

**TOWN OF EUREKA, MONTANA  
OFFICE OF THE MAYOR**

**DECLARATION OF A STATE OF LOCAL DISASTER EMERGENCY**

**WHEREAS**, the World Health Organization has declared the Coronavirus Disease (“COVID-19”) a global pandemic that is controllable via precautionary measures to stop the spread of the disease;

**WHEREAS**, as of March 31st, 2020, the United States Centers of Disease Control and Prevention (CDC) indicates there are over 163,500 cases and 2,860 deaths across the United States as a result of COVID-19;

**WHEREAS**, individuals in Montana and Lincoln County have tested presumptive positive for COVID-19;

**WHEREAS**, on March 12, 2020, Governor Bullock issued an Executive Order declaring an emergency to exist within the State of Montana related to COVID-19;

**WHEREAS**, the Lincoln County Commissioners passed Resolution 2020-09 on March 18<sup>th</sup>, 2020, declaring a Public Health Emergency pursuant to §10-3-402, MCA;

**WHEREAS**, MCA 10-3-405 authorizes the Town of Eureka, through unanimous vote of the Town Council, to levy up to 2 mills under emergency declaration;

**WHEREAS**, Section 10-3-402, MCA, allows the principle executive officer of a local political subdivision to declare a state of local emergency (“Declaration”) whenever the principle executive officer determines there is an emergency;

**WHEREAS**, the Mayor of the Town of Eureka is the principal executive officer of the Town of Eureka.

**WHEREAS**, the Town faces an imminent threat to life and public health resulting from COVID-19;

**WHEREAS**, the circumstances of this pandemic may exceed the capacity of the services, personnel, equipment, supplies, facilities, funding, and other resources of the Town of Eureka, Montana.

**WHEREAS**, the availability and utilization of all necessary Town services, equipment, and other resources will further the efforts to protect health and safety and to preserve the lives, property, and resources of the people of the Town of Eureka, Montana.

**NOW, THEREFORE, AS MAYOR OF THE TOWN OF EUREKA, I HEREBY DECLARE:**

1. A state of local emergency pursuant to Section 10-3-402, MCA.

2. This Declaration shall activate the response and recovery aspects of any and all adopted local disaster emergency plans as approved and recorded at the Town of Eureka and authorize the furnishing of aid and assistance in accordance with such plan.

3. The Mayor has the authority, pursuant to Section 10-3-406, MCA, to prevent ingress to or egress from all or part of the Eureka and to direct law enforcement to enforce quarantines and curfews in all or parts of the Town concurrent with or at the direction of the County Board of Health Officer or as directed by the Governor of the State of Montana.

4. The Mayor will adhere to and implement all directives provided by the Governor of the State of Montana and the County Health Officer or Board of Health regarding the COVID-19 pandemic.

5. Regular meetings of the Eureka Town Council Code will be held but only essential legally required actions will be considered until such meetings can be held via electronic means with audio and visual communications.

6. Meetings of boards, commissions, and advisory groups and all other scheduled public meetings and hearings of the Town of Eureka are temporarily postponed, unless the meeting is legally required to take an action. In such case, the meeting shall be held for the purpose of taking such legally required action only and may be held via electronic means with audio and visual communication.

7. The Mayor has the authority to administer all affairs and departments of the Town, including, but not limited to, implementing orders for employees to work from home and self-quarantine.

8. The Mayor has authority to approve contracts and expenditures in furtherance of implementing the Multi-Hazard Mitigation Plan for Lincoln County Montana and the Town of Eureka (2018), the Lincoln County Emergency Operations Plan Basic Plan, and this Declaration, and taking all measures deemed necessary to address the emergency, subject to retroactive approval by the council.

9. The Mayor, upon ratification of this Declaration by a 4/5<sup>th</sup> vote of the Town Council is authorized to enter into agreements and contracts, and make purchases and expenditures without adhering to state and local procurement requirements, including those in Titles 7 and 18, MCA and to the Town's purchasing policy. This authorization is limited only to agreements, contracts, purchases, and expenditures reasonably necessary to implement the Declaration and to no other agreements, contracts, purchases, or expenditures.

10. All Town agencies are authorized to take appropriate action to assist the Mayor, federal, state, and local agencies, and other individuals in containing, preparing for, responding to, and recovering from this emergency, to protect Town and local property, and to provide such other assistance as is necessary to protect the public health, welfare, and safety of the residents of the

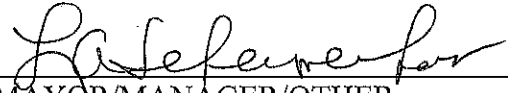
Town, including any personnel, equipment, supplies, facilities, funding, and other resources deemed necessary to assist with finding, preventing, and combating COVID-19.

11. This Declaration is effective immediately and shall terminate upon subsequent order from the Mayor of the Town of Eureka, Montana.

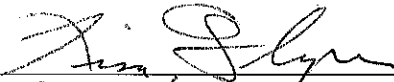
12. Copies of this Declaration be filed with the County Clerk and Recorder, the Town Clerk, and the Montana Disaster and Emergency Services Division in Helena.

13. The public shall be notified of this Declaration as soon as reasonably feasible through general dissemination to the news media, posting on the city website and social media accounts, or using other means of communication appropriate for informing the general public.

Declared by the Mayor of the Town of Montana, on this 6th day of April, 2020.

  
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MAYOR/MANAGER/OTHER  
Name Lee Ann Scheermecker

ATTEST:

By:   
\_\_\_\_\_  
Title: CLERK/TREASURER