



**Alpena County Board of Commissioners**  
**720 W. Chisholm Street, Suite #7**  
**Alpena, MI 49707**  
**Telephone: 989-354-9500**  
**Fax: 989-354-9648**  
**Web Address: [www.alpenacounty.org](http://www.alpenacounty.org)**  
**[commissionersoffice@alpenacounty.org](mailto:commissionersoffice@alpenacounty.org)**

## Resolution #21-03

### Pandemic Resolution

**District #2**  
**Chairman of the Board**  
**Robert Adrian**

**District #7**  
**Vice-Chairman**  
**Marty Thomson**

**District #1**  
**Commissioner**  
**Don Gilmet**

**District #3**  
**Commissioner**  
**Dave Karschnick**

**District #4**  
**Commissioner**  
**Bill Peterson**

**District #5**  
**Commissioner**  
**Brenda Fournier**

**District #6**  
**Commissioner**  
**Kevin Osbourne**

**District #8**  
**Commissioner**  
**John Kozlowski**

**Executive Manager**  
**Tammy Sumerix-Bates**

**Board Assistant**  
**Lynn Bunting**

**Board Admin Assistant**  
**Kim Elkie**

The Alpena County Board of Commissioners, at a regular meeting, January 26, 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 Alpena County citizen in a myriad of 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 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 Alpena 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 1<sup>st</sup> 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 Alpena 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 Alpena 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 Alpena County Sheriff’s Department and the Alpena County Prosecutor’s 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;

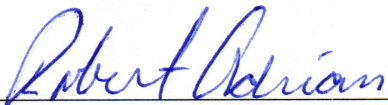
FURTHER, we call upon the citizens of Alpena County to act responsibly with regards to others while determining for themselves what is best for themselves, for their own families and loved ones and how to contend with the ongoing risks associated with the COVID-19 virus;

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 Representatives 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 Alpena County, Michigan.

Moved by Commissioner Thomson and supported by Commissioner Kozlowski to recommend to approve a pandemic resolution for Alpena County as presented and authorize the Chairman of the Board and County Clerk to sign it. Roll call vote was taken: AYES: Commissioners Gilmet, Karschnick, Peterson, Fournier, Osbourne, Thomson, and Kozlowski. NAYS: Commissioner Adrian. Motion carried.

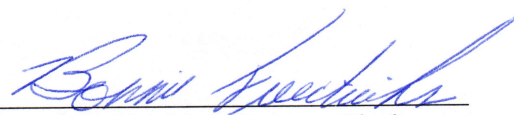
  
Robert Adrian, Board Chairman

STATE OF MICHIGAN)  
County of Alpena)



I, Bonnie Friedrichs, Clerk of the Circuit Court for the County of Alpena, the same of Court of Record and having a seal do hereby certify that January 26, 2021 session and that it is a true and correct transcript therefrom and of the whole thereof.

IN TESTIMONY THEREOF, I have hereunto set my hand and affixed the seal of said Court, at Alpena this 26th day of January 2021.

  
Bonnie Friedrichs, County Clerk