

Missoula Board of County Commissioners

PUBLIC MEETING MINUTES COVER SHEET



THURSDAY, MARCH 10, 2022 – 2 PM

Virtual Meeting – Microsoft Teams

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Time stamps (in green) correspond to meeting recording above. Please click to the time stamps listed to view a particular item in the meeting.

ATTENDANCE:

Commissioners Present:

Acting Chair Slotnick
Commissioner Strohmaier

Staff Present:

Violet Plummer, Administrative Assistant, Commissioners' Office
Tim Worley, Senior Planner, Community and Planning Services
Jeanna Miller, Environmental Health Manager, Health Department
Chris Lounsbury, Missoula County Chief Administrative Officer
Matt Heimel, Planner, Community and Planning Services
Mel Fisher, Strategic Initiatives Manager, Communications and Projects
Nick Zanetos, Planner, Community and Planning Services
Allison Franz, Communications Manager, Communications
Anna Conley, Chief Deputy Civil Attorney, Attorney's Office
Bailey Minnich, Planner, Community and Planning Services
Shannon Therriault, Environmental Health Director, Health Department
John Hart, Attorney II-Civil Division, Attorney's Office
Emmie Bristow, Community Engagement Coordinator, Communications
Annie Cathey, Administrative Assistant, Commissioners' Office
Administrative Assistant, Commissioners' Office

1. **CALL TO ORDER** *[Time stamp – 00:55]*
2. **LAND ACKNOWLEDGEMENT** *[Time stamp – 01:06]*
Missoula County acknowledges that this event takes place in the aboriginal territories of the Salish and Kalispel people.
3. **PLEDGE OF ALLEGIANCE** *[Time stamp – 01:15]*
4. **PUBLIC ANNOUNCEMENTS**
 - a. [Proclamation: March for Meals Month](#) *[Time stamp – 01:49]*

5. **PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA** [Time stamp – 03:48]

6. **CURRENT CLAIMS LIST** [Time stamp – 06:03]

Claims received as of February 16, 2022 to March 1, 2022 by the Commissioners' Office total \$2,643,369.15.

7. **HEARINGS**

a. **Resolution – Mill Levy Request for Missoula Aging Services** [Time stamp – 06:40]
Chris Lounsbury, Missoula County Chief Administrative Officer

Commissioner Strohmaier made the motion that [the Missoula Board of County Commissioners] adopt a resolution placing the mill levy request for Missoula Aging Services on the June 22, 2022 ballot.

Commissioner Slotnick seconded.

[Motion passed 2-0.]

[Resolution 2022-015. Book: 1072 Page: 1109]

b. **Ordinance – Final Adoption of Revised Health Code and Associated Fees** [Time stamp – 52:26]

Jeanna Miller, Environmental Health Manager, Health Department

Commissioner Strohmaier made the motion that [the Missoula Board of County Commissioners] adopt the first amended ordinance adopting the Missoula City-County Health Code and related fees by reference.

Commissioner Slotnick seconded.

[Motion passed 2-0.]

[Ordinance 2022-001; Resolution 2022-018. Book: 1072 Page: 1113]

c. **Olson Family Transfer** [Time stamp – 1:05:17]

Nick Zanetos, Planner, Community and Planning Services

Commissioner Strohmaier made the motion that [the Missoula Board of County Commissioners] approve the request by Allie Olson to utilize the Family Transfer exemption, as presented in the exemption application and affidavit.

Commissioner Slotnick seconded.

[Motion passed 2-0.]

[Letter 2022-108. Mailed to: Allie Olson.]

d. **Green Acre Storage Units – Buildings for Lease of Rent** [Time stamp – 1:10:24]

Matt Heimel, Planner, Community and Planning Services

Commissioner Strohmaier made the motion to approve the Green Acre Storage Buildings for Lease or Rent project, as represented in the application packet, based on the findings of fact and conclusions of law in the staff report, subject to the conditions of approval found in the staff report.

Commissioner Slotnick seconded.

[Motion passed 2-0.]

[Letter 2022-103. Mailed to: Dustin and Maygen St. John.]

- e. **Hasenyager Minor Subdivision** *[Time stamp – 1:17:23]*
Matt Heimel, Planner, Community and Planning Services

Commissioner Strohmaier made the motion to approve the Hasenyager Minor Subdivision, based on the findings of fact and conclusions of law in the staff report, and subject to the recommended conditions of approval in the staff report.

Commissioner Slotnick seconded.

[Motion passed 2-0.]

[Letter 2022-105. Mailed to: Mark & Sacha Hasenyager.]

- f. **St. John Family Transfer** *[Time stamp – 1:30:13]*
Matt Heimel, Planner, Community and Planning Services

Commissioner Strohmaier made the motion that [the Missoula Board of County Commissioners] deny the family transfer exemption request by Dustin and Maygen St. John, as presented in the subdivision exemption affidavit, based on the rebuttable presumptions, evasion criteria and conclusion in the staff report.

Commissioner Slotnick seconded.

[Motion passed 2-0.]

[Letter 2022-104. Mailed to: Dustin and Maygen St. John.]

- g. **Huson Acres Subdivision** *[Time stamp – 1:51:17]*
Tim Worley, Senior Planner, Community and Planning Services

Commissioner Strohmaier made the motion that [the Missoula Board of County Commissioners] approve the Huson Acres Subdivision, based on the findings of fact and subject to the required conditions of approval.

Commissioner Slotnick seconded.

[Motion passed 2-0.]

[Letter 2022-116. Mailed to: Montana Northwest Company.]

8. **OTHER BUSINESS**
[None]

9. **ADJOURN**
Acting Chair Slotnick – Called the meeting to adjourn at 4:07 p.m.

BCC Public Meeting March 10, 2022 – Transcription

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[00:00:23] Hello out there. Hello. Great. Good to hear you, did everybody else there?

[00:00:31] Hello. Hello.

[00:00:34] Nice love to hear all those clothes. Well, this is Josh. I'm one of our county commissioners and today I'll be playing the role of one EDA bureau. One is away today, so I'm standing in for her to chair this meeting. I would like to welcome you all to this public meeting for Thursday, March 10th. We will call this meeting to order. We'll begin with a landing. Try that again, we're going to begin with a land acknowledgement, Missoula County acknowledges that this event takes place in the Aboriginal territories of the Salish and Kalispell people. Next, would you please join me all in the Pledge of Allegiance? Are you going to put up a flat? Thank you so much! Perfect. Thanks a lot. Ok. Please join me. Pledge allegiance to the flag

[00:01:31] Of the United States of America and to the Republic, which is

[00:01:37] A nation under God,

[00:01:39] Indivisible with liberty and justice for all.

[00:01:46] Thank you so much. Next up, we have a proclamation, it is Meals for Wheels month. Dave, are you open to reading this proclamation?

[00:01:58] I would love to read this proclamation. So this is a proclamation of Missoula County in the city of Missoula. Whereas the Meals on Wheels program in Missoula, Aging Services is a valuable resource to older adults in Missoula County. And whereas in the past year in Missoula County, Meals on Wheels provided one hundred and eleven thousand one hundred and sixty one home delivered meals to homebound elders and adults with disabilities and had an average of two thousand three hundred and eighty eight home delivered meals served each week, with three hundred and ninety four clients actively receiving meals. Ninety active volunteer drivers delivering meals and sixty six percent increase in home delivered meals since the start of the pandemic. And whereas volunteer drivers for Meals on Wheels or the backbone of this program through their dedication to bring not only hot, nutritious meals to clients, but also caring concern and attention to their welfare. And whereas Missoula Aging Services counts on these volunteers and the support of the community to serve the growing number of elders who need this service in order to remain in their homes. And whereas we wish to raise awareness and support for Meals on Wheels and Missoula and surrounding areas. Now, therefore, we the Missoula Board of County Commissioners and the mayor of the City of Missoula, do hereby proclaim the month of March Twenty Twenty two as March for Meals Month in Missoula, Montana.

[00:03:34] Thanks a lot, Dave. It's a great proclamation. We are honored to sign it. All right. We have one two three four five six seven public hearings coming up. Before we dive into all those, is there any public comment on items not on the agenda? Dave, if you wouldn't mind, could I ask you? I didn't prep you to say the two things you said at our meeting this morning because I believe they are both worthy of note and would be glad to hear our current audience hear them.

[00:04:04] Yeah, I would be happy to. Thank you. Yeah. Anyone who's been watching the news for the past week obviously knows that there is an ongoing war in Eastern Europe as we speak, so recognizing our support for those

who are in such dire straits in Ukraine. Earlier this week, we lit up the courthouse clock tower with yellow and blue lights in respect for and recognition of the flag of Ukrainian Ukrainian. So that being the case stopped by there after hours some evening and check out the lights on the on the clock tower. The second thing that I would point out is that if you've been following the evolution of the Big Sky Passenger Rail Authority and all of the the accomplishments we've been able to achieve over the past year. One important tidbit. Just this last week, actually yesterday we added the third tribal nation to the list of directors, ex-officio board members for the rail authority by adding northern Cheyenne. Last week we added the Crow Nation, and before that, we for some time have had the Confederated Salish and Kootenai Tribes as part of the rail authority, so we are grateful for the support of an active involvement of our tribal friends and partners.

[00:05:36] Dave, with the I think you said this morning, 17 counties are on.

[00:05:41] Yep, we have a total of 17 counties in the authority. We are the largest transportation district in the state of Montana.

[00:05:49] Do we go stem to stern?

[00:05:52] We go stem to Stern all the way from Sanders to Webber County, over six hundred miles across the breadth of the state of Montana.

[00:05:59] That is fantastic. Well done. Thank you. All right. Our current claims list claims received as of February 16, 2020 to to March one twenty twenty two by the Commissioner's Office total two million six hundred and forty three thousand three hundred and sixty nine dollars and fifteen cents. As I said before, we have one two three four five six seven public hearings. I do have to say, how about if after that the the second hearing, the one, the ordinance of the revised health code and associated fees. I would like it if we could take a quick five minute break after hearing number two, we could do that. Ok. Our first hearing, Chris Lounsbury, will introduce the folks who will give us more information.

[00:06:47] So good afternoon, commissioners. Thank you. I could not think of a more appropriate meeting to have this

[00:06:52] Request on given your proclamation related to Meals

[00:06:54] On Wheels and the agency, that helps to provide that as Missoula Aging Services here in Missoula County, Missoula Aging Services is here today to make a formal request to for you to place on the June primary ballot. Mill Levy to help support the good work that they do in Missoula County. And we have

[00:07:10] Members from their board as well as their executive director on the call this morning, and I will turn it over to them to present their request to you and I will be available to answer any questions on the process piece. Should you have that?

[00:07:25] Thank you, Chris, I really appreciate that. And good afternoon, thank you again for the opportunity to speak with you about this very special request that Chris just mentioned. And again, thank you for the proclamation that you made for missile age and services regarding Meals on Wheels. My name is Roberta Smith and I'm the current chair of the Board of Directors Governing Board for Missoula Aging Services. A group of us are here today to support the request that Chris just mentioned for the Board of County Commissioners to place a formal Missoula aging services levy on the June seven twenty twenty two primary election ballot. I will highlight a few reasons for this request that have been mentioned before. This levy will allow Missoula County voters to make a decision to provide a modest increase in funding that will allow Missoula aging services to meet the growing demand for such services as Meals on Wheels, which was just discussed about that need also memory and dementia care. Medicare and Medicaid consultations. And Elder abuse and exploitation prevention as our population of older residents continues to grow. Missoula County commissioners established mental aging services in 1982 with the mission to promote the independence, dignity and health of our older adults and those who care for them. This has continued to be our mission and our passion over the past 40 years and will continue to be so into the future. The population of older adults here in Missoula County has grown 40 percent from 2010 to 2019, and the population of those seventy five years and older have grown twenty two percent during that same time frame by twenty thirty.

[00:09:23] It is expected that twenty two percent of Montana's population will be age 60 and older. However, our county funding, even though much appreciated through the current aging services levy, has remained unchanged since two thousand seven fifteen years ago, when a flat rate of three hundred and fifty thousand per year was established. With no adjustments being included for inflation or for population growth, the governing board of Missoula Aging Services has given this request. We are asking today to do a great deal of thought and after much discussion, we strongly and unanimously make this request to you. The need to sustain the 20 plus services that Missoula Aging Services offers to the community is very, very clear to us. We have seen this need for multiple and new services to continue to grow, and the cost of those many services continue to rise. We have provided another letter to you today, signed by even more members of our community that again outlines the need for this very, very important measure. We are here to humbly request you vote yes to put this mill levy before the voters. Thank you for listening. I will now turn it over to Susan Koehler, current CEO of Missoula Aging Services, to provide you with detail. Susan? I'm here, can you hear me?

[00:10:56] Can you hear me? Yes.

[00:10:59] You can we can hear you and see you.

[00:11:02] Thank you, because sometimes I don't have it all sink, right? So I'm just happy that you can hear me. So thank you again today for having the opportunity to talk about this very important ballot measure. You already heard our history. We've been here since nineteen eighty two is when actually the county commissioners formed Missoula Aging Services as a private non-profit organization and did so and retain the appointing of the governing board because they knew there was a growing population of older adults and they wanted a board who would look strategically on how we would grow. And they wanted to count on the strategic plan for identifying priorities for whatever money the county was able to provide to us. And so we've continued to do that since nineteen eighty two. We get some other funding sources also, but today we're focusing on trying to get the growth of our dollar amount of three hundred and fifty thousand dollars that the voters approved and two thousand seven. And we're trying to repeal that and replace it with four mills that will help address our growing demand of serving older adults. One thing I'd like to point out to the public is when we think about older adults, it's not all of whom we serve. First of all, it's not unusual due to longevity that people are living longer and we can often be serving somebody who's in their nineties and their adult child who's in their seventies.

[00:12:43] And that does take into account the number of people who are being caregivers for family members who come to us to better understand and navigate the very complex long term care system. And that has grown substantially over the years, with the number of people heading into Medicare, which also is very complex and making choices in fact, every year. We have resource specialists that help during open enrollment, and they're able to help people review their prescription drug coverage Part D to see if it's still the best deal for them price wise and still carrying their prescriptions that they need. And by doing that, along with along with our two tax rebate program, helping people identify if they are eligible for prescription subsidies through the program. This past year, we put back into the pockets of all, excuse me, in two thousand twenty one, which was a full year. We put back in the pockets of older adults seven hundred and forty four thousand dollars by helping them look at different plans and also through these tax rebates and tax assistance programs. So that way, older adults can continue to do the best that they can to take care of themselves as they age in place, which is a priority for us. So we want to help people age in place in a variety of ways.

[00:14:21] We also, as Roberta mentioned, serve people with Alzheimer's and related dementias and their caregivers. It's good that they can stay in their home and we like to walk the journey with them, as we say. So as the disease progresses, we do our best to keep them safe and their caregivers knowing what kind of resources that are available to them, in addition to how to take care of themselves. Because without the caregivers, the individual most definitely would end up in a far more expensive facility like a nursing home or a memory care unit. So that's a very important part of what we provide. We also have what we call an ombudsman program, and they are in there ensuring that they're in nursing homes and assisted living. They've made thousands of visits every year to ensure the resident's rights are being maintained in those facilities. It's a big job, it's very complex and these people are every day in those homes, nursing homes and assisted living, working with residents and families and that kind of support. And with our help with people who are aging in place, we have a money management program, so cognitive issues

start to kick in. We can help by managing their finances, making sure that their bills are paid and preventing people from exploiting them financially.

[00:15:56] One of the things that I'd like to also point out is that older adults are also a valuable resource to our community, and we in pre-pandemic years we had on the average of six hundred volunteers that served a multitude of hours in our community in places like food banks and museums, as you heard earlier. They also are the ones that deliver the meals for the program and keeping the cost down. Those are all very important parts of our of our agency because it helps people who might start feeling socially isolated and disconnected from community, but through their skills and volunteer services, they can be a benefit to organizations. You've probably heard of the Foster Grandparent program helping kids in schools, seeing their companions, helping older adults or homebound, and kind of connecting them to community and helping them with basic tasks. And and they've served, as I said, in the pre-pandemic years, it was about one hundred and twenty thousand hours to invest it in our community and support. I think it's important for people to know that older, older volunteers are a big part of our community. In addition to the services that we provide, we help with Medicare and Medicaid. If we like to look at ourselves as a one stop shop, it doesn't matter what the services or whether we provide it, we know where they are and we can help people identify the right services for them as they navigate through the system.

[00:17:46] And even if they don't live in Missoula, they live somewhere else in the state or even nationally. They live in another state. We're connected to the national area agencies on aging, and they can we can help them identify the resources that are available and in the community that their aging parent may live in outside of our state. All of this has caused Missoula aging services to grow in a positive way, and we want to be here. We want to be here for years to come. The mill levy request, which was said to be four mills after you would replace the three hundred and fifty thousand dollars and that was instituted because the Legislature during that time would not allow mill levies to go on the ballot. They made a flat rate and at that time two mills was valued at three hundred and fifty thousand. And that has been the amount. No growth, no nothing since then from county funding. So we wanted to replace that three hundred and fifty thousand with four mills total. What that results in terms of what it means to a person who's paying. For this, it means that it would cost you three dollars and sixty seven cents per, I want to make sure I have that right.

[00:19:14] I don't want to misspeak that for every one hundred thousand taxable value of a person's home, so you could multiply that times four or five, six hundred thousand is your home. You multiply that six times. So most people, even those that have a home of the tax would value the tax assessment is not what you could sell the home for. But what the state deems your taxable value is to your home. And so you multiply that figure times how whatever thousand you're in in that care category for housing. So no one would probably pay more than 30 dollars a year for this added benefit to the aging services. Our donors in the community are incredibly supportive and we will continue to need them because even with this, it will help with our current growth. But it's not going to help with further growth down down the pike. And so we'll continue to use all the resources we have. We consider it a partnership with all of our resources and including including clients paying what they can afford to pay for any of the services. And so we want to thank you for the opportunity to ask for this to be on the ballot. And we have several people who are here to testify in support of this. And so I'll turn it over to them.

[00:20:47] So for four? So for folks who

[00:20:53] Can everybody mute if you're not muted? Thank you. Ok, so for folks who are going to testify, raise your hand, and I'll do my very best to call on you, Dave or Violet, if you see somebody I missed. Let's please make sure they violet. Can you keep track of them? I think I bet you are just going to be way better at this than I am. Yeah, yeah, absolutely. Calling on him one at a time. I really appreciate it. All right. You out there? Let's see if we can keep our comments to three minutes or less. And if you find yourself in a position where you're just repeating what someone else said, you can just say I agree with them rather than because we have seven hearings today. So thank you very much and thank you, Violet, for doing the calling on, folks. I'll leave it at that.

[00:21:43] Absolutely. Let's I think first up was Lance Callister Lance. You'll have to unmute and then you're welcome to speak. Lance, we can't hear you if you're if you've started talking, but it does look like your unmuted. Give me another second here. Well, you know what, Lance, while you're figuring that out, oh, we see you. We can't hear you. So, Lance, we'll let you get your audio situation sorted out and we'll go to Travis Hoffman.

[00:22:33] It's mind working,

[00:22:34] Yep, we can hear you.

[00:22:36] All right. County commissioners, thanks for the opportunity to testify during this hearing. Travis Hoffman and here in Missoula, and I'm actually currently serving as the interim executive director for Summit Independent Living, which is a nonprofit here in Missoula, similar to Missoula Aging Services. But we focus our services on people living with disabilities all across the age spectrum, from from birth on all the way to the grave. So our mission is to advance the independence and civil rights of people with disabilities, and that includes people aging with disabilities and age related disabilities. Our primary goal is to provide the tools and the skills and connect people to resources that are necessary for them to live in their own homes and in their communities for as long as possible. Where long term care services that people living with disabilities and people aging with aging related disabilities can receive those types of services for a lot less than they can in an institutional setting, such as a nursing home. And many of those services that help people live in their homes in their own communities are services like Meals on Wheels and caregiving services help with bureaucratic systems such as Medicaid, Medicare, Social Security, and all those sorts of things that was really aging services provides. And so in order to continue to help people stay in their homes as long as possible and continue to meet the needs of the growing population of aging individuals, we fully support this request by aging services to add a mill levy to the June ballot. Thank you.

[00:24:43] Thank you, Travis. Lance, were you able to figure out your audio situation? I see your hands back up. Now we still can't hear you, we can see you, but let's be having audio problems if you go to the agenda, you can call in on the phone and then we can take your comment that way too. So we'll go on to Terry Egan.

[00:25:08] So this is Terry Egan. And can you hear me?

[00:25:14] Yeah, we can hear you, Terry, OK?

[00:25:17] My name is Terry Egan, and I live on Simmons

[00:25:19] Drive here in Missoula. Thank you very much for the time to hear my comments today. I am also calling in to encourage you to put the Missoula Aging Services Levy on the June ballot. I'm the volunteer chair person for the dementia friendly Missoula Coalition, which is affiliated with Missoula Aging Services. As volunteers, we have personal and professional experiences with Alzheimer's disease and related dementias, and we are promoting and informed, supportive and inclusive community for those people living with dementia and for those who care for them. We do this by raising awareness of dementia, providing education and support to those living with dementia and their care partners, and building a dementia friendly network. We're encouraging adults with dementia to remain active and engage members of our community, and we support activities in Missoula that are welcoming to people with dementia and their care partners. Missoula Aging Services has a lot of resources for individuals with dementia and their care partners. We can all work together to support the growing number of these people in our community. By providing resources, we can help people stay engaged in the community and be active members longer. We can help them live in their own homes for longer, and we can assist the the care partners throughout what can sometimes be a very long and very difficult journey. So we're encouraging you as the members of the dementia friendly Missoula Coalition, to place this mill levy on the June ballot for Missoula Aging Services. Thank you for letting me share my comments today.

[00:27:05] Thank you, Terry. I'm next will go on to Claire Muller.

[00:27:17] Hello.

[00:27:19] We can we can hear you.

[00:27:21] Great, thank you. Hi. County commissioners, I'm Claire Mueller. I'm the executive director of the Lake Community Foundation. Thank you for your time today. I've been asked to speak today and I'm here just to talk about the value Missoula Aging Services provides to the Sealy Swan Valley in particular, especially through their Sealy Swan resource specialist. That position has had an office here in the foundation building for the last several years and became a beloved fixture in these communities when she was working here over the last five years. Built

lots of connections, helped so many people in our valley, in our valleys, and people here really trusted her. I believe this community is eager for Missoula aging services to hire someone to fill that position that vital position up here soon. People really appreciate the work that the Swan resource specialist does up here. Thanks so much for your time.

[00:28:17] Thank you, Claire. Um, let's see. And I just wanted to quickly say, if you're calling in on the phone and waiting to give comment, don't worry. Well, we'll get to you. We're just going to make our way through the folks on the team's call that have raised their hand first. So next step, we will go to Judy Allen.

[00:28:43] Hello, can you hear me? Yeah, we can hear you, Judy, OK. Hi, I, my name is Judy Allen, and I do live in Missoula and I encourage you to put the Missoula Aging Services Levy on the June ballot. We need to sustain services to the older people in our community. I'm 80 years old and I was a senior companion for the Missoula Aging Services for nine years until last August, when I had to retire because of medical reasons. I would still be doing volunteer work if it wasn't for that. So I know firsthand how much Missoula Aging Services does for this community and surrounding areas. They provide Meals on Wheels, which has been said before farmers market coupons, respite and homemaking services of which I receive. And that is just to name a few. These services provide the elderly to live in their own home with dignity and respect, and not have to go into an assisted living or nursing home. I know that these services are in high demand in our older population grows here in the county. We need to be sure we keep up with the need. Letting people vote on this levy to support our older friends and family members is vital. Please place the levy on the June ballot. Thank you.

[00:30:18] Thank you so much, Judy. Hmm. Next, we will go to Kristen Page Nye or Nay.

[00:30:31] Good afternoon, commissioners, my name is Kristin Pagani, and I'm here representing myself. I do serve on the Missoula Aging Services Board of directors and have for the last four years, but I'm really here representing my family. I'm the family advocate for my 58 year old brother, who is severely disabled and is on a SDMI waiver. Really, what my family wants to do is reinforce that this put a face on the people that you're serving, that Missoula aging services serving and how invaluable this resource has been to my family. Right at the beginning of the pandemic, both of my parents became ill with cancer, and we're no longer able to advocate for my brother. And that's when I stepped in. My brother was severely underweight and had failure to thrive. And so we really needed to make sure that he was eating properly. Missoula Aging Services was very quick to turn around, making sure that he had meals on Wheels, meals and then also nutritional supplements. I'm happy to report out that my brother is thriving now and is doing much better still needs the the supplements, but is doing so much better. Missoula Aging Services not only helps with those type of direct services, but the help that the staff that was is so well informed about what other resources are available in the community was very helpful to our family, as well as how to fill out that darn paperwork because, quite honestly, that it can be also overwhelming to families. So I just wanted to share with you just some of the ways that Missoula Aging Services has helped my family and I ask you to support putting the levy on the June ballot. Thank you.

[00:32:45] Thank you, Christine. Next up, we have Peggy Seidel.

[00:32:55] Yes. Good afternoon, can you hear me if we can hear you? Thank you. My name is Peggy Seidel and I am a resident of Missoula. I want to thank you for hearing my comments today. I am a caregiver to my husband who has cancer and Alzheimer's. I was referred to the Missoula Aging Services April of Twenty Twenty One by Community Medical Health Cancer Care Center. During the past 11 months, I have taken advantage of the Missoula Aging Services. First of all, starting with their monthly dementia support program with Lauren and and with Maryland, that then led me to powerful tools for caregivers, which is a five week course that Missoula Aging Services offers with Lauren and Carly Moore that then led to currently I am attending the Aging Mastery Program. We are in week number 10 of 11 weeks with Theresa Sex. I feel that without these programs and the support I have received, I would have not been able to navigate this journey with my husband and Alzheimer's. I thank you today for listening to my testimony, and I please ask you to place the Missoula Aging Services levy on your June primary election ballot.

[00:34:18] Thank you very much.

[00:34:21] Thank you, Peggy. Next, we'll go to Chris Floor.

[00:34:34] Thank you so much for this opportunity to share a bit with you, I am pastor of St. Paul Lutheran Church, a congregation in our community for over a hundred years, and I want to ditto so much of what has been already shared. Just want to underscore a couple of things real quickly. One is for senior adults in our church community, but in our community at large as well, who do not have family members who can kind of saddle up next to them and help them navigate some of the challenges of aging. And that's where Missoula aging services I've seen has come through with flying colors for single people who have no family members to to walk with them through these challenges. Missoula Aging Services services that they provide, which we've heard about, have just made the big difference in helping reduce suffering and loss and exploitation of these really vulnerable single seniors elders that we have in our community. I'm going to go off script here just a minute and just say with with some of the what we're seeing in Ukraine right now of seniors being able to flee and left and in towns and cities that are being devastated and likely going to be dying there. We have a war in a sense, in a different way of aging in our own place, in our own nation, where seniors we don't want to leave them behind. We want to make sure they have the services that they need. And this mill levy opportunity in the June primary election is a way of just putting even more support in making sure we don't leave any senior behind when there are services, when there are opportunities, when there are resources available for them. So thanks for hearing this and even this little drastic analogy, but we can we can make a difference and this is one way to do it. So thanks so much for taking time to listen and all your good work.

[00:36:48] Thanks for your comment, Chris. Next, we'll go to I have someone that's just labeled as miss.

[00:37:00] I guess I may ask. I'm Dr. Richard Blank, I'm a Missoula resident, I want to thank the commissioners for listening. I serve as an RSVP volunteer and as such I do reassessments on all our Meals on Wheels clients. And I also sit in on the Caregiver Support Group as a former caregiver for my wife with dementia and I'll, I support all the other comments. You know the numbers. But I one thing I do want to emphasize is one other thing it does is allow people who are say in their fifties, who have a parent or a spouse and they're still employed and they are able to keep their jobs, work at their jobs, support themselves and get respite by having a meal delivered during the middle of the day and have a driver check in on them. So I'll limit my comments there. I support everything else that's been said, but this is something that's often not remembered, is the fact that there's a caregiver involved who who is greatly helped by the presence of all these services. Thank you very much for listening. I obviously support want you to support the levy.

[00:38:19] Thank you so much. Next, we'll go to Diane Stratton Island because.

[00:38:26] My name's Diane Stinson, bookers, I just want to add to what everybody

[00:38:29] Else has said already, please pass this onto the ballot and let it be voted on. I'm a caregiver for my 78 year old husband with Parkinson's and dementia

[00:38:39] On my 91 year old mom. And I couldn't do it

[00:38:42] Without my services. Thanks, bye.

[00:38:48] Thank you, Diane. Next, we'll go to Dan Dhol.

[00:38:58] It's actually Dan Doyle, I'm sorry, there's a misprint on there. Can you hear me? Oh yeah, we can hear. Ok, good. My name is Dan Dewar. I'm a retired professor from the University of Montana and a long time missile aging services volunteer, and I've served on the board quite a bit and also as past chair of the board. One point that I wanted to emphasize that has been mentioned, but I think bears some further mention is that having served on that board and as the chair of the board had pretty intimate knowledge of how the money at has was used. And I can assure the commissioners and the taxpayers that they are making good use of whatever funding that they get. They are able to leverage relatively small amounts of money to tremendous work within the community. And I especially want to highlight the volunteerism. Susan mentioned that pre-pandemic were running 500 600 volunteers, routinely 100000 plus hours of volunteer labor within the community. Where would that labor come from otherwise? So many nonprofits, so many government agencies that rely on the volunteers from the RSVP program senior companion.

[00:40:26] So working with older adults, foster grandkids, grandparents working with the kids in the in the schools, I myself am RSVP volunteer. I work with Missoula Public Libraries with a dementia friendly Missoula Group and also with the Missoula Police Department. I, a the head of the police commission and I can assure you that the police do make use of RSVP volunteers to do things like stalking the patrol cars, helping people get fingerprints, recovery of stolen property, working on graffiti, etc. And that's just one example of the Meals on Wheels drivers, the people working for Casa, for the Food Bank for travelers, rest state park, for St. Pat's Hospital, and the list goes on and on and on. So I want to speak in support of this initiative or levy just to help keep up with that demand and that to make the point that the money that is allocated goes a lot farther than just that money. It is leveraged in a big time in the community to serve the needs of the community. Thanks for considering it and thanks for the opportunity to talk.

[00:42:01] Thanks for your comment, Dan. Susan, I see you have your hand up, did you? Did you want to add anything before we finish taking comment?

[00:42:10] Yes, and I'm sorry, I didn't mention it earlier. I just wanted to clarify that it is three dollars and sixty nine cents per year for each one hundred thousand of a county homeowner's taxable home value is what the mill levy means to taxpayers. I was asked by Mindy Palmer, who is a driver for Meals on Wheels, to read a short statement on her behalf because her job didn't allow her to be here. She says, My name is Mindy Palmer and I've lived in Missouri since eighty eight. I would like to thank each and every one of you who is currently serving as a Missoula County commissioners and for your time and consideration of our respective requests this afternoon, it has been my privilege privilege to be a Meals on Wheels volunteer as a delivery driver, having done so each Monday that I've been available for the past twenty two years. I have a great reverence for my elders and I've witnessed firsthand the positive impact in Missoula aging services community has had on each one that I serve. The way I see it, the households that I deliver food to each week with an average age of sixty five, excuse me, an average age of eighty five years plus have been a part of our regional community for well over sixty five years, and they most certainly have paid their fair share of taxes in that time period.

[00:43:39] I feel that it's ethical and mutual moral responsibility for us to take care of our aging population. I respectfully requesting that you do place the Missoula Aging Services M. Levy on the June primary ballot and at the very least, for the following reasons. The Missoula County meet the growing demand for Meals on Wheels, improving access to affordable care services, better protection protection for older adults, especially from financial exploitation and abuse, saving taxpayers money by helping older people live independently in their own home. I'd like to thank Susan Koehler, CEO of Missoula Aging Services, for being my proxy today and sharing my thoughts. I too wish to thank each and every one of the commissioners for your time and consideration of placing Missoula Aging Services M. Levy on the June primary election ballot. Thank you.

[00:44:43] Thanks for that clarification and reading that comment, Susan. Lance, Callister, I see you still have your hand up. Were you able to figure out your audio problems? I think I think I'm on my own. Yeah. Yep, we can hear you. We can hear you.

[00:45:03] Okay, excellent. My name is Lance Callister and I've lived in French town since 1979. I encourage you to put the muzzle aging services levy on the June ballot. We need to sustain services to the older people in our community. My wife, Karen, Orsic and I have been delivering Meals on Wheels to the elderly for over two years now. We've seen how this valuable service helps people nearing the end of their lives to be able to stay living in their homes. We also keep help keep track of them through our visits, and they look forward to seeing us. This is exactly how Missoula Aging Services helps people. I know these services are in high demand. It's our older population grows here in the county. We need to be sure that we keep up with the need. Letting people vote on this levy to support our older friends and family members is vital. Please place the levy on the June ballot. Thank you for your valuable consideration of Meals on Wheels and the Missoula Aging Services Mill Levy. Thank you very much, commissioners.

[00:46:07] Thank you for your comment. Hmm. Now we'll do we have some phone callers, I'm not sure if any or all of you are here to comment on on this proposed resolution, but just a reminder you'll hit star six on your keypad to unmute yourself and be able to speak. And I'll kind of just call the last four digits of your phone number if I see that you've unmuted yourself and would like to give comment. Uh, her ending in zero three, seven eight. Hi, my unmuted. Yep, we can hear you. Hi, good afternoon. Thank you for taking my call in support of adding a mill levy

for the benefit of Missoula aging services. My name is Cathy Kimura and I have lived in Superior in Mineral County for 20 years. In the past six years, I have utilized in highly recommended the caregiver education and support services available through Missoula Aging Services for the past two years. I have been extremely fortunate to have access to the services of their ombudsman program due to dementia. My husband resides in a care facility in Missoula. I am eternally grateful that the program is available to advocate for his safety and well-being, as well as other residents in the facility.

[00:47:41] The ombudsman program has restarted and facilitates regular family council meetings. They provide guidance navigating helpful resources regarding our rights, and they take timely action on behalf of resident family concerns. Their representation for the physically and mentally vulnerable is invaluable. They have been a top notch organization, providing services and a professional and sincere manner. I encourage all of you to thoughtfully consider and approve a new levy for the June ballot. This would at least be one step closer to supporting the financial need that will only increase as we all age and we could benefit from their services. Thank you for serving us commissioners and for hearing my testimony today. Thank you very much for your comment. Looks like we have another phone caller ending in four one seven five. We can't hear you if you're trying to give comments. Okay, if there are any other phone callers, people calling in via phone who would like to give comment just one more chance to hit Star six to unmute otherwise, I will turn it back over to acting chair Slotnick.

[00:49:09] Thank you so much, Violet, for coordinating all those callers, and thank you so much to all of you who've taken time out of your day to share your thoughts on this. Before we proceed to much farther, Dave, do you have any questions for Susan or Roberta?

[00:49:26] I have no questions. I would just like to say that I think folks have made a compelling case why this ought to be on the ballot.

[00:49:36] Yeah, so my only comment on this, if you think back over the last couple of years that we've lived through, possibly some of the most polarizing, divided times we've ever had in our country, and unfortunately, even here in our county where we've seen people behaving not the most generous ways to one another when they didn't agree. And it's so refreshing to hear such outpouring of empathy, caring, kindness and forethought to our fellow human beings and couldn't have moved by it all. But thank you for sharing that. And Dad, can we count your comments as a motion? You can be explicit on a Thursday.

[00:50:18] Well, let me just go ahead and make it explicit what the heck? So I would move that we adopt a resolution placing the middle of your request for Missoula aging services on the June twenty to twenty twenty two ballot.

[00:50:31] All right. I'll second that and call for a vote. All in favor. Hi. Hi, thanks. And thank you everyone who called in and thank you, Roberta and Susan, for all the work you've done. And Susan, I think we really need to call you out because we know your retirement is coming soon and what a way to have dedicated your professional life. We cannot measure our gratefulness.

[00:50:55] Thanks very much.

[00:50:56] Thank you all who've commented. And thank you, Susan, for your many, many years. Nearly four decades worth of service, I do believe.

[00:51:07] Thank you, commissioners.

[00:51:10] All right, our next hearing is, Hey, Josh.

[00:51:14] It looks like it looks like.

[00:51:16] Thanks, Dave. Thanks. I see that.

[00:51:19] Sorry, I don't mean to slow down your long meeting just because you're you're

[00:51:22] Totally

[00:51:23] Right on. I blew it. Please, please share what you have to say.

[00:51:26] Well, so the last day repealing the three hundred fifty thousand dollars and replacing it with the formal levy, what would that four mills generate in revenue for the program? I haven't heard that number tossed out there. Chris. I don't know if Susan has that information, so I saw Susan come back on, so I want to give Susan a chance. If not, I'm happy to try and answer.

[00:51:50] Thank you. Well, you might. I'm always in round numbers. As I remember, it was around seven hundred and fifty thousand. My close Chris.

[00:52:02] Well, that is a question mark.

[00:52:05] Good enough, thank you. Sure.

[00:52:11] When the media says it's good enough, I guess it's good

[00:52:13] Enough, we'll call it, we'll take

[00:52:15] If any other, any other media folks out there that would like to ask a question on this issue before we jump to the next hearing. Ok with that. Gina Miller is going to talk to us about a final adoption of revised health code and associated fees. Gina, please take it away.

[00:52:35] All right, thanks, I will I will be succinct and hopefully brief. So this this is actually a second reading. This should sound fairly familiar. And this is related to request that the FCC adopt some revised health code service fees by reference. So a little bit of background. Legislative changes in twenty twenty one require that changes to a health code be adopted by a local governing body and at this time, the Board of County Commissioners is that local governing body for that purpose. The City County Health Board amended health code fees on October 21st twenty twenty one and then approved a resolution asking the Board of County Commissioners as the local governing body under that state law, newer state law to adopt those fees by reference. The resolution that that you see in your packet is you will notice it's titled the first amended resolution and ordinance. And that's because it's just an amendment to the original resolution that adopted the entire City County Health Code by reference. So the the BCC had a first reading of this proposed ordinance at a public hearing on January twenty seven of this year.

[00:53:55] Public comment at that meeting was in favor of the changes, and then the state law requires that the proposed changes be made available to the public for at least 30 days before a second reading. So this is the second reading we have. We have had them available to the public in a in a few ways. They're available here at the department, there on our website, and they are published with the clerk recorder's office. So just a very brief background. We estimate that the additional or the proposed fee increases will generate a little bit over \$20000. That money will go to hiring a new environmental health specialist or sanitarium for the land services program to meet a pretty sharp increase in demand and public expectation of services like septic permitting, subdivision review, site evaluation, groundwater monitoring and responding to complaints. And that's really that's really all I have. I'm happy to share my screen to show you the proposed fee increases. There's a fee schedule on Page two of your board memo and also happy to answer any questions that you may have.

[00:55:12] All right. Any questions from the public before we go to today? All right, David, it's up to you, if you like.

[00:55:25] You bet. I just have one question for Gina. So for those who have not been tracking this item along the many weeks and months that we've been talking about it, could you explain what the buy reference pertains to here?

[00:55:41] I can do my best knowing that this is a newer state law, and it's certainly a new process for me as a health department employee. But but by reference satisfies the requirement in state law for a local governing body to concur with any local health code regulations. And and we believe through Anna's help and interpretation that a fee increase would be one of those health code regulations or service fees that should also be considered by the local

regulatory body. And do you have anything to add, I'm kind of I'm kind of fumbling with this process and the and the words in the state law are not are not great for describing what you're asking. I think you nailed it, Gina. Yeah. The last legislative session requires that the governing body approve certain changes to the health code. And right now, you are the governing body. Once there is a final inner local agreement between the city and the county, then the governing body will change slightly. But for now, it's just the commissioners. So there's a couple of different ways you could adopt the code in order to comply with the new law that the governing body adopt the code. And the way that we agreed upon was seven five one eight in the Montana Code Annotated, which allows commissioners to adopt codes by reference. So instead of writing down every single provision as your ordinance, you can have an ordinance that says this code is adopted by reference to this code. So what you've done is adopted, the health code and the fees associated with it. That's an act that's already occurred. But in order to ensure gold standard compliance with the new laws, when there's changes to the code or changes to the fees in the health code, then you adopt by reference those changes.

[00:57:47] Ok, there we have it.

[00:57:49] I think in the Legislature, they call this housekeeping is that sort of thing they.

[00:57:54] And there's two points I should have mentioned, and that is since we've published to our website and at the Clerkin recorders office in this last approximately 30 day period, we haven't received any additional public comment. And the state law also requires a 30 day period before this goes into effect. So these new fees will go into effect April 11th of this year. Should you choose to adopt the first amended ordinance today,

[00:58:24] By reference,

[00:58:25] By reference?

[00:58:30] And any public comment now that we have a really complete explanation.

[00:58:38] Ok. Ready for emotion? Absolutely. Ok, let's give this a try. I would move that we adopt the First Amendment ordinance adopting the Missoula City County Health Code and related fees by reference.

[00:58:52] I will second that and call for a vote all in favor. Say, Hi, hi, hi, there we have it. Ok, so as advertised at the outset, we are going to take a five minute break and we will see you back here at three zero five. Thank you. Thank you.

[01:05:10] Josh, I think you're muted, sorry.

[01:05:16] Ok, we are back our next hearing is on the Olsen family transfer and Nick Santos is going to lead the way. Thank you, Josh.. Let me share my screen here, and we'll get going. So this is the Alston family transfer. I'm going to start with a quick background on the project. So the proposed transfer is off of Highland Drive, which is on the west side of Highway 93 and between the towns of Florence and Lolo and the North Valley. The two 2002 Ludlow Regional Plan is the plan that designates this track, opening the resource with a recommended density of one dwelling for 40 acres. The property is also zoned. Getting into the current onsite conditions, the property is twenty one point eighty five acres in size. There are no structures on the property and it does address one five five zero nine Highland Drive. Now getting into the family transfer, the family transfer. Proposal, the claimant's mother, Katherine Jackson, would receive the four acre tract proposes track one, be the claimant. Ali also would retain ownership of the remaining seventeen point seven nine two acres, which is proposed as Track one a. The proposed density from the family transfer allocation would be one dwelling per ten point nine to two acres.

[01:06:47] The application was sent out to Missoula County agencies for comment. The only comment received was from the health department, which cited that the project must go through sanitation review or site in applicable exemption. Now, I quickly go for a staff analysis and any evasion criteria, points that were triggered during staff analysis. So basic criteria point two was triggered as Ali Olsen purchased the property March 15th of twenty one, which is within the two year window that the criteria asks evasion criteria number 14 is also triggered. As previously stated, the recommended density is one billion for 40 acres. The family transfer proposal would result in a density of one dwelling per ten point nine to five acres. And then last general criteria, number 18, the property is located in the

way we intermix and has a wildfire hazard level of high during the subdivision process, it would be determined whether these impacts are significant enough to require mitigation or are on. And mitigate all, sorry. Next, I will go over the family transfer questions with the claimant. I think I saw Ali on here.

[01:08:02] Yep, I'm on here. Can you hear me? Yep.

[01:08:05] Can I just have you set your name for the record?

[01:08:07] Ali Olsen, thank you.

[01:08:10] Question number one, did you buy the property with the intent of dividing it?

[01:08:15] No, the property was not bought as an investment. I did want enough land that could be divided for myself and then my mother to eventually live on the property with me.

[01:08:25] Thank you. Do you or your transferees intend to transfer the property within the next year? No. Question three. Have you talked to anyone at the county about going through subdivision review?

[01:08:37] No, because we didn't purchase it with the intent to actually subdivide or develop the property. That was not a consideration of mine. I just wanted to create a parcel for my mom to live on the property eventually with me.

[01:08:47] Great, thank you. And the last two questions was proper to be developed.

[01:08:52] The property will eventually have my home on it with the hopes of having a second home for my mother to live close enough by

[01:08:58] Thanks and then last question, will the recipient of the property be residing on the property? Eventually, yes. Thank you. And conclusion, commissioner staff is recommending approval of the pros transfer, and I will turn it back over to you. Thanks a lot, Nick. So do we have any public comment on this? Right, any comment from the owner or her representative?

[01:09:33] No, no comment for me.

[01:09:35] Thank you. I'm Dave. Do you have any questions?

[01:09:40] I do not have any questions.

[01:09:43] All right. I don't have any questions, I like the I'm going to quote. We bought this property not as an investment. I appreciate that is in line with the ethic around family transfer. Absolutely.

[01:09:58] Yeah. Ok, I would. Yeah, I would move that. We approve the request by Ashley Olsen to utilize the family transfer exemption as presented in the exemption application and affidavit.

[01:10:11] I'll second that all in favor. I. Thanks, Nic. Thanks, Ali. Thank you. Thank you. Ok, next up is Matt Hymel. He's going to talk to us about green acre storage units, buildings for lease or rent.

[01:10:32] Good afternoon, commissioners, about time with your community planning services. So this is a request from Dustin and Megan St. John. Represented by Sean Amos, six, engineering or a building for lease or rent project known as Greenacre Storage Units, and I will share my screen. I have a quick PowerPoint show. And as typical things seem to have. Froze it on my end. Just a moment I'll be up and running. Ok, so here on the screen, I have a aerial image showing the location of the property highlighted in green on the left hand portion of the screen. This property is located at 11 for 50 Améliore Lane, which is north of and adjacent to. Lois Lane, about a quarter mile east of Malone Road in the French town committee area or the south end of that. And it's about three and a half miles northwest of the Y, so you can see Highway 90 three north. And Interstate 90, just for some context of where we are. Here's a closer aerial image showing the adjacent Lois Lane and Bolin Road just to the West. Surrounding land uses are. Agricultural. There are some single-family residential dwellings on adjacent properties, however, the

predominant use is agricultural for adjacent properties. Then here we are even closer. And this image shows some adjacent irrigation ditches, so the French town irrigation ditch is shown in a reddish color to the left.

[01:12:33] Of the of the property or to the west adjacent to the south boundary and circling to the north and east are the Grass Valley French ditch. So there is an active irrigation operations in the area as well. And the property is unknown, of course, so buildings for lease or rent as applicable for unsold lands and the 2019 land use element. An update to the twenty second growth policy designates this property with an agricultural land use. Working lands is just to the northeast over. This property in the immediate vicinity are designated as agricultural lands. So this site plan is flipped over, so north is. Facing to the left or your left hand side. I'm going to switch back to the aerial. So Lois Lane was on the South End or the bottom part. That street is now flick to be on the right hand side. So north is to the left. And the proposal overall is for 15 storage buildings with four hundred and fifty three storage units and internal gravel surface to vehicle circulation. Some security fencing and stormwater detention ponds. There are two approved single family dwellings on the property and accessory structures, potentially a third on the North End, which will get to later, however, be any residential component to this property. As shown on the site. Plan is not subject to buildings for lease or rent review because it does not hit that threshold for four or more residential units.

[01:14:18] So this building's for lease or rent proposal and review is just limited to the storage units aspect. So that storage unit area, which would be on the upper part of the screen, which would be the southeast portion of the property, is about seven and three quarters acre. And that's that's rounding up by including all of the the internal access area and the fencing and the stormwater ponds. So just under 30 percent of this of this property will be used for this building for lease or rent. And here is an image that's closer. To the building church on the way out, so again, these are single level storage unit buildings. With 15 storage buildings up to four hundred and fifty three units. This slide shows the buildings for lease or rent review criteria. So we look for impacts to human population and physical environment. Also, we look for adequate water, wastewater, solid waste facilities, adequate access to the site, adequate emergency services and whether it applies with any applicable floodplain regulations. Staff is recommending approval of this request, subject to a few conditions of approval. Findings, conclusions and conditions are in the staff report and if there's any any questions, I'm happy to go over those as well, and it looks like the applicants representative is also on the call today. All right.

[01:16:04] Thank you, Mat, before we get to the applicants representative, is there anyone out there in the public that would like to comment on this proposal? All right, we'd love to hear from the applicants representative. Hey, guys. Sean, with forensics engineering, I don't really have much to add. Matt covered it pretty well. Do you guys have any questions for me? I'm good.

[01:16:38] Ok, thank you. Thank you.

[01:16:43] All right, Dave, what do you think?

[01:16:45] Let's see the motion, Matt. All right. I would move to approve the Green Acres storage buildings for lease or rent project as represented in the application packet based on the findings of fact and conclusions of law in the staff report, subject to the conditions of approval found in the staff report.

[01:17:08] I'll second that. And all in favor. Hi. Hi. Thank you, Mat. Thank you. All right, Matt, you are up next as well with a minor subdivision.

[01:17:33] Ok. Hymel, again, I'm just getting my screen in order, shuffling around some different. Ok, so this next item is a request for Passenger Minor Subdivision. The applicant is Mark and Sasha Yeager, represented by Joshua Phillips with Eli and Associates. I will share my screen here. Here's a broad aerial image, and this is a two lot minor subdivision proposal in the Houston area, about two point three miles north of French town French Road. The property is at twenty one point fifty conifer drive. Go to another map that look closer. Oh, wait, wait closer. And surrounding properties are all single family, residential or open space to the north and east. Here's a thought I'd go to, so here's one a bit zoomed out, you can see this is off of Nine Mile Road and conifer drive looping around around the property. Six Mile Creek is just southeast of the property. However, this is elevated above it, so there are no flood or drainage concerns. Property is nineteen point seven three acres an area. And here's another map showing the topography for the area. So these slopes are leading up to the reservation divide up of nine mile by Mile Valley. And this map shows the subject property with some existing.

[01:19:33] Site. The property is mostly wooded hillside slopes vary from five to 14 percent of grade. So there is no concern over over steep slopes on the property. It is on zoned the two thousand two regional land sky, just designated as rural residential with a recommended land use density of one per 10 acres. So having two residential lots as a result of this subdivision is combined with the growth policy. It's currently developed with one single family dwelling unit, there be one new three point seven three acre lot for single family. Development on the West End. So here's an image of the robot showing that. So the existing house would remain a lot, one which will be about 16 acres. The new lot will be lot too, about three point seven acres an area. It's a bit closer, a lot to will be accessed by an improved local road. There is an existing driveway, however, due to being legally assets accessed by two of our lots. It is a local road, so it will be improved as such, and it's proposed to meet the County Road standards with a turnaround stemming from driveway requirements for four lot to. Overall, the main takeaway for this subdivision is that it is in a wildfire hazard area, and as such, the application came to us and sufficiency review with proposed mitigation consisting of requirements, for example for fire sprinklers, non combustibile siding and decking.

[01:21:15] And there are also defensible space requirements for the new road construction being defensible space area within 100 feet on one. So the recommended conditions of approval to that effect are really just to clarify text and make sure that the covenants are updated to specify when plans need to show sprinklers and when those inspections, they need to take place in the building permit process because, as I said, the application came to us with those items. So these conditions are really just to clean it up so that when we review permits, it's a very clear process and that future property owners can be very aware of those requirements as well. Other recommended conditions of approval include ensuring road construction to standards, creating a drainage plan review and weed management plan review. And I think that is. About all I have to show on this subdivision, there's any questions about what is in the staff report, I'm happy to take those as well. I also see that the owner and Oelwein associates are also on this call.

[01:22:30] Thanks, Matt. Before we get to the owner and the owner's representative, any public comment on this? Ok. Owner or owner's representative to speak on this.

[01:22:50] Hi, this is Joshua with Eli, an associate.

[01:22:55] I don't really have

[01:22:56] Anything to add as far as as far as anything that.

[01:23:05] That was just covered, I think that covers it pretty well.

[01:23:09] I think there was maybe just one element that was puzzling to me in Item 18 of the covenants that mentioned something about provisions required by Missoula County, a section entitled that, but we didn't include that. Um. I guess my only comment about the requirements would be that I think it's inappropriate to have a requirement to put this area in a wildfire hazard area. On the face of the plat, it just seems like. Why would that not be acceptable within the covenant, which are also announcements to any future landowner? It just seems like if we're putting that on the plat, why wouldn't we also put that?

[01:24:11] You know, there's bears in the area.

[01:24:14] So that's my only comment about that requirement to put that on the face of the planet.

[01:24:26] Rick, thanks. Did you have any questions?

[01:24:35] Yeah, I have one, so we received a comment letter from a neighbor, David Smith. And he was not real keen on this proposal, and one of the statements that he made was that he would not grant an access easement. But looking at what we have on the screen here, it does not appear as though any access across that individual's property would be required. Joshua or Matt or anyone else, could you please clarify that for me?

[01:25:09] Yeah, this is Joshua with Eli and Associates. I can speak to that. There's an old survey. I don't have it in front of me, but on maybe on the previous exhibit that Matt showed. Uh, there's yeah, so you can see down there on the left side of the screen, there is an easement shown on an old survey that we initially were pursuing for access.

But when we dug into the language of that easement, it was really more like written permission to the owners at the time. And the surveyor decided to show it on the survey document, but that that is an obsolete easement and our client did approach that a joiner and ask to use that easement. And he said no. So I think that maybe was just a sort of a residual comment

[01:26:14] On the previous proposal.

[01:26:18] Ok, thank you. One more question, Josh, if I may, and this would either be for Matt or Tim, as far as what gets depicted on the face of the planet, it seems to me that we're talking about a qualitatively different thing when it comes to wildlife, wildfire hazard versus wildlife, and we don't regulate wildlife through zoning. We do, however, have regulations that speak to what you can or cannot do on your property as it relates to wildfire mitigations. And in this case, I guess I would see it as buyer beware. This is this is an area that has seen and we'll see in the future wildfire, and there are certain expectations associated with that. Covenants can be changed and don't carry with them the force of regulation as as other land use provisions. So Matt or Tim could either speak to that.

[01:27:25] Oh yeah. Dave, I think John, Mike, John Hart might be on.

[01:27:29] John?

[01:27:29] Yeah, yeah. John, could you speak to this issue of the notice of required notice on the plat that this is a wildfire area?

[01:27:42] Commissioners, I wasn't aware of this particular requirement, plat requirement until this meeting started, I didn't review this subdivision honestly until earlier this morning, but it seems to me that this is a perfectly legitimate requirement to put on the face of the plant if indeed this land has been shown to be in an area of wildfire hazard. I think it just puts buyers of a lot in this subdivision on notice of that, and I don't know that there is a particular harm in having that on the face of the plant. You know, I can't tell you where it's happened. I can't tell you the specifics of it happening, but I think we're all aware that local government can sometimes be a target of liability or for lawsuits when wildfires happen and they happen in land that's been subdivided and approved for development by local government. So this is just one of the, in my opinion, very reasonable steps that Missoula County can take in in conditioning this particular subdivision in wildfire hazard area so that those would be my my humble observations. Thanks, John. Breaks.

[01:29:20] Yeah, I don't have any further questions this. Looks relatively straightforward in the grand scheme of things, I'm ready for emotion.

[01:29:28] Ok. Please make one.

[01:29:36] And I'm loving the rephrasing of some of the motions in the active voice.

[01:29:40] I appreciate that too.

[01:29:42] Well done.

[01:29:47] So I moved to approve the House and A. Minor Subdivision based on the findings of fact and conclusions of law and the staff report and subject to the recommended conditions of approval in the staff report,

[01:29:58] And I will second that and call for a vote as well. All in favor, say I, I. Thanks, everybody. Thank you. Ok. Next up is the St. John family transfer, and Matt, you're with us yet again.

[01:30:20] Our commissioners met here again, I'm going to. Shift gears open up a different PowerPoint that brings us. Back to property that we just saw. What's my screen gets a little? Under control here I will, I will share my screen. Okay, so this is a request again from. Dustin and Megan St John being the claimants for this family transfer, represented again by Sean Edmondson with four of six engineering. This is a request for a family transfer exemption from the Subdivision of Plotting Act to create and transfer one parcel to an immediate family member. And on the screen, we have a broad image showing a property that also just receive the building for lease or rent approval.

Again, properties located at 11, four, 50 lane north of and adjacent to Losail Lane, about a quarter mile east of Malone Road, Grangetown Community Area also being about three and a half miles northwest of the Y. So the property is zoned, it is designated with the agricultural land use designation from the 2019 Land Use Area Element, which is a payment to the Twenty Sixteen Growth Policy. And so this site planned again shows Lois Lane on the right hand side. So the property's been flipped and north is pointing to the left. So the property is twenty six point nine acres. The proposal is to create one new track to be transferred that is on the left hand side of the screen or the north point of the property that would be about six point eight acres. Are the claimant's nine year old son is the intended recipient? And lot one retract one would be the remaining track to be under ownership by the claimant with the approved buildings police for project, in addition to up to two per approved dwelling units tracked to again would be intended for single family residential use.

[01:32:54] Where oh, excuse me.

[01:32:57] So for general evasion criteria, rebuttable presumption, this hit a number triggered a number of those criteria and staff analysis. So in the staff analysis, there does appear to be intent to evade subdivision review. Sap is recommending denial of this request, and I do have questions for the claimant ready to go if they are the representative are available. Yep, I'm here. Dusty. Ok. You please state your full name for the record, Dustin St. John. Okay, thank you. So I have five questions. One. Did you buy the property with the intent of dividing it? No. How do you or your transferees intend to transfer the property within the next year? No. Have you talked to anyone at the county about going through subdivision review? No. I might have said five questions, but I have six, sorry, so for the question. Do you have a trust established for the child to hold the property? Yes. Seven. Who is the trustee of the trust or who controls it?

[01:34:14] My wife and I.

[01:34:19] And my final question, if the property is sold, will the money be held in trust? Yes. Ok, thank you. That concludes my question, commissioners.

[01:34:31] Thanks, Matt. We have any public comment on this. All right, I'm. Do we have any comment from the owner or the owner's representative?

[01:34:50] Done for me, this is Dusty.

[01:34:52] All right, thanks, Dave. You have many questions for Matt or Dusty.

[01:34:58] Yeah, Dusty, Mr. St. John. So why transfer this to your nine year old son now rather than when? He's an adult

[01:35:14] To me, that was a pretty simple question I had in my mind, I don't know what's going to be available to us at that time, and what I'm trying to do for my family is provide a secure future, especially with the scenarios we're seeing with people moving to Montana and the growth of Montana in general. Being a sixth generation Montana and even local Missoulian, I want to have the ability for my family to be close to me and have opportunity that may not be available to them in the future by way of state law or by way of housing costs and prices.

[01:35:50] I guess where I'm getting at. Mr. St. John is that it's it's highly unlikely that anything will happen to this state statute related to family transfers, and I've seen no indication from the Legislature that anyone wants to mess with it. And presumably, if you retain ownership of the parent parcel, the overall parcel, this could be severed off at any point in the future.

[01:36:20] So that do have a question. I do have a question on that. How is that impacted by the zoning progressions that could happen out there? Would I be impacted at all with that? We've given up on zone right now.

[01:36:40] I would I would defer to staff on on how that relates to family transfers. I think there's still a fair amount of discretion.

[01:36:48] And we did just approve basically entitle buildings for lease or rent on the parent parcel. And it's my understanding that no matter what zoning happens next, we can't go back. We're not going to. Is that is not correct. Please, somebody, John, correct me if I'm wrong on that. We can't take something away via zoning that we've that somebody already has. Did I get it? Please, John? Correct me if I got that wrong.

[01:37:17] Well, to the extent that you just approved the buildings for leasing. Yeah, that's that's done. That's a done deal.

[01:37:25] So I think, John, though the question the question pertains to with the contemplated zoning or any zoning that might be overlaying on this parcel, how would that play into a future family transfer as opposed to a family transfer right now when it's zoned?

[01:37:45] All right. When you're done with that, I want to add one, too. So thanks.

[01:37:49] Well, I can't tell you. I can't tell you what zoning designation this property might have in the in the zoning regulations that are in front of the planning board right now. But whether the property is zoned or zoned is not is not one of the elements that we review or the governing body you review in making a decision about a family transfer. I mean, we do. We do see. We do see. Wanting to be in substantial compliance with the growth policy in making a family transfer decision and a division of land in that respect, but not zoning. Zoning isn't part of our criteria review, nor is it part of the statutory scheme as a basis for approving or denying exemption application.

[01:38:59] So thanks. So, John, let's say new zoning happens five years from three years from now and. The St John's had not yet developed their buildings for lease or rent, but they are effectively entitled as at this moment, could they still build those buildings even if the new zoning says this is supposed to be something that would otherwise preclude such things?

[01:39:24] Build, which buildings

[01:39:26] His buildings for lease or rent, his storage units.

[01:39:32] Hmm. Well, I if he waits three or five years, I mean, I wouldn't recommend that, but it sounds like the, you know, I mean, he's he's made the proposal for that. It's been granted. I would hope that that that the the idea is to follow through and build those soon. I don't want to speculate about, you know, what happens to the in the future zoning changes things like that. It's a little too hypothetical. But he's certainly certainly has that entitlement as of as of a half an hour ago and going forward into the future.

[01:40:12] So let's say, if we're just jumping to, let's say, June, we get new. The new zoning happens in June, the new zoning in the new zoning, if this land would not be zoned for something like buildings for lease or rent, but we have just entitled this piece for building Lisa rent could the St. John's commence construction in August? If they could find a builder and building materials.

[01:40:40] So you're asking me something that it's not entirely settled in Montana law. If I if the scenario was did he have a building permit to start to build these, I could say absolutely a hundred percent solid short of a building permit in hand. The argument, you know, you could make arguments to the contrary, but I don't I don't want to give the impression that our zoning updates are going to are going to affect Mr. St. John's and his wife's entitlement to for the buildings from Deseret that you, you. But but again, I don't I don't want to be on the record as as definitive there.

[01:41:36] Thanks. What concerns me here is that the parent parcel, which is now a new parcel, is decidedly a commercial entity with all of these storage units and a wonderful thing, but could certainly be sold as a commercial commercial entity. This my sense on the spirit behind a family transfer is that one member of the family is living on the property and that carve off a chunk for another member of the family to live there as well. Not a minor, but someone who could construct their own house. And this isn't done, so you could create a piece of property sold for for a commercial interest. That's just my sense of the spirit of it, and I really don't see that this where we have now a new parcel of land with a large amount of storage units on it and then another parcel of land in effect being given to a minor. This does not seem at all consistent with the spirit of

[01:42:29] Family transfer to me.

[01:42:34] Well, and I would also say it's. I don't think in the spirit of family transfer simply to. Perhaps even though it might be allowed to create a trust for for that legal instrument to be created. Sell it off in a few years, the money go into the trust and and the recipient never dwell on the property. And I could be wrong. But when my kids were nine years old are now the one. They're much older than that. I have no confidence that they will actually reside at the place that I might choose for them to reside. So I think

[01:43:19] We have a comment. I have a comment on that, although I do agree with your guys's opinion or not agree with, but I respect your opinions. I would also state that I may not have this opportunity in the future to do something like this, and that is really what what it is about for my family and my kids. And the assumptions made about my family and my kids based on your opinions probably shouldn't be something we dictate the decision on. So please, please keep that in mind when we're looking at this. This is this is a much larger play for my family and I to be successful as a family unit for generations to come. Much as this was stripped away from me in East Missouri with my family as the fourth generation growing up on that property and having to leave that property last summer because of a Californian scenario that bought a bunch of bad land and putting high density units on it. So it really is an emotional connection for those involved and not and appreciated. The opinions were maybe more factual.

[01:44:30] So thankfully, family transfer is not the only tool at your disposal. And given that this is not a clear in clear alignment with. The spirit of family transfer you. If that if we side know on that, you could certainly go through mine or subdivision, and that would be very straightforward. That's exactly what this is, and you would absolutely achieve your goals of having two pieces of property and you could keep them sell them, dwell on them. Whatever you like, you would have a wide breadth of all the breadth of opportunity available, and it would fit quite well with the spirit of MLA around a minor subdivision. So this if this was the only tool available, I would be very moved by what you just said. Thankfully, it's not.

[01:45:21] That's good to know. Thank you. Yeah.

[01:45:24] In fact, the the previous item is a great example of a minor subdivision that's not entirely unlike this that's achieving the goal of splitting off a parcel.

[01:45:39] And it gets all of eight minutes to move through.

[01:45:42] It was not a big deal.

[01:45:45] Hey, guys, Sean, with four six engineering here.

[01:45:48] Maybe, Matt, you can answer this for me.

[01:45:50] I think the issue is with the zoning change, the density

[01:45:54] For the proposed zoning change. He wouldn't be able to do anything with this property

[01:45:59] Because it's only 27 acres

[01:46:01] And minimum

[01:46:03] Dwelling size is 40 acres, I believe. So once that zoning

[01:46:08] Changes, he doesn't have an option to do anything. I just wanted to get that out there.

[01:46:14] So. I guess, Josh, if I may, a question back to John Hart, that's John, is that is that an accurate representation of what would be available or allowable in the future based on what you said earlier? Zoning is not something that we would be shackled to when it comes to a future family transfer, given that it's not one of the review criteria.

[01:46:51] Commissioners, I'm not familiar with how this particular piece of property is proposed to be zoned. I see Tim Morris got his hand up. Tim Timms, let's let's see what Tim has to offer on this particular issue.

[01:47:05] Good idea, Tim. Commissioners, we believe that if this request had come to you after implementation of the zoning, assuming it's one home per 40 acres, it would be subject to the zoning. So that is a consideration. Now, if the division were to happen with an action today, we have some level of confidence that we would need to honor that land division in the form of a family transfer, even should the zoning go forward whenever that happens. If that makes sense, it's a sequential issue. Right.

[01:47:53] Well, Josh, if I may. So, so Tim or John, nothing, though, would preclude a request for rezoning. Correct. If at some future time the desire was either to do a minor subdivision here or

[01:48:12] To

[01:48:14] Do a family transfer that could be concurrent with a request to rezone that would allow for the. The severed off parcel to be developed as as proposed for today.

[01:48:31] Yes, they would have the right to request a rezoning.

[01:48:38] Ok. Which is not uncommon concurrent with subdivision proposals to request a rezoning, I guess I'm still pretty uncomfortable with a proposal like this where it's and I respect the sentiments of the the applicant, but the the reason we have the rebuttable presumption that we do and are reviewing them in the way that family transfers, the way that we do is because we've seen enough instances where folks have come before us with the very best of intentions and and the parcel never ends up being resided upon by the children and is just for all intents and purposes and investment opportunity. Not to say that's what is intended here today, but that is what we have seen.

[01:49:35] The other comment I can make is we are in process right now of taking public comment on this zoning, it's it's quite a ways out yet. So if you really are hot to trot on this, you could apply for a minor subdivision next week. Understood. Thank you. Dave, what do you think?

[01:49:56] Yeah, I'm ready to see the motion here, and I guess the last comment I would make before doing so is I would whether it's for 06 engineering or others out there, other consulting firms, please do take notice. I don't want to waste anyone's time with these sort of proposals. It's all always your prerogative to run these things up the flagpole. But I think this commission is as made pretty, pretty clear that we're extremely hesitant to approve. Or I should at least say we we give great weight to the fact that that there are possible unintended consequences with family transfers to minors. So with that, we're ready for the motion. So I move that we deny the family transfer exemption request by Dustin and Megan Saint John, as presented in the subdivision exemption affidavit based on the rebuttable presumption of Asian criteria and conclusion in the staff report.

[01:51:07] I'll second that. All in favor I. Thanks, everybody. Thank you. Tim Worley, Houston A. Subdivision. Good afternoon, commissioners, yeah, we have one final land division proposal before you today, it's Houston Acre Subdivision, a proposal for five lots on seventeen point thirty three acres. Unfortunately, I'm frozen at the moment.

[01:51:57] Here we go.

[01:51:59] This request comes from Trail West Bank, which is the fee owner. More and Josh Clues Switch Family Trust are the contract buyers, and representing them is Montana Northwest Company. Lot sizes for this subdivision range from about an acre and a half to four point sixty four acres. This 17 and a third acre property is near the Husson exit west of French town. Just to provide some aerial perspective. Here's the subdivision. Six Mile Valley is immediately to the West. This is the Clark Fork River, a French town pond to the east and French town proper, also to the east. This is an aerial image of the Houston interchange with the parcel outlined. And this is the preliminary preliminary plot showing the five lots in question. And these are. Building envelopes proposed for each of the five lots, and they're proposed mainly as AG impact mitigation. They're set back from the interstate, which is on the north boundary of the parcel, about 150 feet and. Homes will be required to be built within each of these building envelopes. We take a look at growth policy, what's recommended is density in this area, one dwelling unit per five

acres, and I should note that the growth policy dates back to the 1975 plan. This is also within an activity center, which was envisioned as an area of focus growth being around the.

[01:53:59] Freeway interchange. There is a citizen initiated district that applies in this location as zoning adopted by the citizens in this area in, I believe, 1997, which allows a residential density of up to one home per acre. This applies to the property. It's known as Z. 42 Residential. Again, here's the plot, and I'll speak to some of the conditions and aspects of this proposal. We do have a condition recommending that those building envelopes be shown on the final plat distinctly in bearings and distances so that they can be recreated out in the field. There's an irrigation ditch easement that runs along the southern edge, where in the French town irrigation district, there's actually a ditch that runs through here and goes underneath Hewson Road. So four of the five lots have direct access to irrigation water via the ditch and lot. One will have access by way of an easement here, so all the plots in question will have access to irrigation water. There's also an easement and shared pump and water line agreement that addresses. Water line here that's also part of the irrigation district and it applied to. Actually, this whole parent parcel, plus I believe this parcel immediately to the West and since the parent parcel basically had the right and the access to this water, we're recommending a condition that the use and scope of this agreement be clarified for this subdivision.

[01:55:53] And we're also recommending that a 20 foot wide irrigation easement be placed along that common lot boundary where you see the blue arrow between lots three and four. Houston Road, immediately to the South provides access to this subdivision, and no new roads are proposed to be constructed as Houston Road is a county standard road. There's a proposal to consolidate accesses between lots one and two and lots four and five. So the only lot that will have individual access on the Houston Road is Lot three. One condition we're recommending because of shallow groundwater is no basements on lot one. And commissioners, you'll see a number of conditions related to the covenants, which in most cases are either updates, corrections or clarifications. We did have one comment from a property owner south of Houston Road near the parent parcel. This landowner has observed foxes, eagles, hawks and kestrels on the property. She noted that elk crossed the interstate on a regular basis at this location, and she commented that this lot contributes in general to open space and community well-being. And her comments are attached as the final attachment of the staff report. In summary, staff recommends approval of the subdivision. Thanks, Tim. Do we have any public comment on U.S.A. A. Subdivision? All right, could we hear from the

[01:57:53] Developer or the developers representative?

[01:58:11] Not out there. I'm seeing Lynne Eaton's from Montana Northwest on the call. She was going to contact Ken Jenkins from Montana Northwest, who was actually on the road during the hearing, and I'm not sure if Lynne is able to. Communicate with us or can.

[01:58:43] The rare subdivision without any representation from the champion. Well, right, well, I have a question, Josh. So, Tim, what's the deadline to take action here? Are we up against the the deadline today? It just seems a little odd to be doing so without the applicant even available.

[01:59:12] Deadline is March 14th, which doesn't do us a lot of good. We would really need to extend it. Well, our next hearing date is the 24th. I believe so. I haven't heard anything contrary regarding recommended conditions, we are recommending approval. Ok. So I feel relatively safe. Interestingly, I see on the line, I see both Montana and Northwest Number and Lynne Eaton's number, so I'm just surprised we're not hearing from them. I wonder if they're having technology issues.

[01:59:52] Maybe just a quick reminder that if you're coming in on the phone, you do need to hit Star six on your keypad to be able to speak in the meeting.

[02:00:01] Thanks. I think I saw Lynn. Although I'm not hearing her.

[02:00:10] Well, while we're waiting for them, Josh, I have a question, please. So Tim, could you speak to the wildlife impacts issue that someone raised out there? How what's your assessment of that?

[02:00:26] This is a challenging one in that this is one of the larger parcels still kind of close into the Hudson Interchange, and I don't doubt the veracity of the neighbor's comments as far as what's been observed on that property. We haven't heard anything from Fish, wildlife and parks, or Audubon Society regarding how critical this parcel is for. Wildlife habitat and being so close in to. The interchange and all the development and being zoned for one home per acre. I think we would have a difficult. Um, time kind of flipping our recommendation, or I don't know what kind of mitigation we would recommend at this point, I mean, I think the building envelopes do have some function for supporting open space on the property. It is going to be a fragmented property as all subdivided properties are. And that might be the best that can be done. Yeah.

[02:01:43] Can you guys hear me now?

[02:01:46] Yeah, we can hear you, Lynn. Great, welcome.

[02:01:50] I have both lines at my office tied up the other one would not let me connect.

[02:02:00] So I guess just to complete this thought, Tim, I. The concern is not lost on me, I know that they're in this particular area, I've seen elk north of the interstate and I know that they are south of the interstate also, and we see this across our neck of the woods. Be that Highway 93 south of Ludlow or along I-90 is. How do you provide in this ever more fragmented landscape wildlife connectivity? This, whether this is developed or not, does not do anything related to the fact that you still have wildlife that are trying to cross four lanes of interstate. So that's a that's a separate issue. But it's yeah, I don't know if we were to have received comment from fish, wildlife and parks that this is like the only wildlife crossing in the in the vicinity. And it's it's critical for for that purpose. It might be a different story, but having not heard that. There's not much to hang your hat on here.

[02:03:19] Yeah, I think we would say, I mean, there's better and and not so good places for land divisions. If in the Houston area, you're going to divide land. I would say it should be within an area that's zone for up to one home per acre, and this CD 42 residential is actually it's a continuum that runs actually from the Clark Fork River kind of to the West Southwest in an arc, and it's actually zoned for one home for 40 acres, and there's very little development on that portion of 42. It runs in this eastward arc to the X'd 42 residential and then further to the east. Immediately east of this property, you have 42 commercial, which has an opportunity for even greater density and you have a bar and grill and storage units at that location right next to the interstate. So. Right. Thanks. Ok, do we have any comment from the

[02:04:32] Developer or developers representative?

[02:04:36] Hi there. Sorry, this was hard for me to connect, this is Lynne Edens with Montana Northwest Company. Thank you, Tim, for presenting us really well. Um, we just wanted to touch on one thing is that pump and irrigation line that you have between three and four lots, three and four. That was an easement stipulated and actually goes underneath the interstate, is what we were told. So that one we kind of need to look at because it's really not irrigation water designated to this land as it is today, it goes across the interstate to land. On the other side of the interstate is what we've been understanding. Um, and the other, I thank you for your comments about wildlife, which we've done a lot of effort mitigating and trying to keep a boundary from not only the freeway, but, you know, keeping small eggs so that this isn't a completely developed lot on every side. We've set setbacks in there trying to mitigate and keep it open for the area that it is, but surrounding it there is a lot of development, so it does fit right in.

[02:05:50] Thanks.

[02:05:52] Thank you.

[02:05:54] Dave, do you have any other questions?

[02:05:56] Nope, I'm ready for a motion. Ok, thank you. All right, I would move that we approved the Heusen Acres subdivision based on the findings of fact and subject to the required conditions of approval.

[02:06:22] I'll second that. All in favor. Hi. Hi, thanks, Tim.

[02:06:31] Thank you, Tim.

[02:06:34] And thank you, everybody who joined us today. Unless there's other business,

[02:06:39] We are adjourned.

[02:06:42] Yeah, by. Thanks, commissioners.