



Members:



Berks County Agricultural Center
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<u>County Commissioners:</u> Christian Y. Leinbach, Chair Ziegenfus, Ph.D. Michael S. Rivera	<u>Board Members:</u> Gregg Eshelman, Chair David L. Phillips, Vice Chair	Morgan A. Firestine Kimberly J. McGrath	Steven C. Mohn Clyde A. B. Myers	<u>Ex Officio:</u> Robert C. <u>Solicitor:</u>
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**Berks County Agricultural Land Preservation
Board Meeting
November 20, 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, November 20, 2024, at 5:30 p.m.

Board members present: Gregg Eshelman, James Coker, Dave Phillips, Steve Mohn, Jeremy Meck, Louise Swartley, Morgan Firestine, and Clyde Meyers.

Staff present: Kim Fies, Executive Director, Sam Bond ACE Easement Program Technician, and Rachel Painter, Office Support VI.

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

Gregg Eshelman called the meeting to order at 5:34 p.m.

I. PUBLIC COMMENTS ON AGENDA ITEMS – None.

II. APPROVAL OF MINUTES

- J. Coker noted that on page 4, second line, the word ‘work’ is missing between ‘might not *work* with the...’

Motion: A motion was made to approve the minutes of the October 30, 2024, meeting, as amended. (L. Swartley, S. Mohn)

Discussion: None.

Vote: Motion carried unanimously.

III. STATUS OF RECOMMENDATION UPDATES

- K. Fies stated that since Status of Recommendations was sent out, two moved from K to J. J being dockets #2402 and 2410. K. Fies stated that offers were made, and those offers were accepted, and that’s why they have moved up.
- K. Fies made the Board aware of some older ones at the top, A, B, and C. A is docket #0939 and currently has a subordination issue from 2021. K. Fies stated that they are working on some different options for docket #0939.

- K. Fies stated that docket #2103 in Section B is waiting for a right-of-way issue to be resolved. K. Fies also stated that M. Sprow looked over the language and found the language to work. K. Fies stated approval is being held onto by the State, and once that is done, things should move along quickly.
- K. Fies stated that under C, dockets #1902, #0818, and #1623 are all subordination issues and that when A. Burkard-Sell comes back, the Department will work on resolving those, and that docket #0714 is a conservation qualification issue, though K. Fies did also state that he did come into the Ag Department office to discuss, and should be moving forward soon.

IV. OLD BUSINESS

A. 2024 LESA Ranking Update

- K. Fies noted there is no update, no going forward. K. Fies stated there is one outstanding individual that is ranked in the top four or five. K. Fies stated that the Department is going to send staff out to meet with the owner to address some concerns he has before he signs and agrees to move forward and participate.
- K. Fies stated that the 2024 LESA rankings are done and wrapped up.

B. 80,000 Acre Milestone Celebration 2025 Update

- C. Meyers stated that he did talk to a gentleman from the Reading Phillies, and that the 17th as a date is not available due to a sponsor for the Phanatic. C. Meyers stated that the gentleman feels strongly that we will have the June 18th date but stressed that this information is not for public consumption.
- D. Phillips handed out a menu for Kathryn's Catering and stated that they had a discussion about being cut a break if the Board got vendors to supply some of the food, and stated that Kathryn's Catering is more of a banquet menu, rather than baseball food.
- C. Meyers discussed the fan giveaway, and that if the Board were to go through the Reading Phillies to produce those items, they would have staff to hand those out. If the Board decides to do something else, the Board will need to have staff on hand to hand out those items.
- D. Phillips noted that the Board needs around \$50,000 to do everything for this celebration.
- C. Meyers and S. Mohn discussed possible guest speaker, including the Governor of Pennsylvania, and the Secretary of Agriculture.
- C. Meyers brought up the possibility of a raffle, and D. Phillips noted that a Small Games of Chance license would need to be purchased for that, and that the price for one year depends on the dollar amount of the prizes.
- C. Meyers discussed the possibility of getting a singer to sing the Star-Spangled Banner.
- J. Meck stated that he will chair the Banquet Attendees Special Gift.
- R. Painter volunteered to take the names of sponsors and put together an Excel sheet for the board.

V. NEW BUSINESS

A. Conveyance Report

- K. Fies reported on the transfers of ownership:

- Section A: 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' attorney. No action by the Board is required at this time.
 - Settlements #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.
- Section C: Outstanding Violations – None to report.
- Section D: None to report.

B. Riparian Easement Review

- K. Fies stated that a family approached her about a company coming out and offering to do a Riparian buffer, and that they wanted to give them \$8,000 an acre and wanted family to sign the documents that day.
- K. Fies stated that most of the area is wooded and not accessible, or steep, and inappropriate for animals to be in. K. Fies stated the company proposed doing stream bank stabilization and remediation, along with placing fences, and along with coming up with a native tree and shrub planting area that helps with habitat.
- K. Fies stated the company was Land and Water Solutions, LLC out of North Carolina. K. Fies stated that she asked landowner not to sign anything, and to please give her a chance to speak with Stephanie Zimmerman with the State.
- K. Fies stated that S. Zimmerman recognizes that this is a financial potentially to be a financial windfall for agricultural operations and recognizes that this has the potential to be an environmental benefit for the larger community.
- K. Fies also stated that the State needs to do some work on the legal document, and that the legal document would be perpetual, and avoid the use of the word 'easement'.
- K. Fies stated that to move forward, any project would need to be reviewed by the local board for their input and approval. Things that would be looked at by the local board would be the amount of land taking out of agricultural production and assuring that that amount of land would not be prohibitive to the economic viability of that farm.

VI. DEPARTMENTAL REPORT

A. Ag Study Update

- K. Fies stated that there is no update. There is a committee meeting in December, on the first Wednesday. They are working on finalizing the report and working on putting it into a more reader-friendly context. K. Fies also stated that she asked for more examples when the topic of bioeconomy, and how it would impact in Berks County.

B. Upcoming Events

- K. Fies. let the board know about the U.S. 250 Celebration coming up in 2026, and that there is a Berks 250 committee, on which Mary Shah is the chair, and Rachel Painter and Amanda Burkard-Sell are assisting.

- K. Fies stated that the Department is doing a promotion called Show Us Your Berks and looking for historic agriculture-related things like milk crates, milk jars, family photos, personal history, and more.
- K. Fies asked S. Bond to relay information about the Tire Collection event. S. Bond stated that we took 103,480 pounds of tires, which works out to 51.74 tons.
- K. Fies also stated how much of a success the Career Fair was, and how many people attended and the hard work that Ashley Rice put into it, and that overall, it was a super positive experience, and that the Department got a lot of positive feedback from exhibitors and attendees.
- K. Fies let the Board know that the agency, Adopt an Acre, created by some of the original BCALP Board members, is going to disband. K. Fies stated that their goal was to take farms that were adjacent to other farms but did not meet the minimum criteria and put easements on them. K. Fies stated that Adopt an Acre's language mirrored that of the Land Preservation, without the criteria. K. Fies stated that the Land Preservation has always done the inspections on these farms, and there was an agreement with Adopt an Acre to do so.
- K. Fies stated that they are working with Attorney Chris Hartman and the County to legally take over ownership of those easements.
- K. Fies stated that with that, we will be getting approximately \$24,148.14, and that back to the County but go right into the fund used to match at the State level next year.
- K. Fies stated that she received an email that the Berks County Community Foundation has a donor agreement of a gift, and that she spoke to some people the day before this meeting to talk about the language of the agreement, and to reiterate that the funds were for the purpose of facilitating the preservation of farmland and open space within Berks County in conjunction with the Berks County Conservancy, also known as Berks Nature.

VII. CITIZEN COMMENT / BUSINESS FROM THE FLOOR – No member of public attended.

EXECUTIVE SESSION

RESUMPTION OF REGULAR MEETING

Motion: A motion was made to offer the cap of \$2,800 to the landowners of Dockets #2002, (J. Meck, M. Firestine)

Discussion: None.

Vote: Motion carried unanimously.

Motion: A motion was made to adjourn the meeting at 7:32PM. (C. Meyers, D. Phillips)

Discussion: None.

Vote: Motion carried unanimously.

Respectfully submitted,

Rachel Painter
Office Support IV

DRAFT