



BERKS COUNTY *agricultural land* PRESERVATION BOARD

Berks County Agricultural Center
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County Commissioners:

Christian Y. Leinbach, Chair
Kevin S. Barnhardt
Michael S. Rivera

Board Members:

David L. Phillips, Chair
James R. Coker, Vice Chair
Gregg Eshelman

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 August 31, 2022 Meeting

The Berks County Agricultural Land Preservation Board (Board) held a regular monthly meeting on Wednesday, August 31, 2022, at 7:00 PM via virtual platform “**Microsoft Teams.**” David Phillips, Chair, called the meeting to order at 7:01 PM. Board members present included James Coker, Gregg Eshelman, Morgan Firestine, Kimberly McGrath, Steven Mohn, Louise Swartley, and David Phillips. Clyde Myers joined during the meeting. Also, in attendance were Mark Sprow, Esq. Special Counsel for the Board; Staff: Amanda Burkard-Sell and Kimberly Fies; Emily Wangolo, Deputy Director; and Tami Hildebrand, Executive Director.

I. PUBLIC COMMENTS ON AGENDA ITEMS – None.

II. APPROVAL OF MINUTES

Motion: A motion was made to approve the minutes of the July 27, 2022, meeting, as drafted. (L. Swartley, M. Firestine)

Discussion: None

Vote: Motion carried unanimously.

- The minutes from the Subcommittee meeting on August 3, 2022 were also discussed and no additional comments were offered. The next Subcommittee meeting is scheduled for Wednesday, September 7, 2022.

III. STATUS OF RECOMMENDATION UPDATES

- T. Hildebrand reported that there had been no changes since the Status of Recommendations was distributed to the Board.
- Hildebrand informed the Board that the deadline for the landowner of Docket #0336 had passed but that the landowner had been in communication with staff and the County’s Assistant Solicitor, David Peris, Esq. and that the issue is currently being worked on.

IV. OLD BUSINESS

A. Update: August 3, 2022 Subcommittee Meeting

- D. Phillips reported that the Subcommittee had met on August 3, 2022 and the discussion was reflected in the minutes that were distributed. Phillips confirmed the date of the next Subcommittee meeting as September 7, 2022 at 10:00 am.

B. No Update: Soil Health Education Grant Workshop

- T. Hildebrand reported that there was no further update on the Soil Health Education Grant Workshop.

C. No Update: Settlement #432.0 Swinsinski – ACE Program Violation

- T. Hildebrand reported that Attorney Sprow had provided a draft letter for review and that the letter was reviewed and will be sent to the landowner.

D. Update: Settlement #517.0 Schwegmann – ACE Program Violation

- T. Hildebrand reported that the letter that had been sent by Attorney Sprow did not expressly state that the farm was in violation of the easement. Hildebrand added that the landowner had responded with a letter in which she stated that she did not agree with the content of the Solicitor's letter in that she felt that she was not contacted multiple times regarding the issue. Hildebrand added that the issue still has not been addressed with a corrective deed and suggested that Attorney Sprow send a second letter confirming that the farm was in violation and that the issue must be addressed.
- G. Eshleman also offered to personally contact the landowner to discuss the issue.
- The Board agreed that both courses of action should be taken.

V. NEW BUSINESS

A. Conveyance Report

- T. Hildebrand reported on the transfers of ownership:
 - Section A: Transferred in Compliance – None to report
 - Section B: Transferred with Concerns Noted
 - Settlement #517.0, the deed of easement was omitted when recorded; Hildebrand had reported on the situation earlier in the meeting.
 - Settlement #352.0: the title company has been in contact and are in the process of resolution; no action by the Board is required at this time.
 - Section C: Outstanding Violations - None to report.
 - Section D: Transfers Resolved – Settlements #708.0 and #434.0 have been resolved.

VI. EXECUTIVE DIRECTOR'S REPORT

- T. Hildebrand reported on the State statistics that had been distributed following the August 25, 2022 State Board meeting:
 - Total number of farms approved-to-date for preservation in PA: 6,094
 - Total number of acres approved-to-date for preservation in PA: 614,667
 - Total number of farms approved-to-date for preservation in Berks County: 806
 - Total number of acres approved-to-date for preservation in Berks County: 77,259
 - Hildebrand added that on August 24, 2022, Berks County had settlement on the 800th farm to be preserved in the County and thanked the Board for their participation in achieving this milestone.

VII. 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 #2003, #2203, and #1911 (S. Mohn, K. McGrath).

Discussion: None

Vote: Motion carried unanimously.

- D. Phillips reminded the Board that the next meeting is scheduled for September 28, 2022 and that the deadline for the meeting agenda is September 14, 2022. Phillips confirmed that meetings will continue to be held via Microsoft Teams.

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

Motion: A motion was made to adjourn the meeting at 7:49 PM. (G. Eshelman, K. McGrath)

Discussion: None.

Vote: Motion approved.

Respectfully submitted,

Signature on file.

Amanda K. Burkard-Sell
ACE Program Coordinator