

EXECUTIVE COUNCIL OF IOWA

MINUTES

AUGUST 29, 2016

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

Regular session
August 29,
2016

Moved by Secretary Pate and seconded by Secretary Northey that the Council approve the minutes of the Executive Council meeting held August 1, 2016.

Minutes
Approved

The vote: Ayes: Governor Branstad
 Secretary Pate
 Treasurer Fitzgerald
 Secretary Northey
 Nays: None

Aimee Bartlett, Department of Public Defense, Iowa Homeland Security and Emergency Management Division was present to request the following resolution of funds and to transfer payments as listed for FY2016 as follows:

Approved
Resolution of
Funds

1. Funds in the amount of \$4,180.00 pursuant to Iowa Administrative Code 29C.6 (1) regarding Sioux Center storms.
2. Funds in the amount of \$4,201.58 pursuant to Iowa Administrative Code 605 – 12.5 (4) Cedar Rapids Emergency Response Team March 28, 2016
3. Funds in the amount of \$1,178.78 pursuant to Iowa Administrative Code 605 – 12.5 (4) Cedar Rapids Emergency Response Team April 9, 2016
4. Funds in the amount of \$65.88 pursuant to Iowa Administrative Code 605 – 12.5 (4) Cedar Rapids Emergency Response Team May 8, 2016
5. Funds in the amount of \$6,825.23 pursuant to Iowa Administrative Code 605 – 12.5 (4) Cedar Rapids Emergency Response Team June 19-20, 2016

Moved by Treasurer Fitzgerald and seconded by Secretary Pate that the Council approve the requests as presented.

The vote: Ayes: Governor Branstad
 Secretary Pate
 Treasurer Fitzgerald
 Secretary Northey
 Nays: None

Christie Templeton, Department of Human Services, was present to request an emergency allocation pursuant to Governor's Disaster Proclamation for Johnson County in the amount of \$60,000.00 and to transfer funds for disbursement to the individual applicant without Executive Council approval for each individual applicant.

Moved by Secretary Northey and seconded by Treasurer Fitzgerald that the Executive Council approve the request.

The vote: Ayes: Governor Branstad
 Secretary Pate
 Treasurer Fitzgerald
 Secretary Northey
 Nays: None

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

Approved
Outside
Counsel

Request to enter into a new Agreement with Davis, Brown, Koehn, Shors & Roberts, P. C. as Special Counsel to represent state agencies on immigration issues relating to the visa status of prospective employees.

The hourly rate request is as follows:

Lori Chesser	\$325.00
Denise Claton	\$290.00
Nichole M. Mordini	\$245.00
Elizabeth Van Arkel	\$200.00
Paralegals	\$126.00

The vote: Ayes: Governor Branstad
 Secretary Pate
 Treasurer Fitzgerald
 Secretary Northey
 Nays: None

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

Approved
Leases

A. Lease between DNR and Robert and Shelly Amen
Date of Lease: Five Years ending June 30, 2021
Legal Description: A portion of Lot 12 in Block 36 of James McGregor Jr's Addition in Section 27, Township 95 North, Range 3 West of the 5th P.M., Clayton County, Iowa.
Annual Fee: \$ 300.00

The vote:	Ayes:	Governor Branstad Secretary Pate Treasurer Fitzgerald Secretary Northey
	Nays:	None

Moved by Treasurer Fitzgerald and seconded by Secretary Northey that the Council approve requests as follows:

Approved
Emergency
Allocation

- A. Department of Public Safety's request for an emergency allocation in the amount of \$2,650.10, subject to audit of actual invoices. On July 7, 2016 Patrol Car #307 was damaged because of a hail storm. Request is to cover repair costs.
- B. Department of Public Safety's request for an emergency allocation in the amount of \$2,521.85, subject to audit of actual invoices. On June 14, 2016 State Patrol Vehicle # 979 was damage as a result of hitting a deer on Highway 21 in Poweshiek County. Request is to cover repair costs.
- C. Iowa Communications Network's request for a supplemental emergency allocation in the amount of \$1,552.83, subject to audit of actual invoices and supporting documentation and demonstration that no costs covered by the maintenance contract have been included, which would bring the total to \$8,472.77. On April 9, 2015 ICN cable was damaged along Highway 93 in Fayette County due to erosion. Request is to cover repair.
- D. Iowa Communications Network's request for an emergency allocation in the amount of \$28,100.52, subject to audit of actual invoices and supporting documentation and demonstration that no costs cover by the maintenance contract has been included. On June 7, 2016 ICN cable was damaged due to erosion/washout, US Highway 30 near North Raccoon River in Greene County. Request is to cover repair costs.
- E. Iowa Communications Network's request for an emergency allocation in the amount of \$16,083.76, subject to audit of actual invoices and supporting documentation and demonstration that no costs cover by the maintenance contract has been included. On September 9, 2015 ICN Cable was damaged due to rodent chew between Emmetsburg and Estherville, north of Graettinger. Request is to cover repair costs.
- F. Department of Public Safety's request for an emergency allocation in the amount of \$5,745.95, subject to audit of actual invoices. On August 3, 2016 State Patrol Vehicle #478 was damaged due to a deer accident on Hwy 2 in Taylor County. Request is to cover repair costs.

G. Department of Public Safety's request for an emergency allocation in the amount of \$2,863.30, subject to audit of actual invoices On August 5, 2016 State Patrol Vehicle #345 sustained damage from a storm in Treynor, IA. Request is to cover repair costs.

H. Department of Corrections' request for an emergency allocation in the amount of \$22,585.81, subject to audit of actual invoices. On February 19, 2016 a storm caused damage to the Mount Pleasant Correctional Facility Roof, North & South Core. Request is to cover repair costs.

The vote: Ayes: Governor Branstad
 Secretary Pate
 Treasurer Fitzgerald
 Secretary Northey
 Nays: None

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

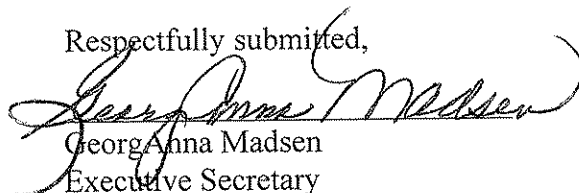
Approved Cost
Items

- A. Simmons Perrine Moyer Bergman PLC.....\$2,325.63
115 Third Street SE, Suite 1200
Cedar Rapids, IA 52402
Tobacco Settlement Authority
- B. McDowell, Rice, Smith & Buchanan.....\$1,935.00
605 West 47th Street, Suite 350
Kansas City, MO 64112
Tobacco Settlement Authority
- C. Davis, Brown, Koehn, Shors & Roberts, P.C..... \$2,868.00
The Davis Brown Tower
215 10th Street, Suite 1300
Des Moines, IA 50309-3993
Represent Iowa in copyright, trademark, and patent legal advice for various agencies
- D. Davis, Brown, Koehn, Shors & Roberts, P.C..... \$1,440.00
The Davis Brown Tower
215 10th Street, Suite 1300
Des Moines, IA 50309-3993
Represent Iowa in copyright, trademark, and patent legal advice for various agencies

- E. Gray Miller Persh, LLP.....\$436.70
1200 New Hampshire Ave., N.W.
Washington, D.C. 20036
Iowa Public Television
- F. Iowa Communications Network\$6,787.52
On April 16, 2015 ICN cable was damaged along 240th Street in Ringgold County due to erosion. Request was to cover repair. This represents full and final payment, \$1,079.88 will be reverted and this allocation closed.
- G. Iowa Communications Network\$21,350.78
On January 23, 2015 ICN cable was damaged along US Highway 34, West of Corning, due to erosion and rodent chew. Request was to cover repair. This represents full and final payment, \$2,987.06 will be reverted and this allocation closed.
- H. University of Northern Iowa – Board of Regents\$55,339.00
On January 28, 2016 a broken sprinkler caused water damage to the Wellness/Recreation Center at the University of Northern Iowa. Request was to cover repair costs. This represents full and final payment and this allocation will be closed.
- I. Department of Administrative Services\$6,521.14.
On September 22, 2015 a water leak in the Capitol Building, caused damage to State Auditor's office. Request was to cover repair costs. This represents full and final payment and this allocation will be closed.
- J. Department of Corrections, Mt. Pleasant.....\$22,585.81
On February 19, 2016 a storm caused damage to the Mount Pleasant Correctional Facility Roof, North & South Core. Request was to cover repair costs.

The vote: Ayes: Governor Branstad
 Secretary Pate
 Treasurer Fitzgerald
 Secretary Northey
 Nays: None

The meeting was adjourned at 10:11 a.m.

Respectfully submitted,

Georganna Madsen
Executive Secretary

Meeting
adjourned