

June 7, 2023: Defendant Joe Moss, Chairman of Defendant Ottawa County Board of Commission, interview to the Justin Barclay radio program Good News.

Justin Barclay: “The Michigan Court of Appeals vacated the ruling the trial court judge in Muskegon in the Ottawa County lawsuit filed by the current health department director. They are in the process of removing her and appointing a new director, this has been in the works for a while. As I mentioned that the judge in the ruling in Muskegon back in April said no no no, you can’t do that! It’s all tied by the way, all of this is tied. And if you’re wondering what’s the story on this it’s all tied to the abuse of power during the Covid years. Now she wasn’t in charge during the Covid years, but they want a clean house. This is one of the things that the Ottawa Impact folks, that they campaigned on. This is why they were elected. So then again you can just understand this whole process, this is the will of the people, and it’s finally coming to fruition. And the court agreed yesterday to hear Ottawa County’s case immediately which is rare, that usually doesn’t happen. They’ve moved it into the front of the line as a matter of fact. They’ve also made it clear the Board of Commissioners can fire the health officer pursuant to state law. In other words, the law said they can do this. Why was there ever an issue? Well because the courts are always trying to litigate and if you look at what’s happening on the left, you call it bureaucracy, bureaucrat, they don’t ever want to lose their power. It’s a game. This is why we had such an issue during Covid. We get the latest with board chair Joe Moss this morning. It’s big news, and it’s good news at that.”

[Commercial break]

Barclay: “This story out of Ottawa County is not just important for Ottawa County, but it’s important for the entire state. We will get into that and talk about why Ottawa Impact and the Board of Commissioners that took over. I tell this story, and I go all across the country and different radio programs and in different shows that are online, talking about when I share good news. The things that are really happening behind the scenes that you just really aren’t hearing about. This is one of the stories that I shine a light on. It’s just real, regular, average people like Joe Moss and the folks at Ottawa Impact who ran, and who since you know because of all the Covid insanity. Remember folks, when they say ‘because of the pandemic’, ‘because of this’, ‘because we’ve had learning loss’, ‘because of the—’ no it wasn’t because of the pandemic, it was because of the decisions that were made by out of control bureaucrats who were never held accountable. In the case of the Ottawa County Board, the former board, failed their responsibility, their job, to actually hold these people accountable and that’s why they were summarily just booted out, they were swept, they’ve swept the house clean, and this new slate of folks was welcomed in and by large numbers. I’ve never seen anything like it before and when I share this story with people across the country, I tell them this is what it looks like when people get engaged. This is what it looks like when people stand up and

decide ‘well you know we’re going to actually get involved in our community. We’re not going to let this happen anymore. Not on our watch. Our kids are too important, our freedom’s too important’. And that’s exactly what they’ve done. So Joe Moss joins us right now, board chair. I want to talk about this story.”

[Introduction of Defendant Joe Moss]

Barclay: “You have big news, came down yesterday, Court of Appeals with this ruling and I think there are definitely some interesting pieces of this for your case, but for the state as well, and I want to walk through this. So first of all, what happened? You guys are in the process of trying to do what the people elected you to do, which is change. Change some things there in Ottawa County, and not drastic or without thought, but you are doing your due diligence here and you’re walking through what they’ve elected you to do, and that’s put reasonable people in charge who will make prudent decisions at all levels of the county government, and that includes the health officer. And you’re told in this lawsuit, by the current health officer, that ‘I don’t know what--you can’t do that, you can’t fire me.’ Now, I don’t know. First of all, I don’t know any other job, any other workplace...if they want to fire me today, they could do it and I’d be getting my stuff together and get my box and headed out the door. But apparently, I guess, it doesn’t work the same way in government. Explain that to me.”

Joe Moss: “Well, you know two weeks ago, the Ottawa County Board of Commissioners declared Ottawa County a constitutional county. That means our first priority is to protect people’s rights. And we know, like you just mentioned, during the government response to Covid, those rights were violated and ignored quite a bit. So yeah, so Ottawa County elected a whole new crop of county commissioners to represent them. And the board in January of this year, you know, looked to hire a new health officer for the county. Well, the interim health officer didn’t like that and is trying to make the argument to a lower court in Muskegon that the board can’t fire her. And so yesterday, the Court of Appeals actually responded to the county’s appeal and they did a few things, which is pretty great. They granted the county’s motion for immediate consideration. That’s not always done, that’s why an answer was given so quickly on this, not months and months and months. They vacated the lower court’s decision from April, that’s also fairly rare, and by vacated, that means they set aside or voided what the lower court did to restrict the Ottawa County Board of Commissioners authority under Michigan state law. And the law is clear, a Board of Commissioners appoints a health officer and can also remove a health officer. It’s really not that complicated, and so the court restored the board’s lawful authority to provide oversight for the people, that’s our job. And it goes on a little bit; they granted the county’s request to hear the appeal immediately without waiting for the trial court and usually those types of—they’re called interlocutory appeals—they’re often rejected, and the Court of

Appeals will let the lower court continue on. I'm really thankful they accepted our request and they also granted a motion to expedite, so what that does is not only are they going to hear the case, they're going to hear it next. They jumped it to the front of the line."

Barclay: "So this is not only big news for Ottawa County, but let's just talk about the implications. Because I do have some more questions about what happens next and what will happen in Ottawa County, but essentially this Court of Appeals is saying that the board—which we were told all through the craziness of Covid—the board does not have the ability to make decisions when it comes to hiring and firing individuals which is just, that doesn't make much sense. They don't play any role there, is what they're essentially trying to say, people were saying during that time. But the Court has ruled that that's just not the case. Now, we're told the very same thing here in Kent County, when you had out of control bureaucrats making decisions for us, that we now know, based upon the evidence that's coming out, that these lockdowns, these shutting the schools down, masking the kids, all of those things had absolutely horrific effects on our kids. And that's where this Ottawa Impact was born out of. It was people, real life, everyday people saying 'you know, these decisions don't make much sense. Let's have a conversation about this at the very least.' They were not even open to doing that. In fact, they called you—and still do—they called you extremists for saying 'let's take a step back. Let's exercise some prudence. Let's be reasonable here and have this conversation.'"

Moss: "Yes. When it was last year, December 13 I believe, I sat down with the former county administrator, and I expressed that one person should not make the daily decisions of 300,000 people in the county. You know, one health officer, any one person, shouldn't be doing that. That's not how our representative government works."

Barclay: "And it should all be based upon the constitution."

Moss: "Right, right."

Barclay: "Making lawful decisions."

Moss: "His opinion was different, and he said we'd have to agree to disagree. And then he proceeded to say that the board was appointing a new health officer that afternoon. Funny how he knew that was going to happen before it happened."

Barclay: "You know, that's interesting. They appoint a new health officer and, what I find very telling about all of this is whether the board had the legal ability to do so. The former health officer stepped down as soon as you all got elected. The former health officer, I guess it was just a retirement, had nothing to do with the facts all written on the wall here. Now, that's just, just strange. We're expected to believe that."

Moss: “I have said a few times I thought that was a very mature thing to do, and then the previous board did the immature thing of trying to appoint a new health officer before the new board was seated.”

Barclay: “Yeah, we’re on our way out. In other words, let’s just go ahead and make sure that we get whatever we want to get done through before these new folks are coming in. In other words averting again the will of the people which is what this whole thing was about and Joe this again will have echoes throughout the state because other counties will now be empowered to know that they can make these decisions because it’ll be on the books.”

Moss: “Right, and we need to keep moving forward to provide a good blueprint for conservative counties to you know make these types of decisions and whatever happens with our health officer and whatever happens in the future, you know there are other steps that need to be taken for good governance and for setting good policy in the county. Yesterday there was a finance committee meeting, went for quite a few hours, and the board actually voted down a couple things that were brought by the health department and this is because the current board in Ottawa County is really taking a proactive look, you know, when something gets submitted and they want a health equity plan or something, the board says, ‘huh, what’s a health equity plan? And what’s driving it? And who’s involved? And who are they bringing in? And what’s the purpose? And what’s the next step?’”

Barclay: “Sounds pretty extreme to me to ask rational questions about that. What does this mean in terms of Ottawa County with the current health officer? Is she getting her box together today? What is happening?”

Moss: “We really looked for reasoned, rational leaders when Ottawa Impact looked for candidates for Ottawa County last year. And so there’ll be some thoughtful discussion I’m sure. I haven’t talked to the health officer. I don’t know what she’s doing today, but there’ll be thoughtful discussion and looking at how we move forward, and in the case, which is separate you know from some next steps, the case proceeds on. Both attorneys file(d) briefs and the Court of Appeals will make some kind of final determination and that could be some time in the next month maybe.”

(Good News, 6/7/2023, found at Rumble, 09:55-24:55. <https://rumble.com/v2sns0c-tucker-is-baaaaaack...html>)