

**RESOLUTION**

**NO. : 21 - \_\_\_\_\_**

**VILLAGE OF PINCKNEY**

**DATE: August 9, 2021**

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**A RESOLUTION DECLARING A LOCAL STATE OF EMERGENCY FOR THE PURPOSE OF PERMITTING THE VILLAGE COUNCIL AND OTHER PUBLIC BODIES OF THE VILLAGE TO MEET BY ELECTRONIC AND TELEPHONIC MEANS**

**WHEREAS**, on March 2, 2021, the Director of the Michigan Department of Health and Human Services (MDHHS) made the following findings:

*"The novel coronavirus (COVID-19) is a respiratory disease that can result in serious illness or death. It is caused by a new strain of coronavirus not previously identified in humans and easily spread from person to person. COVID-19 spreads through close human contact, even from individuals who may be asymptomatic."*

**WHEREAS**, the Village declared a *LOCAL STATE OF EMERGENCY FOR THE PURPOSE OF PERMITTING THE VILLAGE COUNCIL AND OTHER PUBLIC BODIES OF THE VILLAGE TO MEET BY ELECTRONIC AND TELEPHONIC MEANS* on March 22, 2021 to address these issues, which Order lapsed when federal, state, and county COVID-19 restrictions on indoor gathering attendance and social distancing were repealed in July of 2021; and

**WHEREAS**, the Livingston County Health Department website reflects that as of August 2, 2021, the COVID-19 transmission level in Livingston County has increased to substantial - an increase from the previous level of moderate; and with the new level of COVID-19 spread, the local Health Department and CDC recommend that all individuals wear masks in indoor public settings, regardless of vaccination status and take other recommended steps to assist in addressing this increased transmission; and

**WHEREAS**, limiting some public gatherings, including at meetings of public bodies, has previously been recommended to help control such transmissions; and

**WHEREAS**, the Village Hall meeting facilities do not provide enough available space to reasonably meet the State mandated capacity and social distancing requirements for attendance at in-person public meetings attended by the Village Council, boards and commissions members, the required staff for public meetings, and even a limited number of public attendees, but can accommodate remote meetings; and

**WHEREAS**, the Village Council desires to conduct the public business of the Village in a manner so as not to place at risk members of the public, Village staff, or members serving on public bodies of the Village; and

**WHEREAS**, pursuant to the Open Meetings Act, as amended (MCL 15.261 *et seq.*), the ability to conduct remote, electronic meetings after March 31, 2021, is in most cases contingent on the declaration of a state or local state of emergency; and

**WHEREAS**, Open Meetings Act, as amended under Public Act 254 that took effect on December 22, 2020, allows remote electronic meetings of public bodies after March 31, 2021, if there is a statewide or local state of emergency that would risk the personal health or safety of members of the public or the public body if the meetings were held in person; and

**WHEREAS**, pursuant to Section 10 of the Emergency Management Act, Act 390 of 1976, as amended [MCL 30.410(b)], a municipality that has appointed an emergency management coordinator, such as the Village, may declare a local state of emergency if circumstances within the municipality indicate that the occurrence or threat of widespread or severe damage, injury, or loss of life or property from a natural or human-made cause exists; and

**WHEREAS**, the Village finds that it is in the best interest of the public health, safety, and welfare to declare a local state of emergency; and

**NOW, THEREFORE**, the Village Council of the Village of Pinckney, Livingston County, Michigan, resolves that pursuant to Section 10 of the Emergency Management Act (MCL 30.410), the Village Council declares that a local state of emergency exists in the Village due to the COVID-19 pandemic, and shall be extended beyond an initial seven (7) days to have a duration as provided in this Resolution.

**BE IT FURTHER RESOLVED**, that all boards and commissions meeting within the Village to the extent feasible may conduct their business and public hearings via electronic, remote means in compliance with the Michigan Open Meetings Act remote meeting procedures.

**BE IT FURTHER RESOLVED**, that the Village President and Emergency Services Coordinator are authorized to take any and all necessary administrative actions in order to effectuate this Resolution.

**BE IT FURTHER RESOLVED**, that this Resolution and the Emergency Declaration shall remain in effect until the Village Council determines through a formal resolution that the local State of Emergency no longer exists.

**BE IT FURTHER RESOLVED**, that the Village Clerk shall have a certified copy of this Resolution and Emergency Declaration promptly filed with the Emergency Management Division of the Department of State Police and with the Livingston County Emergency Services Coordinator.

Village Council Member \_\_\_\_\_ offered the foregoing Resolution, and moved its adoption. The motion was seconded by Village Council Member \_\_\_\_\_, and upon being put to a vote, the vote was as follows:

Rebecca Foster, President	_____
Linda E. Lavey, Trustee	_____
Brian Matson, Trustee	_____
Justin McInnes, Trustee	_____
Eirik Kauserud, Trustee	_____
Ted Kinczkowski, Trustee	_____
	_____

The President thereupon declared this Resolution approved and adopted by the Village Council of the Village of Pinckney this 9th day of August, 2021.

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Rebecca Foster, Village President

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the Village Council of the Village of Pinckney, County of Livingston, Michigan, at a meeting held on August 9, 2021.

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Jill Chapman, Village Clerk

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