

EXECUTIVE COUNCIL OF IOWA

AGENDA

AUGUST 8, 2011

1. Introduction of Attendees
2. Approval of minutes of meeting held August 1, 2011
3. Personal Appearance –
 - A. Sam Langholz, Department of Inspections and Appeals, Office of the State Public Defender, will be present to request a new membership in National Legal Aid & Defender Association (NLADA) for one year in the amount of \$225.00
TAB # 1
 - B. Marvin Shultz, Department of Human Services will be present to request a Resolution of Funds for the disaster in Dubuque County in the amount of \$70,000.00.
TAB # 2
4. Outside CPA Firm - Page 1
TAB # 3
5. Outside Counsel – Page 1
TAB # 4
6. Leases – Page 1
7. Payment of Cost Items – Page 2
8. Renewal Memberships – Page 3
TAB #s 5, 6, and 7

4. Outside CPA Firm

- A. Request from David A. Vaudt, Auditor of State to employ the services of McGladrey & Pullen, LLP to perform the annual audits of the Office of Auditor of State, the State Executive Council, the State Appeal Board, the Tobacco Settlement Authority and the Honey Creek Premier Destination Park Authority for the two additional years ending June 30, 2011 and 2012. The total reimbursement shall not be for more than \$55,300 and \$56,300, respectively.

TAB # 3

5. Outside Counsel

- A. The Department of Justice, Attorney General's Office requests appointment of outside counsel pursuant to Iowa Code section 13.3(1) in Dorothy Hammer v. Iowa Veterans' Home, State of Iowa, and Second Injury Fund, 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, IA 50309-2390
Rate: \$80.00 per hour

TAB # 4

6. Leases

- A. Lease between Emergency Management and Black Hawk County Conservation, Waterloo, Iowa
Date of Lease: July 1, 2011 - June 30, 2012
Description: This is a (1) one-year lease. The total amount of rented space is 140 square feet. For the lease term commencing in July 2011, the annual cost will be \$8.57 per square foot, per year or \$100.00 per month. The total cost of this lease is \$1,200.00.
- B. Lease between Human Services and Iowa Building Partners, Cedar Rapids, Iowa
Date of Lease: August 1, 2011 - July 30, 2016
Description: This is a (5) five-year lease. The total amount of rented space is 635 square feet. For the lease term commencing in August 2011, the cost will be \$13.00 per square foot per year, or \$687.92 per month. The annual cost of this lease will be \$8,255.00 and the total cost of this lease is approximately \$41,275.00.

Grant Dugdale, Assistant Attorney General, has reviewed the above leases and approved the leases as to form.

7. **Payment of Cost Items**

- A. Wilmer & Lee.....\$487.50
PO Box 2168
Huntsville, AL 35804
Kenneth W. Kelley v Raymond J. Smith et al

Julie Pottorff, Deputy Attorney General, has reviewed this invoice and recommends payment.

- B. Wandro & McCarthy, P.C.\$10,075.00
2501 Grand Avenue, Suite B
Des Moines, IA 50312
Unclaimed Property Probate Matters

Julie Pottorff, Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made from the funds of the Unclaimed Property Fund.

- C. Iowa Communications Network.....\$2,287.94
On or about June 11, 2008, ICN equipment was damaged by flooding in Benton County at the Kirkwood Community College campus in Vinton.

The State Auditor's Office has reviewed the request and recommends payment. This represents full and final payment, \$691.36 will be reverted and this allocation closed.

- D. Department of Corrections.....\$7,391.10
On April 8th or 9th, 2011 a lightning strike damaged the generator at the facility.

The State Auditor's Office has reviewed the request and recommends payment. This represents full and final payment.

- E. Iowa Communications Network.....\$17,323.36
On November 24, 2010 fiber optic cable was damaged due to flooding and erosion under the Highway 1 Bridge over Old Man's Creek and its Tributary to the West in Johnson County.

The State Auditor's Office has reviewed the request and recommends payment. This represents full and final payment, \$1,692.56 will be reverted and this allocation closed.

8. Renewal Memberships

A. Cultural Affairs in American Association for State and Local History in the amount of \$250.00 for September 30, 2011 - September 30, 2012. (Previous amount was \$250.00.) Other agencies: No: Funding Source: Other Funds: SHSI Revenue Account

B. Education in National Council for Accreditation of Teacher Education (NCATE) in the amount of \$11,479.23 for July 1, 2011 - June 30, 2012. (Previous amount was \$11,254.15.) Other agencies: No: Funding Source: Other Funds: Board of Educational Examiners Fees

TAB # 5

C. Health in National Organization of State Offices of Rural Health in the amount of \$1,000.00 for July 1, 2011 - June 30, 2012. (Previous amount was \$1,000.00.) Other agencies: No: Funding Source: Federal Funds

TAB # 6

D. Iowa Public Television in National Association of Broadcasters (NAB) in the amount of \$996.00 for July 1, 2011 - June 30, 2012. (Previous amount was \$996.00.) Other agencies: No: Funding Source: Other Funds: IPTV Misc.

TAB # 7

E. Public Safety in North American Gaming Regulators Association (NAGRA) in the amount of \$475.00 for July 1, 2011 - June 30, 2012. (Previous amount was \$475.00.) Other agencies: No: Funding Source: Other Funds: Gaming Enforcement Revolving Account

REQUEST FOR MEMBERSHIP APPROVAL

DEPARTMENT REQUESTING MEMBERSHIP: DIA/Office of the State Public Defender

NAME OF ORGANIZATION: National Legal Aid & Defender Association (NLADA)

NEW MEMBERSHIP RENEWAL MEMBERSHIP PERIOD: 08/01/11 - 07/30/12
(Beginning and ending dates)

MEMBERSHIP FEES OR DUES AMOUNT \$225.00

Funding Source: State General Fund Other State Funds
Federal Funds Other Funds
If Renewal, previous year amount.

DO OTHER DEPARTMENTS BELONG TO THIS ORGANIZATION? Yes No
If yes, please list: _____

Please describe why your department should have an additional membership _____

WILL THIS MEMBERSHIP REQUIRE AND PAY FOR OUT-OF-STATE TRAVEL? Yes No
If yes, list the anticipated number of trips per year and their purpose: One to two trips per year, to attend the annual national conference of the NLADA and to attend the American Council of Chief Defenders conference. Members receive a substantial discount to the conferences.

DESCRIBE WHY THIS MEMBERSHIP IS IMPORTANT TO THE WORK OF YOUR DEPARTMENT:
The American Council of Chief Defenders, a division of the NLADA, is the national organization of state and local indigent defense administrators. Participating will provide the State Public Defender with access to resources and information from the association and other member organizations that will enable us to continue to improve our indigent defense system and achieve continued cost savings. Although this is technically a new membership, the State Public Defender has historically been a members of the organization until the prior fiscal year, when the membership lapsed.

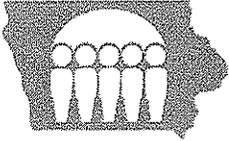
DESCRIBE HOW MEMBERSHIP IN THIS ORGANIZATION WILL BENEFIT THE TAXPAYERS OF THE STATE OF IOWA.
Access to NLADA resources and developing relationships with our counterpart agencies in other states will result in better service to Iowa's indigent citizens and budget savings.

DESCRIBE THE FREQUENCY AND TYPE OF CONTACTS YOU EXPECT YOUR DEPARTMENT TO HAVE WITH THIS ORGANIZATION:
Regular contact with NLADA members. Attendance at annual conferences and periodically other activities.

Requested by: [Signature] Date: 7/11/11
(Department Head Signature)
Phone: 515-281-5518 / 281-5457 E-mail: slangholz@spd.state.ia.us
rod.roberts@dia.iowa.gov

DOM: Approval Disapproval

Signature: [Signature] Date 7/15/11



Iowa Department of Human Services

Terry E. Branstad
Governor

Kim Reynolds
Lt. Governor

Charles M. Palmer
Director

TAB # 2

August 3, 2011

Executive Council
Attn: GeorgAnna Madsen
Capitol Building
LOCAL

2011 AUG -3 11:10 AM
EXECUTIVE COUNCIL

Item: Governor Proclamation of a State of Disaster Emergency – Request for Funds

Dear Ms. Madsen:

Per the Governor Disaster Declaration, I am requesting funding for the Iowa Individual Assistance Grant Program be placed on the Executive Council Agenda for Monday, August 8, 2011. The Iowa Department of Human Services is requesting the Executive Council adopt a Resolution for Funds in the amount of \$70,000.00 for Dubuque County to replace/repair items affected by the disaster emergency which cannot be met by other means of financial assistance.

The account coding for the funds to be transferred will be:

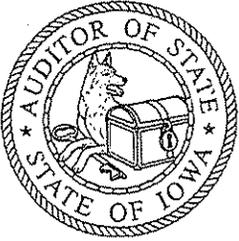
Dept Fund Appr Org
401 0391 0000 State Only Disaster –Dubuque County, August, 2011

Thank you for your assistance.

Sincerely,

Charles M. Palmer
Director

cc: Vern Armstrong
Marvin Shultz
Kris Thomas
Lee Hill



OFFICE OF AUDITOR OF STATE
STATE OF IOWA

TAB # 3

David A. Vaudt, CPA
Auditor of State

State Capitol Building
Des Moines, Iowa 50319-0004

Telephone (515) 281-5834 Facsimile (515) 242-6134

EXECUTIVE COUNCIL
2011 AUG -3 AM 8:57

August 3, 2011

GeorgAnna Madsen, Executive Secretary
Executive Council of Iowa
State Capitol Building
LOCAL

Dear GeorgAnna:

This is to notify the Executive Council of my decision to exercise the option provided in paragraph 4 of our contract with McGladrey & Pullen, LLP, dated August 4, 2008, to engage the services of McGladrey & Pullen, LLP to perform the annual audits of the Office of Auditor of State, the State Executive Council, the State Appeal Board, the Tobacco Settlement Authority, and the Honey Creek Premier Destination Park Authority for the two additional years ending June 30, 2011 and 2012.

The total reimbursement shall not be for more than \$55,300 and \$56,300, respectively, except as specifically agreed upon by the Auditor of State and McGladrey & Pullen, LLP. A copy of the agreement dated August 4, 2008 containing the option to extend the contract for up to two additional years is attached.

Please feel free to contact me if you have any questions.

Sincerely,

David A. Vaudt

DAV:na

Enclosure

EXECUTIVE COUNCIL

THOMAS J. MILLER
ATTORNEY GENERAL

JULIE F. POTTORFF
DEPUTY ATTORNEY GENERAL



TAB # 4

Address Reply To:
1305 E. Walnut Street
Des Moines, Iowa 50319
Telephone: 515/281-3349
Fax: 515/281-4209
Julie.Pottorff@iowa.gov

Iowa Department of Justice

August 2, 2011

GeorgAnna Madsen
Executive Secretary
Executive Council
State Capitol
L-O-C-A-L

Re: Retention of Outside Counsel

Dear GeorgAnna:

Our office requests appointment of outside counsel pursuant to Iowa Code section 13.3(1) in *Dorothy Hammer v. Iowa Veterans' Home, State of Iowa, and Second Injury Fund*, a workers' compensation case filed by a state employee. Because the resolution of this claim may turn on whether the State of Iowa or the Second Injury Fund must pay workers' compensation benefits, our office cannot represent both defendants.

In order to avoid a conflict of interest, the Special Litigation Division has contacted Ryan Clark of the Patterson Law Firm, L.L.P., 505 5th Avenue, Suite 729, Des Moines, Iowa, 50309-2390, to represent the Second Injury Fund. Mr. Clark has agreed to represent the Second Injury Fund at the rate of \$80.00 per. Our office will represent the State of Iowa.

Accordingly, we request Executive Council approval to retain Mr. Clark to represent the Second Injury Fund in this case.

Sincerely,

A handwritten signature in cursive script that reads "Julie F. Pottorff".

JULIE F. POTTORFF
Deputy Attorney General

cc: Julie Burger

Executive Council of Iowa

Capitol Building
Des Moines, Iowa 50319
Phone: 515 281-5368
FAX: 515 281-7562

TAB # 5

REQUEST FOR MEMBERSHIP APPROVAL

DEPARTMENT REQUESTING MEMBERSHIP: Education

NAME OF ORGANIZATION: National Council for Accreditation of Teacher Education (NCATE)

NEW MEMBERSHIP RENEWAL X* MEMBERSHIP PERIOD: 07/01/11 to 06/30/12
(Beginning and ending dates)

*Members for several years prior to last year.

MEMBERSHIP FEE OR DUES AMOUNT \$ 11,479.23

Funding Source: State General Fund Other State Funds

Federal Funds Other Funds Board of Educational Examiners Fees

If Renewal, previous year amount. \$ 11,254.15

DO OTHER DEPARTMENTS BELONG TO THIS ORGANIZATION? Yes X No

WILL THIS MEMBERSHIP REQUIRE OUT-OF-STATE TRAVEL? Yes X No

If yes, list the anticipated number of trips per year and their purpose: Once a year, NCATE hosts a workshop for representatives from partnership states to update members on issues and procedures related to NCATE accreditation.

DESCRIBE WHY THIS MEMBERSHIP IS IMPORTANT TO THE WORK OF YOUR DEPARTMENT.

Maintaining Iowa's status as a partnership state facilitates the program approval process as it relates to institutions seeking or holding NCATE accreditation. In addition, proposed program approval rules which go in to effect in 2001 draw from the NCATE rules. The lessons learned by colleagues in other states about performance based program approval will greatly improve the department's work in this area.

DESCRIBE HOW MEMBERSHIP IN THIS ORGANIZATION WILL BENEFIT THE TAXPAYERS OF THE STATE OF IOWA.

NCATE assists in helping institutions prepare for performance based programs that are based on knowledge and skills.

DESCRIBE THE FREQUENCY AND TYPE OF CONTACTS YOU EXPECT YOUR DEPARTMENT TO HAVE WITH THIS ORGANIZATION: We receive monthly publications, e-mail, and project based assistance as needed. They also share information from other states that deals with issues Iowa is working on.

Requested by: [Signature] Date: 07/18/11
(Department Head Signature)
Phone: 515.281.3968 E-mail: jeff.berger@iowa.gov

DOM: Approval X Disapproval
Signature [Signature] Date 7/24/11

Executive Council of Iowa

Capitol Building
Des Moines, Iowa 50319
Phone: 515 281-5368
FAX: 515 281-7562

REQUEST FOR MEMBERSHIP APPROVAL

DEPARTMENT REQUESTING MEMBERSHIP: IDPH

NAME OF ORGANIZATION: National Organization of State Offices of Rural Health

NEW MEMBERSHIP RENEWAL X MEMBERSHIP PERIOD: 06/30/11-06/30/12 (Beginning and ending dates)

MEMBERSHIP FEE OR DUES AMOUNT \$ 1,000

Funding Source: State General Fund Other State Funds

Federal Funds X Other Funds OIG # 3902

If Renewal, previous year amount. \$ 1,000

DO OTHER DEPARTMENTS BELONG TO THIS ORGANIZATION? Yes No

If yes, please list:

Please describe why your department should have an additional membership

WILL THIS MEMBERSHIP REQUIRE AND PAY FOR OUT-OF-STATE TRAVEL? Yes No

If yes, list the anticipated number of trips per year and their purpose: Per our federal HRSA grant we are required to attend both the NOSORH annual conference, and the annual regional conference. Travel funds are provided for both trips in the federal grant budget. (see attachments)

DESCRIBE WHY THIS MEMBERSHIP IS IMPORTANT TO THE WORK OF YOUR DEPARTMENT:

It provides reduced cost for conferences, no-cost bi-monthly educational webinars, monthly teleconference calls with mandatory information from HRSA, participation in development of projects which influence rural health practice, receipt of electronic journals and policy briefs, monthly newsletter, listserv access to network and communicate with colleagues nationwide, and availability of NOSORH staff consultants who have expertise on many rural issues.

DESCRIBE HOW MEMBERSHIP IN THIS ORGANIZATION WILL BENEFIT THE TAXPAYERS OF THE STATE OF IOWA.

NOSORH membership is a vital tool and allows IDPH access to national resources and helps Iowa maintain leadership status in the arena of rural health. It provides information needed by rural health care providers, hospitals and clinics including training information for health information technology.

DESCRIBE THE FREQUENCY AND TYPE OF CONTACTS YOU EXPECT YOUR DEPARTMENT TO HAVE WITH THIS ORGANIZATION:

On a monthly basis will have contact with: HRSA federal project officers, directors and staff from other state public health offices, national researchers and analysts with expertise in health care and policy, and health providers

Requested by: [Signature] Date: [Signature]
Phone: [Signature] 8/1/11

EXECUTIVE COUNCIL

2011 AUG -2 10:38 AM

Executive Council of Iowa

Capitol Building
Des Moines, Iowa 50319
Phone: 515 281-5368
FAX: 515 281-7562

TAB # 7

REQUEST FOR MEMBERSHIP APPROVAL

DEPARTMENT REQUESTING MEMBERSHIP: Iowa Public Television

NAME OF ORGANIZATION: (NAB) National Association of Broadcasters

NEW MEMBERSHIP RENEWAL MEMBERSHIP PERIOD: 7-1-11 - 6-30-12
(Beginning and ending dates)

MEMBERSHIP FEE OR DUES AMOUNT \$ 996

Funding Source: State General Fund Other State Funds

Federal Funds Other Funds IPTV Misc. _____

If Renewal, previous year amount. \$ 996

DO OTHER DEPARTMENTS BELONG TO THIS ORGANIZATION? Yes No

If yes, please list: _____

Please describe why your department should have an additional membership _____

WILL THIS MEMBERSHIP REQUIRE AND PAY FOR OUT-OF-STATE TRAVEL? Yes No

If yes, list the anticipated number of trips per year and their purpose: _____

Not required, but some IPTV staff attend the annual NAB conference.

DESCRIBE WHY THIS MEMBERSHIP IS IMPORTANT TO THE WORK OF YOUR DEPARTMENT:

NAB provides information and legal services for all broadcast stations and
advance information and recommendations regarding FCC and Congressional activities.

DESCRIBE HOW MEMBERSHIP IN THIS ORGANIZATION WILL BENEFIT THE TAXPAYERS OF THE STATE OF IOWA.

The membership will save about \$100 per person on registration at the annual NAB
conference which IPTV staff already attend. Moreover, IPTV benefits greatly from
NAB's research and advocacy activities.

DESCRIBE THE FREQUENCY AND TYPE OF CONTACTS YOU EXPECT YOUR DEPARTMENT TO HAVE WITH THIS ORGANIZATION:

Frequent informational mailings from NAB, occasional phone and e-mail.

Requested by: Daniel K Miller Date: 7/24/11
(Department Head Signature)
Daniel K. Miller, Executive Director and General Manager
Phone: 2-3123

DOM: Approval Disapproval

Signature [Signature] Date 7/24/11

EXECUTIVE COUNCIL