

TUSCOLA COUNTY BOARD OF COMMISSIONERS

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At a regular meeting of the Board of Commissioners for the County of Tuscola, State of Michigan, on the 29th day of October, 2020 with the meeting called to order at 8:00 a.m.

Commissioners Present: Thomas Young, Thomas Bardwell, Kim Vaughan, Mark Jensen, Dan Grimshaw

Commissioners Absent: None

The following resolution was offered by Young, seconded by Vaughan

RESOLUTION TO RATIFY AND CONFIRM ACTIONS APPROVED BY THE BOARD OF COMMISSIONERS DURING REMOTE MEETINGS RESOLUTION 2020-10

WHEREAS, in response to the COVID-19 pandemic, the Governor declared a State of Emergency by Executive Order 2020-4 on March 10, 2020 and extended the State of Emergency by subsequent Executive Orders; and

WHEREAS, in conjunction with the State of Emergency, on March 18, 2020 the Governor issued Executive Order 2020-15 which authorized remote participation in public meetings and specifically allowed public bodies to hold meetings electronically, either by telephonic or video conferencing; and

WHEREAS subsequent Executive Orders extended the authorization to hold remote meetings and ultimately, on July 17, 2020, through Executive Order 2020-154, extended the authority to hold remote meetings through the remainder of the State of Emergency; and

WHEREAS, in reliance on the Executive Orders authorizing remote meetings, the Tuscola County Board of Commissioners, has conducted all meetings electronically since April 16, 2020.

WHEREAS, on October 2, 2020 the Michigan Supreme Court issued an opinion in which a majority of the Justices agreed that Executive Orders issued after April 30, 2020 are invalid as the law under which they were issued allowed an unconstitutional delegation of authority to the Governor; and

WHEREAS, in response to the October 2, 2020 Michigan Supreme Court Opinion, 2020 Public Act 228 was adopted by the state legislature and signed by the Governor. This Act is effective immediately and retroactively and modifies the Open Meetings Act authorizing remote meetings through December 31, 2020 for any circumstance and through December 31, 2021 for certain qualifying reasons.

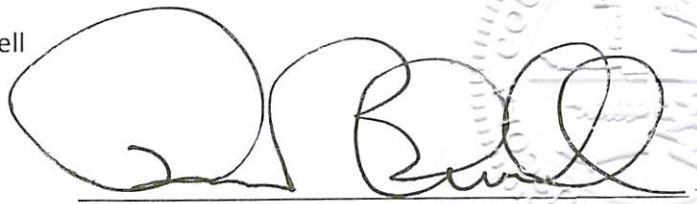
THEREFORE BE IT RESOLVED that in light of the October 2, 2020 Michigan Supreme Court Opinion and 2020 Public Act 228 amending the Open Meetings Act, the Tuscola County Board of Commissioners affirms and ratifies all actions approved by the Board of Commissioners at the following Committee of the Whole, Public Hearings and Board meetings: March 31, 2020, April 16, 2020, April 30, 2020, May 14, 2020, May 21, 2020, May 28, 2020, June 8, 2020, June 11, 2020, June 22, 2020, June 25, 2020, July 16, 2020, July 27, 2020, July 30, 2020, August 10, 2020, August 13, 2020, August 24, 2020, August 27, 2020, September 14, 2020, September 17, 2020, September 28, 2020 and October 1, 2020.

Roll Call Vote:

Ayes: Vaughan, Jensen, Grimshaw, Young, Bardwell

Nays: None

Resolution declared adopted.



Thomas Bardwell

Chairman of the Tuscola County Board of Commissioners

I, the undersigned, Clerk of Tuscola County, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Tuscola County Board of Commissioners, at its Regular Meeting held on October 29, 2020.



Jodi Fetting
Tuscola County Clerk

Clerk to the Board of Commissioner Tuscola County