

**APPROVAL OF MINUTES
COMMISSIONERS COURT
FORT BEND COUNTY**

I, **Laura Richard**, duly elected County Clerk and Clerk of Court, Fort Bend County, Texas do hereby submit the Official Minutes of Commissioners Court held on the **30th** day of June, 2020. (Special Meeting)



LAURA RICHARD, COUNTY CLERK

Now, therefore, be it resolved upon the motion of Commissioner Meyers seconded by Commissioner Morales, duly put and carried, it is ordered to accept as presented for record the attached minutes approved on this the **7th** day of July, 2020.



County Judge KP George

KP GEORGE, COUNTY JUDGE

MINUTES

DUE TO EMERGENCY CONDITIONS, THIS MEETING WAS CONDUCTED BY TELEPHONE AND/OR VIDEO CONFERENCE

BE IT REMEMBERED, That on this 30TH DAY of JUNE, 2020, Commissioners Court of Fort Bend County, Texas, met at a special meeting with the following present:

KP GEORGE	COUNTY JUDGE
VINCENT MORALES	COMMISSIONER PRECINCT 1
GRADY PRESTAGE	COMMISSIONER PRECINCT 2
ANDY MEYERS	COMMISSIONER PRECINCT 3
KEN R. DEMERCHANT	COMMISSIONER PRECINCT 4
LAURA RICHARD	COUNTY CLERK

A moment of silence was recognized in honor of the passing of an icon in our community, Stafford Mayor Leonard Scarcella. The flags are at half-staff, including the Texas state flag, in honor of Mayor Scarcella.

Judge George announced Friday, July 3rd is a County holiday.

A roll call of the Commissioners was called by Laura Richard, County Clerk with all present.

In addition, the County Clerk confirmed other ancillary attendees were present.

For the County Attorney's Office - Michelle Turner

For the County Auditor's Office - Amy Hartman present at 1:08 p.m.

Director of Finance & Investments - Pamela Gubbels

When the following were heard and the following orders were passed:

1. Call to Order.

Call to Order by Judge KP George at 1:00 p.m.

2. Public Comments regarding the Agenda and Announcements: speakers are required to register their public participation form by email no later than 9:00 a.m. on the day of the meeting, in accordance with the Rules and Procedures of Commissioners Court.

There were six public comments:

- Tomalea Bench, 1911 Brazos Crossing Drive, Richmond, Precinct 3, spoke on the subject of mandating business owners to regulate and be engaged in commerce according to the County's must comply by edict. Ms. Bench is against extending the Declaration of Local Disaster for Public Health Emergency.

Item 2 continued - Public Comments:

- Chris Siebenaler, Regional Senior Vice President and CEO for Houston Methodist Sugar Land Hospital, 16655 Southwest Freeway, Sugar Land. Mr. Siebenaler provided perspectives from one of the healthcare systems in Fort Bend County. He spoke on how Methodist is managing through the COVID crisis and gave some data points. When the governor relaxed some of the restrictions from his previous executive order in March, Methodist began to provide elective type procedures at the hospital, which had been previously restricted. Over the past two months, Methodist has provided much needed care to the citizens of Fort Bend County while balancing what has been an ever increasing census of COVID patients. Typically, Methodist Hospital runs about 85 - 95% occupancy at any given time. Today the hospital is running about 87% occupancy. Mr. Siebenaler stated roughly 27% of the patients are COVID positive. This means Methodist is still able to provide care to the community, while managing COVID surge and non COVID patients and people should not neglect their own health.
- Heidi Fritsche, Premier Martial Arts of Rosenberg, 2922 1st Street, Rosenberg, believes extending the order should not have been put into effect. She believes it is the responsibility and the right to choose by each individual's own personal health choices. As a business owner, Ms. Fritsche believes it is the business' right to decide what policy to put in place and what is required of patrons. She does not approve of imposing orders on the business.
- Scott McClelland, President of HEB, believes masks are an important component of keeping the public safe. The difference, in wearing a mask, is protecting someone else's health. What has been seen in Counties where there is not a mask ordinance in place, is that the usership or the wearing of the mask falls below 50% of customers. Unfortunately, this topic has become politicized, when it could have been positioned, as a patriotic duty, where we all have to keep each other safe. From HEB's role, of being the largest provider of groceries in the state of Texas, Mr. McClelland's primary goal is to keep his employees and customers safe and to have sustenance and ability to continue to operate the stores. In the last two weeks, the absenteeism rate has gone up, not because of employees getting ill, but because of the fear the employees have of the spreading of COVID virus. There is an opportunity here to choose life and if we don't, we may find we will be deemed by history harshly in terms of our responsibility to manage our way through the Coronavirus
- Dr. Sapna Singh, Pediatrician in Sugar Land, 14500 SW Freeway, Ste. 300 and former President of Fort Bend Medical Society. Dr. Singh asked the court to approve the extension of the masking requirements. Regulating businesses in the effort to protect the community is something that is not new. Universal masking is probably the only chance there is to reopen and not put people's lives at risk. We can open up the economy safely with mask, which is the lowest cost effective measure we have without a vaccine and without a treatment for coronavirus.
- Jeffrey Boney, Council member of Missouri City, is in support of the mask order. He encourages everyone to follow the advice of healthcare professionals and local leaders. Wearing a mask in a business is a good way to prevent an entire workforce from getting infected. In the long term, it would better financially to have people mask up for businesses than to not do so.

Mark Flathouse, OEM Coordinator, gave a brief update on the Fort Bend County COVID situation and on Hurricane season. EOC and HHS staff have been immediately available for the event and activation over the last week. The staff has been maintaining and making sure all state and local documentation are being done for COVID and in preparation for any hurricanes. Areas being worked deal with County employee testing positive and this may become a challenge if there is a hurricane disaster. Mr. Flathouse stated his staff is doing everything to help out with HHS and the testing sites. They are also working on the challenges that involve sheltering and working with nonprofit partners and other partners and jurisdictions, when it comes to any type of activation or potential weather or any major increase in COVID numbers. He is also working with the Judge's office to make sure the orders are being followed through.

Item 2 continued - Public Comments:

Dr. Jacquelyn Minter, HHS Director, stated the case counts are going up and the percent of positives are up across the region. This is one of the reasons for the mask order. Masking or facial covering is one way of continuing to move about this County and making sure we are keeping our neighbors safe. Right now, the County is approaching 3800 cases of COVID and there has been one death added. Dr. Minter continues to see different shifts and patterns of how people are affected. In making sure we utilize mitigation strategies available to us is very important. We have a virus we don't have total information about, a virus where we have no vaccine and no proven treatment. One of the major things we can do is stay physically distant from each other, wash hands frequently and stay home if we are sick. When we are out during work or recreation, having a face covering will help to keep the virus at bay.

3. Discuss and take all appropriate action to extend the Declaration of Local Disaster for Public Health Emergency ordered by the County Judge on June 23, 2020 to continue measures to contain the spread of COVID-19.

Moved by Commissioner Prestage, Seconded by Commissioner DeMerchant
Duly put and carried (3-2), it is ordered to extend the Declaration of Local Disaster for Public Health Emergency ordered by the County Judge on June 23, 2020 until July 31, 2020 at 11:59 PM.

Judge George	Yes
Commissioner Morales	No
Commissioner Prestage	Yes
Commissioner Meyers	No
Commissioner DeMerchant	Yes

Commissioner Morales thanked Judge George for bringing this court together to discuss this public health emergency and letting the court be a part of the deliberations. Commissioner made a statement on extending the Declaration of Local Disaster for Public Health Emergency. First, Commissioner thinks it is important to assure the public that Fort Bend County is still working hard to serve the public. Our law enforcement is as work, our justice system is at work, as is, our Road and Bridge and Drainage Department. To answer several questions received from the public, all other County services are operational. There is no order that has stopped our County's day to day services. All of our County employees were expected to come to work today and perform their jobs as normal, including the Tax Offices, the Justice Center, etc. To the best of his knowledge Fort Bend County is operating today at 100% capacity. According to the Amended Retroactive Order on today's agenda, the public health emergency is necessary because of a spike in COVID 19 cases, both in the number of positive test results and hospitalizations. The citizens of Fort Bend County have every right to know what percentage thresholds have been crossed because of the emergency and the citizens deserve to know what percentages are necessary to end the emergency. Commissioner continues to wear a mask and avoids crowds because he believes in the public health warnings from our health officials and our hospitals. They have been crystal clear in supporting social distancing and mandatory masks that are two major factors in slowing COVID spread. He appreciates that the health officials remain accessible to us because we must have answers to the tough question of public health. As this County's deliberative body, we must create a clear set of guidelines that will be used for the duration of the health emergency. We need a clear set of responsibilities of what we the County and our partners will be doing to keep businesses open and keep the community thriving. Commissioner is desperately concerned about our local businesses. They have been rocked by all of these rapid changes. He understands, very well, there is a hard choice the Governor and County Judges must make between people wearing mask or another business shutting down.

Item 3 continued - Extend The Declaration of Local Disaster:

These businesses have been asked to enforce standards that they have had no role in creating. So if there is going to be a lengthy mandatory mask order imposed on businesses, we need to make sure we have done our part to adequately support those owners. Commissioners Court needs to establish fair and clear guidelines to help them succeed before punishing them for failure. Today's meeting must provide the public with facts and not fear. Fort Bend citizens need answers to their questions. We need accurate data and the public deserves to have careful public deliberation of how their constitutional rights may be affected and what facts were used to create that impact.

Commissioner Meyers pointed out what everyone is talking about in the action taken today is related solely to the mandatory use of wearing a mask, but that is not totally accurate. By granting this extension of declared emergency, it grants the County Judge unfettered authority and powers to take any and all action that, in his judgement, such as shutting down businesses, or the County, etc., is solely within his authority without approval from Commissioners Court. Commissioner believes in wearing a mask and he avoids large gatherings of people. He believes businesses should be allowed to make decisions in their best interest and if they so choose they can require masks of customers before they service them. He does approve of wearing masks, but is not certain of granting the County Judge unfettered authority to take whatever action he so chooses. Commissioner supports wearing a mask, supports social distancing, supports avoiding mass gatherings and does encourage everyone to follow those actions, however he is not sure a mandate from government is necessary.

4. Adjournment.

Commissioners Court Special Meeting adjourned at 1:42 p.m. on Tuesday, June 30, 2020.

Moved by Commissioner Meyers,
to adjourn.

I attest to the accuracy of the foregoing minutes.



Laura Richard, County Clerk, Fort Bend County, Texas