

FILED  
TERRI ROSS  
COUNTY CLERK

2020 MAR 23 AM 11:41

BY  DEPUTY  
UPSHUR COUNTY, TX.

**IN THE COUNTY COURT  
OF UPSHUR COUNTY, TEXAS  
MARCH 23, 2020**

**ORDER OF THE UPSHUR COUNTY COMMISSIONERS COURT  
RATIFYING THE DISASTER DECLARATION OF MARCH 17, 2020**

**WHEREAS**, on March 17, 2020, the Upshur County Judge Todd Tefteller, acting in accordance with the authority granted to him under Texas Government Code, Section 418.108(a), declared a local disaster due to the public health emergency posed by the COVID-19 virus for Upshur County;

**WHEREAS**, Texas Government Code, Section 418.108(b) provides that such a declaration of a disaster may not be continued for a period of more than seven (7) days except with the consent of the Upshur County Commissioners Court;

**WHEREAS**, the conditions necessitating the disaster declaration will continue to exist for a period of more than seven (7) days;

**WHEREAS**, the Upshur County Commissioners Court adopts and ratifies the disaster declaration signed by County Judge Todd Tefteller on March 17, 2020, and continues such declaration for a period of more than seven (7) days; and

**WHEREAS**, the Upshur County Commissioners Court hereby establishes a criminal offense against any person who violates any written rule, order or directive emanating from the local Disaster Declaration dated March 17, 2020, or any other written rule, order or directive issued under the authority thereof, including Directive No. 1 dated March 17, 2020, or any further written rules, orders or directives emanating from the Upshur County Judge of this Court, pursuant to the authority contained in Section 418.173 of the Texas Government Code.

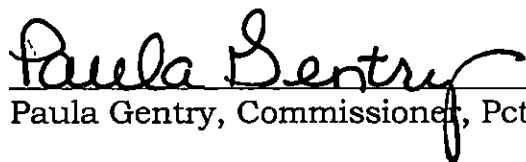
**NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE UPSHUR COUNTY COMMISSIONERS COURT THAT:**

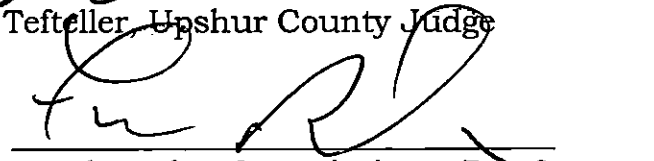
1. The Local Disaster Declaration for Upshur County, Texas signed by County Judge Todd Tefteller on March 17, 2020 is hereby ratified and confirmed;
2. The Directive No. 1 to the local Disaster Declaration signed by County Judge Todd Tefteller on March 17, 2020 is hereby ratified and confirmed;
3. The Local Disaster Declaration dated March 17, 2020 is continued in full force and effect for a period of more than seven (7) days;

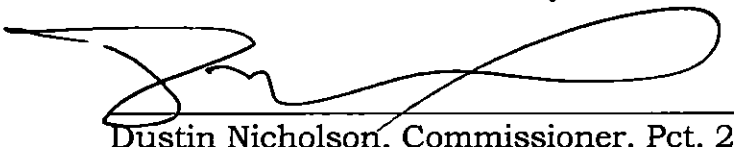
4. County departments are authorized to provide any such mutual assistance to local government entities affected by the COVID-19 virus upon the request of the local government entity, in accordance with Texas Government Code Section 418.109;
5. This declaration of a local state of disaster activates the Upshur County Emergency Plan, pursuant to Section 418.108(b) of the Texas Government Code;
6. The County Judge of Upshur County, Texas has the authority of this Court to take any and all necessary and extraordinary measures to mitigate the effects of this public health emergency and to facilitate the efficient, rapid, and cooperative response to the emergency throughout Upshur County, Texas;
7. The Local Disaster Declaration dated March 17, 2020 takes effect immediately from and after its issuance and continues until such time as it is terminated by order of the Upshur County Judge or the Upshur County Commissioners Court; and
8. The failure of any person to comply with the Upshur County Emergency Plan or any written rule, order or directive contained in the Local Disaster Declaration dated March 17, 2020 or any directive issued there under by the County Judge of this Court shall constitute a criminal offense punishable by confinement in jail for a term that does not exceed 180 days and/or the imposition of a fine not in excess of \$1,000.00, which penalty being authorized by Section 418.173 of the Texas Government Code.

**DONE** and **ORDERED** on this the 23rd day of March, 2020.

  
\_\_\_\_\_  
Todd Tefteller, Upshur County Judge

  
\_\_\_\_\_  
Paula Gentry, Commissioner, Pct. 1

  
\_\_\_\_\_  
Frank Berka, Commissioner Pct. 3

  
\_\_\_\_\_  
Dustin Nicholson, Commissioner, Pct. 2

  
\_\_\_\_\_  
Jay Miller, Commissioner, Pct. 4

ATTEST: Terri Ross  
Terri Ross  
Upshur County Clerk

This document shall be published in all media outlets and posted on Upshur County's website.

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