

# EXECUTIVE COUNCIL OF IOWA

## MINUTES

### MAY 4, 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 Treasurer of State Michael Fitzgerald were absent.

Regular session  
May 4, 2015

Moved by Auditor Mosiman and seconded by Secretary Northey that the Council approve the minutes of the Executive Council meeting held April 20, 2015.

Minutes  
Approved

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

Marvin Shultz, Department of Human Services, was present to request an emergency allocation pursuant to House File 896 Section 1, Governor's Proclamation of a State of Disaster Emergency for Clinton County in the amount of \$25,000.00 and to transfer funds for disbursement to the individual applicant without Executive Council approval for each individual applicant.

Approved  
Resolutions of  
Funds

Moved by Secretary Northey and seconded by Auditor Mosiman that the Executive Council approve the request.

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

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

Approved  
Litigation  
Expense Fund

Request from the Attorney Generals' office on behalf of the Department of Revenue to expend \$60,000.00 from the Litigation Expense Fund during the fourth quarter of the 2015 fiscal year.

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 requests:

Approved  
Emergency  
Allocations

- A. Iowa Communications Network request for a supplemental emergency allocation in the amount of \$970.74; t subject to audit of actual invoices and supporting documentation and demonstration that no costs covered by the maintenance contract have been included; this will bring the new total to \$10,567.58. On April 14, 2014 ICN cable was damaged along US Highway 63 in Davis County due to erosion. Request is to cover repair.
- B. Iowa Communications Network request for an emergency allocation in the amount of \$24,337.84, subject to audit of actual invoices and supporting documentation and demonstration that no costs covered by the maintenance contract have been included. On January 23, 2015 ICN cable was damaged along US Highway 34, West of Corning, due to erosion and rodent chew. Request is to cover repair.
- C. Iowa Communications Network request for an emergency allocation in the amount of \$28,161.66, subject to audit of actual invoices and supporting documentation and demonstration that no costs covered by the maintenance contract have been included. On November 12, 2014 ICN cable was damaged along I-80 in Cass County, due to rodent chew. Request is to cover repair.
- D. Iowa Communications Network request for an emergency allocation in the amount of \$15,112.82, subject to audit of actual invoices and supporting documentation and demonstration that no costs covered by the maintenance contract have been included. On January 13, 2015 ICN cable was damaged along US Highway 30 and Highway 17 in Boone, Iowa due to frost damage at SP125 Hut. Request is to cover repair.
- E. Department of Public Safety request for an emergency allocation in the amount of \$10,126.39, subject to audit of actual invoices. On October 28, 2014 Vehicle # 2138 was damaged as a result of hitting a deer East on Highway 2. Request is to cover repair costs.
- F. Department of Public Safety request for an emergency allocation in the amount of \$6,279.65, subject to audit of actual invoices. On August 31, 2014 Vehicle # 111 was damaged as a result of hitting a deer westbound on Highway 18/27. Request is to cover repair costs.

- G. Department of Public Safety request for an emergency allocation in the amount of \$3,584.74, subject to audit of actual invoices. On October 28, 2014 Vehicle # 2368 was damaged as a result of hitting a deer on Highway 92. Request is to cover repair costs.
- H. Department of Public Safety request for an emergency allocation in the amount of \$8,352.17, subject to audit of actual invoices. On November 4, 2014 Vehicle # 2184 was damaged as a result of hitting a deer on Interstate 80. Request is to cover repair costs.
- I. Department of Public Safety request for an emergency allocation in the amount of \$3,150.10, subject to audit of actual invoices. On October 5, 2014 Vehicle # 412 was damaged as a result of hitting a raccoon on Highway 71. Request is to cover repair costs.
- J. Department of Public Safety request for a supplemental emergency allocation in the amount \$2,122.63, and payment in the amount of \$8,141.38. On July 8, 2014 in Ringgold County damage to Vehicle #89 as a result of hitting a deer. Request is to cover repair costs. This represents full and final payment and this allocation will be closed.
- K. Department of Natural Resources request for an emergency allocation in the amount of \$2,687.18, subject to audit of actual invoices and a copy of the police report. On January 11, 2015 there was a break-in and theft at the State Forest Nursery in Ames. Request is to cover repair costs.
- L. Department of Natural Resources request for an emergency allocation in the amount of \$18,421.19, subject to audit of actual invoices. Flood damage at several State Parks and State Forest Campgrounds over the period of April 17, 2013 thru June 28, 2013. Total costs of repairs were \$73,691.74 with FEMA covering \$55,270.55. Request is to cover the State's share.
- M. Department of Administrative Services request for an emergency allocation in the amount of \$5,725.01, subject to audit of actual invoices. On September 11, 2014 a lightning strike at Ankeny Labs damaged a chilled water pump VFD. Request is to cover repair costs.
- N. Department of Administrative Services request for an emergency allocation and payment in the amount of \$6,027.66. On February 11, 2015, a power interruption caused damage to the HVAC System at Terrace Hill. Request is to cover repair costs. This represents full and final payment.

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

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

Approved Cost  
Items

- A. Iowa Communications Network ..... \$8,138.24  
On January 6, 2014 ICN sustained cable damage due to freezing water in the conduit located under 15th Street and Grand Avenue at the Iowa Prison Industries Building in Des Moines. Request was to cover repair costs. This represents full and final payment, \$1,037.53 will be reverted and this allocation will be closed.
  
- B. Iowa Communications Network ..... \$18,741.08  
On January 8, 2014 ICN sustained cable damage due to ice compression at 83rd Street and Douglas Avenue in Urbandale. Request was to cover repair costs. This represents full and final payment and this allocation will be closed.
  
- C. Department of Public Safety ..... \$3,370.15  
On May 22, 2014 Public Safety Vehicle # 360 was damaged as a result of hitting a raccoon on Highway 25, Intersection of 150th and Highway 25. Request was to cover repair costs. This represents full and final payment, \$67.95 will be reverted and this allocation will be closed.
  
- D. Department of Public Safety ..... \$8,171.75  
On March 15, 2014 in Ringgold County on Highway 169 damage to Vehicle #175 as a result of hitting a deer. Request was to cover repair costs. This represents full and final payment, \$837.45 will be reverted and this allocation will be closed.
  
- E. Department of Public Safety ..... \$2,760.00  
On May 30, 2014 damage to Vehicle #127 was sustained due to a hail storm in the Cascade area. Request was to cover repair costs. This represents full and final payment, \$450.00 will be reverted and this allocation will be closed.
  
- F. Department of Public Safety ..... \$23,184.01  
On June 3, 2014 eight vehicles were damaged due to a hail storm. Request was to cover repair costs. This represents full and final payment, \$4,529.65 will be reverted and this allocation will be closed.
  
- G. Department of Corrections ..... \$5,603.98  
On September 10, 2014 damage was caused by lightning to the security fence at the Mount Pleasant Correctional Facility. Request was to cover repair costs. This represents full and final payment and this allocation will be closed.

- H. Iowa Workforce Development ..... \$8,108.00  
 On December 16, 2014 a water leak in the ceiling at the IWD office in  
 Mason City caused damage to the copier. Request was to cover costs of  
 damage. This represents full and final payment and this allocation will be  
 closed.
- I. Hudson, Mallaney, Shindler & Anderson, P.C..... \$110.00  
 5015 Grand Ridge Drive, Suite 100  
 West Des Moines, IA 50265  
Peregrine Financial Group (PFG) Bankruptcy
- J. Nyemaster Goode P.C.....\$38.00  
 700 Walnut Street  
 Suite 1600  
 Des Moines, IA 50309  
Collections of Accounts in Court
- K. Foley & Lardner, LLP.....8,748.89  
 321 North Clark Street  
 Chicago, IL 60654  
 Legal Advice to OCIO
- L. Huber, Book, Lanz & McConkey, P.L.L.C. ....\$1,823.00  
 2700 Westown Parkway, Suite 170  
 West Des Moines, IA 50266-1411  
Pam O'Brien v. Iowa Attorney General, State of Iowa and Second Injury  
 Fund
- M. Patterson Law Firm L.L.P.....\$65.00  
 729 Insurance Exchange Building  
 505 Fifth Avenue  
 Des Moines, IA 50309-2390  
Valerie Hague-Renfro v. Newton Correctional Facility and State of Iowa  
 and the Second Injury Fund of Iowa
- N. Simmons Perrine Moyer Bergman PLC.....\$71,244.76  
 115 Third Street SE, Suite 1200  
 Cedar Rapids, IA 52402  
Tobacco Settlement Authority
- O. McDowell, Rice, Smith & Buchanan.....\$71,399.53  
 605 West 47<sup>th</sup> Street, Suite 350  
 Kansas City, MO 64112  
Tobacco Settlement Authority

- P. Barnes & Thornburg LLP..... \$791.50  
 One North Wacker Drive, Suite 4400  
 Chicago, IL 60606  
Peregrine Financial Group (PFG) Bankruptcy
- Q. LaMarca & Landry, P.C.....\$120,135.43  
 1820 N.W. 118<sup>th</sup> Street, Suite 200  
 Des Moines, IA 50325  
Godfrey v. State of Iowa et al, civil rights complaint

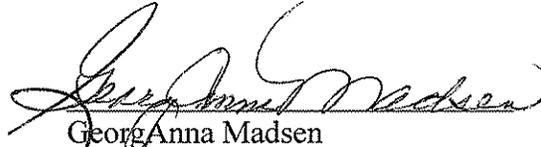
The vote:      Ayes:              Governor Branstad  
    Auditor Mosiman  
    Secretary Northey

                         Nays:              None

The meeting was adjourned at 10:04 a.m.

Meeting  
 adjourned

Respectfully submitted,



Georg Anna Madsen  
 Executive Secretary