AGENDA

October 9, 2018

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. Consider a request from Albert and Linda Eggleston for a Boundary Line Adjustment. Property is located at 12433 County Road 190E, Salida. (Planner Barton)

B. Consider a request from JC Land LLP for a Plat Amendment. Property is located on Lot 3, Gold Medal River Estates. (Planner Barton)

C. Consider a request from James and Anne Fontana for a Boundary Line Adjustment. Property is located at 6400 Loggie Gulch Circle, Salida. (Planner Barton)

D. Consider a request for a fee waiver for a Board of Adjustment hearing for James & Anne Fontana.

E. Consider adoption of the CDPHE installers exam. (County Engineer Greiner)

F. Consider Resolutions of Support for:
   a. State Proposition 110
   b. Chaffee County Ballot Question 1B

G. Consider funding request for Chaffee Housing Trust (Read McCullough)

H. Consider a request from Powder Monarch LLC DBA Monarch Ski and Snowboard Area for a renew of a Hotel & Restaurant License. (Clerk Mitchell)

Consent Agenda:
❖ Pay Bills
Old Business:
- County Project Status Report
- Fire Protection Boundary Update
- Cottonwood FLAP

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 bwenes@chaffeecounty.org at least three (3) business days prior to the scheduled meeting or event to request an accommodation.

From time to time throughout the year, two or more Commissioners may meet to discuss day-to-day oversight of County property and/or supervision of employees. Such meetings are held in accordance with C.R.S. § 24-6-402(2)(f) and, therefore, prior notice may not be posted. No policies, positions, resolutions, rules or regulations are adopted at day-to-day business meetings, nor is any formal action taken. Accordingly, no official minutes of day-to-day business meetings may be kept.
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<tr>
<td>TIME:</td>
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<tr>
<td>SUBJECT:</td>
<td>Regular meeting of Landfill Committee and Boards of Health and Human Services followed by Work Session</td>
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<tr>
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<td>12:00 p.m.</td>
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<tr>
<td>SUBJECT:</td>
<td>Meeting with Salida School District and CMC</td>
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<td>LOCATION:</td>
<td>Salida School District Offices, 349 E 9th St.</td>
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<td>Salida/CMC Partnership Development Meeting</td>
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<tr>
<td>SUBJECT:</td>
<td>Chaffee County Community Foundation</td>
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<tr>
<td>SUBJECT:</td>
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10/4/18
This list may be updated daily. Posted in posting area outside of Commissioners Office
APPLICATION FOR
BOUNDARY LINE ADJUSTMENT

Application Fee $275.00 + $50.00 per lot (for each lot over 2)

PARCEL 1: OWNERS NAME (PLEASE PRINT) Albert J and Linda L Eggleston
ADDRESS 12433 County Road 190 E, Salida CO 81201
TELEPHONE (719) 221-0249 E-MAIL Smasherlou22@gmail.com
PLEASE SEE OWNERSHIP STATEMENT BELOW
OWNERS SIGNATURE □

PARCEL 2: OWNERS NAME (PLEASE PRINT) Albert J and Linda L Eggleston
ADDRESS 12433 County Road 190 E, Salida CO 81201
TELEPHONE E-MAIL
OWNERS SIGNATURE □

OWNERSHIP STATEMENT: I AM THE OWNER(S) OF THE ABOVE LISTED PROPERTY(IES) AND HEREBY GIVE
MY PERMISSION FOR THE REPRESENTATIVE LISTED BELOW TO SERVE AS MY AGENT THROUGH THIS
LAND PLANNING PROCESS. MY AGENT SHALL HAVE FULL POWER AND AUTHORITY TO ACT ON MY BEHALF
DURING THIS PROCESS. THIS PERMISSION SHALL CONTINUE TO BE IN EFFECT UNTIL REVOKED, AND MAY
BE REVOKED BY ME AT ANY TIME BY PROVIDING WRITTEN NOTICE TO MY AGENT AND TO CHAFFEE
COUNTY PLANNING.

*********************************************************************************************************

REPRESENTATIVE (PRINT) MIKE HENDERSON
SIGNATURE □
ADDRESS 203 G STREET
TELEPHONE E-MAIL

STAFF USE ONLY
Application received by Date
Fee $ Check # Completeness Date
Certified Mailing Labels Electronic File

Updated April 16, 2018
Date: October 2, 2018
To: Chaffee County Board of County Commissioners
From: Planning Staff, Jon Roorda & Christie Barton
Subject: Eggleston Boundary Line Adjustment
BOCC: 10/9/2018

Applicant: Albert & Linda Eggleston
Public Hearing Notice Information: No public notice is required per Article 5.2.3 A.

Summary of Application:
The Eggleston’s own two parcels: one with their residence, well and On-site Wastewater Treatment System (OWTS); and both parcels have the agricultural operations. The intent of this application is to create a smaller lot for a residence. Tract 1 will be increased in size from 191.19 acres to 215.66 acres and Tract 2 will be reduced from 30.72 acres to 6.25 acres. Tract 2 (originally Parcel A) has a well permit associated with the Warranty Deed recorded 5/2/1996 at Reception #284550. The pivot irrigation area will all be on Tract 1 with the rest of the agricultural use.

Review of the plat shows a gap in property ownership between the Eggleston property and the Senter Agricultural Exemption #3 along County Road 190 E. It appears that right of way dedication and a resolution may be required for this application.

Location & Zoning Map:
Zoning & Density: Both properties are zoned Rural, and no changes will be made to the density of the lots with this application.

Aerial Photo:

Proposed Boundary Line Adjustment:

- Gap in Ownership (Orange)
- New Property Boundaries (Yellow)
- Vacated Property Boundary (Blue)
5.2.3A Boundary Line Adjustments:

1. The boundary line adjustment creates no more than the previously recorded number of parcels and does not create non-conforming parcels or increase existing non-conformities. 
   No additional parcels are created with this application. The project starts with two (2) conforming properties and ends with two conforming tracts. Future structures can meet the setbacks listed in Table 2.1 of the Land Use Code.

2. Boundary line adjustments may be permitted to allow land transfers between adjacent property owners, as long as the existing building envelopes are not relocated as a result of the adjustment.
   These parcels are unplatted, and don’t have building envelopes associated with them.

3. If the request affects a municipal boundary, and the municipal comprehensive or master plan lacks specific guidance to approve a request for boundary line revision, the Board of County Commissioners must find the following exist:
   a. There has been substantial change in the vicinity of the property in question or time and experience have shown that the existing boundary or lot line is unwise or in need of change.
   b. The impact of the boundary or lot line revision request on the immediate neighborhood, vicinity and community as a whole will be neutral or positive.
   This application does not affect a municipal boundary.

As of the date of this report, Staff is working with the applicant’s surveyor to determine ownership of the gap between the properties, and to include dedication of right of way if appropriate.

BOARD OF COMMISSIONERS ACTION: Commissioner _______________ moved and Commissioner _______________ seconded and the Board voted to APPROVE / DENY / CONTINUE the Eggleston Boundary Line Adjustment 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

APPLICATION FOR
PLAT AMENDMENT or CORRECTION PLAT

Application Fee $100.00

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<tr>
<td>NAME OF PROJECT</td>
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<td>PROPOSED SUBDIVISION</td>
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<td>PROPERTY ADDRESS</td>
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<td>ZONING</td>
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<td>EXISTING USE OF PROPERTY</td>
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<td>OWNERS NAME (PLEASE PRINT)</td>
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<td>TELEPHONE</td>
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<td>E-MAIL</td>
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I AM THE OWNER OF THE ABOVE PROPERTY AND HEREBY GIVE MY PERMISSION FOR THE REPRESENTATIVE LISTED BELOW TO SERVE AS MY AGENT THROUGH THIS LAND PLANNING PROCESS. MY AGENT SHALL HAVE FULL POWER AND AUTHORITY TO ACT ON MY BEHALF DURING THIS PROCESS. THIS PERMISSION MAY BE REVOKED BY ME AT ANY TIME BY PROVIDING WRITTEN NOTICE TO CHAFFEE COUNTY PLANNING.

OWNERS SIGNATURE

__________________________________________

REPRESENTATIVE (PLEASE PRINT)    JEFF A. Post

REPRESENTATIVES SIGNATURE

__________________________________________

TELEPHONE ___________________________ EMAIL __________

MAILING ADDRESS

__________________________________________

STAFF USE ONLY

Application received by __________________________ Date __________________________

Fee $ __________ Check # __________ Electronic Copy __________ Cert. Mail Labels __________

Completeness Date: __________________________
Date: October 1, 2018
To: Chaffee County Board of County Commissioners
From: Planning Staff, Jon Roorda & Christie Barton
Subject: Gold Medal River Estates Lot 3 Plat Amendment
BOCC: 10/9/2018

Applicants: JC Land LLLP, represented by Jeff Post
Public Notice: Per Section 5.2.3.1, no public notice is required for a Plat Amendment.

Summary of Application: This request is a Plat Amendment to amend the building envelope for Lot 3, Gold Medal River Estates (recorded 12/1/2014 at Reception #417371). The intent of this application is to add a new area to the existing building envelope area. The expansion area is outside of the 100-year FEMA Floodplain and the dry washes that bisect the area.

Zoning and density: The property is zoned Rural, and this application does not impact the density of the site.
Lot 3, Gold Medal River Estates: Existing & Proposed Building Envelope:

5.2.3.1. **Plat Amendments.** Amendments of previously approved and recorded subdivision plats that do not affect lot boundaries are subdivision exemptions. Plat amendments may include changes to plat notes, building envelopes, addresses, easements, and similar. No public hearing or notice is required.

All required materials were submitted. Staff will work with the surveyor to verify the plat is formatted for recording and is suitable for filing.

**BOARD OF COMMISSIONERS ACTION:** Commissioner ______________ moved and Commissioner ______________ seconded and the Board voted to APPROVE / DENY / CONTINUE the Gold Medal River Estates, Lot 3 Plat Amendment based on the following findings of fact and conditions:

**Findings:**
1. ________________________________________________________________
2. ________________________________________________________________

**Conditions:**
1. ________________________________________________________________
2. ________________________________________________________________

Page 2 of 2
PLAT AMENDMENT or CORRECTION PLAT

Application Fee $100.00

GENERAL INFORMATION

NAME OF PROJECT  PLA T A M E N D M E N T F O N T A N A  R ESIDENCE

PROPOSED SUBDIVISION

PROPERTY ADDRESS  400 LONGIE CREEK CIR. SALIDA, CO  81201

TAX PARCEL #  38070640100006  ZONING

EXISTING USE OF PROPERTY  RESIDENTIAL

OWNERS NAME (PLEASE PRINT)  JAMES J. ELL AND ANNE FONTANA

ADDRESS  400 LONGIE CREEK CIR, SALIDA, CO  81201

TELEPHONE  E-MAIL

I AM THE OWNER OF THE ABOVE PROPERTY AND HEREBY GIVE MY PERMISSION FOR THE
REPRESENTATIVE LISTED BELOW TO SERVE AS MY AGENT THROUGH THIS LAND PLANNING PROCESS. MY
AGENT SHALL HAVE FULL POWER AND AUTHORITY TO ACT ON MY BEHALF DURING THIS PROCESS. THIS
PERMISSION MAY BE REVOKED BY ME AT ANY TIME BY PROVIDING WRITTEN NOTICE TO CHAFFEE
COUNTY PLANNING.

OWNERS SIGNATURE

REPRESENTATIVE (PLEASE PRINT)  MASON JAMES BURTON AIA ARCHITECT

REPRESENTATIVE SIGNATURE

TELEPHONE  EMAIL

MAILING ADDRESS

STAFF USE ONLY

Application received by________________________ Date________________
Fee $________________  Check #_________  Electronic Copy_____  Cert. Mail Labels__________
Completeness Date:____________________________________

Updated April 17, 2018
STAFF REPORT

Date: October 1, 2018
To: Chaffee County Board of County Commissioners
From: Planning Staff, Jon Roorda & Christie Barton
Subject: Fontana Plat Amendment

BOCC: 10/9/2018

Applicants: James J. Fontana III and Anne Fontana
Public Notice: Per Section 5.2.3.1, no public notice is required for a Plat Amendment.

Summary of Application: This request is a Plat Amendment to amend the drainage easement, the 25’ front setback and to allow for encroachment into the front 10’ utility easement for Lot 32 Methodist Mountain Estates, Filing 2 (recorded 10/27/1982 at Reception #217725). The intent of this application is to reduce the width of the drainage easement based on the new FEMA 100-year Floodplain determination associated with Loggie Gulch. A Letter of Map Amendment (LOMA) has been received from FEMA based on the Floodplain map included in the Drainage Report by Crabtree Group, Inc. dated May 25, 2018. The 100-year Floodplain now has associated base flood elevations with it and the surveyor needs to add the amended 100-year Floodplain to the plat. The owners have a house and garage that are located within the drainage easement, and as a result of this plat amendment, will have an expanded building area.
Section 1.3.1B2 of the Land Use Code describes powers and duties under this Code, and states, "the Board has the authority to take such other action not delegated to the Planning Commission, Board of Adjustment, or the Director...” Section 1.3.3B1 states the Board of Adjustment is the decision-making body for requests for variance from certain zoning dimensional requirements of this Land Use Code.

Location and Zoning Map:
Zoning and density: The property is zoned Residential, and this application does not impact the density of the site.

Lot 32, Methodist Mountain Estates, Filing 2: Existing Building Area:

Lot 32, Methodist Mountain Estates Floodplain Delineation:
5.2.3.1. **Plat Amendments.** Amendments of previously approved and recorded subdivision plats that do not affect lot boundaries are subdivision exemptions. Plat amendments may include changes to plat notes, building envelopes, addresses, easements, and similar. No public hearing or notice is required.

All required materials were submitted. Staff will work with the surveyor to verify the plat is formatted for recording and is suitable for filing.

**Conditions of Approval:**
1. Add the 100-year Floodplain limit to the plat.
2. The variance to the front setback must be approved by the Board of Adjustment (BOA) prior to recording the plat.

**BOARD OF COMMISSIONERS ACTION:** Commissioner __________ moved and Commissioner __________ seconded and the Board voted to APPROVE / DENY / CONTINUE the Fontana Plat Amendment based on the following findings of fact and conditions:

**Findings:**
1. ____________________________________________
2. ____________________________________________

**Conditions:**
1. ____________________________________________
2. ____________________________________________

Page 3 of 3
RESOLUTION 2018-53

DECLARING SUPPORT FOR PROPOSITION 110
"LET'S GO, COLORADO"

FINDINGS AND CONCLUSIONS:

A. On November 6, 2018, state voters have the opportunity to support a measure to increase the state sales tax by 0.62% for twenty years, or about six cents on a ten-dollar purchase, for statewide and local transportation needs.

B. A modern, safe, and efficient 21st century transportation system is essential to Colorado and Chaffee County's quality of life and the health of our economy.

C. Annual state transportation spending per driver, adjusted for inflation, is about half of what it was in 1991, while Colorado's population has grown nearly 60 percent since that time.

D. The increased demands on Colorado's transportation infrastructure has resulted in increased traffic congestion, safety concerns, air pollution, and lost worker productivity.

E. The Colorado Department of Transportation (CDOT) has identified $9 billion in much-needed statewide transportation projects that lack funding.

F. Chaffee County has identified a significant shortfall in the funding necessary to maintain its transportation infrastructure, ensure safety, and meet mobility needs.

G. The failure to adequately maintain roads and bridges costs Coloradans an average of $468 per driver per year due to damage and unnecessary wear-and-tear to vehicles.

H. Addressing Colorado’s transportation funding challenges requires a dedicated, sufficient, and guaranteed stream of revenue at the state and local levels.

I. A bipartisan, statewide group of bipartisan local elected officials, business leaders, and diverse organizations has proposed to raise the state sales tax by 0.62 percent, or about six cents on a ten-dollar purchase, for transportation needs.

J. Proposition 110 is expected to raise $767 million in its first year and allow for the bonding of $6 billion for state transportation projects, with a significant portion of these funds coming from travelers.

K. Of the revenue generated by Proposition 110, 45 percent will be directed to the statewide highway fund, 15 percent to multimodal transportation investments, and bond repayment.

L. The remaining 40 percent of new revenue would be allocated equally between county and municipal governments and made available for multimodal capital or operational expenses as determined by local transportation needs, delivering an estimated $1.8 million annually to Chaffee County.
M. Approval of Proposition 110 would be in the best interests of the citizens of Chaffee County.

**RESOLUTION:**

Based on the above findings, the Board of County Commissioners of Chaffee County declares its full support of Proposition 110, appearing on the November 6, 2018 ballot, as a strong solution to address Colorado's transportation funding shortfalls and provide for the mobility needs of all Chaffee County residents, workers, and visitors.

ADOPTED AND APPROVED by the Chaffee County Board of County Commissioners on October 9, 2018.

BOARD OF COUNTY COMMISSIONERS

[Draft]

[Acting] Chairman

The vote on the above Resolution was as follows:

Commissioner Dave Potts

Commissioner Keith Baker

Commissioner Greg Felt

STATE OF COLORADO, CHAFFEE COUNTY

ATTEST:

The above is a true and correct record of Resolution 2018-53 duly adopted by the Chaffee County Board of County Commissioners by a ___ vote at a regular meeting, properly noticed and held on October 9, 2018.

__________________________________________
Chaffee County Clerk
RESOLUTION 2018-52

DECLARING SUPPORT FOR CHAFFEE COUNTY BALLOT ISSUE 1B
“RESTORING AUTHORITY TO CHAFFEE COUNTY TO PROVIDE HIGH-SPEED
INTERNET, TELECOMMUNICATION AND CABLE TELEVISION SERVICE”

FINDINGS AND CONCLUSIONS:

A. Affordable, reliable, and innovative high-speed telecommunication services including, but not limited to, broadband internet services are hereby found and determined to be essential to Chaffee County residents and businesses in today’s quality-of-life and business environments.

B. In 2005 the Colorado General Assembly enacted Senate Bill 152 (codified at §29-27-101, C.R.S. et seq.) which provides that before a local government may provide telecommunications services, advanced services, or cable television services, as such services are defined in the statute, either directly or indirectly, it must call an election on the question of providing such services and obtain the approval of a majority of its registered electors voting on any such ballot question.

C. The effect of Senate Bill 05-152 is to restrict the County’s ability to improve its connectivity through provision of either direct or indirect services in cooperation with other public or private sector service providers, as set forth in §29-27-101, C.R.S. “Limitations on Providing Cable Television, Telecommunication, and Advanced Services.”

D. The Board of County Commissioners of Chaffee County has placed a ballot question on the November 2018 general election ballot, as Ballot Issue 1B, “Restoring Authority to Chaffee County to Provide High-Speed Internet, Telecommunication, And Cable Television Service,” to reestablish the County’s legal authority to directly and/or indirectly implement telecommunications solutions that would benefit residents, guests, and businesses.

E. If voters approve this ballot issue, Chaffee County would be exempted from Senate Bill 05-152, which presently limits Chaffee County from actively participating in various efforts aimed at higher speed local broadband capabilities. With this exemption, Chaffee County would be permitted to establish business partnerships with private companies designed to increase access to high-speed broadband internet, opt to provide this service itself, or develop a combined strategy to serve residents and business users.

F. Approval of Ballot Issue 1B would be in the best interests of the citizens of Chaffee County.

RESOLUTION:

Based on the above findings, the Board of County Commissioners of Chaffee County declares its full support of Ballot Issue 1B appearing on the November 6, 2018 ballot.
ADPTED AND APPROVED by the Chaffee County Board of County Commissioners on October 9, 2018.

BOARD OF COUNTY COMMISSIONERS

DRAFT

[Acting] Chairman

The vote on the above Resolution was as follows:

Commissioner Dave Potts

Commissioner Keith Baker

Commissioner Greg Felt

STATE OF COLORADO, CHAFFEE COUNTY
ATTEST:

The above is a true and correct record of Resolution 2018-52 duly adopted by the Chaffee County Board of County Commissioners by a ___ vote at a regular meeting, properly noticed and held on October 9, 2018.

Chaffee County Clerk
Dear Commissioner Potts,

The Colorado Division of Housing designates a local nonprofit as the Community Housing Development Organization (CHDO) for the county including granting matching funds for administration and operations. To receive these funds, the nonprofit or CHDO must raise matching funds to demonstrate local commitment for the development of affordable housing.

The Chaffee Housing Trust received $20,000 in CHDO matching funds for 2018. The local match included $12,500 from Chaffee County, $7,500 from the City of Salida and $3,460 from the Town of Buena Vista. These monies have been used to fund 1.0 FTE administrative position at the Chaffee Housing Trust ($45,000 FTE annual salary).

The CHT has played a critical role in local affordable housing efforts including:
- Developing a partnership with The Farm at Buena Vista to provide homes for ownership to households earning 80% AMI or less.
- Developing 8 homes affordable to 80% AMI or less in the Two Rivers subdivision.
- Obtaining grant funds from the Division of Housing for a Down Payment Assistance Program, up to $14,000 per household earning 80% AMI or less.
- Providing ongoing housing counseling services and USDA Rural Development Loan Program pre-qualification in partnership with the UAACOG, and full mortgage application assistance to households earning less than 80% AMI.
- Leadership of the Housing Policy Advisory Committee (HPAC) efforts to facilitate discussion and the advancement of affordable housing policy.
- Education of local elected officials and planning commissioners on housing policy.

In pursuit of renewed CHDO funding for fiscal year 2019, the CHT is requesting a commitment of support of $12,500 from Chaffee County for administration and operations.

Your consideration of this request is greatly appreciated.

Sincerely,

Read McCulloch, Executive Director
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<td>VCAA Notice</td>
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<td>Income Verifications</td>
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<td>29-336 Beneficiary</td>
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<td>10-0103 HISA Grant</td>
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<td>CRSC</td>
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<td>26-1817</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 September, 2018 from Chaffee county.

Salary $1,047
Expenses $____________
Office Space $____________
Telephone $____________
Office Supplies $____________
Travel $____________
Training Conference $____________
Other $____________

TOTAL $1,047

Signature of County Veterans Service Officer 10/1/18

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: Director
1355 South Colorado Blvd.
Building C, Suite 113
Denver, Colorado 80222