

MINUTES
IOWA LOTTERY BOARD
December 2, 2008

The Iowa Lottery Board convened at 1:05 p.m., Chairperson Junge presiding. Board members present at Lottery Headquarters: Mary Junge, Brad Schroeder. Participating by telephone: Elaine Baxter, Michael Klappholz, Thomas Rial. Absent: Michael Fitzgerald.

Staff present at Lottery Headquarters: Kenneth Brickman, Acting CEO; Brenda Loy, Acting Chief Financial Officer; Joe Hrdlicka, Vice President for Marketing; Larry Loss, Vice President for Sales; Mary Neubauer, Vice President for External Affairs; John Ellison, Security Investigator; Evelyn Halterman, IT Manager; Barbara DeHeck, secretary. Participating by telephone: David Van Compernelle, Assistant Attorney General

Others present: Bill Petroski (Des Moines Register).

Junge called the meeting to order and noted that Board members were participating by means of a conference call, with the provisions of Iowa Code section 21.8 governing the conduct of electronic meetings in effect. A meeting with all members in attendance in person was impractical due to Board members' personal scheduling conflicts. The meeting originated from the Lottery central offices in Des Moines and public notice of the meeting was given pursuant to Iowa Code section 21.4, with public access to the conversation of all participants provided by means of speakerphone for the benefit of all in attendance at the meeting site. Rial moved to conduct the meeting by electronic means, pursuant to Code section 21.8. The motion was seconded by Schroeder and carried unanimously.

Monthly Reports

Written reports were included in the agenda package. Staff members reviewed the information and responded to questions from Board members.

Schroeder moved to approve the monthly reports. The motion was seconded by Baxter and carried unanimously.

Minutes

Klappholz moved to approve the minutes of the September 30, 2008 meeting. The motion was seconded by Rial and carried unanimously.

Litigation Update

Junge announced that the office of the Attorney General was prepared to consult with the Board on the status of pending litigation and that the briefing should be conducted in closed session as provided in Iowa Code chapter 21.5(1)(c) which provided for closed session to discuss strategy with counsel in matters presently in litigation or where litigation was imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation.

Baxter moved to go into closed session pursuant to Iowa Code chapter 21.5(1)(c). The motion was seconded by Rial and carried by a unanimous roll-call vote.

The Board convened in closed session at 1:20 p.m. At 2:07 p.m. the Board returned to open session upon a motion by Baxter, seconded by Schroeder, and carried by a unanimous roll-call vote. No action was taken in closed session.

Schroeder moved to approve the payment of bills to the Attorney General's office for work that has been performed through today's date by the special counsel hired by the Attorney General's office to assist in processing the TouchPlay litigation. The motion was seconded by Baxter and carried unanimously.

Adjournment having been moved and carried, the meeting adjourned at 2:10 p.m.