LINCOLN COUNTY PORT AUTHORITY

Rules and Procedures for Public Participation	BOC-007
Board of Commissioners	Jerry Bennett, Chair

The purpose of this policy is to establish the rules of procedure for the conduct of meeting and the transaction of business by the Lincoln County Port Authority Board. The rules and procedures are intended to assure that the board can accomplish its work efficiently, in full view of the public, and with reasonable opportunity for the public to participate in the deliberations and decisions of the Board.

This policy is adopted pursuant to Article II, Sections 8 and 9 of the Montana Constitution and Montana Code Annotated, Title 2, Chapter 3.

Public Participation

1. Policy: It is the policy of Lincoln County Port Authority that the public shall be afforded reasonable opportunity to participate in the operation of the Board prior to the final decision of the Board concerning any matter of significant interest to the public.

2. Open Meetings: A meeting of LCPA is convened whenever a quorum of Board members hear, discuss, or act upon any matter over which they have jurisdiction. All meetings of LCPA shall be open to the public. However, the chair may close any meeting during the time the discussion relates to a matter of individual privacy, and then if and only if the chair determines that the demands of individual privacy clearly exceed the merits of public disclosure. The right of individual privacy may be waived by the individual about whom the discussion pertains, and, in that event, the meeting must be open. The chair may also close meetings held for the purpose of legal proceedings, strategy, or negotiations.

3. Notice: LCPA shall give timely notice of any public hearing or any meeting to discuss or act upon any matter of significant interest to the public, as prescribed by laws. Additionally, the agenda of all scheduled meetings of LCPA shall be posted on the LCPA website not later than 48 hours prior to the meeting.

Procedures

1. Agenda Preparation: All matters requiring consideration, discussion, or decision by the Board shall be submitted to the Executive Director of the LCPA by 12:00 noon on Tuesday immediately preceding the next regularly scheduled meeting of the Board. The

Chairperson or his/her designated representative shall coordinate with the Executive Director to prepare the agenda. Copies of the agenda shall be provided to each member of the Board and be available to the public and shall be posted on the LCPA website not later than 48 hours prior to the scheduled meeting.

Order of Business

1. The agenda for each meeting will be in substantially the following form, which may be altered by vote of the Board.
    a. Roll Call
    b. Public Comment on non-agenda items that are within the jurisdiction of the Board.
    c. Public Comment on agenda items
    d. Approval of Minutes of Previous Meeting
    e. Approval of Financials
    f. Old Business
    g. New Business
    h. Director Update
    i. Unscheduled Matters
        i. An item that is not scheduled on the agenda for the current meeting may be discussed during the session at the discretion of the board. However, the purpose of such discussion shall be to decide whether or not to schedule the item for discussion and/or vote on a subsequent agenda. The Board may not take action on any matter unless specific notice is included on an agenda and public comment has been allowed on that matter.
    j. Adjournment

Rules of Board Participation

1. To provide for effective participation by all members of the Board, and to protect the right of participation by members of the public appearing before the Board, all meetings of the Board shall be conducted in a uniform manner and in accordance with parliamentary procedure.

2. Rules: Board debate shall proceed in accordance with the following rules:
    a. A Board Member deciding to speak shall avoid abusive and indecorous language.
    b. A Board Member shall not be interrupted when speaking.

3. A motion may be made by any member of the Board but must seconded prior to public comment, Board discussion and a vote. If the motion is not seconded, it shall be declared failed for lack of a second.

4. An affirmative vote of the majority of the quorum of Board Members present and voting is required to carry any motion unless a greater number of votes may be required by the bylaws, law or ordinance.

5. Unless a Board Member has a conflict of interest with respect to the subject matter of the motion, it is the duty of each Board Member to vote in the affirmative or negative on each motion duly placed before the Board. A Board Member may make a brief explanation of the reason why he or she voted a particular way. Additionally, a Board Member must abstain from voting on any issue in which they have a conflict of interest.

6. A Board Member who is not present in the meeting at the time a motion is put to a vote cannot vote. Board Members shall not be permitted to vote by a proxy vote or written vote.

7. Any member of the Board who has a private interest, as defined by law or as so advised by legal counsel, in any matter pending before the LCPA Board shall not participate in the debate nor vote in that matter, not seek to influence the vote of members of the Board, except as otherwise provided by 2-2-201 MCA. If the Chair has a private interest in a matter pending before the Board, the Vice Chairperson shall act as chair during the course of debate and discussion concerning the matter in which she or he has a private interest.

8. Board Members should avoid ex parte discussions, whether with interested parties or other members of the public, in order to maintain fairness. Ex parte discussions are discussions relating to business before or to come before the Board that are held informally or privately, outside of the public forum.

Guide for Public Participation

The following guidelines shall serve to assure reasonable and fair public participation in the decisions of the Lincoln County Port Authority Board of Commissioners.

1. The public shall be invited to speak on any item under consideration by the Board after recognition by the chair.

2. The speaker should stand, and for the record, give his or her name, and if applicable, the person or organization he or she represents.

3. Written statements are welcomed and should be provided to the Executive Director at least three (3) hours prior to the meeting for distribution to the entire board. Written statements may be emailed to kstephens@libby.org or delivered to the Port Authority office at 216 W 9th St, Libby, MT. Submitted written comments will be noted in the minutes of the meeting.

4. While the Board is in session, members of the public must preserve order and decorum. No person shall delay or interrupt the proceedings or the peace of the Board, nor disturb any member of the public or of the Board while speaking or refuse to obey the orders of the Chair of the Board.

5. Any person who, while addressing the Board during public comment, uses indecorous or abusive language or becomes boisterous or disruptive may be barred from further presentation to the Board by the Chair, unless permission to continue is granted by a majority vote of the Board.

6. Public comment is limited to three (3) minutes per person per agenda item when public comment is called for by the Chair.

7. Conduct that is disruptive and remarks that are too long, unduly repetitious, or irrelevant impede the ability of the Board to conduct the business before it. A person who continues to make off-topic or repetitive comments after the Chair has called attention to the matter may be directed to discontinue the speech by the Chair.

Signature:	Date:
Name: Jerry Bennett	Title: Chair
Signature:	Date:
Name: Kate Stephens	Title: Executive Director
Creation of Policy: 11/17/25	Updates: