

(4) AN AGRICULTURAL PRESERVATION DISTRICT SHALL REMAIN IN FORCE FOR A MINIMUM OF 8 YEARS. MEMBERS OF THE DISTRICT WHO HAVE NOT CONVEYED ANY DEVELOPMENT OPTIONS MAY WITHDRAW THEIR LAND BY GIVING THE BOARD A 1-YEAR NOTICE, PROVIDING THE PARCEL TO BE WITHDRAWN HAS BEEN IN THE DISTRICT A MINIMUM OF 8 YEARS. IN THE EVENT OF WITHDRAWALS FROM AN AGRICULTURAL PRESERVATION DISTRICT, THE REMAINING PROPERTY OWNERS MAY RETAIN THE DISTRICT REGARDLESS OF ACREAGE.

(5) THE BOARD SHALL PROMOTE AN OPEN ENROLLMENT PROGRAM ANNUALLY TO ATTRACT NEW LANDOWNERS TO JOIN EXISTING OR NEW AGRICULTURAL PRESERVATION DISTRICTS.

(E) THE BOARD MAY ACCEPT AND USE GIFTS AND PUBLIC OR PRIVATE GRANTS FOR THE EXERCISE OF ITS FUNCTIONS. THE BOARD MAY EXPEND THE COUNTY SHARE OF DEVELOPMENT TAX REVENUES AND ANY OTHER FUNDS WHICH MAY BE PROVIDED BY THE COUNTY COMMISSIONERS, WITH THE APPROVAL OF THE COUNTY COMMISSIONERS, FOR FURTHERANCE OF THE PROGRAM TO INCLUDE:

(1) THE PURCHASE OF DEVELOPMENT OPTIONS UNDER PROVISIONS OF THE COUNTY AGRICULTURAL LAND PRESERVATION PROGRAM;

(2) USE AS MATCHING FUNDS FOR COUNTY PARTICIPATION IN THE STATE AGRICULTURAL LAND PRESERVATION PROGRAM;

(3) USE FOR PURCHASE OF EASEMENTS TO PROTECT SPECIFICALLY DESIGNATED PRIME AGRICULTURAL AREAS AND AGRICULTURAL PRESERVATION DISTRICTS; AND

(4) USE FOR PURCHASE OF FARMLAND STRATEGICALLY LOCATED WITH REFERENCE TO ESTABLISHED AGRICULTURAL PRESERVATION DISTRICTS. THE LAND PURCHASED SHALL BE PLACED IN THE AGRICULTURAL PRESERVATION DISTRICT AND THE COUNTY COMMISSIONERS, WITH THE ADVICE OF THE BOARD, MAY SELL THE LAND AND THE DEVELOPMENT OPTIONS.

(F) THE COUNTY COMMISSIONERS MAY APPROPRIATE, FROM THE COUNTY GENERAL FUNDS, MONEY FOR USE BY THE AGRICULTURAL PRESERVATION ADVISORY BOARD FOR IMPLEMENTATION AND FURTHERANCE OF THE COUNTY AND STATE AGRICULTURAL LAND PRESERVATION PROGRAMS.

(G) THE FINANCIAL ACCOUNTS OF THE BOARD SHALL BE AUDITED ANNUALLY AND ALL AUDIT EXPENSES SHALL BE PAID BY THE COUNTY COMMISSIONERS.

12-103. LOCAL ORDINANCES; EMINENT DOMAIN; SPECIAL ASSESSMENTS.

(A) LOCAL ORDINANCES INCONSISTENT WITH NORMAL EFFICIENT AGRICULTURAL OR FORESTRY PRACTICES MAY NOT BE ENACTED OR ENFORCED IN THE AGRICULTURAL PRESERVATION DISTRICT.

(B) WITHIN AN AGRICULTURAL PRESERVATION DISTRICT, THE RIGHT OF EMINENT DOMAIN IS LIMITED TO THOSE RARE INSTANCES WHERE NO OTHER VIABLE ALTERNATIVE EXISTS.