

CITY OF STONE MOUNTAIN

STATE OF GEORGIA

IN RE:

INVESTIGATION REGARDING BANK ACCOUNTS

REPORT OF INVESTIGATOR

COMES NOW, the Investigator appointed to review matters related to the City's bank accounts and signature cards and issues his Report as follows:

FINDING OF FACTS

On or about April 2, 2025, a series of signature cards and a Resolution for Deposit account for the City and the Downtown Development Authority were signed by Mayor Beverly Jones. The Resolution for Deposit Account appears to be a preprinted form generated by Truist Bank for corporate deposit accounts. A number of blanks in the form document were filled in by a Truist employee.

The Resolution form contains a number of general statements and representations which were either inaccurate or inapplicable to the City and DDA accounts. For example, the Resolution provides in the first paragraph, that "the undersigned [the Mayor] acted in the capacity of Corporate Secretary or Custodian of Records for the above-named entity ... certify that the resolutions or requirements similar to those below were adopted and are not inconsistent with the governing documents or records of the entity" This statement was not accurate. In Section II, the Resolution further provides "that any one individual named below (a "Designated Representative") is authorized to open accounts on behalf of the entity, to close any account or obtain information on any account. Any one designated representative may appoint others (and "authorized signor")

to conduct transactions on the account by authorizing them to sign their name to the signature card.” This statement was inaccurate and at odds with the City’s Charter Section 2.32(6).

The sole designated representative listed in the Resolution for Deposit Account was Beverly Jones, as Mayor. In Section V, the Resolution further provided, “that any prior Resolutions or requirements have been revoked and are no longer binding” This statement was inaccurate and at odds with the provisions of City Charter Section 2.32(6). In addition to the Resolution, the Mayor signed a series of signature cards for various City accounts, including three accounts titled in the name of the Downtown Development Authority. After completing the new Resolutions and cards on April 2, 2025, Truist Bank indicated that Mayor Jones was the only authorized signatory on each account.

The Mayor maintains that she signed these documents at the request and suggestion of an unnamed employee of Truist Bank.¹ The Mayor indicated that a Truist representative called her on or about March 28, 2025 and informed her that the City’s accounts were at risk because former employees who no longer worked for the City still had signature authority on the City’s bank accounts. In her press conference statement, the Mayor indicated that she consulted with the City attorney before visiting the Truist Bank branch. The Mayor claimed that she took no documentation with her to the meeting with Truist; that she had no intention to take off Council members or current employees; and that she signed the documents prepared and presented by Truist. The Mayor maintained that she consulted with the then City attorney before visiting the Bank branch.

¹ On July 1, 2025, the Investigator offered the Mayor an opportunity to provide a statement or documents in conjunction with this investigation. The Mayor declined to provide any information. The statements of the Mayor described in this Report come from a video recording of her press conference statement given on or about June 3, 2025.

In a telephone interview with the Investigator, the former City attorney indicated that the first time he communicated with the Mayor regarding the Bank and signature cards was May 5, 2025. He indicated that the Mayor called him that afternoon to disclose to him the actions she had taken in April with respect to the signature cards. The City attorney indicated that the Mayor did not contact him in late March or early April or at any time prior to visiting the Bank.

It appears that the Mayor did not report signing these new documents to the City Manager or to any other City personnel immediately upon signing or the days intervening between April 2 and May 7, 2025.

The City Manager indicated in a memo to the Mayor and Council dated Wednesday, May 7, 2025, that he discovered the signature card changes in early May. It appears that neither Truist nor the Mayor communicated the April 2nd events to any City personnel prior to May 7, 2025.

The “new” or modified signature cards and Resolution were prepared by Brigitte Hyrams, a Truist employee at the Stone Mountain branch. In an interview with the Investigator², Ms. Hyrams indicated that she attempted to initiate contact with the Mayor in January 2025 regarding former City employees remaining on signature cards after their employment ended. After further inquiries, the Mayor visited the Truist branch on April 2, 2025 to sign new signature cards. Mr. James Otten, Senior Relationship Banker at Truist indicated that he met with Ms. Hyrams and the Mayor on April 2, and that he encouraged the Mayor to have another signer added to the accounts, in the event she was unavailable or that the Bank needed another authorized person for communications regarding the accounts. Ms. Hyrams indicated that she e-mailed copies of the

² Truist permitted the Investigator to interview James Otten and Brigitte Hyrams with Truist attorneys on July 21, 2025.

updated signature cards to the Mayor on or about April 2, 2025.³ Both Truist employees specifically indicated that they repeatedly reminded the Mayor, in person on April 2, and in subsequent phone calls of the need to identify additional signers and to have those additional individuals complete Truist's processes for addition to the appropriate signature cards.

CONCLUSIONS

The City of Stone Mountain Charter provides that the City Clerk is the custodian of the official City Seal and City Records. City Charter Section 3.13. The Charter further provides that the Mayor may sign checks for the payment of money "along with an individual so designated by a majority vote of the City Council." City Charter Section 2.32(6). The Charter further provides that the City Manager's Chief Executive and Administrative Officer of the City with the power and duty to direct and supervise the administration of all departments. City Charter Section 2.29. The Mayor has taken an oath of office which provides, among other things, the Mayor shall support and defend the Charter of the City and faithfully perform her duties as Mayor.

It appears that the Mayor's actions of April 2 outlined above, even if well intended, violated several provisions of the City Charter in her oath of office. The Mayor was not authorized to enter or sign the Bank's form resolution unilaterally. The Resolution for Deposit Account prepared by Truist contained several statements which were inaccurate including the certification that the Mayor was authorized to act in a capacity as Corporate Secretary or Records Custodian for the City; that the Truist prepared Resolution authorizing the Mayor to act unilaterally was properly adopted and not inconsistent with the governing documents of the City; that the Mayor was authorized to act as the sole "designated representative" to open or close accounts and sign checks

³ The Investigator requested copies of the Truist e-mails to the Mayor. To date, those e-mails have not been provided.

for the City; and that any prior Resolutions of the City regarding bank accounts and signatures have been revoked. Furthermore, it appears that the execution of a signature cards for three accounts of the Downtown Development Authority was also inconsistent with State law and City regulations as the Mayor is not a member of the DDA and has absolutely no signature authority to act on behalf of the DDA.

While these actions represent technical violations of the City Charter and applicable State law, fortunately, City staff has indicated that no misappropriation or misuse of City or DDA funds has been discovered. This investigation has not produced any evidence to indicate that any funds were improperly removed, taken, or otherwise mishandled as a result of the activities described above. City staff, DDA staff, and attorneys for both entities did have to spend significant time and energy to regain access to the accounts in May 2025 and restore normal financial functions for issuing checks for both the City and the DDA. The Mayor (in her press conference statement) indicated that she only undertook these actions at the request and suggestion of Truist employees. The Truist employees who prepared the April 2 signature cards and Resolution of for Deposit Account indicates that they specifically told the Mayor that additional persons should be added as authorize signers on the accounts. No documents from Truist or the City indicate that the Mayor took any action between April 2 and May 7 (when the changes were discovered) to communicate with any City staff, DDA staff or elected officers regarding the account changes or adding additional signers.

The former City attorney has clearly and unambiguously indicated that the Mayor did not contact him or seek any advice from him regarding these matters prior to signing the documents at Truist on April 2, 2025. The former City attorney also indicated that the first communication

he received from the Mayor on this subject matter was May 5, 2025, prior to a special called City Council meeting to address these matters.

It is troubling that the events and changes of April 2 were not promptly reported to the City Manager, the DDA staff, the City Council, or any other City or DDA representatives. The Mayor has not offered any reason for failing to disclose these matters immediately.

For the foregoing reasons, I find and conclude that the actions of Mayor Jones in signing the Resolution for Deposit Account and signature cards did violate the provisions of the City Charter and the Mayor's oath of office outlined above. I further find that the changes in the signature cards should have been reported to the City Manager, DDA staff, and elected officials or other City representatives when they were completed in April.

Respectfully submitted this 1st day of August, 2025.

s/Robert Jackson Wilson

Robert Jackson Wilson, Investigator
Georgia Bar No. 768990

Robert Jackson Wilson, PC
294 S. Culver Street, Suite C
Lawrenceville, GA 30046
Telephone: (770) 962-9780

CERTIFICATE OF SERVICE

This is to certify that I have this date served a copy of the foregoing **REPORT OF INVESTIGATOR** on the following persons by e-mail as follows:

Angela Couch, City Attorney
City of Stone Mountain, Georgia
Carothers & Mitchell, LLC
1809 Buford Highway
Buford, GA 30518
angela.couch@carmitch.com

This 1st day of August, 2025.

s/Robert Jackson Wilson

Robert Jackson Wilson, Investigator
Georgia Bar No. 768990

Robert Jackson Wilson, PC
295 S. Culver Street, Suite C
Lawrenceville, Georgia 30046
Telephone: (770) 962-9780
jwilson@rjwpclaw.com