

Lincoln County Port Authority
Meeting Minutes
January 12, 2026 @ 3:30 PM
LCPA Conference Room
216 West 9th Street, Libby, MT

The Lincoln County Port Authority Board met on January 12, 2026, in the LCPA Conference Room, Libby, MT.

1. **Roll Call:** Board members present were Brent Teske, Kevin Peck, Chris Bache, and Tony Petrusha, with Director Kate Stephens and notetaker Jennifer Brown. Jerry Bennett and Rob Delmas were absent. Members of the public present were Vanessa of ER Assist, Chris Noble, and Tina Oliphant. Gage Zobell was present via Zoom.
2. **Public Comment on Non-Agenda Items:** No public comment was made.
3. **Public Comment on Agenda Items:** No public comment was made.
4. **Approval of Minutes December 15, 2025:** The minutes from the December 15, 2025 meeting was reviewed for approval. Tony made a motion to adopt the minutes, which was seconded by Chris. During discussion, Kevin requested an amendment to clarify the record by adding the phrase “without litigation” to the statement, indicating that there is no insurance coverage that would apply to the cleanup of Mr. Bengtson’s property. The amendment was accepted, and the minutes were approved as amended. All members voted in favor.
5. **Approval of Special Meeting Minutes December 29, 2025:** The minutes from the special meeting held on December 29, 2025 were presented for approval. Kevin made a motion to approve the minutes, which was seconded by Tony. The motion carried unanimously, with all members voting in favor.
6. **Approval of Financials December:** The December financial reports were scheduled for review; however, due to the meeting being moved forward, the financials were not yet ready for consideration. **The review of the December financials was deferred to the following month.**
7. **Old Business:**
 - a. **Noble Changes to Easement Request:** The Board discussed the Noble easement change request. Gage stated that, based on the most recent review, the Port is in compliance with post-closing requirements. He explained that if the Board wished to approve Noble’s request, the Port would need additional guarantees to ensure

equivalency and a clear benefit to the Port; without such conditions, the proposal would not constitute financial equivalency. Gage noted that the easement provides for reasonable commercial access. Kevin asked what other measures the Port could consider to make the proposal equivalent. Kate reminded the Board that the original 32-foot easement was granted in exchange for utilities. Gage suggested that a “no latecomers” agreement could be an appropriate exchange and would benefit the Port by making the property more marketable. Kevin requested a summary of the advantages and disadvantages for Board review. Tina asked whether Gage could prepare written options for consideration at a future meeting. **Gage will draft options for conditions and send to the board.**

- b. **Lease Cost Recommendations:** The Board reviewed lease rate recommendations based on the draft breakdown sheet, which reflects commercial leases at 100% of market rate, government leases at market rate, interagency leases at a reduced rate to be determined, and nonprofit leases at a lesser rate. Kate noted that the interagency rate required discussion at this time. Kevin suggested an interagency rate of 20%. Chris questioned whether, given state reimbursement, the Port might be undervaluing this category. Brent explained that ARP reimbursed funds are available only until they are fully expended. Kevin emphasized the importance of establishing a fair and consistent approach for future interagency leases. Kevin made a motion to set the interagency lease rate at 20% of market value, which was seconded by Chris. **Brent indicated he would present this proposal to ARP to be passed along to DEQ.** The motion carried unanimously.

The Board then discussed nonprofit lease rates, specifically noting that the RC Racers wish to move forward with a new lease, as their previous lease has expired. Chris asked whether the RC Racers collect membership dues or admission fees. Brent stated that there may be a fee to enter races, but was not aware of other fundraising activities. Kevin asked whether there are currently other nonprofits using Port recreation property; Brent responded that there are none at this time, though there may be future opportunities, including a potential rail-related museum project. Brent suggested starting nonprofit lease rates at 1% of market value and evaluating from there. Kevin requested input from the RC Racers. Kate clarified that the discussion was not limited to the RC Racers and that any policy adopted would apply to future nonprofit leases. Kevin suggested creating different nonprofit categories, potentially based on acreage. Kate added that even if a nonprofit only uses property for part of the year, the lease should cover the full year unless the property is open to the public during downtime. Kevin requested that the nonprofit rate discussion be tabled and revisited with additional rate options tied to acreage size. Tony asked whether in-kind services could be considered as part of a nonprofit lease. Brent suggested exploring whether the RC Racers might be interested in purchasing property. **Brent recommended tabling the nonprofit rate discussion until more information is available, and the Board agreed. Kate will reach out to RC Racers for input.**

The Board confirmed the commercial lease rate at 100% of market value. Kevin made a motion to approve the commercial rate, seconded by Chris. With no further discussion, the motion carried unanimously. Tony asked whether a minimum square footage requirement would apply; Brent responded that such terms would need to be negotiated on a case-by-case basis.

- c. **Pond Park and Swim Pond Update:** The Board received an update on the Pond Park and proposed swim pond. Tony stated that there will be a special election seeking approximately \$74,000 in taxpayer funding to cover operating costs. He noted that he does not anticipate any progress by spring, as funding and a reliable water supply will not be in place by that time. Brent expressed concerns regarding the pond being open. Kate responded that the pond does not present any greater openness or liability than the existing fish pond. She also stated that the Port would not invest in fencing until there is a decision to move forward with the swim pond project. Brent emphasized the need to continue maintaining all posted warning signs. Tony added that the recreation development plan is currently lacking and that efforts should be made to advance work in that area. He noted that he has begun an outline identifying items that need to be addressed as part of a recreation development plan.

8. ~~New Business~~

- a. **Flood Damage:** Brent reported substantial flood damage resulting from the December flooding along Libby Creek. He noted that the walking trail continues to erode, and that issues on the east side stem from an EPA cleanup completed in 2009, where the installed riprap was substandard. This has been a long-standing concern. Damage to the levee has exposed mill materials, including a vehicle, barrels, and other debris. The east boundary of the creek has shifted and is now located on the opposite side of the walking path. Brent stated that residual mine waste may now be exposed, though testing will be required to confirm this.

Brent further reported that approximately 300 feet of the walking path on the west side has been completely lost and will require full reclamation, and that the walking path on the east side has also been entirely destroyed. He identified low-lying areas that are likely to flood again during spring runoff. Melody from DEQ contacted Kate and expressed concerns regarding potential contamination. Kate presented a diagram showing damage to the diversion trail.

Chris stated that the diversion channel has filled with bedload material for approximately 500 linear feet, with an estimated depth of five to six feet that will need to be removed. He noted that the diversion channel would currently receive water if opened, though that may not be the case during low-water conditions. Fish, Wildlife & Parks indicated that all work will require a 124 permit, and Brent emphasized that the permitting process needs to begin promptly. Kevin stated that the east bank presents the most significant concern and asked whether there is room to remove fencing and relocate the trail, or whether the entire trail should be

closed. Chris expressed concern that, if the shoreline is not stabilized soon, erosion could encroach on an underground pipe currently carrying water.

Brent reported that the County has entered into an agreement with DebrisTech to develop recommendations, after which the project will proceed to a competitive bid. Kate noted that engineering services for the Port will also need to be put out to bid and that she is not authorized to expend the necessary funds for an engineer without Board approval. Brent stated that the Port will need to issue a Request for Proposals (RFP). He emphasized that an engineer, an approved plan, and required permits must be in place before repairs can proceed. Veronica stated that eligible costs would be reimbursable. **Kate concluded by stating she will prepare an RFQ or RFP for both engineering services and construction contractors.**

- b. **ER Assist:** The County and City have entered into contract agreements related to FEMA assistance. Kate expressed concern that the Port is not currently structured to manage the scope and complexity of work required to maximize FEMA funding outcomes. Kevin asked for clarification on the estimated cost for assistance from ER Assist. It was noted that the contract provides for up to \$80,000 over a three-year period. Veronica explained that FEMA requires a “not to exceed” amount to be specified in the contract, and that a task order may be issued if costs exceed the \$80,000 threshold. Brent added that the \$80,000 cap was established because expenditures above that amount would require a competitive bidding process.

Veronica, representing ER Assist, provided preliminary estimates of approximately \$500,000 and \$700,000 in recovery-related work. Tony made a motion to enter into an agreement with ER Assist, which was seconded by Kevin. With no further discussion, the motion carried unanimously.

9. **Director Updates:** Kate reported that Gio and Devon have been actively reviewing grizzly bear photographs in support of Bruce’s grizzly bear project. Jen is currently working on a grant application for the Pine Flats area, focused on thinning and slashing to reduce hazardous fuels. The Port has met with the U.S. Forest Service to discuss ways the Port may assist with flood damage response and recovery efforts. Kate noted that berms have been completed, with only a few remaining.

Kate also announced that a Firewood Safety Fair will be held on January 22, during which free safety items will be distributed. In addition, a meeting of the LCPA Board regarding the Scrimber project is scheduled for January 22 at 11:30 a.m. to further discuss the project.

10. **Unscheduled Matters:** Brent informed the Board that Undersheriff Hylsop has passed away and that his funeral, scheduled for next Monday, is expected to be a large community event.

Chris asked whether woody debris should be brought to the Port instead of the landfill. Brent responded that, given the volume of large stumps and debris wood involved, it would be more appropriate for the material to be taken to the landfill.

Adjourn: 4:45 p.m.

Next Meeting: January 22, 2026

LINCOLN COUNTY PORT AUTHORITY BOARD



Brent Teske, Chairman

ATTEST:



Jennifer Brown