

Missoula Board of County Commissioners

PUBLIC MEETING MINUTES COVER SHEET



THURSDAY, JUNE 2, 2022 – 2 PM

Hybrid meeting – Missoula County Courthouse Annex Sophie Moiese
Room/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.

1. **CALL TO ORDER** *[Time stamp – 00:09]*

Commissioners Present:

Acting Chair Slotnick

Commissioner Strohmaier

Staff Present:

Violet Plummer, Administrative Assistant, Commissioners' Office

John Hart, Deputy Civil County Attorney, Attorney's Office

**Juniper Davis, Parks, Trails & Open Lands Program Manager, Community and Planning
Services**

Karen Hughes, Assistant Director, Community and Planning Services

Nick Zanetos, Planner, Community and Planning Services

Jamar Galbreath, Equity Coordinator, Commissioners' Office

Kyla Lehnerz, Administrative Assistant, Commissioners' Office

**JD Sessions, Public Safety Communications Officer and Reserve Deputy, Sheriff's
Office**

Shane Stack, Director, Public Works

Tim Worley, Senior Planner, Community and Planning Services

Shannon Therriault, Director, Environmental Health

Rozlyn Haley, JEDI Fellow, Commissioners' Office

Mel Fisher, Strategic Initiatives Manager, Communications and Projects

Dylan Jaicks, Civil Attorney I, County Attorney's Office

Allison Franz, Communications Manager, Communications

Jennie Dixon, Planner, Community and Planning Services

Jason Emery, Missoula County Chief Information Officer

Andrew Czorny, Missoula County Chief Financial Officer

Chris Lounsbury, Missoula County Chief Administrative Officer

Chet Crosver, Director, Community and Planning Services

Erica Grinde, Director, Risk and Benefits

Andrew Hagemeyer, Senior Planner, Community and Planning Services

Laurie Hire, Office Manager, Community and Planning Services

Glen Ingram, Temp, Community and Planning Services

2. **LAND ACKNOWLEDGEMENT** *[Time stamp – 00:02]*
Missoula County acknowledges that this event takes place in the aboriginal territories of the Salish and Kalispel people.
3. **PLEDGE OF ALLEGIANCE** *[Time stamp – 00:02]*
4. **PUBLIC ANNOUNCEMENTS** *[Time stamp – 0:43]*
 - a. **Proclamation: Pride Month**
5. **PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA** *[Time stamp – 04:54]*
6. **CURRENT CLAIMS LIST** *[Time stamp – 04:54]*
Claims received as of May 19, 2022 to May 25, 2022 by the Commissioners' Office total \$2,099,105.56.
7. **HEARINGS** *[Time stamp – 04:54]*
 - a. **Proposed changes to the Community Decay Ordinance**
Shannon Therriault, Director, Environmental Health

[Continued to June 23, 2022 Public Meeting]
 - b. **Trails Bond - Shared-Use Pathway Engineering** *[Time stamp – 15:58]*
Jackson Lee, Parks & Trails Project Specialist, Community and Planning Services

[Resolution 2022-064. Book: 1076 Page: 1034]
 - c. **Lester Aggregation and Family Transfer** *[Time stamp – 27:40]*
Nick Zanetos, Planner, Community and Planning Services

[Letter 2022-196. Mailed To: Debra Lester]
 - d. **Hanson Family Transfer** *[Time stamp – 32:40]*
Nick Zanetos, Planner, Community and Planning Services

[Letter 2022-195. Mailed To: Paul and Margaret Hanson]
 - e. **Removal of 1' No-Access Strip – Water's Edge Subdivision** *[Time stamp – 40:37]*
Tim Worley, Senior Planner, Community and Planning Services

[Continued to June 30, 2022 Commissioners' Special Public Meeting]
8. **OTHER BUSINESS** *[Time stamp – 2:38:00]*
9. **ADJOURN**
Acting Chair Slotnick – Called the meeting to adjourn at 4:39 p.m.

BCC Public Meeting June 02, 2022 – Transcription

This transcription was produced by transcription software. There may be discrepancies between this transcription and meeting dialogue. You can view the recording of the meeting on the county's YouTube channel: <https://www.youtube.com/c/missoulacounty> or contact the commissioners' office to obtain a copy.

Dialogue in the transcription attributed to "Sophie Moiese Room" is for all speakers that attended the meeting in person. Attendees that participated virtually are labeled individually.

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Speaker1: [00:00:02] First up, we would like to acknowledge that this event takes place on the air in the Aboriginal territories of the Salish and Kalispell people. We would also like to invite you to join us in the pledge. First up, we have a proclamation.

Speaker2: [00:00:43] Right. Thank you, Commissioner. So proclamation of Missoula County. Whereas, Missoula County acknowledges the lasting impacts of the homophobia and transphobia highlighted by acts of physical, mental, emotional and institutional violence against lesbian, gay, bisexual, transgender, queer, intersex, asexual, and two spirit people and communities both within the United States and internationally. And. Whereas, Missoula County and the city of Missoula have diverse LGBTQIA plus and two spirit communities and are committed to supporting the safety, visibility, dignity and equality of all our community members. And. Whereas, on June 24th and 28th, 1969, the New York Police Department conducted a pair of raids on the Stonewall Inn, a popular gay bar in Greenwich Village, citing anti LGBTQ I a plus and to spirit legislation such as masquerade laws to arrest patrons and workers. And. Whereas, these raids sparked neighborhood resistance known as the Stonewall Uprising, led by transgender and lesbian activists such as Marsha Payette, Noma and Johnson, Sylvia Rivera, Storm de la La, very Miss Major and many other transgender women of color which served as a catalyst for the movement towards lgbtqia+ and to spirit rights, equality and equity. And. Whereas, the courage and bravery of these activists in the face of violence served as a catalyst in the United States for greater movement toward two spirit, LGBTQIA plus rights, equality and equity. And. Whereas, while advancements have been made through policy change policies and the equality, equitable treatment of Lgbtqia+ and two spirit persons throughout the nation, there continues to be discrimination and violence against people in these communities, making it essential for local governments to collectively show support for community members who are impacted. And. Whereas, June, as in this month we're in right now, is celebrated as LGBTQ+ and to Spirit Pride Month nationwide. And. Whereas, everyone should be able to live without fear of prejudice, discrimination, violence and hatred based on gender identity, expression or sexual orientation. Now, therefore, Missoula County and the city of Missoula do hereby declare the month of June 2022 as LGBTQIA plus and to Spirit Pride Month signed the Mayor of Missoula and the Missoula County Commissioners, and I wonder if there might be anyone to speak on this.

Speaker1: [00:03:31] So we had there are events this weekend.

Speaker2: [00:03:34] Yes, there.

Speaker1: [00:03:35] Are. I mean, would you mind? I'm corny and prompt. Just stand up and say the dates and times if you want to come, come on up, say go to the mike. Just say dates and times and where they are would be great. And thank and I apologize for not asking you to do this earlier. So.

Speaker3: [00:03:49] A.

Speaker4: [00:03:50] Hi, everybody. My name is Andy Nelson. I'm the executive director of the Western Montana LGBTQ+ Community Center here in Missoula. And we are putting on.

Speaker1: [00:03:58] Pride.

Speaker3: [00:03:59] This weekend.

Speaker4: [00:04:00] Specifically Missoula Pride taking place basically now all the way through Sunday. There's multiple events happening. If you go to our website at Missoula Pride, you can plan.

Speaker1: [00:04:10] Your.

Speaker4: [00:04:10] Pride. Come one, come all, all are welcome.

Speaker1: [00:04:14] And we want to see Missoula show up. And this is my friend Devin.

Speaker3: [00:04:18] Yeah, my name is Devin Carpenter.

Speaker4: [00:04:19] I'm one of the co-directors of Missoula Pride.

Speaker3: [00:04:22] And we just.

Speaker1: [00:04:23] Want to highlight that one of our goals for this year was to make as many of these events as accessible as possible, and that means both in age and financially.

Speaker3: [00:04:32] And so almost all of our events are.

Speaker1: [00:04:34] Both all ages and free or suggested donation. And so we're really hopeful that people from kind of all walks of life and all aspects of the community are able to enjoy the things that we have in store. There's over 30 events between now and Sunday evening. Okay. Thanks a lot, guys. Thanks to your good work. Happy pride.

Speaker2: [00:04:50] Thank you. Thank you.

Speaker1: [00:04:54] Okay. Do we have any public comment on items? Not on the agenda. I can't tell if this is public comment brewing here. Okay. All right. I would like to let you know about our current claims list. Claims received received as of May 19th, 2022 to May 25th, 2022 by the Commissioner's office. Total \$2,099,105.56. We have one, two, three, four, five hearings for today. So fasten your seat belts. Here we go. Our first hearing is around proposed changes to the Community Decay Ordinance and presentation will be led by our very own sanitario.

Speaker5: [00:05:45] Thank you. I apologize for not being there in person. I just had a hard time getting there between meetings, so I appreciate having the hybrid option. Let me share my screen. I have a really short presentation because there's actually not that many things that are changing. Do you see my slide now?

Speaker1: [00:06:09] Yes.

Speaker5: [00:06:10] Awesome. All right. So I am here to talk about the Missoula Community Decay Ordinance. That is an ordinance that was first adopted in 1990 and by the board of county commissioners. Having trouble with my slide going forward. There we go. And then in 1996, the commissioners entered into an interlocal agreement with the city county health department to enforce and implement that. So the ability for the DCC to adopt a community decay ordinance comes from state law in Title seven, and it allows the governing body to regulate, control and prohibit conditions that contribute to community decay. So neither the the. The regulation, the ordinance or the Interlocal agreement have

been updated since they were first adopted. And of course, now we have 25 years of experience and it's just every once in a while you got to look at your regulations and see if they still make sense and if they can be written better and more clear. We also have had feedback from our judges and experience from court cases that led us to think that this was the right time to make some changes. And I just got to give a big shout out to Anna Connelly from the county attorney's office. She really helped us get this together and get it done. So the big changes and I just have to tell you, I have these lovely pictures, but I don't have a lot of slides, so I'm going to talk through some of the changes, but all of that is in the packet.

Speaker5: [00:08:02] So the big changes are to make the definition and the exemptions match what's in state law with just a few additions of specifically talking about junk mobile homes, which you see in the upper corner there, and junk vehicles which you see in the bottom corner there. And currently that section in our current rule has quite a few exceptions that aren't in state law. And while you think that like the more details sometimes you give to the regulations, it actually you think that it's adding clarity. And sometimes that's not the case and that's what we've learned here. So this the definitions work very closely with the prohibition section. And the prohibition section that we currently have has a ton of examples. So it's for example, it says you can't dump pile or stack bricks except in the piles. You can't accumulate cardboard boxes or broken packing boxes. You can't pile or deposit dirt or store metal barrels in public view. Those are just some of the examples. And so the problem with that is that one way to interpret the language there is that almost anything could be considered community decay, almost anything could be considered prohibited under the community decay ordinance, even a single small pile of branches on somebody's property or one pile of dirt on somebody's property. And of course, that is not the intent.

Speaker5: [00:09:36] The intent is to be able to deal with those conditions that are, and I quote, injurious to health, indecent or offensive to the senses or obstruct the free use of property so as to interfere with the comfortable enjoyment of life or property. And that is what the state definition is of community decay. So by making these changes to the definitions and making the changes to the prohibited prohibition section, we actually are focusing, refocusing on what community decay really is. It's when there are conditions that are just like. Out of control on a property. So the second thing that is really changing in this is is changing to the to the enforcement and mitigation section. And right now, it is very prescriptive. The current rule says within 30 days of getting a complaint, will will do an investigation. Within 30 days of that will send a notice of violation in order to take corrective action. And within 30 days of that, the property owner has to give us a plan. And that just isn't exactly how things work in reality. In reality, when we're dealing with conditions of community decay, they've usually gotten worse and worse and worse over the years. It's not a simple thing, like picking up a little bit of garbage, and so we really need more flexibility. And how we currently work really is with more flexibility to talk with the property owner, make a number of phone calls to them, meet them out on site.

Speaker5: [00:11:28] And so it's not following those strict 30 day timelines. It also currently says that if they fail to abate, we can enter their property to abate, mitigate or shield the violation. And the reality is, is we're never going to go onto somebody's property and take their stuff often, which they think of as precious stuff if we don't either have their permission or a court order. And so the new regulations reflect that, that we're either going to have the permission to go on to the property or there's a court order. There is one exception to that, and that is if there is an immediate emergency and an example of that would be flooding. So during the flood, if the water was going to take the junk downstream, we could go in and mitigate it so that that doesn't happen. And we have the examples from past flooding where there were some junk mobile homes that were going into the river, partially were taken by the river until we got in there and pulled them out. So that's that's really it. There's no substantive, substantive changes, but the language is clearer and it's focusing on the real issue, clarifying under what circumstances we might be able to enter the property and mitigate the issue. So the health board also took a look at these changes and they did adopt a resolution recommending that the county commissioners adopt the changes to the county community decay ordinance.

Speaker5: [00:13:12] I'll also say that one of the first things that I mentioned was a cooperative agreement, interlocal agreement between PCC and the Health Department. And because that really is focused on the 1990 ordinance, we would recommend that that also be updated should the PCC choose

to make the final adoption in several weeks to this ordinance. And so I also included that in the packet that the Interlocal agreement really serves to purposes. One was to designate the Health Department as the agency to implement Community Decay, the Community Decay Ordinance. It also provides 10,000 a year from the from the PCC to fund that implementation. A good chunk of that goes towards funding a portion of the junk vehicle community decay coordinator. Though we always set aside some of that money to help address community decay because to help somebody on the on their property, a little funding can go a long way into getting somebody started to clean up their property, and we've had some success with that. So today is the the first reading of this new ordinance. There will be a second reading and both today and on June 23rd, the ability for the public to comment on it and this is a proposed motion in case that is helpful. That's what the Health Board asked us to do. So that is what I did here, and that's the end of my presentation.

Speaker1: [00:14:57] Thanks a lot, Shannon. I imagine most of you all are here to speak on community decay, so please line up and it's only 3 minutes. All right. Thanks, Dave. What do you think?

Speaker2: [00:15:08] I have no questions. But yeah, in all seriousness, if there are folks out there who would like to comment or online.

Speaker1: [00:15:18] Thanks for this this work, Shannon. And thanks to four to Anna Anna Connolly for making this all tidy and legal and right.

Speaker2: [00:15:29] All right, Shannon, if you could cue up that motion again.

Speaker5: [00:15:36] Happy to. Oh. Oh, no. I'm so sorry. Here we go. How's that?

Speaker2: [00:15:50] Yep. Good enough. I would move that we adopt the proposed changes to the Missoula County Community Decay Ordinance for the first reading.

Speaker1: [00:15:58] Right. I will second that and all in favor. I thank you. Thank you. Thanks, Shannon. Juniper. I see Jackson's name here, but I see you here.

Speaker5: [00:16:17] Indeed, Jackson Lee was excited to attend his first public meeting and present to you all today, but he was unexpectedly calling away. And so I'm filling in here in a pinch. So just give me one moment while I pull up this PowerPoint. Jackson gets all of the credit for the PowerPoint and the notes, which I will rely on to make sure I don't miss anything he had planned to say today. Excellent. I think I'm ready to go. So for the record, my name is Juniper Davis and I am the manager of Missoula County's Parks, Trails and Open Lands Division. And here I am today to talk to you all about a proposal that has come your way from the community, from staff, and also recommended from the Parks and Trails Advisory Board to consider allocating up to 250,000 of our Trails bond funding to procure engineering packages for four different trail segments. These trail segments we would design and engineer. And I will talk more about those trail projects here in a moment. So. Just make sure this is advancing. And it's not there. So Missoula County voters passed the 2014 Parks and Trails Bond for the purposes of paying the costs of designing, acquiring, constructing, installing and equipping various improvements for parks, trails and recreational activities. The county set aside \$3 million of the total bond for trail development projects to occur outside of the city of Missoula.

Speaker5: [00:18:16] Since the passage of the bond. There has been discussion and subsequent recognition by staff and our Missoula County Parks and Trails Advisory Board, as well as the County Commission, that these trail projects of all types are challenging to fund to the point of implementation, especially with limited funding. As a result, we continue to recognize that the predominant strategy for implementing trails in Missoula County will rely heavily on leveraging outside funding, particularly federal funding. With these federal funding applications that we need to put together for these multimillion dollar trails, we often find ourselves in the need of having more complete project design and engineering in order to be competitive for those federal programs. With that being said, we would like to then talk to you about these proposed trails for which we would move forward with engineering in the hope that we can then apply for grants and get additional federal funding to help implement these projects. In 2019, the

Parks and Trails Advisory Board identified priority trail projects for county staff to focus on and also for consideration of trails bond funding. The identified projects were part of a larger list of proposed trail projects, which was compiled through community conversations, review of adopted transportation plans and interagency discussions. Construction, feasibility and regional connectivity were at the center of the board's rationale for the prioritized projects.

Speaker5: [00:19:51] By this fall, we will have a comprehensive, approved Pathways and Trails Master Plan in place and pending approval of the Trails bond expenditure today. The county will hopefully also have grant ready engineering for several several priority trails amidst the funding roll out of the Federal Infrastructure Bill. Our program staff are at the table regarding local agency coordination on grant applications, and we believe that acting now will put us in a competitive position at a time where funding at the federal level is particularly promising. The projects we are moving forward with obtaining with obtaining the engineering services are shown here on this regional map. It's a little hard to see and I apologize, but there are actually four white X's on this map. I don't know. It's very difficult to see. But the first starts in the South and I'll just mention this one. So starting in the South, I'll move clockwise and I will have some close up visuals of these trail segments here in a moment. But this gives you a regional idea of where they are situated. So the first, again in the south is the Blue Mountain Connector trail. Then moving clockwise, there's another white X there on that regional map. And that is meant to indicate the location of the Mullan Road Project, the CODA project.

Speaker5: [00:21:17] Moving further to the north, you'll see the third white X there, and that's the Frenchtown Phase two trail project. And then we're going to keep going clockwise over to the east Missoula, West Riverside community and focus your attention there along Highway 200 at the Bonner Streetcar Project. So regionally, you can see they are dispersed throughout the Missoula Valley and all outside of the Missoula City limits. Okay. So on this slide, you can see the four projects and a little bit more fine detail. The Blue Mountain Connector trail would be approximately 0.6 miles. This trail parallels Blue Mountain Road and starts at Highway 93 at the Bitterroot Trail and would connect up to the Blue Mountain Recreation Area parking lot. We already have survey work done and draft final engineering is produced by Missoula County Public Works. And so our proposal here would be to bring this with the engineering package that we're proposing. We would bring this project to a full construction set and be able to have this project ready to implement the next project there. That I'll highlight is the Mullan Road from Cody to Desha Project. That's a 2.3 miles and is adjacent to the Mullin Road. It would start at the terminus of our existing shared use path and travel there from Cody Lane to Desha.

Speaker5: [00:22:54] The proposal for this engineering package would be to get the the project to a 30% design phase. The next project, the Frenchtown Phase two trail project is approximately 2.25 miles. This project would extend our existing trail and would parallel Mulund Road there to the south of the interstate and would run from Beckwith Street to Hoole Creek Road. And again on this project we would be taking it to 30% engineering designs. The final project, which we call the Bonner Street Car Project, has some historical significance. That's really fun to dig into on a different day. I might humor you, but today I'll just keep moving. That's a 1.7 mile trail that would pick off from the terminus, start up from the terminus of our existing trail on the east side at Tamarack Road and would continue along Highway 200 there, what we refer to as the Marshall Grade and then connect over to Speedway at East Missoula. This is a Priority Trail segment as identified in the Highway 200 corridor study that was recently adopted. And the proposal here would actually be would actually be to complete feasibility analysis. So we would not be proposing to take this 1 to 30% design before we would take that project any further. We need to determine whether the project is feasible due to the recent MDT emergency road repair work that they did there at the Marshall Grade.

Speaker5: [00:24:32] I have a few kind of closer up slides here of some of the projects that I'm actually going to skip through and really just only go to in case there's additional questions from the commission or the public on those projects and just move us forward to kind of next steps and project timeline, what this will look like. So we would propose again to allocate up to \$250,000 of the Trails Fund funding to complete these engineering, this engineering design work on these four projects. We would contract this early summer with a pre qualified engineering firm here in Missoula County. We would work with them through the summer and fall to get that design package developed, review that and make sure

everything's finalized by December and then hopefully by the winter and spring, be poised to submit grant and funding applications as they become available. I will let you know that at the Missoula County Parks and Trails Advisory Board meeting in May, they did do a very thoughtful consideration of this proposal as well. They did recommend to the county commission to assign up to 250,000 of the trails bond funding for this purpose. And that is what we would like for you to consider today. And I'll take any questions.

Speaker1: [00:26:06] Now, the folks out here, we've heard this before. It isn't. That's why we're not asking questions. And we do have a big hearing coming up and have already given the thumbs up to this informally. So this is a formal thumbs up. And Jackson did great work and Juniper has done great work tightening up this department and moving it forward. A while back, we said we really wanted to make some headway on trails and spend down this bond and do projects and you are delivering some projects. So we're really excited to see that.

Speaker2: [00:26:38] Yeah. Does anyone out there have any? Comments on this.

Speaker3: [00:26:43] Online.

Speaker1: [00:26:44] Motion language. There it is.

Speaker2: [00:26:47] Yeah, likewise. I would say thanks for your work on this. I can't believe it was 2014 that this dates back to. So it's great to see some investment, proactive investment to get some projects moving. So I would move that we approve expenditure up to 250,000 of Missoula County's 2014 Parks and Trails, bond funding for design and engineering services on proposed priority shared use pathways within the county trail system.

Speaker1: [00:27:16] I'll second that and call for a vote. All in favor I. Thank you. Thank you. All right, Nick is up.

Speaker4: [00:27:40] Thank you, Chris. A PowerPoint up. Go on. All right. This is the Lester family insurance and aggregation in the first start with some background on the project. So the proposal is located on sorry north of the Y on the west side of US, Highway 93. The address is 11179. Turkey Trek Road in the area is currently unknown. U2019 land use element is the growth policy that covers this area. It is just that it, as a rule, residential and agriculture, and that has a recommended density of one unit per ten acres to 1 billion unit per two acres. Looking at the existing onsite conditions. The property is 22.1 acres in size and there's currently one home on the property that the claimant lives in. Now get into the proposal. First, the claimants would aggregate a pregnant boundary line that was flagged during comment by the recorder's office. The next they would do the family transfer. This would result in the claimant's adult son James Lesser receiving track 67 B, which is 5.5 acres in size. The claimants, adult daughter Bethany receiving track 67 C, which is also 5.5 acres in size. And the claimants, other daughter Sarah receiving a 5.5 acre track, which is track 67 D then the claimant, Debra, would retain ownership of the remaining 5.6 acres, and this would include her home. The proposed density of the project would be one dwelling per 6.57 acres. Now looking at agency comment. As mentioned previously, the secretary's office flagged a remnant boundary line that had not been expunged previously. So the claimants are expunging this boundary line via aggregation at the recommendation of caps, and that was the only comment received. And there's actually no criteria, points or rebuttable presumptions triggered. So there's nothing to go over in that portion. So I will go over the family transfer questions with the claimant, and I believe I saw them online. Eli and Associates.

Speaker5: [00:30:29] Hi. Maria's associate, Debbie is attending virtually as well.

Speaker4: [00:30:36] Great. Great.

Speaker5: [00:30:37] So I don't know if she had an issue connecting. She said she was going to try calling, so. Right. And I.

Speaker4: [00:30:50] Believe. Was that you, Debbie?

Speaker5: [00:30:52] Yes, that's me. Thank you.

Speaker4: [00:30:53] Awesome. Thank you. Can I please have you state your name for the record?

Speaker5: [00:30:57] Deborah Lester.

Speaker4: [00:30:59] Thank you. Question number one, did you buy the property with the intent of dividing it?

Speaker5: [00:31:04] No.

Speaker4: [00:31:05] Great question. Number two. Do you or your transferees intend to transfer the property within the next year?

Speaker5: [00:31:11] No.

Speaker4: [00:31:12] Question three. Have you talked to anyone at the county about going through the subdivision review?

Speaker5: [00:31:18] No.

Speaker4: [00:31:19] Great. Then last two questions. Question four Will the property be developed?

Speaker5: [00:31:24] Yes.

Speaker4: [00:31:25] Question five. Well, the recipient of the property be residing on the property.

Speaker5: [00:31:31] Yes.

Speaker4: [00:31:33] Thank you. And conclusion staff has recommended approval of their prose transfer. And I'll turn it back over to you, Commissioners.

Speaker1: [00:31:41] Say one thing. I just love that there are zero. What's the rebuttal? What's the.

Speaker3: [00:31:49] Bubble? Because I'm sure you're a rebuttable invasion criteria.

Speaker1: [00:31:52] Fantastic to have none of them.

Speaker2: [00:31:55] Fantastic to have adult children.

Speaker1: [00:31:57] I love that.

Speaker2: [00:31:58] Minors.

Speaker1: [00:32:03] Any public comment on this?

Speaker2: [00:32:07] Okay. I would move that we approve the request by Deborah Lester to utilize the aggregation and family transfer exemptions as presented in the exemption application and affidavit.

Speaker1: [00:32:21] All right, I will second that all in favor. I. Thanks, Nick.

Speaker2: [00:32:26] Thank you.

Speaker5: [00:32:28] Thank you. This is Debbie. Thank you.

Speaker1: [00:32:30] Thank you. And Nick, the season leader in the Tri-State area on family transfers is up next for another family transfer.

Speaker4: [00:32:40] Thank you. Yes, this is the Hanson family transfer. And once again, I'll start with a brief background on the project. So the location of this family transfer is about two miles up Butler Creek Road. The subject parcels are part of a larger ranch that is owned and operated by the Hanson family, and the property is currently zoned. The growth policy that covers this area is the 19 land use element, and that designates this area as working lands, which is one dwelling unit per 40 acres and rural residential and small ag, which is one dwelling unit for two acres to one dwelling unit per ten acres. Looking at the existing onsite conditions, there's only a few tracks within the ranch that are actually involved with the transfer. Those tracks are approximately 436 acres in size. The entire ranch itself is a thousand plus acres in size and is located on Butler Creek Road, and there is no dwelling structures on any of the tracks that are being proposed for the transfer. Get into the proposal itself. The Afghans are proposing to transfer track one, which is 2.9 acres to their adult daughter, Hannah. Track two, which is 2.7 acres to their adult daughter Kara. And Track three, which is 2.9 acres to their adult daughter.

Speaker4: [00:34:04] Alicia Then the proposed density one, just looking at the 435 acres that are involved in the transfer would be one dwelling for 145 acres. This project was sent out for comment. We did receive a comment from the minister that he recommended a flood study. A Felicity was later determined not to be required through an onsite field inspection, which we have that provision in our sub regs for a on site inspection to waive the right to waive the flood study requirement. I get into staff analysis rebuttal presumption number eight was triggered as the applicants did perform a family transfer in June of 2018 sorry, in June of 2020, a gift to their adult daughter. And that was on one of the parent parcels. And number five was triggered. The Afghans have engaged in two prior transactions. Both were family transfers. One was a gift to the adult daughter that I just mentioned, and other was a gift to an adult son. Next, I will go over the family and transfer questions with the claimant. I think they are here today in person. Our son. Awesome. First of all, have you guys set your name for the record?

Speaker3: [00:35:36] Paul Hanson.

Speaker5: [00:35:38] Maggie Hanson.

Speaker4: [00:35:40] Thank you. Question one Did you buy the property with the intent of dividing it? Q Question two, do you or your transferees intend to transfer the property within the next year? Question three Have you talked to anyone at the county about going through the subdivision review?

Speaker3: [00:35:55] No.

Speaker4: [00:35:56] Question four Will the property be developed?

Speaker3: [00:36:00] Well, yes, with the kids building a house.

Speaker4: [00:36:05] Great. And then will the recipient of the property be residing on the property? Awesome. That concludes the answer. Questions and staff has recommended approval of the family transfer.

Speaker3: [00:36:16] Thank you.

Speaker1: [00:36:18] Any public comment on this?

Speaker2: [00:36:25] Okay. Lay it on me, Nick. I have no questions.

Speaker1: [00:36:30] Don't have any questions either. Just. Just want to say, you know, occasionally at the county, we have staff doing really big projects. Takes a long time. Juniper just noted one grand thing, but mostly what we do is day out, day in, day out. Nuts and bolts, the kind of stuff that Nick does and he

does quickly and efficiently and working closely with families and developers, and that needs to be recognized as well. So we're recognizing your thanks for doing this.

Speaker2: [00:36:55] Thanks, Nick. And with that, I would move that the request by Paul and Margaret Hanson to utilize the family transfer exemption as presented an exemption application and affidavit be approved.

Speaker1: [00:37:04] I'll second that and all in favor. Hi. Thank you. Thanks the Hansons for coming by.

Speaker2: [00:37:10] Thank you. Did you notice how I inadvertently read that in the passive?

Speaker1: [00:37:16] Even though I know we try and get away from. Okay. Okay. I imagine Tim Morley is beaming in because I don't see him here in person or unless. Karen, are you are you playing the role of Tim Morley today? Okay. All right.

Speaker2: [00:37:52] Oh, please say something prefatory. So thanks, everyone, for joining us today. And for those of you new to these sorts of meetings of the Board of county commissioners, I know topics like what we are going to take up right now can bring with it a lot of intense feelings and emotions and and opinions. And so we would just ask that folks retain some sense of decorum, no applause, verbal comments, and please show respect to one another.

Speaker3: [00:38:28] And also, I would say.

Speaker2: [00:38:32] If you articulated something at the last hearing that we had on this matter, our memories might not be as good as they used to be in younger years, but they're good enough to remember what you said the last time. So simply saying the same thing again or louder, I would encourage folks not to do. And if you have something new to share, it would be my preference to hear that and not simply a repeat of what you shared the last time, because we do have a full room.

Speaker1: [00:39:00] Again, in the spirit of Robert's rules, I'll second that. So please, let's focus on the on the new the new and substantive beats volume in in amount and and literal volume. So Tim should lead this off if he's here.

Speaker4: [00:39:23] There he is. Good afternoon, commissioners. Tim Worley with CAPS. I'm available as a resource today. My main role, I guess originally was to share the background on the adding of the one foot no access strip and what staff's original recommendations were as to the adding of that one foot no access strip on phase three of the water's edge final plat. I don't have a whole lot of new information to provide, but I can be a resource with graphics or with the original memo that we sent to you in the county attorney's office that elaborated on our recommendation for removal of that one foot no access strip. And I can provide any photos, pictures or anything that you would like. I know Karen Hughes is also present at the meeting, and we're simply here to be a resource for you today. I think that's all I have at this point. And if you have any questions, I'd be glad to answer those.

Speaker1: [00:40:26] Thanks, Tim. So before we dive in on public comment, would you mind giving us just a brief synopsis on the genesis of this no access strip? Where did it come from? How did it come to be?

Speaker4: [00:40:37] Well, originally, as we detailed in the last hearing, as Waters Edge subdivision moved toward preliminary plat approval in 2008, there was no one foot, no access strip. To the contrary, what was being proposed as part of Water's Edge subdivision was a through access to the property to the south. And there are some graphics that detail what that looks like and I can put those up in a minute if you would like. It was very clear on the record both with the preliminary plat and what was said at the public hearing before the Board of County Commissioners that a through access was intended with the preliminary plat that went forward at that time and that the no access strip that you see on the final plat for phase three was added later. It was not authorized by the Board of County Commissioners in 2008.

Speaker1: [00:41:36] So just to be clear, then in 2008, the county commissioners did not say yes to a final plat that had a new no access strip in it.

Speaker4: [00:41:46] Yeah, that's correct.

Speaker1: [00:41:50] How did that how did it happen? How did that get in there?

Speaker4: [00:41:54] Is there I'm not altogether sure. And I can reiterate on what I testified last time around that Dick Ainsworth shared with me in a phone conversation that he added that at phase three, that that was in addition, it was not part of the original approval. Now how that came to be and the motivations behind that, I can't say. I just know that it was added at phase three with the filing of that plat.

Speaker1: [00:42:25] And you had that phone call with him. When was that? After everything had been approved and signed and done?

Speaker4: [00:42:30] Yes, it was after the filing of phase three.

Speaker1: [00:42:35] All right. Thanks. Did you have any questions for Tim?

Speaker2: [00:42:41] Yeah. Just to follow on to that, Tim, so typically what would be considered a significant change between or a significant enough change between preliminary and final plat to.

Speaker1: [00:42:56] Be.

Speaker2: [00:42:59] Require some additional action by the Board of County Commissioners. Are there certain changes that are diminished de minimis enough that would not rise to a level of of being? I'm not exactly sure what the proper proper terminology here is substantial compliance or whatnot between the two documents.

Speaker4: [00:43:22] Yeah. De minimis change or a change that we wouldn't be too concerned about would be a lot size that changes by, say, 100th of an acre for maybe a one or two acre lot or a bearing on a lot line that changes really slightly. Those things happen fairly regularly with final plats, but with something that's so substantial as a difference between the preliminary plat in this case, which was basically pointing toward future access to the south and then the change that basically. Stop that access with a one foot no access strip edition. That's a big enough change that it would at least have to go forward as part of a public hearing. It's probably something that couldn't be done. I would guess that it might not be something that could be done through any of our processes short of another subdivision, to be honest.

Speaker2: [00:44:17] Well, and what is unfortunate is that for many reasons is that Dick Ainsworth is no longer with us to be able to provide some insight or context as to why this was added or why it was thought to be acceptable to add this prior to final plat approval. Clearly, something changed between 2008 and 2018. Given that Dick is on record of in 2008 having been okay with the notion of connectivity to the land of the South, whereas he makes no bones that this was an intentional thing. And in fact, I listened over the weekend. Thank you, Lee Bridges, for sending the recording of the community council meeting last year, where Dick is pretty explicit that he is aware of and in favor of the one foot no access strip that was.

Speaker3: [00:45:16] Added prior to the final.

Speaker1: [00:45:18] Plat. And this is the same Dick Ainsworth who had a through road in 2008. So therein lies the conundrum. I wanted to ask Karen Hughes and our staff one question. Apparently, this is. Featured at many public places in in East Missoula. I'm going to read a, quote, Annexation of that property into the city of Missoula hinges on the final decision being made by the county commissioners. Dot, dot, dot. And I just wanted Karen to ask. I'm sorry. I wanted to ask Karen to explain to you folks the mechanics of annexation, because this is not actually true. Annexation of that property into the city of

Missoula hinges on the final decision made by the county commissioners, county commissioners, not city council or mayor. So Karen could explained a little bit on Annex eight the mechanics of annexation.

Speaker5: [00:46:15] Thanks, Commissioner Slotnick. I'm Karen Hughes with Missoula County Community and Planning Services. The process for annexation is really a petition process through the city of Missoula, and decisions about annexation are done through the Missoula City Council. County commissions and boards don't have a role in the annexation process, as far as I understand. I'm not an expert on annexation because I work almost exclusively in the realm of counties. There would be probably an extensive process before this proposal, before this property could be annexed. But that's not one foot. No access strip action doesn't either set it up or not for annexation. And as far as I know, if.

Speaker1: [00:47:03] If the owners of this property want it to be annexed into the city, do you know what they would have to do?

Speaker5: [00:47:08] As I understand it, and they could probably actually speak to this better than I do, they would have to petition the city and go through the city's annexation process. This is in the city's annexation process and the annexation policy that the city has. It is identified as part of Area A, which is areas that they would accept for annexation, annexation in the immediate future, as opposed to an annexation be property which is not ready for annexation.

Speaker1: [00:47:39] Great. Thanks. So when we left off last a couple of weeks ago, we were hoping that the neighbors and attorneys for the developers and the attorneys for the neighbors would get together and have a conversation about what this development may look like, which to reiterate, is nothing. We at the county would give a thumbs up or thumbs down to. But it's the nature of that development that is causing the neighbors so much anguish, and understandably so, because it would cause such a change in their lives. We're the attorneys and developers and neighbors able to chat with each other. Ross, do you mind talking a bit?

Speaker4: [00:48:21] Toppan wants to.

Speaker1: [00:48:24] That would that would be great.

Speaker4: [00:48:29] So just an update. Yes. Can you hear me? Okay. So just to speak to the meeting we were able to convene. Was it and Karen, you were there also a couple other folks on May 23rd. So that I thought that meeting was very productive. Great. At that meeting, we learned a couple of things. We learned, first of all, that the developer was very interested in engaging in conversation.

Speaker1: [00:48:54] That's fantastic.

Speaker4: [00:48:55] The developers engineering representative was also there and we started to have what I thought was a really productive conversation. We at that meeting handed in, I think I sent this to you in an email late yesterday, a proposed workplan. We identified sort of eight areas of concern that the community had, that we wanted to talk through and coordinate with the developer on. And the big missing piece was really understanding traffic impacts. So then two days after that meeting, we received their preliminary traffic study that they had completed in March, and this was at a density of 250 units. And then last Friday, so just Friday before Memorial Day, we received their updated traffic study, which where they proposed what I think is kind of the maximum density they can go under the current regulations. So that puts them at, I think, an additional 136 units. So so I think we're at and someone told me I have my number, so sorry. So three 386 units, which is a very, I think, fair to say, significant change from what the developer represented and has been representing throughout this entire process. But nonetheless, the traffic study that we saw indicated that the impacts to water's edge were manageable. But we have lots of questions. We had questions about the traffic study. We had questions about when the traffic study was done.

Speaker4: [00:50:25] And so we were sort of ready, but we weren't ready yesterday to to have that next tier conversation. We've retained Jason Rice and his team with IMG. He's here today. He's available to

speaking in more detail about the traffic study and about just some of the broader traffic impacts. And we've, I think, really increased our understanding, notwithstanding whatever was posted at there about the process of the developer has. And I think also how we can really help the developer get through that process quickly if we can reach a resolution. And so in our view, there are sort of four friction points that the developer has. The friction point number one is the no access trip. Friction point number two is, is the park associated with an entrance through Robinson? Friction point number three would be annexation and friction point number four would obviously be the subdivision process. I did talk with Ryan Sudbury at the county ah, the city excuse me. And Ryan expressed some level of interest that that the city could actually be part of maybe helping all those processes come together under one omnibus roof. I know at least the annexation piece, and I think if I was the developer, those are the three biggest friction points. I think subdivision is more there's a standard and you have to meet it.

Speaker4: [00:51:46] If you meet it, you get to go forward unless you're trying to effectuate a zone change. We certainly would like to continue those conversations. We know they're on a condensed time frame, but we're ready and we're able to. And I've expressed that to the developer. And if they don't want to continue those conversations, what I would also say is, is that we do think that at a minimum, there are some very basic questions about traffic connectivity through water's edge that should be addressed by the county commission before this goes away. You'll hear comments today from a member of the HOA and their basic things. But is the road going to get re contoured? Where would the mailbox go? What about this this water retention pond? Will the county be taking over snow removal? And and perhaps those those questions are better addressed than maybe Karen can provide some perspective through the city annexation process. But it doesn't seem to me that they are those seem to be county questions and they're just mechanical county questions that we think should be answered. And so at a minimum, we would like to have the county and just satisfy some of those more basic things. It's just just to make sure that the nuts and bolts of operations take place.

Speaker1: [00:52:57] Thanks. Thanks a lot. The developer's representative.

Speaker3: [00:53:14] Hi guys. I'm Brian Throckmorton with four or six engineering. So to kind of go a little with I'll get back to where Ross is. I kind of want to give you guys a little bit of a timeline where this has been at, because I know, like we have said and I pointed this out last time that we were frustrated, like keep extending and keep extending. You know, we first started this. I sent the first email on question now to handle this on January 25th of 21 to Tim with explaining, here's the no access trip. This isn't supposed to be here. So we're a year and a half into this to then just keep pushing out. We submitted for this meeting October 29th of last year. We weren't we weren't asked for any additional information. And now we're June 2nd talking about extending it even further. So, I mean, I have a whole list of the whole times that we've engaged. You know, we sent things to Juniper to ask about Robinson Street that has been put on hold completely till this decision is made. She doesn't want to move forward with that. I mean, we met in January with the county and the city about Summer Street. We had the traffic impact study at that time. The county has been included in this whole discussion the whole time. Your decision space or a fancy explanation of that.

Speaker3: [00:54:32] But basically your guys's impact on this is still extremely rare. I want to remind you guys that the city won't approve anything without the county being happy with how the traffic is in the roads. So through this subdivision process, you will have that opportunity to make those decisions. You know, things, other things. We'll have to go through the planning board, which is part county, part city, the growth policy that we're looking at now. When we did the latest study, we did do it for maximum. We don't even know if water and sewer can handle that, but we wanted to go here's maximum for traffic. What's it really going to be? And then we still have to go back because I mean, we we have layouts that are constantly changing. Even in the meeting we had, Jason pointed out, wouldn't it be great if we could take our park and connect it to County View Park and make a bigger park? But in doing that completely changes the layout like so for us to keep doing these layouts over and over until we know that we have the ability to move ahead. It's hard for all these questions to keep getting answered because things are in flux and we have to answer it really, truly have to answer them through this process. We're not skipping on. We're not sidestepping them. All we want is to start.

Speaker3: [00:55:41] But I just want you guys to keep in mind you're not going to be the county is not cut out of this decision space. And I would have a hard time believing that you guys won't have influence over or any county official over the city. If that's the case, then we've got some problems in our government. So you guys, I mean, the ability to work together is there so so for anything to come up here and say basically that as soon as you say yes or no to this, you guys can no longer even think about it and is completely wrong. Regarding our meetings roster, I thought our first meeting went well. I was wrong. I did say up here last week or last month and say I thought I could get it in a week. That wasn't true. We had to go back and we actually had to think about like, what do we want? Because we had stopped on anything in our development world as far as until we get this done. So we had to come back and kind of come up with a bubble plan put together. We decided, let's go maximum density so that we just know what we have traffic wise, what's worst case scenario. We can we can scale it back from there. So we did have put that together, took a few days.

Speaker3: [00:56:43] We got it to Bob. It took him a little bit longer than a week. So we were we were two weeks instead of a week. So that's my bad. I'll take responsibility in that. The next Monday we had a meeting. Jason was there. The following Tuesday I got him the traffic study. So he got the the original one that is very similar. It's the same traffic counts. It's a 55 page document, Super 12 pages of report. So he did have that to start reviewing because the same base information is going to be there. And then the following last Friday, we did send out the new study, which is done by Bob Abilene and Helena, who's been around for decades, has been in Montana forever, put together an extensive study. So we sent that on Friday asking for let's meet on Wednesday. Let's let's sit together. We now have the information. It's there now granted, a third party is great, but you're talking about somebody who's been doing this for decades. I can't imagine the information is going to change substantially and we can't. And if there are things we need to change, I can see minor things that would happen in the subdivision process. The county will have to be satisfied with the subdivision or the TSI, the recommendations in it, the the surrounding streets, just like we've already worked with Shane and the city on Summer Street.

Speaker3: [00:58:03] So there's not going to be substantial changes from what happened Friday to then. We asked for a meeting Wednesday. That meeting was not. No, no. You know, Ross. They didn't want to do the meeting on Wednesday. They want to wait for their third party to come back. And that's where this thing is starting to get extended. We didn't even know that there was a third party until we went to our original meeting. And then in that we got told, well, it takes two weeks for us to even review what you're sending to us. So it just feels like, what's the next? How long are we going to keep extending this out? We did do the new study. The new study basically shows that we did add a bunch of lots, but a lot of multifamily doesn't increase by single family, adds a lot more traffic impact than multifamily. So when we say we added units, we did add a bunch of units, but we only added total around 100 new average daily trips a day out of the subdivision. So the substantial changes from the first Tsai to the new one is very minimal. So from the recommendations in the first one that we've gone over with the county, the city since even before January and it was sent out on Tuesday is pretty much the same. So I guess we had we have the information we're willing to sit down it it is max density.

Speaker3: [00:59:17] I can't promise if we want to go through and talk about can the sewer water handle. I don't know yet. We're not there. But I feel like as we've gone through this whole process, that extending this out over time on some item that is not supposed to be there. We all agree last week your county surveyor, county attorney, senior planner, all recommended removal. We know that it was put on there. However, it was put on there fraudulently, accidentally. It's not supposed to be there. And so for us to continue this whole process that we do have to go through in the future over this issue, it seems like a waste of time to me. I mean, that that's my opinion on it. And I know I represent the guys that want to move ahead. Oh, God. We'd be a year and a half into a nice subdivision helping the housing issues we have versus standing here today. I mean, we would be further down the road if it wasn't for that one foot no access trip. So I welcome questions from you guys. But I just wanted to kind of point out that's where we're at. We are willing to work, but we just don't want to keep extending this for months and months and months.

Speaker1: [01:00:30] Thanks. Any questions for you? All right. Any public comment? But. Oh, Jesse, do you want to say something? Here he comes.

Speaker3: [01:00:41] Thank you, Jesse Caddick, on behalf of the developer also. I just wanted to point out one other thing. I mean, the we've sat down in good faith with the neighbors and talked about it. But the part of the problem from the developer's perspective is in the email that Ross sent today, he he agrees that they're asking for some sort of binding commitment on behalf of the developer. So they're asking us to go through this process with them, a preliminary process, make promises, presumably make major concessions. And in exchange for that, we get a commitment from something like ten homeowners in East Missoula who would agree to not. And the end game there was not that they would agree with the subdivision, but that they would not oppose removal of the no access strip. So it looks to us from the developer's perspective that they're going to try and ratchet down the proposed scope of this thing before we even get to propose it. And in exchange, all we get is their agreement that you should remove this thing that everybody recognizes is not supposed to be there. So from the developer's perspective, once again, we're just asking to remove the no access strip. And all of these conversations will happen during the subdivision review process. But the developer cannot make concessions right now with a small group of property owners who undoubtedly will be affected by this. But the fact of the matter is, it's not supposed to be there. And I also want to point out that the time frame with the Dick Ainsworth putting the no access strip in, we know it wasn't just 2008 to 2018. We also know that in 2015 he wrote a letter to the landowner who was a recently retired district court judge in Billings, that the whole point of the road was that it would provide connectivity to the property that was owned at the time. So this whatever decision was made, it was not made in a ten year period. It was made sometime in those three year period. Thank you. Thanks.

Speaker1: [01:02:51] Ross.

Speaker4: [01:02:54] So just real briefly on what what I think we're trying to avoid in exchange for concessions, is litigation over the particular one foot in as. And so I think that the parties to that litigation right would probably be the county. And homeowners and the air and water's edge. And to me, that's a huge benefit for everybody involved. That's a very costly exercise. And and I think that is worth spending some time on, even if we can't solve all the other subdivision issues.

Speaker2: [01:03:29] Yeah. Before. Before we go any further, I just want to make one point that folks might not be aware of. We are under know the board of county commissioners today is under no statutory obligation to make a decision on this today. So as opposed to some land management decisions we make where by state law we have X amount of time to make a decision, we are not compelled to do so today. I know the developer would certainly like to get a decision sooner rather than later that would align with what it is they're asking. But we up here are not under that obligation and we'll take as much time as we think is necessary.

Speaker3: [01:04:14] I was asked to kind of come and talk a little bit about the truth.

Speaker1: [01:04:17] Of who you are, but nobody else.

Speaker3: [01:04:18] I'm Jason Rice. I'm Becky and I'm mostly representing the comments from our traffic expert, who is a licensed engineer in Montana and a lot of other places, Brad Lang. And he can't be here today. So I'm going to kind of represent just a couple of things that he had. I mean, this timing has been unfortunate. When we wrote our scope, it said we'd like to sit down and discuss the scope of the tis. And then I find out there's already been a tis written and all things have been decided. It feels like so luckily they did a pretty broad reaching ties, but it did miss a few things. And so the the problem is on the timing. So just, you know, from our perspective, again, we're speaking more on behalf of the water's edge group for traffic safety, what they bought into for their dream, for their the people that live there. And so I think there will be other people that talk about the cultural, sociological and all the other pieces of it. And that's great. What we find in like I said, we got a preliminary report I think on Wednesday ish last week. Then Friday was the Friday before a long weekend and Brad did do his best and reviewed both reports. And so he could be ready to kind of give a few comments. And so in a brief first time review through, there are a few things that we think are troublesome that would be good to talk to and get through.

Speaker3: [01:05:33] You know, the distribution of traffic of waterside being 20% and Robinson being 40%. Well, Robinson hasn't even been agreed upon yet. And so I think there's some lacking of assurances that the county really has any say on to where the traffic distributions will go if Summers doesn't get approved. Granted, it's a county park and I'm just going to list a few of them. They used a growth rate of 1.5%, yet Canyon River is only about 50% built out. And Deer Creek is the most kind of concerning of the two because you have a speedway intersection that's very close to water's edge and the traffic can only go out Deer Creek for the most part. I mean, they can go over the mountain, but they most likely got Deer Creek, right? So the queuing in the morning of everybody piled up at Speedway is of concern and we don't believe that it's adequately addressed. The fact that there's another 130, 250 homes to be built in Canyon River. We're filing four phases in the next 18 months. So they have every intention to build out all two 770 homes. I'm trying to get the data on how many were occupied as of October. When they counted traffic, they only counted a kind of a limited count at intersections is one thing he brought up. So there's only one warrant you can analyze where there's three total.

Speaker3: [01:06:45] If they had done 15 minute increments, which would have been nice to double check Canyon River and the peak summer months. We all know the problems that we have with Deer Creek Bridge, with the pedestrians and safety. There's no mention of pedestrian circulation, pedestrian safety. We're talking about taking County Road that was built to a county standard at the time, which, by the way, now is got a 25 foot width, asphalt, 28 feet, kerb top back to top back. So you can have parking on one side and it still doesn't meet the current county standards for road. So I'm not sure if you're going to put a condition that the road be widened, which to meet current county standards is not normally something that gets addressed as an off site road. But in this particular case, with the safety concerns and the curve curvature, you may want to you know, parking is going to be tight for the folks that live there already with that width. And so those are the main highlights. When we look at it, it's it feels like there's a lot of county residents right here that are being impacted by this thing that happened and they bought land. And so I'm speaking more from my planning board experience, but they bought land expecting something. And that's not their fault that this thing was there. And that's where the real rub is. So all they want is assurance from you as the county commissioners that you've got their back since they're county residents, they're not city residents going to an annexation hearing, going to a subdivision.

Speaker3: [01:08:03] So one thing that I offered the team was perhaps a conditional removal that says once all impacts are considered, all these issues are addressed like the full true background growth. I mean, 1.5% doesn't even cover what Canyon River has. I would point out that the county reviewed and approved Canyon River the first time and made them consider the impacts all the way to the highway and actually the new intersection that's there. Sharon That was all Canyon River's doing so. Not like this is unprecedented, but you won't get the opportunity to do that in the city doesn't do that. When they've reviewed projects that we've been involved with, they typically say, is it suitable or not? They are proposing really nice, substantial improvements to summers, but there's no guarantee of that until they go through the subdivision process and we crunch numbers and we want affordable housing and maybe that gets narrowed through the process. You have no more teeth on that at that point. You sort of do, but you sort of don't. We don't have a great subdivision regulation that puts that joint jurisdictional review. So I just one of the thoughts I threw out was conditional approval where you say, yes, we have every intention of doing as long as the TIA gets amended and final review gets done.

Speaker1: [01:09:07] So thank you, Jason, when asked Karen a question. Conditional approval for something like this. Is that. Never, never have been asked to remove a no access trip before. So I don't know.

Speaker5: [01:09:24] Yeah, I guess. It might depend on what the condition is and and how to set up some sort of agreement or situation where it would trigger it, whether it's just the actual act of filing the the survey or whatever it is like. It kind of depends on what it is we're talking about. And then I'm guessing between our office and John, we would figure out how to make that happen. As we talked about at some other point, there isn't an explicit authorization under statute for commissioners to do development agreements necessarily, which is often what jurisdictions like the city uses. I'll let John talk more about that. I'm getting out of my bailiwick. But so like I said, it kind of depends on what it is and what what would be a good trigger point to see if we could make something work.

Speaker1: [01:10:25] Before we get to you, Jason, John, do you want to speak to that on our ability to condition something like this?

Speaker3: [01:10:33] I don't have anything to add. It's exactly what Karen says. It depends on what the conditions would be. And we know I can't come up with those in a vacuum right now. We've heard some ideas. And in terms of the development agreement, that's about as much as I know about a development agreement is conceptually they exist. I talked about them last month. I've never seen one. I've never been a part of drafting one. And of course, the devil would be in the detail, right? Jason Oh, I was going to say I was asked to draft potential conditions and I was like, No way. There's not enough time. You know, in my mind, the spirit of what you ask the developers and the homeowners to do last time is exactly what that outcome would be, is sit down and talk about what they really want to see, the nuts and bolts, black and white, so that it can be no, no. Like as long as we say it's okay, you're okay. That's not a doable thing. It's these are the things we want considered. Like we want the level of service, you know, during an amp peak and a peak to not go below a C or whatever they wanted. And we want you to consider the full buildout of Canyon River and all the employees that are there in June or July, not October. Right. Those are things that are missing right now. And I get it. Know, we don't we don't take my traffic guy gave me the example we don't take the Green Bay Packer game and say, well, once every week we have an immense traffic problem. We don't design roads for that. But you do design roads for a three month or four month or five month event you're designed. We don't do traffic counts when school's out of session, right? We're not going back to the university district and collect traffic to design a road in July. We're going to collect it during college. So those are the things that are missing by taking the traffic counts in October. So that's the kind of stuff that's troubling right now. So thank you.

Speaker1: [01:12:22] Karen.

Speaker5: [01:12:24] The uncomfortable space that I think everyone knows that we're in is that this is all before a development proposal comes through. A development proposal is where you assess the issues and the impacts and you strive to mitigate them. Right. What we're dealing with is something long before a development proposal is coming through. It's not designed. And part of the part of the reason for the frustration, for the length of time it took us to get here is because we don't really have a process designed to deal with these little one off requests. We kind of have to make it up. And they're not really designed to do this assessment of impact and then mitigation, in part because when you remove the no access strip, although it may seem like a whole bunch of things can automatically happen, a whole bunch of things can't automatically happen.

Speaker1: [01:13:13] I was just going to say something like that, but you said it really well. Let me just riff for a minute and then you're up. So it's going to be super, super hard to be in your seats. The folks who live there whose lives are going to be dramatically impacted, people who bought houses imagining they got a beautiful spot on a dead end road, and then to wake up one day finding out that, oh, there's going to be a through street to what's effectively a new small town. I totally get that. And it must be really hard to hear this and think, well, if this no access trip goes away, then the plans that these guys are generally describing, boom, it's going to happen. And with no changes, you're going to have hundreds and hundreds of cars streaming down your street as it is. And things will just be wrecked when, as Karen saying, all that this would do is make the next step happen, which means it goes to the city and they have mountains of process, so much process that I'm going to guess folks in your shoes often complain that it's too arduous, that the city makes them jump through too many hoops, that they're too concerned about the effect on neighbors.

Speaker1: [01:14:14] And they're it's a they're a bottleneck on development. And the housing we need should be happening faster were it not for the city and all this darn process. But none of that's in front of you right now. What you all are seeing and if I was sitting in your seats, I'd be seeing the same thing. This new access strip goes away and we get to a town the size of Denton right next to it. So with no changes to our roads or intersections or anything, and life is going to be unsafe and scary and crummy compared to how it is now. That is not true if this goes away. The developer has an absolute mountain of process to go through with the city where they're going to look at every single thing, so much so that Mr.

Throckmorton is going to be bummed that it's taking so long. One last piece on this you described, sir, where we're going backwards, like, man, we waited so long. I get it. You did? I'm not not disputing that in the least. What I would say, though, is if you guys can negotiate now, you're actually going forward. The things you can come up with now, the city will take.

Speaker1: [01:15:12] They're not going to throw that in the garbage can. My conversations with a couple of city council folks, they were open to it like they use words party to a development agreement. I don't know exactly what that is. I'll leave it to John to figure it out. But that would be moving forward if this goes to court. That's not moving forward. You're your folks are servicing their debt and they're not any closer to building any houses. So I'm just going to lean back on please negotiate what you guys can come up with, what conditions for approval we could come up with. That's actually moving forward. Those are things you're not going to have to redo with the city. They will they will believe what we say here. Going to court, I think, is not forwards. It's it's sideways. It's costly for you. It's costly for you guys. It's costly for us. But I'm not worried about us at the county. John's already getting paid by the hour. We're okay there. This is not about saving the county money, though. We do want to save the county money whenever we can. Go ahead. Sorry for.

Speaker3: [01:16:10] That. No, no, you're good. You know, I guess one thing, a few a few things. Comment on Jason's stuff. A reminder, this was on October 6th and seventh, which was the week before an off season open and big game season open. So the gun range was probably at peak to make up for the golf course. Still being open, too. So traffic wise, just just a little hit on that. I mean, I guess.

Speaker1: [01:16:36] Let him talk, please, everybody let you all talk.

Speaker3: [01:16:39] You know, the big thing is, is trying to find a conglomerate, like, what are we going to agree to? We have not heard the only person I've heard even say what she would like out. There's leads and she wanted 120 houses on 36 acres. So, you know. But but Ross, they haven't told us what they want. All they they keep saying is we need to look at this and we need to analyze that. And we don't even know what it is. And I don't know how long is it going to take to get that many people to give us something that's reasonable, that a developer can afford to buy the land to upgrade Summer Street for over \$1,000,000, to put in all the parks, to put in the trails to, you know, all that kind of stuff. That's the struggle is I don't see I see us wasting time. And who's going to give us the one answer of, you know, this is what we would hope to see and have one point, without having to go through months of community meetings with more and more lawyers involved, every time it shows up, it's like there's three more lawyers at our meetings. We have more lawyers than we do anybody else at our meetings.

Speaker3: [01:17:48] It's just one of those things that if somebody has suggestion or when people come give comments, if they could say what they would hope to see, that would help. So what? Just saying what's negative to say what positive things you want to see and like the direction the school opening this would allow, which I think is a big deal to use Missoula to get the school back open. I, I talked to Russ Lodge almost a year ago about this, and he was excited that we had the ability to provide enough kids because we're the middle. We want to provide middle income housing that would actually have kids, not million dollar homes, and they could get the school opened back up. The longer that we delay this, the the longer that the school gets to sit vacant. And so constructive comments as people come up that say, you know what I would really like to see are a mixed use of housing out there, or we actually just want to see a big blank field and we don't care. We're here to fight any development. But I mean, at least we would know where people sit because right now, I don't know.

Speaker1: [01:18:46] I'm just going to I'm going for it on ideas here. Okay. So, Karen. Is it is it appropriate? Possible. And feel safe to speak your truth here for you and your office to play kind of a leadership role in convening and invite neighbors, attorneys, developers and some folks from the city and see if we can have a short and finite series of meetings where we can get to a situation where we have a list of conditions for approval that we could all live with. And this puts the onus on us to do the convening and the coordinating and attempt to move this forward. And this is my distaste for litigation and really wanting to move us forward. I don't want you guys to delay. I fully get the housing crisis. Wake up at four

in the morning worried about the housing crisis. Don't need to be convinced of it. I want us to move forward. I'm seeing this as a better path forward than going to court date.

Speaker2: [01:19:43] Yeah. So what from one standpoint might.

Speaker1: [01:19:49] Well, Dave, first.

Speaker2: [01:19:51] From one vantage point, what might be seen as a delay is and I think this is exactly what Josh is saying, it's an investment of time, that if this goes into active litigation, I guarantee this is going to be snarled up way beyond any time horizon that is currently envisioned. So if there is a way and I get it also to drill down into the details, what is the vision? What is that? What is it that would be palatable to all parties to come to some agreement on and also memorialize that in some way, whether that is a series of conditions of approval for the removal of this one foot no access strip or some sort of a development agreement. I would love to see that happen. I also have another question for Karen after she answers your question. And before we go to terms.

Speaker1: [01:20:48] Of delay here, we would have all the time spent in court. And then after that, you get to go through that mountain of process at the city. And what I'm hoping for is with some conversation, if Karen could. Indeed. And if you can't, we'll come up with another idea. But if Karen could lead a conversation that would short end up actually shortening the amount of time you'd be in process with the city, because you would have answered a whole bunch of questions already. So though it feels like, Oh, we're just talking to neighbors, we're spinning our wheels, we still got to go to the city. Actually, all that information you would create an agreement would move you forward with the city. So it would shorten your time with the city and eliminate the amount of time you'd have in litigation.

Speaker3: [01:21:26] I guess the struggle is there just such a distrust in how the city does subdivisions look? Why not let the city handle this? They do it all the time.

Speaker1: [01:21:34] I totally get you in. My sense is that the people sitting in this room have some of that distrust and are caught in a position where they believe if the no access trip goes away, where their way of life is ruined and not seeing that the city has a process and maybe from our standpoint where we're kind of inside this system, well aware of the process that I described that a lot of developers view as a bottleneck, as a hindrance to development. They don't see that. All they see is 300 houses or 200 houses or whatever it is and my way of life being ruined. So and we got to get Karen to say yes.

Speaker2: [01:22:07] One last thing. So I may be the only person in this room who is sat on the governing body of both the city council across the street and in this room here. And I want to push back just a little, Brian, and that what we do not hear have the level of influence that you might think that we have when a parcel of land transitions into the city by annexation and is then run through their land use review process. So I think what you're seeing from folks out here and I'm not disparaging the city's process because I sat in those chairs and made decisions also and tried to take our decisions very seriously. But the reality is, once an issue moves beyond us, we might be able to offer comment. But there is absolutely no guarantee that what we propose or suggest is actually going to be implemented on the ground for an offsite improvement to a subdivision or a parcel that has been annexed within the city. So I'll stop now.

Speaker1: [01:23:14] Karen, what do you think?

Speaker5: [01:23:17] I mean, I work for you. So I think that if we were to do that, we do need to put a time limit on it and we need to limit the number of participants so that there's a small.

Speaker1: [01:23:29] Small.

Speaker5: [01:23:30] Small working group of representatives from adjacent residents. Mozilla Community General Development Team, the county and I probably need assistance from John.

Speaker1: [01:23:44] And we've got to get some city folks in there.

Speaker5: [01:23:46] And we have to and then and that's a question know.

Speaker1: [01:23:50] We have.

Speaker5: [01:23:50] Enough to the county everyone has no staff and a mountain of work so we'd have to get commitment from them to participate in as well.

Speaker1: [01:23:59] And I think we could use the limited influence we have to make sure that someone is there for those meetings, even if it's a city council person.

Speaker3: [01:24:05] Could I raise one.

Speaker1: [01:24:06] More, please.

Speaker3: [01:24:07] Jesse problem with this concept? I mean, I appreciate the idea that it's good to work together. The problem with this concept is that this working group comprised of. Whoever doesn't have the authority to bind the rest of the community in any sort of way that would prevent litigation in the future. So the litigation, the idea that somehow getting people to agree on this is going to a small group of people who may or may not represent the overall views of the community is going to prevent. Litigation is literally impossible because there's no statutory process for what we're doing. There's no legal framework for binding anyone to this agreement. And so this idea that somehow this is going to avoid litigation, all it's going to do is if somebody's upset with the outcome, it's going to delay the litigation, not eliminate the prospect of litigation. And I also just I want to go back to this thing, and I know I'm going to get a lot of oohs and ahs behind me. But we recognized, I think, how this got here that it shouldn't be here, that it's contrary to the subdivision and Platting Act, which requires as a matter of statute that the final plat conforms to the preliminary plat. So while I understand this urge for a collaborative process, this it's rewarding something that should not have happened and certainly looks from our perspective to be something that was done surreptitiously and outside of the way the final plat was supposed to be done. And so that concept that this is somehow going to prevent litigation is not true and it's rewarding behavior that never should have taken place.

Speaker1: [01:26:00] Thus.

Speaker4: [01:26:03] Yes. So I want to comment on that point just with particularity. So I do think that we can get to a point where the chances of litigation around the no access strip removal are effectively zero. And and there is a there's a provision in Montana law that I think would apply here about how you can amend a plat. And that would require, in this case, 85% of those landowners to support that. And I think we have over 85% of the landowners here. So this is a group that we're in active communication with. So you may not be able to stop a lawsuit around the robin putting putting the road through Robinson or a lawsuit around a subdivision. But we would be able to hitch our process if it's successful to that statutory process. And I think pretty much completely I mean, maybe litigation, but you could probably resolve it on a motion to dismiss and everybody would be out of line and where that would go related to just the narrow question of the one foot, no access to.

Speaker3: [01:27:01] Please.

Speaker2: [01:27:02] But yeah, and, and.

Speaker3: [01:27:04] That's where we started last week was just the no access trip and we've evolved into what the subdivision looks like. How much community council should we be involved? It isn't just what Ross is talking about. That's where we tried to like rail it in last week and bring it back to what was done. It's right or wrong. That was wrong. That that's on there was wrong. It was a lie. It was wrong. It wasn't it was it was slid under. It was not approved. It was not approved.

Speaker1: [01:27:37] You guys, come on.

Speaker3: [01:27:38] It wasn't so. So I feel like it's kind of black and white. It's right. It's just it's wrong. If I did something in that that was wrong, I would expect that I would have to fix it. And that's where I think we should be. I don't even know if it's it's just it's wrong. That's all there is to it.

Speaker2: [01:27:56] Dave So question for Karen and I know there's a lot of folks out there eager to share a bit, but just in terms of context, so one of the things that I think I've heard from folks explicitly or at least implicitly, is that if this was developed and reviewed by Missoula County. Not the no access trip, but the subdivision proposal. If and when it comes through that, it would look very, perhaps look very different than what might be pitched to the city of Missoula if annexation is requested. And so a point of clarification, Karen, because a lot of effort has gone into developing the land use element, the amendment to the growth policy that we got overwhelming support from East Missoula on and other community members across Missoula County. Also, we are on the cusp of adopting permanent zoning for East Missoula, including this parcel of which we received overwhelming support from East Missoula and others throughout the county. So the question really comes down to, for me at least, and maybe we can't maybe this is something that also needs to be answered in greater detail beyond this meeting, is what is the sort of density that would be allowed under our soon to be adopted zoning for East Missoula versus what might be able to be accomplished should this be annexed within the city? And I'm still not convinced that this could not happen simply straight up through the county with and without annexation. But anyway, Karen, do you have any insight in terms of. Missoula County zoning density versus what would happen within the city and how that aligns with the either 250 or 380 odd units being proposed.

Speaker5: [01:29:58] Sure. And I do want to I want to go back to one point about the idea of convening around this no access trip. Just just so you aware that park and the access related to the park at Canyon View Park and Robinson Street. I mean, that has already come up in the the limited conversation that's occurred and presumably would again and that requires requires the park board and another process. So even if we kind of try and do this really tight process around this strip, there's that as well. Like there may be several of these conversations. So a tight conversation may get drawn out on Mike Lee if we go that route. So the land use plan for the county, the area is designated as residential. That has a recommended density of 3 to 11 dwelling units per acre. So when they did their traffic study, they were at the high end, the maximum, and they said that they were looking at what the maximum impact would be. The city's growth policy. As far as I can figure out, our Missoula has the same designation, residential 3 to 11 dwelling units per acre. That's in that edge area where the city and the county worked really hard to have similar growth policy designations. So 3 to 11 is the same. They have an added urban ag designation over the top. No one really knows what that means. I don't know how that would be addressed in a city process, but the city has an additional piece in their growth policy map this urban ag designation, the county's proposed zoning that should go into effect on July 1st. Is it six dwelling units per acre, both the land use designation and the zoning? Talk about the opportunity for clustering, development and getting density bonuses. That's an option in the zoning. So although the base zoning is six, there's opportunities to cluster development in order to bring in other housing types, like some limited multifamily if they cluster the development. So while the base zoning is six points units per acre, it could go higher depending on the development design even in the county. Does that.

Speaker3: [01:32:14] Help?

Speaker2: [01:32:15] So just to interpret that for myself a little bit. So in other words, if this if a project was proposed for this parcel of land. Via the Missoula County zoning regulations soon to be enacted. The the number of units would that would be allowable under county zoning would not be. Could could approach the number that are being proposed for review within the city is that yes.

Speaker5: [01:32:52] That's essentially the simple answer is yes, they're right, 6 million acres right in the middle of that range. They could request under the growth policy to get a higher zoning designation, or they could use one of the incentives, some of the incentives to pull together density bonuses and clustered their development in a way to to increase their allowable density beyond six per acre.

Speaker2: [01:33:15] Thank you.

Speaker1: [01:33:22] Ross.

Speaker4: [01:33:26] So we are we are at a point, I think, that we can certainly try to make an offer. And we've we've gotten Jason Rice and his team up to speed. And we're starting to understand the impacts. There's a few areas we don't have perfect clarity on, but I don't think it would take us very long to try to put together what we would like to see done. And just to to Karen's comment about the Parks Board, I think that's a critical piece. And if we were going to convene a group, it would be great to have one representative there, because I'd like to solve that issue as well. And I think for the developer, that solves both of their access points, which which have to come through the county. And you could I don't know what type of time frame we could put that process on, but we probably wouldn't get through the Parks Board. But we at least have a proposal that perhaps the community and everybody was somewhat synched up on.

Speaker1: [01:34:11] That's great to hear. And can.

Speaker3: [01:34:13] We.

Speaker1: [01:34:14] Come up with a list? We could use the modest powers. We have to ask people strongly to attend this meeting. And we can we can work with the city to make sure somebody is there, too. So we're ready for a public comment. Unless Brian or Jessie, please feel free. I don't mean to cut you off if you need to say something.

Speaker3: [01:34:34] And the representative. So I do need to ask the developer if we extend it at all for today. I hear you. But I mean, yeah, I think these are good comments. It just can't get drawn out. That's the.

Speaker1: [01:34:45] I. I am with you, man. I don't want it drag out. What? What, believe me, are our goal here is you guys go away for a little while. Come back with something that everybody hates but doesn't hate so much. You can't live with it. And then we make this thing go away. And then you start your process with the city, but you start your process ahead. You're not starting at the starting line. You're already a bunch of a bunch of feet down the track because of all this preliminary work you've done, gets us closer to housing, eliminates litigation, answers the neighbors concerns. That's that is that is what we want.

Speaker3: [01:35:15] So our guys.

Speaker1: [01:35:17] Okay, thank you very much. So we can do public comment, but please, as Dave said. If you're if you're if you're going to come up and say this thing is going to wreck your life, the traffic is terrible. Nobody considered this or that. Please don't say that. We heard it before. We are headed towards solutions, not reiteration of the problem. And it's 335. If you've got something new to add, you are welcome and you have 3 minutes and we'll let Ross finish up here. Okay. Fantastic. Take. Take five. I could use a break myself. 5 minutes. We'll come back. Nice to with you all. Sounds like progress is being made. They just asked for five more minutes, so they're talking to each other, which is a good sign. So we're going to give them five more minutes. Thank you. Everybody looks like we're ready to begin. So if you could take your seats. So, Ross, before we start, I need to know the appropriate collective noun for a group of attorneys. Is that a gaggle, a flock, a murder? I'm not sure. A murder? We have a murder of attorneys convening here. So, please, what do you guys come up with in that summit meeting.

Speaker2: [02:00:22] And please turn your mind?

Speaker1: [02:00:23] Oh, yeah. And we did get an ask if when speaking, if you guys would go a little closer to the mic because the folks in the back couldn't hear.

Speaker4: [02:00:32] Yes. So thank you. I'm Ross Keogh. I'm an attorney at the law firm of Parsons, Bailey and Latimer here in Missoula.

Speaker3: [02:00:39] I'm Brian Throckmorton with 406 Engineering. Jesse Craddock with Warden Thane. So what we're.

Speaker1: [02:00:49] Hoping Mr. Van Kernaghan.

Speaker3: [02:00:52] I'm sorry. I didn't mean to be disruptive. I'm Bill Van Hanigan, and I'm going to say a few words as well when we get to the end here. Thanks.

Speaker4: [02:01:01] We do think additional negotiations would be helpful. The general framework is we're going to commit to meet weekly for three weeks at the expiration of that period if we would like to have a commission meeting as expeditiously as possible. And so one of the things we would like to ask the Commission, just given the schedule, is if they may schedule a particular meeting to accommodate something immediately after our conversation. And we can, if we want to calendar that out right now, we can. And we would also, as part of that, really like to have someone involved from parks to to make sure we can really nail and discuss the Robinson issue and also would like to reach out to the city as well. And from there, I think it's worth maybe spending a little time today with the folks here. I'm not sure that much public comment is warranted at this juncture, but I do want to make sure that we have an appropriate sampling of the community present at those negotiations, but we want to keep it fairly tidy. And so we can I can offer some thoughts of how we might might assemble that that component, if that's helpful, when we have the crowd. But I'll let Brian weigh in.

Speaker1: [02:02:10] Thanks. And Karen, can you help make that happen? And could you work on that scheduling? Thank you.

Speaker3: [02:02:19] Yeah. I appreciate the time that you gave us because absolutely. I think that was gigantic and super helpful for us moving ahead. You know, one thing we're good with is the set time. So if you guys can accommodate, we'll work. But if you guys can have a special meeting, we can come together. You know, we've decided, if nothing else, if we can't figure this out between us and come to an agreement, then we still need to make a decision at the end of this regardless. I mean, we're going to work in good faith. We're going to we have the traffic study. But the the thing is, the next meeting, if you guys can commit to making a decision, that would be super helpful. We could.

Speaker1: [02:02:53] Do that. So if you're looking at a calendar, what what week would you be hoping.

Speaker3: [02:02:57] For by the end of June, perhaps the last week in June?

Speaker1: [02:03:03] She's bringing it up right now.

Speaker5: [02:03:05] So, commissioners, you have a hearing already scheduled for June 23rd. I'm not sure if that's going to be that's literally three weeks. You don't have a meeting the following week, so Violet will have to do magic.

Speaker3: [02:03:24] Could we do it?

Speaker1: [02:03:26] What do you see by that?

Speaker5: [02:03:27] So the. Other option that I would see would be the 30th. But you do have a budget meeting scheduled that afternoon. I'm not sure whether that is immovable or not.

Speaker1: [02:03:38] Let's move that budget to move that budget meeting. Okay.

Speaker5: [02:03:44] Um.

Speaker1: [02:03:45] So we wonder.

Speaker5: [02:03:46] If there's a different day we could.

Speaker1: [02:03:47] Do. What time would that would that be? We could do an edit. We can force an 8:00 budget meeting. Dave.

Speaker5: [02:03:55] That if if that budget meeting is moveable, we'd have to. I can double check really quick. That is the 1 to 4 p.m. on Thursday the 30th.

Speaker1: [02:04:07] 1 to 4 p.m. Thursday the 30th.

Speaker2: [02:04:09] We could also perhaps work through the lunch for the budget meeting or cancel some of our morning meetings.

Speaker1: [02:04:21] So up for the gaggle of attorneys, 1 to 4 on the 30th. Jesse? Yes, Ross. Thank you. Thanks, Violet. Okay. We got a date, and you guys bring us something that'll be fantastic. And if you don't, we'll. We'll make a decision.

Speaker3: [02:04:43] Thank you.

Speaker1: [02:04:45] Mr. Van Cannon.

Speaker3: [02:04:49] I had. A couple of.

Speaker4: [02:04:51] Pages of.

Speaker3: [02:04:52] Extensive comments prepared for today, and I'm pleased that I won't have to make them. And I just want to take a minute to thank both of you for taking the time and rolling up.

Speaker4: [02:05:03] Your sleeves and encouraging this dialogue.

Speaker3: [02:05:07] Because I think in the end process and policy. Always Trump litigation. And so we'll work hard to build this bridge.

Speaker4: [02:05:19] And it's our hope that we can.

Speaker3: [02:05:21] Achieve an outcome here. And an outcome that answers the questions of our citizens who.

Speaker4: [02:05:29] Are concerned about.

Speaker3: [02:05:30] This, but also achieves what needs to be achieved for this.

Speaker4: [02:05:34] Development.

Speaker3: [02:05:35] So thank.

Speaker1: [02:05:36] You. Thanks for saying that.

Speaker4: [02:05:43] I'm just offered anybody here that would like to be involved in this process. If I could collect your emails and I'll have a notepad out here, I'll form some sort of distribution list to keep the broader community informed that made it today. And then we'll from there maybe, maybe make sure we have a one or two representatives outside the water's edge area involved in those conversations as well. So if you're interested in serving in that role, just maybe make a check checkbox for me. So I know that.

Speaker1: [02:06:14] Okay. So, Jesse, did you have something so we could do? Public comment, but it really want to encourage you not to go backwards in public comment. We're we are ready here to make a leap forward with our gaggle of attorneys. So if you have something new and substantive to add, please do. But really be conscious of the new and substantive before you decide to talk.

Speaker3: [02:06:41] My name is Gary Bryant. I'm a real estate broker at Berkshire Hathaway. I have known I knew Dick for 25 years. He was my client. I was his client. We did two subdivisions in East Missoula together. And what I wanted to say is the process, whether it's a building permit or a, you know, a review of a the filing of a plat, it goes through an extensive review process. You don't just slip something in and you know, the design of that, that road was done on purpose. I was involved in it from the beginning and it was really never to be a through traffic road for a big subdivision, you know, bring the bikes through, bring emergency vehicles through. But, you know, you want to prevent because there's blind spots on that road doesn't meet line of sight doesn't meet road standards. So I just felt I needed to get up and also say that Dick was an honorable man. Yeah. Thank you. My name is Bruce Baxter. I'm a homeowner near Waterside Drive. I'd like to express some concerns of the citizens of East Missoula. I've got a one page typewritten note I'd like to enter into the public record. First, I'd like to thank all three commissioners for being willing to be public servants and put up all the mayhem you take here. Regarding the no access strip at Water's Edge neighborhood, I acknowledge legitimate property rights, property, profit motive of the developers.

Speaker3: [02:08:11] Also the need for additional housing in Missoula County. If the no access strip is removed and the road is built there through what is now a three foot wide patrol pedestrian gate, there will be several negative impacts to the existing homeowners in the area. These include traffic congestion. Now we're hearing 3850 vehicle trips per day through all of East Missoula overcrowding, large amounts of construction equipment, increased noise smoke, decreased degraded air quality, degraded public safety, loss of views, increased crime from the additional population. There has been no public notice to East Missoula from the developers, no public meetings. I would like to ask for mitigation of these negative impacts. I'd like to ask the commissioners. Consider five points that I brought today as the East half of East Missoula is currently zoned for quarter acre lots minimum. I ask that any new development in the area also be minimum quarter acre lots to maintain integrity and character of the neighborhood and cut down this new traffic congestion. Number two, I'm asking the developers to build a new summer street interchange number 108 on I-90. This will be the absolute best solution to the traffic congestion coming along. This could be anywhere from summer street east to the River Bridge. There are other cities around the country such as Spokane, Washington, have several on and off ramps within a mile of each other. Even Orange Street, Van Buren Street are only 8/10 of a mile apart as highway number three is highway 200 is currently crowded with waits to get on.

Speaker3: [02:09:53] I'd like to ask for three traffic lights on Highway 201 at Summer Street, one at the oldest gas station. We're hearing there will be 200 new residential developments being built on oldies property and one at the eastbound exit ramp of I-90, which is also currently a very hazardous intersection. Number four, I will be asking for a closed gate, closed vehicle gate installed with a sign reading something to the effect. Keep closed. Emergency vehicles only on the southwest corner of the current waterside drive. Closing the access drive to the 885 Speedway Road Houses. Then there will be a new access road to that house for safety number five, safety accommodations need to be made to the current pedestrian path runs from Montana Avenue and Speedway Road down to Waterside Drive and the River Trail. We're being asked to make an exception for Waterside Drive being less than 60 feet wide. It's a blind curve there that that via county road. I ask for another exception that we make that a 15 mile an hour speed limit and pedestrian warning flashing lights there for the pedestrian path to the river trail, which goes on to the golf course. We may ask for other mitigations in the future. I can further explain any of these points if there are any questions. Thank you.

Speaker1: [02:11:15] Thank you. See that we have a hand up online. Bob and Gay. Yeoman.

Speaker3: [02:11:26] Yes, thank you. Thank you very much. First of all, I enjoyed being part of this meeting today. I think you guys are doing a great job of trying to trying to make something work. But I have a process. Question If you were to decide to stop or end the one foot no access zone, is there a

procedure for doing that? Would you have to follow the state law about getting the owners a percentage of the owners permission to do that? Or it may seem that some people think it was a mistake to do, but it is there. And when I purchased my property on Waterside Drive, I assume that that it was a part of an existing legal document. And and I'm just kind of curious to know what would what would be the process of you decided to withdraw that?

Speaker1: [02:12:25] John, could.

Speaker3: [02:12:26] You. So Waterside Drive was dedicated to the public as a county road, including the one foot no access strip and. You have plenary authority under Title seven to manage. County roads in a way that you feel is in the public's best interest. And you could even though there is a no access strip shown on the Platte, you can decide that that no access strip needs to be removed. You would. You could do that in a variety of ways. I would recommend that. If that's what happens, you do it by resolution and you lay out the history of the subdivision and how we got to this point and then resolve to remove that no access strip.

Speaker1: [02:13:18] Thank you.

Speaker3: [02:13:20] I'm sorry. Are you speaking as what the homeowners should do or what the county should do? Sir. I'm a. I'm a deputy county attorney. My name is John Hart, and I'm recommending I'm not making a recommendation right now. I'm simply answering the question, how would the county resolve to remove this one foot no access strip? I'm not I'm not talking about the property owners that own lots in this subdivision. Thank you very much for clarifying. You bet. Thank you. I'll be brief. I'm Frank Broad, a resident in water's edge. I had some comments I was going to make today. I think they've been substantially covered, so I was just going to commit this to the record.

Speaker1: [02:14:15] Thank you. Thanks for your brevity.

Speaker3: [02:14:24] And I promise to keep it short. My name is Pat MacDonald. I live out on the golf course. We've lived out in this neighborhood since 1944 when our family moved in here. So I'm very familiar with the land. Approximately one month before Dick Ainsworth died, I called him and was asking some advice on a piece of property I wanted to buy. He came out to my house and we discussed it and then he said, Come on, let's take a drive out. Drive took us down to the condominiums there at the water's edge, and we drove down to the end of the street. And he loudly told me how he had put in a no access strip across there, not by accident, but to make the world know that there is no access to all of that land down there via that street. And so when I hear people say it was wrong, those people should have been preaching to their purchasers before they bought it, that that record stands in there and was supposed to notify everyone that there was a no access trip. Dick Ainsworth would be rolling over in his grave if he were to hear some of these comments that they. Thank you. Thank you.

Speaker5: [02:15:48] Hi. My name is Kelly MacDonald. Hi, Violet. Violet, help me out. I live on one, two, five Dear Creek Road directly across from water's edge. Waterside Drive is directly across the street from our driveway. In lieu of seeing or being reached out to by anyone and seeing traffic information, which we requested at the last meeting, we made a quick video. So I'm going to show you traffic instead of speaking about it.

Speaker3: [02:16:18] Thanks.

Speaker5: [02:16:20] This video is coming out of my driveway facing your creek onto Speedway and you can see Waterside Drive. This video was recorded yesterday and a three hour window between 11:15 a.m. and 2:15 p.m. and 3 hours there were nearly 400 cars. And again, this was taken in the middle of the day, not rush hour, not the morning commute, not on the weekend, not on a holiday, not during peak summer hours where people are using the public beach. Thank you.

Speaker2: [02:19:21] Thanks. And let the record No. 397 vehicles in one very active lawnmower.

Speaker1: [02:19:26] I saw that going fast, too.

Speaker5: [02:19:29] That video was made downloadable if you need to keep a copy.

Speaker1: [02:19:33] Thanks for taking the time to do that.

Speaker4: [02:19:41] Thank you for hanging out and thank you for your patience today. My name is Andrew Hurst and I reside at the Water's Edge Development at 4640 628 Stony Brook Way. I just wanted to take the opportunity to reiterate a point I made at the last to the commissioners at the May 12 public hearing on this topic. Specific to the current classification of Waterside Drive as originally approved and constructed, and the reclassification it would be required to undergo should the one foot no access trip be removed at the southern end. I know old news. We had the good fortune to meet with Shane Stack on Friday, May 20th for a walkthrough of water's edge along Waterside Drive. At the meeting, Shane concurred that as implemented with one side of designated parking, Waterside Drive is currently classified as a local road as per road classification definitions in the Missoula County subdivision regulations. Based on less than half the number of units planned to the south, to the south of water's edge and referring again to the Missoula County subdivision regulations document. At a minimum, waterside drive would need to be reclassified as a minor collector road and I've given you a handout that gave me x marked the spot as what we currently are versus where we need to go.

Speaker4: [02:21:01] Based on the number of units that would now be required to service something we feel should be carefully considered and planned before a decision to remove the seven one foot no access strip is entertained upon careful review. The work the road as currently implemented may not feasibly be upgraded to minor collector status. Shane was reticent to agree with our arguments as to why Waterside Drive could not be reclassified as a collector road. He stated it would be feasible for Waterside Drive to handle the additional traffic if we in water's edge. We're willing to give up the one side of parking we currently have on that road. Again, this approved this plan, unit development was approved with one side of that street designated as parking current county standards, 28 feet width of pavement as standard. We got 25 foot width of pavement right now with one side of parking in the February 2008. Findings of Fact on Conclusions of Law. Water's Edge Special Zoning District Document clearly states that parking was proposed, and that's how it's currently being used. It's critical to water's edge as the private drives as designed as part of that whole development, along with the one side of parking on Water's Waterside Drive, Riverwalk way, Stony Brook Way and Prairie View way.

Speaker4: [02:22:23] Let's see a little bit of a. Sorry. Yeah, right. Say it's a parking post. And once I, which is currently in the case, the west side of the road is currently used for overflow parking. The parking is critical to water's edge owners as the private drives, River Parkway, Stony Brook and Prairie View Way, which 17 of the 20 units in water's edge enter onto, are designated fire lanes on which parking is not allowed as clearly marked by the no parking fire lane. Signs posted on them signs science post parking along the west side of Waterside Drive is critical to the for service and other vehicles beyond the designated guest overflow parking off the private drives. Residents of Water's Edge are about as inclined to give up one side of parking on Waterside Drive as they are the southern foot so than one foot no access trip anyhow stuff. I've already reiterated that you are here, but I think and this will be probably part of the conditions that are discussed if that one foot no access trip is removed, how many units would we actually be able to serve as versus what's proposed? So that's all I got. Thank you. Thanks. They?

Speaker6: [02:23:46] Hi, I'm Lee Bridges from East Missoula. Could I just ask a question before I get started with my comments? I'd like to know what took place before you opened up public comment. You made a decision and I wasn't quite clear on that. Could you just explain what you guys decided?

Speaker1: [02:24:02] Sure. We decided to take this up again on June 30th. And in the interim, once a week, the attorneys that represent the developers and neighbors are going to meet up once a week to see if they can come up with some conditions for approval for the if the no access trip was lifted, what would have to change for the neighbors to be more or less all right with. How it came out.

Speaker6: [02:24:26] Thank you. I just got my question answered, but I would like to make some comments today if I may.

Speaker1: [02:24:34] So and Lee, just you know, I'm not sure if you were here at the last one. We've heard a ton about the impacts on traffic intersections, quality of life. I know what you so I know.

Speaker6: [02:24:44] Really, I was there.

Speaker1: [02:24:45] If you could focus on the new and substantive, we don't need to reiterate and we do have a path forward and it is 430. So just to keep that in mind. All right.

Speaker6: [02:24:54] Less than 3 minutes, I promise. At the last minute, at the last meeting, I asked you to postpone the vote for us to have time to work with the developer to answer some of our questions and work out some of our differences. Thank you. You did exactly that. We appreciate that. However, Brian Throckmorton was not forthcoming with the information that we asked for, holding up the ties that he had in his possession until this past Friday on the holiday weekend. I'm not even going to waste my time going over the slipshod data that I have gone over. I have those reports right there. I printed them all out. I looked them over to. I'm not going to step into that one at this time. At the last public hearing, the public comments were closed. When the public comments were closed. Patrick. Brian Throckmorton reinforced. Excuse me. Brian Throckmorton referenced his contact with me in the East Missoula Community Council, leading you to believe that we were in step with this proposed development. That is false. From what I've been shocked to learn in the past two weeks, most of what was told to us in the early East Missoula Community Council meeting Brian attended is now false. I just learned two weeks ago that the Robin Street Robinson Street access across going across access going through our Canyon View Park is still on the table and that the 250 city units is now up to 386 units. Our county infrastructure can't handle that. The information provided by this engineering, by this engineer is ever changing, and we can't trust what he tells us.

Speaker6: [02:26:33] We feel that we are losing our voice in this matter and that Brian Throckmorton is circumventing us at every step. We're really concerned about that. There is specific. Here is a specific example of why this one foot no access strip needs to remain in place for now. At the attorney meeting I attended with everyone on Monday, May 23rd, Brian Throckmorton was asked about a signal light at the intersection of Summer Street and Highway 200 to handle the traffic flow. The development would be creating. Brian responded that the traffic impact study they had done indicated a light wasn't needed. Bear in mind we had no copies of the charges at that time. I asked Brian if the developer was able to convince everyone that the load he was he proposed his proposed city development put on Summer Street did not constitute a signal light at the intersection of Highway 200 and Summer Street so that he wouldn't have to pay for that. Who would have to pay for the signal light if in fact it was discovered one was needed was indeed needed? Answer the county. That burden is on us for this developer to profit off of. That is why our community has to be. I understand that this has to do with water's edge and the no access strip. This concerns the public. This concerns the East Missoula community. So we need to be involved in this. I have no way of working with a moving target.

Speaker6: [02:28:11] Brian Throckmorton and his team have not worked with us in good faith at seeking solutions to this situation, as you instructed all of us to do in this past three weeks. I can assure you I've been very frustrated by the way. I can assure you if the developer gets this ruling in his favor, favor that there is a powder keg of constituents in East Missoula ready to blow. We don't want. I've had calls and messages in the past several days. I'm not even going to start there. We don't want the county to abandon us. Instead, we want you to come out and help help work to protect our community from the burden. This developer is getting ready to place on us. Please. Don't initiate a process that removes our county, our community from control over what happens to our community and the impacts that it has on us. Once community. Once public comment is closed today. Brian. If Brian brings up an email I received from him on February 2nd, here are the emails I'll give them to you. They speak for themselves. I have much more to say, but this is only 3 minutes. And I just want to urge you on behalf of the East Missoula community to please give a thumbs down, thumbs down to this request on the no access trip. When the

time comes, however. On. With an open mind. I do plan on attending these meetings as you have laid out, and I do expect to be an active participant in this. Thank you.

Speaker1: [02:29:54] Actually.

Speaker3: [02:30:10] Eugene Phillips. One, two, five, Dear Creek Road. Thank you all. Appreciate your time with us.

Speaker4: [02:30:15] Thank you.

Speaker3: [02:30:16] And nobody else. Good trying to find solutions to big problems.

Speaker1: [02:30:20] It seems like one of the big problems we're trying to find solutions to is a missoula city growth problem, putting it in a place where it's going to create more problems. We've been.

Speaker4: [02:30:27] Over that. But this little traffic study.

Speaker3: [02:30:29] We did, which is just putting a camera up, it's pretty.

Speaker1: [02:30:31] Cheap, simple, anecdotal, but it extrapolates out to roughly about 2000 cars a day coming down.

Speaker2: [02:30:38] Deer Creek Road. Now, when.

Speaker3: [02:30:40] Canyon River doubles its occupancy.

Speaker1: [02:30:43] We could assume that will also double the amount of construction. So roughly 4000 cars a day on the county road with no sidewalks.

Speaker2: [02:30:51] And then we're going to add this.

Speaker4: [02:30:55] Which would be another well, if it's 200 units.

Speaker3: [02:30:58] Another 2000 cars a day.

Speaker4: [02:31:00] If half of those cars if half those cars take waterside drive.

Speaker1: [02:31:04] That would be. 5000 cars a day coming into between Speedway.

Speaker4: [02:31:10] And basically my driveway, which sometimes I like to leave my house.

Speaker3: [02:31:13] So ten car lengths.

Speaker1: [02:31:15] And you're blocking my driveway.

Speaker3: [02:31:16] Ten car lengths from that intersection.

Speaker1: [02:31:18] Which I say is.

Speaker4: [02:31:19] Nimbyism. I'd like to leave my house.

Speaker1: [02:31:20] Sometimes it's not, you know, it's basic request. But I think one.

Speaker3: [02:31:24] Of the issues here is where.

Speaker1: [02:31:26] I'm sympathetic to the housing.

Speaker2: [02:31:28] Urban growth issues that we're having, because.

Speaker4: [02:31:30] The city is.

Speaker3: [02:31:30] By no means.

Speaker1: [02:31:31] Alone. It's happening everywhere where I have friends and have worked and lived in the past. And it just.

Speaker4: [02:31:38] Seems like we're missing a really good plan.

Speaker1: [02:31:40] So. An investor comes in and buys a piece of land. They have every right to do that. They have every right to monetize that plan.

Speaker3: [02:31:47] They have every right to build their vision.

Speaker1: [02:31:49] Within the codes and the laws on the books. But one of the things I keep hearing is that.

Speaker3: [02:31:54] We're wasting time and I don't feel like hearing the concerns of the community. You want to build something.

Speaker4: [02:31:58] And that impacts them is a waste of.

Speaker1: [02:32:00] Time. I think it's somewhat disrespectful. No offense, but.

Speaker3: [02:32:04] Last meeting you said.

Speaker2: [02:32:05] I want you to meet with the people at Water's.

Speaker3: [02:32:07] Edge and the properties on Deer Creek Road. We are that property right across.

Speaker4: [02:32:13] No one reached out, so we're a.

Speaker1: [02:32:15] Bump in the road and we get that. And I think that there's a way to build.

Speaker4: [02:32:18] Something there.

Speaker3: [02:32:19] And have tons of new occupancy and also hear the concerns and be.

Speaker1: [02:32:24] Somewhat respectful. I haven't heard that. I mean, it sounds.

Speaker4: [02:32:26] Like some you may have reached an.

Speaker3: [02:32:28] Agreement to talk to them. No offense, if we're going.

Speaker1: [02:32:31] To get our own counsel, we'll get our own counsel and that's great. But like, I don't think this has to be about avoiding litigation or not. It's just there's there's a way to have a conversation as a group.

Speaker3: [02:32:40] Of people who care about each other. And I think this community pretty obvious cares about each other. And the big question.

Speaker1: [02:32:46] I have is I know what's in it for the developer. It's the almighty dollar, but.

Speaker3: [02:32:49] What is in it for anybody in this.

Speaker1: [02:32:51] Room? And that is I haven't heard anybody say anything. It's like we're trying to solve a problem for the city of Missoula, but this is east Missoula. And so there.

Speaker3: [02:33:00] Should be something.

Speaker1: [02:33:01] That citizens that already live there and pay taxes here get for this.

Speaker3: [02:33:06] Other than what.

Speaker4: [02:33:07] You've heard already, which is traffic and problems and.

Speaker1: [02:33:09] All this infrastructure strain. But that's what I would just.

Speaker3: [02:33:12] Like to hear from somebody who stands to profit from this is what is the benefit to the community that exists there? Thank you.

Speaker1: [02:33:22] And Ross. Can you make sure this gentleman gets invited to them? Thank you.

Speaker3: [02:33:37] My name is Jim Berry. I'm a member of the HOA at the board at Water's Edge. I have a I had several comments. I have a couple that I'd like to make. One of them is that, as in halfway and the original conditions of our development, we were tasked to care for the snow removal and maintenance of waterside drive. We would need to be legally discharged from this obligation if waterside drive becomes a through.

Speaker1: [02:34:13] Collector street.

Speaker3: [02:34:14] Rather than a local road for our use. The maintenance and the snow removal would therefore need to become a county priority.

Speaker2: [02:34:23] And when I asked.

Speaker3: [02:34:28] Shane about this. He said, Well.

Speaker2: [02:34:32] That's no problem.

Speaker3: [02:34:33] Our county.

Speaker1: [02:34:34] Plows.

Speaker2: [02:34:34] Would just plow.

Speaker1: [02:34:35] Right through where.

Speaker2: [02:34:36] The where the no access strip.

Speaker3: [02:34:38] Is now. But wait a minute. That would change the city right there. So we would be stuck legally with.

Speaker2: [02:34:49] With this.

Speaker3: [02:34:50] Obligation. And the second thing that occurs to me is the phasing of the development. And that does that mean that.

Speaker2: [02:35:01] Waterside drive.

Speaker3: [02:35:02] Gets open.

Speaker2: [02:35:03] To traffic before the.

Speaker3: [02:35:04] Creation of adequate infrastructure to handle the traffic on Summer Street to the traffic on Robinson Street, if that should be opened and the intersections at Deer Creek and Speedway or Speedway and Highway 200. In other words. Are we being asked to bear the brunt of traffic during the construction period, which potentially can last 10 to 15 years? We're frustrated. We heard in the May 12th hearing that waterside drive within waters edge would not be changed. But now there are rumblings that it could be or would be widened, that our landscaping.

Speaker2: [02:35:46] Would have to be sacrificed. And much of this.

Speaker3: [02:35:49] Landscape has been paid for at great cost by individual residents who provide.

Speaker2: [02:35:54] The physical care for the.

Speaker3: [02:35:55] Garden beds, the trees, the plantings. Are we being asked to sacrifice this? We want to see an effort by the developers to share with their future neighbours what their plans are. We need to be convinced that if we sacrifice the character of our development, we will also see improvements that will benefit us and our surrounding neighbours. Thank you. I thank you for letting me comment. I'm Robert Terry and I live on Summers in East Missoula. And I was just concerned that with the traffic situation that if we were as unfortunate to have a situation, it's like they had an Albertan about ten years ago and there was some kind of an emergency evacuation situation with this added development and all these extra people and stuff. Can the two entrances in and out of East Missoula handle an emergency situation like that? It's. Albertine had to deal with it a couple of years ago. It could happen here, too. That's my comment. Thank you. Jack Bellis, a resident of East Missoula. And I've been out there since 1950 and I've seen a lot of development. And I guess my concern after meeting with Shane Stack here a couple of weeks ago about some of the access out here, I'm just a little bit concerned if the county wants to take on a debt created by the city, because if the city approves of the development down there and the one foot access is removed, all the traffic that is going to be coming out of that subdivision is going to be on county roads. And I don't think there's been anything addressed about improvement of the county roads and ongoing improvement on conditioning of maintaining them. You know, the city will be benefiting from the taxes that the county is going to have to be subject to the care for all the roads that are going to be out of that subdivision. Thank you.

Speaker1: [02:38:35] Already online. Right. Thanks, you all. Thanks, everybody, for hanging in there. And thanks a lot for the attorneys for coming up with a plan to move forward. And we wish you all the best. Can you're going to work with them a little bit on convening, making sure everybody who should be there is there and ask us to help with invites if you need. King It sounds like there's. We need to get. You guys want to chat for a second? Okay. Thank you.

Speaker2: [02:39:03] Thanks, everybody. June 30th.

Speaker1: [02:39:05] June 30th.