July 15, 2019

Gina Proctor
SRC Executive Secretary
346 S. Rio Grande
Salt Lake City, UT 84101

RE: Request for Hearing on GRAMA request

Dear Ms. Proctor

I sent in a GRAMA request dated May 19, 2019 to San Juan County Clerk, John David Nielson. I only received a few of the requested documents. I also appealed this GRAMA request on May 31st, 2019 to David Everitt and got a response on July 3, 2019. Mr. Everitt did not provide any further documents that Mr. Nielson provided. I am requesting a hearing to discuss to the State Archives Board. I will explain what I am requesting and what I received and why I feel there must be more than what was provided to me:

1) Original GRAMA Request: Based on quotes from the Salt Lake Tribune article dated May 1st, 2019 (I've attached it), Commissioner Maryboy is quoted "I've been emailing Pehrson, he doesn't do what was told to do."
    a. I would like all emails from k[redacted] or kmaryboy@sanjuancounty.org to kpehrson@sanjuancounty.org that would have told me what to do?

    John David Nielson: provided me two emails, one that explained to me how to answer a GRAMA request (it is provided). Which just told me to share the approved resolutions, which I did and the board will know because of Bill Keshlar's case that went before the State Archives Board. The 2nd Email asked me to get more info on a Fiber optic project, which this company presented in a commission meeting.

    David Everitt: Properly evaluated emails sent to you at kperhson@sanjuancounty.org to discern if any those emails were potentially responsive records to your request.

    My Evaluation: I don't see how any of those responses showed emails that Mr. Maryboy stated in his quote could show that I did not do what I was told. I believe there has to be more than what was provided by San Juan County.

2) Based on the same news article Steven Boos is quoted that he "echoed Maryboy's assessment that Pehrson had engaged in insubordination.
    a. I would like all text messages, emails, letters, etc. that Kenneth Maryboy sent to Mr. Boos talking about me being insubordination? He has two cell phones: [redacted]

and the county phone 435-459-9281. I am subject to any talk about my insubordination from these two phones, or the two email accounts stated above.

b. Mr. Boos is also quoted as saying that "Mr. Maryboy sent me a number of memos asking Mr. Pehrson to provide updates (on the assignments, these reports were not provided." I would like all Memos that he is stating that Commissioner Maryboy sent me, I am guessing to kpehrson@sanjuancounty.org from his two emails stated above.

John David Nielson: There was no text messages, emails, or letters provided. Also Mr. Maryboys attorney said there was memos provided to me to have me give updates, Mr. Nielson did not provide me one memo.

David Everitt:. The same with Mr. Everitt, there was no text messages, emails, or letters were provided and no memos provided.

My Evaluation: Mr. Maryboy had to communicate to Mr. Boos about me being insubordinate based on the quote in the paper. I would like to know if San Juan County was provided any of these text messages, letters, etc.. that give his Attorney evidence that I was in fact insubordinate. I don't think Mr. Boos would say such a statement without some sort of evidence? Also Mr. Boos is directly quoted that Mr. Maryboy shared with me memos, I would hope San Juan County would provide do me these memos. Again, I don't think Mr. Boos would just make that up?

3) In a press release from Commissioner Maryboy and James Adakai (see attachment), Mr. Adakai states, "Mr. Pehrson had not been willing to take direction from the new County Commission and execute its priorities, and his abrupt resignation last week was not earth-shaking news."

   a. I would like all emails, text messages, letters, etc. from Commissioner Maryboy to Mr. Adakai, from the emails stated above and the cell phones stated above to Mr. Adakai talking about my behavior and has my name in it.

John David Nielson: Mr. Nielson did not provide any documentation of communication to or from Mr. Adakai.

David Everitt: Engaged in reasonable efforts to retrieve and review potentially responsive records in the form of correspondence (including text messages) from Commissioner Maryboy. Nothing was provided to me.

My Evaluation: I would like to know if there was anything provided to Mr. Everitt so he could properly evaluate? Based on my experience with other GRAMA requests I highly doubt Mr. Maryboy provided anything. There has to be something that was shared with Mr. Adakai for him to come to that conclusion, that I wasn't willing to take direction.

4) In the same Press Release, Commissioner Maryboy is quoted, "I had to repeatedly ask Pehrson to update the Commission regarding progress he'd made towards complying with approved

County resolutions, including providing a County organizational chart, a policies and procedures manual, and updates on ongoing County projects, to no avail, "

a. I would like all emails, text messages, letters, etc. from Kenneth Maryboy to myself, asking me about these items stated in #4. I would assume they came from the emails stated above or the cell phones stated above.

John David Nielson: Mr. Nielson did not provide any emails, letters, text messages that would have backed up Mr. Maryboys claim that he repeatedly asked me to answer these questions.

David Everitt: Engaged in reasonable efforts to retrieve and review potentially responsive records in the form of correspondence (including text messages) from Commissioner Maryboy. Nothing was provided to me.

My Evaluation: I would like to know if there was anything provided to Mr. Everitt so he could properly evaluate? Based on my experience with other GRAMA requests I highly doubt Mr. Maryboy provided anything. Again, there has to be something that back up his claim that he asked me repeatedly.

5) Commissioner Maryboy goes on to say, "If Pehrson had not resigned we would have taken disciplinary action.

a. I would like all reports given to Walter Bird (San Juan County HR Director) on any complaints, disciplinary actions, emails, letters, texts, etc. from Kenneth Maryboy stating that I was being disciplined or was insubordinate.

John David Nielson: Did not provide anything.

David Everitt: Engaged in reasonable efforts to obtain any reports made to Walter Bird by Commissioner Maryboy about me.

My Evaluation: In order to start any discipline action, I would hope Mr. Maryboy would consult with HR on this claim. I would hope San Juan County has documentation on my insubordination or warnings that I was given. HR must have something?

b. I would like all phone calls, emails, texts, letters, etc. between Kenneth Maryboy and Commissioner Grayeyes, stating I needed to be disciplined, or I was insubordinate, etc.. Commissioner Grayeyes phone number is [redacted] His county email addresses are [redacted] or williegrayeyes@sanjuancounty.org

John David Nielson: Did not provide anything.

David Everitt: Engaged in reasonable efforts to obtain any potentially responsive records in the form of correspondence (including text messages) between Commissioners Maryboy and Greyeyes.

My Evaluation I would like to know if there was anything provided to Mr. Everitt so he could properly evaluate? Based on my experience with other GRAMA requests I highly doubt Mr. Maryboy provided anything. If Commissioner Maryboy was going to take action against me, there had to be some form of Communication between the Commissioners, he would know that he could not do it with just one Commissioner.

If you have any questions on what I am asking for and what was provided to me, please don't hesitate to give me a call. These are very damaging claims that Mr. Maryboy, Mr. Adakai, and Mr. Boos have quoted in the paper, I just would like to see what they are talking about, there has to be further documentation then what San Juan County has provided to me. I hope the State Archives Committee can help me get this documentation.

Thanks,

Kelly Pehrson

[redacted]

Cc: John David Nielson, San Juan County Clerk
David Everitt, San Juan County Administrator