


Details

Related

Time Code ⓘ	Case Number
	002076
Date Received	Description
4/3/2023	Failure to recuse
Project Name ⓘ	
Weber County recusal issue	
Case Owner	
 Tyson Plastow ⓘ	
Assigned To (Non SP Staff) ⓘ	
Project Source ⓘ	
Citizen Complaint	
Status	
Closed	

▼ Complainant Info

[Redacted Complainant Information]

▼ Complaint Description

[Redacted Complaint Description]

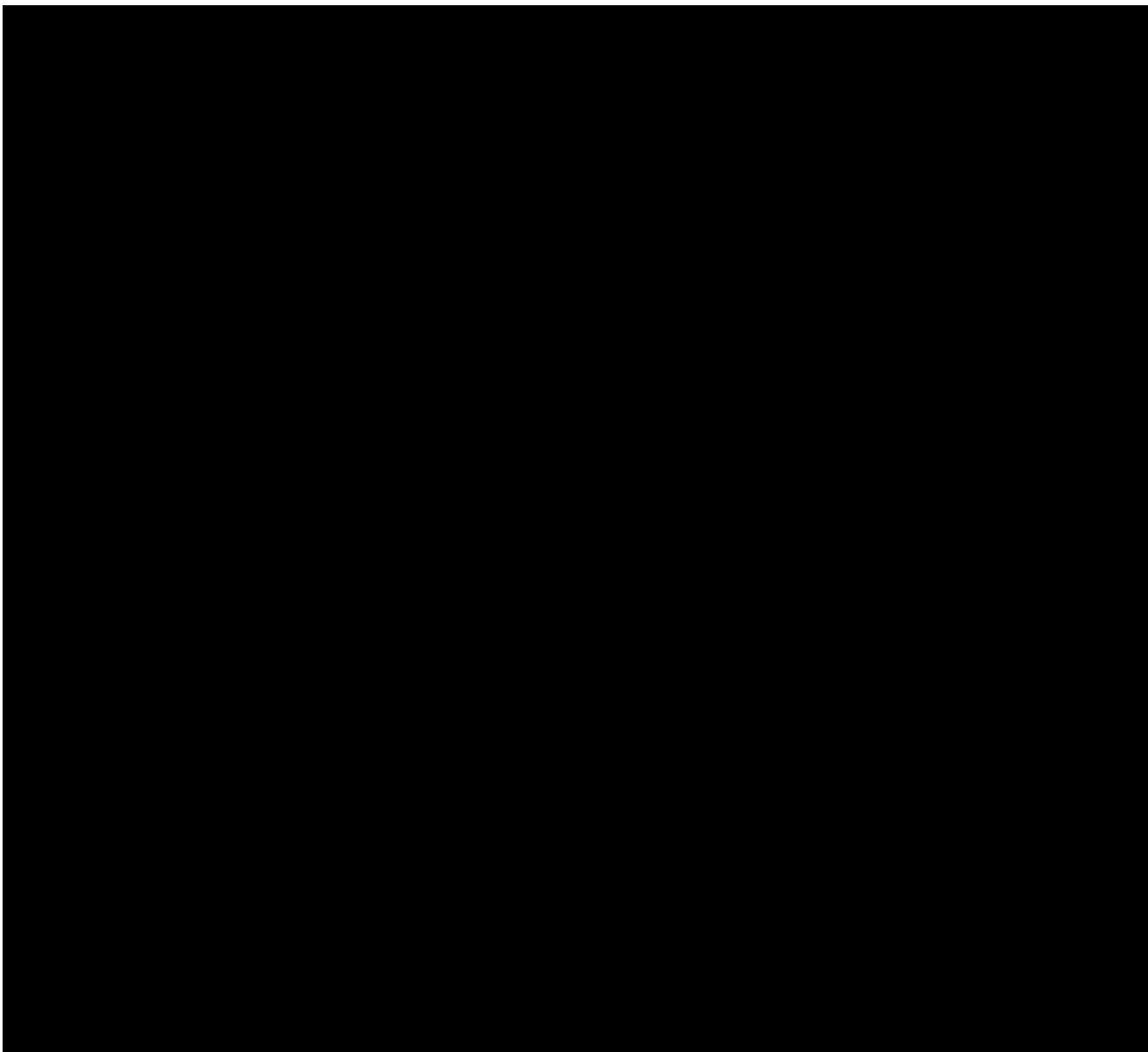
Complaint Description per Complainant

1. WHO is involved (name, position, supervisor name and contact information)? ⓘ

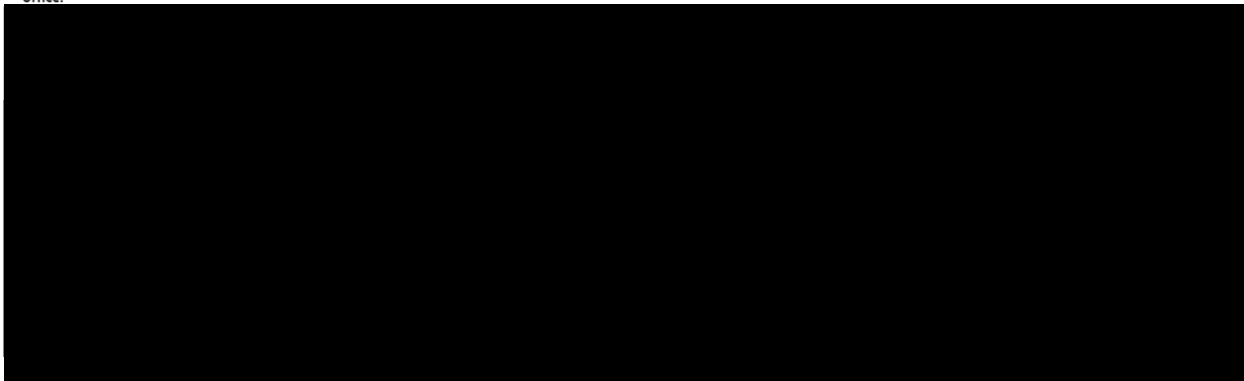
[Redacted Answer to Question 1]

2. WHAT do you believe the government entity did, or is doing, that is wrong or improper ?

[Redacted Answer to Question 2]



3. WHAT specific statute, rule, ordinance, policy do you believe was violated? Please note that disagreements with management decisions do not generally warrant review by our office.



[Redacted]

4. WHEN did the event(s) take place (dates if known)? One-time event or on-going?

[Redacted]

5. WHERE did the event(s) occur? Identify the location, division, office, etc., if applicable.

[Redacted]

6. HOW did you learn about the event(s)? Did you see it occur? Did you hear about it from someone else? Did you see evidence?

[Redacted]

7. WHAT evidence exists to support your complaint? Describe the evidence that corroborates the assertions of each improper activity. Complainant should make efforts to obtain and provide evidence, when possible, as part of the complaint. Complaints that do not include or refer to verifiable evidence generally cannot be prioritized. Resources for citizens to exercise oversight of their governments can be found [here](#) (insert link to future webpage with guidance on obtaining evidence). Documents supporting your complaint can be attached and submitted [here](#). [Add button to upload documents.](#)

[Redacted]

8. List other entities to which you have reported this complaint. Describe what actions were taken and the outcome of those actions.

[Redacted]

9. Disclose whether the subject matter has been, or is likely to be, litigated. What was the outcome or current status of litigation?

[Redacted]

10. Have you taken appropriate measures to resolve these concerns? What were they, and what was the outcome? Complainants who attempt to resolve concerns through inquiry with management or reporting concerns to an applicable oversight body, when anonymity is not a concern, may receive higher prioritization.

[Redacted]

11. What would you consider a satisfactory outcome if this complaint is accepted?

[Redacted]

▼ Project Notes

▼ Project Notes

Project Notes

5/15/23

The Complainant is taking issue with the Weber County Commission amending its rules to allow an individual with a conflict of interest to participate when a disclosed conflict exists. The Complainant cites as his criteria policies established by other entities, including the Office of the Utah State Auditor. However, the County Commission is the legislative body of Weber County (see Utah Code 17-52a-201(3) "A county commission under a county commission form of government is both the county legislative body and the county executive and has the powers, duties, and functions of a county legislative body..."). Therefore, it is the County Commission, not another entity, that has the authority to set rules and county ordinance. However, the County must comply with Utah State Code. We reviewed Utah State Code 17-16a. It appears that while proper disclosure is required, a county official need not abstain from participation to comply with State Code. Therefore, since no current Weber County regulation and no Utah State Code would require a commissioner who has disclosed an actual or perceived conflict of interest to abstain from participation or voting, there does not appear to be a violation after the Weber County amendment.

As evidenced by the Complainant's Attachment F, Weber County Auditor Ricky Hatch is aware of the complaint. Therefore, there is no need to refer. In addition, with Weber County's policy update, there is also no need for further t/w. This is a management decision with which the Complainant disagrees. Due to limited resources and higher priority issues, case closed. Other entity handled.

Subsequently we communicated our conclusion with the Complainant.

▼ Disposition and Review

Results 1

Other Entity Handled

Results - Other 1

Complaint also sent to Weber County, no need to refer.

Review Notes

