



BERKS COUNTY *agricultural land* PRESERVATION BOARD

Berks County Agricultural Center
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County Commissioners:

Christian Y. Leinbach, Chair
Michael S. Rivera
Lucine E. Sihelnik

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.

Minutes from the May 31, 2023, Meeting

The Berks County Agricultural Land Preservation Board (Board) held a regular monthly meeting on Wednesday, May 31, 2023, at 7:00 PM at the Berks County Agricultural Center and via virtual platform “**Microsoft Teams**.” Gregg Eshelman, Chair, called the meeting to order at 7:00 PM. Board members present included Gregg Eshelman, Louise Swartley, Kimberly McGrath, Clyde Myers, Steven Mohn, James Coker, and David Phillips. Also, in attendance were Mark Sprow, Esq. Special Counsel for the Board. Staff: Emily Wangolo, Executive Director; Kimberly Fies, Deputy Director; Amanda Burkard-Sell, Agriculture Program Manager.

I. PUBLIC COMMENTS ON AGENDA ITEMS – None.

II. APPROVAL OF MINUTES

Motion: A motion was made to approve the minutes of the April 26, 2023, meeting, as drafted. (D. Phillips, J. Coker)

III. STATUS OF RECOMMENDATION UPDATES

- A. Burkard-Sell highlighted several items on the *Status of Recommendations*: Settlements were held earlier in May for Dockets #2016, #1102, #2019, and #1117. Dockets #2202, #2204, and #2208 will be submitted to the State Board in June. Dockets #2302, #2304, and 1334 will be reviewed in the Executive Session. The remaining farms are in process.

IV. OLD BUSINESS

A. Settlement #432.0 Swinsinski – ACE Program Violation

- No status update at this time.

B. 2023 LESA Ranking – Second Selection

- A. Burkard-Sell reported during the first round of selections, seven (7) of the thirteen (13) landowners had withdrawn. During the second round of selections, three (3) of ten (10) landowners had withdrawn. This allowed the selection to continue, and letters were sent to the landowners of #24 - #26 as funding allowed. Staff is waiting for responses for these selected. The process is expected to be completed by end of June/early July.

V. NEW BUSINESS

A. Conveyance Report

- A. Burkard-Sell reported on the transfers of ownership:
 - Section A: Transferred in Compliance – Settlement #602.0 and #615.0.
 - Section B: Transferred with Concerns Noted – None to report.
 - Section C: Outstanding Violations - None to report.
 - Section D: Transfers Resolved – Settlement #67.0 and #26.0 have been resolved with a corrective deed recorded.

B. Proposed Legislation: Senate Bill 288

- A. Burkard-Sell reviewed a summary of amended Senate Bill No. 288. A summary of the proposed changes include; *1) Changes state minimum contiguous acreage for application from 50 acres to 25 acres; 2) Simplifies reference of “qualified organization;” 3) Changes county minimum contiguous acreage for application to permit a tract of less than 10 acres when the tract is either utilized for a crop unique to the area adjacent to a preserved farm; 4) Permits subdivision of a tract of preserved farmland of less than 10 acres if the tract is merged with contiguous preserved farmland; 5) Would require 10% of realty transfer tax to be deposited into the Agricultural Conservation Easement Purchase Fund.*
 - C. Myers inquired if there was anything similar House legislation; A. Burkard-Sell will investigate.
 - D. Philips inquired about the number of applicants in 2013 in comparison to 2023; A. Burkard-Sell will investigate.

After a discussion of how this change in legislature would impact the program in Berks County, the Board decided to table any decisions until the next meeting before submitting recommendations to the PA Farmland Preservation Association.

C. Governor’s Proposed Budget Increase: Bureau of Farmland Preservation

- A. Burkard-Sell reported on the State’s proposed \$2.5 million increase to the Pennsylvania’s Agricultural Land Preservation Program budget. \$500,000 is earmarked for staffing at the State Bureau of Farmland Preservation and the remaining funds will be to counties for monitoring and enforcement expenses to be used at their discretion. After discussion, the board has decided not to write a letter to PA. Dept. of Ag., Bureau of Farmland Preservation in support of the additional funding. Questions regarding how the increase in funding would be realized and the implication on taxes would not be resolved in time for voting on the budget.

VI. DEPARTMENT REPORT

- K. Fies informed the board that state had put out a recommendation not to inspect poultry operations due to HPAI (Highly Pathogenic Avian Influenza) outbreak, although there are currently no quarantine areas in Berks County. There are at least over 100 properties in the Berks program. The guidelines are being followed by not going near poultry buildings and farm reviews are being accomplished by roadside if allowable.
 - L. Swartley inquired how the addition of the two new Inspectors going. K. Fies responded that under the present method of assigning and logging inspection information is a bit more cumbersome than initially anticipated. A resolution to this issue is currently being investigated with the implementation of new time-

saving software. In long run, it will be highly beneficial to build additional relationships with our landowners and to have extra eyes on problem areas.

- E. Wangolo updated the board on the *Grow Together* website which was launched earlier this year in partnership with the Greater Reading Chamber Alliance (GRCA). The site currently hosts an event calendar and will soon offer a new local food map which is a useful tool for our community in the county to get out and shop for local businesses. The Berks County Food map currently lists about 166 locations with new ones being added and updated on a regular basis. A link to the site will be available on the County website and can be found at <https://www.growtogetherberks.com>.
- E. Wangolo announced an upcoming professional development event for teachers and school administrators in June. They will receive a 3-day tour of Berks County to help better understand what the ag industry entails so that they can help guide students and show them the opportunities that may be in the agricultural industry.

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

- D. Phillips questioned as to whether the Board wished to resume the Subcommittee meetings. K. Fies responded that staff would organize and schedule with board members and County IS staff in the upcoming week.

EXECUTIVE SESSION

RESUMPTION OF REGULAR MEETING

Motion: A motion was made to offer the cap of \$2,600 per acre to Dockets #1334, #2302, #2304, all contingent upon pre-applicant site visit (J. Coker, K. McGrath)

Discussion: None.

Vote: Motion approved.

Motion: A motion was made to adjourn the meeting at 8:35 PM. (J. Coker, S. Mohn)

Discussion: None.

Vote: Motion approved.

Respectfully submitted,

Jennifer Leigh Smilko
Office Support