

NC Cooperative Extension

PLANNING GUIDE

County Land Summit
Workshop Series



Local Food Program Team

Economic Impacts Work Group

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May 2020

Overview of the LFPT County Land Summit

With all of the changes in land ownership occurring across the state there are many impacts to people who own ag and forest land or who may purchase or inherit undeveloped property. The Local Food Program Team's (LFPT) County Land Summit Workshop Series will educate landowning and farming constituents on matters that affect their land use. It will also be customized by each County Cooperative Extension office to address specific county needs. It is intended to help both existing and potential land owners become more familiar with the legal, business, and regulatory concerns that go hand in hand with owning farm and forestland.

The LFPT County Land Summit is designed to be delivered as a three-part workshop series. Each workshop will last approximately 3 hours each following a 30 minute registration period (if delivered face to face) and including one 15 minute break. A sample agenda for each workshop is shown on page 5 of this Planning Guide.

The first workshop highlights county-specific resources, including moderated presentations by county planning staff on planning efforts and local ag and environmental policies, regulations, and ordinances as well as a discussion of easements, rights of way, and eminent domain by representatives from local utility companies. Workshop 2 focuses on landowner opportunities and rights and should include a moderated panel of experts who will speak about present use value taxation, voluntary ag districts, forest management practices, and conservation easements. Workshop 3 looks at the human capital of the business of agriculture by examining different legal structures, leasing arrangements, employment and labor law issues, other custom topics of interest, and FarmLink technology, connecting landowners with prospective farmers.



It's hard for law students to stay focused on legal matters like government regulations, business structures, farm contracts, and the like. Imagine what it's like for the rest of us! Keep your workshops interesting by inviting a variety of speakers to give brief presentations, followed by a moderated question and answer panel. For help on speaker selection, reach out to Andrew Branan, J.D. (rabrana2@ncsu.edu), Becky Bowen, J.D. (blbowen@ncsu.edu), or Janine Parker Woods, Ph.D. (sjparker1@ncat.edu).

Getting Started

The Role of the County Agent

The County Agent plays a critical role in the County Land Summit. Key duties include:

- Assembling the presenters for each workshop. You will need to invite a representative from each of the following groups. Speak to them personally to explain what you need. A suggested email confirmation is shown in the insert.

Speaker	Topic
Workshop 1: County Planning	Zoning/VAD
County Tax Office	Present-Use Value
Local Utility Providers/DOT	Rights of Way/Eminent Domain Issues
Soil & Water Conservation Dist.	Stormwater Planning/Environmental Concerns
Workshop 2: Extension Specialist	Land Title & Transfer Issues
NC Forest Service	Timber & Boundary Management
County Clerk of Court	Land Probate Issues
Conservation Group	Conservation Easements
Workshop 3: Extension Specialist	Collaborative Farming
Extension Specialist	Leasing
Extension Specialist	NC Farmlink
Attorney	Employment and Labor Laws
Extension Specialist	Current Topics of Interest

- Scheduling the workshops. It is up to you to determine the duration of the gap between workshops. We suggest no more than a month between workshops.
- Marketing the workshops. A sample press release and flyer are shown in the insert and below.
- Welcoming the audience and introducing the presenters.

Email Confirmation Following Introductory Phone Call

Thank you for agreeing to be a part of the _____ County Land Summit. The agenda and a flyer are attached. I will send you another updated copy in the event there are any modifications. The purpose of the Land Summit is to educate landowners about programs and issues which may affect their land holdings across _____ county. I would be happy to have a phone conversation about the program if that would be helpful. There are several Extension Specialists who are helping with the program. (Introductions to Extension Specialists).

The program will be held at the Extension offices located at _____. We will have light refreshments during registration and also during the break. The workshop will conclude by ____.

Again, thank you for your willingness to help with our educational programming.

Please don't hesitate to contact me if you have questions.

PRESS RELEASE

Forsyth County Land Summit: Education on How You Can Use Your Land

Media Contact: Mary Jac Brennan

Phone: 336-703-2869

Email: mjbrenna@ncat.edu

Event Date: 3-26-2020

Time: Sign-in and refreshments at 8:00 am, program starts at 8:30am

Location: 1450 Fairchild Rd, Winston-Salem, NC 27105

Registration required: Phone: 336-703-2850 or email coop-ext-registration@forsyth.cc.

Program description: With all of the growth occurring in Forsyth County there are many impacts to landowners. This workshop will serve to educate landowning and farming constituents on important topics which affect how you can use your land. Presenters from Winston-Salem Forsyth County Planning, Forsyth County Tax Office, NC Department of Transportation, Duke Energy, Piedmont Natural Gas, and N.C. Cooperative Extension will make presentations which will provide information about plans, guidelines, and choices landowners need to know about. Come learn how to be a better steward of your land and your farming concerns.

This workshop is the first of a series of three workshops on topics related to land use. The purpose of this workshop series is to provide education to county landowning and farming constituents on matters of land ownership. Topics for discussion in workshop #1 include county management and staff perspective on land issues concerning zoning, land subdivision requirements and bona fide farm zoning exemption; present use value tax program administration and landowner qualification (including change of use and transfer); NC Department of Transportation and Duke Energy plans, easements, and right of way guidelines, eminent domain and landowner rights.









Forsyth County Land Summit

Workshop #1

Thursday March 26, 2020

8:00 am – 8:30am Sign-in & refreshments

8:30 am-12:30 pm Program

Location: 1450 Fairchild Rd, Winston-Salem

Please register for this FREE event by

email: coop-ext-registration@forsyth.cc or call 336-703-2850

Please join us for the first of 3 free educational workshops for landowners & land users. Learn about the plans that utilities, government, and transportation have for our county and how it may affect you. Topics include:

- Present Use Value and Tax Deferment
- What constitutes a Bona Fide Farm in Forsyth County
- Eminent Domain and Landowner Rights

Representatives from Forsyth County, NC Department of Transportation, Duke Energy, Piedmont Natural Gas, NC State University and N.C. A & T State University Extension Specialists, N.C. Cooperative Extension, and Forsyth County Soil & Water Conservation District will be on hand to present information and to answer your questions.

Accommodation requests related to a disability should be made by March 12, 2020 by contacting Kim Gressley, County Extension Director, at (336)703-2850 or by email at kgressl@ncsu.edu.



N.C. Cooperative Extension prohibits discrimination and harassment regardless of age, color, disability, family and marital status, gender identity, national origin, political beliefs, race, religion, sex (including pregnancy), sexual orientation and veteran status. NC State University, N.C. A&T State University, U.S. Department of Agriculture and local governments cooperating.

If You're Holding the Workshop Virtually, Consider Doing a Practice Session with Speakers and Remember Housekeeping Items Below.

Greetings,

Attached is the updated agenda for our ZOOM workshop tomorrow.

A few housekeeping items:

1-If you have a presentation and have not sent it to me yet or if you updated one you already sent, please send it as soon as possible. It will be converted to a pdf and put into the google folder which will be accessible to the attendees.

2-If you are presenting before 10 AM, please join the meeting a little before 8:30 AM. If you are presenting after 10 AM, please join the meeting by 9:50 AM. For all presenters, please stay in the meeting until the Q & A portion has happened. For the early session, that is until 10 AM. For the later session, that is 11:40 AM.

3-Please mute your microphone while you are not presenting.

4-If you are using a powerpoint with your presentation, please have it open on your desktop prior to the presentation. Once you have shared your screen, you can start the slideshow.

4-_____, Extension Agent will be monitoring the chat box and also directing questions to speakers at the appropriate time. IF you have any technical difficulties with accessing the meeting, etc. please call her at _____.

Thank you so much for participating in the Land Summit workshop. I also appreciate your patience with the change in format. We are recording the meeting, so this will be a great resource for our county residents as they make decisions about how to use their land.

Please let me know if you have any questions or concerns.

The Role of the Extension Specialist

The County Land Summit is an excellent vehicle for connecting county offices with campus specialists. Land law specialists are particularly well-suited to speak on land title and transfer issues, both when the transferor is alive or upon their death, as well as leasing, trespass, and legal entity issues.

Agroforestry and silviculture are particularly important topics of study for owners of forestland, and the universities have specialists who are available to present on these topics at your County Land Summit.

In addition to presenting on specific topics of issues, the Extension Specialist may also be requested to moderate a panel of speakers. For example, an Extension Specialist who is knowledgeable about zoning, Voluntary Ag Districts, present-use value taxation, and rights of way, could easily moderate a panel discussion of how these government regulations and utility rights of way impact a landowner's rights. Sample panel questions are shown here.

Finally, the Extension Specialist should be expected to share resources at each workshop. Sample Fact Sheets for each workshop are provided at the end of this Planning Guide.

Record the Workshop if Virtual, and Don't Forget the Evaluation!

Panel Questions County Land Summit Workshop 1

General

1. What is eminent domain?
2. Who has the power of eminent domain?
3. From what authority do privately-owned utilities get the power of eminent domain?
4. Is there a difference between an easement and a right of way?
5. How long does an easement or right of way last?
6. Has DOT had any interaction with the VAD program enrolled lands in the corridors, particularly the north beltline?

Valuation and Installation

7. When does a condemnor first contact a landowner about a proposed easement or right of way?
8. How does the condemnor value the land to be used for the easement or right of way?
9. What happens if I disagree with the value the condemnor places on my land?
10. If there are trees in my right of way, do I get paid for their value?
11. Who pays for removal of any trees in the right of way?
12. If I have a farm tenant on my property with a lease, does he or she get compensated for the loss of use of the land? If not, do I have to compensate them?
13. Will damaged land not in the right of way be repaired by the condemnor? If I have to repair it, will I be compensated for the costs of reparation?
14. How do I keep the condemnor's contractor from cutting down trees outside of the right of way?

Landowner Access to Right of Way

15. How often does a utility perform maintenance in the right of way? Am I informed ahead of such maintenance?
16. Can I farm in the right of way?
17. May I put a gate at the entrance to the right of way or easement?
18. What if I cannot fully use the rest of my property after 'installation' of the easement or right of way, am I compensated for that loss of use?
19. Can I request that the utility not spray in the right of way?

Highways

20. Who makes the decision to build sound walls along highways? Does the DOT? Or do the landowners have to request them? If the landowners, how many have to request them for it to happen? Who pays for them?
21. A drainage ditch was built next to a road next to my land, now the water runs onto my land? Who is responsible?

Workshop Series

Workshop 1 – Your County’s Land Use Future



Topics for discussion in workshop 1 include county staff perspectives on land issues concerning zoning, land subdivision requirements, bona fide farm zoning exemption, voluntary age districts, present use value taxation. Representatives of utilities will discuss utility easements, and right of way guidelines, eminent domain and landowner rights.

Workshop 2 – Protecting Your Farm and Forestland



Topics for discussion in workshop 2 include issues related to land title and transfer, estate planning, conservation easements, and trespass. Forestry management programs should also be introduced.

Workshop 3 – The Business of Agriculture



Topics for discussion in Workshop 3 will focus on agribusiness and legal structures, leasing arrangements, silvopasture techniques, and FarmLink technology, connecting landowners with prospective farmers.

FORSYTH Land Summit

NC Cooperative Extension, Forsyth Center
1450 Fairchild Road, Winston-Salem, NC 27105

Workshop #1 of 3

March 26, 2020

Facilitator-Mary Jac Brennan

8:00-8:30 Registration and Coffee

8:30 AM Welcome –Damon L. Sanders-Pratt, Deputy County Manager

8:40 AM Forsyth County's Long Range Plan, zoning, bona fide farm status–Kirk Erickson, WS Forsyth County Planner (VAD introduction-Jerry Dorsett)

9:20 AM Present Use Value Tax Deferment –Mike Pollock<pollockmd@forsyth.cc>, Glen West <westwg@forsyth.cc>, Forsyth County Tax Office

9:50 AM Question and Answer Period

10:05 AM BREAK

10:20 AM DOT Plans in Forsyth County –Pat Ivey, NCDOT

11:00 AM Duke Energy & Piedmont Natural Gas John Foster john.foster@dukeenergy.com - What you need to know about Utility Right of Ways,

11:40 AM Panel Discussion Eminent Domain and Landowner Rights ,

Pat Ivey, John Foster, DUKE ENERGY REP

Moderated by Andrew Branan

12:15 PM WRAP UP/evaluation/resources Becky Bowen & Janine Woods

12:30 PM Close of Workshop

FORSYTH Land Summit

NC Cooperative Extension, Forsyth Center
1450 Fairchild Road, Winston-Salem, NC 27105

Workshop #2 of 3

April 23, 2020

Facilitator-Mary Jac Brennan

8:00-8:30 Registration and Coffee

8:30 AM Welcome –County Manager or Deputy County Manager or County Commissioner

8:45 AM Voluntary Ag Districts - JERRY DORSETT

Bona Fide Farming Zoning - Farm and Forestry Exception - Kirk Erickson, Planner

GIS- Demonstration -Show Layers on GeoData – Scott Shoulars and Richard Reich, NCDA & CS Farmland Preservation Division

9:25 AM Timber & Boundary Management/Wildlife management/Hunting Losses/Trespass NC FOREST SERVICE – Robert Ross

10:00 AM Question and Answer Period

11:15 AM BREAK

12:30 PM Land Title - Land Transfer and Estate Planning, ANDREW BRANAN

1:50 AM Probate Issue with Land -CLERK OF COURT FORSYTH

2:25 AM Conservation Easements -PIEDMONT LAND CONSERVANCY

3:00 PM Wrap up, Evaluation, Resources - JANINE P. WOODS/BECKY BOWEN

FORSYTH Land Summit

NC Cooperative Extension, Forsyth Center
1450 Fairchild Road, Winston-Salem, NC 27105

Workshop #3 of 3

Facilitator-Mary Jac Brennan

8:00-8:30 Registration and Coffee

8:30 AM Welcome –County Manager or Deputy County Manager or County Commissioner

8:45 AM Collaborative Farming and leasing (Becky Bowen & Andrew Branan)

NC Farmlink – WILLIAM HAMILTON

9:30 AM Agroforestry - non-timber products and Silvopasture (Jeanine Davis or Richard Boylen)

9:45 AM Question and Answer Period

10:00 AM BREAK

10:15 AM Urban Farming -MARY JAC BRENNAN

10:45 AM Stormwater Impacts on your Land JERRY DORSETT

11:20 AM Panel Discussion - Protecting Water Quality in Forsyth County Watersheds

Moderated by Andrew Branan, Edgar Miller, Yadkin Riverkeeper Organization, Jerry Dorsett, Forsyth County Soil and Water, US CORPS OF ARMY ENGINEERS OR NCDEQ (how do they work with landowners, what do they identify as jurisdictional waters, etc.)

12:00 PM Question and Answer Period

12:15 PM Wrap up, Evaluation, Resources

County Land Summit Series

Workshop 1: Federal,
State, and Local
Government Land
Regulatory Authority



Christmas Tree Farm in Western NC

Zoning and Land Use Law

Land ownership and its use are conditionally protected by the US Constitution. Over the course of almost a millennium of English and American common law jurisprudence, the law has recognized that certain land uses cause unreasonable harm to neighboring landowners or the public at large. The law has long recognized trespass, nuisance, both public and private, as well as other legal concepts, as both limiting and protecting the rights of landowners. Similarly, municipal and county authorities have the right to zone areas within their jurisdictional boundaries for certain permitted uses, disallowing and impacting freedom of choice by landowners. In addition, Federal and State statutes have protected the value that natural resources provide, measured as ecosystem services that include clean water and air quality wildlife and fish, and tourism. These legal regulations, which are passed to protect the public and other landowners, sometimes conflict with the legal rights of individual property ownership and use. Read more at [Land Use Law](#).

To protect against overreach by regulating authorities on agricultural land, North Carolina has passed laws protecting land that meets the definition of a "Bona Fide Farm." In the zoning context, this term applies to a parcel of land that enjoys special status as engaged in farm and/or forestry use regardless of whether such use is inconsistent with the particular zoning overlay on that parcel.

Voluntary Ag Districts are a relatively recent development meant to preserve and protect farmland. To date, over 90 NC counties have adopted enabling legislation to create voluntary ag districts.

Present Use Value Property Tax

The North Carolina Legislature enacted the present use value program to allow for reduced tax values of individually owned property involved in agricultural, horticultural or forestry management.

- [NC Department of Revenue and UNC Institute of Government Present Use Value Presentation](#)
- [NC Department of Revenue 2019 Present Use Value Guide](#)
- [Forestry Present Use Value Considerations](#)

It is important to consult your [county program](#) regarding this topic as well.

Rights of Way, Easements, and Eminent Domain

A right of way grants someone, usually a public entity, the right to traverse your property to get to another location. An easement generally gives another entity, typically a utility company, the right to use your land.

Eminent Domain is the right of a government authority to take private property for public use, upon payment of reasonable compensation.

[Duke Energy](#) and [NC DOT](#) have posted Frequently Asked Questions about Rights of Way on their respective web sites.



List of Resources

Listed below are links to helpful resources on topics related to federal, state, and local authorities' ability to regulate land usage. Resources are categorized according to the topics presented at the Forsyth County Land Summit, Workshop 1: Federal, State, and Local Government Land Regulatory Authority, on March 26, 2020, sponsored by Forsyth County Cooperative Extension, Forsyth Soil & Water Conservation District, and the Local Food Program Team of the North Carolina Cooperative Extension Service, Economic Impacts Work Group.

County Long Range Planning

Generally speaking, local governments have the authority to plan for such things as streets, water, and handling of waste. Some government authorities also address such public issues as land use, utilities, transportation, community and economic development, environment, and historic preservation.

As a landowner, it is critically important that you stay abreast of any city or county long range planning efforts that may impact your land usage. For more information on the why, how, what, and where of

county planning efforts, take a look at this [instructional module](#) created by the UNC Institute of Government. Remember that it is important that you become familiar with the county planning office in the county where your land is located.

Stormwater Planning/ Environmental Concerns

Environmental and natural resource regulation generally concerns laws related to how and when farming and other land use activities impact ecosystem processes and the health of soil, air, and water in a manner detrimental to wildlife and people. This is a broad area of law that includes legislation, regulations on their application and enforcement, and judicial decisions interpreting their scope and permissible impact and limitations on human commerce.

- [US Environmental Protection Agency Laws and Regulations that Apply to Your Agricultural Operation](#)
- [North Carolina Ag Laws](#)
- [Natural and Constructed Wetlands](#)
- [Solar Farms](#)

Read more about NC Agribusiness Law at: <https://farmlaw.ces.ncsu.edu/agribusiness-law/>



County Land Summit Series

Workshop 2: Protecting Your Farm and Forestland

Resource Sheet

Listed below are links to helpful resources on topics related to federal, state, and local authorities' ability to regulate land usage. Resources are categorized according to the topics presented at the Forsyth County Land Summit, Workshop 2: Protecting Your Farm and Forestland, sponsored by Forsyth County Cooperative Extension, Forsyth Soil & Water Conservation District, and the Local Food Program Team of the North Carolina Cooperative Extension Service, Economic Impacts Work Group.

How Can I Ensure that My Property Is Classified as a Farm?

Being classified as a "[Bona Fide Farm](#)" in NC bestows many benefits to a landowner, chief among them exemption from county zoning laws. There are a number of safe harbors that qualify a property for eligibility, including a farm sales tax exemption certificate, a tax listing evidencing present-use-value taxation, a copy of a federal income tax form that evidences farm activity, a forestry management plan, and a USDA farm identification number.

[Voluntary Agricultural Districts](#) are a tool established by the NC General Assembly to enable individual counties to adopt ordinances that help preserve and protect farmland. Agricultural Advisory Boards are established to oversee the implementation and operation of the

VADs and conduct public hearings when development threatens the agricultural use of the affected land. Counties may also pass ordinances that allow for Enhanced Voluntary Agricultural Districts to protect farms from development for 10 years.

For information on Present Use Value Taxation, see the Workshop 1 Resource Sheet.

How Do I Protect My Farm/Forestland Boundaries?

Patrolling property boundaries may be a daily exercise for some landowners, but others may not have the time to do so as frequently. What can a landowner do to lessen the incidence of trespass? Hunting season increases the likelihood of unwanted visitors to your property, both human and animal. What are good wildlife management practices? What considerations should you have when you enter into a hunting lease?

[Proper boundary management](#) includes clearly marking your property boundaries through fencing, posting, and following state legislated forestland painting guidelines.

[Forest stewardship and wildlife management](#) should also be high on your to-do list as a responsible landowner.

Check out these additional resources on timber and forest management.

[Wildlife and Forest Stewardship](#)
[Forest Land Enhancement Practices](#)
[Timber Sales: A Planning Guide for Landowners](#)

There are several things a landowner can do to [minimize their liability](#) from lawsuits filed by both trespassers and invitees (think, hunting leases). Purchasing liability insurance, proper posting, fencing and warning or removal of attractive nuisances and other dangers, and entering into written agreements with potential users of your land are all good ways to protect both you and your property from potential legal liability.

Finally, leasing your land to another operator to farm or manage is a popular way to keep your working lands working. [Keeping Farmland in Farming](#) is an excellent resource on lease agreements.

What is Land Title and How Do I Transfer It?

Land title refers to your ownership of real property or land. This means that you have a partial or full interest in the rights to use the land. This includes the right to transfer your interest in the land to others.

Land title can be transferred by written documents such as deed, will, or trust, or through probate proceedings, and can also be impacted by both voluntary and involuntary encumbrances, like mortgages, liens, easements, rights of way, and eminent domain.

Individual interests in land can also be transferred to [business entities](#), which can help minimize personal liability issues. [Limited liability companies](#) are an especially popular structure for interests in farm and forest land.

As more and more farmers age out from their livelihoods, the future of farmland and farming grows more uncertain. Children who have left the farm to pursue other careers and interests may feel saddled with the burdensome question of what to do with the farm when their parents pass.

It is important to plan now for what happens to the farm in the event of your death or disability. [Estate planning](#) is the key to maintaining your legacy and ensuring the continued viability of your farming operation.

Other useful resources on land transfer and estate planning.

- [Your Estate Plan – Where to Begin](#)



What are Conservation Easements?

A [conservation easement](#) is a legal document that restricts certain property rights to protect specific conservation values of the property. It involves a legal, enforceable separation of certain land rights between a landowner (grantor) and a qualified conservation organization or public agency (grantee). The easement is a recorded deed restriction that runs with the land title.

Many state and federal programs offer temporary or term-limited conservation protection. Term agreements and conservation contracts vary in scope, scale, payments, and responsibility depending upon their purpose and the duration of the agreement. While many programs are similar to traditional cost-share assistance, this group of programs tends to require a lengthier contract or agreement.

Other valuable conservation resources:
[NC Association of Soil and Water Conservation Districts](#)
[Living with Your Conservation Easement](#)

A key resource for government planners is the [CEFS Government Guide to Building Local Food Economies](#).



Read more about NC Agribusiness Law at: <https://farmlaw.ces.ncsu.edu/agribusiness-law/>



County Land Summit Series

Workshop 3: The Business of Agriculture

Resource Sheet

Listed below are links to helpful resources on topics covered in the Local Food Program Team's County Land Summit Series Workshop 3: The Business of Agriculture. While Workshops 1 and 2 in the County Land Summit Series focused in large part on government regulatory authority and what you, as a landowner, can do to protect your land, Workshop 3 centers on the role that other people play in the business of farming.

Should I Go Solo or Should I Farm with Others?

Choosing to work your land as an individual or family business, picking a legal structure for your farming operation, and potentially entering into the unknown of collaborative farming are critical first steps in the business of agriculture. Whatever [legal structure](#) you pick, do so with the advice of an attorney. The [LLC](#) is an especially popular legal structure now because of its flexibility. From a single-member LLC to one having 100 members or more, the limited liability company, if done right, shields the owner-members from damages that could arise from potential lawsuits. Other than the sole proprietorship and the general partnership, all forms of legal structures offer some degree of protection from personal exposure to legal losses.

Another legal structure that is beginning to resurge in popularity, at least in North Carolina, is the cooperative. The cooperative structure requires a minimum of 5 owner-members and is unique because of its democratic governance and patronage structures. Known for its slogan "one member/one vote", this structure is especially appealing to farmers of lesser means. For more information on the cooperative structure, as well as other collaborative forms of business, read this [2018 report](#) that studied Collaborative Farming in North Carolina.

Choosing to go into business with others is a big step and should be done so with caution. Personalities, risks, common interests, resources, skill sets, and other considerations all need to be taken into account before forming a new legal entity. A good way to learn whether it is a good idea to start a new business with another person is to deal with that person on a contract basis first. In other words, test the waters before you invest time, energy, and money into a business that may not succeed because you did not vet your business partner well enough.

Should I Lease My Land?

If you want to keep your land in farming, you will need someone to farm it. For most landowners, that will mean developing an agreement with a farmer for how the land will be farmed.

If you want to keep your land in farming, you will need someone to farm it. For most landowners, that will mean developing an agreement with a farmer for how the land will be farmed.

Many landlord and tenant arrangements are based on family or neighbor relationships, and are often not in writing. In areas where farmers utilize fairly large tracts of land, rotating a limited number of commodity crops through the years, land is changing hands between generations, which will likely change the way farmers and landowners have been doing business together. As more and more parents pass on, adult children inheriting rights in farms may want to hold on to those rights but are seeking a more formalized agreement with the farmer who has been tending the land. Closer to urban areas, some landowners who wish to hold on to the land for the foreseeable future may find opportunity in working with a farmer whose farming practices require a stronger tenure relationship than the traditional handshake. Even within families, a successor must often become a tenant before he or she becomes an owner of the land. Check out this [article](#) for a great resource on both landowner and tenant considerations when entering into a lease arrangement.

Another resource to help guide your decision-making on lease and other contractual arrangements with third parties: <https://content.ces.ncsu.edu/evaluating-conservation-easements-solar-leases-and-land-lease-proposals>

How Do I Find Land to Buy? How Do I Find Land to Lease? Can Someone Mentor Me?

NC FarmLink is a program of NC State Extension that connects farmers, landowners and service providers across North Carolina, helping to grow the state's agriculture industry. NC FarmLink maintains databases of both available farmland and farmers looking for land, working with landowners and farmers to ensure an appropriate and lasting match is made. NC FarmLink staff will guide you through considerations and assist you in locating resources you will need when negotiating a land tenure arrangement. They envision a resilient agriculture industry where farmers have affordable options for accessing farm and forestland to create sustainable farm operations; where landowners have viable opportunities for keeping their land in farming; and where agriculture continues to be an integral part of our economy, environment and communities across North Carolina.

Read more at: <https://ncfarmlink.ces.ncsu.edu/about-nc-farmlink/>

Read more about NC Agribusiness Law at: <https://farmlaw.ces.ncsu.edu/agribusiness-law/>



What About Employment and Labor Laws?

The business of farming by nature is very labor intensive, and most farmers, if not all, at some point in their farming career, will need to locate people to do the work of farming. If you find that you are not able to get the work done with just family members, you will have to comply with state and federal employment and labor laws.

Employment and labor laws cover such things as non-discrimination, taxes, minimum wage, overtime, workers' comp, child labor, immigration, migrant housing, and field sanitation. Furthermore, certain agricultural employers are subject to the Migrant and Seasonal Agricultural Worker Protection Act, which requires vehicle insurance for farm laborers.

A great resource on North Carolina farm labor regulations is here: <https://content.ces.ncsu.edu/flue-cured-tobacco-information/complying-with-north-carolina-farm-labor-regulations>.

