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

Moved by Secretary Pate and seconded by Auditor Mosiman that the Council approve the minutes of the Executive Council meeting held October 23, 2017.

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

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

A. The Department of Justice, Attorney General’s office request for retention of outside counsel pursuant to Iowa Code section 13.3(1) in Kareem A. Duckett v. Mt. Pleasant Correctional Facility, 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 Reynolds
Secretary Pate
Auditor Mosiman
Treasurer Fitzgerald
Secretary Northey
Nays: None
Moved by Secretary Pate and seconded by Treasurer Fitzgerald that the Council approve the request from the Attorney General's Office for payment of Expenses Under Iowa Code §7D.10 in the amount of $17,195.11 for prosecuting cases under Iowa Code chapter 229A.

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

Moved by Secretary Northey and seconded by Treasurer Fitzgerald 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 $30,000.00 from the Litigation Expense Fund during the second quarter of the 2018 fiscal year.

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

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

A. Lease between DNR and Tallgrass Apartments, LLC  
Date of Lease: Five Years ending December 31, 2021  
Legal Description: A portion of Parcel "H" in the NW ¼ of the NE ¼ of Section 17, Township 99N, Range 36W, in Dickinson County, Iowa. A map of the Leased Premises is attached as Exhibit A, which is incorporated by this reference.  
Annual Fee: $300.00

The vote: Ayes: Governor Reynolds  
Secretary Pate  
Auditor Mosiman  
Treasurer Fitzgerald  
Secretary Northey  
Nays: None
Moved by Secretary Northey and seconded by Treasurer Fitzgerald that the Council approve requests as follows:

A. Department of Public Safety’s request for a supplemental emergency allocation in the amount of $1,154.18 and payment in the amount of $4,682.64. On May 4, 2017 State Patrol Car # 271 was damaged due to a deer accident on County Road E29. Request was to cover repair costs. This will represent full and final payment and this allocation will be closed.

B. Department of Corrections’ request for an emergency allocation in the amount of $27,215.00, subject to audit of actual invoices. On May 19, 2017 the Fort Dodge Correctional Facility sustained storm/lightning to fire panel. Request is to cover repair costs.

C. Department of Natural Resources’ request for an emergency allocation in the amount of $8,913.78, subject to audit of actual invoices. On September 3, 2017 a break-in at the Yellow State Forest caused damage to shop and also items were stolen. Request is to cover costs.

D. Iowa Communications Network’s request for an emergency allocation in the amount of $10,111.77, subject to audit of actual invoices and supporting documentation and demonstration that no costs covered by the maintenance contract have been included. On August 22, 2017 ICN sustained cable damage due to rodent chew and a washout in Plymouth County south of Le Mars. Request is to cover repair costs.

E. Department of Public Safety’s request for an emergency allocation in the amount of $2,260.46, subject to audit of actual invoices. On September 22, 2017 State Patrol Vehicle # 100 was damaged due to an accident involving a raccoon. Request is to cover repair costs.

F. Department of Public Safety’s request for an emergency allocation in the amount of $4,721.30, subject to audit of actual invoices. On September 8, 2017 State Patrol Vehicle # 106 was damaged due to an accident involving a deer. Request is to cover repair costs.

G. Department of Public Safety’s request for an emergency allocation in the amount of $6,575.23, subject to audit of actual invoices. On July 18, 2017 State Patrol Vehicle # 186 was damaged due to an accident involving a deer in Chickasaw County. Request is to cover repair costs.

H. Department of Public Safety’s request for an emergency allocation in the amount of $2,965.22, subject to audit of actual invoices. On May 22, 2017 State Patrol Vehicle # 187 was damaged due to an accident involving a deer in Fayette County. Request is to cover repair costs.
I. Department of Public Safety’s request for an emergency allocation in the amount of $5,814.97, subject to audit of actual invoices. On June 29, 2017 State Patrol Vehicle #s 297 and 699 were damaged by a hail storm in Sioux City. Request is to cover repair costs.

J. Department of Public Safety’s request for an emergency allocation in the amount of $2,362.43, subject to audit of actual invoices. On July 12, 2017 State Patrol Vehicle # 459 was damaged due to an accident involving a deer in Lee County. Request is to cover repair costs.

K. Department of Public Safety’s request for an emergency allocation in the amount of $2,129.45, subject to audit of actual invoices. On October 11, 2017 Iowa State Patrol Vehicle # 775 was damaged due to a deer accident in Mitchell County. Request is to cover repair costs.

L. Department of Public Safety is requesting an emergency allocation in the amount of $8,792.43, subject to audit of actual invoices. On October 5, 2017 Iowa State Patrol Vehicle # 105230 was damaged due to a deer accident near Sibley. Request is to cover repair costs.

M. Department of Public Safety’s request for an emergency allocation in the amount of $3,363.44, subject to audit of actual invoices. On July 11, 2017 Iowa State Patrol Vehicle # 105106 was damaged during a storm in Dubuque. Request is to cover repair costs.

The vote: Ayes: Governor Reynolds
Secretary Pate
Auditor Mosiman
Treasurer Fitzgerald
Secretary Northey

Nays: None

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

A. Department of Public Safety .............................................$3,197.95
On May 7, 2017 Patrol Vehicle #189 sustained damage as a result of an accident involving a raccoon in Postville. Request was to cover repair costs. This represents full and final payment, $26.01 will be reverted and this allocation closed.

B. Department of Public Safety .............................................$10,526.23
On May 17, 2017 three patrol cars were damaged due to a hail storm in Jefferson County. Request was to cover repair costs. This represents full and final payment and this allocation closed.
C. Iowa Communications Network ...........................................$42,595.28
    On October 4, 2016 ICN cable was damaged at multiple locations in Winneshiek and Allamakee Counties due to flooding. Request was to cover repair costs. This represents full and final payment and this allocation will be closed.

D. Department of Corrections ...........................................$27,215.00
    On May 19, 2017 the Fort Dodge Correctional Facility sustained storm/lightning to fire panel. Request was to cover repair costs. This represents full and final payment and this allocation will be closed.

E. Foley & Lardner, LLP .................................................$297.00
    321 North Clark Street
    Chicago, IL 60654
    Legal Advice to OCIO

F. Davis, Brown, Koehn, Shors & Roberts, P.C ..........................$3,000.00
    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

G. Hall Render Killian Heath & Lyman P.C. (Baker) .................$3,455.03
    Suite 2000, Box 82064
    One American Square
    Indianapolis, IN 46282
    University of Iowa Hospitals and Clinics (UIHC) Appeals

H. Simmons Perrine Moyer Bergman PLC ...............................$37,265.01
    115 Third Street SE, Suite 1200
    Cedar Rapids, IA 52402
    Tobacco Settlement Authority

The vote: Ayes: Governor Reynolds
    Secretary Pate
    Auditor Mosiman
    Treasurer Fitzgerald
    Secretary Northey

    Nays: None

The meeting was adjourned at 10:05 a.m.

Respectfully submitted,

GeorgAnna Madsen
Executive Secretary