



BERKS COUNTY *agricultural land* PRESERVATION BOARD

Berks County Agricultural Center
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www.berkspa.gov/departments/agriculture

County Commissioners:

Christian Y. Leinbach, Chair
Michael S. Rivera
Dante Santoni, Jr.

Board Members:

Gregg Eshelman, Chair
David L. Phillips, Vice Chair
James R. Coker

Morgan A. Firestine
Kimberly J. McGrath
Jeremy R. Meck

Steven C. Mohn
Clyde A. B. Myers
Louise A. Swartley

Ex Officio:

Robert C. Ziegenfus, Ph.D.

Solicitor:

Mark R. Sprow, Esq.

Berks County Agricultural Land Preservation Board Meeting July 31, 2024, 5:30 p.m. MINUTES

A regularly scheduled meeting of the Berks County Agricultural Land Preservation Board was held at the Berks County Agricultural Center on Wednesday, July 31, 2024, at 5:30 p.m.

Board members present: Gregg Eshelman, Kim McGrath, Steve Mohn, Clyde Myers, David Phillips, and Louise Swartley.

Staff present: Emily Wangolo, Executive Director; Kim Fies, Deputy Director; Amanda Burkard-Sell, Agriculture Program Manager.

In attendance: Pamela Menet, Director of Community and Economic Development for Berks County

Gregg Eshelman, Chair, called the meeting to order at 5:30 p.m.

I. PUBLIC COMMENTS ON AGENDA ITEMS – None.

II. APPROVAL OF MINUTES

- D. Phillips noted that the date in the first paragraph of the minutes needs to be updated to June 26, 2024.

Motion: A motion was made to approve the minutes of the June 26, 2024, meeting, as amended. (D. Phillips, L. Swartley)

Discussion: None.

Vote: Motion carried unanimously.

III. STATUS OF RECOMMENDATION UPDATES

- A. Burkard-Sell highlighted noted that there had been no changes to the *Status of Recommendations* that had been submitted prior to the meeting. Burkard-Sell noted that Dockets #2302, #0419, and #1334 are scheduled to be presented at the August State Board meeting the following week and that Dockets #0811 and #0156 are planned for the October State Board meeting. Burkard-Sell added that there are three appraisals to be reviewed in Executive Session: Dockets #2405, #0815, and #2407.

IV. OLD BUSINESS

A. 2024 LESA Ranking – Update

- A. Burkard-Sell informed the Board there had been no changes since the June update; a final update is anticipated for the August meeting.

B. Update on House Bill 1777

- A. Burkard-Sell informed the Board that the letter in opposition had been sent as requested by the Board. The Board requested to be sent a copy of the letter, which will be provided.

C. 80,000 Acre Milestone Celebration 2025 Update

- A. Burkard-Sell noted that the information that C. Myers had gathered regarding the Redner's Event Center at First Energy Stadium had been distributed prior to the meeting.
- The Board and staff discussed the ideas and the details of the celebration, including funding sources. K. Fies noted that if there is an educational component included, there may be an opportunity for some County funding. C. Myers suggested that business and financial institution funding be sought shortly, since many budgets are finalized in August and September.
- The Board further discussed the specifics of the Redner's Event Center, including the cost, catering, the number of participants, and whether to charge attendees and how to coordinate with other ag groups. A committee will be set up to work on planning the event.
- P. Menet informed the Board that the County budget is due to be finalized the following day, but that she would be willing to request \$10,000 to help fund the event.

Motion: A motion was made to proceed with planning the 80,000 Acre Celebration and to form a committee to investigate the Redner's Event Center. (C. Myers, D. Phillips)

Discussion: None.

Vote: Motion carried unanimously.

V. NEW BUSINESS

A. Conveyance Report

- A. Burkard-Sell reported on the transfers of ownership:
 - Section A: Transferred in Compliance – Settlement #319.0 had transferred correctly.
 - Section B: Transferred with Concerns Noted – Settlement #322.0 is involved in a larger potential violation situation and Attorney Sprow is working with the landowners' attorney. No action by the Board is required at this time.

- Settlements #562.0.FD, #749.1 and #749.2 are still working with their attorneys to record corrective deeds. No action by the Board is required at this time.
- o Section C: Outstanding Violations – None to report.
- o Section D: Transfers Resolved – None to report.

B. Landowner Requests

- K. Fies presented the following easement modification request:
 - o Settlement #443.0 (Gerhard Estate)- 112.7-acre farm in Perry and Maiden creek Townships, has submitted the following request:
 - Concept approval for a general subdivision into two parcels: one 55.2 acres, with 74.8% in ag production and 100 % Class I-IV soils and the other 57.5 acres with 89.5% in ag production and 86% Class I-IV soils; The 57.5-acre parcel would retain the right to the additional residential structure. Both parcels meet the requirements of the easement and have access. Fies noted that the proposed parcel line follows a natural swale and would allow for the continuation of the existing contour farming. Fies added that the township is currently reviewing the proposed subdivision and it has already been reviewed by the Berks County Planning office.

Motion: A motion was made to grant a concept approval of the subdivision request for Settlement 443.0; final approval will be contingent on the actual plans submitted (K. McGrath, S. Mohn)

Discussion: None.

Vote: Motion carried unanimously.

C. Review of PENNVEST Applications

- E. Wangolo reminded the Board that all PENNVEST applications must be reviewed by the Board and presented the following applications:
 - o Mount Penn Borough is seeking to replace their current concrete water storage tank on Spook Lane; the new tank will be the same size as the current tank. Wangolo noted that there are no preserved farms within two miles of the project and that the majority of the land use is either existing development of open space and recreation, so the project would have no direct impact on agriculture.

Motion: A motion was made to recommend the proposed PENNVEST application for Mount Penn Borough to replace their water storage tank on Spook Lane as submitted (K. McGrath, D. Phillips).

Discussion: None

Vote: Motion carried unanimously.

- o St. Lawrence Borough / Exeter Township are seeking to repair their existing water collection system to prevent infiltration and inflow. There are several sites involved, however all are in previously disturbed areas. Wangolo noted that while there are two preserved farms and four farms in an Agricultural

Security Area within two miles of the easternmost site, the project sites themselves are not located within agricultural areas and there would be no impact on agriculture in the region.

Motion: A motion was made to recommend the proposed PENNVEST application for St. Lawrence Borough / Exeter Township to repair their existing water collection system as submitted (K. McGrath, D. Phillips).

Discussion: None

Vote: Motion carried unanimously.

D. Review of Appraisal Deposit Fee

- A. Burkard-Sell reminded the Board that during last month’s Board Member Workshop, the current appraisal deposit fee had been discussed and other counties’ values had been presented. Burkard-Sell added that a change to the deposit fee would require a change to the Program Guidelines, which would need to be approved by the State Farmland Preservation Board.

Motion: A motion was made to change the amount of the appraisal deposit fee from \$500 to the full cost of the appraisal; the deposit would be refunded at settlement. (K. McGrath, L. Swartley).

Discussion: None

Vote: Motion carried unanimously.

VI. DEPARTMENTAL REPORT

A. Berks County Ag Study – Update

- E. Wangolo updated the Board on the progress of the Berks County Ag Study.
 - The draft report was provided to the project team is process of being reviewed.
 - The previously scheduled Advisory Committee meetings have been postponed to allow for a full review of the report; the dates for the meetings will be determined.
 - C. Myers questioned as to whether the Board will have a chance to review the draft report, which will be provided once it has been updated.

B. Upcoming Events

- E. Wangolo informed the board of upcoming events.
 - The department will be hosting the annual Ag and Natural Resources Career Fair on November 14th.
 - The Tire Collection will also be held in November on a date to be determined. C. Myers questioned as to whether the same amount of funding will be allotted this year; K. Fies noted that the amount should be similar.

- P. Menet noted that the Discover Ag Podcast will be hosting a live show on the Miller Center at Reading Area Community College on September 26th at 7 pm. Tickets are \$25, but since the Department is a sponsor, there will be some available; there will also be the opportunity for local interviews.

C. Participation Letter – Update

- P. Menet discussed the proposed participation letter with the Board. Menet clarified that her initial thought had been to send the letter in conjunction with the release of the Ag Study, but that since that has been delayed, there is no issue with sending the letter out beginning with a pilot project to the identified farms in Marion Township. Menet proposed some minor edits to the letter, including sending a brochure versus an application. C. Myers will provide a copy of the letter to Menet, who will follow up with her proposed revisions.

VII. CITIZEN COMMENT / BUSINESS FROM THE FLOOR – None.

EXECUTIVE SESSION

RESUMPTION OF REGULAR MEETING

Motion: A motion was made to offer the cap of \$2,800 to the landowners of Dockets #2407, #0815, and #2405. (D. Phillips, S. Mohn)

Discussion: None.

Vote: Motion carried unanimously.

The Board discussed the membership of the 80,000 Acre Milestone Celebration committee. C. Myers, K. McGrath, S. Mohn, G. Eshelman, and L. Swartley volunteered. Myers will investigate dates to visit the Redner’s Event Center and coordinate with the committee.

Motion: A motion was made to adjourn the meeting at 6:50 PM. (K. McGrath, L. Swartley)

Discussion: None.

Vote: Motion carried unanimously.

EXECUTIVE SESSION

Respectfully submitted,

Amanda K. Burkard-Sell
Agriculture Program Manager