



BERKS COUNTY *agricultural land* PRESERVATION BOARD

Berks County Agricultural Center
1238 County Welfare Road, Suite 260
Leesport, PA 19533
(610) 378-1844 Fax (610) 378-7983
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
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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 June 26, 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, June 26, 2024, at 5:30 p.m.

Board members present: Gregg Eshelman, James Coker, Morgan Firestine, Steve Mohn, Clyde Myers, David Phillips, and Louise Swartley. Kim McGrath arrived during the meeting.

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

In attendance: Mark Sprow, Esq. Special Counsel for the Board.

Gregg Eshelman, Chair, called the meeting to order at 5:33 p.m.

I. PUBLIC COMMENTS ON AGENDA ITEMS – None.

II. APPROVAL OF MINUTES

- A. Burkard-Sell noted that the date on the meeting minutes originally distributed had been listed incorrectly; the date has since been corrected.

Motion: A motion was made to approve the minutes of the May 29, 2024, meeting, as amended. (J. Coker, L. Swartley)

Discussion: None.

Vote: Motion approved.

III. STATUS OF RECOMMENDATION UPDATES

- A. Burkard-Sell highlighted several changes to items on the *Status of Recommendations*: Docket #9417 was approved by the State Board at their June meeting; Dockets #2302, #0419, #0156, and #1334 will be prepared for the August 8, 2024, State Board meeting. Docket #2002 was added under site visits / appraisals in process.

IV. OLD BUSINESS

A. 2024 LESA Ranking – Update

- A. Burkard-Sell informed the Board two additional farms had elected not to proceed, but there were not enough funds to select any additional farms at this point. A few outstanding responses are still in process.

B. Update on House Bill 1777

- A. Burkard-Sell reminded the Board that they had previously discussed House Bill 1777, which would divert a portion of the unencumbered State funds to qualifying land trusts and increase the amount of incidental expenses that land trusts could apply for. Burkard-Sell reminded the Board that they had previously been in opposition to the bill and added that at this time there was no official movement, but the State Bureau of Farmland Preservation had been asked to review the bill again.
- The Board further discussed the specifics and the implication of the bill.

Motion: A motion was made to send a letter in opposition to House Bill 1777 to the Representatives who had introduced the bill and those that represent portions of Berks County, along with a copy to the State Bureau of Farmland Preservation. (C. Myers, J. Coker)

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 – None to report.
 - 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. 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. The deeds for Settlements #749.1 and #749.2 had the required deed of easement attached but neglected to include the required language regarding further subdivision and the right to the additional residential structure.
 - Section C: Outstanding Violations – None to report.
 - Section D: Transfers Resolved – Settlements #699.0 has been resolved with a corrective deed recorded.

B. Landowner Requests

- K. Fies presented the following easement modification request:
 - Settlement #277.0 (Stutzman)- 113.1-acre farm in Maxatawny and Greenwich Townships, has submitted the following request:

- Concept approval for a general subdivision into two parcels: one 55.5 acres, with 55% in ag production and the other 53.2 acres with 54% in ag production and the right to the additional residential structure. Both parcels meet the requirements of the easement and have access.

Motion: A motion was made to grant a concept approval of the subdivision request for Settlement 277.0; final approval will be contingent on the actual plans submitted (K. McGrath, M. Firestine)

Discussion: None.

Vote: Motion carried unanimously.

C. 80,000 Acre Milestone Celebration 2025

- K. Fies reminded the Board that that the ACE Program was scheduled to preserve 80,000 acres in 2025 and that the Board had previously discussed holding a celebration for the event. Fies noted that the event could be held in conjunction with a farm transitions and / or business planning component to increase the publicity for the event. The Board discussed ideas for celebration and agreed to continue the discussion as part of the July meeting workshop.

D. ACEP-ALE Funding Letter

- K. Fies discussed a letter that had been received from the USDA – Natural Resources Conservation Service had sent regarding the availability of easement funding under the ACEP program. The Board and staff discussed the difficulties of participating with the federal program, including the impervious surface limits, changing paperwork, longer timelines, and the need to commit 50% in matching funds when the majority of the 2024 funds were already committed for the 2024 selection. At this time, there is no further interest in participating in the ACEP Program.

VI. DEPARTMENTAL REPORT

A. Berks County Ag Study – Update

- E. Wangolo updated the Board on the progress of the Berks County Ag Study.
 - The Ag Advisory Committee invitations were sent out; the first two meetings will be held on July 9, 2024 and July 24, 2024, with subcommittee meetings to be held after that.
 - Drafts of the report will be out after the meetings.

B. Upcoming Events

- E. Wangolo informed the board of upcoming events.
 - The Department will be hosting the Berks Business Education Council’s Inside Berks Business where a group of teachers are brought to farms and agribusinesses to educate them about agriculture. The event will take place in early August.

- The department will be hosting the annual Ag and Natural Resources Career Fair in November.

C. Participation Letter – Update

- E. Wangolo provided an update for the Board on the proposed participation interest letter.
 - Wangolo reminded the Board that the direction of County leadership had been sought in sending such a letter; the recommendation was to send the letter in conjunction with the results of the Ag Study.
 - The Board discussed the need to send the letter out earlier in the year, due to concerns with Ag Security Area enrollment time frames.
 - C. Myers distributed a sample letter to landowners, along with a justification to County leadership as to the need to send such a letter. The Board discussed Myers’s documents, as well as the benefit of sending out the letter in a pilot program format.

Motion: A motion was made for the Board send a letter to County leadership explaining the Board’s position in sending out the interest letter in a pilot program format. (J. Coker, L. Swartley)

Discussion: E. Wangolo will determine exactly who the letter should be sent to; C. Myers’s sample letter to the landowners will be sent to the Board members for feedback and the edited version will be sent along with the letter to the County.

Vote: Motion carried unanimously.

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

EXECUTIVE SESSION

Motion: A motion was made to adjourn the meeting at 7:16 PM. (M. Firestine, D. Phillips)

Discussion: None.

Vote: Motion approved.

EXECUTIVE SESSION

Respectfully submitted,

Amanda K. Burkard-Sell
Agriculture Program Manager