Lisa Enourato

From: Russell Train <trainrussell@gmail.com>
Sent: Monday, September 19, 2022 3:59 PM
To: Participate
Subject: Ordinance 1234

Dear Ketchum City Government,

I hope everyone is having a great Monday. My name is Russell Train and I've been living in Ketchum for 8 years now. 2 years ago I bought a condo in the Prospector.

I bring up Prospector with respect to Ordinance 1234 as it is a great example of how density can work well for Ketchum and I believe that Ordinance 1234 is reasonable way the city can encourage more project like Prospector and also ensure that developments like Prospector aren't turned into large custom homes for the ultra wealthy.

Please take the email as a Ketchum Voter's support for Ordinance 1234.

Best,
Russell

--

Russell Train

Tel: 202-210-2379
Email: trainrussell@gmail.com

Lisa Enourato

From: Robin Hagenau <robinsunvalley@gmail.com>
Sent: Friday, September 23, 2022 11:41 AM
To: Participate
Subject: Warm Springs Preserve

Regarding the plans for water usage for Warm Spring Preserve. Having been active in the attempt to control knapweed in Blaine County and the National Forest, I have learned that there is only one effective way to control knapweed in an area in which it has had years of neglect and where toxic chemical application is not an option (dry areas of the Preserve). Note that the mowing has only produced shorter plants which still go to seed later in the season. Mowing possibly produces a false sense of control because the short plants are less visible.

There is a path to effective control. Please consider that after a limited number of years of INCREASED irrigated land in the currently dry areas, knapweed would be effectively eliminated. or reduced to a problem that might be controlled by June work parties. After those few years, the irrigation of the restored natural area could be finally eliminated.

The seasonal meander in the natural area will not, as some planners seem to believe, control the knapweed. Evidence of this is in the spring-wet and summer-dry areas of the Bigwood River. Ask any fishing guide! The temporary expense and water this would require should pay off very effectively in a few years.

Observation would suggest that this plan would also control most other noxious dry land weeds until the land could go naturally dry successfully.

Thank you for your serious attention and further research of this idea.

Robin Hagenau

Lisa Enourato

From: James Hungelmann <jim.hungelmann@gmail.com>
Sent: Monday, September 26, 2022 1:18 AM
To: martha.burke@haileycityhall.org; kaz.thea@haileycityhall.org; heidi.husbands@haileycityhall.org; Sam Linnet; Juan Martinez
Cc: Neil Bradshaw; Jim Slanetz; Governor@gov.idaho.gov; Courtney Hamilton; Michael David; Amanda Breen; Participate; Dick Fosbury; Angenie McCleary; Representative Muffy Davis; Janice McGeachin; mdavis@co.blaine.id.us; phendricks@sunvalleyidaho.gov; Michelle Griffith; Keith Saks; jconard@sunvalleyidaho.gov; bdufur@sunvalleyidaho.gov; kgoldman@bellevueidaho.us; dbrown@bellevueidaho.us; smahoney@bellevueidaho.us; Chris Johnson; jrangel@bellevueidaho.us; rleahy@bellevueidaho.us; Greg Foley; Eric Valentine; lisa.horowitz@haileycityhall.org; Keith Roark; Stone Lara; Amber Larna; Dan Turner; Blanca Romero
Subject: EVERYTHING YOU NEED TO KNOW about JUDGE NYE'S DISMISSAL OF HAILEY MASKING LAWSUIT (September 2022)

EVERYTHING YOU NEED TO KNOW ABOUT IDAHO FEDERAL JUDGE NYE'S DISMISSAL of the Hailey, Idaho anti-masking lawsuit and his award of attorney's fees against plaintiffs for "frivolous and unfounded pursuit" of the lawsuit:

1
The decision is an affront to the intelligence, integrity, and bona fide motivations of plaintiffs and good Idahoans everywhere; a blow to the constitutionally and statutorily guaranteed rights of parents to protect self and children; and a grave threat to free speech and dissent at the heart of American democracy.

2
It is not the law anywhere in Idaho - and it never will be.

3
It is binding only on the plaintiffs in this lawsuit. Everyone else in Idaho and all of America may look upon it with interest but is free to completely disregard it.

4
It does not constitute binding legal precedent anywhere. It does not bar other plaintiffs from suing on the same or similar factual circumstances and legal grounds. All federal and state courts in Idaho and around the US may freely disregard it.

5
Judge Nye's finding of "frivolous pursuit" is wildly inconsistent with fact and law. "Frivolous and unfounded" is a standard reserved for abusive circumstances involving legal incompetence or bad faith. As a matter of law, parents' sincere efforts to utilize legal process in defense of the health and life of themselves and their children, in protection of their inalienable and constitutionally guaranteed right to breath unobstructed, may never be deemed "frivolous".

6
The "precedent" that Judge Nye refers to, in the form of various decisions from other federal district courts in America that have sanctioned government masking, is, as a matter of law, not legally binding on plaintiffs. Judge Nye insists thusly:

> There is nothing unique or different about this case compared to the numerous failed cases brought previously on similar grounds that would have caused Plaintiffs to expect a different outcome.
>
> . . . [A] lack of legal precedent at the appellate level is not conclusive to determining whether attorney fees are unwarranted when numerous district courts around the country had already dismissed similar claims *before* Plaintiffs brought suit, and before oral argument.
>
> At the time of the filing, Plaintiffs were aware-or should have been aware-of the long line of cases in which numerous courts had struck down the same or similar reasoning, providing Plaintiffs with sufficient notice that wearing a mask does not violate a fundamental liberty interest.

However, the law is clear: No decision of any district court in the 94 US judicial districts is ever "binding" on any other court. Even decisions of the 13 federal circuit courts of appeal are legally binding only on the federal district courts within their own circuit. Consequently, Hailey Plaintiffs were free to disregard those cited cases from other federal district courts and to purse similar cause of actions in the Idaho court, without any threat of punishment or sanctions such as any award of attorney's fees.

In fact, federal jurisprudence is founded on the notion that conflicts in decisions will develop and will persist, between district and circuit courts. When two or more circuit courts of appeals issue conflicting rulings on the same or similar fact situation and legal issues, on rare occasions the US Supreme Court may exercise discretionary review of such conflict between the circuits, on a Writ of "Certiorari". In such a case, the High Court's final decision becomes the law of the land, binding on all federal courts, and in the case of constitutional or other questions, binding on state courts as well.

Importantly, a lawyer is ethically duty-bound to zealously pursue his client's cause, which certainly may include pursuing all legitimate causes of action not barred by higher authority. No such higher authority existed in this case, such that plaintiffs' pursuit of a cause rejected in other federal district courts was completely appropriate, not grounds for severe sanctions as Judge Nye imposed.

7
Despite Judge Nye's contention, there is no US Supreme Court precedent which Hailey Plaintiffs violated.

Judge Nye:

> Supreme Court precedent has unquestionably upheld state and local government authority to enact public health orders more stringent than a public mask mandate. *See Jacobson v. Massachusetts*, 197 U.S. 11 (1905) (upholding a city regulation, promulgated in the midst of an epidemic pursuant to a state statute, mandating that all inhabitants of the city of Cambridge be vaccinated against smallpox or face a criminal penalty in the form of a fine); . . .

Jacobson must be exposed as a worn-out relic from primitive judicial yesteryear that provides no precedent for government-imposed masking. Mr. Jacobson was an individual who for health reasons refused smallpox vaccination that was mandated for all adults by **local health authorities**. The Supreme Court upheld Jacobson's "conviction" in state court for refusal to submit, adopting the prevailing view that universal vaccination was necessary to protect society. However, the only derivation Mr Jacobsen suffered was of a "property" interest of relatively minor value, by a fine of $5, equivalent to $167 today. He was not threatened nor was he "deprived" of life or liberty or any inalienable rights in any way. He was not forced to be vaccinated; he was not jailed; he was not denied gainful employment, the right to travel freely, nor access to public establishments. Nor was he forced to mask up and endure choked-out and poisoned breathing.

Constitutionally, a law depriving minor property interests such as in *Jacobsen* requires only a "rational basis" for its justification. By contrast, a law imposing grave deprivations of life and liberty and inalienable rights such as free and unrestricted breathing demands the strictest of court scrutiny, which Judge Nye failed to exercise as he found government-forced masking to be constitutionally insignificant:

> The relatively simple and unintrusive [sic] requirement that citizens wear a mask to protect their own health, and the health of others, does not rise to the level of forced human experimentation or violate any fundamental rights in violation of the United States Constitution.
>
> None of the rights at issue are fundamental.

However, to the sincere, sane and free Idahoan, and to immense numbers of health care professionals, government masking is a vile measure that serves only to subjugate, sicken, cripple and early-kill all users with sustained use.

8
It is important to note that Judge Nye's decision threatens to wrongly embed "covid as reality" in the public consciousness, but not one aspect of the "core covid narrative" withstands the simplest of evidentiary scrutiny, specifically,

1. that there is a "covid-19" coronavirus with many variants that cause "covid disease":
2. that the disease is spreading through communities via person-to-person "contagion";
3. that covid testing, officially reported "incidence rates" and "moving averages" are meaningful and accurate;
4. that what are being reported as "covid symptoms" and 'covid casualties" are caused principally by covid-19 and its many claimed variants and not in any significant way by any other factors worthy of investigation;
5. that masking is a safe and effective "health protection measure" that is essential to mitigate the spread of covid and that does not interfere with any fundamental constitutional rights; and,
6. that covid "vaccines" reduce the spread and risk of "covid disease" in the community and do not recklessly endanger and sicken, cripple and kill people *en masse*.

The Due Process case purporting to justify exceptionally invasive "health measures" has never been put on in a court of law because it could never be sustained. From the start, all state and local "covid orders" like masking and distancing were so constitutionally flawed as to be legally *void ab initio,* of no legal consequence, and therefore to to be disregarded with impunity by all.

What is emerging today, in plain public view, is the shocking reality of covid-19 as the greatest criminal enterprise in the history of the United States and involving fraud, racketeering and mass human casualties, and effectuated in Idaho through wildly illegal "emergency" orders of the governor and his collaborating attorney general, mayors, city councilors and school boards. (See for example, *Idaho covidScam – Law, Ethics, Sanity and Survival*.)

9
Wrongful adoption by government authorities of that "core covid narrative" also has served to block inquiry into other factors that must be strongly suspected of causing serious deterioration of public health.

Common sense, sanity and the rule of law demand that masking and vaccination should be examined as likely principal causes of sickness and death today. Many scientific and medical experts insist that sustained masking, which by its nature creates an oxygen-deficient and poisoned air supply, is a major contributor to what are being called "covid casualties" as well as other devastating illnesses ranging from viral respiratory infections to

seizures, heart attacks and strokes. The same with respect to vaccinations: Many Idaho professionals are convinced that “vaccine” casualties will be astronomical and worsening with every booster, yet certain to be called “covid casualties” by those with the vested interests.

Moreover, the 5G Fast push across Idaho and all of America has peaked during the time of the “pandemic”. Activities of “telecoms” were given preferential treatment by the government as “Essential” to pursue at the same time when many Idaho businesses were shut down or seriously interfered with due to the alleged “covid threat”. Considering the immense concern today about 5G safety, a sane society would insist on understanding the nature of greatly expanded installations now in place, what health concerns they represent, and what protective measures may be appropriate. So far, covidScam collaborators in state and local government have blocked all such citizen inquiry.

10
Lastly, Benjamin Franklin emphasized that the first responsibility of every citizen is to challenge authority. It takes great courage for Americans to stand up and seek to defend and protect, and to put their names as party of record on such a lawsuit. As it turns out, even in the face of unprecedented threat coming from every branch of government today, many good Idahoans will not be intimidated, but rather will redouble their efforts to protect the health, lives and freedom of themselves and their children.

Breathe Free, Idaho, Forever.

Respectfully,

James Hungelmann

Ketchum

Lisa Enourato

From: Amanda Breen
Sent: Thursday, September 29, 2022 7:13 AM
To: Lisa Enourato
Subject: Fwd: Post Office

Public comment.

Sent from my Verizon, Samsung Galaxy smartphone
Get Outlook for Android

From: Roland Wolfram <rpwolfram@mac.com>
Sent: Wednesday, September 28, 2022 9:47:41 PM
To: Amanda Breen <ABreen@ketchumidaho.org>
Subject: Post Office

Keep pushing.

I am a Sun Valley resident, but you are on to something big. The post office charges like we are opting for a PO box (as if it is a service), when in fact we are forced by them to accept a lower level of service and pay through the nose. And they keep increasing the prices as a moneymaker.

roland