



EXECUTIVE COUNCIL OF IOWA

Teleconference Only

Monday, January 23, 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 17, 2023.

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

2. Special Counsel

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

- A. The Attorney General's Office on behalf of the Iowa Department of Revenue requested an attorney change with respect to centrally accessed property tax cases against Buckeye Terminals, LLC and Buckeye Pipeline Transportation, LLC. Joshua Whitt has notified the office that he is leaving Whitt Law, LLC. Stuart Whitt will continue his work on this litigation and attorney James Dougherty of Whitt Law, LLC has been recommended to assist in these litigations.

Firm:	Whitt Law, LLC
Attorneys:	Stuart L. Whitt and James Dougherty 70 South Constitution Drive Aurora, IL 60506

Rate:	Fees will range from \$250 to \$210 per hour. Fees and associated costs will be paid by IDR from the Litigation Expense Fund pursuant to Iowa Code section 441.73.
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4. Payment of Cost Items

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

- A. Department of Natural Resources\$37,353.28
On June 21, 2018, various wildlife management areas in Winneshiek, Allamakee and Clayton Counties were damaged by heavy rains. Request was to cover repair costs. This represents full and final payment, \$38,117.69 will be reverted and this allocation closed.
- B. Department of Natural Resources.....\$43,842.50
On June 30, 2019, a storm caused damages at Maquoketa Caves State Park. Request was to cover repair costs. This represents partial payment.
- C. Department of Natural Resources.....\$1,900.00
On May 2, 2022, a large tree during a wind storm fell on Balance Rock Boardwalk Stairs at Maquoketa Caves State Park. Request was to cover repair costs. This represents partial payment.
- D. Department of Public Safety.....\$5,045.35
On April 12, 2022, State Patrol Vehicle #371 was damaged by hail. Request was to cover repair costs. This represents full and final payment.
- E. Department of Public Safety.....\$3,136.10
On April 30, 2022, State Patrol Vehicle #384 was damaged by a pheasant. Request was to cover repair costs. This represents full and final payment.
- F. Department of Public Safety\$9,042.62
On July 2, 2022, State Patrol Vehicle #425 was damaged by a deer. Request was to cover repair costs. This represents full and final payment.
- G. Board of Regents - Iowa School for the Deaf.....\$21,061.83
On December 15, 2021, a wind storm caused damages to the Administration Building, Parking Garage and Lied Multi-Purpose Center. Request was to cover repair costs. This represents full and final payment, \$350.11 will be reverted and this allocation closed.
- H. Board of Regents - University of Norther Iowa.....\$65,967.34
On October 16, 2021, the water fountain in Bender Hall was vandalized. Request was to cover repair costs. This represents full and final payment.
- I. Davis, Brown, Koehn, Shors & Roberts, P.C.....\$182.80
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

- J. 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

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

5. Information Items

- A. Civil Reparations Trust Fund Balance as of January 19, 2023 is approximately \$1,014,926.06.

6. Adjourn Meeting

Moved by Secretary Pate and seconded by Secretary Naig that the meeting adjourns.

Respectfully submitted,

Victoria Newton

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