

RESOLUTION NUMBER 34, SERIES OF 2020

**RESOLUTION OF THE FREMONT COUNTY BOARD OF COUNTY COMMISSIONERS  
AUTHORIZING SUBMITTAL OF A REQUEST FOR A VARIANCE TO THE  
COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT FOR  
TASTING/SALES ROOMS, BOWLING ALLEYS AND MOVIE THEATERS**

**WHEREAS**, on March 26, 2020, the Board of County Commissioners adopted Resolution Number 25, Series of 2020, extending the Declaration of a Local Disaster Emergency, with amendments, which is due to expire at midnight on April 19, 2020; and

**WHEREAS**, on April 6, 2020, Governor Jared Polis issued Executive Order 2020 024, extending the time to April 26, 2020, for all Coloradans to stay at home and continue to observe social distancing to slow the rate of infection and number of COVID-19 cases; and

**WHEREAS**, on April 14, 2020, the Board of County Commissioners adopted Resolution Number 26, Series of 2020, extending the Declaration of a Local Disaster Emergency, with amendments, which is due to expire at midnight on April 30, 2020; and

**WHEREAS**, on April 28, 2020, the Board of County Commissioners adopted Resolution Number 26, Series of 2020, extending the Declaration of a Local Disaster Emergency, with amendments, which is due to expire at midnight on May 30, 2020; and

**WHEREAS**, on April 22, 2020, Governor Jared Polis announced a state-wide easing of COVID-19 restrictions, beginning Monday, April 27, 2020, (Executive Order D 2020 044), transitioning from a “stay at home” phase of COVID-19 Response to a “safer at home” response phase, which provides local governments with a variety of options when it comes to slowing the spread of the virus and protecting their communities; and

**WHEREAS**, pursuant to E.O. 2020 044, and Colorado Public Health Order 20-28, any county that desires to apply for a variance from part or all of the executive order may do so after meeting certain criteria and submitting an alternative COVID-19 suppression plan to be approved or denied by the Colorado Department of Public Health and Environment (CDPHE); and

**WHEREAS**, the Board of Commissioners, Board of Health and Fremont County Department of Public Health and Environment agree that Fremont County should seek a variance since the community is not experiencing a high rate of transmission and that social distancing policies should be tailored to local conditions, in order to promote community wellness and economic stability; and

**WHEREAS**, CDPHE has approved a variance for Fremont County for restaurants, outfitters, places of worship, fitness facilities and recreation, set forth in Fremont County Public Health Order 2020-02; and

**WHEREAS**, the Fremont County Department of Public Health and Environment has proposed a CDPHE variance and Fremont County Public Health Order dated May 26, 2020, that addresses local conditions and tailors social distancing policies to address local conditions with respect to tasting/sales rooms, bowling alleys, and movie theaters; and

**WHEREAS**, the Board of Commissioners believes that the provisions, policies and protocols set forth in the May 26, 2020 "Safer at Home Fremont County" proposed public health order better addresses the needs of Fremont County than the Colorado Orders and that a variance should be requested for approval of the proposed local public health order.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Fremont County, Colorado:

Section 1. The Board of County Commissioners for the County of Fremont hereby formally approves and adopts the May 26, 2020, Variance Request for tasting/sales rooms, bowling alleys, and movie theaters under the current Safer at Home Fremont County local public health order as an alternative plan in place of the state "Safer-At-Home" order, authorized by Executive Order D 2020-044, subject to the approval of a variance by the Colorado Department of Public Health and Environment.

Section 2. Fremont County Board of Commissioners hereby authorizes the Fremont County Department of Public Health and Environment to submit the alternative plan and public health order to the Colorado Department of Public Health and Environment, requesting a second variance from the state orders presently in effect for COVID-19.

Commissioner McFall moved for adoption of this Resolution, with a second by Commissioner Payne. The roll call vote of the Board was as follows:

Debbie Bell	<u>AYE</u>	NAY	ABSTAIN	ABSENT
Dwayne McFall	<u>AYE</u>	NAY	ABSTAIN	ABSENT
Timothy R. Payne	<u>AYE</u>	NAY	ABSTAIN	ABSENT

The Resolution was declared to be duly adopted.

Date: May 26<sup>th</sup>, 2020

Debbie Bell  
Chair Person

Attest: [Signature]  
Clerk

