

Planning Commission Minutes

For March 20, 2018

Members Present: Vice-Chairman Leonard Brown, Mike Mitchell, Wesley O'Rourke, Grover Hathorn, Randy Kern (non-voting) and Dixie Diltz – Secretary.

Members Absent with notification: Dwight Freeman

Member Absent without notification:

Others Present: Lester Yoder, Alvin Mullett, Edwin Hostetler + 38 in audience (see attach sign in)

Vice-Chairman Leonard Brown called the meeting to order at 1:32 pm.

Grover Hathorn made a motion to approve the Agenda. Wesley O'Rourke seconds. Motion carried unanimously.

Wesley O'Rourke made a motion to approve the Minutes of the February 20, 2018 meeting. Mike Mitchell seconds. Motion carried unanimously.

Old Business: None

First Item of Business: Leonard Brown welcomes everyone to the meeting: He explains the meeting is to look at a conditional use application for a dog breeding operation; he also informs those in attendance that the Planning Commission duties are to make a recommendation to the Board of County Commissioner. This recommendation can be approve, approve with conditions, deny or table for more information. The information will be presented by the applicant and will include letters, emails and phone calls received by the Land Use. He further state that this has become an emotional subject for many people and the Planning Board understands that. Reading from the Land Use Code Regulations Leonard states "it is the policy of the Planning Commission to accommodate conditional uses applied for and conditions and modifications may be offered as a means of mitigating the adverse effects of the use when they will make it possible to approve rather than deny the application." (Article XII; 4-d. pg 76). Today the Planning Commission is determining if this application complies with all requirements and definitions, is it detrimental to health, safety or welfare of properties in the vicinity. Is it compatible with surrounding land users and uses? Reasonable suggestions from persons in the neighborhood are a measure of compatibility and should be utilized. He reminds the audience that the meeting is a designed procedure to keep order in the process, no interruptions or shouting will be tolerated. The Board reserves the right to abbreviate testimony that gets too far beyond the scope of the Planning Commission."

Today the Planning Commission will hear testimony first from those who own property within 1,500 ft. of the applicant, and received notice from the Land Use Office. Then from other persons. There will be a 3 minute time limit and the Planning Commission may choose to close public comments if comments become repetitive.

Leonard Brown asks for anyone who wishes to speak today to stand and be sworn in. (7 persons)

Mr. Mullett introduced himself as Alvin Mullett Sr. and states that he and his wife retired from farming a year ago. They have always love animals and would like to raise some AKC registered puppies to sale to good homes. He says they like to screen the homes, although some of the puppies get sold to pet shops. He states that he does not operate a “puppy mill” he does not believe in caging dogs. All of his dogs have access to inside warm rooms, he tries to keep at least two dogs together so they have company. The only time the dogs would be alone is during times they have puppies or you need to keep the males separated.

The Colorado Department of Agricultural PACFA Licenses is discussed and determined to be in effect and current for Mr. Mullet’s breeding facility. Board member Hathorn asked how many dogs are allowed. Mr. Mullett says he is what they call a small breeder and he is allowed 50 females, however he has no intentions of going that far.

Board member Mitchell asks how many dogs the applicant currently has, Mr. Mullett responds that he “only has 4 breeding age females, and 5 that are below breeding age.” Board member O’Rourke asks how big Mr. Mullett plans to have his operation. Mr. Mullett responds that his application says 10 to 20 however, he and his wife feel nine females total would be all they would want. Mike Mitchell questions if the Board were to place conditions on this does Mr. Mullett have a number that he would be satisfied with. Mr. Mullett says he would be very comfortable with 9 to 12.

Mr. Mullett describes the nurse area and the weaning procedure of the puppies and informs the Board that they use Monte Vista Animal Clinic as their veterinary. Board member Mitchell asks what breed the Mullet’s are currently breeding. Mr. Mullett states he has Bernese Mountain Dogs, Cavalier King Charles Spaniels, and the Bichon Frieze. Vice - Chairman Brown asked if people come to the Mullet’s to look at the puppies. Mr. Mullett says “they are certainly welcome too!” “Most of my puppies go to pet store, I do sell some to private customers, it’s a joy to me, to see a family come in with their children, to pick their puppies, to see that they’re going to good homes, that’s my goal”. Vice-chairman Brown asks how often the kennels are cleaned. Mr. Mullet responds that they are cleaned daily.

Board member O’Rourke asks who owns the adjoining property that is zoned rural residential. It is stated that Donna Andrews is the owner of the property. Donna Andrews is not in attendance; however a letter was received from Ms. Andrews and is read to the commission. The letter states Ms. Andrews is in support of the Mullett’s application.

Member of the Planning Commission prior to meeting toured the facility. Each of them stated they were impressed with the attitude of the dogs, the breed of dogs as a family friendly dog. The dogs did not appear to be abused, they looked well cared for. One of the facilities appeared to be a human inhabited house that has been converted for the dogs, with doggie doors. The window panes were all intact and the temperature was very comfortable. No cages were seen, and the rooms were large at least 10’ x 10’, tiled floors and walls. Food was there and kept in rodent proof containers, water was provided.

Non-voting member Randy Kern is asked if he has any concerns from the building department perspective. Board member Kern states that the buildings are all existing; he has no concerns unless the Mullets decide to add-on. There are no outstanding building permits or land use violations that we’re aware of.

Secretary Diltz states some of the standards that need to be on record for the conditional use. The conditional use application is for a dog breeding facility, the notifications were mailed to surrounding property owners within 1,500 feet on February 13th and public notice published in the Monte Vista Journal on February 21st. The PC meeting is today and the Board of County Commissioners will hear it on April 11, at 1:30pm in this same room. The parcel is 158.21 acres zoned agricultural ranching. I contacted the Monte Vista Animal Clinic and that they stated they do the “well puppy checks for the Mullets” and “the puppies seem healthy and well socialized”. Copy of application was sent to the

Colorado Division of Water Resources for comment on the well, and response received from Pat McDermott stating the division was fine with this and did not require any augmentation. I have received 3 phone calls, two of which asks when the meeting would be and if public could speak, both callers only identified by their first names and stated that they planned to be in attendance at today's meeting. The third call was a voice mail left on my machine from a lady from South Fork stating that she is very much opposed to "puppy mills", "they are horrible and should not be allowed anywhere in the Country." "As stated I have 3 letters from close neighbors of the Mullet's that I would like to read when the board asks for them." I have received 39 emails in regard to this application. 36 of them were in opposition, most stating they were in opposition to "puppy mills", 2 emails were in support of the application and 1 that I could not determine if it was support or opposed. Of the 39 emails I was only able to verify 11 as being property owners in Rio Grande County. This is not to say some of the others are not residents, only that I was not able to verify that. I have had no one come into my office and ask to view this application. I had 1 email that did ask specific questions in regards to the application. As I said most of the emails in opposition were using the derogatory term "puppy mill" and not addressing the Land Use aspect at all. I also made a visit to the site. (Site pictures shown via slide show).

Vice-chair Brown opens the floor to public comment:

Kathy Judson comes forward says she is the one that called. She presents the board with a folder of pictures, states "that the Mullet's looks really nice now, but this is what it will end up looking like, I'd like you to pass those around, everybody to see". Grover Hathorn asks if these are pictures of the Mullet's place. Ms. Judson replies "no, this is what puppy mills look like after people have to go in and rescue them". Board member Hathorn returns folder to Ms. Judson and states that 'we're not looking at these today; I know what they look like in other places". Ms. Judson asks "when we will have the meeting that will look at these, is that the County Commissioners?" Vice Chair Brown states that that will be up to the Commissioners, but the PC Board is not going to hear it if it does not have to do with this application. Ms. Judson states "so they're going to have a puppy mill and nobody's going to look at it, is that correct?" Board member Hathorn asks Ms. Judson if she has been out to look at the Mullet's place. She responded "No, I don't want to go see a puppy mill "she explains that she has had dogs all her life that "I've collected off the street, blind ones, crippled ones". Board member Hathorn asks if Ms. Judson is being judgmental of something she hasn't even seen. Ms. Judson replies "your damn right I'm being judgmental, I don't care, it's a puppy mill!"

Chairman Brown calls for next person to speak.

Eldon Daniels comes forward and states that his wife and he live two miles east of the Mullet's and have known them for over 10 years. He says they have been friends, they have a nice rural community and he believed there are 3 questions that the Board should be considering. "What kind of people are Alvin & Katie Mullet? What Kind of facilities will be used? And how will the animals be treated?" Mr. Daniels explains how he knows the Mullet's and some of the interactions they have had including that the Mullet's have purchased ewe lambs from the Daniels in the past and the Daniels feel the Mullet's have taken exceptional care of them. Mr. Daniels states that "In the United States we live in a free enterprise system. And it's wonderful" And that means that if someone believes they can produce a product that others would want, then you can produce it, complying with regulations and then the buyers can decide if they want the product. The two can come together, buyer and seller, in a contractual relationship and if they both agree then it's nobody else's business and nobody's concern."

Jeannie Webb comes forward and says first that puppies are not products. "I was doing some figuring, he (Mr. Mullett) said 9 – 12 females, they have two litters a year, that's anywhere from 18 to 24 puppies, you figure minimum 3 dogs, that's 72 puppies a year. Their selling for \$1,500 to \$2,000 at pet stores. You can call it what you want, it is a puppy mill. I don't know how much of his land you've toured, but typically of these puppy mills is they have what you saw, to

be presented, then out back, way out back is the real deal.” Secretary Diltz states that the rest of the Mullet’s land is vacant. Ms. Webb says “now it is”. “They are selling for profit; they are not selling because they are vetting these new owners for proper homes for these dogs. You know responsible breeders usually produce puppies that are fit for purpose, they’re from two genetically and behaviorally superior parents and breeders are responsible for putting them in appropriate homes, he admitted he’s selling to pet stores. And I don’t know what kind of records he keeps on his bloodlines, but if their breeding mothers to brothers to son’s to daughters that is horrible inbreeding and causing a multitude of problems.” “What you get in these pet stores are sick, bad animals and it’s all about the money it’s never about the animal.”

Vice-Chair Brown reminds Ms. Webb that the scope of the Planning Commission does not go that far. Ms. Webb states that it should be then, “because you all are presenting this evidence up here, and its wrong. They should not be approved to have a puppy mill, you can call it what you want, but it’s a puppy mill.”

Aileen Peek comes forward, she states that she is not a resident of Rio Grande County; she is the director of the San Luis Valley Animal Welfare Society. She states that she has had “personal experience with Mr. Mullett giving us a momma dog and some puppies, he gave that dog away to someone, the dog got pregnant, the people didn’t want the dog, he took the dog back and then he wanted us to take it, which was great. So we took the momma dog that had been passed around and the puppies. My self and many folks here are here to ask the Commissioners and your planning commission to do the moral thing, the right thing to do. When you bring a puppy into the world, another older dog ends up dying, people want the puppies, and Mr. Mullett, breeders are in it for the money, why else would they want to do this? So millions of dogs in this country die, 25% of them are purebred in pounds and shelters, and the reason they die is because people keep bringing puppies into the world. I noticed in the photographs that there were no comfy beds for the dogs. Dogs need to be a part of a family, it’s in their genetics, they want to be part of their pack there were just bare floors, no comfy beds.”

Vice-chair Brown assures Ms. Peek that although the pictures did not show them, there were beds for the dogs, he saw them. Brown questions if the testimony is becoming repetitive?

A lot of commotion from audience;

Hailey Gonzales states she has something to say that is relevant to the applications effect on everyone in the Valley.

Hailey Gonzales comes forward, says she is a home owner in Monte Vista. She states, “The facility and the care of the dogs are only one part of the thing here, ok, and now you guys may think this is outside your scope, but I would think maybe you would be somewhat concerned with ethics. Now there’s an overpopulation problem that exists across the country, across the world and also in this very valley. Now we are fortunate that our shelters and our facilities are no kill, but I think what that does is gives us a somewhat rosier view of what going on in the world around us than what’s really going on. The only way we are able to keep our shelters no kill is by shipping our animals into the city to find homes, we rely on the donations of people from outside of the valley to send spay and neuter clinics down here so that low income people have access to these services. Ok, now you go and you endorse something that flies in the face of everything that all of the people fight against and you can see a lot of that support dry up and go away. Where do we send our dogs if we can’t find a shelter in the city to take them? How do we get low income people to get their dogs spayed and neutered if these people aren’t donating to these clinics aren’t coming down to help us? The Valley operates as one giant community, it’s not just our county and this has the potential to detrimentally impact our sister counties as well as our own. These clinics, we can’t schedule them fast enough, people flock to them in droves. And that in and of itself is an indication that the people of this community want less dogs, not more.”

Board member O'Rourke says "we are hearing a lot of similar points about the ethics of dogs, the systems that are in place in the SLV valley and the things that we need to do to protect those animals and move forward as a Community. This is a super important thing to be talking about, but what the Board members here are trying to say is that we are on the Planning and Zoning Commission to review applications that come in. The only thing that we have to look at is the compatibility. The things about ethics, the Colorado dept. of agriculture and other organization are the ones that deal with those sorts of things. Even if we do agree with you that it is unethical, our responsibility as a Board, we have no power to make a ruling like that. The only thing we can look at is the zones of the County. Alvin is in here to apply for a Conditional use because he is required to have that. In our code it does not say that it is unethical to have a breeding facility. We are very limited in our scope as to what we can even do. I'm sure that many of you, who have spoken, are very actively involved in working with the organizations that limit these things and if you really are opposed to "puppy mills" there's avenues that you can take like the CDA, the animal control. The Planning Commission is only looking at the Code Book and a business's application."

A lot of comment from audience.

Someone from audience asks if none of that takes into account the effects on the community or anyone else? Another comment from audience is "are dogs considered livestock?" O'Rourke states that "I don't think that is the question in front of the board right now." "Part of the public comment and more importantly the effects on the neighbors is an aspect"

Chairman Brown reads from code book again, "is it compatible with surrounding users and uses, and reasonable suggestions and objections from people in the neighborhood are a measure of compatibility" then states, "we're not just blowing you guys off, it's part of it, but we have to go with the permit in front of us. Weather we agree with those who have spoken or not, we can't make decisions based on emotions alone."

From audience: But you can consider the effects it might have on surrounding communities, right? Vice-chair Brown says "yes". Board member O'Rourke reiterates, "Any comments that refer directly to an impact instead of just claiming that puppy mills are unethical are going to influence, so it would be to your benefit, whoever's commenting to relate it to legal issues. He is licensed by the State, so they are the ones to inspect it to see if it is ethical under their standards." "We are not the State of Colorado, we don't determine, they tell us, we have to look at that, we are a volunteer board that is looking to see if it is compatible with our Codes."

From audience: "And it is not compatible, isn't that correct?" Board member Mitchell responds "No, that's not correct" Board member O'Rourke states, "If you want to make a comment about whether or not you think its compatible with the codes, those are the things we need to hear." *From audience:* "isn't the residence to close to the main facility, doesn't it need to be 600 feet away?" Board member O'Rourke clarifies that it is within 660 feet of a residential zone, rural residential. *Audience member:* That is really your issue then. Board member O'Rourke says "that's why he's here". *Audience member:* So right now he is not complying with zoning rules is that correct?" O'Rourke says "Correct". *Several audience members talking about denying him based on that.* Vice-Chairman Brown states "we could, but it is also a Conditional Use" Board member Mitchell states, "that's an allowable use, that's our job, every group that comes here, they don't comply, so that is why we have this, to allow growth in this area, in economics in the whole community." *From audience:* I understand that sir, but certainly this does give you a reason to deny the application, your hands aren't tied in this particular aspect."

Secretary Diltz comments. "The issue that she has brought up is true - In my interpretation of the code book, however, I would like you to think about the location of Conour Animal Shelter where it sits." *From audience:* "That's not relevant" Vice-chairman Brown, "it's not 660 feet from anywhere" Secretary Diltz: "It (Conour Animal Shelter) is an animal kennel, hospital or breeding facility"

A lot of talking from audience:

Board member O'Rourke: It's a kennel, it's still animal housing. In the code that we are talking about it says: Kennel: a lot or building in which four or more household pets at least six months of age or older are kept commercially for board, propagation or sale, not including veterinary clinic and animal hospitals.

A lot of talking from audience:

Board member O'Rourke states "Well I don't know about the animal clinic, honestly, but under our codes, this is a kennel and dog breeding facility, under the other article, if it's under 660 feet from a rural residential estate, he needs a conditional use, cause if not he could just legally do it, that's why we are having this meeting. The home owner of that residence has written in that she is Ok with it."

Vice-Chairman Brown: "and I asked Mr. Mullett why he decided to come get a conditional use now, because none of us would have known if he hadn't have done this. Right? Nobody in here would have known that he was raising dogs and breeding dogs if he hadn't come in" "he was told that it was the thing that he needed to do. So that brings us to another question, do you want everybody to go underground?" "Not when they are trying to be legal, they don't go underground"

A lot of talking from audience:

From audience: " but regardless you still have the ability to deny the conditional use application, just because he's applied for it does not guarantee that he is approved."

Vice Chairman Brown reply's "right, but again we are looking at "is it compatible with the area"

Board member O'Rourke stresses: "We cannot deny this application based upon our moral grounds, we can't do that." "I cannot deny this application because I morally don't agree with it. I just can't, as a board member, it is too bad, but that is what everyone needs to understand. "As volunteers on this board, we're citizens and we try to put that away and moderate the planning and zoning."

A lot of talking from audience: "The shelters are going to be overwhelmed more; they're going to ask for more money from the Commissioners which will most likely be denied. This is a big economic impact on the community, and as someone mentioned that mobile clinics come down and there's standing room only trying to get dogs in to be spayed and neutered. This is a huge economic impact that will not be good for the community. And I think that this is not your decision here, but I think that the breeders should put in about half of their earnings to save the dogs from being killed. This is off the subject, but the State of Colorado they are also breeders, they are very strict with animal shelters and they are not for saving dogs. That's all I have to say, Thank You."

From audience: "We have a lot of animals that have been turned in for like animal abuse, horses, things like that, we can't even get anybody from the state down here to check on those, so who is going to monitor that these guys are being inspected?"

Board member O'Rourke states "the CDA has been reporting"

Secretary Diltz responds: "the Department of Ag has been down every six months" "I don't know about your calls, but I do know that the Mullet's have had several inspections. I have records of several inspections from CDA"

From audience: "I'm just surprised they even have the capability of controlling that"

Vice-Chairman Brown: "A lot of this stuff is beyond the capabilities of this board: The State is licensing these facilities, so they are the ones that have to change the rules, if you want these breeders to donate half their income to shelters, then work on that."

A lot of talking from audience:

Board member O'Rourke: "If you want to protest puppy mills, talk to the Colorado Department of Ag."

"Go to the legislature"

"Who's got the time; we're trying to save the animals from being killed"

Board Member Mitchell: "I do, I go straight from this meeting here tomorrow and go spend the day at legislature, just for agriculture, so don't say whose got the time, we're expected to volunteer to do that kind of stuff" "My question to you is, you and I can drive around the county, we see a dog tied to a tree, we come back in the middle of the summer and we see a litter of puppies chasing that dog around the tree. Why does it become the responsibility of a honest, legitimate dog breeder who wants to raise a family friendly dog to solve that problem?"

A lot of talking from audience: "Stop saying family friendly dog, so inappropriate"

Vice Chairman Brown: OK, one more comment, then we're done with the public comments.

Dave Jones introduces himself and states he is a property owner in Rio Grande County, and lives southwest of Monte Vista. He states, "I understand what people's concerns are and I understand what your role as a public body is. It just seems there is such a disconnect between what people's concerns are and what your function is and I just feel that if people want to see a change, you have to go through a process that enables change. In this case, although it is probably more of a state function, at a minimum it's a County Commission level issue not a Planning Commission. I don't really think your board can solve this problem, nor can it address people's concerns, which are very legitimate concerns. I just feel that there is such a disconnect between what the broader community issue is and your function that it's almost painful to listen to."

Mr. Mullett: "I do not, I'd just like to say I love my dogs and I'm going to take care of them"

A lot of talking from audience

Board member Mitchell: "One thing you might note, a conditional use is made to the individual that made the request, so if he decided to change that facility or not do it anymore it does not automatically pass on the next person. I think we all owe our own "causes" the respect enough to not label something that we do not know what it is. To label something with the most derogatory term we can to get our point across that is not the way our county develops."

From audience: "A puppy mill is a puppy mill" "you do the math" "I wonder if Mr. Mullett would be willing to withdraw his application, seeing that there is such opposition"

Mr. Mullett begins to speak, is interrupted by audience member. saying "you heard the ethical" Board member O'Rourke tells audience that it is "His turn to talk"

From Audience: "That's not the issue" "That doesn't answer the question" "The issue is, Mr. Mullett have you heard enough concern and enough accurate information about dog breeders and the likely hood that it's going to burden all our resources here, even though your selling your dogs on the internet.

Vice Chairman Brown repeats that the public comment has been closed.

From audience: "would you ask Mr. Mullet if he would be willing to withdraw his application?"

Vice Chairman Brown, "I'm not going to ask him that again." "it's a free enterprise county and if he wants to run a business and we look at it, we have to make the decision to approve, approve with conditions, deny or table. That's our job, on these three or four things." Dixie what else do you have.

A lot of audience noise:

Secretary Diltz states: "I do have three more letters from immediate neighbors, they are saying the same – we have no objections, do you want me to read the whole letter?" Board member Mitchell: "Just the names" Secretary Diltz: "JoAnn Rose Coblentz and I believe that is Anthony, Stanton Johnson and Freda and Alvin Mullett Jr."

Board member O'Rourke: "What does it mean, (in staff report) where you say that the compatibility of the kennel in agricultural ranching is debatable?" Secretary Diltz: "My concerns initially were that we are dealing with a ranching community, cattle ranches, what happens when you have a lot of dogs around a cattle ranch. In viewing the area, there are no cattle ranches close by, Stanton Johnson is the nearest one and he isn't opposed to it. So is it compatible? By the comments from those most directly affected, apparently it is."

Vice Chairman Brown asks the Board: "Do you guys see anything detrimental to health, safety, or welfare of the properties around it?" Board member Hathorn asks if it meets the required setbacks for the agricultural sprinkler. Secretary Diltz responds that He owns the whole circle there so I'm not sure the setbacks for sprinkler would apply to this application. He is not doing a division of land.

Board member Mitchell asks to hear the staff recommendation: Secretary Diltz: "In my recommendation I state that I visited the site on Feb 2nd, took the enclosed pictures, shelters and runs were clean, the dogs were friendly. There are two residences located within 500' of the proposed conditional use area on the northern boundary, and one residence that is approximately 600 from the proposed condition use area'. Per the Land Use Code, Kennels and animal hospitals shall be located a minimum of 660' from any rural residential estate area, the northern property line of Mr. Mulletts property does border a rural residential property as well as an agricultural estate property. MY interpretation is that this SHOULD read ""rural residential OR Agricultural estate"". However that is NOT what the code book reads. The code book reads ""Rural Residential Estate"".

Board member Mitchell asks “Which we have none?” Secretary Diltz responds. “In Rio Grande County, we do not have a rural residential estate zone. Board member Mitchell asks “So that 660 feet is not pertinent?” Secretary Diltz “That’s a matter of interpretation the Board has to look at, what does the code mean? We don’t have that zone” Board member O’Rourke: “it says rural residential estate, residential” Secretary Diltz “We do have a residential zone, but none near him.” Board member Mitchell: “so approval would be in compliance, is that what you’re telling us?” Randy Kern says, “There’s a conflict in the code book with rural residential estate, because it’s specific about the 660’ from this operation to rural residential estate, but we have no rural residential estate. That’s where we’re on this double edge sword, is it referring to rural residential or is it meaningless because we don’t have rural residential estate?” Secretary Diltz; “And the reason I brought up before the location of Conour Animal Shelter, is that It was passed as a Conditional Use, if you read the code book, they would fall under this same requirement.”

Board member O’Rourke: “In concerns to all the objections and public comment I would say we have to hear from the CDA. When this goes to the Commissioners, you’re going to have to be in compliance as a condition of approval. The public is concerned about the welfare of the animals, the CDA is responsible for inspecting it, it needs to be a condition that he’s in compliance with the Colorado Dept. of Ag. Secretary Diltz states: He is in compliance with the CDA. His license was just renewed on March 1, 2018.

Board Member Mike Mitchel makes a motion to recommend approval of this conditional use with a limit of 10 breeding females.

A lot of audience noise:

Board member O’Rourke stresses to the applicant that the motion limits him to 10 breeding females; if he ever wants to go over that he will have to come back in.

Vice Chairman Brown repeats motion “The motion is to recommend approval with the condition that no more than 10 breeding females.

Grover Hathorn seconds motion, Motion passes by a vote of 4 aye to 0 nay.

County Commissioner meeting will be April 11, 2018 at 1:30 PM

Staff Item: None

With no further discussion the meeting was adjourned at 2:44 pm.