

Lincoln County Port Authority
Meeting Minutes
December 29, 2025 @ 3:00 PM
LCPA Conference Room
216 West 9th Street, Libby, MT

The Lincoln County Port Authority Board met on December 29, 2025, in the LCPA Conference Room, Libby, MT.

Board members present were Rob Delmas, Kevin Peck, Chris Bache, Tony Petruska and Jerry Bennett, with Director Kate Stephens and notetaker Jennifer Brown. Gage Zobell was present via Zoom. Brent Teske was absent.

1. **Public Comment on Non-Agenda Items:** No public comment was made.
2. **Public Comment on Agenda Items:** No public comment was made.
3. Old Business:
 - a) **Family Health and Wellness License Agreement and Negotiations:** Discussion was held regarding the Family Health and Wellness License Agreement and ongoing negotiations. Gage reported that the transaction could not be closed before year end and proposed filing a First Amendment to extend the license, granting Family Health and Wellness authority to conduct property cleanup following recent flooding. Gage indicated general agreement with proceeding via a First Amendment, noting that some changes to tract three and the closing date are acceptable. Levi requested revising the definition of "purchase price" to reflect the amount ultimately agreed upon in the purchase agreement. Gage stated this would be acceptable provided the ponds are excluded in exchange for a lower purchase price. Gage further noted that Sections 7(f), (g), and (h) would be revised to clarify that the property does not include tract three as shown in Exhibit A and excludes the ponds. Kate asked whether the Port Authority would retain ownership of the ponds and surrounding land; Gage indicated this was still under discussion but that he would advocate for retention of both the ponds and adjacent land, or alternatively, placement of easements if Family Health and Wellness objects. Tony noted that "the ponds" should be clearly defined in the agreement. Jerry stated that if Family Health and Wellness requests an additional appraisal, they would be responsible for the cost, as LCPA has already paid for one appraisal. It was clarified that the purchase price will be negotiated. Tony asked how public access would be managed along the haul road, and Jerry stated that a public-use easement will be in place. Gage confirmed the road is entirely on

LCPA property. Levi will require a crossing agreement to cross the railroad tracks, which Gage indicated would be subject to Board approval but did not anticipate concerns. A motion to approve moving forward with the amended license agreement was made by Kevin and seconded by Tony. All members voted in favor. Chris asked for clarification regarding whether the amendment itself was being amended and stated his support for proceeding with the amendment as amended.

4. New Business

- a) **Emergency Easement for Mark Williams:** Kate presented a request from Mark Williams for emergency-only access across LCPA property. Due to the development he is constructing across the creek and recent flooding events, Mr. Williams identified concerns that occupants could be unable to exit the property during a future flood and is requesting emergency access only. Kate displayed the proposed route, noting that Mr. Williams already holds an easement with Stimson. Kevin emphasized the need to ensure legal counsel review the request and confirm compliance with MCA requirements and the LCPA Land Disposition Policy. Gage advised that the request should be structured as an access license rather than a permanent easement.

5. Unscheduled Matters:

- a) **Noble Negotiations:** Gage provided an update regarding the Noble easement negotiations and stated he needs additional time to review the proposal recently put forward by Chris. He noted that post-closing, the parties previously agreed to provide commercial access on the west side of the property. During negotiations of the utility easement, the Port Authority agreed to grant 32 feet of a 64-foot easement to accommodate a road with utilities. Gage explained that Chris has now proposed relinquishing commercial access on the west side of the property in exchange for the Port Authority granting the full 64-foot easement along the south side of the property. Gage stated that the purchase and sale agreement only requires the provision of reasonable commercial access and expressed that he does not agree with the revised proposal, though final determination rests with the Board. Kevin emphasized the importance of avoiding any breach of fiduciary duty and noted that any exchange or trade must be equivalent in value. **Gage requested additional time to review the matter and stated he will report back to the Board at the next meeting.**
- b) **LCPA Trail Flood Damage:** Kate reported that Brent contacted her regarding flood damage to Port Authority trails. She stated she will visit the site the following day to assess the extent of the damage. Brent raised questions regarding the levee and potential trail reconstruction and whether Emergency Recovery, which has been hired by the County, should be involved to ensure

eligibility for FEMA reimbursement. Alternative options discussed included pursuing a grant for trail repair or potentially removing the trails altogether. **Rob requested that the damaged trail segments be identified on a map to better understand the affected areas.** Kevin explained that the haul road predated the trails and that the trails on the west side were constructed by the County on Port land. Kevin suggested assessing costs and prioritizing repairs if funding is a factor and noted that the haul road may ultimately become another party's responsibility for property access, requiring those parties to be included in discussions. **Jerry suggested contacting the U.S. Army Corps of Engineers, stating that he had previously worked with them and had been advised to reach out in the event of flood damage.**

c) **Report Filed:** Kate provided an informational update, noting that Board members may have seen a recent newspaper police report involving the Port Authority. She explained that during the most recent visit with a local resident regarding how the flood debris damaged his property, he made a comment indicating the situation would become violent. Kevin noted that he has previously worked with a gentleman in relation to insurance matters and requested that he provide a written statement to submit to his general liability insurance carrier. Kate further reported that information provided by the resident regarding the Port Authority's alleged responsibility to clean up his property has been forwarded to legal counsel for review.

c) **Meeting Schedule and Adjournment:**
It was noted that the next regularly scheduled meeting falls on a holiday. **Kate will review the meeting schedule and circulate a revised meeting invitation to the Board.** Tony made a motion to adjourn, which was seconded by Kevin. The motion carried, and the meeting was adjourned.

Adjourn: 4:45 p.m.

Next Meeting: To be determined.

LINCOLN COUNTY PORT AUTHORITY BOARD


Jerry Bennett, Chairman

ATTEST: 
Jennifer Brown