

Taylor County
400 Oak Street,
Suite 300
Abilene, TX 79602



325-674-1235 ph.
325-674-1365 fax
bollsd@taylorcountytexas.org

COUNTY OF TAYLOR
Abilene, Texas

Downing A. Bolls, Jr.
County Judge

For Immediate Press Release

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To: Media Advisories

Briefing on Governor Abbott's Executive Order (GA-32)
October 13, 2020

Taylor County Commissioners' Court extended the counties Declaration of Disaster this morning to include GA-32 Governor's Executive Order on October 7, 2020.

History

- On March 13, 2020, Governor Greg Abbott issued a disaster proclamation certifying under Texas Government Code, Section 418.014 that "the novel coronavirus (COVID-19) poses an imminent threat of disaster for all counties in the State of Texas.
- On March 26, 2020, in my capacity as Taylor County Judge, pursuant to Section 418.108 of the Texas Government Code, I declared a state of local disaster in Taylor County due to COVID-19 following the first confirmed case of COVID-19 in Taylor County.
- On March 31, 2020, the Taylor County Commissioner's Court issued its Resolution of the Commissioner's Court of Taylor County, Texas modifying the March 26, 2020 declaration of disaster to bring our local disaster declaration in line with Governor Abbott's March 13, 2020 Executive Order related to CV-19. The court has consistently extended its disaster

declaration every 30 days, the most recent extension being on September 15, 2020.

- You may remember that the Governor's first executive orders dramatically impacted the operations of businesses and disrupted private lives through the institution of a variety of steps "aimed at protecting the health and safety of Texans and ensuring an effective response to this disaster." GA-08, issued on March 19, 2020, mandated social distancing requirements, shelter-in-place directives, and other CDC and the Texas Department of State Health Services until such time as the number of CV-19 cases dropped. Those were in effect from late-March through early June.
- Local governments have the power and authority to manage disasters under Section 418.108 of the Texas Government Code, but in this particular instance, the Governor's declaration supersedes that of the cities and counties. The City of Abilene, for example, is a home rule city and as such requested and was granted by this court a modification of the County declaration to exclude properties and places within the city limits of Abilene. That City Resolution, No. 195-2020 issued on September 24, 2020, further modifies its Extension of Declaration of Disaster issues on August 27, 2020, to reflect that it applies to persons, places, and activities within the city limits of Abilene.
- Texas Re-Opened under some less restrictive guidelines right around Memorial Day, but immediately saw a spike in the confirmed cases and hospitalizations, necessitating "targeted and temporary adjustments to the reopening plan. The goal was to achieve the least restrictive means for reducing the growing spread of COVID-19 and the resulting imminent threat to public safety that it represented. The goal was also to do so in an effort to avoid the need for more extreme measures.
- In the meantime, there were some significant changes going on in dealing with COVID-19. Improved medical treatments included the substantial increases in testing, abundant supplies of personal protective equipment, and Texan's adherence to safe practices such as social distancing, hand-sanitizing, the use of face coverings. These acts of self-protection and the willingness of commercial businesses to undertake the social distancing

aspects of disease prevention have greatly reduced the spread of COVID-19.

Governor Abbott's latest Executive Order (GA-32) sets the occupancy level for most business establishments in Texas at no more than 75% of the total listed occupancy, with there being no restrictions on critical infrastructure services, religious services, local government operations, child care services, and other areas.

Bar Operations

GA-32 does partially lift occupancy restrictions on bars, but it does set some specific operating standards, which I want to discuss this morning.

1. Bars or similar establishments that hold a permit from the Texas Alcoholic Beverage Commission (TABC) [and are not restaurants that have less than 51% of their gross receipts from the sale of alcoholic beverages and whose customers eat or drink only while seated and that offer dine-in services] may eat or drink only while seated.
2. The exception to that is a brewery, distillery, or winery, where customers may sample beverages while standing so long as they are in a group of six or fewer people AND there is at least six feet of social distancing or engineering controls, such as partitions between the groups.
3. There is a limit on occupancy for indoor bars of 50% of their normal operating occupancy. This limit will not apply to outdoor areas, events, or establishments, although social distancing and other protocols (such as masking) must be followed.
4. Let me clarify that the key to all of this is the location of the bar or business "in an area of HIGH hospitalizations due to COVID-19." This is defined as: "Any trauma service area that has had seven consecutive days in which the number of COVID-19 hospitalized patients as a percentage of total hospital capacity, exceeds 15%, until such time as the Trauma Service Area has seven consecutive days in which the number of COVID-19 hospitalized patients, as a percentage of total hospital capacity, is 15% or less. Abilene and Taylor County are located in Trauma Service Area "D" and the latest numbers as of yesterday reflect a hospitalized COVID-19 patient level of 3.9%, which is well-below the level of 15%. On October 9, 2020, as County Judge of Taylor County, and pursuant to the directives of Governor Abbott's GA-32, I filed the necessary requisite form with the

Texas Alcoholic Beverage Commission indicating that Taylor County is **not** located in an area with high hospitalizations, as listed.

Closing remarks: The intent of these orders is to bring about an orderly re-opening in the midst of some very challenging times. This order is to protect the physical health and well-being of Taylor County residents, to protect the financial health and well-being of Taylor County residents and businesses, and to slow the spread of COVID-19 to the maximum extent possible while safeguarding the Constitutional liberties of Taylor County residents by utilizing the least restrictive means possible and encouraging the highest level of personal responsibility.

PERSONAL RESPONSIBILITY IS OF PARAMOUNT IMPORTANCE IN ATTEMPTING TO PREVENT THE SPREAD OF COVID-19. There have been concerns expressed to me that the re-opening of bars – even under reduced occupancy levels – will result in a spike in the COVID-19 numbers. I hope that is not the case and I will be following the numbers and reports regarding all aspects of the COVID-19 impact on our County and its communities.

Downing A. Bolls, Jr.