August 5, 2020

Don Batchelder, Chair
Ben Tisdel, Vice-Chair
John E. Peters, Commissioner
Ouray County Board of Commissioners
112 Village Square West
Ridgeway, CO 81432

Tanner Kingery, Director
Ouray County Public Health Agency

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

Dear Commissioners and Director Kingery:

Thank you for your revised application to the Colorado Department of Public Health and Environment (CDPHE) of a variance request to portions of the Public Health Order 20-28 Safer at Home. I have had an opportunity to review your request for a variance for pools, and have determined that the request is approved, as described below.

While your second variance application originally sought capacity at 75% for pools, you have now modified that request to ask for up to 50% capacity not to exceed 175 people for indoor pools and 250 people for outdoor pools. This request is aligned with the “low” level variance in the Safer at Home public health order, which is appropriate for Ouray County as the county currently has no cases within the last 2 weeks.

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 more than 7 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 CDPHE will discuss with you whether to rescind the variance. 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.

I appreciate your thoughtful approach to these challenging issues and wish you all the best in your continuing efforts to ensure that Ouray County residents are safe and healthy as we deal with this global pandemic. Ouray County is a valued partner, and we are available to answer
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any questions and work with you on these matters. Please give me a call if you have any questions.

Sincerely,

[Signature]

Jill Hunsaker Ryan, MPH
Executive Director