



Proposed Resolution for Recorded Board Action

PROPOSED RESOLUTION OF THE HILLSDALE COUNTY BOARD OF COMMISSIONERS

A RESOLUTION ACKNOWLEDGING SWORN TESTIMONY, JUDICIAL DISMISSAL OF A SEARCH WARRANT, AND DIRECTING PRESERVATION AND REFERRAL REGARDING ELECTION RECORDS

WHEREAS, sworn testimony has been given under oath in the 2B District Court for Hillsdale County concerning the seizure, custody, handling, and retention of election materials arising from an Adams Township election;

WHEREAS, the search warrant that initiated said seizure has been dismissed by the court, eliminating the judicial finding of probable cause underlying the seizure;

WHEREAS, election records are subject to mandatory retention under Michigan law, including **MCL 168.811** and **MCL 399.5**, and federal law, including **52 U.S.C. § 20701**, requiring the preservation of “all records” relating to an election;

WHEREAS, testimony further reflects that no Attorney General opinion, Department of Justice opinion, or court order authorized destruction, alteration, or deviation from statutory retention requirements;

WHEREAS, the Hillsdale County Board of Commissioners has a fiduciary duty to preserve public records, protect the County from legal exposure, and act upon credible evidence indicating potential statutory or constitutional violations;

NOW, THEREFORE, BE IT RESOLVED that the Hillsdale County Board of Commissioners:

- 1. Acknowledges** the existence of sworn testimony and the dismissal of the search warrant as matters of public record;
- 2. Directs the immediate preservation** of all physical and digital records, communications, election systems, servers, storage devices, and materials related to the seizure, custody, handling, or retention of election records at issue;

3. **Formally refers** the matter to appropriate independent authorities, including the Michigan Attorney General, for review and determination;

4. **Directs that no further alteration, destruction, or disposition** of related materials shall occur absent a lawful court order;

5. **Orders that this resolution and the Board's roll-call vote** be entered into the official minutes;

BE IT FURTHER RESOLVED that this action is taken to preserve election integrity, protect the legal interests of Hillsdale County, and maintain public trust in county governance.

Adopted by roll-call vote this ____ day of _____, 2025.

Commissioner _____ Aye / Nay

Commissioner _____ Aye / Nay