

THE HONORABLE BOARD OF COMMISSIONERS OF BERRIEN COUNTY, MICHIGAN: respectfully recommends the adoption of the following:

RESOLUTION

WHEREAS, Michigan Public Act 390 of 1976 authorizes and vests the power in the Chairperson of the Board of Commissioners “[t]o declare a local state of emergency if circumstances within the county or 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, On April 2, 2020, the Chairman of the Board of Commissioners of Berrien County extended the originally declared local state of emergency (March 26, 2020) under Berrien Co. Emergency Order (B.C. E.O. 2020-2) for the response to a pandemic emergency causing deadly respiratory illness in Michigan (COVID-19); and

WHEREAS, Michigan Public Act 390 of 1976, Section 10, explains the term of a local state of emergency declared by the chief executive official county [s]hall not be continued or renewed for a period in excess of 7 days except with the consent of the governing body of the county or municipality; and

WHEREAS, the Berrien County Emergency Operations Plan (“Plan”) details the actions taken when an emergency occurs in Berrien County including but not limited to declaring a Local State of Emergency; “as necessary, appropriate and expend funds” (Annex A of the Plan); and organize and direct local and county disaster relief forces; and

WHEREAS, the conditions described in the previously written declarations of emergency still exist in Berrien County and it is expected that Berrien County will need to expand the number of days under the Local State of Emergency until at least Friday, May 31, 2020.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Berrien County Board of Commissioners authorizes the Chief Executive Officer to renew and extend the local state of emergency declaration issued on March 26, 2020, then extended on April 2, 2020; and execute all of the powers delegated to the Chief Executive under Michigan Public Act 390 of 1976 and all duties enumerated in the Berrien County Emergency Operations Plan; to include but not limited to expending funds, through May 31, 2020, if not before, by action of this Board.

**Respectfully submitted,
Berrien County Board of Commissioners**

William J. Chickering, PHS Chair

R. McKinley Elliott, Chair

Ezra A. Scott, Vice Chair

Mamie L. Yarbrough, Finance Chair

Jim Curran, Admin Chair

Don Meeks

Michael J. Majerek

Teri Sue Freehling

Robert P. Harrison

Chris Heugel

David Vollrath

Jon Hinkelman

RESOLUTION APPROVED AS TO FORM
Administrator W Date 4/29/20