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**Athenian eAcademy**  
Board Minutes  
Tuesday, February 23, 2021  
Time: 4:00 pm to 6:00 pm

**WELCOME:** Ron Bateman welcomed Board members, staff, and guests to the Board meeting at 4:00 PM.

**ANNOUNCEMENT:** Jared Ferguson reported on the recent quarterly staff training with Catapult Learning held in Provo. There were several presenters from within the staff. The training was successful.

There is a grant writing opportunity for the school. The grant is for ESSER2 funds which are available for schools to help defray the costs expended for the implementation of new procedures due to COVID.

Ron Bateman announced that AeA Board has a representative from the Utah State Charter School Board who will serve as a resource with the following 4 objectives: a) To adhere to the charter, b) achieve academic success, c) maintain financial viability and d) maintain a high functioning governing board.

Jennifer Remy suggested that announcements come after Roll Call and not before.

**ROLL CALL:** Present: Ron Bateman, Carol Andersen, Jennifer Remy, Karen Ellingson, Don Guymon, and Chris Fawson.

Staff Present: Jared Ferguson, Rebecca Strait, Margo Walker, Tammie Bankhead, Kaylee Farr

Others Present: Joel Wright, Robert Kohutck, Utah State Charter School Board.

**PUBLIC COMMENT:** There were no public comments.

**APPROVAL OF DECEMBER 15, 2020 BOARD MINUTES:** No changes or comments were made. Carol Andersen made a motion to approve the minutes as presented.

Second: Don Guymon

Motion carries unanimously

**Treasurer's Report/Financial Report:** Karen Ellingson, Treasurer, deferred to Rebecca Strait who presented the Financial report.

During the month of January, employee W-2s were processed, delivered to employees, reported and submitted to the SSA business website and the State's TAP website. 1099's were processed, delivered to vendors, reported and submitted to the IRS FIRE Website. Quarterly payroll taxes were submitted and filed. The Annual Transparency Fiscal Data was uploaded to



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the Transparency/State Auditor website. The DWS quarterly wage report was filed and paid. The ACA (ObamaCare) reporting was completed and forms sent out to all qualified employees. Just a reminder: All schools will be transitioning from FASB (Financial Accounting Standards Board) to GASB (Governmental Accounting Standards Board) for final FY21 reporting and audit. They are both approved by GAAP (Generally accepted accounting principles). Board training for this was provided by Aegis and I will be attending several trainings in the next couple of months and working with the state and our accounting software people to see that we have what we need to implement GASB. After conversing with our current accounting and HR software people and Mandee with Aegis, we have determined that we will stay with the current software for this year and revisit and ascertain if we would like to continue in this regard after our audit in the fall.

**Balance Sheet:**

Days Cash on Hand: 85

Days unrestricted cash as of January 31st, 2020 is \$1,169,956 representing 85 days expenditures based upon the total annual expenditure budget of \$5,047,352, divided by 365 days. Total operating cash is \$1,169,956. Total liabilities are \$41,346. Total liabilities and fund balance are \$1,223,456 with a Special Education Add-On carryover of \$13,783.

**Income Statement:**

Net Income is \$391,729

As of 01/31/2021, 58.33% of the fiscal year had expired.

Through January, we have expensed \$2,672,161 of our budget of \$5,074,352, which is 58.33% of our annual budget YTD, with 58.33% of the fiscal year expired.

**Purchasing Report:** Margo Walker reported that the Tremonton site is needing completely new roofs. Repairing them will no longer be cost effective. She has bids from two roofing contractors. Both recommended membrane roofing due to the type of buildings. Since the Tremonton situation is critical, other building repairs are on hold for the moment.

**Academic Report:** Jared Ferguson reported that all campuses are doing well with minimal interruptions based on COVID. The state has come out with accommodations that will be made and a report will be coming on that, however, Jared reported that end of year testing is not being modified, and therefore, all campuses are continuing to work on academic standards.

Jared once again publicly thanked the inhouse staff who presented at the Provo meeting in February. He mentioned that the work primarily was to build relationships.

**GOVERNANCE:** Ron Bateman had one governance issue to come before the Board. The ByLaws of the Corporation name the school as Athenian Academy. This apparently was an oversight, as both the



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Non-Profit application and the State Charter School Board Charter show the school as Athenian eAcademy.

Don Guymon presented a motion to change the ByLaws to reflect the correct name of Athenian eAcademy.

Carol Andersen seconded the motion.

The motion carried.

**Building Purchase:** Ron Bateman reviewed the history of the building purchase. The lease-purchase agreement dates back to the beginning of the school. There was an expectation that the school would buy the buildings after a three-year lease. In September of 2019 the Board, as it existed then, agreed to move forward on the purchase. In subsequent months, school leadership and Board were revamped. The school was focused on changing its probationary status. In October 2020, the landlord contacted Ron letting him know he had a potential buyer for the school buildings.

#### **REQUEST FOR CLOSED SESSION:**

Ron then asked if the Board wanted to take further discussions into executive session. After some interest was shown, Ron stated the purpose for the closed session was to discuss real estate purchase. He then asked for a roll call.

By name, the Board members voting for closed session were: Ron Bateman, Carol Andersen, Jennifer Remy, Jaren Ellingson, Don Guymon, and Chris Fawson.

Recording stopped at 4:31 p.m.

#### **Resume Open Meeting at 5:36 PM**

Jennifer Remy made a motion to send all motions, discussions and business related to the Athenian eAcademy physical facilities including the question of legal counsel to a special committee consisting of Chris, Karen and Rebecca Strait with Chris acting as chair.

Second: Chris Fawson

Discussion: Karen asks if this precludes discussion in a normal meeting. Jennifer states no, but this gives the committee permission to discuss those things.

Carol asks what can't we do? Jennifer responds that the Board waits for the committee to do their job. Don comments that he will be voting no, as we already have information and we are losing money for the school.

Rebecca asks if the committee can bring others into their discussions. Jennifer says they can do what they need to do, but cannot take financial action.

Carol says she is with Don on this issue.

Ron asks for Carol to take a roll call vote.



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Carol – no, Ron – no, Karen – yes, Chris – yes, Don – no, Jennifer Remy –  
The motion fails.

Jennifer states there is a need to resolve the decision from the closed session. If this motion does not pass, it needs amendment to have resolution.

Joel offers that Chris wants more information and that they can work together to ascertain that.

Jennifer offers that this won't resolve the issue.

Don moves that Joel Wright provide the required information and that we prepare to move forward at our next meeting.

Carol seconds the motion.

Chris states he would like the flexibility of a second opinion.

Joel offers to prepare a summary of all key variables that can then be reviewed by the State Charter School Board and / or another attorney. He offers to discuss in depth at no billable costs with Chris.

Karen offers an amendment to Don's motion that the Board acquires a second attorney.

Jenn poses: why not just do the committee, tasking a group of people not just throwing it to the wind.

Karen withdraws her amendment.

Don withdraws his motion.

Don moves that we request Joel Wright get additional information to Chris Fawson regarding the appraisal and have it be ready for the next Board meeting in March.

Carol seconds.

Motion carries.

### **Other Business**

Jennifer Remy moves that we investigate the process necessary for amending Athenian's Charter to go from a K-12 school to a K-9 school.

The question arose: Even if you are authorized to teach certain grades, must you do so?

Another question came up: I would like to see the direction the Board would like to take before voting on this item. And why?

Another question came up: Was this item noticed and can the Board take a vote on something not noticed?

Don moved that we table the motion

Carol seconds

Motion carries

This will be on the agenda for the next month.



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Jennifer Remy moves to adjourn.  
Don Guymon seconds.

Motion carries

Meeting is adjourned at 5:58 PM.  
Next regularly scheduled meeting is March 16, 2021 at 4:00 PM.

Respectfully submitted,

A handwritten signature in black ink that reads 'Carol Andersen' with a long horizontal flourish extending to the right.

Carol Andersen  
Board Secretary