

## GRAMA Notice of Appeal to State Records Committee

**Note:** Utah Code § [63G-2-403](#) (GRAMA) provides that any person may further appeal the chief administrative officer's denial of an appeal by filing a notice of appeal with the State Records Committee. This notice must be filed within 30 days of the response from a governmental entity's chief administrative officer or no later than 45 days after the records request was made if the following occur: the governmental entity claims extraordinary circumstances, and the chief administrative officer failed to make a determination.

### Requester's information

Name: Scott L. Gollaher Date: 08/10/2018

Address: [REDACTED] City/State/Zip:

Daytime telephone number: [REDACTED]

### Make request to

SRC Executive Secretary  
346 South Rio Grande Street  
Salt Lake City, Utah  
84101 [grama@utah.gov](mailto:grama@utah.gov)

### Explanation of Relief Sought

**Note:** Relief can relate to conflicts over denial of access to records (Utah Code § [63G-2-402](#)) as well as disputes over fees (Utah Code § [63G-2-203\(6\)](#)) or extraordinary circumstances (Utah Code § [63G-2-402](#)).

The State Records Committee can also use the weighing provision to order the release of records that are properly restricted if it determines that the interests favoring access are greater than or equal to the interests favoring restriction (Utah Code § [63G-2-203\(11\)](#))

On June 5, 2018, I filed with Morgan County my GRAMA records request dated May 31, 2018 (Exhibit A, pp. 7-10). On June 11, 2018, Morgan County Attorney Jann Farris responded, denying my request as unreasonable duplication request of records previously requested. He then requested a fee of \$800 to be paid in advance, claiming: "Requester has made numerous GRAMA requests to Morgan County every year for the last several years. Requester now makes an extensive records request going back to 2011. This request will take a minimum of 8 hours to complete and the only county personnel able and qualified to research and respond to this extreme request is the Morgan County Attorney." (Exhibit A, pp. 11-14)

Despite Mr. Farris' erred conclusions reached as to his grounds for denial relevant to unreasonable duplication, and the imposition not only of an unreasonable fee assessment but in using the fee assessment to block my access to records that affect my substantial legal rights, I appealed Mr. Farris' denial to Chief Administrator Ned Mecham, Council Chair for the Morgan County Council on July 11, 2018 (Exhibit A).

True to form, no response was received from the Chief Administrator. Therefore, I now appeal to the State Records Committee both the claim for denial and the improper and unreasonable fee assessment as I am the subject of the record series I sought, I have requested it be provided in the form the County presently keeps the record, and I have requested that the record be electronically provided.

Mr. Farris has not denied the records exist, each of his contentions for denial raised are addressed in my Appeal to the Chief Administrator, which are incorporated herein by reference. The impermissible fee assessment, as applied, and the unreasonableness of the fee as Mr. Farris' alternative means to deny and block access to this record are also addressed in that appeal to Mr. Mecham, Council Chair and Chief Administrator.

I appeal to the SRC requesting that the SRC order Morgan County to produce all records sought pursuant to my GRAMA request within a reasonable time under the circumstances, and that the fee assessment be denied as I am indigent and that denial places a hurdle blocking my access to the records which I cannot overcome. I further would suggest that Mr. Farris not be the County personnel to respond due to his history of selecting which records to produce so that he avoids producing those records which impeach his prior attesting before this Committee and the courts.

Petitioner remains amenable to mediation, to permit additional time to produce the records, and to provide additional information to Morgan County in its efforts to obtain all records if questions arise.