



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.

Meeting Minutes from June 28, 2023

The Berks County Agricultural Land Preservation Board (Board) held a regular monthly meeting on Wednesday, June 28, 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, Morgan Firestine, James Coker, Jeremy Meck, 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 May 31, 2023, meeting, as drafted. (J. Coker, J. Meck)

III. STATUS OF RECOMMENDATION UPDATES

- A. Burkard-Sell highlighted several items on the Status of Recommendations: Dockets #0336 and #1907 status has changed since being distributed to the Board, their settlements are now scheduled for July 12, 2023; Dockets #2203, #1911, and #2210 are being prepared for recommendation to the State Board in August; Dockets #0907, #0908, and #0909, 2022 Sections, have withdrawn. due to this withdraw, additional funds have become available which are reflected in the updated 2023 ranking sheet; Docket #2003 landowner has passed away. The executor of the estate has asked for survey work to be paused until decisions regarding the farm can be made by the July board meeting; Appraisals for Dockets #2105 and #9417 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. Guideline Review Update

- A. Burkard-Sell reported the additional wording and terminology changes made to the guidelines regarding pre-selection site visits and requiring a survey for every farm were submitted to the State Board at their June meeting, were approved. Work continues on submitting the changes that were previously approved by the County Board.

C. 2023 LESA Ranking Update

- A. Burkard-Sell reported, as mentioned earlier, Dockets #0907, #0908, and #0909 have withdrawn, resulting in additional funding now available from the 313.63 acres, which allowed selections to continue. Letters were sent to the landowners of #27 - #33 as funding allowed.

D. Proposed Budget Increase for Farmland Preservation Update

- At the June meeting, the Board had questions regarding how the Governor's proposed increase for farmland preservation in the 2023-2025 budget would be realized and the implication it would have on taxes. A. Burkard-Sell reported through her research, it was determined that the proposed funding increase would come from General Fund Revenue and not an increase in taxes. A. Burkard-Sell also noted the PA Farmland Preservation Assoc. surveyed other counties regarding the proposed increase and an overwhelmingly number of answers received was, yes, with a large majority of them planning on using the funding towards additional staffing and monitoring costs.

Motion: A motion was made to write a letter to PA. Dept. of Ag., Bureau of Farmland Preservation in support of the additional Farmland Preservation funding proposed in Gov. Josh Shapiro's 2023-2024 budget proposal provided taxes are not affected (J. Coker, J. Meck)

Discussion: None.

Vote: Motion approved.

V. NEW BUSINESS

A. Conveyance Report

- A. Burkard-Sell reported on the transfers of ownership:
 - Section A: Transferred in Compliance – Settlement #738.0 and #559.0.
 - Section B: Transferred with Concerns Noted – None to report.
 - Section C: Outstanding Violations - None to report.
 - Section D: Transfers Resolved – None to report.

VI. DEPARTMENT REPORT

- Continual Learning Opportunities for Board Members
 - E. Wangolo proposed in lieu of subcommittee meetings the staff has recommended continual learning workshops for Board Members in the form of 30-minute sessions to be held immediately before each board meeting. Members would be able to attend in person or virtually. Topics of the workshops would essentially cover the ACE program guidelines. The first meeting is proposed to be held at 6:30 p.m. prior to the August 30, 2023, meeting. Subcommittee meetings will resume if there is a specific need or a topic to discuss.
- Easement Modification - Settlement #278.0 – Agricultural Structure
 - K. Fies reported the landowners are requesting to construct a 40' x 60' Run in Shed to house horses and store hay.
 - This request to construct an ag structure complies with the terms of the Deed of Easement.

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

EXECUTIVE SESSION

RESUMPTION OF REGULAR MEETING

Motion: A motion was made to offer the cap of \$2,600 per acre to the landowners of Dockets #2105 and #9417 (J. Coker, D. Phillips)

Discussion: None.

Vote: Motion approved.

Motion: A motion was made to allow Dockets #2004 and #2309 to amend their applications with provision that they be reranked (J. Coker, J. Meck)

Discussion: None.

Vote: Motion approved.

Motion: A motion was made to direct the staff to conduct an inspection at Settlement #113.0 to review the building usage to report back to the Board (D. Phillips, J. Coker)

Discussion: None.

Vote: Motion approved.

Motion: A motion was made to proceed with the draft position statement proposed by E. Wangolo addressed to the Berks County Commissioners from the Board regarding the Ontelaunee Township request for off-cycle amendment to the Berks County Comprehensive Plan but to exclude the second paragraph in its entirety (J. Coker, J. Meck)

Discussion: None.

Vote: Motion approved.

Motion: A motion was made to adjourn the meeting at 9:06 PM. (J. Coker, L. Swartley)

Discussion: None.

Vote: Motion approved.

Respectfully submitted,

Jennifer Leigh Smilko
Office Support