

Kalkaska County Board of Commissioners
Resolution 2021-14

Pandemic Resolution

The Kalkaska County Board of Commissioners, at a Reconvene of a Regular Meeting, January 22, 2021, reviewed and approved the following:

WHEREAS, we live in a time of pandemic; and

WHEREAS, we are now entering into the second year of the global pandemic which has impacted every Kalkaska County citizen in a myriad ways; and

WHEREAS, the threat from the virus, though serious, has resulted in a thwarting of constitutional liberties and personal freedoms without sufficient regard for ongoing and potentially irreparable economic, emotional, educational and other societal abuses; and

WHEREAS, Governor Whitmer working with the Attorney General, Secretary of State, the Directors of the Michigan Health Department and the Michigan Licensing and Regulatory Affairs, did engage in fining, penalizing, and revoking the licenses of businesses for failure to obey and enforce the unconstitutional Executive Orders; and

WHEREAS, the orders by the MDHHS lack legislative support of the democratically elected representatives, having been initiated unilaterally and unconstitutionally by the Governor of Michigan; and

WHEREAS, the orders by the MDHHS have disallowed any degree of personal accountability, eroded constitutional rights of citizens and have placed undue burden and restrictions on local businesses, local employees and the citizens of Kalkaska County; and

WHEREAS, The Michigan Department of Health and Human Services (MDHHS) has issued orders without providing funding or sufficient guidance for the enforcement of such orders; and

WHEREAS, the 1st Amendment to the constitution states: *“Congress shall make no laws respecting an establishment of religion, or prohibiting the free exercise thereof: or abridging the freedom of speech, or of the press, or of the people to peaceably assemble, and to petition the government for a redress of grievances.”*; and

WHEREAS, title 18, u.s.c. section 241 says *“If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same...”*

Title 18, u.s.c 242 says *“Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, or to different punishments, pains, or penalties, on account of such person being an alien, or by reason of his color, or race, than are prescribed for the punishment of citizens, shall be fined under this title or imprisoned not more than one year, or both”*; and

WHEREAS, the right and responsibility of individuals to self-determine what is best for their own health, liberty and pursuit of happiness is necessary and ensured by our Constitution, which we have taken an oath to defend and uphold;

NOW THEREFORE, BE IT RESOLVED, The Kalkaska County Commission calls upon the Michigan Legislature to exercise their co-equal authority by adopting constitutionally sound measures which limit the unchecked exercise and abuse of executive power, which restore individual responsibility and accountability, and which return Michigan to the ranks of freedom-loving governments everywhere.

FURTHER, The Kalkaska County Commission does not support the expenditure of any county funds for the purpose of arrest and prosecution of any person accused of violating MDHHS emergency orders regarding COVID-19, and encourages the Kalkaska County Sheriff’s Department and The Kalkaska County Prosecutors Office to uphold their oaths of office to support the Constitution, which is the Supreme Law of the land, and make this the lowest priority;

FURTHER, we call upon the citizens of Kalkaska County to act responsibly with regards to others while determining for themselves what is best for themselves, for their own families and loved ones and how to contend with the ongoing risks associated with the COVID-19 virus;

FURTHER, we call upon local businesses to use their own good judgement to operate in a manner which minimizes risk to patrons while protecting the health and welfare of their businesses, care for their employees, and the community;

BE IT FURTHER RESOLVED that copies of this resolution be transmitted to Governor Whitmer, both United States Senators, all Michigan Members of Congress, both Speakers of the House of Representative and the Senate, along with the Michigan Association of Counties and all Counties within Michigan, along with the Michigan Township Association and all Townships, Cities and Villages within Michigan.

Commissioners present: Baldwin, Banko, Bicum, Comai, Crambell, Fisher and Sweet.
Commissioners absent: None

Motion by Commissioner Bicum. Supported by Commissioner Sweet.

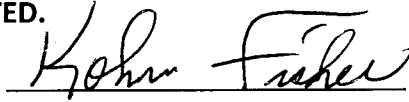
Roll call vote:

Yeas: Bicum, Sweet, Baldwin, Banko, Comai, Crambell, Fisher.

Nays: None

Absent: None

RESOLUTION DECLARED ADOPTED.



Kohn Fisher, Chairman 1-22-2021
Kalkaska County Board of Commissioners

STATE OF MICHIGAN)

) ss.

COUNTY OF KALKASKA)

I, the undersigned, Clerk of Kalkaska County, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Kalkaska County Board of Commissioners at its Reconvene of a Regular Meeting held 1-22-0221.



Deborah Hill, County Clerk 1-22-2021
Clerk of the Kalkaska County Board of Commissioners