

TUSCOLA COUNTY BOARD OF COMMISSIONERS
May 14, 2020 Minutes
Electronic Meeting held via Google Hangouts
To be held in compliance with EO 2020-75 and 2020-77

Commissioner Bardwell called the meeting of the Board of Commissioners of the County of Tuscola, Michigan, held via Google Hangouts on the 14th day of May 2020, to order at 8:04 o'clock a.m. local time.

Prayer – Commissioner Grimshaw

Pledge of Allegiance – Commissioner Jensen

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, Mike Miller, Mary Drier, Pam Shook, Bob Baxter, Steve Anderson, Mark Haney, April Bonk, Deb Lipan, Tracy Violet, Sandy Nielsen, Wayne Koper, Matt Brown, Barry Lapp, Paul Gorang, Ann Hepfer, Representative Phil Green, Senator Kevin Daley, Rahm Mormando, Glen Roth, Steve Erickson, Jessica VanHove, Register John Bishop, Sheriff Glen Skrent

At 8:07 a.m., there were a total of 30 participants attending the electronic meeting.

Adoption of Agenda -
2020-M-099

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

Action on Previous Meeting Minutes -
2020-M-100

Motion by Grimshaw, seconded by Young to adopt the meeting minutes from the April 30, 2020 Regular Board and Statutory Finance meetings. Roll Call Vote: Vaughan - yes; Jensen - yes; Grimshaw - yes; Young - yes; Bardwell - yes. Motion Carried.

Brief Public Comment Period for Agenda Items Only -

-Pam Shook would like to be able to open Vanderbilt Park to the seasonal campers.

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

-County Impacts from COVID-19 Update - Ann Hepfer, Health Officer - Health Officer Hepfer reviewed the cases within Tuscola County and the two facilities that are experiencing a surge of cases. A person needs to understand their risk when going to a place of business or to a campground. Board discussed the planned opening of the Port Austin Farmers Market.

-Senator Kevin Daley provided an update regarding State Revenue Sharing, providing grants for agricultural processing plants, changes that have been made to the Unemployment Department to assist in processing the claims, details on proposed resolution that has been drafted and that the legislature has filed a lawsuit against Governor Whitmer.

-Representative Phil Green provided an update that the issue of high water levels continues to be worked on, the Caro Center design phase has been completed and the next phase of the project that is scheduled to begin.

-Economic Development Corporation (EDC) (matter added) - Stephen Erickson provided an update regarding the local restaurant community being able to phase into opening. Board discussed reopening the local economy.

-Board discussed the importance of completing a multi-year proposed budget with an expected decrease in state revenue sharing to be reflected in the plan.

-Sheriff's Office USDA Grant to Purchase Handheld Narcotics Analyzer - Sheriff Skrent explained the purchase requested.

2020-M-101

Motion by Young, seconded by Vaughan to approve the Sheriff's Office to apply for a grant from USDA to purchase a TruNarc Handheld Narcotics Analyzer for a cost of \$31,753.00. USDA Grant would be for \$22,000.00 and the Sheriff's Office is committed to spending the balance of \$9,753.00 from the Road Patrol Funds. Roll Call Vote: Jensen - yes; Grimshaw - absent; Young - yes; Vaughan - yes; Bardwell - yes. Motion Carried.

-Sheriff Office 2019 Annual Report -

Sheriff Skrent reviewed the annual report that was included in the Board packet.

2020-M-102

Motion by Young, seconded by Vaughan to receive and place on file the Sheriff's Office 2019 Annual Report. Roll Call Vote: Grimshaw - yes; Young - yes; Vaughan - yes; Jensen - yes; Bardwell - yes. Motion Carried.

-Request to Appoint to Board of Canvassers -
Clerk Fetting explained the request for the appointment as Norma Wallace is retiring as being a Republican Canvasser.

2020-M-103

Motion by Grimshaw, seconded by Young that per the recommendation of the Republican Party Chair, Matthew Bierlein, that Judy Neblock be appointed to fulfill the remainder of the term of retiring Canvasser Norma Wallace which will expire October 31, 2020. Norma Wallace has been a long-term Republican Canvasser and has been a tremendous asset to the Board, she will be greatly missed. Roll Call Vote: Young - yes; Vaughan - yes; Jensen - yes; Grimshaw - yes; Bardwell - yes. Motion Carried.

-Request to Carry Over Vacation Time -

Clerk Fetting explained the request to carry over vacation time for Chief Deputy Clerk Caryl Langmaid as due to the COVID pandemic she was unable to utilize the vacation time as she has been working daily to sustain work flow in the Clerk's Office.

2020-M-104

Motion by Grimshaw, seconded by Young that per the request from Clerk Jodi Fetting that her Chief Deputy Clerk Caryl Langmaid be able to carry over eight (8) days of vacation time that she was unable to use before her anniversary date of May 15, 2020 due to the COVID pandemic. Roll Call Vote: Vaughan - yes; Jensen - yes; Grimshaw - yes; Young - yes; Bardwell - yes. Motion Carried.

Recessed at 10:02 a.m.

Reconvened at 10:16 a.m.

At 10:16 a.m., there were a total of 37 participants attending the electronic meeting.

-Proposed Resolution Move Tuscola County Forward (matter added) -
The proposed resolution was worked on by Senator Daley and was discussed during his presentation.

2020-M-105

Motion by Grimshaw, seconded by Vaughan to adopt Tuscola County Resolution 2020-04 as read by Commissioner Grimshaw.

**COUNTY RESOLUTION 2020-04
MOVE TUSCOLA COUNTY FORWARD**

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, 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, 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 Tuscola County, by following national guidelines for safe social distancing; now, therefore, be it

Resolved by the Tuscola 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 Tuscola 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 Tuscola 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 Tuscola 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 Tuscola 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 copies of this resolution be transmitted to local governmental agencies.

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

Board would like a press release prepared and distributed to local media.

-Requests Received Regarding Reopening Local Campgrounds (matter added) - Commissioner Vaughan reviewed the background of the letters received and the hope of local campground owners to open for Memorial Day weekend. Board discussed with no action at this time.

Old Business (continued below) -

-Vanderbilt Park Reopen Plan - Commissioner Vaughan stated he feels that seasonal campers can be allowed in Vanderbilt Park and essential workers can secure a campsite. Will discuss further when Old Business matters are handled.

New Business (continued from above) -

-Michigan State Police (MSP) Post Building - Mary Drier had sent a letter regarding the MSP Building and if the State will pull the post from our county. Mary explained what prompted her letter to have the Commissioners consider acquiring the building if that was to happen.

Old Business (continued from above) -

-Next Steps on Potential Reopening of the County – Employee COVID-19 Preparedness & Response Plan - Commissioner Grimshaw worked with Steve Anderson in reviewing the final draft of the proposed plan but he feels the Elected Officials and Department Heads should have input prior to adoption. In the final draft there are areas highlighted that indicate the changes that were made. Board discussed at length.

2020-M-106

Motion by Grimshaw, seconded by Young to set a Committee of the Whole meeting for Thursday, May 21, 2020 to begin at 8:00 a.m. Roll Call Vote: Young - yes; Vaughan - yes; Jensen - yes; Grimshaw - yes; Bardwell - yes. Motion Carried.

2020-M-107

Motion by Vaughan, seconded by Jensen to set a special Board of Commissioners meeting for Thursday, May 21, 2020 to begin at 10:00 a.m. Roll Call Vote: Vaughan - yes; Jensen - yes; Grimshaw - yes; Young - yes; Bardwell - yes. Motion Carried.

-Vanderbilt Park Reopen Plan (continued from above) - Board discussed potential options in opening Vanderbilt Park.

2020-M-108

Motion by Grimshaw, seconded by Vaughan to open Vanderbilt Park on Friday, May 15, 2020 for seasonal campers and campers who are considered essential workers with no recreational facilities to be opened until further notice. Campers to follow CDC guidelines regarding social distancing. Roll Call Vote: Jensen - yes; Grimshaw - yes; Young - yes; Vaughan - yes; Bardwell - yes. Motion Carried.

Correspondence/Resolutions - None

COMMISSIONER LIAISON COMMITTEE REPORTS**BARDWELL**

Behavioral Health Systems Board - Electronic meeting being scheduled.

Caro DDA/TIFA

Economic Development Corp/Brownfield Redevelopment

MAC 7th 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 - Meeting was held electronically.
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

Other Business as Necessary - None

At 12:57 p.m., there were a total of 29 people attending the electronic meeting.

Extended Public Comment - None

2020-M-109

Motion by Young, seconded by Vaughan to adjourn the meeting at 12:58 p.m.

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

Meeting adjourned at 12:58 p.m.

Jodi Fetting
Tuscola County Clerk