

Staff Report

To: Board of Directors
From: Jordan Hess, Garin Wally
Date: May 28, 2026

Agenda Item: 5.1 Petitions for Removal

Attachments:

- 5.1.1 Resolution 26-05 approving the petitions for removal.
- 5.1.2 Resolution 26-08 approving the petition for removal.
- 5.1.3 Map showing petitioning locations.
- 5.1.4 Map showing petitioning locations.

Recommendation:

- Approve Resolution 26-05 granting petitions for removal from the urban transportation district received since April 2026.
- Approve Resolution 26-08 granting petition for removal from the urban transportation district.

Discussion:

On October 1, 2025, House Bill 764 became effective. HB 764 updated and revised MCA 7-14-219 by establishing two criteria for petitioning for removal from the Missoula Urban Transportation District and defined direct transportation services as “the operation of a vehicle that provides general or special service to the public on a regular basis within 1½ miles of the property.” In addition, it allowed individual property owners to request removal if there had been no direct transportation service within the last five years.

Since the effective date, agency staff have received numerous inquiries regarding the removal process. Because the revised statute is ambiguous and does not define specific steps for removal, the staff met with principals from the other entities that are part of the removal process – the elections office, the clerk and treasurer’s office and the state department of revenue. As a result of those meetings and advice from legal counsel, the staff have developed a process that complies with the statute. This process includes a statutorily allowed 60-day timeline for board action.

Staff will continue to submit resolutions with petitions for removal to the board within the 60-day timeframe established by the statute and record those resolutions with the clerk & recorder. The clerk & recorder will then submit the recorded resolutions (and petitions) to the Department of Revenue.

Resolution 26-05 approves removal petitions from El Mar Estates and Upper Miller Creek properties. Resolution 26-08 approves a previously denied petition in Upper Miller Creek. The property is outside the MUTD's planning area and should be considered for removal.

Financial Impact and Funding Source:

Total tax amount for the submitted petitions is \$3824.24; however, the mill levy computation rebalances tax revenue across the district each year.

DBE Certified:

Not applicable.

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Financial Impact and Funding Source:

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DBE Certified:

Not applicable.

RESOLUTION 26-05
Petition for Removal from the
Missoula Urban Transportation District

A RESOLUTION TO REMOVE THE PROPERTIES FROM THE MISSOULA URBAN TRANSPORTATION DISTRICT TO INCLUDE the properties listed as follows:

Name(s)	Address(es)
Nicole & Brent Schreckendgust	5721 Haugan Dr.
Julie & Buck Smith	7499 Teigen Ct.
Aaron & Kimberly Beauvais	5878 Haugan Dr.
Gregory Brown	5873 Haugan Dr.
Nancy & Gary Rittel	2100 Nut Hatch Dr.
Jeff & Karyn Moltzen	5995 Haugan Dr.
Bruce Sperry	2145 Nut Hatch Dr.
Ann & Raymond Adler	2340 Quail Dr.
Mark Schmidt	1900 Hut Hatch Dr.

LEGAL DESCRIPTIONS: The legal descriptions are attached as Exhibit A. The subject properties are shown on the attached removal petitions map.

WHEREAS, the property owners listed on the removal petition have petitioned to remove their properties from Missoula Urban Transportation District; and

WHEREAS, effective October 1, 2025, MCA 7-14-241 established the criteria for removing individual properties from the Missoula Urban Transportation District; and

WHEREAS, it is the considered and deliberate judgment of the Missoula Urban Transportation District that the properties be removed from the district because they have not received direct service within the last five years and are not located within a mile and a half of direct transportation service as defined by MCA 7-14-241; and

WHEREAS, the Missoula Urban Transportation District has determined that compliance with MCA 7-14-241 dictates that individual properties may be removed from the Missoula Urban Transportation District if they have not received direct transportation services within the last five years; and

NOW, THEREFORE, BE IT RESOLVED by the Missoula Urban Transportation District to remove the properties described herein from the urban transportation district tax rolls.

BE IT FURTHER RESOLVED that the CEO & General Manager is hereby instructed to file this resolution with the Clerk and Recorder of Missoula County. These removal petitions shall become effective at the start of the tax year following the date of the filing of said document in compliance with the Montana Department of Revenue assessment schedule.

PASSED AND ADOPTED this 28th day of May, 2026.

APPROVED:

ATTEST:

 Jason Wiener
 Board Chair
 Missoula Urban Transportation District

 Amy Cilimburg
 Secretary
 Missoula Urban Transportation District

EXHIBIT A – Property Legal Descriptions

Schreckendgust 5721 Haugan Dr.	MALONEY RANCH, S14, T12 N, R20 W, Lot 10, PHASE VIII
Smith 7499 Teigen Ct.	MALONEY RANCH, S14, T12 N, R20 W, Lot 30, PHASE VIII
Beauvais 5878 Haugan Dr.	MALONEY RANCH, S14, T12 N, R20 W, Lot 34, PHASE VIII
Brown 5873 Haugan Dr.	MALONEY RANCH, S14, T12 N, R20 W, Lot 7, PHASE VIII
Rittel 2100 Nut Hatch Dr.	EL MAR ESTATES - PHASE 2, S15, T13 N, R20 W, BLOCK 5, Lot 4
Moltzen 5995 Haugan Dr.	MALONEY RANCH, S14, T12 N, R20 W, Lot 4, PHASE VIII
Sperry 2145 Nut Hatch Dr.	EL MAR ESTATES - PHASE 2, S15, T13 N, R20 W, BLOCK 4, Lot 14
Adler 2340 Quail Dr.	EL MAR ESTATES - PHASE 1 WEST, S15, T13 N, R20 W, BLOCK 1, Lot 017
Schmidt 1900 Nut Hatch Dr.	EL MAR ESTATES - PHASE 2, S15, T13 N, R20 W, BLOCK 8, Lot 2

RESOLUTION 26-08
Petition for Removal from the
Missoula Urban Transportation District

A RESOLUTION TO REMOVE THE PROPERTIES FROM THE MISSOULA URBAN TRANSPORTATION DISTRICT TO INCLUDE the properties listed as follows:

Name(s)	Address(es)
Chad Magdalik	3065 Loraine Dr.

LEGAL DESCRIPTIONS: The legal description is attached as Exhibit A. The subject property is shown on the attached removal petitions map.

WHEREAS, the property owner listed on the removal petition has petitioned to remove his property from Missoula Urban Transportation District; and

WHEREAS, effective October 1, 2025, MCA 7-14-241 established the criteria for removing individual properties from the Missoula Urban Transportation District; and

WHEREAS, it is the considered and deliberate judgment of the Missoula Urban Transportation District that the properties be removed from the district because they have not received direct service within the last five years and are not located within a mile and a half of direct transportation service as defined by MCA 7-14-241; and

WHEREAS, the Missoula Urban Transportation District has determined that compliance with MCA 7-14-241 dictates that individual properties may be removed from the Missoula Urban Transportation District if they have not received direct transportation services within the last five years; and

NOW, THEREFORE, BE IT RESOLVED by the Missoula Urban Transportation District to remove the properties described herein from the urban transportation district tax rolls.

BE IT FURTHER RESOLVED that the CEO & General Manager is hereby instructed to file this resolution with the Clerk and Recorder of Missoula County. These removal petitions shall become effective at the start of the tax year following the date of the filing of said document in compliance with the Montana Department of Revenue assessment schedule.

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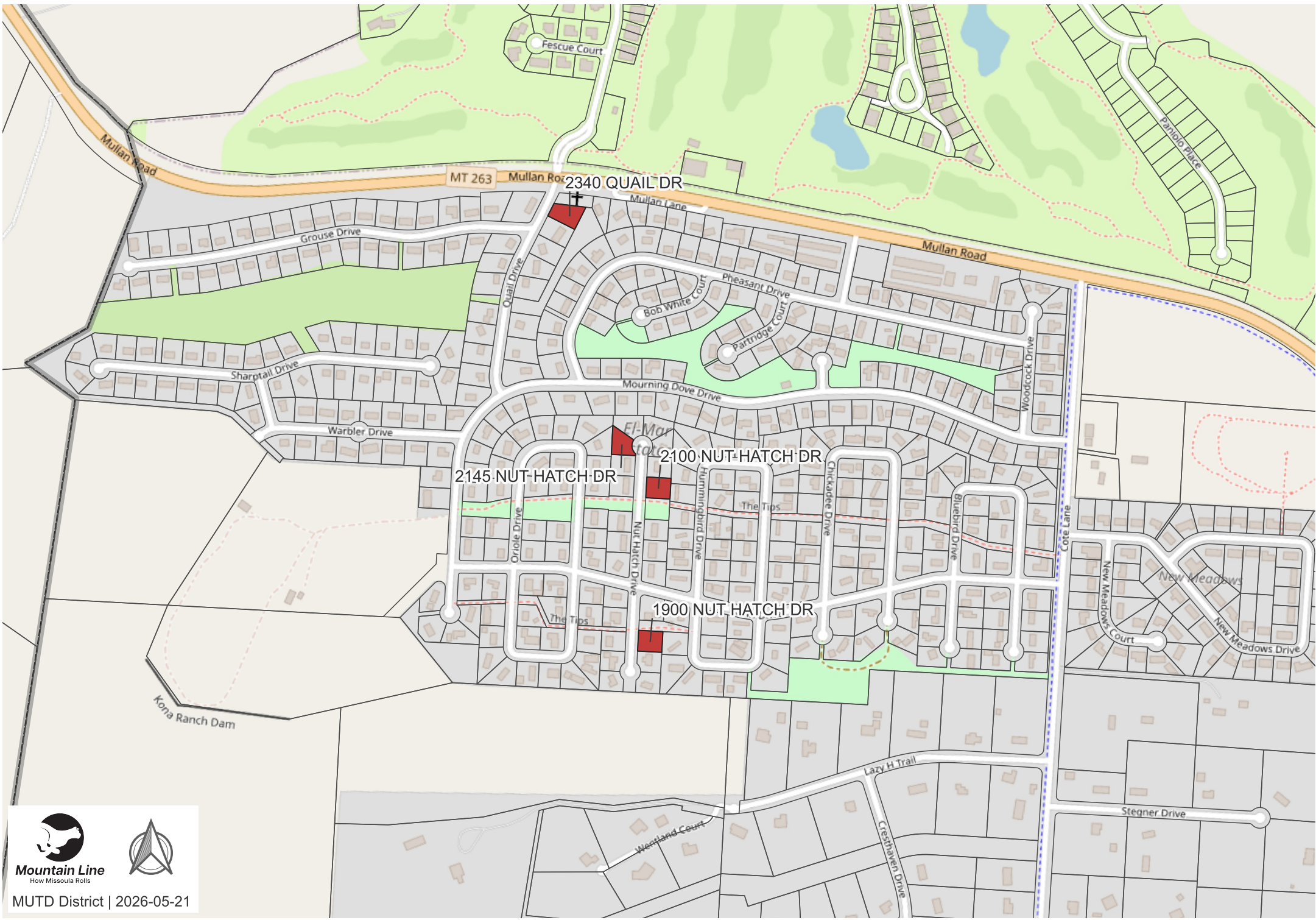
ATTEST:

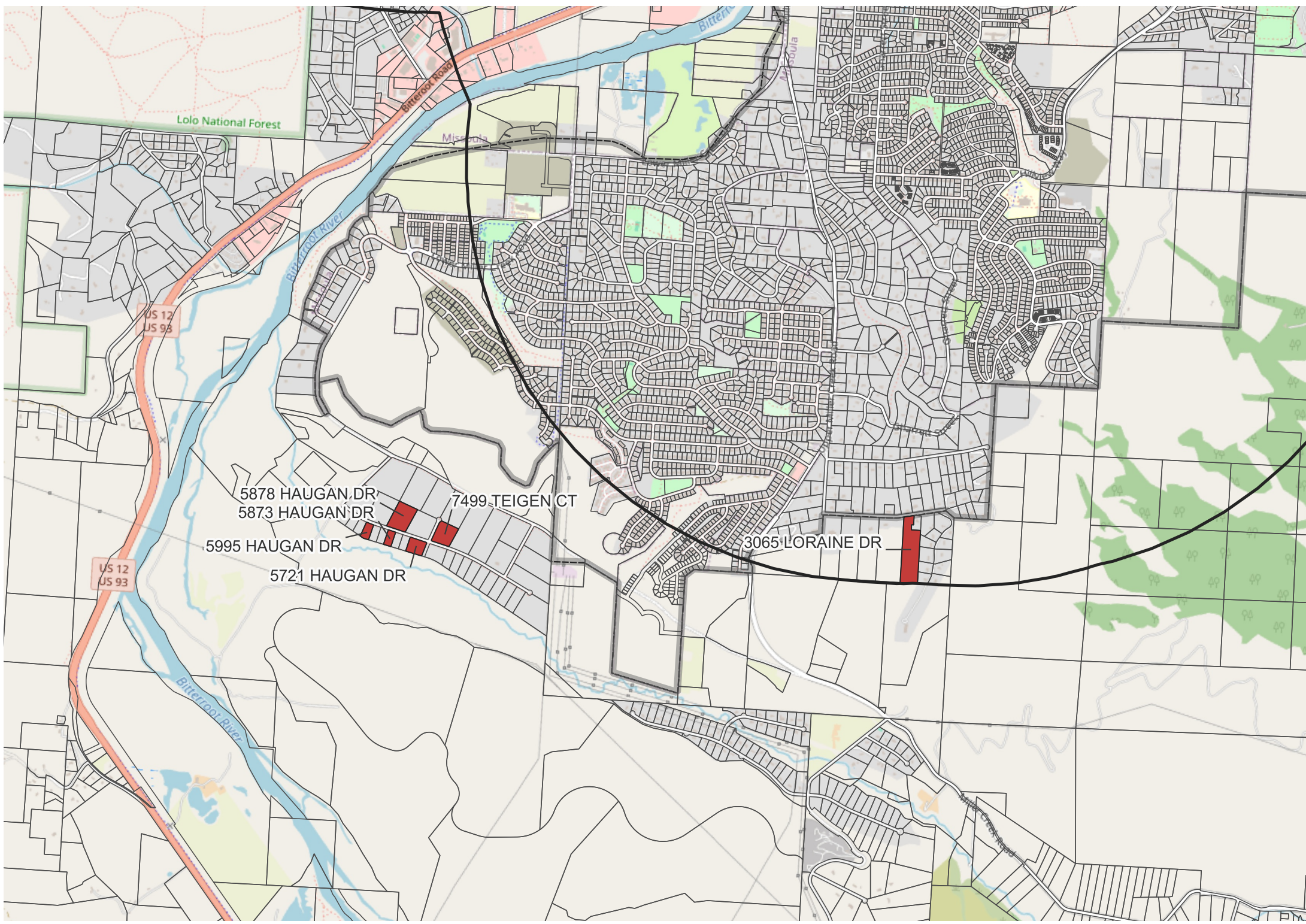
Jason Wiener
Board Chair
Missoula Urban Transportation District

Amy Cilimburg
Secretary
Missoula Urban Transportation District

EXHIBIT A – Property Legal Descriptions

Magdalik 3065 Loraine Dr.	MORTGAGE HEIGHTS, S18, T12 N, R19 W, Lot 4A, ACRES 9.07
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Lolo National Forest

Missonia

Bitterroot River

US 12
US 93

US 12
US 93

5878 HAUGAN DR
5873 HAUGAN DR

7499 TEIGEN CT

5995 HAUGAN DR

5721 HAUGAN DR

3065 LORAIN DR

Bitterroot River