

RESOLUTION

NO: 2023-04-063

LIVINGSTON COUNTY

DATE: April 24, 2023

Resolution by the Livingston County Board of Commissioners in Support of the Second Amendment of the US Constitution and the Michigan Constitution – Board of Commissioners

WHEREAS, the Second Amendment to The Constitution of the United States of America, ratified in 1791 as part of the Bill of Rights, states “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, it is the desire of this Board to reaffirm its commitment and support of The Constitution of the United States of America as well as the Constitution of the State of Michigan including all amendments which protect Livingston County citizens’ individual rights; and

WHEREAS, each Livingston County Commissioner, as provided by Article XI, Section 1, of the Michigan Constitution (1963), took an oath to support The Constitution of the United States of America and the Michigan Constitution; and

WHEREAS, a “Constitutional County” is defined as a place of refuge for the law-abiding citizen in regards to the citizens’ rights under The Constitution of the United States of America and Michigan Constitution including but not limited to the Second Amendment right to Keep and Bear Arms; and

NOW THEREFORE IT IS HEREBY RESOLVED, by the Livingston County Board of Commissioners, that the County of Livingston, Michigan, be, and hereby is, declared to be a “Constitutional County”; and

IT IS FURTHER RESOLVED that this Board affirms its support for the Livingston County Sheriff and the Livingston County Prosecuting Attorney and acknowledges and respects their respective oaths of office. This board strongly encourages their utmost discretion in the exercise of their duties in enforcing any statute, law, rule, order, or regulation that is contrary to the rights established by The Constitution of the United States of America and the State of Michigan Constitution; and

BE IT FURTHER RESOLVED that this Board will not authorize or appropriate new funds, resources, employees, agencies, contractors, buildings, detention centers or offices for the sole purposes of enforcing any statute, law, rule, order, or regulation that restricts the rights of any law-abiding citizen affirmed by the Second Amendment or Article 1, Section 6, of the Michigan 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 respectfully requests the Michigan Legislature, the United States Congress, and other agencies of State and Federal government to vigilantly preserve and protect those rights by rejecting any provision, statute, law, rule, order or regulation that may infringe, have tendency to infringe or place any additional burdens on the rights of law-abiding citizens to keep and bear arms; and

BE IT FURTHER RESOLVED, that a copy of this Resolution be sent to Governor Gretchen Whitmer, Michigan Senators Lana Theis, Michigan House Representatives Ann Bollin, Robert Bezotte, Jennifer Conlin, Mike Mueller and the other 82 county board of commissions in the State of Michigan, U.S. Congress Representative Elissa Slotkin, U.S. Senators Gary Peters, Debbie Stabenow, the Livingston County Sheriff Mike Murphy, and the Livingston County Prosecuting Attorney David Reader and all county department directors.

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MOVED: F. Sample
SECONDED: D. Helzerman
CARRIED: Roll Call Vote: Yes (9): F. Sample, D. Helzerman, D. Domas, W. Nakagiri, J. Drick, R. Deaton, M. Smith, N. Fiani, and J. Gross; No (0): None; Absent (0): None (9-0-0)

STATE OF MICHIGAN)
) §
COUNTY OF LIVINGSTON)

I, **ELIZABETH HUNDLEY**, the duly qualified and acting Clerk of Livingston County, Michigan do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the County Board of Commissioners at a regular meeting on the 24th day of April 2003, the original of which is on file in my office. Public notice of said meeting was given pursuant to and in compliance with Act No. 267 of the Public Acts of Michigan of 1976, as amended.

IN WITNESS WHEREOF, I have hereto affixed by official signature on this 26th day of April 2023, A.D.



Elizabeth Hundley

ELIZABETH HUNDLEY, LIVINGSTON COUNTY CLERK

ALGER COUNTY BOARD OF COMMISSIONERS

Mary Ann Froberg, Clerk
101 COURT STREET, MUNISING, MI 49862

RESOLUTION #2023-06

Urging Repair Of The Cornwall Creek Flooding Dam

WHEREAS, The Cornwall Creek Flooding Dam located in Nunda Township. Cheboygan County Michigan is the critical structure providing the infrastructure for the pristine Cornwall Flooding which is one of Michigan's best wildlife viewing, kayaking and outdoor activity areas including being rated by the DNR as a world class Bluegill Fishery; and

WHEREAS, the Dam was constructed by the State of Michigan in 1966 to provide this recreational area and control water flow within the Pigeon River Country State Forest; and

WHEREAS, the gas and oil extraction from the Pigeon River State Forest is the foundation of funding for the Michigan Natural Resources Trust Fund MNRTF which has raised and invested over 1.3 Billion Dollars into recreational assets for the State of Michigan since its inception; and

WHEREAS, only 39.4 million of the funds raised by the MNRTF has been invested back into the Pigeon River State Forest from the MNRTF with only one percent of the 39.4 million being invested into recreational facilities from the fund; and

WHEREAS, the Mission Statement of the Michigan Department of Natural Resources is "We are committed to the conservation, protection, management, use and enjoyment of the state's natural and cultural resources for current and future generations.: and

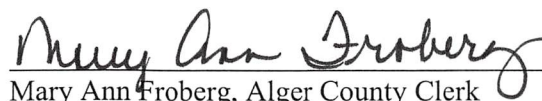
NOW, THEREFORE, BE IT RESOLVED, that the Alger County Board of Commissioners urges the Governor and State lawmakers to make the necessary appropriations to fund the estimated 1.3 million dollars to the DNR and/or EGLE to repair the Cornwall Creek Flooding Dam to protect this natural resource asset.

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to all Michigan Counties, Governor Gretchen Whitmer, Senator John Damoose, Representative Cam Cavitt, Representative Neil Friske, and the Michigan Association of Counties.

CERTIFICATION

I hereby certify that the above is a true copy of a Resolution adopted by the Alger County Board of Commissioners at the time, date, and place specified above pursuant to the required statutory procedures.

Respectfully submitted,



Mary Ann Froberg, Alger County Clerk

Dated: April 10, 2023



ALGER COUNTY BOARD OF COMMISSIONERS

Mary Ann Froberg, Clerk

101 COURT STREET, MUNISING, MI 49862

RESOLUTION #2023-07

Resolution to Instruct our Representatives to Oppose All Firearms Control Legislation

WHEREAS, the Constitution of the United States, ratified on the 21st day of June, 1788, declares in Article VI section 2, "This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.";

WHEREAS, the people of the United States are guaranteed the right to keep and bear arms without any legislative infringement, under the Constitutional authority of Amendment II, "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.";

WHEREAS, the people of the State of Michigan recognize that the blessings of freedom come from our Almighty God according to the Preamble of the Constitution of the State of Michigan, "We, the people of the State of Michigan, grateful to Almighty God for the blessings of freedom, and earnestly desiring to secure these blessings undiminished to ourselves and our posterity, do ordain and establish this constitution.";

WHEREAS, the people of the State of Michigan have the inherent, inalienable right to hold all political power in the State of Michigan according to the Constitution of the State of Michigan, Article I, Section 1. "All political power is inherent in the people. Government is instituted for their equal benefit, security, and protection.";

WHEREAS, the people of Michigan are guaranteed the right to keep and bear arms without any legislative infringement, under Michigan State Constitutional authority in Article I section 6, "Every person has a right to keep and bear arms for the defense of himself and the state.";

WHEREAS, the people of the State of Michigan recognize that we have the right to retain rights that are not specifically written in the Constitution of the United States or the Constitution of the State of Michigan according to: Amendment IX of the Constitution of the United States, "The enumeration in the Constitution of certain rights, shall not be construed to deny or disparage others retained by the people." and Amendment I, Section 23 of the Constitution of the State of Michigan, "The enumeration in this constitution of certain rights shall not be construed to deny or disparage others retained by the people."; and

WHEREAS, the people of the State of Michigan recognize that we have the right to instruct our representatives according to the Constitution of the State of Michigan, Article I, Section 3, "The people have the right peaceably to assemble, to consult for the common good, to instruct their representatives and to petition the government for redress of grievances."

NOW, THEREFORE, BE IT:

RESOLVED, that the Alger County Board of Commissioners, as people of the State of Michigan, instruct our representatives of the 102nd Michigan State Legislature to vote in opposition of all proposed legislation that would unconstitutionally infringe on the right of the people to keep and bear arms;

BE IT FURTHER RESOLVED, that the Alger County Board of Commissioners, as people of the State of Michigan, instruct our representatives of the 102nd Michigan State Legislature to vote in opposition of all proposed legislation that infringes on the right of the people to own, bear, purchase, and sell items that are directly relevant to operation, maintenance, and modification of any firearms, including but not limited to: ammunition, magazines, stocks, triggers, braces, barrels, etc.;

BE IT FURTHER RESOLVED, that the Alger County Board of Commissioners, as people of the State of Michigan, instruct our representatives of the 102nd Michigan State Legislature to vote in opposition of all proposed gun legislation, such as Red Flag Gun Laws, that would deny a person of their right to not be deprived of life, liberty or property without due process of the law, or their right to equal benefit, security and protection;

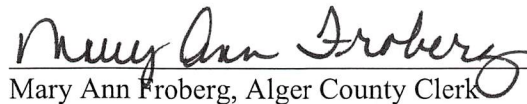
BE IT FURTHER RESOLVED, that the Alger County Board of Commissioners, as people of the State of Michigan, instruct our representatives to recognize that the power which they hold is because of the consent of the people, and that they have no power to make legislation that is contrary to the supreme Law of the Land, nor have they been given consent to draft, introduce, sponsor, or amend legislation that infringes on the right of the people to keep and bear arms in any way; and

BE IT FURTHER RESOLVED, that the Clerk of the Alger County Board of Commissioners, shall transmit copies of this resolution to all members of the 102nd Michigan State Legislature, and shall urge all counties in Michigan to adopt similar resolutions.

CERTIFICATION

I hereby certify that the above is a true copy of a Resolution adopted by the Alger County Board of Commissioners at the time, date, and place specified above pursuant to the required statutory procedures.

Respectfully submitted,


Mary Ann Froberg, Alger County Clerk



ALGER COUNTY BOARD OF COMMISSIONERS

Mary Ann Froberg, Clerk

101 COURT STREET, MUNISING, MI 49862

RESOLUTION #2023-08

**RESOLUTION DECLARING ALGER COUNTY,
A CONSTITUTIONAL SECOND AMENDMENT SANCTUARY COUNTY**

WHEREAS, the County Board of Commissioners of the County of ALGER, State of Michigan, pursuant to Michigan statute, (Article 7 Section 2 MC) is vested with the authority of administering the affairs of the County government of ALGER County, Michigan, (Article 7 Section 1 MC) and is organized as a body corporate with powers and immunities provided by law, (Article 4 section 51 MC) and to protect the health, safety, and welfare of the residents of ALGER County and the employees of the ALGER County government; and

WHEREAS, a statute by a legislative authority (Alger County Commissioners) is considered constitutionally valid until a court decides it's not; and

WHEREAS, the Second Amendment to The Constitution of the United States of America, ratified in 1791 as part of the Bill of Rights, states "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, the United States Supreme Court in United States v. Miller, 307 U.S. 174 (1939), opined that possession or use of a firearm that has some reasonable relationship to the preservation of a well-regulated militia is protected by the Second Amendment; and

WHEREAS, the United States Supreme Court in District of Columbia v. Heller, 554 U.S.570 (2008), affirmed an individual's right to possess a firearm, unconnected with service in a militia, and to use that firearm for traditionally lawful purposes, such as self-defense within the home; and

WHEREAS, the United States Supreme Court in McDonald v. Chicago, 561 U.S. 742 (2010), affirmed that the right of an individual to "keep and bear arms," as protected under the Second Amendment, is incorporated to the States by the Due Process Clause of the Fourteenth Amendment; 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, it is the desire of this Board to reaffirm its commitment and support of The Constitution of the United States of America as well as the Constitution of the State of Michigan including all amendments which protect Alger County citizens' individual rights; and

WHEREAS, it is the desire of this Board to declare its support of the Second Amendment to the United States Constitution and to the provisions of the Michigan Constitution which protect ALGER County citizens' individual rights to keep and bear arms; and

WHEREAS, each Alger County Commissioner, as provided by Article IX, section 1, of the Michigan Constitution (1963), took an oath to support The Constitution of the United States of America and the Michigan Constitution.

WHEREAS, a "Constitutional Sanctuary County" is defined as a place of refuge for the law abiding citizen in regards to the citizens' rights under The Constitution of the United States of America and Michigan Constitution including but not limited to the Second Amendment right to Keep and Bear Arms.

NOW THEREFORE IT IS HEREBY RESOLVED, by the ALGER County Board of Commissioners, that the County of ALGER, Michigan, be, and hereby is, declared to be a "Constitutional Sanctuary County."

IT IS FURTHER RESOLVED, that this Board affirms its support for the Alger County Sheriff and the Alger County Prosecuting Attorney, in the exercise of their sound discretion to NOT enforce any statute or law that is contrary to the rights established by The Constitution of the United States of America and the State of Michigan constitution against any law-abiding citizen of Alger.

BE IT FURTHER RESOLVED, that this Board will not authorize or appropriate funds, resources, employees, agencies, contractors, buildings, detention centers or offices for the purposes of enforcing any law that restricts the rights of any law abiding citizen affirmed by the Second Amendment or Article 1, Section 6, of the Michigan Constitution, nor be used to aid any state or federal agency in infringing or restricting such rights which would be considered to be unconstitutional; and

BE IT FURTHER RESOLVED, that the Board respectfully requests the Michigan Legislature, the United States congress and other agencies of State and Federal government to vigilantly preserve and protect those rights by rejecting any provision, law or regulation that may infringe, have the tendency to infringe or place any additional burdens on the rights of law-abiding citizens to keep and bear arms; and

BE IT FURTHER RESOLVED, that the Board directs its staff to forward a copy of this resolution to the Alger County Township Supervisors, Alger County elected officials, and the other 82 counties in the State of Michigan, the Michigan State Legislature (House of Representatives and State Senators), the Governor of Michigan and all of the Michigan U.S. Congress members.

CERTIFICATION

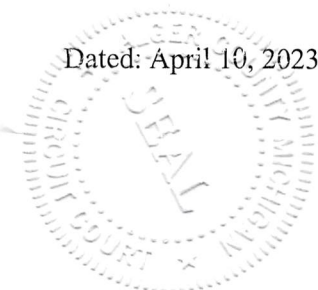
I hereby certify that the above is a true copy of a Resolution adopted by the Alger County Board of Commissioners at the time, date, and place specified above pursuant to the required statutory procedures.

Respectfully submitted,



Mary Ann Froberg, Alger County Clerk

Dated: April 10, 2023



ALGER COUNTY BOARD OF COMMISSIONERS

Mary Ann Froberg, Clerk
101 COURT STREET, MUNISING, MI 49862

RESOLUTION #2023-09
RESOLUTION SUPPORTING DARK STORE LEGISLATION

WHEREAS, Representative of Michigan's 38th Senate District, Senator Ed McBroom, seeks to introduce two bills, Senate Bill Numbers 19 and 20, intended to address the method by which the Michigan Tax Tribunal values certain properties, including big box and junior box stores, commonly referred to as the "Dark Store" theory of value; and

WHEREAS, the Tax Tribunal, on numerous occasions, has valued such properties through comparisons to sales of other big box or junior box stores that have "gone dark, " i.e., have failed to produce retail sales due to their location in the market; and

WHEREAS, the Tax Tribunal has also valued box stores by comparisons to sales of other box stores that were sold with a private deed restriction in place, which precluded the use of the sold box store for use as a box store; and

WHEREAS, these Tax Tribunal decisions across the state have resulted in artificially reduced values for thriving box stores due to comparisons to stores that either failed or were sold for some other secondary purpose, such as redevelopment for some other commercial use; and

WHEREAS, in Alger County the application of the "Dark Store" method has led to the reduction of public library hours and negatively impacted the County's General Fund balance, leading to reduced funding for County programs; and

WHEREAS, the legislation seeks to remedy these issues by requiring the Tax Tribunal to assure that box stores are valued according to their "highest and best use" by excluding the use of sale comparables sold with private restrictions in place if those restrictions substantially impair the comparable's highest and best use as compared to the property being valued; and

WHEREAS, the legislation seeks to require the use of sale comparables that are adequately comparable to the property being valued.

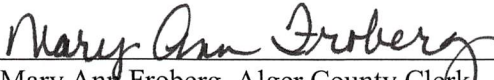
THEREFORE, the Board of Commissioners of Alger County, Michigan, resolves as follows:

1. The Alger County Board of Commissioners hereby supports the legislation to be introduced by Senator McBroom, Senate Bill Numbers 19 and 20.
2. Any resolutions that are inconsistent with this Resolution are hereby repealed to the extent necessary to give this Resolution full force and effect.

CERTIFICATION

I hereby certify that the above is a true copy of a Resolution adopted by the Alger County Board of Commissioners at the time, date, and place specified above pursuant to the required statutory procedures.

Respectfully submitted,



Mary Ann Froberg, Alger County Clerk



Osceola County
Resolution #2023-0009

**RESOLUTION TO INSTRUCT OUR REPRESENTATIVES
TO OPPOSE ALL FIREARMS CONTROL LEGISLATION**

WHEREAS, the Constitution of the United States, ratified on the 21st day of June, 1788, declares in Article VI section 2, "This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.";

WHEREAS, the people of the United States are guaranteed the right to keep and bear arms without any legislative infringement, under the Constitutional authority of Amendment 11, "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.";

WHEREAS, the people of the State of Michigan recognize that the blessings of freedom come from our Almighty God according to the Preamble of the Constitution of the State of Michigan, "We, the people of the State of Michigan, grateful to Almighty God for the blessings of freedom, and earnestly desiring to secure these blessings undiminished to ourselves and our posterity, do ordain and establish this constitution.";

WHEREAS, the people of the State of Michigan have the inherent, inalienable right to hold all political power in the State of Michigan according to the Constitution of the State of Michigan, Article I, Section 1. "All political power is inherent in the people. Government is instituted for their equal benefit, security, and protection.";

WHEREAS, the people of Michigan are guaranteed the right to keep and bear arms without any legislative infringement, under Michigan State Constitutional authority in Article I section 6, "Every person has a right to keep and bear arms for the defense of himself and the state.";

WHEREAS, the people of the State of Michigan recognize that we have the right to retain rights that are not specifically written in the Constitution of the United States or the Constitution of the State of Michigan according to: Amendment IX of the Constitution of the United States, "The enumeration in the Constitution of certain rights, shall not be construed to deny or disparage others retained by the people." and Amendment I, Section 23 of the Constitution of the State of Michigan, "The enumeration in this constitution of certain rights shall not be construed to deny or disparage others retained by the people."; and **WHEREAS**, the people of the State of Michigan recognize that we have the right to instruct our representatives according to the Constitution of the State of Michigan, Article I, Section 3, "The people have the right peaceably to assemble, to consult for the common good, to instruct their representatives and to petition the government for redress of grievances." **NOW, THEREFORE, BE IT:**

RESOLVED, that the Osceola County Board of Commissioners, as people of the State of Michigan, instruct our representatives of the 100th Michigan State Legislature to vote in opposition of all proposed legislation that would unconstitutionally infringe on the right of the people to keep and bear arms;

BE IT FURTHER RESOLVED, that the Osceola County Board of Commissioners, as people of the State

of Michigan, instruct our representatives of the 100th Michigan State Legislature to vote in opposition of all proposed legislation that infringes on the right of the people to own, bear, purchase, and sell items that are directly relevant to operation, maintenance, and modification of any firearms, including but not limited to: ammunition, magazines, stocks, triggers, braces, barrels, etc.;

BE IT FURTHER RESOLVED, that the Osceola County Board of Commissioners, as people of the State of Michigan, instruct our representatives of the 100th Michigan State Legislature to vote in opposition of all proposed gun legislation, such as Red Flag Gun Laws, that would deny a person of their right to not be deprived of life, liberty or property without due process of the law, or their right to equal benefit, security and protection;

BE IT FURTHER RESOLVED, that the Osceola County Board of Commissioners, as people of the State of Michigan, instruct our representatives to recognize that the power which they hold is because of the consent of the people, and that they have no power to make legislation that is contrary to the supreme Law of the Land, nor have they been given consent to draft, introduce, sponsor, or amend legislation that infringes on the right of the people to keep and bear arms in any way; and

BE IT FURTHER RESOLVED, that the Clerk of the Osceola County Board of Commissioners, shall transmit copies of this resolution to all members of the 100th Michigan State Legislature and the Senate District 34, and shall urge all counties in Michigan to adopt similar resolutions.

PASSED AND ADOPTED as a resolution of the Osceola County Board of Commissioners meeting held on May 2, 2023.

Motion by Commissioner Momany to adopt this Resolution #2023-0009, Supported by Commissioner Michell.

Roll call vote:

Yeas: Commissioners Gregory, Stieg, Turner, Momany, Custer, Gydesen and Michell

Nays: None.

Abstain: None.

Absent: None.

This Resolution is declared adopted this 2nd day of May, 2023.

County of Osceola
State of Michigan

I, Tracey Cochran, the undersigned duly qualified and acting Clerk of the Board of Commissioners of the County of Osceola, State of Michigan, do hereby certify that the foregoing is a true and complete copy of proceedings taken at a Regular Meeting of the Board of Commissioners of said County held on the 2nd day of May, 2023.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this 2nd day of May, 2023.

Tracey Cochran, Clerk
County of Osceola, Michigan