

Frank R. Dillman
2273 County Road 54 W
Notasulga, AL 36866

Hand-delivered during public comment Macon County Commission meeting on
Monday, March 14, 2022

STATEMENT OF FACTS

March 14, 2022

Edward Huffman
District 2 Macon County Commissioner
101 E. Rosa Parks Avenue
Tuskegee, AL 36083

Dear Commissioner Huffman,

Clean hands is the principle that always works best for all parties concerned.

You accepted the office of District 2 Commissioner with your Oath of Office on November 14, 2012 to “do solemnly swear or affirm that I will support the Constitution of the United States and the Constitution of the State of Alabama, and that I will faithfully and impartially perform and discharge the duties of the office to which I am about to enter, so help me God.”

As the District 2 County Commissioner, you annually receive county funding for District 1’s Recreation events and maintenance. Monies may be collected for rental of your district facilities.

I hand-delivered the County Public Records Request Form to you with a request for public record “the authorized amount and expenses of FY 2021 budgeted Dist 2 Rec. Fund and monies generated by rental of Dist 2 facilities, mailed to the below address no later than Jan 28, 2022.”

To date, I have not received your reply.

Alabama Open Records Act §36-12-40 which provides “[e]very citizen has a right to inspect and take a copy of any public writing of this state, except as otherwise expressly provided by statute.

Having sworn to “perform and discharge the duties” of District 2 Commissioner, which includes the responsibility to either provide the requested document or a justification of denial.

“[B]ecause there is a presumption of required disclosure, the party refusing disclosure shall have the burden of proving that the writings or records sought are within an exception and warrant nondisclosure of them,” [and] “[t]he Stone exceptions were not intended, nor shall they be used, as an avenue for public officials to **pick and choose** (emphasis applied) what they believe the public should be made aware of.” **Blankenship v. City of Hoover, 590 So. 2d at 245 (1991)**.

I request your response of disputing this Statement of Facts, as you may desire, and the requested document within 14 days of receipt of this request, or March 29, 2022.

Best,

Frank Dillman