



Agenda Action Form Overview

The Board is requested to approve the final budget for John Monroe's Amed Tilley Farm conservation easement and approve Capital Project No. 20CPA000011 which decreases the Open Space and Farmland Preservation Capital Project 4730DC082 by \$82,850, and Budget Amendment No. 20BCC000030, transferring \$82,850 to the General Fund. These funds support the purchase of the Amed Tilley Farm conservation easement. The farm consists of 34.5 acres and is located in northeast Durham County on both sides of Amed Road as shown on Attachments 1 and 2.

Background/Justification

Since 2001 the County has actively protected farmland with Durham County's Farmland Protection Advisory Board providing oversight and guidance. Durham County currently holds farmland conservation easements on fifteen farms totaling 2,130 acres. There are an additional six farms in process totaling 282 acres that have been approved by the Board of County Commissioners and have been awarded federal Agricultural Land Easement grants.

The property is part of the Amed Tilley Farm, originally a tobacco farm, that includes the Amed Tilley House (www.opendurham.org/buildings/amed-tilley-house), a County-registered historic home built in 1904. John Monroe purchased the home and 3.14 acres in 1982 and subsequently acquired additional land for his specialty nursery, Architectural Trees, that was known for its distinctive and unusual plants and large mature trees. In 2010 Mr. Monroe planted over 700 blueberry plants of five different varieties for a U-Pick blueberry farm. Mr. Monroe no longer grows and sells trees and currently leases the management of the U-Pick blueberry field to Family Farmstead.

The County is fortunate to have landowners committed to preserving farmland for future generations. By protecting the farm with a conservation easement, the property is a privately-owned working farm with restricted future development that remains on the tax rolls.

Policy Impact

The protection of the Amed Tilley Farm advances *Goal 4* of the Durham County Strategic Plan, *Environmental Stewardship and Community Prosperity*. Strategy 4.1C, Open Space Preservation, describes the significance of protecting open space and preserving rural character. The additional protection of the 34.5 acres adds to this Goal's measure of the total acres of open space and farmland that have been protected by Durham County.

Permanent protection of farmland with conservation easements also supports two elements of Durham's adopted Durham Comprehensive Plan. The Plan's *Conservation and Environment Element's* Objective 7.2.3 describes the goal to protect active farmland in Durham with the County funding an active program of easement acquisition and seeking grants to assist with these purchases. Secondly, the Comprehensive Plan also addresses farmland preservation in the *Land Use Element's* Objective 2.3.1 that addresses the significance of protecting rural landscapes and agricultural lands.



In addition, farmland protection is recommended in the 2009 adopted *Durham County Agricultural Development and Farmland Preservation Plan*.

Procurement Background

The acquisition of this conservation easement on the Amed Tilley Farm was originally approved by the Board of County Commissioners in 2017, subject to a grant award supporting acquisition cost. The funding for the purchase of the conservation easement was approved from the Open Space Capital Project fund. The County was subsequently awarded a federal grant through USDA NRCS's Agricultural Lands Easement (ALE) Program that will pay for 50% of the cost of the appraised value of the easement, or \$80,250. The Board also previously approved authorized the County Manager to sign the cooperative agreement with NRCS for the funding and approval to sign the conservation easement documents.

Fiscal Impact

The total acquisition cost for the easement based on the approved appraisal is \$160,500. The ALE program grant pays for 50% of the acquisition land cost, or \$80,250. The County is responsible for the remaining 50% of the easement costs, \$80,250, plus necessary acquisition expenses that include surveys, appraisal, title review, and closing costs for a total cost of \$98,950 for the County's portion of the project. This project's funding was previously approved by the Board, so no new funding is needed.

The amount that needs to be transferred to the general fund for the easement closing is \$82,850, which includes the County's 50% portion of the easement costs and associated closing costs. (The total budget amount also includes survey and appraisal costs which have already been spent.) Federal ALE grant funds will be wired directly to the closing agent. The transfer of \$82,850 from the Open Space and Farmland Preservation Capital Project to the General Fund for the purchase of the easement is a technical transfer that provides the Finance Department a concise end-of-year accounting of assets purchased by the County in each fiscal year.

Recommendation

The County Manager recommends that the Board approve the final budget for the Amed Tilley Farm conservation easement and approve Capital Project Amendment No. 20CPA000011 decreasing the Open Space and Farmland Preservation Capital Project 4730DC083 by \$82,250, and Budget Amendment No. 20BCC000030 transferring \$82,250 to the General Fund to support the purchase of the Amed Tilley Farm conservation easement.