

## Letters to Citizens Unhappy with County on Milner Trail

**We thought you might be interested in joining the action we are taking against our Idaho County Commissioners that are NOT upholding their Oath to serve WE the PEOPLE.**

You have been actively involved in the Milner Trail Validation and opposed to its Vacation of portions of it. The commissioners have wronged you by closing/vacating portions of Milner trail. Some of you have been left with no legal access.

We have decided to file claims with the Idaho Secretary of State under the “Tort Claims Act.” This is a process required to claim damages from the State or County. **It is not a lawsuit.** It is a step which one must take as a requirement to file a lawsuit. Our main goal is to correct the unlawful actions of the County on Milner Trail.

As you all know the County has refused to legally complete the so-called “vacations” process on the already approved legal Milner Trail, so it is still public but then the County supposedly “closed” the roads instead of following the process. We believe this is wrongful and unlawful and violates the Code and due process.

Also we believe the “field trip” violated the law and already notified the County attorney of this, but they went ahead anyway. Hence the claims.

**We may or may not file a lawsuit.** It depends on the response of the County, and the potential for damages for their unlawful conduct should be a major factor. If we get 10 claims that’s \$350,000, etc. Our main goal is to get rid of the vacations and “road closure” nonsense without having to sue, or to spend thousands on some appeal of the two vacations if and when the County gets around to filing those! That delay alone is also a violation of due process in our opinion. The County has weaponized their process and abused their powers here....

*So we are not offering you any legal advice – go ahead and contact the firm in Boise you are using if you need legal advice. This is a legal/political move designed to get publicity and force compliance. Attached is the Citizens Claim form for you to fill out. If you feel comfortable with filing go ahead and email it in (please cc to us as well), or better yet, email to us and we will send it in as a group filing. The more the better...*

Do not hesitate to contact us for any additional information/questions you may have.

Sincerely

Joshua Palken and Melina Palken

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