



COLORADO
Department of Public
Health & Environment

June 15, 2020

Chris Richardson, Commissioner District I
Rick Pettitt, Commissioner District II
Grant Thayer, Commissioner District III
Elbert County Board of Commissioners
215 Comanche Street
Kiowa, CO 80117

Dwayne Smith, Director
Elbert County Department of Health and Human Services

RE: Elbert County Variance Request from portions of **Public Health Order 20-28**

Dear Commissioners and Director Smith:

Thank you very much for your third variance application to the Colorado Department of Public Health and Environment (CDPHE). Your application seeks a variance for personal services and sports league tournaments. I have had an opportunity to review your request for these three variances and am approving it with a few modifications as described below; in all other respects, the requirements of the Safer at Home Executive Order and Public Health Order remain in effect for Elbert 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 Elbert County's current status with respect to the COVID-19 pandemic, we note that the county has had 54 cases to date, with 4 in the last 2 weeks for a two week incidence of 15 per 100,000, putting Elbert County in the "low" variance category - see [here](#) for more information. Your application describes testing capabilities and also available health care resources in nearby Parker Adventist.

Your variance requests are as follows:

- Personal services to be expanded to allow estheticians and other similar providers to provide services that require the customer's mask to be removed.
- Authorize sports league tournaments to occur, limiting travelers to teams within Elbert County or from counties that have low or declining cases and a variance is in place.

Your variance requests, with the restrictions as described in your application, are approved. Revised requirements and guidance concerning personal services allowing for limited removal of face coverings in order to receive a service are forthcoming from CDPHE, and until those

Elbert County Variance
June 15, 2020

requirements and guidance are final Elbert County may follow the personal services requirements as proposed in the variance application. When the requirements and guidance are final, Elbert County must implement all disease control measures in the revised terms.

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 exceed more than 25 cases per 100,000 population in a two week period (7 cases in two weeks), notify CDPHE and then implement a mitigation plan for 2 weeks to try and restore virus transmission levels to the baseline under which the variance was approved. If after 2 weeks the levels are not restored, then the capacity limits are automatically adjusted to the maximum of the new level (low goes to medium, medium goes to high). If the county started at the "high" level for the variance, and after the 2 weeks of mitigation the baseline has not been restored, then the variance is 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 will be extended in some capacity beyond the current expiration date of June 30, 2020.

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