

***ATHENS CITY BOARD OF EDUCATION***

***March 24, 2022***

***6:30 P.M. Central Office Board Room***

This meeting was conducted in full compliance with Alabama Code 13A-14-2 commonly referred to as the "Alabama Open Meeting Law". Present were approximately 22 members of the public.

**CALL TO ORDER:** Beverly Malone– Board President called the meeting to order.

**ROLL CALL:**       Members Present:     Jennifer Manville, Board Vice-President  
James Lucas  
Beverly Malone, Board President  
Beth Patton, Superintendent  
Scott Henry  
Shannon Hutton

1. Mr. Henry opened the meeting with prayer.
2. Mrs. Hutton led the pledge of allegiance.
3. Mrs. Manville moved that the board approve the agenda. Mrs. Hutton seconded the motion. The vote was unanimous.
4. No one from the public addressed the board.
5. Mr. Lee Edminson, Facilities Manager for ACS gave an update on current projects within the system:

Athens Middle - Roof

A Final Inspection will be held Monday (3/28/22)

James Cowart - Roof

With the approval of the bid tonight we'll move forward with contracts, pre-starts,

Clinton Street - Gym HVAC

All submittals have been sent in and are approved

Delivery date for equipment still early May

Stadium - Bleacher Coating

All the old caulk / backer rod removal 100% complete

All new backer rod / caulking installation is 100% complete

First round of pressure washing is complete

Second round of pressure washing next week prior to coating installation

New concrete steps are ongoing...about 70% complete

Coating (weather permitting) will start next week

Currently we are still on schedule

Stadium - Track

We asked the design team to evaluate the water ponding on the track

They will address in the contract documents

We have a BID date set for April 14th

Athens Elementary - New Building

Current work

Hollow core - 50% Overall

Attic Hollow Core - 100%

Storm Shelter Hollow Core - Starts Monday

Trusses:

A - 90%

B - Setting today

Next delivery - Tomorrow remaining B  
Awaiting on approved shops for D  
IF we can get trusses delivered by April 11th should be complete by end of month (pending material / weather)  
Storm shelter topping slap next Saturday  
Damp proofing of CMU started today in preparations of...Brick starting on A & D next week  
Roofing - anticipating starting mid-April

OVERHEAD:

Mech - refrigeration lines to start 2wks  
Plumbing - started in A wing  
Elect - running overhead electrical in A / installing panels in A & B  
Switchgear - we are still tracking all the components  
Demo, floor removal, plumbing, elect started in old gym 60%  
Site work has started - underground 20%  
Loading dock next week

CMU walls:

Bldg A - 100% complete  
Bldg B - 95% complete  
Bldg C - 98% (kitchen / cafe)  
Bldg D - 95% (storm shelter end)

Current schedule update (today) - schedule slipped 13 days...end date 9/29/22 (Last month 9/16/22)...next week is looking like we will be able to make up several weather days.

6. Mrs. Malone presented item number 8 on the Agenda (Temporary Lawn Maintenance 2022-2023)) for approval.

Mr. Henry moved that the board approve item number 8 on agenda. Mrs. Manville seconded the motion. The vote was 4(four), Yes, and 1(one) Abstain (Shannon Hutton abstained due to a family member being recommended).

7. Upon Superintendent Patton's recommendation of the items, Mrs. Manville moved that the board approve the items set forth in the consent agenda. Mr. Henry seconded the motion. The vote was unanimous in favor of the motion, with all five members voting yes.

A. Consent Items Approved:

1. Approval of Minutes February 24, 2022
2. Paid Payables - February 2022
3. Financial Statements - February 2022
4. Personnel
5. Volunteers
6. Approval of E-Rate Bid for Fiber WAN Services 2022-2025
7. Approval of FY22 E-Rate Bid for Network Equipment
8. Bid Approval - Re-Roofing Project at Cowart Elementary School
9. Field Trip Request - AMS TSA - Overnight
10. Field Trip Request - BES Nashville Zoo - Out of State
11. Field Trip Request - AHS Girls Basketball - Overnight
12. Field Trip Request - AHS Track - Overnight (Gulf Shores)
13. Field Trip Request - AHS Track - Overnight (Mobile)

B. Personnel Items Approved:

A. Employment

- 1.Rebecca Mealer - System-Wide Instructional Aide for ACS
- 2.Chloe Johnson - SPED Teacher at ARS

B. Transfer

1. Jenny Johnstone - SPED Teacher at AMS to SPED Teacher at ARS

C. Retirement

1. Debbie Owens - Instructional Aide at AIS

D. Principal Contracts

1. Contract Renewal

- a. Graham Aderholt
- b. Amanda Tedford
- c. Beth McKinney
- d. Gia Russell

2. Contract Non-Renewal

- a. Rick Carter (The Superintendent's written recommendation concerning the nonrenewal is attached to these minutes.)

E. Contracted Services

1. Bethany Lash - Nurse Sub
2. Jim Horn - Bus Driver
3. Debra Sims - Curriculum Assistant
4. Payton Aderholt - Contract PE Aide
5. Mary "Nikki" Mitchell - Instructional Aide
6. AVID Summer Institute - AIS
7. AVID Summer Institute - AMS
8. AVID Summer Institute - AHS
9. Afterschool Tutoring Sub - AES
10. Kennedy Shepherd - Latchkey BES
11. ARPA ESSER III - Summer Reading (Various Schools)
12. Mary Beth Bryant - Aide at BES
13. Gia Russell - Supplemental Contract for Cheerleader Coordinator
14. Whitney McDuff - Nurse on bus routes - as needed
15. Shawna Baugher - Nurse on bus routes - as needed
16. Kelley Anderson - Nurse on bus routes - as needed
17. Catrina Langford - Nurse on bus routes - as needed

8. The Superintendent's report is attached with the minutes.

9. Mrs. Patton made the recommendation that the Board enters into an executive session.

Prior to the vote on this recommendation, Shane Black, attorney for the board of education, provided the oral and written certification required by law with respect to the litigation exception. Mr. Shane Black (School Board Attorney) stated the executive session was to discuss the general reputation and character, physical condition, professional competence, or mental health of an individual, or, subject to the limitations set out in the Open Meetings Law, to discuss the job performance of certain public employees, to discuss with their attorney the legal ramifications of and legal options for pending litigation, controversies not yet being litigated but imminently likely to be litigated or imminently likely to be litigated if the governmental body pursues a proposed course of action.

10. Mrs. Hutton moved that the board accept that recommendation and enter into Executive Session. Mr. Lucas seconded the motion. The motion was approved by a unanimous vote. Then, the board members exited the main meeting room and met in an executive session.
11. Upon the conclusion of the executive session Mr. Lucas moved that the board return to the regular session. Mrs. Manville seconded the motion. The motion was approved by a unanimous vote.

ADJOURNMENT: There being no further business; the meeting adjourned at 7:50 p.m. on a motion by Mr. Henry.

*Beth Patton*

---

Mrs. Beth Patton  
Superintendent

*Beverly Malone*

---

Beverly Malone, President

**DECLARATION AND OPINION**

My name is E. Shane Black. I am over the age of nineteen (19), and I make this Declaration and Opinion based upon my own personal knowledge, information and belief. I am an attorney licensed to practice law in the State of Alabama and am the Attorney for the Athens City Board of Education. I am offering this Declaration and Opinion in compliance with Section 36-25A-7 of the *Code of Alabama* (1975).

On the 21 day of March, 2022, at a meeting of the Athens City Board of Education, there has been or will be made a motion calling for an executive session for the following purpose(s):

- To discuss with the Board’s attorney the legal ramifications of and legal options for pending litigation;
- To discuss with the Board’s attorney controversies not yet being litigated but imminently likely to be litigated or imminently likely to be litigated if the Board pursues a proposed course of action;
- To meet or confer with a mediator or arbitrator with respect to any litigation or decision concerning matters within the jurisdiction of the Board involving another party, group, or body.

Prior to voting to convene the executive session, I am offering this Declaration and Opinion for the purpose of stating that Section 36-25A-7 of the *Code of Alabama* (1975) is applicable to the planned discussion, and I hereby request that this written Declaration and Opinion be reflected in the minutes for said meeting. I have further advised the Board that if any deliberation begins among them regarding what action to take relating to pending or threatened litigation based upon the advice of counsel, the executive session shall be concluded and the deliberation shall be conducted in the open portion of the meeting or the deliberation shall cease.

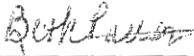
This Declaration and Opinion shall not constitute a waiver of the attorney-client privilege.

Dated this 21 day of March, 2022.

\_\_\_\_\_  
E. Shane Black, Esq.

**Superintendent's Recommendation**

I recommend that Dr. Rick Carter's Principal Employment Contract, dated July 1, 2019, be nonrenewed. The reasons for this recommendation, any of which are sufficient to support this recommendation, are (a) Carter's conviction of federal crimes related to his employment at Athens City Schools, in the case of *United States v. William Richard Carter*, Case No. 2:21 cr49-MHT, in the United States District Court for the Middle District of Alabama, (b) decreased morale at Athens High School during Carter's tenure, and (c) no further need for the *Executive Director of Planning* position. This nonrenewal shall be effective at the conclusion of the term, as soon as permitted by law.



\_\_\_\_\_  
Beth Patton  
Superintendent, Athens City Schools

Date: 3/24/2022

**APPROVED BY THE ATHENS CITY BOARD OF EDUCATION**



\_\_\_\_\_  
Beverly Malone  
President, Athens City Board of Education

Date: 3/24/2022