

COLORADO COUNTY COMMISSIONERS COURT
NOTICE OF OPEN MEETING

DATE OF MEETING: MARCH 27, 2020 – 4:45 P.M.
BUILDING: Colorado County Courthouse, County Courtroom
STREET LOCATION: 400 Spring Street
CITY OF LOCATION: Columbus, Texas

Pursuant to the authority granted under Government Code, Chapter 551, the Commissioners Court may convene in a closed meeting to discuss, deliberate and take action on any of the agenda items listed below. Immediately before any closed session, the specific section or sections of Government Code, Chapter 551, which provides statutory authority, will be announced.

On this the 27th day March 2020, the Commissioners Court of Colorado County, Texas met in Special Session at 4:45 P.M., in their regular meeting place at the Colorado County Courthouse, County Courtroom, 400 Spring Street, in the City of Columbus, Texas.

The Following Members were present, to wit:

Honorable Ty Prause	County Judge
Honorable Doug Wessels	Commissioner Precinct #1
Honorable Darrell Kubesch	Commissioner Precinct #2
Honorable Tommy Hahn	Commissioner Precinct #3
Honorable Darrell Gertson	Commissioner Precinct #4
Honorable Kimberly Menke	County Clerk
By: Nancy Davenport	Deputy County Clerk

County Judge Ty Prause called the meeting to order at 4:49 P.M., followed by Pledges to the United States Flag and Texas Flag.

Judge Prause informed we have limited (10) to attend our meetings during this COVID-19 Disaster until further notice.

DELIBERATE AND CONSIDER ACTION ON THE FOLLOWING ITEMS:

__1. Agenda as posted.

Motion by Commissioner Wessels to approve Agenda; seconded by Commissioner Kubesch; 5 ayes 0 nays; motion carried, it was so ordered.

(See Attachment)

**MINUTES OF THE COLORADO COUNTY
COMMISSIONER'S COURT SPECIAL MEETING
MARCH 27, 2020**

**COLORADO COUNTY COMMISSIONERS COURT
NOTICE OF OPEN MEETING**

FILED FOR RECORD
COLORADO COUNTY, TX

2020 MAR 24 PM 4:41

KIMBERLY MENKE
COUNTY CLERK

N-D.

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DELIBERATE AND CONSIDER ACTION ON THE FOLLOWING ITEMS:

- 1. Agenda as posted.
- 2. Public comments.
- 3. Consider and take appropriate action regarding possibly extending the duration of the Joint Disaster Declaration issued by the County Judge on March 20, 2020, Pursuant to Chapter 418, Texas Government Code.
- 4. Adjourn.

Due to COVID-19 precautions Commissioners Court occupancy is limited to 10 persons during this time. All other persons will be able to participate as detailed below.

Join Zoom Meeting

<https://zoom.us/j/778516274?pwd=U1I5eFR1YjRtNytiQWpGbVVYL245Zz09>

Meeting ID: 778 516 274

Password: 065110

Dial by your location

877 853 5247 US Toll-free

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 2. Public comments.

Judge Prause informed that (1) Public Comment Rules Form was completed by Vince Leibowitz, who stated that he wanted to thank the Court for their leadership and that the County got under an Order like the one in place. I support the Court in extending this Declaration and also ask to have other public gathering places blocked off such as playgrounds, basketball courts. I would like to see the Court take more stringent restrictions, for I have seen some who are not following the guidelines. I know sometimes the government has to take care of the people when the people won't take care of themselves. (See Attachment)

MINUTES OF THE COLORADO COUNTY
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Colorado County Commissioners' Court

Public Comment Rules

1. Citizens wishing to speak must sign in on the bottom of this sheet.
2. Public comment will be limited to five (5) minutes per person and thirty (30) minutes per agenda item.
3. Citizens will be allowed to address only items that are on the agenda and as indicated on the bottom of this sheet. A separate sheet must be filled out for each agenda item to be discussed.
4. All comments must be addressed to the Commissioners' Court.
5. The Court may make a request for information from the floor on an "as needed" basis, as determined by the Judge or a Commissioner.
6. The Judge (or Judge pro tem) has full and final authority to amend or terminate any of the above.

Please remember that this is an "Open Public Meeting" and not a "Public Hearing". Very specific rules apply to each.

Public Participation Form

Name (please print) VINCE LEIBOWITZ

Which agenda item do you wish to address? 2

In general, are you for or against this agenda item? For N/A Against N/A

V Leibowitz
Signature

Note: This form must be presented to the County Clerk (or assistant) prior to the time that the agenda item you wish to address is discussed before the Court.

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- __3. Consider and take appropriate action regarding possibly extending the duration of the Joint Disaster Declaration issued by the County Judge on March 20, 2020, Pursuant to Chapter 418, Texas Government Code.

Judge Prause informed that all (3) cities have extended their Declarations.

Motion by Commissioner Gertson to extend the duration of the Joint Disaster Declaration issued by the County Judge on March 20, 2020, Pursuant to Chapter 418, Texas Government Code to coincide with Governor Abbott's time frame; seconded by Commissioner Wessels; 5 ayes 0 nays; motion carried, it was so ordered.

(See Attachment)

MINUTES OF THE COLORADO COUNTY
COMMISSIONER'S COURT SPECIAL MEETING
MARCH 27, 2020



FILED FOR RECORD
COLORADO COUNTY, TX

2020 MAR 30 PM 1:10

KIMBERLY MENKE
COUNTY CLERK

KM

COUNTY OF COLORADO §
§
STATE OF TEXAS §

Order Extending Joint Disaster Declaration

SARS Co-V-2 Virus; COVID-19 Disease

WHEREAS, the spread of COVID-19 remains a threat to the health and safety of the citizens of Colorado County and threatens the functions and operations of the local hospitals, medical clinics, healthcare providers, EMS ambulance service, county offices and city offices; and

WHEREAS, the United States Federal Government declared a national emergency on March 13, 2020 as a result of the COVID-19 outbreak; and

WHEREAS, on March 13, 2020, a Declaration of State of Disaster was issued by Governor Abbott to take additional steps to prepare for, respond to, and mitigate the spread of COVID-19 to protect the health and welfare of Texans; and

WHEREAS, on March 19, 2020, Governor Greg Abbott issued an Executive Order relating to COVID-19 preparedness and mitigation; and

WHEREAS, on March 20, 2020, a Joint Disaster Declaration was executed by the Mayors of the Cities of Columbus, Eagle Lake and Weimar, and by the County Judge of Colorado County (*which said Joint Disaster Declaration is incorporated by reference herein for all purposes*); and

WHEREAS, said Joint Disaster Declaration adopted and restated Governor Abbott's Executive Order (GA-8) which prohibits gatherings of groups of 10 or more people; closes gyms and licensed massage businesses; prohibits visitation to nursing homes or retirement or long-term care facilities unless to provide critical assistance; and temporarily closes schools; and

WHEREAS, the Colorado County Commissioners Court met on March 27, 2020, to consider and take appropriate action regarding possibly extending the duration of the Joint Disaster Declaration issued by the County Judge (*on behalf of Colorado County's participation in the Joint Disaster Declaration*) on March 20, 2020.

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NOW THEREFORE, THE COUNTY OF COLORADO COUNTY, TEXAS, PURSUANT TO THE AUTHORITY VESTED BY TEXAS GOVERNMENT CODE CHAPTER 418, HEREBY ORDERS AS FOLLOWS:

SECTION 1. That the findings and recitations set out in the preamble to this Order are found to be true and correct and they are hereby adopted and made a part hereof for all purposes.

SECTION 2. This Order shall be read to comply with Executive Order No. GA-08 signed on March 19, 2020 at 11:59 a.m. by Texas Governor Greg Abbott, which: prohibits gatherings of groups of 10 or more people; closes gyms and licensed massage businesses; prohibits visitation to nursing homes or retirement or long-term care facilities unless to provide critical assistance; and temporarily closes schools. This Order shall not exceed nor conflict with Executive Order No. GA-08, nor any amendment, revision, termination or extension thereof.

SECTION 3. This Order was pronounced, ordered and made effective upon the action by the Colorado County Commissioners Court on March 27, 2020 at 5:00 p.m. and continues until 11:59 p.m. on April 3, 2020, unless terminated, extended, or modified by an earlier Order of the Commissioners Court of Colorado County, or Governor Abbott terminates, extends or modifies Executive Order No. GA-08.

(a) Subject to this Order, dining on the premises of Food Establishments shall cease until April 3, 2020. Nothing herein precludes the provision of any other food service, such as to-go, take out, or delivery services, by such businesses.

(b) Food Establishments, with or without drive-in or drive-through services and food court dining areas, microbreweries, micro-distilleries, or wineries, may only provide take out, delivery, or drive-through services as allowed by law.

(c) This Order does not apply to the following:

(1) Food Establishments located in hospitals, long term medical care facilities, rehabilitation or medical facilities, child care facilities, group homes, crisis and homeless shelters, assisted living facilities, retirement communities, congregate care facilities, long term care facilities, jails and detention facilities; and

(2) Food banks serving low income citizens and nonprofits providing food to the homeless and the economically disadvantaged.

(d) Consuming alcoholic beverages within the enclosed premises of any Food Establishment or bar shall cease until April 3, 2020. Businesses within Colorado County that have permits to operate as bars, nightclubs, lounges, taverns, or private clubs shall close, unless the business is also permitted to operate as a Food Establishment and such operation shall be limited as provided herein. Hotel and Country Club bars must close, except that any permitted food or beverage service, including alcoholic beverages, may be continued as take out, delivery,

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or drive-through services. Additionally, hotels may provide room service. Nothing in this order affects the sale of alcoholic beverages for off-premises consumption as permitted by State or local law.

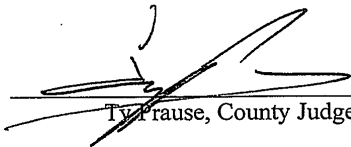
(e) Food Establishments which choose to remain open in accordance with the prior provisions of this Order must take steps to enforce a 6-foot distancing among the public they are servicing.

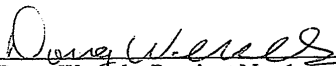
SECTION 4. Failure to comply with this Order shall be reported to the Texas Department of Emergency Management or to local law enforcement and may be punishable by a fine or confinement in jail.


SECTION 5. Colorado County shall post this Order on its website. In addition, the owner, manager, or operator of any facility that is likely to be impacted by this Order is strongly encouraged to post a copy of this Order onsite and to provide a copy to any member of the public asking for a copy. If any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining provisions of this Order.

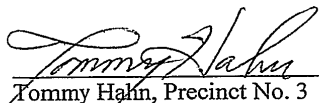
SECTION 6. This Order applies to all unincorporated and incorporated areas within the boundaries of Colorado County.

PRONOUNCED AND ORDERED the 27th day of March, 2020, at 5:00 p.m. by the Colorado County Commissioners Court in Colorado County, Texas.


Ty Frause, County Judge



Doug Wessels, Precinct No. 1

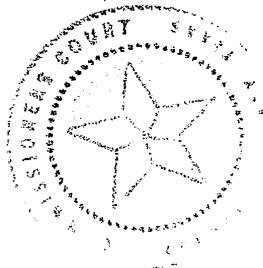

Darrell Kubesch, Precinct No. 2.


Tommy Hahn, Precinct No. 3


Darrell Gertson, Precinct No. 4

ATTEST:


Kimberly Menke, County Clerk



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 4. Adjourn.

Motion by Judge Prause to adjourn; seconded by Commissioner Hahn;

5 ayes 0 nays; motion carried, it was so ordered.

**An audio recording of this meeting of March 27, 2020 is available in the County
Clerk's Office.**

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Minutes were taken and prepared by Kimberly Menke, County Clerk on the 27th day of March, 2020 with Judge Ty Prause presiding.

I, KIMBERLY MENKE, COUNTY CLERK AND EX-OFFICIO OF THE COMMISSIONERS COURT IN AND FOR COLORADO COUNTY, TEXAS do hereby certify that the foregoing is a true and correct copy of the minutes of the Commissioner Court in session on the 27th day of March, 2020.

Given under my hand and official seal of office this date March 27, 2020.



