## Dawn Hofheimer

**From:** Courtney Hamilton <hamilton.courtney1@gmail.com>
**Sent:** Friday, January 9, 2026 11:19 AM
**To:** Peter Prekeges; Spencer Cordovano; Tripp Hutchinson; Randy Hall; Matthew McGraw; Participate
**Subject:** 4 lanes vs 2 lanes

**Follow Up Flag:** Follow up
**Flag Status:** Completed

Hey Everyone,

I hope your first week as a new council is going well. Now that I'm back to being a regular citizen, I wanted to take this opportunity to share my first public comment in 8 years!

I believe strongly that putting a four-lane highway through the Gem Streets at the entrance to Ketchum is the wrong decision for our town, and I want to encourage you all to consider the current conditions while they exist before the cones of death go back up in February and you and your decision-making processes are impeded by the temporary frustration and chaos that is this ITD project. The current traffic conditions are much closer to what reality will be when this project is completed, and I certainly haven't heard any traffic complaints in the last three months. Traffic seems to be flowing fine into town, with little to any delays, indicating that adding more lanes won't actually change much once this project is complete. There will not be a substantial shift in traffic times with the four-lane option, and I truly believe that removing a turning lane, creating very dangerous crossing conditions for pedestrians, and building a road that encourages lane shifting and higher speeds will be a detriment to our town.

Please take a moment now, while people are still sane, to do some outreach and consider the cons of the 4-lane solution so that when the final decision of how to paint that section of highway comes to you later this summer, you are considering the long term and not just the short term panic that is sure to be rampant during construction. While it's just paint, this is a long-term decision that will impact everyone in our community, not just the Gem Street residents, and I encourage you to please take the time to make a good decision.

Thanks,
Courtney Hamilton
130 Bird Drive

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Courtney Hamilton
208.481.1211

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Courtney Hamilton
130 Bird Drive

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Courtney Hamilton
208.481.1211

## Dawn Hofheimer

**From:** James Hungelmann <jim.hungelmann@gmail.com>
**Sent:** Sunday, January 11, 2026 10:36 AM
**To:** James Hungelmann
**Subject:** Fwd: PUBLIC COMMENT: Process and Governance Concerns from Board Meeting of January 6, 2026

**Follow Up Flag:** Follow up
**Flag Status:** Completed

FYI

---------- Forwarded message ---------
De: **James Hungelmann** <jim.hungelmann@gmail.com>
Date: dom, 11 ene 2026 a las 10:23
Subject: PUBLIC COMMENT: Process and Governance Concerns from Board Meeting of January 6, 2026
To: Angenie McCleary <amccleary@co.blaine.id.us>, <mdavis@co.blaine.id.us>, <lmollineaux@co.blaine.id.us>, <bcc@co.blaine.id.us>
Cc: <blainecountyprosecutor@co.blaine.id.us>

# GENERAL PUBLIC COMMENT

For the Public Record

Blaine County Board of Commissioners

**Re: Process and Governance Concerns from Board Meeting of January 6, 2026**

Members of the Board:

This written submission is offered for inclusion in the public record of the Blaine County Board of Commissioners regarding events that transpired during the January 6 meeting, including discussion conducted under the agenda item titled "County Department Reports."

For purposes of public record and situational awareness, copies of this submission are being provided to each city council within Blaine County, Idaho.

This submission does not seek to defend or condemn any individual, nor to resolve the merits of criticisms raised. Rather, it addresses concerns of process—specifically, the exercise of governmental authority and the risks that arise when established procedural safeguards are not observed.

Public confidence in local government depends not only on what decisions are made, but on how they are made. When process falters, institutional integrity and public trust are put at risk.

**When a "Report" Functions as a Public Adjudication**

At the January 6 meeting, multiple government officials used a public forum to present specific factual allegations against an identifiable elected official, County Coroner Russ Mikel, who had no notice that such allegations would be aired and was not present.

These were not abstract policy disagreements. As reported, they included specific allegations of professional failure, including claims concerning mishandled evidence, improper death determinations, refusal to authorize autopsies, and neglect of statutory duties. The statements were delivered by officials acting in their official capacities, with prepared materials, in a setting that naturally conveys institutional authority. Those circumstances deprived the affected official of notice and a meaningful opportunity to respond, foreseeably causing reputational and emotional harm.

Functionally, this was not a neutral departmental update. It operated as a one-sided adjudication of alleged misconduct, without notice, without rebuttal, and without any opportunity for contemporaneous response.

Courts do not rely on labels; they examine function over form when evaluating government action. When government speech crosses from general discussion into specific accusations that foreseeably damage reputation, constitutional due-process concerns are triggered, even if no immediate sanction is imposed.

**Separation of Powers Is a Safeguard, Not a Formality**

Idaho law deliberately separates the office of the sheriff from the office of the coroner. These are independent offices with distinct legal authority. The coroner is charged with determining the cause and manner of death, including deaths involving law enforcement, and does not report to the sheriff. This separation exists to ensure that death investigations can be conducted without pressure, influence, or conflicts of interest.

Although this separation is established by Idaho statute, it serves fundamental constitutional purposes, including due process, impartial investigation, and the avoidance of conflicts of interest. When that statutory separation is undermined in practice, constitutional concerns are implicated.

That independence is not a nuisance; it is a safeguard.

When law-enforcement officials publicly present accusations against an absent coroner in an official forum, without notice or opportunity for response, that safeguard is threatened. Law enforcement appears to sit in judgment over an office designed to operate independently of it, effectively converting a statutory check into a subordinate function.

The public has a direct interest in preserving this separation. When institutional boundaries erode for convenience or political alignment, confidence in the integrity and independence of death investigations—especially those involving law enforcement—is undermined.

**Due Process Is Not a Technicality**

Procedural due process rests on two core requirements: notice and a meaningful opportunity to be heard. These protections are not limited to criminal trials or formal employment actions. They apply whenever government actors, using official authority, publicly accuse an individual of misconduct in a manner that predictably harms reputation, standing, or the ability to function in office.

Courts describe this as "stigma-plus": reputational harm combined with a tangible alteration of legal or practical status. For an elected official, public branding as incompetent or derelict—by prosecutors and law-enforcement leaders in a formal government setting—can itself constitute the "plus."

Learning of accusations after the fact is not due process. Advance notice is not a courtesy; it is a constitutional requirement. Due process is preventative, not remedial—it exists to prevent unfair reputational harm before it occurs.

If government bodies normalize this kind of ambush, they erode the protections that allow independent officials to serve without fear of reputational execution.

**Defamation Risk Does Not Disappear Inside a Government Chamber**

There is a common misconception that statements made during public meetings are immune from legal scrutiny. That assumption is incorrect.

Defamation law turns on well-established elements: false statements of fact, about an identifiable person, published to third parties, causing reputational harm. Opinions are protected. Truth is protected. But false factual assertions presented as official findings are not automatically shielded simply because they occur in a public meeting.

Government officials speak with amplified authority. When they speak under color of office, their words carry greater weight—and therefore greater potential harm. While certain privileges may apply to official proceedings, those protections are not limitless. They depend on relevance, proper purpose, and scope of authority.

When a forum intended for informational reporting is used to conduct what amounts to a public prosecution—through prepared accusations, selective examples, and no mechanism for response—legal protections narrow and exposure increases.

**Open Meeting Law: Transparency in Substance, Not Just Form**

Idaho's Open Meeting Law exists to prevent judgment or condemnation disguised as routine business.

While the statute does not prescribe precise agenda language, the Idaho Open Meeting Law Manual, published by the Attorney General, makes clear that notices and agendas must be reasonably calculated to inform the public of what the governing body intends to consider. The law's purpose is not merely procedural openness, but transparent public decision-making.

An agenda item labeled innocuously—but used to launch coordinated factual accusations against a non-present official—undermines that purpose. Items described as "reports" or "updates" cannot properly serve as vehicles for adjudication, condemnation, or reputational judgment without notice.

A meeting may be "open" in form while closed in substance. That gap—between appearance and reality—is where Open Meeting Law violations, legal exposure, and public distrust take root.

**Why This Should Concern Everyone**

This issue extends far beyond one meeting or one official. If elected officials can be publicly accused and effectively tried in absentia—without notice or recourse—who will risk serving independently? Who will challenge dominant coalitions, question expenditures, or resist political pressure? Procedural safeguards exist in part to prevent

foreseeable reputational and emotional harm, particularly important where vulnerable or elderly public servants are concerned.

Over time, governance suffers when conformity is rewarded and independent judgment carries personal risk. Public participation declines, and the cost is ultimately borne by the community.

**What Responsible Governance Requires Now**

This submission does not require anyone to conclude that the January 6 criticisms were right or wrong. That question is secondary. The primary concern is that process failed. When process fails, legal exposure grows, public trust erodes, and democratic norms weaken. In addition, failures of process carry real costs for the public, including increased litigation risk, administrative burden, and the possibility that public resources will later be required to defend or remedy governmental actions found to be procedurally defective.

**Responsible governance calls for professional correction, not defensiveness. At a minimum, fairness and institutional integrity warrant acknowledgment that airing specific accusations against an absent elected official—without notice or opportunity to respond—was improper. Clarification or correction of the public record where statements were framed as factual determinations would help ensure accuracy.**

**Any genuine concerns about performance of the office of coroner should be addressed through an independent, impartial review, with clear standards, equal opportunity to present evidence, and a focus on systems rather than scapegoats. Such a review should examine not only conduct, but conditions, including coroner resources, facilities, staffing, funding, and historical budget decisions.**

Local government should be where fairness is most visible, not least. Apology, clarification, independent review, and structural evaluation are not signs of weakness; they are signs of institutional maturity.

I urge officials to correct course accordingly, consistent with those principles.

**Ketchum City Policing Considerations**

For the Ketchum public, this incident is a further indication that the existing law-enforcement arrangement with the Blaine County Sheriff may no longer provide the transparency, independence, or accountability required for effective local governance.

**Accordingly, the City of Ketchum should give serious consideration to withdrawing from that arrangement and restoring a local police force accountable exclusively and directly to Ketchum, through an orderly transition process.**

Respectfully.

James Hungelmann

Ketchum, Idaho

## Dawn Hofheimer

**From:** Lucas King
**Sent:** Wednesday, January 14, 2026 8:25 AM
**To:** Participate
**Subject:** RE: In Lieu Fees vs Housing Units

Hi Dawn,

Morgan would like us to add this as a public comment for both council and PZC. Can you drop it in the associated folders, please?

Thanks,

**Lucas King, PMP | CITY OF KETCHUM**
**Finance Manager**
P.O. Box 2315 | 191 Fifth St. W. | Ketchum, ID 83340
o: 208.726.7801 | f: 208.726.7812
lking@ketchumidaho.org | www.ketchumidaho.org
****Please sign up for the NEW Planning and Building quarterly newsletter. Click HERE and select "Planning and Development"**

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**From:** Participate <participate@ketchumidaho.org>
**Sent:** Tuesday, January 13, 2026 2:59 PM
**To:** Lucas King <LKing@ketchumidaho.org>
**Subject:** FW: In Lieu Fees vs Housing Units

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**From:** Jano <janowiedemann@cox.net>
**Sent:** Saturday, December 13, 2025 10:43 AM
**To:** Participate <participate@ketchumidaho.org>
**Cc:** janowiedemann@cox.net
**Subject:** In Lieu Fees vs Housing Units

Dear Ketchum P&Z, Mayor/Council and Staff,

RE: Lost housing opportunities.

How many housing units have been lost due to in lieu fees?
When did the "practice" of in lieu fees begin?

Thank you,

Jano Wiedemann