

## **AGRICULTURAL LEASE POLICY**

Agricultural leases will be reviewed annually by the Beltrami County Natural Resource Management Department and will need to meet the following criteria:

1. Designated open upland sites will be available to be leased for agricultural purposes.
2. Lessee will have option of an annual 1-year lease or 5-year lease.
3. All annual and five-year lease payments are due by November 30 each year. Non-payment of 5-year lease by this date will be considered a violation of the lease and therefore the lease will be cancelled.
4. No timberland shall be included as part of said lease.
5. No agricultural land shall be leased for planting trees.
6. No agricultural land shall be leased for recreational purposes.
7. The lessee will specify the agricultural use of the designated lease. (Cash crop, hay land, etc.)
8. The lessee must comply with “best management practices” for agricultural land management, including:
  - a. Maintaining soil fertility
  - b. Controlling noxious weeds
  - c. Controlling erosion
9. Lessee may not post, fence, or prohibit the public use of said leased land and must keep all roads through said leased land open without any obstructions.
10. Lessee will neither commit waste of any kind on said land nor permit it to be done by others.
11. The NRM Director/Land Commissioner will approve agricultural leases.
12. Agricultural lease rates are set at 2.5 % of land value and reviewed biannually by the County Board of Commissioners, with a minimum lease of 2 acres.
13. Lessee will keep and observe all laws, ordinances, and regulations applicable to said land and premises and the use thereof.
14. Lessee will neither assign this lease nor sublet any part of said land or premises without the consent of said Lessor.
15. Lessee will keep said land and the improvements thereon in as good condition of repairs as the same now are, reasonable by the elements alone excepted, or Lessee shall pay Lessor for any damage to said land resulting from the use.
16. The County Board of Commissioners retains the authority to cancel any lease. Cancellation shall be effective at the end of the current harvest season, unless;

- a. The Lessor shall sell said land during the term stated above. This lease shall thereby be terminated and the Lessee shall forthwith surrender possession of said land and premises upon written notice by the Lessor and the completion of the current harvest season. At the proper time and in case of such sale, the purchasers shall have the right to enter upon said premises for the purpose of plowing, cultivating or improving the premises in any manner that shall not interfere with or hinder said Lessee in harvesting his crop.
- b. Any term or condition of this lease is violated or neglected by Lessee, then Lessor shall be hereby authorized and fully empowered to cancel this lease immediately and take possession of the leased premises, whether said premises be in the possession of the Lessee or third parties or vacant. At the option of the Lessor, all without such re-entering, working a forfeiture of the rents to be paid and the covenants to be kept by the Lessee for the full term of this lease.

17. Refunds

- a. Annual Lease: No refund will be given if the Lessor finds it necessary to terminate the lease prior to the end of the lease period.
- b. 5-Year Lease: No refund will be given if the Lessor finds it necessary to terminate the lease prior to the end of the current lease period.
- c. Unless Lessee is in violation of the lease agreement and this policy, the termination will take effect after the current harvest season.

18. All lands must comply with the above policy prior to lease being issued.

19. All leases will be taxed per State Statute and at estimated fair market value.

20. Policy Review:

The needs and goals of Beltrami County will change in the future; therefore, this policy will be reviewed every five (5) years. The next review will occur in 2024.