



## BOARD OF COMMISSIONERS SPECIAL MEETING AGENDA

March 29, 2021, 5:30 PM

Virtual Meeting Held in Accordance with Public Act 254 of 2020

Zoom Virtual Meeting

Meeting ID: 399-700-0062 / Password: LCBOC

<https://zoom.us/j/3997000062?pwd=SUdLYVFFcmozWnFxbm0vcHRjWkVIZz09>

*"The mission of Livingston County is to be an effective and efficient steward in delivering services within the constraints of sound fiscal policy. Our priority is to provide mandated services which may be enhanced and supplemented to improve the quality of life for all who work, reside and recreate in Livingston County."*

Pages

1. CALL MEETING TO ORDER
2. MOMENT OF SILENT REFLECTION
3. PLEDGE OF ALLEGIANCE TO THE FLAG
4. ROLL CALL
5. CALL TO THE PUBLIC
6. TABLED ITEMS FROM PREVIOUS MEETINGS
7. APPROVAL OF AGENDA
8. RECONSIDERATION OF RESOLUTION
  - a. 2021-03-040
9. CALL TO THE PUBLIC
10. ADJOURNMENT

Resolution Authorizing Livingston County to Declare a Local State of Emergency -  
Emergency Management

2

RESOLUTION

NO: 2021-03-040

LIVINGSTON COUNTY

DATE: March 22, 2021

---

---

## **Resolution Authorizing Livingston County to Declare a Local State of Emergency - Emergency Management**

**WHEREAS,** Livingston County has been impacted by the Novel Coronavirus (COVID-19), a respiratory disease that can result in serious illness or death; and

**WHEREAS,** Livingston County must be able to continue government and business operations safely, without posing a danger to the public or county officials; and

**WHEREAS,** On October 16, 2020 Senate Bill 1108 extended the ability to hold public meetings electronically / virtually through December 31, 2020 and retroactively from March 18, 2020;

**WHEREAS,** Senate Bill 1108 further states that between January 1, 2021 and December 31, 2021, public meetings may be held electronically / virtually if there is declared a statewide or local state of emergency or state of disaster as described in section 3(2); and,

**WHEREAS,** On December 23, 2020, Michigan Governor Gretchen Whitmer signed into law Senate Bill 1246, extending the authority for public bodies to conduct electronic "virtual" meetings for any reason through March 31, 2021.; and

**WHEREAS,** Senate Bill 1246 has not been amended and will expire on March 31, 2021; and

**WHEREAS,** Livingston County, as of March 8, 2021, has experienced 9,439 confirmed cases of COVID 19; 140 confirmed COVID 19 related deaths; and cases are expected to continue through spring of 2021; and

**WHEREAS,** Livingston County has received an insufficient amount of vaccine to address all currently eligible, groups and vaccinations for the general public may not be available for several months.

**THEREFORE, BE IT RESOLVED** that the Livingston County Board of Commissioners hereby authorizes a Local Declaration of Emergency in order to protect the safety, health, and wellbeing of the public and government officials while conducting business utilizing an electronic / virtual platform to hold public meetings, and meet the requirements of the Michigan Open Meetings Act.

**BE IT FURTHER RESOLVED** the Chairman of the Board of Commissioners be authorized to sign the Local Declaration of Emergency for Livingston County. The Local Declaration will cover all local jurisdictions within Livingston County to conduct public meetings utilizing electric / virtual platforms. The Signed Local Declaration shall be submitted to Michigan State Police Emergency Management Division by the Livingston County Emergency Management Coordinator, and filed with the Livingston County Clerk's Office.

**BE IT FURTHER RESOLVED** that due to the prolonged nature of this event, this emergency declaration may remain in effect until May 31, 2021 or when the board acts to terminate or extend the state of emergency.

# # #

**MOVED: J. Gross**  
**SECONDED: C. Griffith**  
**CARRIED: Roll Call Vote: Yes (5): J. Gross, C. Griffith, K. Lawrence, C. Reader, and B. Plank;**  
**No (4): W. Nakagiri, D. Helzerman, J. Drick, and M. Zajac; Absent (0): None**



## Memorandum

**To: Livingston County Board of Commissioners**

**From: Therese Cremonte, Emergency Management Coordinator**

**Date: 3/15/2021**

**Re: Resolution to Approve Local Declaration of Emergency– Emergency Management / Public Safety/ Finance / Full Board**

---

The local impact of the novel coronavirus (COVID-19), a respiratory disease that can result in serious illness or death, has created the need for a local emergency declaration in order for Livingston County to safely continue business while complying with the Michigan Opens Meetings Act.

Due to COVID 19, the following conditions exist: As of March 8, 2021, Livingston County has experienced 9,439 confirmed cases of COVID 19 and 140 confirmed COVID 19 related deaths. Cases are expected to continue through spring of 2021. Vaccine to combat the COVID 19 virus has been limited for the priority 1a, 1b, and 1c groups in Livingston County. To date, the amount of vaccine received in Livingston County is insufficient to vaccinate all eligible groups. This limited supply has hindered the ability of Livingston County to return to full operations. Further, the vaccine will likely not be available to the general public in Livingston County until summer of 2021, based on current estimates.

On October 16, 2020 Senate Bill 1108 extended the ability to hold public meetings electronically virtually through December 31, 2020 and retroactively from March 18, 2020. Further, that between January 1, 2021 and December 31, 2021, public meetings may be held electronically / virtually if there is a statewide or local state of emergency or state of disaster as described in section 3(2).

On December 23, 2020, Michigan Governor Gretchen Whitmer signed into law Senate Bill 1246, extending the authority for public bodies to conduct electronic "virtual" meetings for any reason through March 31, 2021. Senate Bill 1246 has not been amended and will expire on March 31, 2021

A Local Emergency Declaration by the Livingston County Board of Commissioners should be considered to continue holding electronic / virtual public meetings to protect the public and county leadership until the danger of the pandemic has passed, and vaccines are readily available to the Livingston County citizens.

Once approved and signed, the local declaration must be filed with the Michigan State Police, Emergency Management and Homeland Security Division, posted under the Livingston County Emergency Management Program Status on the Michigan Critical Incident Management System (MICIMS), and filed with the Livingston County Clerk's Office. Other jurisdictions within Livingston County may operate under the provisions of this Local Emergency Declaration for Livingston County.

If you have any questions regarding this matter please contact me.

## Local "State of Emergency" County of Livingston

Submission date: March 15, 2021

To: Deputy State Director of Emergency Management and Homeland Security – Emergency Management and Homeland Security Division, Michigan State Police; District 1 Emergency Management and Homeland Security Division Coordinator

Beginning on March 10, 2020 the County of Livingston sustained widespread injury, loss of life, and damaging economic impact caused by the novel coronavirus (COVID-19), a respiratory disease that can result in serious illness or death. As a result of this situation, the following conditions exist: as of March 8, 2021; Livingston County has experienced 9,439 confirmed cases of COVID 19 and 140 confirmed COVID 19 related deaths; Cases are expected to continue through spring of 2021, and Livingston County has received an insufficient amount of vaccine to address all currently eligible groups and vaccinations for the general public may not be available for several months leading into the summer of 2021, per current estimates. Livingston County is currently complying with the MDHHS issued epidemic orders under MCL 333.2253, which grants certain powers to the director of the department to protect public health. These epidemic orders partially replaced the EOs issued by Governor Whitmer to protect public health and safety.

On October 16, 2020 Senate Bill 1108 extended the ability to hold public meetings electronically / virtually through December 31, 2020 and retroactively from March 18, 2020. Further, that between January 1, 2021 and December 31, 2021, public meetings may be held electronically / virtually if there is a statewide or local state of emergency or state of disaster as described in section 3(2).

On December 23, 2020, Michigan Governor Gretchen Whitmer signed into law Senate Bill 1246, extending the authority for public bodies to conduct electronic "virtual" meetings for any reason through March 31, 2021. At this time, there is no amendment to extend Senate Bill 1246 beyond the expiration date of March 31, 2021.

The COVID 19 health crisis is expected to continue through the greater part of 2021. The health, safety, and welfare of Livingston County citizens, employees, directors, and government leadership is of paramount concern. This state of emergency is being declared by Livingston County in order to take action at the local level to protect the afore mentioned groups from the spread of infection, illness, and possible death caused by the COVID 19 virus.

Due to the prolonged nature of this event, this emergency declaration remains in effect until May 31, 2021 or when the board acts to terminate or extend the state of emergency.

Therefore, as Board of Commissioners Chairperson of the County of Livingston in accordance with Section 10 of 1976 PA 390, as amended, I hereby declare that a "state of emergency" exists within our jurisdiction as of March 15, 2021 and that local resources are being utilized to the fullest possible extent. The response and recovery elements of our emergency operations plan have been activated.

Authorized by:

Wes Nakagiri  
Chairperson, Board of Commissioners  
County of Livingston

Signature: \_\_\_\_\_

### Submittal Instructions

1. This declaration must be promptly forwarded (**via the MI CIMS as an attachment to the EM Program Status board, or by email, facsimile, or LEIN as a backup only if the MI CIMS is inoperable or not accessible / available**) to the Commanding Officer of the Emergency Management and Homeland Security Division, Michigan State Police (email address: MSP-EMHSD@michigan.gov; facsimile #: 517-284-3857; LEIN code: ELOP), and the appropriate MSP/EMHSD District Coordinator.
2. If the MI CIMS is inoperable or not accessible / available and using email, facsimile, or LEIN will delay the information, the telephone should be used. If telephone service is not available, radio may be used. MI CIMS or hardcopy confirmation must be forwarded as soon as possible.
3. A copy of this declaration should be kept on file with the local Clerk (County Clerk for counties; City or Township Clerk for municipal emergency management programs).