



April 28, 2020

Governor Jared Polis  
State of Colorado  
State Capitol Building  
Denver, Colorado 80203  
Via Email: [Governorpolis@state.co.us](mailto:Governorpolis@state.co.us) & Certified Mail

Colorado Department of Public Health & Environment  
ATTN: Jill Hunsaker Ryan, Executive Director  
4300 Cherry Creek Drive South  
Denver, CO 80246  
Via Email: [Jill.Ryan@state.co.us](mailto:Jill.Ryan@state.co.us) & Certified Mail

Cc: Jerry Sonnenberg <[senatorsonnenberg@gmail.com](mailto:senatorsonnenberg@gmail.com)>  
Rod Pelton <[rod.pelton.house@state.co.us](mailto:rod.pelton.house@state.co.us)>

Dear Ms. Ryan,

Sedgwick County, through its Attorney, respectfully requests partial relief from the current provisions of Governor Polis' Executive Order D 2020 044 and CDPHE Order 20-28 (the "State Orders"). Sedgwick County is requesting exemptions from the provisions in the State Orders that disallow certain types of businesses, and limit the business that may remain open only to those identified as critical or those performing minimum basic operations or were reopened with limitation after the State Orders. Specifically, Sedgwick County is requesting exemptions for its restaurants to be opened beyond the minimum basic operations currently allowed and to open its bars and gyms that have been fully closed since March 26, 2020 at 6 a.m. Sedgwick County is also proposing a three-phase plan to reopen the County. This plan is included as Schedule 1. The first phase beginning on April 28, 2020 or upon the State's approval of the County's request. Sedgwick County has also prepared guidelines and COVID-19 suppression plan to be distributed to its residents to ensure that its plan has the highest-level chance of success. The guidelines and plan are included as Schedule 2. The County's plan to gradually reopen allows it to tailor its future public health orders to effectively meet the needs of its community, improve behavioral health of its citizens, and begin efforts for its businesses, employees, and residents to recover economically.

As of the date of this letter, Sedgwick County is 1 of 8 counties with 0 reported COVID-19 cases. However, just because Sedgwick County has not had a case, it has continued to take steps to ensure that the risk of any outbreak was limited. I am attaching a timeline, attached as Exhibit A, showing the actions that the Sedgwick County has taken in coordination with the States Orders to help mitigate COVID-19 in the County. Sedgwick County is also working with local business to put

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cough and sneeze guards in place and the local grocery store has required its employees to wear PPE and required all customers to wear protective masks in order to shop at the store. While the County does not want to reverse the actions it has taken to help ensure that its residents are safe, it must also look at the financial hardships its residents have faced in taking these actions and what will happen to Sedgwick County's businesses if the same restrictions are continued without relief. Sedgwick County must balance these dueling concerns, the health and safety of its residents with the economic depression that this shutdown has caused.

To highlight Sedgwick County's need to begin reopening, I am highlighting three sectors that have been dramatically affected by COVID-19 closures and restrictions and what, if any, reduced limitation the County is purposing related to the State Orders.

**Travel Restrictions:**

One of Sedgwick County's main sources of revenue is through travel and tourism. Julesburg, the County seat, is located at the I-80 & I-76 interchange. Julesburg has the most visited of the 10 state Welcome Centers. Last year it had over 20,000 visitors in April, this April with the shutdown it has 0. The impact of restricted travel can also be seen with Julesburg's gas stations located at the interchange. The Wagon Wheel Conoco has seen its gasoline sales go down almost 50% and its store sales down 60% and the Lacy's Shell has seen worse declines of 65% and 80%, respectively. While the need to reduce travel is important to reducing COVID-19 impact, it should be noted that the Colorado Department of Wildlife allowed the normal turkey hunting season (April 11 to May 31, 2020) in Sedgwick County to go forward without restriction or delay even after Sedgwick County requested it be delayed to May 2, as was done for Yuma County. This is increasingly worrisome since the new State Orders, which are seen to begin the statewide reopening of Colorado, only allow that Colorado residents travel 10 miles from open for recreation.

Sedgwick County is hopeful that travel will begin to increase now that additional businesses will be reopened in relation to the new State Orders and if the State grants the County's variance for additional business to increase interstate traffic until the State is opened to a greater degree.

**Restaurant/Bars:**

Sedgwick County is a small, rural county in Northeastern Colorado. It has a small population and an even smaller amount of business opportunities. However, it has several restaurants and bars that have been reduced to carry-out/to-go order service or completely shut down since March 26, 2020. These restaurants and bars provide meals and jobs to the County's residents. Sedgwick County recognizes the importance of continuing social distancing in the face of this pandemic, but these businesses will simply not survive more than a few weeks before they will be closed permanently. Included with this letter are numerous letters, emails, and other communication from Sedgwick County restaurant and bar owners supporting this reality, attached as Exhibit B. Also attached is

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Points West Community Bank, Executive Vice President Jay Goddard's letter addressing the financial uncertainty that Sedgwick County businesses are facing due to his bank's unique position as the only small business loan lender, attached as Exhibit C.

Understanding the dueling concerns Sedgwick County faces, it believes that it can still protect its residents' health and welfare but provide less restrictions for these businesses to remain open. The plan for reopening Sedgwick County's bars and restaurants is in Schedule 1.

### **Gyms:**

In Sedgwick County there are 2 locally owned gyms. These are not corporate business but rather sole proprietorships that provide health services to Sedgwick County's residents for years. Like the bars, the State Orders continue to keep gyms closed for the foreseeable future. This reality will also ensure that the 2 gyms in Sedgwick County will not just be shut down to deal with COVID-19 but permanently without any relief from the State. A letter from Kami Waldron, owner of Xtreme Performance, is attached to this letter as Exhibit D.

Like Sedgwick County's restaurants and bars, Sedgwick County believes it can provide lesser restrictions and allow these gyms to open back up without causing additional harm to its residents' health and welfare. The plan for reopening Sedgwick County's gyms is in Schedule 1.

### **Contingency Plan:**

Once Sedgwick County can reopen its bars, restaurants, and gyms under the plans in Schedule 1 and 2, it must have a plan if COVID-19 becomes an issue in the County. Under the current circumstances, the Sedgwick County hospital has not been overrun with patients and supports the Sedgwick County's businesses to request to lift restrictions to allow to reopen or expand services under the current Colorado Orders. This is supported by Sedgwick County Health Center's CEO Nick Goshe's letter, attached as Exhibit E. However, if Sedgwick County's proposed actions or any other actions compromise its residents to receive health care and treatment, Sedgwick County has and will continue to work hand in hand with the Sedgwick County hospital to determine if restrictions will need to put back on these any other County business. The guidelines for this plan are further explained in Schedule 2.

### **Support:**

Pursuant to Colorado Orders, for a variance to be considered, it must have the support of its appropriate health authority, all hospitals within the county, and a majority of the count commissioners. Sedgwick County has received all necessary approvals at this time in addition with this plan also being approved by the Sedgwick County Health Center board of directors and all three municipalities, Sedgwick, Ovid and Julesburg, town trustees. The approvals are attached to this letter as Exhibit F.

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**Conclusion:**

Sedgwick County has a duty to provide for the health, safety, and welfare of its residents. It asks the State to recognize that Sedgwick County is in unique position where COVID-19 has not wreaked havoc on its residents' health but has on their financial wellbeing and livelihood.

Therefore, Sedgwick County asks that the State approve its request for a variance to reopen its restaurants, bars and gyms under the plans provided.

Sincerely,



Kelly Zorn Lowery  
Sedgwick County Attorney  
Enclosures (7)  
4819-3385-2090, v. 5

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**PLAN TO REOPEN SEDGWICK COUNTY**

**GUIDELINES FOR ALL PHASES AND SECTORS (AS APPLICABLE):**

- Perform routine environmental cleaning and disinfection
  - Healthcare facilities
  - Postmortem care facilities
  - Other, non-healthcare facilities
- Monitor workforce for compatible symptoms.
- Non-COVID symptomatic employees should wear a cloth face cover
- Implement or maintain return to work policies
  - Healthcare facilities
  - Critical infrastructure workers after exposure

**PHASE 1- BEGINNING APRIL 28, 2020 (OR UPON STATE’S APPROVAL OF SEDGWICK COUNTY’S REQUEST)**

**Vulnerable Individuals**

- The County will continue to follow Executive Order 2020 044 (“Safer at Home”) related to vulnerable individuals. The County also follows the Safer at Home guidelines that a vulnerable individual means:
  - Individuals who are over 65 years or older;
  - Individuals with chronic lung disease or moderate to severe asthma;
  - Individuals who have serious heart conditions;
  - Individuals who are immunocompromised;
  - Pregnant women; and
  - Individuals determined to be high risk by a licensed healthcare provider.

**Public gatherings**

- Allow gatherings of no more than 10 people and maintain physical distancing whenever possible

**Businesses**

- Encourage telework, wherever possible
- Practice 6-foot physical distancing
- Close common areas where employees are likely to congregate OR implement physical distance protocols
- Continue to limit or prohibit non-essential travel
- Consider return to work in phases as applicable
- Implement or maintain flexible sick leave policies and practices
- Consider accommodations for vulnerable populations

**Retail and Personal Services**

- Follow Safer at Home guidelines
- Implement or continue early openings or specific times for high-risk populations
- Implement a one employee to one customer service ratio with no waiting room allowed

- Implement and maintain guest log with patron's name, contact information for all business, including and previously opened, opened under the Safer at Home order, or opened pursuant to the County's request variance
  - Log will be eventually phased out when all businesses are reopened or at such other time as deemed appropriate
- Any stricter measures that each business deems appropriate and necessary to ensure that its employee and patrons remain protected are encouraged

### **Restaurants, Bars and Gyms**

- Allow for re-opening under the same conditions set forth for Retail and Personal Services pursuant to the Safer at Home Order:
- To Reopen Restaurants and Bars:
  - Implement 6-foot physical distancing
  - Implement early openings or specific times for high-risk populations to receive services
  - Implement or maintain physical barriers for high-contact settings (e.g. cashiers)
  - Utilize face cloth coverings and gloves for all employees and contracted workers whose duties include close contact with members of the public
  - Continue curbside services in businesses where it applies
  - Close-down waiting areas
  - Space tables and lines
  - Implement no-touch payment, as appropriate
  - Encourage all public to wear masks to enter retail businesses
  - No service at bar level, only service at tables
  - Implement and maintain guest log with patron's name, contact information for all business, including and previously opened, opened under the Safer at Home order, or opened pursuant to the County's request variance
    - Log will be eventually phased out when all businesses are reopened or at such other time as deemed appropriate
  - Any stricter measures that each business deems appropriate and necessary to ensure that its employee and patrons remain protected
  - Restaurant owners will be allowed and are encouraged to implement and use outside eating space but must maintain all other restrictions and actions stated above.
- To Reopen Gyms
  - Implement 15-foot physically distancing
  - Gym members must use the same piece of equipment during entire workout, no switching between users.
  - All equipment must be cleaned and disinfected between uses
  - Classes will be allowed but must be less than 4 individuals per class and must comply with all other restrictions
  - Gyms are encouraged to implement staggered classes where appropriate
  - Gym owners will be allowed and are encouraged to implement and use outside eating space but must maintain all other restrictions and actions stated above.

### **Health Care**

- Elective surgeries can resume pursuant to the Safer at Home order.

## **Recreation**

- Maintain physical distancing in outdoor settings (6ft for hikers, 15ft for runners/bikers/fisherman/hunters)
- Open outdoor recreation facilities where adequate controls can be implemented to ensure physical distancing
- Limit gatherings to no more than 10 people
- Maintain restrictions and cleaning guidelines for restrooms
- Travel for any recreational activity is limited to 10 miles

## **PHASE 2-TBA**

### **Public gatherings**

- Allow gatherings of maximum 50 people and maintain physical distancing whenever possible

### **Businesses**

- Non-essential travel can resume
- Follow guidance for number of personnel in building based on square footage (based on fire code as the denominator)
- Maintain 6-foot physical distance in common areas where employees are likely to congregate.
- Consider accommodations for vulnerable populations
- Consider reopening drag race facility if social distancing requirements can be maintained

### **ONGOING PROHIBITIONS:**

- Services to high-risk populations
- Visitation to hospitals and senior living facilities

## **PHASE 3-TBA**

- Resume unrestricted staffing of worksites
- Resume visits to senior care facilities and hospitals
- Large venues (movie theaters, sporting venues, places of worship) can operate under limited physical distancing practices are possible
- Schools and organized youth activities can reopen

## **NOTES:**

Sedgwick County will continue to monitor the spread of disease through syndromic surveillance (COVID-like symptoms), testing, and hospitalizations.

- Newly reported cases of COVID-19 will be investigated within 24 hours
- All cases will be adequately isolated for minimum of 7 days with an objective of no household transmission

Complaints for non-compliance will be handled through the Sedgwick County Communication Center: 970-474-3355.

4836-6000-5563, v. 3



**SAFER AT HOME SEDGWICK COUNTY APRIL 28**  
**CONDITIONS FOR LIFTING RESTRICTIONS**

The World Health Organization has set forth the following guidelines for transitioning from a “scenario of community transmission to a sustainable, steady-state of low-level or no transmission:”

1. Disease Transmission is Under Control
  - a. Pursuant to the Governor’s Safer at Home Executive Order on April 26, 2020, any County wishing to apply for local variance from part or all of the order, must certify that the County has had low case counts of COVID-19 cases or can document fourteen (14) consecutive days of declining COVID-19 cases.
  - b. As of April 27, 2020, Sedgwick County has had 0 positive COVID-19 cases.
  - c. The Sedgwick County Health Center (“SCHC”) has not been overrun with patients but rather the opposite is present, it is nearly empty.
2. There are Sufficient Health System Capabilities
  - a. Sedgwick County has one hospital in the County, SCHC
  - b. SCHC has approved the County’s plan to seek a variance and reopen its County’s businesses earlier than the State orders and guidelines issued to date.
  - c. SCHC screens all workers and patients before entry into the Health Center, following State and CDC guidelines
  - d. SCHC to date has tested 13 patients, meeting criteria established by the State and all have been negative
  - e. SCHC has 15 non-ICU beds with an average daily census of 1.2, SCHC has the staff and facilities to expand to all 15 beds. 4 rooms have been isolated with the potential to care for up to 8 COVID-19 positive patients that require hospitalization
  - f. SCHC has enough PPE for 30 days under normal circumstances
  - g. When testing kits become more readily available, SCHC will have the ability to test in-house. At present, SCHC will send all tests to the State, following its established guidelines.
3. Workplace Preventive Measures are Established
  - a. Guidelines addressing prevention have been written and distributed to the County’s residents, workplaces, and other essential places as outlined in this document (Phases 1, 2, and 3) and found in the County’s COVID-19 website at: <https://www.sedgwccovid.com/>
4. Risk of Imported Cases Managed
  - a. Limits have been set for non-essential travel
5. Communities are Fully Engaged

- a. The entire County, including the BoCC, the Town Trustess for Julesburg, Ovid, and Sedgwick, the SCHC, and the County's local business owners are in agreement that that the County needs to continue to strive to maintain all its residents health and well-being but also needs to reopen the County earlier that the current State Order's allow for the County's economy to begin to recover
6. Enforcement
- a. The County's Sheriff's department will implement a practice for random business checks to ensure compliance.
  - b. The public can also contact the Sheriff by calling the County's Communication Center at 970-474-3355 to report any violations to this variance. However, any false reporting may be prosecuted

### **PUBLIC HEALTH RECOMMENDATIONS FOR ALL RESIDENTS OF SEDGWICK COUNTY**

1. Maintain physical distancing (6 feet)
2. Adults 65 years and older and high-risk populations should limit public interactions and stay at home as much as possible
3. Use cloth face coverings for interactions where physical distancing is not possible or when entering public places
4. People with symptoms should stay home and should not go to work
5. Wash hands frequently with soap and water. If soap and water are not readily available, use an alcohol-based hand sanitizer with at least 60% alcohol.

### **DETERMINING SUCCESS DURING ALL PHASES OF REOPENING**

The determination whether the social distancing policies are working will be based on:

1. keeping the proportion of positive tests to less than 10% of overall tests conducted, and
2. staying below the threshold of less than 8 COVID-19 hospitalizations at SCHC. If respective numbers for either of these measures exceeds the stated limit, actions will be taken to improve social distancing practices in Sedgwick County. It may be necessary to reissue local Stay at Home orders. It is vital that everyone participate in this effort.

### **GUIDELINES FOR ALL SECTORS:**

1. Perform frequent environmental cleaning and disinfection (concentrate on high touch surfaces like tables, doorknobs, light switches, countertops, handles, desks, phones, keyboards, toilets, faucets, sinks, etc.)
  - a. Healthcare facilities
  - b. Postmortem care facilities
  - c. Laboratories

- d. Other, non-healthcare facilities
2. Employees and contracted workers whose duties include close contact with members of the public shall wear a non-medical cloth face covering over the nose and mouth
3. Employees are encouraged to wear a non-medical cloth face covering over the nose and mouth while working, except where doing so would inhibit the individual's health. Such individuals will be assigned to jobs where they do not have contact with the public or other employees.
4. Maintain at least six feet distance from each other
5. Monitor workforce for compatible symptoms
6. Implement or maintain return to work policies

## **SPECIFIC RECOMMENDATIONS BY SECTOR**

### **1. Public gatherings**

- a. Allow public gatherings of no more than 10 people
- b. Maintain at least six feet distance from each other
- c. No festivals or other large gatherings at this time
- d. Large venues shall remain closed (movie theaters, sporting event facilities, etc.)

### **2. Offices**

- a. Encourage telework, wherever possible
- b. Maintain at least six feet distance from customers and each other
- c. Desks, workstations, and other work areas should be separated by at least six feet. If fixed stations exist, separate employees or clients by leaving one station in between. Workstations separated by walls that are six feet or higher can remain as they are
- d. Implement or maintain physical barriers for high-contact settings (e.g. reception areas)
- e. Implement physical distance protocols in common areas (separate tables and chairs by at least six feet)
- f. Place markings on the floor to maintain at least six feet distance in customer lines; try to establish one-way passage as much as possible
- g. Only essential travel is allowed
- h. Consider return to work in phases as applicable
- i. Implement or maintain flexible sick leave policies and practices
- j. Consider accommodations for high-risk individuals or populations
- k. Employees and contracted workers whose duties include close contact with members of the public shall wear a non-medical cloth face covering over the nose and mouth

1. All employees are encouraged to wear a non-medical cloth face covering over the nose and mouth while working, except where doing so would inhibit the individual's health

### **3. Retail and personal services (as applicable)**

- a. Critical businesses that were open under the stay at home order should maintain the same precautions and physical distancing practices
- b. As much as possible, continue curbside delivery while phasing into public opening
- c. Personal services (salons, tattoo parlors, dog grooming, etc.) and non-critical can open under the following guidelines.
  - i. Spread people out so there is at least six feet distance between individuals throughout
  - ii. Separate workstations (tables, chairs, etc.) by six feet. If fixed stations exist, separate clients by leaving one station in between. Workstations separated by walls that are six feet or higher can remain as they are
- d. Implement or continue early opening for high-risk individuals
- e. Implement or maintain physical barriers for high-contact settings (e.g. cashiers)
- f. Implement or maintain one-way entry/exit and aisles
- g. Employees and contracted workers whose duties include close contact with members of the public shall wear a non-medical cloth face covering over the nose and mouth
- h. Implement or maintain curbside services in businesses as a preferred method
- i. Stagger shifts if feasible to decrease the number of employees at the business
- j. Maintain at least six feet physical distancing in waiting areas
- k. Place markings on the floor to maintain at least six feet distance in customer lines
- l. Implement touchless payment methods when possible
- m. Encourage the public to wear cloth face coverings to enter the businesses

### **4. Restaurants/Bars**

- a. Continuing takeout and delivery are highly encouraged
- b. As much as possible, continue curbside delivery while phasing into public opening
- c. Spread people/tables out so there is at least six feet distance between individuals throughout
- d. No "bar" service; clients can only be served at tables
- e. Place markings on the floor to maintain at least six feet distance in customer lines
- f. Implement touchless payment methods when possible
- g. Implement or maintain physical barriers for high-contact settings (e.g. cashiers)

- h. Stagger shifts if feasible to decrease employee numbers at the business
- i. In-room dining shall follow strict physical distancing
- j. Group parties should be limited to no more than six people. People within a party should be family members or acquaintances who have previously been in contact with each other and there is limited risk of disease transmission
- k. Do not allow public sharing of utensils or condiments
- l. Buffets shall have an employee serving the food, no self-serving allowed
- m. Self-serving stations shall remain closed (drinking stations, bulk dry, etc.)
- n. Maintain physical distancing (six feet) in waiting areas
- o. Employees and contracted workers whose duties include close contact with members of the public shall wear a non-medical cloth face covering over the nose and mouth and gloves at all times
- p. Encourage the public to wear cloth face coverings to enter the businesses
- q. Allow business ability to require clients to wear cloth face coverings/gloves

## **5. Elective, Medical and Health Services**

- a. Visitation to hospitals and senior living facilities is prohibited at this time
- b. Elective surgeries can resume
- c. Elective health services can reopen with while adhering to the following precautions
  - i. Use adequate PPE that protects the provider and the client
  - ii. Implement one-way entry/exit and aisles
  - iii. Use an appointment system to minimize the time in waiting rooms
  - iv. Maintain physical distancing (six feet) in waiting rooms
  - v. Implement or maintain physical barriers for high-contact settings (e.g. front desk)
  - vi. Encourage the public to wear cloth face coverings to enter the businesses
  - vii. Employees and contracted workers (other than providers) whose duties include close contact with members of the public shall wear a non-medical cloth face covering over the nose and mouth

## **6. Recreation**

- a. Maintain physical distancing in outdoor settings (6ft while hiking/walking, 15ft while running ,biking, fishing, hunting, etc.)
- b. Open outdoor recreation facilities where adequate controls can be implemented to ensure physical distancing (six feet)
- c. Limit public gatherings to no more than 10 people
- d. Camping should be limited to one family per campsite
- e. No group camping allowed, in individual campsites or group campsites
- f. Playground equipment shall remain closed
- g. Swim beaches shall remain closed

- h. Perform frequent cleaning and disinfection of bathrooms and high-touch surfaces
- i. Only essential travel allowed; avoid traveling outside of your county or local community for recreation
- j. Recreational shall be done only within 10 miles of home pursuant to the Safer at Home Order

## **7. Education**

- a. Limited in-person learning for specific settings (e.g. technical college)
- b. Limit classrooms to no more than 10 people
- c. Maintain at least six feet distance from each other
- d. Higher education, K-12, and organized youth activities shall remain closed
- e. Childcare providers can reopen with the following precautions
  - i. Perform frequent environmental cleaning and disinfection (concentrate on high touch surfaces like playgrounds, toys, tables, doorknobs, light switches, countertops, handles, desks, phones, keyboards, toilets, faucets, sinks, etc.)
  - ii. All employees shall wear a non-medical cloth face covering over the nose and mouth while working with children
  - iii. Maintain at least six feet distance from coworkers
  - iv. Implement physical distance protocols in common areas (separate tables and chairs by at least six feet)
  - v. Symptomatic children should be excluded from care
  - vi. To the extent possible, limit the sharing of utensils, toys, and classroom materials
  - vii. To the extent possible, limit shared spaces to one classroom at the time (e.g. playgrounds)

## **8. Real Estate**

- a. In-person home showings can resume
- b. Maintain at least six feet distance from customers and each other
- c. Cloth face coverings are highly encouraged
- d. Prior to a showing, ensure clients are not experiencing respiratory symptoms
- e. Open houses are prohibited at this time

## **9. Places of worship**

- a. Continue online or drive-by services at this time
- b. When offering on-site services becomes available, implement the following restrictions:
  - i. Operate with strict physical distancing practices
  - ii. Spread people out so there is at least six feet distance between families throughout

- iii. Place markings on the floor to maintain at least six feet distance where lines form
- iv. Implement or maintain one-way entry/exit and aisles
- v. Implement touchless offering options as much as possible
- vi. Encourage employees and the public to wear cloth face coverings
- vii. Discourage people from attending if they are experiencing any symptoms
- viii. Perform frequent cleaning and disinfection of bathrooms and high-touch surfaces

## **10. Gyms**

- a. Can operate IF the following physical distancing and cleaning practices are possible
  - i. The gym shall have no more than 4 people in the gym, including any classes occurring, at one time
  - ii. Spread people out so there is at least fifteen feet distance between individuals throughout
  - iii. Participants may only use the same piece of equipment for the entire workout/class, no switching with other participants until the equipment can be cleaned
  - iv. Any classes are should be staggered, if possible
  - v. The Gyms shall keep a client log, maintaining any participants name and contact and when the facility was used, information until such time is no longer necessary
  - vi. It is recommended that all gym staff and participants where a mask while at the gym

**BOARD OF  
COUNTY COMMISSIONERS  
OF SEDGWICK COUNTY**  
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JULESBURG, CO 80737  
(970) 474-2485

MARK TURNER  
DISTRICT NO 1

HOWARD MCCORMICK  
DISTRICT NO 2

DONALD SCHNEIDER  
DISTRICT NO 3

Sedgwick County COVID-19 Timeframe

March 13, 2020 – Closed ½ day due to possible exposure

March 17, 2020 – Closed to the public for 30 days, employees are on regular schedule.

March 24, 2020 – Directive as follows:

1. Employees who are 65 or older are required to stay home
2. Elected Officials who are 65 or older are requested to stay at home.
3. Department Heads will be required to stagger the schedules of their employees in each of their offices so that 50% or less of their staff are present at one time.
4. Exemptions are Emergency Operations Center, Communication Center, Sheriff's Office, Ambulance Department and R&B. Under this exemption when there are 2 or more present within close quarters a mask is a requirement.

April 20, 2020 – Board of Commissioners will allow the various departments to start staggering their employees shifts while social distancing. Employees 65 and older are not required or encouraged to come to work. Departments are required to not come to work sick and send home anyone who appears ill and sneeze guards have been ordered and will be installed in all offices in the courthouse.



## EXHIBIT B

Sedgwick County Commissioners,

I am a small business owner that has owned and operated a cafe in Sedgwick County for over 30 years and I have exhausted what little savings I had to keep my business going as a take out only diner.

I rely heavily on interstate and locals to keep things in the black at my cafe. When this restriction was implemented I was forced to change my whole mode of operation and do take out only. I would certainly be grateful for you relaxing these restrictions so as to allow a few people to come in and dine instead of take out only. I have the means of "social distancing" customers by the waitresses directing the patrons to a safe distance from other patrons. If they are all traveling in the same vehicle I would seat them all at one booth as they have been shoulder to shoulder so to speak in their vehicle but other parties will be kept at a safe distance from each other.

All our employee wear masks but do not wear gloves on a regular basis as you would have to change gloves in between literally everything that you touch or you would risk cross-contamination. My employees wash their hands in disinfectant or use hand sanitizer at every moment possible to protect themselves and the customers.

We are in the process now of ordering touchless hand sanitizer stations for patrons to use as soon as they walk in the door to keep themselves and my employees safe.

If these restrictions are not relaxed I am going to be forced to close my doors and I am the only source of food on the west end of our county and I have been a loyal provider of both food and friendship for 3 decades and furthermore I will more than likely be forced to close my door permanently if some things do not change in the very near future.

I am working on arranging for a picnic table or two to be set up a safe distance from the cafe entrance in the event a family that is traveling in the same vehicle wants to eat their meal at a table type setting instead of in their vehicle. This outside table setting could as well serve the locals that come up for a meal and they can sit on opposite ends of the table to observe their distancing.

Please consider this letter a request for opening things up a bit so we may all continue to have some revenue to pay utilities, maintenance, employees etc.

Our county needs to have businesses opened up more so they can make ends meet and not have to close, some of them permanently.

Thank you for your prompt action on this matter

Lucy Price dba/Lucys Place

To Whom It May Concern:

D & J Café LLC is a small business located in the town of Julesburg of Sedgwick County. Prior to the COVID-19 pandemic we were a small-town Mom and Pop restaurant that was thriving, even in our small town. As an employer in the county we staffed a total of 10 employees in the winter months and 15 in the summer months.

Since the shut-down of all dine in services we have had to cut staff to 3 employees and change business hours. Financially we have seen a major decrease in sales. This has created a large economic impact on our business and employees. On a daily basis we are currently doing approximately 1/3 to 1/4 of our normal daily sales. We have seen a decrease of customers by 60% to 75% daily based on our point of sale.

If this closure/governor order continues we will be faced with major challenges in keeping the doors to our business open. This could be critical to our community. We understand the consideration for the health and safety of our state and citizens but we also are concerned of the large financial impact of small businesses within our community as well as others.

Sincerely,

Tasha Harris  
Owner  
D&J Café LLC  
114 Cedar Street  
Julesburg, CO 80737

**Commissioners,**

**We are e-mailing regarding the shutdown of our business. I understand we are not closed but The Bar which is right next door is and that is where a lot of our customers come from. This has greatly effected our business financially. Please consider reopening our county.**

**Thank you for your time,  
Katie Stortenbecker  
Manager Sedgwick Liquor**

Dear Commissioners,

We are e-mailing you concerning the impact that the shutdown has had on our business.

We are a very small tavern in Sedgwick and the shutdown has financially strained our business with only being able to serve pop and chips to go.

We rely on the people of our community to keep our doors open. We are not making enough money to keep our doors open much longer. This tavern has ample space to handle the social distancing with the 1300 square foot of the inside of the tavern and we have additional space on our outside patio which about 3000 square foot.

On an average month when we are open we bring in about \$500- \$700 during the week to \$1000/day on weekends.

Since the shutdown we are lucky to make \$100/day.

There have been no cases in our county and we feel if people choose not to come out that is their choice. We continue to have a very clean establishment that we sanitize everyday.

Please consider letting us reopen to our customers and let us continuing to have a surviving business.

If we can't open in the next couple weeks we will not be able to reopen our doors.

Thank you,  
Gena Kinoshita  
Owner



POINTS WEST  
Community Bank

100 E. 3rd St.  
Julesburg, CO 80737  
970.474.3341

1291 Main St.  
Windsor, CO 80550  
970.686.0878

8100 6th St.  
Wellington, CO 80549  
970.558.3250

128 S. Colorado Ave.  
Haxtun, CO 80731  
970.774.6141

355 Eastman Park Dr.  
Windsor, CO 80550

6801 West 20th St.  
Greeley, CO 80634

April 22, 2020

**RE: Sedgwick County Small Businesses Affected by COVID-19**

Sedgwick County Commissioners:

Commissioners,

I am writing to you today to ask for advisement on the re-opening of our county's small, locally owned businesses.

As you are aware, I represent the only community bank in our county of nearly 2,350 people. I house nearly 95% of all the deposits in our county and since we only have a Credit Union and a Saving and Loan besides my bank, I am the only financial institution who can make loans to small businesses. With that said, I am asked daily for advice by these businesses on a wide variety of business questions. The most recent and predominate question I get is, "when can I reopen from the Covid-19 lockdown so my business does not fail?".

I am encouraging you, as commissioner in my county, to give my financed businesses, as well as myself, guidelines on how and when we can expect to open our doors again. I understand that we do not want to open quickly and ruin all the efforts we've made over the past month. But we need to open our businesses as soon as possible in order to not sustain family owned business closures. In our small county, when a business closes, it does not re-open and it is rarely replaced. It is just gone. I do not want to see that happen.

I would like to hear any suggestions and potential guidance on how we can re-open our county businesses.

Sincerely,

A handwritten signature in black ink, appearing to read "Jay Goddard", followed by the text "EVP" in a similar script.

Jay Goddard, EVP & Regional President  
Points West Community Bank  
Julesburg, CO 80737

**EXHIBIT D**

Xtreme Performance  
212 W 2nd St  
Julesburg, CO 80737

Governor Polis

We are a small local class oriented physical education and exercise facility. While we classify as a gym, we are not at the level of a 24 or even a small gym with open access. Our membership sustains business; however, it does not allow for months and months or even weeks more of closure. We have no employees so many of the assistance available leaves us in a gap and I fear that we will not be able to reopen at all if this goes on much longer. We have put precautions in place to follow all CDC guidelines and have the ability to keep our group classes small and properly spaced in order to keep everyone safe. As we understand, Sedgwick County has 0 test positive cases of Covid-19 and currently 0 presumed positives. This is of course due to the good work everyone has done following the stay at home order, but also because we as a county are relatively isolated ourselves. We ask that you allow us special consideration to open with restrictions in order to preserve our business for not only us but the community as well.

Thank you for your consideration

Respectively,

Kami Waldron  
Extreme Performance



4/24/2020

Sedgwick County Health Center (SCHC) approves Sedgwick County's Request to the Colorado State Government for reduced restrictions and plan to reopen Sedgwick County. SCHC has seen no positive COVID-19 cases to date. SCHC has not been overrun with patients in fact the exact opposite has been true here. Like most businesses in the county we have essentially been sitting here nearly empty. SCHC supports opening local businesses in a socially responsible way. SCHC feels comfortable that we can meet the needs of our community.

SCHC screens all workers and patients before entry into the Health Center following State and CDC guidelines.

SCHC to date has tested thirteen patients meeting criteria established by the State and all have been negative.

SCHC has fifteen non-ICU beds with an average daily census of 1.2 we have the staff and facilities to expand to all fifteen beds. Four rooms have been isolated with the potential to care for up to eight COVID-19 positive patients.

SCHC has enough PPE for 30 days under normal circumstances.

When testing kits become available, SCHC will have the ability to test in house. At present SCHC will send all test to the state following their established guidelines.

Sincerely,

A handwritten signature in black ink that reads 'Edward N. Goshe III, FACHE'.

Edward N. Goshe III, FACHE  
Chief Executive Officer  
Sedgwick County Health Center  
900 Cedar Street  
Julesburg, CO 80737  
Office: 970-463-6163  
Cell: 970-629-8066  
Email: [ngoshe@schealth.org](mailto:ngoshe@schealth.org)



GZJ EDK'H

700 Columbine St., Sterling, CO 80751 - (970) 522-3741 - 877-795-0646 - [www.nchd.org](http://www.nchd.org)

April 28, 2020

Jill Hunsaker-Ryan  
Executive Director  
Colorado Department of Public Health and Environment  
4300 Cherry Creek Drive South  
Denver, CO 80246

Dear Executive Director Ryan,

Sedgwick County has developed a variance application in cooperation with their local hospital, community partners, elected officials and Northeast Colorado Health Department.

Sedgwick County has not had any confirmed cases of COVID-19. The hospital, Sedgwick County Health Center, is in agreement with the proposed variance and has established a threshold of 8 hospitalizations, which if reached, would be cause for considering more restrictive local measures.

Northeast Colorado Health Department will continue our 70+ year partnership with Sedgwick County as we begin this gradual journey to a new normal. Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "Trish McClain".

Trish McClain, BSN, RN  
Public Health Director



## SIGNATURES

The within set of plan and guidelines are hereby adopted this 24<sup>th</sup> day of April, 2020.

Board of County Commissioners

  
Donald Schneider, Commissioner Chair

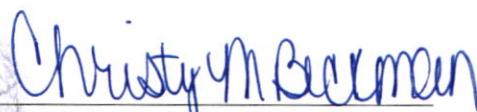
4/24/2020  
Date

  
Howard McCormick, Commissioner

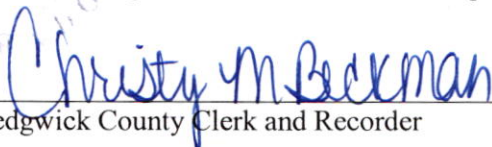
4/24/2020  
Date

  
Mark Turner, Commissioner

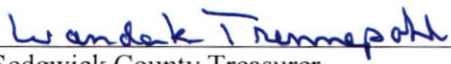
04 24 2020  
Date

ATTEST:   
County Clerk and Recorder

The following Elected Officials have accepted these plans and guidelines:

  
Sedgwick County Clerk and Recorder

4-24-20  
Date

  
Sedgwick County Treasurer

4-24-20  
Date

  
Sedgwick County Assessor

4-24-20  
Date

  
Sedgwick County Sheriff

4/24/2020  
Date

  
Sedgwick County Coroner

4-24-2020  
Date



# SEDGWICK COUNTY

H E A L T H C E N T E R

4/24/2020

Sedgwick County Health Center Board of Directors, Health Center CEO, and Health Center Chief of Staff Approve Sedgwick County's Request to the Colorado State Government for reduced restrictions and plan to reopen Sedgwick County.

Rodney Green, Board President *Rodney Green*

James Carlson, Vice President *James Carlson*

Ken Hodges, Secretary *Ken Hodges, Secretary*

Chuck Powell, Director *Chuck Powell*

Anita Nein, Director *Anita J. Nein*

Edward N. Goshe III, FACHE, CEO Sedgwick County Health Center

*Edward N. Goshe III, FACHE*

Donald Regier, MD, Chief of Staff, Sedgwick County Health Center

*Donald Regier*

# TOWN OF SEDGWICK

29 Main Avenue/ PO Box 27  
Sedgwick, Colorado 80749  
Phone 970-463-8814  
Fax 970-463-5537



Incorporated 1918


April 24, 2020

To whom it may concern,


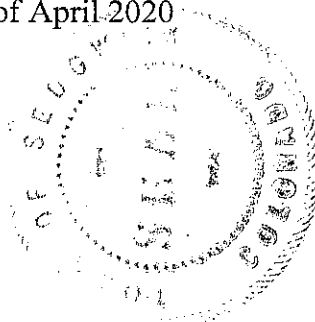
The Town of Sedgwick's Motion to approve Sedgwick County's Request to the Colorado State Government for reduced restrictions and plan to reopen Sedgwick County.

Upon a first by Trustee Gena Kinoshita and a second by Trustee Dale Jones, the above Motion was passed by the Town of Sedgwick at its Special meeting held on April 24, 2020.

Signed this 24<sup>th</sup> day of April 2020.

  
Honorable Mayor Wayne Price

I, Heather Moore, Clerk in and for the Town of Sedgwick, State of Colorado, do hereby certify that the foregoing Motion was passed by the Board of Trustees of the Town of Sedgwick, in the State of Colorado, at its Special Meeting held this 24<sup>th</sup> day of April 2020

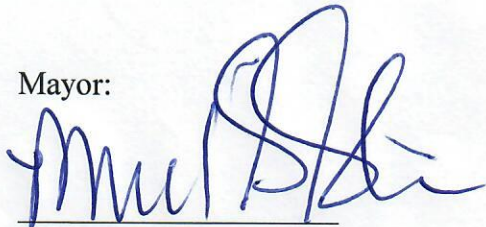
  
Heather Moore, Town Clerk

Town of Ovid's Motion to Approve Sedgwick County's Request to the Colorado State Government for reduced restrictions and plan to reopen Sedgwick County.

Upon a first by Trustee Jeremy Nail and a second by Trustee Kim Zion the above motion was passed by the Town of Ovid at its special meeting held on April 24, 2020.

Signed this 24<sup>th</sup> day of April 2020.

Mayor:



Michael Sullivan

I, Belinda Riggs, Clerk in and for the Town of Ovid, State of Colorado, do hereby certify that the foregoing Resolution was adopted by the Board of Trustees of the Town of Ovid and State of Colorado, at its special meeting held this 24th day of April 2020.

Belinda Riggs  
Town Clerk

**TOWN OF JULESBURG**  
**County of Sedgwick, State of Colorado**

**Resolution No. 2020-03**

**A RESOLUTION REQUESTING TO EASE SOME COVID-19  
PANDEMIC RESTRICTIONS**

**WHEREAS**, the Julesburg Board of Trustees voted on March 26, 2020 an emergency surrounding the COVID-19 coronavirus pandemic and put health safety measures into place to protect our citizenry, as well as comply with State and Federal mandates with the global pandemic;

**WHEREAS**, the global response to the pandemic continues to adjust and modify in both the short-term and long-term expectations,

**NOW THEREFORE, BE IT RESOLVED** by the Julesburg Board of Trustees to consider lifting some of the restrictions surrounding COVID-19 coronavirus. While there are numerous unknowns about the pandemic, the Board Members trust that our local business owners and employees will make modifications within their own business to accommodate social distancing, wellness precautions and use of facial coverings and gloves as necessary. In partnership with our local business owners, we are requesting some businesses are given the opportunity to reopen and serve their customers who choose to patronize the business.

ADOPTED AND APPROVED by the Board of Trustees of the Town of Julesburg, this 24<sup>th</sup> day of April 2020 by a vote of   6   ayes and   0   nays.

TOWN OF JULESBURG



Mayor

ATTEST:



Town Clerk, MMC  
4814-8159-5579, v. 2