

State of West Virginia\_  
County of Nicholas to wit:

The Nicholas County Board of Education of the County of Nicholas, West Virginia met in a special session on Monday, April 20, 2017 beginning at 2:00 p.m. The meeting was held at the Nicholas County Board Office, 400 Old Main Drive, Summersville, WV 26651. The purpose of the meeting was to meet with the Board's attorney concerning pending and future litigation and conduct personnel hearings.

**Educating and Preparing Students for Success After High School**

Present for the meeting were:

- Dr. Gus Penix, President
- Mr. Fred Amick, Vice-President
- Mr. Phil Berry, Member
- Mr. Darrell White, Member
- Mr. A.J. Rogers, Member

Dr. Donna Burge-Tetrick, Superintendent

1. Call to Order along with a moment of silent reflection:  
The meeting was called to order by Board President, Dr. Gus Penix.
2. Discussion:
  - a. Pending Litigation and Future Litigation

\*started at 2:05 p.m. Upon motion from Mr. Darrell White, second by Mr. Phil Berry, the board unanimously consented to close the regular session and go into executive session as indicated under Item 1, as per the School Laws of WV§ 6-9A-B-12, "To discuss any matter which, by express provision of federal law or state statute or rule of court is rendered confidential, or which is not considered a public record within the meaning of the freedom of information act as set forth in article one, chapter twenty-nine-b of this code".

Present for the meeting were:

- Dr. Gus Penix, President
- Mr. Fred Amick, Vice-President
- Mr. Phil Berry, Member
- Mr. Darrell White, Member
- Mr. A.J. Rogers, Member

Dr. Donna Burge-Tetrick, Superintendent

Mr. Kevin Hess, NCBOE Treasurer  
Mr. Chris Hanshaw, Technology Coordinator

Mr. Ken Webb, of Bowles Rice Law Firm

Mr. Phil Berry moved to close the executive session and return to regular session. The motion was seconded Mr. A.J. Rogers, and carried unanimously. \*ended at 4:29 p.m.

The meeting was recessed until 6:00 p.m.

The meeting was reconvened at 6:00 p.m. for personnel hearings.

3. Personnel Hearings:  
Case # 1. @ 6:00 p.m.: Employee requested a private meeting.

started at 6:08 p.m.

Mr. Phil Berry, moved to close the regular session and go into executive session as indicated under Item 2, as per the School Laws of WV 6-9A-4, "The appointment, employment, retirement, promotion, demotion, disciplining, resignation, discharge, dismissal or compensation of any public officer or employee, or other personnel matters, or for the purpose of conducting a hearing on a complaint against a public officer or employee, unless such public officer or employee requests an open meeting." The motion was seconded by Mr. Fred Amick and carried unanimously.

Present for the meeting were:

Dr. Gus Penix, President  
Mr. Fred Amick, Vice-President  
Mr. Phil Berry, Member  
Mr. Darrell White, Member  
Mr. A.J. Rogers, Member

Dr. Donna Burge-Tetrick, Superintendent

Ms. Sundie Casto, Employee  
Ms. Cindy Stump, Union Representative

Mr. A.J. Rogers moved to close the executive session and return to regular session. The motion was seconded by Mr. Darrell White and carried unanimously. \*ended at 6:21 p.m.

Case # 2. @ 6:15 p.m.: Requested a public hearing.

Present for the meeting were:

Dr. Gus Penix, President  
Mr. Fred Amick, Vice-President  
Mr. Phil Berry, Member  
Mr. Darrell White, Member  
Mr. A.J. Rogers, Member

Dr. Donna Burge-Tetrick, Superintendent

Mr. Robert Ward, Employee  
Mr. John Roush, Union Representative

Case # 3. @ 6:30 p.m.: Requested a public hearing:

Present for the meeting were:

Dr. Gus Penix, President  
Mr. Fred Amick, Vice-President  
Mr. Phil Berry, Member  
Mr. Darrell White, Member  
Mr. A.J. Rogers, Member

Dr. Donna Burge-Tetrick, Superintendent

Ms. Amanda Bragg, Employee  
Mr. Brandon Tinney, Union Representative  
Ms. Monica Cox, Employee/Witness

Case # 4. @ 6:45 p.m.: Cancelled

Case # 5. @ 7:00 p.m.: Rescheduled for Tuesday, April 18, 2017

Case # 6. @ 7:15 p.m.: Cancelled

Case # 7. @ 7:30 p.m.: Requested a public hearing.

Present for the meeting were:

Dr. Gus Penix, President  
Mr. Fred Amick, Vice-President  
Mr. Phil Berry, Member  
Mr. Darrell White, Member  
Mr. A.J. Rogers, Member

Dr. Donna Burge-Tetrick, Superintendent

Ms. Meagan Horney, Employee  
Mr. C.C. Lester, Employee/Witness  
Ms. Sarah Weber, Employee/Witness

4. Personnel:

started at 8:05 p.m.

Mr. Fred Amick, moved to close the regular session and go into executive session as indicated under Item 2, as per the School Laws of WV 6-9A-4, "The appointment, employment, retirement, promotion, demotion, disciplining, resignation, discharge, dismissal or compensation of any public officer or employee, or other personnel matters, or for the purpose of conducting a hearing on a complaint against a public officer or employee, unless such public officer or employee requests an open meeting." The motion was seconded by Mr. Phil Berry and carried unanimously.

Present for the meeting were:

Dr. Gus Penix, President  
Mr. Fred Amick, Vice-President  
Mr. Phil Berry, Member  
Mr. Darrell White, Member  
Mr. A.J. Rogers, Member

Dr. Donna Burge-Tetrick, Superintendent

Mr. Phil Berry moved to close the executive session and return to regular session. The motion was seconded by Mr. Darrell White and carried unanimously. \*ended at 8:38 p.m.

a. Regular Personnel Agenda

**Service Extra-Curricular:**

John D. Hanna	Employ in the position of one of two Bus Operators – WVGSA Testing: Morning and/or Afternoon RMS to NCCTC (JP#: SXC04-01) effective 4.21.2017.
Lura Smith	Employ in the position of one of two Bus Operators – WVGSA Testing: Morning and/or Afternoon RMS to NCCTC (JP#: SXC04-01) effective 4.21.2017.

Upon motion by Mr. Darrell White, second by Mr. A.J. Rogers, the board unanimously consented to approve the personnel as presented by Personnel Director, Ernie Jarvis.

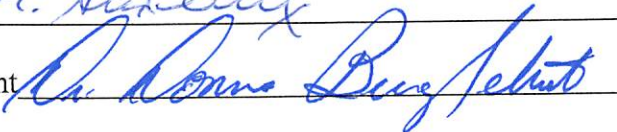
5. Adjournment:

Upon motion by, Mr. A.J. Rogers, seconded by Mr. Fred Amick, the board unanimously consented to adjourn this special meeting of the Nicholas County Board of Education. The meeting adjourned at 8:44 p.m. The next meeting will be a regular meeting which will be held on Monday, May 1, 2017, beginning at 7:00 p.m. for the purpose of conducting routine business. The meeting will be held at the Nicholas County Board of Education, 400 Old Main Drive, Summersville, WV 26651.

Dr. Gus Penix, President NCBOE



Dr. Donna Burge-Tetrick, Superintendent



Kim Belletto, Recording Secretary Nicholas County Schools

An executive session could be called for Item 1, 2, 3, or 4, as per the School Laws of WV 6-9A-4-9. \*