



LINCOLN COUNTY MONTANA

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STATE OF MONTANA LINCOLN COUNTY
RECORDED: 10/08/2026 10:15 KOI: RESOLUTION
CORRINA BROWN CLERK AND RECORDER
FEE: \$0.00 BY: Katie Anderson-deputy
FOR: LINCOLN COUNTY BOARD OF COMMISSIONERS 512 CALIFORNIA AVE,

RESOLUTION 2026-29

A Resolution of the Lincoln County Board of Commissioners Correcting the Addresses of Designated Polling Places, Providing a Secure Ballot Vault Service as a Convenience to County Residents, and Superseding Resolution 2026-09 in Part

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

WHEREAS, under § 13-3-105, M.C.A., the Board of County Commissioners designates the polling place for each precinct within the county; and

WHEREAS, in determining appropriate polling place locations, the Board has considered ballot security, reduction of ballot transport requirements, the number of registered electors within each precinct, geographic distance between polling locations, accessibility and ADA compliance, and the availability of election judges and election staff; and

WHEREAS, the Lincoln County Election Office has determined that the polling places designated in this Resolution are sufficient in size, accessibility, and capacity to accommodate the electors assigned to each precinct; and

WHEREAS, on March 18, 2026, the Board adopted Resolution 2026-09, recorded at Book PF, page 15558, which designated polling places, established ballot drop kiosks, and designated a place of deposit under § 13-19-307, M.C.A.; and

WHEREAS, no polling place and no secure ballot vault has changed location since the primary election held June 2, 2026, but the street addresses of certain sites stated in Resolution 2026-09 have changed because of updates made in the E911 and postal addressing systems, and the addresses stated in this Resolution are the current addresses of the same sites; and

WHEREAS, § 13-19-307, M.C.A. governs elections conducted by mail ballot, and the Board finds it appropriate to provide separately for elections conducted by mail, in full or in part, from the arrangements that apply in elections conducted at polling places; and

WHEREAS, many residents of Lincoln County live a considerable distance from the Election Office in Libby; and



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WHEREAS, pursuant to *Western Native Voice v. Stapleton*, 2020 Mont. Dist. LEXIS 3, which held that the Ballot Interference Prevention Act is unconstitutional and permanently enjoined its enforcement, and *Driscoll v. Stapleton*, 2020 MT 247, which affirmed a lower court's injunction on enforcement of the Ballot Interference Prevention Act, any person may return the properly marked and sealed ballot of any other person in accordance with applicable state and federal statutes and provisions; and

WHEREAS, under Article XI, section 4 of the Montana Constitution, a county has legislative, administrative, and other powers provided or implied by law, and the powers of a county are to be liberally construed; and

WHEREAS, under § 7-5-2101, M.C.A., the Board of County Commissioners has jurisdiction and power, under such limitations and restrictions as are prescribed by law, to represent the county and to have the care of county property and the management of the business and concerns of the county; and

WHEREAS, the Board finds that assisting residents of the county in conveying their sealed ballots to the Election Office is a concern of the County; and

WHEREAS, the Board has determined that collecting sealed ballots at the request of voters and delivering them to the Election Office is a public service consistent with ensuring that all lawfully registered voters are able to cast their ballots, and that the service should be provided by the Board apart from the Election Office; and

WHEREAS, the absentee voting instructions distributed by the Election Office for the federal general election to be held November 3, 2026, state the locations and hours of the secure ballot vaults for the information of voters, and the Election Office does not operate the service; and

WHEREAS, each of the three secure ballot vaults is located in an attended and staffed location and is monitored by closed-circuit television twenty-four (24) hours per day, seven (7) days per week; and

WHEREAS, under § 13-1-301, M.C.A., the Election Administrator is responsible for the administration of all procedures relating to registration of electors and conduct of elections, and the Board intends by this Resolution neither to exercise nor to limit any authority that Montana law vests in the Election Administrator.



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NOW, THEREFORE, BE IT RESOLVED:

1. Polling Places. The polling places designated by the Board under § 13-3-105, M.C.A., in Section 1 of Resolution 2026-09 remain designated and are not changed by this Resolution. The addresses by which those polling places are identified are corrected to read:

- Eureka: High Road Youth Center, 130 13th Street, Eureka. Precincts 1, 2, 3, 4, 15, 16
- Troy: Troy Activity Center, 306 N 4th Street, Troy. Precincts 5, 6, 7, 8, 14
- Libby: Memorial Center, 111 E. Lincoln Blvd., Libby. Precincts 9, 10, 11, 12, 13

2. Notice of Address Correction. The public is hereby given notice that the physical locations of the polling places and the secure ballot vaults have not changed since the primary election held June 2, 2026. The addresses by which those locations are identified have been updated in the County's E911 addressing system, with the United States Postal Service, and with online mapping providers. Where an address stated in this Resolution differs from the address stated in Resolution 2026-09, the difference reflects those updates and not a change of location.

3. Prior Provisions Superseded. Sections 2 and 3 of Resolution 2026-09 are superseded by this Resolution. The arrangements described in those sections are replaced by the secure ballot vault service provided under Section 4.

4. Secure Ballot Vault Service.

(a) Under Article XI, section 4 of the Montana Constitution, § 7-5-2101, M.C.A., *Western Native Voice v. Stapleton*, 2020 Mont. Dist. LEXIS 3, and *Driscoll v. Stapleton*, 2020 MT 247, the Board provides a secure ballot vault service as a convenience to the residents of Lincoln County. The service is provided by the Board and is not operated by the Election Office.

(b) A secure ballot vault is not a polling place, an election office, or a place of deposit. Through the service, the County collects sealed absentee ballot envelopes deposited by or for voters and delivers them to the Election Office at the request and for the convenience of those voters. A ballot deposited in a secure ballot vault is received when it is tendered to the Election Office or, on Election Day, to a polling place within the county.

(c) An elector is not required to use the service. An elector may instead return an absentee ballot by mail, in person at the Election Office, or on Election Day at a polling place, as provided in § 13-13-201, M.C.A., or may have it returned by such other person or persons as the elector may choose.



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(d) For the federal general election to be held November 3, 2026, the secure ballot vaults are located in the lobby of the Lincoln County Sheriff's Office, 512 California Avenue, Libby; in the lobby of the Troy Police Department, 402 N 3rd Street, Troy; and in the Eureka Dispatch office, 855 HWY 93 N, Eureka. They are available twenty-four (24) hours per day, seven (7) days per week, until 5:00 PM on Monday, November 2, 2026, and are closed on Election Day. For every election, the service is discontinued at 5:00 PM on the day before the election. These hours are intended to mitigate the risk of late delivery of ballots.

(e) The Board designates the Lincoln County Sheriff's Office to administer the service, with the concurrence of the Sheriff, or such other agent or representative of the County as the Board determines suitable. The Sheriff's Office will hold the vault keys and keep a written log of each retrieval. Deposited envelopes will be transported by a Sheriff's Deputy in a Sheriff's Office vehicle whose location is tracked. No fewer than two persons will load the envelopes into, and unload them from, the secure containment area in the rear seat or trunk of the vehicle. Transit will be uninterrupted to the extent safely practicable. All envelopes retrieved from the vaults will be tendered to the Election Office, or to a polling place within the county, before the close of the polls on Election Day. If the Board designates another agent or representative, it will do so by action of the Board. The Election Administrator and the staff of the Election Office may not be designated. An agent or representative other than the Sheriff's Office will administer the service under the custody and delivery terms of this subsection, and no fewer than two persons will accompany the envelopes at all times from retrieval at the vault to tender at the Election Office or polling place.

(f) The Board may change the locations, dates, and hours of the service for any later election by action of the Board.

(g) The Sheriff's Office, or other agent or representative designated under subsection (e), will post at each secure ballot vault a notice stating that the service is provided by the Board of County Commissioners, that the County delivers deposited ballots to the Election Office, that a ballot is received when it is tendered to the Election Office or a polling place, and the date and time at which the service is discontinued.

5. Election Office.

(a) The Lincoln County Election Office is located at 418 Mineral Avenue, Libby. Its normal business hours are 8:00 AM to 5:00 PM Monday through Friday, and it is open during official election hours on Election Day.

(b) The Election Office maintains a secure ballot vault inside the Election Office for the convenience of the Election Office and of voters, to alleviate queues and wait times when the office is busy. That vault is not part of the service provided under Section 4. It is available during the operating hours of the Election Office and at the discretion of the Election Administrator.



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6. Election Administrator. Nothing in this Resolution limits the authority of the Election Administrator under Title 13, MCA. The receipt and processing of ballots delivered to the Election Office remain the responsibility of the Election Administrator.

7. Mail Ballot Elections. For an election conducted by mail ballot under Title 13, chapter 19, MCA, places of deposit are designated by the Election Administrator under § 13-19-307, M.C.A.

8. Voter Information. Electors are encouraged to consult the Lincoln County website or call (406) 283-2302 for current information on secure ballot vault locations and hours and on whether a particular election is conducted by mail ballot.

THE BOARD FURTHER RESOLVES:

1. Section 1 of Resolution 2026-09, adopted March 18, 2026, remains in effect, with the addresses corrected as stated in Section 1 of this Resolution. Sections 2, 3, and 4 of Resolution 2026-09 are superseded by this Resolution.
2. If a provision of this Resolution conflicts with a provision of a previously adopted resolution, this Resolution will prevail.
3. This Resolution and its 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.
4. This Resolution will be effective immediately upon adoption, in accordance with MCA § 7-5-123.
5. This Board directs that this Resolution be entered into the minutes and signed by the Chair of the Board in accordance with MCA § 7-5-121.

END OF RESOLUTION

Approved as to Form:

Marcia Boris, County Attorney

Date presented to the Board October 7, 2026 Approved ☒ Disapproved ☐ Amended ☐

Adopted this 7th day of October, 2026.

LINCOLN COUNTY BOARD OF COMMISSIONERS

Brent Teske, Chair

ATTEST:

Corrina Brown, Clerk of the Board