



COLORADO
Department of Public
Health & Environment

June 14, 2020

Janelle Kukuk
Mineral County Administrator
mincty@hotmail.com

Tara Hardy
Public Health Director
Silver Thread Public Health District
tara@silverthreadphd.org

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

Dear Ms. Kukuk and Director Hardy:

Thank you for your application to the Colorado Department of Public Health and Environment (CDPHE) of a variance request to portions of **Public Health Order 20-28 Safer at Home**, as amended. We reached out to Mineral County Public Health after the issuance of the Sixth Amended Public Health Order 20-28 to inquire if you still wished to pursue any portion of the variance application, and received confirmation that you would still request consideration of the parts of your request that relates to bars and public gatherings. I have had an opportunity to review your request for variances regarding community centers, and I have determined that the request is approved, with some amendments, as explained further 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 Mineral County has reported 2 COVID-19 cases with 0 cases in the last two weeks, putting Mineral County in the "low" variance category - see [here](#) for more information. Your application demonstrates testing services of up to 50 tests/per day is available at Silver Thread Public Health, and an online symptom tracker has been made available to the public. While there are no hospitals in Mineral County, you have received support from Rio Grande Hospital in Rio Grande County.

With respect to your request for a variance for bars and social gatherings, 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

Mineral County Variance
June 14, 2020

gathered in a confined indoor space at any given time, and not to exceed 250 in an outdoor space.

- For clarification concerning your request for a variance of bars, only bars that seat patrons at tables, only seat patrons at the bar if serving food, and eliminate or prohibit the use of gathering spaces such as lobbies or waiting areas are authorized to operate. Bars shall follow the restaurant operating requirements.

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 two or more non-epi linked 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 Mineral County residents are safe and healthy as we deal with this global pandemic. Mineral 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