

STATE OF MONTANA
OFFICE OF THE GOVERNOR
EXECUTIVE ORDER NO. 3-2011

EXECUTIVE ORDER PROCLAIMING AN EMERGENCY
TO EXIST IN THE CITY OF LIBBY

WHEREAS, on January 16, 2011 significant rainfall and unseasonably warm temperatures caused heavy runoff in Flower Creek, and further caused Ice jams to break loose and collect on a bend in the river channel causing flooding in the City of Libby in Lincoln County; and

WHEREAS, these ice jams and debris have caused two dozen homes and businesses to be damaged from flood waters within the City and have caused temporary business closures; and

WHEREAS, the flood waters have damaged city streets by eroding the asphalt on the streets, primarily Idaho Street; and

WHEREAS, these flood conditions have caused life threatening situations and a substantial threat to life and property; and

WHEREAS, the City of Libby has committed all available resources, taken all possible actions to respond, mitigate and alleviate the situation, and hired contractors to remove the ice jam and debris; and

WHEREAS, this event has strained the City's financial capabilities; and


WHEREAS, on January 17, 2011, the City of Libby declared an emergency to exist and has exhausted all available emergency levies by appropriating emergency funding in an amount equivalent to a two (2) mill levy on the city's taxable valuation, pursuant to § 10-3-405, MCA, to respond to the event; and

WHEREAS, a proclamation 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, pursuant to the authority vested in me as Governor under the Constitution of the State of Montana, Title 10, Chapter 3, MCA, and under other applicable statutes, do hereby declare an emergency to exist in the City of Libby, Lincoln County, State of 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 January 16, 2011.

GIVEN under my hand and the GREAT
SEAL of the State of Montana, this
15th day of March, 2011.


BRIAN SCHWEITZER, Governor

ATTEST:


Linda McCulloch, Secretary of State.