



EXECUTIVE COUNCIL OF IOWA

Teleconference Only

Monday, February 05, 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, and Treasurer of State Roby Smith were present. Secretary of Agriculture Mike Naig was absent.

1. Approval of Minutes

Moved by Auditor Sand and seconded by Secretary Pate that the Council approve the minutes from the Executive Council meeting held on January 9, 2024.

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

2. Personal Appearances

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

1. Allocate an additional \$5,673,058.00 pursuant Iowa Code 29C.6(17) for Presidential Disaster Declaration DR-4483 (Coronavirus Disaster 2019, 1/20/2020 and continuing).

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

3. Iowa Code §7D.10

- A. Attorney General's office request Payment for Expenses under Iowa Code §7D.10 in the amount of \$30,965.22.

Moved by Auditor Sand and seconded by Treasurer Smith that the Executive Council approve the request.

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

4. Special Counsel

Moved by Auditor Sand seconded by Treasurer Smith 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 District Judges of the Fifth Judicial District of Iowa, Judge David Nelmark and Judge Scott Beattie in matter McCleary v. Nelmark and Beattie (9:24-cv-00006-DLC) in United States District Court of Montana.

Firm: Landmark Law PLLC
Attorney: Dale Schowengerdt
 7 West 6th Avenue
 Suite 518
 Helena, MT 59601
Rate: \$400.00 per hour

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

- B. The Department of Justice, Attorney General's office, requested retention of special counsel pursuant to Iowa Code section 13.7 to represent Iowa with respect to investigations into and possible litigation of certain business practices of Meta Platforms, Inc.; Snap Inc.; and Alphabet Inc.

Firm: Cooper & Kirk, PLLC
 1523 New Hampshire Ave., N.W.
 Washington, DC 20036
Rate: The engagement will be governed by a separate contingent fee agreement under Iowa Code section 23B.3.

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

- C. The Department of Justice, Attorney General’s office, requested retention of special counsel pursuant to Iowa Code section 13.7 to represent Seventh District Court Judge Marlita Greve in matter McKenrick v. State of Iowa (07821 LACE134719) of Scott County, Iowa.

Firm: Betty Neuman McMahon PLC
Attorney: Martha Shaff
 1900 East 54th Street
 Davenport, IA 52807
Rate: \$350.00 per hour

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

5. Litigation Expense Fund

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

- A. Request from the Department of Revenue to expend \$130,000.00 to cover potential expenses for the third quarter of the 2024 fiscal year.

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

6. Emergency Allocations

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

- A. Department of Corrections - Fort Dodge requested an emergency allocation in the amount of \$116,628.00. On November 17, 2022, a hot water tank failed causing water damage. Request was to cover repair costs.

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

7. Payment of Cost Items

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

- A. Gray Miller Persh, LLP.....\$88.40
2233 Wisconsin Avenue NW
Suite 226
Washington, D.C. 20007
Iowa PBS

- B. Richard J. Bennett, Sr.....\$2,766.00
PO Box 65666
West Des Moines, IA 50265
Special Counsel for the Criminal Appeals Division of the Iowa Attorney General's Office

- C. Dentons Davis Brown Law Firm.....\$1,726.00
The Davis Brown Tower
215 10th Street, Suite 1300
Des Moines, IA 50309
Unclaimed Property Probate Matters

- D. Patterson Law Firm L.L.P.....\$254.00
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

- E. Patterson Law Firm L.L.P.....\$240.00
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

- F. Patterson Law Firm L.L.P.....\$34.00
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

- G. Patterson Law Firm L.L.P.....\$48.00
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

- H. Patterson Law Firm L.L.P.....\$1,137.00
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

- I. Patterson Law Firm L.L.P.....\$597.00
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

- J. Patterson Law Firm L.L.P.....\$27.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Jason Hawk v. Iowa State Penitentiary and State of Iowa and Second Injury Fund of Iowa

- K. Patterson Law Firm L.L.P.....\$218.00
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

- L. Patterson Law Firm L.L.P.....\$160.00
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

- M. Patterson Law Firm L.L.P.....\$288.00
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

- N. Patterson Law Firm L.L.P.....\$25.00
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

- O. Patterson Law Firm L.L.P.....\$18.00
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

- P. Patterson Law Firm L.L.P.....\$128.00
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
 Nays: None

8. Conveyance of Property

Moved by Secretary Pate and seconded by Treasurer Smith that the Council approve the transfer of 0.71 acres of land in Polk County to Gregory and Buff Ross pursuant to Iowa Code 29A.57(2).

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

9. Information Items

- A. Status of State Aid (Iowa Code 29C.20) Allocations quarterly update.
- B. Civil Reparations Trust Fund Balance as of January 16, 2024 is approximately \$1,014,926.06.

Adjourn Meeting

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

Respectfully submitted,

Kristi Onstot

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