



WASATCH COUNTY ATTORNEY

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January 18, 2013

Mike Davis
Wasatch County Manager
25 North Main
Heber City, Utah 84032

Re: GRAMA request for names of Planning Commission applicants

Mike:

This letter is our written follow up to our verbal advice that under GRAMA, the County is not required to release the names of individuals who applied for the Planning Commission vacancies.

This information is classified as private under the Utah Government Records Access and Management Act, Utah Code § 63G-2-302 (2) which states:

- (2) The following records are private if properly classified by a governmental entity:
- (a) records concerning a current or former employee of, or applicant for employment with a governmental entity, including performance evaluations and personal status information such as race, religion, or disabilities, but not including records that are public under Subsection 63G-2-301(2)(b) or 63G-2-301(3)(o), or private under Subsection (1)(b);

These records are also protected under Utah Code § 63G-2-306 (6) while the County is considering the applications and may be protected under other provisions of state or federal law.

The requesting party may appeal this decision to you as the County Manager. Any appeal from your office is as follows:

The requesting party should be advised that any appeal from the County Managers decision is a formal appeal to the State Records Committee, ATTN: Susan Mumford, 346 S. Rio Grande, Salt Lake City, UT 84101-1106, pursuant to UCA § 63G-2-403, or a petition for a judicial review by the district court pursuant to UCA §63G-2-404.

I hope this information is helpful.

Sincerely,

/s/

Scott H Sweat