



May 13, 2020

Ray Beckman, Chair  
Don Cook, Commissioner  
Donald Broom, Commissioner  
Kari Ladrow, Moffat County Public Health Director  
221 West Victory Way, Suite 130  
Craig, CO 81625

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

Dear Commissioners and Ms. Ladrow:

Thank you for your application to the Colorado Department of Public Health and Environment (CDPHE) requesting a variance 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 and consider the information provided, and determine that the request is approved, with some amendments, as explained further below<sup>1</sup>. This variance approval is limited to the four functions for which you requested a variance; in all other respects, the requirements of the Safer at Home Executive Order and Public Health Order remain in effect for Moffat County.

You asked for a variance related to four specific functions, including Retail, Gyms, Movie Theaters and Places of Worship. Your letter addresses particular requirements that you propose as an alternative to the Safer at Home model for each of these areas. The data and information included in your request demonstrates that Moffat has reported 6 COVID-19 cases, and sufficient hospital capacity to care for COVID-19 positive patients.

Regarding surveillance, the Suppression Plan should be enhanced as follows:

- The Suppression Plan needs to include a weekly case count number that the Moffat County Health Department can manage for case investigations, contact tracing, and outbreak response to ensure timeliness goals for isolation and contact tracing while ensuring ability to respond to outbreaks that may occur. These triggers should be

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<sup>1</sup> The documents included with the Moffat variance request included information pertaining to areas for which the county did not identify in the variance application that it sought a variance. This approval addresses only the four (4) areas identified in the application for variance, namely retail, gyms, movie theaters and places of worship. Note that the variance process is not applicable to voluntary and elective surgeries and procedures; those items are addressed in **Executive Order D 2020 045** and **Public Health Order 20-29**, neither of which authorizes a variance process.

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incorporated into the county's decision making concerning when Moffat would tighten its restrictions.

With respect to the four areas that you requested receive a variance, each is authorized with the amendments described below to the COVID-19 Suppression Plan. For Retail, in addition to the elements listed for Retail on page 2 of the Suppression Plan, also require employees to wear face coverings or masks covering the nose and mouth at all times while working.

For Gyms, the Suppression Plan does not contain specific restrictions beyond those listed in the cover letter. Gyms may be opened with the following requirements:

- Employees must be screened for symptoms each day before beginning work, and those who are symptomatic must be excluded from the facility and required to remain in isolation for 10 days, per CDC guidance.
- Employees must wear face coverings or masks covering the nose and mouth at all times while working.
- Customers must be asked whether they have COVID-19 symptoms at the door and excluded from the facility if symptomatic.
- Customers should be encouraged to wear a face covering both when entering the facility and while in the facility, unless a face covering inhibits the participants ability to participate in the fitness activity.
- Given the many unknowns regarding how the SARS CoV-2 virus responsible for COVID-19 is spread, use of equipment in the gym must be limited to no closer than every other machine so that participants are not exercising right next to each other and smaller exercise rooms with poor ventilation should be discouraged from use.
- Employees must clean and disinfect shared equipment between customer uses.
- Any classes held must be restricted to 4 or fewer individuals and cleaning and disinfection of the classroom must occur between uses.
- No equipment may be shared between customers unless they are household contacts.

Movie theaters may open under the following conditions:

- Employees must be screened for symptoms each day before beginning work, and those who are symptomatic must be excluded from the facility and required to remain in isolation for 10 days, per CDC guidance
- Employees must wear face coverings or masks covering the nose and mouth at all times while working.
- Customers should be encouraged to wear face coverings into and inside the movie theater.
- Customers must be asked whether they have COVID-19 symptoms at the door and excluded from the facility if symptomatic.
- The facility must track the number of individuals in a theater to create appropriate distancing as follows:
  - Capacity shall be limited by the number of seats per theater

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- Customers must be separated by a minimum of at least three seats to the side, and must alternate every other row
- Individuals residing in the same household will be considered one customer
- Six feet distance must be maintained between customers
- The theater must be cleaned and disinfected between movie showings.
- Mark concession lines for a minimum of six feet distancing
- Offer touchless payment options wherever possible.

Places of worship should be encouraged to continue online or drive up services, but may allow participants up to thirty percent (30%) of building code occupancy, and require the following additional restrictions:

- Participants must be asked whether they have COVID-19 symptoms at the door and excluded from the place of worship if symptomatic.
- Participants should be encouraged to wear a face covering both when entering and while present in the house of worship, except when specific participation in the service requires removal, such as to receive communion.
- Maintain a minimum of 6 feet of distance between individuals who are not of the same household.
- Disallow gatherings in the lobby or church vestibule at all times.
- Implement touchless offerings and communion or sacrament options as much as possible.
- Employees must be screened for symptoms each day before beginning work, and those who are symptomatic must be excluded from the place of worship and required to remain in isolation for 10 days, per CDC guidance.
- Employees must wear face coverings or masks covering the nose and mouth at all times while working.
- Require cleaning and disinfection after any use of the worship space.

This variance approval is granted based on the facts and circumstances today as you have described them in your request; however, should circumstances change such that, for example, surges in COVID-19 transmission occurs, cases exceed the capacity for Moffat County to fully implement all effective disease control strategies as described in your request, or if resources or COVID-19 prevalence statewide in our opinion requires a different approach, CDPHE reserves the right to modify or rescind this variance approval. This approval is in effect until the final expiration of PHO 20-28, which currently is set to expire on May 26, 2020 but may be extended.

I appreciate your thoughtful approach to these challenging issues, and wish you all the best in your continuing efforts to ensure that Moffat County residents are safe and healthy as we deal with this global pandemic. Moffat 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.

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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