AGENDA

November 13, 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. 9:15 a.m. - Public Hearing and consideration of recommendations from the October 30, 2018 Planning Commission Meeting (see attached) with regard to the following matter:
Name of Subdivision: 141 Annex (Love Family) Minor Subdivision Applicants: Brad & Sandy Love Location: 7551 County Road 141 Zone: Residential Request: To divide 1.35 acres into 3 lots each approximately ½ acres in size. Lots will be connected to Salida water and sewer services.

B. 9:30 a.m. – Public Hearing – To consider a request for a Heritage Water Subdivision Exemption.
Name of Subdivision Exemption: Lion Mountain Applicants: Paul G. Douglas & Paula K. Douglas Location: 12995 County Road 190 E Zone: Rural Request: To divide 40.57 acres into two 2.20 acre lots (Lot 1 and Outlot 2) and one 35.22 acre lot (Lot 3). Water by wells, wastewater treatment by on-site wastewater systems.

C. Consider a resolution “In Support of Reauthorization of and Full Funding for the Land and Water Conservation Fund. (Aaron Kindle, Regional Field Representative, National Wildlife Federation)

D. Consider approval of proposal from Sarah Whittington to negotiate for a Professional Services Contract for architect for a County Annex building design. (Director of Administration Christiansen)

E. Consider DOLA grant application for a Comprehensive Plan update. (Director of Administration Christiansen)
Consent Agenda:
  ❖ Report from the Veteran Service Officer for the month of October, 2018
  ❖ 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 hveners@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.
PLANNING COMMISSION RECOMMENDATION

Date: October 31, 2018
To: Chaffee County Board of County Commissioners
From: Chaffee County Planning Commission
Subject: 141 Annex Minor Subdivision Final Plat

Note: The following recommendation is an excerpt of the draft Planning Commission meeting minutes of October 30, 2018 and should be considered as a draft summary of their recommendation until the minutes are approved at their next regular meeting.

Members Present: Karin Adams, Mike Allen, Bruce Cogan, Marjo Curgus, Dan McCabe, Joe Stone, Tracy Vandaveer, Rob Treat and Bill Baker

Findings of Fact:
1. The application meets the requirements of the Land Use Code for a Minor Subdivision Final Plat.
2. The applicant requests a waiver to the open space dedication requirement as the applicant is paying an open space fee to the City of Salida.
3. This property is in the Salida Municipal Service Area but does not qualify for annexation. It is subject to the Amended Intergovernmental Agreement between the City of Salida and Chaffee County.
4. The applicant is dedicating 17’ of road right of way for a total of 32’ from centerline of pavement, which exceeds the County minimum of 30’.

Conditions:
1. Lots 2 & 3 will connect to City of Salida water and sewer lines as part of this process. Lot 1 will connect to City water as part of this process.
2. Lot 1 will connect to City sewer when the OWTS fails.
3. This application is subject to a pre-annexation agreement to be approved by the Salida City Council.

Tracy Vandaveer moved to recommend to the Board of Commissioners approval of the 141 Annex Minor Subdivision and grant the open space waiver requested by the applicant based on the above Findings of Fact and Conditions. Dan McCabe seconded and the motion carried unanimously.
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.

DATE: November 13, 2018
TIME: 9:00 a.m.
SUBJECT: Board of Commissioners Regular Meeting
LOCATION: Commissioners Meeting Room

DATE: November 20, 2018
Commissioners Regular Meeting canceled

DATE: November 22 & 23, 2018
CLOSED FOR THE THANKSGIVING HOLIDAY

DATE: November 26-28, 2018
TIME: All Day
SUBJECT: Colorado Counties Inc. (CCI) Winter Conference
LOCATION: Hotel Elegante, 2886 S. Circle Dr., Colorado Springs

DATE: November 27, 2018
TIME: 3:00 p.m.
SUBJECT: Visitors Bureau
LOCATION: TBD

DATE: November 27, 2018
TIME: 4:00 p.m.
SUBJECT: Planning Commission Work Session followed by Regular Meeting
LOCATION: Salida

DATE: November 28, 2018
TIME: 9:00 a.m.
SUBJECT: Airport Advisory Board Meeting
LOCATION: Harriet Alexander Field

DATE: December 4, 2018
TIME: 9:00 a.m.
SUBJECT: Board of Commissioners Regular Meeting
LOCATION: Commissioners Meeting Room

DATE: December 6, 2018
TIME: 7:00 p.m.
SUBJECT: Fair Committee Meeting
LOCATION: Fairgrounds

11/8/18
This list may be updated daily. Posted in posting area outside of Commissioners Office
Application Fee $450.00

GENERAL INFORMATION

NAME OF PROJECT Lion Mountain Heritage Water Sub. Exem.  
PROPOSED SUBDIVISION  
PROPERTY ADDRESS 12995 County Road 190E 
TAX PARCEL # 368311200105 ZONING RUR 
EXISTING USE OF PROPERTY Residential 
OWNERS NAME (PLEASE PRINT) Paul C & Paula K Douglas 
ADDRESS 12995 Co Rd 190 E, Salida Colo 81201 
TELEPHONE 719-530-1032 E-MAIL pldouglas@live.com 

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 Paul C Douglas Paula K Douglas 

REPRESENTATIVE (PLEASE PRINT) Anthony Tomaszewski 
REPRESENTATIVES SIGNATURE 
TELEPHONE 719-207-3667 ridgetlinesurveying@gmail.com EMAIL 
MAILING ADDRESS 33507 CR 373A Buena Vista, CO 81211

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

Updated April 17, 2018
Date: November 7, 2018
To: Chaffee County Board of Commissioners
From: Planning Staff, Jon Roorda & Christie Barton
Subject: Lion Mountain Heritage Water Subdivision Exemption
BOCC: 11/13/2018

Applicant: Paul & Paula Douglas; represented by Tony Komarnsky

Public Hearing Information: The Public Hearing was advertised in the Mountain Mail and the Chaffee County Times on October 11, 2018. Public hearing notices were sent by certified mail to adjoining property owners on October 8, 2018. The posted sign was observed by County staff on November 7, 2018.

Summary of Application: This purpose of this application is to create a new 2.2 acre lot, a 35.22 acre residential parcel (Lot 3) and an outlot from a 40.57 acre. This property has an approved Minor Subdivision Sketch Plan, and when it was determined that the subdivision would result in the loss of the domestic well right, the applicant brought in this request for a Heritage Water Subdivision Exemption. Since the proposal is for three lots, and the 35.22 acre lot has frontage on County Road 190 E, the third lot will be mapped as an outlot. The applicant will complete the Final Plan portion of the Minor Subdivision process to remove the outlot designation and create the third lot. The new lot will be served by a well and On-site Wastewater Treatment System (OWTS). The water augmentation certificate has been purchased for Lot 1.

Location Zoning Map:
Zoning and Density: The property is zoned Rural; a Heritage Water Subdivision Exemption creating one 2.2 acre residential lot is within density limitations for the zoning district.

Google Earth Photo:

Lion Mountain Heritage Water Subdivision Exemption Plat:

5.2.3 K. Heritage Water Subdivision Exemption.
The intent of this section is to identify particular conditions which might allow a property owner seeking to create one new lot through a division of land to, in certain situations, avoid the requirement of obtaining an augmentation certificate for an existing exempt well as may be permitted consistent with C.R.S. §37-92-602 et seq. The remainder parcel shall be subject to water augmentation. In order to qualify for a finding that such division of land is a “subdivision exemption” as contemplated by C.R.S. §30-28-101(10)(d), each of the following conditions must be met.
1. One additional lot may be created on a property that has not been created by a previous subdivision exemption. *This application creates one additional lot. An outlot is created as the proposed location separates it from the remaining property. An outlot has no development rights without an additional land use application process. This application is being reviewed concurrently with the Lion Mountain Minor Subdivision. If and when this application is approved, the Lion Mountain Minor Subdivision Final Plat will be submitted to create Lot 2.*

2. An augmentation certificate, or other augmentation plan, or other proof of adequate water, shall be required for the remainder parcel, regardless of size, before the plat is recorded. *The augmentation certificate has been purchased and a letter from the Upper Arkansas Water Conservancy District has been received.*

3. The review process and submittal requirements shall be as described in Section 4.3.1 of the Chaffee County Land Use Code. *This application has been reviewed in accordance with Section 4.3.1.*

4. The following note shall be added to the subdivision exemption plat: ‘Further subdivision of the Remainder Parcel, platted through the Heritage Water Subdivision Exemption process, shall be subject to the subdivision regulations in the Chaffee County Land Use Code.’ *This note is shown on the subdivision exemption plat.*

5. The following note shall be added to the subdivision exemption plat: ‘The permitted well associated with the Heritage Well parcel was issued by the Colorado Division of Water Resources on the basis of certain criteria which may or may not remain satisfied following the subdivision exemption process, and the owner of the parcel retaining the Water Heritage Well is encouraged to contact the Division of Water Resources concerning re-permitting of the Heritage Well.’ *This note is shown on the subdivision exemption plat.*

All required materials were submitted. The plat is suitable for filing with minor changes.

**BOARD OF COMMISSIONERS ACTION:** Commissioner ________________ moved and Commissioner ________________ seconded and the Board voted to APPROVE / DENY / CONTINUE the Lion Mountain Heritage Water Subdivision Exemption based on the following findings of fact and conditions:

**Findings:**
1. 
2. 

**Conditions:**
1. 
2. 

Page 3 of 3
APPLICATION FOR
MINOR SUBDIVISION
OR
RURAL OPEN SPACE INCENTIVE (ROSI) SUBDIVISION

Sketch Plan - Fee - $625.00  Final Plat  Fee $850.00

Application Filing Deadline is the Last Monday of each Month

GENERAL INFORMATION

NAME OF PROJECT Love Family

PROPOSED SUBDIVISION 141 Annex

PROPERTY ADDRESS 7551 County Road 141

TAX PARCEL # 368131300017  ZONING RES Residential

EXISTING USE OF PROPERTY Residential

OWNERS NAME (PLEASE PRINT) Brad & Sandy Love

ADDRESS 7551 County Road 141 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) MIKE HENDERSON

REPRESENTATIVE'S SIGNATURE

TELEPHONE EMAIL

MAILING ADDRESS 303 S St., Salida, CO

STAFF USE ONLY

Application received by Date

Fee $ Check # Completeness Date

Certified Mailing Labels Electronic File

Updated March 29, 2018
Date: October 17, 2018
To: Chaffee County Planning Commission
From: Planning Staff, Jon Roorda & Christie Barton
Subject: 141 Annex (formerly Love Family) Minor Subdivision Final Plat
PC: 10/30/2018 BOCC: 11/13/2018

Applicants: Brad and Sandra Love

Public Hearing Notice Information: The Public Hearing was advertised in the Mountain Mail and the Chaffee County Times on October 11, 2018. Public Hearing notices were sent by certified mail to adjoining property owners on October 8, 2018. The Public Hearing Notice sign was observed by Staff on October 17, 2018.

Summary of Application: This application proposes to subdivide an unplatted parcel of 1.35-acres into two additional lots. The owner has met with the City of Salida and have signed a pre-annexation agreement to connect to sewer and water services. The existing house has a well and On-Site Wastewater Treatment System (OWTS) and the owner will need to connect to either City of Salida water or sewer to remain as a conforming lot. All lots will have individual driveways off County Road 141.

Location and Zoning Map:

Zoning: This application complies with the density and dimensional standards of the Residential zoning district.
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 design of the subdivision 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 Residential zoning district.
7.1.3 Site Infrastructure Requirements: This property has an existing house, well and OWTS. Lots 2 & 3 will connect to City of Salida water and sewer lines as part of this process. Lot 1 will connect to City water and will connect to City sewer when the OWTS fails. All lots will have frontage on County Road 141 and will have individual driveways. It appears that CR 141 has approximately 58’ of right of way dedicated. Both Chaffee County and the City of Salida require 60’ right of way width. Dedication of additional right of way to meet the 60’ minimum will be a condition of approval. No trail easements are required to be dedicated. Adequate utilities are available to serve the new lots.
7.1.4 Site Drainage: Historic drainage patterns need to be maintained during house construction.
7.1.5 Protection of Wetlands and Riparian Areas: It does not appear the property has wetlands or riparian areas on the property.
7.1.6 Wildlife Habitat: The property is in an area of severe winter range for mule deer. CPW does not foresee significant impacts to wildlife or wildlife habitat.
7.1.7 Erosion and Sedimentation: N/A – the property is not within 50’ of a waterbody.
7.1.8 Dark Sky Standards: New construction will be required to comply with downcast and shielded lighting.
7.1.9 Areas of Archeological, Paleontological or Historic Importance: The Heritage Area Advisory Board has no objection to the subdivision.

Article 7.2 Site Planning and Development Standards
7.2.1 Other Adopted Plans: This proposal supports the Chaffee County Comprehensive Plan Land Use and Development Patterns Guiding Objective 1: Focus new higher density residential development around existing towns.
7.2.2 Infrastructure Requirements: The lots in the subdivision will connect to City of Salida water and sewer services. It is in close proximity to an existing fire hydrant.
7.2.3 Site Planning and Design: The subdivision creates two additional lots that will have individual driveways onto CR 141. No landscaping or buffering is required for this development. The subdivision is not expected to generate objectionable noise or emissions. The subdivision does not appear to be subject to hazard areas.
7.2.4 View Protection Guidelines: The property is within an area transitioning into higher density and will be compatible with surrounding properties. This subdivision design meets the intent of this section of the regulations.
7.2.5 Weed Control: N/A (applies to construction with cuts or fills greater than 8 feet).
7.2.6 Stormwater run-off: Limited drainage impacts are anticipated this application.
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: The subdivision has no shared facilities. Access for all the lots will be from CR 141 on individual driveways.
7.3.2 Subdivision Lots: The lots meet the density and dimensional standards in Table 2.1 of the Land Use Code (LUC), and exceed the minimum 50’ lot frontage. The land appears to be free of hazards, and the Colorado Geological Survey approved a waiver for subdivision review.
Lot 1 has an existing well and OWTS. The narrative states that all of the lots in the subdivision will connect to City water and sewer services. Lot 1 will connect to City sewer when the OWTS fails. The size and topography of the lots will allow for the required two parking spaces per residential lot. This application creates two conforming lots with adequate building sites that avoid flood, geologic or natural hazard areas. The Colorado Geologic Survey has issued a waiver for review of this subdivision. Lots have frontage and direct access to a public road. Lots are not divided by any roads, municipal or tax district boundaries. The property is not impacted by slopes greater than 30%.

7.3.3 Subdivision Roads: N/A – no new roads are proposed with this application.

7.3.4 Subdivision Fire Protection: This development is within the South Arkansas Fire Protection District. A fee-in-lieu of a fire cistern is not required as the property has a fire hydrant at the intersection of CR 140 and CR 141 (within 215 feet).

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: Two additional residential lots are created by this plat, and the applicant requests a waiver of the open space requirement. The property is not adjacent to trails or roads that access public lands, and the Salida Parks, Open-space and Trails board (SPOT) is not requiring an easement for trails or other dedications. A School Fee-in-Lieu note will be required to be added to the plat.

AGENCY REVIEWS:

Chaffee County Engineering & OWTS – Subdivision will be served by public water and sewer.
Colorado Division of Water Resources – The water supply is to be the City of Salida, and information on the amount of water committed to the subdivision was not provided. Submit a letter of commitment and water resource report for the Division to provide an opinion on the proposed water supply.

Colorado Geological Survey – Approval of a waiver for review of the subdivision.

Colorado Parks & Wildlife - The property is in an area of severe winter range for mule deer. CPW does not foresee significant impacts to wildlife or wildlife habitat.

Heritage Area Advisory Board – No objection as it is outside the Scenic Byway, does not impact historic sites, and is within a densely developed area.

Salida Community Development Department – The subject property is within the Municipal Services Area but will not be immediately annexed as it does not currently qualify for annexation. Per paragraph 4.4 of the Amended IGA between Salida and Chaffee County, the applicant may proceed through the County process, but will be subject to some or all of City development standards.

Salida Parks, Open Space & Trails (SPOT) – No comments or concerns.

S. Arkansas Fire Protection District – Payment of a fee-in-lieu of cistern fee is not required as there is a fire hydrant that will serve the property at the intersection of CR 140 and CR 141.

Xcel Energy: Electrical distribution facilities are located within the property.
Findings of Fact:
1. The application meets the requirements of the Land Use Code for a Minor Subdivision Final Plat.
2. The applicant requests a waiver to the open space dedication requirement as the property is not adjacent to any trails or roads that access public lands.
3. This property is in the Salida Municipal Service Area but does not qualify for annexation. It is subject to the Amended Intergovernmental Agreement between the City of Salida and Chaffee County.

Conditions:
1. Lots 2 & 3 will connect to City of Salida water and sewer lines as part of this process.
2. Lot 1 will connect to City sewer when the OWTS fails.
3. The plat shall show dedication of additional right of way to meet the 60’ minimum width.
4. This application is subject to a pre-annexation agreement to be approved by the Salida City Council.

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 141 Annex Minor Subdivision Final Plat submitted by Brad and Sandra Love based on the following findings of fact and conditions:

Findings of Fact:
1.
2.

Conditions:
1.
2.
<table>
<thead>
<tr>
<th>General Information</th>
<th>Request for Medical Records</th>
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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 October, 2018 from Chaffee county.

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

TOTAL $1,047

[Signature]
Signature of County Veterans Service Officer

[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:

[Signature]
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