



LINCOLN COUNTY MONTANA

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STATE OF MONTANA LINCOLN COUNTY

RECORDED: 07/09/2025 12:01 KOI: RESOLUTION

CORRINA BROWN CLERK AND RECORDER

FEE: \$0.00 BY: Debbie Storkson deputy
FOR: LINCOLN COUNTY BOARD OF COMMISSIONERS 512 CALIFORNIA AVE,

RESOLUTION 2025-25

A Resolution of The Board of County Commissioners of Lincoln County, Montana, For the Purpose of Rescinding Resolution 999 and Providing for the Organization of the Lincoln County Port Authority Board of Commissioners Thereof

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

WHEREAS, on May 14, 2003, the Lincoln County Board of County Commissioners (hereafter "Lincoln County Commissioners") approved Resolution No. 609 creating a local port authority pursuant to Montana state law to be known as the Lincoln County Port Authority ("LCPA");

WHEREAS, pursuant to § 7-14-1101(2), MCA, a board of county commissioners shall by resolution provide for the organization of a port authority board of commissioners by appointing and/or electing not less than five (5) persons as commissioners for terms of five (5) years;

WHEREAS, the Lincoln County Commissioners, as directed in Resolution No. 609, originally established the Board of Port Commissioners (hereafter "Port Commissioners") of the LCPA to be comprised of nine (9) members appointed by the Lincoln County Commissioners with one (1) whom shall be a sitting Lincoln County Commissioner;

WHEREAS, the Lincoln County Commissioners, as directed in Resolution No. 609, retain "the right to amend any provision herein to impose additional provisions as deemed appropriate";

WHEREAS, on January 24, 2018, the Lincoln County Commissioners approved Resolution No. 999, re-forming the LCPA Board of Port Commissioners to be comprised of five (5) persons, with three (3) members including the Lincoln County Commissioners;

WHEREAS, recently, the LCPA Port Commissioners have updated the LCPA bylaws, and have determined that a board of up to seven (7) Port Commissioners comprised of one (1) Lincoln County Commissioner and up to six (6) members at large is appropriate to allow for management of the Lincoln County Port Authority and to encourage public representation on the LCPA;



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WHEREAS, the Lincoln County Board of County Commissioners agree that it is important that the LCPA Port Commission be comprised of a majority of citizen members to allow for public representation;

WHEREAS, the Lincoln County Commissioners wish to ratify the intent of the Port Commissioners to reorganize the Board of Port Commissioners to conform with the updated and adopted bylaws; and

WHEREAS, the Board of County Commissioners conducted a public hearing on July 9, 2025, to receive public comment on this Resolution. Notice of said hearing was published on June 25, 2025 and July 2, 2025; and

NOW, THEREFORE, BE IT RESOLVED:

1. Pursuant to the authority vested in the Lincoln County Commissioners under § 7-14-1101, MCA, Resolution 999 is rescinded. The LCPA Board of Port Commissioners shall be comprised of up to seven (7) members, one (1) of whom shall be a sitting Lincoln County Commissioner. The LCPA Port Commissioners shall be appointed by the Lincoln County Commissioners for terms of five (5) years.
2. Commissioner Brent Teske has been, and will continue to be, appointed as the sitting Lincoln County Commissioner to the Port Commissioners.
3. The terms and the composure of the LCPA Board of Port Commissioners shall be as follows:

Name	Position	Term Expires
Jerry Bennett	Citizen at large	12/31/2027
Kevin Peck	Citizen at large	12/31/2025
Tony Petrusha	Citizen at large	12/31/2029
Chris Bache	Citizen at large	12/31/2029
Vacant	Citizen at large	--
Vacant	Citizen at large	--
Commissioner Brent Teske	Lincoln County Commissioner	Ongoing

4. The remaining provisions of Resolution 609, passed by this Board in 2003, regarding the duties and powers of the Lincoln County Port Authority, remain in effect as presently constituted, until otherwise amended or repealed by this Board. This Resolution shall be in full force and in effect immediately upon its adoption.



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THE BOARD FURTHER RESOLVES:

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

A handwritten signature in blue ink, appearing to read "Marcia Boris", written over a horizontal line.

Marcia Boris, County Attorney

Date presented to the Board July 9, 2025 Approved ☒ Disapproved ☐ Amended ☐

Adopted this 9th day of July, 2025.

LINCOLN COUNTY BOARD OF COMMISSIONERS

A handwritten signature in brown ink, appearing to read "Brent Teske", written over a horizontal line.

Brent Teske, Chair

ATTEST:

A handwritten signature in blue ink, appearing to read "Corrina Brown", written over a horizontal line.

Corrina Brown, Clerk of the Board