

---

www.douglas.co.us

**MEETING DATE:** April 13, 2021

**STAFF PERSON RESPONSIBLE:** Dru Campbell, Office Manager

**DESCRIPTION:** The Board of County Commissioners of the County of Douglas, Colorado Resolution to "Opt Out" of Further Tri County Public Health Orders Based on Current Public Health Data and State Devolution of the COVID-19 Dial.

**SUMMARY:** On April 16, 2021, the Colorado Department of Public Health and Environment will devolve the Dial to guidance for local governments and local public health agencies. The Board of County Commissioners was granted the option, pursuant to an agreement with the Tri-County Board of Health, to opt out of multi-jurisdictional local public health orders and based on information and facts detailed in the subject resolution is restoring freedoms to County citizens and businesses as of that date.

**RECOMMENDED ACTION:** Approve Resolution.

**REVIEW:**

Doug DeBord	Completed	04/09/2021 5:36 PM
Legal Department	Completed	04/09/2021 5:37 PM
Finance Department	Completed	04/09/2021 7:00 PM
County Administration	Completed	04/12/2021 8:09 AM
Board of County Commissioners	Completed	04/13/2021 1:30 PM

**THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF DOUGLAS, COLORADO**

**THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF DOUGLAS,  
COLORADO RESOLUTION TO "OPT OUT" OF FURTHER TRI COUNTY PUBLIC  
HEALTH ORDERS BASED ON CURRENT PUBLIC HEALTH DATA AND STATE  
DEVOLUTION OF THE COVID-19 DIAL.**

*WHEREAS*, in the first quarter of 2020, the citizens of Douglas County were placed under state and Tri-County public health orders to “slow the spread” and prevent hospital capacity overload while personal protective equipment was obtained and the experts received accurate information about coronavirus SARS-CoV-2, and the disease it causes COVID-19.

*WHEREAS*, since that time, the public health experts have identified and advised the county of the following key data points:

- COVID-19 is more likely to cause severe illness in those individuals who are over the age of 70 and individuals with underlying health conditions (the “Vulnerable”);
- COVID-19 overall has a 98 percent survival rate according to the Center for Disease Control (“CDC”);
- of those deaths, the CDC reports 94 percent had co-morbidities;
- 235 people out of 351,154 in Douglas County have died with COVID-19, with an average age of 83;
- the Pfizer and Moderna vaccines developed through Operation Warp Speed are 80 percent effective against COVID-19 after one dose and 90 percent effective against COVID-19 after two doses;
- more than 80 percent of the Vulnerable, Douglas County citizens over 70 have been vaccinated;
- Douglas County has the highest immunization rate of the three Tri-County Health Department counties: and

*WHEREAS*, Douglas County Citizens have been subject to more than 300 additional executive and public health orders to protect the Vulnerable, including the elderly and those with underlying medical conditions, with the interpretation leading to confusion, fatigue, and costly

operational changes; and

**WHEREAS**, despite public health recommendations, the state “Dial” continues to overemphasize positivity and incidence rate over severity metrics such as deaths and hospitalizations; and

**WHEREAS**, continued focus on case positivity in the post-vaccination era of the pandemic for vulnerable populations is an inherently flawed public policy when positive cases among those that are highly unlikely to die or be hospitalized also will not asymptotically transmit the virus to the vulnerable who have now been vaccinated; and

**WHEREAS**, many peer-reviewed studies conducted by vaccine manufacturers and universities have concluded that currently authorized vaccines are effective against coronavirus variants; and

**WHEREAS**, through engagement with and input from area hospitals, the county has been advised that the hospitals have continued to maintain personnel, personal protective equipment and supplies necessary to discharge routine functions, while maintaining surge capabilities, and continue to effectively and efficiently conduct their emergent and elective functions; and

**WHEREAS**, there is more than 26 percent ICU capacity in Douglas County hospitals as of April 7, 2021; and

**WHEREAS**, the 14-day rolling average of county citizen hospitalizations per 100,000 population due to COVID has been less than two per day since early December; and

**WHEREAS**, the total hospitalizations for COVID-19 in Douglas County over the course of the pandemic have been less than one-third of one percent of the county’s total population; and

**WHEREAS**, the success of any efforts to limit the spread of COVID-19 relies mostly on the voluntary, resolute implementation of those efforts by the population, not the enforcement of formulaic, inconsistent, and overbroad government regulations; and

**WHEREAS**, due to the personal responsibility of county citizens, proactive utilization of best practices for public health and safety by businesses, and the dedicated service of healthcare providers, there has not been a reported death of a County citizen due to COVID-19 since February 15; and

**WHEREAS**, through Douglas County’s ongoing engagement with other local and statewide leadership, the Colorado Department of Public Health and Environment continues to loosen the

Dial's capacity restrictions and will devolve the Dial into local guidance on April 16, 2021; and

**WHEREAS**, Colorado lost 260,000 jobs in 2020 and went from fourth lowest in the nation for unemployment to 35th; and

**WHEREAS**, mental health fall-out from a year of lockdown has just begun and will continue unless government allows its citizens to return to some semblance of normalcy; and

**WHEREAS**, pursuant to the November 6, 2020, Tri-County Health Department Board of Health Policy Regarding Issuance of County-wide Public Health Orders there exists an agreement between the Douglas County Commissioners and Tri-County Health Department that each county will have the ability to opt out of multi-jurisdictional local public health orders; now, therefore,

**BE IT RESOLVED** by the Board of County Commissioners of the County of Douglas, State of Colorado that the County will allow for the full restoration of personal freedoms and responsibilities and business operations on April 16, 2021 based on current public health data; and

**BE IT FURTHER RESOLVED**, that, given current conditions in Douglas County, the Board will not accept additional capacity and personal restrictions that may be imposed through the issuance of a local public health order of broad applicability by Tri-County Health Department; and

**BE IT FURTHER RESOLVED**, that the Board will continue to actively monitor COVID-19 data trends and collaborate with the State and Tri-County Health Department on prudent, science-driven responses that continue to balance the needs to preserve both lives and livelihoods; and

**BE IT FURTHER RESOLVED**, that the Board encourages County residents, businesses, and visitors to adhere to strong public health recommendations and to continue to implement and voluntarily participate in those activities necessary to continue protecting their health, the health of their families, and the health of our community, including getting vaccinated if they choose, staying home when ill, and supporting those who are at risk of severe illness from COVID-19; and

**BE IT FINALLY RESOLVED**, that the Board hereby "opts-out" of the public health order issued by the Tri-County Health Department on April 10, 2021 and goes into effect April 16, 2021 pursuant to the November 6, 2020 Tri-County Health Department Board of Health Policy

Regarding Issuance of County-wide Public Health Orders.

**Passed and adopted** this 13th day of April, 2021, in Castle Rock, Douglas County, Colorado.

**THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF DOUGLAS, COLORADO**

**BY:**

---

**LORA L. THOMAS, Chair**

**ATTEST:**

---

**KRISTIN RANDLETT, Clerk to the Board**