

State of Montana  
Office of the Governor

Executive Order 6 - 2009

---

**EXECUTIVE ORDER PROCLAIMING AN EMERGENCY TO EXIST  
IN THE TOWN OF BROCKTON, ROOSEVELT COUNTY, MONTANA**

---

WHEREAS, on March 18, 2009, the Town of Brockton's sewer lagoon was damaged from flood waters caused by rapid snow melt; and

WHEREAS, flood waters backed up on the access road and washed away a four foot by four foot by ten foot section of the dike, weakening the surrounding area; and

WHEREAS, the flood water then filled the already full sewer lagoon cell endangering the total collapse of the dike walls; and

WHEREAS, the untreated overflow from the lagoon cell filled the wet lands and drained into the Missouri river endangering the water supply for downstream towns; and

WHEREAS, the Town of Brockton sustained road damage that still needs to be repaired; and

WHEREAS, the above jurisdiction, anticipating that problems resulting from this event would exceed the Town's ordinary capability to finance, declared an emergency to exist on March 19, 2009 and levied the two (2) mill emergency levy to help restore services and make the emergency repairs; and

WHEREAS, the Council for the Town of Brockton has sent the Governor a letter requesting supplemental disaster relief from the state; and

WHEREAS, a declaration of an emergency authorizes the Governor under § 10-3-311, MCA, to expend funds from the general fund to meet contingencies and needs arising from these conditions.

NOW, THEREFORE, I, BRIAN SCHWEITZER, Governor of the State of Montana, by virtue of the authority vested in me under the Montana Constitution, Title 10, Chapter 3, MCA, and other applicable laws of the State of Montana, do hereby declare under § 10-3-302, MCA, that an emergency, as defined in § 10-3-103, MCA, exists in the Town of Brockton, Roosevelt County, Montana, and authorize the incurring of liabilities and expenses to be paid as other claims against the state from the general fund, pursuant to § 10-3-311, MCA.

This order is effective retroactively to March 18, 2009.

Given under my hand and the  
GREAT SEAL of the State of  
Montana, this 18th day of May, 2009.

  
BRIAN SCHWEITZER, Governor

ATTEST:

  
Linda McCulloch, Secretary of State.