



EXECUTIVE COUNCIL OF IOWA

Teleconference Only

Monday, August 04, 2025 at 10:00 AM

MINUTES

The Executive Council met in regular session at 10:00 a.m. via conference call. Secretary of State Paul Pate presided over the meeting. Treasurer of State Roby Smith and Auditor of State Rob Sand were present. Governor Kim Reynolds and Secretary of Agriculture Mike Naig were absent.

1. Approval of Minutes

Moved by Treasurer Smith and seconded by Auditor Sand that the Council approve the minutes from the Executive Council meeting held on July 21, 2025.

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

2. Personal Appearances

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

- A. Dennis Harper, Iowa Homeland Security and Emergency Management Department, was present to request a Resolution of Funds in the amount of \$885,919.00 pursuant to Iowa Code 29C.6(17) with regard to the Governor's Proclamation of a State of Disaster Emergency for Crawford, Harrison, Monona and Woodbury Counties.

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

3. Iowa Code §7D.10

Moved by Auditor Sand and seconded by Treasurer Smith 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 \$41,707.75.

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

4. Outside Counsel

Moved by Auditor Sand and seconded by Treasurer Smith that the Council approve the following outside counsel request:

- A. The Department of Justice, Attorney General's Office, requested retention of outside counsel pursuant to Iowa Code section 13.3(1) in *McBride, Darrell 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: \$175.00 Per Hour

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

5. Special Counsel

Moved by Auditor Sand and seconded by Treasurer Smith that the Council approve the following special counsel request:

- A. The Department of Justice, Attorney General's Office, requested retention of special counsel pursuant to Iowa Code section 13.7 to represent the State with respect to investigations into and possible litigation of retention of moneys due to the State by refund aggregators affiliated with pharmacy benefit managers that due business with the State.

Firm: Barbour Hurst
1400 Meadowbrook
Jackson, MS 39211
Rate: Contingent-fee basis

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

6. Leases

Moved by Auditor Sand and seconded by Treasurer Smith that the Council approve the following leases:

- A. Lease between DNR and Cargill, Inc.

Date of Lease: March 1, 2025 to February 28, 2030
Legal Description: 740' of frontage on the Mississippi River in Scott County, Iowa
Purpose: Commercial barge loading and unloading
Annual Fee: \$4,719.54

- B. Lease between DNR and WME Holding Company, previously approved between DNR and River Trading Company, LTD

Date of Lease: January 1, 2023 to December 31, 2027
Legal Description: A portion of the bed of the Mississippi River approximately 500 feet in frontage by 30 feet of depth at River Mile 451.4, located in SW 1/4 of the NE 1/4 of Section 22, Township 76 North, Range 2 West of the 5th P.M., Muscatine County, Iowa.
Purpose: Barge loading and unloading
Annual Fee: \$3,000.00

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

7. Emergency Allocations

Moved by Auditor Sand and seconded by Treasurer Smith that the Council approve the following emergency allocation requests:

- A. Department of Natural Resources requested an emergency allocation in the amount of \$14,980.30. On June 10, 2025, Lake Anita State Park was damaged by a fire. Request was to cover repair costs.
- B. Department of Corrections requested an emergency allocation and reimbursement in the amount of \$48,673.95. On April 22, 2025, the Newton Correctional Facility was damaged and had loss of items due to inclement weather and lightning strike. Request was to cover repair costs. This represents full and final payment and this allocation will be closed.
- C. Department of Administrative Services requested an emergency allocation in the amount of \$3,338.89. On June 25, 2025, Vehicle #42 was damaged by a deer. Request was to cover repair costs.
- D. Department of Administrative Services requested an emergency allocation in the amount of \$3,410.41. On July 13, 2025, Vehicle #47 was damaged by a deer. Request was to cover repair costs.
- E. Department of Administrative Services requested an emergency allocation in the amount of \$3,295.75. On April 17, 2025, Vehicle #51 was damaged during winter storm. Request was to cover repair costs.
- F. Department of Administrative Services requested an emergency allocation in the amount of \$17,697.78. On April 14, 2025, Vehicle #188 was damaged by a deer. Request was to cover repair costs.
- G. Department of Administrative Services requested an emergency allocation in the amount of \$5,506.80. On July 2, 2025, Vehicle #312 was damaged by a deer. Request was to cover repair costs.
- H. Department of Administrative Services requested an emergency allocation in the amount of \$6,241.60. On July 6, 2025, Vehicle #431 was damaged by a deer. Request was to cover repair costs.

- I. Department of Administrative Services requested an emergency allocation in the amount of \$2,681.72. On June 29, 2025, Vehicle #1093 was damaged by a tree. Request was to cover repair costs.
- J. Department of Administrative Services requested an emergency allocation in the amount of \$6,515.19. On July 9, 2025, Vehicle #1189 was damaged by a deer. Request was to cover repair costs.
- K. Department of Administrative Services requested an emergency allocation in the amount of \$2,056.35. On July 1, 2025, Vehicle #2252 was damaged by vandalism. Request was to cover repair costs.
- L. Department of Administrative Services requested a supplemental emergency allocation in the amount of \$282.00. This brings the total allocation to \$2,875.00. On April 23, 2025, Vehicle #395 was damaged by a deer. Request was to cover repair costs. This represents full and final payment and this allocation will be closed.
- M. Department of Administrative Services requested a supplemental emergency allocation in the amount of \$4,917.71. This brings the total allocation to \$13,323.41. On April 18, 2025, Vehicle #1746 was damaged by hail. Request was to cover repair costs. This represents full and final payment and this allocation will be closed.

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

8. Payment of Cost Items

Moved by Auditor Sand and seconded by Treasurer Smith that the Council approve the following cost item requests:

- A. Department of Public Safety\$94,915.00
 On May 21, 2024, Adair South ISICS Communication Tower was damaged by tornado. Request was to cover repair costs. This represents partial payment.
- B. Department of Natural Resources\$8,791.62
 On February 28, 2025, two buildings at Beeds Lake State Park were damaged due to high winds and a fallen tree. Request was to cover repair costs. This represents full and final payment.
- C. Department of Natural Resources\$8,631.75
 On July 2, 2024, a light pole was damaged at Stone State Park. Request was to cover repair costs. This represents full and final payment.
- D. Department of Administrative Services\$4,959.75
 On April 18, 2025, Vehicle #102 and #192 were damaged by hail. Request was to cover repair costs. This represents full and final payment.
- E. Department of Administrative Services\$4,651.96
 On April 14, 2025, Vehicle #105126 was damaged by a raccoon. Request was to cover repair costs. This represents full and final payment.

- F. Department of Administrative Services\$7,196.45
On April 17, 2025, Vehicle #469 was damaged by hail. Request was to cover repair costs. This represents full and final payment, \$878.80 will be reverted and this allocation closed.
- G. Department of Administrative Services\$7,700.75
On April 23, 2025, Vehicle #828 was damaged by hail. Request was to cover repair costs. This represents full and final payment, \$388.60 will be reverted and this allocation closed.
- H. Patterson Law Firm L.L.P.....\$923.00
729 Insurance Exchange Building
505 Fifth Avenue
Suite 729
Des Moines, IA 50309-2390
Douglas Stufflebeam v. University of Northern Iowa and State of Iowa and Second Injury Fund of Iowa

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

9. Information Items

- A. Notification from the State Auditor's Office that funds previously allocated for the Department of Administrative Services to cover damages to Vehicle #221 due to damaged during blizzard conditions on March 5, 2025 are not required; \$20,636.72 will be reverted and this allocation closed.

Adjourn Meeting

Moved by Auditor Sand and seconded by Treasurer Smith that the meeting adjourns.

Respectfully submitted,

Kristi Onstot
Kristi Onstot