

**ORDER OF KENEDY COUNTY JUDGE  
REGARDING HEALTH AND SAFETY POLICY  
AND KENEDY COUNTY EMPLOYEE'S WORKDAYS AND FACE COVERINGS  
ISSUED JULY 13<sup>th</sup> 2020**

Whereas, pursuant to Texas Government Code Section 418.108, Kenedy County Judge Louis E. Turcotte, III issued a Declaration of Local Disaster for Public Health Emergency on March 18, 2020, due to a novel coronavirus now designated SARS-CoV2 which causes the disease COVID-19; and

Whereas, the Declaration of Local Disaster for Public Health Emergency has been continued several times with the consent of the Kenedy County Commissioners' Court; and

Whereas, on March 24, 2020, the World Health Organization indicated that the United States has the potential to become the center of COVID-19 pandemic; and

Whereas, on May 12, 2020, Texas Governor Greg Abbot issued a proclamation renewing the Disaster Declaration for all counties in Texas in accordance with Section 418.014 of the Texas Government Code; and

Whereas, the COVID-19 virus is contagious and spreads through person-to-person contact, especially in group settings; and

Whereas, the transmission of COVID-19 has not dissipated but remains a significant threat to the health and safety of the Kenedy County community and rates of infection in adjacent cities and counties are increasing at an alarming exponential rate and the number of people ending up in the hospital, ICU or on ventilators is also dramatically rising despite efforts by local authorities to control the spread; and

Whereas, the County Judge acts as the emergency management director for the county and serves as the Governor's designated agent in the administration and supervision of duties during a state of emergency declared by the Governor in accordance with Section 418.1015(a) and (b) of the Texas Government Code; and

Whereas, the County Judge serving as the Governor's designated agent in the administration and supervisions of duties during a state of emergency declared by the Governor, "may exercise the powers granted to the governor under this chapter on an appropriate local scale" in accordance with Section 418.10105(b) of the Texas Government Code; and

Whereas, the County Judge has determined that extraordinary emergency measures must be taken to try and mitigate the effects of this public health emergency and to facilitate a response to the public health threat; and

Whereas, it is the intent of this Executive Order to remain as consistent with and to harmonize, to the extent possible, the executive orders of Texas Governor Greg Abbot, as extended or modified; and

Whereas, by the authority vested in me as Kenedy County Judge and as the Emergency Management Director for Kenedy county to continue to protect the health and safety of the community and address developing and rapidly changing circumstances including adjacent cities and counties when presented by the current public health emergency, I issue this Executive Order to protect the lives, health, welfare and safety of the County's residents from the devastating impacts of this pandemic.

NOW, THEREFORE, I, COUNTY JUDGE LOUIS E. TURCOTTE, III, FOR KENEDY COUNTY, TEXAS, PURSUANT TO THE AUTHORITY VESTED BY TEXAS GOVERNMENT CODE CHAPTER 418, HEREBY FIND AND ORDER:

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

Effective as of July 13<sup>th</sup>, 2020, ("Effective Date") and continuing until further notice, unless modified or terminated by the Kenedy County Judge.

1. **Public Health Emergency:** This Executive Order shall incorporate and adopt the most recent executive order GA-26 issued by Texas Governor Greg Abbott on June 3, 2020, and any subsequent orders by the Governor relating to the expanded opening in Texas in response to the COVID-19 disaster.

2. **Health and Safety Policy – Kenedy County Workdays:** From the Effective Date of this Order, the Kenedy County employees, except for the Sheriff's Department and the Kenedy County Fire & Emergency Services District.No. 1, work schedule shall be from Monday-Friday from 8:30 a.m. to 12:30 p.m.; The Sheriff's office and the Kenedy County Fire & Emergency Services District No. 1 shall work and maintain their regular schedules; Department Heads shall post a Public Notice on the outside door of their building with the employees' working hours, their office addresses and that County services shall be conducted by phone or email; and all members of the public and employees entering a public building or working therein, shall wear a face covering over their nose and mouth and keep a distance of 6 feet from other people or employees working the close proximity of other co-workers where six feet of separation is not feasible. Further, the Kenedy County employees shall stay at home from 1:00 p.m. to 4:30 p.m. and should they fail to stay at home, they will forfeit a days' wages. The Health and Safety Policy required to be developed and implemented by this Order may also include the implementation of other mitigating measures designed to control or reduce the transmission of COVID-19 such as temperature checks or health screenings. DEPARTMENT HEADS MUST POST THE HEALTH AND SAFETY POLICY REQUIRED BY THIS ORDER IN A CONSPICUOUS LOCATION SUFFICIENT TO

PROVIDE NOTICE TO EMPLOYEES AND VISITORS OF ALL HEALTH AND SAFETY REQUIREMENTS.

3. **Face Coverings – General Public:** All people shall wear a face covering over their nose and mouth when in a public place where it is difficult to keep six (6) feet away from other people or working in areas that involve close proximity with other coworkers. The Centers for Disease Control and Prevention (“CDC”) advises face covering for people 2 years or older. Face coverings may include homemade masks, scarfs, bandanas, or a handkerchief. Kenedy county residents should continue to maintain social distancing of at least six feet while outside their homes. Kenedy County employees are also required to wear face coverings under the same circumstances as the general public.

IT IS STRONGLY RECOMMENDED THAT YOU NOT OBTAIN OR WEAR MEDICAL MASKS OR N-95 RESPIRATORS AS THEY ARE A NEEDED RESOURCE FOR HEALTH CARE PROVIDERS AND FIRST RESPONDERS. Our healthcare workers and first responders on the front-line combating COVID-19 must have priority access to medical masks or other personal protective equipment. Face coverings do not need to be work in the following circumstances provided that the Governor’s minimum standard protocols and social distancing measures are followed:

- a. When exercising outside, or engaging in physical activity outside;
- b. While driving alone or with passengers who are part of the same household as the driver;
- c. When doing so poses a greater mental or physical health, safety, or security risk;
- d. While pumping gas or operating outdoor equipment;
- e. When consuming food or drink, for example, when in a drive-thru or other beverage or dining facilities.

Please note that face coverings are a secondary strategy to other mitigating efforts. FACE COVERINGS ARE NOT A REPLACEMENT FOR SOCIAL DISTANCING, FREQUENT HANDWASHING AND SELF-ISOLATION WHEN SICK. All people should follow CDC recommendations for how to wear and take off a mask. Residents should keep up the following habits while in public:

- a. Washing hands before you leave home and when you return;
- b. Staying at least six feet away from others;
- c. Avoid touching nose or face;
- d. Not using disposable masks more than three times; and
- e. Washing reusable cloth masks regularly to prevent the spread of the virus.

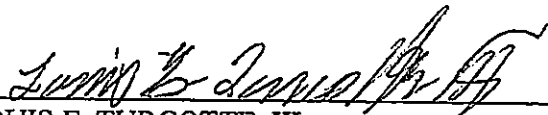
CONSISTENT WITH TEXAS GOVERNOR’S EXECUTIVE ORDER GA-26, NO CIVIL OR CRIMINAL PENALTY WILL BE IMPOSED ON INDIVIDUALS FOR FAILURE TO WEAR A FACE COVERING.

4. **Severability.** If any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, 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 portions or applications of this Order.

5. **Interpretation and Additional Terms.** To the greatest extent possible, this Executive Order shall be interpreted as consistent with and supplemental to any executive order issued by the Texas Governor. All provisions of the executive orders of the Texas Governor either existing or as, if and when issued, which are made applicable to all jurisdictions by law shall be automatically incorporated into and constitute terms of this Executive Order, enforceable as if set forth herein without necessity for the issuance of further orders.

6. **Enforcement.** Excepting Section 3 of this Executive Order and in accordance with the limitation contained in the executive orders of Texas Governor Greg Abbot, any peace officer or other person with lawful authority is hereby authorized to enforce the provisions of this Executive Order in accordance with the authority granted under the Texas Disaster Act of 1975.

ORDERED THIS 13<sup>th</sup> DAY OF JULY, 2020.

  
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LOUIS E. TURCOTTE, III  
KENEDY COUNTY JUDGE