

# EXECUTIVE COUNCIL OF IOWA

## MINUTES

### MARCH 28, 2016

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

Regular session  
March 28, 2016

Moved by Auditor Mosiman and seconded by Treasurer Fitzgerald that the Council approve the minutes of the Executive Council meeting held March 14, 2016.

Minutes  
Approved

The vote:      Ayes                      Secretary Pate  
   Auditor Mosiman  
   Treasurer Fitzgerald  
                                 Nays:                      None

Jeff Terrell, 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 \$20,000.00 and to transfer funds for disbursement to the individual applicant without Executive Council approval for each individual applicant.

Approved  
Resolutions of  
Funds

Moved by Treasurer Fitzgerald and seconded by Auditor Mosiman that the Executive Council approve the request.

The vote:      Ayes                      Secretary Pate  
   Auditor Mosiman  
   Treasurer Fitzgerald  
                                 Nays:                      None

Moved by Auditor Mosiman and seconded by Treasurer Fitzgerald that the Council approve the following leases:

Approved  
Leases

- A. Lease between DNR and American River Transportation Co  
Date of Lease: Five Years ending February 28, 2021  
Legal Description: A parcel of the bed of the Mississippi River including approximately 1600 feet of frontage by 210 feet of depth located at Mississippi River Mile 576.50 located in Section 5, Township 88 North, Range 3 East of the 5th P.M., Dubuque County, Iowa.  
Annual Fee: \$10,684.80
  
- B. Lease between DNR and MidAmerican Energy Company  
Date of Lease: Five Years ending July 3, 2020  
Legal Description: A parcel of land on that property of Crabb Island situated in Section 10, Township 75 North, Range 2 West of the 5th P.M., Louisa County, Iowa, said parcel of land being more particularly described as follows:  
Beginning at a point on the west line of the described property, said Point of Beginning being approximately 1,560 feet north and 2,244 feet east of the apparent southwest corner of said Section 10; thence northerly along the west line a distance of 210 feet, more or less; thence N. 83° 09' 36"W., a distance of 505 feet, more or less, to a point on the east line of said Crabb Island; thence southerly downstream along the meander line of the Mississippi River, a distance of 410 feet, more or less, to a point, said point being 400 feet nominal distance south of the north line of the parcel of land herein described; thence S. 83° 09'36"W., a distance of 520 feet, more or less, to the west line of Crabb Island; thence north to the Point of Beginning, a distance of 200 feet, more or less.  
Annual Fee: \$1,500.00
  
- C. Lease between DNR and Isle of Capri Bettendorf, L.C.  
Date of Lease: Three Years ending November 30, 2018  
Legal Description: A portion of the bed of the Mississippi River approximately 207 feet in length and approximately 180 feet in width located in Section 33, Township 78N, Range 4E, Scott County, Iowa, at Mississippi River Mile 486.2.  
Annual Fee: \$2,645.00

The vote:	Ayes	Secretary Pate Auditor Mosiman Treasurer Fitzgerald
	Nays:	None

Moved by Treasurer Fitzgerald and seconded by Auditor Mosiman that the Council approve request as follows:

Approved  
Emergency  
Allocations

- A. Department of Administrative Services request for an emergency allocation in the amount of \$6,521.14, subject to audit of actual invoices. On September 22, 2015 a water leak in the Capitol Building, caused damage to State Auditor's office. Request is to cover repair costs.
- B. Department of Inspections and Appeals request for a supplemental emergency allocation in the amount of \$473.55 and payment in the amount of \$3,959.16. On November 1, 2015 vehicle #105532 was damaged as the result of a tree falling onto the vehicle. Request was to cover repair costs. This allocation will be paid in full and closed.
- C. Department of Public Safety request for a supplemental emergency allocation in the amount of \$1,085.27 and payment in the amount of \$4,679.27. 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 was to cover repair costs. This allocation will be paid in full and closed.
- D. Department of Public Safety request for a supplemental emergency allocation in the amount of \$248.90, and payment in the amount of \$11,411.70. On December 1, 2015 damage was caused to vehicle #59 as a result of hitting a deer on HWY 92. Request was to cover repair costs. This allocation will be paid in full and closed.
- E. Department Natural Resources request a supplemental emergency allocation in the amount of \$926.55 and payment in the amount of \$4,310.80. On November 6, 2015 vehicle #1328 was damaged as the result of hitting a deer. Request was to cover repair costs. This allocation will be paid in full and closed

The vote:      Ayes                      Secretary Pate  
    Auditor Mosiman  
    Treasurer Fitzgerald

                                 Nays:                      None

Moved by Auditor Mosiman and seconded by Treasurer Fitzgerald that the Council approve the following cost items:

Approved Cost  
Items

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

- B. McDowell, Rice, Smith & Buchanan.....\$12,880.86  
605 West 47th Street, Suite 350  
Kansas City, MO 64112  
Tobacco Settlement Authority
  
- C. Kristin Guddall ..... \$5,565.00  
Attorney at Law  
2609 NW 14<sup>th</sup> Street  
Ankeny, IA 50322  
Iowa Court of Appeals/Iowa Supreme Court Cases
  
- D. Gray Miller Persh, LLP.....\$1,643.40  
1200 New Hampshire Ave., N.W.  
Washington, D.C. 20036  
Iowa Public Television
  
- E. Wandro & Associates, P.C. ....\$5,175.00  
2501 Grand Avenue, Suite B  
Des Moines, IA 50312  
Unclaimed Property Probate Matters
  
- F. Davis, Brown, Koehn, Shors & Roberts, P.C.....\$402.00  
The Davis Brown Tower  
215 10<sup>th</sup> Street, Suite 1300  
Des Moines, IA 50309-3993  
Legal Services to state agencies on issues related to the visa status of  
prospective state employees
  
- G. Davis, Brown, Koehn, Shors & Roberts, P.C.....\$263.82  
The Davis Brown Tower  
215 10<sup>th</sup> Street, Suite 1300  
Des Moines, IA 50309-3993  
Legal Services to state agencies on issues related to the visa status of  
prospective state employees
  
- H. Patterson Law Firm L.L.P..... \$1,284.00  
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..... \$96.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Brandon Logan v. Woodward Resource Center, State of Iowa and Second Injury Fund of Iowa
  
- J. Patterson Law Firm L.L.P..... \$36.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Thomas Prine v. Iowa Department of Transportation, State of Iowa and Second Injury Fund of Iowa
  
- K. Patterson Law Firm L.L.P..... \$108.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Maury White v. Iowa Department of Transportation, State of Iowa and Second Injury Fund of Iowa
  
- L. Patterson Law Firm L.L.P..... \$132.50  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Annette Henning v. Department of Transportation, State of Iowa and Second Injury Fund of Iowa
  
- M. Patterson Law Firm L.L.P..... \$342.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Brigitte Toingar v. University of Iowa Hospitals and Clinics, State of Iowa and Second Injury Fund of Iowa
  
- N. Department of Natural Resources .....\$500.00  
During the time period of March through July 2010 flooding damaged several Iowa State Parks. This represents full and final payment, \$93,955.96 will be reverted and this allocation closed.
  
- O. Department of Natural Resources ..... \$150,928.70  
On June 3, 2014 a storm caused damage at Wilson Island State Recreation Area. Request was to cover repair costs. This represents full and final payment, and this allocation closed.

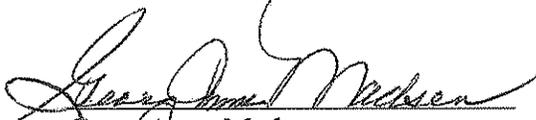
P. Iowa Communications Network .....\$10,701.95  
On October 22, 2015 ICN cable was damaged due to erosion along Highway 24 east of Lawler. Request was to cover repair costs. This represents full and final payment, \$5,801.74 will be reverted and this allocation will be closed.

The vote:     Ayes             Secretary Pate  
  Auditor Mosiman  
  Treasurer Fitzgerald  
                  Nays:           None

The meeting was adjourned at 10:06 a.m.

Meeting  
adjourned

Respectfully submitted,

  
Georg Anna Madsen  
Executive Secretary