AGENDA

June 13, 2017

BOARD OF COMMISSIONERS
104 CRESTONE AVE.

COMMISSIONER’S MEETING ROOM
SALIDA, COLORADO

PLEASE NOTE: The Agenda times are approximate; items may be discussed before or after the times listed below.

9:00 a.m. Regular meeting of the Board of Commissioners

Pledge of Allegiance

❖ Review public meeting list

❖ Public Comment

A. Report from the County Sheriff

B. 9:15 a.m. Public Hearings and consideration of recommendation from the May 23rd Planning Commission Special Meeting and the May 30th Planning Commission Regular Meeting (see attached) with regard to the following matter:

a. Major Impact Review - Name of Applicant: ACA Products/Frank Holman Location: 14110 County Road 140, Located in the SW1/4SE1/4SW1/4, Section 36, Township 50 N, Range 7 E, NMPM, Salida. Zone: Rural Request: Surface mining of construction aggregates (continued from the April 25, 2017 meeting) STATUS UPDATE ONLY – THE HEARING WILL BE CONTINUED TO JUNE 19th AT 5:30 P.M. AT THE CHAFFEE COUNTY FAIRGROUNDS

b. Minor Subdivision Final Plat - Name of Subdivision: Double Helix Minor Subdivision Applicant: Petra Zwingers Location: 7626 County Road 253, Tract A in the Hennessy Tracts Subdivision Exemption, in the E1/2, Section 5, Township 49 North, Range 8 East, NMPM Zone: Rural Request: To divide 25.1 acres into 4 lots with the minimum lot size being 3.04 acres. Water by wells, wastewater treatment by on-site wastewater systems.

c. Major Subdivision Sketch Plan - Name of Subdivision: Oro Vista Estates Subdivision Applicant: KJD Holdings, LLC Location: County Road 356-12, Tract 1 of the Robinson-Lockett Tracts located within Section 6, Township 14 South, Range 78 West, 6th P.M., Buena Vista Zone: Residential Request: To divide 38.2 acres into 13 lots with the minimum lot size being 2.09 acres. Water by wells, wastewater treatment by on-site wastewater systems.
**d. Changes to the Chaffee County Land Use Code** – 1. Removal of the 24’ x 36’ minimum size requirement for Manufactured Home in Table 2.2; removal of the line item Manufactured Home (HUD approved, single-wide) from Table 2.2; and removal of “C. Size.” from Section 7.8.19 Manufactured Home of the Land Use Code. 2. Section 3.1.6.C & G - Update Right to Ranch section 3. Section 2.2.3 – the Rural zoning district intent and purpose statement conflicts with Table 2.1 of two units/acre

C. Consider a request from Calvin and Jillaine Paplow for an extension to an Addendum to Subdivision Improvements Agreement for Shikoba Acres Filing II. (Planning Manager Roorda)

D. Consider County Weed Management Plan. (Kayla Malone, County Weed Manager)

**Convene as Board of Equalization**

E. Consider an Appeal to the Senior Property Tax Homestead Exemption from Richard Welch.

**Reconvene as Board of Commissioners**

F. Consider a request for a letter of support for the Chaffee Housing Trust Application to community builders for a tech assistance grant on behalf on Chaffee County. (Read McCulloch)

G. Receive a liquor license application from Buffalo Smokehouse Bar-B-Que for a new Hotel/Restaurant liquor license, set the hearing date and set the parameters of the neighborhood under consideration. (Attorney Davis)

H. Receive a liquor license application from Kyway Cafe for a new Hotel/Restaurant liquor license, set the hearing date and set the parameters of the neighborhood under consideration. (Attorney Davis)

I. Cliff Hangers Inc., dba Cliffhangers, 22720 West US Highway 50, Monarch, has made application to renew their Hotel and Restaurant Liquor License (Attorney Davis)

J. Application to approve Corporate Change for Cliff Hangers, Inc for New Director Keith Surber.

K. Consider real estate transaction for EMS housing. (Attorney Davis)

L. Appoint new director for Chaffee County Facilities Corp. (Attorney Davis)

**Consent Agenda:**
- Report from County Veterans Service Officer, Cathy Sadeik, for the month of May, 2017
- Report from the County Treasurer for the month of May, 2017
- Pay Bills
Old Business:

- County Project Status Report

Visit Jail

Potential Road Trip

****The official posting site for the Chaffee County Board of Commissioners meeting agenda's is at the County Court House.

It is the policy of Chaffee County that all County sponsored public meetings and events are accessible to people with disabilities. If you need assistance in participating in this meeting or event due to a disability as defined under the ADA, please call the County's ADA Coordinator at 719-539-3463 or e-mail byenes@chaffeecounty.org at least three (3) business days prior to the scheduled meeting or event to request an accommodation.
PLANNING COMMISSION RECOMMENDATION

Date: May 23, 2017
To: Chaffee County Board of County Commissioners
From: Chaffee County Planning Commission
Subject: ACA/Holman Major Impact Review

Note: The following recommendation is an excerpt of the draft Planning Commission meeting minutes of May 23, 2017 and should be considered as a draft summary of their recommendation until the minutes are approved at their next regular meeting.

Planning Commission members present were: Mike Allen, Dan McCabe, Bruce Cogan, Tracy Vandaveer, Doug Welch, and Rob Treat

Findings of Fact:
1. The application does not demonstrate proof of adequate access for this use. The 1884 road reviewers report was not submitted into evidence.

Condition 1. Adequate legal access to the property be proven for this use.
2. The application demonstrates adequate utilities and consideration of terrain for this use
3. Application is consistent with zone district requirements with the Major Impact Review and application is consistent with the Right to Farm and Ranch.
4. Said property has been used historically for mining purposes consistent with historical and current zoning of the property
5. 7.1.3 Site Infrastructure Requirements; the use will require a county commercial access permit

Condition 2. The use will require a county commercial access permit
6. 7.1.4 site drainage is addressed in the Phasing, erosion control and storm water management plans and appears to be adequate.
7. The mining and crushing operations as proposed meet all required setback conditions
8. CPW review does not foresee significant impacts to wildlife or wildlife habitat and notes that there are no known threatened or endangered species within or in close proximity to the site
9. The existing barbwire fence is adequate to ensure public safety
10. Applicant has committed to the hours of to 7am to 6pm for operations and trucking limited to 8am to 5pm

Condition 3. Applicant has committed to the hours of to 7am to 6pm for operations and trucking limited to 8am to 5pm
11. Reclamation and revegetation will be conducted pursuant state of Colorado permit and bonding requirements.
12. In order to operate the applicant will be required to procure all county and state and federal permits
13. Locating resource extraction activities in rural zone district is consistent with the Chaffee County Comprehensive Plan and allowed by the Land Use Code
14. Noise and dust control are monitored and regulated through state agencies.
15. Noise and visual impacts will also be mitigated by berming and reducing the topographic exposure through the removal of gravel material.

16. The site has limited visual exposure to adjacent residents and CR 140

17. A weed control bond is required by Chaffee County

18. The proposed pit provides a product with a high Plasticity Index for road base material that is needed by the roads and driveways throughout County

19. The proposed activity provides local job opportunities and enhances the economy

20. Evidence has been presented that the two 90 degree corners on CR 140 pose potential safety hazards and the Planning Commission recommends the Board of Commissioners consider this issue.

21. The Planning Commission recommends the mine operator enter into negotiations with Chaffee County on mitigation of road impacts from operations

Dan McCabe moved to recommend to the Board of County Commissioners to approve, with the conditions, the application for ACA/Holman Major Impact Review submitted by ACA Products LLC based on the Findings of Fact and Conditions we have reiterated at this time. Rob Treat seconded. Motion carried with Dan McCabe, Mike Allen, Rob Treat and Bruce Cogan in favor and Tracy Vandaveer and Doug Welch opposed.
PLANNING COMMISSION RECOMMENDATION

Date: May 30, 2017
To: Chaffee County Board of County Commissioners
From: Chaffee County Planning Commission
Subject: Double Helix Minor Subdivision

Note: The following recommendation is an excerpt of the draft Planning Commission meeting minutes of May 30, 2017 and should be considered as a draft summary of their recommendation until the minutes are approved at their next regular meeting.

Planning Commission members present were: Mike Allen, Dan McCabe, Karin Adams, Doug Welch, and Rob Treat

Doug Welch moved to recommend to the Board of Commissioner tabling of the Double Helix Minor Subdivision Final Plat to the Planning Commission June 27, 2017 meeting. Dan McCabe seconded and the motion carried unanimously.
PLANNING COMMISSION RECOMMENDATION

Date: May 30, 2017
To: Chaffee County Board of County Commissioners
From: Chaffee County Planning Commission
Subject: Oro Vista Estates Major Subdivision

Note: The following recommendation is an excerpt of the draft Planning Commission meeting minutes of May 30, 2017 and should be considered as a draft summary of their recommendation until the minutes are approved at their next regular meeting.

Planning Commission members present were: Mike Allen, Dan McCabe, Karin Adams, Doug Welch, and Rob Treat

Findings:
1. Property is in a residential zoned district and the proposed subdivision is consistent with the existing surrounding development
2. The applicant has stated that building envelopes on lots 1, 2 and 3 will be created and shown on the Final Plat
3. The applicant has stated the existing well will either be abandoned or re-permitted
4. The application will be referred to the agencies listed above save and except the US Army Corp of engineers

Dan McCabe moved to recommend to the Board of Commissioners approval of the Oro Vista Estates Subdivision Sketch Plan subject to the above findings. Doug Welch seconded and the motion carried unanimously.
PLANNING COMMISSION RECOMMENDATION

Date: May 30, 2017
To: Chaffee County Board of County Commissioners
From: Chaffee County Planning Commission
Subject: Removal of the 24’ x 36’ minimum size requirement for Manufactured Home in Table 2.2; removal of the line item Manufactured Home (HUD approved, single-wide) from Table 2.2; and removal of “C. Size.” from Section 7.8.19 Manufactured Home of the Land Use Code.

Note: The following recommendation is an excerpt of the draft Planning Commission meeting minutes of May 30, 2017 and should be considered as a draft summary of their recommendation until the minutes are approved at their next regular meeting.

Planning Commission members present were: Mike Allen, Karin Adams, Dan McCabe, Doug Welch and Rob Treat

Findings:
1. The Land Use Code Text Amendment meets the approval criteria in Section 4.4.2 of the Land Use Code.
2. The text amendment removes an arbitrary restriction from the Land Use Code.
3. Smaller manufactured homes do not create hazards, objectionable influences or more traffic than is normal for a single family home.
4. Smaller manufactured homes, than what is currently allowed, do not impact compatibility in a neighborhood.

Mike Allen moved to recommend to the Board of Commissioners approval of the changes regarding Manufactured Homes as stated in the staff report. Dan McCabe seconded motion carried unanimously.
PLANNING COMMISSION RECOMMENDATION

Date: May 30, 2017
To: Chaffee County Board of County Commissioners
From: Chaffee County Planning Commission
Subject: Section 3.1.6.C & G - Update Right to Ranch section

Note: The following recommendation is an excerpt of the draft Planning Commission meeting minutes of May 30, 2017 and should be considered as a draft summary of their recommendation until the minutes are approved at their next regular meeting.

Planning Commission members present were: Mike Allen, Karin Adams, Dan McCabe, Doug Welch and Rob Treat

Finding:
The Land Use Code Text Amendment for updating the Agricultural Land Use Conflict Resolution Panel meets the approval criteria in Section 4.4.2 of the Land Use Code.

Dan McCabe moved to recommend to the Board of Commissioners approval of the updates to the Right to Ranch section based on the above finding. Doug Welch seconded and the motion carried unanimously.
PLANNING COMMISSION RECOMMENDATION

Date: May 30, 2017
To: Chaffee County Board of County Commissioners
From: Chaffee County Planning Commission
Subject: Section 2.2.3 – the Rural zoning district intent and purpose statement conflicts with Table 2.1 of two units/acre.

Note: The following recommendation is an excerpt of the draft Planning Commission meeting minutes of May 30, 2017 and should be considered as a draft summary of their recommendation until the minutes are approved at their next regular meeting.

Planning Commission members present were: Mike Allen, Karin Adams, Dan McCabe, Doug Welch and Rob Treat

Finding:
The Land Use Code Text Amendment meets the approval criteria in Section 4.4.2 of the Land Use Code.

Dan McCabe moved to recommend to the Board of Commissioners approval for the correction of Table 2.1 of two units/acre. Karin Adams seconded. Motion carried with Dan McCabe, Karin Adams, Rob Treat and Mike Allen in favor and Doug Welch opposed.
BOARD OF COUNTY COMMISSIONERS PUBLIC MEETINGS

THIS NOTICE IS POSTED PURSUANT TO C.R.S. 24-604 02 (IV)(c)(4)(b).

THERE WILL BE NO DECISIONS OR FORMAL ACTIONS MADE BY THE COMMISSIONERS AT THESE MEETINGS EXCEPT FOR THE REGULAR OR SPECIAL MEETINGS OF THE BOARD OF COMMISSIONERS

Address for meeting places: Commissioners Meeting Room 104 Crestone Ave., Salida, Buena Vista School District Offices, 113 N. Court, Buena Vista Annex, 112 Linderman Ave.,Fairgrounds, 10165 County Road 120, Poncha Springs, Harriet Alexander Field, County Road 140, Salida. Meeting places are subject to change and will be posted.

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DATE: June 12, 2017
TIME: 9:00 a.m.
SUBJECT: Regular meetings of Landfill Committee, Board of Health & Board of Human Services followed by Work Session
LOCATION: Commissioners Meeting Room, 104 Crestone Ave., Salida

DATE: June 13, 2017
TIME: 9:00 a.m.
SUBJECT: Board of Commissioners Regular Meeting
LOCATION: Commissioners Meeting Room, 104 Crestone Ave., Salida

DATE: June 13, 2017
TIME: 6:00 p.m.
SUBJECT: Board of Commissioners and Hospital Board Meeting
LOCATION: Commissioners Meeting Room, 104 Crestone Ave., Salida

DATE: June 20, 2017
TIME: 9:00 a.m.
SUBJECT: Board of Commissioners Regular Meeting
LOCATION: Commissioners Meeting Room, 104 Crestone Ave., Salida

DATE: June 27, 2017
TIME: 9:00 a.m.
SUBJECT: Board of Commissioners Regular Meeting
LOCATION: Commissioners Meeting Room, 104 Crestone Ave., Salida

DATE: June 27, 2017
TIME: 3:00 p.m.
SUBJECT: Visitors Bureau

DATE: June 27, 2017
TIME: 6:00 p.m.
SUBJECT: Planning Commission
LOCATION: Commissioners Meeting Room, 104 Crestone Ave., Salida

DATE: June 28, 2017
TIME: 9:00 a.m.
SUBJECT: Airport Advisory Board Meeting
LOCATION: Harriet Alexander Field

6/8/17
This list may be updated daily. Posted in posting area outside of Commissioners Office
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Applicant: ACA Products is applying for a new Construction Materials 112 mining permit on 27.8 acres of land owned by Frank and Sherry Holman and the Elizabeth J. Holman Trust. Letters of consent from the landowners are included in the application.

Public Notice: Notice of this Public Hearing was sent by certified mail to adjoining property owners on March 30, 2017. Notice was published in the Chaffee County Times and the Mountain Mail on April 7, 2017. Staff has observed the posted sign.

Summary of Application: The proposed RB pit is located on Holman Family lands at 14110 CR 140. The application is for a 27.76 acre sand and gravel pit on currently vacant lands to be mined by surface methods. The pit is bounded on the southwest by the North Fork Ditch. There is a PSC utility easement along the northeasterly boundary of the pit that runs through the easterly edge of the pit, and a WAPA transmission line and one tower within the pit limits. The State mining permit application is not included or required by the LUC.

Zoning: Rural, Commercial mining is permitted in the rural zone with a Major Impact Review.
This application was heard by the PC on November 29, 2016 and was continued with the following findings:

1. Public Safety on CR 140 and 250 is a concern
2. Request engineering review to determine level of road improvements needed for existing and future traffic levels, with the Applicant to pay for the engineering review.
3. Request survey to determine status of right-of-way and feasibility of road improvements, with the Applicant to pay for the survey.
4. Request that BoCC decide if Applicant or County will contract with engineer and surveyor.

A Scope of Work for this engineering and surveying was prepared by staff and verified with the Planning Commission for accuracy.

On December 13, 2016, the BoCC reviewed the Scope of Work and determined that Chaffee County would advertise the bid for an independent third party to perform the work.

The Request for Proposal (RFP) was posted on the website and advertised in local newspapers beginning on December 15 with a due date of January 6, 2017.

Three proposals were received from qualified surveying and engineering firms that were presented to the BoCC on January 10, 2017. The Board found that all three bids were acceptable and they were given to the Applicant for selection of the firm. Marcin Engineering of Avon was selected by the applicant.

The contract between Marcin Engineering and Chaffee County was executed with an effective date of February 1, 2017.

After difficulties with property access to perform the survey, the first set of plans was delivered by Marcin on March 27, 2017 (transmittal date March 24, 2017). Review of the submittal revealed deficiencies that were listed in a letter to Marcin dated April 10, 2017.

Marcin responded and the second set of plans was received on April 24, 2017 (transmittal date April 19, 2017). Review of the plans indicated that some of the design documents were wholly outside of the scope of work and it was requested that these documents be removed.

The third set of plans was received on May 8, 2017 (transmittal date May 4, 2017) and was deemed to be complete.

A document with "SUBJECT: Chaffee County improvements to portions of County Roads 140 and 250 in southern Chaffee County" dated February 8, 2017 was also received with the third submittal. This document is discussed below under Traffic Study.

SUBMITTAL REQUIREMENTS

4.2.4 Major Impact Review: The following application materials are required;

a. Basic Application Materials; the application form, fee, deed, adjacent property owner and other interests owners are included.

b. Narrative; a narrative is included noting the desirability of the product, location of private access and the source of portable equipment.

c. Phasing Plan; a written phasing plan is included that describes how the mining activities will be conducted.

T. Vicinity Map; a vicinity map is included.

e. Site Plan; a site plan is included and the applicant has provided a photo based map that locates adjacent residences and wells in addition to existing and post-mining topography.

f. Impact Analysis; an impact analysis is included noting requirements by State of Colorado DRMS, MSHA and CDPHE. The application narrative does note that obtaining the following permits will be conditions of County approval for this land use change;

1. Colorado DRMS 112 permit and bond (this is the overall State permit)
2. CDPHE air quality permit for pit and portable equipment (regulates dust and exhaust levels)
3. CDPHE water quality stormwater permit (regulates the presence of any water in the pit)
4. MSHA identification of equipment operated in pit (regulates the levels of particulate matter)
5. County Road mitigation agreement

g. Land Suitability Analysis; a land suitability analysis is included noting a 50’ setback from the North Fork Ditch and from a Public Service Company electric line easement. The WAPA transmission line is not addressed in this section but staff was forwarded a License Agreement between WAPA and ACA that addresses uses within the easement.

h. Traffic Study; A Basic Traffic Analysis prepared by LSC Transportation Consultants was submitted. Following are the Conclusions and recommendations from the report:
   - The site would generate an average 10 transport truck trips per weekday between May 1 and September 30 (five empty trucks arriving and 5 loaded trucks departing). This is based on 550 loaded transport trucks per year. During the morning peak hour, about two vehicles would enter and one vehicle would exit the site.
   - Mining operations are expected to be primarily seasonal with the majority of the activity between May and September. Haulage from the quarry to off-site locations will occur five days a week during these months of operation. Transport truck traffic is expected to be spread relatively evenly between 8:00 am and 5:00 pm each day. Variability in daily trip generation is likely due to fluctuating demand. Transport truck trips will rarely occur outside of these operational hours.

The study does not address traffic percentage increase. The application contains a statement noting an estimated 6% increase in traffic at CR 140 at Hwy 285 and CR 250 at Hwy 50.

A document prepared by Marcin Engineering with "SUBJECT: Chaffee County improvements to portions of County Roads 140 and 250 in southern Chaffee County" dated February 8, 2017 was also received. This document appears to discuss the capacity of production of this pit, rather than within the Operating Restrictions as originally proposed by the Applicant. The Engineer was not available for comment at the date of this report. The proposed level of truck traffic, as described in paragraph h., above, is unchanged from the original application.

i. Landscape Plan; landscaping will involve placing and seeding the stripped topsoil at the pit limits. This is discussed in the narrative and a graphic description is included.

j. Erosion and Sediment Control Plan is addressed in the narrative with reference to the Phasing Plan and the Landscape Plan. The applicant has provided an expanded Stormwater Management Plan including BMP’s for grading and site management.

k. Water Supply Plan; Applicant notes that water usage will be limited to dust control on haul roads, to be supplied by ACA from their own sources. Potable water for employees is to be provided by a bottled water contractor.

l. Wastewater Plan; Applicant notes that site will not generate any wastewater. Bathroom facilities will be provided by a portable restroom supplier.

m. Visual Analysis; Applicant notes that the site has limited visibility from adjacent properties and no visibility from CR 140.

REVIEW CRITERIA

Use Specific Standards; 7.8.23 Mining and Extraction Uses. All mining operations shall comply with all state and federal regulations related to mining, air quality, water quality and water law, and stormwater. In addition:

A. Operating Restrictions. The mine shall operate in accordance with the following conditions as well as all conditions imposed by either the State or local application review process, or the permit may be revoked following a hearing by the Board of County Commissioners.

1. Excavation Restrictions. Excavation shall not occur within 20 feet of any property line or right-of-way line, or within 50 feet of ditches, streams or water ways. Excavation shall only occur within an easement with the written approval of the easement holder. Site plan notes compliance with setbacks. License agreement with WAPA addresses excavation within the transmission line easement.

2. Screening and Crushing Restrictions.
a. Screening or crushing shall not occur within 200 feet of the boundary line of the property if the operation is in a Recreational or Rural Zone. Processing area shown on site plan is more than 200 feet from property boundaries.

b. Screening or crushing shall not occur within 500 feet of a residence or commercial building on adjoining property if the operation is in a Recreational or Rural Zone. The applicant has submitted a Site plan that shows that adjoining residences are in excess of 500 feet from the processing area.

3. **Time Restrictions.** Excavation, screening or crushing shall not occur outside the hours of 7:00 AM – 8:00 PM if the operation is within 1500 feet of a residential structure or a commercial structure such as a hotel, motel or lodge that provides sleeping accommodations. The operation is within 1500 feet of residential structures, processing shall not occur outside of hours from 7am to 8pm. The Applicant has committed to operation hours of 8AM to 5PM

4. **Fencing.** Appropriate fencing must be provided to ensure public safety as identified during the review process. The applicant has requested that the existing barbed wire fencing within the property be deemed sufficient to ensure public safety.

5. **Reclamation.** The mined area shall be reclaimed and re-vegetated in a manner compatible with the surrounding area. This is the primary purpose of the State permit and bond.

B. **Roads.** The mine operator shall be required to enter into an agreement with the County to mitigate the impacts of the operation on the County Road system, per Section 7.4.3 of this Land Use Code. Mitigation measures may include but not be limited to maintenance and or repair of the road, road improvements prior to operations, reimbursement to the County for proportional impacts, or limits on the number of trucks that may access the road, including seasonal limits. The engineering study by Marcin Engineering did recommend improvements to the two 90° curves, the pit entry and the intersection of CR's 140 and 250 including additional paving, shoulder improvement, clear zone, possible road base replacement and signage.

C. **Routing.** Designation of construction and haul routes for a specific mining operation application shall comply with the following standards:

1. **Avoidance of Developed Areas.** Truck haulage and traffic routes shall be designed to the maximum extent feasible to avoid residential areas, commercial areas, schools and other civic buildings, municipalities and already congested locations. Alternative routes shall be identified.

2. **Timing of Hauling.** Timing of truck traffic may be controlled to prevent congestion or adverse noise impacts or safety risks.

3. **Load Control.** Applicant shall prevent loss of loads and fugitive dust emissions during transit, and shall be responsible to ensure that haul routes are maintained in accordance with dust-suppressant methods required by applicable state or federal agency. All loaded and empty trucks will travel the 1 ½ miles of CR 140 from the Holman Ranch to the Intersection with CR 250, a stretch of road that contains 2 90° curves. In concept, at this location, the traffic would divide with half going 1 mile south on CR 250 to the intersection with Hwy 50 and half travelling 1 ¾ miles east on CR 140 to the intersection with Hwy 285.

7.1 Basic Standards for all Land Use Change Permits

7.1.1 Purpose and Intent; Application demonstrates adequate access, utilities and consideration of terrain and features for this use.

7.1.2 Compliance with Applicable Zone District Requirements; Application is consistent with zone district requirements with this Major Impact Review. Application is consistent with requirements of the Right to Farm and Ranch regulations.

7.1.3 Site Infrastructure Requirements; The use will require a County commercial access permit.

7.1.4 Site Drainage; Site Drainage is addressed in the Phasing, Erosion control and Stormwater Management plans and appears to be adequate.

7.1.5 Protection of Natural Wetlands and Riparian Areas; Mining will be set back from the North Fork Ditch, property does not contain any other wetland or riparian areas.

7.1.6 Wildlife Habitat Areas; property is in an area rated high for significant wildlife habitat. The application does contain a current review by CPW. The review does not foresee significant impacts to wildlife or wildlife habitat and notes that there are no known threatened or endangered species within or in close proximity to the site.
7.1.7 Erosion and Sedimentation; See item j. under Major Impact Review. No issues are anticipated.
7.1.8 Lighting/Dark Sky Standards; are enforced by the building department. No structures or lighting are anticipated.
7.1.9 Areas with Archeological, Paleontological or Historical Importance; The are no known areas within this site.

7.2 Site Planning & Development Standards (shall apply to land use changes proposing commercial use)
7.2.1 Consideration of Other Adopted Plans; This area is encompassed by the Chaffee County Comprehensive Plan, the only mention of resource extraction activities is in Chapter 4, Land Use and Development Patterns; Guiding Objective 2, Implementing Action 1; “Allow only those uses that have an obvious need to locate in such (rural) areas such as resorts/dude ranches, commercial rafting, and resource extraction activities” Thus, locating resource extraction activities in “rural areas” complies with the Comprehensive Plan.

7.2.2 Development Infrastructure Requirements; Solid waste disposal will be the responsibility of the applicant, and is anticipated to be minimal, adequate room for parking is available on the site. The water supply plan is adequate for this use.

7.2.3 Site Planning and Design
A. Site Organization is adequate for the use
B. Landscaping Guidelines are discussed under Major Impact Review, Item i. and are compliant with the LUC requirements.
C. Operational Characteristics; The operation has the potential for objectionable emissions of dust, odors, gas, and fumes. Appropriate permits are to be obtained from CDPHE for any emissions. The operation has the potential to cause noise that may be mitigated by the topsoil berming described in the application.
D. Areas Subject to Wildfire Hazards; Area is not anticipated to be a wildfire hazard
E. Areas Subject to Natural or Geologic Hazards; Area is not the subject of any natural or geologic hazards.
F. Riparian Areas; No riparian areas exist on this site except the North Fork Ditch. This application is restricted from disturbance of any riparian area.

7.2.4 View Protection Guidelines; See Major Impact Review, item m. The site has limited visibility from adjacent properties and cannot be seen from CR 140.

7.2.5 Reclamation and Noxious Weed Control; will be monitored by State of Colorado and Chaffee County Weed Department. A weed control bond as determined by the Chaffee County Noxious Weed Department will be required.

7.2.6 Stormwater Run-Off, is not permitted from within the pit by State regulations. Nothing in the application suggests a potential for non-compliance.

7.2.7 Protection of Water Quality from Pollutants; is required by State regulations as part of the permit. Nothing in the application suggests the potential for non-compliance.

Application is complete with exception of the items noted above. This application must be approved by the State of Colorado prior to commencement of any mining activities, other items required prior to any final approval are noted under Section 4.2.4.f on Page 2 of this report.

Section 2.2.3.C allows the County “to restrict operating hours, develop landscaping, increase setbacks, or similar mitigation in order to minimize potential impacts on nearby residential uses and to meet the intent and purpose of the Rural zone”

Potential Action:
Commissioner __________________ moved and Commissioner __________________ seconded to recommend to the Board of County Commissioners to APPROVE/APPROVE WITH CONDITIONS/DENY the application for ACA/Holman Major Impact Review submitted by ACA Products, LLC based on the following findings of fact and conditions:

Findings of Fact:
1.
2.
3.

Conditions:
1.
2.
CHAFFEE COUNTY
Development Services Department
P.O. Box 699 Salida, Colorado 81201
(719) 539-2124 FAX: (719) 530-9208
bdepartment@chaffeecounty.org

STAFF REPORT

Date: May 3, 2017 Updated May 26, 2017 to show re-design
To: Chaffee County Board of County Commissioners
From: Planning Staff, Jon Roorda & Christie Barton
Subject: Double Helix Minor Subdivision Final Plat

PC: 5/30/2017 BOCC 6/13/17

Applicant: Petra Zwingers; a consent form is included for Mike Henderson as representative.

Public Hearing Notice Information: The Public Hearing was advertised in the Mountain Mail and the Chaffee County Times on May 11, 2017. Public Hearing notices were sent by certified mail to adjoining property owners on May 8, 2017. The Public Hearing Notice sign was observed by Staff on January 18, 2017.

Summary of Application: This application proposes re-subdivision of a 25.1 acre lot (Tract A of the Hennessy Tracts, recorded February 2, 2000 at Reception #309526) into four lots. The property has an existing house, driveway, well and On-site Wastewater System (OWTS) which will be on the new Lot 3. This lot will be 13.46 acres in size and continue to be used for agricultural and residential purposes. Access will be on a new Low Volume Road from County Road 253 on the northern portion of the property, for which right of way will be dedicated with the plat. The existing driveway will become an emergency access road.

Location and Zoning Map:
Zoning & Density: This property is in the Rural zoning district. As of October 25, 2018, this zoning district allows a density of 1 unit per two acres when served by individual wells and On-site Wastewater Treatment Systems (OWTS).

Proposed Minor Subdivision:

The applicant has re-designed the subdivision to move the proposed Low Volume Road from the location of the existing driveway to the north side of the property. The new plat was received May 23, 2017 as shown above. The County road maintenance ends adjacent to the northern property line of the property (orange dashed line on above map) and 60’ of right of way is being dedicated along the northern boundary (green dashed line on above map). A 40’ wide right of way is being dedicated for a new Low Volume Road for access into the subdivision, and this will be constructed by the owner. Improvements to County Road 253 past the end point of County maintenance will be reviewed by an engineer hired by the owner to determine if it meets standards in Section 7.4.5 Roadway Design and Construction. A maintenance agreement will need to be developed with the property owners to the east that currently use the road, so that the maintenance costs will be shared by all users.
Article 7.1 Basic Standards for all Land Use Change Permits

7.1.1 Intent: this section is for applicants to demonstrate that facilities and services are available, that environmental and topographic constraints are considered and that existing vegetation can mitigate impacts to unique natural features.

7.1.2 Compliance with Zone District: This application complies with the density and dimensional standards of the Rural zoning district.

7.1.3 Site Infrastructure Requirements: This property has an existing house, well and OWTS. Review agencies have made comments that demonstrate that the proposed lots can support residential uses. Water augmentation certificates must be purchased before the plat is recorded or a Subdivision Improvements Agreement (SIA) shall be signed.

7.1.4 Site Drainage: Historic drainage patterns will be maintained. A professional engineer will design the proposed Low Volume Road to provide positive drainage away from buildings and be coordinated with the general stormwater drainage pattern for the area.

7.1.5 Protection of Wetlands and Riparian Areas: The property has no wetlands or riparian areas.

7.1.6 Wildlife Habitat: The property is in an area rated high for Significant Wildlife Habitat. The Colorado Parks & Wildlife (CPW) commented that the area is a severe winter range for deer and elk. Wildlife-friendly fencing is suggested, as well as homeowner review of Living with Wildlife, available on-line at the CPW website. The project was not reviewed under the 1041 regulations as the property is less than 35 acre in size.

7.1.7 Erosion and Sedimentation: N/A (this section applies to disturbances within 50 feet of a waterbody).

7.1.8 Dark Sky Standards: New construction will be required to comply with downcast and shielded lighting in this section of the Land Use Code.

7.1.9 Areas of Archeological, Paleontological or Historic Importance: The Heritage Area Advisory Board had no objection to the development.

Article 7.2 Site Planning and Development Standards

7.2.1 Other Adopted Plans: The Chaffee County Comprehensive Plan is the only plan that applies to this application. Guiding Objective 5 from Chapter 4, Land Use & Development Patterns: Maintain the existing stock of private land in the County and encourage continuation of agricultural activities. This application meets this Objective.

7.2.2 Infrastructure Requirements: The applicant proposes to purchase augmentation certificates for wells for the new lots. Right of way along the northern 60’ of the property will be dedicated with the Final Plan. This is currently an easement that provides driveway access to other properties under Reception No. 309526. A Low Volume Road within a 40’ wide right of way is proposed to be constructed from this 60-foot right of way. Access to the lots and addressing will be as follows:

- Lot 1 – access from County Road 253, either the County-maintained or the privately-maintained section.
- Lots 2, 3 & 4 – access from Double H Lane (County Road 253 in this area has insufficient addresses available for Lot 2 to have a County Road 253 address).
- The existing house will have a new address off Double H Lane.

Improvements for the subdivision will be determined by a consulting engineer hired by the applicant, and a Subdivision Improvements Agreement (SIA) will be prepared for the applicant. The size and topography of the lots allows for the required two parking spaces per lot.

7.2.3 Site Planning and Design: This area is a mix of large and small residential lots in the Rural zoning district, and the size of the proposed lots (2.73, 2.30, 4.07 & 13.46 acres) is...
similar to nearby residential properties. Excessive disturbance is not anticipated with this subdivision as the land is primarily in pasture. There are no adjacent commercial uses, so no buffers are required. The Colorado Geological Survey has approved a request for exemption of review of this subdivision.

7.2.4 View Protection Guidelines: Any new residential use is anticipated to be compatible with the existing residential neighborhood.

7.2.5 Weed Control: N/A (applies to construction with cuts or fills greater than 8 feet).

7.2.6 Stormwater run-off: No changes are anticipated to existing drainage patterns.

7.2.7 Protection of water quality: N/A (applies to non-residential land use changes).

Article 7.3 Subdivision Design Specifications:

7.3.1 Basic Subdivision Standards: This application creates a Low Volume Road, for which a Maintenance Agreement or homeowners association will be required to be created. Since the new access to the property (Double H Lane) is currently used by adjacent property owners, a maintenance agreement with these property owners is required to be created for shared maintenance costs. Further subdivision of these lots may only be done through the Major Subdivision process.

7.3.2 Subdivision Lots: This application creates conforming lots with adequate building sites outside of any flood, geologic or natural hazard areas. All lots will have access on dedicated right of way: 60-feet of right of way is being dedicated along the northern property line (to be named County Road 253), and the new access to the subdivision will be a Low Volume Road (Double H Lane) will be off this right of way. The maintenance for County Road 253 ends at the northwest corner of the property, and a professional engineer hired by the owner will need to determine if the current easement meets the standards in Section 7.4.5 Roadway Design and Construction. Lots 1-3 have the required minimum 50 foot frontage to dedicated road right of way. Lot 4 has a 50’ wide flag that extends to Double H Lane, with 50 feet of frontage on dedicated right of way that includes 10’ of the emergency access road. Lots are not divided by any roads, municipal or tax district boundaries.

7.3.3 Subdivision Roads: Maintenance on County Road 253 ends at the northwestern corner of the property. The applicant is dedicating 60’ of right of way on the northern boundary of the property along an existing easement for access to adjacent properties and to this subdivision. The new Low Volume Road (Double H Lane) will be within dedicated right of way and designed by an engineer. The engineer will determine if the existing improvements on the northern 60’ of the property (dedicated as right of way with the plat) are sufficient to meet Section 7.4.5 Roadway Design and Construction.

7.3.4 Subdivision Fire Protection: This development is within the Chaffee County Fire Protection District. The land is currently in pasture. The fire district has agreed to the applicant paying a fee-in-lieu instead of installing the cistern. The re-design of this subdivision proposes the existing driveway to be an emergency access road, and the new access to the subdivision on Double H Lane. The applicant shall work with the fire district to resolve comments on the re-design, including whether the emergency access be gated.

7.3.5 Utility Easement Requirements: Easements meeting the requirements of the Land Use Code are shown on the final plat.

7.3.6 Survey Monuments: Monuments are indicated on the plat.

7.3.7 Standards for Public Sites and Open Space: Three new residential lots are created by this plat. Park, trail and open space dedication is not shown on the plat, as the property is not near existing or proposed trails or parks. The applicant requests a waiver of the dedication of open space provision. Sixty feet of right of way is being dedicated along the northern property boundary for access to this subdivision and for access other parcels, plus a forty foot wide right
of way for the new Low Volume Road. The Fair Contributions to Schools note has been added to the plat.

The following agency review comments have been received:
Town of Poncha Springs – no comments on this request.
Colorado Parks and Wildlife – this property is in a severe winter range for deer and elk. Wildlife-friendly fencing is recommended. Homeowners can review Living with Wildlife recommendations on-line at the Colorado Parks and Wildlife website.
Salida School District – no comments received.
Chaffee County Fire Protection District – the applicant will pay a fee-in-lieu of $9000.00 instead of installing a fire cistern.

A copy of the new plat was sent to the Chaffee County Fire Protection District on May 24, 2017, and the following comments have been received:
- Will the emergency access be gated?
- Provide a turnaround located at the intersection of Double H and the emergency access intersection. This could be as simple as access to the emergency access so it can be used as a hammerhead turn around.

Chaffee County Environmental Health – no comments received.
Colorado Division of Water Resources, Office of the State Engineer – the existing domestic well must be re-permitted as a non-exempt well operating pursuant to a plan for augmentation. Augmentation certificates for Lots 1, 2 and 4 are required as part of the permitting process for non-exempt wells in the subdivision.
Upper Arkansas Water Conservation District – no comments received.
Colorado State Forest Service – no wildfire concerns are noted for this project.
Upper Arkansas Soil Conservation District – no comments received.
Colorado Geological Survey – an exemption for review has been granted for this project.
Chaffee Heritage Area Board – no heritage objection to the proposed development.

Staff Observations/Potential Finding of Fact:
1. The existing domestic well on Lot 3 must be re-permitted as a non-exempt well operating pursuant to a plan for augmentation before the plat is recorded.
2. Water augmentation certificates must be purchased for Lots 1, 2 and 4 before the plat is recorded or included in the Subdivision Improvements Agreement (SIA).
3. The applicant requests a waiver of the open space requirement in Section 7.3.7. The property is not located near existing trails, and right of way has been dedicated for the Low Volume Road (40' of ROW) and for the northern 60' for future circulation.
4. The applicant shall work with Chaffee County Fire Protection District to resolve comments received on the re-design:
   a. The Low Volume Road shall show a cul-de-sac or hammerhead turnaround.
   b. Will the emergency access road be gated?
5. Subdivision improvements will be part of a Subdivision Improvements Agreement, with the costs determined by a professional engineer hired by the applicant.

Potential Action:
Commissioner __________________ moved and Commissioner __________________ seconded to recommend to the Board of County Commissioners to APPROVE/APPROVE WITH CONDITIONS/DENY the application for the Double Helix Minor Subdivision Final Plat submitted by Mike Henderson for Petra Zwingers based on the following findings of fact and conditions:
Findings of Fact:
1.
2.

Conditions:
1.
2.
STAFF REPORT

Date: May 11, 2017
To: Chaffee County Planning Commissioners
From: Planning Staff, Jon Roorda & Christie Barton
Subject: Oro Vista Estates Major Subdivision Sketch Plan
PC: 5/30/2017  BOCC 6/13/2017

Applicant: KJD Holdings, LLC.

Public Hearing Notice Information: The Public Hearing was advertised in the Mountain Mail and the Chaffee County Times on May 11, 2017. Public Hearing notices were sent by certified mail to adjoining property owners on May 8, 2017. The Public Hearing Notice sign is required to be posted by May 15, 2017, and staff will verify the posting after this date.

Location and Zoning Map:

Zoning & Density: This property is in the Residential zoning district. This proposal meets the requirements of this zoning district.
Summary of Application: This application proposes to subdivide Tract No. 1 of the Robison-Lockett Tracts, a 38 acre parcel, into thirteen (13) lots and one open space lot. The property is vacant, dry land. Access will be on an extension of County Road 356-12 into the subdivision. Oro Vista Court will be constructed in a 60-foot wide right of way that will be dedicated with the plat. The subdivision road will be maintained by the property owners in the subdivision. It is recommended that the applicant dedicate 60 feet of right of way to the east property boundary for a second access and for future circulation.

A driveway enters the property at County Road 356-12, and the previous owner uses it to access an existing well. The well would need to be re-permitted or abandoned. Two natural drainages are located on the northern part of the property. Building envelopes will need to avoid these areas. The drainages are not mapped FEMA Floodplain areas. The proposed open space will have the fire cistern and amenities for the subdivision.
The original Oro Vista Subdivision was recorded at Reception No. 241325 on November 10, 1986, and an amendment to the subdivision was recorded at Reception No. 250227 on November 29, 1988 to remove Lot 75 from the subdivision. The roads in the Oro Vista Subdivision are maintained by Chaffee County Road & Bridge Department.

AGENCY REVIEW LIST:
Colorado Parks and Wildlife (High & Moderate for Significant Wildlife Habitat)
Colorado Geological Survey
Colorado Division of Water Resources, Office of the State Engineer
Chaffee County Fire Protection District
Chaffee County Environmental Health
Heritage Area Advisory Board
Town of Buena Vista
Chaffee County Road & Bridge Department
Buena Vista School District
Upper Arkansas Water Conservation District
US Army Corps of Engineers
Chaffee County Weed Department

Issues that have come up during the Sketch Plan review:
1. A second point of access is needed for the subdivision.
2. Building envelopes shall be located to avoid the natural drainages on Lots 1, 2 and 3.
3. The existing well on proposed Lot 12 shall be abandoned or re-permitted.

If approved by the Planning Commission and the Board of County Commissioners, the applicant will prepare the Preliminary Plan application.

PLANNING COMMISSION ACTION: Commissioner ____________ moved and
Commissioner ____________ seconded and the Commission voted to recommend to the Board of County Commissioners to APPROVE / APPROVE WITH CONDITIONS / DENY /
CONTINUE the Oro Vista Estates Major Subdivision Sketch Plan based on the following
findings of fact and conditions:

Findings:
1. 
2. 

Conditions:
1. 
2. 
CHAFFEE COUNTY
Development Services Department
P.O. BOX 699 PHONE (719) 539-2124
SALIDA, CO 81201 FAX (719) 530-9208
WEBSITE www.chaffeecounty.org

STAFF REPORT

Date: May 11, 2017
To: Chaffee County Board of County Commissioners
From: Planning Staff, Jon Roorda & Christie Barton
Subject: Land Use Code Text Amendments concerning Manufactured Homes

PC: 5/30/17   BOCC: 6/13/2017

Amendment: Removal of the 24’ x 36’ minimum size requirement for Manufactured Home in Table 2.2; removal of the line item Manufactured Home (HUD approved, single-wide) from Table 2.2; and removal of “C. Size.” from Section 7.8.19 Manufactured Home of the Land Use Code.

Public Hearing Notice Information: The Public Hearing was advertised in the Mountain Mail and the Chaffee County Times on May 11, 2017.

Summary of Amendment: This text amendment was reviewed by the Chaffee County Planning Commission on December 29, 2015 as part of a number of Land Use Code updates. The updates were reviewed by the Board of County Commissioners on January 12, 2016 and this section was removed from the list of Land Use Code changes: “Chairman Giese stated removing Article 7.8.19 from the Land Use Code would be a major change since it would allow manufactured homes of all sizes to be put in any residential area.” This in effect, remanded the text amendment back to the Planning Commission.

The proposed text amendment is slightly different than the previous text amendment proposal, as it removes not only the “minimum 24’ x 36’ dimension” and Section 7.8.19.C Size, it also removes the line item “Manufactured Home (HUD Approved, single wide) from Table 2.2. This is being re-introduced as a text amendment with the Tiny Home movement, and the need for affordable housing.

Proposed Text Amendments:

1. Table 2.2 Size of Manufactured Homes
   - Remove 24’ x 36’ minimum size requirement in Table 2.2 for Manufactured Homes
   - Remove line item in Table 2.2 that restricts use of single-wide Manufactured Homes

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2. Remove Section 7.8.19.C Size of Manufactured Home:

**7.8.19 Manufactured Home.**

**A. Use.** A manufactured home shall be used for the purpose of a single-family dwelling unit. Use of a manufactured home as an accessory dwelling unit, or for the purpose of storage is prohibited.

1. **Exception.** A manufactured home may be used as a temporary office located at a construction site. Any other use of a manufactured home as a temporary structure shall be prohibited.

2. **Exception.** A manufactured home may be used as an agricultural accessory dwelling unit.

**B. Certification.** All manufactured homes placed in or relocated to a manufactured home park after adoption of this Code shall meet the following certification requirements.


2. Manufactured homes first occupied in Chaffee County after January 1, 1975 shall have affixed a data plate and heating certificate stating compliance with the required state and federal requirements.

**C. Size.** Dimensions shall be at least twenty-four (24) feet by thirty-six (36) feet. Manufactured homes of a smaller size shall only be permitted in a mobile home park or as an agricultural accessory dwelling unit.

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**Section 4.4.2 Land Use Code Text Amendment**

**C. Evaluation and Staff Review (Section 4.1.3 E):** The staff may recommend modifications or alternatives to the proposed amendment. A request to add use(s) to the zone district regulations shall comply with the following approval criteria:

a. The proposed use does not result in hazards or alter the natural environment to an extent greater than the other uses allowed in the zone district to which it would be added.

*Single family housing is a common use in residential zoning districts. This text amendment is not expected to result in hazards or alter the natural environment more than other uses in the zoning district.*

b. The proposed use does not create more offensive noise, vibration, dust, heat, smoke, odor, glare or other objectionable influences or more traffic hazards than that normally resulting from the other uses allowed the zone district to which it would be added.

*Single family homes are not expected to create objectionable impacts to adjacent uses allowed in residential zoning districts.*

c. The proposed use is compatible with the uses allowed in the zone district to which it would be added.

*Single family homes are compatible with uses on adjacent properties. Table 2.2 allows Manufactured Homes to be located in any zoning district as part of the building permit review. Removal of the minimum size restriction does not impact compatibility of the neighborhood.*

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Staff Findings

- The Land Use Code Text Amendment meets the approval criteria in Section 4.4.2 of the Land Use Code.
- The text amendment removes an arbitrary restriction from the Land Use Code.
- Smaller manufactured homes do not create hazards, objectionable influences or more traffic than is normal for a single family home.
- Smaller manufactured homes, than what is currently allowed, do not impact compatibility in a neighborhood.

PLANNING COMMISSION ACTION: Commissioner ________________ moved and Commissioner ________________ seconded to recommend to the Board of County Commissioners to APPROVE/APPROVE WITH CONDITIONS/DENY the text amendment as shown above based on the following findings of fact and conditions:

Findings of Fact:
1. 
2. 

Conditions:
1. 
2. 
CHAFFEE COUNTY
Development Services Department
P.O. BOX 699 PHONE (719) 539-2124
SALIDA, CO 81201 FAX (719) 530-9208
WEBSITE www.chaffecounty.org

STAFF REPORT

Date: May 11, 2017
To: Chaffee County Board of County Commissioners
From: Planning Staff, Jon Roorda & Christie Barton
Subject: Land Use Code Text Amendments – Article 3, Agricultural Land Use Conflict Resolution Program

PC: 5/30/2017 BOCC 6/13/2017

Amendment: Update Section 3.1.6.C, the Agricultural Land Use Conflict Resolution Program, to change from four (4) panel members to five (5) members, and to update the Confidentiality portion of Section 3.1.6.G.

Public Hearing Notice Information: The Public Hearing was advertised in the Mountain Mail and the Chaffee County Times on May 11, 2017.

Summary of Amendment: This text amendment was initiated by the Chaffee County Attorney’s Office in response to an additional member being appointed to the Agricultural Land Use Conflict Resolution Panel. Since the Panel has not met, preparation of By-laws and Rules of Procedure have been written for review by the Board of County Commissioners after a request for a mediation.

Proposed Text Amendments:

3.1.6 Agricultural Land Use Conflict Resolution Program

A. Creation of Program. There is hereby created an Agricultural Land Use Conflict Resolution Program for providing a forum for the resolution of conflicts between or among landowners and/or residents regarding agricultural operations or practices referenced in this Section and occurring within Chaffee County. The Program is intended to provide rural landowners in Chaffee County with a potentially less costly, more efficient and less contentious alternative to formal legal proceedings that may not be in the best interests of either party to a conflict.

B. Mediation Panel to Resolve Conflicts. A mediation panel shall be available for hearing grievances and making recommendations for resolving agricultural land use conflicts between Chaffee County agricultural operations and other residents. The mediation panel shall have the responsibility for making recommendations to the parties and any referring entities for the resolution of those conflicts. A quorum of at least three members shall be required in order to hear a matter and to make recommendations. The recommendations of the Panel are non-binding and advisory in nature.

C. Mediation Panel—Member Pool. The Board shall appoint five (5) year-round residents to a pool from which panel members may be chosen. Priority in appointment shall be given to individuals with mediation, arbitration, and other dispute resolution skills and residents that demonstrate an open, fair and non-prejudicial attitude towards rural land use
issues. Each member shall serve a term of two years, except that two members of the initial panel shall be appointed for a one year term in order to stagger the terms of the pool members. Panel members may also include a Colorado Division of Water local water commissioner (from Lake, Chaffee, Fremont or Custer counties), subject to availability.

D. **Selection of a Panel.** The County shall coordinate the formation of the panel for a particular matter. At least two members of any panel must be either knowledgeable about local agriculture or include a local water commissioner in order to constitute a quorum.

E. **Compensation.** Members of the panel shall receive no compensation, but may receive reasonable expenses incurred in the carrying out of their duties, and the County shall make reasonable staff time and other in-kind resources available to the panel, as needed.

F. **Process and Rules.** The initial mediation panel—member pool chosen by the Board shall draft and recommend rules or process for the hearing of grievances by the panel. Once drafted, such rules or process shall be presented to the Board for its approval and adoption. Any amendments to such rules and process shall be made in the same manner. The rules or process recommended by the panel and adopted by the Board shall conform in the minimum to the following:

1. **Informal Hearings.** Hearing of grievances shall be informal and appearances before the panel shall be by the parties themselves or their official representative. A party may be represented by legal counsel to receive general advice on how to proceed or whether to accept a resolution recommended by the panel, but such legal counsel may not make an appearance in person, in writing, or otherwise, before the panel.

2. **Acceptance of Recommendations.** Hearing of grievances and acceptance of any recommendation of the panel shall be voluntary; the process is not mandatory and the results are not binding on either party, unless the parties by mutual written agreement agree that they shall be bound by the decision of the mediation panel.

G. **Confidentiality.** All proceedings shall be confidential and no panel member or other county staff shall disclose any information discovered or made known in the course of any grievance proceeding, without consent by the parties. Notwithstanding the foregoing, however, the recommendations developed by the panel are not confidential. Mediation panel members may not be compelled to testify concerning any aspect of the proceedings.

Section 4.4.2 Land Use Code Text Amendment

C. Evaluation and Staff Review (Section 4.1.3 E): The staff may recommend modifications or alternatives to the proposed amendment. A request to add use(s) to the zone district regulations shall comply with the following approval criteria:

a. The proposed use does not result in hazards or alter the natural environment to an extent greater than the other uses allowed in the zone district to which it would be added.

*This text amendment is update and clarify an existing section of the Land Use Code (Code). It is not expected to result in hazards or alter the natural environment more than other uses in the zoning district.*
b. The proposed use does not create more offensive noise, vibration, dust, heat, smoke, odor, glare or other objectionable influences or more traffic hazards than that normally resulting from the other uses allowed the zone district to which it would be added.

This text amendment is to update and clarify sections of the Right to Ranch portion of the Code. It will not produce objectionable influences or traffic hazards.

c. The proposed use is compatible with the uses allowed in the zone district to which it would be added.

The proposal is to clarify and update the Mediation Panel in the Right to Ranch section of the Code. This section of the Code is set up to resolve conflicts between landowners and residents, and has no impact on compatibility with uses in zoning districts.

**Staff Findings**

The Land Use Code Text Amendment for updating the Agricultural Land Use Conflict Resolution Panel meets the approval criteria in Section 4.4.2 of the Land Use Code.

**PLANNING COMMISSION ACTION:** Commissioner _______ moved and Commissioner _______ seconded to recommend to the Board of County Commissioners to APPROVE/APPROVE WITH CONDITIONS/DENY the text amendment as shown above based on the following findings of fact and conditions:

Findings of Fact:
1. 
2. 

Conditions:
1. 
2. 

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STAFF REPORT

Date: May 11, 2017
To: Chaffee County Board of County Commissioners
From: Planning Staff, Jon Roorda & Christie Barton
Subject: Land Use Code Text Amendment – Section 2.2.3.B.10

Amendment: Correct Section 2.2.3.B.10: change five (5) acre density to two (2) acre density. The Land Use Code was amended October 25, 2016 to allow a density of 1 unit per two acres when served by an individual well and OWTS.

Public Hearing Notice Information: The Public Hearing was advertised in the Mountain Mail and the Chaffee County Times on May 11, 2017.

Summary of Amendment: This text amendment was initiated by Chaffee County Planning Staff when it was noticed that this section was not updated to the density of 1 unit per two acres.

Proposed Text Amendments:

2.2.3 Rural (RUR).

A. **Intent Statement:** These lands consist of open rangelands and agricultural lands that are the original roots for the rural character of Chaffee County. The intent of the Rural zone is to allow agricultural uses of any kind and to promote development that enhances the agrarian and rural character of the County. These regulations are developed in a general way that encourages or produces compatibility between the numerous kinds of users in this zone. Development within this zone district should maintain agricultural resources; protect historic resources and mitigate impacts to visual resources; maintain natural resources including streams, floodplains and riparian corridors; protect wildlife habitat and corridors; protect irrigation systems; and allow for the continuance of the rural lifestyle.

B. **Use and Development Guidelines:** Development and use guidelines associated with the Rural (RUR) zone district include:

1. Development patterns that preserve contiguous tracts of open lands large enough to maintain both ecological and agricultural functions.

2. Well designed clustered subdivisions that respect natural land characteristics, agricultural production, and visual resources.

3. Developments that encourage vegetation, topography or landscaping to minimize visual impacts.

4. Developments that minimize traffic impacts and consider traffic mitigation tools.

5. Developments that utilize native vegetation and protect natural resources.
6. Developments that minimize disturbances to agricultural activities.
7. Developments that enhance active or passive outdoor recreation.
8. Developments that connect to existing and proposed trail systems where feasible and legal.
9. Developments that consider multimodal and regional transportation links.
10. Lower density residential lots of one unit per five two (5 2) acres or larger.
11. Uses that do not adversely affect agricultural production or community character including greenhouses, vacation rentals, bed and breakfasts, home occupations, uses that support recreation including white-water rafting, youth camps, retreats, agritourism, heritage tourism and other recreational tourism activities.
12. An area zoned Rural is considered an appropriate "sending" area in a transaction involving a Transfer of Development Rights, depending on the location, density and intensity of the development.

Section 4.4.2 Land Use Code Text Amendment
C. Evaluation and Staff Review (Section 4.1.3 E): The staff may recommend modifications or alternatives to the proposed amendment. A request to add use(s) to the zone district regulations shall comply with the following approval criteria:
   a. The proposed use does not result in hazards or alter the natural environment to an extent greater than the other uses allowed in the zone district to which it would be added.
   This text amendment changing the density of the Rural zoning district was approved October 25, 2016, and this is an update to the Land Use Code (Code). This text amendment is not expected to result in hazards or alter the natural environment more than other uses in the zoning district.
   b. The proposed use does not create more offensive noise, vibration, dust, heat, smoke, odor, glare or other objectionable influences or more traffic hazards than that normally resulting from the other uses allowed the zone district to which it would be added.
   This correction to the Land Use Code is not expected to produce objectionable influences or traffic hazards in the zoning district.
   c. The proposed use is compatible with the uses allowed in the zone district to which it would be added.
   This text amendment is an update to the Code, and is compatible with the Rural zoning district.

Staff Findings
The Land Use Code Text Amendment meets the approval criteria in Section 4.4.2 of the Land Use Code.

PLANNING COMMISSION ACTION: Commissioner _______________ moved and Commissioner _______________ seconded to recommend to the Board of County Commissioners to APPROVE/APPROVE WITH CONDITIONS/DENY the text amendment as shown above based on the following findings of fact and conditions:

Findings of Fact/Conditions:
1.
2.
1. Project Narrative

Chaffee County’s affordable housing problem stems from limited housing stock and high demand driven by a growing population, second homeowners, and retirees attracted to Chaffee County’s amenities and high quality of life. As rents and home prices increase, wages are not keeping pace (0.22% annual increase in median income 2000-2014). The Chaffee Housing Needs Assessment 2016 (HNA) details the issue (go to chaffecounty.org, scroll down to link).

i. Goals and objectives that Community Builders’ assistance could help move forward.

The HNA provided valuable data and recommendations to help educate elected officials and residents alike. It has stimulated significant discussion and debate, including the creation of the Housing Policy Advisory Committee (HPAC). Elected officials, government administrators, nonprofits, developers, realtors, the economic development corporation and others have joined voluntarily to bring collective force to bear on the issue. It has become evident that there is a need to direct this enthusiasm towards the following:

a. Develop a comprehensive 5-year housing strategy so that all three municipalities and the county can work in concert,

b. Develop local organizational capacity by creating a Multi-Jurisdictional Housing Authority (MJHA) or equivalent to serve all of Chaffee County, which could serve as the lead agency for directing education, policy dialogue, countywide coordination, revenue development and project financing.

c. Consider local funding mechanisms for a MJHA and other housing efforts,

d. Consider inclusionary housing policies, zoning policies, incentives and other tools.

e. Educate the public on the need to act and build support for proposed solutions.

ii. Describe demographic changes that are shaping your community (i.e., high population growth, average age of population, average income or home value, growing families, etc.). Include the community’s current population number and projected growth rate for the next 10-years.

Chaffee County, with a population of 18,454, has been discovered. While during the recession little housing was created, we are now in the midst of a boom. An influx of new residents has created a sellers market and rental housing shortage. Rents and sales prices have increased (3.1% annual increase for home sales). There has been a shift of income from low to higher incomes as newcomers bring virtual jobs that are not located in the county. Average income has increased threefold of median income (HNA, p.17).

As a result, many working locals have been priced out of the market for purchase for several years. Current rents, $1,200-$1,400/month, are outstripping wages, forcing many to leave or live in housing they cannot afford (HNA, p.34). This is negatively impacting local businesses who are suffering from a lack of workforce. Business owners are beginning to look at property acquisition so they can meet their workforce needs. If the County were to meet 100% of both existing and future housing needs, it would need to produce 262 units annually for the next 10 years, including 161 units per year affordable to households earning less than 60% AMI (HNA, p.49). Currently, half of households earning 60% AMI and below (1,262) are housing cost-burdened.
A description of particular issues, hurdles or opportunities that you face with this project.

Though discussion is lively around the county, it is often restricted to silos of different stakeholder groups. Each has a particular focus (ex. workforce housing for 120% AMI and up vs. 80% AMI and below) based on its needs or concerns. Developers are drawn to the 120% AMI and up segment due to high profit margins. Service and tourism industry employers desperately need low-wage housing as one-third of new jobs in the next 10 years will be in this sector and are thus focused on workforce housing. Social service nonprofits are struggling to find any safe and sanitary housing affordable to the region’s most vulnerable populations of 50% AMI and below.

Without a central focal point for the housing discussion, lack of common understanding and coordination is creating conflicting priorities. The community has limited resources which must be used judiciously. The HNA provides the County an opportunity to use good data to forge a common strategy, develop local organizational capacity and implement policy tools to address housing challenges across the housing spectrum.

However, we need a unified process to bring together the different stakeholders in the development of housing strategy and plan. A third party facilitator would go a long way in providing objective facilitation and additional technical expertise to accelerate learning about options and balancing the need for a long term solution with the political appetite for immediate action.

Describe any ongoing or upcoming planning or development efforts aimed at addressing the issue described.

Discussions in the City of Salida, the County seat and largest municipality, have been pointed. The pending development of the Vandaveer Ranch property, which was acquired by the City in 2005 and is currently being sold to developers, is at the forefront of the debate. Unfortunately, there is no plan for providing affordable housing at Vandaveer at this moment. It is hoped that after the current sales will yield a 100-acre remainder parcel available to the community for development of affordable units. The controlling entity, the Salida Natural Resource Center Development Corporation (NRCDC), has implied that it will entertain a process for community input, though no formal plan has been presented.

There is no strategic zoning policy to support or incentivize for affordable housing development at this time. Across the region, infill lots around the towns are selling quickly and at ever-increasing prices. The Mayor of Salida led a task force that looked at development standard incentives and expanded zone permission for multifamily units. The recommendations are currently with the Planning Commission. The Town of Poncha Springs recently revised their zoning and code to promote development ("Smart Code"), bringing some activity, but limited water resources will likely restrict its potential. The County Planning Commission has been reviewing manufactured housing policies to increase housing options in the County. The Commissioners recently approved a mobile home park rental development in unincorporated Johnson Village.

The Town of Buena Vista has been awarded a Low Income Housing Tax Credit project (9%, Urban Inc.) for 48 units restricted to low-income residents. Partners are
Commited to this project, but it has been facing some challenges with implementation due to some factors related to a complex land swap. The Town of Buena Vista has also changed their building code to facilitate a new development that will be built at higher density and provide some low-cost units.

The HPAC has been active in hosting working group meetings, soliciting input from the community, planners and developers. This group has the capacity to bring together stakeholders, including the Chaffee Housing Summit in December 2016 attended by a wide array of folks including government staff, elected officials, nonprofits, developers, bankers, realtors, etc. Another summit is currently being considered. The HPAC is working with the County to support the effort to form and fund a multijurisdictional housing authority.

2. Partnership Verification

Successful projects require strong partnerships. Please describe existing support or partnerships for this project, including demonstrated support from the key decision-makers affiliated with the project. Please include the following:

After years of inaction, support for addressing affordable housing in Chaffee County has been growing. Following the 2013 Housing Summit, the Chaffee County Economic Development Corporation (CCEDC) led the effort to bring Urban Inc. to Buena Vista for an LIHTC project application. Local elected officials and the town administrator supported it, including a pending land swap with the school district to make the deal happen.

In 2016, County Commissioners funded the Housing Needs Assessment, along with the financial support of the City of Salida and the Town of Buena Vista, and a match by DOLA. Two new County Commissioners ran in the fall of 2016 on prioritizing housing as a top issue. Both are now participating in the Housing Policy Advisory Committee (HPAC) meetings in an effort to learn more and provide much needed collaborative leadership.

The HPAC includes two Salida City Councilwomen who are champions of the housing issue, and also includes the Mayor and Planner of Buena Vista, and staff and a Trustee from Poncha Springs.

The Mayor of Salida formed his own Housing Task Force and has been participating HPAC meetings as well. The Housing Task Force findings were presented to Salida residents and the Task Force will continue their work in parallel to regional efforts.

All of the above-mentioned stakeholders have expressed interest in establishing a housing authority to centralize efforts, seek out funding, and coordinate housing activity. Most recognize the need for a strategic plan to guide these disparate efforts.

i. An explanation of who the decision-making authority is that can influence the desired change(s) and explain their involvement with the issue to date.

The County Commissioners are in a position to lead a countywide effort to bring folks together. They are interested in a strategy that ties together all the efforts. The City of Salida has been moving in the direction of supporting a housing authority; however, in the absence of one, they have chosen to contract with the Council of Governments (UAACOG) to provide housing services until a countywide housing authority is in place.
The City recently established an economic development fund, including housing, that should bring in over $110K annually. It has become clear that this issue requires resources beyond what the City alone can do. As the focal point of much of the recent growing pains, their participation would set the bar for other municipal participation. The Town of Buena Vista has long been looking for solutions to the problem. The Mayor and staff have been deeply involved in a LIHTC project, in discussions with stakeholders, and also supporting the HPAC. Poncha Springs’ recent revamping of their building code in favor of “Smart Code” has been to facilitate easier development. Letters of support by all four jurisdictions, as well as social service agencies, is a clear indicator that leadership is ready to take action. With all of these stakeholders at the table, now is the opportune time to provide them with a process, including outside neutral facilitators.

ii. A description of any existing opposition within the community related to this project.

There has long been a contingent of people in the community who hold the belief that the free market will solve the problem. Developers have expressed they want an equitable framework within which they can operate with predictable requirements that apply across the board to all developers. Because of resource limitation there is keen interest in public-private partnerships. There are concerns that developers will take advantage of rules to benefit themselves and not the community.

Many are beginning to also see the need for government to facilitate the development of affordable housing, including establishing affordability requirements for development. However, a large-scale community discussion about what that means to individual neighborhood has not been addressed. NIMBY’ism and desire to keep things the way they are is strong.

The balance of meeting individual community needs and sub regional goals with a broader regional perspective is a concern. Ensuring that regional approaches provide mutual gain will be important.

3. Capacity Statement

Describe the community’s readiness to take on the project and implement the recommended actions. Please include an explanation of the level of need for the assistance. In addition, describe the length of time you believe it would take to achieve a successful outcome absent our assistance.

The growing crescendo of interest in housing comes from many different sectors simultaneously. Businesses large and small need affordable workforce housing to stay afloat. Local economic growth is threatened if action is not taken. Schools and social service agencies are seeing families struggle to live here, with many choosing to leave. Long-time residents watch their kids leave the county not to return because young people can’t establish themselves in this housing market. For many, the community character is threatened by outside pressure to get a piece of rural paradise. A level of anxiety has built as people feel the need to act immediately.

Multiple ideas are being proposed with a sense of desperation, but the community as a whole lacks an understanding of the issue and its complexities. We lack a coordinated strategy. The HPAC has grown organically as stakeholders see it as a key vehicle for taking action. The Salida Business Alliance made affordable housing their number one issue, and invited HPAC
participants to address their group. Other citizen groups have also entered into the debate. But the lack of education on the issue and potential solutions, especially the need to coordinate policy lest there be countervailing efforts, has made it challenging. Talk of improving organizational capacity lacks a structure focused on how to move forward.

Education on options is a critical starting point. People are eager to learn, but lack access to good information on options pertinent to a community of this scale. Discussions have at times been contentious, with conflict leading to frustration. There is some distrust and disagreement about what solutions should be prioritized. Inherent in all this is a lack of understanding of how policy and tools interact, where they have been successful, and which ones will meet our needs. Having CB lead a process to establish a plan for making strategic choices, to consider and adopt appropriate policies, and to educate the community with good information to bring collective action would catalyze people to unite behind the effort.

Without CB’s assistance, it will be very difficult to find consensus on appropriate action. The result will be inaction, disparate efforts that will not bear wide support and success, or a frenzy of action that has unintended consequences or limited impact. It appears that a housing authority may be established in the near future, but without a collaborative strategic direction, it is hard to say what it will be able to accomplish in the short term necessary to validate its existence to the public.

4. Letters of Support

Submit 2-5 letters of support from key project partners or stakeholders that the project will directly benefit or effect. If the application is being submitted by a local non-profit, a letter of support from the local government is required.

5. Financial Contribution

Describe the financial resources that your community can contribute to the project, if selected. Because assistance projects are taken on in partnership with communities, there is an expectation that communities will assist with project funding. We will consider applications from communities that cannot contribute financially but ask that an explanation of the circumstances preventing them from doing so be included in the application.

Chaffee County, as the lead agency, could contribute up to $15,000 to support this effort. This would likely be contingent on other jurisdictions showing matching support. DOLA has indicated that they could consider a match of 1:1, raising and additional $15,000 (or whatever is raised by all four jurisdictions). Buena Vista has indicated that funds could be provided at a future date if there is a direct benefit to the town. Poncha Springs has very limited resources and will likely not contribute.

If selected by CB, once a scope of work is established, local governments would each discuss financial support. In-kind support could be made available to CB throughout this process. Local hotels and restaurants have proven very willing to provide lodging and meals for little to no cost for similar efforts. Local volunteers from the HPAC and the Chaffee Housing Trust (CHT) will be available to organize public events and coordinate between jurisdictions. Event and meeting
venues in Salida, Buena Vista, Nathrop and near Poncha Springs (County Fairgrounds) could be made available at no cost.

6. Supplemental Materials (Optional)

Supplemental materials may be submitted with an application and can include maps, aerial imagery, video clips, media, or other relevant information.

The following supplemental documents are attached:

1. Draft Inter-Governmental Agreement (IGA) by County Commissioners.
2. Chaffee County HPAC Reflection by Marjo Curgus.
4. Potential Tasks for HPAC.
Community Builders application for technical assistance grant 2017 – Chaffee County

Draft IGA to be inserted once most recent document is available.
What Are Regional Housing Conditions & Needs?
The CCHNA identified the priority for affordable housing for an AMI range up 120%.

30% of households in Chaffee County are currently cost burdened, meaning they spend more than 30% of gross household income on housing. Most of these households, 1200, earn less than 60% of AMI. This is $29,000 annually for a two-person household.

Workforce housing links employment and housing. Chaffee County is projected to add 1,072 jobs over the next 10 years. This will add 556 households with workers most likely to be in these two sectors.

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</table>

What Are Core Affordable Housing Strategies?
There are essentially six core strategies communities pursue to achieve affordable housing.

1. Build **organizational capacity** to create housing.
2. Create **revenue** stream to fund housing investments.
3. Create **policies** that support and incentivize housing development.
4. Acquire and bank **land** to build housing.
5. Create **stability** that helps keep people in their homes.
6. **Preserve and produce** affordable housing.

What Activity is Underway Now?

**Strategy 1: Build organizational capacity to create housing.**

<table>
<thead>
<tr>
<th>Recommendations in CCHNA</th>
<th>Page(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Support the formation and operation of non-profit organizations engaged in housing assistance, development, and affordable housing preservation.</td>
<td>63</td>
</tr>
<tr>
<td>Obtain Community Housing Development Organization (CHDO) status.</td>
<td>65</td>
</tr>
<tr>
<td>Form a multijurisdictional housing authority (MJHA) to compliment the CHDO.</td>
<td>61-62</td>
</tr>
</tbody>
</table>

There are two existing non-profit housing organizations (**Habitat for Humanity and Chaffee Housing Trust**) as well as momentum to create a multi-jurisdictional housing authority (**MJHA**). Affordable housing organizations conduct a fairly standard set of activities to support achieving housing goals. Housing organization play complementary roles in developing regional affordable housing.

**The Chaffee Housing Trust.**
The Chaffee Housing Trust produces more affordable housing by removing the costs of land from the housing costs and holding it in a land trust. The CHT can acquire land, manage housing production,
manage housing supply, provide services to qualify and educate homebuyers/renter, and manage deed restrictions. The CHT has hired an attorney to develop a deed restriction for the CHT.

The CHT applied for and received CHDO status in 2016. CHDO is special federal designation for non-profit affordable housing organizations that meet certain qualifications. This qualifies them for federal HOME funds. The CHT has received funding ($17,500) from the state for the 2017 calendar year as well as matching support from the County, Salida, and BV of around $23,000. The CHT must renew annually for CHDO status and it depends on CHT project activities. CHT needs to have project or ownership this year.

MJHA
The County is currently working to support the formation of a multi-jurisdictional housing authority. A summary document has been prepared with the County’s initial concepts. Steps to create a MJHA include:

Step 1. Set up a Steering Committee

Step 2: Create the Organizational Structure
A. Organizational Purpose and Functions
B. Governance
C. Organizational Structure
D. Funding

Step 3: Draft MJHA Concept
A. Build Support for the MJHA
B. Draft the IGA
C. Adopt of the IGA
D. Move to Implementation Phase

Building Public Support & Advocacy
Public support is necessary for organizations to be able to raise money and local governments to change policy. The First 50 committee is working to raise awareness of the most vulnerable populations. For Child Abuse Prevention Month, the Chaffee County Times will be publishing an article on the link between housing and child abuse. The organizations involved in this group are acutely aware of the need for housing in the 60% AMI and below. Their goal is to ensure that the need for housing for the region’s neediest is addressed.

HPAC has also been working to conduct public education and outreach. This is a proposed continued role for HPAC under the County’s proposed IGA recognizing the HPAC.

Potential strategic discussions for development of a regional housing plan:
- What are the principle responsibilities and activities of the existing affordable housing organizations?
- How could Habitat and the Chaffee Housing Trust scale up or expand operations?
- What niche does a MJHA need to play?
- Are there gaps in affordable housing services that need to be provided by local organizations?
What types of programs are needed in the short, medium, and long term?
What level of organizational funding is required to create the necessary level of capacity in the region to catch up/keep up?

**Strategy 2: Create revenue stream to fund housing investments.**

<table>
<thead>
<tr>
<th>Recommendations in CCHNA</th>
<th>Page(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Establish a dedicated funding source to develop and acquire affordable housing and to provide homebuyer and rental assistance.</td>
<td>9-10</td>
</tr>
</tbody>
</table>

**The City of Salida**
The City has proposed making revenue available for affordable housing from the Economic Development Fund. This fund has the potential to generate approximately $110,000 annually. A portion could be made available for supporting projects. Tax credit projects was identified specifically.

Additionally, the Mayor’s Housing Task Force included a recommendation for an occupational tax on short term rentals to be placed in a fund to support 80% AMI and below.

**The County**
The County is willing to take a leadership role in funding the MJHA operational budget with support from municipalities. This would likely come from general funds.

The County is open to a discussion about a dedicated revenue source, possibly a ballot measure to fund housing production. The CCHNA included estimated revenue for different options.

<table>
<thead>
<tr>
<th>Source</th>
<th>Explanation</th>
<th>Potential Revenue</th>
</tr>
</thead>
<tbody>
<tr>
<td>Excise Tax</td>
<td>Residential and commercial development pay a fee per sq ft of new floor area.</td>
<td>$105 - 210,000</td>
</tr>
<tr>
<td>Use Tax</td>
<td>Additional assessment on construction materials</td>
<td>$52 - 158,138</td>
</tr>
<tr>
<td>Head Tax</td>
<td>Tax assessed per employee monthly</td>
<td>$432,000 - 1.3M</td>
</tr>
<tr>
<td>Dedicated Sales Tax</td>
<td>Assessed on taxable goods</td>
<td>$255 - 1.9M</td>
</tr>
<tr>
<td>Dedicated Lodging Tax</td>
<td>Assessment on lodging</td>
<td>$237 - 474,000</td>
</tr>
<tr>
<td>Dedicated Property Tax</td>
<td>Additional mill levy</td>
<td>$191 - 1.9M</td>
</tr>
</tbody>
</table>

Potential strategic discussions for development of a regional housing plan:
- What funding options or combinations would generate the greatest amount of revenue and be most politically viable?
- What can each local government do to generate funds? Are there other options than those proposed by the CCHNA?
- What are the pros/cons of revenue being applied regionally versus locally in communities?
- How much revenue is needed annually to meet the Catch up/Keep up objectives?
- What is needed for organizational capacity, programming, and housing production?
Strategy 3: Create policies that support and incentivize housing development.

<table>
<thead>
<tr>
<th>Recommendations in CCHNA</th>
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</thead>
<tbody>
<tr>
<td>Identify more areas for multifamily (apartment) development: use by right zoning (or</td>
<td>8-9,</td>
</tr>
<tr>
<td>rezone/change code) near infrastructure.</td>
<td>51-55</td>
</tr>
<tr>
<td>Expand the supply of buildable lots within or contiguous to municipal boundaries with</td>
<td></td>
</tr>
<tr>
<td>municipal utilities: city/towns help defer costs of extending infrastructure.</td>
<td></td>
</tr>
<tr>
<td>Adopt annexation policies in all three municipalities to require a percentage of lots or</td>
<td></td>
</tr>
<tr>
<td>housing units to be set aside as permanently affordable to local residents.</td>
<td></td>
</tr>
<tr>
<td>Public Benefit for Public Investment: give and take with developers to increase</td>
<td></td>
</tr>
<tr>
<td>permanently affordable housing stock while keeping building costs down to keep</td>
<td></td>
</tr>
<tr>
<td>developers whole.</td>
<td></td>
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</tbody>
</table>

There has been significant discussion of policy, particularly related to how development costs and barriers can be reduced to make the higher AMI ranges from 80 to 150% more viable in the private market.

The City of Salida Mayor’s Housing Task Force
This task force created recommendations for multi-family development incentives, waivers, changes to standards, and zone changes to incentivize development of apartments for 80% AMI and above. The Task Force defines workforce housing up to 150% of AMI. The recommendations did not appear to require specific affordability targets to address lower AMI ranges. The recommendation are not yet adopted.

- Reduce parking requirements for multi-family (4 or more units) from 1.5 spaces per unit to 1 space per unit to match single family parking standards.
- Eliminate Open Space requirements or fee in lieu of for Multi-family 4 or more rental projects that are not Condos or Townhomes.
- Change review process for 20 or more multi-family rental apartments from Major Impact Review to Limited Impact Review for C1, R3, R4 and RMU.
- Increase max lot coverage in R3, R4 and RMU to 60%.
- Change density per dwelling unit in R3, R4 and RMU to 1200 square feet per dwelling unit. (with two stories and 60% lot coverage that is a structural footprint of 1440 square feet for two stacked dwelling units).
- Reduce minimum landscape coverage to 20% in R3, R4 and RMU for multi-family dwelling units.

The Task Force also makes a recommendation for an overlay or Planned Development standard to incentivize affordable housing through density bonuses. The number of additional units allowed would be tied to AMI goals.

The City of Salida is also considering limiting vacation rentals in all Residential zones to a cumulative total of 3.5% of the housing stock and one rental per block. Vacation rentals would also be limited to 180 days per year. Existing vacation rentals would be grandfathered in.
The County
The County Planning Commission has had informal discussions about affordable housing. There has been an interest in discussing designated growth areas with the municipalities. The Planning Commission is considering code changes that would change the manufactured home standards to allow rental mobile home parks and permit single-wides for home ownership. The County is considering an update to their comprehensive plan and would like to consider affordable housing goals and strategies.

Potential strategic discussions for development of a regional housing plan:
- What would be the pros/cons of a regional code analysis to assist with policy development?
- What policy options exist within each municipality?
- How do different recommendations for policies work together? Conflict with each other?
- What are the policy options we are considering? What policy options are we not considering? Should we be?
- How should municipalities and the county work together to address affordable housing and annexations around growth areas and developments in or near urban boundaries?
- What impact will policy changes have on affordable housing production objectives?

Strategy 4: Acquire and bank land to build housing.

<table>
<thead>
<tr>
<th>Recommendations in CCHNA</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Begin acquiring land (purchase key properties) for the purpose of developing affordable housing; hold it in trust (land banking).</td>
<td></td>
</tr>
<tr>
<td>Land Costs and Public-Private Partnerships: leverage government owned land to incentivize deals that require permanent affordability.</td>
<td></td>
</tr>
</tbody>
</table>

The Mayor’s Housing Task Force
The Task Force recommended identifying City owned land or public land that could be used for affordable housing development.

The Chaffee Housing Trust.
In Buena Vista, the CHT has a transactional project with the developer where ownership will be transferred to the CHT to manage. This will be developed by the developer.

CHT is exploring an opportunity in Salida to acquire an acre of land at below market (under $200K). The challenge is one of capacity for a new organization. As a land trust, banking land is appropriate, however, financially financing it and paying on a loan until a future time to develop the land would be a challenge budgetarily. This is challenge that other communities have solved through full acquisition or low to no-interest revolving loans.

The NRCDC
The NRCDC is selling large parcels to satisfy debt obligation. This will potentially leave them with 100 acres they own outright without any debt.
Potential strategic discussions for development of a regional housing plan:

- What should the criteria be for land to be acquired for affordable housing?
- How should we conduct a land assessment to prioritize acquisition opportunities?
- How should acquisition of land be funded? Should it be local or regional?
- What should regional land banking goals be?

**Strategy 5: Create stability that helps keep people in their homes.**

There is an effort to create a program that would match seniors with homes to individual renters as tenants. This would help defer costs to the senior.

Potential strategic discussions for development of a regional housing plan:

- What are the factors creating instability for renters and homeowners?
- What options are available to create more stability and safety nets for vulnerable populations?
- What is the role of local government and housing organizations? Of nonprofits?

**Strategy 6: Preserve and produce affordable housing.**

<table>
<thead>
<tr>
<th>Recommendations in CCHNA for Production Objectives</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annual goal of meeting 10% of existing and 10% of future need (Catch Up &amp; Keep Up). This is about 25 to 30 new units annually.</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>AMI</th>
<th>Below 60%</th>
<th>60 – 80%</th>
<th>80 – 120%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Units/Year</td>
<td>15 - 20</td>
<td>5</td>
<td>5</td>
</tr>
</tbody>
</table>

**The First 50**

This group, comprised of service providers, is most concerned with the region’s most vulnerable populations - the working poor and individuals and families that require support to help them transition out of poverty or unstable living conditions.

This group is focused on 60% AMI and below for rental and supportive housing services (temporary, transitional, etc.) The group is currently seeking partnerships with property owners who might be willing to allow nonprofit sector to become leaseholders on units. These units would become transitional or permanent housing for clients.

**Town of Buena Vista Tax Credit Apartment Project**

The project involves a complicated land swap with the school district of the current BVHS baseball field for a new baseball field in the BV River Park. The initial project plan was to use a GOCO grant to support construction costs for a new field, but a grant was not awarded. In the past month, the Town has been working to secure community support and funds to complete this element of the land deal and not jeopardize the CHFA funding. The project is back on track.

- Work will be completed on the new field this summer and ready for use for spring 2018 season.
Prepared for the HPAC by Marjo Curgus
The HPAC and Regional Housing Activity: Where Are We & Where Do We Want To Go? May 2017

- Urban Inc can begin in July once the field is completed.

The Town will go back to GOCHO with another grant application for funding in fall 2017 with a modified strategy. Some additional community in-kind and local government financial support may be needed.

Chaffee Housing Trust
The CHT is looking at a project in Salida for four units where the CHT will acquire, develop, and sell units.

Market Based Development
There are several market based projects underway, but a list was unavailable prior to May HPAC. TBD

Potential strategic discussions for development of a regional housing plan:
- What are our production targets for in 2017 – 2018? Did we make a net gain/loss?
- What current projects that could use support (financial or political) to ensure success?
- What are the regional realities (financial, political) for future projects? What factors and trends do we have to understand? (e.g. changes in federal programs)
- What can we do to prevent existing affordable housing from transitioning out of affordability?
- What are future projects we might want to collaborate on for new production?

HPAC Discussion: Where are we now and where do we want to go?
Following gaining an understanding of where we are currently, the HPAC may want to consider the following:

1. What are our current goals and priorities?
2. What are we doing well? What are our concerns?
3. What are our longer term community goals for affordable housing?
4. What are we not doing that we should be doing?
5. What do we need to understand or learn in order to move forward?
6. Do we need any technical support? (e.g. Community Builders, consultant, etc.)
7. What should our next steps be?
Overview & Context Setting
Powerpoint presentation attached reviewing key housing strategies and where we are today with addressing housing.

**Brainstorm: What Goals Would We Hope To Address with a Regional Housing Plan (RHP)?**
Housing targets (the total number of keep up-catch up units/year) are frequently confused as being the goals of a RHP. Rather, goals are the community conditions that a RHP aims to address – social equity, community diversity, the economy, neighborhood stability, etc. We will break into groups of 3 to brainstorm what goals we think we need to address and why.
- What are your top 3 goals for the community/region in order of priority from first to third?
- How will a plan help our community achieve its goals?

**GOALS (The community conditions we want to achieve)**
- The region has a diverse local economy that provides opportunities for higher paying jobs and helps individuals and families with opportunities for self-sufficiency.
- Chaffee County’s communities are diverse socio-economically and diverse.
- Chaffee County’s regional workforce is able to live and work here.
- The region’s housing stock includes quality housing that supports the full range of needs along the housing spectrum to address vulnerable socio-economic groups and populations.

These were presented as ways to support achieving these goals.
- A one-stop shop developers
- Sustainable and sufficient funding to support housing production
- Create a shared vision amongst regional governments on goals
- Develop programming for supportive housing

**Brainstorm: What Do We Need to Understand to Develop a RHP?**
Creating a more affordable and equitable community is a complex issue as is the toolbox for action. The HPAC and local governments have worked hard to develop a deeper understanding of the different tools and actions the community can take to address affordable housing. We will brainstorm topics for additional learning.

1. What else do you need to understand to help inform the development of a RHP?

**LEARNING TOPICS**

1. Our Production Targets
   - Recognize use of recently complete Housing Needs Assessment and using it to plan outcome strategy for # of units per year. Use existing data!
2. Options for Achieving Lowest AMI Targets
   - What has been successful to address the lowest AMI population regarding housing strategy?
   - What is the best approach to figuring out/configuring housing to AMI specific to a community?
3. How to Develop A Land Banking Program
   - How do we fund acquisition?
4. Understanding Funding Options
   - What funding is available and for what type of housing?
   - What funding groups are out there and how do we engage them?
   - How can government provide low/no interest loans to CHT and others to help build affordable
housing?

5. Policy and Code
   o What are code changes that would help in affordable housing development?

6. Forming a MJHA
   o Formation and function of a MJHA and how to fund it
   o Out of areas that have created a rural/regional housing authority, what is the success rate/units per
     year?
   o What advantages and disadvantages of county housing authority or MJHA in government or as a
     quasi-governmental agency?

7. Regional Collaboration
   o How many of the elected policy bodies – BoCC, municipalities – are on board with this process and
     will accept the product?
   o Structure, development to form the elements of a master IGA
   o What is the relationships between city and counties – the interface – and how do they cooperate?
   o Need a process to create consensus among local governments.
   o Do the local governments want to cooperate with one another?

8. Building Capacity for Emergency and Supportive Housing
   o How to build capacity for emergency housing
   o How do you house those with the most need?
   o Role of government in addressing First 50 needs?
   o What is the political will within the organizations that have the pwte to address issues for the < 60%
     AMI?

9. Regional Housing Plan
   o What does a strategic plan look like? How detailed?
   o How do the needs of the individual municipalities play out against regional needs? How to structure
     a RHP so all partners get what they want?

Brainstorm: Let’s Make a Plan to Plan!
While the content of a RHP may vary due to the current capacity and past actions in a community, the
exploration of the strategies, possible actions, assessing potential impact, and creation of an action plan
follows a similar process.

Broke into two groups addressing

LOCAL CAPACITY
• What role can the HPAC and local governments play in the development of a RHP?
• What resources are available to help us with the development of a RHP?
• How much time can we dedicate to working on the development of a plan? (Meeting frequency,
  staff time, etc.)

TECHNICAL ASSISTANCE
• What technical assistance do we need? (Facilitation, education, assessments, code drafts, etc.)

PLEASE RESPOND TO THESE QUESTIONS VIA EMAIL:
• What factors need to be considered in the development of a planning timeline? (Availability of
  people and resources, pending projects or funding, etc.)
• What do we need to do to get started? When could that happen? What should next steps be?

LOCAL CAPACITY
The group had a discussion at two levels, long term capacity needed to address housing and what capacity we have to
do a strategic housing plan.
Long term Capacity

- We have some local capacity with local organizations (CHT, UAACOG, EDC, HPAC, H4H), planning commissions, the housing needs assessment, and engagement in discussions through HPAC.
- We need dedicated paid staff person who can be the champion.
- Need an organization to lead – a community development corporation – the greater need
- We have resources at the state with DOLA, State Demographer, etc.

RHP Capacity

- HPAC can be the structure to focus education, advocacy, participation, and motivation. HPAC would meet two times per month.
  - Once for regular coordination meeting focused on current activities and updates.
  - The other to focus on planning for the long term RHP.
- Local governments need to support this by providing:
  - Financial resources
  - Dedicated commitment of 1 staff person and 1 elected official.

TECHNICAL ASSISTANCE
Assistance we could use includes:

1. Revenue Capacity
   - Understanding funding options
   - Understanding government funding and financing
     - What are the legal limitations for what local governments can and cannot do? (e.g. TABOR limitations, financial capacity assessment to identify what resources are available long term and can be dedicated, etc.)
     - How do we understand the ROI on financial investments? Measuring success.

2. Private Market Responses
   - Developers to share how to pull together funding/pencil out affordable housing
   - Best practices in how to structure a management program for rental units (can Bob Nichols provide a presentation on multi-family development)

3. Best Practices Affordable Housing Programming
   - Understanding best practices in affordable housing programming (e.g. gap funding for closing costs)
   - Understand our programming gaps and future needs. (Use focus groups and interviews for a programming assessment)

4. Best Practices Policy
   - What do we need to understand about structuring incentive programs (fee waivers, etc.)
   - What policy works and does not work? (can we access DOLA for this?)

5. Understanding Current Conditions
   - An land inventory to understand land availability
   - Interviews to assess local government perceptions of role of government in housing and help with more productive dialogue

ALL COMMENTS:

GOALS

Lower Income and Supportive Housing Provided
- Develop transitional housing
- Create rental housing for 60% AMI or less
- Create housing for most vulnerable
Community Is Diverse

- The housing inventory meets the current residential needs of all socioeconomic backgrounds
- Safe County housing that encompasses the entire range of housing types and economic/income spread in proportion to need.
- Community is diverse economically, racially, age, etc.

Economy Can Thrive

- The community is balanced in regards to economic opportunities.
- County economic growth not be limited by workforce housing gap

Workforce Housing

- Provide all fordlable housing so that people can live where they work in housing appropriate to their income level and need.
- Facilitate workforce living here
- Every worker can afford a roof over their head. A housing unit that is safe and sanitary.
- Every worker in the county should be able to afford an affordable unit
- Available houses for local professionals
- All of our workforce can work and live in the area
- All Chaffee county workforce to be able to both live and work in the county, not encumbered by housing shortage of affordable housing

Safe and affordable housing

- A housing unit that is safe and sanitary.
- Units deemed affordable are always safe, secure, and stable

STRATEGIES TO SUPPORT GOALS

Capacity to Meet Goals

- a strategic plan is created to plan for future growth
- Provide appropriate services depending upon the need
- Facilitate/coordinate addressing full range of identified needs
- Our governmental entities have a platform upon which they collaborate to address the housing issues in our county.
- All municipalities strategically coordinate efforts that affordable housing is a priority
- The creation of county wide housing authority that will be accountable to ensure that conditions of units deemed affordable are always safe, secure, and stable

Land Is Available for Housing

- Land acquisition and banking
Policy Supportive
  • Address solutions through facilitation of private sector
  • (unreadable) on quality of development or housing

Revenue Available
  • Funding leveraged and acquired – adequate and substantial
  • Revenue available

Housing Produced
  • Need a win! 1 project done pronto
  • Maintain current housing stock
## Potential Tasks for HPAC

<table>
<thead>
<tr>
<th>Tasks</th>
<th>Focus on Planning (w/o RHP or MJHA)</th>
<th>Focus of Advising (with MJHA and RHP)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mission</td>
<td>Charged with development of a strategic RHP supported by an IGA among local governments and the establishment of a MJHA along with general coordination and guidance for community awareness building, establishment of partnerships, need for professional assistance and funding tools.</td>
<td>Charged with supporting and advising a MJHA, working closely with the director to carry out the implementation strategies of a RHP, along with public education, grants and funding, and partnership development.</td>
</tr>
<tr>
<td>Planning</td>
<td>• Goal setting&lt;br&gt;• Develop strategic RHP with implementation strategies/actions and timeline based on needs assessment and community resources&lt;br&gt;• Ensure relevance to each participating local government entity&lt;br&gt;• Address rental and homeownership needs based on Housing Needs Assessment</td>
<td>• Review and adjust timeline and housing unit goals&lt;br&gt;• Annually revise RHP according to what has been achieved, changes in county economy and maintain a 10-year perspective&lt;br&gt;• Check for gaps in needs and services and identify duplications in planning</td>
</tr>
<tr>
<td>Professional Assistance</td>
<td>• Identify community gaps that might be filled with a professional&lt;br&gt;• Consider timeline needs that indicate professional assistance&lt;br&gt;• Determine a possible combination of tasks, with HPAC doing some planning and identifying a point of professional assistance&lt;br&gt;• Determine how much time and money we would need for professional assistance&lt;br&gt;• Identify staff members who could assist with plan as professionals in housing, regulations, program development, etc.&lt;br&gt;• Identify gaps between what HPAC and staff can do and what our planning needs are</td>
<td></td>
</tr>
<tr>
<td>Code/Regulatory Needs</td>
<td>Building Capacity</td>
<td>Funding</td>
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<tr>
<td>-----------------------</td>
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</tr>
</tbody>
</table>
| • Recommend ways to reduce regulatory barriers utilizing Salida Task Force, BV code and HPAC Public-Private Partnership information as recommendations  
• Address annexation, subdivision and zoning regulations  
• Address permit process and land use codes  
• Review costs of processes  
• Identify incentives for builders addressing housing needs for those below 80% AMI  
• Make recommendations on “pay as you go” approach  
• Recommend consistency needs in regulatory environment across county | • Identify staffing needs for MIHA  
• Identify how MIHA could collaborate and function in a complementary manner with Salida Housing Authority and UAACOG  
• Structure nature of relationships with partners  
• Foster and recommend partners for housing projects  
• Help establish partnerships between local governments  
• Establish partnership with nonprofit sector | • Identify and recommend a funding mechanism for sustainable housing projects and staffing of MIHA  
• Identify a funding source for land acquisition  
• Determine grant resources that could assist with land acquisition  
• Identify funding sources to establish affordable housing services  
• Establish financial partnerships and nurture these | • Conduct regular reviews of how current regulations are working and make recommendations for any problems areas identified  
• Make recommendations regarding the use of incentives and how these might be improved | • Work closely with developers to find ways to improve partnerships and make them more viable and sustainable  
• Work to ensure needs of individual municipalities are met  
• Work to improve partnership with nonprofits | • Recommend resources to expand affordable housing services  
• Monitor expenditures to evaluate and recommend best projects to match RHP and changes needs  
• Evaluate whether funding sources are meeting housing needs and recommend new funding sources  
• Maintain strong partnerships with private and state funding sources for housing projects |
| Program Development | • Identify program needs for community education  
• Identify service needs for participants in housing projects  
• Identify any service gaps in current homeowner/rental programs  
• Identify and recommend service programs for transitional housing clients  
• Identify and recommend home and rental rehabilitation and energy efficient improvement programs | • Monitor and recommend additional service needs for renters and homeowners  
• Monitor program needs for rehabilitation of rental and homeowner units |
| Land Acquisition | • Establish criteria for land acquisition  
• Identify parcels meeting criteria and establish GIS database/overlay of these properties  
• Identify any resources for funding  
• Develop incentives for donated or reduced-priced land | • Update GIS database on annual basis  
• Create additional incentives  
• Recommend land parcels to be added to land bank |
| Community Support | • Identify community resources and partnerships  
• Publicize successes  
• Use community partnerships to make housing needs personal and understood | • Continually educate community on immediate and long-term housing needs  
• Publicize successes |

Key

MJHA: Multi-Jurisdictional Housing Authority
RHP: Regional Housing Plan
AMI: Area Median Income
UAACOG: Upper Arkansas Area Council of Government
<table>
<thead>
<tr>
<th>General Information</th>
<th>Request for Medical Records</th>
</tr>
</thead>
<tbody>
<tr>
<td>Telephone Calls</td>
<td>38</td>
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Certification by County Veterans Service Officer

I hereby certify, the above captioned monthly report is true and accurate. I have been paid the following amount(s) for the month of May, 2017 from Chaffee county.

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<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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<td>Travel</td>
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<td>Training Conference</td>
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<td>Other</td>
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TOTAL $987.75

Cathy Jodeik
Signature of County Veterans Service Officer

5/31/17
Date

Certification by County Commissioner or Designee

In accordance with CRS 28-5-707, I hereby certify the accuracy of the Report CVA-26 revised 9-11-2015:

__________________________________________
County Commissioner or Designee of
__________________________________________
County

__________________________________________
Date

This certification, submitted monthly, properly signed and executed is considered as application for the monetary benefits to the County General Fund in accordance with 28-5-804 (2002) Colorado Revised State Statute.

Submit this form no later than the 15th day the following month.

Mail to:  
Colorado Division of Veterans Affairs  
Attention: Deputy Director  
1355 South Colorado Blvd.  
Building C, Suite 113  
Denver, Colorado 80222
## CHAFFEE COUNTY COLORADO

### Balance Sheet, all funds, Month Ending May 31, 2017

<table>
<thead>
<tr>
<th>Account</th>
<th>Amount (Thousands)</th>
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<th>Amount (Thousands)</th>
<th>Source Fund</th>
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### ADVANCE COLLECTIONS

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**TOTAL:** 14,861,265.12

**TOTAL:** 14,861,265.12
June 6, 2017

To: Chaffee County Board of County Commissioners

From: Chaffee County Treasurer

The total amount of interest received in April, 2017 was $5,045.90.

The total amount of interest received year to date is $33,737.31.

[Signature]
Dee Dee Copper
Chaffee County Treasurer