



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.countyofberks.com/dept/deptofag

County Commissioners:

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

Board Members:

David L. Phillips, Chair
James R. Coker, Vice Chair
Robert E. Kopfer

Robert B. Ludgate, Sr., PE, PLS
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 26, 2020 Meeting

The Berks County Agricultural Land Preservation Board (Board) held a regular monthly meeting on Wednesday, August 26, 2020 at 7:35 PM via virtual platform “**Microsoft Teams.**” David Phillips, Chair, called the meeting to order. Board members present included James Coker, Robert Kopfer, Kimberly McGrath, Steve Mohn, Clyde Myers, David Phillips. Also in attendance were Mark Sprow, Esq. Special Counsel for the Board; Amanda Burkard-Sell and Kimberly Fies, Staff 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 June 24, 2020 meeting, as drafted. (C. Myers, S. Mohn)

Discussion: None

Vote: Motion approved.

III. STATUS OF RECOMMENDATION UPDATES

- Tami Hildebrand reported that since this report was previously distributed to the Board that the only change is Docket #1616 has withdrawn from the 2020 LESA Ranking selection and indicated interest in being ranked in 2021.

IV. OLD BUSINESS

A. Settle. #1.0 – Kopfer Family Subdivision Request

- At the January 29, 2020 Board meeting, the Board approved the preliminary submission of the Kopfer Family’s proposed 2-acre subdivision of their 103-acre farm in Maiden Creek Township. Kopfer’s have now submitted final plans for the Board’s consideration. An engineer’s sketch was displayed for the Board’s review.
 - The Kopfer’s have submitted a request for a 1.5-acre subdivision that will include a house, well, septic system, and a driveway for their son David, who works on the farm. The subdivision would be accessible by Hoch Road.
 - This subdivision would relinquish the right to any further subdivision or the construction of any additional residential structure.
 - If this subdivision is approved the Board, it will be submitted to the State Board of Farmland Preservation for its consideration.
 - Kopfer provided information on outstanding issues:
 - They are getting a variance through the Township for the driveway;
 - They are also working with DEP to determine the level of nitrates present in the proposed subdivision area.

**Motion: A motion was made to approve the Kopfer Family 1.5-acre subdivision.
(K. McGrath, S. Mohn)**

Discussion: None

Vote: Motion approved; Kopfer abstained.

B. 2020 LESA Ranking - Second Selection

- Hildebrand emailed the results of the second selection of the 2020 LESA Ranking to the Board prior to the meeting.
 - She noted that five (5) of the 16 selected applicants, representing 439.54 acres, have withdrawn from the first selection with everyone indicating their continued interest in being ranked in 2021.
 - With those withdrawals, the funds forfeited by them provided the selection of applications beginning at #17 with a score of 54.16 to #30 with a score of 48.04.
 - To date, referring to section M. of the Status of Recommendations report, seven (7) applicants are within the 15-day response period, and therefore, she will report on their decisions at the September 30th meeting. Depending upon the applicant's responses, a third selection may be necessary.

V. NEW BUSINESS

A. Conveyance Report

- Hildebrand reminded the Board that a Conveyance Report had not been distributed since the February 26th Board meeting due to meeting cancellations and employee furloughs. Therefore, Amanda Burkard-Sell reviewed six months of real estate transfers to report on ACE Program transfers that have occurred since that time.
 - Settlement #'s: 579.0, 475.0, 627.0, 634.0, 653.0.FD, and 621.0 have transferred correctly;
 - Settlement # 660.0 – the transfer was done incorrectly; Amanda and Attorney Sprow have been in contact with the landowners and their attorney, respectively, to have it corrected, however, the attorney submits that there was no error, that it was done according to the law and refuses to correct it. Attorney Sprow will contact their attorney one more time.
 - Settlements #249.1 and 361.0 have resolved their transfer issues and are now correct.

B. Berks County Conservation District – Nominations for Farmer Director

- Hildebrand reminded the Board that it is a nominating organization for the Conservation District.
- Farmer Director, Glenn Seidel's term expires on December 31, 2020, however he is interested in continuing to serve; however, the County Commissioners are requesting additions candidates for their consideration.
- Clyde Myers asked for the names of those nominated for the USDA Farm Service Agency's County Committee and if any would be willing to serve on the District's Board. Hildebrand offered do we know who accepted that nomination?

**Motion: A motion was made to nominate Glenn Seidel, Kelly Dietrich, and Lynette Gelsinger as Farmer Directors to the Berks County Conservation District Board.
(J. Coker, R. Kopfer)**

Discussion: None

Vote: Motion approved.

VI. EXECUTIVE DIRECTOR'S REPORT

A. 75,000 Acres Preserved – PR Event

- An outline of the event create by Clyde Myers was distributed for discussion.
 - The Board agreed that it is too late to plan for this event to be held in September; October of early November would
 - The Board suggested that Commissioner Leinbach be contacted to discuss the possibility of holding a small PR event with PA Department of Agriculture's Secretary Russ Redding. Hildebrand will contact both Leinbach and Redding to inquire about their availability.

B. Easement Modification Requests

- Settlement #754.0 – Brandon Treichler
 - This 45.9 farm located in Richmond Township was preserved in August 22, 2019. Treichler is requesting to construct a 40'x80' or 3,200 square foot pole building as an agricultural equipment shed for farm machinery and the occasional storage of overflow hay and straw. This request is acceptable under the terms of the easement.

C. State Board of Farmland Preservation statistics from the August 20, 2020 meeting

- The statistics report was not received yet from the State Bureau, but Hildebrand reviewed the standings:
 - Total number of farms approved-to-date for preservation after the August 20th meeting: 5,756;
 - Total number of acres approved-to-date for preservation after the August 20th meeting: 586,884
 - Total number of farms preserved-to-date in Berks County after the August 20th meeting: 776
 - Total number of acres preserved-to-date in Berks County after the August 20th meeting: 75,170

D. Staff has returned to work

- Hildebrand commented that it is wonderful to have the staff resume working at what they do best since being furloughed in April; Welcome back, everyone!

VII. CITIZEN COMMENT / BUSINESS FROM THE FLOOR – None

EXECUTIVE SESSION

Motion: A motion was made to offer the cap of \$2,500 per acre to Dockets #2001, #2005, #2006, #2011, and #2026. (R. Kopfer, J. Coker)

Discussion: None.

Vote: Motion carried unanimously.

**Motion: A motion was made to adjourn the meeting at 9:00 PM.
(R. Kopfer, K. McGrath)**

Respectfully submitted,

Signature on file.

Tami S. Hildebrand
Executive Director