

Missoula Board of County Commissioners

PUBLIC MEETING MINUTES COVER SHEET



THURSDAY, JUNE 04, 2026 – 2 PM

Hybrid meeting – Missoula County Courthouse Annex Sophie Moiese
Room/Microsoft Teams

[Click here to view the meeting recording.](#)

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

ATTENDANCE:

Commissioners Present:

Chair Josh Slotnick
Commissioner David Strohmaier

Staff Present:

Cheryl Hartman, Commissioners' Office
Kevin Dantic, Planning, Development, and Sustainability
John Hart, County Attorneys' Office
Kevin Heisler, Public Works
Sam Scott, Clerk and Recorder's Office
Christina Dewar, Commissioners' Office
Annie Cathey, Commissioners' Office
Chris Lounsbury, Missoula County Chief Administrative Officer
Kyla Lehnerz, Lands and Communities
Jason Mitchell, Public Works
Tim Worley, Planning, Development, and Sustainability
Tenzin Lhaze, Communications
Patricia Spotted Wolf, Commissioners' Office
Allison Franz, Communications
Melissa Fisher, Commissioners' Office
Anne Hughes, Missoula County Chief Operating Officer
Carey Powers, Communications
Matt Heimel, Planning, Development, and Sustainability

1. **CALL TO ORDER** *[Time stamp – 0:08]*
2. **PLEDGE OF ALLEGIANCE** *[Time stamp – 0:13]*
3. **LAND ACKNOWLEDGEMENT** *[Time stamp – 0:35]*

Yéttɬwá qe es yammíš
I stítúlixw̥s Séliš u Qlispé
sqlqélíxw̥.
Qe es putestm ɬu sqlíxw̥ɬ
ŋk̥w̥uʔulmíš u smímiʔis.

Qe es lemtm ɬu x̥w̥í x̥w̥íčmuʔusšis
u x̥w̥í sqlqelíxw̥ yéttɬwá.

Yéttɬwá qe esyaʔ u qe es čtim ýe
stúlixw̥ x̥w̥í ci putis čneñnes.

Today, we are gathered together
in the homelands of the Salish
and Kalispel people.

We respect their tribal ways and
their stories.

We are thankful for their
ancestors and for the people
today.

Today we are all caring for this
land for those yet coming.

4. PUBLIC ANNOUNCEMENTS [Time stamp – 0:51]

- a. Closed Captioning
- b. Proclamation: National Gun Violence Awareness Day
- c. Proclamation: Wildfire Smoke Ready Week

5. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA [Time stamp – 8:43]

6. CURRENT CLAIMS LIST [Time stamp – 08:59]

Claims received as of May 21, 2026 to May 28, 2026 by the Commissioners' Office total \$657,627.51.

7. HEARINGS

- a. **Resolution: RSID 8450 For Morgan Lane** [Time stamp – 09:20]
Sam Scott, Clerk and Recorder's Office

Commissioner Strohmaier made the motion that the Board of County Commissioners of Missoula County hereby adopt the resolution to create RSID 8450 for improving a portion of Morgan Lane.

Commissioner Slotnick seconded.

[Motion Passed 2-0.]

[Resolution 2026-060 Book:1126 Page:994]

- b. **Residential Private Storage Building Permit Exemptions** [Time stamp – 14:36]
Kevin Heisler, Public Works

Commissioner Strohmaier made the motion that the Missoula Board of County Commissioners approve the proposed resolution amending Missoula County's building code enforcement program to exempt detached residential accessory storage structures from building permit requirements.

Commissioner Slotnick seconded.

[Motion Passed 2-0.]

[Resolution 2026-084. Book: 1129 Page: 201]

- c. **Petty Creek Mountain Ranch Boundary Line Relocation** *[Time stamp – 42:43]*
Kevin Dantic, Planning, Development, and Sustainability

Commissioner Strohmaier made the motion that the Missoula Board of County Commissioners approve the request by Petty Creek Mountain Ranch LLC to utilize the boundary line relocation exemption on properties legally described as tracks one through 10 of a certificate, Certificate of Survey 7052 based on the findings and conclusions in the staff analysis and as presented in the exemption application and affidavit.

Commissioner Slotnick seconded.

[Motion Passed 2-0.]

[Letter 2026-133 was sent to Eli & Associates in c/o Marias Hale.]

8. OTHER BUSINESS

[None]

9. ADJOURN

Chair Slotnick – Called the meeting to adjourn at 2:56 p.m.

BCC Public Meeting June 04, 2026 – 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.

0:08

OK, we will call this meeting to order for Tuesday, Thursday, June 4th.

0:13

Would you please join me in the pledge?

0:17

I believe that it's to the flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

0:35

Today we are gathered together in the homeland of the Salish and Kalispell people.

0:39

We respect their tribal ways and their stories.

0:42

We are thankful for their ancestors and for the people today.

0:46

Today we are all caring for this land and for those yet coming.

0:51

Do we have any public announcements?

0:54

Yeah, closed captioning.

0:59

Hello, everyone.

1:00

If you're joining us for this meeting virtually today, instructions for turning on closed captioning or on your screen.

1:05

If you're joining us in person, we'll have the closed captioning on all the screens here in the Sophie Louise room.

1:11

Just a friendly reminder, there will be multiple chances during the meeting for public comment in person and virtually.

1:17

The Chair will open discussion for public comment after each staff presentation.

1:22

Please respectfully keep your comments to 3 minutes.

1:25

If you're on Microsoft Teams, we ask that you use the Raise Hand feature.

1:28

This is the small hand button at the top of your screen.

1:31

If you're calling in on the phone, you'll need to push *5 to raise your hand.

1:35

Then once called upon, you'll need to push *6 to unmute.

1:38

If anyone has any questions during the meeting, please come and find me.

1:42

Thank you.

1:43

Thank you.

1:44

We have two proclamations.

1:45

If you want to read 1, I'll read one.

1:48

Yeah, pick whichever 1 you like.

1:51

OK?

1:52

We have a proclamation and recognition of National Gun Violence Awareness Day.

1:58

Whereas firearms are the leading cause of death for children and teens 19 and under in the United States and in Montana, firearms are the second leading cause of cause of death among children and teens.

2:09

And it is estimated that there are more than 1100 suicides on college campuses in the United States every year.

2:18

And whereas gun violence kills nearly 130 Americans every day, and on average, 70 women are shot and killed by intimate partners each month.

2:28

And in Montana, an average of 257 people die and 264 are wounded by guns each year.

2:36

And whereas Montana has ranked among the top five states with the highest suicide rates for the past 40 years, 83% of firearm deaths in Montana are suicides.

2:48

Suicide is the leading preventable cause of death among youth ages 10 to 14, and LGBTQ plus youth are four times more likely to attempt suicide than their straight peers and Montanans.

3:03

Montana's American Indians are disproportionately affected by gun violence.

3:08

And whereas Missoula Public Health, Missoula County and the City of Missoula are committed to supporting residents by offering free gun locks to disrupt access to firearms and providing suicide prevention training.

3:22

And WHEREAS, June 2nd, 2026 would have been the 29th birthday of Hadiya Pendleton, a teenage girl who was shot and killed in a neighborhood park in Illinois, and we honor her life and the lives and lost potential of all Americans stolen by gun violence on this National Day of Awareness.

3:42

And WHEREAS anyone can join the effort to end gun violence by pledging to wear orange on Saturday, June 6th, 2026, to raise awareness, promote responsible gun ownership and safe storage, support efforts to keep firearms out of the wrong hands, and keep our children safe.

4:00

Now, therefore, we, the Missoula Board of County Commissioners in the City of Missoula in the state of Montana, do hereby proclaim June 6, 2026 as National Gun Violence Awareness Day signed by the Mayor of Missoula, Andrea Davis and year three Missoula County Commissioners.

4:16

Thanks, Dave.

4:18

Would anybody like to speak to this proclamation?

4:22

OK, thank you.

4:23

We have another proclamation.

4:25

I'll read this one.

4:28

Whereas, wildfire smoke poses a serious and growing threat to public health, and new research demonstrates the dangers of smoke exposure.

4:36

Wildfire smoke can easily infiltrate indoor spaces, creating unhealthy conditions both outdoors and indoors.

4:42

And whereas exposure to wildfire smoke is linked to worsened asthma attacks, decreased lung function, aggravated COPD symptoms, increased susceptibility to infectious diseases, increased risk of heart attacks and strokes, impaired cognitive function, and higher rates of hospitalizations and deaths.

5:00

And WHEREAS, the National Interagency Fire Center's Outlook for 2026 forecast significant wildfire potential across much of the Western United States, including regions that contribute smoke to our area.

5:14

And WHEREAS, the Climate Ready Missoula plan recognizes that our summers and early fall are becoming hotter and drier, wildfire season is getting longer.

5:22

Wildfire smoke is an increasing risk, and we do we need to enact proactive strategies to reduce harm.

5:30

And WHEREAS, Missoula Public Health and Climate Spark Missoula have resources to help

residents understand wildfire smoke risks and take steps to reduce exposure, including guidance on creating indoor air filters and finding places with clean air.

5:45

And WHEREAS effective public messaging and outreach focused on the dangers of wildfire smoke and how individuals can protect themselves are essential for individual preparedness during wildfire season.

5:57

Therefore be it resolved, we Missoula County and City of Missoula do hereby proclaim June 8th through 13th, 2026 as Wildfire Smoke Ready Week to inform and educate Missoula County and City residents about the hazards that wildfire smoke presents and how to mitigate against these hazards.

6:16

Signed Andrea Davis Mayer and your three county commissioners, Josh Slotnick, Dave Strohmeyer and Wendita Wendita Bureau.

6:24

OK, we are at the point of our agenda where we will do public thanks.

6:30

Anybody want to speak on that one?

6:32

Oh, we thank you.

6:35

Sorry Abby, if the light is green, you are on.

6:39

How about that?

6:40

Just really briefly, my name is Abby Huseth.

6:42

I work with Climate Smart Missoula and we with Missoula County Public Health and other partners

have for six years now organized a weekly week long wildfire smoke ready week of awareness in our community.

6:54

This is our sixth year.

6:55

It's happening next week.

6:56

It's a little earlier this year.

6:58

We're doing it in coordination with other counties across the state and alignment with the state DPHHHS.

7:06

And in that coordination spirit, we're hosting an event on Tuesday, June 9th, simulcast with folks from Kalispell.

7:15

The Missoula event will be here at the Missoula Public Library, and there's also a virtual option to join.

7:20

But it will be a wildfire and smoke outlook with a number of experts telling us what to expect for this season, both in terms of fire hazards as well as wildfire smoke.

7:32

So we encourage members of the public, anyone interested in attending that event, and I'm coming to speak with our team and folks at tabling opportunities throughout the week and visiting our wildfire smoke ready website, wildfiremontanawildfiresmoke.org.

7:47

I'll leave this flyer for the event over.

7:50

Awesome.

7:51

Thank you all and thanks for elevating this issue.

7:53

Thank you.

7:54

Please do so.

7:57

Just a footnote on what Abby mentioned.

7:59

In addition to these efforts, Missoula County has also initiated a planning process to update our community wildfire protection plan.

8:09

We here in the Northern Rockies live in a place that always has had fire and always will have fire and smoke.

8:15

And that smoke might not necessarily be generated here, but it might be and will be generated by other places.

8:21

So there there will be smoke, I guarantee this summer at some point.

8:25

So it makes it ever more important to think about ways in which we can find clean air in the places that we live, our homes or other community locations and adapt to the reality that we live in a fire prone environment.

8:40

Thanks, Dave.

8:43

OK, do we have any public comment on items not on the agenda?

8:46

That means anybody can talk about anything they want for three minutes online in the room.

8:55

OK, that's fantastic.

8:56

We will jump right to our current claims list.

8:59

Claims received as of May 21st, 2026 to May 28th, 2026 by the Commissioner's Office.

9:06

Total 657,627 in dollars and 51 cents here.

9:12

We have 3 hearings today.

9:13

The first one, Sam Scott will present and this is about an RSID.

9:20

Good afternoon Commissioners.

9:22

Sam Scott with the Clerk and Recorder's office back on April 2nd, you adopted this resolution of intention declaring it to be your intent of the County Commissioners to create Rural Special Improvement District 8450 for Morgan Lang and Mustang Lang.

9:42

Mustang Lang to Mustang Lane sorry to cover paving and improvements to their road and with the total construction cost of 289,000 dollars.

9:53

378 Thirty \$3378 of that was to be paid for from available funds or in kind contributions of the county, leaving a bond total of \$256,000.

10:07

After passing this resolution of intention, our office mailed the notice and to all property owners in the proposed district as well as published a notice appearing and the Mizzoullian requesting their protest if they so choose during a 30 day protest.

10:23

Which has lapsed and we received no protest during that that 30 day.

10:29

Here is a map of the district be be to be created.

10:33

There are 14 total properties with 13 total property owners.

10:38

And I believe Jason is on if there are any questions about the actual improvements to be made.

10:44

And I am unsure if there is anybody from the district itself here today.

10:47

But thanks, Sam.

10:48

Today we would have the resolution to create the district with your decision.

10:53

Got it.

10:54

Would anybody like to speak to this?

10:56

Come on up.

10:59

Oh, there's two of you, so just one at a time.

11:02

And Sir, you push the button so the light turns green.

11:06

And then Dave's going to hit the shot clock and you get 3 minutes to speak on this.

11:13

And Sir, you need to hit the button, push the button so the light turns green.

11:19

Gerald and Pennig, I live on Mustang Lane.

11:22

I just have one question about or two questions about this improvement.

11:25

The 1st is the addition to the property taxes.

11:31

If a resident sells their property, does that debt go with the property to the new home?

11:38

OK.

11:39

Second is when are we anticipating a start and completion?

11:45

I think we should ask Jason.

11:47

Yeah, I could take that one.

11:48

Obviously our our summer is pretty full this summer.

11:51

The hope would be that we could get to it as soon as next summer, so maybe July or August of 2027.

12:00

Would the payments then change the amount we pay in our property taxes?

12:05

Would that start before the project begins?

12:09

The property tax assessments would occur after substantial completion of the project, so after construction.

12:15

And then we still have to issue the bond, which could take a couple months.

12:19

So depending on the date of construction completion, if it's early in the season, it potentially would be tax year 27 that it would be on those bills, but it likely would be tax year 28.

12:30

Thank you.

12:31

Thank you.

12:37

Well, can you hear me OK?

12:40

I'm Roger with Sorrow Springs HOA, and I just wanted to thank the county for even offering a program like this.

12:49

It's a great benefit.

12:50

It'll really help the HOA out as far as dust and drainage.

12:57

And I think once it's all done, we'll have a lot of happy people.

13:01

I just basically just wanted to thank the county.

13:03

Thanks for saying that.

13:04

OK, appreciate it.

13:06

Thank you.

13:09

Anybody else like to speak to this?

13:14

OK, Dave, do you have any questions?

13:17

No questions.

13:18

I'm ready to make a motion.

13:19

Please do.

13:20

In the spirit of lots of happy people, I would move that we approve the resolution to create RSID 8450 for improving a portion of Morgan Lane.

13:29

Oh, there's a motion up there on the screen.

13:32

Let me do a redo.

13:33

I move that we approve a resolution creating Rural Special Improvement District 8450 for the purpose of undertaking certain local improvements and financing the cost thereof and incidental there too through the issuance of Rural Special Improvement District bonds secured by the county's Rural Special Improvement District revolving fund.

13:51

Thanks.

13:52

I will second that and then call for any public comment.

13:57

OK, Seeing none all in favor.

13:59

Aye.

14:00

Thanks to all to the neighbors.

14:02

Thanks, Sam for putting this together.

14:03

Thanks, Jason as well.

14:05

Really excited that we can help be part of these improvements.

14:09

Next up, Kevin Heisler, Kevin Heisler building official Missoula County.

14:17

I'm going to share my screen.

14:36

Commissioners, I'm here today to present an option for the Board to exempt detached residential storage structures from building permit requirements.

14:44

This authority is provided to the Commission under state law, Montana Code Annotated 5061 02 1A.

14:56

Before I continue, I want to be clear about what this proposal does not do.

15:01

It does not change the authority of the health department and it does not change the authority of the planning department.

15:06

Those processes and enforcement mechanisms remain in place.

15:11

To provide some context here, the building division was established just over 20 years ago, and you may be asking why?

15:17

Consider this exemption now?

15:20

One of the things I prioritize as building official is talking directly with contractors, tradesmen, and constituents to understand how our process is working in practice.

15:31

Through those conversations, I've learned where they add value and where they may create unnecessary burdens.

15:36

And I'm always looking for opportunities to streamline requirements where it makes sense without compromising my responsibilities as building official.

15:44

Those conversations are what led to this proposal.

15:50

It's also worth noting that the building division is entirely self funded through permit fees.

15:55

Over the last three years, permits for these structures have generated on average approximately \$109,000 in revenue for my department.

16:04

So why would I recommend exempting a permit category that brings funding to a self funded department?

16:10

Because this proposal isn't about revenue, it's about aligning our approach with state law and the expectations of rural property owners.

16:19

When we look across Montana, approximately 93% of the state does not require building permits for these types of detached storage structures.

16:27

This is not a new or untested idea.

16:29

In fact, it is already the standard approach through most of Montana.

16:35

Of Montana's 56 counties, only four counties currently require permits for these structures.

16:41

I've spoken directly with the building officials in each of those counties and found that each jurisdiction approaches permitting differently for these buildings.

16:49

The two jurisdictions most comparable to us that permit these structures are Butte Silver Bow and Anaconda Deer Lodge.

16:57

It's worth noting that these are the smallest and 2nd smallest counties in the state by area and are both city county government.

17:04

Missoula County is by population the third largest in the state and approximately 3 1/2 times larger than an area than Butte Silver Bow at.

17:15

At its core, we're discussing low risk buildings such as garages, pole barns, and sheds used strictly for storage purposes.

17:22

The building code is fundamentally written around the protection of habitable spaces, and these structures fall well outside of that primary focus.

17:30

The International Residential Code Book defines habitable habitable space as a space in a building for living, sleeping, eating, or cooking.

17:38

Bathrooms, toilet rooms, closets, halls, storage rooms, utility spaces, and similar areas are not considered habitable space.

17:46

It is important to emphasize that this proposal does not allow dwelling units or any habitable uses in uses to be added to these structures without permits.

17:55

Any such use or change of use would still require the appropriate permits and review by all departments, exactly as it does today.

18:03

I understand the concerns raised by other county departments regarding potential misuse.

18:07

However, those violations can occur today regardless of whether a building permit is required.

18:12

This proposal does not reduce enforcement authority.

18:14

Instead, it avoids over regulating structures that are being used as intended.

18:20

As part of evaluating this proposal, I spoke with the compliance officer at Gallatin County Health Department, where these types of structures are already exempt.

18:28

I was encouraged to hear that while occasional compliance issues arise, they are infrequent, manageable, and do not consume a significant amount of staff time.

18:38

We have also maintained a Missoula County Voice page since late April and have received many positive feedback, comments, and support from constituents.

18:47

Ultimately, this proposal recognizes that not every structure carries the same level of risk.

18:52

It aligns our local practices with state law, reflects their approach already used throughout most of Montana, and allows us to focus our attention.

18:59

We're building oversight provides the greatest public benefit.

19:05

I know there is no such thing as a perfect permitting system.

19:08

My goal is not perfection.

19:09

It's continuous improvement.

19:11

As building official, I'm always looking for opportunities to make our processes more effective, more practical, and more responsive to the people we serve.

19:19

I believe this proposal moves us in that direction.

19:22

Commissioners, thank you for your consideration of this resolution.

19:24

Thanks, Ken, Any, any questions?

19:29

Dave, a couple questions.

19:32

You said the health department and planning department would still maintain their roles.

19:36

Would you mind describing what those are?

19:38

Absolutely.

19:38

So currently, if this was the pass to play that out, you wouldn't need a building permit.

19:44

You would still need a land use permit because they want to see where you're putting it on the property.

19:48

Make sure you're not in the floodplain or building it over the top of a drain field or within the setbacks to your neighbor or within setbacks.

19:54

Correct.

19:55

OK.

19:56

Yep.

19:56

So that's from planning.

19:57

And then health department would be septic review if there if septic is involved.

20:03

Yep.

20:03

Well, they still want to see that site plan to make sure you're not putting it over your replacement.

20:07

And you just said that.

20:08

Yeah.

20:08

All right.

20:09

Great.

20:09

Thanks.

20:09

Glad.

20:10

Glad to glad to know about that.

20:12

Anybody want to any public comment?

20:14

Anybody want to speak to this?

20:15

Please do.

20:16

Yeah.

20:16

We have multiple folks.

20:17

Yeah.

20:21

Can you hear me?

20:21

You bet.

20:22

Going to hit the the three minutes and there you go.

20:25

Thank you.

20:27

Marianne Von Giorni, South County Florence.

20:30

I want to thank Kevin.

20:31

He was great to deal with.

20:33

We had gone back and forth on some emails regarding this.

20:36

I'm trying to get a hay shed built.

20:37

No plumbing, no electric, and it was turning into permit hell.

20:43

So I thought, well, OK, let's see what we can do.

20:46

And he was timely, he was clear, he spoken and wrote back in a language I could understand.

20:54

And I have found that to not always be the case with Missoula County.

20:57

So I wanted to thank Kevin personally for that.

21:00

I also feel that this rolling this back into the scope of the state is a good move.

21:08

And we have comparables like Gallatin County that would be a good comparable to say, yeah, we're doing it this way as well.

21:15

So I'm here to support this resolution and appreciate it.

21:19

Thanks, everybody.

21:33

Good afternoon.

21:34

My name is Bradley Layton.

21:36

I'm a Montana licensed professional engineer.

21:40

I also wanted to thank Kevin a lot for inviting me here.

21:43

So I've I have been involved in a lot of the permitting, especially with the exact attacks, detached structures that we, we were mentioning.

21:53

And I think I even had a off hand, just a informal conversation with one of the commissioners saying, hey, can we please just solve this problem?

22:01

And I very much appreciate the the issues of going into to permitting hell my concerns that I I feel compelled to raise as a licensed professional engineer our our oath as APE is is to public safety.

22:18

And I realized these buildings are being built on private lands is isn't like, you know a bridge that people drive across every day or a or a building downtown.

22:29

My concern and I just to to share one example.

22:32

We have seen examples where an individual builds a structure and sort of says, I don't need no bleeping permit, you know, get lost, please, you know, And then I go and inspect the structure and realize, you know, he's put, you know, 8 penny nails to hold an entire roof on a building that could potentially become a kite in a windstorm and cause and cause public harm.

22:59

That's, that's one of my main concerns as as a P/E, I've had other instances where it, again, these are outbuildings where I was called after a, a failed foundation inspection, talked to the building, talked to the contractor who failed to put rebar in the foundation, for example.

23:23

And I said, so you did put rebar in the, in the foundation.

23:27

He's like rebar.

23:29

And I said, yeah, like in the drawings, he said drawings.

23:33

So I mean, there again, it, it sounds like, you know, based on what's happened in Gallatin County, these instances are rare.

23:41

It's not necessarily clear to me how you get ahead of them.

23:44

I, I did hear that, you know, there is the, the land use and, and the health and, and perhaps there would be some level of oversight regarding safety.

23:54

But as I, as I mentioned, I, I have, you know, personally witnessed issues where if a building is not built to international code, there could be a, a, a safety risk both for people that might be in the, in the line of fire of something that takes flight or perhaps a friend that comes to visit.

24:15

It happens to be in one of these dwellings, not as a permanent structure, but say children playing.

24:21

And with that, my time is up and I just want to yield the mic to my colleague Dustin.

24:27

Thanks, Bradley.

24:38

My name is Dustin Gibson.

24:39

I'm a professional engineer.

24:41

I live in Missoula.

24:46

The there's been some experiences I've had while working in Missoula and I wanted to talk about them.

25:00

There's been a since 2016, there was a one particularly bad year where a lot of accessory structures did collapse due to snow load.

25:14

And I would see him as I drove up and down the highway.

25:23

There is a, there is a possibility of children being in these structures as they collapse.

25:32

And then I know that there is a great economic pressure to to build as cheap as possible.

25:45

And then I've seen structures built without permitting.

25:49

And then the permit process came in later and it was found that the the structure was lacking footings.

25:57

For example, another structure, a deck, was built in a way that was unsafe for children.

26:05

It didn't meet the railing codes or children passing through the railing and falling off and it didn't meet the snow load requirements for decks either.

26:26

The and this is during the existing oversight of the of the county.

26:34

If we move to a non permitted structure, I suspect that there would be a an increase in structures that don't meet international code or don't meet the engineering requirements for the structures.

26:52

I propose continuing to promote making life work, streamlining the permitting process, and building relationships between contractors and the county.

27:06

And I'd be personally willing to help with helping people avoid permitting help if I can.

27:17

Thank you.

27:22

Anybody else, Jeffrey James Halverson, you don't know me.

27:29

I wanted to start out by saying that professionals built the Titanic, so and it was built all engineering standards.

27:35

So those always change.

27:37

We saw the fires and Palisades.

27:39

It leveled everything.

27:40

Didn't matter how they were built.

27:42

And that people can't afford to build something that's so expensive that they have to work their entire life to pay off.

27:50

So as no, a lot of people want to make things expensive and want to make their living off of doing this, we have to realize what people need.

27:57

And right now they need space for their stuff and they need space to live.

28:04

That's a very important thing is whether you want to live, work till you're 90 to pay off your mortgage, if you need a garage for your car to protect it or any like that.

28:13

Also, the more materials you put into something and then gets tore down is bad for the environment.

28:18

So if you're going to put waste a bunch of materials and build something that's super complex and then the next owner comes in and tears it down just like we see most houses in Missoula that were built in the 1920s, nineteen thirties, 1950s, they're all getting tore down and being replaced now with whatever is new fashionable on this and that.

28:35

So making things more expensive to build is actually worse.

28:39

We look at automobiles, we build them as cheap as possible.

28:42

We build them safe.

28:43

But at the same times we don't build them out of solid gold or titanium or platinum or any like that because we're just going to tear them down in a matter of time.

28:50

And if you make them overly engineered, you're going to create more waste.

28:54

Recently we had a group of young adults who sued the state over the healthful environment and Article 2 of this declarations of rights and it said inalienable rights.

29:06

All persons are Born Free and have certain inalienable rights include the right to a clean, helpful environment and the rights of pursuing life's basic necessities and that is housing, enjoying and defending lives and liberties, that is building their house and protecting their property, enjoying and defending their lives and liberties.

29:23

That means also having house to store your stuff in, acquiring, possessing property and protecting property.

29:28

That's the house does.

29:29

It protects your stuff from the element, protects your family from it.

29:33

That's a constitutional right.

29:34

It couldn't be any more clearer that you don't need building permits in Montana.

29:39

If you want to pass building permits, you have to pass a constitutional initiative to say that.

29:43

So I know the state has building permit guides.

29:47

I know everything else does.

29:49

They weren't put in correctly because it has to be a constitutional initiative.

29:52

We had a great presentation by Three Rivers Law Firm about what Montana has a very unique constitution.

29:58

This went to the Supreme Court and they said, yes, you have the right to clean and helpful environment Also means the other rights that are firm in the state's constitution also say you have a right to build a house and maintain it.

30:10

Now there's a there's a fine line.

30:12

I understand some Gray areas.

30:13

We have covenants in areas 'cause we don't want people building certain things in their neighborhood they don't want.

30:19

And we also have banks that are investing money and they should require building permits if somebody's taking out a loan and hiring a contractor.

30:26

But that being said, I don't think building permits are constitutional at all.

30:31

Thank you.

30:33

Anybody else like to speak to this?

30:35

Can I get a second round?

30:36

I'll speak a little bit.

30:41

OK, don't mind.

30:43

Go go right ahead then we'll do Danica after you.

30:45

It's that's the main button here.

30:47

Yes.

30:51

Oh, so it's ready to go.

30:52

All right.

30:53

So I'm Chris with MQS, the sales Rep for MQS and we build pole barns.

30:59

I, I'd say we do around 500 pole barns per year.

31:03

And like Kevin had said, 93% of those would be outside of, you know, doing permitting and all that stuff.

31:10

And with MQS, we use pre engineered plans.

31:14

We, we're not trying to cut corners and trying to build a trashy building.

31:19

And with this day and age with all the Internet things, it's kind of hard to get away with building trash because the customer will write a bad review for you and you won't be in business for long.

31:32

So I for ourselves, we think a garage, you know, storage building and stuff like that, As Kevin had mentioned, we don't feel the need.

31:42

I have a lot of Missoula County.

31:44

I take care of Missoula along with Lake County, Mineral and Sanders County.

31:49

And my Missoula County customers, just so many times, they're so disappointed that they're spending, you know, \$15,000 more for the same building as their neighbor, you know, in another county because of engineer plans where they have to pay for those along with, you know, things that come along with that.

32:08

And so just hearing the customer, I deal with many, many customers and just hearing them out.

32:16

I couldn't agree more with Kevin.

32:18

And thank you for putting this up and thank you, commissioners.

32:21

Thank you.

32:23

Please do, Sir.

32:29

Hi, I'm Anthony de Britto and I've been building houses around Missoula, Florence, Flathead, everywhere for 30 some years.

32:38

And there was no permits when I started.

32:41

And I had to learn from somebody who was a good reputable contractor on what to do.

32:46

And always doing those things, whether it was inspected or not inspected or called out by an engineer, not called out by an engineer makes you able to build here longer.

32:58

And so I do agree that I think the biggest thing that Kevin's talking about maybe is that there's there is a revenue, but it's not a probably enough revenue to cover the cost of the inspection of setting out all the inspectors for each little tiny inspection during the process of building a pole barn.

33:20

Let's say if it's a pole barn, it's not so many inspections, But if it's a storage shell that's finished, has drywall, some of those things inside of it, it takes there's more inspections for that.

33:34

But I'm I'm not totally against having inspections.

33:37

I do think that the end user usually will end up with a better product if they haven't chose the right contractor, which could be an option for maybe some contractors are on a list that say, hey, this guy actually does build the proper way and he, you know, we'll build you a project that's good.

33:58

It may cost you a little bit more than the guy who's building it by himself.

34:01

That's cutting a lot of corners, but it'll save you time in the long run not having inspections because we don't have to wait originally for the plans to be approved if we already know what we want to build.

34:14

And then each inspection takes a day or two of time away from the schedule.

34:21

So.

34:23

Thank you.

34:24

Yeah, thank you.

34:27

Anybody else?

34:34

I'm Rod Stevens and I'm out of Seeley Lake.

34:36

I've been building for 40 some odd years and any repetitive builder is not going to cut corners.

34:44

And the roof system is all engineered by the trust companies for that particular address.

34:52

So that's done right off the bat.

34:53

So, so I'm I'm with Kevin for eliminating that part of the building permits.

35:00

So thank you, Sir.

35:02

Thank you.

35:10

My name is Phil, Montana native.

35:12

And I feel like I've just grown kind of numb to different levels of government, just wanting a little bit more and a little bit more and a little bit more all the time.

35:27

And when I heard about this, it really excited me to just think about the government giving up a little bit that they once took.

35:37

I know it's easier to take more.

35:39

And I just really commend Kevin for even considering this and putting forth effort to to try to get back some.

35:49

So that's it.

35:52

Thanks.

36:06

Raleigh Matthew up in Condon been in the building industry for shouldn't say it but 50 years, but I agree with these other gentlemen that reputable builders aren't going to cut corners and the fly by nights do it all the time right now they they don't care if you need a permit or not.

36:29

They just build it.

36:30

And so it's great that we wouldn't have to go through one more hoop, help people out on their getting things built a little quicker and save them a little bit of money.

36:44

Thank you.

36:45

Thanks.

36:54

As long as the light screen, you're good to go.

37:00

OK.

37:00

Hi.

37:01

My name is Chris Leclair and Wildwood Construction.

37:04

I've been a contractor for 45 years or more and I'm kind of repeating what a lot of the other contractors have said.

37:11

I think, you know, all my work is word of mouth or by business card.

37:15

And so my reputation is where I get my work.

37:18

And there is going to always be people that do work that are substandard.

37:24

They're not going to go for a permit and they're not going to, you know, go out of the way to do it, right.

37:28

But most of us are out there doing doing it and going above and beyond.

37:33

A lot of times with these smaller structures, we spend a lot of time and money pursuing the permit, you know, and it and it takes time between you lose a day every time you need an inspection, you know, you lose this and that.

37:44

And time is money and it comes down to the consumers and they're paying it.

37:48

We're not making any more because of it.

37:50

So I'm just basically repeating a lot of other people said I think Kevin's on the right track.

37:56

You know, the structures that need the permitting, yeah, we need to do it.

38:00

But but, you know, things like storage sheds and stuff like that, wasting a lot of time and money and it comes down to the consumer and that's, you know, people have to pay out of the pocket.

38:11

Thank you, thank you, Danica.

38:19

Thank you commissioners.

38:20

And yeah, I really, I also wanted to reiterate and and thank you, Kevin, for all the work that you've done trying to put this resolution together to put forth in front of the commissioners.

38:30

I would just want to say, think back to when we were kids and building forts out in the backyard.

38:35

Nobody certainly engineered those.

38:37

We threw a few boards together with whatever rusty nails we could find, threw tarp over it.

38:43

But we all had the time of our lives, right?

38:45

And, and this is just kind of our grown up version of that.

38:48

It's folks on their own private property wanting to build a shed for the lawnmower.

38:53

I mean, nobody's sleeping in it, you know?

38:55

Yeah, there might be some people that skirt the law, but they're going to skirt the law regardless of what law is in place That I, I don't think that, you know, we can prevent that.

39:06

So the safety oversight that really matters for these structures I don't think is going to go away under this resolution.

39:12

You're still still have your setbacks, your zoning, your electrical inspection if you need that.

39:18

So I just again, I want to thank Kevin and for bringing us in line with 50 other counties that are already doing it this way and using these exemptions.

39:29

And I want to thank you commissioners for considering this resolution.

39:36

Thanks.

39:41

Anybody else?

39:45

All right, thank you, Aunt Dave.

39:46

Do you have any questions for Kevin?

39:49

No questions.

39:50

I had one question for you, Kevin.

39:53

Is there a way to easily, maybe through the health department or the planning department, direct folks who are going to build a shed towards some resource that would be at least best practices so we don't see elementary mistakes made, not by contractors acting in good faith, but by people who are like, oh, I'm pretty handy.

40:09

I can build my shed.

40:10

I build forts just like Danica said.

40:12

So I'll slap a few sticks up and we're good to go and a really well meaning person, but they might benefit from some just short list of best practices.

40:21

How is there a way to get those resources to people?

40:24

Yeah, absolutely.

40:25

Great question, Mr.

40:26

Chair.

40:26

So right now on our website, about 3 years ago, we invested a little north of \$30,000 on pre engineered plans for garages and pole barns for constituents to use.

40:37

And those are downloadable right now on our website.

40:39

Awesome for free.

40:40

Well, if you're going to use them for a building permit currently we charge a fee for that, but you're not going to a draftsman, you already have your plans ready to go.

40:50

They're already engineered by Doctor Bradley Leighton back there.

40:53

So those would potentially stay on there.

40:57

We would probably have to talk with Bradley to remove his stamp from them because that's his liability.

41:02

But those show all best practices, OK, on those plans.

41:06

And so outside of those plans, let's say somebody wanted to buy a build a shed, but it wasn't one that was pre designed.

41:11

Is there a way to send those folks to some best practices?

41:15

Yeah, we can definitely develop something for them.

41:17

Great.

41:18

That would be great.

41:19

Just.

41:19

And some people would have a guide to start with.

41:21

Absolutely.

41:22

And thanks for taking this on.

41:23

It's a lot of initiative and I really appreciate that you worked with the contracting community on this.

41:27

And thanks for your engineers to come to speak today.

41:30

Yeah, likewise.

41:31

Thanks, Kevin, for all the work you put into this.

41:33

Thanks, everyone who's come out today to share your thoughts on the matter.

41:38

52 counties in Montana.

41:40

As near as I can tell, the sky has not fallen without this sort of building permit process for these types of structures.

41:49

So I think this is a prudent approach.

41:51

And with that, I would move that we approve the proposed resolution amending Missoula County's building code enforcement program to exempt detached residential accessory storage structures from building permit requirements effective June 4th, 2026.

42:04

And that would be today.

42:07

All right, I'll second that.

42:08

Once again, call for any public comment.

42:11

OK, All in favor, Aye.

42:13

Thanks, Kevin.

42:13

Thanks everybody.

42:19

All right, we have one more.

42:21

Kevin Dantic will talk to us.

42:43

Good afternoon, Commissioners.

42:44

For the record, Kevin Dantic with the Missoula County Department of Planning, Development, Sustainability.

42:49

This afternoon I'll be representing the staff report for the Petty Creek Mountain Ranch BLR.

42:55

The subdivision exemption is to relocate the common boundaries.

42:59

It's an exemption to the Montana Subdivision and Plotting Act.

43:03

Montana Missoula County Subdivision Regulations Section 8, point 6.13 describes a relocation of common boundaries as a division of land that redesigns or rearranges the boundaries of tracks of record but does not result in an increase in the total number of lots and or tracks.

43:20

The applicant is Petty Creek Mountain Ranch, LLC representative by E Line associates, Mariah's Hale and Joshua Phillips.

43:29

Petty Creek Mountain Ranch proposes to relocate the boundaries of 10 adjacent tracks of record legally described as Tracks one through 7.

43:37

Certificate of Survey 7052.

43:40

Properties are generally located adjacent to and to the east of Petty Creek Rd.

43:45

approximately 6.5 miles South southeast of Alberton.

43:49

Here we have I-90.

43:51

Petty Creek is coming down this way to the South and these are the parcels that are involved right here.

43:57

It encompasses approximately 708.35 acres as shown in the proposed conditions.

44:02

You may be asking yourself why are we here for a boundary line relocation?

44:07

This proposal includes effects 10 parcels.

44:11

Missoula County Subdivision Regulations, Section 8.8, Point 1.4, Point E does grant the Subdivision administrator the authority to require these boundary line relocations that rearrange the boundaries of six or more tracks to be reviewed by the governing body.

44:26

As is precedent.

44:29

The parcels were created by the filing of Certificate of Survey 7052 on December 8th, 2025.

44:36

This parcels are tracement survey of exterior boundaries pursuant to MCA7634-O4.

44:43

All the parcels are unzoned.

44:45

They are classified as open and resource land for the 2002 Regional Land Use Guide Proposed conditions.

44:53

The claimant and states the intent of the subdivision exemption is to improve the overall configuration and management of the approximately 708 acre property by lining the parcel boundaries along natural features such as Ridge lines and existing infrastructure such as roads associated with the current agricultural and guest trans operations.

45:15

The proposal will create tracks the varying in size from 7.8 to a little over 302 acres.

45:21

None of the proposed tracks exceed 320 acres.

45:24

That's the magic number.

45:25

Consequently, none of the none of the proposed tracks can be further divided without review.

45:33

Using the definition of subdivision lots greater than 160 acres.

45:39

All the parcels are classified as open and resource land per the 2002 Regional Land Use Guide, which is an update to the 1975 Comp Plan.

45:47

This plan recognizes the role of natural resources play in the lifestyle of the citizens of Missoula County.

45:55

What we want to do in this this growth, this land use recommendation here is protect areas of important natural resource, to protect areas of natural hazards such as steep slopes and floodways, and to reserve land for the future.

46:09

Use for development during the time frame of this plan would be premature and costly due to infrastructure constraints.

46:16

While open and resource land is not a primarily a residential designation, the plan does recommend no more than one dwelling unit per 40 acres in this open and resource land area.

46:29

Development of agricultural, recreational, forestry activities are encouraged.

46:35

Again, 4041 dwelling in upper 40 acres.

46:41

They can be Existing conditions depict that there are 6 tracks total that range from approximately a little less than 20 to a little over 36 acres.

46:52

Under the proposed conditions, we still have 6 tracks that continue to be less than 40 acres in size, ranging from a little over 9 to 27 acres.

47:02

4 tracks remain greater than 40.

47:04

So accordingly, under the proposed exemption would not increase the number of tracks below the recommended 40 acre density.

47:12

Thus, it does not create additional incompatibility with the growth policy.

47:19

It was sent out for agency comment.

47:22

Missoula County Environmental Health noted the proposed project will require sanitation review or exemptions and any parcel, regardless in size, that provides 2 or more permanent spaces for recreational camping vehicles or mobile homes will have to be reviewed and anything with a cesspool will have to be upgraded.

47:40

In addition, we did the send this out for public comment on the Missoula County Voice page.

47:45

No public comments were received.

47:50

The intent of the boundary line relocation subdivision exemption is to redesign or rearrange the boundaries of tracks of record, but does not result in an increase in the total number, lots or tracks.

48:02

Chapter 8 of the Missoula County Subgrigs.

48:04

They provide general evasion criteria and rebuttal presumptions to determine whether the BLR is an attempt to evade subdivision review.

48:14

One general evasion criteria was identified by staff, that being that the relocation of common boundaries will affect 10 lots of record.

48:22

All existing tracks are less than 320, which is the area of land required to further divide without review.

48:30

2 tracks are proposed over 160 acres with a proposal, but that is less than the 320 that is needed to further subdivide the land without review.

48:43

And I do have a motion on the screen before you.

48:47

Thanks, Kevin.

48:50

Joshua, would you or your client like to speak?

48:56

Hi, I'm Joshua Phillips with Eli and Associates.

49:00

I'm acting as a my client's agent.

49:03

Kevin, thanks so much for your work on this.

49:05

Thank you, Commissioners.

49:07

I guess I just wanted to clarify that the the retracement survey didn't create the the tracks of record.

49:14

The tracks of record were discovered in the chain of title and they were then memorialized as is in the retracement certificate of survey.

49:23

So the certificate of survey was recorded in good faith to reveal, if you will, on the public record that these tracks did in fact already exist.

49:35

We then met with County planning and said, hey, we're, we'd like to organize these assets in a more logical way and met with county, county planning as we moved into submitting the application for subdivision exemption affidavit.

49:53

So anyway, just wanted to clarify that.

49:55

Thanks.

49:55

Thank you all.

50:00

Yeah, questions should have caught you before you sat down.

50:06

So how does the relocation of these boundary lines enhance the overall management because I heard that earlier that might be better answered by my client.

50:22

I can, I can at least speak to the organization of assets, if you will, that if you look at the existing map that shows how the lot boundaries exist today, you'll see lots of parcels that completely cross the Creek, that cross Patty Petty Creek Rd.

50:55

That, that don't make a lot of sense as as a real estate asset.

51:02

Further than that.

51:03

I'll, I'll yield to my client unless you have another question for me.

51:07

No, no, that's, I think that's getting at it because considering it as a real estate asset and what benefits it in that way, in my mind is a different thing than overall management of the land and and continuation of the current uses that exist there, which would not seem to be impacted one way or another by changing boundary lines on a, on a plat.

51:33

So Sir, you bet.

51:36

So I'm Wayne Williams, Petty Creek Mountain Ranch in Alberton.

51:39

And so we've been there eight years and I've, I'm a history nut.

51:43

So I've gone clear back to like the early 1900s on this, on this piece of property and Missus Johnson that owned it in the 70s, she received the project in a divorce.

51:54

Her husband, they were in San Antonio.

51:56

And so when they redesigned, redeveloped and put these back in the late 80s or late 70s, she did that and all the way up the West Fork of Petty Creek as well.

52:06

So they had all these different parcels.

52:09

And so we first got there, we brought Joshua out and engaged Eli in the very beginning to walk through the entire property with us.

52:17

And we have all the structures that are on there.

52:20

We've only placed two permitted structures.

52:22

1 was an AG building for hay, and the other was a building where the pond is located right now, which is on a small piece.

52:30

So that was divided.

52:32

This whole piece was divided with Petty Creek Rd.

52:35

in 2012 and 2013 when they paved Petty Creek Rd.

52:40

down 10 miles in that area.

52:42

And that became, I believe I might get myself into trouble here, a federal easement.

52:46

And so it kind of divided the two parcels that came across the property.

52:51

So now I'll back up a little bit.

52:53

We, when I looked at all of these, all the houses were on Old Petty Creek Rd.

53:00

which we had Missoula County changed Old Petty Creek Trail 'cause that was the name of it back in the 1900s.

53:06

And that was that property.

53:08

All that whole Rd.

53:09

was abandoned at some point.

53:11

That goes all the way through to Old Petty Creek Rd.

53:14

And I wish I had an aerial view of all of this.

53:17

And so this property also flooded in 1978, in 1997.

53:24

And when I was talking with Joshua as we walked through this, I wanted to get all of the properties that have houses on them going to riparian property line, if that makes sense, dividing through the middle of Petty Creek, which left the pasture land on the other side as one large parcel with which would we run hay on right now we also put an airport in because we have private airstrip restricted.

53:51

You'll see that on on there.

53:53

And the idea there was that we wouldn't have any building on that pasture.

53:57

And then if the Creek ever flooded again, that the property line would go along with the parcels.

54:02

So that took us to another.

54:05

In the midst of this, we had a, the previous owner, Dwayne Hikus before me had, was in a dispute with I believe Pack River Timber Company, which owned, I think it was almost 480 acres.

54:20

That's the whole parcel behind it for an easement across there.

54:24

And so as we walked through this, and so you ended up ultimately buying out all the timber rights.

54:28

And so then we decided, OK, as we're walking through this, how do we make all the parcels just so they fit each of the residential units across the old Petty Creek Trail?

54:39

And then run them out if as if Old Petty Creek Trail did not exist because that's more of a entryway into the place and then leave the large pasture as one unit.

54:50

And that's ultimately what we came up with.

54:52

So in the future, I have kids and I've got grandkids.

54:55

I could see my kids and grandkids having one of these parcels at some point in time where it comes along.

55:01

And then we end up having our own little Rd.

55:04

maintenance agreement if we have to and we still have our timber that we have to go through.

55:09

Heard about the fire danger at the beginning of this because I'm very concerned with that right now.

55:13

And that's kind of what has left us with getting this property kind of back to where it should be.

55:18

Each parcel has its own intent and it will, we hope, stick with us for a long time.

55:26

Thank you, That's very helpful.

55:28

OK, thank you.

55:32

Any other questions?

55:34

Any any public comment?

55:42

OK, there's a motion.

55:44

I move to approve the request by Petty Creek Mountain Ranch LLC to utilize the boundary line relocation exemption on properties legally described as tracks one through 10 of a certificate, Certificate of Survey 7052.

55:58

Based on the findings and conclusions in the staff analysis and as presented in the exemption application and affidavit.

56:05

I'll second that call for any public comment.

56:09

OK, seeing none all in favor, aye.

56:13

Good to see you guys.

56:13

Congratulations.

56:15

Good luck and that will be the end of our meeting.