

**ATHENS CITY BOARD OF EDUCATION**

**January 20, 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 7 members of the public.

**CALL TO ORDER:** Beverly Malone— Board President called the meeting to order at 6:30 p.m.

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

1. Mrs. Malone opened the meeting with prayer.
2. Mrs. Manville led the pledge of allegiance.
3. Mrs. Manville moved that the board approve the agenda. Mr. Henry seconded the motion. The vote was unanimous.
4. Mrs. Patton recognized the School Board Members for School Board Appreciation Month.
5. Mr. Lee Edminson, Facilities Manager for ACS gave an update on current projects within the system:

Athens Middle - Roof

We were able to complete the ROTC bldg roof enough over the holidays to move the students back in after the break...want to thank Mr. Aderholt for working with us prior to the holidays giving us a head-start...

ROTC Roof - 98% complete

Main Bldg Coating and ROTC Roof - 90%

Clinton Street - Gym HVAC

We had our pre-start with the contractor and State...working on submittals and equipment deliveries...still looking at May timeframe for equipment delivery

If we are able to speed this up we will notify and work with the Mrs. Amanda Tedford

Stadium - Bleacher Coating

Pre-start with the contractor and State held today....contractor will start mobilizing in the coming weeks...some materials were ordered prior to pre-start....

Contractor to provide and update on any delivery issues and provide a schedule...

We again stressed the importance of completing the upper side of the stadium by May 17th so we can prepare for graduation

Stadium - Track

Work will follow the repairs of the stadium and will be coordinated with graduation

James Cowart Elem - Roof

I will discuss with the Architect tomorrow a bid date...current delivery of some roofing materials are anywhere from 6mon to a year out

Athens Elementary - New Building

Next Milestone Deliveries:

Hollow core - 3rd week of February

Trusses - 1st week or March



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Brick - Late April

Footings:

Poured the last footing Dec 30th...made our goal...barely

SOG:

We had two pours; one on Jan 10th and the LAST SOG pour Monday (17th) all slab on grade work is complete

Next pour(s) will be the elevated pours...topping slab on the hollow core

CMU walls:

Bldg A - Complete

Bldg B - 70% (office)

Bldg C - 90% (kitchen)

Bldg D - Start next week (storm shelter end)

MEP - subcontractors are following along with slab pours / CMU walls

Current schedule update (Today) - Substantial Completion 9/26....project has slipped 1wk due to weather...

Recovery Plan:

Starting the hollow core and trusses in mid Feb / early March will recovery these days back...we do however need a couple of good weeks to get the masonry ahead to install the HC and trusses....next week looks promising

6. Upon recommendation, Mr. Henry moved that the board approve the items set forth in the consent agenda. Mr. Lucas seconded the motion. The vote was unanimous.

A. Consent Items Approved:

1. Approval of Minutes December 16, 2021
2. Paid Payables - December 2021
3. Financial Statements - December 2021
4. Personnel
5. Volunteers
6. Resolution Concerning Amending the COVID-19 Leave Policy
7. Resolution Concerning a Volleyball Club Agreement
8. Facility Use Request - Keep Athens-Limestone Beautiful, Inc.
9. Facility Use Request - Athens Limestone Rescue Squad
10. Field Trip Request - AHS Softball - Overnight / Phenix City Tournament
11. Field Trip Request - AHS Softball - Overnight / Gulf Shores Tournament
12. School Bus Lease Refinance

B. Personnel Items Approved:

A. Employment

1. Rickey George - Bus Driver for ACS
2. Dalen Smith - Computer Science Teacher at AHS
3. Melissa Penia - Elementary Teacher at BES
4. Brandon Elmore - Maintenance Technician for ACS

B. Resignation

1. Kristen Tippee - Special Education Teacher at BES

C. Contracted Services

1. Afterschool Tutoring - AES
2. Afterschool Tutoring - BES
3. Afterchool Tutoring - CES
4. LETRS Training Units 3 and 4 - AES
5. LETRS Training Units 3 and 4 - CES
6. LETRS Training Units 3 and 4 - BES
7. LETRS Training Units 3 and 4 - JNE



- 8.Sonia Young - Spanish Instruction
- 9.Russell McNutt - Long Term Substitute Bus Driver
- 10.Lester Johnson - Long Term Substitute Bus Driver
- 11.Sandra Dugger - Long Term Substitute Bus Driver
- 12.Maria Taylor - Translation Services
- 13.Bethany Lash - Nurse - Long Term Sub

7. Mrs. Patton made the recommendation that the Board enter into an executive session to (i) 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, (ii) to discuss the consideration that the school board is willing to offer or accept for the purchase, sale, lease, or market value of real property and (iii) 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. 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.
8. Mrs. Manville 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. Mrs. Malone stated that the board would reconvene after the executive session, and that she expected it to take about an hour. Then, the board members exited the main meeting room and met in an executive session.
9. Upon the conclusion of the executive session Mrs. Hutton moved that the board return to regular session. Mr. Lucas seconded the motion. The motion was approved by a unanimous vote.
10. Mrs. Manville introduced the following motion: In light of the upcoming federal trial involving Dr. Carter, and the related circumstances, I move that the Board make its employees and officers, as well as its attorney and other contractors, available to fully cooperate with federal and state officials as needed. To that end, I further move that the Board authorize the President of the Board, in consultation with our legal counsel, to make any and all decisions regarding privileges to the extent deemed necessary to permit the Board's attorneys, employees, and/or officers to confer with federal and state officials, if requested, regarding the pending federal litigation.

Mrs. Manville moved that the motion be accepted. Mr. Lucas seconded the motion. The motion was approved by a unanimous vote.

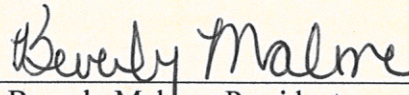


ADJOURNMENT: There being no further business; the meeting adjourned at 7:50 p.m. on a motion by Mrs. Manville.



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Mrs. Beth Patton  
Superintendent

  
Beverly Malone, President



STATE OF ALABAMA     )  
COUNTY OF LIMESTONE )

**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).

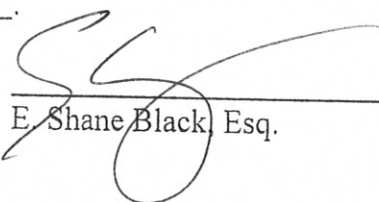
On the 20 day of January, 2020, at a meeting of the Athens City Board of Education, there has been or will be made a motion calling for an executive session for the following purpose(s):

- ☒ 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 22 day of January, 2020.

  
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E. Shane Black Esq.