

# EXECUTIVE COUNCIL OF IOWA

## MINUTES

**JUNE 20, 2016**

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

Regular session  
June 20, 2016

Moved by Auditor Mosiman and seconded by Secretary Northey that the Council approve the minutes of the Executive Council meeting held May 31, 2016.

Minutes  
Approved

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

Marvin Shultz, Department of Human Services, was present to request a supplemental 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 \$4,629.64 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  
   Secretary Pate  
   Auditor Mosiman  
   Secretary Northey  
                 Nays:              None

Moved by Secretary Northey and seconded by Auditor Mosiman that the Council approve the request 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 Dennis Witte v. Iowa Department of Transportation, 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 5<sup>th</sup> 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 Mark Voyles v. Glenwood Resource Center, 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 5<sup>th</sup> Avenue  
Suite 729  
Des Moines, Iowa 50309  
Rate: \$120.00 per hour

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

Moved by Secretary Northey and seconded by Secretary Pate that the Council approve the following:

Approved  
Outside CPA  
Firms

Request from Mary Mosiman, Auditor of State to employ outside CPA firms to perform the periodic examinations ending June 30, 2016 for cities in the amount as follows:

Firm:	Cities:	Amount
Denman & Company	Beaver, Berkley, Lucas, Rippey, St. Marys	\$16,500
Hogan-Hansen	Brunsville, Cleghorn, Merrill, Oyens, Pierson	\$15,000

O'Connor + Brooks Farmersburg, Harpers Ferry, Luana, St. Olaf, Waterville	\$15,000
Gronewold, Bell, Kyhnn Farragut, Imogene, Randolph, Thurman, Yorktown	\$15,950
Hogan-Hansen Columbus City, Cotter, Fredonia, Grandview, Letts	\$19,500

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

Moved by Secretary Northey and seconded by Auditor Mosiman that the Council approve the request from the Department of Public Defense, Iowa National Guard to convey ownership of two parcels of land to the City of Sioux City for the price on \$1.00.      Approved  
 Conveyance of  
 Property

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

Moved by Secretary Pate and seconded by Auditor Mosiman 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 transfer funds to the Litigation Expense Fund for FY 2017 in the amount of \$345,000.00.

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

Moved by Secretary Northey and seconded by Auditor Mosiman that the Council approve request as follows:      Approved  
 Emergency  
 Allocation

A. Department Natural Resources request for an emergency allocation in the amount of \$16,265.60, subject to audit of actual invoices. On June 25, 2015 flooding caused damage at the Walnut Woods State Park, request is to cover repair costs.

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

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

A. Nyemaster Goode, P.C.....	\$168.00
700 Walnut Street	
Suite 1600	
Des Moines, IA 50309	
<u>Collections of Accounts in Court</u>	
B. McDowell, Rice, Smith & Buchanan.....	\$4,725.00
605 West 47th Street, Suite 350	
Kansas City, MO 64112	
<u>Tobacco Settlement Authority</u>	
C. Elisabeth Reynoldson.....	\$1,878.00
Attorney at Law	
200 West Jefferson Street	
PO Box 199	
Osceola, IA 50213-0199	
Iowa Court of Appeals/Iowa Supreme Court Cases	
D. Richard J. Bennett, Sr. ....	\$1,260.00
Attorney at Law	
5610 Waterbury Circle	
Des Moines, IA 50312	
<u>Iowa Court of Appeals/Iowa Supreme Court Cases</u>	
E. Barnes & Thornburg LLP.....	\$95.00
One North Wacker Drive, Suite 4400	
Chicago, IL 60606	
<u>Peregrine Financial Group (PFG) Bankruptcy</u>	
F. Davis, Brown, Koehn, Shors & Roberts, P.C.....	\$549.75
The Davis Brown Tower	
215 10 <sup>th</sup> Street, Suite 1300	
Des Moines, IA 50309-3993	
<u>Legal Services to state agencies on issues related to the visa status of prospective state employees</u>	
G. Davis, Brown, Koehn, Shors & Roberts, P.C.....	\$1,141.50
The Davis Brown Tower	
215 10 <sup>th</sup> Street, Suite 1300	
Des Moines, IA 50309-3993	
<u>Legal Services to state agencies on issues related to the visa status of prospective state employees</u>	

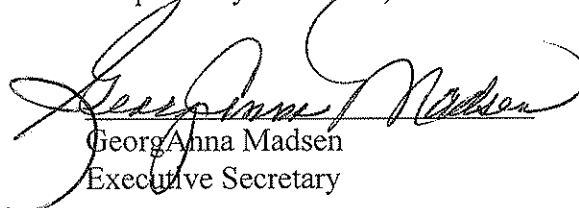
- H. Davis, Brown, Koehn, Shors & Roberts, P.C..... \$1,025.00  
The Davis Brown Tower  
215 10<sup>th</sup> Street, Suite 1300  
Des Moines, IA 50309-3993  
Represent Iowa in copyright, trademark, and patent legal advice for various agencies
- I. Hudson, Mallaney, Shindler & Anderson, P.C..... \$55.00  
5015 Grand Ridge Drive, Suite 100  
West Des Moines, IA 50265  
Peregrine Financial Group (PFG) Bankruptcy

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

The meeting was adjourned at 10:12 a.m.

Meeting  
adjourned

Respectfully submitted,

  
Georganna Madsen  
Executive Secretary