

**Commissioner, Precinct 1**  
Shelby Dupnik

**Commissioner, Precinct 2**  
Benny Lyssy



Sean O'Brien  
**Commissioner, Precinct 3**

Wade J. Hedtke  
**Karnes County Judge**

Sharon Chesser  
**Commissioner, Precinct 4**

**KARNES COUNTY, TEXAS**  
**DECLARATION OF A LOCAL STATE OF DISASTER AND PUBLIC**  
**HEALTH EMERGENCY REGARDING COVID-19**

**WHEREAS**, beginning in December 2019, a novel coronavirus, now designated SARS-CoV2 which causes the disease COVID-19, has been declared a global pandemic by the World Health Organization; and

**WHEREAS**, the symptoms of COVID-19 can cause a severe illness, including coughing, fever, shortness of breath and cause further complications including death; and

**WHEREAS**, COVID-19 virus mainly spreads between people who are in close contact with one another through respiratory droplets produced when an infected person coughs or sneezes and a significant portion of individuals with coronavirus lack symptoms ("asymptomatic") and that even those who eventually develop symptoms ("pre-symptomatic") can transmit the virus to others before showing symptoms; and

**WHEREAS**, pursuant to the Texas Disaster Act of 1975, the County Judge is designated as the emergency management director of Karnes County and may exercise the powers granted of the Governor on an appropriate local scale; and

**WHEREAS**, a declaration of local disaster and public health emergency includes the ability to reduce the possibility of exposure to disease, control the risk, promote health, compel persons to undergo additional health measures that prevent or control the spread of disease, including isolation, surveillance, quarantine, or placement of persons under public health observation, including the provision of temporary housing or emergency shelters for persons misplaced or evacuated, request assistance from the governor of state resources, and access funds available for disaster relief and reimbursement at the state and federal level; and

**WHEREAS**, on March 31, 2020, the Governor of the State of Texas issued a revised proclamation certifying that COVID-19 poses an imminent threat of disaster in the state and declaring a state of disaster for all counties in Texas and setting restriction on social gatherings, restaurants, bars and other establishments as well as except where necessary to provide or obtain essential services, residents must minimize in-person contact with people not in the same household; and

**WHEREAS**, on April 12, 2020, the Governor of the State of Texas issued a proclamation renewing the disaster declaration for all counties in Texas and on April 17 and 27, 2020, the Governor issued Executive Order GA-16 which allows for reopened services to begin on May 1, 2020 of retail stores that are not providing "essential services"; and

**WHEREAS**, the County Judge issued a Declaration of Disaster on March 19, 2020 declaring a local disaster and public health emergency because of the disease COVID-19 and on March 23, 2020, the County Judge and Commissioners Court issued a Second Declarations of Local State of Disaster to affirm the declaration issued by the Governor; and

**WHEREAS**, the County Judge and Commissioners Court believe that the Declaration needs to be amended to reflect the newest restrictions and affirm the proclamation issued by the Governor on April 23, 2020; and

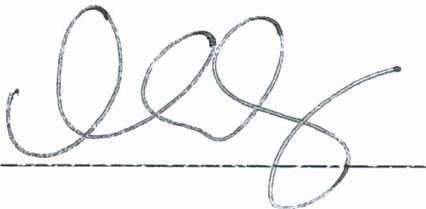
**WHEREAS**, said state of disaster requires that certain emergency protective measures be taken pursuant to the Texas Disaster Act of 1975 relating to Emergency Management and Public Health, pursuant to Chapter 418 of the Texas Government Code.

**NOW, THEREFORE, BE IT PROCLAIMED BY THE COUNTY OF KARNES:**

1. A local state of disaster and public health emergency is hereby declared for the County of Karnes pursuant to §418.108(a) of the Texas Government Code.
2. Pursuant to Section 418.108(b) of the Texas Government Code the state of disaster for public health emergency shall continue for a period of not more than thirty (30) days from the date of this declaration, unless continued by the Karnes County Commissioners Court.
3. Pursuant to §418.108(c) of the Government Code, this declaration of a local state of disaster and public health emergency shall be given prompt and general publicity and shall be filed promptly with the County Clerk.
4. Pursuant to §418.108(d) of the Government Code, this declaration of a local state of disaster and public health emergency activates the Karnes County Emergency Management Plan.
5. Pursuant to §418.020(c) of the Government Code, this declaration authorizes the County to commandeer or use any private property, temporarily acquire, by lease or other means, sites required for temporary housing units or emergency shelters for evacuees, subject to compensation requirements.

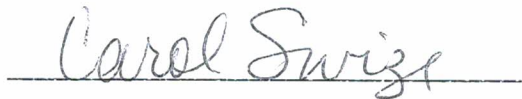
6. Pursuant to §122.006 of the Health and Safety Code, this declaration authorizes the County to take any actions necessary to promote health and suppress disease, including quarantine, examining and regulating hospitals, regulating ingress and egress from the County, and fining those who do not comply with the County's rules.
7. In accordance with Texas Government Code Section 418.173 of the Texas Government Code, a person who knowingly or intentionally violates this declaration commits an offense punishable by a fine up to \$1,000.00 or confinement in jail for a term that does not exceed 180 days.
8. Pursuant to the statutory authority vested in me as the presiding officer of the County of Karnes, I issue guidance as set out within the Declaration Regarding Public and Private Gatherings and Related Matters attached hereto and incorporated herein as Exhibit "I".
9. As County Judge, I further reserve all other authority and powers conferred by state law to respond as necessary to this situation.
10. Any provision in this Declaration that is not included but included in the Governor's Executive Order on April 27, 2020, the Governor's order shall control.
11. That this declaration shall take effect immediately from and after its issuance and be effective for thirty days from the date of passage unless extended or modified by Commissioners Court.

**ORDERED THIS THE 1<sup>st</sup> DAY OF MAY, 2020.**



Wade J. Hedtke,  
Karnes County Judge

Attest:



Carol Swize,  
Karnes County Clerk

## EXHIBIT "1"

### Declaration regarding Public and Private Gatherings and Other Matter

#### 1. Declaration Regarding Public and Private Gatherings:

- a. This Exhibit "1" incorporates and adopts, except as where noted below, the Centers for Disease Control ("CDC") Interim Guidance for Coronavirus Disease 2019 (COVID-19) dated March 15, 2020.
- b. The virus that causes COVID-19 is easily transmitted, especially in group settings, and it is essential that the spread of the virus be slowed to protect the ability of public and private health care providers to handle an influx of patients and safeguard public health and safety.
- c. For all gatherings, it is strongly recommended that social distancing protocols established by the United States Center of Disease Control and Prevention (CDC) and found within the "Implementation of Mitigation strategies for Communities with Local COVID-19 Transmission" issued by the CDC on or around March 11, 2020, including canceling, rescheduling, or not attending events with more than ten persons.
- d. Further, organizations that serve high-risk populations should follow CDC guidance for social distancing.
- e. Because of the risk of the rapid spread of the virus, and the need to protect the most vulnerable members of the community, the declaration includes the following effective at 11:59 p.m. on March 23, 2020 and continuing until 11:59 p.m. on April 22, 2020.

Order No. 1 Every person in Texas shall avoid social gatherings in groups of 10 or more people.

Order No. 2 In accordance with the Guidelines from the Governor of Texas and the CDC, there will be no eating and drinking at bars, restaurants, and food courts; provided, however, that the use of drive-thru, pickup, or delivery options is allowed.

Order No. 3 In accordance with the Guidelines from the Governor of Texas and the CDC, people shall not visit nursing homes or retirement or long-term care facilities unless to provide critical assistance.

Order No. 4 In accordance with the Guidelines from the Governor of Texas and the CDC, schools shall be closed for the remainder of the 2019-2020 school year.

Order No. 5 All essential business retailers and any businesses reopened under applicable state order, including grocery stores and discount stores are instructed to: sanitize all carts prior to customers' usage, continuously sanitize all checkout areas including credit/debit card machines, maintain a six (6) foot separation between customers in lines both inside and outside (at the store's entrance) and are requested to limit the number of individual items sold to each customer or family. All fuel service providers are mandated to post signage warning against risks posed by lack of sanitation of fuel pumps.

Order No. 6 That this declaration hereby closes all parks, public and private located in the County except all walking trails and green space located at these parks may remain open but groups of 10 and more people are still prohibited.

Order No. 7 As a result of the pandemic, and to achieve the goals established by the Governor to reduce the spread of COVID-19, every person in Texas shall, except where necessary to provide or obtain essential services, minimize social gatherings and minimize in-person contact with people who are not in the same household. "Essential services" shall consist of everything listed by the U.S. Department of Homeland Security in its Guidance on the Essential Critical Infrastructure Workforce. Other essential services may be added to this list with the approval of the Texas Division of Emergency Management (TDEM). TDEM shall maintain an online list of essential services, as specified in this executive order and in any approved additions. Requests for additions should be directed to TDEM at:  
EssentialServices@tdem.texas.gov  
or  
[www.tdem.texas.gov/essentialservices](http://www.tdem.texas.gov/essentialservices).

Order No. 8 As a result of the Governor's Declaration, bars, lounges, taverns, private clubs, arcades, theatres, bowling alleys, bingo parlors, indoor commercial amusement businesses, gyms, martial arts studios, nail salons, hair salons, barber shops, hair removal salons, massage parlors, spas, tattoo and piercing parlors shall close.

Order No. 9 CDC recommends wearing cloth face coverings in public settings where other social distancing measures are difficult to maintain (e.g., grocery stores and pharmacies).

Order No. 10 As a result of the Governor's Executive Order GA-16 and Executive GA-18 issued April 17, 2020 and April 27, 2020, respectively, "reopened services" shall be allowed to open starting on May 1, 2020, in strict compliance with the terms required by Texas Department of State Health Services. All other retail stores that are not eligible to reopen under state order must remain closed.

The declaration does not prohibit people from accessing essential services or engaging in daily activities, such as going to grocery stores, gas stations, auto repair and banks, so long as the necessary precautions are maintained to reduce the transmission of COVID-19. For offices and workplaces that provide essential services and remain open, employees should practice social distancing, good hygiene and, where feasible, work from home in order to achieve optimum isolation from COVID-19. The more that people reduce their public contact, the sooner COVID-19 will be contained and the sooner this declaration will expire.



**ATTESTATION FOR RURAL COUNTIES WITH FIVE OR FEWER  
LABORATORY CONFIRMED CASES OF COVID-19**

Rural counties may, on an individualized basis, increase capacity for restaurants, retail, and/or movie theaters if the county judge certifies and affirms to the DSHS that the following standards have been investigated and confirmed to be met:

1. The county had five or fewer COVID-19 laboratory confirmed cases on April 30, 2020 or on a later date, if the county had 5 or fewer active COVID-19 cases as verified by DSHS.
2. The county has created a list of testing opportunities in the county or the area.
3. The county has been in contact with your designated Regional Advisory Committee (RAC) to ensure the community is prepared for any needed health care transfers.
4. The county has provided public notice to the residents of your county, including:
  - Signs and symptoms of COVID-19.
  - Recommended health and safety protocols in line with CDC guidance.
  - Information regarding how residents can get tested in the area.
  - A link to the DSHS website where residents can go to learn about community spread in nearby communities, in order to help county residents understand their risk to exposure if they travel regularly outside of the county.
5. The county has contacted each of the following types of facilities located in your county to ensure they are complying with HHSC and CDC guidelines regarding COVID-19:
  - Nursing homes
  - Assisted living facilities
  - Industrial, agricultural, or business facilities with a significant number of employees
  - City or county jails
6. The county is equipped and prepared to protect vulnerable populations, including nursing homes and assisted living facilities.



7. The county has documented procedures to be activated if a resident becomes COVID-19 positive, including procedures to close businesses or facilities as necessary in line with the plan to open Texas.
8. The county has contacted DSHS in order to create a plan to ensure contact tracing will occur within 48 hours of a positive test reported to DSHS.

If the county meets the above standards and chooses to do so, the county may do the following:

- Increase dine-in restaurant capacity from 25% to up to 50% of the restaurant's capacity - All other provisions regarding restaurants still apply.
- Increase retail in-store capacity from 25% to up to 50% of the retailer's capacity - All other provisions regarding retail still apply.
- Increase movie theater capacity from 25% to up to 50% of the movie theater's capacity - All other provisions regarding movie theaters still apply.
- Increase museum and library capacity from 25% to up to 50% of the museum's or library's total listed occupancy. All other provisions regarding museums and libraries still apply.

**All counties must adhere to all other provisions set forth on the previous pages, including the standard health protocols listed on the DSHS website, as amended by the April 27, 2020 update.**

The stricter statewide restrictions to 25% of the total listed capacity for establishments listed in GA-18 will be-re-applied if:

1. Five consecutive testing / tracking intervals with positivity rates > 12% in that interval; or
2. The county has more than 3 positive cases per 1,000 residents; or
3. Less than 15% of the surge capacity in hospitals for the catchment area is available.

**NOTE: Under GA-18, the Governor may, by proclamation, return any county to the essential services-only level.**





TEXAS  
Health and Human  
Services


Send the signed attestation form, including the supplemental county information, to the Department of State Health Services Coronavirus Disease 2019 (COVID-19) email at: [coronavirus@dshs.texas.gov](mailto:coronavirus@dshs.texas.gov). Please include the word "attestation" in the subject line for proper routing.

***I hereby certify and affirm that all the foregoing conditions are met, and that I will provide all relevant county information below found in the supplemental county information section.***

Name: WADE J. HEDTKE

Title: COUNTY JUDGE

County: KARNES

Signature: 

Date: April 30<sup>TH</sup>, 2020

FILED

At 3:36 o'clock P.M

APR 30 2020

CAROL SWIZE, COUNTY CLERK  
JAMES C. HOGAN, TEXAS  
 Deputy



## Supplemental County Information

### Section C – County Information:

Are there hospitals located in your county?  Yes No If yes, number of hospitals:

1

Is your community considered a healthcare shortage area? Yes  No

Are there licensed physicians, physician assistants, and advanced practice nurses in your county?  Yes No

Is there a healthcare clinic in your county?  Yes No If yes, the number of healthcare clinics: 1

Is COVID-19 testing available in your county?  Yes No

Is a mobile testing site operational in your county?  Yes No

Has your county requested a mobile testing site?  Yes No

### Section D – Vulnerable Populations

Is there a nursing home in your county?  Yes No If yes, the number of facilities:

\_\_\_\_\_

Is there an assisted living facility in your county? Yes  No If yes, the number of facilities:

3

### Section E – Large Facilities

Are there industrial, agricultural, or business facilities with a significant number of employees in your county? Yes  No

Are there city or county Jails in your county?  Yes No

Are there any large residential state facilities in your county?  Yes No