

State of Montana
Office of the Governor

Executive Order No. 08-2009

EXECUTIVE ORDER PROCLAIMING AN EMERGENCY TO EXIST
IN CUSTER COUNTY, MONTANA

WHEREAS, on August 15, 2009, Custer County discovered a sink hole on the Tongue River road caused by, saturated ground, heavy rains, and flooding; and

WHEREAS, the embankment on the downstream side of the road collapsed and blocked the culvert causing flood waters to undercut the culvert; and

WHEREAS, the flood water and drainage from the heavy rains created a void and sink hole in the middle of the county road; and

WHEREAS, the County closed the road and performed temporary repairs and now must make permanent repairs to provide safe access for mail, school buses, and emergency response vehicles; and

WHEREAS, the County declared an emergency to exist on August 26, 2009 and levied the two (2) mill emergency levy to help restore services and make the permanent repairs; and

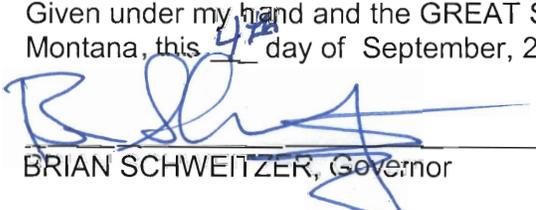
WHEREAS, the Commissioners for Custer County have sent the Governor a letter requesting supplemental disaster relief from the state, because the emergency is beyond the financial capability of the County to respond; and

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.

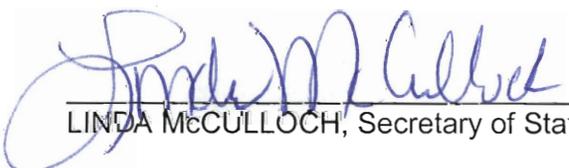
NOW, THEREFORE, I, BRIAN SCHWEITZER, Governor of the State of Montana, by virtue of the authority vested in me pursuant to the Montana Constitution, Title 10, Chapter 3, MCA, and other applicable laws of the State of Montana, do hereby declare under § 10-3-302, MCA, that an emergency, as defined in § 10-3-103, MCA, exists in Custer 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 immediately.

Given under my hand and the GREAT SEAL of the State of Montana, this 4th day of September, 2009.


BRIAN SCHWEITZER, Governor

Attest:


LINDA McCULLOCH, Secretary of State