

**COMMISSIONER PROCEEDINGS**  
**Special Meeting**  
**March 20, 2009**

Minutes of the Wilkin County Board of Commissioners held at the Courthouse, Breckenridge, Minnesota, on Friday, March 20, 2009. All Commissioners were present. The purpose of the special meeting was to adopt resolutions and approve agreements authorizing the ability to request flood assistance and advanced measures of assistance from the U.S. Army Corps of Engineers. Chairman Hovland called the meeting to order at 8:00 A.M.

Tom Richels, County Engineer, provided information on the flooding situations in the rural areas of Wilkin County. He also discussed the weather forecast which predicts a significant rain event during the next few days.

Vernon Woytassek, Emergency Manager, presented the required documentation with a request for approval and adoption.

Commissioner Blaufuss offered the following resolution and moved for it's adoption. The motion was seconded by Commissioner Miranowski and carried.

**RESOLUTION NO. 11-09**

**A RESOLUTION OF WILKIN COUNTY TO REQUEST FLOOD EMERGENCY ASSISTANCE.**

**WHEREAS**, Public Law 84-99, as amended, (33 U.S. Code, Section 701n) provides a means of preparing for and combating damage by floods and flood waters.

**AND WHEREAS**, Wilkin County has exhausted all resources available to it for flood fighting and rescue operations.

**AND WHEREAS**, on the date of this Resolution, flood fighting is needed and assistance required for the purpose of rescue operations.

**NOW THEREFORE, BE IT RESOLVED** that the U.S. Army Corps of Engineers be, and is hereby, requested to furnish assistance in flood fighting and rescue operations.

**BE IT FURTHER RESOLVED**, that in consideration of such assistance, the above-named Governmental body agrees to:

Provide to the United States all lands, easements and rights-of-way for the emergency work, including, but not limited to, levee, borrow, spoil and access rights-of-way.

Hold and Save the United States free from all claims for damages attributable to the construction works except for damages due to the fault or negligence of the United States or its Contractors.

Operate and maintain the emergency construction works for the duration of the flood emergency.

Provide common labor.

Provide as required under the applicable provisions of Public Law 91-646, relocation assistance payments to those eligible because of dislocation of persons or property from their

dwellings, farms or businesses due to the acquisition of rights-of-way for the emergency flood construction work.

Remove, after the flood emergency, without cost to the U.S. Army Corps of Engineers, any temporary emergency works constructed for the flood emergency.

**BE IT FURTHER RESOLVED** that the Chairman of the Wilkin County Board of Commissioners be authorized to enter into agreements with the Corps of Engineers as to the means of supplementing the local flood emergency preparations and flood fighting and rescue operations.

Adopted this 20<sup>th</sup> day of March, 2009.

Robert Louis Perry  
 Neal Folstad

Attest: Wayne Bezenek  
 County Auditor  
 (Seal)

Commissioner Miranowski offered the following resolution and moved for it's adoption. The motion was seconded by Commissioner Folstad and carried.

**RESOLUTION NO. 12-09**

**A RESOLUTION OF WILKIN COUNTY, MINNESOTA TO REQUEST FOR ADVANCE MEASURES ASSISTANCE.**

**WHEREAS**, Public Law 84-99, as amended, (33 U.S. Code, Section 701 n) provides a means of preparing for and combating damage by floods and flood waters.

**AND WHEREAS**, Wilkin County has exhausted all resources available to it for flood fighting and rescue operations.

**AND WHEREAS**, on the date of this Resolution, emergency flood preparation is needed and assistance required for this purpose as well as for flood fighting and rescue operations.

**NOW THEREFORE, BE IT RESOLVED** that the U.S. Army Corps of Engineers be, and is hereby, requested to furnish assistance in flood emergency preparation and in flood fighting and rescue operations.

**BE IT FURTHER RESOLVED**, that in consideration of such assistance, the above-named Governmental body agrees to:

Provide to the United States all lands, easements and rights-of-way for the emergency work, including, but not limited to, levee, borrow, spoil and access rights-of-way.

Hold and Save the United States free from all claims for damages attributable to the construction works except for damages due to the fault or negligence of the United States or its Contractors.

Operate and maintain the emergency construction works for the duration of the flood emergency.

Provide common labor.

Provide as required under the applicable provisions of Public Law 91-646, relocation assistance payments to those eligible because of dislocation of persons or property from their dwellings, farms or businesses due to the acquisition of rights-of-way for the emergency flood construction work.

Remove, after the flood emergency, without cost to the U.S. Army Corps of Engineers, any

temporary emergency works constructed for the flood emergency.

**BE IT FURTHER RESOLVED** that the Chairman of the Wilkin County Board of Commissioners be authorized to enter into agreements with the Corps of Engineers as to the means of supplementing the local flood emergency preparation and flood fighting and rescue operations.

Adopted this 20<sup>th</sup> day of March, 2009.

John Blaufuss  
Stephanie Miranowski

Attest: Wayne Bezenek  
County Auditor  
(seal)

Motion by Folstad, seconded by Blaufuss and carried, to approve the agreement with the United States of America for emergency flood assistance and authorized the Chairman to sign said agreement.

Motion by Perry, seconded by Blaufuss and carried, to approve the agreement with the United States of America for advanced measures assistance and authorized the Chairman to sign said agreement.

With no further business before the Commission for this special meeting, Chairman Hovland adjourned the meeting at 8:30 A.M.

Lyle Hovland  
Chairman

Attest: Wayne Bezenek  
County Auditor  
(seal)