

The Chairman called the meeting to order at 9:00 a.m.

Members present: David Heeres, Joshua Watrous, Karen Bargy, Ed Boettcher, Terry VanAlstine, Brenda Ricksgers, Dawn LaVanway, Jason Helwig, Christian Marcus.

Absent: None.

The Pledge of Allegiance to the U.S. flag.

Moment of Silence.

The Chairman requested Public comment. The following individuals addressed the Board in support of the proposed Resolution to Declare Antrim County to be a "Second Amendment Sanctuary County" tabled by the Board at the January 16, 2020 meeting: Randy Bishop, Cheri Hogan, Tom Stillings, Robert Bargy and Randy Wolgamott. The following individuals addressed the Board in opposition of the resolution and/or use of the wording "Sanctuary County" as follows: Bethany Hawkins, Lou Ann McKimmy on behalf of Linda Travis, Bob Spencer, Elaine Miller, Lydia Murray, Kim Clark, Lee Astrackas, Jamie Klinger, Ron Tschudy, Donna Klinefelter, David Rowley, Dr. Stacy Chipman, North Country Community Mental Health and Nate Krommendyk. Fred Gulick addressed the Board on the Milton Township Vacation Rental Ordinance and requested time on the Board agenda. Dave Hill addressed the Board regarding on-line reservations for Barnes Park and encouraged the Board to join local chambers of commerce in the County. Public comment closed at 9:53 a.m.

It was moved by VanAlstine, seconded by Bargy to approve the agenda with the addition of a 2020 budget amendment for wages and salaries to unfinished business. Motion carried – all present voting yes.

It was moved by Bargy, seconded by VanAlstine, that the Board approve the first round interview meeting minutes of January 13, 2020 as written. Motion carried – all present voting yes.

It was moved by VanAlstine, seconded by Ricksgers, to approve the meeting minutes of January 16, 2020 as corrected. Motion carried – all present voting yes.

It was moved by Heeres, seconded by VanAlstine, to approve the second round interview meeting minutes of January 21, 2020 as written. Motion carried – all present voting yes.

COMMUNICATIONS:

County Administrator, Peter Garwood addressed the Board reporting that his office has received several communications regarding the proposed "Antrim County Resolution to Declare Antrim County to be a Second Amendment Sanctuary County" and a letter from Barbara Bradford regarding the County owned property known as the Industrial Park located in Mancelona.

LIAISON REPORTS:

Commissioner LaVanway: Northern Lakes Economic Alliance (NLEA) - Update

COMMITTEE REPORTS:

Economic Development Corporation 2019 Annual Report

Commissioner Bargy: Parks and Recreation Plan Subcommittee - Update

The Chairman addressed the Board on the proposed resolution regarding the Second Amendment tabled by the Board at the meeting of January 16, 2020 and requested the question be brought back to the Board as follows:

Commissioner LaVanway requested to withdraw her second for the motion made to approve the resolution at the meeting of January 16.

The Chair asked if there was a support and Commissioner Ricksgers seconded as follows:

RESOLUTION #08-2020 By Christian Marcus, seconded by Brenda Ricksgers

**ANTRIM COUNTY BOARD OF COMMISSIONERS
COUNTY OF ANTRIM
RESOLUTION TO DECLARE ANTRIM COUNTY TO BE A
"SECOND AMENDMENT SANCTUARY COUNTY"**

THE COUNTY BOARD OF COMMISSIONERS OF THE COUNTY OF ANTRIM, STATE OF MICHIGAN, STATES:

WHEREAS, the County Board of Commissioners of the County of ANTRIM, State of Michigan, pursuant to Michigan statute, is vested with the authority of administering the affairs of the County government of ANTRIM County, Michigan, and is organized as a body corporate with powers and immunities provided by law, and to protect the health, safety, and welfare of the residents of ANTRIM County and the employees of the ANTRIM County government; and

WHEREAS, the Second Amendment to the United States Constitution, ratified in 1791 as part of the Bill of Rights, protects the right of the people to keep and bear arms; 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, 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, 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 declare its support of the Second Amendment to the United States Constitution and to the provisions of the Michigan Constitution which protect ANTRIM County citizens' individual rights to keep and bear arms; and

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

RESOLUTION #08-2020 – Continued.

NOW THEREFORE, IT IS HEREBY RESOLVED, by the ANTRIM County Board of Commissioners, that the County of ANTRIM, Michigan, be, and hereby is, declared to be a “Second Amendment Sanctuary County.”

IT IS FURTHER RESOLVED, that this Board affirms its support for the ANTRIM County Sheriff and the ANTRIM County Prosecuting Attorney, in the exercise of their sound discretion to not enforce against any citizen an unconstitutional firearms law.

BE IT, FURTHER RESOLVED, that the Board directs its staff to forward a copy of this resolution to the County’s fellow county elected officials, the Michigan State Legislature (House of Representatives and State Senators), the Governor of Michigan and all of the Michigan U.S. Congressmen.

NOW THEREFORE, IT IS HEREBY RESOLVED, by the ANTRIM County Board of Commissioners, that the County of ANTRIM, Michigan, be, and hereby is, declared to be a “Second Amendment Sanctuary County.”

Discussion followed.

James Rossiter, Antrim County Prosecutor addressed the Board under section 7.1 Antrim County Board of Commissioners Rules and Procedures adopted January 2, 2020. The Bill of Rights as provided in the Amendments to the Constitution of the United States and the Constitution of this state go hand in hand. All amendments are unbelievably important, and the proposed resolution as written should not be pushed through prior to the Board taking the time to research, deliberate and have knowledge of the case law references in the body of the resolution. As elected official’s we have taken the oath of office and have sworn to support the Constitution of the United States and of this state.

It was moved by Bargy, seconded by VanAlstine to amend by substitution in its entirety the proposed resolution with language as follows:

**ANTRIM COUNTY BOARD OF COMMISSIONERS
RESOLUTION AFFIRMING THE BOARD’S SUPPORT OF
CONSTITUTIONAL RIGHTS**

WHEREAS, we have been requested to adopt a proposed “Second Amendment Sanctuary County” resolution; and

WHEREAS, a statute by a legislative authority is considered constitutionally valid until a Court decides it is not; and

WHEREAS, our civil counsel has opined that adopting the proposed resolution raises questions of liability should an officer or employee of the County refuse to enforce a law not deemed unconstitutional; and

WHEREAS, when we assumed office, we all took an oath of office under which we swore to support the constitution of the United States, and the constitution of this State, and to faithfully discharge the duties of this office; and

AMENDMENT BY SUBSTITUTION IN ITS ENTIRETY – Continued.

WHEREAS, support of the constitution of the United States, includes all of its amendments, including the Second Amendment thereto; and

NOW THEREFORE, BE IT RESOLVED, the Antrim County Board of Commissioners reaffirms its commitment and pledges to support the constitution of the United States as well as the constitution of this State including all amendments thereto.

BE IT FURTHER RESOLVED, that the Board direct its staff to forward a copy of this resolution to the County’s elected representatives in the Michigan Legislatures and United States Congress and to the Governor of Michigan.

Yes – David Heeres, Karen Bargy, Ed Boettcher, Terry VanAlstine, Brenda Ricksgers, Dawn LaVanway, Jason Helwig;

No – Joshua Watrous, Christian Marcus;

Absent – None.

THEREBY, the amendment passes in its entirety.

RESOLUTION #08-2020 By Christian Marcus, and seconded by Brenda Ricksgers

**ANTRIM COUNTY BOARD OF COMMISSIONERS
RESOLUTION AFFIRMING THE BOARD’S SUPPORT OF
CONSTITUTIONAL RIGHTS**

WHEREAS, we have been requested to adopt a proposed “Second Amendment Sanctuary County” resolution; and

WHEREAS, a statute by a legislative authority is considered constitutionally valid until a Court decides it is not; and

WHEREAS, our civil counsel has opined that adopting the proposed resolution raises questions of liability should an officer or employee of the County refuse to enforce a law not deemed unconstitutional; and

WHEREAS, when we assumed office, we all took an oath of office under which we swore to support the constitution of the United States, and the constitution of this State, and to faithfully discharge the duties of this office; and

WHEREAS, support of the constitution of the United States, includes all of its amendments, including the Second Amendment thereto; and

NOW THEREFORE, BE IT RESOLVED, the Antrim County Board of Commissioners reaffirms its commitment and pledges to support the constitution of the United States as well as the constitution of this State including all amendments thereto.

BE IT FURTHER RESOLVED, that the Board direct its staff to forward a copy of this resolution to the County’s elected representatives in the Michigan Legislatures and United States Congress and to the Governor of Michigan.

RESOLUTION #08-2020 - Continued.

Yes – David Heeres, Joshua Watrous, Karen Bargy, Ed Boettcher, Terry VanAlstine, Brenda Ricksgrers, Dawn LaVanway, Jason Helwig, Christian Marcus;

No – None;

Absent – None.

RESOLUTION #08-2020 DECLARED ADOPTED.**CHAIR APPOINTMENTS – BOARD MEETING 1/16/2020**

The Board chair clarified the following changes to the 2020 Commissioner Appointments.

- Capital Improvement and Courts Liaison – Finance Director
- Solid Waste and Recycling Committee – dissolved in 2019
- No additional changes to the 2019 appointments – all appointments shall remain for calendar year 2020.

It was moved by Helwig, seconded by Watrous, that the Claims and Accounts in the amount of \$113,677.48 be approved and paid. (Commissioner VanAlstine informed the Board that item #62 – Vendor: Machine Shop was his business assisting with an urgent repair of a snowplow at the Airport). It was a consensus of the Board members that this invoice does not constitute a conflict of interest. Motion carried as follows: Yes – Heeres, Watrous, Bargy, Boettcher, VanAlstine, Ricksgrers, LaVanway, Helwig, Marcus; No – None; Absent – None.

RESOLUTION #09-2020 By Karen Bargy, seconded by Dawn LaVanway**FISCAL YEAR 2021 RESOLUTION OF INTENT**

WHEREAS, pursuant to Act 51 of the Public Acts of 1951, as amended (Act 51), it is necessary for the establishment under Act 94 to provide a local transportation program for the state fiscal year of 2021 and, therefore, apply for state financial assistance under provisions of Act 51; and

WHEREAS, it is necessary for the governing body, to name an official representative for all public transportation matters, who is authorized to provide such information as deemed necessary by the State Transportation Commission or department for its administration of Act 51; and

WHEREAS, it is necessary to certify that no changes in eligibility documentation have occurred during the past state fiscal year; and

WHEREAS, the performance indicators have been reviewed and approved by the governing body.

WHEREAS, THE APPLICANT, has reviewed and approved the proposed balance (surplus) budget, and funding sources of estimated federal funds \$157,500, estimated state funds \$321,927 estimated local funds \$180,000 with total estimated expenses of \$875,000.

NOW THEREFORE, be it resolved that THE APPLICANT hereby makes its intentions known to provide public transportation services and to apply for state financial assistance with this annual plan, in accordance with Act 51; and

RESOLUTION #09-2020 – Continued.

HEREBY, appoints Alan Meacham, ACT Executive Director as the Transportation Coordinator, for all public transportation matters, who is authorized to provide such information as deemed necessary by the State Transportation Commission or department for its administration of Act 51 for 2020.

Yes – David Heeres, Joshua Watrous, Karen Bargy, Ed Boettcher, Terry VanAlstine, Brenda Ricksgers, Dawn LaVanway, Jason Helwig, Christian Marcus;

No – None;

Absent – None.

RESOLUTION #09 - 2020 DECLARED ADOPTED.

It was moved by Bargy, seconded by Ricksgers, that the Board authorize the Chairman to execute the Fiscal Year 2021 Contract Clauses Certification from the Michigan Department of Transportation for Antrim County Transportation. Motion carried as follows: Yes – Heeres, Watrous, Bargy, Boettcher, VanAlstine, Ricksgers, LaVanway, Helwig, Marcus; No – None; Absent – None.

It was moved by Bargy, seconded by VanAlstine, that the Board authorize the Chairman to execute a service agreement and ordering document between RezPlot Systems, LLC dba Campspot and Antrim County, which takes effect on February 6, 2020 and expires on December 31, 2020, for the use of an integrated reservation system for Barnes Park Campground, with the County Administration to provide clarification of usage fees, technical support fees, and potential products such as firewood being subject to booking fees. Motion carried as follows: Yes – Heeres, Watrous, Bargy, Boettcher, VanAlstine, Ricksgers, LaVanway, Helwig, Marcus; No – None; Absent – None.

It was moved by VanAlstine, seconded by Ricksgers, that the Board authorize the Local Emergency Planning Committee (LEPC) Chairman to execute the Fiscal Year 2019-2020 Hazardous Materials Emergency Preparedness (HMEP) Grant Application and to submit to the Emergency Management and Homeland Security Division of the Michigan State Police. Motion carried as follows: Yes – Heeres, Watrous, Bargy, Boettcher, VanAlstine, Ricksgers, LaVanway, Helwig, Marcus; No – None; Absent – None.

TART TRAIL –UPDATE

Written report submitted by Elizabeth Calcutt, Networks Northwest and Chris Kushman, TART Trails Project update on the Traverse City to Charlevoix Trail

Peter Garwood, County Administrator addressed the Board with his report.

- Announced that Brad Rizzo has accepted the Finance Director position.
- Board members questions and input.
- Animal Control - In house count report – Sheriff

Chair Report: Addressed members on a strategic planning session he attended in Traverse City.

- Concept – strategies to reach goals
- County Funds and balances update requested

The Board recessed at 12:05 p.m. for lunch

Commissioner Helwig left meeting at 12:05 p.m.

The Board reconvened at 12:30 p.m.

Finance Director Report:

- December 2019 General Fund Revenue and Expenditure Report
- Year-end Fiscal Year 2019 Budget Adjustments & Journal Entries (Commissioner Bargy)

Jane McKenzie, Executive Director of Northern Homes: Affordable Housing Community Development Corporation addressed the Board with a presentation.

Tim Reicha, Glacial Hills Natural Area and Pathway addressed the Board with an update.

VARIOUS MATTERS:

- Commissioner Heeres – 2018 restricted and unrestricted funds balance and stair heaters
- Commissioner Bargy – full day meetings add a public comment prior to lunch recess
- Commissioner LaVanway – NLEA Broadband committee
- Commissioner Marcus – NMACC/MIFSM
- Commissioner Boettcher - Antrim Facilities Master Plan Workshop – Friday, February 7, 2020 at 10:00 a.m. with MSU Facilitator, John Amrhein.

The Chairman requested Public Comment. Wendy Warren addressed the Board on the presentation offered by Jane McKenzie, from Northern Homes, Affordable Housing Community Development Corporation. Public comment closed at 1:38 p.m.

The meeting adjourned at 1:39 p.m.

Chairman, Edgar Boettcher, III

County Clerk, Sheryl Guy

To: Antrim County Board of Commissioners
From: Linda Travis, 299 Golfview Lane, Elk Rapids, MI 49629
Date: February 5, 2020
RE: Commentary on the proposed - Resolution to Declare Antrim County to be a
"Second Amendment Sanctuary County"

I had planned to address you in person with the following at your February 6th meeting; however, my husband's outpatient kidney stone procedure today requires me to stay home and care for him. Thank you for giving the following at least a quick scan before your meeting.

Thank you for this opportunity to speak today. As a member of a gun owning and hunting family that spans generations from my great grandparents to my current grandchildren, I wish to share my strong opposition and rationale to the Commission to **not adopt** the proposed resolution that Antrim County be designated a "Second Amendment Sanctuary County." I believe this resolution paints an unnecessarily negative portrait of our county and the people who live here.

First, the resolution is unnecessary and redundant because the right to keep and bear arms is already protected in the 2nd Amendment of our U.S. Constitution. Furthermore, as Commissioners you know you have already sworn an oath to support the U.S. Constitution and the Michigan Constitution.

Secondly, troublesome legal entanglements seem very apparent in the resolve,"... that this Board affirm its support for the Antrim County Sheriff and the Antrim County Prosecuting Attorneyto **NOT ENFORCE** against any citizen an unconstitutional fire arms law." This places our law enforcement officials in tenuous and potentially expensive decision making positions, especially when our legislative and court systems pass basic firearm safety procedures like background checks, registration requirements, assault weapon and magazine restrictions that can help safeguard our children and families. Does the County want to allocate the funds for these types of challenges? I hope not because I strongly object to this use of precious tax dollars.

Finally, Antrim County has become a **prime recreational destination** for many downstate and out-of-state tourists who enjoy our lakes, rivers, woods, and outdoor resources. These visitors are essential for the financial livelihood of our businesses and residents. This kind of unnecessary county-wide resolution can broadcast a very negative message resulting in a very negative impact on the seasonal tourist dollars that are essential to our economy.

So, please support the **existing 2nd Amendment** by recognizing the diversity of our citizens opinions and **voting "NO"** on this **thinly disguised "Gun Sanctuary Resolution."** Simply reaffirm the oath by which you were sworn into office and urge our citizens to safely store their hunting guns and ammunition and enjoy the next hunting season.

Thank you for your time. Linda Travis