APRILLE 2019

The Malad Valley SCRUTINEER™ & Irreg'lar Times

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Welcome...

to the **second issue** of *The Malad Valley Scrutineer & Irreg'lar Times*. Presented are **alternative facts** and views on topics of interest to **voters, residents** and **property owners** of Oneida County.

This paper is

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18 Did *YOU* Vote?!

The Elementary School Bond Vote on Tuesday, the 12th of March was *too close* to be truly representative of what Oneida County wants to do. Voter turnout was too low, and rumor has it low voter turnout favors single-issue ballots, carefully timed to avoid general election turnout.

Adversarial politics are fine for the various positions that are filled every couple of years, with individuals trying to make a difference. When poor choices are revealed, they can be replaced in the next election.

Adversarial politics are not appropriate for issues that can affect everyone for decades. For the new school bond to barely pass, *or* barely fail, reflects an underlying problem that remains unsolved until a very agreeable plan is proffered. The community does not need to be divided over what should be done. The community should be informed beyond the knee-jerk emotional justifications for a new building promoted by the school district; the community resources lost to such a plan are unlikely to be replaced. It's about more than the children. It's about more than school district control. It's in the best interests of the community to choose a plan that is practical, affordable, and not destructive.

The next attempt to promote this ill-conceived new school bond vote is announced for August... another single-issue ballot timed to avoid the general election turnout!

If *you* did not vote in March, please get yourself informed (this issue of *The Scrutineer* is intended to help!) and be prepared to vote in August.

If you know anyone that failed to vote in March, willfully or by neglect, encourage them to wake up and smell the issues.

YOUR VOTE IS IMPORTANT; it's **twice** as important when you vote ***"No!"***.

So what happened to the "one man, one vote" principle? Well... first of all, for more than a hundred years, *women* also have the right, privilege, *and obligation* to be informed, and to vote. Secondly, this is *not* an ordinary election; the wise State of Idaho requires large financial obligations paid by the property-owning community to be SO AGREEABLE that two-thirds of the votes cast *must* be in favor of the bond.

So every ***"No!"*** vote cancels *two* yes votes.

To be so agreeable, the purpose of the bond must be supported with a **good plan.**

This bond cycle, the *plan* appears to be "Approve a big gob of money, and the Oneida County School District #351 *will start* making better decisions about what to do with it."

Four years ago (for the last elementary school bond cycle), the plan included *at least* a proposal for a new elementary school building (similar to one built in Lewiston, Utah). This *current* plan is to build something "according to the standards for school buildings of so-many square feet" and promising community input, *after* the bond passes, to work out the details.

Well... *after* the bond passes, the superintendent and school board are no longer compelled to listen to *any*one (until the next school board elections!). It is likely an "executive decision" will be made by an educator, *not* an engineer or architect, and any community input dismissed with small regard.

There *is* a **real plan** outlined elsewhere in this paper. It is more practical, more accountable, not destructive, and *much less expensive* than the proposed bond plan. It's an affordable plan that accomplishes *more* than the bond would:

Renovate and respect the value of the existing Malad Elementary School and Auditorium buildings.

You have the power. **Vote!**

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19 The Ides of March

To the Editor of *The Idaho Enterprise:*

I DID NOT intend or expect that *The Scrutineer* would be seen as an anonymous publication. To anyone that knows me, I thought the author was obvious; and to anyone that doesn't— I didn't think they would care!

I DID NOT expect the bond vote to be so close. I imagined that it would fail with *less* than last time! The new superintendent executed a masterful campaign promoting the bond (I presume mostly to the captive audience of parents with children in school).

A new school building *will not* insure the quality of education. I hope the teaching and administrative staff understand their role in that process.

A properly renovated school building will meet more needs and waste fewer resources.

I am not against raising the money to renovate the existing buildings; I am not against an improved school environment *for the children* and the teachers.

In the interests of full disclosure: I was born in Malad. My birth was even announced in *The Idaho Enterprise.*

—Charles Thurber

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20 Demonic Truth

It was a surprise to see the chatter speculating who the "anonymous" writer of *The Scrutineer* might be, casting aspersions on innocent financial contributors, whether named or anonymous. It is a popular tactic, to demonize the truth, especially popular amongst those wishing to suppress ideas. The loudest person in the room rarely has the best ideas. Promoting the idea that *The Scrutineer* is somehow sinister because few are imaginative enough to consider these alternatives, feels... Un-'mer'can.

A few years ago the national media made a joke of "alternative facts" as though there is only One Truth, and *only they* could "fact check" and *only they* knew what Truth looks like. But there are few (and maybe none!) Absolute Truths. There *are* shifty politicians, and there *are* lies out there, but *truth* has a much wider range of shades than only **black** and **white.**

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The Chadwick report on the elementary building is not as rigorous as expected for $13,000, since it disclaims responsibility for unseen issues beneath the veneer by the team of expert observers. The report is, however, more even-handed than the selective extracts used to promote the infeasibility of renovation in favor of a new building.

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21 It's Your Money!

Whether the new elementary school bond eventually passes, or innovative alternatives, like a renovation levy passes, don't you want to know how *your* money will be spent?

This issue of *The Malad Valley Scrutineer* amplifies the ideas outlined in the March 2019 issue, promoting the cost-effective incremental renovation of the Malad School Block. Funded by a levy over several summers of carefully planned segments, progress completed each summer will be a showcase to the community and reflect future possible work summers.

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22 *Non Sequitur*

There is a stained tile in the ceiling
THEREFORE *build a new school.*
The Cadillac oil is dirty
THEREFORE *buy a new Cadillac.*
The bathrooms are falling apart
THEREFORE *build a new school.*
The network wires are unsightly
THEREFORE *build a new school.*
The heating system is troublesome
THEREFORE *build a new school.*
Some electrical outlets are sparky
THEREFORE *build a new school.*
The doors and windows are drafty
THEREFORE *build a new school.*
The building needs an elevator
THEREFORE *build a new school.*
The children aren't learning
THEREFORE *build a new school.*
The Middle School bond is paid off
THEREFORE *build a new school.*
There are broken auditorium seats
THEREFORE *build a new school.*

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23 Lift the Burden

The school board members and superintendent have a lot to do in their meetings, what with hiring and firing coaches and teachers, and a lot of other administrivia. Rather than compound their workload with concerns about the elementary school issue, let's create a **School Block Renovation Panel,** made up of focused individuals interested in effectively managing the incremental renovation of the Malad Elementary School and Auditorium buildings.

This **Panel** would be answerable to the school board, but dedicated to identifying what needs to be done, how much can be done in 90 days, and how to stage materials before the summer work span; to coordinate with expert advice from a retained renovation architect providing specifications for all work; to supervise contracted work; to respond to the community; and to make sure all monies are carefully spent, to the end of renovating the buildings to be proud, functional, and a grand resource for the community.

The **Panel** should be small, perhaps three persons; unpaid; work and play well with everyone.

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24 Next Vote

The proposed August vote is still a few months away.

There is no reason it cannot be a levy vote, for renovation. We can expedite getting the job done by getting past the delusion that a new building is the *only* way, if *only* voters can be shamed into passing a new school bond.

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25 Reprieve!

Did *you* vote? The Malad Elementary School building has been granted a reprieve... but, **just barely.** The New School Bond failed with a very slim margin. It seems likely the school district will try again as soon as possible, hoping it will barely pass.

It's an odd privilege, for the school district to have the right for up to four bond or levy votes a year, independent of the more legitimate votes for candidates in November. Staging a vote is not free; the failed bond vote in March cost thousands of dollars. (At least contributions to *The Scrutineer* are voluntary!)

I understand better now what I was told by the superintendent last fall: school bond votes are more likely to pass in March (or, by other single-issue ballots) than in November. It was a curious remark, and at that time I missed the obvious explanation: low voter turnout favors divisive issues! Barely 50% of Oneida County voters turned out in March for this significant decision. The impact of this decision could be felt for *decades.*

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26 Freedom

Freedom is not free. This applies to free speech as much as it may to sovereignty.

The printing and mailing expense for each issue of *The Scrutineer* is not horrendous, but it is *not* insignificant, either!

Local prospects for advertising have been skitterish, although several have made substantial anonymous contributions. More is needed.

If the new school initiative is successfully thwarted, and the more reasonable plan of renovation via levy is accepted, the costs of producing *The Scrutineer* will be returned manifold to *all* Oneida County taxpayers.

Thanks to all contributors! Thanks to continuing contributors. Thanks to those *considering* contributing. *The Scrutineer* endeavors to make space for alternative voices in the valley, and support **you;** please step up and support **it.**

Checks may be made payable to **Exit 13 LLC** and mailed to 2 Court St, Malad City, 83252. Cash and checks may be dropped off Saturdays 9–3 at 17 Bannock Street. *(Clandestine arrangements may also be made, call 208-24-24-204 and leave a message.)*

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27 Chadwick *et alii*

The Chadwick Report objectively considers renovation of the elementary school and auditorium buildings. Anthony Young prepared an informative sheet quoting pertinent parts.

Based upon our review of the readily observable structural elements, it is estimated that the existing structure has an additional 15-20 years of service-life remaining.

Do nothing, and it isn't the end of the world.

With the upgrades listed in the report, we estimate the structure to have an additional 25 years of service-life remaining.

Invest a few million dollars wisely, and the renewed life is 45 years. *(Maintain* it and its life is *unlimited!)*

Mechanical and Plumbing: *Most of the HVAC and plumbing equipment needs to be replaced. If it is desired to have Air Conditioning throughout the building, we would recommend replacing the entire system with new rooftop units.*

No surprise here, infrastructure wears out... even in a *new* building, these parts *will not* last "75+" years.

Electrical: *Refurbish/replace all electrical distribution equipment over 30 years old, increase the number of receptacles and branch circuits in the classrooms, replace fire alarm system, replace/repair exterior lighting, and upgrade the intercom system. Upgrade the light fixtures to high efficiency LED lighting.*

All original electrical wiring is in conduit, which can be reused. It is not necessary to tear out walls and replace the conduit.

Network wiring can be enclosed in new raceways, supporting future upgrades without surface-mounted eyesores. Intercom, clock synchronizing systems, and security cameras will use network infrastructure.

Exterior: *Consider replacing some of the site concrete including stairs and handrails. Consider regrading portions of the site around the building to ensure positive drainage away from the building. Consider rerouting roof or overflow drains away from walkways and away from the building. Consider making more of the building entrances accessible, at least 60%.*

Refreshing the landscape and sidewalk design will greatly improve the building appearance. Some trees have grown too big and are too close to the building.

Masonry and Foundation: *The concrete appears to be in satisfactory condition. Consider sealing, patching and repairing any cracks. The brick appears to be in satisfactory to good condition. Consider sealing all holes and penetrations in the brick veneer. Patch and repair concrete window sills. Replacing sealant around openings as required.*

Maintenance that needs to be caught up.

Doors: *Consider replacing the exterior doors and sidelights with insulated doors using tempered glazing. Use ADA Accessible door hardware.*

A plus for energy efficiency, making the renovated building snug and inviting.

Windows: *Consider replacing the exterior windows with insulated units. Consider removing the glass block and infilling with framing and insulation.*

The glass block is actually period pretty. Remove the paint and let the light back in!

Soffits and Fascia: *Consider scraping and repainting all of the wood soffits and fascia. Replace any areas with water damage as required. Seal gaps and openings.*

Mostly cosmetic and can be done even when school is in session.

Roof: *Roof drains should be kept clean. Consider replacing the roof. Add board insulation with proper slopes to the drains. Inspect substrate and repair where necessary.*

More stuff that might be done outside the summer vacation schedule.

Interior Building Conditions: *Consider replacing floor coverings and base trim throughout the building. Consider replacing, repairing, painting ceiling tiles and panels. Consider replacing the classroom doors and hardware. Consider replacing wall coverings throughout or removing the coverings and repairing the wall finish in its place. Consider replacing the cabinets and plastic laminate countertops and window sills. Consider using fixtures and accessories that comply with ADA accessibility guidelines. Consider updating the kitchen with appropriate wall finishes, floor finishes, and equipment.*

The essence of renovation!

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28 Submissions

Well-reasoned writings of likely interest to the valley will be considered for future issues...

Submit to the editor via email

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Anything not well represented by other media is of interest.

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29 The Proper Role...

The Proper Role of Government

ESSAY #1

To be secure in our Personal Property

I have been asked to write concerning the school board bond measure, from the perspective of the U S Constitution. I have also been asked to write concerning the current effort to improve the county building codes, from the same perspective. The problem with both requests, is that the Constitution was written to manage inter-state and foreign governmental affairs. These two issues are *local* in nature and therefore not covered by the jurisdiction of the Constitution. However, there is another founding document I shall consider.

Within the opening remarks of the Declaration of Independence, Thomas Jefferson lays out the case of the American Colonists for the act of revolution, to be be judged, not by their fellow colonists, but by the peoples of the world. Jefferson boldly declares, above all other reasons about to be put forth, that their justification was primarily based on the following principles, with these famous words:

> *"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights,* ***that among these are Life, Liberty and the pursuit of Happiness."***

And

> *"That to secure these rights,* ***Governments are instituted*** *among Men,* ***deriving their just powers from the consent of the governed"***

But what is it, exactly, Jefferson is trying to tell us, and how does it relate to either a school bond measure, or county building codes? To understand this relationship I will deconstruct these two statements.

A **self-evident truth** is one so obvious to the body of man, that no further justification is warranted. For example, it is self-evident, man requires air to live. Or, in other words, pulling a phrase from the preceding paragraph, these are universal truths, passed down to man from "Nature's God" and no further justification need be provided. **To be endowed**, according to Websters 1828 dictionary, is to be furnished with a portion of estate. As applied here we are specifically furnished with a portion of Nature's God's Estate; Finally, **an unalienable right** is one that cannot be alienated or transferred. You cannot abandon or give up this right, it is part of your very existence. For the purpose of this Declaration, Jefferson proclaims that chiefest among all **self-evident, divinely endowed,** and **unalienable** rights are, **Life, Liberty** and the **pursuit of Happiness**.

Jefferson is demonstrating his vast education by pulling from an earlier political philosopher and theologian, one to whom much of the civilized world would already be familiar with, John Loche. In Loche's second Treatise on Government, he lays out the conditions under which a body of people shall be justified for revolution, namely in protection of these three specific self-evident, divinely endowed, and unalienable rights. But Loche uses a slightly different wording, "**Life, Liberty, and *Property*.**"

It is vital that the reader understand why Jefferson chose to change the word Property to the Pursuit of Happiness. Taken out of historical context, it would be easy to preclude property in exchange for happiness. In his first draft, Thomas Jefferson attempted to pin the sin of slavery on the head of King George III. However, fearing this would alienate the southern states, the committee of Jefferson, Franklin, and Adams, choose to remove any mention of slavery. However, knowing that the word property, without any other reference to the condemnation of slavery would empower the south in the future, to anchor further slavery questions to this declaration, *they expanded* ***Property*** *to all endeavors pertaining to the "****Pursuit of Happiness****."* Thus it becomes obvious that the self-evident, divinely endowed, and unalienable right to property was not replaced, but expanded upon. These inspired men realized that **personal property was necessary to the formation of a free society**, but also recognized that there was more to be gained, and that they could accomplish their goals in greater measure, while still providing a foundation for a future without slavery.

Our Founding Fathers understood that without Private Property, there is no Liberty. And it was for the protection of this and the other two rights, Life and Liberty, that governments are created. In other words, **there is no other just reason for a government that is unable or unwilling to protect these rights**, and under such circumstances the people are justified, nay required by Nature's God to overthrow that government and put in it's place one that can and will protect these rights.

What is **Personal Property**? At it's simplest level it **is the manifestation of one's labor**. Consider the following from Frédéric Bastiat:

> *"Man can live and satisfy his wants only by ceaseless labor; by the ceaseless application of his faculties to natural resources. This process is the origin of property.*
>
> *But it is also true that a man may live and satisfy his wants by seizing and consuming the products of the labor of others. This process is the origin of plunder.*
>
> *Now since man is naturally inclined to avoid pain — and since labor is pain in itself — it follows that men will resort to plunder whenever plunder is easier than work. History shows this quite clearly. And under these conditions, neither religion nor morality can stop it.*
>
> *When, then, does plunder stop? It stops when it becomes more painful and more dangerous than labor.*
>
> *It is evident, then, that the proper purpose of law is to use the power of its collective force to stop this fatal tendency to plunder instead of to work. All the measures of the law should protect property and punish plunder.*
>
> *But, generally, the law is made by one man or one class of men. And since law cannot operate without the sanction and support of a dominating force, this force must be entrusted to those who make the laws.*
>
> *This fact, combined with the fatal tendency that exists in the heart of man to satisfy his wants with the least possible effort, explains the almost universal perversion of the law. Thus it is easy to understand how law, instead of checking injustice, becomes the invincible weapon of injustice. It is easy to understand why the law is used by the legislator to destroy in varying degrees among the rest of the people, their personal independence by slavery, their liberty by oppression, and their property by plunder. This is done for the benefit of the person who makes the law, and in proportion to the power that he holds."*

Consider that a legislative body is not limited to a federal or even a state government. Legislative bodies are any body politic empowered on behalf of the majority to create laws. In this manner, a city council or county commission may constitute a legislative body. Furthermore, during a popular election, the majority of votes, may also constitute a legislative body. Therefore, in this latter example, the plunder committed, may be committed by the majority on the minority of a community. Here-in lies **the inherent dangers of a Democracy**, and why **our Founders sought to establish a Republic** instead. Benjamin Franklin once described Democracy as two wolves and a sheep voting on what's for dinner and a republic is a well armed sheep.

Now back to the two measures in question. The first is a desire by some **to build a new school**. To do so, **they can either voluntarily raise the funds** themselves **or invoke government and the power of the law to plunder the property of their neighbors**. An additional injustice is revealed as individuals are found financially unable to satisfy the initial public demand (property tax increase). Subsequently, they lose that very property when the measure imposed the first legalized plunder, and now an additional plunder is applied to acquire the land itself.

The second is **a county that desires**, in the name of public safety, **to put restrictions on the use of one's private property**, this is masked by the simplified **requirement to gain permission** from the government prior **to performing any labor**, and is **enforced by the power of the law**. Independent of any risk to the general public, if you fail to gain legal approval (file for a permit), even though the labor performed had no impact on public safety, you are still found in violation of the law. Thus in order to more easily impose the will of the legislative body, the law primarily focuses on whether or not permission was received before the labor was performed and not against the actual restriction, imposed to support the health and safety of the community. **Failure to comply invokes that same power to legally plunder your labor**. This time, in the form of penalties and ultimately, **the potential denial of Liberty through imprisonment**. This issue is even more unjust when the issue regarding the regulation in question is for **something other than public safety**.

So it comes down to the choice: will we live in a society that values Life, Liberty, and the Pursuit of Happiness, including the right to be secure in our Personal Property, or will we live under a tyrannical mob?

—Travis Whipple

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30 Who Needs a Bond?

My husband and I moved to Malad three years ago. Because of the nature of his work-from-home job, we could have chosen to live anywhere. There were several factors that made us choose Malad. One of the things we loved about this city was watching the relationship my parents had with their neighbors. I wanted that for myself. But after the latest bond measure election, I am worried that this issue is splitting our community apart. Having differences of opinion from those around us is healthy, but, it is even better when we can work together to accomplish big things together in spite of our differences. I propose that the elementary school issue could be something that, rather than tearing our community into two opposing factions, could bring us together in amazing ways.

As I see it, there are some things upon which everyone in our community agrees:

1- We love the children. We value their education and want good things for them.

2- We want the school they attend to be a good quality one.

3- We are willing to go to great lengths to insure the safety of our children.

So what makes us different? Setting aside the issue of whether the school should be updated or replaced, upon which many opinions vary, it all boils down to taxes. If you were to poll the community members about the reason they voted No, the number one reason would be, I dont want taxes to be raised.

How do we breach the gap in our opinions? Could it be possible to start today and begin to raise the funds for our school through voluntary donations? If we can raise it through mandatory taxes, then we should be able to raise it without them. The people who would not donate voluntarily are the very people whose rights would be protected by raising the funds this way. As I see it, this would be a solution that everyone could agree upon.

If we put our heads together, we could come up with a lot of great ways to earn money. One possibility we could consider, is opening up the naming of the school to the largest donor. There are elementary schools all over the country that were named this way.

How many years has the question of an elementary school bond been going on? Are we to ten yet? If we had started raising money back then, there is a good chance that we could have had enough to pay for the school by now. Instead, we are still in the same position we were then but with failed election after failed election driving wedges in our community. If we dont change our approach, the cycle will keep going on and on. I say, lets stop debating over the bond, and start working together together to make this happen through voluntary donations. Not only is this possible, it could be fun! Who needs a bond?

—Donna Whipple

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31 Prologue

WHAN that Aprille
with his shoures soote
The droghte of Marche
hath perced to the roote,
And bathed every
veyne in swich licour,
Of which vertu
engendred is the flour;
Whan Zephirus
eek with his swete breeth
Inspired hath
in every holt and heeth
The tendre croppes,
and the yonge sonne
Hath in the Ram
his halfe cours y-ronne,
And smale fowles
maken melodye,
That slepen al
the night with open ye,
So priketh hem
nature in hir corages.
Than longen folk to
goon on pilgrimages...

—Geoffrey Chaucer

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