



**COLORADO**  
Department of Public  
Health & Environment

# Application for Variance

Name of County: ELBERT

Name of Submitter: Christopher A. Richardson

Phone Number of Submitter: 303-621-3132

Email of Submitter: chris.richardson@elbertcounty-co.gov

Elbert County County requests a variance from the following restrictions in Executive Order D 2020 044 and/or Public Health Order 20-28.

List the sections of Executive Order D 2020 044 and/or Public Health Order 20-28 that a variance is being sought for:

SEE ATTACHED SUPPLEMENT 2 TO ELBERT COUNTY COVID SUPPRESSION PLAN: This request pertains specifically the following portions of the Fifth Amendment to Public Health Order 20-28 (Dated June 2, 2020):

1. Appendix D: Personal Services (Professional Beauty Services): Request relief from the restriction on services that require client to remove face-covering.
2. Parts H & J (Adult & Youth League Sports): Request relief from the restriction on traveling teams.

Summarize alternate restrictions being proposed to replace the above-referenced restrictions and indicate where in the Plan these alternate restrictions are addressed:

SEE ATTACHED SUPPLEMENT 2 TO ELBERT COUNTY COVID SUPPRESSION PLAN (Page 3 & 4) for DETAILED MEASURES PROPOSED:

1. Allow personal beauty services that require clients face to be uncovered with specific PPE requirements for the provider and subsequent disinfection of area.
2. Allow travel of league teams for tournament play from counties with low/declining COVID-19 case numbers (those with approved CDPHE variances) and other limitations on time and personal contact.

Upload your county COVID-19 Suppression Plan and documentation demonstrating approval by the county commissioners, and confirmation from all impacted local hospitals that they can serve all individuals needing their care. Provide a brief summary of each of the following elements contained in the county COVID-19 Suppression Plan and indicate where in the Plan more information can be found for each element.

**1. Prevalence of COVID -19 within the county**

SEE PARAGRAPH 3.A OF ATTACHED SUPPLEMENT 2  
Cumulative cases 55. Daily accumulation rate to 0.679. Local positive test rate has dropped to 6.7% Concentration of cases in extreme NW areas of county. Presumed number of active cases is 7.

**2. Hospital Capacity**

SEE PARAGRAPH 3.C OF ATTACHED SUPPLEMENT 2  
No in-county hospital. Parker Adventist designated by Centura Health to support our care. Attested (May 11, 2020) to their ability to support our suppression plan. Cumulative 8 hospitalized, zero currently, max was 2 concurrent.





3. Local containment measures

SEE PARAGRAPH 2 OF ATTACHED SUPPLEMENT 2 and original Elbert County COVID-19 Suppression Plan. Robust surveillance, local testing, and contact tracing capability in place. State data, augmented by support from Tri-County Health and cooperation with local EMS services.

4. Conditions to determine the variance is not providing adequate COVID-19 protection and the triggers for tightening restrictions.

SEE PARAGRAPH 3.D. OF ATTACHED SUPPLEMENT 2: Measures reviewed - any confirmed death, statistically significant rise in cases, an outbreak in county public/private facilities, each 14 days, and/or on BOH direction.

 Confirm that the variance requested does not lessen or eliminate the protections for Vulnerable Individuals in the Safer at Home Order and PHO 20-28.

 Confirm that the county will collect and monitor data to evaluate the impacts of the variance. and make such data available upon request by CDPHE.

Additional information relevant to the requested variance

Please direct any comments or questions to:  
Mr. Dwayne Smith  
Public Health Administrator  
303-621-3202  
dwayne.smith@elbertcounty-co.gov

By signing below, I attest that I am authorized pursuant to the adoption of the COVID-19 Suppression Plan by the Board of County Commissioners to submit this variance request to CDPHE for consideration.

DocuSigned by:

*Christopher A. Richardson*

EE6BE70037C9473

2020-06-04

Signature

Date



**Elbert County Colorado**  
Department of Public Health  
Post Office Box 924, Kiowa CO 80117

June 4, 2020

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

Dear Director Ryan,

The Board of County Commissioners as Board of Health for Elbert County Colorado, through the Elbert County Department of Public Health submits the attached Supplement 2 to the previously submitted and approved supplemented county suppression plan. This document requests partial relief from the provisions of Governor Polis's **Executive Order D 2020 091 Safer at Home and in the Vast, Great Outdoors** and implementing **Fifth Amendment to Public Health Order 20-28** and such subsequent orders that may be issued (the "State Orders") in accordance with Appendix G: County Variance Requests of PHO 20-28. This variance request seeks explicit exemptions from the statewide application of requirements regarding Professional Beauty Services and Adult/Youth Sports Tournaments.

Relief from these provisions with the controls detailed in the document attached and articulated in the original suppression plan and previously approved supplement, will allow Elbert County to ensure adequate protections to reduce spread of COVID-19 in our small and widespread communities. Approval will promote the health, safety, and welfare of our county citizens, further addresses growing mental and behavior health concerns, and supports the recovery of our local economy and individual financial wellbeing of our citizens.

As the state enters the sixth week of the state's "safer at home" period, local data regarding the spread of the COVID-19 virus indicates that we can safely reduce some restrictions on professional beauty services and travel and tournament play. Reports of confirmed cases within our County have averaged much less than one per day over the past 81 days, are too few to support statistically valid trend analysis, and are generally limited to well defined areas. With continued near real time data based on medical calls for service by our servicing fire-districts, County Coroner, Sheriff's Office and the police departments in our small municipalities, and monitoring for signs of outbreak at our county jail and two small long-term care facilities, augmented by a local testing capability, and support from Centura Health/Parker Adventist, we are well positioned to adjust protective measures if a localized increase in cases is observed.

Based on these factors, I have determined that the residents of Elbert County will receive greater health benefits from this additional incremental relief of restrictions. With testing increasing and a 6.7% positive rate based on 64% PCR/36% Serology tests completed, two deaths currently attributed to COVID-19 and no outbreaks amongst our over 28,000 citizens, it is clear that reducing the very specific restrictions requested here, in the measured, rational, and localized manner will not be burdensome to regional or state-wide medical capabilities or increase risks to public health.

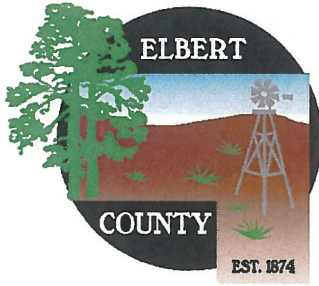
Approval of the attached Supplement 2 to The Elbert County Plan for suppression of COVID-19, supports localized application of the appropriate array of best practices for individuals and businesses that are articulated in the state orders. Our situation and the supplemented plan meet requirements for a waiver from your office. Therefore, I am respectfully requesting that you grant Elbert County's request for relief from the above identified restrictions in the state orders in accordance with the measures articulated in the supplement.

Respectfully,

A handwritten signature in blue ink, appearing to read "Dwayne Smith".

Dwayne Smith, MEd, MCHES®, CPST  
Public Health Administrator  
Elbert County, Colorado

Enclosure: Supplement 2 to the *Elbert County Plan for Phased Reopening – Localized Suppression of COVID-19 in our Communities*



# COUNTY OF ELBERT

PO Box 7, 215 Comanche St, Kiowa, CO, 80117, 303-621-2341

Chris Richardson, Commissioner District 1

Rick Pettitt, Commissioner District 2

Grant Thayer, Commissioner District 3

June 4, 2020

Colorado Department of Public Health & Environment  
Attn: Jill Hunsaker Ryan, Executive Director  
4300 Cherry Creek Drive South  
Denver, CO 80246  
/via DocuSign/

Dear Director Hunsaker Ryan,

The Board of County Commissioners, as Board of Health for Elbert County, requests your review and approval of the enclosed minor variance to the *Fifth Amended Public Health Order 20-28 Safer at Home and in the Vast, Great Outdoors* as it pertains to Personal Services (Professional Beauty Services) and Adult/Youth Sports Tournaments.

This submission is provided as the second supplement to the *Elbert County Plan for Phased Reopening – Localized Suppression of COVID-19 in our Communities*, reviewed last month by your staff. We appreciate the approval that was received on May 29, 2020 of Supplement 1 to this document and recognize the great effort of your team in working to address the differences in local needs throughout the state. Approval of this request will help further promote the health, safety, and welfare of our county's citizens by allowing more localized actions to simultaneously address the spread of COVID-19, growing mental and behavioral health concerns, and support the recovery of our local economy and individual financial wellbeing of our citizens.

We support the comprehensive, local, and phased suppression plan developed by our Public Health Department with input from local stakeholders and the county's COVID-19 Response Team and ask for approval of this additional supplement to the plan.

Please contact our Public Health Department if you have any questions regarding this request modifying the previously submitted *Elbert County Plan for Phased Reopening – Localized Suppression of COVID-19 in our Communities*.

Very Respectfully,



Christopher Richardson  
Commissioner, District 1



Rick Pettitt  
Commissioner, District 2



Grant Thayer  
Commissioner, District 3

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## **Supplement 2 - Personal Services (Professional beauty services) & Adult/Youth Sports Tournaments to Elbert County Plan for Phased Reopening - Localized Suppression of COVID-19 in Our Communities**

**Date of Publication:** June 4, 2020

**Effective Date:** TBD (June 4 or as soon thereafter as approved by CDPHE)

**1. Purpose:** This document supplements the county COVID-19 Suppression Plan published May 4, 2020. It supports data-driven implementation of protective measures related to professional beauty services and adult and youth sports tournaments in such a way as to prevent localized outbreaks of the disease in our communities, and allows our county to accelerate the transition over time to full social and economic recovery.

**2. Key Elements of Suppression (No Change from Supplement 1):** Successful implementation of the measures included in this supplement are supported by:

- a. Continuous monitoring of the local situation.
- b. Established local contact tracing capacity.
- c. Data-driven and localized implementation of protective measures.
- d. Established in-county testing capability.
- e. Well-defined triggers for review and adjustment of implementation.
- f. Robust communication plan, including website, social media, and direct county-wide mailings to ensure understanding and increase voluntary compliance.
- g. Deliberate and regular collaboration with municipalities, school, fire, and other special districts within the county.
- h. Established relationship with Centura Health/Parker Adventist Hospital

### **3. Background (Changes from Supplement 1 in Bold):**

As the state enters the **sixth** week of the state's "safer at home" period, local data regarding the spread of the COVID-19 virus indicates that many portions of our largely rural county, and specific business classes can already safely transition to less restrictive measures while still providing adequate protections to public health. Reports of confirmed cases remain low, are too few to support statistically valid trend analysis, and have been generally limited to the northwest portion of the county. We have suffered no outbreaks and ratio of positive tests to number tested is much less than the state average.

With near real time data based on medical calls for service by our servicing fire-districts, County Coroner, Sheriff's Office and the police departments in our small municipalities, monitoring for signs of outbreak at our county jail and two small long-term care facilities, and increased testing, we are well positioned to adjust protective measures if a localized increase in cases is observed.

With a cumulative positive rate of under two-tenths of one percent and two local deaths currently attributed to COVID-19, reducing restrictions in a measured, rational, and localized manner will not be burdensome to regional or state-wide medical capabilities.

#### **a. Current COVID-19 Incident Trends:**

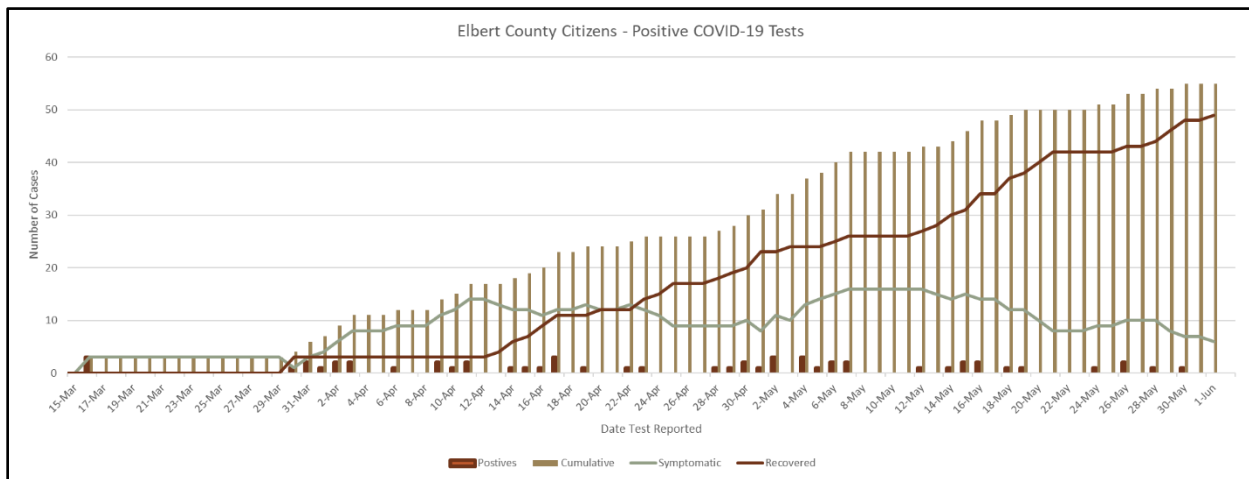
As of the date of publication, the county has recorded a total of **55** cases based on Colorado's Electronic Disease Reporting System (CEDRS) reporting over a period of **81** days since our first positive

case was identified, resulting in a **reduction of average daily accumulation rate to 0.679**. Local testing continues to increase and positive results continue to fall. Approximately **64%** of our tests are PCR and **36%** serology. Our local positive test rate **has dropped to 6.7%** as compared to the current statewide rate **has dropped to 14%**. We have had no observed outbreaks in any public or private facilities or business. The only clearly identifiable spread of virus is between members of our community who reside in the same household. Even with ever increasing social contact and travel, the rate of propagation within the county appears to have remained extremely low and stable for months. The reported number of positive cases from all sources is statistically insignificant with no clear trending.

The county has experienced two deaths reported as COVID-19 related. The first was in mid-March, a male in his 70's with at least two known complicating conditions who was self-isolating. The second, more recent was an attended death in the hospital environment and no record of a COVID test pre- or post-mortem is available. As noted above, we have had no outbreaks in our county jail or the two group/resident "nursing" homes in the county. A single identified case of a county jail inmate was confirmed after the individual briefly detained and then released on bond and no jail staff or other inmates were impacted.

Geographically, it remains consistent that our cases have concentrated in the northwest portion of the county which is nearly 100% residential, single family dwellings on large acreage. This area has both the highest population density and is home to our largest number of residents who commute regularly to the Denver Metro area for work prior to the issue of the state "Stay at Home" order and have for a large part resumed commuting during the four weeks of the "Safer at Home" order with no readily apparent impact on our case number accumulation. The county has an overall population density of approximately 15 people per square mile. Approximately two-thirds of the entire population are concentrated in the westernmost part of the county. The easternmost 1200 square miles of the county has a population density of well under 10 people per square mile and were exercising "social distancing" long before the term was conceived.

**A chart of Local Cumulative and Presumed Symptomatic vs Recovered Cases is provided below (See Figure 1):**



**Figure 1. Local Cumulative and Presumed Symptomatic vs Recovered Cases**

**b. Future Monitoring of Local Data and Trends:**

The county actively and continuously monitors all available sources of information related to the presence of COVID-19 in our county. CEDRS reporting is our primary base of information. This baseline is enhanced by follow up interviews and contact tracing by public health department staff, medical calls for service data provided by our fire district partners, county-specific data shared by Tri-County Health

and citizen use of the online self-reporting tools provided by the state. As of Jun 2, 2020, our cumulative case rate (per 1,000) residents is **2.289**. Our weekly rate of infection (per 1,000 residents) is 0.4196 for May 10-16, 2020, the most recent week available.

The Peak Vista Community Health Center location in the county seat of Kiowa is engaged in testing on behalf of the county, augmenting our public health capability.

**c. Impacts on Local, Regional, and State Medical Capabilities:**

There are no urgent care, emergent care, or hospital facilities in Elbert County. However, nearby Parker Adventist Hospital has been designated by Centura Health to support our care and they have attested (May 11, 2020) to their ability to support our suppression plan. Approximately 70% of the EMS transports in our county are to Parker Adventist. The number of Elbert County residents necessitating hospitalization for COVID-19 infection (at start of case investigation) has never exceeded two since the inception of tracking, and has remained at just one since April 19, 2020. Though a small county with 0.5% of the states total population, we benefit greatly for the care available in bordering counties (that together comprise over 30% of the state's total population).

Though the county has two small private medical practices and two small in store clinics that are associated with pharmacies and primarily provide vaccinations, the public medical capability we specifically rely on consists of the EMT and transport capability provided by our seven fire protection district partners. Medical calls for service have remained relatively stable throughout the entire period of this declared emergency and their capacity has not been impacted negatively by COVID-19 exposures.

**d. Triggers for Review of Protective Measures:** The following events will trigger a review of impacts that may be related to the reduction of measures as described in this supplement to the county suppression plan. If review indicates measures should be made more restrictive, the public and/or impacted businesses and CDHPE will be notified.

- (a) Any additional confirmed death from COVID-19 within the county.
- (b) A statistically significant increase in the presumed active cases vs. presumed recoveries.
- (c) Outbreak (two or more cases) in county jail or assisted living facilities in county.
- (d) Passage of 14 days from implementing adjusted measures or previous review.
- (e) Elbert County Board of Health formally directs review of measures in place.

**e. Public Health Concerns Negatively Impacted by Current Restrictions:** Prior to the inception of COVID-19's presence in Elbert County, behavioral health challenges were identified by county residents as one of the most pressing health concerns. The restrictions on daily activities necessitated by state public health orders and other stresses related to the COVID-19 pandemic has noticeably exacerbated the mental health and well-being of our citizens. Law enforcement reports a 13% increase in Domestic Violence/Suicide Calls for Service and though we have not seen the increase in Child/Adult Protection cases that the state reports, our Human Service Department has recorded an upward trend in the severity of local cases.

**4. Measures To Be Adjusted (Supplement 2 Variance Request):** The following measures will be adjusted based on the local situation as articulated in paragraph 3. above. The County Public Health department and/or the Elbert County Board of Health may direct return to the state "Safer at Home" baseline if review of conditions requires.

**a. Personal Services (Professional beauty services):** Based on an analysis of the data above and observations business operators ability and willingness to support measures that protect the health

and safety of their clients and the community, estheticians and related service providers may provide services that require a customer remove their face coverings if the following conditions are met:

(1) Services are by appointment. Businesses are encouraged to schedule client appointments electronically or via phone; no walk-in appointments.

(2) Service provider should ask clients should wait outside the business until their scheduled appointment time.

(3) Service provider wears both a mask and face shield, a gown or smock, and gloves (similar to the precautions taken by a dental hygienist).

(4) Work area must be cleaned and disinfected thoroughly after serving any unmasked client and prior to providing service to any subsequent clients (See <https://covid19.colorado.gov/cleaning-guidance>).

(5) Customer will not be accepted for an appointment if symptomatic, has been exposed to, or have tested positive for COVID-19 within the last 14 days.

(6) Service providers that are symptomatic, has been exposed to, or have tested positive for COVID-19 within the last 14 days will may not serve any client, by appointment or otherwise.

(7) All other requirements of the Appendix D: Personal Service to the Fifth Amended Health Order 20-28 Safer at Home and in the Vast, Great Outdoors and subsequent amendments, remain in effect.

b. **Adult/Youth Sports Tournaments (Travel):** Elbert county is home to several organized youth and adult sports leagues. Community mental health is enhanced by supporting these leagues and general individual health and welfare is enriched by outdoor social activities. Therefore, these organized leagues may use School District, or Parks & Recreation District outdoor facilities for team practices, scrimmages, and/or tournament play if the with the following conditions are met:

(1) The local government that operates the facilities supports the use.

(2) No more than two teams are on site per field for one hour prior (practice) and one hour after (recovery time) scheduled game times and locally permitted gathering sizes are not exceeded.

(3) Social distancing is practiced to the greatest extent possible consistent with the rules of play for the sport by the participants.

(4) Participation is not allowed by any player that is symptomatic, has been exposed to, or has tested positive for COVID-19 within the last 14 days.

(5) Rosters of participants are maintained.

(6) Spectators are kept to a minimum and social distancing of any parents (for youth play) or spectators is required.

(7) Teams from outside of Elbert County are welcomed if their home county has received a CDPHE variance that recognizes low and/or decreasing case rates and that variance remains in effect at the time of play.

(8) All other requirements of the Parts H and J of the Fifth Amended Health Order 20-28 Safer at Home and in the Vast, Great Outdoors and subsequent amendments, related to youth and adult sports leagues and facilities for which a variance has not previously been received, remain in effect.