



COLORADO
Department of Public
Health & Environment

June 7, 2020

Cory Wall, Chairman
David L. Hornung, Commissioner
Gary Koop, Commissioner
Kit Carson Board of County Commissioners
Dawn James, Public Health Director and Health Officer
PO Box 160
Burlington, CO 80807-0160

RE: Application for Variance from **Public Health Order 20-28 Safer at Home**

Dear County Commissioners and Director James:

Thank you for your application for a variance from Public Health Order (PHO) 20-28 Safer at Home to the Colorado Department of Public Health and Environment (CDPHE). We have reviewed your request for outdoor gatherings, gyms, bowling alleys, and theaters, and are approving these requests with some additional requirements set forth below.

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. Your application 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 Kit Carson County has reported 30 COVID-19 cases with 4 cases reported in the last two weeks all related to a nursing home outbreak. As these new cases are in a congregate setting, we consider your current disease incidence rate to meet the "low" variance category - see [here](#) for further explanation. Your application demonstrates that while testing services are available, Kit Carson County has not had many individuals choose to be tested, and while there are no hospitals in Kit Carson County, you have received support from hospitals in neighboring communities for your variance application.

Your application specifically seeks a variance from the Safer at Home provisions concerning outdoor gatherings, gyms, bowling alleys, and theaters. We have reviewed the Suppression Plan, and are limiting our comments to only those sections that pertain to the requested variance areas. In addition to the requirements outlined in your application, the following additional requirements must be met:


- In order to achieve 6 feet 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 gathered in a confined indoor space at any given time, and not to exceed 250 in an outdoor space.

Kit County Third Variance Decision
June 7, 2020

This variance approval is granted based on the facts and circumstances today as you have described them in your request, and is subject to adjustment if conditions worsen as described [here](#). If the County observes 2 more cases in a two week period, 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 Kit Carson County residents are safe and healthy as we deal with this global pandemic. Kit Carson 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,



Jill Hunsaker Ryan, MPH
Executive Director