

Support documentation regarding:

Secret Emails Exposed - #2

“Why is former Mayor Brad Sears involved in secret Council emails?”

by Cedar Hills Citizens for Responsible Government – Oct. 4, 2012

Ironically, the subject of illegally withheld Secret Emails #2, was a February 2012 Ethics Bill – SB180. In an odd twist, City Council members were unethically hiding city related public email communications on personal accounts.

Members of Cedar Hills Citizens for Responsible Government -- Jerry Dearing, Paul Sorensen and Ken Cromar -- were invited by the Bill's sponsors Sen. Curt Bramble and Sen. John Valentine to testify in behalf of their Ethics Bill before the Senate Subcommittee Hearing. One Senator commented that Cedar Hills is the “poster child” for why the SB180 should be passed. The new Ethics Bill – SB180 passed unanimously 29-0 in the Senate, and 69-4 in the House. Despite CH Secret Email #2 against it, the State Legislature supported strengthening Ethics laws, almost unanimously. (see... <http://le.utah.gov/~2012/bills/static/SB0180.html>)

“State of the City” made false claims

In the lengthy, 32-page, glossy “State of the City” document, city leadership declared that our organization was not willing to pay the \$66 for the GRAMA request. This is false.

Members of **Cedar Hills Citizens for Responsible Government** have paid every fee for every GRAMA request any of us have ever made. Declarations to the contrary are dishonest. The reason for not wanting to pay the \$66 was that when we went in to pick up the records, we realized we weren't being provided all the records for the timeframe Hildebrandt declared. How could we know that? An insider had already provided at least 11 emails the City did not include. Additionally, the Email #2 chain that was truncated, the emails that were provided were on paper instead of electronically as requested, and the cost trend was heading towards being over \$2,000, despite an original estimate by City Recorder Kim Holindrake of up to \$87 (2-3 hours @ \$29/hr) to electronically copy documents to a CD – an easy process. A huge difference in price. Unaffordable! Or, maybe that was the intent?

Three and one-half months after requesting the missing documents, on July 13, 2012 – Gretchen Gordon – Deputy Recorder finally wrote to Ken Cromar (our key researcher) as follows:

From: Gretchen Gordon <gordon@cedarhills.org>
Subject: RE: Today - Review GRAMA request retrieval Re: GRAMA
Request - Dated 3-5-12
Date: July 13, 2012 4:31:50 PM MDT
To: Ken Cromar
Cc: David Bunker, Eric Johnson

“Mr. Cromar – I have spent an extensive amount of time addressing the following concern:

*****[Mrs. Gordon quotes Ken Cromar’s email to her as follows:]
You say that "we can find no error in the compilation". I do not understand how you could make this declaration, as I demonstrated the error at the May 18, 2012 Ombudsman mediation at the State Records office, when I showed you the email chain of February 23, 2012, between the entire Council, Konrad and former Mayor Brad Sears. (Note: ALL of the identifiable email addresses, were personal email accounts, except Konrad's.) The message was clearly truncated at the bottom of page 2, indicating at least a page three, and possibly more missing pages.

“The City has had the original document reviewed to verify complete compilation. The review confirmed that the pages included in your request are a complete record, as provided. As you state, your copies show a truncated e-mail. Portions of the e-mail in question have been redacted by legal counsel due to privileged, private, or protected information.

These actions fulfill our review of this portion of your GRAMA request.

Gretchen Gordon

Executive Assistant/Human Resources.”

It appears that the City may have been overly generous in conveniently granting themselves “privileged, private, or protected” classifications, as none of the eleven emails nor the Ethics email seem to qualify being withheld. How many other withheld emails did not qualify for “protection” from Cedar Hills taxpayers?

Email #2 might explain the City’s apparent motivation to drag out our GRAMA request process for over 200 days. The City made our effort to access public email records prohibitively expensive, then provided them on paper rather than electronically as requested, and then redacted (cut) important information from records they finally did provide.

Additionally, the City acknowledged that many former Council members emails (Jim Perry, Marisa Wright and Ken Kirk particularly) had been deleted. This mean that we will never have access to a complete record of events – or know the complete truth surrounding some questionable activities. But, what we do have seems plenty bad enough for them. Doesn't this remind of the White House's "Fast & Furious" records fiasco?

"Open, honest and transparent" Cedar Hills government? You decide.

Be watching for the next "Secret Emails Exposed - #3", soon to be posted at www.CedarHillsCitizens.org .