

**CLEAR CREEK BOARD OF COUNTY COMMISSIONERS  
AGENDA**

**February 3, 2022**

**Thursday**

**SPECIAL ZOOM MEETING**

**BOARD OF COUNTY COMMISSIONERS REGULAR SESSION**

9:00 a.m. Public Comment

**BOARD OF HEALTH ACTION ITEM**

9:00 a.m. Consideration of approval of Resolution #22-01, Rescinding Resolution 21-06--  
resolution requiring facial coverings in public where social distancing cannot be  
maintained and facilitating contact tracing -Peter Lichtman

**BOARD OF COUNTY COMMISSIONERS REGULAR SESSION**

9:00 a.m. Executive Session to receive legal advice- Peter Lichtman  
Pursuant to C.R.S. § 24-6-402(4)(b) and (e), for the County Attorney to meet with the Board of County  
Commissioners for the purposes of: 1) receiving legal advice on specific legal questions pertaining to partnering  
with other public entities to provide employer-based early child care; and 2) determining positions relative to  
matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators  
with regard to intergovernmental agreements for that purpose.



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**CLEAR CREEK COUNTY BOARD OF HEALTH  
RESOLUTION 22-01**

**RESOLUTION RESCINDING RESOLUTION 21-06**

**February 3, 2022**

**FINDINGS**

Whereas, the Clear Creek County Board of Health (“BOH”) has public health jurisdiction over Clear Creek County, including all cities and towns therein. In furtherance of its jurisdiction, BOH has the power and duty to investigate and control the causes of epidemic or communicable diseases and conditions affecting the public health within Clear Creek County; and

Whereas, on July 2, 2020, the BOH, through adoption of Resolution 20-04, issued a Standing Public Health Order Requiring Facial Coverings in Public Where Social Distancing Cannot be Maintained (“Standing Order”); and

Whereas, on September 20, 2020, the BOH, through adoption of Resolution 20-06, amended the Standing Order to add language facilitating contact tracing (case and outbreak investigations); and

Whereas, on April 27, 2021, the BOH, through adoption of Resolution 21-03, amended the Standing Order by extending it through August 15, 2021, unless extended or modified by further order of the BOH or the Clear Creek County Public and Environmental Health (“CCCPEH”) Director; and

Whereas, Coloradans started to access the COVID-19 vaccines on December 14, 2020, and the general population of the State of Colorado became eligible to receive the COVID-19 vaccines on April 2, 2021; and

Whereas, on May 13, 2021, the Centers for Disease Control and Prevention (“CDC”) outlined new mask guidance for vaccinated and unvaccinated individuals; and

Whereas, on May 14, 2021, the Governor of the State of Colorado, to align prior Executive Orders with the new CDC guidance, issued Executive Order D 2021 103, amending and restating previous executive orders requiring individuals in Colorado to wear face coverings in certain settings (“State Face Covering Order”); and

Whereas, the State Face Covering Order allows any fully vaccinated individual to go without a face covering in most settings, but maintains some face covering requirements for unvaccinated or not fully vaccinated individuals; and

On May 14, 2021, the Colorado Department of Public Health and Environment (“CDPHE”) issued the Second Amended Public Health Order 20-38, which incorporates the face covering requirements and exemptions for fully vaccinated people contained in the State Face Covering Order; and

Whereas, on May 20, 2021, in light of CDC guidance and resulting orders from the Governor and CDPHE, the BOH -- through adoption of Resolution 21-04 -- rescinded those portions of the Standing Order pertaining to face coverings while maintaining those portions of the Standing Order pertaining to facilitating contact tracing; and

Whereas, on December 3, 2021, as a result of a rise in hospitalizations in the State of Colorado and a high COVID-19 transmission rate, the BOH adopted Resolution 21-06, requiring face coverings in public indoor spaces and providing for contact tracing, and superseding the Standing Order in its entirety; and

Whereas, as of February 2, 2022, at least eighty percent (80%) of the eligible people in Colorado have been immunized with one dose of vaccine, and more than seventy-two 72% of eligible people in Colorado are fully immunized; and

Whereas, pursuant to Colorado regulation 6 CCR 1009-1 “Rules and Regulations Pertaining to Epidemic and Communicable Disease Control,” people either treating or having knowledge of a case or outbreak of COVID-19, whether the disease is suspected or confirmed, must report the case to the state or local public health agency; and

Whereas, because State law already requires compliance with case and outbreak investigations (contact tracing), there is no need for the BOH to also maintain that requirement; and

Whereas, in consideration of the immunization rates and State law requirements relating to contact tracing, the BOH has determined that rescinding Resolution 21-06 is appropriate.

## **ORDER**

Pursuant to statutory authority granted to the BOH, the following is ordered:

1. Resolution 21-06 is rescinded.
2. Preemption and Conflicts.
  - a. This Order is in addition to all executive orders issued by the Governor of Colorado and all public health orders and guidance documents issued by CDPHE. If there is conflict between this Order and any executive order, CDPHE public health order or local public health order, the most restrictive order applies.
  - b. Nothing in this Order should be construed to preempt any other local public health orders. If there is conflict between this Order and any other local public health order, the most restrictive order applies.
3. This Public Health Order shall become effective at 11:59 p.m. on February 3, 2022.

If you have questions regarding this Order, please contact the CCCPEH at 303-670-7528.

ADOPTED this 3rd day of February, 2022, at a special meeting of the Clear Creek County Board of Health.

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Sean C. Wood, Chairman

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Randall Wheelock, Commissioner

ATTEST:

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George Marlin, Commissioner

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Deputy Clerk and Recorder  
For Brenda L. Corbett  
Clear Creek County Clerk and Recorder

Received and Approved

\_\_\_\_\_  
Timothy Ryan, PhD.  
Public & Environmental Health Director

\_\_\_\_\_  
Date