

**EXECUTIVE ORDER NO. 11**  
**IMPLEMENTATION OF THE STATE DISASTER ASSISTANCE**  
**PROGRAMS FOR A TYPE I DISASTER FOR MADISON COUNTY**

WHEREAS, the North Carolina Emergency Management Act, Chapter 166A of the North Carolina General Statutes, N.C.G.S. §166A-6, authorizes the issuance of a proclamation defining the area subject to the state of disaster and proclaiming the disaster as a Type I, Type II or Type III disaster; and

WHEREAS, on August 7, 2001, I proclaimed the existence of a state of disaster and a state of emergency in Madison County and the existence of a Type I disaster in Madison County; and

WHEREAS, pursuant to G.S. §166A-6, the criteria for a Type I disaster are met including the following: 1) Receipt of the preliminary damage assessment from the Secretary of Crime Control and Public Safety; 2) Madison County declared a local state of emergency pursuant to G.S. §166A-8 and G.S. §14-288.13 and forwarded a written copy of the declaration to the Governor; 3) The preliminary damage assessment meets or exceeds the criteria established for the Small Business Disaster Loan Program pursuant to 13 C.F.R. Part 123 or meets or exceeds the State infrastructure criteria set out in G.S. §166A-6A(b)(2)a.; and 4) A major disaster declaration by the President of the United States pursuant to the Stafford Act has not been declared; and

WHEREAS, pursuant to N.C.G.S. §166A-6A, if a state of disaster is proclaimed, the Governor may make State funds available for disaster assistance in the form of individual assistance and public assistance as authorized by this section to administer State disaster assistance programs established by the Governor for recovery from those disasters for which federal assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, 42 U.S.C. §5121 *et. seq.* is either not available or does not adequately meet the needs of the citizens of the State in the disaster area.

NOW, THEREFORE, pursuant to the authority vested in me as Governor by the Constitution and laws of the State of North Carolina, IT IS ORDERED:

Section 1. I authorize State disaster assistance in the form of grants to individuals

and families which shall include benefits comparable to those provided by the Stafford Act and may be provided for the following, including but not limited to:

1. The provision of temporary housing and rental assistance in accordance with Section 408 of the Stafford Act and applicable rules, regulations, and policies including, but not limited to, 44 C.F.R. §206.101 and/or in accordance with any amendments to the aforementioned authorities;
2. The provision of repair or replacement of dwellings, which may include amounts necessary to locate the individual or family in safe, decent and sanitary housing in accordance with Section 408 of the Stafford Act and applicable rules, regulations, and policies including, but not limited to, 44 C.F.R. §206.101 or in accordance with the Hurricane Floyd Act of 1999 Crisis Housing Assistance and applicable rules, regulations, guidelines and policies and/or in accordance with any amendments to the aforementioned authorities;
3. The provision of replacement of personal property (including clothing, tools, and equipment) in accordance with Section 411 of the Stafford Act and applicable rules, regulations and policies including, but not limited to, 44 C.F.R. §206.131, the Individual and Family Grant Program Administrative Plan, the Individual and Family Grant Program Handbook and/or in accordance with any amendments to the aforementioned authorities;
4. The provision of repair or replacement of privately owned vehicles in accordance with Section 411 of the Stafford Act and applicable rules, regulations and policies including, but not limited to, 44 C.F.R. §206.131, the Individual and Family Grant Program Administrative Plan and the Individual and Family Grant Program Handbook and/or in accordance with any amendments to the aforementioned authorities;
5. The provision of medical or dental expenses in accordance with Section 411 of the Stafford Act and applicable rules, regulations and policies including, but not limited to, 44 C.F.R. §206.131, the Individual and Family Grant Program Administrative Plan and the Individual and the Family Grant Program Handbook and/or in accordance with any amendments to the aforementioned authorities;
6. The provision of funeral or burial expenses resulting from the disaster in accordance with Section 411 of the Stafford Act and applicable rules, regulations and policies including, but not limited to, 44 C.F.R. §206.131, the Individual and Family Grant Program Administrative Plan and the Individual and Family Grant Program Handbook and/or in accordance with any amendments to the aforementioned authorities;
7. Funding for the cost of the first year's flood insurance premium to meet the requirements of the National Flood Insurance Act of 1968, as amended, 42 U.S.C.

§4001 et. seq. in accordance with Section 411 of the Stafford Act and applicable rules, regulations and policies including, but not limited to, 44 C.F.R. §206.131, the Individual and Family Grant Program Administrative Plan and the Individual and Family Grant Program Handbook and/or in accordance with any amendments to the aforementioned authorities.

Section 2. I authorize State disaster assistance in the form of public assistance grants to eligible entities located within the disaster area that meet the terms and conditions under N.C.G.S. §166A-6A(b)(2) for the following purposes only:

1. Debris clearance in accordance with Sections 403 and 407 of the Stafford Act and applicable rules, regulations and policies including, but not limited to, 44 C.F.R. §206.224, 44 C.F.R. §206.225, the FEMA Public Assistance Guide, the FEMA Public Assistance Policy Digest, and the FEMA Debris Management Guide and/or in accordance with any amendments to the aforementioned authorities.
2. Emergency protective measures in accordance with Section 403 of the Stafford Act and applicable rules, regulations and policies including, but not limited to, 44 C.F.R. §206.225, the FEMA Public Assistance Guide, and the FEMA Public Assistance Policy Digest and/or in accordance with any amendments to the aforementioned authorities;
3. Roads and bridges in accordance with Sections 403, 406 and 408 of the Stafford Act and applicable rules, regulations and policies including, but not limited to, 44 C.F.R. §206.226 and 44 C.F.R. §206.101(g)(4)((iii)(K), the FEMA Public Assistance Guide, and the FEMA Public Assistance Policy Digest and/or in accordance with any amendments to the aforementioned authorities.
4. Crisis counseling in accordance with Section 416 of the Stafford Act and applicable rules, regulations and policies including, but not limited to, 44 C.F.R. §206.171, the Individual and Family Grant Program Administrative Plan and the Individual and Family Grant Program Handbook and/or in accordance with any amendments to the aforementioned authorities;
5. The provision of assistance with public transportation needs in accordance with Section 419 of the Stafford Act and applicable rules, regulations and policies including, but not limited to, 44 C.F.R. §206.225, the Individual and Family Grant Program Administrative Plan and the Individual and Family Grant Program Handbook and/or in accordance with any amendments to the aforementioned authorities.

Section 3. The Type I disaster declaration shall expire 30 days after the issuance of the state of disaster and state of emergency and Type I disaster proclamation for Madison County issued on August 7, 2001 unless renewed by the Governor or the General Assembly.

Such renewals may be made in increments of 30 days each, not to exceed a total of 120 days from the date for first issuance. The Joint Legislative Commission on Governmental Operations shall be notified prior to the issuance of any renewal of a Type I disaster declaration.

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MICHAEL F. EASLEY  
GOVERNOR

**ATTEST:**

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ELAINE F. MARSHALL  
SECRETARY OF STATE