**STATE OF MINNESOTA**

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

|  |  |
| --- | --- |
| **In the Matter of:****the Petition to <Name of Project /Repair> <Name of Drainage System>** | **PRELIMINARY FINDINGS AND ORDER** |

The <name of drainage authority> Board of <Commissioners/Managers>, sitting as the drainage authority for <name of drainage system>, convened on <date>, at <time> at the <name of meeting room> <address> <city>, Minnesota. Based on the record and proceedings, <Commissioner/Manager> \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ moved, seconded by <Commissioner/Manager> \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ to adopt the following Findings and Order:

**Findings:**

1. A petition dated <date> was received by the <Auditor/Secretary> of the <drainage authority> requesting to <name of project/repair> <name of drainage system> pursuant to Minn. Stat. § <citation>.
2. <Name of drainage authority attorney> reviewed the petition and bond filed with the county and determined that the petition and bond met the requirement of the proceedings for <name of project / repair>.
3. The drainage authority finds that it has jurisdiction over these proceedings and pursuant to Minn. Stat. § 103E.241, subd. 1 desires to appoint an engineer to make a preliminary survey.

**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. That <name of engineer> is hereby appointed as the <project> engineer for these proceedings and shall make a preliminary survey pursuant to Minn. Stat. ch. 103E.
2. Prior to commencing any work, the engineer must subscribe to an oath to faithfully perform the assigned duties in the best manner possible and file a bond in the amount of <bond amount> with the <auditor/secretary> within ten days after being appointed.
3. The engineer may appoint assistant engineers and hire help necessary to complete the engineer’s duties. The engineer shall be responsible for the assistant engineers and may remove them.
4. The engineer shall make an expense report every two weeks after the beginning of the engineer’s work until the construction of the contract is awarded. The report must show costs incurred by the engineer and expenses incurred under the engineer’s direction relating to the proceeding, and include the names of the engineer, engineer assistants, and employees and the time each was employed, and every item of expense incurred by the engineer. The engineer must file this report with the auditor as soon as possible and may not incur expenses for the proceeding greater than the petitioner’s bond.

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>