



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
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 February 26, 2025, 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, February 26, 2025, at 5:30 p.m.

Board members present: Gregg Eshelman, Dave Phillips, Jim Coker, Clyde Myers, Louise Swartley, Kim McGrath, Morgan Firestine, and Steve Mohn.

Staff present: Kim Fies, Executive Director, Amanda Burkard-Sell, Deputy Director, Mary Shah, Agriculture Program Manager, and Rachel Painter, Office Support IV.

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

Gregg Eshelman, Chair, called the meeting to order at 5:36 p.m.

I. PUBLIC COMMENTS ON AGENDA ITEMS – None.

II. APPROVAL OF MINUTES

- D. Phillips noted that under B. Certification of Funds, that the number from the State had too many zeroes. Error has been amended in previous month's minutes.

Motion: A motion was made to approve the minutes of the December 18, 2024, meeting, as amended. (D. Phillips, L. Swartley)

Discussion: None.

Vote: Motion carried unanimously.

III. STATUS OF RECOMMENDATION UPDATES

- A. Burkard-Sell noted that there were no changes made to that was sent with Board meeting notice.
- Under letter D, docket #2302 Settlement was held on January 22, 2025, also the first preserved farm in Ontelaunee Township.
- Letter G, docket #2308, one farm is going to February State Board meeting.
- Two other farms are not ready yet, they will proceed at the April State Board meeting.

- Also under letter M, there are two appraisals to review in Executive Session, docket #1406 and #2403.

IV. OLD BUSINESS

A. Report on Certification of County Funding for 2025

- A. Burkard-Sell stated that the total amount requested \$1,054,655.
- A. Burkard-Sell explained that \$1,000,000 came from County General fund, plus \$30,307 from Clean and Green interest roll-back penalties, and \$24,348 in donations, the majority of which came from Adopt An Acre, and \$200 from donation in memory of David Thun.
- G. Eshelman asked when does the state funding come in, and K. Fies stated they are required to have the County give total they're going to commit, which is then submitted to state by January 31, and then at the February State Board meeting they will tell us what their match will be.
- K. Fies explained that we have been averaging about 2-to-1 commitment from the State.
- K. Fies also explained that there is a lot of variables in their formula, and that it is not easily explained.

B. 80,000 Acre Milestone Celebration Update

- D. Phillips has a possible \$2,500 from Fulton Bank, \$1,000 from Herbein, and a possible donation from Tompkins Bank.
- G. Eshelman has a donation of \$5,000 from Bernie Morrissey Insurance, and feelers out to Customers Bank, Scott Sechler, Joe Jurgielewicz & Sons, and Spotts, Stevens, and McCoy.
- Suggestion was made to customize packages if needed; cannot have too many \$5,000 sponsors, there is not enough room on the cup for too many sponsors.
- Discussion was had about the banquet giveaway, and having more than one gift since most people will come as couples. Board decided to go forward with the cutting board and the candy jar. Discussion was also had about center pieces for the tables.
- Discussion was also held about speakers, program flyers, and other committees.
- K. Fies went through the sponsor list and wrote down the names of Board members who volunteered to talk to those companies about donations.

C. Municipal Letter, 2nd Round

- Clyde and Steve asked for this to be tabled.

V. NEW BUSINESS

A. Announcement of BCALPB Chair

- G. Eshelman was re-appointed as Board Chair.

B. Announcement of Re-Appointment of Board Members

- K. McGrath, J. Meck, and S. Mohn were re-appointed as Board Members.
- K. Fies stated the Commissioner Leinbach reappointed K. McGrath, Commissioner Rivera reappointed G. Eshelman, and Commissioner Santoni reappointed J. Meck and S. Mohn.

C. Election of 2025 BCALPB Vice Chair

- K. McGrath made the nomination to keep D. Phillips as Vice Chair.

Motion: A motion was made to approve the keeping of D. Phillips as Vice Chair. (K. McGrath, J. Coker)

Discussion: None.

Vote: Motion carried unanimously.

D. Setting of the 2025 Agricultural Conservation Easement Purchase Cap

- A. Burkard-Sells states that as a reminder, every year the Board sets the per-acre easement purchase cap.
- Last year the Board raised the cap to \$2,800 per acre. In previous years it had been \$2,600 for 2 years, and \$2,500 before that.
- Average appraisal value increased slightly from 2023 to 2024.
- G. Eshelman asked if a farm appraises below the cap, can we still offer the cap? A. Burkard-Sell stated the Board can only offer appraised value. A. Burkard-Sell went on to explain that if it appraises above the cap, they can only get the cap, but they can take the difference as a charitable tax contribution.

Motion: A motion was made to keep the cap at \$2,800. (J. Coker, K. McGrath)

Discussion: None.

Vote: Motion carried unanimously.

E. Setting of the 2025 Agricultural Conservation Easement Purchase Interest Rate

- A. Burkard-Sell stated that the Board must set the Interest Rate for easement purchases, which has been zero for a long time because we do not earn interest on any funds.

Motion: A motion was made to keep the interest rate at zero. (S. Mohn, J. Coker)

Discussion: None.

Vote: Motion carried unanimously.

F. Conveyance Report

- A. Burkard-Sell states that under letter A, all farms have transferred in compliance.
- #1 is listed as 124.1.RS because that is the execution of the approved residential subdivision, and that is how the Department is keeping track of it.
- Under letter B, deeds for Settlement #322.0 have been reviewed but not recorded, according to M. Sprow.
- A. Burkard-Sell states that they have reviewed draft deeds of Settlement #749.1 and #749.2 under letter B, and everything is moving forward, albeit slowly.

G. Landowner Request – Requires Board Action

Easement Modifications – LP.477.0 Schwalm - Person Use Structure – As-Built

- K. Fies states this is within the curtilage.

- There is no language in the guidelines that allows for the construction of any building for the purpose of anything other than agriculture use, but under the guidance of the State, they are permitted within the curtilage.
- Inspection was conducted, noted changes made, Tulpehocken township asked landowner if he got any permission from BCALP to do any changes, farmer said no.
- Landowner added a pool within curtilage, K. Fies stated that the department has to be careful with pools, finding recently that pools come as oasis spas, grottos, landscaping, etc.
- **Motion**: A motion was made to approve personal use structure within the curtilage of LP.477.0. (K. McGrath, D. Phillips)
- **Discussion**: None.
- **Vote**: Motion carried unanimously.

H. Landowner Request - Requires Board Action

Easement Modifications – LP.163.0 Lehman - Addition to existing Resid. Structure

- Addition to existing residence within the curtilage in Upper Tulpehocken Township, landowners have approvals from municipality.
- 20x50 addition to existing farm structure, 100 feet from all property lines.
- K. McGrath asked if they were building on top of the septic, and K. Fies replied that they are using existing septic.
- **Motion**: A motion was made to approve the addition to the existing residential structure. (K. McGrath, D. Phillips)
- **Discussion**: None.
- **Vote**: Motion carried unanimously.

VI. DEPARTMENTAL REPORT

A. Ag Study Update

- K. Fies stated that on Tuesday, January 28, 2025, Pam provided PowerPoint and presentation to commissioners at the Operations meeting, reviewing the Grow Berks ag document. K. Fies stated that is available as a link on the Department of Agriculture website.
- K. Fies stated Board will be provided a copy of the document, and that the advisory meetings will be ongoing.
- Plan does support land preservation, identifies land availability as an important concern and something that needs to be maintained throughout County to ensure the economic viability of industry.
- The land preservation part of the Department of Agriculture needs include looking at helping transition farms, funding for young and new farmers, identified those as weaknesses in Berks County.

- Deadline for ranking for the ACE program was Dec 31, reviewing applications, on track to have the ranking presented for the Board at the March meeting.
- 62 applicants, 20 new applicants this year.

B. Upcoming Events

- National Ag Day on March 18, 2025. K. Fies stated that the first plan is to go to Kempton and do Kempton Historical Society and the history of potato farming. Should that not be viable, a second plan is at the Heritage Center and take people through the Gruber Wagon Works.
- Ag Literacy Week. K. Fies stated that Department of Agriculture has purchased 175 books, and that it is directed at kindergarten through third grade, and that people volunteer to read the book and do an ag-related activity, and book stays with the classroom.
- K. Fies mentioned that the department is putting together the first ever Berks County Pop-Up Farmer's Market at the September 6th Farm Fest at the Heritage Center held by the Parks department.
- K. Fies stated that the department would get a big tent in case it's a rain/shine event and promote different agriculture products from local Berks County producers.
- Mark Weber in Brecknock township, farm recognized at the 2025 Farm Show for a Bicentennial Farm, which has been in family for 240 years.
- Mark is going to host a celebration on September 13th, wants to promote strength, diversity, and history of agriculture as a whole in Berks County, K. Fies anticipates the Board receiving invitations.

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

EXECUTIVE SESSION

RESUMPTION OF REGULAR MEETING

Motion: A motion was made to offer the cap of \$2,800 to the landowners of Dockets #1406 and #2403. (D. Phillips, J. Coker)

Discussion: None.

Vote: Motion carried unanimously.

Motion: A motion was made to adjourn the meeting at 8:00 PM. (J. Meck, K. McGrath)

Discussion: None.

Vote: Motion carried unanimously.

Respectfully submitted,

Rachel Painter
Office Support IV

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