

Notice of Demand

To: Flathead County Commissioners Brad Abell, Pam Holmquist, and Randy Brodehl
Debbie Pierson, Clerk and Recorder

From: Kirk MacKenzie
11171 Seery Drive
Bigfork, MT 59911

Subject: Election Integrity

Notice to Agent is Notice to Principal and Notice to Principal is Notice to Agent

I, Kirk F. MacKenzie, a Bigfork resident and one of the People, am giving you this notice that you and your agents may provide due care and diligence in responding to the People's concerns, in accordance with the principles established by the Declaration of Independence and the Bill of Rights, secondarily by the Constitution for the United States of America and the laws and Constitution of the State of Montana.

Hereby incorporated are my letter to the Commissioners dated August 25, 2021 (Exhibit A); my Affidavit dated September 6, 2021 (Exhibit B); my letter to Debbie Pierson dated September 7, 2021 (Exhibit C); and a recent article on problems with election machines in California dated September 3, 2021 (Exhibit D).

Uncertainty

Our country is in uncharted waters. Whether we remain a sovereign and representative republic or become a totalitarian Communist division of a globalist government is the issue that confronts us. This war is reality. Ignoring it is folly. There is great risk of losing this Revolution. There is also great opportunity to apply the rising public awareness to begin the Restoration. Since the People are denied a direct vote, elected representatives play a pivotal role in determined the outcome.

Government Is A Problem

My impression is that there are a lot of good people in government, who view themselves as patriots and constitutionalists. They are equally worried about the future, for themselves, their children, and their grandchildren. However, they are happy with the way government currently functions. That is a problem. Governments at all levels have moved far, far away from Founding Principles. Government systems as currently practiced insure the Revolution will win.

Kirk F MacKenzie

My view of the problem is governments have detached themselves from their legal, fiduciary, and trust duties to their constituents, wrongly believing they can act as free agents. They have become heavily influenced by, if not outright controlled by, foreign agents that use money and other forms of influence to literally "buy government". Government agents even enter into contracts to use their delegated powers on behalf of foreign interests in exchange for money and other forms of inducement.

Founding Principles

We need to restore the Founding Principles. We are at the same point as when George Mason wrote:

"All power is vested in, and consequently derived from, the people... magistrates are their trustees and servants.

No free government, or the blessings of liberty, can be preserved to any people but by... frequent recurrence to fundamental principles.

All men are by nature born equally free and independent... men entered into compacts to give up some of their natural rights, that by union and mutual assistance they might secure the rest; but they gave up no more... all government, and every kind of civil compact therefore, is or ought to be, calculated for the general good and safety of the community. Every power, every authority vested... is, or ought to be, ultimately directed to this sole end; and whenever any power or authority whatever extends further... it may be called government, but it is in fact oppression.

Free-born man has been enslaved... those very means which were contrived for his preservation have been perverted to his ruin.

Defense of their liberty and property... dictate[s] resistance to injustice and oppression, in whatever shape, or under whatever pretense, it may be offered.

Every petty-officer of government... assumes a dispensing-power over the laws... [so] a man can have no security in his property.

Supplying the public-wants by seizures, is... unequal, oppressive and unjust; being in fact, only another name for public-robbery.

[Laws] have taken away all security for private-property, and ruined many...by encouraging knavery and legalizing fraud, [they] have corrupted and depraved the morals of the people.

We cannot be deprived of [our rights] but by violence and injustice.

We will not submit to have our own money taken out of our pockets without our consent... We owe to our mother country the duty of subjects but will not pay her the submission of slaves.

If I can only... leave to my children but a crust of bread and liberty, I shall die satisfied.

Happiness and prosperity are now within our reach; but to attain and preserve them must depend upon our own wisdom and virtue... Frequent interference with private property and contracts, retrospective laws destructive of all public faith, as well as confidence between man and man, and flagrant violations of the Constitution must disgust the best and wisest part of the community, occasion a general depravity of manners, bring the legislature into contempt, and finally produce... public convulsion.”

Government Powers Belong to the People

We the People are the sovereigns, with certain immutable inalienable rights. Indeed, the People are the “state”, qualified as to those within and subject to the jurisdiction. All powers belong to Us. We institute governments by declaration and delegate, not grant to them a portion of our powers in order to protect our lives, property, and inalienable rights, according to the Principles defined in the Declaration of Independence and the Bill Rights, secondarily by the Constitution for the United States that was created to help insure the former. We reserve to ourselves all powers, with the established understanding that We may amend, alter, or abolish governments for cause or any reason at all.

The legislatures, the buildings, the land, the courts, the sheriff’s office, the police, the schools, the roads...they all belong to Us. They are not for sale.

Correct Course or Lose Our Country

We agreed to finance our governments with mandatory taxes, obtained at threat of confiscation of property. You are our agents, our fiduciaries, with a trust responsibility over public properties and functions.

There are many established requirements that agents must meet. A few of these are loyalty, diligence, due care, performance, and staying within the boundaries of delegated authority. Most importantly, adhering to their oaths of office.

There are numerous violations. A few of these are self-dealing, conflicts of interest, failure to do their duties, acting under color of authority, and transferring delegated duties and powers to third parties.

If we are to remain a Republic according to the Founding Principles, strict adherence to these principles is required. My personal judgment is the County is off track and that continuation of its present course is malfeasance, at best, and possibly far worse. Collectively, if local and state governments continue as they are, we will lose our Country.

Taxation Without Representation

The fact is, we currently have taxation without representation. We are no longer a Republic, in transition to a totalitarian state. Government has failed us. The Revolution seeks to complete that transition with its radical plans for “systemic change”.

The People are awakening to these facts, and the realization the calvary is not coming. Thwarted at every turn, now faced with the near certainty of corrupt elections and a needlessly failing country, We are demanding active participation in determining our country’s future. It is not up to the few to decide the future of the multitudes according to their personal views. These are decisions to be reached by a majority of the People.

“Representation” requires our representatives to carry forward the voice of the majority, according to the Founding Principles. “Leadership” does not mean ignoring the People and pushing toward personal agendas; rather, it means helping to recognize, discover and enable the Will of the People. This is especially crucial at this time. We are not dealing merely with zoning laws. We are dealing with a complete cultural, political, economical, demographical, philosophical, and religious “Great Reset”. Either lead, or get out of the way.

Election Integrity Threatened

The immediate issue is the integrity of the election process, a cornerstone upon which our Republic was founded. There are credible concerns that the election process is fraudulent. Of those at attendance at the August 26, 2021 Commissioners hearing, those most knowledgeable and qualified on computers are the most concerned—myself, Jim Gomolka, and Monica Eisenzimmer. We know for a fact that no reliable election system, now or ever, can be based on uninspected, proprietary, programmable, and connectable computers.

As outlined in my Affidavit dated September 6, 2021, it appears the County certified the election without auditing the equipment, the software, or the votes. Indeed, the County appears to have completely turned the vote count over to ES&S with its propriety closed systems, basing its certification merely on faith in the ES&S generated reports. ES&S did the vote count. Did it certify the results? Should a foreign corporation be doing the County’s work?

Change Course

Currently, it is my judgment the Commissioners are moving forward on a path to continue use of the ES&S machines and purchase more, regardless of our concerns. The Commissioners meeting was staged such that public comment was requested BEFORE we were given anything to comment on. It was only after our comments that staff and ES&S presented and we learned the details. This denied us an opportunity to make comments or pose questions during or after their remarks. Indeed, when Mr. MacKenzie sought to make rebuttal comments, he was shut down. By contrast, ES&S was given the last word. I suspect ES&S will generate a report to address our comments at the meeting and the Commissioners will point to the large turnout, claim their legal duty to hold public hearing has been met, and proceed with the purchase without further comment, without having had substantive time or opportunity to adequately present their concerns or respond to the staff and ES&S presentations.

Therefore, I submit the following demands:

1. Take our concerns seriously. The future of our country is at stake. A little time and money is a small price to pay to secure for our children a future as good as our past.
2. Cease all use of the ES&S systems and suspend all plans to purchase more until our concerns have been fairly presented and addressed.
3. Hold a public forum as soon as practical at which I and others can present to the Commissioners and the election staff the recent analyses that have been done by qualified citizen activists. Listen with an impartial and open mind. You need to understand the substance of our concerns.
4. Establish the criteria required of an honest election system, using as a starting point the recommendations in my letter of August 25, 2021.
5. Seek open source, open system alternatives to the existing election machines. Contact numerous alternative vendors to make proposals, those qualified but free of political agendas and connections. Dell Computer and Fujitsu (scanners) come to mind, as examples.
6. Promptly produce the information requested in my FOIA dated September 7, 2021.
7. Promptly help facilitate the execution and completion of the citizen-led count of the ballot envelopes already requested.
8. Promptly help facilitate the execution and completion of a citizen-led canvass of the registered voter data base.
9. Promptly, proactively and affirmatively contact your counterparts in other counties and the state of Montana to do the same. Having an honest system in one jurisdiction is a start, but does not guarantee an honest statewide election.
10. Give the People an opportunity to express their will by placing the relevant questions of our day on a ballot for the People to vote on.

Failure to fully and fairly pursue these matters could reasonably be viewed as malfeasance, at best, and possibly worse.

I hereby state that the statements are true to the best of my knowledge, and supported by law. I also confirm that the information here is both accurate and complete as to the points raised.

Kirk F MacKenzie

Autograph of Individual

09/07/2021

Date

JURAT

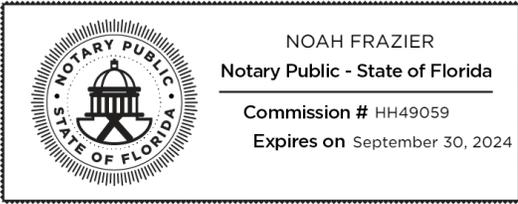
State/Commonwealth of FLORIDA)
)
 City County of Alachua)

On 09/07/2021, before me, Noah Frazier,
Date Notary Name

the foregoing instrument was subscribed and sworn (or affirmed) before me by:

Kirk F MacKenzie
Name of Affiant(s)

- Personally known to me -- **OR** --
- Proved to me on the basis of the oath of _____ -- **OR** --
Name of Credible Witness
- Proved to me on the basis of satisfactory evidence: Montana Driver's License
Type of ID Presented



WITNESS my hand and official seal.

Notary Public Signature: *Noah Frazier*

Notary Name: Noah Frazier

Notary Commission Number: HH49059

Notary Commission Expires: 09/30/2024

Notarized online using audio-video communication

DESCRIPTION OF ATTACHED DOCUMENT

Title or Type of Document: Notice of Demand

Document Date: 09/07/2021

Number of Pages (including notarial certificate): 4