

# 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 16<sup>th</sup> day of September, 2021 with the meeting called to order at 8:00 a.m.

Commissioners Present: Thomas Young, Thomas Rowland, Doug DuRusso, Dan Grinstead

Commissioners Absent: Kim Vaughan

The following resolution was offered by Commissioner Young, seconded by Commissioner Grinstead.

## Resolution to Exempt Certain Counties from the Recently Updated Open Meetings Act (OMA)

### Resolution 2021-13

*Whereas*, the Tuscola County Board of Commissioners has concerns regarding the decisions made regarding PA 254, and

*Whereas*, prior to the most recent amendments to the OMA, it was generally well-settled that members of a public body could participate in a meeting electronically so long as a quorum of the public body was physically present at the meeting location, and

*Whereas*, before March 31, 2021 and retroactive to March 18, 2020 any circumstances, including, but not limited to, any of the circumstances requiring accommodation of absent members described in section 3(2), and

*Whereas*, on and after March 31, 2021 through December 31, 2021, only those circumstances requiring accommodation of members absent for the reasons described in section 3(2). For the purpose of permitting an electronic meeting due to a local state of emergency or state of disaster, this subdivision applies only as follows:

- (i) To permit the electronic attendance of a member of the public body who resides in the affected area.
- (ii) To permit the electronic meeting of a public body that usually holds its meeting in the affected area.

Whereas, after December 31, 2021, members of a public body will be allowed to participate in a meeting electronically only in the circumstances requiring accommodation of members absent due to military duty as described in section (3)2, and

Whereas, this substantive change eliminates a public body's previous flexibility to allow one or two members to participate remotely.

Therefore, **Be It Resolved**, that the Tuscola County Board of Commissioners requests that all counties with populations of 75,000 or less be exempt from the portion of PA 254 that allows only members absent due to military duty to be allowed to participate in meetings electronically.

**Be it Further Resolved**, that the Tuscola County Board of Commissioners submits this resolution to all Michigan Senators, all Michigan Representatives, all Michigan Counties, Michigan Township Association, all Tuscola County Cities and Townships, Gene Pierce, Tuscola Intermediate School District Superintendent and all Superintendents within Tuscola County.

Roll Call Vote:

Ayes: *Young, DuRusseau, Hineshaw, Bardwell*

Nays: *none*

*Absent - Vaughan*

Resolution declared adopted.

Date 9-16-2021



Thom Bardwell, Chairperson  
Tuscola County Board of Commissioners

I, Jodi Fetting, Tuscola County Clerk, 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 meeting on September 16, 2021.

Date 9-16-2021



Jodi Fetting  
Tuscola County Clerk