

**PENDLETON COUNTY FISCAL COURT
JANUARY TERM
JANUARY 3, 2020
SPECIAL CALL MEETING
COURT MET PURSUANT TO ADJOURNMENT WITH
HONORABLE DAVID S. FIELDS, COUNTY JUDGE EXECUTIVE
PRESIDING**

Members Present Magistrates Whaley, Plummer, Gregg and Mineer
Members Absent: None
County Attorney: Honorable Stacey Sanning

Invocation was given by Magistrate Whaley with the Pledge of Allegiance being led by Judge Fields.

In Re: Agenda

Judge Fields presented the agenda for this special called meeting.

In Re: Pendleton County Becoming 2nd Amendment Sanctuary County

Judge Fields addressed the court and standing room only crowd and gave a brief supporting statement on adopting a resolution to becoming a 2nd Amendment Sanctuary County. Fiscal Court Clerk Marianne Roseberry read the Resolution. Magistrate Mineer stated we should move ahead with adopting this and made a motion to approve the Resolution and Magistrate Gregg seconded the motion. Judge Fields called for a roll call vote, Whaley – Yes, Plummer – Yes, Gregg – Yes and Mineer – Yes. Motion carried. Kentucky Representative Mark Hart was present and spoke in support of this effort and several of the residents spoke in support of this issue.

**RESOLUTION
20200103-1**

**RESOLUTION DECLARING PENDLETON COUNTY KENTUCKY A
SECOND AMENDMENT SANCTUARY**

Whereas, the Constitution of the United States is the supreme law of our nation, and

Whereas, The Second Amendment to the Constitution 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 has affirmed an individual's right to possess firearms, unconnected with service in a militia, for traditionally lawful purposes, such as self-defense within the home, and

Whereas, The United States Supreme Court has affirmed that the right of an individual to "keep and bear arms," as protected under the Second Amendment, is incorporated by the Due Process Clause of the Fourteenth Amendment against the states, and

Whereas, The United States Supreme Court in United States v. Miller (1939) stated that firearms that are part of ordinary military equipment with use that could contribute to the common defense are protected by the Second Amendment, and

Whereas, the Pendleton County Fiscal Court is concerned about the passage of any bill containing language which could be interpreted as infringing the rights of the citizens of Pendleton County to keep and bear arms, and

Whereas, the Pendleton County Fiscal Court wishes to express its deep commitment to the rights of all citizens of Pendleton County to keep and bear arms, and

Whereas, the Pendleton County Fiscal Court wishes to express opposition to any law that would unconstitutionally restrict the rights of the citizens of Pendleton County to keep and bear arms, and

Whereas, the Pendleton County Fiscal Court wishes to express its intent to stand as a Sanctuary County for Second Amendment rights and to oppose, within the limits of the Constitution of the United States and the Commonwealth of Kentucky, any efforts to unconstitutionally restrict such rights.

Therefore, Be It Resolved, the People of Pendleton County, through their duly elected Fiscal Court hereby designate Pendleton County a Second Amendment Sanctuary in order to preserve for the People of, on, and in Pendleton County, their rights guaranteed by the Constitution of the United States of America, furthermore

(1)

RESOLUTION

**RESOLUTION DECLARING PENDLETON COUNTY KENTUCKY A
SECOND AMENDMENT SANCTUARY**

That the Pendleton County Fiscal Court hereby expresses its intent to uphold the Second Amendment rights of the citizens of Pendleton County, Kentucky and, furthermore

That the Pendleton County Fiscal Court hereby declares its intent to oppose any infringement on the right of law-abiding citizens to keep and bear arms.

We, the People of Pendleton County, Kentucky, through this resolution hereby declare our rights, our freedom, and our liberty as guaranteed by the Constitution of the United States of America.

Adopted on this 3rd day of January 2020.

David S. Fields
Pendleton County Judge/Executive

Attest: Marianne Roseberry
Pendleton County Court Clerk

(2)

In Re: Adjournment

Magistrate Plummer made a motion, seconded by Magistrate Mineer that this meeting be adjourned to meet again on January 14, 2020 in regular session subject to any special called meetings, motion carried.

ATTEST:

Pendleton County Judge/Executive

Pendleton County Fiscal Court Clerk