



# BERKS COUNTY *agricultural land* PRESERVATION BOARD

Berks County Agricultural Center  
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[www.berkspa.gov/departments/agriculture](http://www.berkspa.gov/departments/agriculture)

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**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.

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## Berks County Agricultural Land Preservation Board Meeting September 25, 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, September 25, 2024, at 5:30 p.m.

**Board members present:** James Coker, Gregg Eshelman, Steve Mohn, Jeremy Meck, and Kimberly McGrath.

**Staff present:** Emily Wangolo, Executive Director; Kim Fies, Deputy Director.

**In attendance:** Mark Sprow, Esq. Special Counsel for the Board, and a member of the public, Chad Helman.

Gregg Eshelman, Chair, called the meeting to order at 5:40 p.m.

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

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

- J. Coker noted that the word ‘approved’ was missing from the sentence under B. Landowner requests, where the motion was made to approve the proposed rural enterprise on Settlement #111.1 in the minutes from August 28, 2024.

**Motion:** A motion was made to approve the minutes of the August 28, 2024, meeting, as amended. (J. Meck, S. Mohn)

**Discussion:** None.

**Vote:** Motion carried unanimously.

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

- K. Fies highlighted several items from the document including that under section G Docket #0822 was removed from October State Board agenda and will be presented at the December meeting. Docket #2410 in section O has been added and will be presented in executive session.

#### IV. OLD BUSINESS

##### A. 2024 LESA Ranking Update

- K. Fies noted that farm #0815 was provided an offer and later withdrew due to some health concerns, so that allowed movement to farm #31, so two letters were sent. K. Fies also stated that they are waiting on a response from farm #29.

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##### B. 80,000 Acre Milestone Celebration Update

- K. Fies reported from the committee meeting about working with the Farm Bureau to have a co-sponsor, and a banquet for eased farm owners only, but also working with the Farm Bureau to promote a general AG night out in the ballpark. K. Fies also discussed giveaways, costs, and associated funding, and how that would be broken up. K. Fies discussed the level of \$1,250 to \$1500 level to donate for sponsorship, as well as not being able to confirm the potential date until November.

##### C. Update on Participation Interest Letter

- K. Fies noted that the participation letter was mailed out, but the department has not received any responses as of this meeting. K. Fies also noted that there is a document within the Department of Agriculture's system where those requests and any information can be logged, and C. Meyers will follow up.

#### V. NEW BUSINESS

##### A. Conveyance Report

- K. Fies reported on the transfers of ownership:
  - Section A: Transferred in Compliance – Settlements #540.0, #53.0 and #169.1 had transferred in compliance.
  - 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. The attorney for Settlement #562.0.FD had spoken with staff earlier in the week and will be recording the corrective deed shortly. No action by the Board is required at this time.
  - Section C: Outstanding Violations – None to report.
  - Section D: Transfers Resolved – None to report.

##### B. Landowner Requests

- K. Fies presented the following easement modification request:
  - Settlement #141 (Wessner) -170-acre farm in Maxatawny Township, has submitted the following request:
    - They have 40+ acres excluded from the original deed of easement and want to split north and south in order to help in succession planning and passing along the farm. It was noted that ag production was at 100% and that the 94-acre lot will retain the right to the additional residence because it already

has the existing residence on it, and by rights gets the right for subdivision of the residential structure. K. Fies also noted that both parcels need to have easy access through a main road along Wessner road, and that this subdivision does not impact the overall economic viability of the parcel, and recommended approval.

- **Motion: A motion was made to the proposed subdivision on Settlement #141 (Wessner). (K. McGrath, J. Meck)**
  - **Discussion: None.**
  - **Vote: Motion carried unanimously.**
- K. Fies presented the following easement modification request:
    - Settlement #709.0 (McGrath) - 61-acre farm in Amity Township, has submitted the following request:
      - Landowner requests to build an in-ground pool. K. Fies noted that there was no language in the deed of easement or guidelines for the construction of any structure for non-ag use, but that the County Board has allowed personal use structures to be built within the existing curtilage. K. Fies noted that the in-ground pool is well within the curtilage and should be considered a personal use structure and recommended approval.

**Motion: A motion was made to the proposed easement modification on Settlement #709 (McGrath) (J. Coker, J. Meck)**

**Discussion: None.**

**Vote: Motion carried; K. McGrath abstained.**

## VI. DEPARTMENTAL REPORT

### A. Ag Study Update

- E. Wangolo informed the Board that the study is still in the draft phase, and that the formatting and layout is still a work in progress but asked that feedback be submitted for the Advisory Committee meeting on October 2. G. Eshelman asked where to submit comments, and E. Wangolo advised to submit them to K. Fies, P. Menet, and herself.
- G. Eshelman inquired as to who would have access to the Ag Study, and E. Wangolo advised that the document will be public and will be uploaded onto the Berks County website.
- G. Eshelman inquired if there was anything of this magnitude done in the past and E. Wangolo advised that there was a 2005 study that combined Berks and Schuylkill counties, and she believed it was called The Viability of Agriculture in Berks and

Schuylkill Counties, and that what came out of it was three pillars: suggestion to create an organization, something like B.A.R.N, one to create an Ag Coordinator Position, and E. Wangolo and K. Fies did not remember the third, but offered to get back to the board regarding.

- E. Wangolo also noted that this 2005 study was done with primarily focus groups, and the 2024 Ag Study is a data driven analysis using the National Agricultural Census and IMPLAN data.

#### B. Upcoming Events

- E. Wangolo reminded the Board of the following upcoming events and noted that information was provided in the Board packet:
  - i. Agriculture and Natural Resources Career and Job Fair on November 14, 2024, and that as of this meeting there are 24 exhibitors signed up.
  - ii. Tire Collection on November 7, 2024
  - iii. Discover Ag live podcast event at the Miller Center at RACC on September 26, 2024.
- Staffing Updates
  - i. E. Wangolo introduced Rachel Painter as the new Office Support IV in the Berks County Department of Agriculture and noted that she is who will be sending out the Board emails going forward, and who the Board members will be communicating with going forward.
  - ii. E. Wangolo also noted that as of October 8, 2024, she will be stepping down as Executive Director of the Berks County Department of Agriculture.

**VII. CITIZEN COMMENT / BUSINESS FROM THE FLOOR** – The member of the public appreciated the opportunity to learn what was going on, how meetings work, and what boards exist.

#### **EXECUTIVE SESSION**

#### **RESUMPTION OF REGULAR MEETING**

**Motion:** A motion was made to offer the cap of \$2,800 to the landowners of Dockets #2410, #2409, #2402, and #2401. (J. Coker, J. Meck)

**Discussion:** None.

**Vote:** Motion carried unanimously.

**Motion:** A motion was made to adjourn the meeting at 6:30 PM. (J. Meck, K. McGrath)

**Discussion:** None.

**Vote:** Motion carried unanimously.

Respectfully submitted,

Rachel Painter  
Office Support

DRAFT