

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DIVISION OF MISSISSIPPI
ABERDEEN DIVISION**

LESLIE SMITH

PLAINTIFF

VS.

CAUSE NO. 1:15CV147-NBB-DAS

**COLUMBUS MUNICIPAL SCHOOL DISTRICT, AND
PHILIP HICKMAN, Individually and as Superintendent
of Columbus Municipal School District**

DEFENDANT

AFFIDAVIT OF ANGELA VERDELL

STATE OF MISSISSIPPI

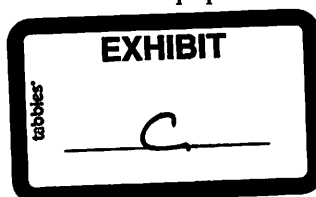
COUNTY OF LOWNDES

Personally appeared before me, the undersigned, the within named Angela Verdell, who, being by me first duly sworn on oath, deposed and stated as follows:

1. My name is Angela Verdell and I am presently, and was at all times relevant to this matter, one of five members of the Columbus Municipal School District Board. I have served on the School Board since March 18, 2013. All the information contained in this affidavit is based on personal knowledge and is true and correct.

2. The Columbus Municipal School District Board considered and initially supported new Superintendent Dr. Philip Hickman's recommendation to hire Plaintiff at our regularly scheduled Board meeting on Tuesday, August 11, 2014. (August 11, 2014, Board minutes attached as Ex. 1). After some Board members learned that Plaintiff was Dr. Hickman's wife's uncle and related to him, and after the local newspaper made an issue of that fact, there were some concerns with the approval of Plaintiff's hire. Discussions of those concerns started immediately after the Board meeting.

3. The following day, the local newspaper included an article about the matter.



Several days following the Board meeting, Dr. Hickman informed me that Plaintiff had verbally declined the position due to all of the questions raised about the hire.

4. Dr. Hickman later provided a letter to school board counsel and the Board wherein Plaintiff declined the position. The local newspaper wrote another article about the matter on Monday, August 18. (August 18 Commercial Dispatch regarding Plaintiff declining the position attached as Ex. 2). To the best of my knowledge, the School Board took no further formal action on the matter.

5. Plaintiff never came to Columbus to begin in the position. In order to be under contract as an employee with the school district in the position at issue, Plaintiff must execute a written employment contract. To my knowledge, he never did so and was never employed by the school district.

FURTHER AFFIANT SAITH NOT.

Angela Verdeell
ANGELA VERDELL

SWORN TO AND SUBSCRIBED BEFORE ME on this the 29th day of July, 2016.

Crystal D. Bowen
NOTARY PUBLIC

(SEAL)

My Commission Expires:
January 30, 2018



**COLUMBUS MUNICIPAL SCHOOL DISTRICT
Regular Meeting of the Board of Trustees
Brandon Central Services Center
August 11, 2014, at 6:00 p.m.**

The Columbus Municipal School District (CMSD) Board of Trustees held a Regular School Board Meeting on August 11, 2014, at 6:00 p.m. at Brandon Central Service Center. Board members in attendance were Currie Fisher, Glenn Lautzenhiser, Greg Lewis, and Angela Verdell. Jason Spears had notified the Board President he would not be able to attend the meeting. Superintendent Dr. Phillip Hickman and CMSD district employees were also present, as were Board Attorney David Dunn, parents, community members, and members of the local media.

- I. Call to Order - At 6:00 p.m., Board President Angela Verdell called the meeting to order.
- II. Invocation and Pledge of Allegiance – Elder Stephen James, pastor of United Christian Baptist Church, provided the invocation. Jaylan Lenolr, Columbus High School student led the Pledge of Allegiance.
- III. Establish a Quorum – Angela Verdell noted a quorum was present to conduct business.
- IV. Open Forum – There was none.
- V. Adopt the Agenda

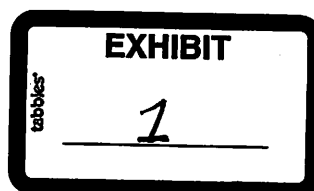
Greg Lewis made a motion to move Item G. from Consent agenda and take as a separate item so he could recuse himself from any discussion and action on the matter. The motion was seconded by Currie Fisher. *The motion passed with the following vote: Currie Fisher – yes, Glenn Lautzenhiser – yes, Greg Lewis – yes, and Angela Verdell – yes.*

Glenn Lautzenhiser made a motion to adopt the agenda with the amendment and was seconded by Greg Lewis. *The motion passed with the following vote: Currie Fisher – yes, Glenn Lautzenhiser – yes, Greg Lewis – yes, and Angela Verdell – yes.*

- VI. Board Attorney Review of Action Items – David Dunn

David Dunn stated that he had reviewed and approved all contracts and agreements that are to be presented to the Trustees at this meeting.

- VII. Office of Superintendent – Dr. Phillip Hickman spoke about plans to impact education with teacher preparation, a strong curriculum, and meeting the basic needs of students to improve achievement and equip students for the 21st Century. The district was approved for the National School Lunch and School Breakfast program, which ensures all students receive the nourishment they need to focus and concentrate within the classroom to be productive.



VIII. Approve Minutes

Glenn Lautzenhiser made a motion to approve minutes VIII. A. - F. as presented and was seconded by Greg Lewis. *The motion passed with the following vote: Currie Fisher – yes, Glenn Lautzenhiser – yes, Greg Lewis – yes, and Angela Verdell – yes.*

IX. Consent Agenda

Greg Lewis made a motion to approve Consent Agenda Items A. – F. and H. – K. as proposed and was seconded by Glenn Lautzenhiser. *The motion passed with the following vote: Currie Fisher – yes, Glenn Lautzenhiser – yes, Greg Lewis – yes, and Angela Verdell – yes.*

At this time, Greg Lewis recused himself from the vote on Consent Item. G. Consideration to Approve Facility Rentals by leaving the room.

Currie Fisher made a motion to approve Item G. Facility Rentals 1. – 4. and was seconded by Glenn Lautzenhiser. *The motion passed with the following vote: Currie Fisher – yes, Glenn Lautzenhiser – yes, and Angela Verdell – yes.*

Greg Lewis returned to the meeting.

X. Office of Personnel

A. Staff / Personnel Items

Greg Lewis made a motion to approve Staff / Personnel Items and was seconded by Currie Fisher.

Glenn Lautzenhiser inquired about 26. Lester Smith who was recommended for Director of Schools. Dr. Hickman described Mr. Smith's qualifications for the position. Glenn Lautzenhiser inquired if the Board needed to approve the job title and salary scale. David Dunn stated that a job description and salary scale will need to follow.

The motion passed with the following vote: Currie Fisher – yes, Glenn Lautzenhiser – yes, Greg Lewis – yes, and Angela Verdell – yes.

XI. Board of Trustees

A. Discussion to Consider Setting a Time and Date for Board Retreat

Angela Verdell proposed Saturday, September 13, 2014, from 8:00 a.m. to 5:00 p.m. at Brandon Central Services Center to hold a Board retreat. Currie Fisher made a motion to approve Angela Verdell's proposed Board retreat date, time and location and was seconded by Greg Lewis. *The motion passed with the following vote: Currie Fisher – yes, Glenn Lautzenhiser – yes, Greg Lewis – yes, and Angela Verdell – yes.*

- B. Consideration to Revise School Board Meeting and Agenda Packet Review Dates
- Angela Verdell requested revising scheduled school tour days from Thursdays to Wednesdays prior to Board meetings to allow the Board to review Board agenda packets and conduct schools tours at one meeting. She provided the Board with proposed dates.
- Currie Fisher made a motion to approve the recommended schedule change and was seconded by Greg Lewis. *The motion passed with the following vote: Currie Fisher – yes, Glenn Lautzenhiser – yes, Greg Lewis – yes, and Angela Verdell – yes.*
- XII. Office of Business Management – Tammie McGarr, Business Administrator
- A. Presentation of CMSD Audit for Fiscal year Ending June 30, 2014 – Tammie McGarr provided a Power Point presentation and answered questions from the Board.
- B. Consideration to Approve Resolution Requesting Ad Valorem Tax for the Support of the District During 2014-2015 Fiscal Year
- Glenn Lautzenhiser made a motion to approve the resolution and was seconded by Greg Lewis. There was a discussion. *The motion passed with the following vote: Currie Fisher – yes, Glenn Lautzenhiser – yes, Greg Lewis – yes, and Angela Verdell – yes.*
- C. Consideration to Authorize Amending Original Proposed 2014-2015 CMSD Budget for the Decrease in Ad Valorem Requested and the Addition of Estimated Ad Valorem Tax on New Property
- Glenn Lautzenhiser made a motion to authorize amending the original proposed 2014-2015 CMSD budget for the decrease in Ad Valorem requested and the addition of estimated Ad Valorem Tax on new property. The motion was seconded by Greg Lewis. *The motion passed with the following vote: Currie Fisher – yes, Glenn Lautzenhiser – yes, Greg Lewis – yes, and Angela Verdell – yes.*
- D. Consideration to Approve the Cost Decrease and New Specs to Purchase Three (3) School Buses
- Greg Lewis made a motion to approve the cost decrease and new specs to purchase three (3) school buses and was seconded by Currie Fisher. *The motion passed with the following vote: Currie Fisher – yes, Glenn Lautzenhiser – yes, Greg Lewis – yes, and Angela Verdell – yes.*
- E. Monthly Financial Statements Reports – No action taken.
- F. Monthly Combined and Combining Report – No action taken.

- G. Monthly Revenue Report – No action taken.
- H. Monthly Expenditures Report – No action taken.
- I. Monthly Ad Valorem Tax Collection Analysis Report – No action taken.
- J. Summary on Monthly Reconciled Bank Statements – No action taken.

- K. Monthly Approve to Pay Bills – Glenn Lautzenhiser made a motion to approve to pay the bills and was seconded by Greg Lewis. *The motion passed with the following vote: Currie Fisher – yes, Glenn Lautzenhiser – yes, Greg Lewis – yes, and Angela Verdell – yes.*

- L. Monthly Safety Report – No action taken.
- M. Monthly Transportation Revenue and Expenses Comparison Report – No action taken.
- N. Monthly Child Nutrition Revenue and Expenses Comparison Report – No action taken.

XIII. Information Items

- A. The Board President reviewed important upcoming meetings and district dates Items 1. and 2. No action taken.

XIV. Closed Determination for Executive Session - Glenn Lautzenhiser made a motion for closed determination for Executive Session. *The motion passed with the following vote: Currie Fisher – yes, Glenn Lautzenhiser – yes, Greg Lewis – yes, and Angela Verdell – yes.*

Glenn Lautzenhiser made a motion to discuss the following items in Executive Session and was seconded by Greg Lewis:

- A. Consideration to Approve July 2, 2014, Special School Board Meeting Executive Session Minutes
- B. Consideration to Approve July 21, 2014, Regular School Board Meeting Executive Session Minutes
- C. Pending Litigation Regarding a District Employee Who Has Filed an EEOC Complaint.

The motion passed with the following vote: Currie Fisher – yes, Glenn Lautzenhiser – yes, Greg Lewis – yes, and Angela Verdell – yes.

Angela Verdell announced to the public the Board unanimously voted to take up the following items in Executive Session:

- A. Consideration to Approve July 2, 2014, Special School Board Meeting Executive Session Minutes
- B. Consideration to Approve July 21, 2014, Regular School Board Meeting Executive Session Minutes
- C. Pending Litigation Regarding a District Employee Who Has Filed an EEOC Complaint.

[XV. Executive Session Begins and Ends Here]

Following Executive Session, Angela Verdell announced to the public that two (2) sets of Executive Session minutes were unanimously approved in Executive Session.

XV. Return to Regular Session – No action taken.

XVI. Such Other Items That May Come Before the Board

At this time, Dr. Hickman recused himself from this portion of the Board meeting and left the room.

David Dunn spoke about the four (4) steps for employing a Superintendent's spouse based on state law and ethics opinions that prohibit a Superintendent from being involved in the process, including recusing himself/herself from portions of meetings when the Board discusses the position and takes a vote.

Based on the process prescribed, Currie Fisher made a motion to designate the Deputy Superintendent, Mr. Craig Shannon, as Personnel Supervisor, to whom the recommendation for the employment of Mrs. Adillah Zalzal, would be received, to make a recommendation to the Board. The motion was seconded by Greg Lewis. There was a discussion. *The motion passed with the following vote: Currie Fisher – yes, Glenn Lautzenhiser – yes, Greg Lewis – yes, and Angela Verdell – yes.*

Superintendent Hickman returned to the meeting following the vote.

XX. Adjourn – Glenn Lautzenhiser made a motion to adjourn and was seconded by Greg Lewis. *The motion passed with the following vote: Currie Fisher – yes, Glenn Lautzenhiser – yes, Greg Lewis – yes, and Angela Verdell – yes.*

Angela C. Verdell
President

Currie Fisher
Secretary

Sept. 8, 2014
Date Approved

COLUMBUS MUNICIPAL SCHOOL DISTRICT
Regular Meeting of the Board of Trustees
August 11, 2014, 6:00 p.m.
Brandon Central Office

Agenda Item: Staff Personnel Matters
Category: Board Action
Explanation: Staff Personnel Matters
Recommendation: Approval

STAFF PERSONNEL MATTERS – August 11, 2014

RESIGNATIONS	Position	Reason	Effective Date
Employee	Pay Location		
1. Harris, Valencia	AT Sale	Declined Position	N/A
2. Prescott, Haley	Teacher Stokes-Beard	Personal	08/07/14
3. Richardson, Kaleena	Teacher CMS	Personal	5/29/14
4. Richardson, Shondolyn	Teacher Cook	Personal	5/29/14
5. Scott, Talecia	Teacher Stokes-Beard	Relocating	5/29/14
CHANGE OF ASSIGNMENT			
Employee(s)	From	To	Effective Date
6. Blount, John (Replacing Dallas Flippo)	CHS Teacher	CHS Teacher/Assistant Slow-Pitch Softball Coach \$1,000 (District)	08/04/14
7. Brooks, Gwendolyn (Replacing Cindy Adams)	Central Office Administrative Assistant for Federal Programs \$37,600	Central Office Executive Assistant to the Superintendent \$42,650	08/12/14
8. Clark, Dayna Clare	CMS Teacher A – 1 yr. \$34,940	CMS Teacher AA – 1 yr. \$37,380	08/04/14
9. Cosgrove, Joel (Replacing Dallas Flippo)	CHS Teacher	CHS/CMS Teacher/Head 7 th -8 th Grade Baseball \$1,200 (District)	08/04/14
10. Flippo, Dallas (Replacing Jeffrey Cook)	CHS Asst. Slow-pitch Softball & 8 th Grade Baseball (Head) \$1,000/\$1,200 (District)	CHS Interim Head Baseball \$9,000 (District)	08/04/14
11. Fuller, Hal	CAS Teacher \$39,350	CAS Teacher \$39,965 (TMI Completion)	08/04/14

STAFF PERSONNEL MATTERS – August 11, 2014 (con't.)

12. Griffin, Gary (New Position)	CHS Teacher/Coach	CHS Teacher/Coach Athletic Supervisor \$2,000	08/04/14
13. Hankins, Chad (Position open since 2013-14)	CHS Teacher	CHS Teacher/9 th Grade Baseball \$1,500 (District)	08/04/14
14. Haynes, Brandon (Replacing Gwen Johnson)	CHS Head Powerlifting \$1,200 (District)	CHS Asst. Powerlifting for Girls \$800.00 (District)	08/04/14
15. Jefferson, Tiffany (Replacing Lashondra White) (Replacing Gwen Johnson)	CHS Teacher Teacher	CHS Teacher/Head 9 th Grade Girls Basketball \$1,500 (District) Teacher/Asst. Volleyball \$1,100 (District)	08/04/14
16. Johnson, Doran	CHS School Resource Officer \$29,329 (District - 181 days)	CHS Assistant School Resource Officer Coordinator \$31,800 (District - 187 days)	08/12/14
17. Lee, Aaron (Replacing Ben Moore)	CHS Asst. Boys Soccer \$1,000 (District)	CHS Head Girls Soccer \$2,100 (District)	08/04/14
18. Milow, Nicole	CHS Teacher	CHS Teacher/Head Slow-Pitch Softball \$1,500	08/04/14
19. Morris, Phillip (Replacing Paul Jackson)	CHS Teacher	CHS & CMS Teacher/Head 8 th Grade Boys Basketball \$1,200 (District)	08/04/14
20. Thornton, Eric (Replacing Zach Leach)	CMS Head Slow-Pitch Softball & Head Fast-Pitch Softball \$1,500 & \$1,500 (District)	CMS/CHS Interim Asst. Baseball \$3,800 (District)	08/04/14
RECOMMENDATIONS Employee(s)	Position Pay Location	Step Rate of Pay	Effective Date
21. Abrams, Joyce (Replacing Annie B. Whitfield)	Food Service Worker Stokes-Beard	1 yr. \$10,317	08/12/14
22. Congious, Earnesto (Replacing Derrick Nash)	Custodian (Part-time) CMS	0 yrs. \$5,717.34	08/12/14
23. Cunningham, Patonya (New Position)	Assistant Teacher Sale	12 yrs. \$14,590	08/12/14
24. Edwards, Sharon (Replacing Crystal Buckhalter)	Librarian Assistant CMS	8 yrs. \$12,700	08/12/14
25. McFarland, Adella (Replacing Valecia Harris)	Assistant Teacher Sale	0 yrs. \$12,600	08/12/04

STAFF PERSONNEL MATTERS – August 11, 2014 (con't.)

26. Smith, Leslie	Director of Schools Central Office	\$70,000	Pending Certification
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UNUSED LEAVE DAYS PAYMENT FOR NON-CERTIFIED RETIREE

27. Whitfield, Annie Bell	30 days @ \$47.125 per day	\$1,413.75
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Relative of CMSD's Hickman declines position



Superintendent Philip Hickman

Sarah Fowler August 16, 2014 10:38:12 PM

A Chicago-based educator tapped to be director of schools within the Columbus Municipal School District has declined to accept the position, according to a letter the district's superintendent sent The Dispatch late last week.

Leslie Smith was hired in a 4-0 vote by the CMSD board during Monday night's board meeting. The newly created position was to come with a \$70,000 a year salary.

Smith, as director of schools, would work with the district's nine principals, according to Superintendent Philip Hickman.

Now, however,

"After consultation with the board of trustees and my desire to remain focused on our common goal of improving the quality of education for children, the position of director of schools will not be filled, as Mr. Smith has declined the offer," Hickman wrote in his letter.

Hickman, tapped to lead the district earlier this summer, recommended that the board hire Smith. Smith is the uncle of Hickman's wife — a fact three school board members were unaware of when they voted to hire Smith on Monday.

After the board voted to approve hiring his family member Monday night, Hickman defended the move.

"What I'm all about is having someone that's competent that really can make a change for our kids," he said, adding that he did not tell the entire school board about his and Smith's relationship because he views it as a personal issue.

Smith could not be reached for comment Saturday. Neither could Hickman.

Despite Smith declining to accept the position, Hickman, in his letter to The Dispatch, said the hire "would have benefitted CMSD by assisting in our efforts to revitalize the district's educational promise.

"However, community support is vital and valued in transforming an educational system," Hickman wrote. "As I've stated since arriving to CMSD, trust and perception by our community is very important to me as we work together to create One Vision, One Team and One Columbus."

It is unclear if the director of schools position will be filled at a later date.

During last Monday's meeting, CMSD board members also appointed a temporary personnel director who will decide whether to recommend hiring Hickman's wife, Adilah Zahzala, as the district's special education coordinator. The salary for the position was listed at \$42,000, according to the consent agenda.

The potential hire is expected to be brought up at the next CMSD board meeting on Sept. 8.

Sarah Fowler covers crime, education and community related events for The Dispatch. Follow her on Twitter @FowlerSarah

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EXHIBIT 2

LS008

8/18/2014