**STATE OF MINNESOTA**

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

|  |  |
| --- | --- |
| **In the Matter of:****Petition for <Name of Project> <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. <Name of drainage authority> is the drainage authority for <name of drainage system>.
2. On <date>, a petition for <name of project> to <name of drainage system> was received by the drainage authority.
3. On <date>, the drainage authority adopted findings and an order accepting the petition and appointing <name of engineer> as the project engineer. <Name of engineer> was ordered to prepare a preliminary survey and file a preliminary survey report with the drainage authority.
4. The preliminary survey report was filed with the <auditor/secretary> on <date>.
5. On <date>, the drainage authority noticed and held a preliminary hearing on the preliminary survey report. The drainage authority adopted findings and an order accepting the preliminary survey report, ordering the engineer to proceed with the detailed survey, and appointing three viewers to determine benefits and damages.
6. On <date>, the engineer filed the detailed survey report with the <auditor/secretary>. A copy of the detailed survey report was mailed to the commissioner of natural resources for review.
7. On <date>, the viewers filed the viewers’ report with the <auditor of each affected county/secretary> along with a detailed statement showing the actual time the viewers were engaged and the costs incurred.
8. Within 30 days after the viewers’ report was filed, the <auditor/secretary> made a property owners’ report from the information in the viewers’ report in conformance with the requirements of Minn. Stat. § 103E.323, subd. 1. A copy of the property owners’ report was mailed to each owner of property affected by the proposed drainage project and an affidavit of mailing is on file with the drainage authority.
9. <A commissioner’s final advisory report was filed with the drainage authority on <date>. / No commissioner’s final advisory report was filed.>
10. Pursuant to Minn. Stat. § 103E.325, subd. 3 the final hearing must be noticed by publication, posting, and mail.

**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 final hearing on the detailed survey report and viewers’ report shall be held on <date> at \_\_\_:\_\_\_ a.m./p.m. at <location>.
2. The <auditor/secretary> shall publish notice of the final hearing once per week for three successive weeks in a newspaper of general circulation in the area of the proposed project.
3. The <auditor/secretary> shall post a printed copy of the final hearing notice for each affected county at least three weeks before the date of the final hearing at the front door of the courthouse in each county.
4. Within one week after the first publication of notice, the <auditor/secretary> shall give notice by mail of the time and location of the final hearing to the commissioner of natural resources, all property owners, and others affected by the proposed drainage project and listed in the detailed survey report and the viewers’ report.

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:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Yea | Nay | Absent | Abstain |
| <LAST NAME> | 🞏 | 🞏 | 🞏 | 🞏 |
| <LAST NAME> | 🞏 | 🞏 | 🞏 | 🞏 |
| <LAST NAME> | 🞏 | 🞏 | 🞏 | 🞏 |
| <LAST NAME> | 🞏 | 🞏 | 🞏 | 🞏 |
| <LAST NAME> | 🞏 | 🞏 | 🞏 | 🞏 |

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>