

EXECUTIVE COUNCIL OF IOWA

MINUTES

DECEMBER 2, 2013

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

Regular session
December 2,
2013

Moved by Auditor Mosiman and seconded by Secretary Northey that the Council approve the minutes of the Executive Council and Board of Canvass meetings held November 25, 2013.

Minutes
Approved

The vote: Ayes: Secretary Schultz
 Auditor Mosiman
 Treasurer Fitzgerald
 Secretary Northey
 Nays: None

Moved by Secretary Northey and seconded by Treasurer Fitzgerald that the Council approve the requests 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 Margaret Sedlacek v. University of Iowa Hospitals & Clinics, State of Iowa and the 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: \$80.00 per hour

- B. The Department of Justice, Attorney General's office request for retention of special counsel to provide legal advice to the Iowa Finance Authority in regard to tax credit appeals filed.

Firm: Simmons Perrine Moyer Bergman, PLC
Attorney: Mr. Jeffrey Rosenkrantz and Mr. Matt Hektoen
115 3rd Street SE, Suite 1200
Cedar Rapids, IA 52401-1266
Rate: \$275.00 per hour

- C. The Department of Justice, Attorney General's office request for an increase in the compensation rate for outside counsel pertaining to Second Injury Fund cases from \$80.00 to \$120.00 per hour.

The vote: Ayes: Secretary Schultz
 Auditor Mosiman
 Treasurer Fitzgerald
 Secretary Northey
 Nays: None

Moved by Auditor Mosiman and seconded by Secretary Northey that the Council approve the following leases:

Approved
Leases

- A. Lease between DNR and Matteson Marine Services
Date of Lease: Five Years ending October 31, 2018
Legal Description: A parcel in the bed of the Mississippi River including approximately 100 feet of depth by 60 feet of length, Mississippi River Miles 427.7, Louisa County, Iowa. The leased area begins 400 feet downstream of the Minneapolis and St. Louis Railroad Bridge, which is approximately 25 miles south of Muscatine, Iowa.
Annual Fee: \$2,089.00
- B. Lease between DNR and Ann Plendl
Date of Lease: Five Years ending August 31, 2018
Legal Description: An area approximately five feet wide by ten feet long adjacent to Lot 18, Block A, Triboji Beach Subdivision in Section 2, Township 99 North, Range 37 West of the 5th P.M., Dickinson County, Iowa. Purpose: Continued presence of a small boat storage shed and steps to access a dock.
Annual Fee: \$ 150.00

The vote: Ayes: Secretary Schultz
 Auditor Mosiman
 Treasurer Fitzgerald
 Secretary Northey
 Nays: None

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

Approved
Emergency
Allocations

- A. Department of Administrative Services – General Services Enterprise’s request for an emergency allocation in the amount of \$77,294.14, subject to audit of actual invoices. On February 19, 2013 there was a water leak and a pipe break at the Hoover Building. This request is to cover repair costs.
- B. Iowa Communications Network’s request for an emergency allocation in the amount of \$16,742.27, subject to audit of actual invoices and supporting documentation and demonstration that no costs covered by the maintenance contract have been included. On September 13, 2013 ICN cable was damaged due to flooding and erosion along Highway 34 at Bear Creek, West of Ottumwa. Request is to cover repair costs.

The vote: Ayes: Secretary Schultz
 Auditor Mosiman
 Treasurer Fitzgerald
 Secretary Northey

 Nays: None

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

Approved Cost
Items

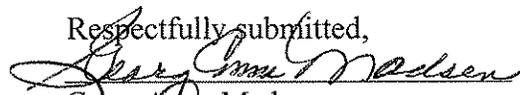
- A. Nyemaster, Goode, West, Hansell & O’Brien, P.C.....\$13,632.00
 700 Walnut Street
 Suite 1600
 Des Moines, IA 50309
Legal Advice to Iowa Economic Development Authority on Bond Issues
- B. Dow Lohnes PLLC.....\$1,651.30
 1200 New Hampshire Ave NW Suite 800
 Washington, DC 20036
Iowa Public Television

The vote: Ayes: Secretary Schultz
 Auditor Mosiman
 Treasurer Fitzgerald
 Secretary Northey

 Nays: None

The meeting was adjourned at 10:03 a.m.

Meeting
adjourned

Respectfully submitted,

 Georg Anna Madsen
 Executive Secretary