

AGENDA
NOTICE OF REGULAR CITY COUNCIL MEETING
CITY OF KEMPNER, TEXAS
April 14, 2020
7:00 PM
12288 E. Hwy 190 Kempner, Texas 76539

NOTICE IS HEREBY GIVEN that the City Council of the City of Kempner, Texas will hold its regular meeting at the above-named date, time and location for the consideration and action on all the items listed below:

1. CALL TO ORDER, CALL OF ROLL/IDENTIFICATION OF A QUORUM
2. Invocation
3. Pledge of Allegiance/Pledge to the Texas Flag

NON-ACTION ITEMS

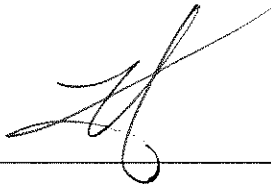
4. Citizens Comments – Must sign in and note whether Agenda or Non-Agenda items
5. Reports
 - Police
 - Any Additional City Hall Repairs and Costs– Mayor

ACTION ITEMS

6. Consent Items:

All items listed under the Consent Agenda are routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a Council member in which event, the item will be removed from the consent agenda and considered separately

- a. Consider approval of the minutes from the Council meeting held on March 24, 2020.
 - b. Consider approval of the Accounts Payable for payment dated March 27, 2020.
7. a. Mayor will update the Council and City of ongoing 2018-2019 external audit.
 8. Staff Comments.
 9. Date of the next regular meeting will be April 14, 2020.
 10. Adjournment



Dr. Keith L. Harvey, Mayor

I, Keith Harvey, Mayor of the City of Kempner do hereby certify that the above notice of the REGULAR Meeting of the City of Kempner City Council was posted at City Hall, 12288 East Highway 190, Kempner, Texas on the 3rd day of April 2020 before 3:30 p.m.

The City council may convene into executive session on any matter related to any of the above agenda items for a purpose, such closed session is allowed under Chapter 551, Texas Government Code.

This building is wheelchair accessible. Any requests for Interpretive Services must be made 48 hours in advance of the scheduled meeting.

* The Citizen Comments: This portion of the agenda is reserved to provide citizens an opportunity to address the City Council on issues affecting the City. Citizens must sign in with City Secretary prior to meeting. Each citizen's comments are limited to a total of three (3) minutes; a total of 30 minutes has been allotted. You may speak on Agenda and Non-Agenda Items. Non-Agenda Items portion of the agenda is the citizen's opportunity to be heard at the City Council meeting and will be reserved for comments concerning city related issues not otherwise appearing on the meeting agenda.

ACCOUNTS PAYABLE 27 March 2020

<u>NAME OF COMPANY</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
McCreary, Veselka, Bragg, & Allen PC	Municipal Court	\$307.00
KNIGHT LAW FIRM	Legal Service	\$2759.00
BANK OF AMERICA	City of Kempner – Mayor	
	AMZN – Stamp Secretary \$12.65	
	AMER ASSOC Notaries \$96.90	
	OSS – Judge Class \$89.00	
	USPS – Kempner \$10.68	
	Adobe \$16.00	
		\$225.23
BANK OF AMERICA	City of Kempner – Officer Pena	
	Shell Oil - \$30.56	
	Shell Oil - \$30.63	
	Shell Oil - \$26.36	
	Shell Oil - \$30.53	
	Shell Oil - \$30.50	
	Shell Oil - \$32.69	
		\$181.27
BANK OF AMERICA	City of Kempner – Chief Cerda	
	Shell oil - \$31.26	
		\$31.26
CENTURYLINK	Phone services / internet	\$235.17
Total		<u>\$3,738.93</u>

APPROVED:
Dr. Keith L. Harvey-Mayor

ATTESTED:
Monica Pena – City Secretary

KEMPNER POLICE DEPARTMENT

MARCH 2020 REPORT

Calls for service

Information	7
Shots fired	1
Civil Matter	2
Threats	2
Other Park	1
Welfare concern	1
Violation executive order	1
Motorist Assist	1
Reckless Driver	1
Assist Other Agency	1
Animal at Large	1
Suspicious Vehicle	1
Criminal Trespass	1
Crash Report	1

Traffic Stops

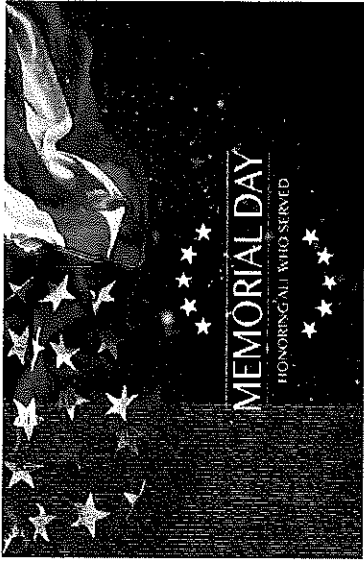
Citations	18
Warnings	35

Offense reports

Fraud	1
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Jesus Cerda
Chief of Police

City of Kempner



Memorial Day Ceremony

In Memory of our Honored Dead

May 25, 2020
10:00 a.m.

at

The Sylvia Tucker Memorial Park
12641 E. US Highway 190
Kempner, TX

No, Freedom Isn't Free
CDR. Kelly Strong, USCG (Ret)

I watched the flag pass by one day.
It fluttered in the breeze.
A young Marine saluted it,
And then he stood at ease.
I looked at him in uniform
So young, so tall, so proud,
With hair cut square and eyes alert
He'd stand out in any crowd.
I thought how many men like him
Had fallen through the years.
How many died on foreign soil?
How many mothers' tears?
How many pilots' planes shot down?
How many died at sea?
How many foxholes were soldiers' graves?
No, freedom isn't free.

I heard the sound of taps one night,
When everything was still
I listened to the bugler play
And felt a sudden chill.
I wondered just how many times
That taps had meant "Amen,"
When a flag had draped a coffin
Of a brother or a friend.
I thought of all the children,
Of the mothers and the wives,
Of fathers, sons and husbands
With interrupted lives.
I thought about a graveyard
At the bottom of the sea
Of unmarked graves in Arlington.
No, freedom isn't free.

Lampasas County Veterans Service Organizations

- American Legion Post 116, Lometa
- American Legion Post 277, Lampasas
- American Veterans Post 80, Lampasas
- Veterans of Foreign Wars Post 8539, Lampasas
- Veterans of Foreign Wars Post 3393, Kempner

*Kempner – A community of rural living and
traditional family values.*

Order of Program

- WelcomeRev. Kenneth Foster Sellers, Jr.
Kempner United Methodist Church
- Invocation.....Mrs. Betty Parker
- Posting of Colors (Please Stand).....62nd Engineer Battalion
- Pledge of Allegiance (Remain Standing).....Mack K. Ruskiewicz
- National Anthem Solo.....Mrs. Alicia Straley
- Keynote Speaker Introduction.....Dr. Keith L. Harvey
Mayor
- Keynote Speaker.....CW5 Immanuel DelaCruz
166th Aviation Command Chief Warrant Officer
- TAPS (Please Stand).....
- Retiring of Colors (Remain Standing).....62nd Engineer Battalion
- Benediction (Remain Standing)Pastor David Richardson
Lampasas Baptist Church
- Adjourn

At the end of the program...

You have the opportunity to purchase an engraved stone to recognize the dedicated service of a family member, a friend or yourself. This personalized stone will be laid in the "Wall of Honor" as a permanent display of recognition for our true American heroes. Stones can be purchased for past or present members of any branch of our Nation's armed services. The cost is \$50 per stone, plus 40 cents per letter.

Honor Our Military



CW5 Immanuel DelaCruz
166th Aviation Command Chief Warrant Officer

CW5 Immanuel DelaCruz graduated from Kahuku High School, on the island of Oahu, Hawaii. He enlisted as a Private in 1987 to become an Aircraft Power-Plant Mechanic (68B). Following Basic Training at Fort Dix, New Jersey and Advanced Individual Training at Fort Eustis, Virginia he was assigned to Katterbach Kaserne, Ansbach, Germany where he served in Charlie Company, 9-1 Aviation Support Battalion. As a Sergeant in 1994, Mr. DelaCruz attended Initial Rotary-Wing Training and his first assignment as a Warrant Officer was with Charlie Company, 2-2 Aviation Regiment, Camp Stanley, Korea. Since then, he has served in a myriad of assignments and staff positions to include: Company Instructor Pilot, 78th Aviation Battalion, Camp Zama, Japan; Battalion Safety Officer, 3-158th Assault Helicopter Battalion, Katterbach, Germany; Battalion Safety Officer/Instructor Pilot/Pilot to the United States Forces Korea Commander, 2-2 Assault Helicopter Battalion, Seoul Air Base, Korea; Brigade Safety Officer, 12th Combat Aviation Brigade, Katterbach, Germany; Brigade Safety Officer, 1st Aviation Brigade, Fort Rucker, AL; and currently as the 166th Aviation Training Support Brigade Command Chief Warrant Officer.

Mr. DelaCruz' operational assignments include Desert Shield Desert Storm in 1990 as an Aircraft Power-Plant Repairer, two tours in Iraq in 2007 and 2009 both as a Battalion Safety Officer. He has served overseas for a total of 16 years between Korea, Japan, and Germany.

His awards and decorations include Bronze Star Medal, the Meritorious Service Medal with two Oak Leaf Clusters, the Air Medal, the Army Commendation Medal with five Oak Leaf Clusters, the Army Achievement Medal with two Oak Leaf Clusters, and several service and campaign ribbons. He has also earned the Master Army Aviation Badge and the Air Assault Badge. Military and civilian education include: all Warrant Officer Professional Military Education and a Master of Science in Aeronautics.

Mr. DelaCruz is married to former Rhojon I. Shimabuku for 27 years and they are blessed with two children: Ivy (25) and Christian (21).

The Knight Law Firm, LLP

Attorneys at Law

RECEIVED MAR 26 2020

Attention:

City of Kempner
 Keith Harvey, Mayor
 P.O. Box 6608
 Kempner, TX 76539-0660

Invoice #: 2054
 Invoice Date: 3/23/2020
 Matter: General
 Billing Period: January 1st - 31st, 2020

<u>Date</u>	<u>Activity</u>	<u>Hours</u>	<u>Amount</u>
1/13/2020	Emails to Mayor Harvey re: land development request, review emails and property exhibit, email to Mayor Harvey	0.5	75.00
1/14/2020	Review request for development and construction of storage unit, call to Mayor Harvey and discuss development plans, review Lampasas County Appraisal District information regarding 13948 and 13914 E. Hwy 190, review sales tax information for Kempner and Lampasas County,	1.5	225.00
1/15/2020	Storage project related matters, continue review and email to Mayor Harvey	0.5	75.00
1/23/2020	Review emails from Mayor Harvey re: pending open records requests, review of operation of home-based businesses, confer with MC re: home-based businesses and open record related matters, review and research State Comptroller regulations	0.9	135.00
1/29/2020	Review emails; transmit email re: various items for agenda; review email to M. Clawson from Mayor.	0.3	45.00
1/30/2020	Review emails from Mayor Harvey re: salary of Mayor and petition received for City Manager form of government. Review Local Government Code, Chapters 21, 22, 25 and 141, review ordinance 2009-08-11-002 from Mayor Harvey, review matters related to ordering an election, review Texas Attorney General Opinions GA-0001 (2002), LO-94-091 and H -425 (1974) and relevant case law, Ellis v. Hanks, 478 SW 2nd 172, 176, call from Councilman Wilkerson re: council seat no. 2 and special election related requirements, review secretary of state election calendar and related timelines, review general and special election related orders from Secretary of State, Elections division, call to Mayor Harvey re: general and special election related matters, discuss agenda and procedures, Lampasas County running election for City and related matters, review petition for city manager form of government and detail process to Mayor Harvey re: special election and required procedures from Local Government Code Chapter 25	4.6	690.00
1/31/2020	General and Special Election related matters, review and research Election Code, Government Code and Local Government Code, review election calendar and related Secretary of State information advisories, draft ordinance calling election for Places 1, 2 and 5, draft notices, draft proclamation regarding calling of special election by Mayor Harvey of city manager form of government, review election services agreement with Lampasas County, review Lampasas County Office of Elections Administrator web page and related information, draft notice of deadline to file applications for place on ballot, draft and email agenda language to Monica Pena And Mayor Harvey, respond to emails and calls from Mayor Harvey, send HB 305 web page requirements and posting of notice requirements	8.4	1,260.00

802.10

(mp)

Code
 802.10 = \$2505.00
 802.30 = \$255.00

Approved by [Signature]
 Date Approved 3/26/2020
 Date Paid 3/26/2020
 Check No. 6788

Total \$2,505.00
Credits -\$1.00
Invoice Balance Due \$2,504.00

The Knight Law Firm, LLP

Attorneys at Law

RECEIVED MAY 14 2020

Attention:

City of Kempner
Keith Harvey, Mayor
P.O. Box 6608
Kempner, TX 76539-0660

Invoice #: 2055
Invoice Date: 3/23/2020
Matter: Municipal Court
Billing Period: January 1st - 31st, 2020

802.30

<u>Date</u>	<u>Activity</u>	<u>Hours</u>	<u>Amount</u>
1/6/2020	Call from defendant attorney Miller re: Hill pending matter, discuss final judgment, appeal and possible plea	0.3	45.00
1/7/2020	Email to Tracie Martin re: status update to defendant Hill and communications from attorney Miller, discuss recommendations to resolve pending matter, review email from Judge Mahoney and email to defendant attorney Miller	0.5	75.00
1/8/2020	Call from Defendant attorney Miller re: Dustin Hill pending matter, discuss plea offer and terms, email to Tracie Martin re: plea offer and related matters, review software and Incode related matters and emails from Tracie Martin	0.9	135.00

MP

Total \$255.00
Credits \$0.00
Invoice Balance Due \$255.00

STATE OF TEXAS *

COUNTY OF LAMPASAS *

CITY OF KEMPNER *

BE IT REMEMBERED that on March 24, 2020, the City Council met in City Hall with the following members present: Council Members David Richardson, Betty Parker, John Wilkerson, Mack Ruskiewicz.

The meeting was called to order at 7:00 P.M. and the following business was conducted:

1. Roll Call
2. Council Member Mr. Ruskiewicz Led the Invocation
3. Pledge of Allegiance/Pledge to the Texas Flag

Non-Action Items

4. Citizens Comments – None

5. Reports

- Any Additional City Hall Repairs and Costs- Mayor
 - All roof repairs are completed at this time. At this present time, there are no major repairs that are needed to be done as of right now.

ACTION ITEMS

6. Consent Items.

All items listed under the Consent Agenda are routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a Council member in which event, the item will be removed from the consent agenda and considered separately.

- a. Consider approval of the minutes from the Council meeting held on March 10, 2020.
- b. Consider approval of the Accounts Payable for payment dated March 5, 2020.
- c. Consider approval to postpone the general and special election to the November 3, 2020 uniform election date per the authorization of Governor Greg Abbott.
 - Mr. Wilkerson made a motion to approve 6a and 6b and pull out 6c for discussion. Mr. Richardson second.
 - Mr. Ruskiewicz made a secondary motion to comment on section 6b. Mr. Wilkerson stated he is willing to amend his motion and second Mr. Ruskiewicz motion. Mayor stated the first motion has been amended.

- Mr. Ruskiewicz stated he appreciates Jack Clark the way he laid out all the financials last meeting.
- Mr. Wilkerson made a motion to approve 6a and 6b and pull out 6c for discussion. Mr. Richardson second. All in favor of approval of 6a and 6b, motion carries.
- Mr. Wilkerson addressed the council and stated he spoke with Mark Bishop in regarding TML putting out the guidelines saying that the Governor authorized for the elections to be postponed. He stated he spoke with Mr. Bishop asked for the election to be postponed due to not wanting his staff to be subjected to unnecessary exposures. Mr. Wilkerson stated he agrees for the May 2, 2020 election to be postponed at least until November and if TML stated the election can be sooner then that will be addressed.
- The Mayor stated Mr. Bishop has been in contact with the City Hall and has expressed his concern about postponing the election until November. Mr. Bishop contacted the City Hall today and advised the City of Lampasas postponed the election for November 3, 2020.
- Mr. Wilkerson stated based on the literature today by TML stated there is a great possibility for the City of Lampasas County to have issued a shelter in place and could cost for someone to contest the election and that should be taken into consideration.
- Mr. Ruskiewicz stated it all adds-up on why we should postpone the election.
- The Mayor stated if we do not postpone the election it will be the city's expense.
- Mr. Ruskiewicz made a motion if no one has a comment to approve 6c, Mr. Richardson second. All in favor, motion carries.

a. Convene into executive session according to Section 551.074, Texas Government Code, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of TCOLE Certified Reserve Peace Officer.

b. Reconvene into open session to act as determined appropriate in the City Council's discretion regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of TCOLE Certified Reserve Peace Officer.

- Mr. Wilkerson made a motion to approve the two candidates that were presented to them to become Reserve Unpaid Peace Officers for the City of Kempner, Mrs. Parker second. All in favor, motion carries.

8. Staff Comments

- Mr. Wilkerson stated the last council meeting or the meeting before where the council was asked to help dispel inaccuracy throughout the community and stand up for what the truth is. He stated he would like to go over information without sounding abrasive and make solutions for the information he has been filled in with. The Mayor stated all the information he has been presented with to please provide the information to the City Secretary. Mr. Wilkerson stated he has sent emails to the City Secretary and has not received responses. The Mayor asked Mr. Wilkerson if he has not received any emails from the City Secretary and Mr. Wilkerson responded stating he has received some but had not received any emails asking for workshops and information to be placed on the agenda. The Mayor stated that email sent by Mr. Wilkerson had information regarding the executive session and he cannot discuss any of that information.

Mr. Wilkerson stated he was not wanting to discuss information from the executive session. The Mayor stated if he does not have a court order to discuss information from the executive session, no information will be discussed.

9. The date of the next regular meeting will be held on April 14, 2020.

10. Adjournment- Mr. Richardson made a motion to adjourn, Mr. Ruskiewicz second. All in favor, motion carries.

ATTEST: _____

Monica Pena – City Secretary

APPROVED: _____

Dr. Keith L. Harvey- Mayor



Lampasas County Public Health Emergency Declaration
Stay Home Stay Safe

WHEREAS, on March 16, 2020, President Trump acknowledged the gravity of the COVID-19 pandemic, releasing strict new guidelines to limit people's interactions, including that Americans should avoid groups of more than 10 people;

WHEREAS, on March 20, 2020, Governor Abbott issued the following executive order relating to the COVID-19 pandemic:

Order No 1: In accordance with the Guidelines from the President and the CDC, every person in Texas shall avoid social gatherings in groups of more than 10 people.

Order No 2: In accordance with the Guidelines from the President and the CDC, people shall avoid eating or drinking at bars, restaurant, and food courts, or visiting gyms or massage parlors; provided, however, that the use drive-thru, pickup, or delivery options is allowed and highly encouraged throughout the limited duration of this executive order.

Order No 3: In accordance with the Guidelines from the President 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 President and the CDC, schools shall temporarily close.

WHEREAS, pursuant to Texas Government Code Section 418.108, Lampasas County Judge Randall J Hoyer issued a Declaration of Local Disaster for Public Health Emergency on March 23, 2020, due to a novel coronavirus now designated SARS-CoV2 which causes the disease COVID-19; and,

WHEREAS, on March 23, 2020, the Lampasas County Commissioners Court approved Judge Hoyer's Disaster Declaration for Lampasas County issued an Order of Continuance of Declaration of Local Disaster for Public Health Emergency that affirmed the activation of the Lampasas County Emergency Management Plan and extends until such time as the County Judge and/or the Commissioners Court determines such is no longer required.

WHEREAS, on March 26, 2020, Lampasas County Judge Randall J Hoyer issued an order for Lampasas County residents to:

- Requires social distancing of at least six feet from any person when they are outside their residence
- Restricts gatherings in groups of more than 10
- Prohibits dining in at restaurants and food establishments
- Prohibits service-oriented business from performing services that require physical contact
- Strongly encourages County residents to remain at home and limit travel to essential needs only.

WHEREAS, current information from the CDC, the President, Governor, CDC and local emergency planning committee indicates an increased seriousness for Lampasas County;

THEREFORE, BE IT PROCLAIMED and ORDERED by County Judge Randall J Hoyer that Lampasas County residents are directed to **Shelter in Place**.

SUMMARY OF ORDER

Summary: The virus that causes Coronavirus Disease (COVID-19) is easily transmitted through person to person contact, 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 the influx of new patients and safeguard public health and safety. Because of the risk of the rapid spread of the virus, and the need to protect the most vulnerable members of the community, this Order requires all individuals anywhere in Lampasas County to shelter in place – that is, stay at home - except for certain essentials activities and work to provide essential business and government services or perform essential public infrastructure construction, including housing. This Order takes effect at 11:59 p.m. on April 1, 2020 and will continue through 11:59 p.m. on April 7, 2020, subject to the limited exceptions and under the terms and conditions more particularly set forth below. This Directive may be extended if circumstances warrant such.

UNDER THE AUTHORITY OF TEXAS GOVERNMENT CODE SECTION 418.108, LAMPASAS COUNTY JUDGE RANDALL J HOYER ORDERS:

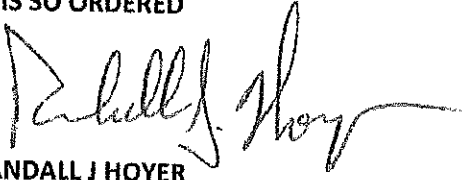
1. Effective as of 11:59 p.m. on April 1, 2020, and continuing until 11:59 p.m. on April 7, 2020:
 - (a) All individuals currently living within Lampasas County are hereby ordered to shelter at their place of residence. For the purposes of this Order, residences include hotels, motels, shared rentals, and similar facilities. To the extent individuals are using shared or outdoor spaces, they must at all times as reasonably as possible maintain social distancing of at least six feet from any other person when they are outside their residence. All person may leave their residences only for Essential Activities, or to provide or perform Essential Governmental Functions, or to operate Essential Businesses, all as further defined in this Directive.
 - (b) All businesses operating within Lampasas County, except Essential Businesses as defined in below in Section 2, are required to cease all activities at facilities located within the County except for minimum basic operation. For clarity, businesses may continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e. working from home). To the greatest extent possible, all Essential Businesses shall comply with the Social Distancing Guidelines, including maintaining six-foot social distancing for both employees and the general public, including, but not limited to, when customers are standing in line.
 - (c) All public or private gatherings of 10 or more people occurring outside a single household or living unit are prohibited, except as otherwise provided herein. Nothing in this Order prohibits the gathering of members of a household or living unit.
 - (d) Restaurants with or without drive-in or drive-through services and microbreweries, micro-distilleries, or wineries may only provide take out, delivery, or drive-through services as allowed by law.
 - (e) Religious and worship services may only be provided by video and teleconference. Religious institutions must limit in-person staff to ten (10) people or less when preparing for or conducting video or teleconference services, and all individuals must follow the Social Distancing Guidelines including the six-foot social distancing.
 - (f) All elective medical, surgical, and dental procedures are prohibited anywhere in Lampasas County. Hospitals, ambulatory surgery centers, dental offices and other medical facilities are directed to identify procedures that are deemed "elective" by assessing which procedures can be postponed or cancelled based on patient risk considering the emergency need for redirection of resources to COVID-19 response.
2. Definitions:
 - (a) For purposes of this Order, individuals may leave their residence only to perform any of the following "Essential Activities":
 - i. To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members (for example, obtaining medical supplies or medication, visiting a health care professional, or obtaining supplies need to work from home).
 - ii. To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others (for example, food, pet supply, and any other household

- consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residences.)
- iii. To engage in outdoor activity, provided the individuals comply with social distancing requirements of six feet (for example, walking, biking, hiking or running).
 - iv. To perform work providing essential products and services at an Essential Business or to otherwise carry out activities specifically permitted in this Order.
 - v. To care for a family member or pet in another household.
- (b) For purposes of this Order, "Essential Businesses" means:
- i. **Essential Healthcare Operations.** Healthcare operations, including hospitals, clinics, dentist, pharmacies, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, mental health providers, substance abuse service providers, blood banks, medical research, laboratory services, or any related and/or ancillary healthcare services. Home-based and residential-based care for seniors, adults, or children are also considered healthcare operations. Healthcare operations also includes veterinary care and all health and welfare services provided to animals. This exemption shall be viewed broadly to avoid any impacts to the delivery of healthcare. Healthcare operations do not include fitness and exercise gyms and similar facilities. Healthcare operations do not include elective medical, surgical, and dental procedures as established in accordance with Subsection 1(f) of this Order.
 - ii. **Essential Government Functions.** All services provided by political subdivisions of the State needed to ensure the continuing operation of those agencies to provide for the health, safety, education, and welfare of the public. Further, nothing in this order shall prohibit any individual from performing or accessing "Essential Government Functions." All Essential Government Functions shall be performed in compliance with social distancing requirements of six feet, to the extent possible.
 - iii. **Essential Critical Infrastructure & Activities.** Work that is necessary to the operations and maintenance of the critical infrastructure sectors as identified by the National Cybersecurity and Infrastructure Agency (CISA), including public works construction, residential and commercial construction, airport operations, water, sewer, gas, electrical, oil refining, roads and highways, public transportation, solid waste collection and removal, internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services), financial institutions, defense and national security-related operations, essential manufacturing operations provided that they carry out those services or that work in compliance with social distancing requirements of six feet, to the extent possible. Essential Businesses providing essential infrastructure should implement screening precautions to protect employees and all activity shall be performed in compliance with social distancing guidelines attached.
 - iv. **Essential Retail.** Food service providers, including grocery stores, warehouse stores, big-box stores, bodegas, liquor stores, gas stations and convenience stores, farmers' markets that sell food products and household staples. Food cultivation, including farming, fishing, and livestock. Businesses that ship or deliver groceries, food, goods or services directly to residences. Restaurants and other facilities that prepare and serve food, but only for delivery or carry out. Schools and other entities that typically provide free services to students or members of the public on a pick-up and take-away basis only. The restriction of delivery or carry out does not apply to cafes and restaurants located within hospital and medical facilities. Laundromats, dry cleaners, and laundry service providers. Gas stations, automobile sales, auto-supply, auto and bicycle repair, hardware stores, construction supply stores, and related facilities. Businesses that supply products needed for people to work from home.
 - v. **Providers of Basic Necessities to Economically Disadvantaged Populations.** Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals.
 - vi. **Essential Services Necessary to Maintain Essential Operations of Residences or Other Essential Businesses.** Trash and recycling collections, processing and disposal, mail and shipping services,

building cleaning and maintenance, warehouse/distribution and fulfillment, storage for essential businesses, funeral homes, crematoriums and cemeteries. Plumbers, electricians, exterminators, and other services providers who provide services that are necessary to maintaining the safety, sanitation, and essential operations of residences and Essential Businesses. Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities. Businesses that supply other essential businesses with the support of supplies needed to operate.

- vii. **News Media.** Newspapers, television, radio, and other media services.
 - viii. **Childcare Services.** Childcare facilities may continue to operate; however, to the extent possible, it is recommended that groups consist of no more than 10 and be kept separate.
3. Any manufacturer who retools so that a substantial part of their business is for the purpose of manufacturing and producing ventilators may apply for an "essential business" exemption under this Order.
 4. Grocery stores, supermarkets, warehouse stores, hospitals, and medical facilities are experiencing high levels of demand for a large number of products, requiring more deliveries from manufacturers and distribution centers to serve their customers. A number of Texas cities and local associations have implemented restrictions on delivery hours to stores to mitigate truck noise and traffic. Due to the need to deliver products as quickly and efficiently as possible during this critical timeframe, this Order hereby suspends all delivery hour restrictions for transport to or from any entity involved in the selling or distribution of food products, medicine, or medical supplies in Lampasas County for the next 60 days.
 5. If someone in a household has tested positive for coronavirus, the household is ordered to isolate at home and follow the directives from their health care provider. Members of the household cannot go to work, school, or any other community function, provided that workers included in Essential Healthcare Operations may continue to work in accordance with CDC guidance. All persons are encouraged to take advantage of telehealth services offered by healthcare providers, including expanded telehealth services now available to Medicare patients.
 6. Nursing homes, retirement, and long-term care facilities are instructed by this order to prohibit non-essential visitors from accessing their facilities unless to provide critical assistance or for end-of-life visitation. These facilities are also required to institute temperature checking of all staff entering the facility at least twice per day and limit physical contact between residents in the facility wherever possible.
 7. For individuals who are 65 and older and individuals with compromised immune systems or underlying health conditions, the following recommendations are made:
 - a. Remain indoors
 - b. Outdoor exercise activities should be solitary
 - c. Prescreen all essential visitors
 - d. Do not visit homes or places with more than one person
 - e. Ask all visitors to wear masks
 - f. Follow social distancing guidelines
 - g. Do not use public transit except in an emergency
 8. Daycare facilities may continue to operate but it is recommended that groups in the facility consist of 10 or fewer in those settings and kept separate to the extent possible.
 9. This Order shall be effective until 11:59 p.m. on April 7, 2020, or until it is either rescinded, superseded, or amended pursuant to applicable law.
 10. The Lampasas County shall provide copies of this Order by posting on the Lampasas County website and by filing with the Lampasas County Clerk. 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 portions or applications of this Order.

IT IS SO ORDERED

A handwritten signature in black ink, appearing to read "Randall J. Hoyer". The signature is written in a cursive style with a long horizontal flourish extending to the right.

RANDALL J HOYER
COUNTY JUDGE

Filed this the 31st day of March, 2020 in the Office of the County Clerk.

Accepted: Connie Hartmann

Connie Hartmann, County Clerk

April 3, 2020

Dear Fellow Citizens of Lampasas County,

Hello again. This is Georgia Hay, MD, your Lampasas County Local Health Authority. I am writing to you to update that we do officially have our first case in Lampasas County. This is not a shock or a surprise, but it does provide even more evidence we need to continue to push to stay at home and physically distance from others to reduce the spread. We are also asking those with COVID-19 in their homes to quarantine the entire household per the health department. I am trying to reach out to those affected to make sure they have what they need and to see about other potential exposures in our community. I want to assure those affected by the virus that none of their personal information will be released. I know emotions and anxiety are running high right now, but I can honestly say it could easily be spread without knowing you are sick and no one should be angry with those affected. I would like to remind that those who are being tested and the members of their household also need to be quarantined at home (not leave at all) until we get results back to avoid other potential exposures. I am hoping to see the wonders of a small community to help and front porch deliveries made to those in need.

I also want to thank those working tirelessly to prepare our community for this pandemic. Everyone is working hard for your safety. I assure you that if you see a nurse out getting groceries in scrubs, if he or she had any contact with a COVID-19 suspect patient, he or she would not be out at the store. We are all making our own make shift decontamination areas in our homes or as we leave work and quickly changing before being out. (Sometimes clean scrubs are just easier) All those working in medicine are extra vigilant to keep our friends, families, and communities safe.

I also know that several congregations are planning to do "parking lot" church coming soon. It becomes almost emotionally overwhelming when we see those we love and support. I understand the importance of these gatherings, and I understand how important our spiritual health is to our emotional, mental, and physical health. I implore those who attend keep with our physical distancing to stay safe. I also want to remind those that if they are not feeling well I wouldn't recommend going even if you are staying in the car. Stay home. Stay safe.

Sincerely,

A handwritten signature in black ink, appearing to read "G. Hay", written in a cursive style.

Georgia C. Hay, MD

STATE OF TEXAS *

COUNTY OF LAMPASAS *

CITY OF KEMPNER *

BE IT REMEMBERED that on April 14, 2020, the City Council met in City Hall with the following members present: Council Members David Richardson, Betty Parker, Mack Ruszkiewicz, Melba Vandever.

The meeting was called to order at 7:00 P.M. and the following business was conducted:

1. Roll Call
2. Council Member Mr. Richardson Led the Invocation
3. Pledge of Allegiance/Pledge to the Texas Flag

Non-Action Items

4. Citizens Comments --

- Lloyd Smith (Non-Agenda Item) –
 - Mr. Smith asked who the park supervisor and events coordinator for the park are. He stated these individuals are not widely known and getting ahold of them is not something that is quickly done. Resources are being wasted on an investigation of theft based on what many are perceiving as a personal issue. The flag was given to a council member who relayed it to the Mayor Pro-Tem. The veteran who replaced the flag from the park is not identified to the public but would like to thank him for his action.
 - The City of Kempner signs are placed in a way that they are virtually impossible to read until you are right upon them. He stated he recognized the council approved the replacement of the previous Boy Scout built sign. Citizens have asked the question of why the Boy Scouts were not allowed to restore the sign. The local scouts stated they offered to do so and were denied. The result of the signs is that they look good but placed in a way on the side of the highway that almost no one can read them and is something that has to be corrected and will cost more money. He also stated that the current signs are in a current situation as bad if not worse than the previous signs.
 - Mr. Smith stated it is understood that there are restrictions on gatherings, and will continue to be so. Mr. Smith recommended to the city to put an order stating what was posted yesterday about how to attend the meeting, who is allowed in person, etc. or putting that information in the agenda. He stated it ensures everyone is

informed and well in advance and minimizes any perception of not adhering to the Open Meetings.

5. Reports

- Police Department
 - Calls for Service: Information 7, Shots Fired 1, Civil Matter 2, Threats 2, Other Park 1, Welfare Concern 1, Violation Executive Order 1, Motorist Assist 1, Reckless Driver 1, Assist Other Agency 1, Animal at Large 1, Suspicious Vehicle 1, Criminal Trespass 1, Crash Report 1.
 - Traffic Stops: Citations 18, Warnings 35.
 - Offense Reports: Fraud 1.
- Any Additional City Hall Repairs and Costs- Mayor
 - At this current time, there are inside ceiling tiles that are being repaired. Repairs are going to continue as needed.

ACTION ITEMS

6. Consent Items.

All items listed under the Consent Agenda are routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a Council member in which event, the item will be removed from the consent agenda and considered separately.

- a. Consider approval of the minutes from the Council meeting held on March 24, 2020.
- b. Consider approval of the Accounts Payable for payment dated March 27, 2020.
- c. Consider approval of the Destruction of Court Documents to include citations, court records, ledgers, and documents in accordance with the State of Texas Library and Archives Commission and Kempner Ordinance #2007-11-13-001.
 - Mr. Richardson made a motion to approve all consent items, Mrs. Parker second.
 - Mr. Ruskiewicz made a comment on action 6c asked if the court documents are old files. The mayor directed the question to Judge Mahoney. Judge Mahoney stated all documents that are being destroyed are cases that are no longer valid due to the statute of limitations and warrants that had been dismissed because they have expired the limitations.
 - All in favor, motion carries.

7. Mayor will update the Council and City of ongoing 2018-2019 external audit.

- At this current time, the external auditors for the city are finalizing the audit and a packet will be received once the audit is completed. All council members will receive a copy of

the finalized audit packet. A representative from the agency will come on April 28th to brief the city of where the city stands with the 2018-2019 Audit.

- Information was brought to the Mayor's attention. All council members, the city staff and himself received a questionnaire from the auditor and on the bottom of that questionnaire asked if you suspect any fraud in the city. The Mayor reminded the council members and the city that as Mayor, CEO of the city, he's in charge of the budget and the liaison between the City and the auditor. Everyone else unless specifically requested by the auditor are to stay in their lanes. A council member called the auditor several times and advised them he suspected fraud by the Mayor regarding the insurance check of \$45,610. The Mayor sent invoices to the auditing company from the initial start of repairs to the present ongoing repairs concerning the car crashing into City Hall. No council member has the right to attempt to sway an audit in any direction or compromise the integrity of it.
- Council members should have received the Memorial Program. Mayor stated he will find out more information from the conference call from the Governor to see if this memorial will go forward and will put out updates.
- The City of Kempner Official Communications of the Mayor is to relay information and update the city as necessary. Information changes constantly and will do his best to keep the city updated.

8. Staff Comments - None

9. The date of the next regular meeting will be held on April 28, 2020.

10. Adjournment- Mr. Ruskiewicz made a motion to adjourn, Mr. Richardson second. All in favor, motion carries.

ATTEST:


Monica Pena – City Secretary

APPROVED:


Dr. Keith L. Harvey- Mayor

