



LINCOLN COUNTY MONTANA

Resolution 2020-07

Resolution to Create the Kootenai Business Park Targeted Economic Development District Advisory Board

THE BOARD OF COUNTY COMMISSIONERS FOR LINCOLN COUNTY,
MONTANA FINDS:

1. The State of Montana has authorized a Targeted Economic Development District, pursuant to Title 7, Chapter 15, Part 42 and 43 of the Montana Code Annotated (MCA), to help fund the supportive public infrastructure needed for the development of secondary, value-adding industries; and
2. On August 24th, 2016, Lincoln County adopted Ordinance No. 2016-1 creating the Kootenai Business Park Targeted Economic Development District (the "TEDD") and adopting the Kootenai Business Park TEDD Comprehensive Development Plan to encourage secondary, value-adding economic growth by providing a financial mechanism to pay for the installation of necessary infrastructure improvements as authorized by Title 7, Chapter 15, Parts 42 and 43, MCA; and
3. Pursuant to §7-15-4267(1)(i) MCA, for aiding in the planning, undertaking, or carrying out of a TEDD project located within a district, the County may provide such administrative and other services deemed requisite to the efficient exercise of the powers granted under the Urban Renewal Law; and
4. Pursuant to Title 7, Chapter 1, Part 2 MCA, a board of county commissioners may by resolution establish administrative boards, and may create administrative boards that are not otherwise provided for by law; and
5. Pursuant to §7-1-201 et seq. MCA, this resolution creating the Kootenai Business Park TEDD Advisory Board (the Advisory Board) specifies the following:
 - a) The board shall be responsible for providing advice and recommendations on the implementation of the Kootenai Business Park TEDD Comprehensive Development Plan;
 - b) The members must be appointed by the county commissioners in accordance with §7-1-201 et seq. MCA;
 - c) The number of board members shall not exceed 7;
 - d) A special qualification for membership is to be concurrently a member of the Lincoln County Port Authority Board;
 - e) The terms of the members of the Advisory Board shall run concurrently with their member terms on the Lincoln County Port Authority Board;

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STATE OF MONTANA LINCOLN COUNTY

RECORDED: 02/28/2020 1:23 KOI: RESOLUTION

ROBIN A. BENSON CLERK AND RECORDER

FEE: \$0.00

BY: *Michelle Synd Deputy*

FOR: LINCOLN COUNTY BOARD OF COMMISSIONERS 512 CALIFORNIA AVE,



LINCOLN COUNTY MONTANA

- f) All members of the board are voting members; all other members of the Lincoln County Port Authority Advisory Board are nonvoting ex officio members;
 - g) A majority of members constitutes a quorum for the purposes of conducting business and exercising powers and responsibilities. Action may be taken by a majority vote of members present and voting unless the resolution creating the board, district, or commission specifies otherwise;
 - h) The Advisory Board shall provide for the keeping of written minutes, including the final vote on all actions and the vote of each member;
 - i) The Advisory Board shall provide by rule for the date, time, and place of regularly scheduled meetings and file the information with the county commissioners;
 - j) Members of the Advisory Board are not entitled to salary, but may be reimbursed for mileage and per diem expenses associated with the duties of the board;
 - k) The Advisory Board may adopt administrative and procedural rules applicable to the election of board chair, rules of meeting procedures, bylaws, or other administrative powers directly related to the Advisory Board itself; and
 - l) In addition, the Advisory Board may exercise administrative powers as granted by resolution.
6. The Advisory Board is a recommending body; it is not an elected body and may not:
- Pledge the credit of the County or impose a tax;
 - Exercise budgeting or spending authority;
 - Administer programs, establish policy, and adopt administrative and procedural rules;
 - Employ personnel to assist in its functions; or
 - Sue or be sued independently of the local government unless authorized by state law.
7. The Lincoln County Board of Commissioners has determined that the creation of an Advisory Board to advise the Commission in implementing the Kootenai Business Park TEDD Comprehensive Development Plan would be in the public interest; and
8. At its regular meeting held on February 26, 2020 the Lincoln County Board of Commissioners found that creation of the Kootenai Business Park Targeted Economic Development District Advisory Board would be in the public interest; now

THE BOARD RESOLVES:

The Kootenai Business Park Targeted Economic Development District Advisory Board is hereby created

THE BOARD FURTHER RESOLVES:

1. If a provision of this resolution conflicts with a provision of a previously adopted resolution, this resolution will prevail.



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- 2. This resolution and its various sections, clauses and paragraphs are severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or invalid, the remainder of the resolution will not be affected.
- 3. This resolution will be effective immediately upon adoption, in accordance with § 7-5-123, MCA.
- 4. This Board directs that this resolution be entered into the minutes and signed by the Chair of the Board in accordance with § 7-5-121, MCA.

END OF RESOLUTION

Approved as to Form:

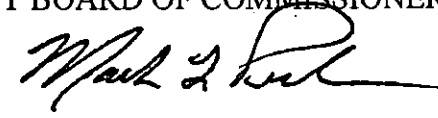


 Marcia Boris, County Attorney

Date presented to the Board 2/26/2020 Approved () Disapproved () Amended ()

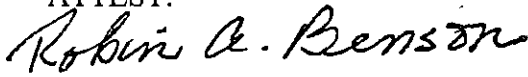
Adopted this 26th day of February, 2020.

LINCOLN COUNTY BOARD OF COMMISSIONERS



 Mark Peck, Chair

ATTEST:



 Robin A. Benson, Clerk of the Board