



STATEMENT FROM THE CITY OF CEDAR HILLS
APRIL 2, 2014

Where inaccurate or incorrect information is publicly advanced, the City feels it is in the interest of the community to provide an accurate and correct summary. Recently, statements made on a public website present inaccurate or incomplete information regarding GRAMA requests. The City wishes to address those statements.

Statement: CHCRG believes that some critically important information has been intentionally withheld by the City, from its citizens, buried within multiple, confusing sources. The proof? Despite numerous requests over the past two years, the Mayor & Council refuse to publish a report to "shareholder" citizens (their bosses) of a simple table showing the year-by-year golf course losses and taxpayer subsidies.

This is simply untrue. In 2012 it became evident that a comprehensive report regarding the golf course financials needed to be created and provided to residents. The Golf Course Finance Advisory Committee, which consisted of several Cedar Hills residents, two council members, the Mayor, and members of the Finance team, was created to review all of the golf course financials and come up with a report for residents. After several months of research the Committee presented their findings in a townhall meeting on November 15, 2012. This information was also published in the December 2012 newsletter. The Committee's presentation can be found online at <http://www.cedarhills.org/node/1796>, and the December 2012 newsletter is available online at <http://www.cedarhills.org/node/1801>. Additionally, a year by year financial summary of the golf course, along with a detailed explanation on reading the statements, may be found online at <http://www.cedarhills.org/finance-documents/financial-statements>. Lastly, in the State of the City magazine, which has gone out to residents in 2012 and 2013, gives a detailed explanation of the budget for each year, including the golf course subsidy budgeted. Those may also be found online at <http://www.cedarhills.org/state-of-city>.

Statement: So much was discovered in the 2012 records, including the most significant fact that the Mayor, Council and City Officials had done a significant portion of city business on personal accounts without providing all copies back to the City Recorder as required by law – until our GRAMA request then ORDERED by the Utah State Records Committee.

One concern Mr. Cromar/CHCRG brought up in 2012 was with regards to emails that may exist on the personal accounts of the former mayor and/or current and former councilmembers. Because elected officials did not have access to the City network prior to 2012, their city email accounts were setup to automatically forward any emails received at their city account to their personal account. These emails were not stored on the City server. No city is required to provide email accounts for elected officials. However, Cedar Hills felt it would be best to do so and now it provides a City supported email account. Elected officials may now remotely access the network and all incoming and outgoing emails on these accounts are stored on the City server. At the time of the 2012 request the City also reached out to existing and former councilmembers and requested that any city-related emails that were stored on personal accounts be sent to the City for classification and retention purposes. Each councilmember who had city-related emails on their personal accounts complied with this request and provided to the City all city-related emails in their possession. In September 2012, Mr. Cromar presented these arguments to the

Utah State Records Committee asking that the City be fined. The State Records Committee unanimously held that the City had properly followed the requirements of the law and fully provided Mr. Cromar with all required records. His claims that the City had done something amiss were dismissed as baseless.

Statement: Why was the 20-year veteran City Recorder Kim Holindrake forced out at the time of CHCRG's 2012 GRAMA request of Mayor & Council member email records? Some believe that the Mayor and Council decided to find her "insubordinate" and force her resignation in order to silence her, because she insisted on obeying her oath to uphold the law rather than do what some officials were asking her to do.

This is a complete fabrication. Ms. Holindrake's resignation had nothing to do with this, or any other GRAMA request. The City will respect Ms. Holindrake's right to privacy and not give details into her resignation; however, Mr. Cromar/CHCRG's attempt to portray it as a conspiracy or cover-up of some sort is out of line and inappropriate, as well as untrue. There has never been a time that any member of staff has been asked to do anything illegal or unethical by City officials. In September 2012, Mr. Cromar made this same argument to the Utah State Records Committee. It was unanimously rejected as baseless.

Statement: What is the City trying to hide from you and Cedar Hills Citizens for Responsible Government in our 2014 GRAMA request for their email records?

City staff and officials have nothing to hide. Just as in 2012, Mr. Cromar/CHCRG will be provided with all public records requested as soon as he prepays the compilation fee, as outlined in GRAMA law. Mr. Cromar/CHCRG requests thousands of pages of emails that the City can provide. However, under State law the City is entitled to charge the actual cost of gathering those records. At the June 15, 2012 State Records Committee hearing, also held when Mr. Cromar filed an appeal against the City on a request for emails, the Committee ruled that Cedar Hills was allowed to require prepayment and that the City did not have to begin to fulfill the request until prepayment was received.

Again, Mr. Cromar/CHCRG continues to make unfounded accusations. The City has never tried to withhold the public record, and city officials have nothing to hide. The City has been consistent in stating that GRAMA requestors must prepay compilation costs exceeding \$50, and that all public records requested will be provided once prepayment is received. This policy is not new, and is not unique to Mr. Cromar and his group, CHCRG. This policy is consistent with State law, unbiased, and fair to the rest of the taxpayers of Cedar Hills. A hearing before the State Records Committee is scheduled for May 8, 2014, at which time Mr. Cromar will again argue that the City should be required to fulfill his records requests for free.

For additional information or for media inquiries please contact Jenney Rees at 801-358-8730 or via email at jrees@cedarhills.org.

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