

**TUSCOLA COUNTY BOARD OF COMMISSIONERS  
BOARD MEETING AGENDA**

**THURSDAY JUNE 11, 2020 – 08:00 A.M.**

125 W. Lincoln Street  
Caro, MI 48723

Phone: 989-672-3700  
Fax : 989-672-4011

**RESIDENTS OF TUSCOLA COUNTY PLEASE TAKE NOTICE**  
**Electronic Remote Access, in accordance with Michigan Governor's Executive Order 2020-75, will be implemented in response to COVID-19 social distancing requirements and Michigan Governor's Executive Order 2020-110**

*To participate in the Electronic Meeting you can join by phone:*

+1 929-299-4238 PIN: 142 674 199#

*Join by Hangouts Meet: [meet.google.com/xin-aaxt-itg](https://meet.google.com/xin-aaxt-itg)*

- 8:00 A.M. Call to Order – Chairperson Bardwell  
Prayer – Commissioner Jensen  
Pledge of Allegiance – Commissioner Bardwell  
Roll Call – Clerk Fetting  
Adoption of Agenda  
Action on Previous Meeting Minutes (**See Correspondence #1**)  
Brief Public Comment Period for Agenda Items Only  
Consent Agenda Resolution (**See Correspondence #2**)

**New Business**

- Update from Tuscola County Health Officer Ann Hepfer on the COVID-19 Pandemic
- 9:00 a.m. Tuscola County Health Department Audit Presentation
- Court Request Office Space (**See Correspondence #3**)
- Filling of the Vacant Dispatcher Position (**See Correspondence #4**)
- Filling of the Vacant Part Time Account Clerk II in the Register of Deeds Office

**Old Business**

- MIDC 2020/2021 Cost Analysis Budget Review (**See Correspondence #5**)
- MIFSM
- Overtime Paid During Pandemic

## Correspondence/Resolutions

### COMMISSIONER LIAISON COMMITTEE REPORTS

#### VAUGHAN

Board of Health  
County Planning Commission  
Economic Development Corp/Brownfield Redevelopment  
MAC Environmental Regulatory  
Mid-Michigan Mosquito Control Advisory Committee  
NACO-Energy, Environment & Land Use  
Parks and Recreation Commission  
Tuscola County Fair Board Liaison  
Local Units of Government Activity Report

#### GRIMSHAW

Behavioral Health Systems Board  
Recycling Advisory  
Local Units of Government

#### JENSEN

Board of Health  
Community Corrections Advisory Board  
Dept. of Human Services/Medical Care Facility Liaison  
Genesee Shiawassee Thumb Works  
Jail Planning Committee  
Local Emergency Planning Committee (LEPC)  
MAC Judiciary Committee  
MEMS All Hazard  
Local Units of Government Activity Report

#### BARDWELL

Behavioral Health Systems Board  
Caro DDA/TIFA  
Economic Development Corp/Brownfield Redevelopment  
MAC 7<sup>th</sup> District  
MAC Workers Comp Board  
TRIAD  
Local Units of Government Activity Report

## YOUNG

Board of Public Works  
County Road Commission Liaison  
Dispatch Authority Board  
Genesee Shiawassee Thumb Works  
Great Start Collaborative  
Human Services Collaborative Council (HSCC)  
Jail Planning Committee  
MAC Agricultural/Tourism Committee  
MI Renewable Energy Coalition (MREC)  
Region VI Economic Development Planning  
Saginaw Bay Coastal Initiative  
Senior Services Advisory Council  
Tuscola 2020  
Local Units of Government Activity Report

### **Other Business as Necessary**

### **Extended Public Comment**

### **Adjournment**

Note: If you need accommodations to attend this meeting please notify the Tuscola County Controller/Administrator's Office (989-672-3700) two days in advance of the meeting.

## CORRESPONDENCE

1. May 28, 2020 Full Board & Statutory Finance Minutes  
June 8, 2020 Committee of the Whole Minutes
2. Consent Agenda Resolution
3. Court Request Office Space
4. Filling of the Vacant Dispatcher Position
5. MIDC 2020/2021 Cost Analysis Budget Review
6. Notice of Remote Hearing to Amend Lake Level Order, Establish Special Assessment District, and Confirm Special Assessment District Boundaries
7. Road Commissioners Minutes from May 14, 2020 Meeting
8. Livingston County Resolution
9. Kalkaska County Board of Commissioners Resolution #2020-16  
"Move Kalkaska County Forward"

1)

*Draft*  
TUSCOLA COUNTY BOARD OF COMMISSIONERS  
May 28, 2020 Minutes

Electronic Meeting held via Google Hangouts  
Electronic remote access, in accordance with the Michigan Governor's Executive Order  
2020-75, implemented in response to COVID-19 social distancing requirements and  
Michigan Governor's Stay Home Stay Safe Orders.

Commissioner Young called the meeting of the Board of Commissioners of the County  
of Tuscola, Michigan, held via Google Hangouts on the 28th day of May 2020, to order  
at 8:07 o'clock a.m. local time.

Prayer – Commissioner Vaughan

Pledge of Allegiance – Commissioner Young

Roll Call – Clerk Jodi Fetting

Commissioners Present: District 1 - Thomas Young, District 2 - Thomas Bardwell,  
District 3 - Kim Vaughan, District 4 - Mark Jensen, District 5 – Daniel Grimshaw

Commissioner Absent - None

Also Present: Clerk Jodi Fetting, Clayette Zechmeister, Eean Lee, Debbie Babich, Lisa  
Ozbat, Matt Brown, Mary Drier, Mike Miller, Rahm Mormando, Sandy Nielsen, Steve  
Anderson, Dwight Thabet, Jana Brown, Barry Lapp, Mark Ransford, Sam Leppert,  
Megan Bartolowits, Mike Thorp, Ann Hepfer, Mark Haney, Kathy O'Dell, Jessica  
VanHove, Tracy Violet, Judge Amy Grace Gierhart, Shelly Lutz, Russell Bush MD,  
Marcus Atkins, Mark Trumbauer, Bob Baxter

At 8:11 a.m., there were a total of 37 participants attending the electronic meeting.

*Adoption of Agenda -*  
2020-M-116

Motion by Young, seconded by Vaughan to adopt the agenda as presented.  
Roll Call Vote: Young - yes; Vaughan - yes; Jensen - yes; Grimshaw - yes;  
Bardwell - yes. Motion Carried.

*Action on Previous Meeting Minutes -*  
2020-M-117

Motion by Grimshaw, seconded by Young to adopt the meeting minutes from the  
May 21, 2020 Special Board meetings. Roll Call Vote: Vaughan - yes; Jensen -  
yes; Grimshaw - yes; Young - yes; Bardwell - yes. Motion Carried.

*Brief Public Comment Period for Agenda Items Only - None*

*Consent Agenda Resolution - None**New Business -*

-Update from Tuscola County Health Officer Ann Hepfer on the COVID-19 Pandemic - Ann Hepfer provided an update on the number of current cases in Tuscola County as well as the current number of deaths. Drive-thru testing clinics are continuing for anyone living in our rural area. A joint website has been created for information through Michigan Thumb Public Health Alliance, [www.mithumbpha.org](http://www.mithumbpha.org).

Kathy O'Dell spoke in regards to the charges that were incurred when the Medical Examiner program was held under the umbrella of the Health Department.

-Honorable Amy Grace Gierhart regarding Magistrate Pay - Judge Gierhart provided a background on the Magistrate Pay as to how it had been established and how the request came to discussion during the 2020 Budget requests. Judge also expressed her appreciation of Magistrate VanAuken's willingness to provide additional assistance during the COVID pandemic. Board discussed salary options.

## 2020-M-118

Motion by Grimshaw, seconded by Vaughan to incorporate the already existing \$5,000 on-call pay into Attorney-Magistrate-Collections Officer salary retroactive to January 1, 2020. Roll Call Vote: Jensen - yes; Grimshaw - yes; Young - yes; Vaughan - yes; Bardwell - yes. Motion Carried.

## 2020-M-119

Motion by Grimshaw, seconded by Young to approve a \$12,800.00 annual salary increase for the Attorney-Magistrate-Collections Officer position retroactive January 1, 2020. Also, it is authorized that all signatures needed and budget amendments needed be made as necessary. Roll Call Vote: Grimshaw - yes; Young - yes; Vaughan - yes; Jensen - no; Bardwell - yes. Motion Carried.

-Michigan Institute of Forensic Science and Medicine (MIFSM) Update and Progress - Dr. Russell L Bush, MD, MPH Director/Chief Medical Examiner and Marcus Atkins, Director of Sales and Operations - Dr. Bush reviewed a presentation which included items of Increased Quality of Services and Efficiency. An In-House Toxicology Testing has been added. A succession plan has been put into place. Dr. Bush explained the Cremation Permit Charge.

Recessed at 10:36 a.m.

Reconvened at 10:47 a.m.

Roll Call Vote:

Commissioners Present: Young, Bardwell, Vaughan, Jensen, Grimshaw

At 10:47 a.m., there were a total of 35 participants attending the electronic meeting.



-Michigan Institute of Forensic Science and Medicine (MIFSM) Charges for Services – Mark Ransford, Ransford Collon Funeral Homes - Mark Ransford addressed the Board in regards to the change of fees such as the cremation permit fee. He is requesting the fee be placed back to the \$10.00 amount that has been long-standing in the county. Dwight Thabet supported Mark's statement and request. Board discussed the contract that was adopted.

#### 2020-M-120

Motion by Grimshaw, seconded by Vaughan that the contract held with MIFSM be reviewed by legal counsel to clarify the scope of the contract and the understanding of the structure of fees. Also, to determine if additional fees are allowed to be created under the contract. Roll Call Vote: Young - yes; Vaughan - yes; Jensen - yes; Grimshaw - yes; Bardwell - yes. Motion Carried.

-Dr. Bush shared that he feels the Funeral Home Directors can revert back to the \$10.00 fee until clarification on the contract can be received. If a bill is received at the higher fee rate, to only pay the \$10.00 and include a statement that the fee is under review by the County.

-MMRMA Net Asset Distribution and Update on RAP Grants Awarded to Tuscola County - Clayette Zechmeister explained the amount of the Net Asset Distribution received was \$141,161.00. Also, reviewed were the amount of RAP grants received.

-Road Commissioner Pay for 2021 -

-Commissioner Pay for 2021 -

-Commissioners discussed the base compensation received by County Commissioners and County Road Commissioners and the increases over the most recent years.

#### 2020-M-121

Motion by Grimshaw, seconded by Young to rescind Motion 14-M-226.

Roll Call Vote: Vaughan - yes; Jensen - no; Grimshaw - yes; Young - yes; Bardwell - yes. Motion Carried. (Motion 14-M-226 was adopted December 29, 2014)

14-M-226 - Motion Rescinded

~~Motion by Kirkpatrick, seconded by Bierlein that for the term of office for the years 2015 and 2016, and thereafter until further official action otherwise, the members of the Tuscola County Board of Commissioners shall each be required to provide no more than an average twenty-nine (29) hours of service in such capacity per calendar week, and in no case shall any member of the Tuscola County Board of Commissioners engage in more than Five Hundred Nineteen (519) hours of service in any period of ninety (90) consecutive days, nor more than One Thousand Five Hundred Fifty Nine (1,559) hours of service in any one (1) year period. Also, it shall be the responsibility of each member of the Tuscola~~

~~County Board of Commissioners to ensure their own compliance with the hourly service limitations set forth herein.~~

2020-M-122

Motion by Grimshaw, seconded by Young for the year beginning 2021 that County Commissioners base compensation be increased by \$2,000.00 per Commissioner. Roll Call Vote: Jensen - yes; Grimshaw - yes; Young - yes; Vaughan - yes; Bardwell - yes. Motion Carried.

2020-M-123

Motion by Grimshaw, seconded by Young for the year beginning in 2021 that the County Road Commissioner base compensation be increased by \$2,000.00 per Road Commissioner. Roll Call Vote: Grimshaw - yes; Young - yes; Vaughan - yes; Jensen - yes; Bardwell - yes. Motion Carried.

*Old Business -*

-Commissioner Pay for 2021 - Addressed in New Business

-Board Rules of Order - Commissioner Bardwell reviewed a matter brought up by Register Bishop at the May 21, 2020 Special Board meeting regarding when a Commissioner addresses a matter relating to an Elected Official, Department Head or other employee during a Board of Commissioners meeting.

*Correspondence/Resolutions - None*

## **COMMISSIONER LIAISON COMMITTEE REPORTS**

### **YOUNG**

Board of Public Works  
County Road Commission Liaison - Update provided.  
Dispatch Authority Board  
Genesee Shiawassee Thumb Works  
Great Start Collaborative  
Human Services Collaborative Council (HSCC)  
Jail Planning Committee  
MAC Agricultural/Tourism Committee  
MI Renewable Energy Coalition (MREC)  
Region VI Economic Development Planning  
Saginaw Bay Coastal Initiative  
Senior Services Advisory Council  
Tuscola 2020  
Local Units of Government Activity Report



**VAUGHAN** - No Report

Board of Health  
County Planning Commission  
Economic Development Corp/Brownfield Redevelopment  
MAC Environmental Regulatory  
Mid-Michigan Mosquito Control Advisory Committee  
NACO-Energy, Environment & Land Use  
Parks and Recreation Commission  
Tuscola County Fair Board Liaison  
Local Units of Government Activity Report

**GRIMSHAW** - No Report

Behavioral Health Systems Board  
Recycling Advisory  
Local Units of Government

**JENSEN** - No Report

Board of Health  
Community Corrections Advisory Board  
Dept. of Human Services/Medical Care Facility Liaison  
Genesee Shiawassee Thumb Works  
Jail Planning Committee  
Local Emergency Planning Committee (LEPC)  
MAC Judiciary Committee  
MEMS All Hazard  
Local Units of Government Activity Report

**BARDWELL**

Behavioral Health Systems Board  
Caro DDA/TIFA - Update provided.  
Economic Development Corp/Brownfield Redevelopment  
MAC 7<sup>th</sup> District  
MAC Workers Comp Board - Meeting scheduled for June 3, 2020  
TRIAD  
Local Units of Government Activity Report

*Other Business as Necessary -*

-Commissioner Jensen referenced the State furloughing employees and feels the County should look at this as well. He also feels a plan needs to be put in place for employees to return to work in the offices.

-Committee of the Whole (COW) meeting June 8, 2020 - Commissioner Bardwell would like Clayette Zechmeister to monitor the matters to be placed on an agenda to determine if a COW meeting will be needed on June 8th. If there are not enough matters then just the Board of Commissioners meeting will be held on June 11, 2020.

Commissioner Vaughan excused at approximately 12:50 p.m.

At 1:03 p.m., there were a total of 20 participants attending the electronic meeting.

*Extended Public Comment -*

-Commissioner Bardwell stated as the County moves to reopen, the Board should address how to continue to take advantage of public participation with the use of electronic means as the Board transitions back to in person meetings as participation has increased with electronic meetings.

2020-M-124

Motion by Young, seconded by Jensen to adjourn the meeting at 1:08 p.m.

Roll Call Vote: Vaughan - absent; Jensen - yes; Grimshaw - yes; Young - yes; Bardwell - yes. Motion Carried.

Meeting adjourned at 1:08 p.m.

Jodi Fetting  
Tuscola County Clerk

DRAFT

## Statutory Finance Committee Minutes

May 28, 2020

Electronic remote access, in accordance with the Michigan Governor's Executive Order 2020-75, implemented in response to COVID-19 social distancing requirements and Michigan Governor's Stay Home Stay Safe Orders.

Meeting called to order at 1:08 p.m.

Roll Call by Clerk Fetting: Young, Bardwell, Jensen, Grimshaw

Commissioners Absent: Vaughan

Also Present: Clerk Jodi Fetting, Clayette Zechmeister, Eean Lee, Jessica VanHove, Mark Haney, Mary Drier, Rahm Mormando, Bob Baxter, Sandy Nielsen, Steve Anderson

At 1:08 p.m., there were a total of 16 participants attending the electronic meeting.

2020-SF-M-014

Motion by Grimshaw, seconded by Jensen to approve the finance report from May 28, 2020 for payment. Roll Call Vote: Young - yes; Vaughan - absent; Jensen - yes; Grimshaw - yes; Bardwell - yes. Motion Carried.

2020-SF-M-015

Motion by Young, seconded by Jensen to approve the daily checks as submitted on the May 26, 2020 report. Roll Call Vote: Young - yes; Vaughan - absent; Jensen - yes; Grimshaw - yes; Young - yes; Bardwell - yes. Motion Carried.

Public Comment - None

2020-SF-M-016

Motion by Young, seconded by Grimshaw to adjourn the meeting at 1:11 p.m. Roll Call Vote: Vaughan - absent; Jensen - yes; Grimshaw - yes; Young - yes; Bardwell - yes. Motion Carried.

Meeting adjourned at 1:11 p.m.

Jodi Fetting  
Tuscola County Clerk

*Draft*  
Tuscola County Board of Commissioners  
Committee of the Whole  
Thursday, June 8, 2020 – 8:00 A.M.

**Electronic remote access via Google Hangouts, in accordance with the Michigan Governor's Executive Order 2020-75, implemented in response to COVID-19 social distancing requirements.**

Commissioners Present: District 1 - Thomas Young, District 2 - Thomas Bardwell, District 3 - Kim Vaughan, District 4 - Mark Jensen, District 5 - Daniel Grimshaw (arrived at 8:20 a.m.)

Absent: None

Also Present: Clerk Jodi Fetting, Clayette Zechmeister, Eean Lee, Rahm Mormando, Mark Haney, Sandy Nielsen, Matt Brown, Mike Miller, Mary Drier, Mark Ransford, Tracy Violet, Steve Root, Barry Lapp, Dave Stevens, Steve Anderson, Jana Brown, Debbie Babich, Bob Baxter, Register John Bishop

At 8:04 a.m. there were 25 people attending the electronic meeting.

**Finance/Technology**  
Committee Leaders-Commissioners Young and Jensen

**Primary Finance/Technology**

1. **Community Corrections Grant Application Process – Dave Stevens, Community Corrections Coordinator - Thumb Area Regional Community Corrections - Dave Stevens** provided an overview of the program and the proposed application. Matter to be placed on the Consent Agenda.
2. **MIDC 2020/2021 Cost Analysis Budget Review** - Rahm Mormando provided a review of the upcoming proposed budget to be submitted to the state for approval.

Commissioner Grimshaw arrived at 8:20 a.m.

Board discussed the matter at length regarding the MIDC proposed budget. Matter to be placed on Thursday's Board Agenda.

3. **Michigan Institute of Forensic Science and Medicine (MIFSM) Charges for Services – Update** - Clayette Zechmeister reviewed an opinion offered by the county attorney which recommended to not amend the contract. Board discussed the manner in which the cremation fee was adjusted without Board approval. Mark Ransford provided an update that MIFSM is requiring payment up front as well as is withholding the permits if payment has not been made. Matter to be placed on Thursday's Board Agenda.
4. **9-1-1 Equipment End of Life Grant** - Clayette Zechmeister explained the proposed grant application that does require local matching funds. Sandy Nielsen explained that the application has been submitted due to a deadline and she is looking for support from the Board. Matter to be placed on the Consent Agenda.

## On-Going and Other Finance

### Finance

1. Preparation of Multi-Year Financial Planning - Clayette Zechmeister provided an update on the progress of the project. It is expected that she will be able to prepare only a 2-year outlook. Board discussed the matter of state revenue sharing and the potential for cuts to happen. Board discussed rescission of motion 14-M-226.

**Technology** - Eean Lee provided an update regarding the Information Systems Department.

1. GIS Update
2. Increasing On-Line Services/Updating Web Page

## Personnel

Committee Leader-Commissioner Vaughan and Bardwell

### Primary Personnel

#### 1. County Moving Forward – Next Steps

**-Employee Pay** - Clayette Zechmeister explained that employees have not been laid-off or furloughed. She explained that the county is self-insured regarding unemployment.

**-Employee Work Schedules** - Board discussed moving forward in bringing employees back into the office to work as well as employees continuing to work from home. Board would like to have employees resume work tomorrow with open to the public on June 15th.

**-Meetings** - Board discussed resuming public meetings as well as how to continue to offer a virtual meeting for the public to participate.

### On-Going and Other Personnel

1. Strengthen and Streamline Year-End Open Enrollment
2. MAC 7<sup>th</sup> Meeting Updates - The next meeting will be held in October 2020.

## Building and Grounds

Committee Leaders-Commissioners Jensen and Grimshaw

### Primary Building and Grounds

1. **Building and Grounds Coverage for Mowing Properties** - Mike Miller explained the need that led to the request to have Thumb Lawn and Care assist in mowing county properties for a short-period of time. Matter to be placed on the Consent Agenda.
2. **Vanderbilt Park Opening Under EO 2020-110** - Mike Miller provided an update regarding the steps that have been taken to open up Vanderbilt Park. Mike Miller also provided an update on the septic system project.



**On-Going and Other Building and Grounds**

1. State Police Lease - Mike Miller has reached out to MSP but has not heard back from them yet.
2. County Jail Study - The study has been completed and a presentation to be held when the meetings are back in person.
3. Legislative Representation RFP Review – Board Tabled Until Meetings Are in Person
4. Recycling Relocation Update - Mike Miller provided an update.
5. County Physical and Electronic Record Storage Needs – Potential Use of Recycling Pole Building
6. Recycling Trailer Pick-up Resuming (matter added) - Mike Miller stated this has been discussed but a plan is still being developed.
7. Alternative Locations for Board Meetings (matter added) - Board discussed using the Caro Fair Building or the Knights of Columbus hall for alternative meeting location.

**Other Business as Necessary**

1. Overtime During COVID - Board would like to have an update on overtime paid during the pandemic.
2. Caro Center Meeting - Commissioner Bardwell informed the Board that there is a meeting scheduled for this afternoon.
3. Long-distance charge to call into Google Hangouts - Commissioner Grimshaw questioned if his landline is being billed long distance. Eean Lee will try to determine that answer.

**On-Going Other Business as Necessary**

1. Board Rules of Order – Possible Revisions Within Six Months (1-13-20)
2. Policy Updates
3. Senate Bill 46

At 11:28 a.m. there were 25 people attending the electronic meeting.

**Public Comment Period -**

-Register John Bishop asked if when the county reopens to the public if the adopted response plan would be followed.

Meeting adjourned at 11:30 a.m.

Jodi Fetting  
Tuscola County Clerk

**‘DRAFT’**

**COUNTY OF TUSCOLA**

**STATE OF MICHIGAN**

**RESOLUTION TO ADOPT CONSENT AGENDA**

At a regular meeting of the Board of Commissioners of the County of Tuscola, Michigan, held by Electronic Remote Access, In accordance with Michigan Governor’s Executive Order 2020-75, on the June 11, 2020 at 8:00 a.m. local time.

COMMISSIONERS PRESENT:

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COMMISSIONERS ABSENT:

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It was moved by Commissioner \_\_\_\_\_ and supported by Commissioner \_\_\_\_\_ that the following Consent Agenda Resolution be adopted:

**CONSENT AGENDA**

- Agenda Reference:** A
- Entity Proposing:** COMMITTEE OF THE WHOLE 6/08/20
- Description of Matter:** Move that the FY 2021 grant application to Community Corrections be submitted by Thumb Area Regional Community Corrections Services on behalf of Tuscola County for Gatekeeper Services in the amount of \$4,050. Also, all appropriate signatures are authorized.
  
- Agenda Reference:** B
- Entity Proposing:** COMMITTEE OF THE WHOLE 6/08/20
- Description of Matter:** Move that per the recommendation of 9-1-1 to submit application for 9-1-1 Equipment End of Life Grant to the State of Michigan for a grant match up to \$2,180.70 from the Dispatch Fund. Also, all appropriate signatures and budget amendments are authorized.

**Agenda Reference:** C

**Entity Proposing:** COMMITTEE OF THE WHOLE 6/08/20

**Description of Matter:** Move that per the recommendation of the Buildings and Grounds Director to hire Thumb Lawn and Care to mow "The Hill" DHS, Health Department and Dispatch buildings lawns as well as Mosquito Abatement and the Animal Shelter lawns for 4 weeks at \$360.00 per week for a total of \$1,440.

**IT IS FURTHER RESOLVED** that any motion, resolution, or other act of Tuscola County inconsistent with this Resolution is hereby rescinded, modified, replaced or superseded by this Resolution.

YEAS:

NAYS:

ABSTENTIONS:

RESOLUTION ADOPTED.

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Thomas Bardwell, Chairperson  
Tuscola County Board of Commissioners

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Jodi Fetting  
Tuscola County Clerk

**STATE OF MICHIGAN  
TUSCOLA COUNTY COURTS**

440 NORTH STATE STREET  
CARO, MI 48723  
TELEPHONE: (989) 672-3800

HON. AMY GRACE GIERHART  
CHIEF JUDGE

SHEILA M. LONG, COURT ADMINISTRATOR

DATE: June 5, 2020

TO: Clayette Zechmeister, Tuscola County Controller  
Tuscola County Board of Commissioners

FROM: Sheila Long, Court Administrator

RE: Office Space

Due to the limited space in the courthouse, I am requesting to be able to occupy the office space located in the courthouse that is currently held by MIDC. To keep our staff safe and healthy, Judge Gierhart and I have walked from office to office to make sure we meet the social distancing guidelines between employees. We have already shifted employees to separate staff. In the magistrate's office, which is located immediately next to the MIDC office, four clerks share a small office space. We need to relocate at least one clerk to another area to provide more distance between the clerks. As MIDC now has office space outside of the courthouse, we are requesting to use the space he was previously assigned inside the courthouse.

Thank you for your time.

9-1-1

4)

Tuscola County Central Dispatch

Sandra Nielsen, Director

June 8, 2020

From: Sandra Nielsen, Director  
Subject: Request to Hire  
To: Tuscola County Board of Commissioners

Dear Commissioners,

I respectfully request the Board of Commissioners to concur with hiring Mitchell Davies as a full time dispatcher. This request is to fill a vacant full time dispatcher position.

Central Dispatch has the required funds in the budget to fill this position. The dispatch operating fund comes from 911 telephone surcharge and does not affect the general fund. Full staffing is essential in providing 9-1-1 communications services to the county and the community.

Thank you,



Sandra Nielsen, Director  
Tuscola County Central Dispatch



## MIDC COMPARISON FROM PREVIOUS YEAR BUDGET

DESCRIPTION	2019/2020 OCT -SEPT	2020/2021 OCT-SEPT	NET Difference
MIDC STATE GRANT	745,017.00	885,274.00	140,257.00
INTEREST EARNED	200.00	0.00	(200.00)
REIMB COURT APPT ATTORNEY FEES	1,000.00	0.00	(1,000.00)
TRANSFER IN GENERAL FUND	283,676.00	253,708.00	(29,968.00)
	----- 1,029,893.00	----- 1,138,982.00	109,089.00
			0.00
	1,029,893.00	1,138,982.00	109,089.00

SALARIES SUPERVISION	90,012.00	90,012.00	0.00
SALARIES PERMANENT	0.00	0.00	0.00
DISABILITY PLAN	983.00	983.00	0.00
SALARIES PT TEMP	22,157.00	22,157.00	0.00
SALARIES OVERTIME	0.00	0.00	0.00
WORKERS COMPENSATION	1,194.00	1,194.00	0.00
HEALTH & DENTAL INSURANCE	16,700.00	17,315.00	615.00
F.I.C.A.	8,581.00	8,581.00	0.00
LIFE INSURANCE	89.00	89.00	0.00
RETIREMENT	4,501.00	4,501.00	0.00
POB IN LIEU OF RETIREMENT	2,700.00	2,700.00	0.00
SUPPLIES, PRINTING, & POSTAGE	2,500.00	3,500.00	1,000.00
MIDC APPT COUNSEL FELONY	405,350.00	405,350.00	0.00
MIDC APPT COUNSEL MISDEMEANOR	330,375.00	330,375.00	0.00
CAPITAL HOURLY APPTS	150,000.00	150,000.00	0.00
MIDC APPT COUNSEL CAFA	28,600.00	28,600.00	0.00
INVESTIGATORS	8,750.00	0.00	(8,750.00)
EXPERT SERVICES	10,000.00	50,000.00	40,000.00
WITNESS FEES	10,000.00	0.00	(10,000.00)
MEMBERSHIP & SUBSCRIPTIONS	1,500.00	780.00	(720.00)
TELEPHONE	1,920.00	1,920.00	0.00
OFFICE EQUIPMENT	5,000.00	0.00	(5,000.00)
SPACE RENT	7,200.00	7,200.00	0.00
RENOVATION	0.00	0.00	0.00
TRAINING	13,734.00	13,725.00	(9.00)
	----- 1,121,846.00	----- 1,138,982.00	17,136.00
			0.00
	1,121,846.00	1,138,982.00	17,136.00

# Indigent Defense System Cost Analysis

Grant Year October 1, 2020 - September 2021

Funding Unit Name(s)

DATE SUBMITTED:

Personnel	Position	Calculation hours and rate	Total	State Grant	Local Share	Other Funding Sources	Total
Rahm W. Mormando	Managed Assigned Counsel Ac	1950 Hours @ \$46.16 Hr	90,012.00				
Amy Taylor	Admin Assistant	1300 Hours @ \$17.04 Hr	22,157.00				

Category Summary			112,169.00	0.00	0.00	0.00	0.00
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Personnel Jusification - List all positions to be funded by the grant budget ( state grant/local share). Please \* highlight all positions that are new personnel requests for FY2021 and provide justification for need.

Fringe Benefits	Percentage	Amount	State Grant	Local Share	Sources	Total
FICA	7.65%	8,581.00				
Life Insurance	Flat Rate	89.00				
Retirement	8.00%	7,201.00				
Disability	Flat Rate	983.00				
Health and Dental Insurance	Flat Rate	17,315.00				
Workers Compensation	Flat Rate	1,194.00				

Category Summary	8.00%	35,363.00	0.00	0.00	0.00	0.00
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Fringe Benefits Justification

**Contractual**

Contracts for Attorneys	Services Provided	Calculation hours and rate	Total	State Grant	Local Share	Other Funding Sources	Total
Misdemeanor Hourly Appointments	Indigent Defense Misdomeanc	\$100 per hr 3303.75 Hrs	330,375.00				
Felony Hourly Appointments	Indigent Defense Felony	\$110 Per hour 3685 Hrs	405,350.00				
Capital Hourly Appointments	Indigent Defense Capital	\$120 Per Hr 1250 Hrs	150,000.00				
Counsel at first appearance hourly	CAFA Hourly	100 Per hour, 286 Hours	28,600.00				

Category Summary		914,325.00	0.00	0.00	0.00	0.00
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Contract Attorney Justification - list all possible rate scenarios for attorney contracts that apply (i.e. hourly, event based, annual contract paid monthly) and the type work whether generally indigent defense or specific like counsel at first appearance. Please \* highlight rates or attorney line requests that are a change from your FY20 approved contract and contract rates.

Contracts for Experts and Investigators	Services Provided	Calculation hours and rate	Total	State Grant	Local Share	Other Funding Sources	Total
Various experts & Investigators	Various		50,000.00				

Category Summary		50,000.00	0.00	0.00	0.00	0.00
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Experts and Investigators Justification - Provide explanation and justification if there are changes to the requested amounts for experts and investigators from the FY20 approved contract along with an explanation if requesting to adjust the rates from your FY20's approved contract rates.  
 The first two budgets only allowed for \$10,000 for experts. Based on the caseload for Tuscola County this should have been \$50,000. There has also been an increase in requests for experts with my encouragment. There has been some success using private polygraph exams and other experts and as word has gotten out among the assigned attorneys they are requesting more services. As a result I am requesting the \$50,000 rather than the \$10,000. As of this submission we have used approximately \$15000 for the year, and expect a further increase over the rest of the year once the Court fully reopens.

Contracts for Construction				Other Funding			
Projects	Services Provided	Calculation	Total	State Grant	Local Share	Sources	Total
None Required							

Category Summary			0.00	0.00	0.00	0.00	0.00
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Construction Project Justification - Provide as much detail as possible for the requested construction project identifying the need for the construction project, the component costs if possible, whether an estimate or if you were provided a documented quote. Attach a separate document if needed. Please attach the quote to the submission of the application.

Contracts Other				Other Funding			
	Services Provided	Calculation	Total	State Grant	Local Share	Sources	Total
Lease for Office	MIDC Office and cleaning	600 monthly x 12 months	7,200.00				
Phones	Cell and office phones	160 monthly x 12 months	1,920.00				

Category Summary			9,120.00	0.00	0.00	0.00	0.00
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Contracts Other Justification - Provide justification for all other contract costs associated with the local indigent defense system with a \* highlight to new request for FY21.

Equipment				Other Funding			
	Vendor	Calculation	Total	State Grant	Local Share	Sources	Total

Category Summary			0.00	0.00	0.00	0.00	0.00
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Equipment Justification - Provide justification for new equipment requests for FY21.  
NOTE:

Training/Travel	Vendor	Calculation	Total	State Grant	Local Share	Other Funding Sources	Total
			\$13,725				
	CDAM	\$300 x 17	13,725.00				
	Hotels	\$125 per night x 2 nights x	5,100.00				
	Meals	\$30 x 3 meals x 17 attys	4,250.00				
	Mileage	178 Miles x \$.58 x 17 Attys	1,530.00				
	SADO Memberships	\$50 x 15 Attys	1,755.00				
	NAPD Memberships	\$30 x 17 Attys	750.00				
			510.00				

Category Summary			13,725.00	0.00	0.00	0.00	0.00
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Training and Travel Justification - Provide travel and training justification and \*highlight new or changed requests for FY21  
Suggested rates for training registration would be \$30/hour; SADO membership is \$50/year; NAPD membership is \$30/year  
These numbers were calculated based on the 2019 budget with an adjustment to the number of attorneys from 18 to 17. We are still trying to augment the list to 17. Also an adjustment to the mileage rate from .535 to .58. Additionally there are two attorneys who do not qualify for SADO membership currently because they have contracts as a City Attorney in one or more of the local communities. The total for training and travel is \$13,725.00. The mileage was calculated from the Tuscola County courthouse to the CDAM Conference in Boyne, MI.

Supplies/Services	Vendor	Calculation	Total	State Grant	Local Share	Other Funding Sources	Total
Various Supplies	Various		3,500.00				
Zoom subscription	Zoom	\$65 per month	780.00				

Category Summary			4,280.00	0.00	0.00	0.00	0.00
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Supplies Justification - Provide justification for supplies requests and \*highlight new or changed requests for FY21.  
There is an additional \$1000 for the year added over FY20 for supplies. This is due to the COVID-19 response and requirements for sanitizing the office after any visitors. The rest os for paper, toner, pens etc.  
The Zoom subscription is to allow for interviews with individuals in custody remotely. In order to use Zoom with the system in the Tuzcola County jail there is an upgrade to Zoom that is required.

Budget Total			1,138,982.00	885,274.00	253,708.00	0.00	1,138,982.00
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6)

**STATE OF MICHIGAN**  
**IN THE CIRCUIT COURT FOR THE COUNTY OF TUSCOLA**  
**NOTICE OF REMOTE HEARING TO AMEND LAKE LEVEL ORDER, ESTABLISH**  
**SPECIAL ASSESSMENT DISTRICT, AND CONFIRM SPECIAL ASSESSMENT**  
**DISTRICT BOUNDARIES**

To Whom It May Concern:

**NOTICE IS HEREBY GIVEN** that on December 3, 2019, a petition was filed with the Circuit Court for the County of Tuscola to amend the lake level order, establish a special assessment district, and confirm the special assessment district's boundaries for Murphy Lake. The Tuscola County Circuit Court originally scheduled a hearing on March 23, 2020 to review the petition, but the March 23, 2020 hearing was postponed due to the current coronavirus pandemic.

**NOTICE IS FURTHER GIVEN** that pursuant to an Order of the Tuscola County Circuit Court due to the coronavirus pandemic, the Court will review the petition during a remote hearing using the video-conferencing platform Zoom at **9:00 AM on June 22, 2020** to receive evidence to amend the lake level order, establish a special assessment district, and confirm the special assessment district's boundaries for Murphy Lake located in Millington and Watertown Townships, Tuscola County, Michigan, consistent with the provisions of MCL 324.30707.

**NOTICE IS FURTHER GIVEN** that the December 3, 2019 lake level petition and the preliminary special assessment district for payment of all costs associated with the maintaining of the lake level is posted on the Drain Commissioner's website at <https://www.tuscolacounty.org/drain/>. Further, the public is encouraged to submit notarized written testimony regarding the petition to the Court. The Court will accept notarized written testimony by e-mail at [kphipps@tuscolacounty.org](mailto:kphipps@tuscolacounty.org) or by mail addressed to Clerk of the Tuscola County Circuit Court, 440 North State Street, Caro, MI 48723. Please call (989) 726-0286 if you have any questions about notarizing written testimony.

**NOTICE IS FURTHER GIVEN** that should any member of the public wish to participate in the remote Zoom hearing, he or she must contact the Tuscola County Circuit Court by e-mail at [kphipps@tuscolacounty.org](mailto:kphipps@tuscolacounty.org) or by phone at (989) 673-3330 for details to join the remote hearing. All property owners affected may participate in this hearing by either submitting notarized written testimony for consideration by the Court or requesting to join the Zoom hearing, if so desired.

Robert Mantey  
Tuscola County Drain Commissioner  
(989) 726-0286



# FAQs

## FREQUENTLY ASKED QUESTIONS re: the Remote Murphy Lake Level Hearing to Amend Lake Level Order, Establish Special Assessment District, and Confirm Special Assessment District Boundaries

### ***Why am I receiving this notice?***

You are receiving this notice because you may own lands within the proposed Special Assessment District for Murphy Lake.

### ***What is a Special Assessment District?***

A Special Assessment District is an area of land designated to receive special assessments for a particular benefit that it receives from certain public projects, like lake levels.

### ***Is the lake level going to change?***

No. However, the Tuscola County Drain Commissioner is requesting that the Circuit Court amend the current Murphy Lake level order to clarify that the Drain Commissioner must maintain the winter lake level until Murphy Lake is clear of ice and is requesting the Order to use a more commonly-used measuring datum (NAVD 88).

### ***Who is responsible for maintaining the lake level?***

The Tuscola County Drain Commissioner is the delegated authority for Tuscola County and is responsible for maintaining the established lake level.

### ***Do I have to attend the Remote Court Hearing?***

No. But, you may request to join the remote hearing on Zoom. You can also submit notarized written testimony to the Court. **Please refer to the hearing notice for the Court's contact information to join the remote hearing and to submit notarized written testimony.**

### ***What happened to the March 23, 2020 Hearing?***

The March 23, 2020 in-person court hearing was postponed due to the coronavirus pandemic. The Court rescheduled the hearing to be held remotely on June 22, 2020 at 9AM on Zoom due to the ongoing pandemic.

### ***What is my assessment amount?***

Estimated assessment amounts will be available at a separate Public Hearing to review the Special Assessment Roll. A separate notice of this future Public Hearing will be sent out to all property owners within the Special Assessment District at a later date.

### ***Do I have to attend the Public Hearing to Review the Special Assessment Roll?***

You are not required to attend the future Public Hearing. However, you must protest in person or by writing to reserve your right to appeal the special assessment.

### ***How can I get more information?***

Visit the Tuscola County Drain Commissioner's website at <https://www.tuscolacounty.org/drain/> or call **(989) 726-0286**.

Please leave a detailed message including your: (1) name; (2) address; and (3) phone number. All phone calls will be returned in the order in which they were received.

Because this hearing will be held remotely, the Drain Commissioner is posting various relevant documents on his website including the lake level petition filed in the Tuscola County Circuit Court.

7)

May 14, 2020

A regular meeting of the Board was held via Electronic Remote Access through Google Meet on Thursday, May 14, 2020 at 8:00 A.M.; all in accordance with the Michigan Governor's Executive Orders 2020-75 and 2020-77 due to the Covid-19 Pandemic.

Present for the Electronic Meeting: Road Commissioners John Lauric, Gary Parsell, Julic Matuszak, David Kennard, and Duane Weber; Acting County Highway Engineer Brent Dankert, Operations Engineer Technician Will Green, Assistant Superintendent Jason Root, and Director of Finance/Secretary-Clerk Michael Tuckey.

At 8:05 A.M., there were a total of Eleven (11) participants attending the Electronic Meeting.

Roll Call of the Board was conducted.

Motion by Parsell seconded by Weber that the minutes of the March 19, 2020 regular meeting of the Board be approved. Roll Call Vote: Weber – Yes, Kennard – Yes, Matuszak – Yes, Parsell – Yes, Laurie – Yes --- Motion Carried.

Motion by Matuszak seconded by Kennard that the minutes of the March 19, 2020 closed session of the Board be approved. Roll Call Vote: Weber – Yes, Kennard – Yes, Matuszak – Yes, Parsell – Yes, Laurie – Yes --- Motion Carried.

Payroll in the amount of \$108,864.68 and bills in the amount of \$201,358.21 covered by vouchers #2020-23, and #2020-24 were presented and audited.

Motion by Weber seconded by Parsell that the payroll and bills be approved. Roll Call Vote: Weber – Yes, Kennard – Yes, Matuszak – Yes, Parsell – Yes, Laurie – Yes --- Motion Carried.

Brief Public Comment Segment:

(1) Mr. Mark Trumbauer with NextEra Energy appeared before the Board to provide an update regarding the Pegasus Wind Turbine Project. Discussions included the processing of permits and keeping the lines of communication open.

Director of Finance Michael Tuckey presented to the Board a number of items regarding the Covid-19 Pandemic. Management and the Board reviewed the materials, and discussed the topic at length.

Motion by Kennard seconded by Parsell that bid item #14 for Tuscola Township, bid item #34 for Akron Township, bid items #3 and #4 for Gilford Township, bid item #18 for Elkland Township, bid item #20 for Kingston Township, bid item #17 for Dayton Township, bid item #21 for Novesta Township, bid items #11 and #12 for Millington Township, and bid item #36 for Ellington Township of the 2020 bituminous resurfacing bids be awarded to the low bidder, Pyramid Paving Company. Roll Call Vote: Weber – Yes, Kennard – Yes, Matuszak – Yes, Parsell – Yes, Laurie – Yes --- Motion Carried.

Motion by Weber seconded by Matuszak that bid items #1, #2, #3, #4, #5, #6, #7, #8, #9, and #10 for Akron Township, and bid item #23 for Gilford Township of the 2020 Furnishing & Placing Crushed Limestone bids be awarded to the low bidder, Burroughs Materials. Roll Call Vote: Weber – Yes, Kennard – Yes, Matuszak – Yes, Parsell – Yes, Laurie – Yes --- Motion Carried.

Motion by Parsell seconded by Kennard to request reimbursement from the Michigan Department of Transportation in the amount of \$10,000.00 for payments made during the period of July 1, 2019 through June 30,



2020 to a licensed professional engineer retained by the Tuscola County Road Commission, in accordance with Section 12(2) of Act 51 as amended. Roll Call Vote: Weber – Yes, Kennard – Yes, Matuszak – Yes, Parsell – Yes, Laurie – Yes --- Motion Carried.

Motion by Matuszak seconded by Kennard to approve the completion of the probationary period for Road Commission employee Daniel Wildner; as recommended by the Superintendent/Manager. Roll Call Vote: Weber – Yes, Kennard – Yes, Matuszak – Yes, Parsell – Yes, Laurie – Yes --- Motion Carried.

Motion by Julie Matuszak seconded by Duane Weber to authorize Chairman John Laurie and Vice-Chairman Gary Parsell to sign the Michigan Department of Transportation Contract #20-5198 for the hot mix asphalt resurfacing work along Hurds Corner Road from Deckerville Road to M-81, and all together with necessary related work. Roll Call Vote: Weber – Yes, Kennard – Yes, Matuszak – Yes, Parsell – Yes, Laurie – Yes --- Motion Carried.

Motion by Kennard seconded by Parsell to approve and sign the title sheet for the Fostoria Road Federal Aid Project, and to move forward with letting the project. Roll Call Vote: Weber – Yes, Kennard – Yes, Matuszak – Yes, Parsell – Yes, Laurie – Yes --- Motion Carried.

Management and the Board discussed that the Tuscola County Road Commission will celebrate its 100<sup>th</sup> Year on June 2, 2020.

Acting County Highway Engineer Dankert provided an update to the Board regarding the current status of Boy Scout Road in Indianfields Township.

Motion by Parsell seconded by Matuszak that the meeting be adjourned at 8:55 A.M. Roll Call Vote: Weber – Yes, Kennard – Yes, Matuszak – Yes, Parsell – Yes, Laurie – Yes --- Motion Carried.

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Chairman

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Secretary-Clerk of the Board

RESOLUTION

NO: 2020-05-145

LIVINGSTON COUNTY

DATE: May 26, 2020

**Resolution in Support of the Request to Reclassify Livingston County – Board of Commissioners**

WHEREAS, since March 24, 2020, the people of the State of Michigan have been under a stay-at-home order and unable to go to work, gather in public or even visit family or friends in an effort to “flatten the curve” and attempt to stop the novel coronavirus that was infecting so many people and overwhelming our health care system in some urban areas; and

WHEREAS, through a series of Executive Orders, Governor Whitmer has extended this protracted period of lockdown, and there is great uncertainty about when or whether this will end; and

WHEREAS, it is undisputed that the novel coronavirus is highly communicable and dangerous primarily to those with comorbidity factors, but that “the curve” has been flattened and our health care system is capable of receiving and treating patients. What is also undisputed is that the current level of lockdown is unnatural and is itself the source of numerous other community problems, including rising rates of domestic violence, depression and suicides, and that this unreasonable extended prohibition on normal human interaction is having real negative effects and making us less neighborly, less human and more isolated. Also, it is undisputed that many individuals and businesses are suffering significant economic harm from the ongoing indiscriminate lockdown. Finally, the hype over the virus is causing residents in our area to fear going to the hospital for their actual, real medical emergencies, as reflected in the staggering number of EMT calls that result in the first responders arriving to find the patients already dead because their condition had already progressed so far; and

WHEREAS, a harsh and protracted quarantine of the presumptively healthy for the sake of the few medically vulnerable is not sustainable in a society, and inasmuch as Livingston County, which the Governor has inexplicably grouped with Wayne County in her MI Safe Start Plan to Reopen Michigan, it is not likely that a return to our natural freedoms will be permitted any time soon; and

WHEREAS, State Representatives Hank Vaupel (R-Fowlerville) and Ann Bollin (R-Brighton Township) have formally petitioned Governor Whitmer to reclassify Livingston County in District-5, rather than District-1.



**THEREFORE BE IT RESOLVED** that in order to protect the safety, welfare and rights of our County residents and businesses, and to state clearly our desire to reopen our community as soon as possible, the Livingston County Board of Commissioners, believing that it is inappropriate to indiscriminately lock down suburban and rural areas whose demographics are so dissimilar to the urban areas that were so badly affected, hereby **SUPPORTS THE REQUEST** made by Reps. Vaupel and Bollin to reclassify Livingston County in District 5 as regards the Governor's MI Safe Start Plan.

**BE IT FURTHER RESOLVED** that Livingston County Clerk is hereby directed to transmit copies of this resolution to Governor Whitmer, State Senator Lana Theis, State Representative Ann Bollin, State Representative Hank Vaupel, the Michigan Association of Counties, and all Michigan Counties.

# # #

**MOVED:** W. Nakagiri  
**SECONDED:** K. Lawrence  
**CARRIED:** Roll Call Vote: Yes (8): W. Nakagiri, K. Lawrence, W. Green, D. Helzerman, R. Bezotte, G. Childs, J. Gross and C. Griffith; No (0): None; Absent (0): None

STATE OF MICHIGAN )  
 ) §  
COUNTY OF LIVINGSTON )

I, ELIZABETH HUNDLEY, the duly qualified and acting Clerk of the County of Livingston, Michigan do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the County Board of Commissioners at a regular meeting on the 26th day of May 2020, the original of which is on file in my office.  
IN WITNESS WHEREOF, I have hereto affixed by official signature on this 28th day of May 2020, A.D.

*Elizabeth Hundley*  
\_\_\_\_\_  
ELIZABETH HUNDLEY, LIVINGSTON COUNTY CLERK



9)

**KALKASKA COUNTY BOARD OF COMMISSIONERS  
RESOLUTION NUMBER 2020-16**

At a regular meeting of the Board of Commissioners for the County of Kalkaska, State of Michigan, held by ZOOM with EO 2020-75 and EO 2020-77 on the 20th day of May, 2020 with the meeting called to order at 5:30 PM.

Present: Commissioners Dave Comai, Patty Cox, Kohn Fisher, Leigh Ngirarsaol (by ZOOM), James Sweet (by ZOOM) and John West.

Absent: Commissioners Craig Crambell.

The following resolution was offered by West. Supported by Comai:

**COUNTY RESOLUTION 2020-16  
MOVE KALKASKA COUNTY FORWARD**

**Whereas**, Benjamin Franklin (1706-1790) stated "Any society that is willing to give up liberty for temporary security deserve neither and lose both"; and

**Whereas**, Under the Emergency Management Act, 1976 PA 390, the Governor may declare a state of disaster and a state of emergency for the reasons specified therein; and

**Whereas**, A state of disaster or state of emergency declared under the Emergency Management Act continues until the Governor finds that the threat or danger has passed, the disaster or emergency has been dealt with to the extent that disaster or emergency conditions no longer exist, or until the declared state of disaster or emergency has been in effect for 28 days; and

**Whereas**, After 28 days, the Governor shall issue an executive order or proclamation declaring the state of disaster or emergency terminated, unless a request by the Governor for an extension of the state of disaster or emergency for a specific number of days is approved by resolution of both houses of the Legislature; and

**Whereas**, An executive order or proclamation declaring the state of disaster or emergency shall indicate the area or areas threatened, the conditions causing the emergency, and the conditions permitting the termination of the state of emergency; and

**Whereas**, On March 10, 2020, Governor Whitmer issued Executive Order 2020-4 declaring a state of emergency across the entire state of Michigan to address the COVID-19 pandemic; and

**Whereas**, On April 1, 2020, Governor Whitmer issued Executive Order 2020-33 to replace Executive Order 2020-4 and expand the initial March 10, 2020, declaration to include a state of disaster related to the COVID-19 pandemic through April 30, 2020; and

**Whereas**, Executive Order 2020-33 states the state of emergency and the state of disaster will terminate when emergency and disaster conditions no longer exist and appropriate programs have been implemented to recover from any effects of the statewide emergency and disaster, consistent with the legal authorities upon which the

declaration is based and any limits imposed by those authorities, including Section 3 of the Emergency Management Act, 1976 PA 390, MCL 30.403; and

**Whereas**, On April 1, 2020, Governor Whitmer requested that the Legislature pass a concurrent resolution extending the state of emergency and state of disaster statewide across Michigan through April 30, 2020; and

**Whereas**, On April 7, 2020, the Legislature passed Senate Concurrent Resolution No. 24 authorizing Executive Order 2020-33 through April 30, 2020; and

**Whereas**, On April 27, 2020, Governor Whitmer requested that the Legislature pass a concurrent resolution extending the state of emergency and state of disaster statewide across Michigan through May 28, 2020; and

**Whereas**, The Legislature did not extend the state of emergency beyond April 30, 2020 as required under law; and

**Whereas**, the Kalkaska County Board of Commissioners perceive that certain restrictions in the Executive Order violate the civil liberties of Michigan residents that are protected by the United States Constitution and the Constitution of the State of Michigan of 1963; and

**Whereas**, Governor Whitmer did not provide scientific data to justify the state of emergency being declared equally across all 83 counties of the state of Michigan; and

**Whereas**, The Governor's executive orders placed arbitrary and inconsistent restrictions, without reasonable scientific justification, on some businesses, but not on others, and on particular activities of a person, sometimes resulting in oppressive consequences, regardless of efforts by a business or a person to implement national guidelines for safe social distancing that can combat the spread of COVID-19; and

**Whereas**, The Governor's executive orders placed arbitrary and inconsistent restrictions, without reasonable scientific justification, on individual's rights to associate, assemble, worship, and travel, including but not limited to the ability of a person to assemble for worship or see family members outside of a person's household, regardless of efforts taken to implement national guidelines for safe social distancing that can combat the spread of COVID-19 and without considering if a person has recovered from COVID-19; and

**Whereas**, The Governor's executive orders have prohibited hospitals, clinics and other medical professionals from conducting elective medical procedures that people need, including preventative care, even in cases where hospitals and medical professionals have the capacity to safely do so; and

**Whereas**, COVID-19 has impacted population groups differently, with some high-risk persons that are older or have underlying health conditions being more vulnerable and other low-risk persons able to safely participate in activities by implementing national guidelines for safe social distancing or if they have recovered from COVID-19; and

**Whereas**, the response to the COVID-19 virus must be balanced as not to make the collateral impacts more devastating and punitive than the virus itself; and

**Whereas**, COVID-19 has impacted areas and regions of the state differently with some counties being able to effectively contain the spread of COVID-19, including Kalkaska County, by following national guidelines for safe social distancing; now, therefore, be it

**Whereas**, the Kalkaska County Board of Commissioners believe all businesses are "essential" because they provide for the livelihood of their employees, and the financial hardship to those that are laid off is substantial; and

**Resolved** by the Kalkaska County Board of Commissioners, That we demand that the Governor compile and make available within three days from the date of this concurrent resolution, in a manner easily accessible by the public, detailed data, summarized by county, on:

1. The daily number of available hospital related beds occupied by all patients since January 1, 2020, segregated by in-patient beds, negative airflow beds, and intensive care unit (ICU) beds.
2. The daily number of available hospital related beds occupied by verified COVID-19 patients since January 1, 2020, segregated by in-patient beds, negative airflow beds, and ICU beds.
3. The daily number of emergency room visits in total and the daily number of emergency room visits by patients testing positive for COVID-19 since January 1, 2020.
4. The daily number of verified COVID-19 hospitalizations and verified COVID-19 deaths that are related to retirement or nursing homes since January 1, 2020.
5. The daily number of verified COVID-19 hospitalizations and verified COVID-19 deaths of individuals, who have had other pre-existing or underlying health conditions, since January 1, 2020, with a segregation of those health conditions and a breakout of verified COVID-19 hospitalizations and verified COVID-19 deaths by age, gender, and race.
6. The daily number of ventilators available and daily inventories of hospital Personal Protection Equipment since April 9, 2020.
7. The number of medical professionals that have been furloughed, had work hours reduced, or received a cut in pay since March 10, 2020.

; And be it further

**Resolved**, That we request local health departments, local health organizations and local hospitals provide the above data specific to Kalkaska County and make it available to the public; and be it further

**Resolved**, That we demand that all data related to emergency room visits, hospitalizations, and deaths related to COVID-19 patients be verified and confirmed to be COVID-19 positive patients, and the date of emergency visit, hospitalization, or death be recorded as the actual date of occurrence, not the date of any data adjustments being made subsequently; and be it further

**Resolved**, That we encourage the people of Kalkaska County to continue to follow national guidelines for safe social distancing and the County continues to take specific measures to protect the population most at risk, including those residing in nursing homes and retirement facilities; and be it further

**Resolved**, That we encourage businesses in Kalkaska County to determine the best approach to implement national guidelines for safe social distancing as they begin to open up and move Michigan forward without the Legislature extending the state of


emergency and without the declaration of a statewide declaration of disaster; and be it further

**Resolved**, That we encourage hospitals, clinics and medical professionals in Kalkaska County to provide elective procedures and preventative care where it is deemed appropriate based on staffing capacity, hospital capacity and availability of personal protective equipment (PPE) and as medical professionals in those facilities determine the best approach to implement national guidelines for safe social distancing; and be it further

**Resolved**, that a copy of this Resolution be sent to the Governor Gretchen Whitmer, US Senator Gary Peters, US Senator Debbie Stabenow, US Representative Jack Bergman, Senator Curt Vanderwall, Representative Daire Rendon, Michigan Association of Counties, Michigan County Clerks and Kalkaska County Township Clerks.

Roll Call Vote: West, yes; Comai, yes; Cox, yes; Crambell, absent; Ngirarsaol, yes; Sweet, yes; Fisher, yes. 6 yeas. 0 nays. 1 absent. Carried.

Resolution declared adopted.

  
\_\_\_\_\_  
Kohn Fisher  
Chairman of the Kalkaska County Board of Commissioners

I, the undersigned, Clerk of Kalkaska County, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Kalkaska County Board of Commissioners at its Regular Meeting held on May 20, 2020.

  
\_\_\_\_\_  
Deborah Hill, County Clerk  
Clerk of the Kalkaska County Board of Commissioners