



ECONOMIC DEVELOPMENT COMMISSION
PULASKI-GILES COUNTY TENNESSEE

P.O. Box 633
203 South First Street
Pulaski, TN 38478-0633

Phone: (931) 363-9138
Fax: (931) 424-3408

September 28, 2018

David Rackley
2303 Crescent View Road
Pulaski, TN 38478

Mr. Rackley,

In response to your records request received on September 20, 2018 our office is taking the action indicated below:

Copies of public records responsive to your request are:

- 1) September 19, 2018 EDC Board Meeting audio file
- 2) Quickbooks financial reports from August 22, 2018 to September 20, 2018

Your request is denied for the following items due to no such records exist in this office:

- 1) August 30, 2018 Operations Committee and Personnel Committee audio file
- 2) September 13, 2018 Operations Committee and Personnel Committee audio file

Regards,


Bethany Shockney, Executive Director

Economic Development Commission

Profit & Loss

09/26/18

August 22 through September 20, 2018

Accrual Basis

Aug 22 - Sep 20, 18

Ordinary Income/Expense	
Income	
Income	
Elkton	50.00
IP Maintenance reimbursement	2,175.00
Pulaski	4,720.83
Total Income	6,945.83
4999 - Uncategorized Income	7,500.00
Total Income	14,445.83
Expense	
Auto	
Fuel	40.97
Total Auto	40.97
Conferences & Prof Development	
Food	12.07
Lodging	170.74
Total Conferences & Prof Development	182.81
Dues and Subscriptions	320.00
Gifts and Awards	99.90
Health Insurance Reimbursement	833.00
Industrial Park Maintenance	3,510.00
Meals & Entertn	
EDC Meeting	624.00
Total Meals & Entertn	624.00
Retirement expense	225.00
Taxes - Federal unemployment	0.00
Taxes - payroll - SS & Medicare	701.82
Taxes - State unemployment	0.00
Utilities	
Cable TV Box	16.60
Internet Expense	84.42
Telephone	
Cell Phone	171.03
Fax	20.34
Telephone - Other	49.33
Total Telephone	240.70
Total Utilities	341.72
VOID	0.00
Wages - Hourly	1,674.21
Wages - Salaries	7,500.01
Total Expense	16,053.44
Net Ordinary Income	-1,607.61
Other Income/Expense	
Other Income	
Interest Inc	1.29
Total Other Income	1.29
Net Other Income	1.29
Net Income	<u>-1,606.32</u>

Economic Development Commission
Balance Sheet
As of September 20, 2018

	Sep 20, 18
ASSETS	
Current Assets	
Checking/Savings	
FNB #110-240-7	110,934.45
FNB Restricted #117-103-4	67,096.10
GCEDC Operating Acct BOF	35,653.59
Total Checking/Savings	213,684.14
Accounts Receivable	
Grant receivable	5,648.44
Total Accounts Receivable	5,648.44
Other Current Assets	
Deferred Costs-Ind Park South	56,667.87
Total Other Current Assets	56,667.87
Total Current Assets	276,000.45
Fixed Assets	
Accumulated amortization	-27,338.96
Accumulated depreciation	-31,770.83
Equipment	73,736.88
Total Fixed Assets	14,627.09
TOTAL ASSETS	<u>290,627.54</u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Other Current Liabilities	
Advances payable	100.71
Retirement payable	315.00
2100 - Payroll Liabilities	1,038.71
Total Other Current Liabilities	1,454.42
Total Current Liabilities	1,454.42
Total Liabilities	1,454.42
Equity	
3010 - Unrestrict (retained earnings)	204,039.59
Net Income	85,133.53
Total Equity	289,173.12
TOTAL LIABILITIES & EQUITY	<u>290,627.54</u>

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09/26/18

Accrual Basis

Economic Development Commission
Transactions by Account
As of July 25, 2018

Type	Date	Num	Name	Memo	Clr	Split	Amount	Balance
GCEDC Operating Acct BOF								
Deposit	07/24/2018			Deposit	X	-SPLIT-	17,712.50	27,281.63
Check	07/25/2018	6132	Leigh Ann Holt	Invoice 635	X	Accounting Ser...	-75.00	44,994.13
Deposit	07/25/2018			Deposit	X	Sale proceeds	3,760.50	44,919.13
Total GCEDC Operating Acct BOF							21,398.00	48,679.63
TOTAL							21,398.00	48,679.63

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09/26/18

Accrual Basis

Economic Development Commission
Transactions by Account
As of September 20, 2018

Type	Date	Num	Name	Memo	Clr	Split	Amount	Balance
FNB Restricted #117-103-4								
Deposit	07/03/2018			Deposit		Special Approp...		3,335.60
Deposit	07/26/2018			Deposit		Special Approp...	40,000.00	43,335.60
Check	09/11/2018	6162	First National Bank	sale of 2007 E...		GCEDC Operat...	3,760.50	63,335.60
Total FNB Restricted #117-103-4							63,760.50	67,096.10
TOTAL							63,760.50	67,096.10

Operations and Personnel Committee Meeting

August 30, 2018 @ 11a

Committee members present: Jimmy Greene, Patrick Gilbert, Ronnie Brindley, Pat Ford, Bobby Wynne, Duane Jones, Bethany Shockney; Committee members absent: Janet Vanzant; Guest present: Jessie Parker

Chairman Greene discussed the current structure of the Personnel Committee and the Operations Committee. The current structure is both committees are stand alone and permanent committees and the EDC Board voted as such. It was suggested the Personnel Committee serve as a neutral body to field any concerns or issues by either employee or even outside people. Neither the Chairman or the Executive Director will serve on this committee. There was discussion that it would be helpful to fully define the role and purpose of both committees as well as all committees as we move forward on revising the bylaws. It will be clarified at the next meeting that the Personnel Committee is a standalone committee as voted but open up for discussion in the event the Board wants to make any adjustments. The Chairman and Executive Director will serve as Ex-Officio members to all committees except the Personnel Committee.

It is also needed to get an updated list of committees and members of each. In addition to the public notice posted on the door, send notice to the radio & newspaper for each committee meeting as well as notification to each board member by email. We will continue to make sure we adhere to the open meeting rules for the appropriate advance notice to the public. It was also noted that an attorney must be present in order to go into executive session.

The Bylaws will be updated with a first draft by Ms. Shockney, submitted to Acting Chair Greene for Review, then sent to Operations and Personnel Committee members for comments and edits. After the Bylaws are thoroughly reviewed and edited by both committees they will then be submitted to the full Board for comments, edits and eventually final approval.

There was discussion regarding the description of the Board position vacated by David Rackley as well as the position held by Bobby Wynne. It is clear in the Bylaws the EDC Chair serves on the IDB only because of their position as the EDC Chair. Term limits of board positions and officer positions were discussed and determined this is one area that definitely needs to be closely looked at when revising the bylaws. Chairman Greene suggested that maybe the Chairman should serve only one year. He then stated perhaps two or more years is more appropriate. Chairman Greene also suggested that the Board consider holding officer elections in November since this would be immediately following the City elections on November 6. It was also requested that a copy of the list of Board members be distributed at the next meeting for everyone to have time to consider possible nominees for officer positions as well as members selected at large by the entire Board.

Chairman Greene directed Ms. Shockney to get the website back up somehow even if temporary. There was discussion regarding the ownership of the domain name and what action should be taken regarding David Rackley taking down the EDC website. Ms. Shockney is to seek legal counsel for recommended action.

It was discussed about the deposit of the proceeds from the sale of the Explorer. There was no action taken on the need to move the proceeds from the BOF Operations account to the FNB Restricted Assets account. There was stated unanimous support for Ms. Shockney's performance and conduct as Executive Director.

Respectfully submitted,

Jimmy Greene/Bobby Wynne

Operations and Personnel Committee Meeting

September 13, 2018 @ 2p

Committee members present: Jimmy Greene, Ronnie Brindley, Pat Ford, Bobby Wynne, Duane Jones, Melissa Greene, Bethany Shockney; Committee members absent: Patrick Gilbert; No Guests present

There was discussion regarding the length of term of the EDC Chairman and Vice Chairman as well as board member terms. The bylaws indicate the board members that are elected by the Board have four-year terms but really ambiguous regarding whether the Chairman and Vice Chairman can only come from that limited group of Board members since the others are elected officials or members because of their specific employment and position. The bylaws do not limit the Chairman and Vice Chairman to only those non-elected positions. It was discussed regarding nomination procedures for the vacant position which is appointed by the full Board.

It was decided to have a discussion with the Board at our September meeting regarding the nomination process for selecting our new Chair and Vice Chair. The discussion would entail having the Operations Committee accept nominations from the floor at our December meeting for the new Chairman and Vice Chairman as well as the vacant Board position. After the nominations there would be a vote by the Board to fill these three positions from the above-mentioned nominees. It will be necessary to clearly define the roles and responsibilities of each and have those to be identified no later than the October meeting.

It was agreed Chairman Greene would let the Board know that the Operations and Personnel Committees are actively working on updating the bylaws so there is more clarity in all roles and responsibilities of each committee, Chairman, Vice Chairman, Executive Director and other leadership roles as appropriate. Additionally, let them know we are going to elect a new Chairman and Vice Chairman at the December 5th meeting.

Additionally, it was determined it is imperative to clarify the Personnel Committee would operate independently as voted on in a previous meeting and the Chairman and the Executive Director would not service on the Personnel Committee. This would allow the committee to truly be a neutral, unbiased group.

It was discussed at length regarding the roles of the Chairman according to the bylaws versus the former common practice. It is imperative this responsibility be clearly defined as support to the Executive Director and serve as the liaison between the Board and the Executive Director. It is also imperative to clearly define "shall generally be authorized to exercise general supervision of activities and functions approved by the Board and/or Executive Committee." It was discussed about whether or not the Chairman should have the authority to spend up to \$5000.

Bylaws, Personnel Policy document and the Executive Director job description are inconsistent regarding the roles, responsibilities, standard operating procedures, etc. of all EDC leadership. The Chairman should not micro manage and have to spend much time with the responsibilities other than basic presiding over the meetings and serving as a liaison between the Board and the EDC office.

It was agreed that it is the expectation of the Executive Director to develop a line item budget and discuss it with the Chairman to then present to the full Board for approval. Ms. Shockney requested and received approval to work with the Chamber staff to get technical support with Quickbooks regarding our budget data and reporting needs.

It was noted that the EDC vehicle (2007 Ford Explorer) sale proceeds (\$3760.50) were deposited on Tuesday morning, July 24 into the Bank of Frankewing operations account, PRIOR to the directive by David on July 27. The money was transferred on ? from the BOF Operations account to the FNB Restricted Funds account.

It was discussed what to do with the two plaques that were requested to be presented to Sloan Studios and Bombshell Studios. It was decided the plaques will be sent for engraving and presented to those two businesses as soon as possible. EDC will also purchase two more plaques to be presented by the newly elected Chairman at the January meeting to Janet Vanzant and David Rackley for their service on the EDC Board.

Ms. Shockney was directed by the committees to seek legal counsel to prepare and send a letter to former Chairman David Rackley instructing him to return the EDC office keys, reactivate the gilescountyedc.com website, return Dan's desktop computer and provide the backup copy of the EDC computers.

The committees will resume editing the EDC Bylaws. Ms. Shockney will provide first edits and send to Chairman Greene for review and edit and then send on to the Operations and Personnel committees. Once the Bylaws are in final draft, the document will be presented to the full Board for review and then final adoption/approval.

Respectfully submitted,

Jimmy Greene/Bobby Wynne



Request for Information

David Rackley to: greenej
Cc: "Wynne, Bobby"

10/01/2018 11:53 AM

Jimmy, I made a formal request for information from the EDC office on Thursday September 20, 2018. I requested copies of the audio recordings of any Board Operations and/or Personnel Committee meetings since August 22, 2018 along with a copy of the Quickbooks data file. The quickbooks data file was not provided nor was any recordings. I'm not going to make an issue out of the audio files but you and I well know they were recorded, you haven't had a meeting that I have ever attended that was not recorded. I do however still request a copy of the Quickbooks file. I am enlightened to know Bethany (again) could not and would not follow direction on where to deposit the sale proceeds from the Explorer.

I have read the minutes from the two meetings Aug 30 and September 13. On the issues related to me; I will return the keys I have to you as soon as possible. The domain GilesCountyEDC.com is registered to me and has been since inception around 2005-2006. However, I claim no ownership of this domain and have no interested in retaining it. All that needs to be done is to initiate a transfer of the domain. I will immediately accept the transfer and process anything that needs to be done on my part. The actual web site is on a server owned by Rackley Technologies, LLC and licensed to same. The only ownership of EDC is the actual photos provided. These were provided by Dan Speer and copies should be on computers in the EDC office. The City has already been through this with me and they quickly realized they do not own my server nor applications on that server. Most of the services I provided to EDC was "pro bono" work. Dan's old desktop computer was replaced with a laptop for Bethany. We copied all information from it and copied it to her computer when then she started. That computer was disposed of at the county collection center in the spring of 2018. I provided a backup of Donna's computer and Bethany's via an off site backup service. Bethany and/or Donna canceled that service the day after my resignation.

I have just attempted to open the CD-Rom provided in certified mail to me today. The CD-Rom is blank and has not been used. Please see to it they provide the requested information as soon as possible.

I find it extremely interesting that Pat Miles, who claimed to have a "sincere interest" in the management of that office, failed to show up an any other meetings after my resignation.

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