**STATE OF MINNESOTA**

***Before the*
<DRAINAGE AUTHORITY NAME>
SITTING AS THE DRAINAGE AUTHORITY FOR
<NAME OF DRAINAGE SYSTEM>**

|  |  |
| --- | --- |
| **In the Matter of:****the Repair of <Name of Drainage System>** | **ORDER FOR PUBLIC HEARING** |

At a public meeting conducted by the <name of the drainage authority>, sitting as the <joint> drainage authority for <name of drainage system>, on <date>, <Commissioner/Manager> \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ moved, seconded by <Commissioner/Manager> \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_for adoption of the following Findings and Order:

**Findings:**

1. The <name of drainage authority> previously determined on <date> that <name of drainage system> needs repair. Engineer <name of engineer> was appointed to examine <name of drainage system> and prepare an engineer’s report for the repair of <name of drainage system>.
2. During preparation of the engineer’s report, the engineer determined that <because of added property under Minn. Stat. § 103E.741 or some other reason>, a <bridge/culvert> <constructed/replaced> as part of the drainage system is providing inadequate hydraulic capacity for the efficient operation of the drainage system to serve its original purpose.
3. The engineer prepared a hydraulic capacity report and filed it with the drainage authority on <date>. The engineer’s hydraulic capacity report includes plans and specifications for the recommended replacement of <bridge/culvert>, the necessary details to make and award a contract, and estimates the cost for replacement to be <estimated cost>.
4. A public hearing is required on the engineer’s hydraulic capacity report pursuant to Minn. Stat. § 103E.721, subd. 2.

**Order:**

Based on the foregoing Findings and the entire record of proceedings before the Board, the Board, acting as the drainage authority for <name of drainage system>, hereby orders as follows:

1. A hearing on the engineer’s hydraulic capacity report shall be held on <date> at \_\_\_:\_\_\_ a.m./p.m. at <location>. [Note: The hearing must not be more than 30 days after the date of this order. Minn. Stat. § 103E.721, subd. 3. The notice may be given in conjunction with and as part of the repair report notice, but the notice must specifically state that increasing the hydraulic capacity will be considered by the drainage authority at the hearing. Minn. Stat. § 103E.721, subd. 2.]
2. At least ten days before the hearing, the <auditor/secretary> shall give notice by mail of the time and location of the hearing to the owners of property and political subdivision likely to petitioners, owners of property, and political subdivision likely to be affected by the repair proposed in the repair report. The notice shall specifically state that increasing the hydraulic capacity will be considered by the drainage authority at the hearing.

After discussion, the Board Chair called the question. The question was on the adoption of the foregoing findings and order, and there were \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ absent, and \_\_\_\_\_ abstentions as follows:

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| --- | --- | --- | --- | --- |
|  | Yea | Nay | Absent | Abstain |
| <LAST NAME> | 🞏 | 🞏 | 🞏 | 🞏 |
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Upon vote, the Chair declared the motion passed and the Findings and Order adopted.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Dated: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

<Full Name>, Chairperson

\* \* \* \* \* \* \* \* \* \* \*

I, <Full Name>, <Name of County or Watershed District> <Auditor/Secretary>, do hereby certify that I have compared the above motion; findings and order with the original thereof as the same appears of record and on file with the <name of drainage authority> and find the same to be a true and correct transcript thereof. The above order was filed with me, <name of county of watershed district> <Auditor/Secretary>, on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

IN TESTIMONY WHEREOF, I hereunto set my hand this
\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_.

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 <Full Name>