

RESOLUTION

NO: 2020-05-145

LIVINGSTON COUNTY

DATE: May 26, 2020

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## **Resolution in Support of the Request to Reclassify Livingston County – Board of Commissioners**

**WHEREAS,** since March 24, 2020, the people of the State of Michigan have been under a stay-at-home order and unable to go to work, gather in public or even visit family or friends in an effort to “flatten the curve” and attempt to stop the novel coronavirus that was infecting so many people and overwhelming our health care system in some urban areas; and

**WHEREAS,** through a series of Executive Orders, Governor Whitmer has extended this protracted period of lockdown, and there is great uncertainty about when or whether this will end; and

**WHEREAS,** it is undisputed that the novel coronavirus is highly communicable and dangerous primarily to those with comorbidity factors, but that “the curve” has been flattened and our health care system is capable of receiving and treating patients. What is also undisputed is that the current level of lockdown is unnatural and is itself the source of numerous other community problems, including rising rates of domestic violence, depression and suicides, and that this unreasonable extended prohibition on normal human interaction is having real negative effects and making us less neighborly, less human and more isolated. Also, it is undisputed that many individuals and businesses are suffering significant economic harm from the ongoing indiscriminate lockdown. Finally, the hype over the virus is causing residents in our area to fear going to the hospital for their actual, real medical emergencies, as reflected in the staggering number of EMT calls that result in the first responders arriving to find the patients already dead because their condition had already progressed so far; and

**WHEREAS,** a harsh and protracted quarantine of the presumptively healthy for the sake of the few medically vulnerable is not sustainable in a society, and inasmuch as Livingston County, which the Governor has inexplicably grouped with Wayne County in her MI Safe Start Plan to Reopen Michigan, it is not likely that a return to our natural freedoms will be permitted any time soon; and

**WHEREAS,** State Representatives Hank Vaupel (R-Fowlerville) and Ann Bollin (R-Brighton Township) have formally petitioned Governor Whitmer to reclassify Livingston County in District-5, rather than District-1.

**THEREFORE BE IT RESOLVED** that in order to protect the safety, welfare and rights of our County residents and businesses, and to state clearly our desire to reopen our community as soon as possible, the Livingston County Board of Commissioners, believing that it is inappropriate to indiscriminately lock down suburban and rural areas whose demographics are so dissimilar to the urban areas that were so badly affected, hereby SUPPORTS THE REQUEST made by Reps. Vaupel and Bollin to reclassify Livingston County in District 5 as regards the Governor’s MI Safe Start Plan.

**BE IT FURTHER RESOLVED** that Livingston County Clerk is hereby directed to transmit copies of this resolution to Governor Whitmer, State Senator Lana Theis, State Representative Ann Bollin, State Representative Hank Vaupel, the Michigan Association of Counties, and all Michigan Counties.

# # #

**MOVED:** W. Nakagiri  
**SECONDED:** K. Lawrence  
**CARRIED:** Roll Call Vote: Yes (8): W. Nakagiri, K. Lawrence, W. Green, D. Helzerman, R. Bezotte, G. Childs, J. Gross and C. Griffith; No (0): None; Absent (0): None

STATE OF MICHIGAN )  
) §  
COUNTY OF LIVINGSTON )

I, **ELIZABETH HUNDLEY**, the duly qualified and acting Clerk of the County of Livingston, Michigan do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the County Board of Commissioners at a regular meeting on the 26th day of May 2020, the original of which is on file in my office.  
IN WITNESS WHEREOF, I have hereto affixed by official signature on this 28th day of May 2020, A.D.

*Elizabeth Hundley*  
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**ELIZABETH HUNDLEY, LIVINGSTON COUNTY CLERK**



**KALKASKA COUNTY BOARD OF COMMISSIONERS  
RESOLUTION NUMBER 2020-16**

At a regular meeting of the Board of Commissioners for the County of Kalkaska, State of Michigan, held by ZOOM with EO 2020-75 and EO 2020-77 on the 20th day of May, 2020 with the meeting called to order at 5:30 PM.

Present: Commissioners Dave Comai, Patty Cox, Kohn Fisher, Leigh Ngirarsaol (by ZOOM), James Sweet (by ZOOM) and John West.

Absent: Commissioners Craig Crambell.

The following resolution was offered by West. Supported by Comai:

**COUNTY RESOLUTION 2020-16  
MOVE KALKASKA COUNTY FORWARD**

**Whereas**, Benjamin Franklin (1706-1790) stated "Any society that is willing to give up liberty for temporary security deserve neither and lose both"; and

**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**, the Kalkaska County Board of Commissioners perceive that certain restrictions in the Executive Order violate the civil liberties of Michigan residents that are protected by the United States Constitution and the Constitution of the State of Michigan of 1963; 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**, the response to the COVID-19 virus must be balanced as not to make the collateral impacts more devastating and punitive than the virus itself; 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 Kalkaska County, by following national guidelines for safe social distancing; now, therefore, be it

**Whereas**, the Kalkaska County Board of Commissioners believe all businesses are “essential” because they provide for the livelihood of their employees, and the financial hardship to those that are laid off is substantial; and

**Resolved** by the Kalkaska 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 Kalkaska 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 Kalkaska 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 Kalkaska 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

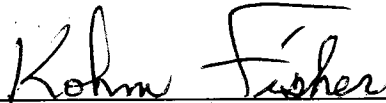
emergency and without the declaration of a statewide declaration of disaster; and be it further

**Resolved**, That we encourage hospitals, clinics and medical professionals in Kalkaska 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 a copy of this Resolution be sent to the Governor Gretchen Whitmer, US Senator Gary Peters, US Senator Debbie Stabenow, US Representative Jack Bergman, Senator Curt Vanderwall, Representative Daire Rendon, Michigan Association of Counties, Michigan County Clerks and Kalkaska County Township Clerks.

Roll Call Vote: West, yes; Comai, yes; Cox, yes; Crambell, absent; Ngirarsaol, yes; Sweet, yes; Fisher, yes. 6 yeas. 0 nays. 1 absent. Carried.

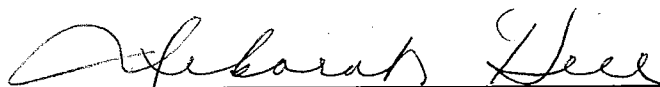
Resolution declared adopted.



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Kohn Fisher  
Chairman of the Kalkaska County Board of Commissioners

I, the undersigned, Clerk of Kalkaska County, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Kalkaska County Board of Commissioners at its Regular Meeting held on May 20, 2020.



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Deborah Hill, County Clerk  
Clerk of the Kalkaska County Board of Commissioners