EXECUTIVE COUNCIL OF IOWA

MINUTES

FEBRUARY 15, 2015

The Executive Council met in regular session at 10:00 a.m. Room G09 of the Capitol Building with Governor Terry Branstad presiding. Auditor of State Mary Mosiman and Secretary of Agriculture William Northey were present. Secretary of State Paul Pate and State Treasurer Michael Fitzgerald were absent.

Regular session February 15, 2016

Moved by Auditor Mosiman and seconded by Secretary Northey that the Council approve the minutes of the Executive Council meeting held January 19, 2016.

Minutes Approved

The vote:	Ayes	Governor Branstad
		Auditor Mosiman
		Secretary Northey
	Nays:	None

Moved by Secretary Northey and seconded by Auditor Mosiman that the Council approve the requests from the Department of Justice, Attorney General's office as follows:

Approved Outside Counsel

A. The Department of Justice, Attorney General's office request for retention of outside counsel pursuant to Iowa Code section 13.3(1) in Brigitte Toingar v. University of Iowa Hospitals and Clinics, 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, Iowa 50309
Rate: $120.00 per hour

B. The Department of Justice, Attorney General's office request for retention of outside counsel pursuant to Iowa Code section 13.3(1) in James Conwell v. University of Iowa Hospitals and Clinics, 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, Iowa 50309
Rate: $120.00 per hour

The vote: Ayes Governor Branstad
Auditor Mosiman
Secretary Northey
Nays: None

Approved Outside CPA Firm

Moved by Auditor Mosiman and seconded by Secretary Northey that the Council approve the following request:

Employ the services of HoganTaylor LLP to perform the audit of the Iowa Fund of Funds, Fund A for the years and fees as listed:
December 31, 2015 $11,000.00; December 31, 2016 $11,500.00;
December 31, 2017 $12,000.00

The vote: Ayes Governor Branstad
Auditor Mosiman
Secretary Northey
Nays: None

Approved Litigation Expense Fund

Moved by Secretary Northey and seconded by Auditor Mosiman that the Council approve the following litigation expense fund request:

Request from the Attorney General's office on behalf of the Department of Revenue to expend $110,000.00 from the Litigation Expense Fund during the third quarter of the 2016 fiscal year.

The vote: Ayes: Governor Branstad
Auditor Mosiman
Secretary Northey
Nays: None

Approved Emergency Allocations

Moved by Secretary Northey and seconded by Auditor Mosiman that the Council approve requests A – M and deny N per recommendation from Auditor's office, but allow the Agency to resubmit request for additional consideration:

A. Iowa Communications Network's request for an emergency allocation in the amount of $16,503.69, subject to audit of actual invoices and supporting documentation and demonstration that no costs covered by the maintenance contract have been included. On October 22, 2015 ICN cable was damaged due to erosion along Highway 24 east of Lawler. Request is to cover repair costs.

B. Department of Public Safety's request for an emergency allocation in the amount of $3,594.00, subject to audit of actual invoices. On December 15, 2015 damage was caused to vehicle #297 as a result of hitting a deer on County Road L-56, south of Cherokee. Request is to cover repair costs.

C. Department of Public Safety's request for an emergency allocation in the amount of $4,366.60, subject to audit of actual invoices. On October 28, 2015 vehicle #338 was damaged as the result of hitting a deer on HWY 30. Request is to cover repair costs.

D. Department of Public Safety's request for an emergency allocation in the amount of $11,162.80, subject to audit of actual invoices. On December 1, 2015 damage was caused to vehicle #59 as a result of hitting a deer on HWY 92. Request is to cover repair costs.

E. Department of Administrative Services request for an emergency allocation in the amount of $11,943.02, subject to audit of actual invoices. On July 27, 2015 a lighting strike at the Ankeny Lab caused damage to the AHU Motor. Request is to cover repair costs.

F. Department of Administrative Services request for an emergency allocation in the amount of $4,796.00, subject to audit of actual invoices. September 18, 2015 a lighting strike caused damage at the Ankeny Lab. Request is to cover repair costs.

G. Department of Inspection and Appeals request for an emergency allocation in the amount of $3,485.61, subject to audit of actual invoices. On November 1, 2015 vehicle #105532 was damaged as the result of a tree falling onto the vehicle. Request is to cover repair costs.

H. Department Natural Resources request for an emergency allocation in the amount of $3,384.25, subject to audit of actual invoices. On November 6, 2015 vehicle #1328 was damaged as the result of hitting a deer. Request is to cover repair costs.

I. Department of Natural Resources request for a supplemental emergency allocation in the amount of $11,319.20, subject to audit of actual invoices. On June 3, 2014 a storm caused damage at Wilson Island State Recreation Area. Request is to cover repair costs. This will bring total allocation to $150,928.70.

J. Department of Natural Resources request for an emergency allocation in the amount of $21,337.36, subject to audit of actual invoices. On June 30, 2014 flooding and a storm caused damage at Palisades Kepler State Park. This request is to cover the State's share of the damages not covered by FEMA.

K. Department of Natural Resources request for an emergency allocation in the amount of $23,741.34, subject to audit of actual invoices. On June 29th and 30th, 2014 flooding and a storm caused damage at Wapsipinicon State Park. This request is to cover the State's share of the damages not covered by FEMA.

L. Department of Natural Resources request for an emergency allocation in the amount of $4,922.73, subject to audit of actual invoices. On June 26th to July 7th 2014 the Maquoketa Caves State Park sustained damaged due to storms and flooding. Request is for the State's share of repair costs not covered by FEMA.

M. Department of Administrative Services request for an emergency allocation in the amount of $75,516.54, subject to audit of actual invoices to cover the costs of the repairs caused by a water leak at the State Historical Building on June 24, 2015.

N. Department of Administrative Services request for an emergency allocation in the amount of $3,552.02 to cover the costs of the damage caused by a power surge at the State Capitol on July 20, 2015 was denied today, but Agency can re-submit the request for additional consideration.

The vote:	Ayes:	Governor Branstad
		Auditor Mosiman
		Secretary Northey
	Nays:	None

Moved by Auditor Mosiman and seconded by Secretary Northey that the Council approve request from Michael L. Fitzgerald, State Treasurer to approve Financial Institutions as Depositories per Iowa Code Chapter 12C.2 as listed in the office of the Secretary.

Approved Financial Institutions as Depositories

The vote: Ayes: Governor Branstad
Auditor Mosiman
Secretary Northey
Nays: None

Moved by Secretary Northey and seconded by Auditor Mosiman that the Council approve the following cost items:

Approved Cost Items

A. Gray Miller Persh, LLP.....$1,665.70
1200 New Hampshire Ave., N.W.
Washington, D.C. 20036
IPTV before the Federal Communications Commission

B. McDowell, Rice, Smith & Buchanan.....$26,446.63
605 West 47th Street, Suite 350
Kansas City, MO 64112
Tobacco Settlement Authority

C. Simmons Perrine Moyer Bergman PLC.....$21,276.99
115 Third Street SE, Suite 1200
Cedar Rapids, IA 52402
Tobacco Settlement Authority

D. Davis, Brown, Koehn, Shors & Roberts, P.C.....$569.57
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

E. Hudson, Mallaney, Shindler & Anderson, P.C..... $27.50
5015 Grand Ridge Drive, Suite 100
West Des Moines, IA 50265
Peregrine Financial Group (PFG) Bankruptcy

F. Patterson Law Firm L.L.P..... $84.00
505 Fifth Avenue, Suite 729
Des Moines, IA 50309-2390
Laurie Sue Cook v. Iowa State University, State of Iowa and Second Injury Fund of Iowa

G. Patterson Law Firm L.L.P..... $72.00
505 Fifth Avenue, Suite 729
Des Moines, IA 50309-2390
Eugene Grandstaff v. Department of Commerce Alcoholic Beverages Division State of Iowa and Second Injury Fund of Iowa

H. Patterson Law Firm L.L.P..... $12.00
505 Fifth Avenue, Suite 729
Des Moines, IA 50309-2390
Mary E. Lowe v. Judicial Branch – Juvenile Court Services and State of Iowa and Second Injury Fund of Iowa

I. Patterson Law Firm L.L.P..... $144.00
505 Fifth Avenue, Suite 729
Des Moines, IA 50309-2390
Julie Oxley v. Iowa State University, State of Iowa and Second Injury Fund of Iowa

J. Patterson Law Firm L.L.P..... $276.00
505 Fifth Avenue, Suite 729
Des Moines, IA 50309-2390
Gary Letze v. Iowa Department of Transportation, State of Iowa and Second Injury Fund

K. Davis Brown Law Firm.....$234.00
The Davis Brown Tower
215 10th Street, Suite 1300
Des Moines, IA 50309-3993
Unclaimed Property Probate Matters & Employee Retirement Income Security Act (ERISA)

L. Iowa Communications Network $11,894.53
On February 10, 2014 ICN sustained cable damage due to ice compression at SE 14th Street between Army Post Road and Indianola Road in Des Moines. Request was to cover repairs. This represents full and final payment, $117,367.55 will be reverted and this allocation will be closed.

M. Iowa Communications Network $6,234.30
On May 11, 2015 equipment was damaged due to a tornado at Southern CAL High School in Lake City. Request was to cover repair costs.

N. Iowa Communications Network $8,170.87
On February 8, 2014 ICN sustained cable damage due to ice compression at MLK Boulevard between Prospect Road and Euclid Avenue in Des Moines. Request is to cover repair costs. This represents full and final payment, $28,491.31 will be reverted and this allocation will be closed.

O. Iowa Veterans Home $2,013.96
On July 28, 2015 a lightning strike caused damage to air conditioning units in Cottage 3 and Cottage 5, and a security light at the Iowa Veterans Home. Request was to cover repair costs. This represents full and final payment.

The vote:	Ayes:	Governor Branstad Auditor Mosiman Secretary Northey
	Nays:	None

The meeting was adjourned at 10:16 a.m.

Meeting adjourned

Respectfully submitted,

GeorgAnna Madsen
Executive Secretary