



BERKS COUNTY *agricultural land* PRESERVATION BOARD

Berks County Agricultural Center
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County Commissioners:

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Michael S. Rivera

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Gregg Eshelman

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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 September 28, 2022 Meeting

The Berks County Agricultural Land Preservation Board (Board) held a regular monthly meeting on Wednesday, September 28, 2022, at 7:00 PM via virtual platform “**Microsoft Teams.**” James Coker, Vice Chair, called the meeting to order at 7:05 PM. Board members present included James Coker, Gregg Eshelman, Kimberly McGrath, Clyde Myers, and Louise Swartley. 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 August 31, 2022, meeting, as drafted. (L. Swartley, G. Eshelman)

Discussion: None

Vote: Motion carried unanimously.

- The minutes from the Subcommittee meeting on September 7, 2022 were also acknowledged and no additional comments were offered.

III. STATUS OF RECOMMENDATION UPDATES

- T. Hildebrand reported that there had been several changes since the status of recommendations had been submitted to the Board: Docket #1724 had gone to settlement on Monday, September 26, 2022; Dockets #2019 and #1102 are planned for the December 15, 2022 State Board meeting; and the acreage had been updated for Dockets #1337 (58.8 acres) and #1102 (25.9 acres).
- C. Myers questioned as to whether the offers accepted were from the appraisals reviewed at the last meeting. Hildebrand clarified that those offers were still within their 30-day response period.

IV. OLD BUSINESS

A. No Update: Soil Health Education Grant Workshop

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

C. Update: Settlement #432.0 Swinsinski – ACE Program Violation

- T. Hildebrand reported that Attorney Sprow had sent a letter to the landowners of Settlement #432.0 on September 6, 2022, and no response had been received to date.

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

- T. Hildebrand reported that Attorney Sprow had sent an additional letter to the landowner of Settlement #517.0 on September 7, 2022, and that the matter will be reported on in the Conveyance Report.
- C. Myers questioned as to whether a deadline had been provided to the landowners of Docket #432.0. Attorney Sprow reported that he had not provided a specific deadline but had requested the necessary information as soon as possible.

V. NEW BUSINESS

A. Conveyance Report

- T. Hildebrand reported on the transfers of ownership:
 - Section A: Transferred in Compliance – Settlements #8.0 and #54.2.
 - Section B: Transferred with Concerns Noted – None to report.
 - Section C: Outstanding Violations - None to report.
 - Section D: Transfers Resolved – Settlements #517.0 and #352.0 have been resolved. Hildebrand thanked the Board members for any assistance received in ensuring that Settlement #517.0 was corrected.

B. PENNVEST – Fairview Mobile Home Park Seeking to Connect to Authority Sewer System at Hillcrest Collection System

- T. Hildebrand reminded the Board that any requests for PENNVEST funding were submitted to the Board as part of the review process. Hildebrand clarified that the Board's responsibility was to either recommend or not recommend funding for a project based upon its impact to agricultural land.
- Hildebrand outlined a request for PENNVEST funding for the Fairview Mobile Home Park in Centre Township to connect to the sewer authority at the Hillcrest Collection System at an existing development across the street. Hildebrand added the engineering firm had already received support for the project from Centre Township, PA DEP, and the Berks County Planning Commission.
- Hildebrand further explained that the current onsite private collection system was malfunctioning and would be removed, and a new collection system would be installed that connected to the sewer authority.
- Hildebrand added that the site was developed and not enrolled in an Ag Security Area. The site is adjacent to a 58.8-acre farm preserved in August 2008 and currently owned by David and Rosene Good. The site is within a two-mile radius of 1,600 acres of preserved farmland, however the overall impact to the surrounding agricultural land would be minimal.

Motion: A motion was made to recommend the proposed connection of the Fairview Mobile Home Park to Authority Sewer System at Hillcrest Collection System for PENNVEST funding. (K. McGrath, G. Eshelman)

Discussion: C. Myers questioned as to what will happen to the current collection site. T. Hildebrand clarified that a portion will be abandoned, and a portion will be removed. Myers also questioned as to the ownership of an adjacent parcel to determine if more mobile homes would be installed. Hildebrand noted that the ownership is different, and the request does not indicate any additional mobile homes.

Vote: Motion carried unanimously.

VI. EXECUTIVE DIRECTOR'S REPORT

- T. Hildebrand present the following request for modification of the easement:

- Settlement #118.0 (Rohrbach) 150.8 acres in Longswamp Township – a request had been received to construct a 30’ x 50’ ag equipment shed. This request to construct an ag building is permitted under the deed of easement.

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 #2103, #0818, and #1715 (G. Eshelman, K. McGrath).

Discussion: None

Vote: Motion carried unanimously.

- C. Myers reported that the next *Reading Eagle* article highlighting a preserved farm was scheduled for Wednesday, October 5, 2022, and would feature a vineyard / winery in Kempton. Myers added that due to staffing issues at the *Reading Eagle*, the articles will be spaced out further than monthly.
- J. Coker reported that he had been awarded a ‘Friend of the Fair’ citation at the Oley Fair by PA Secretary of Agriculture Russell Redding.

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

Motion: A motion was made to adjourn the meeting at 8:12 PM. (G. Eshelman, L. Swartley)

Discussion: None.

Vote: Motion approved.

Respectfully submitted,

Signature on file. Signature on file.

Amanda K. Burkard-Sell
ACE Program Coordinator