The Department of Justice, Attorney General's Office, requested retention of outside counsel pursuant to Iowa Code section 13.3(1) in *Furnish, Lloyd v. Woodward Resource Center 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 |

- C. The Department of Justice, Attorney General's Office, requested retention of outside counsel pursuant to Iowa Code section 13.3(1) in *Gabel-Reisen, Regina v. Anamosa State Penitentiary 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

- D. The Department of Justice, Attorney General's Office, requested retention of outside counsel pursuant to Iowa Code section 13.3(1) in *Larson, John v. Newton Correctional Facility 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

- E. The Department of Justice, Attorney General's Office, requested retention of outside counsel pursuant to Iowa Code section 13.3(1) in *McInroy, Mark v. Iowa Department of Natural Resources 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

- F. The Department of Justice, Attorney General's Office, requested retention of outside counsel pursuant to Iowa Code section 13.3(1) in *Stine, Phillip v. Mt. Pleasant Correctional Facility and State of Iowa and Second Injury Fund*, 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. Special Counsel

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

- A. The Department of Justice, Attorney General’s Office requested retention of special counsel to provide legal services for the State Treasurer’s Office, Unclaimed Property Division, in regard to the disposition of unclaimed property. Attorney fees and costs will be paid from the Unclaimed Property Fund.

Firm: Dentons Davis Brown Law Firm
 The Davis Brown Tower
 215 10th Street, Suite 1300
 Des Moines, IA 50309
Rate: Courtney Strutt Todd - \$405 per hour
 Jana Weiler - \$360 per hour

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

6. Emergency Allocations

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

- A. Board of Regents - Iowa State University requested an emergency allocation and reimbursement in the amount of \$262,515.17. On October 20, 2023, Marson Hall was damaged by a fire. Request was to cover repair costs. This represents full and final payment and this allocation will be closed.
- B. Department of Administrative Services requested an emergency allocation in the amount of \$42,578.24. On January 16, 2024, the Jessie Parker Building suffered structural water damages due to excessively cold temperatures and a ruptured water line. Request was to cover repair costs.
- C. Department of Administrative Services requested a supplemental emergency allocation in the amount of \$594.60. This brings the total allocation to \$10,737.65. On June 22, 2024, Vehicle #314 was damaged by a deer. Request was to cover repair costs. This represents full and final payment and this allocation will be closed.

- D. Department of Administrative Services requested an emergency allocation in the amount of \$3,261.50. On September 9, 2024, Vehicle #319 was damaged by a deer. Request was to cover repair costs.
- E. Department of Administrative Services requested an emergency allocation in the amount of \$8,499.79. On September 8, 2024, Vehicle #330 was damaged by a deer. Request was to cover repair costs.
- F. Department of Administrative Services requested an emergency allocation in the amount of \$2,559.54. On September 23, 2024, Vehicle #1751 was damaged by a deer. Request was to cover repair costs.
- G. Department of Natural Resources requested an emergency allocation in the amount of \$4,500.00. On July 30, 2024, roads at Lower Gar State Recreation Area in Dickinson County were damaged by heavy rains. Request was to cover repair costs.
- H. Department of Natural Resources requested a supplemental emergency allocation in the amount of \$389.26. This brings the total allocation to \$9,358.46. On April 22, 2023, Fairport State Recreation Area was damaged due to Mississippi River flooding. Request was to cover repair costs. This represents full and final payment and this allocation will be closed.
- I. Department of Natural Resources requested a supplemental emergency allocation in the amount of \$1,372.00. This brings the total allocation to \$6,372.00. On January 26, 2024, the stone entrance portal at Maquoketa Caves State Park was damaged by snowfall. Request was to cover repair costs. This represents full and final payment and this allocation will be closed.
- J. Department of Natural Resources requested a supplemental emergency allocation in the amount of \$494,725.96. This brings the total allocation to \$902,827.96. On March 5, 2022, Red Haw State Park was damaged by a tornado. Request was to cover repair costs.
- K. Department of Natural Resources requested an emergency allocation in the amount of \$40,083.00. On June 26, 2024, a septic tank at Wapsipinicon State Park in Jones County was damaged due to extensive drought conditions. Request was to cover repair costs.
- L. Iowa Communications Network requested an emergency allocation in the amount of \$18,382.92. On September 18, 2024, equipment was exposed along Highway 34 in Adams County due to excessive erosion. Request was to cover repair costs.

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

7. Payment of Cost Items

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

- A. Department of Administrative Services\$2,720.20
 On July 31, 2024, Vehicle #31 was damaged by a deer. Request was to cover repair costs. This represents full and final payment, \$333.75 will be reverted and this allocation closed.

- B. Department of Administrative Services\$3,675.84
On June 25, 2024, Vehicle #470 was damaged by a deer. Request was to cover repair costs. This represents full and final payment, \$4,012.39 will be reverted and this allocation closed.
- C. Department of Administrative Services\$3,374.58
On April 30, 2024, Vehicle #502 was damaged by hail. Request was to cover repair costs. This represents full and final payment.
- D. Department of Natural Resources\$2,733.06
On October 19, 2023, the roof of a log pioneer cabin at Ambrose A Call State Park was damaged by a fallen tree. Request was to cover repair costs. This represents full and final payment, \$631.94 will be reverted and this allocation closed.
- E. Department of Natural Resources.....\$13,000.00
On April 13, 2023, Loess Hills State Forest was damaged by a wildfire. Request was to cover repair costs. This represents partial payment.
- F. Department of Natural Resources\$6,183.85
Between January 7-14, 2024, the trail, trees and loader at Wildcat Den State Park in Muscatine County were damaged by a winter storm. Request was to cover repair costs. This represents partial payment.
- G. Department of Public Safety\$9,500.00
On November 28, 2023, a radome cover on Albia ISICS Communication Tower was damaged by weather. Request was to cover repair costs. This represents full and final payment.
- H. Department of Public Safety\$8,874.67
On May 8, 2024, the Albia ISICS Communication Tower was damaged due to theft of copper cabling. Request was to cover repair costs. This represents full and final payment, \$1,125.33 will be reverted and this allocation closed.
- I. Department of Public Safety\$13,500.00
On October 26, 2023, the Appanoose ISICS Communication tower was damaged by theft of copper grounding cables. Request was to cover repair costs. This represents full and final payment.
- J. Department of Public Safety\$15,000.00
On November 28, 2023, radome covers on the Brooklyn ISICS Communication Tower were damaged. 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\$12,228.76
On January 19, 2024, the Dubuque ISICS Communication Tower was damaged by a winter storm power surge. Request was to cover repair costs. This represents full and final payment, \$2,771.24 will be reverted and this allocation closed.
- L. Department of Public Safety.....\$9,500.00
On May 10, 2023, Fayette County ISICS Communication Tower was damaged by storm. Request was to cover repair costs. This represents full and final payment.

- M. Department of Public Safety\$19,164.00
 On October 6, 2024, the Hardin ISICS Communication Tower was damaged by lightning strike. Request was to cover repair costs. This represents full and final payment, \$5,836.00 will be reverted and this allocation closed.
- N. Department of Public Safety\$9,500.00
 On October 13, 2023, a radome cover on Holy Cross ISICS Communication Tower was damaged by a storm. Request was to cover repair costs. This represents full and final payment.
- O. Department of Public Safety\$15,000.00
 On March 31, 2023, radomes at Iowa at Woodward ISICS Communication Towers were broken due to storms. Request was to cover repair costs. This represents partial payment.
- P. Department of Public Safety\$15,000.00
 On January 23, 2024, radome covers on the Keokuk ISICS Communication Tower was damaged due to vandalism. Request was to cover repair costs. This represents full and final payment, \$4,000.00 will be reverted and this allocation closed.
- Q. Department of Public Safety\$9,500.00
 On February 27, 2023, a radome cover on the Marshalltown ISICS Communication Tower was damaged by a storm. Request was to cover repair costs. This represents full and final payment.
- R. Department of Public Safety\$8,800.00
 On May 21, 2024, Mason City ISICS Communication Tower was damaged by storm. Request was to cover repair costs. This represents full and final payment, \$3,200.00 will be reverted and this allocation closed.
- S. Department of Public Safety\$9,500.00
 During March 1, 2024 through March 6, 2024, radome covers on the Mitchellville ISICS Communication Tower was damaged by high winds. Request was to cover repair costs. This represents full and final payment.
- T. Department of Public Safety\$106,532.33
 Between April 26, 2024 through May 9, 2024, various ISICS Communication Towers (Shelby, Iowa, Van Wert, Clarinda, Calhoun, Marion, Newton, Davis) were damaged by tornado/storm. Request was to cover repair costs. This represents partial payment.
- U. Iowa Communications Network\$26,340.47
 On June 12, 2024, a cable was exposed along Highway 34 West of Loomis Avenue in Adams County due to excessive erosion. Request was to cover repair costs. This represents full and final payment, \$616.62 will be reverted and this allocation closed.
- V. Iowa Communications Network\$94,491.52
 On June 22, 2024, a cable was exposed along Highway 60 at Otter Creek in Osceola County due to excessive erosion and flooding. Request was to cover repair costs. This represents full and final payment, \$3,131.43 will be reverted and this allocation closed.
- W. Iowa Communications Network\$15,985.00
 On July 8, 2024, a cable along Highway 75 south of 150th street in Plymouth County was exposed due to flooding. Request was to cover repair costs. This represents full and final payment, \$1,564.42 will be reverted and this allocation closed.

- X. Iowa Communications Network\$50,765.23
 On June 22, 2024, a cable was exposed along 330th street in Sioux County due to erosion and flooding of Floyd River. Request was to cover repair costs. This represents full and final payment, \$11,793.66 will be reverted and this allocation closed.
- Y. Davis, Brown, Koehn, Shors & Roberts, P.C.....\$200.00
 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
- Z. Dentons Davis Brown Law Firm.....\$357.00
 The Davis Brown Tower
 215 10th Street, Suite 1300
 Des Moines, IA 50309
Registration of Trademark - Iowa DOT Logo
- AA. Dentons Davis Brown Law Firm.....\$462.00
 The Davis Brown Tower
 215 10th Street, Suite 1300
 Des Moines, IA 50309
Registration of Trademark - Iowa DOT Logo
- BB. Dentons Davis Brown Law Firm.....\$350.00
 The Davis Brown Tower
 215 10th Street, Suite 1300
 Des Moines, IA 50309
Unclaimed Property Probate Matters
- CC. Dentons Davis Brown Law Firm.....\$1,327.95
 The Davis Brown Tower
 215 10th Street, Suite 1300
 Des Moines, IA 50309
Unclaimed Property Probate Matters
- DD. Dentons Davis Brown Law Firm.....\$3,668.00
 The Davis Brown Tower
 215 10th Street, Suite 1300
 Des Moines, IA 50309
Unclaimed Property Probate Matters
- EE. Dentons Davis Brown Law Firm.....\$3,787.60
 The Davis Brown Tower
 215 10th Street, Suite 1300
 Des Moines, IA 50309
Unclaimed Property Probate Matters
- FF. Kevin Cmelik.....\$1,995.00
 814 Shawnee Avenue
 Des Moines, IA 50313
Special Counsel for the Criminal Appeals Division of the Iowa Attorney General's Office

GG. 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

HH. 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

II. Richard J. Bennett, Sr.....\$2,514.00
PO Box 65666
West Des Moines, IA 50265
Special Counsel for the Criminal Appeals Division of the Iowa Attorney General's Office

JJ. Richard J. Bennett, Sr.....\$990.00
PO Box 65666
West Des Moines, IA 50265
Special Counsel for the Criminal Appeals Division of the Iowa Attorney General's Office

KK. Gray Miller Persh, LLP.....\$2,961.40
2233 Wisconsin Avenue NW
Suite 226
Washington, D.C. 20007
Iowa PBS

LL. Patterson Law Firm L.L.P.....\$64.00
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

MM. Patterson Law Firm L.L.P.....\$643.00
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

NN. Patterson Law Firm L.L.P.....\$1,124.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Patricia Brown v. Iowa Correctional Institution for Women, State of Iowa, Second Injury Fund of Iowa

OO. Patterson Law Firm L.L.P.\$96.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
John Larson v. Newton Correctional Facility and Clinics and State of Iowa and Second Injury Fund of Iowa

PP. Patterson Law Firm L.L.P.\$448.00
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

QQ. Patterson Law Firm L.L.P.\$61.00
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

RR. Patterson Law Firm L.L.P.\$512.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Wendy Netolicky v. University of Iowa Hospitals & Clinics and State of Iowa and Second Injury Fund

SS. Patterson Law Firm L.L.P.\$192.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Wendy Netolicky v. University of Iowa Hospitals & Clinics and State of Iowa and Second Injury Fund

TT. Patterson Law Firm L.L.P.\$288.00
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

UU. Patterson Law Firm L.L.P.\$1,088.00
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

VV. Patterson Law Firm L.L.P.....\$560.00
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

WW. Patterson Law Firm L.L.P.....\$958.00
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

XX. Patterson Law Firm L.L.P.....\$490.00
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

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

ZZ. Patterson Law Firm L.L.P.....\$872.00
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

AAA. Patterson Law Firm L.L.P.....\$1,028.00
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

BBB. Patterson Law Firm L.L.P.....\$400.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Katherine Williams v. 6th Judicial District and Second Injury Fund of Iowa

CCC. Patterson Law Firm L.L.P.....\$96.00
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
 Secretary Pate
 Auditor Sand
 Treasurer Smith
 Secretary Naig
 Nays: None

8. Information Items

- A. The City of Volga made their fifth Contingency Loan payment of \$1,560.00. This loan was approved for \$31,200.00 on November 2, 2020 and is prorated not to exceed twenty years. Total repayment to date: \$7,800.00.
- B. Notification from the Department of Natural Resources that funds previously allocated for the Palo Alto drainage taxes were cancelled; \$2,774.22.00 will be reverted.
- C. Schedule of Executive Council Meetings for 2025

| <u>MEETING DATE</u> | <u>TIME</u> |
|-----------------------------|-------------|
| January 6, 2025 | 10:00 a.m. |
| February 3, 2025 | 10:00 a.m. |
| March 3, 2025 | 10:00 a.m. |
| April 7, 2025 | 10:00 a.m. |
| May 5, 2025 | 10:00 a.m. |
| June 2, 2025 | 10:00 a.m. |
| July 7, 2025 | 10:00 a.m. |
| July 21, 2025 | 10:00 a.m. |
| August 4, 2025 | 10:00 a.m. |
| August 18, 2025 | 10:00 a.m. |
| September 2, 2025 (Tuesday) | 10:00 a.m. |
| October 6, 2025 | 10:00 a.m. |
| November 3, 2025 | 10:00 a.m. |
| December 1, 2025 | 10:00 a.m. |

9. Adjourn Meeting

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

Respectfully submitted,

Kristi Onstot

Kristi Onstot