



COLORADO
Department of Public
Health & Environment

May 28, 2020

Richard Scott, Commissioner
Howard Robertson, Commissioner
Donald Oswald, Commissioner
Kiowa County Board of Commissioners
1305 Goff Street
Eads, CO 81036

Meagan Hillman, Director
Kiowa County Public Health Agency

RE: Kiowa County Variance Request from portions of **Executive Order D 20 044** and **Public Health Order 20-28**

Dear Commissioners and Director Hillman:

Thank you for your application to the Colorado Department of Public Health and Environment (CDPHE) of a variance request to portions of **Executive Order D 20 044 Safer at Home** and **Public Health Order 20-28 Safer at Home**. I have had an opportunity to review your request for variances regarding restaurants, houses of worship, and libraries, and I have determined that the request is approved, with some amendments, as explained further below. This variance approval is limited to restaurants, houses of worship, and libraries; in all other respects, the requirements of the Safer at Home Executive Order and Public Health Order remain in effect for Kiowa County.

As stated in Appendix G to PHO 20-28, when reviewing a variance request, we evaluate the current prevalence of COVID-19 in the jurisdiction, including whether cases are increasing, stable, or decreasing. In reviewing Kiowa County's current status with respect to the COVID-19 pandemic, we note that the county has had 0 cases to date. The Kiowa County Health Department is able to conduct timely disease outbreak investigations, testing capacity has been established in partnership with the Kiowa County Hospital District, and Weisbrod Memorial Medical Hospital can address some patient needs until a transfer to a higher level of care can occur.

Note that the Fourth Amended Public Health Order 20-28 Safer at Home now allows restaurants to operate with limited in-person dining in addition to curbside pickup and delivery. Regarding

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your proposed alternate restrictions for restaurants and houses of worship, your request is approved with the following additional requirements:

- In each confined indoor space, in order to achieve 6 ft social distancing, the limit is 50% of the posted occupancy code limit ensuring a minimum 28 square feet per person not to exceed more than 175 people at any given time.

This variance approval is granted based on the facts and circumstances today as you have described them in your request. If the county were to have more than 2 epidemiologically unlinked cases in a two week period (2 week incidence of more than 100 per 100,000), the variance is automatically rescinded. Additionally, CDPHE reserves the right to modify or rescind this variance approval as circumstances warrant. This approval is in effect until the final expiration of PHO 20-28, which may be extended in some capacity beyond the current expiration date next week.

I appreciate your thoughtful approach to these challenging issues and wish you all the best in your continuing efforts to ensure that Kiowa County residents are safe and healthy as we deal with this global pandemic. Kiowa County is a valued partner, and we are available to answer any questions and work with you on these matters. Please give me a call if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Jill Hunsaker Ryan". The signature is written in a cursive, flowing style.

Jill Hunsaker Ryan, MPH
Executive Director