

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

HAND-DELIVERED to Commissioner Robinson or his county agent.

STATEMENT OF FACT

September 13, 2022

Mr. Miles Robinson
District 1 Macon County Commissioner
101 E. Rosa Parks Avenue
Tuskegee, AL 36083

This is my third Statement of Facts concerning your use of a county vehicle 24/7 during 2019; the first was read aloud at Jul 11, 2022 county meeting & hand delivered to you. The second, Registered Mail, of Jul. 22, 2022, was unclaimed by you or your county agent on Aug. 11, 2022

Dear Mr. Robinson,

This is my third STATEMENT OF FACT regarding your sole custody of a county vehicle, which appears to have been unknown to Chairman, Macon County Commission Louis Maxwell.

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

You accepted the office of District 1 Commissioner with your Oath of Office with “I 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.”

At the minimum, you had exclusive custody of a Macon County 2018 pickup truck retained at your Tuskegee residence during 2019.

The Alabama Limited Self-Governance Act, Ala. § 36-25-5 (e),

No public official or public employee shall use or cause to be used equipment, facilities, time, materials, human labor, or other public property under his or her discretion or control for the private benefit or business benefit of the public official, public employee, any other person, or principal campaign committee as defined in Section 17-22A-2, which would materially affect his or her financial interest, except as otherwise provided by law or as provided pursuant to a lawful employment agreement regulated by agency policy.

Additionally, **Ala. §41-17-9** maintains “It shall be a misdemeanor for any person to use or permit any other person to use any state-owned automobile for any purpose other than official state business.”

Chairman Louis Maxwell denied knowledge of your 24/7 possession of the county vehicle¹, and said he had not withheld the necessary amounts of money from your monetary payments to compensate, if this was a fringe benefit, as required by federal² and Alabama³ tax regulations.

I solicit your typed reply to this STATEMENT OF FACT no later than September 19, 2022. You are welcome to mail your response to my address above or email it to frank@frankdillman.com.

Best,

Frank Dillman

¹ Telephone conversation between Chairman Louis Maxwell and Frank Dillman on Wednesday, Dec 11, 2019.

² 2019 IRS Publication 15-B.

³ ALA. §40-18-1.1 Legislative Intent – Rules and regulations. (a) For purposes of this chapter, the statement that gain, loss, income, basis, earning and profits, or any other items shall be determined in accordance with a specified section or sections of Title 26 United States Code (26 U.S.C.) for a specified federal public law (Pub. L or P.L.) means that the principles set forth in such specified section or sections and the computations required by such section or sections all be applied for purposes of this chapter, but shall be applied to the amounts of gain, loss, income, basis, earnings, and profits or other items determined for purposes of this chapter and not to such items for federal income tax purposes.