

**SPECIAL CALL BOARD MEETING
FEBRUARY 22, 2002**

The Board of Directors of the Davenport Community School District in the Counties of Scott and Muscatine, State of Iowa, met in Special Call Session on Friday, February 22, 2002, pursuant to law and the rules of said Board. The meeting was held at the Davenport Schools Administration Service Center, 1606 Brady Street, Davenport, Iowa, in said school district in the Executive Conference Room. President Jim Hester called the meeting to order at 3:30 PM.

On roll call the following members were present: President Jim Hester, Directors Steve Hunter, Steve Imming, Susan Low, Mavis Lee, and Patt Zamora. Absent: Director Richard Clewell.

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A true copy of the following call was served on each member of the Board of Directors a sufficient time before the meeting.

“To the Members of the Board of Directors of the Davenport Community School District, in the Counties of Scott and Muscatine, State of Iowa:

JIM HESTER, STEVE IMMING, RICHARD CLEWELL, STEVE HUNTER,
MAVIS LEE, SUSAN LOW, AND PATT ZAMORA

You and each of you are hereby notified that a Special Call meeting of the Board of Directors of the Davenport Community School District, in the Counties of Scott and Muscatine, State of Iowa, will be held on the 22ND day of February, 2002, in the Executive Conference Room at the Davenport Schools Administration Service Center, 1606 Brady Street, Davenport, Iowa, and in said school district at 3:30 PM.

The Board move into closed session to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation, in compliance with Chapter 21.5(1) (c), Code of Iowa.

BY ORDER OF THE PRESIDENT OF THE BOARD.

Sincerely,

BOARD OF DIRECTORS

/s/

Linda M. Smith
Linda M. Smith
Board Secretary”

3:30 PM

CLOSED SESSION

MOTION: Director Low moved the Board hold a closed session to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation, in compliance with Chapter 21.5(1) (c), Code of Iowa. Director Imming seconded the motion.

Director Hunter asked about the propriety of holding a closed session for litigation. Mr. Bill Davidson, Attorney from Lane & Waterman, told the Board it was his opinion that the Board could meet in a closed session to discuss strategy for matters in litigation or where pending litigation was imminent. Mr. Davidson said the Board would be removed from any liability with the Open Meetings Law because as Counsel for the Board his opinion was that the litigation strategy needed to be discussed in a closed session. Director Hunter asked that the Counsel's opinion be written in the minutes of record.

ACTION: The vote on the motion was called and recorded as follows: Ayes, Low, Imming, Hunter, Lee, Zamora, and Hester. Motion carried unanimously.

The Board moved into closed session in the Executive Conference Room at 3:32 PM.

OPEN SESSION

The Board returned to open session in the Executive Conference Room by consensus at 4:10 PM. There was no action taken by the Board on matters discussed in closed session.

4:10 PM

ADJOURNMENT

President Hester declared the meeting adjourned at 4:10 PM.

Linda M. Smith, Board Secretary