

COUNTY OF OTTAWA

STATE OF MICHIGAN

RESOLUTION

At a regular meeting of the Board of Commissioners of the County of Ottawa, Michigan, held at the Fillmore Street Complex in the Township of Olive, Michigan on the 23rd day of May, 2023 at 6:30 PM local time.

PRESENT: Commissioners: Gretchen Cosby, Douglas Zylstra, Jacob Bonnema, Kyle Terpstra, Allison Miedema, Rebekah Curran, Lucy Ebel, Roger Belknap, Sylvia Rhodea, Joe Moss. ABSENT: Commissioners: Roger Bergman.

It was moved by Commissioner Sylvia Rhodea and supported by Commissioner Allison Miedema that the following Resolution be adopted:

WHEREAS, the Ottawa County Board of Commissioners ("Board") swore an oath to uphold the Constitutions of the United States and the State of Michigan, which protect the natural, God-given rights to life, liberty, and the pursuit of happiness. The Constitutions guarantee freedom of religion, speech, and assembly, the right to bear arms, due process of law, as well as provide other protections; and

WHEREAS, the First Amendment to the United States Constitution, as part of the Bill of Rights, instructs that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances"; and

WHEREAS, the Second Amendment to the United States Constitution protects the right to keep and bear arms, affirming that "A well-regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear arms, shall not be infringed"; and

WHEREAS, Article I, Section 6 of the Michigan Constitution (1963) provides that "Every person has a right to keep and bear arms for the defense of himself and the state"; and

WHEREAS, the Fifth Amendment to the United States Constitution provides that "No person shall ... be deprived of Life, Liberty, or property, without due process of Law," and Section 1 of the Fourteenth Amendment to the United States Constitution provides that "...nor shall any State deprive any person of Life, Liberty, or property, without due process of Law"; and

WHEREAS, "The Due Process Clause of the Fourteenth Amendment protects certain fundamental parental rights, including the right of parents to make decisions concerning the care, custody, and control of their children, to direct the upbringing and education of their children, the right to make medical decisions on behalf of their children, and, in conjunction with the First Amendment, to guide the religious future and education of their children"; and

WHEREAS, constitutional freedoms are not suspended in times of crisis or everyday Life, at the whim of elected officials, unelected health officials, or for the benefit of government bureaucracy or private institutions; and

WHEREAS, the people of Ottawa County overwhelmingly spoke with their vote to restore and protect the constitutional rights of the people as a first priority of the Ottawa County Board of Commissioners, as reflected in the county's new vision statement of "Where Freedom Rings"; and

WHEREAS, the Board is resolved to preserve freedom and constitutional rights in our beautiful county for future generations of all who Live here; and

WHEREAS, a "Constitutional County" is a place of refuge for a Law-abiding citizen in regards to the citizens' rights under the Constitutions of the United States and the State of Michigan; and

THEREFORE, BE IT RESOLVED, that the Board declares Ottawa County, Michigan to be a "Constitutional County" and resolves to protect the individual freedoms of the people of Ottawa County, as outlined in the Constitutions of the United States and the State of Michigan, to include freedom of speech, religion, and assembly, the right to keep and bear arms, and the right to due process; and

BE IT FURTHER RESOLVED, that the Board will not authorize or appropriate funds, resources, employees, agencies, contractors, buildings, or offices for the purpose of enforcing any statute, Law, rule, order or regulation that restricts the rights of any Law-abiding citizen affirmed by the United States Constitution, nor be used to aid any state or federal agency in infringing or restricting such rights; and

BE IT FURTHER RESOLVED, that the Board affirms its support for the Ottawa County Sheriff and the Ottawa County Prosecuting Attorney acting in a constitutional manner and acknowledges and respects their respective oaths of office. The Board strongly encourages them to continuously act in a constitutional manner, as is consistent with their oath of office, and, in the exercise of their duties, not enforce any statute, Law, rule, order, or regulation that is contrary to the rights protected by the Constitutions of the United States and the State of Michigan; and

BE IT FURTHER RESOLVED, that the Board respectfully requests that the Michigan Legislature, the United States Congress, and other agencies of the State and Federal government vigilantly preserve and protect these rights by rejecting the passage of or revoking any provision, statute, Law, rule, order or regulation that may infringe, have potential to infringe, or place any additional burdens on the rights of Law-abiding citizens; and

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be sent to Michigan Governor Gretchen Whitmer, Michigan Senators Mark Huizenga, Roger Victory, and Rick Outman, Michigan Representatives Nancy DeBoer, Luke Meerman, Brad Slagh, Rachelle Smit, and Greg VanWoerkom, U.S. Congressional Representatives Bill Huizenga, Hillary Scholten, and John Moolenaar, U.S. Senators Gary Peters and Debbie Stabenow, Ottawa County Sheriff Steve Kempker, and Ottawa County Prosecuting Attorney Lee Fisher; and

BE IT FURTHER RESOLVED, a copy of this Resolution shall be sent to all Ottawa County department directors, to the Clerk of each county in the State of Michigan, the Michigan Senate, the Michigan House of Representatives, and the Michigan Association of Counties; and

BE IT FURTHER RESOLVED, a copy of this resolution shall be affixed to the wall of the board room of the Board as a promise to the people of Ottawa County and as a permanent reminder to elected officials and county employees that the constitutional rights of the people of Ottawa County shall be preserved and protected as the first priority.

YEAS: Commissioners: Gretchen Cosby, Jacob Bonnema, Kyle Terpstra, Allison Miedema, Rebekah Curran, Lucy Ebel, Roger Belknap, Sylvia Rhodea, Joe Moss.

NAYS: Commissioners: Douglas Zylstra. ABSTENTIONS: Commissioners: None.

RESOLUTION ADOPTED:



Joe Moss, Chairperson
Ottawa County Board of Commissioners



Justin F. Roebuck
Ottawa County Clerk/Register