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**County Commissioners:**

Christian Y. Leinbach, Chair  
Michael S. Rivera  
Lucine E. Sihelnik

**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.

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## **Meeting Minutes from July 26, 2023**

The Berks County Agricultural Land Preservation Board (Board) held a regular monthly meeting on Wednesday, July 26, 2023, at 7:00 PM at the Berks County Agricultural Center and via virtual platform “**Microsoft Teams.**” Gregg Eshelman, Chair, called the meeting to order at 7:00 PM. Board members present included Gregg Eshelman, James Coker, David Phillips, Steven Mohn, Louise Swartley, Morgan Firestine, Jeremy Meck, and Clyde Myers. Also, in attendance were Mark Sprow, Esq. Special Counsel for the Board. Staff: Emily Wangolo, Executive Director; Kimberly Fies, Deputy Director; Amanda Burkard-Sell, Agriculture Program Manager.

### **I. PUBLIC COMMENTS ON AGENDA ITEMS – None.**

### **II. APPROVAL OF MINUTES**

**Motion:** A motion was made to approve the minutes of the June 28, 2023, meeting, as drafted. (J. Coker, D. Phillips)

### **III. STATUS OF RECOMMENDATION UPDATES**

- A. Burkard-Sell highlighted several items on the Status of Recommendations: Settlements were held earlier in July Dockets #0336 and #1907. With the addition of these two farms, the total number of preserved farms is 815 and the total acreage is 78,007; Dockets #2203, #1911, and #2210 are being prepared for recommendation to the State Board in August; the landowners of Docket #2105 had accepted the offer and the farm was now in the process of survey and title work. The remaining Dockets are currently in various stages of the process.

### **IV. OLD BUSINESS**

#### **A. Settlement #432.0 Swinsinski – ACE Program Violation**

- K. Fies reported that she and Attorney Sprow have scheduled a meeting to attain resolution to the issue.

#### **B. 2023 LESA Ranking Update**

- A. Burkard-Sell reported Docket #2004 requested to have their application changed in such a matter that resulted in them no longer being a selected farm; the landowner of Docket # 2309 has requested to be re-ranked. Letters were sent to the landowners of #34 - #36 as funding allowed and are still within their 15-day response periods.

C. Sttle. #749.0 – Martin – Request to Subdivide

- K. Fies presented a request for subdivision of Settlement #749.0 (Martin), 109.0 acres in North Heidelberg Township. K. Fies reminded the Board that a previous preliminary request to subdivide the property had been approved. The landowner is requesting to submit the adjusted survey proposal for the subdivision of the farm to the township.
  - Fies noted that both parcels met the program’s minimum criteria and does not take away the economic viability of the farm.

**Motion: A motion was made to approve the changes as requested to subdivide Settlement #749.0 (J. Coker, L. Swartley)**

**Discussion: None.**

**Vote: Motion approved.**

V. NEW BUSINESS

A. Conveyance Report

- A. Burkard-Sell reported on the transfers of ownership:
  - Section A: Transferred in Compliance – Settlement #72.0 and #810.0.
  - Section B: Transferred with Concerns Noted – None to report.
  - Section C: Outstanding Violations - None to report.
  - Section D: Transfers Resolved – None to report.

B. Sttle. #124.0 - Papi– Request to Subdivide

- K. Fies presented a subdivision for Settlement #124.0 (Papi), 182.8 acres in Oley Township. The easement is comprised of two parcels; 77.0 acres and 105.8 acres.
  - Both parcels met the required minimum criteria for subdivision.
  - The right for the additional residence has been assigned to the 105.8-acre parcel.

**Motion: A motion was made to approve the request to subdivide Settlement #124.0 (D. Phillips, J. Coker)**

**Discussion: None.**

**Vote: Motion approved.**

VI. DEPARTMENT REPORT

A. Continual Learning Opportunities for Board Members

- E. Wangolo reminded the board the staff will be offering 30-minute sessions of continual learning workshops for Board Members. Topics of the workshops would essentially cover the ACE program guidelines. The first meeting will be held at 6:30 p.m. on August 30, 2023, immediately prior to the regularly scheduled meeting. The first meeting will be an overview of the minimum criteria and the ranking process. Information regarding the topics will be sent out via email prior to the meeting.

B. Update on Ontelaunee Comp Plan Request

- E. Wangolo reported the request from Ontelaunee Township for an amendment to the County Comprehensive Plan was discussed at the Planning Commission meeting where they voted to accept the staff’s recommendation of not accepting the request. The recommendation has been released to the County Board of Commissioners and

- has set in motion a 45-day Public Comment period that will end with a public hearing. During this time, the letter from the Board will be submitted and recognized.
- o C. Myers requested a copy of the letter drafted by the Board be sent to the Planning Commission as well.

**C. BCCD Board Nomination for Farmer Director Position**

- K. Fies informed the Board that the Berks County Conservation District is seeking a nomination for its Farmer Director position. Larry Gelsinger, the current Director, is interested in serving another term. The District is also looking to appoint the vacant Public Director position, preferably someone with a financial background. Fies added that the nominations were not due until October, which will allow the Board to provide names of potential candidates or re-nominate the current director at the September Board meeting.
- o C. Myers recommended, Bill Hughes, Scott Houseman, Lynette Gelsinger, and Travis Werley.

**D. Letter to Increase Budget for Farmland Preservation Update**

- Burkard-Sell reported the letter in support of the additional Farmland Preservation funding proposed in Gov. Josh Shapiro's 2023-2024 budget proposal was sent to the PA. Dept. of Ag., Bureau of Farmland Preservation. To date, the budget has not yet passed.

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

**EXECUTIVE SESSION – None.**

- L. Swartley asked K. Fies if there was any update on the list of landowners in Berks County classified as Ag use. K. Fies will follow up and will provide the information requested.
- G. Eshelman asked the Board to begin thinking about the 2024 meeting structure in regard to times the meeting is held and whether to continue holding the meeting in a hybrid format that could be more accommodating to both the staff and the members of the board.

**Motion: A motion was made to adjourn the meeting at 7:42 PM. (D. Phillips, J. Coker)**

**Discussion: None.**

**Vote: Motion approved.**

Respectfully submitted,

Jennifer Leigh Smilko  
Office Support