

(5) THE TOTAL ESTIMATED CONSTRUCTION COST OF EACH OF THE PROPOSED WORKS OF IMPROVEMENT.

(B) WITHIN THE ABOVE PLAN, THE BOARD OF MANAGERS SHALL INCLUDE A STATEMENT THAT THEY HAVE DETERMINED THAT THE WORKS OF IMPROVEMENT:

- (1) ARE PRACTICABLE;
- (2) WILL PROMOTE THE PUBLIC BENEFIT AND BE CONDUCTIVE TO THE PUBLIC HEALTH, SAFETY, AND WELFARE; AND
- (3) WILL PRODUCE BENEFITS SUFFICIENTLY TO WARRANT THE EXPENDITURES.

70.

IT IS THE DUTY OF THE BOARD OF COUNTY COMMISSIONERS UPON REVIEW AND APPROVAL OF THE WATERSHED PLAN TO APPOINT A BOARD OF DRAINAGE VIEWERS, TO BE COMPOSED OF THREE OR MORE JUDICIOUS AND IMPARTIAL CITIZENS, RESIDING IN THE VICINITY OF THE WATERSHED PROVIDED, HOWEVER, THAT NO MEMBER OF THE BOARD OF DRAINAGE VIEWERS SHALL BE THE OWNER OF ANY LAND WHICH WILL BE AFFECTED BY THE PROPOSED IMPROVEMENTS. WHERE THE WORKS OF IMPROVEMENT DESCRIBED IN THE WATERSHED WORK PLAN ARE LOCATED IN TWO OR MORE COUNTIES, THERE SHALL BE AT LEAST ONE MEMBER OF THE VIEWERS FROM EACH COUNTY IN WHICH SUCH WORKS OF IMPROVEMENT ARE LOCATED. A PERSON APPOINTED AS A MEMBER OF THE BOARD OF DRAINAGE VIEWERS MAY NOT ACT IN THAT CAPACITY UNTIL THAT PERSON HAS GIVEN THE BOARD OF COUNTY COMMISSIONERS WRITTEN NOTICE OF ACCEPTANCE OF THE APPOINTMENT.

IF ANY MEMBER OF THE BOARD OF VIEWERS APPOINTED BY ANY ORDER OF THE COUNTY COMMISSIONERS DIES, OR MOVES FROM THE COUNTY OR COUNTIES IN WHICH THE WATERSHED IS LOCATED, OR OTHERWISE IS UNABLE TO ACT, THE COUNTY COMMISSIONERS SHALL APPOINT ANOTHER PERSON IN THAT PERSON'S PLACE AS SOON AS PRACTICABLE, AND SUCH APPOINTMENT SHALL IN NO WAY AFFECT THE VALIDITY OF ANY WORK OF THE BOARD OF VIEWERS.

82.

(E) NOTWITHSTANDING THE REQUIREMENTS OF THIS SECTION, THE BOARD OF MANAGERS OF A DRAINAGE ASSOCIATION, AT ANY TIME AFTER THE CREATION OF A DRAINAGE ASSOCIATION, MAY DETERMINE WHICH LAND IN THE ASSOCIATION IS CLASSIFIED AS WOODLAND OR CROPLAND.

SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall not affect the validity of any Public Drainage Association created before October 1, 1994.

SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1994.

Approved May 26, 1994.