

**\*\*\* CERTIFIED COPIES CAN BE OBTAINED THROUGH THE COUNTY CLERK'S OFFICE \*\*\***

Pursuant to the Texas open meetings act, notice is hereby given that a special called meeting of the Hood County Commissioners will be held on **Tuesday, April 7, 2020**, at **10:00 A.M.**, at the **Hood County Justice Center, Central Jury Room**, 1200 W. Pearl St., Granbury, TX 76048. The following subject will be discussed:

Agenda

- I. Call to order.
- II. Discuss and take appropriate action regarding COVID-19.

Adjourn.

\*\*\* Meeting will be broadcast live and can be accessed through the following link:

<https://stream.lifesizecloud.com/extension/1242079/35ab6698-f11f-4a4b-b03b-41df1af47c1c>

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Agenda

**THE FOLLOWING MEMBERS WERE PRESENT**

Ron Massingill, County Judge  
James Deaver, Commissioner Precinct 1  
Ron Cotton, Commissioner Precinct 2  
Bruce White, Commissioner Precinct 3  
David Eagle, Commissioner Precinct 4  
Katie Lang, County Clerk

**REGARDING ITEM I:** County Judge Ron Massingill called the meeting to order at approximately 10:01 A.M. on the aforesaid date of April 7th, 2020.

**A.)** Approve certificate of Appointment for Health Authority, currently ends on October 23<sup>rd</sup> 2019. Should end on Oct. 23<sup>rd</sup> 2021, obvious clerical error. Motion made by Commissioner Deaver to cross through the end date and change to October 23<sup>rd</sup> 2020. Seconded by Commissioner Cotton. All voted. Motion passed 5-0.

**B.)** Judge Massingill and all Commissioners to Accept Check from Lumminant for \$50,000 to continue the strong emergency response to continue the great work of Hood County. Motion made by Judge Massingill to accept check. Seconded by Commissioner Deaver. All voted. Motion passed 5-0.

**REGARDING ITEM II:** Motion made by Commissioner Cotton for the court to approve the Second Amended Extension Declaration of Disaster for the County of Hood, Texas as ordered by the Judge on the 2<sup>nd</sup> day of April, 2020. Seconded by Commissioner Deaver. All voted. Motion Carried 4-0. Commissioner Eagle Abstained.

*This is not an exact detail of discussion. Please examine audio or video for a more complete record of discussion in this meeting.*

**Speaker: Jay Webster Emergency Manager Coordinator:**

Latest press release 5:00pm

182 COVID-19 tests reported for Hood County that went out.

11 COVID-19 positive cases

120 COVID-19 negative cases

51 pending laboratory confirmations

1 fully recovered

1 death on April 2<sup>nd</sup>, 2020.

4 contracted from travel

3 from work contacts from DFW

2 from family

2 unidentified source

CDC guidelines to reduce COVID-19 spread. We are in the moderate category but we are using the higher category to help slow the spread down.

Essential business such as Home Depot, Lowes, Walmart have implemented their own guidelines.

Status regarding Governor Abbott's order, new declaration specifically addressed salons, barbershops, nail salons, tanning salons, gyms and ect. That they are not considered essential, and that they were to be closed per his order. We cannot relax Judges order because the governors' order supersedes your order. Dr. David Blocker recommends following the orders of the President of the United States and the Governor.

Mr. Mills: I would agree under the Governors order, we are not allowed to open the gym back up.

**Speaker David Hebert:**

I'm back and I will continue to come back until my rights are restored. How exactly did you defend my and everyone else's **1<sup>st</sup> amendment right** to peacefully assemble?

**14<sup>th</sup> Right amendment**, No State shall make or enforce any laws which shall abridge the privileges or immunities of citizens of the United States, Nor shall the state deprive of any life, liberty, or property without due process of the law. Nor deny any person within each jurisdiction equal protections within the laws. Closing business and firing people, that is their income.

**9<sup>th</sup> amendment** – Enumeration in the constitution of certain rights shall not be construed to denied disparage others retained by the people. Which means: We the people have many rights. That are not placed in the constitution. You know, getting a hair cut, staying in shape, going where we want, eating what we want, doing what we want.

This is not about a Pandemic virus, This is a test of Americans and the constitution of the United States of America. That is where we are today.

President Trump was asked why he has not issued a stay at home order? "We have a little thing called the Constitution." He said.

You are elected by the people to defend our rights and I would like to Commend Matt Mills the County Attorney for doing exactly what he was elected to do. Question, Question, Question the authority when it goes in contrast with the Constitutional rights of Americans. I am proud that he is our County Attorney. He has taken a lot of flack because a reporter.

This court should be supporting Matt Mills and his actions to question authority to strip us of our rights. Not siding with anyone who thinks its ok for now, just for now til this is all over.

That's why the constitution was written, to defend our rights.

You sir about to see a turning of the tide.

This is leadership by fear, once the fear wears off and people cannot pay their bills put food on their table. Not just here but across the Nation. If I were you I would be in front of that aftermath.

Most business owners have to see the face of those they have to fire. You have fired thousands of people and never seen their face. And yes I know the Governors' orders are in place and you cannot supersede them. But your orders to close business prior to that, on a knee jerk reaction built on fear. We do not need fearful leaders, we need strong leaders. We have to start somewhere so I am starting at the local level. Can you see why the 1<sup>st</sup> amendment is so important for peacefully assembly.? The stay at home mandate stops people from getting together to petition to remove an elected official or demonstrate against elected officials and their orders.

**County Judge:** The last time you were up here you are employed by another job. Is it exempt? Yes sir. If your company was not exempt, would you violate the governors' orders? You have to answer to your superiors to your company. As you too Sir.

If you think that we just wanted to close business? Business that are owned by our friends. We have a choice, we can let the businesses live and perhaps that all medical advice at that time,. Our decision was not based by your interpretation of what the Constitution has said. With the public health and safety We, the biggest responsibility of Government is to protect the life and safety of the citizens. We are in an emergency situation. If you think for one second that we like the decision to close business. We are following the Presidents orders, the Governors' orders. Hood County is not going to violate any Governor orders. We are doing the best we can to protect the lives of our citizens. I choose lives over financial losses. Thank you sir.

**Citizen Mary Dix:** I think one thing we are all missing, we could be stirring up a sleeping giant. There are citizens that do have certain rights. They are going to get scared, worried, wondering where their income is going to come from. My husband lost his job, I have been the sole provide for a family of 4. I can no longer do my job because the gym is closed. Zero income in our house. Nerve racking. I don't want to be a stimulus check recipient. Not being able to pay our grocery bill, electricity bill, potential to loose our house.

**Commissioner Bruce White:** I get it, but I also get life. This court does care. The Governor is telling us what to do. We are trying to protect peoples lives here. Nobody was prepared for this. Financially we may take some hits but if everybody stays together, we will get through this.

**Mary Dix:** So if I loose my house who's going to come help me get it back? Anybody? If someone gets COVID-19 they get help. They can go to the hospital.

**County Judge:** You cannot get foreclosed on right now. These are the critical times, in the next two weeks if we can get through the crunch times the curve will level off. If the President and the Governor had not put in these measures in place everyone would get sick at the same time. There would be no hospital beds. That's the critical point. We want to protect everybody.

**Mary Dix:** From the last meeting, you do a lot more speaking than listening.

**Judge:** Your time is up. You get 5 min.

**Jay Webster:** I asked the County Attorney, so we all look at the order, he is allowing exercising outside. Which would allow you to continue to teach. Just outside.

**Commissioner Dave Eagle:** We are talking about modifying an order right now?!

**Jay Webster:** That's why I asked the County Attorney.

**Commissioner DaveEagle:** I agree Mr. Herbert. I agree with the questions he was asking, I asked the same last week. I commend our County Attorney. Our County Attorney sent this to the Attorney General. The question is whether the contents of such orders are legal under the statue Texas Constitution and The Constitution. This is not questioning anybody's intentions. But we are making

decisions up here but now under the Governor's order. I am questioning the legality of it. Surely we can question it.

**County Judge:** I don't mind anybody questioning anything. But right now we are in an emergency situation. We are following the Governor's Order, we attached our order to the Governor's order. Everybody is doing everything we can to keep people safe. Our forefathers gave us our right to make emergency orders in the time of emergency.

**Commissioner Dave Eagle:** What's next? Are we going to bring the national guard in here? Are we going house arrest? How far are we going to take this? I go to Walmart and their parking lots are full, the post office is packed. Citizens say You shut me down but everyone else is out. Where do we go from here?

**County Judge:** I'll tell you where we go, we follow the Governor's orders. We are a country of laws and we follow laws. You know you can make change by going to the polls. That's where your ultimate power is, to go to the polls. God Bless America, God Bless Texas and God Bless Hood County.

**ADJOURNED: 10:56 a.m.**

**APPROVED:**

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RON MASSINGILL, COUNTY JUDGE

**ATTEST:**

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KATIE LANG, COUNTY CLERK

UNOFFICIAL