

**TUSCOLA COUNTY BOARD OF COMMISSIONERS  
TUSCOLA COUNTY, MICHIGAN  
RESOLUTION NUMBER: 2020-04**

At a regular meeting of the Board of Commissioners for the County of Tuscola, State of Michigan, held electronically via Google Hangouts in compliance with EO 2020-75 and EO 2020-77 on the 14<sup>th</sup> day of May, 2020 with the meeting called to order at 8:00 a.m.

Present: Thomas Young, Thomas Bardwell, Kim Vaughan, Mark Jensen, Daniel Grimshaw

Absent: None

The following resolution was offered by Grimshaw, seconded by Vaughan:

**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:

Ayes: Grimshaw, Young, Vaughan, Jensen, Bardwell

Nays: None

Resolution declared adopted.

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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 May 14, 2020.

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Jodi Fetting, Tuscola County Clerk  
Clerk to the Tuscola County Board of Commissioners