

**ACTING AS DRAINAGE AUTHORITY
FOR JUDICIAL DITCH 9**

**Findings and Order Accepting
Contract, Pursuant to Minnesota Statute 103E.555**

WHEREAS, the Nobles/Jackson Joint County Board of Commissioners, acting as Drainage Authority for the Improvement to the Nobles/Jackson County Joint Judicial Ditch 9, having received the Engineer's Closeout Report for Bid Package #1 of the Improvement to Joint County Judicial Ditch 9 is substantially complete, pursuant to MN Statutes 103E.555, made the following Finding and Order:

Findings of Fact

1. That pursuant to Minnesota Statutes 103E.555, Chuck Brandel of ISG Engineering, the engineer appointed submitted an Engineer's Report that the Contract for Bid Package #1 for the construction of the Improvement of Joint Nobles/Jackson Judicial Ditch 9 has been substantially completed.
2. That pursuant to proper notice, a closeout hearing was held on November 17, 2022, at 10:00 a.m. in the Farmer's Room of the Nobles County Courthouse.
3. Chuck Brandel and Jacob Rischmiller of ISG gave a report that summarized the attached Exhibit A indicating the contract has been substantially complete.
4. That following the hearing, Chuck Brandel of ISG submitted Exhibit A, which summarizes the work completed and the damages to be paid and the tile to be abandoned and returned to private responsibility.
5. That Chuck Brandel of ISG recommended payment of retainage held be made to the Contractor, Hodgman Drainage Company in the amount of \$92,718.51.
6. That the hearing was opened for public comment and there was discussion about the contractor's payment for tillage (ripping) of acres they did not rip, per the landowner's request and a review of the overage of the contract based on the bid.

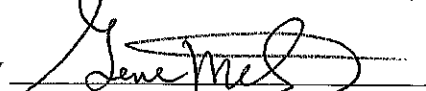
NOW, THEREFORE, based on the evidence presented and the Findings of Face, the Joint Nobles/Jackson County Board of Commissioners, acting as Drainage Authority for Joint Nobles/Jackson Judicial Ditch 8, makes the following order:

Order

1. The Drainage Authority finds that the notice requirements under Minnesota Statutes 103E.555 Subd. 1, have been complied with.
2. That the Engineer's Report recommending acceptance of the Contract, complies with the requirements of Minnesota Statutes 103E.555
3. That the contract hearing is accepted as completed.
4. That the portions of Joint Nobles/Jackson Judicial Ditch 9 listed in the Engineer's Report as Exhibit A are hereby abandoned and shall no longer be the responsibility of the Drainage Authority.
5. That the retainage amount of \$92,718.51 shall be paid to the contractor, Hodgeman Drainage Company.

Dated this 30th day of November, 2022

**Nobles and Jackson County Commissioners
Acting as Drainage Authority for
Nobles/Jackson Judicial Ditch 9**

By 
Its Chairperson