

**COMMISSIONER PROCEEDINGS**  
**Special Emergency Meeting**  
**March 10, 2011**

Minutes of an emergency meeting of the Board of Wilkin County Commissioners held at St Mary's School, Breckenridge, Minnesota, on Thursday, March 10, 2011. The purpose of the special meeting was to declare a state of emergency, request flood emergency assistance, and approve a cooperative agreement with the United States of America. Chairman Folstad called the meeting to order at 8:15 P.M. All Commissioners were present.

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

RESOLUTION 12-11

Resolution Declaring a State of Emergency

WHEREAS, the 2011 spring flooding is expected to impact the population of Wilkin County and its cities; and

WHEREAS, the event is expected to cause a significant amount of public property damage; and

WHEREAS, the Wilkin County Emergency Management Office requests the Wilkin County Board of Commissioners to declare Wilkin County in a STATE OF EMERGENCY for the spring flood event of 2011.

NOW, THEREFORE, BE IT RESOLVED, that the Wilkin County Board of Commissioners declares Wilkin County in a State of Emergency in order to prepare and do advance measures to protect the County from this spring flooding event.

Adopted by the Wilkin County Board of Commissioners this 10<sup>th</sup> day of March, 2011, to be effective until such time as the Board of Commissioners had determined that the State of Emergency and threat of spring flooding has passed.

Neal Folstad  
Chairman

Attest: Wayne Bezenek  
County Auditor  
(Seal)

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

RESOLUTION 13-11

Wilkin County Request for 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 and emergency assistance is required for the purpose of preserving life and public property.

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 Government body agrees to:

- a. 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, determined to be necessary by the Corps for purposes of providing the requested assistance.
- b. Hold and save the United States free from all claims for damages attributable to the construction, operation, maintenance, repair, replacement, and rehabilitation of emergency work except for damages due to the fault or negligence of the United States or its Contractors.
- c. Operate and maintain the emergency construction works for the duration of the flood emergency.
- d. Provide common labor.
- e. 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 emergency flood work.
- f. Remove, after the flood emergency, without cost to the U.S. Army Corps of Engineers, any temporary emergency works constructed for the flood emergency, with the initiation of the removal within 30 days of the conclusion of the flood event as determined by the U.S. Army corps of Engineers.

BE IT FURTHER RESOLVED, that Chairman Neal Folstad be authorized to enter into agreements in furtherance of this Resolution, with the U.S. Army Corps of Engineers, as a means of supplementing the local flood emergency preparation and flood fighting and rescue operations.

Adopted March 10, 2011.

Resolution Approval	Signature	John Blaufuss
Resolution Approval	Signature	Robert Louis Perry

Attest: Wayne Bezenek  
County Auditor  
(Seal)

Motion by Miranowski, seconded by Hovland and carried, to enter into an agreement with the United States of America Army Corps of Engineers for the purpose of emergency flood assistance for the expected 2011, spring flood event, and authorized Chairman Folstad to sign said agreement.

With no further emergency business before the Commission, Chairman Folstad adjourned the meeting at 8:20 P.M.

Neal Folstad  
Chairman

Attest: Wayne Bezenek, County Auditor  
(seal)

