

Kent County Purchase of Development Rights Program Monitoring Plan

Adopted by the Kent County Agricultural Preservation Board on March 9, 2005.

Baseline Documentation Report

The first step in the monitoring process is developing a Baseline Report, which is recorded with the easement at the closing of the development rights purchase. The Baseline Documentation Report should meet appropriate federal and state guidelines and will be approved and signed by the landowner and a representative of Kent County.

The staff person or persons to the Kent County Agricultural Preservation Board will be responsible for developing the Baseline Documentation Report. If staff persons no longer exist, the Kent County Agricultural Preservation Board may seek a contractor to develop this report.

Annual Monitoring

Annual monitoring of Farmland Preservation Easements is required by federal, state and Kent County law. As a contracted staff person to the Kent County Agricultural Preservation Board, Kendra Wills with Kent / MSU Extension has volunteered to serve as the monitoring officer of the easements for properties where development rights have been purchased in part or total by Kent County through the Purchase of Development Rights Program.

The monitoring officer will be responsible for conducting an annual site visit and completing and submitting the attached Annual Monitoring Report Form to USDA NRCS. The landowner must sign the Annual Monitoring Report.

A copy of the Annual Monitoring Report Form will be inserted in the Baseline Documentation Report held by the Kent County Register of Deeds. A copy will also be mailed to the landowner for insertion in the landowner's copy of the Baseline documentation Report. A copy will also be mailed to the staff person of the Kent County Agricultural Preservation Board, if applicable.

If Ms. Wills is no longer a contracted staff person to the Preservation Board, the Preservation Board may choose to seek another county department to take on the monitoring, such as the Kent County Equalization Department or may choose to contract with the local land conservancy or other qualified contractor to provide this required service.

Enforcement

If a property is found to be in violation of the easement, the monitoring officer must follow the notification of violation process outlined in the easement and contact the following persons:

- The staff person(s) to the Kent County Agricultural Preservation Board (if applicable)
- The County Administrator's Office, which may or may not decide to contact legal counsel

If a property whose development rights have been purchased in part or total by Kent County, Kent County is responsible for seeking compliance or legal action.