

Paulding County Board of Commissioners

Watson Government Complex
240 Constitution Boulevard, Dallas, Georgia 30132
770-443-7500 • www.paulding.gov

June 25, 2018

Paulding County Board of Ethics
240 Constitution Blvd.
Dallas, GA 30132

Dear Board Members:

I am submitting this letter as required by Section 2-16 of the Paulding County Code of Ordinances and request that this document serve as a formal complaint against Board of Commissioners Chairman David L. Carmichael for his actions surrounding the acceptance of a grant from the Georgia Department of Transportation.

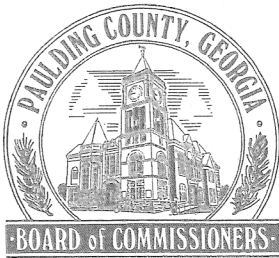
Public records show that Chairman Carmichael received an electronic copy of the grant contract on Friday, May 18, 2018, in an email from Airport Director Terry Tibbitts wherein Mr. Tibbitts claimed that no vote on the contract was required. Mr. Tibbitts was referring to the fact that in July, 2017, the Board of Commissioners approved another grant that was similar to this grant, though the previous grant was materially different.

In a special called meeting on June 5, 2018, Chairman Carmichael told me that he signed the grant contract while on a trip with his church to Florida. However, IP address records of the electronic signature show that the contract was opened and signed from a computer in the county administration building. Later in the meeting, Chairman Carmichael admitted that he authorized a county employee to sign the contract on his behalf.

The execution of the contract would have obligated the county for the local portion of funding, \$130,459.95.

Chairman Carmichael attempted to use his position and authority to improperly influence county employees to execute the proposed grant that had not been approved by the Board of Commissioners. When county employees refused to execute the document and the county's legal counsel insisted that the Board was indeed required to vote on the contract, Chairman Carmichael relented, and the Board met on June 5, 2018, to consider the grant contract.

Additionally, Chairman Carmichael made false and misleading statements to the Board of Commissioners with respect to the timing and necessity of a special called meeting to approve the proposed grant application.



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In his actions surrounding the acceptance of the grant, Chairman Carmichael has violated the following prohibitions listed in Section 2-17 of the county's enabling legislation:

(a) No county official shall use such position to secure special privileges or exemptions for himself or herself or others, or to secure confidential information for any purpose other than official duties on behalf of the county.

(c) No county official shall act as an agent or attorney for another in any matter before the board of commissioners or other county body.

(n) A county official shall not order any goods and services for the county without prior official authorization for such expenditure. No county official shall attempt to obligate the county nor give the impression of obligating the county without proper prior authorization.

Chairman Carmichael's violation of paragraph 2-17(a) was that he was securing special privileges for the Paulding County Airport Authority by obligating the county, not the Airport Authority, for the local match funding, \$130,459.95.

Paragraph 2-17(c) was violated in that Chairman Carmichael was performing duties reserved for the Board Chairman while working as an agent for the Paulding County Airport Authority, under the direction of the Airport Director.

Finally, paragraph 2-17(n) was violated in that Chairman Carmichael attempted to obligate the county for the local match funding, \$130,459.95, without proper prior authorization by the Board of Commissioners.

Thank you for handling this matter and for your service to our county.

Sincerely,

Ron Davis
Paulding County Commissioner, Post 1
240 Constitution Blvd.
Dallas, GA 30132

