

# Health Department To Host COVID-19 Testing and Flu Vaccination Clinic



Posted on Wednesday, November 11th, 2020 and is filed under [News](#). You can follow any responses to this entry through the [RSS 2.0](#) feed. You can skip to the end and leave a response. Pinging is currently not allowed.

[Health](#) Department to host a COVID-19 testing and flu vaccination clinic Ithaca, Stanton, St. Johns- The Mid-Michigan District Health Department (MMDHD) is hosting a free drivethrough COVID-19 testing and flu vaccination clinic on November 17 from 1:00 p.m. to 6:00 p.m. at Gratiot Integrated Health Network, located at 608 Wright Avenue in Alma.

Anyone over the age of 18 (sorry, no minors) will be able to be tested for COVID-19 during the one-day event. People in highrisk roles are highly encouraged to get tested.

Important information to be aware of regarding the COVID-19 test:

- The COVID-19 tests will be free-of-charge.
- The test will be available to anyone over the age of 18, even if they have no symptoms.
- No appointment is needed.
- No screening is needed.
- A doctor's order is not needed.
- Please bring a form of ID (a state or country issued ID or paperwork with your name and address (bill, mail or paystub).
- Please bring your insurance card(s).
- This is a drive-through clinic. Everyone will stay in their cars.
- Antibody testing will not be available.

The influenza vaccine (standard flu shot, the high-dose flu shot for those 65 and older, and preservative-free options) will also be available. The health department bills many insurances and participates with the Vaccines for Children (VFC) program and Medicare Part B, which will cover the entire cost for seniors. Those without insurance will be billed a small administrative fee for the flu vaccine, based on income. No one will be turned away because of an inability to pay.

**CORONAVIRUS IN MID-MICHIGAN**

# Gratiot death among seven in region

**By Eric Baerren**

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Seven more people across mid-Michigan have died from COVID-19, including one in Gratiot, as of Wednesday afternoon.

The Gratiot death was a man who was in his 80s, said Leslie Kinnee, spokeswoman for Mid-Michigan District Health Department.

In its daily update of cases and deaths, the Michigan Department of Health and Human Services reported 23 deaths in Gratiot County. That was two more than Tuesday's 21 deaths.

Kinnee said there might have been another death, but that the health department hadn't seen it for confirmation.

In addition to the new death, Gratiot saw its cumulative total of confirmed cases increase by 16 to 1,087 on Wednesday.

None of the remaining deaths were in either Clare County, which has 22; or Isabella, which has 17.

Another 33 cases were reported in Isabella

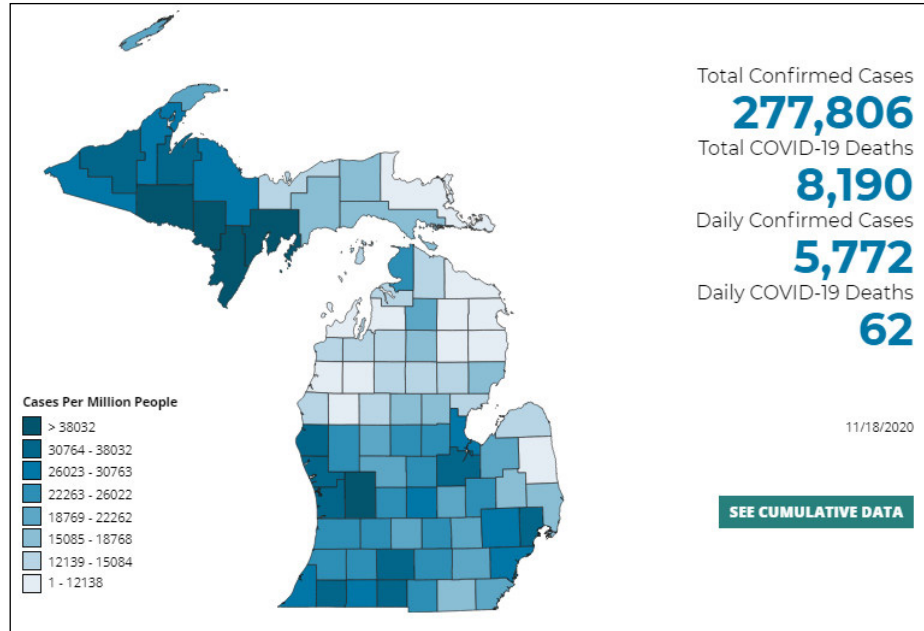


IMAGE PROVIDED BY MDHHS

County, however, bringing its cumulative total to 1,737. Another 18 cases were reported in Clare County, bringing its cumulative total to 502.

The remaining eight deaths were spread around in the other four counties of mid-Michigan. They, and their new cases, were as follows:

- Four more deaths in Montcalm County for a

total of 21, and an additional 24 confirmed cases for a cumulative total of 1,258;

- One more death in Gladwin County for a total of seven, and an additional 21 confirmed cases for a cumulative total of 477;

- One more death in Midland County for a total of 19, and an additional 82 confirmed cases for a

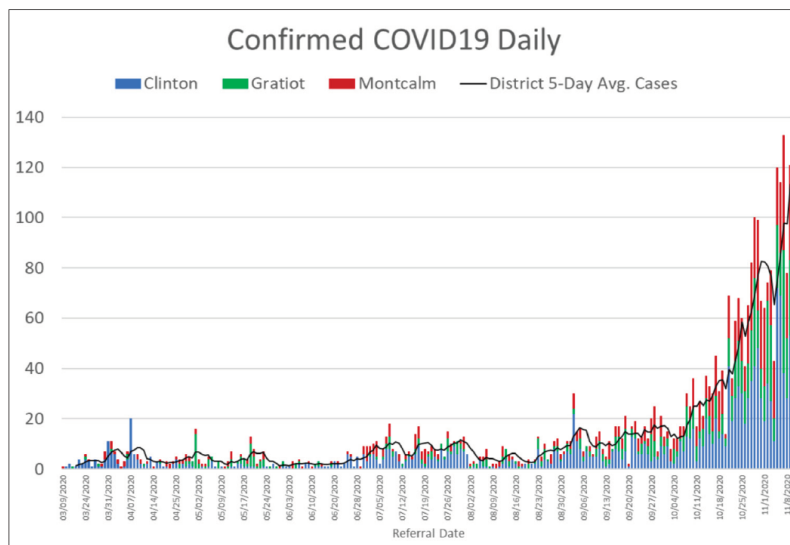
cumulative total of 2,049; and,

- Another nine confirmed cases in Mecosta County for a cumulative total of 943, with seven deaths that remained unchanged from Tuesday.

Statewide, another 5,772 confirmed cases were reported for a cumulative total of 277,806, and another 62 deaths for a total of 8,190.

# Gratiot County Herald

Thursday, November 19, 2020



This graph, provided by the Mid-Michigan District Health Department, shows daily new COVID-19 cases in the region since the beginning of the pandemic. Cases have exploded in recent weeks, with the current number of new cases dwarfing the spikes the area saw in the spring and summer.

## THE COST OF COVID

Public Health and Healthcare are Overwhelmed —  
and It's Just Getting Worse

# Gratiot County Herald

## Thursday, November 19, 2020

**By Emma Selmon**  
**Herald News Editor**

Gratiot County gained more COVID-19 cases in this past week than in the first seven months of the pandemic combined.

That's more new cases in just seven days than in all of March, April, May, June, July, August and September put together.

Gratiot saw 291 new COVID-19 cases from Tuesday, Nov. 10 to Tuesday, Nov. 17. For comparison, the county had seen a total of 272 cumulative cases as of Tuesday, Oct. 6.

The county's current cumulative confirmed case count has hit 1,071, and the death toll is up to 21 with the passing of a 90-year-old man this week, according to the Mid-Michigan District Health Department (MMDHD).

With Gratiot once again shattering its own record for the most new COVID cases gained in a single week, its neighbors are on par — or worse. Montcalm saw 272 new cases identified this week, and three more residents passed away. In Clinton County, 484 more individuals were diagnosed.

There were 392 more cases in Isabella County, one more death — 540 more in Midland County, four more deaths. And in Saginaw County, one week brought 1,156 new COVID-19 cases and 17 more deaths.

The number of cases that mid Michigan is seeing is “just ridiculous,” said MMDHD Health Officer Marcus Cheatham in a press conference last week. COVID-19 is spreading “very, very rapidly,” and the pandemic is once again becoming “like it was in the spring”: COVID-19 is a leading daily cause of death, getting close to the likes of cancer and heart disease, he said.

But unlike the spring, when the worst of the pandemic was concentrated in the southeastern portion of the state, cases are now on the rise everywhere, Cheatham said.

“Rural areas, in many cases, actually have worse COVID than the urban areas do, so it's everywhere... it's increasing exponentially,” he said.

On the current trajectory of cases — and they “don't see any breaks coming” — Michigan as a whole could be soon looking at “having a death a day for every county in the state,” which would be upwards of 80 deaths each day, he said.

With the holiday season coming up, and as people become weary of pandemic precautions, Cheatham cautions against any sort of in-person gatherings. Unsafe gatherings where people from different households are inside, unmasked and not distancing are “the one thing” that is driving the pandemic, and public health is worried that holiday gatherings will trigger disastrous COVID-19 spread.

“This is not the time to gather,” he said. “The answer this holiday season is no.”

The MMDHD is feeling the strain with the surge of COVID-19 cases. Cheatham said that they are so “overwhelmed” that they are not able to provide the services they've promised.

The MMDHD is supposed to return within 24 hours 100 percent of the calls they receive, Cheatham said. Currently, they're able to return just 25 percent of calls within that timeframe.

That means that already, the MMDHD is “no longer investigating every case” of COVID-19. They're prioritizing their responses to focus on vulnerable populations, schools and large outbreaks. But other calls might not be returned in a timely fashion — and if they investigate a case after the individual has “already gone through their infectious period,” they “essentially didn't investigate the case.”

“We're at the point where we have to talk honestly: it's not working, and that's where we already are at,” he said. “Now imagine it's twice as bad, which is where we're headed.”

The healthcare system is feeling the strain as well. Locally, MidMichigan Health is seeing that same exponential increase in inpatient COVID-19 cases, said Marita Hattem-Schiffman, president of MidMichigan Health — Central Region.

At the peak of the pandemic in March and April, the entire MidMichigan Health System — which includes hospital locations in Alpena, Clare, Gladwin, Gratiot, Midland, Mt. Pleasant and West Branch — had no

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more than 20 COVID-19 inpatient cases at any given time.

On Friday morning, that number was 85.

“It is easily four times what we saw in the springtime,” Hattem-Schiffman said. “That’s a dramatic increase.”

Within the system, the Midland hospital is seeing the highest number of COVID-19 cases, while Gratiot is a close second. They’ve been using their “bed surge” plans: intensive care patients are overflowing into the progressive care unit, the progressive care patients are overflowing into acute care.

The way things are headed, Hattem-Schiffman worries that demand could exceed the hospital’s resources. “If we stay on the trajectory that we’re on — and there’s no reason to believe that these numbers are not going to just continue to increase — we are going to hit a tipping point, and we’re very, very concerned about that,” she said.

Hattem-Schiffman said that at the moment, the hospital has enough personal protective equipment. The resource she’s most worried about, however, is people.

As of Friday, 66 staff members were off of work due to the 14-day quarantine for a COVID-19 exposure, which is “making a big dent in [their] ability to staff.” And while Hattem-Schiffman is “truly inspired” by her employees for going above and beyond to continue patient care, she said it’s vital for the community to “protect our healthcare workers” so that resources are not stressed to the point that services are affected. Cheatham agrees that it’s critical to keep the front line doctors and nurses protected.

“Just looking at the bed numbers and not taking the impact on staff into account is really missing the point in terms of how much these systems can handle,” he said.

An overwhelmed hospital system will affect more than just patients with severe COVID-19, Cheatham warned. A hospital flooded with patients and strapped for resources can’t provide the same level of care, and deaths on all fronts — not just from COVID, but from injuries, heart disease, diabetes and everything else — would increase.

That being said, the number of COVID patients in hospital beds, or even the percentage of COVID patients dying from the disease, is not the metric by which to gauge the impact of a pandemic, Cheatham said.

One of the biggest impacts is simply the volume of sick and infectious people. Whether they’re deathly ill or just infectious without symptoms, individuals with COVID-19 must quarantine and can’t go to school or work, which has an enormous impact on daily life and the local economy, Cheatham said.

These quarantines are “really, really important” to slow the spread of COVID-19 — without this intervention, the pandemic would be much worse, he said.

Cheatham and Hattem-Schiffman both agree that it is important for businesses and schools to stay open for the economy, but in order to make that happen, everyone needs to commit to COVID-19 safety protocols like masking and social distancing. These measures will reduce the spread of COVID-19 and will allow life to be as “normal” as possible until a vaccine is widely available.

Cheatham said that the “evidence is crystal clear” that masking and distancing greatly reduces the risk of spreading COVID.

“These public health interventions are really, really important in getting us back to normal,” he said.

And Hattem-Schiffman pointed out that “COVID doesn’t care” about politics, and it’s going to continue to spread regardless of people’s feelings about masks. She views safety measures like masking and distancing as a “human responsibility” to take care of one another.

“Unfortunately with this virus, it’s not a personal choice because you’re going to give it to others... You don’t have a right to make that choice for everybody else around you,” she said.

In addition to taking these precautions in public places, Hattem-Schiffman and Cheatham agree that it is vital for people to avoid gatherings with individuals outside of their pandemic bubble. Cheatham said that this year is “a time for family Christmas,” and that traveling or large family gatherings should be avoided, though it is difficult to forgo these holiday traditions.

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Healthcare workers understand the difficulty of not being able to gather for the holidays. Hattem-Schiffman pointed out that on top of responding to the pandemic, they're "all making the same sacrifices [they're] asking everybody else to make."

As Thanksgiving and the December holidays approach, she wants to remind the public that "we are all in this together" — and that "we are all equally responsibly to do our part."

"We really need people to resist the temptation to get together," she said. "The odds are just so high that there will be transmission as a result of that, so we've just got to beg people not to do it."

**MID-MICHIGAN**

# Region reports 252 new virus cases

## Gratiot County hits 25 virus deaths

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**By Eric Baerren***ebaerren@medianewsgroup.com*  
*Multimedia journalist*

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A new COVID-19 death was reported by the state in Gratiot County, bringing its total number to 25. Across mid-Michigan, another 252 confirmed cases were reported.

No information was immediately available on the person. Leslie Kinnee, spokeswoman for Mid-Michigan District Health Department, said that she hadn't seen any information about a 25th death.

She did have information about two earlier deaths reported this week in Gratiot. They both involved men in their 70s.

The Michigan Department of Health and Human Services also reported that Gratiot's cases had increased to 1,489, which would have been a one-day increase of 357 confirmed cases. That is almost certainly not accurate.

On the other hand, MMDHD reported 1,174 cumulative cases on Friday, an increase of 42. That more closely adheres to the trend of cases in Gratiot County.

An additional 52 cases were reported in Isabella County, with a cumulative total of 1,832, and 17 deaths.

In Clare County, another 15 cases were re-

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# Cases

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ported for a cumulative total of 534, with 22 deaths.

Elsewhere in mid-Michigan, new cases were reported as follows:

- In Midland County, another 56 cases were reported for a cumulative total of 2,154, with 21 deaths;
- In Montcalm County, another 45 cases were re-

ported for a cumulative total of 1,352, with 21 deaths;

- In Gladwin County, another 31 cases were reported for a cumulative total of 530, with seven deaths; and,

- In Mecosta County, another 11 cases were reported for a cumulative total of 973, with seven deaths.

Statewide, another 9,779 cases were reported for a cumulative total of 295,177, and another 53 deaths for a total of 8,377.



# Daily News

Monday, November 23, 2020

## Drive-thru diligence

Health officials encourage social distancing, COVID-19 testing as positivity rates, cases continue to increase locally

By [Cory Smith](#) | on November 23, 2020

STANTON — As positive cases of COVID-19 continue to be reported at a higher-than-desired rate locally and throughout the state, the view of a long line of cars at a free testing event Friday was a welcome sight to health officials.



In addition to free COVID-19 tests, those who participated in Friday's drive-thru testing event held by the Mid-Michigan District Health Department at the Montcalm Care Network in Stanton were also able to receive a flu shot, courtesy of the Health Department. — DN Photo | Cory Smith

With vehicles coming and going at a drive-thru event held by the Mid-Michigan District Health Department (MMDHD) at the Montcalm Care Network in the heart of Montcalm County, MMDHD Emergency Preparedness Coordinator Hailey Brewer was encouraged by the number of people who chose to receive a test.

From 11 a.m. to 4 p.m., Brewer said a fairly steady amount of vehicles came through. In addition to free COVID-19 tests, the drive-thru event also offered the flu vaccine, which Brewer said was equally as important.

“We wanted to make sure people had these opportunities, to be tested and get their flu shot,” she said. “Because it’s flu season, we want everyone to get their flu shot. We don’t want the hospitals to be filled with people who have the flu.”

In recent weeks, the state has witnessed a surge in positive COVID-19 cases, as well as an increase in the percentage rate of positive tests.

Using the metric of a one-week average, from Nov. 14 through Nov. 20, the Michigan Department of Health and Human Services (MDHHS) reported an average statewide positivity rate of 13.06% with 62,246 positive tests reported during that period. By comparison, in that same timeframe, Montcalm County reported an average positivity rate of 10.88% with 307 positive tests reported.

The increase for Montcalm County is significant, as from when the first positive case was reported on March 6, it took until Sept. 16 — 194 days (28 weeks) — until the county reached a cumulative total of 307 positive tests.

With 1,389 positive cases to date and 21 related deaths reported in Montcalm County (population of 63,342), there’s no evidence yet suggesting that the spread of the virus is slowing down locally, but rather the opposite.



A nurse with LTS Health Mobile Testing Lab performs a COVID-19 test of an individual at Friday’s free drive-thru testing event held by the Mid-Michigan District Health Department at the Montcalm Care Network in Stanton. — DN Photo | Cory Smith

At local hospitals, occupancy rates are now cresting 80% — a nearly five-fold increase since Oct. 1.

According to the MDHHS, on Oct. 1, there were 693 people hospitalized with coronavirus statewide.

As of Nov. 19, that number was 3,782 — a 546% over seven weeks.

At Spectrum Health United Hospital in Greenville, which reports a total of 88 hospital beds, the MDHHS is reporting that as of Nov. 19, the hospital currently had 16 COVID-19 patients — three of them in intensive care — with overall bed occupancy, including non-coronavirus patients, at 82%.

The good news is that in terms of personal protection equipment (PPE) such as N-95 masks, surgical masks, gowns, exam gloves and eye protection, United Hospital reports greater than 30 days worth of supplies for all categories.

At Sparrow Carson City Hospital in Carson City, which reports a total of 48 hospital beds, the MDHSS reported the hospital with four COVID-19 patients with none in intensive care and bed occupancy at 83%. Sparrow Carson also reported greater than 30 days worth of supplies for all PPE categories.

Spectrum Health Kelsey Hospital in Lakeview, which reports a total of 43 hospital beds, does not admit patients with COVID-19 symptoms and the MDHSS listed the hospital at 0% occupancy. Kelsey also reported greater than 30 days worth of supplies for all PPE categories.

Sheridan Community Hospital in Sheridan, which reports a total of 22 hospital beds, has zero COVID-19 patients but the MDHSS reported occupancy at 80%. Sheridan only reported greater than 30 days worth of PPE supplies for N-95 masks, with 15 to 30 days worth of supplies for gowns and seven to 14 days worth of supplies for surgical masks, exam gloves and eye protection.



Those results are in line with most hospitals in West Michigan, as Spectrum Health President & Chief Executive Officer Tina Freese Decker said in a statement last week. According to Decker, of the thousands of tests conducted at Spectrum's 14 hospitals, more than 18% of people tested for COVID-19 are testing positive. Hospitalizations have quadrupled within the hospital network in the last four weeks and are now five times higher than the previous COVID-19 peak in the spring.

"People are coming to us very, very sick," Freese Decker said. "One in 10 patients hospitalized with COVID-19 are dying. This virus is affecting all groups, young and old, across all populations."

Decker added that because hospitals throughout the state and nation are experiencing the surge at the same time, there is very limited opportunity to share staff and transfer patients.

"Our teams of doctors, nurses, caregivers and support staff are working tirelessly to do everything possible to battle this virus, but we cannot do it without your help," she said. "Wear a mask — they do protect you and others. Wash your hands often. Stay socially distant. Avoid all gatherings. I know this is hard, but the sacrifices you are making now truly will save lives."

Sean Nash, a director of quality control and safety with LTS Health Mobile Testing Lab, which worked in coordination with the state-contracted Washington state-based Honu Management Group to perform the testing at Friday's drive-thru event, continue to stress the importance of getting a COVID-19 test.

"The steady flow of cars coming is always great, seeing people getting in to get their preventative testing," Nash said. "Especially with the holidays coming up, it's going to be a huge deal, being tested. Going through the holidays, getting tested before they go back to work after being around family, that's important, so it's promising seeing more people getting tested. The numbers have been going up and we've been getting a lot more people who have been participating in testing, so the numbers have been creeping up in a lot of different areas."

Friday's drive-thru event was the second such event hosted by the MMDHD in Montcalm County this year, and while hospitals and other testing sites are beginning to run low on testing supplies, Brewer said no one was turned away.

"A lot of people are aware that cases are rising very quickly in the state of Michigan," she said. "Here in Montcalm County, Gratiot County and Clinton County, we're no different. Cases are rising across the board and hospitals and health systems are kind of scaling back their testing because of not having enough testing supplies. A lot of asymptomatic people can't be tested anymore, so holding these clinics, it gives anyone the opportunity — we will test anyone and everybody that wants to be tested. Some might be ill, some might not be, but at the end of the day, we don't care, as long as people are getting tested and being safe."

Brewer encouraged all Michiganders to continue practicing social distancing, especially with Thanksgiving coming up.

"To try and stop the spread we really need people to socially distance and not gather," she said. "We are recommending that people stay home, follow the Pause to Save Lives order from the MDHHS, with only two households communicating and spending time together.

"You shouldn't be having everybody together. That's a potential for a very bad outcome, if someone were to become ill," she said. "Our recommendation is to not gather, to instead stay at home as much as possible and limit your contact with other individuals. It's sad because it's Thanksgiving and everybody wants to gather, but we've got to protect those at-risk individuals and make sure we are doing our due diligence for them."

**CORONAVIRUS IN  
MID-MICHIGAN**

# 3 deaths in Gratiot brings its toll to 28

Isabella's total moves to 18

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**By Eric Baerren**

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Three people in Gratiot County and one in Isabella County died from Friday to Saturday, bringing Gratiot's total COVID deaths to 28 and Isabella's back to 18.

A total of seven deaths from COVID-19 were reported around mid-Michigan over the weekend.

The three latest people in Gratiot including two women, one in her 60s and one in her 90s, and a man in his 50s, said Leslie Kinnee, spokeswoman for Mid-Michigan District Health Department. Kinnee also said that two deaths reported last week without detail involved men in their 70s.

Gratiot's total number of deaths from COVID-19 increased to 28.

As of Monday, Gratiot's cumulative total of confirmed cases stood at 1,258. On Friday, while the Michigan Department of Health and Human Services reported 1,489, MMDHD reported 1,174. Monday, MMDHD reported 1,259 cases.

Isabella County's 18th death

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# Update

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was announced by the Michigan Department of Health and Human Services on Saturday. It involved a elderly man with underlying health conditions who was hospitalized, said Steve Hall, Central Michigan District Health Department health officer.

The county's death toll had previously hit 18, but that was corrected to 17.

Another 133 cases were

reported in Isabella County from Friday to Monday for a cumulative total of 1,965.

The four deaths come as cases increase across the region and new outbreaks are being reported at area nursing homes. The Isabella death was not associated with a nursing home outbreak, Hall said.

No new nursing home deaths have occurred in Gratiot County, according to state records, but a new outbreak at The Laurels of Fulton has infected 18 residents and 12 staff.

In Clare County, another

46 cases were reported between Friday and Monday for a cumulative total of 580, with 22 deaths.

Elsewhere in mid-Michigan, new deaths were reported in three counties. They, and cumulative case numbers are as follows:

- One person died in Midland County, bringing its total to 22, and confirmed cases increased by 143 since Friday, bringing its cumulative total to 2,297;

- One person died in Montcalm County, bringing its total to 22, and confirmed cases increased by

164 since Friday, bringing its cumulative total to 1,516;

- One person died in Gladwin County, bringing its total to eight, and confirmed cases increased by 48 since Friday, bringing its cumulative total to 578; and,

- In Mecosta County, another 72 cases were reported since Friday, bringing its cumulative total to 1,045, with seven deaths.

Statewide, another 12,011 cases were reported across the weekend for a cumulative total of 314,216, with another 65 deaths reported for a total of 8,543.

# Daily News

Wednesday, November 25, 2020

## County health departments overwhelmed with COVID complaints

By [Elisabeth Waldon](#) | on November 25, 2020



The topic of whether the Mid-Michigan District Health Department has the authority to enforce face mask use at local restaurants was debated at the Oct. 28 Board of Health meeting. Pictured are, from top left clockwise, Health Officer Marcus Cheatham, Gratiot County Commissioner Chuck Murphy, Environmental Health Director Liz Braddock and Montcalm County Commissioner Adam Petersen. — DN Photo | Elisabeth Waldon

From the way beer glasses are being refilled to a lack of pandemic signage to an empty picnic table sitting outside of a restaurant, health departments in Ionia and Montcalm counties continue to field a host of mostly anonymous (and sometimes trivial) COVID-related complaints about restaurants and other businesses — now nine months into the ongoing pandemic.

The Daily News obtained a list of the complaints via a Freedom of Information Act (FOIA) request from the Ionia County Health Department and the Mid-Michigan District Health Department (MMDHD).

“Reusing beer cups for draft beer overflowing beer over the spout inside the dirty glass while touching the cup directly to the tap itself,” an Oct. 3 complaint stated about the Friars & Grill Bowling Alley in Ionia.

“The glasses were being touched to the spout on the beer tap and beer was filling over the spout in each glass, contaminating the beer tap and each glass it touches,” an Oct. 4 complaint stated.

Other recent complaints have included:

- An Oct. 9 complaint that there were no COVID-related signs posted at McKenna's Village Restaurant in Lakeview.
- An Oct. 27 complaint about an employee doing an oil change without wearing a face mask at Ed Koehn in Greenville.
- A Nov. 3 complaint alleging not enough social distancing at the Sidney Tavern during a televised Michigan State University vs. University of Michigan game.
- A Nov. 9 complaint alleging up to eight people were sitting at a table at the Winter Inn in Greenville and that no one was writing down customer names and phone numbers.

While the MMDHD requires names of complainants regarding most topics — such as food or septic issues — an exception has been made regarding COVID-related complaints, which may now be made anonymously. The Ionia County Health Department typically doesn't take anonymous complaints either, but they do sometimes now on a case by case basis.

A team of about 10 people each are taking COVID-related calls from the general public on behalf of both county health departments. The MMDHD COVID hotline operators took calls all day long on Veterans Day and they will likely work the Friday after Thanksgiving as well.

“We weren't set up for this,” MMDHD Environmental Health Director Liz Braddock told the Daily News. “The volume of calls we're getting is just huge right now.”

Some of the complaints seem frivolous (like a caller this past May who wanted to report that there was a picnic table — empty — stationed outside of Cross Roads Diner in Stanton). Many of the complaints aren't even within the local health department's jurisdiction but fall under state department responsibility instead.

Grocery stores and dollar stores are under the jurisdiction of the Michigan Department of Agriculture & Rural Development (MDARD), manufacturing facilities (such as factories) are under the jurisdiction of the Michigan Occupational Safety & Health Administration (MIOSHA) and alcohol-related complaints are handled by the Michigan Liquor Control Commission.

However, local health departments field calls regarding all those facilities and more, as the chain of command is not common knowledge to public of the public (visit [michigan.gov/coronavirus](https://michigan.gov/coronavirus) for a list of which state departments handle specific COVID-related complaints).

Ionia County Health Officer Ken Bowen said his health department has received a few allegations about employers requiring employees to work while sick. Those complaints get forwarded to MIOSHA.

“Most of them are mask complaints,” said Bowen of the calls and emails he is receiving about local businesses. “I don't consider that to be trivial, but they aren't as critical as, for example, an employer requiring people to work while sick.”

Braddock emphasized to the Daily News that the MMDHD is not issuing fines to businesses for alleged COVID-related violations.

“MIOSHA may issue fines, the Liquor Control Commission may issue fines, but we don't issue fines right now during this part of the pandemic, we just issue warning letters,” she noted. “This (the state health department order) is



very different than the governor's executive orders (from earlier this year). We still continue to enforce public health code and the food code and the Michigan Food Law.”

## **LOCAL RESTAURANTS REFERRED TO STATE**

While most local restaurants have been complying with state orders, county health departments have had repeated communications with several facilities, all of which ended up forwarded to state agencies without the county health departments taking any further action.

The MMDHD received three complaints in July and September about Catch 120 Grill in Reynolds Township just north of Howard City alleging a lack of masks on employees and customers (including some employees allegedly cutting part of their own masks), a lack of social distancing at the bar, all tables being open (instead of reduced to 50%) and condiments being available to everyone. The MMDHD forwarded the complaints to the Michigan Liquor Control Commission (which did not return messages seeking comment from the Daily News).

Catch 120 Grill closed entirely on Nov. 18 for the time being in response to the state health department's no indoor dining order.

“The numbers are just too low to do pickup delivery and curbside,” stated a post on the restaurant's Facebook page. “Hopefully it's just for the 3 weeks and she doesn't have it extended. We will get through this together.”

Rusty's Amble Inn on M-46 in Winfield Township (just five miles east of Catch 120 Grill) was inspected by MMDHD Environmental Health Specialist Eric Deford after the health department received several complaints this summer.

“Amble Bar will not stop people coming in to bar per executive order as long as they are making money,” Deford wrote in his Aug. 13 report. “This facility has been reported to MIOSHA by myself and if nothing is done by them to write a fine no compliance will be done. This is currently the fourth COVID complaint for the facility, along with a site visit and a phone interview by Environmental Health Director Liz Braddock. No concern for safety of the public at Rusty's Amble Inn. Best enforcement for a facility like this would be not allowing facility to operate until all executive orders are done completely and everything is back to normal.”

MMDHD Health Officer Marcus Cheatham wrote a “public health warning letter” on Aug. 27 to Amble Inn owner Russell “Rusty” Smith stating that the health department was receiving complaints regarding lack of mask use when entering the facility and no provisions in place for social distancing. Cheatham wrote that Smith was ordered to ensure that all customers entering the facility were wearing masks, that all employees were wearing masks, maintaining social distancing of at least six feet between tables and at the bar area and reducing indoor seating capacity by 50%. Cheatham cc'd his letter to MIOSHA and the Liquor License Commission.

The Amble Inn closed entirely Nov. 18 for the time being due to the state's no indoor dining order.

“We will update as we find more out,” stated a post on the Amble Inn Facebook page. “We will not be open for take-out either. Thank you for your support ... we will miss you all!”

The Ionia County Health Department received three complaints this past summer that staff at the Subway in Ionia were not wearing masks while preparing or serving food or completing transitions with customers in June and August. The health department wrote an Aug. 4 letter warning that Subway would be referred to the Michigan Attorney General's Office, MIOSHA and the Ionia County Prosecutor's Office if the problems persisted.

Bowen said the restaurant complied and the county health department didn't take any further action and no state agencies got involved.

Braddock said the overwhelming majority of Montcalm County businesses have been complying with state orders — whether those be the governor's executive orders, which were found to be unconstitutional, or the new state health department order, which took effect last week.

“Most people are doing the best that they can,” Braddock said. “They do what they need to do. They are working with us. I feel that our restaurants know what to do in these events. The restaurants know that we are here working with them. We are not so much trying to enforce as we are trying to educate as people and restaurants try to work through these very difficult three weeks.

“Many restaurants have reached out to us and asked for guidance regarding outdoor seating and we have provided it based on what the state FAQs say (read the state's answers to frequently asked questions about how the latest order affects restaurants at [www.michigan.gov/coronavirus/](http://www.michigan.gov/coronavirus/)),” Braddock added. “Some restaurants have chosen to do outside dining, some are just doing take-out and some have chosen to close.”

# Daily News

Wednesday, November 25, 2020

## Lakeview bar/restaurant defies state health department order

By [Elisabeth Waldon](#) | on November 25, 2020



“We are open for dine in” reads a marquee outside of Chapz Roadhouse in Lakeview on Tuesday. The owners of the steakhouse are defying a Michigan Department of Health & Human Services order which states that all restaurants must close for dine-in services; however, the owners emphasized to the Daily News that their marquee has stated “We are open for dine in” since the last restaurant shutdown ended in June and they are unable to update the sign due to a computer issue and that they are not trying to flaunt being open. — DN Photo | Elisabeth Waldon

LAKEVIEW — That day in mid-March when all Michigan restaurants were ordered to shut down, Dan and Camille Schutte had just received an \$8,000 food delivery for their restaurant.

They complied with Gov. Gretchen Whitmer’s executive order and gave the food away to a local church, as well as to the Schuttles’ two dozen employees at Chapz Roadhouse in Lakeview at the intersection of M-46 and M-91.

When Chapz Roadhouse was allowed to reopen for in-person dining in June, the Schuttles ordered another \$8,000 worth of food. Whitmer’s executive order was later found to be unconstitutional by the Michigan Supreme Court in October.

Then the Michigan Department of Health & Human Services order came down last week that all restaurants must once again close to in-person dining for three weeks.

“I’m not doing it again,” Dan declared. “What’s the point? The governor is going to put us out of business.

“At some point you have to take a stand,” he said. “I intend on following the Constitution. I will take it all the way. I will take it to the Supreme Court if I have to. I’m not backing down.”

And so the Lakeview bar and restaurant remains open for in-person dining. The Schuttles have retained an attorney who advised them to continue to comply with CDC guidelines, which they say they have always been doing. A sign on the door clearly asks all customers to don a face mask before entering.

“We’re wearing masks and staying six feet apart,” Camille said. “We’re hand washing and washing down our stuff, we’re wiping down our menus, no one touches the same menu twice. We’re at 50% capacity with our tables. We are totally complying with everything we can.”

When Chapz Roadhouse opened for business on New Year’s Eve 2018, it was a long-awaited dream come true for the Schuttles. They had purchased the former Spyke’s Bar & Grill in 2016 with big plans for improvements, but those plans were delayed after the Schuttles lost their home in a fire that December. Three years later, they had persevered and opened the renovated facility.



“This is our retirement. We saved up for this. At some point you have to take a stand.” Dan and Camille Schutte opened Chapz Roadhouse in Lakeview on New Year’s Eve 2018. They plan to stay open for dine-in service despite a Michigan Department of Health & Human Services order issued last week. — DN file photo

“This is our retirement,” Camille said. “We saved up for this. Our livelihood is our business.”

Camille said unemployment pay is so low, if they laid off their two dozen employees, they would have to go elsewhere for other jobs.

“They cannot survive,” she said. “If we lay them off, they’re going to go elsewhere and then we’re going to be forced to get all new staff again. Getting experienced, good staff for a restaurant is hard. Our employees respect us as much as we respect them and we’re in this together as a family. We’re going to stay open and take care of them.”

The Schuttes say Lakeview and surrounding communities have been very supportive of their decision to stay open.

“They are glad that we’re taking a stand,” Dan said. “They are coming two or three times a day to support us. Our community has been fantastic. I came in Saturday evening. We were quite busy at 50% capacity.”

“The employees that are working, the patrons have been so generous,” Camille added. “We’ve had \$100 tips, \$85 tips, many \$50 tips. They have our back.”

“We won’t be here if every time she (Whitmer) decides she wants to shut us down, we have to shut down,” Dan said. “If I honestly believed that when the governor said three weeks it was three weeks, I probably would have complied (with the recent state health department order). But you know that’s not true and I know that’s not true. And I honestly don’t believe it has anything to do with health. It’s political. Everybody knows that it’s not going to be a three-week ordeal. It’s probably going to last right until the inauguration.”

Dan also contacted Montcalm County Sheriff Mike Williams to keep him in the loop about the situation.



An Alliance Beverage Distributing truck made a delivery to Chapz Roadhouse in Lakeview on Tuesday as the steakhouse remains open for dine-in service. — DN Photo | Elisabeth Waldon

“We’re still taking the stance we always have, we’re focusing on education,” Williams told the Daily News. “As far as enforcing it as a criminal matter, I don’t know that we can legally. The (county) prosecutor isn’t going to take these matters on the criminal side. It sounds like he’s in a situation where it’s a business that needs to survive and I certainly understand that. We’re not going to be involved in it for a number of reasons. I told him it’s not really me that you need to worry about.”

While many in the community are supportive of the Schuttes, others have been complaining to the Mid-Michigan District Health Department in Stanton, which accepts anonymous COVID-related complaints and either tries to address the issue or forwards the complaints to state agencies (see accompanying story).

According to Mid-Michigan District Health Department Environmental Health Director Liz Braddock, the health department first received a Nov. 19 complaint that Chapz Roadhouse was staying open for dine-in. Braddock said the health department contacted the restaurant last week and staff indicated the facility would be providing a to-go menu only.

However, on Monday, the health department received a number of additional complaints from people saying the restaurant was open for indoor dining over the weekend.

“This was confirmed today (Monday) when I spoke to the owner. She stated that she had been open and would stay open,” Braddock said.

Braddock said the next step for the health department will involve an in-person visit at the restaurant, followed by a public health order warning letter.

“If we get continuous complaints, I would talk to the Michigan State Police in Lakeview to see if they would like to go there with us for a second interview,” Braddock said.

Chapz Roadhouse business hours are currently posted as 9 a.m. to 9 p.m. Monday through Thursday, 8 a.m. to 10 p.m. Friday and Saturday and 8 a.m. to 9 p.m. Sunday. The restaurant’s menu and specials are posted on its Facebook page daily (search for “Chapz Roadhouse”).

# Daily News

Friday, November 27, 2020

## ‘The Michigan Disease Surveillance System is completely overwhelmed’

Montcalm County health officer shares frustration with state-run system

By [Elisabeth Waldon](#) | on November 27, 2020

STANTON — The Michigan Disease Surveillance System (MDSS) has been having issues with system stability since the beginning of November, according to a letter sent by the Michigan Department of Health & Human Services to local health departments.



Mid-Michigan District Health Department Health Officer Marcus Cheatham explains ongoing problems with the Michigan Disease Surveillance System during Wednesday’s Board of Health meeting. The problems with the state-run system are making a difficult pandemic situation even more difficult for the local health department. — DN Photo | Elisabeth Waldon

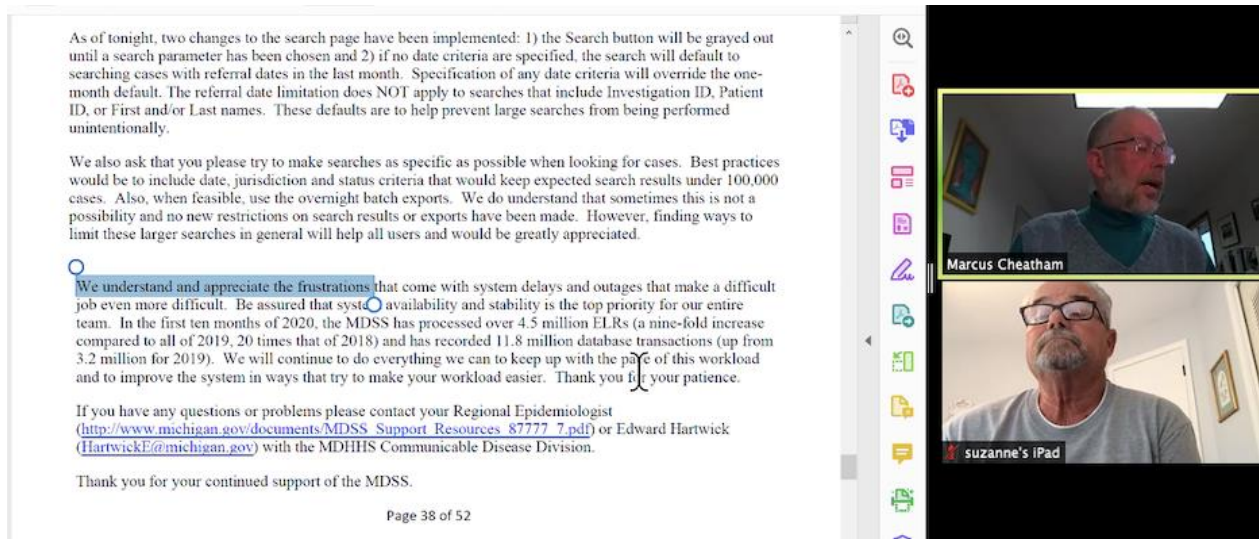
Marcus Cheatham, the health officer for the Mid-Michigan District Health Department, voiced his frustration during Wednesday’s Board of Health meeting regarding the MDSS, which is supposed to track statewide disease data — a crucial component of the state’s epidemiology response to the ongoing COVID-19 pandemic.

Cheatham highlighted a portion of the Nov. 19 letter from the state health department which states, “We understand and appreciate the frustrations that come with system delays and outages that make a difficult job even more difficult.”

“I think it’s so much more profound than that,” said Cheatham in response to the state’s letter. “It isn’t just that we’re frustrated. We’ve been frustrated for a long time. I’ve tried to raise a conversation about what we should do in this kind of a situation and it’s really hard. It’s very difficult to try to have that conversation right now. People are trying to make that old conversation work.

“The Michigan Disease Surveillance System is completely overwhelmed,” he summarized. “There’s been a 1,000 percent increase in the volume of cases going into this system and it is having a lot of functionality problems. I will just say candidly, the state has told us that they understand that our contact tracing and case investigation system and other systems cannot work under these conditions.”

Cheatham said the MDSS has worked well for years for state and local health departments, but this year’s pandemic has shown the system is not up to its task.



Mid-Michigan District Health Department Health Officer Marcus Cheatham, at top right, highlights a comment reading “We understand and appreciate the frustrations that come with system delays and outages that make a difficult job even more difficult” as part of a letter sent by the Michigan Department of Health & Human Services to county health departments. “I think it’s so much more profound than that,” Cheatham said during Wednesday’s Board of Health meeting. “It isn’t just that we’re frustrated; we’ve been frustrated for a long time.” — DN Photo | Elisabeth Waldon

“I don’t have data to share with you,” he told Board of Health members. “I don’t have the usual charts and graphs showing you where things are in mid-Michigan. The data I could show you is simply incomplete and unreliable. This is the stage that we’re at in this pandemic. These kinds of breakdowns are happening in a lot of places and it’s not clear to the community yet what these breakdowns are.”

Cheatham shared a graphic that showed contact tracing of COVID-19 cases at the state and local level have been plummeting to almost zero in November.

“Our contact tracing has been dismal,” he said. “All of us have been having to make decisions with incomplete information. Businesses are supposed to report cases but we simply lack the capacity to follow up with them. The



schools might just have to forge ahead without advice from the health departments. We've had to communicate with the public and say you cannot expect us to respond just because you've had a positive COVID test."

For another example, Cheatham noted that Michigan's website which tracks available hospital beds ([www.michigan.gov/coronavirus/0,9753,7-406-98159-523641-,00.html](http://www.michigan.gov/coronavirus/0,9753,7-406-98159-523641-,00.html)) shows that Sparrow Hospital's main campus has 10% bed capacity available.

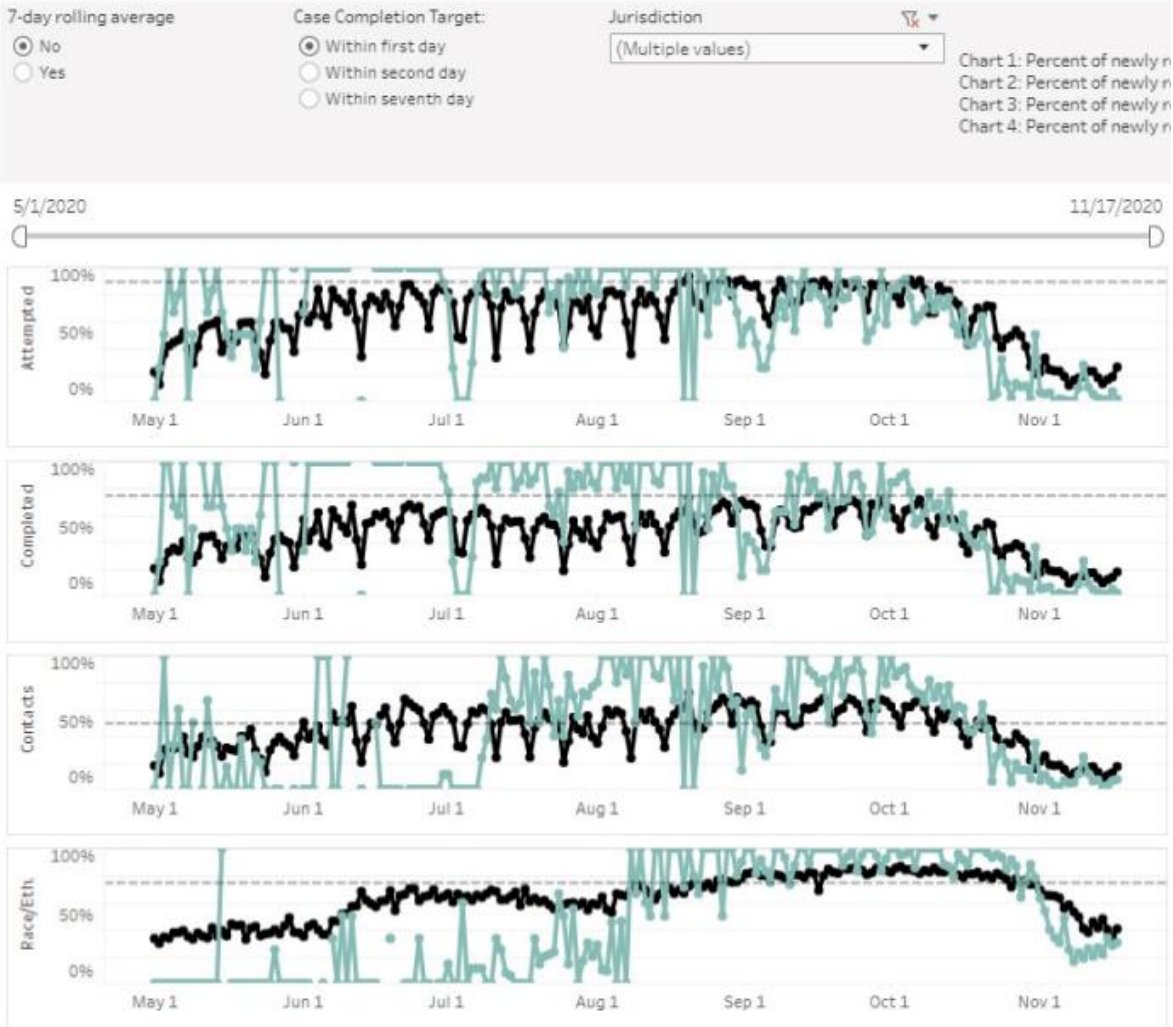
"That's just completely inaccurate," Cheatham declared. "Those beds are empty because they don't have nurses to work those beds so those beds are going to be empty tomorrow and the day after that. Our system is so overwhelmed right now. It's bogged down.

"People are being confronted with challenges they've never had to deal with before," he said. "It's so hard to get through this sort of fog of war with where we're really at."

### **'THANK YOU FOR YOUR PATIENCE'**

The Nov. 19 letter from the Michigan Department of Health & Human Services (MDHSS) to local health departments was addressed to "MDSS users" and referred any questions to Edward Hartwick with the MDHHS Communicable Disease Division.

## COVID-19, State of Michigan: Case Investigation TA Metrics



Mid-Michigan District Health Department Health Officer Marcus Cheatham shared a graphic during Wednesday’s Board of Health meeting which shows how the state of Michigan’s — and the local health department’s — contact tracing of COVID-19 cases has dramatically decreased in November due to a combination of overwhelmingly increasing COVID-19 cases and a lack of reliable data from the Michigan Disease Surveillance System (state tracking is pictured in black and the local health department tracking is pictured in green). — DN Photo | Elisabeth Waldon

Hartwick did not return a message from the Daily News seeking comment on Wednesday; neither did Gov. Gretchen Whitmer’s office respond to a request for comment.

“As you are aware, the MDSS has been having issues with system stability since the beginning of November,” the state health department letter stated. “The MDSS Support Team at MDHHS, DTMB (Department of Technology, Management & Budget) and the MDSS development team have been working tirelessly to resolve these issues. Changes over the last two weeks have included operating system patches, increased space and system resource allocation, database structure enhancements, database interface enhancements and disabling some system features in order to try and improve system stability.

“While investigation into the root causes of these issues is ongoing and other system changes will likely be needed to resolve all issues, some of the triggering events for the system outages have been identified and will result in changes to the system that are more noticeable than the backend changes that have occurred up to now,” the letter stated. “These events are not the sole cause of the issues we have been experiencing, but are contributing factors.”

According to the letter, certain search parameters may result in unusually long searches or unusually large result sets being returned.

“Before the pandemic, these searches would have slowed the system some and taken a long time to return for the user, but would not have crashed the system,” the letter stated. “However, with the extra workload presented by COVID-19, both in user activity and in data flowing into the system some of these larger searches have contributed to a tipping point.”

Due to this problem, some changes have been made to the MDSS search page — including the “and/or” search selection and the “advanced” search selection, according to the letter. The MDSS “search” button is now grayed out and will remain grayed out until a search parameter has been chosen. If no data is specified, the search will default to searching cases with referral dates in the last month. Specification of any date criteria will override the one-month default. The referral date limitation does not apply to searches that include investigation ID, patient ID or first and/or last names.

“These defaults are to help prevent large searches from being performed unintentionally,” the letter stated. “We also ask that you please try to make searches as specific as possible when looking for cases. Best practices would be to include date, jurisdiction and status criteria that would keep expected search results under 100,000 cases.

“Be assured that the system availability and stability is the top priority for our entire team,” the letter stated. “In the first 10 months of 2020, the MDSS has processed over 4.5 million ELRs, a nine-fold increase compared to all of 2019, 20 times that of 2018, and has recorded 11.8 million database transactions, up from 3.2 million for 2019.

“We will continue to do everything we can to keep up with the pace of this workload and to improve the system in ways that try to make your workload easier,” the letter concluded. “Thank you for your patience.”

# Daily News

Friday, November 27, 2020

## Montcalm County medical director shares update about COVID-19 vaccines

By [Elisabeth Waldon](#) | on November 27, 2020

STANTON — Three new vaccines and a new antibody treatment are hopefully just weeks away from becoming available to health care workers.



Dr. Jennifer Morse

Dr. Jennifer Morse, the medical director of the Mid-Michigan District Health Department, gave an update on the progress during Wednesday's Board of Health meeting.

"The vaccine that's mostly likely to reach us first is the one by Pfizer and there's another one by Moderna," Morse said. "They're both m-RNA (messenger ribonucleic acid) vaccines which utilize a small piece of messenger RNA and are uploaded to you. Your cells use that message to make a small piece of protein that is a part of the virus that is used to get into your cells and infect you, then your body recognizes that as something that shouldn't be there and quickly responds.

"It doesn't integrate into your own DNA so it's a pretty nifty way to vaccinate people," she noted. "It's a new way to vaccinate people."

Pfizer's vaccine is showing to be 95% effective based on its patient studies, while Moderna's vaccine is showing to be 94.5% effective. Both vaccines require two doses each — 21 days apart for the Pfizer vaccine and 28 days apart for the Moderna vaccine.

Pfizer expects to make available 50 million doses by the end of this year and another 1.3 billion doses by the end of 2021.

A third pending vaccine from AstraZeneca takes a different approach. The vaccine, named AZD1222, uses a replication-deficient chimpanzee viral vector based on a weakened version of an adenovirus (common cold virus) that causes infections in chimpanzees and contains the genetic material of the COVID-19 spike protein, according to AstraZeneca. After vaccination, the surface spike protein is produced, priming the human body's immune system to attack the COVID-19 virus if it later infects the body.

"They took a virus that infects chimpanzees and they haywired it a little bit," Morse summarized.

"You will not get sick with what infects chimpanzees," she clarified.

Morse also touched on a new antibody treatment to help the fight against COVID-19. The U.S. Food and Drug Administration on Nov. 9 issued an emergency use authorization for the investigational monoclonal antibody therapy called bamlanivimab.

Monoclonal antibodies are laboratory-made proteins that mimic the immune system's ability to fight off harmful antigens such as viruses. Bamlanivimab is a monoclonal antibody that is specifically directed against the spike protein of COVID-19, designed to block the virus' attachment and entry into human cells.

The antibody treatment would not be used on people who are hospitalized with severe illness but would be used on people with mild to moderate illness. The process would involve a one-hour IV infusion.

"It's quite promising because if you can give it to someone who's in a nursing home or an outpatient and prevent use of the ER, that's a huge thing," Morse said.

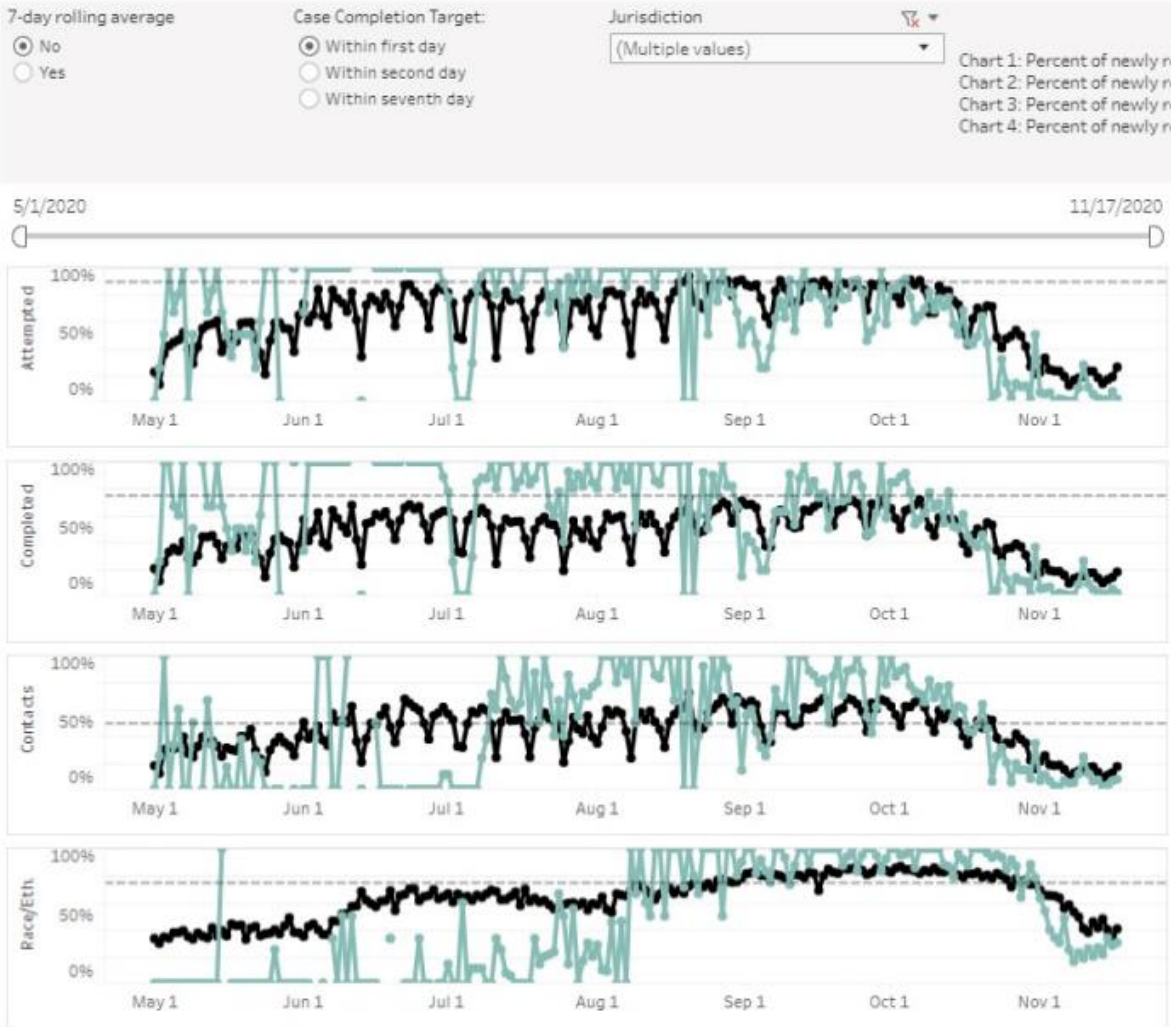
Although the vaccine and antibody news is promising, Morse noted that none of them will be available until mid-December at the earliest and even then, they will only be made available to health care workers.

"The first group to be vaccinated will be health care workers — the front line workers who need to care for those with COVID," Morse said. "The second group to receive vaccinations will likely be people with high-risk factors, and the third group will likely be people 65 and older."

Morse said more than a 70% rate of overall immunity would be needed to make an impact on the COVID-19 pandemic among the general population, which is a concern, as she noted not everyone will want to get a vaccine.

"Most health care places I work with will not be requiring it because it still is an experimental treatment and there's some liability issues," she said.

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# Daily News

Wednesday, December 2, 2020

## Lakeview restaurant's 'lawyer' accuses government officials of 'domestic terrorism'

By [Elisabeth Waldon](#) | on December 02, 2020

LAKEVIEW — Government officials who visit Chapz Roadhouse may not feel entirely welcome to stay for dine-in food and drinks — even though that Lakeview bar and restaurant is continuing to offer those services despite a state health department order.



A notice posted on the entrance of Chapz Roadhouse in Lakeview by Rick Martin, a self-described “Constitutional lawyer” with the Constitutional Law Group, states that government officials are “trespassing” and “committing an act



of domestic terrorism” under the Patriot Act in response to the state and local health department investigating Chapz Roadhouse for continuing to offer dine-in service in defiance of a state health department order. — Submitted photo

A “notice to all government officials” is posted on the entrance of Chapz Roadhouse at the intersection of M-46 and M-91 by Rick Martin, a self-described “Constitutional lawyer” with Constitutional Law Group. **(UPDATE: Martin is not licensed to practice law in Michigan according to the State Bar of Michigan.)**

“You are in violation of your oath of office by trespassing unlawfully on the property of this business establishment and committing an act of domestic terrorism under Section 802 of the Patriot Act,” the notice states. “You are knowingly and willingly violating the rights of a business owner. You are no longer protected under judicial immunity and are now subject to being arrested and also sued in your private capacity.”

Dan and Camille Schutte continue to offer dine-in service at their bar and restaurant despite a Michigan Department of Health & Human Services order to cease dine-in services from Nov. 18 to Dec. 8; despite repeated orders to comply from the Mid-Michigan District Health Department in Stanton; and despite an ongoing investigation by the Michigan Liquor Control Commission.

The alleged violations being investigated by the Liquor Control Commission are dated Nov. 21 and reads, “(1) Chapz Roadhouse LLC and/or employees of the licensee engaged in an illegal occupation or illegal act upon the licensed premises, specifically: allowing indoor gatherings at a food service establishment; (2) Chapz Roadhouse LLC and/or employees of the licensee engaged in an illegal occupation or illegal act upon the licensed premises, specifically: allowing persons to participate in an indoor gathering at the licensed premises without requiring them to wear face masks.”

Martin, the “lawyer” for Chapz Roadhouse, did not return a message from the Daily News seeking comment.

Chapz Roadhouse, which employs about two dozen people, opened for business on New Year’s Eve 2018 — a long-awaited dream come true and a retirement plan for the Schuttes, who purchased the former Spyke’s Bar & Grill in 2016. The Schuttes lost their home in a fire that December, but persevered and opened the renovated bar and restaurant two years ago this month.

The Schuttes say they continue to comply with CDC guidelines as they have throughout the pandemic, including asking people to wear masks when they enter, social distancing, staying at 50% capacity with customers, wiping down menus and cleaning everything by hand.

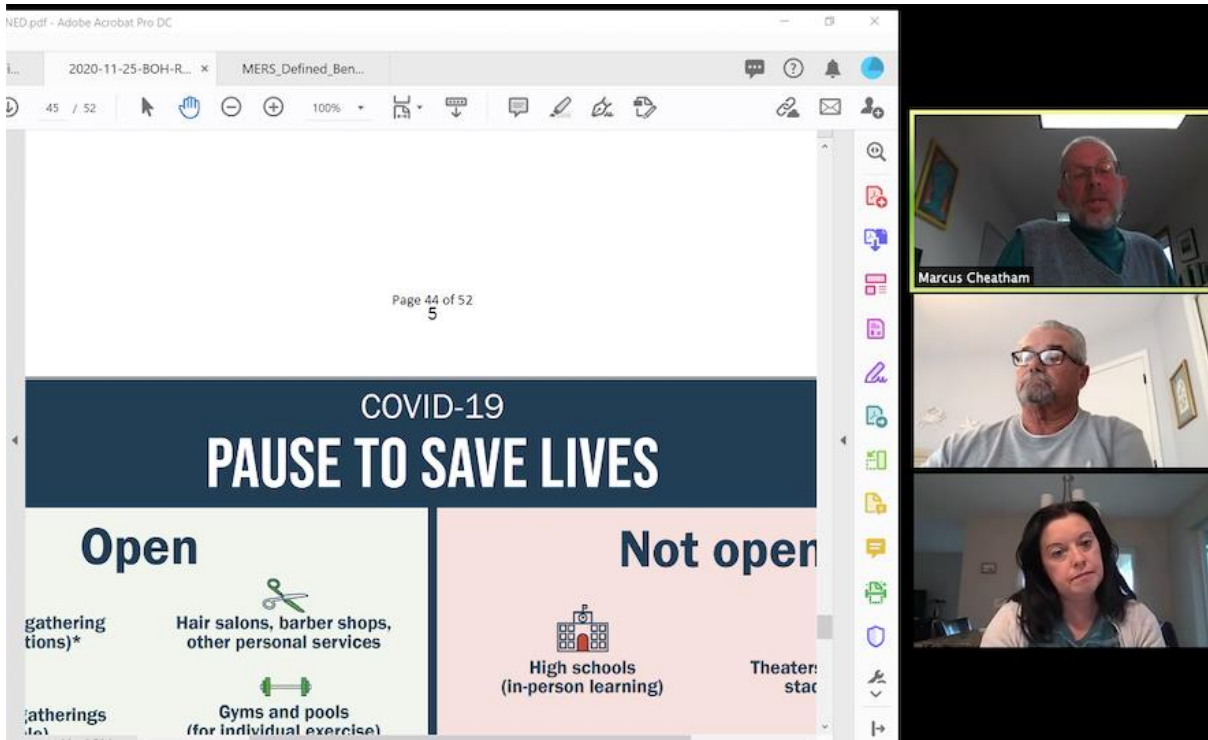
“We’ve been getting a lot of feedback. Most of it good,” Camille told the Daily News on Tuesday. “A lot of support for sure.”

The Mid-Michigan District Health Department has issued warning letters to Chapz Roadhouse in Montcalm County and to Royal Scot Golf & Bowl in Clinton County’s Lansing Township for allegedly violating the state health department’s order. The health department is not aware of any bars or restaurants offering indoor dining in Gratiot County.

Ionia County Health Department Health Officer Ken Bowen said he is not aware of any bars or restaurants offering dine-in services in Ionia County.

### **‘READY TO GO TO WAR IF NEEDED’**

The topic of Chapz Roadhouse and other restaurants that are increasingly deciding to stay open was discussed at last week’s Mid-Michigan District Health Department Board of Health meeting on Nov. 25.



The Mid-Michigan District Health Department Board of Health during last week’s meeting discussed local restaurants defying the state health department’s “Pause to Save Lives” order to end dine-in services. Pictured, at right from top, are Health Officer Marcus Cheatham, Gratiot County Commissioner George Bailey and Environmental Health Director Liz Braddock. — DN Photo | Elisabeth Waldon

“My entire thing is people are adults and they’re able to make their own decisions,” observed Montcalm County Commissioner Adam Petersen. “If you’re worried about getting something like that (COVID), quarantine yourself. You don’t have to go to a restaurant.”

“It’s their choice and I don’t blame them at all,” agreed Gratiot County Commissioner George Bailey regarding local restaurants choosing to continue dine-in services. “It’s (the state) picking on a certain segment of our business community that really has no effect on COVID when it comes right down to it. I just have a hard time with this whole thing, I really do, but there’s nothing we can decree. We kind of have to go with the flow, unfortunately. We can complain but there’s nothing we can do about it right now.”

Health Officer Marcus Cheatham disagreed with Bailey that restaurants don’t have an effect on COVID.

“When we look at our local data, we are seeing a huge increase in outbreaks at businesses and restaurants,” Cheatham said. “We are really concerned about violations of the emergency order because of what we are seeing. We do have places that have decided not to comply with the emergency order. We know of at least one (restaurant in Clinton County) that has contacted the Kallman law firm (in Lansing) and they’re ready to go to war if needed.

“Would I consider moving forward with enforcement orders if need be? Yes, I would,” Cheatham stated.

“What is the due process?” Petersen questioned. “We have a business in Montcalm County right now and they’re saying they’re going to follow the Constitution and they’re going to stay open. What is their due process?”

“I have to go to a judge and ask the judge for an order,” Cheatham explained. “The person (restaurant owner) has a right to due process. At that point, it’s up to the judge to decide whether to refer it to law enforcement action or not.


This would not immediately go to law enforcement unless the judge was exceptionally forward-leaning, there would probably be a court case.”

“If they choose not to close today, they would continue to operate with us having told them today that they could be fined if local law enforcement proceeds with the fines,” Environmental Health Director Liz Braddock added. “If they don’t, we can go to the Michigan State Police and if we still don’t get anywhere, we can contact MDARD (the Michigan Department of Agriculture & Rural Development), MIOSHA (the Michigan Occupational Safety & Health Administration), the Liquor Control Commission and the Attorney General’s Office.”

The Michigan Restaurant and Lodging Association and a pair of restaurant groups are suing the Michigan Department of Health & Human Services for the ban on indoor dining. The owner of Andiamo restaurants in Detroit wrote a letter to other business owners this week encouraging them to band together and reopen on Dec. 9 if the pending lawsuit is unsuccessful.

“Our industry cannot survive another extended closure. Thousands of restaurants and tens of thousands of our employees can not survive it either. We need to band together and FIGHT BACK but we need to do this as a United Group of Michigan Restaurant Owners,” states the Nov. 24 letter, according to the Detroit Free Press.

## Mid-Michigan District Health Department Conducting Phone Survey

 Posted on Wednesday, December 2nd, 2020 and is filed under [News](#). You can follow any responses to this entry through the [RSS 2.0](#) feed. You can skip to the end and leave a response. Pinging is currently not allowed.

If you receive a call from someone “on behalf of your local [health](#) department,” asking you to take a survey, do not worry; it is not a scam.

Randomly selected residents in Clinton, Gratiot and Montcalm counties will be asked to participate in a phone survey from Advantage Research, on behalf of the Mid-Michigan District Health Department (MMDHD).

The purpose of this short, 15-minute Behavioral Risk Factor Survey (BRFS) is to gather information on human behavior and lifestyle patterns, such as access to health care and health insurance, smoking, and exercise.

Completing the survey will give MMDHD valuable information on the health and well-being of our residents, help determine strategies to improve health, and assist in securing funding to implement programs.

The calls will be coming from a Michigan call center, manned by Advantage Research Services (ARS) employees, and they should identify themselves when calling. The calls will be placed to landlines and cell phones on weekdays and weekends, no later than 9:00 p.m. between November 30 and December 20, 2020.

The BRFS was established by the Centers for Disease Control and Prevention as a way to collect important health-related information. For many states and communities, the BRFS is the only available source of timely, accurate data.

Residents with questions regarding the phone survey may contact MMDHD at 989-831-3627.

## CORONAVIRUS IN MID-MICHIGAN

# Eleven COVID-19 deaths reported Thursday

## Five fatalities from Gratiot County

By Eric Baerren

*ebaerren@medianewsgroup.com*  
*@ebaerren on Twitter*

Five people in Gratiot County and two Isabella County residents were among 11 people whose deaths from COVID-19 were reported by the Michigan Department of Health and Human Services on Thursday.

No information was immediately available on the people who

died in Gratiot County. The state announced that the county's cumulative cases stood at 1,981 as of Thursday, a significant one-day increase.

Leslie Kinnee, a spokeswoman for Mid-Michigan District Health Department, said she hadn't seen the health department's numbers for the day, yet, and couldn't confirm either.

It would bring Gratiot's total number of deaths to 36.

One of the Isabella County deaths was an elderly man who lived in one of the county's nursing homes, said Steve Hall, health officer for Central Michigan District Health Department. The other was an elderly man who had underlying health conditions. Both died Wednesday, bringing the county's total number of deaths to 25.

The man was a resident of Medilodge of Mt. Pleasant, Hall said. Twenty-eight residents and four staff of Medilodge of Mt. Pleasant are reported confirmed

cases, according to state records.

Two residents of Medilodge of Mt. Pleasant have died of COVID-19 since March. The other was a woman, who died in April after being transported to McLaren-Central Michigan.

An additional 60 cases were reported in Isabella County for a cumulative total of 2,410.

Clare County's cumulative confirmed cases increased by 29 to 757 on Thursday, with 26 deaths.

Elsewhere in mid-Michigan, four new deaths were reported in two counties. They, and cumula-

tive case numbers are as follows:

- Three additional deaths were reported in Montcalm County for a total of 28, and an additional 28 confirmed cases were reported for a cumulative total of 28;

- One additional death was reported in Gladwin County for a total of 11, with cumulative confirmed cases at 773;

- In Mecosta County new cases increased by 20 bringing its cumulative total to 1,263, with 11 deaths; and,

- In Midland County new cases

**UPDATE » PAGE 2**

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# Update

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## FROM PAGE 1

increased by 36 bringing its cumulative total to 2,741, with 26 deaths.

Statewide, another 175

deaths were reported for a total of 9,580, and another 7,146 cases were reported Tuesday for a cumulative total of 380,343. Of those deaths, 112 were deaths from the last 30 days discovered after a review of death certificates.

**MONTCALM COUNTY**

# State suspends liquor license of Lakeview bar/restaurant

## Chapz Roadhouse ignored dine-in ban

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**By Rick Mills***rimills@medianewsgroup.com**@rickmills2 on Twitter*

A Montcalm County bar and restaurant that continued to serve dine-in customers despite the state's recent ban is among three statewide to have its liquor licenses suspended, state officials said late Wednesday.

Acting on a complaint, a state inspector on Nov. 21 found Chapz Roadhouse, at 9950 N. Greenville Road in Lakeview, had a sign on the door welcoming dine-in customers, the Michigan Liquor Control Commission said in a complaint filed against the business.

State officials issued an emergency suspension on Nov. 25 of the restaurant's Class C and Specially Designated Merchant liquor licenses and its Sunday Sales Permit.

An investigator found a sign

**LICENSE » PAGE 2**

# License

## FROM PAGE 1

outside the premises that stated: “We are open for dine in.”

Later that day, the inspector returned to the business and found:

- The parking lot had 15 vehicles parked in the lot;
- Several people were entering;
- None of the people entering were wearing masks.
- The business was open for indoor dining;
- The restaurant was serving food and drinks, and patrons were sitting and consuming food and beverages;
- The hostess did have a mask on but other staff members did not.

“This pandemic has taken a toll on all of us – from schoolteachers and students to frontline workers and caregivers, we are all feeling the effects of COVID-19. Business owners are no exception,” said Attorney General Dana Nes-

sci.

“But the state has an obligation to protect the public health and welfare, and the emergency public health orders and the associated closures are needed to save lives. My office is working closely with the Commission as it exercises its duties and we are prepared to act to ensure the state upholds its responsibility to protect the lives of our residents.”

Besides Chapz Roadhouse, the state suspended the liquor licenses of Rock House/Mine Shaft, located at 915 Razorback in Houghton, and Silver Beach Hotel located at 100 Main St. St. Joseph.

Chapz Roadhouse and Rock House are scheduled to appear before an Administrative Law Judge on Friday for a virtual hearing via Zoom, to determine whether this summary suspension should continue, or other fines and penalties should be imposed.

Silver Beach Hotel will appear for a virtual hearing Dec. 11.



# Daily News

Saturday, December 5, 2020

## Judge hears Lakeview restaurant argument in virtual court

State has suspended Chapz Roadhouse liquor license for alleged COVID order violation

By [Elisabeth Waldon](#) | on December 05, 2020

LAKEVIEW — The attorney for a Lakeview bar and restaurant which continues to offer in-person dining argued before an administrative law judge on Friday that the Michigan Liquor Control Commission has no authority to enforce a Michigan Department of Health & Human Services epidemic order.



Administrative Law Judge Mike St. John said on Friday that he will issue his opinion on Monday regarding Chapz Roadhouse in Lakeview and whether the restaurant violated a state health department epidemic order. — DN Photo | Elisabeth Waldon

Stephen Kallman of Kallman Legal Group in Lansing appeared via Zoom before Judge Mike St. John to argue three separate cases Friday, all involving allegations that Michigan dining establishments violated the state health department's no dine-in order — Jimmy's Roadhouse in Newaygo, Brew Works in Fremont and Chapz Roadhouse in Lakeview. The state health department's three-week no dine-in order is currently set to expire on Tuesday night.

The Michigan Liquor Control Commission issued an emergency suspension of Chapz Roadhouse’s liquor license on Wednesday, alleging that Chapz violated the state health department order by offering dine-in service and also allowing people to gather indoors without requiring them to wear face masks.

After hearing several hours of arguments involving Chapz and the other similar cases on Friday, Judge St. John said he will likely issue his opinion on Monday.

Dan and Camille Schutte opened Chapz Roadhouse at the intersection of M-46 and M-91 on New Year’s Eve 2018, where they employ about dozen people.



During a court hearing on Friday involving Chapz Roadhouse of Lakeview, Michigan Liquor Control Commission investigator Marsha Perilloux holds up a sign that she places on the front entrances of bars and restaurants that allegedly violate state orders. — DN Photo | Elisabeth Waldon

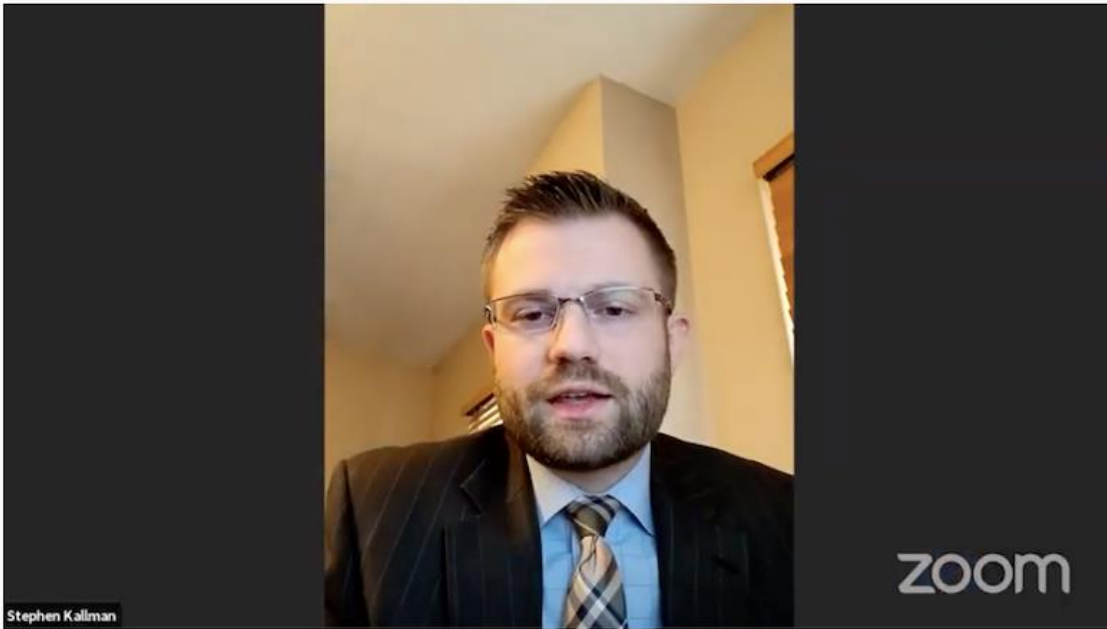
Michigan Liquor Control Commission investigator Marsha Perilloux testified during Friday’s court hearing on behalf of the Michigan Attorney General’s Office that she visited Chapz the evening of Nov. 21 after being contacted by Mid-Michigan District Health Department officials.

Perilloux testified that she went inside Chapz and ordered macaroni and cheese and a mixed cocktail. She said she saw people eating and drinking inside and not wearing face masks (Perilloux admitted she was not wearing a face mask herself). She said the restaurant hostess was wearing a face mask but other employees were not (including one employee who was wearing a mask pulled down around her chin).

Perilloux said she called Camille Schutte two days later to inform her of the alleged violations.

“She expressed her hardship with me,” Perilloux said. “We discussed the reality that her staff can’t survive on unemployment. She was very emotional on the phone. She was going to lose everything if she closed down. She was very concerned that she stay open and that her staff stay employed, especially with the upcoming holidays.”

Kallman argued on behalf of Chapz that the Liquor Control Commission is acting outside of its authority by attempting to enforce the Department of Health & Human Services order.



Attorney Stephen Kallman of Kallman Legal Group argued Friday on behalf of Chapz Roadhouse that the Michigan Liquor Control Commission does not have the authority to enforce a Michigan Department of Health & Human Services epidemic order regarding the Lakeview bar and restaurant. — DN Photo | Elisabeth Waldon

Kallman referred to the Associated Builders & Contractors lawsuit against Gov. Gretchen Whitmer, in which a Michigan Court of Claims judge ruled that Whitmer exceeded her authority when she set possible additional penalties for employers who violated her executive orders (Whitmer’s executive orders were later found to be unconstitutional).

In another similar court hearing Friday involving Jimmy’s Roadhouse in Newaygo, Kallman asked Perilloux whether she found any Liquor Control Commission violations at either Jimmy’s or Chapz and she said no.

“Is it fair to say the only reason you believe there may be a health and safety issue there is because (MDHHS) Director (Robert) Gordon’s order exists?” Kallman asked.

“Yes,” Perilloux responded.

“All we have here today are alleged violations of Director Gordon’s order,” Kallman summarized, reiterating that this was not within the Liquor Control Commission’s scope of authority. “I think it’s inappropriate to bootstrap other statutory schemes into the Liquor Control Code. There’s nothing in the Liquor Control Code about anything that our client violated. There’s nothing about masks in the Liquor Control Code, there’s nothing that restaurants can be shut down for three weeks. All of those arise from Director Gordon’s order, not the Liquor Control Code. The only reason that we’re here is because of Director Gordon’s order.”

The attorney for the Attorney General’s Office on Friday argued that the Associated Builders & Contractors was a “completely different factual scenario” than the cases involving restaurants and requested that the judge fine Chapz the maximum fine of \$600 and also suspend the restaurant’s liquor license for an additional 60 days behind the final order.

“My client has a terrible choice to make — either stay open and face this action of everything she has to go through, or close and lose her life’s work and business,” Kallman told the judge.

“I know it’s incredibly difficult for restaurants and for other businesses too,” the judge said, but he noted that most employees at Chapz don’t appear to be wearing face masks.

“Having a mask around her chin is akin to not wearing a mask at all,” the judge said of a Chapz employee. “There clearly wasn’t a policy there of ‘we’re going to stay open, but we’re going to do this as safely as we can.’ They’re advertising on their sign, ‘hey, we’re open, come on in.’”

**MID MICHIGAN**

# Three-quarters of inmates at Gratiot prison infected

## State reports eight new deaths, 1,673 new cases in region

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**By Eric Baerren**

*ebaerren@medianewsgroup.com*

*@ebaerren on Twitter*

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Eight new deaths from COVID-19 were reported around mid-Michigan Friday, including one in Gratiot County. Meanwhile, an outbreak in a Gratiot prison has infected three quarters of its inmates.

The county's total number of deaths, according to the Michigan Department of Health and Human Services, currently stands at 37. Mid-Michigan District Health Department confirmed 36 of them on Friday.

Information for five deaths was available, three elderly men and two elderly women, said Leslie Kinnee, MMDHD spokeswoman. The men were in their 70s, the women were in their 80s.

It is not unusual, especially as the current wave of the pandemic has worsened, for information to take time to get reported to local health departments.

At its 3 p.m. update, MDHHS reported 1,673 confirmed cases.

That doesn't include cases at the two prisons in Gratiot County, Central Michigan Correctional Facility and St. Louis Correctional Facility.

The Michigan Department of Corrections reports that just less than 75 percent of the inmates at CMCF have had a confirmed case of COVID-19. That is 1,988 of 2,655, with all but five coming from in an outbreak that started in November. In addition, 188 members of its staff have contracted the disease throughout the pandemic.

Two of the inmates have died.

**CASES » PAGE 2**

# Cases

## FROM PAGE 1

A smaller outbreak has taken place at St. Louis Correctional Facility, with 337 inmates recently infected and 42 previously infected. In addition, a total of 51 staff have contracted the disease since the pandemic started.

No additional deaths were reported Friday in either Isabella or Clare counties; Isabella's total stands at 25; in Clare County, it is 26. New cases increased in Isabella County by 26 for a cumulative total of 2,436;

in Clare County, an additional 25 cases were reported for a cumulative total of 782.

Elsewhere in mid-Michigan, seven new deaths were reported in three counties. They, and cumulative case numbers are as follows:

- Three additional deaths were reported in Montcalm County for a total of 31, and an additional 62 confirmed cases were reported for a cumulative total of 2,095;

- Two additional deaths were reported in Gladwin County for a total of 13, and an additional 22 cases were reported for a cumu-

lative total of 795;

- Two additional deaths were reported in Midland County for a total of 28, and an additional 48 cases were reported for a cumulative total of In Mecosta County new cases increased by 20 bringing its cumulative total to 2,789; and,

- In Mecosta County new cases increased by 27 bringing its cumulative total to 2,768, with 11 deaths.

Statewide, another 81 deaths were reported for a total of 9,661, and another 8,689 cases were reported Tuesday for a cumulative total of 389,032.

## CORONAVIRUS IN MICHIGAN

# How state plans to distribute vaccine



A lab tech at Sparrow Laboratories in Lansing runs tests on biological specimens on Wednesday.

PHOTOS BY MATTHEW DAE SMITH/LANSING STATE JOURNAL



Mike Little carries a tray of specimens to be tested for coronavirus on Wednesday at Sparrow Laboratories in Lansing.

## Health care workers, nursing home residents first to get limited doses

**Carol Thompson and Craig Lyons**

Lansing State Journal

USA TODAY NETWORK – MICHIGAN

Finally, a bright spot in the coronavirus pandemic that has killed thousands in Michigan since March. Vaccines are nearly ready, and the first doses could arrive any day.

But getting enough vaccine distributed to quell the pandemic won't be easy. It will require overcoming series of challenges — scaling up production, finding subzero freezers, assuaging the fears of a wary public.

It won't be fast. It will be months before the general public has access to the vaccine and even longer before the virus' threat is abated.

Experts agree achieving mass immunization to COVID-19 will be more of a trickle than a shot.

**See VACCINE, Page 7A**



Michigan Gov. Gretchen Whitmer, who received her flu shot in August, encouraged Michiganders to get a flu shot this year. COURTESY OF MICHIGAN STATE POLICE

## Vaccine

Continued from Page 1A

"There's no question. This will be the most massive undertaking of vaccine distribution that anyone has had to oversee, maybe ever," Michigan Chief Medical Executive Dr. Joneigh Khaldun said. "At least in a century."

For months, health experts around the world have prepared for that massive undertaking. Now it's time for them to execute their plans.

The vaccine is coming and local health departments are coordinating with the state, said Marcus Cheatham, health officer for the Mid-Michigan District Health Department. The first vaccines could be available by the end of the year but may be only a dribble at first.

"They're now saying ramp up quickly," Cheatham said.

### All eyes on CDC as committee decides on vaccine plan

Lots of what happens in Michigan will be determined by the Centers for Disease Control and Prevention's Advisory Committee on Immunization Practices, a federal committee that recommends to doctors how vaccines should be administered in the U.S., who should receive them, when and how many doses.

On Wednesday, the committee determined the first people to get the vaccine will be health care workers and long-term care facility residents.

Vaccinating health care workers means hospitals could avoid staffing shortages that could hurt their ability to treat patients with the coronavirus or other ailments. Vaccinating long-term care facility residents means protecting people who are at high risk of infection, hospitalization, severe disease and death.

"It makes perfect sense that the top priority would be health care workers," AARP Michigan spokesperson Mark Hornbeck said. "It's like when you're on the airplane and they tell you about the breathing apparatus, to help yourself first before you try to help others."

The vaccine panel proposed that the groups to follow health care workers would be essential workers such as teachers, firefighters, farmers and police officers. Then would come adults over 65 and adults with high-risk medical conditions.

Roughly 570,000 people work in the health care and social assistance fields in Michigan, according to an October state labor market report. Another 58,000 work in education.

About 1.8 million, or 18% of the state's roughly 10 million residents, are 65 or older, according to the U.S. Census Bureau.

That's a lot of people in line for a limited number of doses, said Todd Belding, Sparrow Health System director of pharmacy. It could take months before the vaccine is available for the general public.

### Scaling up vaccine production will take time, verification

Getting vaccines ready for distribu-

tion isn't as easy as it sounds and it is unknown if manufacturers can meet the volume demanded.

"It's not a given that this platform can be scaled up," said Andrea Amalfitano, dean of the Michigan State University College of Osteopathic Medicine.

The big unknown is whether vaccine manufacturers can scale up their production from tens of thousands doses to tens of millions without losing the consistency of the product, Amalfitano said. Just because a company can make 10,000 doses within quality standards doesn't mean the same process will work for 100,000.

It's not like manufacturing a car, where more pieces can just get stamped out once a design is final, Amalfitano said. Vaccines require constant validation, monitoring of potential contaminants and maintaining quality standards, he said.

"You really have to be cautious every step of the way," Amalfitano said. People shouldn't be concerned manufacturers are rushing the process and avoiding their typical production and validation steps, Amalfitano said. It's just going to take time to verify the product before it is ready.

As production scale increases, the timeframe, even though accelerated, can't be eliminated, Amalfitano said.

"You can't just open a spigot," he said.

Pfizer and Moderna have applied to the Food and Drug Administration for authorization to distribute a vaccine, USA Today reported. The United Kingdom this week approved the use of Pfizer's vaccine.

### Timing: Who gets the vaccine and when

Michigan could get its first shipment of vaccine doses as early as this month, Khaldun said.

Once they arrive, the doses will be distributed evenly through the state, Belding said. He said hospital systems and large health departments will get the first round of doses so they can distribute them to their employees.

Coronavirus vaccines eventually will be administered through the traditional places people get vaccines, such as hospitals, health departments, doctors' offices and pharmacies, Khaldun said.

That's when staffing becomes the big question, Cheatham said. If the coronavirus is surging when the vaccine is ready for distribution, hospital and public health workers will be too busy treating patients and tracking outbreaks to

juggle vaccinations, too.

Other groups, like pharmacies or emergency services groups, would need to step in.

That's the "worst-case scenario," he said.

"We'd have to cobble together a local network of who can fill in and help out," he said.

### The first challenge: Freezer space

When news of Pfizer's vaccine broke, the fact it needed to be stored at 70 degrees below zero sent a chill through some in the health community. Ingham County Health Officer Linda Vail said that issue is not as problematic as people think.

Freezers capable of keeping a vaccine at 70 degrees below zero are fairly common, Vail said. Any commercial laboratory, major hospital system or research institute has them, she said.

"It's not a rare commodity," Vail said. "Yes, we have availability of those freezers."

The state positioned freezers at 48 hospitals and 12 local health departments, Khaldun said Tuesday during a media briefing. She did not give specifics about exactly where those freezers are located.

"We're really worried about rural areas not having freezers," Cheatham said.

Clinton, Gratiot and Montcalm counties are close enough to hospitals in Lansing, Saginaw and Grand Rapids that it may not become an issue, Cheatham said. Health departments are working with other local partners to see if the equipment is available, he said.

Anne Barna, spokesperson for the Barry-Eaton District Health Department, said officials anticipate getting the vaccine and distributing it quickly within the 15-day window it can be out of the below zero temperatures.

"They have let us know that we don't need to purchase any additional equipment beyond what we already have," Barna said.

Khaldun said the same. She acknowledged storage would be a challenge, since Pfizer's vaccine requires very cold temperatures, but said health officials don't want to leave the vaccines in storage for long.

"We expect for these doses to really get out to people's arms as quickly as possible once they are received," she said.

Moderna's vaccine only needs to be

frozen if it is stored for a long time.

### The second challenge: A wary public

At least 65% of a community needs to be vaccinated in order to achieve "herd immunity," Khaldun said. That means enough people would be immune to COVID-19, making it less likely to spread throughout a community.

Getting there could be a long road. The vaccine needs to be widely available and widely used for the pandemic to end.

"It may be some time, well into 2021, before we start seeing a significant impact of the vaccine on our cases," Khaldun said.

But some people, particularly in Michigan routinely don't get vaccines recommended by doctors. Last year, Michigan tied at 11th in states with the most kindergartners with vaccine waivers for diseases such as measles, polio and chicken pox.

Belding recognizes the race to develop a vaccine and deploy it during a pandemic may make people more wary than usual.

But they don't need to be, he said. Outside of a sore arm and possible fatigue, there are no immediate side effects.

"We know that the vaccine works," he said. "They've been through phase-two clinical trials that show both vaccines are roughly 95% effective either 7 or 14 days after they are done administering the second dose."

Asked if he'll get a dose once he's allowed, Belding answered with an enthusiastic yes.

"I will most definitely get the vaccine as soon as I am eligible," he said. "I'm a strong believer in vaccines."

### 2021 brings hope and unknowns

There is a lot that's unknown. It's unclear how long immunity lasts and whether people will need shots once, every few years or annually in order to be protected. It's unclear whether the vaccine will be appropriate for children or pregnant or breastfeeding women.

Those are things the CDC immunization panel will determine in the coming weeks, Belding said.

It's also unclear whether there will be long-term side effects, Belding said, although he said it's unlikely there will be.

"We don't normally expect them, but we won't know that until the studies are complete," he said.

A coronavirus vaccine could be more effective than a typical flu shot because it's designed knowing what to target, Amalfitano said. A flu vaccine is designed in anticipation of what that year's strain could look like, he said.

"The flu is a different situation," he said. "(The vaccine) is produced well before the population is infected with that year's flu."

There also is a lot we do know. Masks and social distancing are key to slowing the case spread, and that remains true through the several months it will take to distribute the vaccine.

"We are almost there," Khaldun said. "If everyone can just hold on and keep doing the right thing, there is a vaccine coming and 2021 will be much better 2020."



A lab tech prepares to rush specimens that will be tested for COVID-19 at Sparrow Laboratories in Lansing on Wednesday. MATTHEW DAE SMITH/LANSING STATE JOURNAL



# Daily News

Wednesday, December 9, 2020

## Judge suspends Lakeview restaurant's liquor license; defense attorney to appeal

By [Elisabeth Waldon](#) | on December 09, 2020



Administrative Law Judge Mike St. John on Monday ordered Chapz Roadhouse's liquor license be suspended for 60 days, plus a \$600 fine for the Lakeview bar and restaurant. In his order, the judge referred to "the extremely serious nature of the violations, the failure to operate safely and the continued and ongoing failure to comply with the Public Health Emergency Order." — DN file photo

**LAKEVIEW** — An administrative law judge on Monday suspended the liquor license of a Lakeview bar and restaurant for continuing to offer dine-in service; while on the same day, the Michigan Department of Health & Human Services extended its no dine-in order through Dec. 20.

Judge Mike St. John heard arguments from the Michigan Attorney General's Office last Friday, as well as from defense attorney Stephen Kallman on behalf of Dan and Camille Schutte, the owners of Chapz Roadhouse at M-46 and M-91 in Lakeview.

The Michigan Liquor Control Commission issued an emergency suspension of Chapz Roadhouse's liquor license on Dec. 2, alleging that Chapz violated the state health department order by offering dine-in service and also allowing people to gather indoors without requiring them to wear face masks.

On Monday, the judge agreed, ordering that Chapz's liquor license be suspended for 60 days and also ordering a \$600 fine for the bar and restaurant — the maximum penalty. In his order, the judge referred to "the extremely serious

nature of the violations, the failure to operate safely and the continued and ongoing failure to comply with the Public Health Emergency Order.”

Kallman argued that the Liquor Control Commission is acting outside of its authority by attempting to enforce the Department of Health & Human Services order and referred to the Associated Builders & Contractors lawsuit against Gov. Gretchen Whitmer, in which a Michigan Court of Claims judge ruled that Whitmer exceeded her authority when she set possible additional penalties for employers who violated her executive orders (Whitmer’s executive orders were later found to be unconstitutional).

However, the judge in his written ruling disagreed.

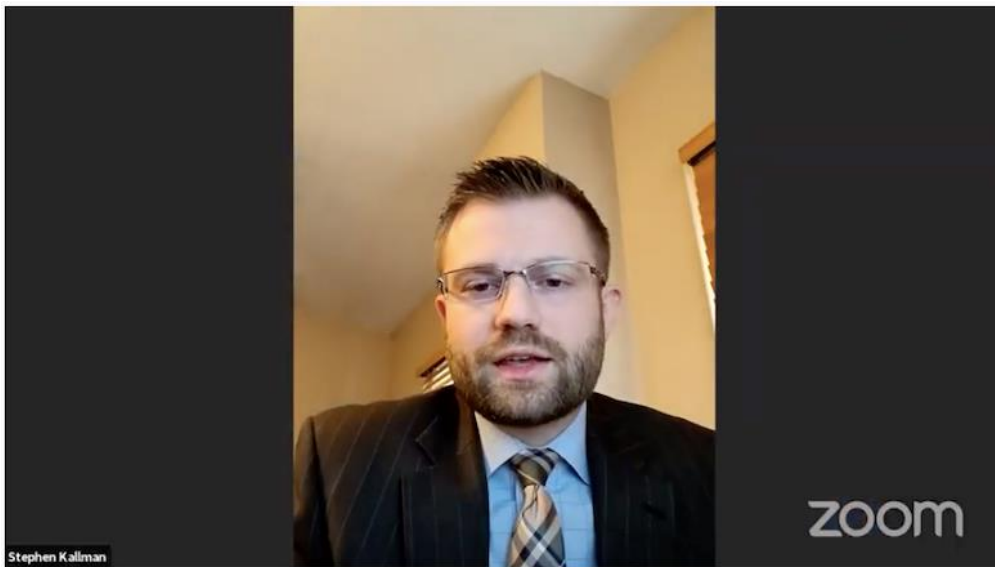
“ABC v Whitmer is distinguishable from this case,” St. John wrote. “In ABC, the Court of Claims ruled that it was not permitted to add penalties found in another statute into an executive order. That is not what occurred here. Unlike (Whitmer’s) Executive Order 2020-97 which references a MIOSHA statute, the Nov. 15, 2020, Public Health Order does not reference the Michigan Liquor Control Code. Had the Public Health Order made a violation of that order a per se violation of the Liquor Control Code, that would have been impermissible. The Nov. 15, 2020, order did not do so.”

The judge expressed sympathy for the hardships that restaurants are facing throughout the pandemic, but he noted that the owners of Chapz have made no attempt to take “even the most basic” safety measures while remaining open.

Michigan Liquor Control Commission investigator Marsha Perilloux testified during last Friday’s court hearing that she visited Chapz the evening of Nov. 21 after being contacted by Mid-Michigan District Health Department officials.

Perilloux said she went inside Chapz and ordered macaroni and cheese and a mixed cocktail. She said she saw people eating and drinking inside and not wearing face masks (Perilloux admitted she was not wearing a face mask herself). She said the restaurant hostess was wearing a face mask but other employees were not (including one employee who was wearing a mask pulled down around her chin).

“There is no dispute that the COVID-19 pandemic has hit some industries and groups harder than others,” St. John wrote. “Restaurant owners and employees have been hit especially hard. Many restaurants have been forced to close; some of these restaurants will not reopen. Restaurant employees have lost wages and jobs.



Attorney Stephen Kallman of Kallman Legal Group says he and the owners of Chapz Roadhouse in Lakeview will appeal the administrative judge's decision. —DN file photo

However, "This licensee made no attempt to implement even the most basic and essential safety measure to combat this deadly disease: requiring wearing masks," St. John wrote. "It is necessarily difficult to have customers wear masks while eating and drinking, but it is entirely possible, reasonable and essential to have staff wear masks while serving their customers. The licensee did not require staff to wear masks, completely undermining restaurants' best argument that they should be allowed to remain open: that they can and will operate safely."

Kallman told the Daily News that he and the Schuttes will definitely be appealing the ruling to the Montcalm County Circuit Court.

"These issues are new, these laws have never been used for pandemics before, so there's not much case law about the limits of what they can do," Kallman noted. "We think the Liquor Control Commission is acting outside their authority and that they're exceeding the power that the legislature has given them."

The judge's full written order can be read at [www.michigan.gov/documents/lara/CV-508762\\_-\\_Chapz\\_Roadhouse\\_LLC\\_709880\\_7.pdf](http://www.michigan.gov/documents/lara/CV-508762_-_Chapz_Roadhouse_LLC_709880_7.pdf) online.



Todd “K” Kwiecien, co-owner of Royal Scot Bowling in Lansing, joins others at a rally at the State Capitol on Aug. 12 demanding that the state government allow bowling centers to open. MATTHEW DAE SMITH/LANSING STATE JOURNAL

# Royal Scot stays open, has liquor licenses suspended

**Megan Banta**

Lansing State Journal  
USA TODAY NETWORK – MICHIGAN

WATERTOWN TWP. – Royal Scot’s liquor licenses and other permits have been suspended after the business remained open despite new statewide restrictions meant to slow the spread of COVID-19.

The Michigan Liquor Control Commission on Monday issued an emergency suspension order for the bowling alley’s Class C and Specially Designated Merchant liquor licenses as well as various other permits.

Bowling alleys and similar entertainment centers were ordered to close as part of statewide restrictions that took effect Nov. 18 and will last until at least Dec. 20.

An investigator called three times to confirm Royal Scot was still open for bowling and “could hear what sounded

like bowling balls rolling and pins falling in the background,” according to the emergency suspension order.

The investigator identified herself during the third call and asked to speak to Todd Kwiecien, a co-owner.

Kwiecien told the investigator “he had a right to be open and operate his business,” the order says.

After that conversations, the investigator went to Royal Scot in person, where she observed:

- Two men leaving with bowling bags
- A man and a child bowling with two cups and a straw wrapper on a table behind them. Neither was wearing a mask
- Four men sitting at a table in the bar area. They were not wearing masks even though the investigator didn’t see them eating or drinking.

“The continued operation of the licensed premises allowing indoor gatherings, as ‘gathering’ is defined by Order, and allowing those gatherings without

requiring patrons to wear face masks, poses an immediate threat to the health, safety, and welfare of the public and if allowed to continue is likely to result in additional significant outbreaks of COVID-19,” the state order reads.

The Mid-Michigan District Health Department, which covers Clinton, Gratiot and Montcalm counties, had previously issued a warning letter and cease and desist letter to Royal Scot, according to the order.

The state order immediately suspends the liquor licenses and permits at Royal Scot and directs Kwiecien or other representatives to report to a virtual hearing at 1 p.m. Friday before an administrative law judge.

David Kallman, a Lansing-area attorney who is representing the business, was not immediately available for comment.

Contact reporter Megan Banta at [mbanta@lsj.com](mailto:mbanta@lsj.com).