

Jake,

I am attaching the full MIT report of weaknesses in the VOATZ system above. Having had this report given to me AFTER Voatz was used last year, I am absolutely sure these vulnerabilities were not addressed prior to the GOP use in 2020. I do not want a repeat of that situation this year.

Adversary	Attacker Capability				
	Suppress Ballot	Learn Secret Vote	Alter Ballot	Learn User's Identity	Learn User IP
Passive Network (§5.3)		✓			✓
Active Network (§5.3)	✓	✓			✓
3rd-Party ID Svc. (§5.4)	✓			✓	✓
Root On-Device (§5.1)	✓	✓	✓	✓	✓
Voatz API Server (§5.2)	✓	✓	✓	✓	✓

[illegible]



Figure 2: Dataflow between Voatz components and external services. Dashed lines are believed to exist but have not been directly observed.

I am asking for clarity on the following roles from Figure 2 page 4, Items not MIT observed but assumed to be in place - and who is performing them within the GOP:

1. Auditors –
 - a. Who are the independent auditors?
 - b. Why are poll watchers “not able to observe” this audit if it is happening in real time?
 - c. What verification is being done to insure there has not been a suppression of ballots?
 - d. What verification is being done to insure there has not been an altering of ballots?
2. Where is the verification that the vote totals have been secured and verified in this process?
 - a. Is there a printing of a tally sheet?
 - b. Printing of Ballots that can be recounted?
 - c. Random verification of voter to ballot to verify integrity of the process?
3. When, how and who is verifying that the credentialed numbers and the ballots submitted numbers align. (For example- Davis County’s 5 extra ballots in their recount?)

If Voatz is simply a “trust us” application, could someone explain to me why they just trust this system? Because while I want to be able to simply trust, I understand politics too well – and I simply don’t.

IF a verification process is happening, then there should also be a way for poll watchers to observe the audit process. Which is allowed by the GOP by-laws. If a verification process is not happening, I would like to know prior to the election.

As I have stated from the beginning, I do not want this to be an issue on the floor at the convention and would like it resolved as soon as possible. Officer elections aside, controversial votes which are scheduled for later in the day will also need verification for accuracy of a fair and transparent process.

Tina Cannon

" If Angels were to govern men, neither external nor internal controls on government would be necessary.the great difficulty lies in this: you must first enable the government to control the governed; and in the next place, oblige it to control itself."
 --Federalist Paper 51

From: [Jake Parkinson](#)

Sent: Tuesday, April 20, 2021 9:12 AM

To: [Tina Cannon](#)

Cc: [baker](#); [Carson Jorgensen](#); [Scott Miller](#); [stewart](#); [GINA WORTHEN](#); [Robert Axson](#); [derek](#); [Barbara Stallone](#); [David Parkinson PPK](#); [Jay Brummett - SD8](#); [Laurel Price](#); [Derek Brown](#)

Subject: Per you letter of concern.

Tina,

Please see the below response from Voatz.

If you have any additional questions, please feel free to reach out.

Best,

Jake Parkinson

First, Voatz is by far the most secure, accessible, and transparent remote voting system available today.

If you don't need the level of security that Voatz provides, you may as well just use a Google web form. Applications that allow any user on any device to vote would, for instance, allow people with hacked Chinese Huawei phones loaded with malware that could do anything with their vote to participate with no limitations, providing essentially no security or accountability. Voatz does not allow a few phone manufacturers, or older, vulnerable versions of iPhones or Android phones, or phones with jailbroken systems or with malware to use our app. It's not perfect, but if you want security, there will be some limitations. We adjust for those who cannot use the app by providing iPad voting kiosks with the same experience and the same level of security.

Voatz is highly transparent, both in the way we do business, and in the way we tabulate votes. We are one of the few voting platforms that continuously runs bug bounty programs, inviting hackers to try out our system during non-election periods. We are the only remote ballot delivery system that has ever gone through the federal voting system certification process, at least as much of it as applies to remote ballot delivery. And the ability to audit our elections from beginning to end means that a voter can actually track their votes through the actual blockchain that secures the vote if they want to. And because they are the only one who knows their anonymous ballot receipt ID, no one else can tell how they voted. But those anonymous ballot receipts are also delivered to the UT Republican organization, if you want them, so that you can conduct an audit of the entire election. Voters can remain anonymous even as the entire election can be completely audited. No one else can provide that.

About those ballot receipts--after a voter submits their ballot, they receive an email with a ballot receipt that allows them to confirm how they voted. That receipt also contains an anonymous ID, which no one else has or can tie back to them. Neither Voatz nor the UT Republicans knows that ID, only the voter does. If they wanted to, the voter could participate in a public audit of the election, and match their own anonymous ballot ID to the blockchain to confirm that the ballot receipt matches the actual tabulation. No other system on earth can provide both voter anonymity and a complete audit.

For the specific questions below:

1 and 2: Voatz does not have control over what email is used for communication between the party, the candidates, and delegates. We can only work with the emails that we are provided by UT Republicans in the voter list. If a voter uses a different email for voting than they do for their communications with candidates, the same question would apply regardless of who is managing the election process or what vendor you use. I get that candidates want access to delegates, but as a delegate myself, I also understand why I use a "junk" email address for some of those communications.

3: The Voatz app does require a one-to-one relationship between a voter and an email address. Whether someone else might have access to that email address is out of our control.

4: We could set up a geofence system that would limit voting to a specific location. There would be an additional charge for that service. But it seems to me that since only voters who showed up in person would have their credentials with their QR code printed on it, that would be a pretty significant control on who gets to vote. If necessary, you could have people check in the morning of the election and send us a list of anybody who didn't check in and we can turn off their credentials.

5: Voatz emails each voter a ballot receipt that shows how they voted. As previously noted, that ballot receipt contains an anonymous ID that can be used to verify that their vote was recorded in the blockchain in the exact same way.

6: I'm not sure what poll watchers would be watching, but again, the Voatz platform is the most auditable system out there. We routinely conduct public audits of our elections, and we invite anyone to participate. If an individual voter participates, that is where they have the ability to check their ballot ID against the blockchain.

7: Last year, in a fully remote voting scenario, we spent a lot of time using the Vote by Voice Call system to make sure that everyone had an opportunity to vote. That took a lot of time, and the party required us to reach out to each voter at least three times before we closed the polls. Additionally, voters were being pushed into the VbVC system if they hadn't voted near the end of the voting window, kind of overwhelming that system. That was the primary reason that results took so long last year. This time, we will only have to add the results from the app with the results from the kiosks, which will be much faster than adding in the voice calls. We have let the engineering team know that rapid results delivery is a primary concern, and they will be ready to move immediately when polls close to combine and report. During that period, we will also be asking your team to proof any required run-off ballot, so that as soon as results are reported we will be able to open voting on the run-off.

With regard to the negative 3rd party reviews, there are really four categories that they fall into:

1. There are legitimate findings about our system. These are all taken very seriously and incorporated into our product development roadmap.
2. There are differences of opinion about how to do things. We review these recommendations, and may follow their suggestions, or we may continue to disagree because we think our way is better.
3. There are reports that are simply wrong--some of these reports are based on old versions of our application, or may even just be guessing at how we do things and then attack what they think we're doing. They are usually wrong. We don't spend a lot of time addressing these issues because it just isn't worth our time. We point out why they are wrong and move on.
4. There are always those ad hominem personal attacks. It's not worth our time to respond to these attacks, so we don't.

One of the most comprehensive reports done to date on Voatz found the following: "Voatz's code, both in the backend and mobile clients, is written intelligibly and with a clear understanding of software engineering principles. The code is free of almost all the common security foibles..." found in other blockchain platforms. Where Voatz is different is that we are a security company who saw a need for our platform in elections, not an election company trying to figure out security. If there are complaints about our system, they typically come about because of the requirements of a truly secure voting system. If you want security, accessibility, transparency, and auditability in one system, you will have to give up some of the ease of use that you get from a simple web based solution. We are what we are, and it may not be right for everyone. But when we are what you need, we're the best.

Subject: GAO Inquiry - Review of protections and supports for LGBTQ+ and religious youth in foster care and prospective parents

Date: Friday, March 26, 2021 at 5:47:07 AM Mountain Daylight Time

From: Rowland, Sherri

To: NSAAAuditors

CC: NSAAAuditorsCCs, Gilbertson, Lauren, Bates, Darreisha M, Escalante, Luis, O'Brien, Nate, Robinson, Ophelia, eliverta@gao.gov

To: State Auditors

The U.S. Government Accountability Office (GAO) is reviewing protections and supports for LGBTQ+ and religious foster youth and prospective foster and adoptive parents. This review focuses on the following research questions:

1. What is known about state protections against discrimination for children and youth in foster care and prospective foster and adoptive parents on the basis of their sexual orientation, gender identity, religion, and parents' marital status?
2. How do selected states support LGBTQ+ and religious youth in foster care and what are promising practices for ensuring they receive supportive care?
3. How does HHS assist states in supporting LGBTQ+ and religious youth in foster care?

GAO is interested in obtaining any available audits, evaluations, testimonies, reports, data, and other analyses that state audit organizations in all 50 states, the District of Columbia, Puerto Rico, and the Virgin Islands may have issued on protections and supports for LGBTQ+ and religious foster youth and prospective parents. This could include reports and examinations of:

- Child welfare agency training, oversight, and monitoring of implementation of antidiscrimination protections and supports
- Foster care provider recruitment practices and placement decisions
- Programs, services, and other resources specifically for LGBTQ+ or religious youth
- Efforts to collect and track data on youth and prospective parents' religion, sexual orientation, gender identity, and (for parents) marital status

Please contact Aimée Elivert at 202-512-4480 and eliverta@gao.gov or Lauren Gilbertson at 202-512-7106 and gilbertsonl@gao.gov if you have any relevant information or reports to share.

Thank you,

Sherri Rowland, CPA
NSAA Association Director
NASACT
(859) 276-1147
www.nasact.org

Subject: Juneteenth, SCOTUS on LGBT rights, & education debates

Date: Friday, June 19, 2020 at 2:59:39 PM Mountain Daylight Time

From: Sutherland Institute

To: jdougall@utah.gov



Sutherland Institute commentary, along with our top news picks, events and more.



Strong economy and disease can co-exist: 5 fundamentals for Utahns and their leaders

Even as the disease spikes, we now have enough data to know more – and do better – in our public health response. We also have enough evidence to recognize that disease and a strong economy can, and regularly do, go together.

[Read more >>](#)



Supreme Court's LGBT rights decision: What does it mean, and what's next?

A six-judge majority of the Supreme Court concluded that the plain language of the statute requires employers not to make hiring or firing decisions based – even in part – on an employee's LGBT status.

[Read more >>](#)



Q&A: From struggling student to education champion

As a young girl, Denisha Merriweather struggled in her Florida public school – failing third grade not once but twice, and getting into fistfights. It wasn't until she was enrolled in a private school through a tax credit scholarship that things started to change.

[Read more >>](#)



State Board of Education candidates continue debates: What did your candidates say?

Debates for the Utah State Board of Education continued this week, this time for Districts 13 and 15, reaching Provo, Spanish Fork, Mapleton and Springville, and St. George, Cedar City, Hurricane, Parowan, Enoch, Springdale, Enterprise, Lund, Beryl and Modena, Utah.

[Read more >>](#)



Deseret News: Legislature plugs \$850 million pandemic budget gap in daylong session

“The House and Senate unanimously passed two bills, SB5001 and HB5012, that together,



Washington Post: An original ‘Juneteenth’ order found in the National Archives

“The National Archives on Thursday located what appears to be an original handwritten ‘Juneteenth’ military order informing

reduced the \$20 billion state budget set to take effect July 1 to \$19.2 billion while increasing spending in 'high priority' areas — school funding as well as for Medicaid growth, mental health care, affordable housing and homelessness.”

[Read more >>](#)

thousands of people held in bondage in Texas they were free.”

[Read more >>](#)

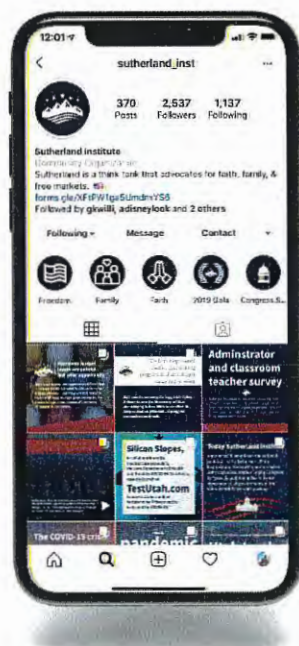
More important commentary and news from this week

Utah sees pandemic's largest COVID-19 daily total with 586 new cases
KSL

How exactly do you catch COVID-19?
There is a growing consensus
The Wall Street Journal

State School Board wants Utah public schools' return-to-school plans ready Aug. 1
Deseret News

The difficult choices educators face between now and fall
AEI



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Subject: Mountain Accord Determination
Date: Thursday, September 24, 2020 at 12:57:29 PM Mountain Daylight Time
From: Norm Henderson
To: jdougall@utah.gov
CC: Norm Henderson
Attachments: Auditor Dougall Determination Request.pdf, Federal Reserve Investigation Request Zions Bank.pdf

Dear Auditor Dougall,

Please see the attached request regarding Mountain Accord, the Central Wasatch Commission (CWC), and attorney/lobbyist Mr. Scott Martin.

I have also attached a copy of the investigation request to the Federal Reserve regarding Zions Bank, Zions Public Finance, and Mr. Scott Anderson, President of Zions Bank.


We have worked closely with the State Record's Office and we are prepared to provide any and all requested documents to you.

I look forward to your prompt reply and your request for documents.

Sincerely,

Norm Henderson
Prior Plaintiff - Mountain Accord
Resident of Utah

Norman R. Henderson



September 24, 2020

Mr. John Dougall
Office of the State Auditor
East Office Building Suite E310
Utah State Capitol Complex
Salt Lake City, UT 84114

RE: Mountain Accord - Central Wasatch Commission (CWC) - Mr. Scott Martin

Dear State Auditor Dougall,

In April 2017, Representative Kim Coleman and Representative Ken Ivory requested an audit of Mountain Accord. Prior to that request, you sent a letter to Mr. Norm Henderson dated October 4, 2016, stating that Mountain Accord was subject to the Open and Public Meetings Act (OPMA) as a "Joint or Cooperative Undertaking." This position contradicted an opinion by Salt Lake County District Attorney Sim Gill issued in June of 2016, stating that Mountain Accord was not a public body and therefore not subject to OPMA.

In July 2017, Third Judicial District Court Judge Laura Scott ruled, as part of a suit filed by Mr. Henderson and the Cardiff Canyon Owners Association, that Mountain Accord was subject to OPMA, thus supporting your position, and overturning the opinion of the County District Attorney's Office.

Since that time, we have been working with the Utah State Archives and the Public Records Ombudsman in an attempt to make records associated with Mountain Accord available to the public in accordance with OPMA. This effort has proven to be a slow and somewhat frustrating process. As recently as July 7, 2020, Ms. Kendra Yeates, Chief Records Officer for the State Archives, described the effort that Archives expended in obtaining, cataloging, and storing Mountain Accord records as follows "In addition to Mountain Accord and its successor, the Central Wasatch Commission, the State Archives requested records from 15 other entities including cities, special districts, and interlocal entities who were participants in Mountain Accord. Seven of these entities have so far provided the requested records. Four others are still searching for relevant records, the remaining organizations have not responded."

Due to this effort and in conjunction with independent record requests made under the Government Records Access and Management Act (GRAMA), we have the following concerns, of which we respectfully request you investigate in relation to the actions of Mountain Accord.

1. **OPMA.** Despite the requirements for maintaining and publishing minutes of meetings and notification of public meetings under OPMA, there appears to be no approved minutes or audio recordings for any Mountain Accord meetings, nor are there any notifications for the meetings of their governing board listed on the State's Public Notice Website.

We request that you determine whether Mountain Accord violated OPMA.

2. Mountain Accord Financial Transparency Report. A Mountain Accord Financial Transparency Report was prepared by Zions Public Finance and published on February 23, 2017, while the Central Wasatch Commission (CWC) was being created and funded as a successor to Mountain Accord.

The Transparency Report was used by the CWC to reassure City Council members and others that Mountain Accord had been a law-abiding steward. Using the Transparency Report, the CWC was able to raise a large amount of additional public funds from local Governments. We are concerned that the Transparency Report was intentionally misleading regarding Mountain Accord's compliance with OPMA.

Therefore, we request that you investigate the circumstances and facts surrounding the issuance of the Mountain Accord Financial Transparency Report by Zions Public Finance to determine whether the report was intentionally misleading

3. Mr. Scott Martin. Mr. Scott Martin, Mountain Accords legal counsel, and a registered lobbyist distributed a written memorandum to members of the Utah State Legislature on March 12, 2019. (See attached) We believe Mr. Martin's statements were intentionally misleading regarding Mountain Accord's compliance with OPMA.

As Mountain Accord's attorney, Mr. Martin did not produce any approved minutes or audio recordings of Mountain Accord meetings during discovery, yet, Mr. Martin states as a matter-of-fact that "all MA (Mountain Accord) meetings, Executive Board meetings and sub-group meetings were noticed on the MA website, often with minutes and recordings posted". As we described above, the State Archives has been unable to find any approved minutes or meeting recordings among the Mountain Accord documents supplied to Archives.

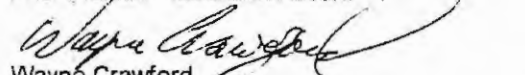
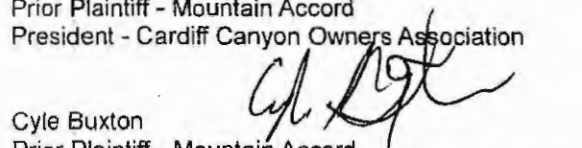
We respectfully request that you determine if Mr. Martin has in his possession, documents to support his statements, or if his representations to elected officials violated the ethics policy of registered lobbyists with the State of Utah.

We thank you for your attention to these important issues. Please contact us with any questions or concerns. We would be happy to provide you with additional information regarding these concerns upon your request.

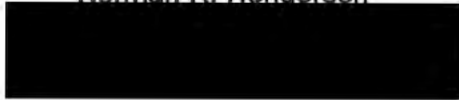
Sincerely,



Norm Hendersen
Prior Plaintiff - Mountain Accord


Wayne Crawford
Prior Plaintiff - Mountain Accord
President - Cardiff Canyon Owners Association
Cyle Buxton
Prior Plaintiff - Mountain Accord
Vice President - Cardiff Canyon Owners Association

Norman R. Henderson



September 23, 2020

Federal Reserve
Consumer Complaint Department
Washington, DC

RE: Investigation into Zions Bank, Zions Public Finance, and Mr. Scott Anderson, President of Zions Bank

To whom it may concern,

Please accept this letter as our formal request to investigate Zions Bank, Zions Public Finance, and Mr. Scott Anderson, President of Zions Bank.

Introduction

Zions Bank, along with its wholly-owned subsidiary Zions Public Finance, and Mr. Scott Anderson, President of Zions Bank, are directly connected to the Mountain Accord, then-Mayor and now Congressman Ben McAdams, and the Central Wasatch Commission (CWC).

We know Mountain Accord was subject to the Open and Public Meetings Act (OPMA), and yet, they spent millions of dollars of taxpayer money operating outside the OPMA law. Then-Mayor, now Congressman, Ben McAdams was the Chair of the Executive Committee of Mountain Accord. It is our understanding that McAdams and others used Zions Public Finance to issue a report that helped publicly clear McAdams' of his OPMA violation and that the report was used to convince elected officials to commit more public funds to his cause. It is also our understanding that Ms. Susie Becker, Vice President at Zions Public Finance, signed the Mountain Accord report, but that she was instructed to not verify the information contained in the report. We understand Ms. Becker did not want to do the report but was pressured to do so.

It is our understanding the Federal Reserve regulates Zions Bank and that Zions Bank has a fiduciary responsibility to its shareholders. Also, we understand Zions Public Finance is the Bond Counsel to the State of Utah and Salt Lake County, both of which were participants in the Mountain Accord. We also understand that Zions is the Bond Counsel for many municipalities across Utah, advising on billions and billions of municipal bonds.

Background

On February 23, 2017, Zions Bank, through its wholly-owned subsidiary Zions Public Finance, issued a report called the Mountain Accord Financial Transparency Report (See attached).

This report included financial information about a public planning process called Mountain Accord. Although millions of dollars of public money were spent during Mountain Accord, the report included a quote from the Salt Lake County District Attorney's Office (DA), asserting Mountain Accord was not subject to the Utah OPMA. This is very important, because, at the time, there were allegations the Mountain Accord Executive Committee, made up of prominent elected officials, was operating behind closed doors, in violation of the OPMA.

In addition to the erroneous determination by the DA's office, there are numerous concerns with Zions' report. According to reliable sources;

1. Mr. Fred Finlinson, an attorney representing Mountain Accord and or its Program Director Ms. Laynee Jones, delivered information for the report to Zions.
2. Zions was instructed NOT to verify the information provided to them from Mountain Accord.
3. Ms. Susie Becker, Vice President at Zions Public Finance stated she did not want to "do" the report, but that she felt pressured to do it.
4. Zions "farmed out" much of the report, but put their logo and signature on the final report.
5. Zions was paid \$40,000.00 for the report.
6. Elected officials then used Zions report to raise money from Cities who were, at that time, questioning the actions of Mountain Accord.
7. The Zions report was used in the media to publicly clear Mountain Accord of its obligation to comply with the OPMA.
8. When concerned citizens highlighted the report's inaccuracies and provided documents from the State Auditor and 3rd District Court to correct the record, Zions refused to correct the report, claiming Zions met the condition of the RFP.

The facts surrounding OPMA and Mountain Accord's legal obligation to comply with OPMA is misrepresented in the report. For example, the DA's letter Zions relied on, claiming Mountain Accord was not subject to the OPMA (See Attached), was contradicted just three weeks earlier, by the same DA's office, when his Chief Deputy stated in writing that no one in the DA's office had told Mountain Accord they were not subject to the OPMA. This means that for nearly two years, from 2014 to 2016, Mountain Accord's assertion that they were not subject to the OPMA had no legal justification.

While Zions was preparing its report, the Utah State Auditor, backed by the State Attorney General, made public a letter asserting that Mountain Accord was subject to the OPMA. (See Attached) Also, during this time, constituents filed a lawsuit in Utah 3rd District Court (See Link). This highly publicized lawsuit asked the court to determine, among other things, whether the Mountain Accord was subject to the OPMA. The report misled the public and elected officials by leaving out these critical details.

When concerned citizens contacted Zion's requesting the reports correction, they were directed to Mr. Jonathan Ward. Mr. Ward said he would review the information and compare it to the Mountain Accord RFP. Shortly thereafter, Mr. Ward stated the report will not be revised or corrected and that it complies with the RFP.

On July 10, 2017, Judge Laura Scott of the 3rd District Court ruled that Mountain Accord was subject to the OPMA. (See Link) Judge Scott upheld the position taken by the Utah State Auditor and the State Attorney General and refuted the claim made by the DA.

However, by that time, elected officials and others had already used the report to raise hundreds of thousands of dollars of additional public funds.

Based on extensive records requests and dedicated staff at the Utah State Records office, we know for sure meetings were not properly noticed, there are no adopted minutes of meetings, and there are no audio recordings of any Mountain Accord meetings as required by OPMA. (See email from State Records)

Conclusion

So, why does any of this matter? It matters for several reasons, some of which include:

1. Millions of taxpayer dollars were spent behind closed doors.
2. When questioned, elected officials turned to Zions Public Finance to issue an unverified report
3. Zions clients include the State of Utah, Salt Lake County, and many others who requested the report, thus creating a conflict of interest
4. Zions Vice President did not want to do the report, yet felt pressured into authoring it
5. When requested, Zions, Mountain Accord, Central Wasatch Commission, and others have not produced the contract or the "RFP" for the report
6. Zions would not correct the erroneous report, even though documents from the State Auditor, backed by the State Attorney General were provided Zions
7. Zions Bank President, Mr. Scott Anderson, is a strong, public supporter and endorser of Congressman Ben McAdams, then Chair of the Executive Committee
8. A finding that Mountain Accord violated the OPMA while spending millions of taxpayer dollars would damage the reputation and the future political career of a then County Mayor (McAdams) with higher political aspirations
9. Off the record discussions that were later included as recommendations in Mountain Accord, would potentially create a windfall worth millions of dollars for certain McAdams donors

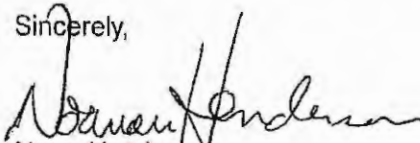
Due to the number of elected officials and prominent people attached to Mountain Accord, and thereby the Central Wasatch Commission and the Zion's Transparency Report, we believe it vital for federal oversight and investigation. Those participants and supporters of Mountain Accord include but are not limited to:

1. Congressman Ben McAdams
2. Governor Gary Herbert
3. Then Senate President Wayne Niederhauser
4. Then Speaker of the House Greg Hughes
5. County Commissioners
6. Mayors
7. UTA
8. Wasatch Front Regional Council
9. Salt Lake Tribune, and many more.

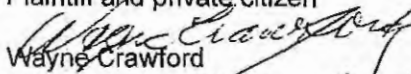
Concerned private citizens funded the lawsuit against Mountain Accord and have worked diligently with the Utah State Archivist who is responsible for all public records in Utah. All statements of fact in this letter are supported by documents or the formal absence of documents. Our sincere concern is that Zions Bank has compromised its integrity as Bond Counsel to the State of Utah, Counties, Cities, and the taxpayers of Utah. We are gravely concerned that the powerful President of Zions Bank uses his position to influence politics in the State of Utah, and we are concerned that the OPMA has been undermined for political convenience. Our concern is heightened by one prominent columnist at the Salt Lake Tribune who simply acknowledged that yes, he knows McAdams broke the law. However, the Tribune columnist refused to report this fact to the public because he "agrees with him (McAdams) politically".

Please feel free to contact us with further questions, and for additional documents, and inquiries. We fully expect and are willing to testify under oath regarding this tremendously important issue.

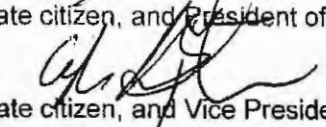
Sincerely,



Norm Henderson
Plaintiff and private citizen



Wayne Crawford
Plaintiff, private citizen, and President of Cardiff Canyon Owners Association



Cyle Buxton

Plaintiff, private citizen, and Vice President of Cardiff Canyon Owners Association

Subject: Fwd: Mountain Accord Determination
Date: Monday, January 25, 2021 at 3:35:27 PM Mountain Standard Time
From: Norm Henderson
To: John Dougall
Attachments: Auditor Dougall Determination Request.pdf, Federal Reserve Investigation Request Zions Bank.pdf

Dear Auditor Dougall;

Forwarded below is my message to you sent September 24, 2020 for your further consideration and possible action. Please contact me if you have any questions at the number below.

Norm Henderson
[REDACTED]

----- Forwarded message -----

From: Norm Henderson <norm.henderson> [REDACTED]
Date: Thu, Sep 24, 2020 at 12:57 PM
Subject: Mountain Accord Determination
To: <jdougall@utah.gov>
Cc: Norm Henderson <norm.henderson> [REDACTED]

Dear Auditor Dougall,

Please see the attached request regarding Mountain Accord, the Central Wasatch Commission (CWC), and attorney/lobbyist Mr. Scott Martin.

I have also attached a copy of the investigation request to the Federal Reserve regarding Zions Bank, Zions Public Finance, and Mr. Scott Anderson, President of Zions Bank.


We have worked closely with the State Record's Office and we are prepared to provide any and all requested documents to you.

I look forward to your prompt reply and your request for documents.

Sincerely,

Norm Henderson
Prior Plaintiff - Mountain Accord
Resident of Utah

Norman R. Henderson



September 24, 2020

Mr. John Dougall
Office of the State Auditor
East Office Building Suite E310
Utah State Capitol Complex
Salt Lake City, UT 84114

RE: Mountain Accord - Central Wasatch Commission (CWC) - Mr. Scott Martin

Dear State Auditor Dougall,

In April 2017, Representative Kim Coleman and Representative Ken Ivory requested an audit of Mountain Accord. Prior to that request, you sent a letter to Mr. Norm Henderson dated October 4, 2016, stating that Mountain Accord was subject to the Open and Public Meetings Act (OPMA) as a "Joint or Cooperative Undertaking." This position contradicted an opinion by Salt Lake County District Attorney Sim Gill issued in June of 2016, stating that Mountain Accord was not a public body and therefore not subject to OPMA.

In July 2017, Third Judicial District Court Judge Laura Scott ruled, as part of a suit filed by Mr. Henderson and the Cardiff Canyon Owners Association, that Mountain Accord was subject to OPMA, thus supporting your position, and overturning the opinion of the County District Attorney's Office.

Since that time, we have been working with the Utah State Archives and the Public Records Ombudsman in an attempt to make records associated with Mountain Accord available to the public in accordance with OPMA. This effort has proven to be a slow and somewhat frustrating process. As recently as July 7, 2020, Ms. Kendra Yeates, Chief Records Officer for the State Archives, described the effort that Archives expended in obtaining, cataloging, and storing Mountain Accord records as follows "In addition to Mountain Accord and its successor, the Central Wasatch Commission, the State Archives requested records from 15 other entities including cities, special districts, and interlocal entities who were participants in Mountain Accord. Seven of these entities have so far provided the requested records. Four others are still searching for relevant records, the remaining organizations have not responded."

Due to this effort and in conjunction with independent record requests made under the Government Records Access and Management Act (GRAMA), we have the following concerns, of which we respectfully request you investigate in relation to the actions of Mountain Accord.

1. **OPMA.** Despite the requirements for maintaining and publishing minutes of meetings and notification of public meetings under OPMA, there appears to be no approved minutes or audio recordings for any Mountain Accord meetings, nor are there any notifications for the meetings of their governing board listed on the State's Public Notice Website.

We request that you determine whether Mountain Accord violated OPMA.

2. Mountain Accord Financial Transparency Report. A Mountain Accord Financial Transparency Report was prepared by Zions Public Finance and published on February 23, 2017, while the Central Wasatch Commission (CWC) was being created and funded as a successor to Mountain Accord.

The Transparency Report was used by the CWC to reassure City Council members and others that Mountain Accord had been a law-abiding steward. Using the Transparency Report, the CWC was able to raise a large amount of additional public funds from local Governments. We are concerned that the Transparency Report was intentionally misleading regarding Mountain Accord's compliance with OPMA.

Therefore, we request that you investigate the circumstances and facts surrounding the issuance of the Mountain Accord Financial Transparency Report by Zions Public Finance to determine whether the report was intentionally misleading

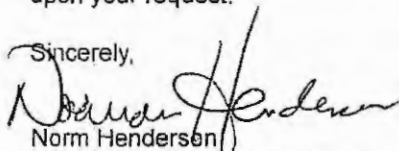
3. Mr. Scott Martin. Mr. Scott Martin, Mountain Accords legal counsel, and a registered lobbyist distributed a written memorandum to members of the Utah State Legislature on March 12, 2019. (See attached) We believe Mr. Martin's statements were intentionally misleading regarding Mountain Accord's compliance with OPMA.

As Mountain Accord's attorney, Mr. Martin did not produce any approved minutes or audio recordings of Mountain Accord meetings during discovery, yet, Mr. Martin states as a matter-of-fact that "all MA (Mountain Accord) meetings, Executive Board meetings and sub-group meetings were noticed on the MA website, often with minutes and recordings posted". As we described above, the State Archives has been unable to find any approved minutes or meeting recordings among the Mountain Accord documents supplied to Archives.

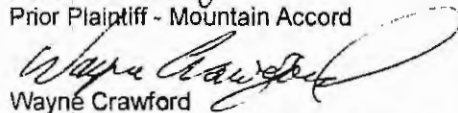
We respectfully request that you determine if Mr. Martin has in his possession, documents to support his statements, or if his representations to elected officials violated the ethics policy of registered lobbyists with the State of Utah.

We thank you for your attention to these important issues. Please contact us with any questions or concerns. We would be happy to provide you with additional information regarding these concerns upon your request.

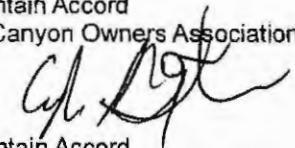
Sincerely,



Norm Henderson
Prior Plaintiff - Mountain Accord




Wayne Crawford
Prior Plaintiff - Mountain Accord
President - Cardiff Canyon Owners Association



Cyle Buxton
Prior Plaintiff - Mountain Accord
Vice President - Cardiff Canyon Owners Association

Norman R. Henderson



September 23, 2020

Federal Reserve
Consumer Complaint Department
Washington, DC

RE: Investigation into Zions Bank, Zions Public Finance, and Mr. Scott Anderson, President of Zions Bank

To whom it may concern,

Please accept this letter as our formal request to investigate Zions Bank, Zions Public Finance, and Mr. Scott Anderson, President of Zions Bank.

Introduction

Zions Bank, along with its wholly-owned subsidiary Zions Public Finance, and Mr. Scott Anderson, President of Zions Bank, are directly connected to the Mountain Accord, then-Mayor and now Congressman Ben McAdams, and the Central Wasatch Commission (CWC).

We know Mountain Accord was subject to the Open and Public Meetings Act (OPMA), and yet, they spent millions of dollars of taxpayer money operating outside the OPMA law. Then-Mayor, now Congressman, Ben McAdams was the Chair of the Executive Committee of Mountain Accord. It is our understanding that McAdams and others used Zions Public Finance to issue a report that helped publicly clear McAdams' of his OPMA violation and that the report was used to convince elected officials to commit more public funds to his cause. It is also our understanding that Ms. Susie Becker, Vice President at Zions Public Finance, signed the Mountain Accord report, but that she was instructed to not verify the information contained in the report. We understand Ms. Becker did not want to do the report but was pressured to do so.

It is our understanding the Federal Reserve regulates Zions Bank and that Zions Bank has a fiduciary responsibility to its shareholders. Also, we understand Zions Public Finance is the Bond Counsel to the State of Utah and Salt Lake County, both of which were participants in the Mountain Accord. We also understand that Zions is the Bond Counsel for many municipalities across Utah, advising on billions and billions of municipal bonds.

Background

On February 23, 2017, Zions Bank, through its wholly-owned subsidiary Zions Public Finance, issued a report called the Mountain Accord Financial Transparency Report (See attached).

This report included financial information about a public planning process called Mountain Accord. Although millions of dollars of public money were spent during Mountain Accord, the report included a quote from the Salt Lake County District Attorney's Office (DA), asserting Mountain Accord was not subject to the Utah OPMA. This is very important, because, at the time, there were allegations the Mountain Accord Executive Committee, made up of prominent elected officials, was operating behind closed doors, in violation of the OPMA.

In addition to the erroneous determination by the DA's office, there are numerous concerns with Zions' report. According to reliable sources;

1. Mr. Fred Finlinson, an attorney representing Mountain Accord and or its Program Director Ms. Laynee Jones, delivered information for the report to Zions.
2. Zions was instructed NOT to verify the information provided to them from Mountain Accord.
3. Ms. Susie Becker, Vice President at Zions Public Finance stated she did not want to "do" the report, but that she felt pressured to do it.
4. Zions "farmed out" much of the report, but put their logo and signature on the final report.
5. Zions was paid \$40,000.00 for the report.
6. Elected officials then used Zions report to raise money from Cities who were, at that time, questioning the actions of Mountain Accord.
7. The Zions report was used in the media to publicly clear Mountain Accord of its obligation to comply with the OPMA.
8. When concerned citizens highlighted the report's inaccuracies and provided documents from the State Auditor and 3rd District Court to correct the record, Zions refused to correct the report, claiming Zions met the condition of the RFP.

The facts surrounding OPMA and Mountain Accord's legal obligation to comply with OPMA is misrepresented in the report. For example, the DA's letter Zions relied on, claiming Mountain Accord was not subject to the OPMA (See Attached), was contradicted just three weeks earlier, by the same DA's office, when his Chief Deputy stated in writing that no one in the DA's office had told Mountain Accord they were not subject to the OPMA. This means that for nearly two years, from 2014 to 2016, Mountain Accord's assertion that they were not subject to the OPMA had no legal justification.

While Zions was preparing its report, the Utah State Auditor, backed by the State Attorney General, made public a letter asserting that Mountain Accord was subject to the OPMA. (See Attached) Also, during this time, constituents filed a lawsuit in Utah 3rd District Court (See Link). This highly publicized lawsuit asked the court to determine, among other things, whether the Mountain Accord was subject to the OPMA. The report misled the public and elected officials by leaving out these critical details.

When concerned citizens contacted Zion's requesting the reports correction, they were directed to Mr. Jonathan Ward. Mr. Ward said he would review the information and compare it to the Mountain Accord RFP. Shortly thereafter, Mr. Ward stated the report will not be revised or corrected and that it complies with the RFP.

On July 10, 2017, Judge Laura Scott of the 3rd District Court ruled that Mountain Accord was subject to the OPMA. (See Link) Judge Scott upheld the position taken by the Utah State Auditor and the State Attorney General and refuted the claim made by the DA.

However, by that time, elected officials and others had already used the report to raise hundreds of thousands of dollars of additional public funds.

Based on extensive records requests and dedicated staff at the Utah State Records office, we know for sure meetings were not properly noticed, there are no adopted minutes of meetings, and there are no audio recordings of any Mountain Accord meetings as required by OPMA. (See email from State Records)

Conclusion

So, why does any of this matter? It matters for several reasons, some of which include:

1. Millions of taxpayer dollars were spent behind closed doors.
2. When questioned, elected officials turned to Zions Public Finance to issue an unverified report
3. Zions clients include the State of Utah, Salt Lake County, and many others who requested the report, thus creating a conflict of interest
4. Zions Vice President did not want to do the report, yet felt pressured into authoring it
5. When requested, Zions, Mountain Accord, Central Wasatch Commission, and others have not produced the contract or the "RFP" for the report
6. Zions would not correct the erroneous report, even though documents from the State Auditor, backed by the State Attorney General were provided Zions
7. Zions Bank President, Mr. Scott Anderson, is a strong, public supporter and endorser of Congressman Ben McAdams, then Chair of the Executive Committee
8. A finding that Mountain Accord violated the OPMA while spending millions of taxpayer dollars would damage the reputation and the future political career of a then County Mayor (McAdams) with higher political aspirations
9. Off the record discussions that were later included as recommendations in Mountain Accord, would potentially create a windfall worth millions of dollars for certain McAdams donors

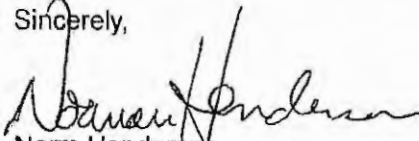
Due to the number of elected officials and prominent people attached to Mountain Accord, and thereby the Central Wasatch Commission and the Zion's Transparency Report, we believe it vital for federal oversight and investigation. Those participants and supporters of Mountain Accord include but are not limited to:

1. Congressman Ben McAdams
2. Governor Gary Herbert
3. Then Senate President Wayne Niederhauser
4. Then Speaker of the House Greg Hughes
5. County Commissioners
6. Mayors
7. UTA
8. Wasatch Front Regional Council
9. Salt Lake Tribune, and many more.

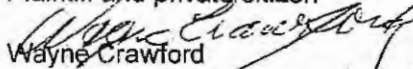
Concerned private citizens funded the lawsuit against Mountain Accord and have worked diligently with the Utah State Archivist who is responsible for all public records in Utah. All statements of fact in this letter are supported by documents or the formal absence of documents. Our sincere concern is that Zions Bank has compromised its integrity as Bond Counsel to the State of Utah, Counties, Cities, and the taxpayers of Utah. We are gravely concerned that the powerful President of Zions Bank uses his position to influence politics in the State of Utah, and we are concerned that the OPMA has been undermined for political convenience. Our concern is heightened by one prominent columnist at the Salt Lake Tribune who simply acknowledged that yes, he knows McAdams broke the law. However, the Tribune columnist refused to report this fact to the public because he "agrees with him (McAdams) politically".

Please feel free to contact us with further questions, and for additional documents, and inquiries. We fully expect and are willing to testify under oath regarding this tremendously important issue.

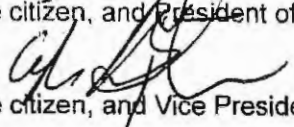
Sincerely,



Norm Henderson
Plaintiff and private citizen



Wayne Crawford
Plaintiff, private citizen, and President of Cardiff Canyon Owners Association



Cyle Buxton

Plaintiff, private citizen, and Vice President of Cardiff Canyon Owners Association

Subject: Re: GOP Convention Fair and Transparent Elections - Please clarify auditor roles.
Date: Monday, April 26, 2021 at 10:33:19 AM Mountain Daylight Time
From: Derek Brown
To: Tina Cannon
CC: Jake Parkinson, baker [REDACTED], Carson Jorgensen, Scott Miller, stewartp [REDACTED], GINA WORTHEN, Robert Axson, Barbara Stallone, David Parkinson PPK, Jay Brummett - SD8, Laurel Price, John Dougall, Laurel Price, Robert Axson, Kendra Seeley, Mike Bird, Kim Coleman
Attachments: UPA Blue Logo.png

Tina: thank you for sending the MIT report. Your email states that because you were not aware of this outdated MIT report identifying possible vulnerabilities with a former Voatz system, you are "absolutely sure these vulnerabilities were not addressed prior to the GOP use in 2020." Just so you are aware, they were absolutely addressed.

As a committee last year, we reviewed and were aware of most of the academic and professional studies in the online voting arena, including this particular outdated MIT report. After reviewing this report and many others, and consulting with countless election professionals, including county clerks, we were satisfied that the issues it raised were either 1) specific to an old system Voatz was using, or 2) involved systemic issues that had already been addressed.

Last year, as this year, there was an electronic "ballot-watching" component which we provided to candidates and their staff, so that they could participate in the process, as required by our rules. Though I don't recall whether your campaign participated, there were many campaigns that did, and they reported to us that they were pleased with not only the ease of the process, but how well it worked electronically.

There was also an auditing component which allowed auditors to view independent batches of data and conduct specific targeted audits after the fact. They found that the system worked flawlessly. Indeed, this particular system is not subject to the kind of human error that you reference in the Davis recount of last week. In fact, it is exactly the opposite. It is also worth noting that the election conducted last year was intensely complex, with over 250 ballot models based on delegates' geographic location, dozens of separate races, ranked-choice voting and voting for national delegates (aka "which 29 of the following 67 people running would you select.") This year's convention election, by contrast, is about as simple as an election could possibly be.

For your information, I also — in addition to everything else the committee did — engaged the National Cybersecurity Center to conduct an independent, third party audit of the process and analyze the UTGOP convention results after the fact. After their thorough review, conducted in the weeks following the convention, they concluded as follows: "We do not find any issues with the audit that would lead to concerns that there was any internal or external tampering of the results."

In short, Voatz is anything but simply "trust us" system, as you mention. It is a secure, state-of-the art electronic voting platform. And, if there are potential vulnerabilities (as every election system does), I would argue that there are far more potential vulnerabilities and potential points of failure in the election systems that we have utilized in the past.

For your information, Voatz also performed well, once again, in the convention election that occurred this last Saturday.

I do not want to speak for the individual convention committee members (who are working around the clock to ensure that the convention is a success), or Jake Parkinson, the Elections Chair, but know that I have complete confidence in them. And in light of this email sent to all our candidates, I felt this information about last year's election, and the fact that we reviewed the outdated MIT study as part of our initial due diligence that you include, would be helpful to you.

As always, feel free to call me if you any questions, and I'm sure that Jake or the technical team at Voatz would be happy to answer any additional questions you about systemic concerns.

Derek

Derek E. Brown
Managing Partner
Utah Policy Advocates
derek@utpol.com
801.703.1799



On Apr 26, 2021, at 2:39 AM, Tina Cannon <[tina](#)> wrote:

Jake,

I appreciate your reaching out to Voatz for answers to my concerns.

I am attaching the full MIT report of weaknesses in the VOATZ system above. Having had this report given to me AFTER Voatz was used last year, I am absolutely sure these vulnerabilities were not addressed prior to the GOP use in 2020. I do not want a repeat of that situation this year.

Please see the MIT evaluations of the answers given to you by Voatz beginning on page 17 to page 20 of this report. For the sake of Saturday's convention process, I will assume that the "adversary attacker capabilities" identified in Table 1, top of page 2 of the MIT report have been addressed through updates to the system in the past year. And as I have expressed to Gina, Bret, and John, I am not trying to "make trouble" for anyone, but I would like to know how the GOP is insuring that this is a fair and accurate election process.

<9C795DCB864E44009D427ED981D3D2D0.png>

<22943CC2041C4B3ABFB946AA7EA72F63.png>

I am asking for clarity on the following roles from Figure 2 page 4, Items not MIT observed but assumed to be in place - and who is performing them within the GOP:

1. Auditors –
 - a. Who are the independent auditors?
 - b. Why are poll watchers "not able to observe" this audit if it is happening in real time?
 - c. What verification is being done to insure there has not been a suppression of ballots?
 - d. What verification is being done to insure there has not been an altering of ballots?
2. Where is the verification that the vote totals have been secured and verified in this process?
 - a. Is there a printing of a tally sheet?
 - b. Printing of Ballots that can be recounted?
 - c. Random verification of voter to ballot to verify integrity of the process?
3. When, how and who is verifying that the credentialed numbers and the ballots submitted numbers align. (For example- Davis County's 5 extra ballots in their recount?)

If Voatz is simply a "trust us" application, could someone explain to me why they just trust this system? Because while I want to be able to simply trust, I understand politics too well – and I simply don't.

If a verification process is happening, then there should also be a way for poll watchers to observe the audit process. Which is allowed by the GOP by-laws. If a verification process is not

happening, I would like to know prior to the election.

As I have stated from the beginning, I do not want this to be an issue on the floor at the convention and would like it resolved as soon as possible. Officer elections aside, controversial votes which are scheduled for later in the day will also need verification for accuracy of a fair and transparent process.

Tina Cannon

" If Angels were to govern men, neither external nor internal controls on government would be necessary.the great difficulty lies in this: you must first enable the government to control the governed; and in the next place, oblige it to control itself."
--Federalist Paper 51

From: [Jake Parkinson](#)

Sent: Tuesday, April 20, 2021 9:12 AM

To: [Tina Cannon](#)

Cc: [baker](#); [Carson Jorgensen](#); [Scott Miller](#); [stewart](#); [GINA WORTHEN](#); [Robert Axson](#); [derek](#); [Barbara Stallone](#); [David Parkinson PPK](#); [Jay Brummett - SD8](#); [Laurel Price](#); [Derek Brown](#)

Subject: Per you letter of concern.

Tina,

Please see the below response from Voatz.

If you have any additional questions, please feel free to reach out.

Best,

Jake Parkinson

First, Voatz is by far the most secure, accessible, and transparent remote voting system available today.

If you don't need the level of security that Voatz provides, you may as well just use a Google web form. Applications that allow any user on any device to vote would, for instance, allow people with hacked Chinese Huawei phones loaded with malware that could do anything with their vote to participate with no limitations, providing essentially no security or accountability. Voatz does not allow a few phone manufacturers, or older, vulnerable versions of iPhones or Android phones, or phones with jailbroken systems or with malware to use our app. It's not perfect, but if you want security, there will be some limitations. We adjust for those who cannot use the app by providing iPad voting kiosks with the same experience and the same level of security.

Voatz is highly transparent, both in the way we do business, and in the way we tabulate votes. We are one of the few voting platforms that continuously runs bug bounty programs, inviting hackers to try out our system during non-election periods. We are the only remote ballot delivery system that has ever gone through the federal voting system certification process, at least as much of it as applies to remote ballot delivery. And the ability to audit our elections from beginning to end means that a voter can actually track their votes through the actual blockchain that secures the vote if they want

to. And because they are the only one who knows their anonymous ballot receipt ID, no one else can tell how they voted. But those anonymous ballot receipts are also delivered to the UT Republican organization, if you want them, so that you can conduct an audit of the entire election. Voters can remain anonymous even as the entire election can be completely audited. No one else can provide that.

About those ballot receipts--after a voter submits their ballot, they receive an email with a ballot receipt that allows them to confirm how they voted. That receipt also contains an anonymous ID, which no one else has or can tie back to them. Neither Voatz nor the UT Republicans knows that ID, only the voter does. If they wanted to, the voter could participate in a public audit of the election, and match their own anonymous ballot ID to the blockchain to confirm that the ballot receipt matches the actual tabulation. No other system on earth can provide both voter anonymity and a complete audit.

For the specific questions below:

1 and 2: Voatz does not have control over what email is used for communication between the party, the candidates, and delegates. We can only work with the emails that we are provided by UT Republicans in the voter list. If a voter uses a different email for voting than they do for their communications with candidates, the same question would apply regardless of who is managing the election process or what vendor you use. I get that candidates want access to delegates, but as a delegate myself, I also understand why I use a "junk" email address for some of those communications.

3: The Voatz app does require a one-to-one relationship between a voter and an email address. Whether someone else might have access to that email address is out of our control.

4: We could set up a geofence system that would limit voting to a specific location. There would be an additional charge for that service. But it seems to me that since only voters who showed up in person would have their credentials with their QR code printed on it, that would be a pretty significant control on who gets to vote. If necessary, you could have people check in the morning of the election and send us a list of anybody who didn't check in and we can turn off their credentials.

5: Voatz emails each voter a ballot receipt that shows how they voted. As previously noted, that ballot receipt contains an anonymous ID that can be used to verify that their vote was recorded in the blockchain in the exact same way.

6: I'm not sure what poll watchers would be watching, but again, the Voatz platform is the most auditable system out there. We routinely conduct public audits of our elections, and we invite anyone to participate. If an individual voter participates, that is where they have the ability to check their ballot ID against the blockchain.

7: Last year, in a fully remote voting scenario, we spent a lot of time using the Vote by Voice Call system to make sure that everyone had an opportunity to vote. That took a lot of time, and the party required us to reach out to each voter at least three times before we closed the polls. Additionally, voters were being pushed into the VbVC system if they hadn't voted near the end of the voting window, kind of overwhelming that system. That was the primary reason that results took so long last year. This time, we will only have to add the results from the app with the results from the kiosks, which will be much faster than adding in the voice calls. We have let the engineering team know that rapid results delivery is a primary concern, and they will be ready to move immediately when polls close to combine and report. During that period, we will also be asking your team to proof any required run-off ballot, so that as soon as results are reported we will be able to open voting on the run-off.

With regard to the negative 3rd party reviews, there are really four categories that they fall into:

1. There are legitimate findings about our system. These are all taken very seriously and incorporated into our product development roadmap.
2. There are differences of opinion about how to do things. We review these recommendations, and may follow their suggestions, or we may continue to

disagree because we think our way is better.

3. There are reports that are simply wrong--some of these reports are based on old versions of our application, or may even just be guessing at how we do things and then attack what they think we're doing. They are usually wrong. We don't spend a lot of time addressing these issues because it just isn't worth our time. We point out why they are wrong and move on.
4. There are always those ad hominem personal attacks. It's not worth our time to respond to these attacks, so we don't.

One of the most comprehensive reports done to date on Voatz found the following: "Voatz's code, both in the backend and mobile clients, is written intelligibly and with a clear understanding of software engineering principles. The code is free of almost all the common security foibles..." found in other blockchain platforms. Where Voatz is different is that we are a security company who saw a need for our platform in elections, not an election company trying to figure out security. If there are complaints about our system, they typically come about because of the requirements of a truly secure voting system. If you want security, accessibility, transparency, and auditability in one system, you will have to give up some of the ease of use that you get from a simple web based solution. We are what we are, and it may not be right for everyone. But when we are what you need, we're the best.

<SecurityAnalysisOfVoatz_Public.pdf>

Subject: Preventing Sexual Harassment

Date: Wednesday, October 31, 2018 at 5:31:25 AM Mountain Daylight Time

From: Team CMTS

To: John Dougall

Good morning John,

Would you describe the work environment of the agency you have oversight of as "fair" or "just"? How do you think the agency's employees would answer that question?

According to new research, the perceived level of fairness in an organization may determine how much sexual harassment happens.

Our latest eBook "[Recent Research Findings: Sexual Harassment](#)" includes insight into how an organization's work environment can lead to, or deter, sexual harassment. Read the eBook today to see what the research says and how your agency can work to create an environment that greatly minimizes the chances of sexual harassment occurring.

Download our free eBook now: [Recent Research Findings: Sexual Harassment](#)

Download eBook→

Best,

Team CMTS

919-600-5102

<https://securecasemanagement.com/>

800 Benson Rd. • Garner, NC 27529 • United States • [Click here](#) to unsubscribe.

Subject: Evangelical "Leader" Testifies for CA Resolution Pressuring Pastors to Affirm LGBT identities
Date: Tuesday, June 25, 2019 at 9:46:13 AM Mountain Daylight Time
From: California Family Alliance
To: John

[View this email in your browser](#)



Resolution Pressuring Pastors to Affirm LGBT identities, with Support of Former Evangelical "Leader"

Azusa Pacific University Chaplain and the former head of the National Association of Evangelicals, Dr.



Kevin Mannoia, shocked Christian leaders last week when he testified in favor of a California resolution directing pastors and counselors to affirm LGBT identities and behavior. Assembly Concurrent Resolution 99, authored by Assemblyman Evan Low, calls on "counselors, pastors, religious workers, educators" and institutions with "great moral influence" to stop

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California Family Council
Quoted: IN THE NEWS

CBN News: CA Lawmakers Trying to Force Pastors to Embrace Pro-LGBT Ideology



[Read more...](#)

CFC: IN THE NEWS

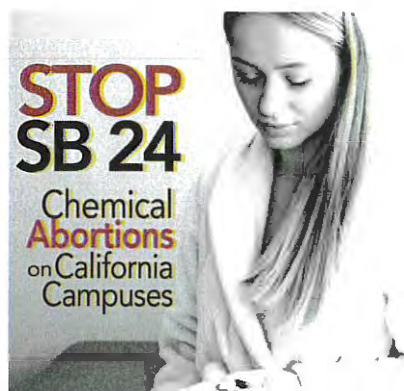
perpetuating the idea that something is wrong with being LGBT. ACR 99 also condemns attempts to change unwanted same-sex attraction or gender confusion as “unethical,” “harmful,” and leading to high LGBT suicide rates.

“Last year’s AB 2943 was a dangerous attack on Christian leaders, organizations, and counselors, directly targeting biblical views on sexual behavior and gender identity. That’s why it was so shocking to see a supposed leader like Kevin Mannoia supporting ACR 99, the follow-up resolution which condemns people of faith,” said California Family Council President Jonathan Keller. “California Christians love our neighbors who identify as LGBTQ. Sadly, it appears Assemblyman Low and other intolerant legislators will not stop until people of faith publicly celebrate the legislature’s preferred concept of sexual orientation and gender identity. Kevin Mannoia knows his fellow believers cannot endorse Mr. Low’s viewpoint and remain faithful to Christ. Tragically, Mannoia chose to allow himself to be used as a prop in support of ACR 99. He should know better.”

[Read more...](#)

Defend Women & Babies from Abortion: Call These Legislators Today!

The CA Assembly Higher Education Committee has a hearing TODAY (Tuesday, June 25) at 1:30 PM for the “Chemical Abortion Pill Bill,” SB



Sign Up and Listen

Life, Family, Liberty is a weekly radio show and podcast hosted by CFC's President Jonathan Keller

Contact Us

PO Box 7937
Fresno, CA 93747
866-866-7993

Info@CaliforniaFamily.org

24!

This legislation requires all CSU and UC health centers provide chemical abortion medication to students, even though these universities do not want to get into the abortion business. Governor Brown vetoed the same bill last year, but with a new governor, the bill's author Senator Connie Leyva is again trying to force abortion unto college campuses.

Please call the following Higher Education Committee Assembly offices this morning before the 1:30 p.m. hearing tell them:

Please DO NOT VOTE for SB 24

Jose Medina, Chair (Riverside) - (916) 319-2061

Dr. Joaquin Arambula (Fresno) - (916) 319-2031

Jesse Gabriel (Van Nuys) - (916) 319-2045

Jacqui Irwin (Camarillo) - (916) 319-2044

Miguel Santiago (Los Angeles) - (916) 319-2053



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P.O. Box 7937 • Fresno, CA 93747

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Subject: LGBT Counseling Ban Returns; Churches a Target?

Date: Tuesday, January 15, 2019 at 2:45:10 PM Mountain Standard Time

From: California Family

To: John

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CA Legislator's New LGBT Counseling Ban Seeks Pastoral Support

Assemblyman Evan Low, former chair of the state's LGBT caucus, reportedly plans to introduce an updated ban on LGBT counseling by the end of next month, with hopes of getting some evangelical support. Low pulled last year's much discussed AB 2943 from consideration in August after a small



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Quoted: IN THE NEWS

CBN News: CFC Opposes CA's Proposed Gender Identity Education Curriculum



Read more... CFC: IN THE NEWS

group of progressive Christians hinted they might support a revised bill. Yet according to a recent interview, Low said his new bill will not include an exemption for churches or religious organizations.

“We will not provide a religious license to discriminate,” Low told the Bay Area Reporter this past week. “Some say, ‘Why not insert language so Christians are exempted?’ Just like there should not be a religious exemption to deny me from being served in a restaurant, we will not provide a blanket guide to discriminate.”

Ironically, AB 2943 did nothing to protect individuals who identify as LGBT from discrimination. Sadly, the bill would have taken away their freedom to choose for themselves the counseling and resources they want.

[Read more...](#)



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866-866-7993

Info@CaliforniaFamily.org

Vetoed Bill to Mandate CA Colleges Provide Chemical Abortions is Back: Newsom Promises to Sign

Senator Connie
Leyva has
reintroduced a bill
to mandate
California public
university health
centers offer



students chemical abortions as a “basic health service.” Former Governor Jerry Brown vetoed the bill, SB 320, last year saying the legislation wasn’t necessary. But the state’s new governor has promised his support.

"I would have supported that. I have long supported that," Governor Gavin Newsom told the San Francisco Chronicle last October when asked his thoughts on Brown's veto. "I subscribe to Planned Parenthood and NARAL's position on that."

[Read more...](#)

California Abortion Activists push Little Sisters of the Poor back to Court

Abortionists from California and Pennsylvania forced the Little Sisters of the Poor back to Court last week to overturn the protections issued by the Trump administration.



In the summer of 2017, the White House began taking steps to roll back the Obamacare birth control mandate as a part of Trump's campaign promise to protect religious employers. In June of 2017, President Trump instructed federal officials to draft a rule that would allow religious employers to opt out of the Mandate in their healthcare options offered to their employees.

Attorneys General Josh Shapiro (PA) and Xavier Becerra (CA), pulled the Little Sister of the Poor back into court in order force the organization to violate its religious beliefs.

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Subject: Senator Say Biblical LGBT Views "Perpetuate Murder"

Date: Tuesday, August 28, 2018 at 6:46:42 PM Mountain Daylight Time

From: CFC

To: John

[View this email in your browser](#)



California Family Council Calls on Senator Ricardo Lara to Apologize for Claiming Biblical Views "Perpetuated" Murder and Torture of Children



In a despicable attack last Thursday, August 16,

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**California Family Council
Quoted: IN THE NEWS**

Life Site: *California's 'stay gay' bill is about to become law. Why Christians must refuse to obey it*



Read more... CFC: IN THE NEWS

Senator Ricardo Lara (D-Bell Gardens) slandered therapists, pastors, and Bible-believing Christians on the floor of the California Senate. Lara's defamatory statement came while speaking in support of AB 2943, a bill to label as consumer fraud the sale of goods and services to adults wanting help to change unwanted same sex attractions and gender dysphoria.

The disgusting slur from Lara claimed that beliefs about "conversion" lead to torture, and even "perpetuated the brutal murder" of two children in Los Angeles at the hand of their parents.

[Read more...](#)

New Poll Reveals Millennial Women Reject Feminism, Unrestricted Abortion

A new CBS poll has revealed that the majority of young American women do not



support unrestricted abortions, take issue with a lot of feminist ideologies, and do not think the mainstream media is a reliable source of information.

The poll found that only 28% of women support abortion being legal in all cases. 34% of women supported abortion being legal in most cases. 25% think abortion should be illegal in most cases, and 13% of women think that abortion should be illegal in all cases. Lifeweek points out the significance of these numbers. "In the end, that means 72% are likely in favor of some kind of abortion restriction."

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Family Council CEO
Jonathan Keller*

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Last Week of the Legislative Session - Call Your State Legislators on the Following Bills

AB 2943:

This bill bans fee-based

counseling and resources for

those with

unwanted same-

sex attraction and gender confusion, and forbids churches, Christian ministries, schools, and counselors from helping people live according to their faith regarding these issues.



Even if you have called your Assembly member before, we ask that you call one more time to ask them to vote "no" on AB 2943.

Find your member [here](#). Visit ab2943.com for a larger phone list of persuadable Assembly members and the latest bill news.

SB 320: This bill mandates CSU and UC health centers dispense **abortion pills**. College officials do not want the extra expense of updating their facilities and hiring more staff, nor do they want the added liability of offering a service that has killed at least 22 expectant mothers and injured countless others. Plus pro-life students don't want their students fees increased to pay for harmful drugs that kill unborn babies up to 10 weeks old.

Call your member of the Assembly and tell them to vote "no" on SB 320. Find your member [here](#).

AB 2119: This bill guarantees foster kids, with gender dysphoria, have access to dangerous puberty blocking drugs, cross sex hormones, **sex change operations**, and counseling that affirms their gender confusion. The state shouldn't let minors permanently damage to their bodies when transgender belief in childhood disappears most of the time by the end of adolescence.

Call your Senator and tell them to vote "no" on AB 2119. Find your Senator [here](#).



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Subject: CA Senator Slanders Christians for Biblical LGBT Views

Date: Monday, August 27, 2018 at 1:33:22 PM Mountain Daylight Time

From: California Family on behalf of California Family

To: John

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California Family Council Calls on Senator Ricardo Lara to Apologize for Claiming Biblical Views "Perpetuated" Murder and Torture of Children



In a despicable attack last Thursday, August 16,

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[Read more...](#)

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[Read more...](#)



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Subject: trying to connect....

Date: Monday, January 25, 2021 at 11:15:59 AM Mountain Standard Time

From: dave robinson

To: John Dougall

mr dougall,

i hope you are doing well

i have tried reaching you several times. when you returned my call, i must have been between calls and your call went to my voicemail

i called back, but the phone number is a general number that cannot connect me to you

i have had your cell number, but my phone wiped out a bunch of them, including yours

can you set a time for me to call you with a phone number, or let me know when you can call me, so i can make sure i am available

thanks much

dave


Subject: Re: trying to connect....

Date: Thursday, February 4, 2021 at 10:45:31 AM Mountain Standard Time

From: dave robinson

To: John Dougall

John,

Just following up regarding our recent phone conversation

Please give me a call at your earliest convenience

Thanks

Dave

On Mon, Jan 25, 2021, 11:15 AM dave robinson <dave.ssconsulting@gmail.com> wrote:
mr dougall,

i hope you are doing well

i have tried reaching you several times. when you returned my call, i must have been between calls and your call went to my voicemail

i called back, but the phone number is a general number that cannot connect me to you

i have had your cell number, but my phone wiped out a bunch of them, including yours

can you set a time for me to call you with a phone number, or let me know when you can call me, so i can make sure i am available

thanks much

dave


Subject: You're Invited - Lockbox Services and Receivables Online Demo
Date: Tuesday, October 29, 2019 at 12:03:21 PM Mountain Daylight Time
From: Zions Bank
To: jdougall@utah.gov

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YOU'RE INVITED!

Join us for a Lockbox Services and Receivables Online demo, presented by Zions Bank Business Payments & Technology.

[Learn about the different types of Lockbox available at Zions Bank:](#)

- Retail
- Image
- eLockbox

View a demo of our Receivables Online. An online Lockbox presentment application

that combines advanced image and data capture technology to deliver a consolidated and timely view of remittance images and related data.

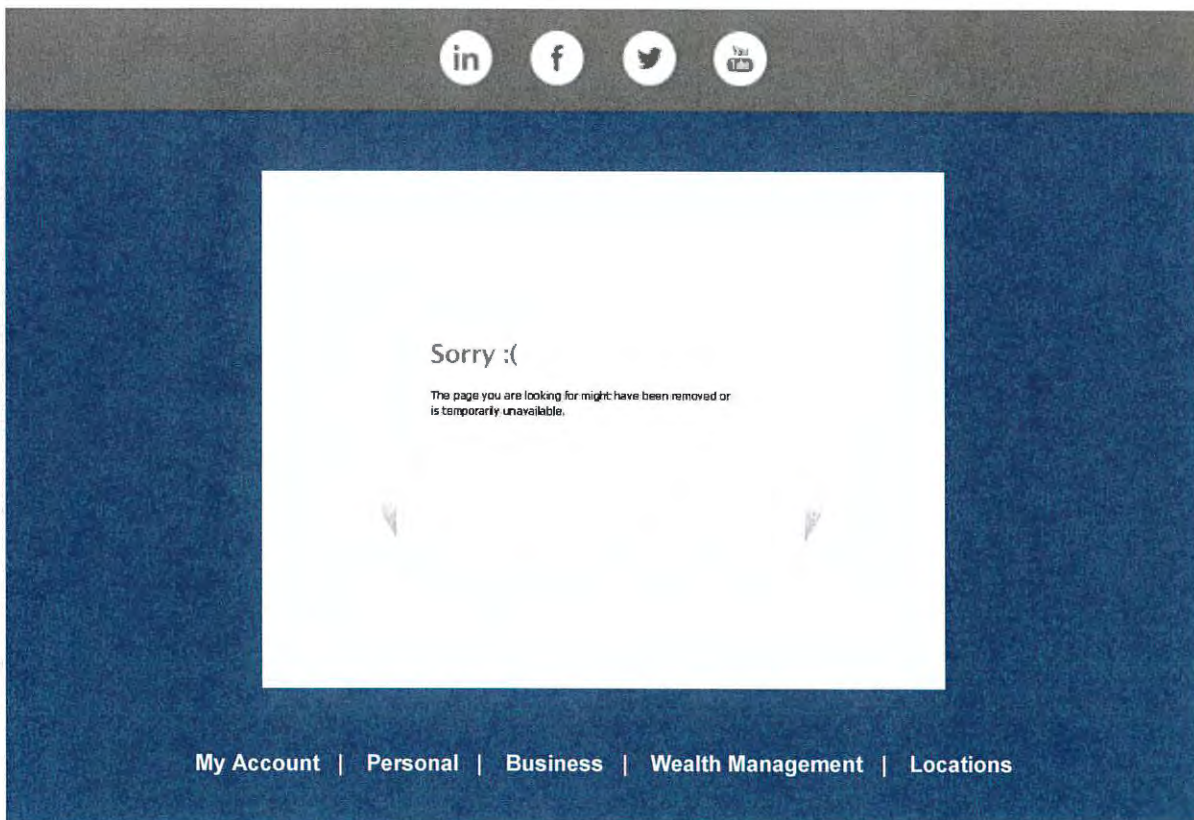
Features include Security, Images, Summary Reporting, Exporting, Search Engine, Notifications, Self-Administration, and Online Decisioning.

We are pleased to offer three dates and times to join our complimentary training via Skype:

- Wednesday, November 6 — 10:00 a.m. to 11:00 a.m.
- Thursday, November 21 — 10:00 a.m. to 11:00 a.m.
- Thursday, December 5 — 2:00 p.m. to 3:00 p.m.

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Please email questions to: Cheryl.Ginn@zionsbank.com



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Subject: Save the Date for the 7th Annual Zions Municipal Conference!

Date: Monday, July 8, 2019 at 3:04:05 PM Mountain Daylight Time

From: Zions Bank

To: jdougall@utah.gov

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7TH ANNUAL MUNICIPAL CONFERENCE

We are pleased to announce our annual conference will be held regionally this year and we invite you to attend the conference of your choice. We will be holding the conference in Utah County on August 1st, Salt Lake County on September 5th and Washington County on October 3rd. Please find additional location details below.

Mark your calendar to join us for lunch followed by conference sessions. The conference and lunch are free of charge. Watch your email for a detailed agenda.

Please register for your preferred conference location.

[REGISTER NOW](#)

Utah County Region

August 1, 2019

Zions Bank Provo Region

Rock Canyon Room

180 N University Ave, FL 8

Provo, UT 84601

Noon to 4:00 p.m.

Salt Lake County Region

September 5, 2019

Zions Bank Head Office

Founder's Room

One South Main St, Fl 18

Salt Lake City, UT 84133

Noon to 4:00 p.m.

Washington County Region

October 3, 2019

Zions Bank St. George

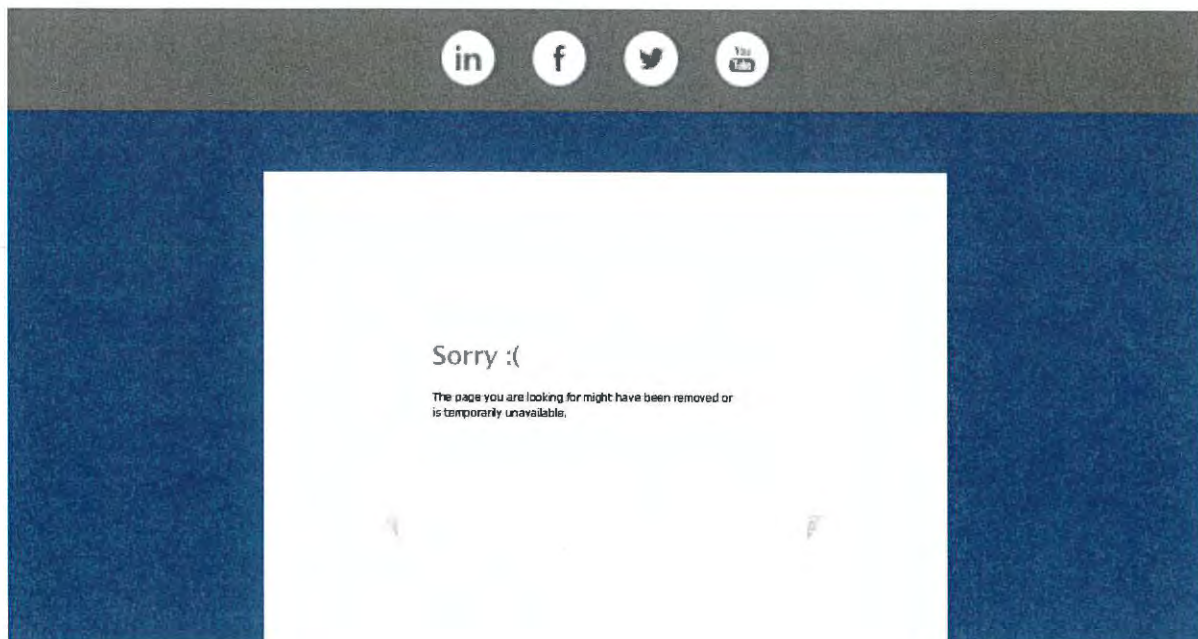
40 E St. George Blvd

St. George, UT 84770

Noon to 4:00 p.m.

For questions, contact Kylie Jacobsen at (801) 844-7385 or

Kylie.Jacobsen@zionsbancorp.com



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Subject: FW: Zions Bank, Zions Public Finance, and the Mountain Accord Lawsuit
Date: Wednesday, October 24, 2018 at 4:56:33 PM Mountain Daylight Time
From: John Dougall
To: Jeremy Walker, Brooke Russell
Attachments: Gov signed Final 10.23.2018_0001.pdf, Zions signed Final 10.23.2018.pdf

Jeremy: FYI...

Brooke: Please add this information into our Salesforce system. Thx

From: Norm Henderson <nhenderson@utah.gov>
Date: Wednesday, October 24, 2018 at 4:41 PM
To: <governor@utah.gov>, <uag@agutah.gov>, <sto@utah.gov>, John Dougall <jdougall@utah.gov>
Cc: <pauleddwards@utah.gov>, <ryanbroberts@utah.gov>
Subject: Zions Bank, Zions Public Finance, and the Mountain Accord Lawsuit

Governor Herbert. Please see the attached files. One is addressed directly to you and the other to federal financial regulatory agencies. This issue relates to Zions Bank, Zions Public Finance, and the Mountain Accord Lawsuit. These are clearly important issues that deserve your immediate attention.

Thank you for your time and consideration.

Norm Henderson
[REDACTED]

<http://mountainaccord.com/financial-information/>

<https://www.deseretnews.com/article/865684620/SL-County-Council-members-call-for-audit-of-Mountain-Accord.html>

<https://saveourcanyons.org/2017/03/12/sl-county-march-updates/>

<https://www.sltrib.com/opinion/commentary/2017/07/28/op-ed-excited-to-move-forward-with-the-central-wasatch-commission/>

Norman R. Henderson



October 24, 2018

Governor Gary Herbert
Utah State Capitol
350 North State Street Suite 200
Salt Lake City, UT 84114

Re: Zions Bank, Zions Public Finance, and Mountain Accord

Dear Governor Herbert,

As you might know, I am a Plaintiff in the Mountain Accord lawsuit that was filed October 6, 2016. Although the lawsuit is ongoing, there are several issues you should be aware of.

In a recent letter addressed to the US Attorney Office (see attached), I outlined three (3) important issues that we know to be true:

1. Mountain Accord broke the law as it relates to OPMA
2. It appears Mountain Accord mislead and or withheld important information while appearing before a Congressional sub-committee
3. Mountain Accord's attempt to transfer very valuable public lands into private hands for massive new development occurred without full public disclosure, and that these land trades greatly benefit certain well connected donors to Mountain Accord Executive members, specifically Salt Lake County Mayor Ben McAdams

In addition to the letter informing the US Attorney Office of UTA and Mountain Accords actions, I just submitted a letter (see attached) to three (3) Federal agencies who oversee Banking and Municipal Bond regulation.

The attached letter contains much detail, but a summary is as follows:

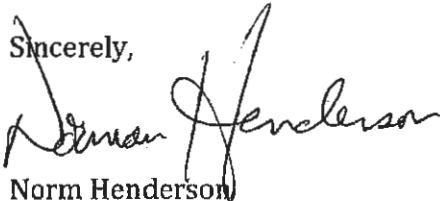
- Mountain Accord Executives (specifically UTA, Salt Lake County, Wasatch Front Regional Council, and Summit County) hired Zions Public Finance to produce a "Transparency Report"
- A Zions Public Finance VP did not want to do the report, but was pressured to do the report
- Mountain Accord hand picked the information provided for the report
- Zions Public Finance was instructed to NOT verify the information provided for the report
- Conflicts of interest were not identified
- The report was paid for with taxpayer money
- The report was used by Mountain Accord executives to publicly dismiss public and media questions regarding transparency, violations of the law etc.

Zions Public Finance claims it is the largest bond advisor in the State, literally overseeing billions of dollars worth of municipal bonds. This recent report by Zions raises serious and alarming questions as to the integrity of the company and validity of the reports it produces. I believe we owe it to the taxpayers of Utah to ask the question, if Zions Bank will sell its reputation when pressured how can we be sure that Zions has not manipulated their bond advice to others throughout the state?

As a taxpayer and concerned citizen, I urge you to take these allegations and facts seriously. Certain public officials associated with Mountain Accord have violated the public trust time after time. Unfortunately, it appears, that the corrupt nature and actions of those involved have far-reaching consequences.

I am available and willing to provide supporting documents, emails, audio and more if needed.

Sincerely,



Norm Henderson

Cc: State Auditor John Dougall
State Attorney General Sean Reyes
State Treasurer David Damschen
US Attorney John Huber

Norman R. Henderson



October 23, 2018

US Security And Exchange Commission (SEC)
100 F Street, NE
Washington, DC 20549

Financial Industry Regulatory Authority (FINRA)
9509 Key West Avenue
Rockville, MD 20850-3329

Consumer Financial Protection Bureau
1700 G St. N.W.
Washington, D.C. 20552

Re: Complaint and investigation request regarding Zions Bank, Zions Public Finance, Mountain Accord Transparency Report

To Whom It May Concern:

My name is Norm Henderson. I am one of the Plaintiffs in what is known as the Mountain Accord lawsuit that is currently pending before Judge Laura Scott in the Third Judicial District in Utah. I retired from the National Park Service after nearly 30 years of employment. My responsibilities with the Park Service included ensuring that the agency followed proper public outreach and compliance procedure while making important resource management decisions.

Complaint and Request for Investigation

I am requesting that your office investigate Zions Bank and Zions Public Finance as it relates to the Mountain Accord, specifically the Mountain Accord Transparency Report. It appears that Zions Bank prepared the Transparency report in a misleading and deceitful way in exchange for a fee of \$45,000 at the request of powerful individuals in charge of large contracts with Zions Bank.

It did this in an attempt to have the public perceive that the Mountain Accord was transparent in its dealings with the public even though it had not been. This misleading report allowed Mountain Accord to secure hundreds of thousands of dollars from Utah local governments and millions in additional commitments for continued operations. The following facts and allegations support my request for an investigation:

- Elected and appointed officials ordered a "Transparency Report" from Zions Public Finance, in exchange for a fee
- The Vice President in charge of the report has stated (thusfar off the record) she did not want to do the report and felt pressured to do so.
- Those ordering the report are elected and appointed officials who are major clients of Zions with accounts and municipal bonds issued totaling billions of dollars
- Mountain Accord provided the information for the report and instructed Zions to NOT verify the information
- Critical information was left out resulting in a flawed report. This report was used to secure additional funding via local governments which were reassured by Zions stamp of approval
- The report was paid for with taxpayer dollars
- The report was used in the media, and was attempted to be used in the Mountain Accord lawsuit, to discredit those who objected to Mountain Accord's illegal actions
- The report reduced concerns expressed by local governments and allowed continued access and further commitment to millions of taxpayer dollars.

Background

Mountain Accord is a regional planning process intended to assist local governments and the State of Utah in identifying transportation solutions in the Wasatch Canyons, southeast of Salt Lake City. I, and other canyon landowners believed that the Mountain Accord violated the state's transparency laws, the Utah Open and Public Meetings Act (Utah 54-04, OPMA), and the Utah Government Records Access and Management Act (Utah 63G-2, GRAMA). We filed suit asking the court to determine whether Mountain Accord was subject to OPMA and to determine the violations. During the course of the Mountain Accord lawsuit, Judge Scott ruled that Mountain Accord is subject to OPMA, and we have determined that it has repeatedly violated the law. In its reply to our complaint, Mountain Accord admitted that they were in violation of OPMA.

The Mountain Accord is an established joint or cooperative undertaking under the Utah Interlocal Cooperation Act (Utah 11-13). As such, Mountain Accord is considered a public agency and is required to comply with OPMA.

The Utah Legislature began funding Mountain Accord in early 2013 to support an interconnected ski and snowboard industry in the Wasatch Canyons, which included \$2.6 million for a "mountain

transport study." A further \$3 million was appropriated for the Mountain Accord during the 2014 General Session for the same purpose (H.B. 2).

During the 2015 General Session, the Legislature voted (S.B. 3) to transfer the funding appropriated the previous year from the Utah Department of Transportation (UDOT) to the Governors Office of Economic Development (GOED). GOED managed the funds as a pass-through grant program with a contract with the Utah Transit Authority (UTA). In addition, local counties, cities, and towns, e.g., Salt Lake County, Salt Lake City, Cottonwood Heights, Sandy, Alta, Park City and Summit County, contributed millions of additional dollars to the effort.

In early 2015, the Mountain Accord Executive Committee publicly released its canyon transportation solution that proposed constructing train lines up Little Cottonwood Canyon and digging a major tunnel through the mountain to directly connect the two cottonwood canyons. The estimated price tag was nearly \$3 billion, much of which would have been federal funds. Concerned citizens and participants were outraged. Adding to the public anger was the fact that Mountain Accord Executive Committee has no audio recordings and approved minutes of its meetings where decisions were made about this rather complex transit oriented development scheme (as required by OPMA). The public had no way of determining how the Executive Committee arrived at what ended up being polarizing decisions. As such, I took the following actions:

- On February 4, 2016, I requested that the Salt Lake County District Attorney (who is charged with enforcing OPMA) investigate the matter and take necessary action to force the Mountain Accord program to follow the law.
- On May 26, 2016, after much prodding, I received a statement from The Salt Lake District Attorney's Office (Ralph Chamness) as follows: "I can assure you that neither I, nor anyone in the office, provided an opinion that Mountain Accord is exempt from the requirements of the Utah Open and Public Meetings Act"
- On June 14, 2016, Salt Lake County District Attorney Sim Gill issued an official opinion stating that Mountain Accord was exempt from OPMA
- On October 1, 2016, I submitted a request to Utah State Auditor, John Dougall, to determine if Mountain Accord is subject to OPMA
- On October 4, 2016, Utah State Auditor John Dougall, backed by the State Attorney General's office, stated that Mountain Accord was subject to OPMA
- On October 6, 2016, a lawsuit was filed in Third District Court against Mountain Accord for violating OPMA

Zions Bank relationship with Mountain Accord

According to OPMA, a party can remedy its violations by setting a date and time for a meeting, post the meeting details on the State Public Notice website, present their decisions at the meeting, hold a vote on their decisions, make an audio recording of the meeting; and take and approve minutes (including public comment) of the meeting; it's that simple.

However, instead of fixing its violation, Mountain Accord not only continued to break the law, but appears to have doubled down and brought Zions Bank and Zions Public Finance into the mix. With the Transparency Report in hand, Mountain Accord legitimized its past actions through the media and was able to garner commitments of millions of additional taxpayer dollars to continue its existence and transition into the Central Wasatch Commission.

The following are the details we know regarding the Mountain Accord Zions Public Finance Transparency Report for Mountain Accord:

- Mountain Accord Executive members; UTA, Salt Lake County, Summit County and Wasatch Front Regional Council contracted with Zions Public Finance to produce a Mountain Accord Transparency Report
- Zions Public Finance Vice President, Susie Becker, was the point of contact for the report
- Ms. Becker stated Zions was not equipped to do the report; this is not the type of report Zions usually produces
- Ms. Becker said she was pressured into doing the report
- Ms. Becker's superior was Johnathan Ward at Zions Bank, Johnathan.ward@zionsbank.com
- Mountain Accord attorney (Fred Finlinson) delivered report information to Ms. Becker
- Ms. Becker was instructed NOT to verify the information
- Zions Public Finance was paid \$45,000.00 to produce the report

The finished product, Mountain Accord Transparency Report, dated February 23, 2017, states the following:

"Open and Public Meetings; Mountain Accord Executive Board meetings were open to the public and meeting notes were posted and are still available at www.mountainaccord.com. Based on an opinion letter provided by Sim Gill, Salt Lake County District Attorney, Mountain Accord Executive Board meetings were not required to comply with the Utah Open and Public Meetings Act because the Executive Board was not a public body with any granted authorities".

As stated previously, months prior to the release of the report that included the above statement, Utah State Auditor and the Office of the Attorney General had issued a contradictory opinion and a lawsuit had been filed.

When asked why the flawed transparency report did not include Utah State Auditor John Dougall's decision letter or any reference to the pending Mountain Accord lawsuit, Ms. Becker simply stated that that information was not provided to her. When asked to revise the report with the correct data, Mr. Johnathan Ward with Zions stepped in and stated that Zions had done what the contract specified and the report would not be revised.

Mountain Accord used this flawed report to reassure municipalities and counties, many of whom use Zions Bank as their Bond Counsel, that Mountain Accord was following all required transparency requirements (see linked news stories in attachments). This resulted in the continued access to money, the contribution of additional hundreds of thousands of dollars, and the future commitment of millions of dollars to the project. These donors, I suspect, would have been extremely reticent to provide additional funding to Mountain Accord if they had known about clear problems with transparency, violations of OPMA, contradictory opinions between top officials, and a pending lawsuit. The Zions Bank Transparency Report gave much needed credibility to the Mountain Accord Executive Board, specifically UTA, Chairman McAdams, Summit County, and Wasatch Front Regional Council.

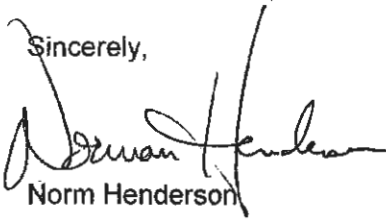
Conclusion

The above information and facts, raise important questions regarding the integrity of Zions Bank and Zions Public Finance. It begs the question that if UTA (fiscal agent), Salt Lake County Mayor Ben McAdams (Mountain Accord Executive Board Chair), Wasatch Front Regional Council, and Summit County can manipulate Zions reports and use Zions' reputation to protect their own political interests, what other reports might have been so compromised? What assurances do investors in Utah Municipal Securities and others, advised by Zions Bank, have that the very advice they are relying on has not been purchased for political purposes as well?

It would appear that the Municipal Securities Rulemaking Board (MSRB) is aware of potential foul play when it comes to financial reports, therefore, "they require that municipal advisors disclose, in writing, all material conflicts of interest, and all legal and disciplinary events material to your evaluation of your municipal advisor. We refer to this as a "full and fair" disclosure under our rules". (msrb.org). Zions clearly did not follow MSRB requirements with regard to the Mountain Accord Transparency Report.

I look forward to your prompt reply on this important matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Norm Henderson", written over the word "Sincerely,".

Attachments:

<http://mountainaccord.com/financial-information/>

<https://www.deseretnews.com/article/865684620/SL-County-Council-members-call-for-audit-of-Mountain-Accord.html>

<https://www.sltrib.com/opinion/commentary/2017/07/28/op-ed-excited-to-move-forward-with-the-central-wasatch-commission/>

<https://saveourcanyons.org/2017/03/12/sl-county-march-updates/>

Multiple emails and audio available upon request

Subject: Zions Bank, Zions Public Finance, and the Mountain Accord Lawsuit
Date: Wednesday, October 24, 2018 at 4:41:36 PM Mountain Daylight Time
From: Norm Henderson
To: governor@utah.gov, uag@agutah.gov, sto@utah.gov, John Dougall
CC: pauleddwards@utah.gov, ryanbroberts@utah.gov
Attachments: Gov signed Final 10.23.2018_0001.pdf, Zions signed Final 10.23.2018.pdf

Governor Herbert. Please see the attached files. One is addressed directly to you and the other to federal financial regulatory agencies. This issue relates to Zions Bank, Zions Public Finance, and the Mountain Accord Lawsuit. These are clearly important issues that deserve your immediate attention.

Thank you for your time and consideration.

Norm Henderson



<http://mountainaccord.com/financial-information/>

<https://www.deseretnews.com/article/865684620/SL-County-Council-members-call-for-audit-of-Mountain-Accord.html>

<https://saveourcanyons.org/2017/03/12/sl-county-march-updates/>

<https://www.sltrib.com/opinion/commentary/2017/07/28/op-ed-excited-to-move-forward-with-the-central-wasatch-commission/>

Norman R. Henderson



October 24, 2018

Governor Gary Herbert
Utah State Capitol
350 North State Street Suite 200
Salt Lake City, UT 84114

Re: Zions Bank, Zions Public Finance, and Mountain Accord

Dear Governor Herbert,

As you might know, I am a Plaintiff in the Mountain Accord lawsuit that was filed October 6, 2016. Although the lawsuit is ongoing, there are several issues you should be aware of.

In a recent letter addressed to the US Attorney Office (see attached), I outlined three (3) important issues that we know to be true:

1. Mountain Accord broke the law as it relates to OPMA
2. It appears Mountain Accord mislead and or withheld important information while appearing before a Congressional sub-committee
3. Mountain Accord's attempt to transfer very valuable public lands into private hands for massive new development occurred without full public disclosure, and that these land trades greatly benefit certain well connected donors to Mountain Accord Executive members, specifically Salt Lake County Mayor Ben McAdams

In addition to the letter informing the US Attorney Office of UTA and Mountain Accords actions, I just submitted a letter (see attached) to three (3) Federal agencies who oversee Banking and Municipal Bond regulation.


The attached letter contains much detail, but a summary is as follows:

- Mountain Accord Executives (specifically UTA, Salt Lake County, Wasatch Front Regional Council, and Summit County) hired Zions Public Finance to produce a "Transparency Report"
- A Zions Public Finance VP did not want to do the report, but was pressured to do the report
- Mountain Accord hand picked the information provided for the report
- Zions Public Finance was instructed to NOT verify the information provided for the report
- Conflicts of interest were not identified
- The report was paid for with taxpayer money
- The report was used by Mountain Accord executives to publicly dismiss public and media questions regarding transparency, violations of the law etc.

Zions Public Finance claims it is the largest bond advisor in the State, literally overseeing billions of dollars worth of municipal bonds. This recent report by Zions raises serious and alarming questions as to the integrity of the company and validity of the reports it produces. I believe we owe it to the taxpayers of Utah to ask the question, if Zions Bank will sell its reputation when pressured how can we be sure that Zions has not manipulated their bond advice to others throughout the state?

As a taxpayer and concerned citizen, I urge you to take these allegations and facts seriously. Certain public officials associated with Mountain Accord have violated the public trust time after time. Unfortunately, it appears, that the corrupt nature and actions of those involved have far-reaching consequences.

I am available and willing to provide supporting documents, emails, audio and more if needed.

Sincerely,

 Norm Henderson

Cc: State Auditor John Dougall
 State Attorney General Sean Reyes
 State Treasurer David Damschen
 US Attorney John Huber

Norman R. Henderson



October 23, 2018

US Security And Exchange Commission (SEC)
100 F Street, NE
Washington, DC 20549

Financial Industry Regulatory Authority (FINRA)
9509 Key West Avenue
Rockville, MD 20850-3329

Consumer Financial Protection Bureau
1700 G St. N.W.
Washington, D.C. 20552

Re: Complaint and investigation request regarding Zions Bank, Zions Public Finance, Mountain Accord Transparency Report

To Whom It May Concern:

My name is Norm Henderson. I am one of the Plaintiffs in what is known as the Mountain Accord lawsuit that is currently pending before Judge Laura Scott in the Third Judicial District in Utah. I retired from the National Park Service after nearly 30 years of employment. My responsibilities with the Park Service included ensuring that the agency followed proper public outreach and compliance procedure while making important resource management decisions.

Complaint and Request for Investigation

I am requesting that your office investigate Zions Bank and Zions Public Finance as it relates to the Mountain Accord, specifically the Mountain Accord Transparency Report. It appears that Zions Bank prepared the Transparency report in a misleading and deceitful way in exchange for a fee of \$45,000 at the request of powerful individuals in charge of large contracts with Zions Bank.

It did this in an attempt to have the public perceive that the Mountain Accord was transparent in its dealings with the public even though it had not been. This misleading report allowed Mountain Accord to secure hundreds of thousands of dollars from Utah local governments and millions in additional commitments for continued operations. The following facts and allegations support my request for an investigation:

- Elected and appointed officials ordered a "Transparency Report" from Zions Public Finance, in exchange for a fee
- The Vice President in charge of the report has stated (thusfar off the record) she did not want to do the report and felt pressured to do so.
- Those ordering the report are elected and appointed officials who are major clients of Zions with accounts and municipal bonds issued totaling billions of dollars
- Mountain Accord provided the information for the report and instructed Zions to NOT verify the information
- Critical information was left out resulting in a flawed report. This report was used to secure additional funding via local governments which were reassured by Zions stamp of approval
- The report was paid for with taxpayer dollars
- The report was used in the media, and was attempted to be used in the Mountain Accord lawsuit, to discredit those who objected to Mountain Accord's illegal actions
- The report reduced concerns expressed by local governments and allowed continued access and further commitment to millions of taxpayer dollars.

Background

Mountain Accord is a regional planning process intended to assist local governments and the State of Utah in identifying transportation solutions in the Wasatch Canyons, southeast of Salt Lake City. I, and other canyon landowners believed that the Mountain Accord violated the state's transparency laws, the Utah Open and Public Meetings Act (Utah 54-04, OPMA), and the Utah Government Records Access and Management Act (Utah 63G-2, GRAMA). We filed suit asking the court to determine whether Mountain Accord was subject to OPMA and to determine the violations. During the course of the Mountain Accord lawsuit, Judge Scott ruled that Mountain Accord is subject to OPMA, and we have determined that it has repeatedly violated the law. In its reply to our complaint, Mountain Accord admitted that they were in violation of OPMA.

The Mountain Accord is an established joint or cooperative undertaking under the Utah Interlocal Cooperation Act (Utah 11-13). As such, Mountain Accord is considered a public agency and is required to comply with OPMA.

The Utah Legislature began funding Mountain Accord in early 2013 to support an interconnected ski and snowboard industry in the Wasatch Canyons, which included \$2.6 million for a "mountain

transport study." A further \$3 million was appropriated for the Mountain Accord during the 2014 General Session for the same purpose (H.B. 2).

During the 2015 General Session, the Legislature voted (S.B. 3) to transfer the funding appropriated the previous year from the Utah Department of Transportation (UDOT) to the Governors Office of Economic Development (GOED). GOED managed the funds as a pass-through grant program with a contract with the Utah Transit Authority (UTA). In addition, local counties, cities, and towns, e.g., Salt Lake County, Salt Lake City, Cottonwood Heights, Sandy, Alta, Park City and Summit County, contributed millions of additional dollars to the effort.

In early 2015, the Mountain Accord Executive Committee publicly released its canyon transportation solution that proposed constructing train lines up Little Cottonwood Canyon and digging a major tunnel through the mountain to directly connect the two cottonwood canyons. The estimated price tag was nearly \$3 billion, much of which would have been federal funds. Concerned citizens and participants were outraged. Adding to the public anger was the fact that Mountain Accord Executive Committee has no audio recordings and approved minutes of its meetings where decisions were made about this rather complex transit oriented development scheme (as required by OPMA). The public had no way of determining how the Executive Committee arrived at what ended up being polarizing decisions. As such, I took the following actions:

- On February 4, 2016, I requested that the Salt Lake County District Attorney (who is charged with enforcing OPMA) investigate the matter and take necessary action to force the Mountain Accord program to follow the law.
- On May 26, 2016, after much prodding, I received a statement from The Salt Lake District Attorney's Office (Ralph Chamness) as follows: "I can assure you that neither I, nor anyone in the office, provided an opinion that Mountain Accord is exempt from the requirements of the Utah Open and Public Meetings Act"
- On June 14, 2016, Salt Lake County District Attorney Sim Gill issued an official opinion stating that Mountain Accord was exempt from OPMA
- On October 1, 2016, I submitted a request to Utah State Auditor, John Dougall, to determine if Mountain Accord is subject to OPMA
- On October 4, 2016, Utah State Auditor John Dougall, backed by the State Attorney General's office, stated that Mountain Accord was subject to OPMA
- On October 6, 2016, a lawsuit was filed in Third District Court against Mountain Accord for violating OPMA

Zions Bank relationship with Mountain Accord

According to OPMA, a party can remedy its violations by setting a date and time for a meeting, post the meeting details on the State Public Notice website, present their decisions at the meeting, hold a vote on their decisions, make an audio recording of the meeting; and take and approve minutes (including public comment) of the meeting; it's that simple.

However, instead of fixing its violation, Mountain Accord not only continued to break the law, but appears to have doubled down and brought Zions Bank and Zions Public Finance into the mix. With the Transparency Report in hand, Mountain Accord legitimized its past actions through the media and was able to garner commitments of millions of additional taxpayer dollars to continue its existence and transition into the Central Wasatch Commission.

The following are the details we know regarding the Mountain Accord Zions Public Finance Transparency Report for Mountain Accord:

- Mountain Accord Executive members; UTA, Salt Lake County, Summit County and Wasatch Front Regional Council contracted with Zions Public Finance to produce a Mountain Accord Transparency Report
- Zions Public Finance Vice President, Susie Becker, was the point of contact for the report
- Ms. Becker stated Zions was not equipped to do the report; this is not the type of report Zions usually produces
- Ms. Becker said she was pressured into doing the report
- Ms. Becker's superior was Johnathan Ward at Zions Bank, Johnathan.ward@zionsbank.com
- Mountain Accord attorney (Fred Finlinson) delivered report information to Ms. Becker
- Ms. Becker was instructed NOT to verify the information
- Zions Public Finance was paid \$45,000.00 to produce the report

The finished product, Mountain Accord Transparency Report, dated February 23, 2017, states the following:

"Open and Public Meetings; Mountain Accord Executive Board meetings were open to the public and meeting notes were posted and are still available at www.mountainaccord.com. Based on an opinion letter provided by Sim Gill, Salt Lake County District Attorney, Mountain Accord Executive Board meetings were not required to comply with the Utah Open and Public Meetings Act because the Executive Board was not a public body with any granted authorities".

As stated previously, months prior to the release of the report that included the above statement, Utah State Auditor and the Office of the Attorney General had issued a contradictory opinion and a lawsuit had been filed.

When asked why the flawed transparency report did not include Utah State Auditor John Dougall's decision letter or any reference to the pending Mountain Accord lawsuit, Ms. Becker simply stated that that information was not provided to her. When asked to revise the report with the correct data, Mr. Johnathan Ward with Zions stepped in and stated that Zions had done what the contract specified and the report would not be revised.

Mountain Accord used this flawed report to reassure municipalities and counties, many of whom use Zions Bank as their Bond Counsel, that Mountain Accord was following all required transparency requirements (see linked news stories in attachments). This resulted in the continued access to money, the contribution of additional hundreds of thousands of dollars, and the future commitment of millions of dollars to the project. These donors, I suspect, would have been extremely reticent to provide additional funding to Mountain Accord if they had known about clear problems with transparency, violations of OPMA, contradictory opinions between top officials, and a pending lawsuit. The Zions Bank Transparency Report gave much needed credibility to the Mountain Accord Executive Board, specifically UTA, Chairman McAdams, Summit County, and Wasatch Front Regional Council.

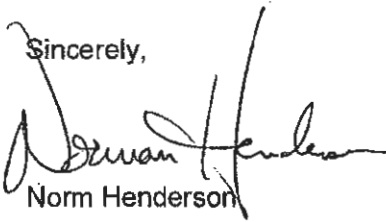
Conclusion

The above information and facts, raise important questions regarding the integrity of Zions Bank and Zions Public Finance. It begs the question that if UTA (fiscal agent), Salt Lake County Mayor Ben McAdams (Mountain Accord Executive Board Chair), Wasatch Front Regional Council, and Summit County can manipulate Zions reports and use Zions' reputation to protect their own political interests, what other reports might have been so compromised? What assurances do investors in Utah Municipal Securities and others, advised by Zions Bank, have that the very advice they are relying on has not been purchased for political purposes as well?

It would appear that the Municipal Securities Rulemaking Board (MSRB) is aware of potential foul play when it comes to financial reports, therefore, "they require that municipal advisors disclose, in writing, all material conflicts of interest, and all legal and disciplinary events material to your evaluation of your municipal advisor. We refer to this as a "full and fair" disclosure under our rules". (msrb.org). Zions clearly did not follow MSRB requirements with regard to the Mountain Accord Transparency Report.

I look forward to your prompt reply on this important matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Norm Henderson". The signature is fluid and cursive, with the first name "Norm" and last name "Henderson" clearly distinguishable.

Norm Henderson

Attachments:

<http://mountainaccord.com/financial-information/>

<https://www.deseretnews.com/article/865684620/SL-County-Council-members-call-for-audit-of-Mountain-Accord.html>

<https://www.sltrib.com/opinion/commentary/2017/07/28/op-ed-excited-to-move-forward-with-the-central-wasatch-commission/>

<https://saveourcanyons.org/2017/03/12/sl-county-march-updates/>

Multiple emails and audio available upon request

Subject: FW: Zions Bank 6th Annual Municipal Conference

Date: Tuesday, August 7, 2018 at 7:32:23 AM Mountain Daylight Time

From: John Dougall

To: Phalin Flowers

Please forward this to Scott's administrative assistant. I'd like to discuss this with him. I'd like to know how to improve auditor's oversight of governmental entities' bank accounts. I'd also like an understanding of Zions' check processing practices, particularly controls to help prevent the same check being processed twice for the same amount.

Thanks,

-John D.

From: Zions Bank <info@email.zionsbank.com>

Reply-To: <info@email.zionsbank.com>

Date: Monday, July 30, 2018 at 8:00 AM

To: John Dougall <jdougall@utah.gov>

Subject: Zions Bank 6th Annual Municipal Conference

If you cannot read this email, please [click here](#).

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Zions Bank 6th Annual Municipal Conference

Zions Bank 6th Annual Municipal Conference

Thursday, August 2, 2018

It's nearly that time again. You're invited to participate in Zions Bank's annual Municipal Conference. This year's event will again take place at Thanksgiving Point on Thursday, August 2, 2018. We hope you can join us for a day packed with fun activities and informative presentations.

The Great Room at the Thanksgiving Point Golf Course Clubhouse
3300 West Clubhouse Drive
Lehi, Utah 84043

All of the events listed below are being offered to attendees free of charge. Zions Bank is sponsoring lunch and the morning activities.

Agenda

- **7:00 a.m.**—Breakfast, registration and check-in for golf

- **7:30 a.m.**—Shotgun Start Golf Tournament
- **10:00 a.m.**—Check-in for optional activities at clubhouse
- **10:15 a.m.**—Shuttle service begins for optional activities
- **10:45 a.m.**—Garden tour and IMAX film begin
- **12:15 p.m.**—Return to Great Room for luncheon and conference sessions
- **12:30 p.m.**—Lunch
- **1:00 p.m.**—Welcome Speakers: Robert Grow, Envision Utah (Planning) and Natalie Gochnour (Director of the Kem C. Gardner Policy Institute at the University of Utah)
- **3:15 p.m.**—Raffle and prizes

Two hours of CPE credit will be available to those who wish to complete the paperwork that will be provided after the speaker's presentations.

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If you have any questions please feel free to contact me.

Maria Tovar

801-844-7384

Maria.Tovar@zionsbancorp.com



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Subject: Re: Zions Bank 6th Annual Municipal Conference
Date: Monday, August 6, 2018 at 12:14:18 PM Mountain Daylight Time
From: John Dougall
To: Christopher Hughes

Would 2pm work in my office (east bldg)?

From: Christopher Hughes <christopherhughes@utah.gov>
Date: Monday, August 6, 2018 at 8:43 AM
To: John Dougall <jdougall@utah.gov>
Subject: Re: Zions Bank 6th Annual Municipal Conference

Monday afternoon works for me.

On Fri, Aug 3, 2018 at 8:27 PM, John Dougall <jdougall@utah.gov> wrote:
Would you have time Monday afternoon or Tuesday?

From: Christopher Hughes <christopherhughes@utah.gov>
Date: Thursday, August 2, 2018 at 9:32 AM
To: John Dougall <jdougall@utah.gov>
Subject: Re: FW: Zions Bank 6th Annual Municipal Conference

Absolutely. Do you want to meet next week to discuss?

Thanks

On Thu, Aug 2, 2018 at 9:30 AM, John Dougall <jdougall@utah.gov> wrote:
Chris,

I'd like your help with legislation that prohibits this type of vendor-funded boondoggle for government officials.

-John D.

From: Zions Bank <info@email.zionsbank.com>
Reply-To: <info@email.zionsbank.com>
Date: Monday, July 30, 2018 at 8:00 AM
To: John Dougall <jdougall@utah.gov>
Subject: Zions Bank 6th Annual Municipal Conference

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Zions Bank 6th Annual Municipal Conference

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Two hours of CPE credit will be available to those who wish to complete the paperwork that will be provided after the speaker's presentations.

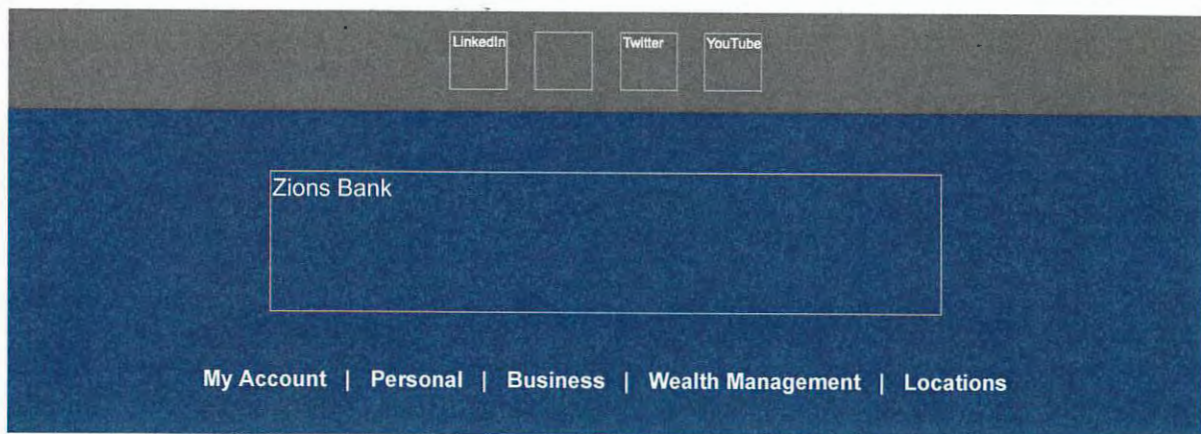
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Maria Tovar

801-844-7384

Maria.Tovar@zionsbancorp.com



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Christopher W. Hughes
Director, State of Utah Division of Purchasing & General Services
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Salt Lake City, Utah 84114
Phone: 801-538-3254
Fax: 801-538-3882
Website: www.purchasing.utah.gov

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Christopher W. Hughes
Director, State of Utah Division of Purchasing & General Services
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Subject: Re: Zions Bank 6th Annual Municipal Conference
Date: Monday, August 6, 2018 at 12:16:59 PM Mountain Daylight Time
From: Christopher Hughes
To: John Dougall

Yep. I will be there.

On Mon, Aug 6, 2018 at 12:14 PM, John Dougall <jdougall@utah.gov> wrote:
Would 2pm work in my office (east bldg)?

From: Christopher Hughes <christopherhughes@utah.gov>
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Fax: 801-538-3882
Website: www.purchasing.utah.gov

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Subject: Re: Zions Bank 6th Annual Municipal Conference
Date: Friday, August 3, 2018 at 8:27:43 PM Mountain Daylight Time
From: John Dougall
To: Christopher Hughes

Would you have time Monday afternoon or Tuesday?

From: Christopher Hughes <christopherhughes@utah.gov>
Date: Thursday, August 2, 2018 at 9:32 AM
To: John Dougall <jdougall@utah.gov>
Subject: Re: FW: Zions Bank 6th Annual Municipal Conference

Absolutely. Do you want to meet next week to discuss?

Thanks

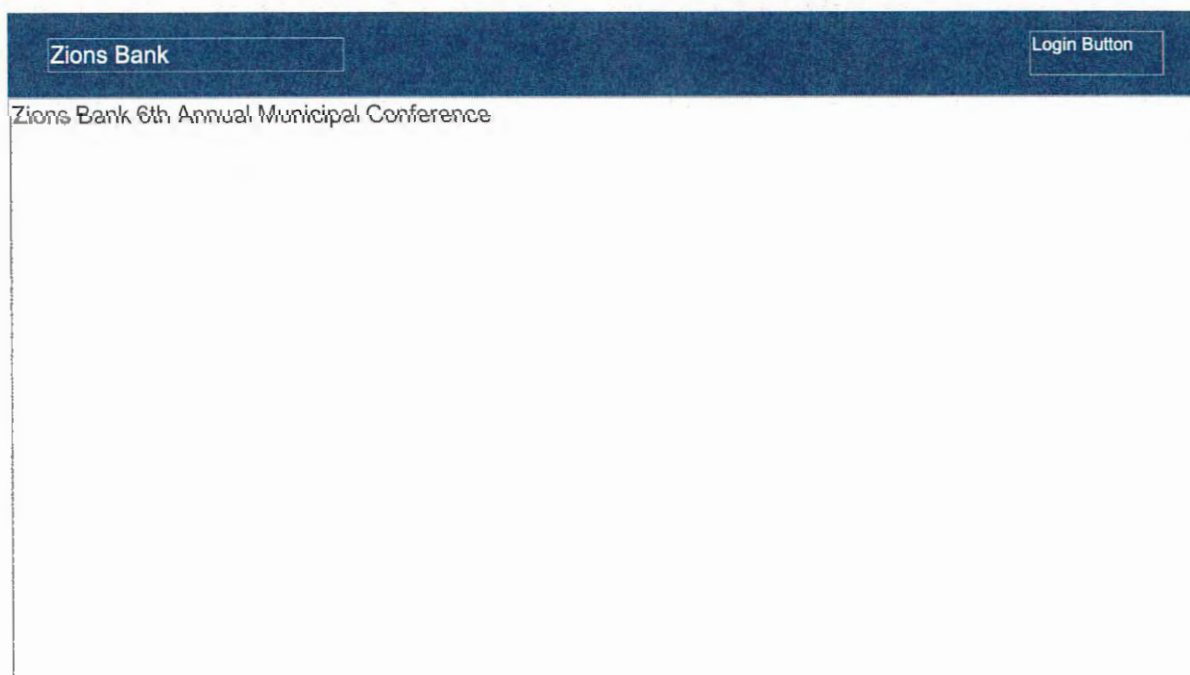
On Thu, Aug 2, 2018 at 9:30 AM, John Dougall <jdougall@utah.gov> wrote:
Chris,

I'd like your help with legislation that prohibits this type of vendor-funded baondoggle for government officials.

-John D.

From: Zions Bank <info@email.zionsbank.com>
Reply-To: <info@email.zionsbank.com>
Date: Monday, July 30, 2018 at 8:00 AM
To: John Dougall <jdougall@utah.gov>
Subject: Zions Bank 6th Annual Municipal Conference

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Zions Bank 6th Annual Municipal Conference

Thursday, August 2, 2018

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Lehi, Utah 84043

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Maria Tovar
801-844-7384
Maria.Tovar@zionsbancorp.com



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Christopher W. Hughes
Director, State of Utah Division of Purchasing & General Services
Capitol Hill
3150 State Office Building
Salt Lake City, Utah 84114
Phone: 801-538-3254
Fax: 801-538-3862
Website: www.purchasing.utah.gov

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resulting from its use.

Subject: FW: Zions Bank 6th Annual Municipal Conference
Date: Thursday, August 2, 2018 at 9:30:47 AM Mountain Daylight Time
From: John Dougall
To: christopherhughes@utah.gov

Chris,

I'd like your help with legislation that prohibits this type of vendor-funded boondoggle for government officials.

-John D.

From: Zions Bank <info@email.zionsbank.com>
Reply-To: <info@email.zionsbank.com>
Date: Monday, July 30, 2018 at 8:00 AM
To: John Dougall <jdougall@utah.gov>
Subject: Zions Bank 6th Annual Municipal Conference

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Zions Bank 6th Annual Municipal Conference

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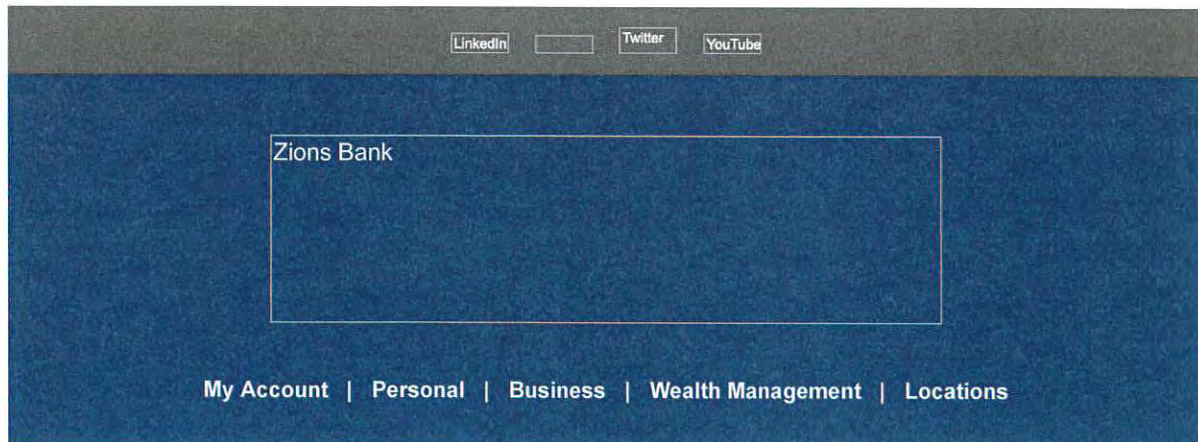
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Maria.Tovar@zionsbancorp.com



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Subject: FW: Zions Bank 6th Annual Municipal Conference
Date: Thursday, August 2, 2018 at 9:28:05 AM Mountain Daylight Time
From: John Dougall
To: Maria.Tovar@zionsbancorp.com

Maria,

I understand Jon is on vacation. Please express my concerns with Jon.

John Dougall
Utah State Auditor

From: John Dougall <jdougall@utah.gov>
Date: Thursday, August 2, 2018 at 9:25 AM
To: <Jonathan.Bronson@zionsbancorp.com>
Subject: FW: Zions Bank 6th Annual Municipal Conference

Jon,

I just wanted to let you know that I am very concerned with this boondoggle for government officials weakly labeled a conference.

-John D.

From: Zions Bank <info@email.zionsbank.com>
Reply-To: <info@email.zionsbank.com>
Date: Monday, July 30, 2018 at 8:00 AM
To: John Dougall <jdougall@utah.gov>
Subject: Zions Bank 6th Annual Municipal Conference

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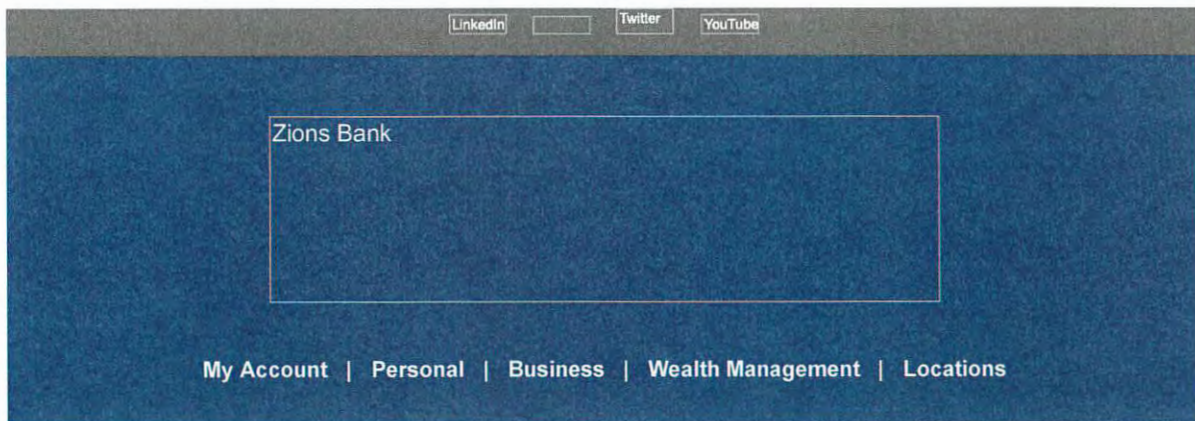
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Subject: Re: FW: Zions Bank 6th Annual Municipal Conference
Date: Thursday, August 2, 2018 at 9:32:30 AM Mountain Daylight Time
From: Christopher Hughes
To: John Dougall

Absolutely. Do you want to meet next week to discuss?

Thanks

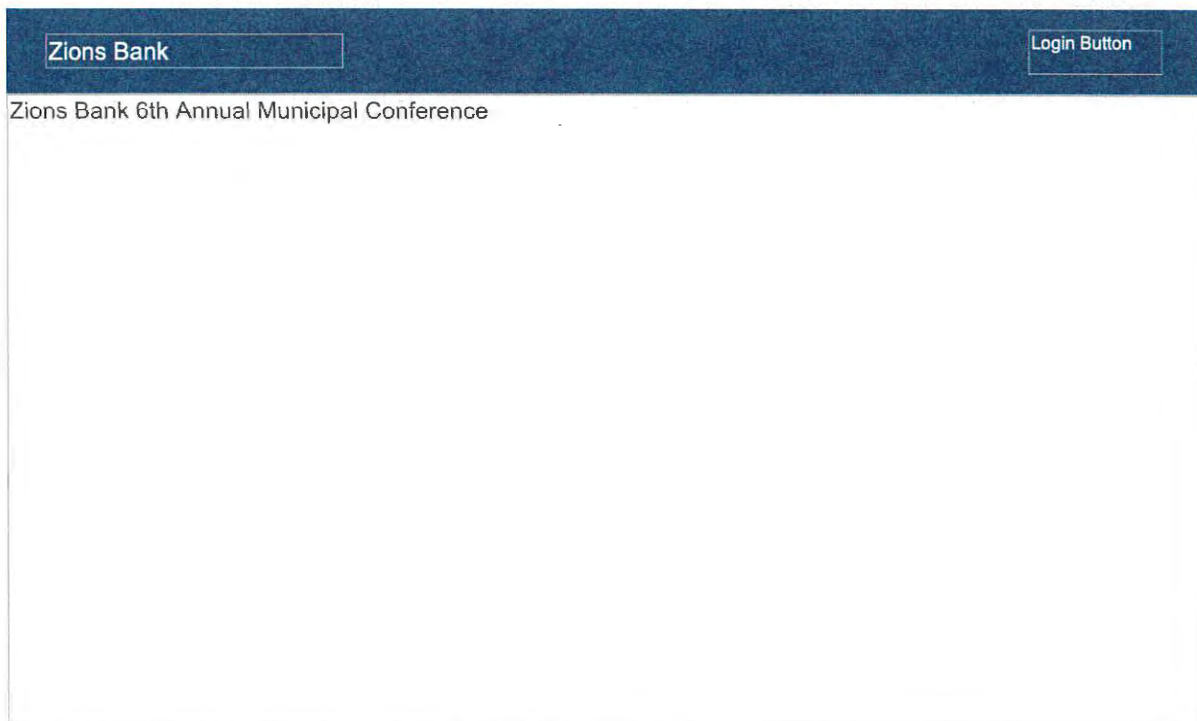
On Thu, Aug 2, 2018 at 9:30 AM, John Dougall <jdougall@utah.gov> wrote:
Chris,

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-John D.

From: Zions Bank <info@email.zionsbank.com>
Reply-To: <info@email.zionsbank.com>
Date: Monday, July 30, 2018 at 8:00 AM
To: John Dougall <jdougall@utah.gov>
Subject: Zions Bank 6th Annual Municipal Conference

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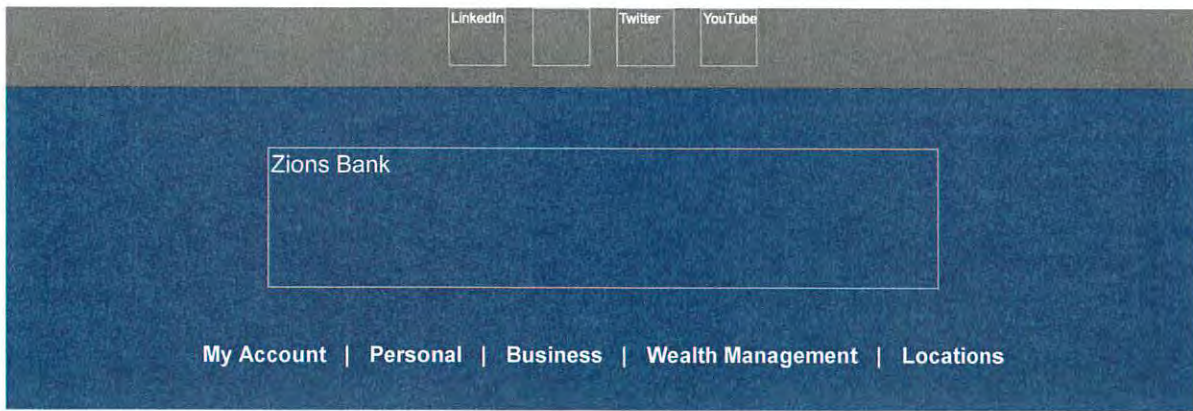
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Maria.Tovar@zionsbancorp.com



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Director, State of Utah Division of Purchasing & General Services
Capitol Hill
3150 State Office Building
Salt Lake City, Utah 84114
Phone: 801-538-3254
Fax: 801-538-3882
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Subject: Automatic reply: Zions Bank 6th Annual Municipal Conference

Date: Thursday, August 2, 2018 at 9:25:43 AM Mountain Daylight Time

From: Jon Bronson

To: John Dougall

I will be on an long vacation from Friday, July 27th through Wednesday, August 15th. If you need immediate assistance you may call Maria Tovar, my administrative assistant, at (801) 844-7384, Eric Pehrson at (801) 844-7376, or Johnathan Ward at (801) 844-7379. Thank you.

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Subject: FW: Zions Bank 6th Annual Municipal Conference
Date: Thursday, August 2, 2018 at 9:25:17 AM Mountain Daylight Time
From: John Dougall
To: Jonathan.Bronson@zionsbankcorp.com

Jon,

I just wanted to let you know that I am very concerned with this boondoggle for government officials weakly labeled a conference.

-John D.

From: Zions Bank <info@email.zionsbank.com>
Reply-To: <info@email.zionsbank.com>
Date: Monday, July 30, 2018 at 8:00 AM
To: John Dougall <jdougall@utah.gov>
Subject: Zions Bank 6th Annual Municipal Conference

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Zions Bank 6th Annual Municipal Conference

Thursday, August 2, 2018

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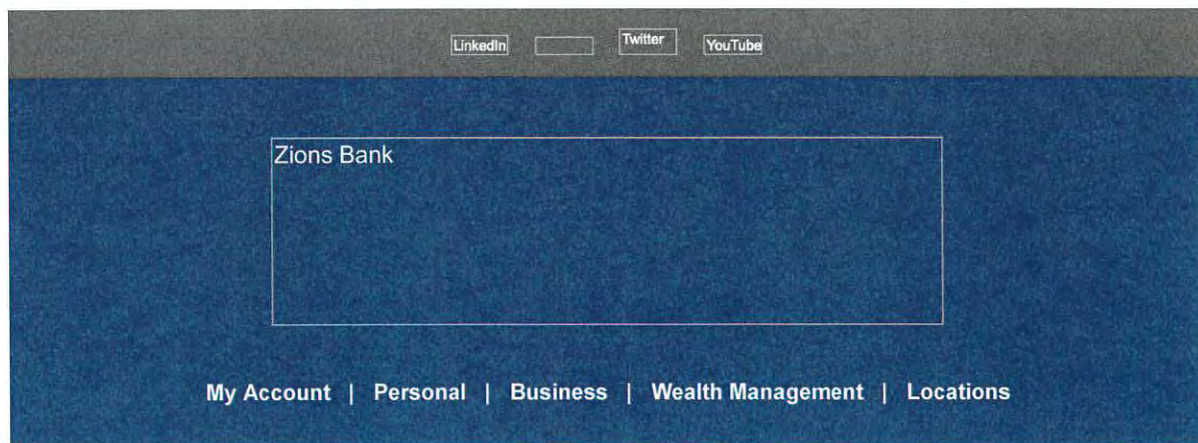
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801-844-7384

Maria.Tovar@zionsbancorp.com



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Subject: Zions Bank 6th Annual Municipal Conference
Date: Monday, July 23, 2018 at 8:01:03 AM Mountain Daylight Time
From: Zions Bank
To: jdougall@utah.gov

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Zions Bank 6th Annual Municipal Conference

Zions Bank 6th Annual Municipal Conference

Thursday, August 2, 2018

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Maria.Tovar@zionsbancorp.com



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Subject: FW: Zions Bank 6th Annual Municipal Conference
Date: Monday, July 16, 2018 at 9:50:34 AM Mountain Daylight Time
From: John Dougall
To: ben.winslow [REDACTED]

Thought you might appreciate this. The conference aspects look weak.

From: Zions Bank <info@email.zionsbank.com>
Reply-To: <info@email.zionsbank.com>
Date: Monday, July 16, 2018 at 8:01 AM
To: John Dougall <jdougall@utah.gov>
Subject: Zions Bank 6th Annual Municipal Conference

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Subject: Zions Bank 6th Annual Municipal Conference
Date: Monday, July 16, 2018 at 8:01:02 AM Mountain Daylight Time
From: Zions Bank
To: jdougall@utah.gov

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Subject: Zions Bank 6th Annual Municipal Conference
Date: Monday, July 9, 2018 at 10:18:59 AM Mountain Daylight Time
From: Zions Bank
To: jdougall@utah.gov

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Subject: Zions Bank 6th Annual Municipal Conference
Date: Monday, June 4, 2018 at 8:00:49 AM Mountain Daylight Time
From: Zions Bank
To: jdougall@utah.gov

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ZIONS BANK

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Zions Bank 6th Annual Municipal Conference

Zions Bank 6th Annual Municipal Conference

Thursday, August 2, 2018

It's nearly that time again. You're invited to participate in Zions Bank's annual Municipal Conference. This year's event will again take place at Thanksgiving Point on Thursday, August 2, 2018. We hope you can join us for a day packed with fun activities and informative presentations.

The Great Room at the Thanksgiving Point Golf Course Clubhouse
3300 West Clubhouse Drive
Lehi, Utah 84043

All of the events listed below are being offered to attendees free of charge. Zions Bank is sponsoring lunch and the morning activities.

Agenda

- **7:00 a.m.**—Breakfast, registration and check-in for golf
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- **3:15 p.m.**—Raffle and prizes

Two hours of CPE credit will be available to those who wish to complete the paperwork that will be provided after the speaker's presentations.

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If you have any questions please feel free to contact me.

Maria Tovar

801-844-7384

Maria.Tovar@zionsbancorp.com



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Subject: Zions Bank 6th Annual Municipal Conference
Date: Tuesday, May 29, 2018 at 8:00:55 AM Mountain Daylight Time
From: Zions Bank
To: jdougall@utah.gov

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Subject: Re: FW: Zions Bank 6th Annual Municipal Conference

Date: Wednesday, May 23, 2018 at 7:37:24 AM Mountain Daylight Time

From: David Damschen

To: John Dougall

Yes, it's very light as "conferences" go!! I was supposed to speak two years ago and a flight delay in Spokane made me miss the conference. Phil and I spoke last year - so there's two hours of content. Not attending this year. (I have both CIB and USTAR board meetings that day).

David Damschen, CTP
Office of the Utah State Treasurer
(801) 538-1042
ddamschen@utah.gov

On Tue, May 22, 2018 at 9:28 PM, John Dougall <jdougall@utah.gov> wrote:

Thoughts regarding this? Do you know who the audience is and what services they procure from Zions Bank? Looking at the agenda, it looks like a boondoggle.

-John D.

From: Zions Bank <info@email.zionsbank.com>

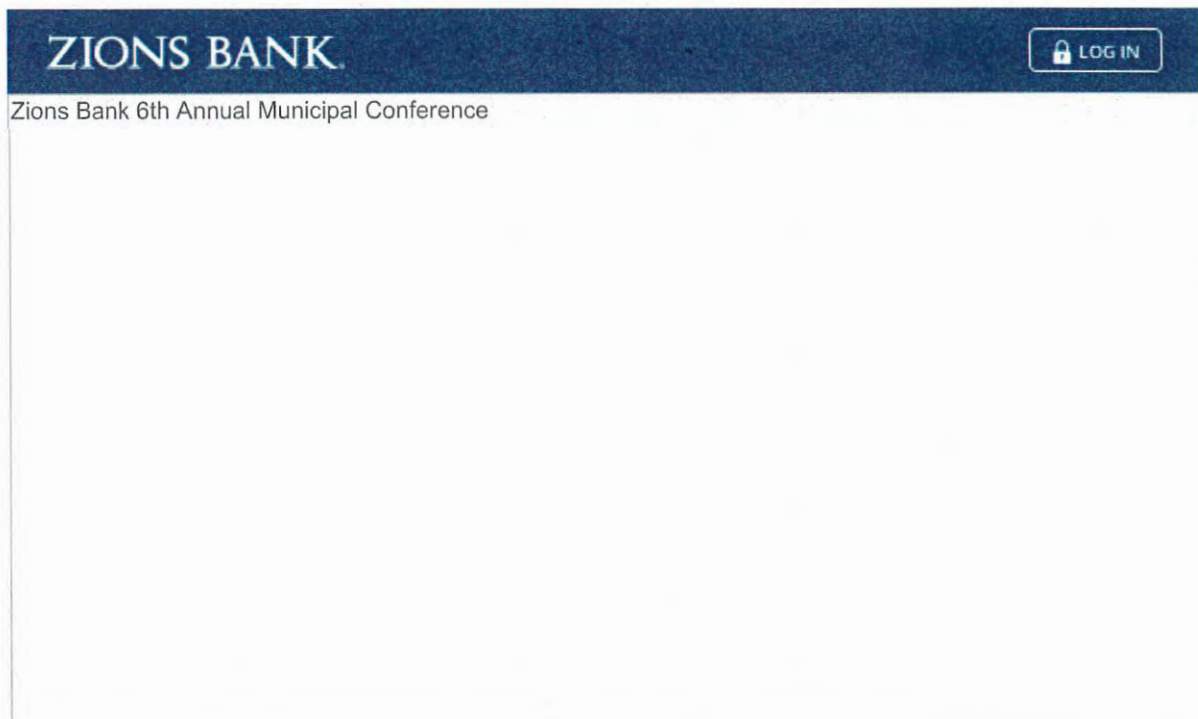
Reply-To: <info@email.zionsbank.com>

Date: Tuesday, May 22, 2018 at 1:28 PM

To: John Dougall <jdougall@utah.gov>

Subject: Zions Bank 6th Annual Municipal Conference

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Maria.Tovar@zionsbancorp.com



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Subject: Re: FW: Zions Bank 6th Annual Municipal Conference
Date: Wednesday, May 23, 2018 at 7:20:37 AM Mountain Daylight Time
From: Jeremy Walker
To: John Dougall
CC: Ryan Roberts

John and Ryan,
The audience is the finance directors and treasurers of local governments. The services that are in question would be "Treasury Management" which are basically, checking and savings accounts and "Public Finance" which is when an entity wants to issue or refund debt. Its marketed as training, but is basically a chance for Zion's sales people to improve relationships with existing or potential customers. If the entities are paying for the event, it would certainly qualify as a junket in my opinion.

Jeremy

Jeremy A. Walker, CPA
Manager, Local Governments Division
801-538-1040

Office of the State Auditor
Utah State Capitol Complex
East Office Building, Suite E310
Salt Lake City, UT 84114-2310

On Tue, May 22, 2018 at 9:29 PM, John Dougall <jdougall@utah.gov> wrote:
Thoughts regarding this? Do you know who the audience is and what services they procure from Zions Bank?
Looking at the agenda, it looks like a boondoggle.

-John D.

From: Zions Bank <info@email.zionsbank.com>
Reply-To: <info@email.zionsbank.com>
Date: Tuesday, May 22, 2018 at 1:28 PM
To: John Dougall <jdougall@utah.gov>
Subject: Zions Bank 6th Annual Municipal Conference

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Subject: Re: FW: Zions Bank 6th Annual Municipal Conference

Date: Tuesday, May 22, 2018 at 10:38:40 PM Mountain Daylight Time

From: Ryan Roberts

To: John Dougall

It definitely looks like a winer and diner. I would be interested to see who they invited.

On Tue, May 22, 2018, 9:29 PM John Dougall <jdougall@utah.gov> wrote:

Thoughts regarding this? Do you know who the audience is and what services they procure from Zions Bank? Looking at the agenda, it looks like a boondoggle.

-John D.

From: Zions Bank <info@email.zionsbank.com>

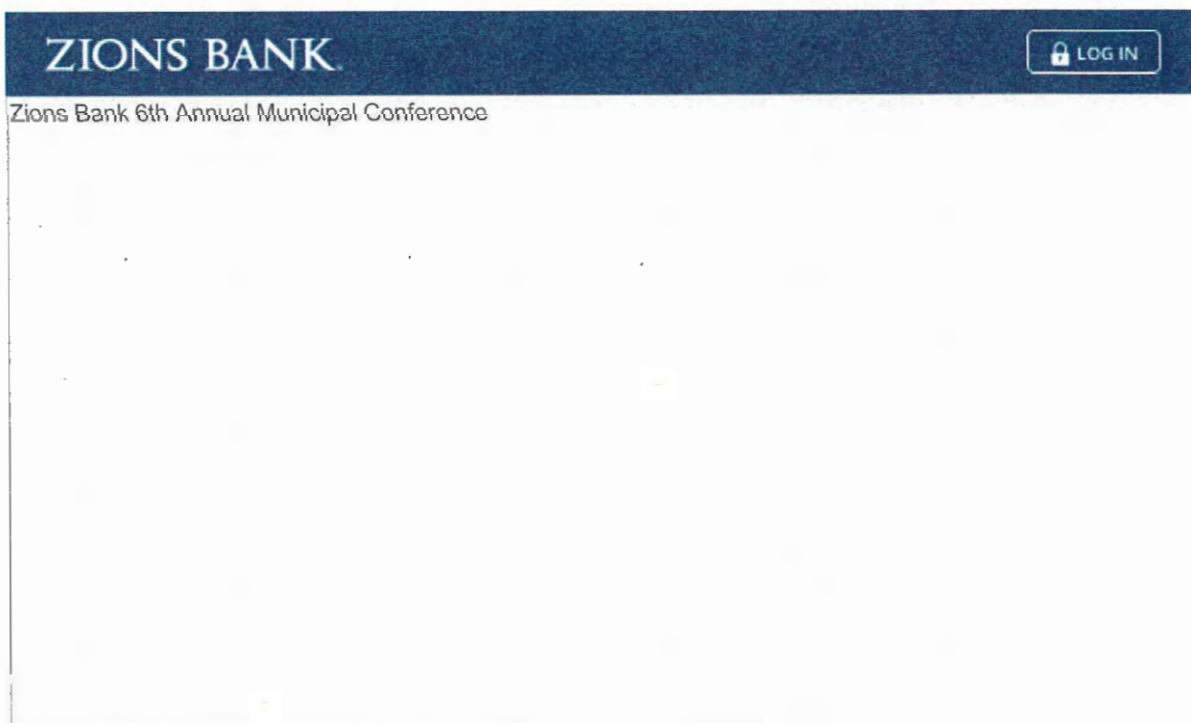
Reply-To: <info@email.zionsbank.com>

Date: Tuesday, May 22, 2018 at 1:28 PM

To: John Dougall <jdougall@utah.gov>

Subject: Zions Bank 6th Annual Municipal Conference

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Maria Tovar
801-844-7384
Maria.Tovar@zionsbancorp.com



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Subject: Mountain Accord

Date: Thursday, February 4, 2021 at 5:51:06 PM Mountain Standard Time

From: John Dougall

To: Seth Oveson

Let's discuss Mountain Accord tomorrow/Friday.

From: dave robinson <dave.ssconsulting@gmail.com>

Date: Thursday, February 4, 2021 at 10:45 AM

To: John Dougall <jdougall@utah.gov>

Subject: Re: trying to connect....

John,

Just following up regarding our recent phone conversation

Please give me a call at your earliest convenience

Thanks

Dave

On Mon, Jan 25, 2021, 11:15 AM dave robinson <dave. [REDACTED]> wrote:

mr dougall,

i hope you are doing well

i have tried reaching you several times. when you returned my call, i must have been between calls and your call went to my voicemail

i called back, but the phone number is a general number that cannot connect me to you

i have had your cell number, but my phone wiped out a bunch of them, including yours

can you set a time for me to call you with a phone number, or let me know when you can call me, so i can make sure i am available

thanks much

dave
[REDACTED]

Subject: FW: Mountain Accord Determination
Date: Monday, January 25, 2021 at 9:05:34 PM Mountain Standard Time
From: John Dougall
To: Seth Oveson
Attachments: Auditor Dougall Determination Request.pdf, Federal Reserve Investigation Request Zions Bank.pdf

Let's discuss. I think it is important to have someone review the financial information that has been reported to our office against other information sources.

From: Norm Henderson <nhenderson[REDACTED]>
Date: Monday, January 25, 2021 at 3:35 PM
To: John Dougall <jdougall@utah.gov>
Subject: Fwd: Mountain Accord Determination

Dear Auditor Dougall;

Forwarded below is my message to you sent September 24, 2020 for your further consideration and possible action. Please contact me if you have any questions at the number below.

Norm Henderson
[REDACTED]

----- Forwarded message -----

From: Norm Henderson <[norm.henderson\[REDACTED\]](mailto:norm.henderson[REDACTED])>
Date: Thu, Sep 24, 2020 at 12:57 PM
Subject: Mountain Accord Determination
To: <jdougall@utah.gov>
Cc: Norm Henderson <[norm.henderson\[REDACTED\]](mailto:norm.henderson[REDACTED])>

Dear Auditor Dougall,

Please see the attached request regarding Mountain Accord, the Central Wasatch Commission (CWC), and attorney/lobbyist Mr. Scott Martin.

I have also attached a copy of the investigation request to the Federal Reserve regarding Zions Bank, Zions Public Finance, and Mr. Scott Anderson, President of Zions Bank.

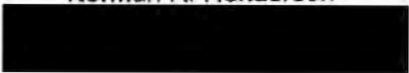
We have worked closely with the State Record's Office and we are prepared to provide any and all requested documents to you.

I look forward to your prompt reply and your request for documents.

Sincerely,

Norm Henderson
Prior Plaintiff - Mountain Accord
Resident of Utah

Norman R. Henderson



September 24, 2020

Mr. John Dougall
Office of the State Auditor
East Office Building Suite E310
Utah State Capitol Complex
Salt Lake City, UT 84114

RE: Mountain Accord - Central Wasatch Commission (CWC) - Mr. Scott Martin

Dear State Auditor Dougall,

In April 2017, Representative Kim Coleman and Representative Ken Ivory requested an audit of Mountain Accord. Prior to that request, you sent a letter to Mr. Norm Henderson dated October 4, 2016, stating that Mountain Accord was subject to the Open and Public Meetings Act (OPMA) as a "Joint or Cooperative Undertaking." This position contradicted an opinion by Salt Lake County District Attorney Sim Gill issued in June of 2016, stating that Mountain Accord was not a public body and therefore not subject to OPMA.

In July 2017, Third Judicial District Court Judge Laura Scott ruled, as part of a suit filed by Mr. Henderson and the Cardiff Canyon Owners Association, that Mountain Accord was subject to OPMA, thus supporting your position, and overturning the opinion of the County District Attorney's Office.

Since that time, we have been working with the Utah State Archives and the Public Records Ombudsman in an attempt to make records associated with Mountain Accord available to the public in accordance with OPMA. This effort has proven to be a slow and somewhat frustrating process. As recently as July 7, 2020, Ms. Kendra Yeates, Chief Records Officer for the State Archives, described the effort that Archives expended in obtaining, cataloging, and storing Mountain Accord records as follows "In addition to Mountain Accord and its successor, the Central Wasatch Commission, the State Archives requested records from 15 other entities including cities, special districts, and interlocal entities who were participants in Mountain Accord. Seven of these entities have so far provided the requested records. Four others are still searching for relevant records, the remaining organizations have not responded."

Due to this effort and in conjunction with independent record requests made under the Government Records Access and Management Act (GRAMA), we have the following concerns, of which we respectfully request you investigate in relation to the actions of Mountain Accord.

1. **OPMA.** Despite the requirements for maintaining and publishing minutes of meetings and notification of public meetings under OPMA, there appears to be no approved minutes or audio recordings for any Mountain Accord meetings, nor are there any notifications for the meetings of their governing board listed on the State's Public Notice Website.

We request that you determine whether Mountain Accord violated OPMA.

2. Mountain Accord Financial Transparency Report. A Mountain Accord Financial Transparency Report was prepared by Zions Public Finance and published on February 23, 2017, while the Central Wasatch Commission (CWC) was being created and funded as a successor to Mountain Accord.

The Transparency Report was used by the CWC to reassure City Council members and others that Mountain Accord had been a law-abiding steward. Using the Transparency Report, the CWC was able to raise a large amount of additional public funds from local Governments. We are concerned that the Transparency Report was intentionally misleading regarding Mountain Accord's compliance with OPMA.

Therefore, we request that you investigate the circumstances and facts surrounding the issuance of the Mountain Accord Financial Transparency Report by Zions Public Finance to determine whether the report was intentionally misleading

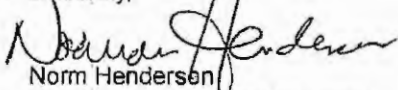
3. Mr. Scott Martin. Mr. Scott Martin, Mountain Accords legal counsel, and a registered lobbyist distributed a written memorandum to members of the Utah State Legislature on March 12, 2019. (See attached) We believe Mr. Martin's statements were intentionally misleading regarding Mountain Accord's compliance with OPMA.

As Mountain Accord's attorney, Mr. Martin did not produce any approved minutes or audio recordings of Mountain Accord meetings during discovery, yet, Mr. Martin states as a matter-of-fact that "all MA (Mountain Accord) meetings, Executive Board meetings and sub-group meetings were noticed on the MA website, often with minutes and recordings posted". As we described above, the State Archives has been unable to find any approved minutes or meeting recordings among the Mountain Accord documents supplied to Archives.

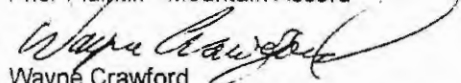
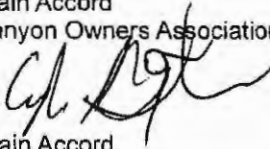
We respectfully request that you determine if Mr. Martin has in his possession, documents to support his statements, or if his representations to elected officials violated the ethics policy of registered lobbyists with the State of Utah.

We thank you for your attention to these important issues. Please contact us with any questions or concerns. We would be happy to provide you with additional information regarding these concerns upon your request.

Sincerely,



Norm Henderson
Prior Plaintiff - Mountain Accord


Wayne Crawford
Prior Plaintiff - Mountain Accord
President - Cardiff Canyon Owners Association
Cyle Buxton
Prior Plaintiff - Mountain Accord
Vice President - Cardiff Canyon Owners Association

Norman R. Henderson



September 23, 2020

Federal Reserve
Consumer Complaint Department
Washington, DC

RE: Investigation into Zions Bank, Zions Public Finance, and Mr. Scott Anderson, President of Zions Bank

To whom it may concern,

Please accept this letter as our formal request to investigate Zions Bank, Zions Public Finance, and Mr. Scott Anderson, President of Zions Bank.

Introduction

Zions Bank, along with its wholly-owned subsidiary Zions Public Finance, and Mr. Scott Anderson, President of Zions Bank, are directly connected to the Mountain Accord, then-Mayor and now Congressman Ben McAdams, and the Central Wasatch Commission (CWC).

We know Mountain Accord was subject to the Open and Public Meetings Act (OPMA), and yet, they spent millions of dollars of taxpayer money operating outside the OPMA law. Then-Mayor, now Congressman, Ben McAdams was the Chair of the Executive Committee of Mountain Accord. It is our understanding that McAdams and others used Zions Public Finance to issue a report that helped publicly clear McAdams' of his OPMA violation and that the report was used to convince elected officials to commit more public funds to his cause. It is also our understanding that Ms. Susie Becker, Vice President at Zions Public Finance, signed the Mountain Accord report, but that she was instructed to not verify the information contained in the report. We understand Ms. Becker did not want to do the report but was pressured to do so.

It is our understanding the Federal Reserve regulates Zions Bank and that Zions Bank has a fiduciary responsibility to its shareholders. Also, we understand Zions Public Finance is the Bond Counsel to the State of Utah and Salt Lake County, both of which were participants in the Mountain Accord. We also understand that Zions is the Bond Counsel for many municipalities across Utah, advising on billions and billions of municipal bonds.

Background

On February 23, 2017, Zions Bank, through its wholly-owned subsidiary Zions Public Finance, issued a report called the Mountain Accord Financial Transparency Report (See attached).

This report included financial information about a public planning process called Mountain Accord. Although millions of dollars of public money were spent during Mountain Accord, the report included a quote from the Salt Lake County District Attorney's Office (DA), asserting Mountain Accord was not subject to the Utah OPMA. This is very important, because, at the time, there were allegations the Mountain Accord Executive Committee, made up of prominent elected officials, was operating behind closed doors, in violation of the OPMA.

In addition to the erroneous determination by the DA's office, there are numerous concerns with Zions' report. According to reliable sources;

1. Mr. Fred Finlinson, an attorney representing Mountain Accord and or its Program Director Ms. Laynee Jones, delivered information for the report to Zions.
2. Zions was instructed NOT to verify the information provided to them from Mountain Accord.
3. Ms. Susie Becker, Vice President at Zions Public Finance stated she did not want to "do" the report, but that she felt pressured to do it.
4. Zions "farmed out" much of the report, but put their logo and signature on the final report.
5. Zions was paid \$40,000.00 for the report.
6. Elected officials then used Zions report to raise money from Cities who were, at that time, questioning the actions of Mountain Accord.
7. The Zions report was used in the media to publicly clear Mountain Accord of its obligation to comply with the OPMA.
8. When concerned citizens highlighted the report's inaccuracies and provided documents from the State Auditor and 3rd District Court to correct the record, Zions refused to correct the report, claiming Zions met the condition of the RFP.

The facts surrounding OPMA and Mountain Accord's legal obligation to comply with OPMA is misrepresented in the report. For example, the DA's letter Zions relied on, claiming Mountain Accord was not subject to the OPMA (See Attached), was contradicted just three weeks earlier, by the same DA's office, when his Chief Deputy stated in writing that no one in the DA's office had told Mountain Accord they were not subject to the OPMA. This means that for nearly two years, from 2014 to 2016, Mountain Accord's assertion that they were not subject to the OPMA had no legal justification.

While Zions was preparing its report, the Utah State Auditor, backed by the State Attorney General, made public a letter asserting that Mountain Accord was subject to the OPMA. (See Attached) Also, during this time, constituents filed a lawsuit in Utah 3rd District Court (See Link). This highly publicized lawsuit asked the court to determine, among other things, whether the Mountain Accord was subject to the OPMA. The report misled the public and elected officials by leaving out these critical details.

When concerned citizens contacted Zion's requesting the reports correction, they were directed to Mr. Jonathan Ward. Mr. Ward said he would review the information and compare it to the Mountain Accord RFP. Shortly thereafter, Mr. Ward stated the report will not be revised or corrected and that it complies with the RFP.

On July 10, 2017, Judge Laura Scott of the 3rd District Court ruled that Mountain Accord was subject to the OPMA. (See Link) Judge Scott upheld the position taken by the Utah State Auditor and the State Attorney General and refuted the claim made by the DA.

However, by that time, elected officials and others had already used the report to raise hundreds of thousands of dollars of additional public funds.

Based on extensive records requests and dedicated staff at the Utah State Records office, we know for sure meetings were not properly noticed, there are no adopted minutes of meetings, and there are no audio recordings of any Mountain Accord meetings as required by OPMA. (See email from State Records)

Conclusion

So, why does any of this matter? It matters for several reasons, some of which include:

1. Millions of taxpayer dollars were spent behind closed doors.
2. When questioned, elected officials turned to Zions Public Finance to issue an unverified report
3. Zions clients include the State of Utah, Salt Lake County, and many others who requested the report, thus creating a conflict of interest
4. Zions Vice President did not want to do the report, yet felt pressured into authoring it
5. When requested, Zions, Mountain Accord, Central Wasatch Commission, and others have not produced the contract or the "RFP" for the report
6. Zions would not correct the erroneous report, even though documents from the State Auditor, backed by the State Attorney General were provided Zions
7. Zions Bank President, Mr. Scott Anderson, is a strong, public supporter and endorser of Congressman Ben McAdams, then Chair of the Executive Committee
8. A finding that Mountain Accord violated the OPMA while spending millions of taxpayer dollars would damage the reputation and the future political career of a then County Mayor (McAdams) with higher political aspirations
9. Off the record discussions that were later included as recommendations in Mountain Accord, would potentially create a windfall worth millions of dollars for certain McAdams donors

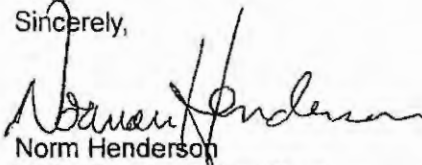
Due to the number of elected officials and prominent people attached to Mountain Accord, and thereby the Central Wasatch Commission and the Zion's Transparency Report, we believe it vital for federal oversight and investigation. Those participants and supporters of Mountain Accord include but are not limited to:

1. Congressman Ben McAdams
2. Governor Gary Herbert
3. Then Senate President Wayne Niederhauser
4. Then Speaker of the House Greg Hughes
5. County Commissioners
6. Mayors
7. UTA
8. Wasatch Front Regional Council
9. Salt Lake Tribune, and many more.

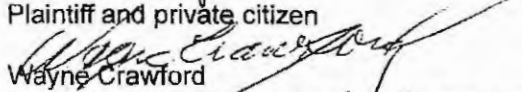
Concerned private citizens funded the lawsuit against Mountain Accord and have worked diligently with the Utah State Archivist who is responsible for all public records in Utah. All statements of fact in this letter are supported by documents or the formal absence of documents. Our sincere concern is that Zions Bank has compromised its integrity as Bond Counsel to the State of Utah, Counties, Cities, and the taxpayers of Utah. We are gravely concerned that the powerful President of Zions Bank uses his position to influence politics in the State of Utah, and we are concerned that the OPMA has been undermined for political convenience. Our concern is heightened by one prominent columnist at the Salt Lake Tribune who simply acknowledged that yes, he knows McAdams broke the law. However, the Tribune columnist refused to report this fact to the public because he "agrees with him (McAdams) politically".

Please feel free to contact us with further questions, and for additional documents, and inquiries. We fully expect and are willing to testify under oath regarding this tremendously important issue.

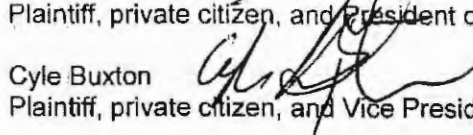
Sincerely,



Norm Henderson
Plaintiff and private citizen



Wayne Crawford
Plaintiff, private citizen, and President of Cardiff Canyon Owners Association



Cyle Buxton
Plaintiff, private citizen, and Vice President of Cardiff Canyon Owners Association

Subject: Re: Property Tax Payment Address Change Notice

Date: Thursday, November 26, 2020 at 10:07:12 AM Mountain Standard Time

From: John Dougall

To: Kim T Jackson

CC: Dana Barney, Cary McConnell

I'm not sure who the letter was sent to. I didn't receive one. I received the paper bill in the mail. A good idea is to have some way for folks to authenticate the validity of the letter and to minimize the chance of a taxpayer receiving a bogus letter, redirecting payment.

From: Kim T Jackson <KimTJ@utahcounty.gov>

Date: Thursday, November 26, 2020 at 9:29 AM

To: John Dougall <jdougall@utah.gov>

Cc: Dana Barney <DanaB@utahcounty.gov>, Cary McConnell <CARYM@utahcounty.gov>

Subject: RE: Property Tax Payment Address Change Notice

Thanks John. I got the copy of the letter you sent and I've confirmed it is a legitimate letter but agree that it could be confusing to some taxpayers. We are using a new PO box this year because we switched from Wells Fargo to Zions Bank Lockbox services. We are still seeing the old PO box on checks, correspondence and bill pay payments and we are reaching out to those taxpayers to change the PO box address in their systems. We'll change the letter on Monday when we are back in the office so it reads better and is less confusing.

[Kim T. Jackson](#)

Utah County Treasurer

Phone: 801.851.8260

FAX: 801.851.8265

Email: kimtj@utahcounty.gov

From: John Dougall <jdougall@utah.gov>

Sent: Thursday, November 26, 2020 8:59 AM

To: Kim T Jackson <KimTJ@utahcounty.gov>

Subject: FW: Property Tax Payment Address Change Notice

Resending...

From: Tyler Sheffield <[tylersheffield](#)>

Date: Wednesday, November 25, 2020 at 11:14 PM

To: John Dougall <[JohnD](#)>

Subject: Property Tax Payment Address Change Notice

Hi John,

Thought you might be interested in this. Received this in the mail. These are my correct property tax serial numbers. I went into bill pay and was going to change the address for future payments but then thought I ought to look it up and confirm. Then I noticed it was SL county and my antenna really went up. Went online to see what address I should use to send property tax payments and it hasn't changed. Still send to the county building.

I'm a financial guy and pretty savvy; some will fall for it. Whoever set up this PO Box should be caught before he/she receives and tries to cash a bunch of checks payable to Utah County Treasurer.

Thought you'd know who to talk to about this. I could contact Utah County Treasurer's Office, but thought you'd be interested and probably know the right person. Seems like it has some urgency with taxes due Nov 30. I think I threw away the envelope a few days ago.

Tyler

Subject: Re: Mountain Accord Determination

Date: Friday, September 25, 2020 at 6:12:33 PM Mountain Daylight Time

From: John Dougall

To: Jeremy Walker

Go ahead and contact Norm to get more information. Thx

From: Jeremy Walker <jeremywalker@utah.gov>

Date: Friday, September 25, 2020 at 2:22 PM

To: John Dougall <jdougall@utah.gov>

Subject: Re: FW: Mountain Accord Determination

John,

The request is for us to review the 2017 financial transparency report prepared by Zions bank. I'm not sure what this report is, but I can call Norm and find out more if you want to pursue this. Seems like a hornets nest, but we can look at bank records and compare to the report in a few hours.

Jeremy

Jeremy A. Walker, CPA
Manager, Local Governments Division
435-277-0049

Office of the State Auditor
Utah State Capitol Complex
East Office Building, Suite E310
Salt Lake City, UT 84114-2310



|

On Thu, Sep 24, 2020 at 8:28 PM John Dougall <jdougall@utah.gov> wrote:

Please review the attached.

From: Norm Henderson <norm.henderson@utah.gov>

Date: Thursday, September 24, 2020 at 12:57 PM

To: John Dougall <jdougall@utah.gov>

Cc: Norm Henderson <[norm.henderson](mailto:norm.henderson@norm.henderson)>

Subject: Mountain Accord Determination

Dear Auditor Dougall,

Please see the attached request regarding Mountain Accord, the Central Wasatch Commission (CWC), and attorney/lobbyist Mr. Scott Martin.

I have also attached a copy of the investigation request to the Federal Reserve regarding Zions Bank, Zions Public Finance, and Mr. Scott Anderson, President of Zions Bank.

We have worked closely with the State Record's Office and we are prepared to provide any and all requested documents to you.

I look forward to your prompt reply and your request for documents.

Sincerely,

Norm Henderson
Prior Plaintiff - Mountain Accord
Resident of Utah

Subject: FW: Mountain Accord Determination
Date: Thursday, September 24, 2020 at 8:28:05 PM Mountain Daylight Time
From: John Dougall <jdougall@utah.gov>
To: Jeremy Walker <jeremywalker@utah.gov>
Attachments: Auditor Dougall Determination Request.pdf, Federal Reserve Investigation Request Zions Bank.pdf

Please review the attached.

From: Norm Henderson <norm.henderson [REDACTED]>
Date: Thursday, September 24, 2020 at 12:57 PM
To: John Dougall <jdougall@utah.gov>
Cc: Norm Henderson <norm.henderson [REDACTED]>
Subject: Mountain Accord Determination

Dear Auditor Dougall,

Please see the attached request regarding Mountain Accord, the Central Wasatch Commission (CWC), and attorney/lobbyist Mr. Scott Martin.

I have also attached a copy of the investigation request to the Federal Reserve regarding Zions Bank, Zions Public Finance, and Mr. Scott Anderson, President of Zions Bank.

We have worked closely with the State Record's Office and we are prepared to provide any and all requested documents to you.

I look forward to your prompt reply and your request for documents.

Sincerely,

Norm Henderson
Prior Plaintiff - Mountain Accord
Resident of Utah

Norman R. Henderson



September 24, 2020

Mr. John Dougall
Office of the State Auditor
East Office Building Suite E310
Utah State Capitol Complex
Salt Lake City, UT 84114

RE: Mountain Accord - Central Wasatch Commission (CWC) - Mr. Scott Martin

Dear State Auditor Dougall,

In April 2017, Representative Kim Coleman and Representative Ken Ivory requested an audit of Mountain Accord. Prior to that request, you sent a letter to Mr. Norm Henderson dated October 4, 2016, stating that Mountain Accord was subject to the Open and Public Meetings Act (OPMA) as a "Joint or Cooperative Undertaking." This position contradicted an opinion by Salt Lake County District Attorney Sim Gill issued in June of 2016, stating that Mountain Accord was not a public body and therefore not subject to OPMA.

In July 2017, Third Judicial District Court Judge Laura Scott ruled, as part of a suit filed by Mr. Henderson and the Cardiff Canyon Owners Association, that Mountain Accord was subject to OPMA, thus supporting your position, and overturning the opinion of the County District Attorney's Office.

Since that time, we have been working with the Utah State Archives and the Public Records Ombudsman in an attempt to make records associated with Mountain Accord available to the public in accordance with OPMA. This effort has proven to be a slow and somewhat frustrating process. As recently as July 7, 2020, Ms. Kendra Yeates, Chief Records Officer for the State Archives, described the effort that Archives expended in obtaining, cataloging, and storing Mountain Accord records as follows "In addition to Mountain Accord and its successor, the Central Wasatch Commission, the State Archives requested records from 15 other entities including cities, special districts, and interlocal entities who were participants in Mountain Accord. Seven of these entities have so far provided the requested records. Four others are still searching for relevant records, the remaining organizations have not responded."

Due to this effort and in conjunction with independent record requests made under the Government Records Access and Management Act (GRAMA), we have the following concerns, of which we respectfully request you investigate in relation to the actions of Mountain Accord.

1. **OPMA.** Despite the requirements for maintaining and publishing minutes of meetings and notification of public meetings under OPMA, there appears to be no approved minutes or audio recordings for any Mountain Accord meetings, nor are there any notifications for the meetings of their governing board listed on the State's Public Notice Website.

We request that you determine whether Mountain Accord violated OPMA.

2. Mountain Accord Financial Transparency Report. A Mountain Accord Financial Transparency Report was prepared by Zions Public Finance and published on February 23, 2017, while the Central Wasatch Commission (CWC) was being created and funded as a successor to Mountain Accord.

The Transparency Report was used by the CWC to reassure City Council members and others that Mountain Accord had been a law-abiding steward. Using the Transparency Report, the CWC was able to raise a large amount of additional public funds from local Governments. We are concerned that the Transparency Report was intentionally misleading regarding Mountain Accord's compliance with OPMA.

Therefore, we request that you investigate the circumstances and facts surrounding the issuance of the Mountain Accord Financial Transparency Report by Zions Public Finance to determine whether the report was intentionally misleading

3. Mr. Scott Martin. Mr. Scott Martin, Mountain Accords legal counsel, and a registered lobbyist distributed a written memorandum to members of the Utah State Legislature on March 12, 2019. (See attached) We believe Mr. Martin's statements were intentionally misleading regarding Mountain Accord's compliance with OPMA.

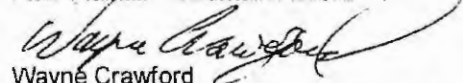
As Mountain Accord's attorney, Mr. Martin did not produce any approved minutes or audio recordings of Mountain Accord meetings during discovery, yet, Mr. Martin states as a matter-of-fact that "all MA (Mountain Accord) meetings, Executive Board meetings and sub-group meetings were noticed on the MA website, often with minutes and recordings posted". As we described above, the State Archives has been unable to find any approved minutes or meeting recordings among the Mountain Accord documents supplied to Archives.

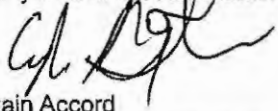
We respectfully request that you determine if Mr. Martin has in his possession, documents to support his statements, or if his representations to elected officials violated the ethics policy of registered lobbyists with the State of Utah.

We thank you for your attention to these important issues. Please contact us with any questions or concerns. We would be happy to provide you with additional information regarding these concerns upon your request.

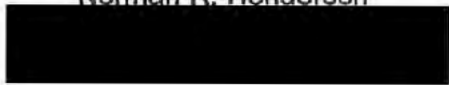
Sincerely,


Norm Henderson
Prior Plaintiff - Mountain Accord


Wayne Crawford
Prior Plaintiff - Mountain Accord
President - Cardiff Canyon Owners Association


Cyle Buxton
Prior Plaintiff - Mountain Accord
Vice President - Cardiff Canyon Owners Association

Norman R. Henderson



September 23, 2020

Federal Reserve
Consumer Complaint Department
Washington, DC

RE: Investigation into Zions Bank, Zions Public Finance, and Mr. Scott Anderson, President of Zions Bank

To whom it may concern,

Please accept this letter as our formal request to investigate Zions Bank, Zions Public Finance, and Mr. Scott Anderson, President of Zions Bank.

Introduction

Zions Bank, along with its wholly-owned subsidiary Zions Public Finance, and Mr. Scott Anderson, President of Zions Bank, are directly connected to the Mountain Accord, then-Mayor and now Congressman Ben McAdams, and the Central Wasatch Commission (CWC).

We know Mountain Accord was subject to the Open and Public Meetings Act (OPMA), and yet, they spent millions of dollars of taxpayer money operating outside the OPMA law. Then-Mayor, now Congressman, Ben McAdams was the Chair of the Executive Committee of Mountain Accord. It is our understanding that McAdams and others used Zions Public Finance to issue a report that helped publicly clear McAdams' of his OPMA violation and that the report was used to convince elected officials to commit more public funds to his cause. It is also our understanding that Ms. Susie Becker, Vice President at Zions Public Finance, signed the Mountain Accord report, but that she was instructed to not verify the information contained in the report. We understand Ms. Becker did not want to do the report but was pressured to do so.

It is our understanding the Federal Reserve regulates Zions Bank and that Zions Bank has a fiduciary responsibility to its shareholders. Also, we understand Zions Public Finance is the Bond Counsel to the State of Utah and Salt Lake County, both of which were participants in the Mountain Accord. We also understand that Zions is the Bond Counsel for many municipalities across Utah, advising on billions and billions of municipal bonds.

Background

On February 23, 2017, Zions Bank, through its wholly-owned subsidiary Zions Public Finance, issued a report called the Mountain Accord Financial Transparency Report (See attached).

This report included financial information about a public planning process called Mountain Accord. Although millions of dollars of public money were spent during Mountain Accord, the report included a quote from the Salt Lake County District Attorney's Office (DA), asserting Mountain Accord was not subject to the Utah OPMA. This is very important, because, at the time, there were allegations the Mountain Accord Executive Committee, made up of prominent elected officials, was operating behind closed doors, in violation of the OPMA.

In addition to the erroneous determination by the DA's office, there are numerous concerns with Zions' report. According to reliable sources;

1. Mr. Fred Finlinson, an attorney representing Mountain Accord and or its Program Director Ms. Laynee Jones, delivered information for the report to Zions.
2. Zions was instructed NOT to verify the information provided to them from Mountain Accord.
3. Ms. Susie Becker, Vice President at Zions Public Finance stated she did not want to "do" the report, but that she felt pressured to do it.
4. Zions "farmed out" much of the report, but put their logo and signature on the final report.
5. Zions was paid \$40,000.00 for the report.
6. Elected officials then used Zions report to raise money from Cities who were, at that time, questioning the actions of Mountain Accord.
7. The Zions report was used in the media to publicly clear Mountain Accord of its obligation to comply with the OPMA.
8. When concerned citizens highlighted the report's inaccuracies and provided documents from the State Auditor and 3rd District Court to correct the record, Zions refused to correct the report, claiming Zions met the condition of the RFP.

The facts surrounding OPMA and Mountain Accord's legal obligation to comply with OPMA is misrepresented in the report. For example, the DA's letter Zions relied on, claiming Mountain Accord was not subject to the OPMA (See Attached), was contradicted just three weeks earlier, by the same DA's office, when his Chief Deputy stated in writing that no one in the DA's office had told Mountain Accord they were not subject to the OPMA. This means that for nearly two years, from 2014 to 2016, Mountain Accord's assertion that they were not subject to the OPMA had no legal justification.

While Zions was preparing its report, the Utah State Auditor, backed by the State Attorney General, made public a letter asserting that Mountain Accord was subject to the OPMA. (See Attached) Also, during this time, constituents filed a lawsuit in Utah 3rd District Court (See Link). This highly publicized lawsuit asked the court to determine, among other things, whether the Mountain Accord was subject to the OPMA. The report misled the public and elected officials by leaving out these critical details.

When concerned citizens contacted Zions requesting the reports correction, they were directed to Mr. Jonathan Ward. Mr. Ward said he would review the information and compare it to the Mountain Accord RFP. Shortly thereafter, Mr. Ward stated the report will not be revised or corrected and that it complies with the RFP.

On July 10, 2017, Judge Laura Scott of the 3rd District Court ruled that Mountain Accord was subject to the OPMA. (See Link) Judge Scott upheld the position taken by the Utah State Auditor and the State Attorney General and refuted the claim made by the DA.

However, by that time, elected officials and others had already used the report to raise hundreds of thousands of dollars of additional public funds.

Based on extensive records requests and dedicated staff at the Utah State Records office, we know for sure meetings were not properly noticed, there are no adopted minutes of meetings, and there are no audio recordings of any Mountain Accord meetings as required by OPMA. (See email from State Records)

Conclusion

So, why does any of this matter? It matters for several reasons, some of which include:

1. Millions of taxpayer dollars were spent behind closed doors.
2. When questioned, elected officials turned to Zions Public Finance to issue an unverified report
3. Zions clients include the State of Utah, Salt Lake County, and many others who requested the report, thus creating a conflict of interest
4. Zions Vice President did not want to do the report, yet felt pressured into authoring it
5. When requested, Zions, Mountain Accord, Central Wasatch Commission, and others have not produced the contract or the "RFP" for the report
6. Zions would not correct the erroneous report, even though documents from the State Auditor, backed by the State Attorney General were provided Zions
7. Zions Bank President, Mr. Scott Anderson, is a strong, public supporter and endorser of Congressman Ben McAdams, then Chair of the Executive Committee
8. A finding that Mountain Accord violated the OPMA while spending millions of taxpayer dollars would damage the reputation and the future political career of a then County Mayor (McAdams) with higher political aspirations
9. Off the record discussions that were later included as recommendations in Mountain Accord, would potentially create a windfall worth millions of dollars for certain McAdams donors

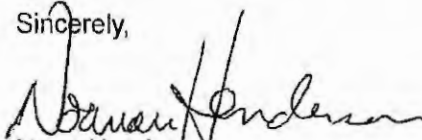
Due to the number of elected officials and prominent people attached to Mountain Accord, and thereby the Central Wasatch Commission and the Zion's Transparency Report, we believe it vital for federal oversight and investigation. Those participants and supporters of Mountain Accord include but are not limited to:

1. Congressman Ben McAdams
2. Governor Gary Herbert
3. Then Senate President Wayne Niederhauser
4. Then Speaker of the House Greg Hughes
5. County Commissioners
6. Mayors
7. UTA
8. Wasatch Front Regional Council
9. Salt Lake Tribune, and many more.

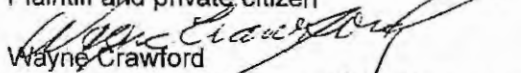
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Please feel free to contact us with further questions, and for additional documents, and inquiries. We fully expect and are willing to testify under oath regarding this tremendously important issue.

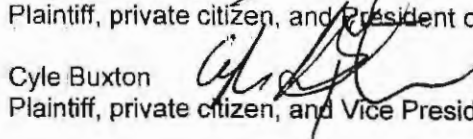
Sincerely,



Norm Henderson
Plaintiff and private citizen



Wayne Crawford
Plaintiff, private citizen, and President of Cardiff Canyon Owners Association



Cyle Buxton
Plaintiff, private citizen, and Vice President of Cardiff Canyon Owners Association

Subject: FW: Zions Bank 6th Annual Municipal Conference

Date: Tuesday, May 22, 2018 at 9:28:20 PM Mountain Daylight Time

From: John Dougall <jdougall@utah.gov>

To: David Damschen <ddamschen@utah.gov>

Thoughts regarding this? Do you know who the audience is and what services they procure from Zions Bank? Looking at the agenda, it looks like a boondoggle.

-John D.

From: Zions Bank <info@email.zionsbank.com>

Reply-To: <info@email.zionsbank.com>


Date: Tuesday, May 22, 2018 at 1:28 PM

To: John Dougall <jdougall@utah.gov>

Subject: Zions Bank 6th Annual Municipal Conference

If you cannot read this email, please [click here](#).

ZIONS BANK

 **LOG IN**

Zions Bank 6th Annual Municipal Conference

Zions Bank 6th Annual Municipal Conference

Thursday, August 2, 2018

It's nearly that time again. You're invited to participate in Zions Bank's annual Municipal Conference. This year's event will again take place at Thanksgiving Point on Thursday, August 2, 2018. We hope you can join us for a day packed with fun activities and informative presentations.

The Great Room at the Thanksgiving Point Golf Course Clubhouse
3300 West Clubhouse Drive
Lehi, Utah 84043

All of the events listed below are being offered to attendees free of charge. Zions Bank is sponsoring lunch and the morning activities.

Agenda

- **7:00 a.m.**—Breakfast, registration and check-in for golf
- **7:30 a.m.**—Shotgun Start Golf Tournament
- **10:00 a.m.**—Check-in for optional activities at clubhouse

- **10:15 a.m.**—Shuttle service begins for optional activities
- **10:45 a.m.**—Garden tour and IMAX film begin
- **12:15 p.m.**—Return to Great Room for luncheon and conference sessions
- **12:30 p.m.**—Lunch
- **1:00 p.m.**—Welcome Speakers: Lt. Governor Spencer J. Cox and Natalie Gochmour (Director of the Kem C. Gardner Policy Institute at the University of Utah)
- **3:15 p.m.**—Raffle and prizes

Two hours of CPE credit will be available to those who wish to complete the paperwork that will be provided after the speaker's presentations.

[REGISTER NOW](#)

If you have any questions please feel free to contact me.

Maria Tovar

801-844-7384

Maria.Tovar@zionsbancorp.com



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