

**BEFORE THE CITY OF MAYSVILLE ETHICS BOARD
STATE OF GEORGIA**

COMPLAINT AGAINST COUNCILMEMBER RICHARD PRESLEY

1. Name and address of person filing the complaint _____
2. Name and address of the party against whom the complaint is being filed.
City of Maysville Councilmember and Mayor Richard Presley

**FORMAL COMPLAINT OF OFFICIAL MISCONDUCT, OATH BREACH, ABUSE OF POWER,
AND SUBVERSION OF CONSTITUTIONAL GOVERNANCE**

TO: * The City of Maysville Ethics Board & City Clerk

- Georgia Government Transparency and Campaign Finance Commission (O.C.G.A. § 21-5-1 et seq.)
- City Council & Municipal Governance Review Board
- Georgia Municipal Association
- Attorney General Chris Carr

DATE: _____

I. PRELIMINARY STATEMENT

This complaint is formally submitted regarding a systematic, multi-year pattern of official misconduct, physical assault and intimidation, financial mismanagement, failure of executive oversight, statutory audit non-compliance, public utility neglect, Open Meetings Act violations, unauthorized deployment of municipal surveillance technology, making deceptive public statements on the record regarding legal authorization, and subversion of legislative independence by Richard Presley in his official capacity as Mayor of the City of Maysville, Georgia.

Under City Charter Section 2.14(a), elected officials are statutory *"trustees and servants of the residents of the city and shall act in a fiduciary capacity for the benefit of such residents."* Furthermore, under the City of Maysville Code of Ethics (Ordinance No. 2006-001) and O.C.G.A. § 16-10-1, the Mayor is bound by oath to uphold state laws, ensure public safety, protect municipal finances, protect public privacy and property rights, and maintain open government standards without self-interest, gross negligence, deceptive misrepresentations, or abuse of executive power.

The extensive documentary and digital record—consisting of police incident reports, video recordings of municipal meetings, formal state financial audit findings, Georgia Campaign Finance reports, Flock Safety Memorandum of Understanding (MOU) contracts, water testing logs, official council transcripts, municipal clerk records, and recorded public proceedings—establishes twenty-one (21) distinct counts of executive misconduct.

II. STATEMENT OF FACTS & SPECIFIC COUNTS

Count 1: Tacit Ratification and Participation in an Unlawful Voting Alliance (Subversion of Legislative Independence)

- Applicable Legal Grounds: City Charter Section 2.14(a); City Code of Ethics (Ordinance No. 2006-001); O.C.G.A. § 16-10-1.
- Statement of Fact: During the July 30, 2026 public council meeting, Councilmember Steve Boswell publicly admitted on the record to the existence of a pre-arranged, coordinated voting alliance between himself, Councilmember Richard Parr, and Mayor Richard Presley. Mayor Presley was present during these disclosures and failed to dispute, deny, or halt the statements. By cultivating, participating in, and tacitly ratifying an executive-controlled voting block, Mayor Presley destroyed the legislative independence required of the council under City Charter Section 2.14, converting the governing body into an illegal rubber-stamp mechanism.

Count 2: Physical Battery and Assault of a Citizen (Incident Date: February 27, 2024)

- Applicable Legal Grounds: O.C.G.A. § 16-5-23 (Simple Battery); City Charter Section 2.14; City Code of Ethics; O.C.G.A. § 16-10-1.
- Statement of Fact: On February 27, 2024, following a City Council meeting, Mayor Presley confronted resident Luis Lopez on the steps of City Hall (4 Homer Street) after Mr. Lopez exercised his First Amendment rights during public comment. As documented in Maysville Police Department Incident Report (Case #2024-03-0331) and witnessed by Councilmembers Amanda Farley and Brodriche Jackson, Mayor Presley approached Mr. Lopez aggressively, stated he "will not let me embarrass him and his family," and struck Mr. Lopez three times in the chest with an open hand until an intervening police officer physically separated them.

Count 3: Workplace Violence and Physical Intimidation of an Elected Official (Incident Date: May 22, 2024)

- Applicable Legal Grounds: O.C.G.A. § 16-5-20 (Simple Assault); O.C.G.A. § 16-10-1; City Charter Section 2.14.
- Statement of Fact: On May 22, 2024, inside City Hall, Mayor Presley engaged in an aggressive administrative dispute with Councilmember Brodrich Jackson. As documented in Maysville Police Department Incident Report (Case #2024-05-0912), when Councilmember Jackson attempted to exit the room to de-escalate, Mayor Presley pursued him, blocked the doorway, and physically laid hands on Councilmember Jackson's shoulder to prevent his departure until ordered to stop. The Police Chief directly witnessed the altercation and initiated the police report.

Count 4: Gross Failure of Executive Oversight Regarding Alleged Embezzlement of \$19,000+ by Former City Clerk Jessica Daniels & Refusal to Pursue a Forensic Audit

- Applicable Legal Grounds: City Charter Section 2.14(a) (Fiduciary Duty); O.C.G.A. § 36-81-3; City Code of Ethics (Ordinance No. 2006-001); O.C.G.A. § 16-10-1 (Violation of Oath).
- Statement of Fact: Mayor Presley failed to perform baseline executive supervision, implement mandatory internal financial controls, or conduct routine administrative audits over the City Clerk's office, directly creating an environment that allowed former City Clerk Jessica Daniels to allegedly steal and embezzle over \$19,000.00 in municipal public funds (a matter currently pending legal adjudication prior to conviction). As chief executive officer charged with supervising municipal administration and safeguarding public funds, Mayor Presley's complete absence of oversight allowed multi-thousand-dollar irregularities to occur undetected over an extended period. Furthermore, despite public demands and clear evidence of severe financial misappropriation, Mayor Presley has failed and refused to initiate or pursue an independent forensic audit to account for the stolen funds or determine the full extent of the municipal treasury's vulnerability, constituting a direct breach of his statutory fiduciary duty under City Charter Section 2.14.

Count 5: Unlawful Deployment of Flock Surveillance Cameras Without Public Hearing and Surrender of Public Image Rights to Private Vendor

- Applicable Legal Grounds: City Charter Section 2.14(a); City Code of Ethics (Ordinance No. 2006-001); O.C.G.A. § 36-30-2; O.C.G.A. § 50-14-1 et seq. (Open Governance).
- Statement of Fact: Mayor Presley authorized and executed the deployment of Flock Safety automated license plate recognition (ALPR) surveillance camera technology across municipal jurisdiction without conducting a formal public hearing, providing prior public notice, or allowing public comment from constituents regarding the civil liberties and privacy impacts of local surveillance. Furthermore, the Memorandum of Understanding (MOU) executed under Mayor Presley's executive direction explicitly surrenders and transfers all image rights, data usage ownership, and proprietary controls over captured public visual data directly to Flock Safety (a private third-party corporate entity). Surrendering public image data captured within municipal rights-of-way to a private corporate entity without public hearing or legislative protections constitutes an arbitrary abuse of executive power and a direct violation of the fiduciary duties codified in City Charter Section 2.14.

Count 6: Unlawful Interfund Borrowing & Misuse of Referendum-Restricted TSPLOST/SPLOST Funds (Audit Finding 2024-6)

- Applicable Legal Grounds: O.C.G.A. § 48-8-121 (Use of Special Sales Tax Proceeds); O.C.G.A. § 48-8-110 et seq.; City Charter Section 2.14.
- Statement of Fact: Official municipal audit records (Audit Finding 2024-6) confirm that under Mayor Presley's executive supervision, the city engaged in unauthorized interfund transactions wherein the TSPLOST Fund maintained an improper interfund balance owed to the SPLOST Fund. Under Georgia law, SPLOST and TSPLOST revenue is strictly restricted by voter referendum and cannot be borrowed or transferred to fund separate accounts or offset operational deficits. This improper handling required corrective auditor intervention and delayed fund transfers through April 2025, violating statutory referendum mandates and fiduciary principles.

Count 7: Systemic Failure to Implement Segregation of Duties & Internal Accounting Controls (Audit Finding 2024-1)

- Applicable Legal Grounds: O.C.G.A. § 36-81-3; City Charter Section 2.14; City Code of Ethics.
- Statement of Fact: Official state audit findings (Finding 2024-1) document a long-standing, uncorrected operational failure regarding inadequate segregation of duties within municipal accounting, cash handling, and recordkeeping procedures. Mayor Presley failed to establish or enforce basic internal control checks, leaving financial intake, ledger entries, and bank reconciliations without executive oversight, directly exposing the municipal treasury to loss, error, and alleged employee embezzlement.

Count 8: Unlawful Departmental Overexpenditures in Excess of Budget Appropriations (Audit Finding 2024-2)

- Applicable Legal Grounds: O.C.G.A. § 36-81-3 (Uniform Automated Information System / Budgetary Controls); City Charter Section 2.14.
- Statement of Fact: Official audit findings (Finding 2024-2) establish that Mayor Presley permitted municipal operating departments to execute expenditures in direct excess of legally adopted budget appropriations without proposing or securing formal City Council budget amendments. Operating departments outside legal appropriations violates Georgia municipal budget law and demonstrates a total failure of executive budgetary control.

Count 9: Material Financial Reporting Misstatements & General Ledger Reconciliations (Audit Finding 2024-4)

- Applicable Legal Grounds: O.C.G.A. § 36-81-3; City Charter Section 2.14.
- Statement of Fact: Official audit findings (Finding 2024-4) document severe inaccuracies in general ledger accounts under Mayor Presley's executive administration, requiring significant audit adjustments to reconcile basic financial statements. Maintaining defective general ledgers prevents accurate financial reporting and breaches the executive's duty to maintain transparent municipal records.

Count 10: Severe Operational Deficits and Financial Unviability in Proprietary Water/Sewer Utility Funds (Audit Finding 2024-5)

- Applicable Legal Grounds: City Charter Section 2.14; O.C.G.A. § 36-81-3.
- Statement of Fact: Official audit findings (Finding 2024-5) establish that Mayor Presley's administration failed to manage municipal utility pricing, cost structures, and operational budgets, causing severe, ongoing operating deficits in the Water & Sewer Fund. Arbitrarily freezing utility rates without financial modeling generated an operational loss exceeding \$50,000.00, depleting utility reserves and threatening essential municipal services.

Count 11: Chronic Failure to File Mandatory State Audits & Infrastructure Grant Forfeiture (Audit Finding 2024-3)

- Applicable Legal Grounds: O.C.G.A. § 36-81-7 (Annual Audit Filing Requirements); City Charter Section 2.14.
- Statement of Fact: Mayor Presley continuously failed to ensure the timely completion and submission of mandatory annual municipal financial audits to the Georgia Department of Audits and Accounts (cited formally in Audit Finding 2024-3). This chronic audit delinquency directly caused the City of Maysville to forfeit eligibility for state and federal infrastructure grants required to repair failing water utility systems.

Count 12: Chronic Inaction on Safe Drinking Water Act Violations & Raw Sewage Spills

- Applicable Legal Grounds: Safe Drinking Water Act (42 U.S.C. § 300f et seq.); Georgia Safe Drinking Water Act (O.C.G.A. § 12-5-170 et seq.); Georgia Water Quality Control Act (O.C.G.A. § 12-5-20 et seq.).
- Statement of Fact: Under Mayor Presley's executive management, municipal water utilities suffered uncontained raw sewage spills into public areas and repeated violations of federal Maximum Contaminant Levels (MCL) for Haloacetic Acids (HAA5), exposing residents to carcinogenic disinfection byproducts without corrective remediation.

Count 13: Constructive Exclusion of the Public via Unvouched Room Occupancy Capping

- Applicable Legal Grounds: O.C.G.A. § 50-14-1 et seq. (Georgia Open Meetings Act); City Charter Section 2.14.
- Statement of Fact: During the December 2, 2024 meeting (and subsequent dates in May and June 2026), Mayor Presley ordered the public entrance to council chambers capped and locked, turning away citizens. When challenged, Presley failed to cite a legal fire code capacity limit, executing an arbitrary de facto closure of a public meeting. The City Clerk later acknowledged: "we knew a lot of people were coming."

Count 14: Usurpation of Statutory Authority Regarding Occupancy Signs & Making False Public Statements Regarding Legal Counsel Consultation

- Applicable Legal Grounds: O.C.G.A. § 8-2-20 et seq. (State Minimum Standard Codes); O.C.G.A. § 16-10-1 (Violation of Oath); O.C.G.A. § 16-10-20 (False Statements); O.C.G.A. § 36-2-14; City Code of Ethics (Ordinance No. 2006-001).
- Statement of Fact: On May 18, 2026, and June 1, 2026, Mayor Presley posted or directed the posting of manufactured room occupancy signs in City Hall. Under Georgia law, the power to issue occupancy limits is vested exclusively in the certified building official or fire marshal, not the Mayor acting independently. Furthermore, video recording evidence confirms that during an open municipal meeting, Mayor Presley publicly claimed on the record that he had specifically consulted with City Attorney Doug Kidd regarding the installation and posting of the occupancy sign. During that same meeting, City Attorney Doug Kidd explicitly denied on the record that Mayor Presley had consulted with him or received legal authorization for the sign. Falsely claiming legal counsel approval on the public record to justify an unauthorized usurpation of regulatory authority constitutes a deliberate misrepresentation, abuse of executive authority, and breach of the City Code of Ethics.

Count 15: Secret Backchannel Legal Consultations During Open Meetings (Incident Date: May 28, 2026)

- Applicable Legal Grounds: O.C.G.A. § 50-14-1(b)(1); O.C.G.A. § 50-14-4.
- Statement of Fact: During open legislative proceedings on May 28, 2026, Mayor Presley engaged in whispered, unrecorded side conversations with the City Attorney over a live microphone during active municipal debate, excluding the public from hearing the legal advice and context anchoring pending votes without formally moving to enter Executive Session.

Count 16: Unlawful Unilateral Meeting Adjournment and Agenda Alteration

- Applicable Legal Grounds: O.C.G.A. § 50-14-1; Maysville City Rules of Procedure; Charter Section 2.14.
- Statement of Fact: In May 2024, Mayor Presley unilaterally walked out and terminated an official meeting without a motion, second, or recorded vote of council adjournment. Additionally, he routinely altered posted meeting agendas without putting formal amendments to a council vote.

Count 17: Deceptive Statements and Active Concealment of Northern Data Project Scope

- Applicable Legal Grounds: O.C.G.A. § 16-10-20; City Code of Ethics; City Charter Section 2.14.
- Statement of Fact: Mayor Presley stated on the public record that the proposed Northern Data facility consisted of "just one large building," in direct contradiction to corporate filings, site plans, and the January 30, 2025 zoning motion authorizing two 125,000 sq. ft. buildings (250,000 sq. ft. total). Furthermore, Presley withheld blueprints and site schematics from the public.

Count 18: Unlawful Surrender of Municipal Due Diligence to Corporate Developers

- Applicable Legal Grounds: City Charter Section 2.14; City Code of Ethics.
- Statement of Fact: Mayor Presley failed to order independent hydrological, environmental, or electrical impact studies for the data center project, relying entirely on studies paid for by the developer (Northern Data). On May 15, 2026, Presley accepted pre-written corporate talking points and directives from Northern Data to read at public planning meetings.

Count 19: Violation of Americans with Disabilities Act (ADA) Public Access Requirements

- Applicable Legal Grounds: Americans with Disabilities Act (42 U.S.C. § 12132); O.C.G.A. § 50-14-1.
- Statement of Fact: Mayor Presley has maintained public council meetings in an upstairs chamber accessible only via an unreliable stairlift (which, while currently operational, remains highly unreliable), uneven pavement, and no compliant handicap ramp, structurally excluding mobility-impaired citizens from open government proceedings.

Count 20: Inaccurate and Non-Compliant Campaign Finance Disclosures (O.C.G.A. § 21-5-34)

- Applicable Legal Grounds: O.C.G.A. § 21-5-34; Campaign Finance Commission Rules.
- Statement of Fact: Mayor Presley submitted state Campaign Contribution Disclosure Reports containing omitted candidate Filer IDs (2023 Report), shifting contact phone numbers across filings without explanation, and unverified personal campaign loan balances (\$9,075).

Count 21: Failure to Maintain Intergovernmental Agreements for Emergency Fire/EMS Coverage

- Applicable Legal Grounds: O.C.G.A. § 36-69-1 et seq.; City Charter Section 1.12 & Section 2.14.
- Statement of Fact: Mayor Presley failed to maintain, execute, and renew binding Intergovernmental Agreements (IGAs) with Jackson and Banks counties for seamless municipal Fire and EMS emergency dispatch and coverage across county-line municipal boundaries, endangering resident safety and abandoning executive public safety duties.

III. LEGAL BASIS SUMMARY TABLE

Count	Alleged Violation	Applicable Law / Statute / Charter
Count 1	Voting Alliance Collusion / Tacit Ratification	Charter § 2.14; Code of Ethics; O.C.G.A. § 16-10-1
Count 2	Physical Battery of Citizen Luis Lopez	O.C.G.A. § 16-5-23; Code of Ethics; MPD Report #2024-03-0331
Count 3	Physical Intimidation of Councilmember Jackson	O.C.G.A. § 16-5-20; Charter § 2.14; MPD Report #2024-05-0912
Count 4	Gross Oversight Failure & Refusal to Order Forensic Audit (Alleged \$19k+ Theft)	Charter § 2.14; O.C.G.A. § 36-81-3; O.C.G.A. § 16-10-1
Count 5	Unlawful Flock Camera Deployment & Surrender of Image Rights	Charter § 2.14; O.C.G.A. § 36-30-2; O.C.G.A. § 50-14-1

Count	Alleged Violation	Applicable Law / Statute / Charter
Count 6	Unlawful Interfund TSPLOST/SPLOST Borrowing	O.C.G.A. § 48-8-121; Charter § 2.14 (Audit Finding 2024-6)
Count 7	Failure to Implement Internal Accounting Controls	O.C.G.A. § 36-81-3; Charter § 2.14 (Audit Finding 2024-1)
Count 8	Departmental Overexpenditure Without Council Approval	O.C.G.A. § 36-81-3; Charter § 2.14 (Audit Finding 2024-2)
Count 9	Material Ledger Misstatements & Adjustments	O.C.G.A. § 36-81-3; Charter § 2.14 (Audit Finding 2024-4)
Count 10	Utility Pricing Freeze & Water Fund Operating Deficits	Charter § 2.14; O.C.G.A. § 36-81-3 (Audit Finding 2024-5)
Count 11	Late Audits & Infrastructure Grant Forfeiture	O.C.G.A. § 36-81-7; Charter § 2.14 (Audit Finding 2024-3)
Count 12	Safe Drinking Water Act & Sewage Spill Violations	42 U.S.C. § 300f; O.C.G.A. § 12-5-170; O.C.G.A. § 12-5-20
Count 13	Capping Public Entry / Open Meetings Breach	O.C.G.A. § 50-14-1 et seq.
Count 14	Usurpation of Occupancy Authority & False Statements Regarding Legal Counsel Consultation	O.C.G.A. § 8-2-20; O.C.G.A. § 16-10-20; O.C.G.A. § 36-2-14; Code of Ethics
Count 15	Secret Whispered Legal Consultations (Incident Date: May 28, 2026)	O.C.G.A. § 50-14-1(b)(1); O.C.G.A. § 50-14-4

Count	Alleged Violation	Applicable Law / Statute / Charter
Count 16	Unilateral Meeting Adjournment & Unvoted Agendas	O.C.G.A. § 50-14-1; GMA Rules of Procedure
Count 17	Deceptive Data Center Scope Statements	O.C.G.A. § 16-10-20; Code of Ethics
Count 18	Surrender of Due Diligence / Corporate Scripts	Charter Section 2.14; Code of Ethics
Count 19	ADA Violations / Non-Compliant Public Access	42 U.S.C. § 12132; O.C.G.A. § 50-14-1
Count 20	Inaccurate Campaign Contribution Reports	O.C.G.A. § 21-5-34
Count 21	Lapsed Intergovernmental Fire/EMS Coverage	O.C.G.A. § 36-69-1 et seq.; Charter § 1.12

IV. RELIEF REQUESTED

The Complainant respectfully requests that reviewing authorities:

1. State Attorney General Intervention: Refer Open Meetings Act violations (arbitrary room capping, unvoted agenda modifications, secret microphone whispers) and unauthorized Flock camera surveillance procurements lacking public hearing to the Georgia Attorney General Open Government Mediation Unit.
2. Surveillance Contract Review & Cancellation: Order an immediate administrative review and formal public hearing regarding the Flock Safety MOU, compelling the reclamation of municipal image data rights or cancellation of the un-voted contract.

3. Comprehensive Forensic Financial Audit: Order an immediate, independent forensic financial audit of the General Fund, SPLOST/TSPLOST accounts, Clerk's office records, and water billing ledgers from 2021 to present.
4. EPD Enforcement Action: Issue emergency corrective orders regarding HAA5 drinking water contamination and raw sewage discharges.
5. ADA Relocation Mandate: Order all future City Council meetings relocated immediately to an accessible, first-floor, fully ADA-compliant facility.
6. Ethics Tribunal & Removal Proceedings: Convene a formal Ethics Tribunal under City Charter Section 2.12 and O.C.G.A. § 45-11-4 to effectuate the immediate removal of Richard Presley from the Office of Mayor due to physical battery, financial malfeasance, gross oversight failure, refusal to order a forensic audit, interfund tax misapplication, unauthorized surveillance deployments, false public representations regarding legal counsel, and breaches of public trust.

V. VERIFICATION & NOTARIZATION

I declare under penalty of perjury under the laws of the State of Georgia that the facts set forth in this consolidated complaint are true and correct to the best of my knowledge, information, and belief.

_____, Complainant, Maysville, Georgia

Date: July 30, 2026

STATE OF GEORGIA COUNTY OF _____ Signed or attested before me on _____ by _____, who proved to me on the basis of satisfactory evidence to be the person who appeared before me.

☐ Personally Known

☐ Produced Identification

Type of ID Produced: _____

Signature of Notary Public

(Name of Notary, typed, stamped, or printed)

Notary Public, State of Georgia

My Commission Expires: _____