APPEARANCES

BRADLEY BECHTEL, ESQUIRE
PA Game Commission
2001 Elmerton Avenue
Harrisburg, PA 17110
Counsel for Pennsylvania Game Commission

ALSO PRESENT:
MATTHEW SCHNUPP, Director of Bureau of Wildlife Management
JASON DECOSKEY, Director of Bureau of Wildlife Protection
PETE SUSSENBACH, Director of Bureau of Wildlife Habitat Management
INDEX

DISCUSSION AMONG PARTIES  4 - 62
CERTIFICATE 63
PRESIDENT LAYTON: I'm going to call the meeting back to order. We're going to begin with the agenda, the voting agenda for today. At this time, I'm going to have to Secretary call the roll, please?

COMMISSIONER KNICK: Commissioner Layton?

COMMISSIONER LAYTON: Present.

COMMISSIONER KNICK: Commissioner Hoover?

COMMISSIONER HOOVER: Present.

COMMISSIONER KNICK: Commissioner Fox?

COMMISSIONER FOX: Present.

COMMISSIONER KNICK: Commissioner Mitrick?

COMMISSIONER MITRICK: Present.

COMMISSIONER KNICK: Commissioner Fredericks?

COMMISSIONER FREDERICKS: Present.

COMMISSIONER KNICK: Commissioner Foradora?

COMMISSIONER FORADORA: Present.
COMMISSIONER KNICK: Commissioner Schnepp-Giger.

COMMISSIONER SCHNEPP-GIGER: Present.

COMMISSIONER KNICK: Commissioner Knick, myself, here.

All present.

PRESIDENT LAYTON: I need a motion to approve the minutes from the meeting held July 23rd, 2019.

COMMISSIONER HOOVER: So moved.

PRESIDENT LAYTON: We have a motion. Do we have a second?

COMMISSIONER MITRICK: Second.

CHAIR: We have a motion and a second on the floor. Is there any discussion? Mr. Secretary, call the vote.

COMMISSIONER KNICK: All in favor?

AYES RESPOND

COMMISSIONER KNICK: Opposed?

Ayes have it, eight to nothing.

PRESIDENT LAYTON: Mr. Bechtel?

ATTORNEY BECHTEL: Thank you, Mr. President. The first item to come before the Commission today is from the Bureau of Wildlife Management concerning Proposed Rulemaking to amend
58 Pa. Code Section 139.4.

To effectively manage the wildlife resources and provide hunting and trapping opportunities in this Commonwealth during the upcoming license year. The Commission is proposing to amend Section 139.4 relating to seasons and bag limits for the license year. To provide updated seasons and bag limits for the 2020 through 2021 license year. The 2020 through 2021 seasons and bag limits have been amended to reflect current available scientific data, population and harvest trends, field surveys and professional staff observations as well as the recommendations received from staff, organized sporting groups, members of the agricultural community and others interested in the management of the wildlife resources of this Commonwealth.

For small game, earlier opening dates are proposed for youth in regular squirrel seasons to increase opportunity on this under-utilized species at a time when most other hunting seasons are closed. Also WMUs 4E and 5A are proposed to be open to either-sex pheasant hunting, except within the wild pheasant recovery areas, to maximize hunting opportunity for stocked pheasants.
A one-week decrease in the fall turkey season is recommended for WMUs 4D and 4E in response to declining turkey population trends in these units. Also, for those WMUs where turkey populations can support a Thanksgiving season, this season is proposed to be increased from two to three days, in a Wednesday through Friday format.

For deer, a 14-day concurrent antlered and antlerless firearms season is recommended to provide increased opportunity, especially for younger hunters. As now authorized by statute, Sunday hunting for deer is proposed for one Sunday, November 15th, during the statewide archery season and one Sunday, November 29th, during the statewide firearm season.

Overall, black bear season recommendations are similar to those in 2019, but with two changes in format. First, the two-week statewide archery season is proposed to be shifted one week earlier, with the first week of this season overlapping with muzzleloader and special firearms seasons to simplify regulations. Second, the statewide firearms season is proposed to include the newly authorized third Sunday, or November 22nd, but to close on Tuesday, rather than Wednesday to
accommodate a one-day expansion in the Thanksgiving segment of the fall turkey season.

Expansions of bobcat hunting and trapping opportunity to WMU 2B, and of river otter trapping opportunity to WMUs 1A, 1B and 2F, are recommended in light of population indices in these units that are comparable to those in other WMUs where harvest is occurring sustainably. For beaver, an increase in the season bag limit from 40 to 60 is recommended for WMUs 1A and 1B in response to increasing nuisance complaints in these units.

No elk have ever been harvested in the extended elk season during the nine years in which it has been in existence. To simplify regulations, elimination of this season is recommended for 2020.

The texts of these regulations is shown on pages four through ten of your agenda.

PRESIDENT LAYTON: Do we have a motion to accept the proposed seasons and bag limits?

COMMISSIONER HOOVER: So moved.

COMMISSIONER FREDERICKS: Second.

PRESIDENT LAYTON: We have a first and a second. Any discussion? What we'll do, again,
is we will go through the seasons and bag limits page by page, and if any discussion is needed, we'll have it then.

So let's turn to page four. The first one is, I would like to make a motion to amend the squirrel season, beginning on September 12, to include all hunters, not just junior hunters. So I would like that squirrel season to be from September 12th through November 27th.

COMMISSIONER FREDERICKS: Second.

PRESIDENT LAYTON: We have a first and a second. Any discussion on that proposed extension of the squirrel season?

Mr. Secretary, will you call the vote?

COMMISSIONER KNICK: All in favor?

AYES RESPOND

COMMISSIONER KNICK: Opposed?

Ayes have it, eight to zero.

PRESIDENT LAYTON: Thank you.

Is there anything else on page four? We'll move to page five?

So I'm not sure - if we can have a little discussion here. I'm not sure if we're looking at page five or page six, but there was a
proposal today from the National Wild Turkey Federation to look at that one-week season as opposed to the three-day Thanksgiving season.

Can you comment on that just for -?

MR. SCHNUPP: Sure. Well, first of all, we appreciate everything National Wild Turkey Federation has done for us, and as we do all our collaborators, but specifically they're supporting science-based management decisions. Which for this example isn't necessarily, it's more of a social dynamic, and so what we would like to do is take some time and evaluate that and get feedback from that group and other turkey hunters and see where it falls as far as the social component of all this and then report that back to you in April so you guys can make a final decision.

PRESIDENT LAYTON: Very good. So from the recommendation from the Bureau, we'll leave the turkey season as it's presented to us here.

Page six. Any comments on page six, page seven, page eight?

COMMISSIONER FREDERICKS: Mr. President, I'd like to make a motion to amend the bear archery season as proposed by staff. The proposal by staff was to have archery bear moved
back a week. October 17th through October 31st with
the first week overlapping with the muzzleloader and
rifle opportunities for deer.

And after speaking with the organized
archers and Mark Ternent, the bear biologist, the
bow hunters would like to see the ending date moved
up to November 7th and generally, just make it like
it was last year without any change. So my motion
would be to have bear archery read October 17th
through November the 7th.

PRESIDENT LAYTON: Do we have a
second?

COMMISSIONER FORADORA: Second.

PRESIDENT LAYTON: We have a motion
and a second. Is there any comment? Mr. Secretary,
call the vote.

COMMISSIONER KNICK: All in favor?

AYES RESPOND

COMMISSIONER KNICK: Opposed?
Ayes have it, eight to zero.

PRESIDENT LAYTON: Anything on page
nine that needs to be addressed, page ten?

I think at this point I do want to
make a comment, if I can. There's been some
discussion about whether or not we're going to open
up those Sundays for all species or for small game.  
And the discussion amongst the members of the Board  
were to take this in small steps. So I think the -  
the proposal that was laid out here, those Sundays  
are only specifically for deer for the deer seasons  
and bear for the bear season. There would be no  
other species that you could hunt, other than those  
that are already legal to hunt on a Sunday.  
So is that -?  
MR. SCHNUPP: That's correct.  
PRESIDENT LAYTON: Are we good with  
that?  
MR. SCHNUPP: Yes. That's the  
recommendation.  
PRESIDENT LAYTON: Okay. Thank you.  
Any comments, questions about that?  
So hearing none, we've got a - we've got a motion on  
the floor to accept the amended seasons and bag  
limits.  
COMMISSIONER FREDERICKS: So moved  
PRESIDENT LAYTON: Do we have a  
second?  
COMMISSIONER FORADORA: Second.  
PRESIDENT LAYTON: Any comments?  
Mr. Secretary, call the vote.
COMMISSIONER KNICK: All in favor?

AYES RESPOND

COMMISSIONER KNICK: Opposed?

Ayes have it eight to zero.

ATTORNEY BECHTEL: The next item

before the Commission appears on page 11 of your agenda to amend 58 Pa. Code Section 141.62.

The Commission has recently observed a notable increase in beaver populations and beaver-related complaints and Wildlife Management Units 1A and 1B. As a result, the Commission is seeking to increase harvest success rates in these WMUs in an effort to better control the beaver population and resulting beaver-human conflicts. The Commission has previously proposed an amendment to Section 139.4 to increase the beaver bag limit in these WMUs from 40 to 60. The Commission is also proposing to amend Section 141.62 to increase the number of authorized body gripping traps to 20 in any WMU where beaver bag limits are 60 per season. Beaver trappers will still be limited to using no more than five traps or snares, no more than two of which may be body-gripping traps and any WMU within an open otters trapping season during periods when the open beaver trapping season overlaps by calendar date with the
open otter trapping season.

The text is shown on page 11 of your agenda.

PRESIDENT LAYTON: Do we have a motion to accept?

COMMISSIONER KNICK: So moved.

PRESIDENT LAYTON: Second?

COMMISSIONER FREDERICKS: Second.

PRESIDENT LAYTON: Any comments? Any questions?

Mr. Secretary, call the vote, please.

COMMISSIONER KNICK: All in favor?

AYES RESPOND

COMMISSIONER KNICK: Opposed?

Ayes have it, eight to zero.

ATTORNEY BECHTEL: The next item appears on page 12 of your agenda. It's the Bureau of Wildlife Protection and concerns for Proposed Rulemaking to amend 58 Pa. Code Section 141.4.

The Commission is proposing to amend Section 141.4 to replace the current hunting hours table and migratory bird hunting hours table to accurately reflect the dates and hours of legal hunting for the 2020/2021 hunting trapping license year.
The text is shown on pages 12 through 14 of your agenda.

PRESIDENT LAYTON: Motion to accept?

COMMISSIONER HOOVER: So moved.

PRESIDENT LAYTON: Second?

COMMISSIONER FREDERICKS: Second.

PRESIDENT LAYTON: Any comments? Any questions?

Mr. Secretary, call the vote?

COMMISSIONER KNICK: All in favor?

AYES RESPOND

COMMISSIONER KNICK: Opposed?

Ayes have it, eight to zero.

ATTORNEY BECHTEL: And the next item appears on page 15 of your agenda, amending 58 Pa. Code Section 141.29.

It is currently unlawful to hunt mourning doves on or over lands or areas where grain or other feed has been distributed or scattered as a result of manipulation of an agricultural crop or other feed after September 15th of each license year. This restriction was intended to minimize baiting conflicts for hunters pursuing species other than doves, which remain unlawful to hunt in lands or areas affected by such manipulation. For
example, hunting waterfowl over a manipulated crop field remains prohibited by both state and federal law notwithstanding the authorization for the hunting of mourning doves. However, the Commission has also observed that the September 15th cutoff date disallows a significant degree of flexibility for weather and planting related delays in the maturation and proper drying of the vegetation planting in the crop fields. This has resulted in instances of lost hunting opportunities and wasted investments in these areas prepared and intended for mourning dove hunting. The Commission is proposing to amend Section 141.29 to eliminate the September 15th cutoff date.

The text is shown on page 15 of your agenda.

PRESIDENT LAYTON: Do we have a motion to accept?

COMMISSIONER FREDERICKS: So moved.

PRESIDENT LAYTON: Second.

COMMISSIONER FORADORA: Second.

PRESIDENT LAYTON: Okay.

We have a motion and a second. Just if I could make a brief comment. We kind of ran into this issue this year with our dove fields that
we had a wet season, crops got planted late. I think we've run through all of the issues of baiting and you're satisfied with what we're doing here?

MR. DECOSKEY: Yes, I am.

PRESIDENT LAYTON: Okay. Very good. Any other comment? Mr. Secretary, call the vote.

COMMISSIONER KNICK: All in favor?

AYES RESPOND

COMMISSIONER KNICK: Opposed?

Passed, eight to zero.

ATTORNEY BECHTEL: The next item to come up is on page 16 of your agenda to amend 58 Pa. Code Section 141.41.

Outside of special regulations areas, current regulations prohibit hunters from harvesting a subsequent deer before they have lawfully tagged each successive deer they have harvested. This restriction is intended to prevent waste of the Commonwealth's wildlife resources by causing hunters to follow up on shots and promote recovery of mortally wounded deer before an attempting to harvest subsequent animals. However, this restriction has also been observed to force hunters to pass up additional harvest opportunities that
occur contemporaneous to the first as they are fleeting and certainly diminish with the noise and movement associated with tagging activities for the previous harvest. Special regulations areas are currently exempt from this requirement and the Commission is not aware that any significant problems have resulted from its absence. The Commission is proposing to amend Section 141.41 to eliminate the requirement that hunters lawfully tag each successive deer that they have harvested before lawfully harvesting a subsequent deer within their season limits.

The text is shown on page sixteen of your agenda.

PRESIDENT LAYTON: Do we have a motion?

COMMISSIONER MITRICK: So moved.

PRESIDENT LAYTON: A second.

COMMISSIONER FOX: Second.

PRESIDENT LAYTON: Any comment?

Mr. Secretary, call the vote?

COMMISSIONER KNICK: All in favor?

AYES RESPOND

COMMISSIONER KNICK: Opposed?

Ayes have it, eight to zero.
ATTORNEY BECHTEL: And on page 17 of your agenda is the next item before the Commission to amend 58 Pa. Code Section 147.674.

A longstanding provision of the Deer Management Assistant Program regulations has limited individual hunters to receive no more than two DMAP permits for each unit or area enrolled in the program. The Commission has reviewed this limitation and determined that it may be unreasonably limiting private landowners from effectively using the program to harvest enough deer on their lands to meet their deer management goals. This issue has been raised by both DMAP users and Commission staff as part of an ongoing broad review of the DMAP and Red Tag programs. However, the Commission is also equally cautious against moving too far towards privatizing access to antlerless deer harvest under the DMAP program and outside of the standard antlerless deer license allocations. Both external users and Commission staff agree that an increase in the number of DMAP permits per unit is warranted, except in certain areas designated by the Commission. The Commission is proposing to amend Section 147.674 to increase the number of DMAP harvest permits that a person may receive for each
DMAP unit or area from two to four, except for those DMAP areas designated by the Commission that will remain at a maximum of two harvest permits per person.

The text is shown on page 17 of your agenda.

PRESIDENT LAYTON: Do we have a motion to accept?

COMMISSIONER HOOVER: So moved.

PRESIDENT LAYTON: A second?

COMMISSIONER FREDERICKS: Second.

PRESIDENT LAYTON: Is there any conversation? Do you need - you good?

MR. DEocosKEY: I'm good.

PRESIDENT LAYTON: All right.

Mr. Secretary, call the vote, please.

COMMISSIONER KNICK: All in favor?

AYES RESPOND

COMMISSIONER KNICK: Opposed?

Ayes have it, eight to zero.

ATTORNEY BECHTEL: The next item appears on page 18 of your agenda. It's the amendment of 58 Pa. Code Section 147.804. Since the mentored hunting program's initial inception in 2006, the program has gradually
grown and expanded to allow the hunting of many additional species of game and wildlife. The program has also incrementally expanded eligibility standards to now allow participation by all age groups. However, with this progressive linear expansion, the mentored hunting program has built up a complex and inconsistent web of eligibility standards and limitations for each of the three program age groups. Couple this complexity with its differences to the traditional hunting license structures and the Commonwealth's sporting men and women have understandably been challenged in fully understanding and consistently operating within the program's multifaceted standards. Furthermore, the Commission recognizes that the current complexity of these regulations themselves may, in fact, be undermining the recruitment and retention of the participants the program was intended to improve. With this in mind, the Commission has determined that the mentored hunting program is due for a significant streamlining of its standards.

The first improvement involves combining the species eligibility list for mentored youth and mentored adults to one list. This change alone will expand species eligibility for all age
groups. The second change involves issuing all applicable harvest tags to mentored adults and mentored youth seven years of age or older in a manner consistent with the purchase of a hunting license. This change primarily affects mentored adults and does not change standards for mentored youth who are under seven years of age at the time of application. This change eliminates the transfer of any harvest tags to mentored adults and mentored youth seven years of age or older.

The third change builds off of the second by expanding the ability to make direct application for antlerless deer licenses and Deer Management Assistance Program harvest permits for mentored adults and mentored youth seven years of age or older. The fourth change allows all mentored hunter age classes to make direct application for migratory bird licenses and pheasant permits within the eligibility standards and limitations of these programs. Each of these improvements brings a greater degree of simplicity to the mentored hunting program and also brings it into closer alignment to the Commission's traditional hunting license structures.

The text is shown on pages 19 through
21 of your agenda.

PRESIDENT LAYTON: Do we have a motion to accept this?

COMMISSIONER FREDERICKS: So moved.

PRESIDENT LAYTON: Second?

COMMISSIONER FORADORA: Second.

PRESIDENT LAYTON: We have a motion and a second. Any discussion?

So just for the record, a lot of our game wardens were confused by the way the mentored youth and mentored adult programs kind of ran together. Sometimes what the adults were allowed to do, the youth weren't - do you want to talk a little bit about just why we're simplifying and -?

MR. DECOSKEY: Well, the last couple of years, of course, I've been here in Harrisburg, so the phone calls alone dealing with how to decipher the mentored program versus youth or adult was very conflicting for not only our own officers, like you said, but the general public. And those adults that were trying to get the youth involved.

So this is an exceptional step to clarification so it makes it easier for everybody involved, not only our officers who have to enforce the law, but the general public who want to abide by
the law, it makes it a lot easier to follow.

PRESIDENT LAYTON: I certainly want to welcome you here. Jason's our new Bureau Director of Wildlife Protection.

MR. DECOSKEY: Thank you.

PRESIDENT LAYTON: It's nice to have you here. Thank you.

MR. DECOSKEY: Thank you.

PRESIDENT LAYTON: Any other questions or comments?

Mr. Secretary, call the vote.

COMMISSIONER KNICK: All in favor?

AYES RESPOND

COMMISSIONER KNICK: Opposed?

Ayes have it, eight to zero.

ATTORNEY BECHTEL: The next item appears on page 22 of your agenda. It concerns the amendment of 58 Pa. Code Section 135.53.

Current regulations require that any ATV used as a mobility device, must be registered with the Department of Conservation and Natural Resources. The Commission has learned that certain ATVs that are additionally defined as, quote, neighborhood electric vehicles, unquote, and registered with the Department of Transportation
cannot be dual registered with the Department of Conservation and Natural Resources. This restriction has the unfortunate effect of excluding otherwise eligible ATVs from being utilized as mobility devices by the mere fact that the device is properly registered with another Commonwealth agency. The Commission is proposing to amend Section 135.53 to expand ATV eligibility for use as mobility devices by including ATVs registered with the Department of Transportation as neighborhood electric vehicles that properly display the valid registration plate and the required 25 mph vehicle decal.

The text is shown on page 22 of your agenda.

PRESIDENT LAYTON: Do we have a motion to accept?

COMMISSIONER FREDERICKS: So moved.
PRESIDENT LAYTON: And a second?

COMMISSIONER HOOVER: Second.
PRESIDENT LAYTON: Any questions or comments?

Mr. Secretary, call the vote.

COMMISSIONER KNICK: All in favor?

AYES RESPOND
COMMISSIONER KNICK: Opposed?

Ayes have it, eight to zero.

ATTORNEY BECHTEL: And on page 23 of your agenda is a proposal to amend 58 Pa. Code Sections 141.43, 141.44 and 141.47.

During the 2019 fall hunting seasons, the Commission received a significant number of inquiries from the public concerning what arms and ammunition was lawful for users during the overlap of the archery deer season and its overlap with the muzzleloader bear season. Current regulations generally prohibit the possession of firearms during the deer archery season and archery tackle is not listed as a lawful device for muzzleloader bear seasons. In an effort to clarify these issues and provide greater opportunity during these overlap seasons, the Commission is proposing to amend Sections 141.43, 141.44 and 141.47 to expand the list of lawful devices authorized for applicable deer, bear and elk seasons during periods of overlap. The proposal also amends Section 141.47 to provide specific arms and ammunition listings for the archery elk season and the elk seasons established for the Special Conservation License and the Special License established under 34 Pa.C.S.
Section 2706.2, relating to elk hunting licenses.

The text is shown on pages 23 through 29 of your agenda.

PRESIDENT LAYTON: Do we have a motion to accept?

COMMISSIONER FREDERICKS: So moved.

PRESIDENT LAYTON: A second?

COMMISSIONER FORADORA: Second.

PRESIDENT LAYTON: Any comment?

Mr. Secretary, call the roll.

COMMISSIONER KNICK: All in favor?

AYES RESPOND

COMMISSIONER KNICK: Opposed?

Ayes have it, eight to zero.

ATTORNEY BECHTEL: There's also proposed rulemaking that was set forth on a blue insert to your agenda. This was a proposal to amend 58 Pa. Code Sections 147.901 through 147.905 and to create 58 Pa. Code Section 147.904.1.

The Commission has determined that an update and restructuring of its guiding permit regulations is needed, especially as it relates to elk guiding. The Commission is proposing to amend Sections 147.901 through 147.905 and create Section 147.904.1 to restructure the application
requirements for commercial and non-commercial guiding permits, create a non-commercial elk guiding permit, create a new guide permit fee structures for commercial and non-commercial elk guiding permits, create recordkeeping and reporting requirements for commercial guides and address other minor housekeeping items.

The text of this amendment is shown on pages - well, it's shown on your insert.

PRESIDENT LAYTON: Do we have a motion to accept?

COMMISSIONER FREDERICKS: So moved.
PRESIDENT LAYTON: Second?
COMMISSIONER HOOVER: Second.
PRESIDENT LAYTON: Any discussion?
COMMISSIONER KNICK: Yes. I'd like to amend it for motion for e-bikes -.
PRESIDENT LAYTON: No, no, no. That's the next one.
COMMISSIONER KNICK: Oh, sorry.
PRESIDENT LAYTON: We're not there yet. We're not there yet.
COMMISSIONER KNICK: I thought we were on that page. Sorry.
PRESIDENT LAYTON: So just to
clarify, we've been talking about the guide permits for quite some time now and we have not been able, really, to wrap our head around the whole guide permit issue. But what we wanted to do specifically was to address the elk hunt in this proposal.

So in this proposal - and you can correct me if I'm wrong, so if somebody were to be drawn for an elk tag, they would get four free permits for family and friends?

MR. DECOSKEY: As long as it was a non-commercial, yes.

PRESIDENT LAYTON: A non-commercial, right. Who could assist them in the hunt? If they had additional - additional help would be $25 per permit, which is what we charge now.

MR. DECOSKEY: Correct.

PRESIDENT LAYTON: Okay.

So as far as the commercial guides go, there would be a fee -?

MR. DECOSKEY: Correct.

PRESIDENT LAYTON: Do you want to just touch on that?

MR. DECOSKEY: Okay.

PRESIDENT LAYTON: The fee for the permittee.
MR. DEocosKEY: The fee for the guide itself as a commercial venture would be $500 for residents and non-resident. Currently - it used to be $25 and $50, $25 for resident, $50 for non-resident. And then, that includes four - for four sub-permittees under that guide permit. For additional permits under that, that would be additional $50 fee to include.

PRESIDENT LAYTON: And those are specifically for people who are charging a hunter a fee to be a guide for them?

MR. DEocosKEY: Correct.

PRESIDENT LAYTON: Okay.
Any other questions or comments?
Mr. Secretary, call the roll.

COMMISSIONER KNICK: All in favor?

AYES RESPOND

COMMISSIONER KNICK: Opposed?
Ayes have it, eight to zero.

ATTORNEY BECHTEL: And the next item appears on page 30 of your agenda. It's from the Bureau of Wildlife Habitat Management. It concerns Proposed Rulemaking to amend 58 Pa. Code Sections 131.2, 135.2 and 135.41.

The Commission has observed that
electric bicycles, or e-bikes, are gaining popularity within the Commonwealth and many hunters are exploring use of e-bikes to assist them in reaching their hunting and trapping locations. Under current regulation, it is unlawful to use or operate any type of e-bike on state game lands, unless used by individuals with mobility disabilities. The Commission also recognizes that there are many areas within its state game lands system that are difficult to access often due to a lack of a comprehensive road system that could sustain routine road vehicle traffic. In many cases, it is simply impractical to build new and/or maintain comprehensive road system in these areas.

As a result, the Commission has determined that permitted use of certain e-bikes could greatly improve state game lands access and the hunting and trapping experience for many of our hunters, including those that do not suffer from a mobility disability. The Commission believes that allowing responsible use of certain e-bikes can be accommodated without significant damage to existing state game lands road and trail systems, wildlife populations or the peace and tranquility of the Commission's wilderness areas.
The Commission is proposing to amend Sections 131.2, 135.2 and 135.41 to define and allow use of Class I e-bikes on state game lands in the same manner as traditional bicycles. These devices will be limited to two-wheeled bicycle equipped with fully operable pedals and an electric motor of 750 watts, or 1 horsepower, or less that provide assistance only when the rider is actively pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour. The changes will not authorize use of any device that is equipped with a throttle or that provides any degree of assistance from an electric motor when the rider is not actively pedaling. It is important to note that these amendments do not eliminate current statutory restrictions prohibiting the possession of loaded firearms in, on or against vehicles propelled by mechanical power under Section 2503 of the Act.

The text is shown on pages 31 and 32 of your agenda.

PRESIDENT LAYTON: Do we a motion to accept?

COMMISSIONER HOOVER: So moved.

PRESIDENT LAYTON: Is there a second?

COMMISSIONER FREDERICKS: Second.
PRESIDENT LAYTON: Any comments?

COMMISSIONER KNICK: Yes. I'd like to make an amendment to the motion to include Class I and Class II.

PRESIDENT LAYTON: So there's a motion to allow Class I and Class II. Is there a second?

I will second that. Do we have a discussion? Pete, do you want to explain that, the difference between Class I and Class II?

MR. SUSSENBACH: Sure.

So basically a Class I e-bike would be a bike that only gives assistance when the individual is actually pedaling. So the Class II is an e-bike that allows an individual to pedal and get assistance but also have a throttle, which allows them mobility without actually pedaling.

PRESIDENT LAYTON: Each one of those Class I and Class II are considered non-motorized vehicles according to – if we went to a Class III, that puts us in a different -.

MR. SUSSENBACH: Class III puts you in a whole other level with a bunch of other regulations through PennDOT as well.

PRESIDENT LAYTON: Any other
questions or comments?

COMMISSIONER FREDERICKS: What's your rules and regulations for DCNR and State Forest?

MR. SUSSENBACK: Right now, it is a Class I e-bike that they permit.

COMMISSIONER FREDERICKS: Only. Not two and three.

MR. SUSSENBACK: That's correct.

PRESIDENT LAYTON: And three would not be permittable (sic) because it's considered a motorized vehicle.

COMMISSIONER FREDERICKS: And for you're asking for Class I and II?

PRESIDENT LAYTON: One and two, which are both, essentially, the same bike. One you have to pedal, one you can just use a throttle.

COMMISSIONER FREDERICKS: And DCNR just doesn't allow Class II?

MR. SUSSENBACK: At this time, that is correct.

COMMISSIONER FORADORA: So question on that. Whenever you unload a bike at the game land gate, you never touch a pedal? Is that what you're - I'm not familiar with them. It's the same as a motorcycle.
PRESIDENT LAYTON: No, it's not.

COMMISSIONER FORADORA: Well, I understand that, but for a layperson, you have a throttle and -.

MR. SUSSENbach: So the Class II, correct, you could unload your bike and not have to pedal with it -

COMMISSIONER FORADORA: Never touch - right.

MR. SUSSENbach: - ever. Correct.

COMMISSIONER FORADORA: What is the - do we have a comment on Class II?

PRESIDENT LAYTON: It's the same bike, it's just one you don't have to pedal.

COMMISSIONER FORADORA: But you do have to pedal to have -.

PRESIDENT LAYTON: Class I.

COMMISSIONER FORADORA: Class I you have to pedal to have throttle.

COMMISSIONER FREDERICKS: Mr. President, at this time this is a proposal due for final adoption in April, even with the amendment - with your - the amendment?

PRESIDENT LAYTON: Right. That's right.
COMMISSIONER FREDERICKS: It's a proposal?

PRESIDENT LAYTON: Sure.

COMMISSIONER FREDERICKS: And subject to public input between now and April -

PRESIDENT LAYTON: Absolutely.

COMMISSIONER FREDERICKS: - final adoption in April. Good.

PRESIDENT LAYTON: Yep. Any other comment?

Okay.

We have a motion on the floor to amend with a second.

Mr. Secretary, call the vote.

COMMISSIONER KNICK: All in favor?

AYES RESPOND

COMMISSIONER KNICK: Opposed?

PRESIDENT LAYTON: Any other comment?

COMMISSIONER KNICK: Ayes have it, eight to zero.

PRESIDENT LAYTON: Okay.

So we also have a motion on the floor and a second for the adoption.

Mr. Secretary, call the vote.

COMMISSIONER KNICK: All in favor?
AYES RESPOND

COMMISSIONER KNICK: Opposed?
Ayes have it, eight to zero.

ATTORNEY BECHTEL: The next item from your agenda comes from real estate and concerns a donation, Contract Number L-3753, State Game Land Number 29 in Monroe County.

Blakeslee DG, LLC is offering to donate 9.39 more/less acres of land in Tunkhannock Township, Monroe County, adjoining State Game Land Number 129, as shown on Exhibit RED 1 on page 35 of your agenda. Access is through existing State Game Land Number 129.

PRESIDENT LAYTON: Do we have a motion to accept?

COMMISSIONER FREDERICKS: So moved.

PRESIDENT LAYTON: Second?

COMMISSIONER MITRICK: Second.

PRESIDENT LAYTON: Any commentary?

Mr. Secretary, call the vote.

COMMISSIONER KNICK: All in favor?

AYES RESPOND

COMMISSIONER KNICK: Opposed?
Ayes have it, eight to zero.

ATTORNEY BECHTEL: And the next item
concerns an acquisition, it appears on page 36 of your agenda. It's Contract Number L-3754, State Game Land Number 151 in Mercer County.

Wetlands America Trust, Inc., a supporting organization of Ducks Unlimited, Inc., is offering 130.37 more/less acres of land in Liberty Township, Mercer County, near State Game Land Number 151, referred to as the Hohmann tract, as shown on Exhibit RED 2 on page 37 of your agenda. The option price is $400 per acre to be paid with funds from the Game Fund. Ducks Unlimited, Inc. was successful in receiving funding through partnership grants provided by the Department of Conservation and Natural Resources, North American Wetlands Conservation Act and Waterfowl USA. Covenants, conditions and restrictions associated with these funding sources will be required to accept restrictions associated with these funding sources will be required to accept the property. The property is located within the Celery Swamp Important Bird Area and within Northwest Pennsylvania Waterfowl Focus Areas of the Atlantic Coast Joint Venture. The tract consists of ten acres of forest, four acres of grassland, and 92 acres of wetlands, mostly comprised of a system of
65 ponds/dikes. Black run provides inflow and outflow. Access is from T-768, Black Run Road, and T-327, West Valcourt Road.

PRESIDENT LAYTON: Do we have a motion to accept?

COMMISSIONER HOOVER: So moved.

COMMISSIONER FREDERICKS: Second.

CHAIR: Motion and a second. Any comment?

MR. SUSSENBACH: Mr. President, if I may?

PRESIDENT LAYTON: Yes, sir.

MR. SUSSENBACH: So in looking at the photograph on page 37, it doesn't look all that impressive right now, but I guarantee you that our staff will turn that place into something magical over the next decade.

Not only with the help of Ducks Unlimited, our partners, have - you know, we acquired the property, but beyond that there's a plan in place to actually fund taking all those raceways out and turning them into extremely productive waterfowl and wetland habitat. So we're really excited about this acquisition, the partnership with DCNR, Ducks Unlimited, NAWCA and
the future that we're going to turn this place into.

PRESIDENT LAYTON: Great. Any other comment?

Okay.

Mr. Secretary, call the vote?

COMMISSIONER KNICK: All in favor?

AYES RESPOND

COMMISSIONER KNICK: Opposed?

Ayes have it, eight to zero.

ATTORNEY BECHTEL: The next item concerns an acquisition Contract Number L-3755, State Game Land Number 282 in Warren County.

Karen A. Beardsley is offering 0.34 more/less acres of land in Pine Grove Township, Warren County, an interior within State Game Land Number 282, as shown on Exhibit RED 3 on page 39 of your agenda. The option price is $1,100 lump sum to be paid with funds from the Game Fund. The parcel is located within an existing State Game Land and therefore the Commission may exceed $400 per acre under Section 705(b) of the Game and Wildlife Code. The tract lies within the Akeley Swamp Important Bird Area.

PRESIDENT LAYTON: Do we have a motion to accept?
COMMISSIONER FREDERICKS:  So moved.

PRESIDENT LAYTON:  Second?

COMMISSIONER FORADORA:  Second.

PRESIDENT LAYTON:  Any comment?

Mr. Secretary, call the vote.

COMMISSIONER KNICK:  All in favor?

AYES RESPOND

COMMISSIONER KNICK:  Opposed?

Ayes have it, eight to zero.

ATTORNEY BECHTEL:  And the next item concerns Contract Number L-3756, State Game Land Number 256 in Perry County.

The Estate of Regina L. Rice is offering 33.58 more/less acres of land in Wheatfield Township, Perry County, an interior within State Game Land Number 256, as shown on Exhibit RED 4 on page 41 of your agenda. The option price is $95,000 lump sum to be paid with funds from the Game Fund. The parcel is located within an existing State Game Land and therefore the Commission may exceed $400 per acre under Section 705(b) of the Game and Wildlife Code. Access is through existing State Game Land Number 256.

PRESIDENT LAYTON:  Is there a motion to accept?
COMMISSIONER HOOVER: So moved.

PRESIDENT LAYTON: Second?

COMMISSIONER FREDERICKS: Second.

PRESIDENT LAYTON: Comment?

MR. SUSSENBACH: Mr. President, just real quick. This - this acquisition and the previous one on the previous pages really identifies the places that we have been targeting through the last Strategic Plan trying to close out as many of these in holdings indentures as we can, and we've been working hard.

And if you look at the last few agendas, you'll notice that there's several, just about in each of those agendas. And we've worked hard at it, we've got some great partners that have helped us along the way and this is just another one to close out. Because you can imagine the challenges that it creates if we want to do habitat management, boundary painting and the potential conflict should someone try to develop or do something with that property in the future.

PRESIDENT LAYTON: Any other comment?

COMMISSIONER MITRICK: Are you working on any other parcels?

MR. SUSSENBACH: Excuse me?
COMMISSIONER MITRICK: Are you working to get the other parcel in there?

MR. SUSSENBACH: Yes.

PRESIDENT LAYTON: Any other comment?

Okay.

Mr. Secretary, call the vote.

COMMISSIONER KNICK: All in favor?

AYES RESPOND

COMMISSIONER KNICK: Opposed?

Ayes have it, eight to zero.

ATTORNEY BECHTEL: The next item before the Commission concerns Contract Number L-3757, State Game Land Number 91, Luzerne County.

North Branch, Land Trust is offering 182 more/less acres of land in Bear Creek Township, Luzerne County, adjoining State Game Land Number 91, referred to as the Alexandrian tract, as shown on Exhibit RED 5, on page 43 of your agenda. The option price is $400 per acre to be paid with funds from the Game Fund. North Branch Land Trust was successful in receiving funding through partnership grants provided by the Department of Conservation and Natural Resources and Open Space Institute. Covenants, conditions and restrictions associated with these funding sources will be required to
accept the property. Access is from S.R. 115 on the south and from Bear Creek Camp Road on the north.

PRESIDENT LAYTON: Do I have a motion?

COMMISSIONER KNICK: So moved.

PRESIDENT LAYTON: And a second?

COMMISSIONER FREDERICKS: Second.

PRESIDENT LAYTON: Any commentary?

Comments from the Commissioners?

Mr. Secretary, call the vote.

COMMISSIONER KNICK: All in favor?

AYES RESPOND

COMMISSIONER KNICK: Opposed?

Ayes have it, eight to zero.

ATTORNEY BECHTEL: And the next item is Contract Number L-3758, State Game Land Number 211 in Schuylkill County.

David and Cecilia Daubert and Daniel and Beverly Bode are offering 31.5 more/less acres of land in Pine Grove Township, Schuylkill County, adjoining State Game Land number 211, as shown on Exhibit RED 6 on page 45 of your agenda. The option price is $44,100 lump sum to be paid with funds from third party commitments for compensation of habitat and recreational losses which occurred on state game
lands from previously approved projects. Access is through existing State Game Land Number 211.

PRESIDENT LAYTON: Do we have a motion to accept?

COMMISSIONER HOOVER: So moved.

PRESIDENT LAYTON: Second?

COMMISSIONER FREDERICKS: Second.

PRESIDENT LAYTON: Any commentary?

Comments?

Mr. Secretary, call the vote?

COMMISSIONER KNICK: All in favor?

AYES RESPOND

COMMISSIONER KNICK: Opposed?

Ayes have it, eight to zero.

ATTORNEY BECHTEL: And the next item is Contract Number L-3759, State Game Land Number 211 in Schuylkill County.

Lela M. Forry is offering 19.2 more/less acres of land in Pine Grove Township, Schuylkill County, adjoining State Game Land Number 211, as shown in Exhibit RED 7, on page 47 of your agenda. The option price is $28,800 lump sum to be paid with funds from third party commitments for compensation of habitat and recreational losses which occurred on state game lands from previously
approved projects. Access is through existing State Game Land Number 211.

PRESIDENT LAYTON: Motion to accept?
COMMISSIONER FREDERICKS: So moved.
PRESIDENT LAYTON: Is there a second?
COMMISSIONER FORADORA: Second.
PRESIDENT LAYTON: We have a motion and a second. Any comment?

MR. SUSSENBACH: Mr. President, if I may?
PRESIDENT LAYTON: Sure.

MR. SUSSENBACH: Just looking at the map real quickly, this - excuse me, this piece of property fits into that other piece of property, 3758 on the previous page perfectly. And we'll enhance opportunities in the southeast. And any time that we can do that, we really look forward to trying to give those other opportunities to people in the southeast region where it is becoming ever more challenging to purchase any land. And this is just one more example of - of our staff working with some willing partners and landowners to do that.

PRESIDENT LAYTON: Very good. Any questions?

COMMISSIONER HOOVER: Does this - or
is there a possibility of access from outside the State Game Lands to this property, or is there -?

MR. SUSSENBACK: Correct. We're still refining the deeds at this point, doing some more due diligence, but there is the possibility that that may exist. We're not quite sure.

COMMISSIONER HOOVER: Okay. Thank you.

PRESIDENT LAYTON: Any other questions?

Mr. Secretary, call the vote.

COMMISSIONER KNICK: All in favor?

AYES RESPOND

COMMISSIONER KNICK: Opposed?
Ayes have it, eight to zero.

ATTORNEY BECHTEL: The next item concerns Contract Number L-3760, State Game Land Number 217 in Schuylkill County.

The Nature Conservancy is offering 125 more/less acres of land in West Penn Township, Schuylkill County, adjoining State Game Land Number 217, as shown on Exhibit RED 8, on page 49 of your agenda. The option price is $34,215 lump sum to be paid with funds from the Game Fund. The Nature Conservancy was successful in receiving funding
through partnership grants provided by the Department of Conservation and Appalachian Trail Conservancy. Covenants, conditions and restrictions associated with these funding sources will be required to accept the property. There is a rock outcropping on the southern boundary along the top of Kittatinny Ridge which is designated as a Globally Important Bird Area. The property has been identified by both the Kittatinny Ridge Land Protection Partnership and Appalachian Trail Landscape Initiative as a high priority parcel for protection. The property shares a boundary with National Park Service Property to the south across which the Appalachian Trail is located. Access is through existing State Game Land Number 217.

PRESIDENT LAYTON: Motion to accept?
COMMISSIONER FORADORA: So moved.
PRESIDENT LAYTON: Is there a second?
COMMISSIONER SCHNEPP-GIGER: Second.
PRESIDENT LAYTON: We have a motion and a second. Any comment? Questions?
Mr. Secretary, call the vote.
COMMISSIONER KNICK: All in favor?
AYES RESPOND
COMMISSIONER KNICK: Opposed?
Ayes have it, eight to zero.

ATTORNEY BECHTEL: And the next item before the Commission concerns an exchange, Contract Number L-3761, State Game Land Numbers 179 and 223 in Greene County.

Cumberland Contura, LLC is offering to exchange 148.7 more/less acres of land in Whiteley and Jackson Townships, Greene County, adjoining State Game Land Numbers 223 and 179, as it's shown on Exhibit RED 9, on page 51 of your agenda and RED 10, as shown on page 52 of your agenda, to the Commission for allowing Contura to create and/or enhance certain stream and wetland resources located within State Game Land Number 223 in Whiteley Township, Greene County, as shown on Exhibit RED 9, on page 51 of your agenda. Contura approached the Commission seeking approval to create and/or enhance stream and wetland resources as part of mitigation required by federal and state agencies to replace certain functions and values associated with impacts to streams and wetlands from Contura's proposal to construct a coal refuse facility on property owned by Contura situated in Whiteley Township, Greene County. In exchange for allowing Contura to use designated portions of State Game
Land Number 223 for required stream and wetland mitigation associated with constructing a coal refuse facility, specific conditions will be placed upon these designated conservation areas to ensure compliance with governmental permitting requirements.

The 148.7 more/less acres of land are located in three tracts; 15 more/less acres and 69 more/less acres both adjoining State Game Land Number 223 in Whiteley Township, Greene County and 64.7 more/less acres adjoining State Game Land Number 179 in Jackson Township, Greene County. The 15 more/less acre parcel provides critical access into State Game Land Number 223 from Polecat Hollow Road. The 69 more/less acre tract is an indenture into State Game Land Number 223 and provides access from Dutch Run Road. The 64 more/less acre tract is accessed from Jones Road. Staff has determined the proposed exchange is in the best interest of the Commission.

PRESIDENT LAYTON: Do we have a motion to accept?

COMMISSIONER FREDERICKS: So moved.

PRESIDENT LAYTON: Second?

COMMISSIONER FORADORA: Second.
PRESIDENT LAYTON: Any comment?

MR. SUSSENBACH: Mr. President, -

PRESIDENT LAYTON: Yes, sir.

MR. SUSSENBACH: - just real briefly, this is a really great collaborative project between Contura, regional staff, Harrisburg staff. Not only are we going to fill out an indenture, obtain critical access, but there's going to be a tremendous amount of stream improvement, and potentially some ponds and things worked in there for some additional wetland habitat for wildlife. Really a great project.

PRESIDENT LAYTON: Thank you. Any other comments, questions?

Mr. Secretary, call the vote.

COMMISSIONER KNICK: All in favor?

AYES RESPOND

COMMISSIONER KNICK: Opposed?

Ayes have it, eight to zero.

ATTORNEY BECHTEL: The next item is an informational item concerning the purchase of property at auction. Subject to certain limitations 58 Pa. Code Section 135.241 authorizes the director to bid on real estate, oil, gas or mineral rights at auction or tax sale and to request down payment
checks to bid on property at auction. Successful bids must be made known to the general public at the next regularly scheduled meeting of the Board of Commissioners.

This is known as Contract Number L-3752, State Game Land Number 293 in Cameron County.

On October 9th, 2019, Executive Director Bryan Burhans notified the Board of Commissioners of the pending public auction sale date of October 17, 2019, and the urgent need to react to the sale of the 66 more/less acre Charles S. Novosel property adjoining and providing critical access to State Game Land Number 293. On October 17, 2019, the Game Commission was the successful bidder on the Novosel property offered for sale at a public auction ordered by the United States Bankruptcy Court for the Western District of Pennsylvania and held in Bankruptcy Courtroom, U.S. Courthouse, Erie, PA. The property is located in Shippen Township, Cameron County and is adjacent to State Game Land Number 293, as shown on Exhibit RED 11, on page 55 of your agenda. The property was acquired with the successful bid of $85,000. The lump-sum amount was paid with funds from third-party commitments for
compensation of habitat and recreational losses which occurred on State Game Lands from previously approved projects. Reed Hollow Road bisects the property running diagonally from northwest to southeast providing access through the property to an inaccessible 1,000-acre portion of existing State Game Land Number 293. Access is from SR 4002, Beechwood Road, where it intersects with Reed Hollow Road.

This is an informational item only; therefore, no action is required.

ATTORNEY BECHTEL: The next item concerns oil/gas and minerals in a non-coal surface mining agreement and land exchange, Tract 79A-20, State Game Land Number 79 on Cambria County.

New Enterprise Stone & Lime Company, Inc. of New Enterprise, Pennsylvania has requested a 25-year Agreement and a 233.1-acre expansion of its existing 169-acre operation on State Game Lands Number 79. The Commission owns the stone on the proposed mining areas. The proposal entails surface mining and reclamation operations on the Kittanning and Clarion sandstones as well as removal of any coal incidental to the stone operation on four areas of SGL Number 79, as shown Exhibit 1 OGM, on page 57.
of your agenda. New Enterprise will relocate the stone crushing and processing plant operation from the state game lands to private lands. Concurrent reclamation will begin once mining is completed on the existing permitted area and the 21.9 acres, and no more than 82 acres will be utilized for mining operations at any given time. As compensation to the Commission, New Enterprise will pay a royalty rate of $.25 cents per ton of stone, which is an increase from the current $.18 cents per ton. A yearly cost of living increase will also be applied to the royalty rate to ensure a consistent revenue stream to the Commission.

The reclamation plan will be developed in coordination with the Commission's Harrisburg and regional land management staff. The nature of the operation and availability of more than 50 percent of the volume of rock removed from the pit for reclamation provides flexibility in developing the reclamation plan to encompass wetlands, shallow ponds and impoundments, gentle slopes, grasslands and/or forested areas.

As additional compensation and to offset the temporary habitat loss and recreational use of the State Game Land, New Enterprise will
convey three separate tracts of land totaling approximately 1,620 acres to the Commission. The Judy Hollow property consists of approximately 1,370 acres in Broad Top Township, Bedford County and is near both State Game Land Number 261 and 73, as shown on Exhibit OGM 2 on page 58 of your agenda.

The 106-acre Union Furnace Tract is located in Warriors Mark Township, Huntingdon County and is adjacent to State Game Land Number 131, as shown on Exhibit OGM 3 on page 89 of your agenda. The Strides Mill property consists of 144 acres and is located adjacent to State Game Land Number 113 in Granville and Oliver Townships, Mifflin County, as shown on Exhibit OGM 4 on page 60 of your agenda.

Mining will be regulated by the Commonwealth's Mining Regulations and the Commission's Surface Mining Agreement.

PRESIDENT LAYTON: Do we have a motion to accept? Is there a motion to accept? Hearing none, this fails by lack of a motion.

ATTORNEY BECHTEL: Mr. President, that completes the written portion of the agenda.

PRESIDENT LAYTON: Thank you, Mr. Bechtel. So the next issue that we need to talk
about is the next Commission Meeting, which is scheduled for April 3rd and 4th, 2020, in Harrisburg. It's been brought to our attention that that is the opening day of trout season in the southeast. So I'm asking the Commissioners if they would be acceptable to going back for this meeting, to the Monday, Tuesday meetings, which would be then, what, the 6th and 7th of April?

Is there any comment, any concern about that? No? Are we good with it? Is the staff - we can make those changes?

Okay.

So we will change those dates to - what did I say, April 6th and 7th?

COMMISSIONER KNICK: Yes.

PRESIDENT LAYTON: So the next meeting will be April 6 and 7 here in Harrisburg. At this time, I'd like to open up the floor to any new business. Do we have any new business?

COMMISSIONER FREDERICKS: Mr. President, I have a couple items under new business that I'd like to bring up. Quite often we get accused by the public of not hearing what people have to say. In the case of extensive testimony today from the public, we've heard several comments
from the archery community about the possible extension of archery deer season up until the first day of bear season.

And also we also heard from a Houndsmen Association that is interested in hunting of raccoons with hounds. I would - I would like to ask staff to evaluate both of these items thoroughly both biologically and socially and report back to us on the possibility of implementing both of these things.

MR. SCHNUPP: We'd be happy to do that. We appreciated the comments that came in today and the folks that showed up. So we'd be happy to investigate further.

COMMISSIONER FREDERICKS: Thank you, Matthew.

PRESIDENT LAYTON: Thank you. Any other? We good with that?

COMMISSIONER FREDERICKS: I'm good.

PRESIDENT LAYTON: All right.

Any other new business? So at this time, I'm going to turn the chair over to Commissioner Fredericks, and we will hold elections for the 2020 year.

COMMISSIONER FREDERICKS: Thank you,
Mr. President.

President Layton asked me to chair the nominating committee for this year for a new slate of officers. And after pooling the entire Board for interests that anybody might have in the seats, I've come up with the following recommendation for the chairs for the year 2020, and they are as follows.

Mr. Charlie Fox, as President. Mr. Stanley Knick as Vice President and Dr. Mike Mitrick as Secretary. So I move that that slate of officers be accepted for the year 2020.

COMMISSIONER FORADORA: Second.

PRESIDENT LAYTON: Call for comment.

COMMISSIONER FREDERICKS: Comment?

Any further nominations?

I have a motion and a second. All those in favor?

AYES RESPOND

COMMISSIONER FREDERICKS: Opposed?

We have a new slate of officers. Congratulations to the new officers. And I'd like to thank President Layton for his outstanding leadership over the last couple of years. I don't think anybody can deny some of the progress that's
been made by this board over the last couple of years.

And quite frankly, a lot of - you know, I've been around this game a long time. And I told the Commissioners in private, and I'll say it again in public, some of the decisions made last year took a lot of courage from folks sitting up here, especially issues like the Saturday opener.

And we've got some very difficult issues coming up in the near future. They're also going to also be very difficult for us to make and it's going to take a lot of courage on behalf of each and every one of us, and we've made it through, as far as I'm concerned with shining colors thanks to the leadership of our - our current chairs. Thank you all very much, especially President Layton. Thank you.

PRESIDENT LAYTON: Thank you.

MR. BURHANS: President Layton, as your last act, I'd ask a few minutes on the floor?

PRESIDENT LAYTON: Sure. Go ahead.

MR. BURHANS: President Layton, I speak for all the Board and the staff, thank you for what you've done. And you know, oftentimes we probably wonder what does the President do that's
different from any other board member?

   Well, he's actually the luckiest person on the Board, because he gets to talk to me about once a day. But you know, I'm lucky, I've been Director now for three years, and I was lucky - I had a great president under Mr. Hoover, President Hoover and now with President Layton, you know, I just really appreciate everything you've done for me.

   You know, what does the President do. Well, the President is really the one that sets the meeting agendas and stuff for - we do kind of the leg work on the backside, but he's the one that really develops the agenda. He's the person that I bounce the ideas. You know, as the Director, we really rely on that president to bounce ideas and give us a lot of support, because although we love what we do, not every day is rainbows and unicorns, as most people would think.

   The President is one person you can call on, and if you've got a good president, he's there to support you and help you through some tough times. And President Layton has always been there.

   It's a tough job, though, I mean, because it does take a lot of work and constant
communications to get things done.

I really appreciate how supportive
you've been to staff despite the fact that you have
a mean warden near your house that is constantly
harassing you. Yeah, we tried talking to his
supervisor, but it won't help. But you know, it's
been a great ride. You've worked your butt off, you
were always there. You answered every phone call.
And usually when I get in my truck and drove home, I
hit Tim's number and we call and we catch up to
what's going on.

A lot of things that come up last
minute where I can't call all eight Commissioners or
I'd spend all day on the phone. The president is
who I go to as director to say, hey, I think we got
to go this way, what do you think? I need a fast
decision on behalf of the Board. Because a lot of
the decisions we make really are Board decisions and
where we go with things.

So you've done a fantastic job. I've
worked with board of directors now for, I don't know
20, 25 years of my career, and I'll tell you, you've
done an amazing job, an amazing leader, and you
know, when you walk into the room, everybody smiles.
So it's a good time.
PRESIDENT LAYTON: I think they're laughing.

MR. BURHANS: Well, as a token of the appreciation of the Board of Directors and the staff, Steve, if you'd come down, we want to present to you this print. What do you got?

PRESIDENT LAYTON: It's a deer.

MR. BURHANS: Yeah, I ran out of turkeys. I'm sorry. Get your photo, too.

PRESIDENT LAYTON: Thank you.

MR. BURHANS: Thank you.

PRESIDENT LAYTON: And so now I get to say a couple things, -

MR. BURHANS: Yes, you do.

PRESIDENT LAYTON: - because I appreciate this. I appreciate the comments. But you can't be effective without a great board and we have a great group of people. And with Kristen coming on board, I'm excited about where everybody's - where the Board is going.

We've got an outstanding Executive Director. It's easy - you know, we did talk a lot, but when times were tough - Bryan is not afraid to make decisions. And the Bureaus that we have, the regional directors - I'm telling you, the staff that
we've put together, that Bryan has put together, is a class act. And I just want to thank all of you for the work that you put in to make this job kind of easy for me. And so thank you and good luck.

Congratulations to Charlie Fox.

This meeting is adjourned.

* * * * * *

HEARING CONCLUDED AT 2:01 P.M.

* * * * * *

CERTIFICATE

I hereby certify that the foregoing proceeding was reported by me on 01/25/2020 and that I, Evan Bingaman, read this transcript, and that I attest that this transcript is a true and accurate record of
the proceeding.

Dated the 19th day of February, 2020

Evan Bingaman,

Court Reporter