



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 October 30, 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, Dave Phillips, Steve Mohn, Jeremy Meck, Louise Swartley, and Clyde Meyers.

Staff present: Kim Fies, Executive Director, Mary Shah, ACE Program Coordinator, and Rachel Painter, Office Support VI.

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

Dave Phillips, called the meeting to order at 5:37 p.m.

I. PUBLIC COMMENTS ON AGENDA ITEMS – None.

II. APPROVAL OF MINUTES

- No corrections or addendums necessary for September 25, 2024, meeting minutes.

Motion: A motion was made to approve the minutes of the September 25, 2024, meeting, as amended. (J. Coker, J. Meck)

Discussion: None.

Vote: Motion carried unanimously.

III. STATUS OF RECOMMENDATION UPDATES

- K. Fies stated there were no changes from the time they were delivered until meeting being held tonight. K. Fies stated that that they would have four appraisals to be reviewed in the Executive Session, those four being dockets 0714, 2408, 2411, and 2412.

IV. OLD BUSINESS

A. 2024 LESA Ranking Update

- K. Fies noted that currently we will not be moving down any further at this point. K. Fies stated that the department is waiting to hear back from some people, including 2311. D. Phillips inquired if the department was waiting on anyone if anyone was committed or noncommitted. M. Shah stated that 9306 and 1611 were not committed yet.
- K. Fies stated the 2103 is taking their time, that they are at the State Board level with it, but they do need to get a right of way recorded. K. Fies said they thought they could record it at the same time they did the deed of easement, but they didn't want to do that.
- S. Mohn inquired as to whether the department had any new applications. M. Shah stated that they have fourteen or fifteen new ones for next year, and that the department is up to fifty-five overall.

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B. 2025 Guideline Update State Approval

K. Fies reported that she and M. Shah attended the State Board meeting in the beginning of October, where they got approval for wording in the program guidelines to be that the deposit fee is to be the current cost of the appraisal. At this time, the contracted price is \$1,750 and will remain so for 2025. K. Fies stated that they had bumped it up from \$500 and the 2025 selections will be required a deposit fee of \$1,750. This passed through the State with no issue.

C. 80,000 Acre Milestone Celebration 2025 Update

- S. Mohn stated that they had met before the meeting and discussed obtaining chairs for various committees, and that the Board needs to think about the levels of giving, and what each level will include. S. Mohn also stated that the Board and its members need to think about the fan giveaway, what we would give away to various age groups, and what number that would be capped at, say the first 1,000 people. S. Mohn stated that the fan giveaway is between \$4,000 and \$7,000 so the Board needs to decide where they want to go on that level. S. Mohn also stated that there is a \$10,000 gift from the County of Berks, as well as a gift of \$12,000 from the Department of Agriculture.
- S. Mohn stated that the Board has \$22,000 so far, and that with the meal prices, giveaways, and special gifts, the budget is looking to be \$30,000 to \$35,000.
- S. Mohn stated that the meal ticket costs \$55 per person, and with around 400 people, that total comes to \$22,000. S. Mohn also stated that they are trying to get the tickets down to \$25.
- D. Phillips asked if the Board was to raise more money than the budget, where would the excess go — towards upgrading giveaways, or lowering the meal tickets. S. Mohn stated that would probably be a Board decision.
- S. Mohn stated they gave the Phillies three dates in June: Tuesday the 17th, Wednesday the 18th, and Thursday the 19th, and that the Phillies will pick the day and let the Board know, and that then the Board will have a timeline for fundraising.
- S. Mohn stated that by next meeting they would like people to volunteer for several committees. S. Mohn also asked that each member of the Board come back with five contacts so that no two people are calling the same person. The Board also discussed sponsors, both corporate and non-corporate.

D. Update on Participation Interest Letter

- S. Mohn stated that the letter campaign was not very successful. 40 letters were sent to non-preserved farms in Marion Township, and only one phone call was received, and that individual was ineligible.
- General belief is that most of the farms that were reached out to were Mennonite, and it may be a sect-related thing, or religion-related thing that keeps them from preserving their farms. Questions were raised as to what the issue might be, and some answers were that the Mennonite community did not trust the government, but that the newer, younger Mennonite community might be more open to preserving their farms.
- S. Mohn stated that most of the letters went to Mennonite farm owners, but not all of them.
- C. Meyers stated the letters went out to those farms because of their excellent soils.
- D. Phillips asked if there was anyone who could talk to farmers that are not in the program, in Marion Township.
- J. Meck stated that he has seen a lot of farms being preserved in the Bethel area, and those are the same Mennonites, and does not think it's to do with the Church. S. Mohn asked if he thought it was a personal preference, and J. Meck agreed.

V. NEW BUSINESS

A. Conveyance Report

- K. Fies reported on the transfers of ownership:
 - Section A: Transferred in Compliance – Settlements #491.0 and #492.0 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 #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: Settlement #562.0 FD has been resolved.

B. Set 2025 Meeting Calendar

- K. Fies noted that all Board members should have a copy in their packet. All months are fine except November and December, due to how the holidays of Thanksgiving and Christmas fall. Board decided to stay with the last Wednesday of every month, whereas the Board decided to have November's meeting on the 19th, and December's meeting on the 17th.

Motion: A motion was made to set the 2025 calendar. (J. Meck, L. Swartley)

Discussion: None.

Vote: Motion carried unanimously.

C. Ranking Review Question — Meadow Glen Farm, Docket #2406

- K. Fies stated that the department is working with a selected farm, and the C. Meyers and Ashley Rice spoke to owner about his plans for future of farm. Farm sits on about

130 acres. Owners want to build house in the middle of long slope and was advised that might not with the 2-acre curtilage and could cause issues in the future. Owner came back and asked if he could exclude 11 acres of his farm and change where he was going to build the house. K. Fies noted they did ask Brad to re-rank the farm, and the farm still rated high enough to be selected in this year's selection. K. Fies is seeking the Board's acknowledgement that the department can move forward with the excluded acres. K. Fies also noted he chose 11 acres so he could stay meet Clean and Green. D. Phillips stated that it seems reasonable to him and meets requirements.

Motion: A motion was made to continue with selection. (J. Coker, J. Meck)

Discussion: None.

Vote: Motion carried unanimously.

D. Landowner Request

- K. Fies presented the following easement modification request:
 - LP.121.1 (Hoover) — 139.3-acre farm in Tulpehocken Township, has submitted the following request:
 - Farm owner wants to replace existing residential structure., with another house. Drain field was not part of the original curtilage; K. Fies stated that there was probably not a drain system with the old house. K. Fies stated that the township engineer sent her an email, and asked if we had approved this yet, and she stated that it would be brought up at the Board meeting.

Motion: A motion was made to approve the easement modification. (J. Meck, J. Coker)

Discussion: None.

Vote: Motion carried unanimously.

VI. DEPARTMENTAL REPORT

A. Ag Study Update

- K. Fies stated that Pam Menet was going to attend but was unable to. K. Fies stated that she had a meeting on Friday morning to discuss the final draft version, and that there is a final committee meeting on November 18 for final wrap up and comments, and then the Board will be provided a final draft version by next meeting. S. Mohn asked if many things were changed, and K. Fies stated no, but that there were still questions about bioeconomy, what that meant, and what the intended output of that conversation was.
- K. Fies stated that the County continues to take advantage of the funding opportunities from state matching funds, so they reinforced the idea that Land Preservation was important, and language was made stronger in the study.

- C. Meyers asked if they could request a different picture on the front, since poultry is the County’s biggest industry, a picture of poultry could replace the goats. K. Fies said that if we had a picture of Berks County chickens, we could use that.

B. Upcoming Events

- K. Fies. reminded the Board of the following upcoming events and noted that information was provided in the Board packet.
 - i. Tire Collection on November 7, 2024, at Allegheny Salvage and Towing, most slots are filled up, and there are over 33 tons of waste tires already scheduled.
 - ii. Natural Resources Career and Job Fair on November 14th from 8:30a to 11:30a at the Leesport Farmer’s Market. K. Fies encouraged Board members to stop by if they’re free.

C. Staffing Updates

- L. Swartley asked about Emily Wangolo and K. Fies stated that she was no longer with the County, and that K. Fies was now Executive Director of the Berks County Department of Agriculture. L. Swartley asked if Amanda Burkard-Sell was coming back, and K. Fies stated that she will be back some time in November, and that no position moving can be done until Amanda returns.
- L. Swartley asked if there were people who could step in, and K. Fies stated no, that it is an all-hands-on-deck situation now, and that everyone jumps in to help wherever is needed.
- K. Fies stated that the County has allowed M. Shah to work some extra hours to help.
- L. Swartley wanted to personally thank everyone from the Department of Agriculture and stated that she thinks the staff are doing a wonderful job, and that she is in awe of what the Department does. K. Fies thanked her for that comment.

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 #2411, #2412, and #2408 (D. Phillips, S. Mohn)

Discussion: None.

Vote: Motion carried unanimously.

Motion: A motion was made to offer the cap of \$2,600 to the landowners of Docket #0714. (J. Coker, S. Mohn)

Discussion: None.

Vote: Motion carried unanimously.

Motion: A motion was made to adjourn the meeting at 7:46PM. (D. Phillips, L. Swartley)

Discussion: None.

Vote: Motion carried unanimously.

Respectfully submitted,

Rachel Painter
Office Support IV

DRAFT