

A RESOLUTION DECLARING A LOCAL STATE OF EMERGENCY WITHIN
WASHTENAW COUNTY AS OF MARCH 17, 2021 TO CONTINUE THROUGH
DECEMBER 31, 2021 DUE TO THE SUSTAINED PRESENCE OF COVID-19

WASHTENAW COUNTY BOARD OF COMMISSIONERS

March 17, 2021

Prepared by: Michelle Billard, Corporation Counsel

WHEREAS, the Novel Coronavirus, COVID-19 outbreak has been declared a pandemic by the World Health Organization and the magnitude of the spread and its significant impact on the health, education, commerce, and overall daily life is unprecedented; and

WHEREAS, various states of emergency at the local and federal levels have been declared since March 2020 due to the widespread, severe impact of COVID-19 across the county; and

WHEREAS, leading up to March 17, 2021, Washtenaw County experienced and continues to experience the occurrence and threat of widespread and severe damage, injury, loss of life and/or property caused by the COVID-19 pandemic; and

WHEREAS, since the beginning of the COVID-19 pandemic, public bodies have been permitted to meet entirely remotely due to exposure concerns through various amendments to Act 276 of 1976, the Open Meetings Act; and

WHEREAS, at the end of March, public bodies will no longer be able to meet remotely for any reason as outlined in the Open Meetings Act; and

WHEREAS, pursuant to the Open Meetings Act, public bodies may meet entirely remotely after March 31, 2021 and up to December 31, 2021 if a local state of emergency has been declared; and

WHEREAS, COVID-19 still poses a very real danger to the residents of Washtenaw County and positive cases are still regularly occurring despite efforts to vaccinate the population; and

WHEREAS, due to the sustained presence of COVID-19 in Washtenaw County, public bodies should still meet remotely to avoid unnecessary exposure to the members of the body and the members of the public; and

WHEREAS, given the above and pursuant to MCL 30.410 of the Emergency Management Act, Sue Shink, Chair of the Board of Commissioners, finds it necessary to declare a local state of emergency within Washtenaw County as of March 17, 2021; and

WHEREAS, the Board of Commissioners must consent in order for the local state of emergency to continue within the County beyond the first seven (7) days after declaration; and

WHEREAS, the Washtenaw County Board of Commissioners considers continuing the local state of emergency beyond the initial seven (7) days to be in the best interests of the public health of the residents of Washtenaw County.

NOW THEREFORE BE IT RESOLVED, pursuant to Act 390 of 1976, the Emergency Management Act, as amended, the Chair of the Washtenaw County Board of Commissioners, Sue Shink, hereby declares a local state of emergency exists in Washtenaw County as of March 17, 2021 due to the sustained presence of COVID-19 within Washtenaw County; and

BE IT FURTHER RESOLVED, the circumstances prompting the local state of emergency in Washtenaw County are in the form of widespread and severe damage, injury and loss of life and/or property resulting from the COVID-19 pandemic; and

BE IT FURTHER RESOLVED, there are specific concerns over various public bodies within Washtenaw County being able to continue to conduct business and host public meetings remotely in accordance with the remote meeting provisions outlined in Act 276 of 1976, the Open Meetings Act, as amended; and

BE IT FURTHER RESOLVED, there are also significant concerns that without a remote option to participate in public meetings and public comment, members of the public could unnecessarily expose themselves to COVID-19 by participating in public meetings in an in-person setting; and

BE IT FURTHER RESOLVED, by declaring a local state of emergency, public bodies within Washtenaw County will be able to conduct remote meetings while the emergency is in effect as permitted in the Open Meetings Act; and

BE IT FURTHER RESOLVED, pursuant to the Emergency Management Act, the Washtenaw County Board of Commissioners consents to the continuation of the local state of emergency as declared by the Chair beyond the initial seven (7) days outlined in the Act as the circumstances prompting the emergency will continue to exist into the coming months and extending the emergency is in the best interests of Washtenaw County; and

BE IT FURTHER RESOLVED, the local state of emergency shall continue to be in effect until December 31, 2021 unless a change in circumstances justifies cessation by the Board of Commissioners by resolution at an earlier date.