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Passing the farm onto the next generation



ADOBE STOCK PHOTO

Transitioning a farm to the next generation involves many conversations and detailed planning. It's important for families to approach a transition with open minds.

By Jan Lefebvre

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*Editor's note: This is **part one** of a two-part feature regarding farm transitions. In the next issue of Dairy Star, we will cover examples of what has worked well for some farm families and where to find assistance with farm transitions.*

When considering a farm transition, how does the older generation value the next generation's investment? Should sweat earn equity? Do children who put time and effort into the success of the farm deserve a larger share of farm inheritance than non-farming siblings?

These, and many other, questions can be tricky when passing on a family farm. It is also a private matter to most families and can be difficult to discuss with others or even within the family itself.

Jim Molenaar is aware of how difficult it can be to navigate a farm transition. For the past 41 years, he has worked as an instructor in farm business management, the past eight years at St. Cloud Technical and Community College. A specialist in farm succession planning, he first gained experience while working as a mediator in a farmer lender program during the 1980s farm crisis.



Jim Molenaar
St. Cloud Technical and Community College

"For so many farmers, transitioning is something they need help with," Molenaar said. "Some do this very well, but I've also seen some failures."

Molenaar grew up on a farm and went through a farm transition himself.

"There is a big difference between an estate plan and a farm succession plan," he said. "An estate plan is what happens with my assets when I pass away. A farm succession plan is what I can do during my lifetime to make sure the farm continues with the next generation."

Many farmers are uncomfortable talking with others about their farm transition struggles. If they do wish to say something, they may rather remain anonymous. Even those who have had successful transitions are uncomfortable talking about the experience because they do not want to seem like they are bragging; they want to avoid sharing private financial information about family members.

Off the record, farmers of both generations may talk about the difficulties they are facing in communicating their wishes for the future of their farm. Younger farmers may say things such as, "I can't talk to my dad about this," or "I'm putting in lots of sweat equity and not receiving much pay, but I still have no say in anything." Older farmers may say, "I'm near retirement and can't afford to invest major money in big changes right now," or "I've worked my whole life for the farm and deserve to make the big decisions."

Molenaar said one farmer talked about a family near him that has to hold two separate Christmas holidays because two brothers fought over their family's farm transition and will no longer attend the gathering at the same time. Another farmer spoke about going into debt before retirement for a son who wanted to take over the farm and expand, but the son changed his mind a few years later when high debt remained. There are also numerous stories about siblings suing siblings over farm transitions.

Besides farmers not sharing stories with outsiders, a bigger problem is when farm families are uncomfortable discussing a farm's transition within the family itself. Then it can be difficult to get through the transition successfully and keep the family intact.

"You hear stories about farms where somebody dies, the will is read and somebody gets it all and the others didn't get any," Molenaar said. "There are families who will never talk to each other again, and this is real. It happens way too often."

One pitfall, according to Molenaar, is for the retiring or leaving generation not to plan what their retirement will look like and what their retirement needs will be. This includes living arrangements such as who will live in the farmhouse or on the farm.

"What is fair versus what is equal?" Molenaar said. "Let's say there are five children. One stays on the farm; the others move elsewhere. Is the fairest thing that everyone receives an equal share, or does the one staying on the farm need some assistance so that the farm will continue? There are some ways to look at that such as what is the contribution versus how have they been compensated?"

Shawn Meyer is a farm business management instructor at Minnesota West Community and Technical College in Hutchinson, Minnesota. He has more than 17 years of experience in farm finance and working with farm families as they plan for the future.



Shawn Meyer
West Community & Technical College

"I've sat at so many tables where I know what one of the parties is thinking, but, for whatever reason, they just won't say it to the other one," he said. "How do we move forward without ever communicating what my hopes, my wants, my thoughts are. Some people just give up because they have gotten nowhere for so long."

Meyer said the process is challenging but necessary.

"It's not fun by any means, but it has to be dealt with in order to be successful," he said.

Attorney Shayna W. Borakove, of Borakove Osman LLC in Middleton, Wisconsin, has more

than 14 years of experience as a farm continuation practice leader at her firm.



Shayna W. Borakove
Borakove Osman LLC.

“I regularly am called in as a consult by other attorneys throughout Wisconsin regarding farm succession strategies and structure,” she said. “I have spent the majority of my life either living on a farm or planning to ensure farm families continue living on theirs.”

Borakove knows farm transition planning is different from most other kinds of estate planning.

“The farm is more than land, cows, crops, ups and downs,” she said. “It is a piece of the farmer; it’s family; it’s a belief and a core value. Farm transition planning is so difficult to begin as it is hard to put words down about something so hard to describe.”

Borakove realizes the emotions attached to a family farm add an extra challenge in farm transitions.

“This one is a big one ... the failure to address and anticipate family dynamics in the planning,” she said. “The cracks and breaking points of the family and the farm should be weighed and considered. The way it was when the patriarch/matriarch acquired the farm is not the way it has

to be, nor the way it necessarily can be today.”

Molenaar said addressing family dynamics is important as well.

“It’s hard for parents to communicate plans to their children, especially if it’s not equal shares,” he said. “But, it’s really important to do if you want your family to like each other. Maybe they won’t like you, but they will like each other.”

Even though farm families know communication is key in transitions, it is often an intimidating hurdle.

“Talking about it does make one face one’s own mortality,” Molenaar said. “That can be hard. Giving up control can be really hard.”

Also, the next generation struggles to bring up the topic.

“Sometimes the younger generation is uncomfortable pushing the conversation,” Molenaar said. “Whoever has the gold gets to make the rules. The option the young person has is to say, ‘OK, I don’t want to do this.’ Other than that, it is the parents’ responsibility to start the conversation or get help in planning. If you have a plan, you can transfer management over time.”

Meyer agreed.

“It sounds so cliché, but it’s just communication,” Meyer said. “We have to be open and honest about what’s there, whether it’s good or bad.”

Molenaar agreed.

“It’s never too late to communicate,” he said.

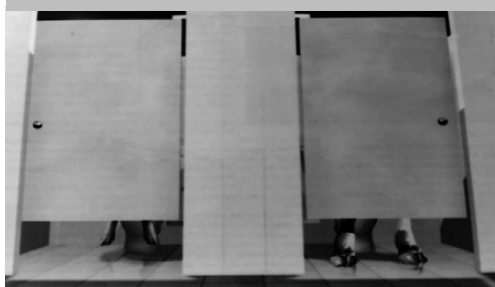
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Passing the farm onto the next generation



ADOBE STOCK PHOTO

Transitioning a farm to the next generation involves many conversations and detailed planning. It's important for families to approach a transition with open minds.

By Jan Lefebvre

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*Editor's note: This is **part two** of a two-part feature regarding farm transitions. In the previous issue of Dairy Star, we gave examples of challenges that occur during farm transitions. Here we present information for success.*

Today's farm families have more resources and places to turn for advice when planning a transition to the next generation. The help that is available, through extension services, colleges and universities, private firms and more, is often more personalized and leads families through the process.

Shawn Meyer is a farm business management instructor at Minnesota West Community and Technical College in Hutchinson, Minnesota. He has more than 17 years of experience in farm finance and working with farm families as they plan for transitions.

Meyer said walking families through the process, beginning to end, is better than tossing information at families and expecting them to apply it.

"Then the family leaves more confused than when they walked in because all we did was throw a bunch of options at them and didn't help them through it," he said.

Meyer said the process should include all family members and help the family establish clear goals.

"What should always drive the transition are your goals," he said. "You also need to involve the off-farm siblings to the extent that they feel like they are included. It's fair that they have part of that initial conversation. They might not get exactly what they want, but at least they had a chance to be part of the process."

Meyer said farm transitions are more complex than most business transitions because they involve family members' rooted emotions.

"We need to work through all the emotional and family dynamics before we ever worry about if it's a (limited liability company)," Meyer said.

Helping farm families successfully transition is important to Jim Molenaar as well. For the past 41 years, Molenaar has worked as an instructor in farm business management, the past eight years at St. Cloud Technical and Community College. A specialist in farm succession planning, Molenaar also went through a farm transition himself and is a farm advocate for the Minnesota Department of Agriculture.

After looking for programs that could best help, Molenaar attended courses offered by Dave Goeller at the University of Nebraska-Lincoln, who had developed a successful program to guide farmers through transitions. With Goeller's design in mind, Molenaar now partners with Megan Roberts from

the Southern Minnesota Center of Agriculture to offer free seminars.

"We team teach what I call a marriage encounter for farm families," Molenaar said. "We've been doing this for farm succession for five or six years."

The seminars begin on a Friday night and then continue on Saturday.

"We try to get as many people of the farm family as we can into the room, and we go through a process that they can use to reach their own conclusions," Molenaar said. "No two farms are the same. Each farm has its own unique challenges and ideas."

The seminars are offered during the winter. During the sessions, Molenaar and Roberts ask questions that foster collaboration and goal setting. Legal and tax aspects of a transition are addressed as well.

"The very first question we ask in our seminar is whether or not you want your farm to continue after your lifetime," Molenaar said. "If the answer is no, then it's pretty easy. All we need is a will, but if you do want it to continue, then the communication,



Jim Molenaar
St. Cloud Technical & Community College

expectations and what's fair and what's equal becomes more challenging."

Molenaar said labor is the easiest portion of a transition. The most difficult is management. Families must discuss both, such as what would be fair compensation for the labor and when should the next generation become owners versus employees.

"The actual decision making of a farm is difficult to turn over," Molenaar said. "Do I take off my manager hat and put on my mentor-teacher hat? If the older generation is able to let go of the reins and let the younger generation come in and implement things and get an operating interest, it's huge."

To bring the transitioning farm family to agreement, setting common goals is key.

"What does the family want their farm business to look like 30 years from now?" Molenaar said. "It's a compromise like with anything else. It can work well if the older generation is willing to let go a little and there isn't too much debt. Then, it's really a matter of putting the puzzle together and deciding what the family wants to accomplish."

Three of Molenaar and Robert's seminars are already planned for winter 2023 in Minnesota: Feb. 4-5 in Mankato, March 10-11 in St. Cloud and March 31 through April 1 in Mahanomen.

Registration will soon be available at z.umn.edu/farmtransition. The website also offers tools and tips for planning a farm transition. Those with questions about the seminars can also email Molenaar at jmolenaar6@gmail.com.

"The seminars are really helpful if people take

the time to do it,” Molenaar said. The University of Wisconsin-Madison also offers webinars and workbooks at farms.extension.wisc.edu.

Although each family has an individual situation and set of needs, when plans that were successful in the past are shared with families planning transitions today, the information can help those families create their own plans.

For example, one family of six children came up with their transition plan when the children were nearing adulthood. The farm was changed to a business corporation. Mom and Dad held almost all shares with each child receiving one share. Those who wanted to make the farm their profession received more and more shares from Mom and Dad’s shares through sweat equity and time. If the other children wanted to sell their shares back to the farm, they could, but the sale was final. As time went on and the older generation neared retirement, the two children who farmed had worked their way up to being equal owners with their parents, thereby having an equal say in decisions.

Such a plan may not work for every family. But, knowing a variety of plans that have worked gives other families a place to start when brainstorming their own plans. Since specialists, such as Molenaar and Meyer, have discussed many farm-transition plans with families, getting advice from specialists means families have access to more ideas.

Attorney Shayna W. Borakove, of Borakove Osman LLC in Middleton, Wisconsin, has more than 14 years of experience as a farm continuation

practice leader at her firm.

She agreed getting advice is important.



Shayna W. Borakove
Borakove Osman LLC.

financial advisor and/or other farm transition advisor would be about as predictable as a game of Plinko. With the advice and counsel of (a specialist), the client can understand the potential consequences of a plan and make better, more objective decisions.”

Borakove also helps families clarify their vision and set goals.

“To prepare, first the family should ask themselves, if there were no rules, no taxes, no restrictions or judgment of any kind, what would we want to happen with the farm if we couldn’t make the decision?” she said. “Second, having a sense of the time horizon as to when a transition could or should happen, from the farm owner’s perspective as well as the farm successor’s perspective, would be helpful.”

Advisors agreed that planning, inclusion and communication are key.

“Farms that do the planning are much more likely to have a successful farm transition than those that do not plan,” Molenaar said. “It doesn’t guarantee success, but it improves the odds.”

“You don’t know what you don’t know,” Borakove said. “The outcome of planning one’s own farm transition without the advice and counsel of their attorney, certified public accountant,

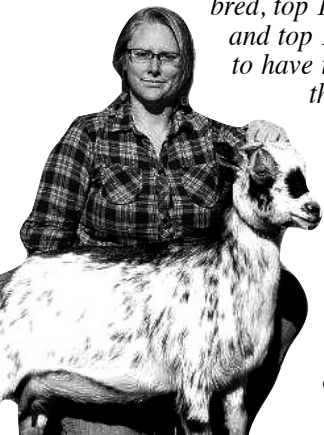
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