

**Board of Game and Inland Fisheries
Meeting Minutes
4000 West Broad Street
Richmond, Virginia 23230**

June 8, 2010

Present: Mr. Charles S. Yates, Chairman, Mr. James W. Hazel, Vice-Chairman, Ms. Sherry Crumley, Mr. F. Scott Reed, Mr. Brent Clarke, Dr. William T. Greer, Jr., Mr. Richard E Railey, Jr., Mr. Randy Kozuch, Mr. Ward Burton and Ms. Mary Louisa Pollard **Absent:** Mr. John Montgomery; **Executive Director:** Mr. Robert "Bob" W. Duncan; **Chief Operating Officer:** Mr. Matt Koch; **Senior Leadership Team:** Dr. Joice Conyers, Mr. Ray Davis, Mr. Larry Hart, Mr. Gary Martel, Mr. Charlie Sledd, Colonel Dabney "Dee" Watts and Mr. David Whitehurst; **Legal Counsel:** Ms. Kerri Nicholas.

[\(Listen: Call to Order\)](#)

The Chairman welcomed everyone and called the meeting to order at 9:00am and also noted for the record that a quorum was present for today's meeting. A closed session will be held during the meeting.

The Chairman called on Mr. Clarke to read the Mission Statement into the record and recognized Peer Group 8 and one member from Peer Group 5 of the Agency's Leadership Development Program to lead the Pledge of Allegiance. The Fellows of Peer Group 8 are: Bob Greenlee, Charlie Mullins, Milt Robinson and Allen Boynton and Bryan Young from Peer Group 5.

The Chairman recognized special guests in attendance at the meeting: Mr. Kevin Grubbs, Regional Director for the State Chapter of the National Wild Turkey Federation; Mr. Ed Phaup, President of the Central Branch of the Quality Deer Management Association and their treasurer, Mr. Ed Albright; Mr. Guy Crittenden, Artist of the 2010 Migratory Waterfowl Conservation Stamp; Ms. Jenny West, Executive Director of the Virginia Wildlife Foundation and Mrs. Ann Railey, wife of Mr. Richard E Railey, Jr. The Chairman thanked everyone for their attendance at today's meeting.

The Chairman moved forward with the agenda and called for Public Comments, non-agenda items.

Public Comments: Non Agenda Items: [\(Listen: Public Comments – Non Agenda Items\)](#)

The Chairman called for Public Comment on non-agenda items. The Chairman called everyone's attention to the need to limit individual comment to 3 minutes and comments support a group to 5 minutes. The Chairman reminded everyone wishing to make a comment to move to the podium so all comments could be made a part of the record and to state their name and city.

All persons requesting to make public comment on agenda items are requested to complete the Department of Game and Inland Fisheries Board Meeting Comment Form. This form requests the following information: Date; Topic of Discussion; Name and address; Telephone number; Whether or not you are representing a group and, if so, the name of the group represented; Are your comments for or against the proposals; other.

Catharine W. Tucker, Richmond, Virginia, 23227, expressed her support for the staff.

The Chairman thanked Ms. Tucker for her attendance and remarks.

Recognition of Employees and Others: ([Listen: Recognition of Employees and Others](#))

The Chairman called on the Director to introduce guest and staff for recognitions.

Mr. Kevin Grubbs, Regional Director of the State Chapter of the Wild Turkey Federation and Mr. Bob Ellis of the Wildlife Division presented the 2010 National Wild Turkey Federation VA State Chapter "Wildlife Manager of the Year" Award to Mr. Gene Sours, Wildlife Management Area Supervisor.

Mr. Bob Ellis recognized artist Mr. Guy Crittenden for the artwork that will be on the 2010 Migratory Waterfowl Conservation Stamp.

Mr. Ed Phaup, President of the Central Branch of the Quality Deer Management Association and Mr. Ed Albright, Treasurer presented a monetary donation to the Virginia Wildlife Foundation on behalf of the Agency. Ms. Jenny West, Executive Director for the Foundation thanked the Agency and Quality Deer Management Association for the donation.

The Director reintroduced the members of Peer Group 8 and one member from Peer Group 5 and gave a brief presentation on the Capstone Projects of each Peer Group. The LDP graduation will be held in Charlottesville on September 16, 2010 at 10:30am.

The Chairman thanked everyone for their participation in the meeting and congratulated Mr. Sours on his award.

The Chairman presented Dr. Greer and Mr. Railey plaques for their service and dedication to the Board. Dr. Greer served on the Board from 2005-2010 and represented the Second Congressional District. Mr. Railey served on the Board from 2002-2010 and represented the Fourth Congressional District. The Chairman thanked them for their contributions to the Board. Dr. Greer and Mr. Railey thanked the Chairman and Board for their recognitions.

Approval of the April 20, 2010 Meeting Minutes: ([Listen: Approval of April 20, 2010 Meeting Minutes](#))

The minutes of the April 20, 2010 Meeting have been distributed and posted to the website for review. Ms. Crumley noted for the record that Mr. Este Fisher lives in Mount Crawford not Mc Crawford as stated in the minutes. **Mr. Hazel made the following motion: Mr. Chairman, I hereby move the minutes of the meeting be approved with the correction as noted by Ms. Crumley. Motion Seconded by: Ms. Crumley. Ayes: Yates, Hazel, Crumley, Reed, Clarke, Greer, Railey, Kozuch, Burton and Pollard.**

Election of the 2010-2011 Slate of Officers for the Chairman and Vice-Chairman: ([Listen: Election of the 2010-2011 Slate of Officers for the Chairman and Vice-Chairman](#))

The Chairman stated during the April Board meeting, the Nominations Committee submitted their recommendations for the 2010-2011 Slate of Officers for Chairman and Vice-Chairman. This year's nominees are: Mr. James W. Hazel as Chairman and Mr. Ward Burton as Vice Chairman.

The Chairman called for a motion to elect Mr. James W. Hazel as Chairman for 2010-2011. Mr. Scott Reed made the following motion: Mr. Chairman, I hereby move the Board of Game and Inland Fisheries elect Mr. James Hazel as Chairman for 2010-2011. Motion

Seconded by: Ms. Pollard. Ayes: Yates, Hazel, Crumley, Reed, Clarke, Greer, Railey, Kozuch, Burton, Pollard.

The Chairman called for a motion to elect Mr. Ward Burton as Vice-Chairman for 2010-2011. Ms. Crumley made the following motion: Mr. Chairman, I hereby move the Board of Game and Inland Fisheries elect Mr. Ward Burton as Vice Chairman for 2010-2011. Motion Seconded by: Mr. Clarke. Ayes: Yates, Hazel Crumley, Reed, Clarke, Greer, Railey, Kozuch, Burton and Pollard.

Following the election of new officers, Mr. Hazel, Chairman - Elect provided Chairman Yates with a plaque bearing the Chairman's gavel and recognizing his leadership of the Board from July 1, 2009-June 30, 2010. Mr. Hazel also presented, on behalf of the Agency, a print by Shenandoah Valley artist, Mr. Bruce Lynn Dellinger. The print was a pencil drawing of a covey of Quail to recognize Chairman Yates' leadership of the Quail Initiative. Mr. Dellinger is a quadriplegic who discovered he could draw using his teeth which lead him to his career in art. His favorite tool is a #2 graphite pencil and the sketch required more than 180 hours to create. Mr. David Coffman, staff sportsman educator, who knew Mr. Dellinger, and coordinated the work also created a framed from American Aged Chestnut.

Mr. Yates thanked the Board and Staff for their support during the year.

Committee Reports:

The Chairman called for Committee Reports:

(Listen: Finance, Audit and Compliance Committee Report)

The Chairman called on Mr. Brent Clarke, Finance Committee Member, to report on the activities of the May 6, 2010 **Finance Audit and Compliance Committee** Meeting. Following his remarks, Mr. Clarke called on Mr. Matt Koch, Chief Operating Officer to present ([View presentation](#)) the FY2011 Budget (Operating and Capital).

Following the presentation of the budget, a discussion was conducted by the Board, Director and Staff. The Chairman called for a motion. Mr. Clarke made the following motion: Mr. Chairman, I move that the Board adopt the FY 2011 operating and capital budget as proposed by staff and with any amendments as agreed to by the Board. Motion was seconded by: Mr. Hazel. Ayes: Yates, Hazel, Crumley, Reed, Clarke, Greer, Railey, Kozuch, Burton and Pollard.

The Chairman thanked the Director, Mr. Koch and staff for an outstanding presentation on the budget.

(Listen: Education, Planning, and Outreach Committee Report)

The Chairman called on Mr. Hazel, Committee Chair, to present a report on the activities of the May 6, 2010 **Education, Planning, and Outreach Committee** Meeting. Mr. Hazel reported a discussion was held on possible legislative issues and the strategic planning process. Mr. Hazel also reported the application for the agency Blue Bird license plate has been submitted to DMV for approval. Mr. Hazel noted a complete report from the meeting has been included in the Board package for everyone's review.

The Chairman thanked Mr. Hazel for his report and called for a 10 minute break at 10:20am. The Chairman stated following the break, the Board would hear the Wildlife and Boat Committee Report.

[\(Listen: Wildlife and Boat Committee Report - Staff Recommendations to Amend Fishing, Wildlife Diversity, and Boating Regulations\)](#)

The meeting came back to order at 10:30am and Mr. Ward Burton, Committee Chair, presented a report on the activities of the May 24, 2010 **Wildlife and Boat Committee Meeting**.

Mr. Burton gave the following report: The Wildlife and Boat Committee met Monday May 24, 2010. All 3 members were present as well as the Board Chairman, Mr. Yates. In addition to Department staff, Mr. Este Fisher from the Virginia Bear Hunters Association was in attendance.

The Committee took on a full slate of issues during the meeting. Bob Ellis provided a response to the Virginia Bear Hunters Association position paper on the current bear hunting regulations which was presented to the Board at the April 20th Board meeting. A discussion of the issue involving Committee members, Department staff, and Mr. Fisher followed with support of the current bear hunting regulations being considered the most appropriate course of action at this time.

David Norris provided an update on the Wildlife Management Area Study. Preliminary results were presented and future plans for completing the study were discussed.

Larry Hart gave a presentation ([View presentation](#)) on the Department's efforts to reach agreement on recreational use of the Goodall Tract. The Department holds a Conservation Easement on the Goodall Tract in Highland County and has been working with the Goodall family to manage recreational use outlined in the easement.

Chairman Yates requested the Wildlife and Boat Committee add to the agenda for their next meeting an item to assess public access issues associated with outdoor recreation and develop potential initiatives to promote and improve public access on private land for outdoor recreation in Virginia.

Mr. Burton called on Mr. David Whitehurst, Wildlife Bureau Director, to present an overview of the staff recommendation process to amend the fishing, wildlife diversity, and boating regulations. Mr. Whitehurst introduced Mr. Fred Leckie who presented the fishing regulations; Ms. Becky Gwynn, who presented the Wildlife Diversity Regulations and Mr. Tom Guess, who presented the Boating regulations.

Mr. Fred Leckie presented the staff recommendations for the fish regulation amendment proposals ([View presentation](#)). Mr. Leckie called the Board's specific attention to the change in the South River Narrative. The change from the material provided in the Board materials is an extension of the included property based on continued conversations with local landowners:

Original Recommendation:

, in that portion of South River from State Route 632 Bridge downstream 1.1 miles to State Route 664 Bridge near Waynesboro,

New Recommendation:

, in that portion of South River from the N. Oak Lane Bridge in Waynesboro upstream to a sign posted 1.5 miles above the State Route 632 (Shalom Road) Bridge,

Following a discussion by the Board, Director and Staff, the Chairman called public comments on the fish regulation amendment proposals as presented by staff.

Public Comments:

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Mr. Harold X. Tate, Jr., Waynesboro, Va., who represented Trout Unlimited, spoke regarding Fisheries.

The Chairman thanked Mr. Tate for his remarks and called for a motion and vote. Mr. Hazel made the following motion: Mr. Chairman, I hereby move that the Board propose the amendments to the fish regulations as recommended by staff. Motion seconded by: Mr. Railey. Ayes: Yates, Hazel, Crumley, Reed, Clarke, Greer, Railey, Kozuch, Burton, Pollard.

The Chairman thanked Mr. Leckie for his presentation and called on Ms. Becky Gwynn to present the staff recommendations for the wildlife diversity regulation amendment proposals . Ms. Gwynn presented the staff recommendations for the wildlife diversity regulation amendment proposals ([View presentation](#)).

Following a discussion by the Board, Director and Staff, the Chairman called for public comment. Hearing none, the Chairman called for a motion and vote to adopt the wildlife diversity regulation amendment proposals as presented by staff.

Mr. Hazel made the following motion: Mr. Chairman, I move that the Board propose the amendments to the wildlife diversity (nongame) regulations as recommended by staff. Motion seconded by: Mr. Clarke. Ayes: Yates, Hazel, Crumley, Reed, Clarke, Greer, Railey, Kozuch, Burton and Pollard.

The Chairman thanked Ms. Gwynn for her presentation and called on Mr. Tom Guess to present the staff recommendations for boating regulation amendment proposals. Mr. Guess presented the staff recommendations for boating regulation amendment proposals ([View presentation](#)).

Following a discussion by the Board, Director and Staff, the Chairman called for public comments on the boating regulation amendment proposals as presented by staff. Hearing none, the Chairman called for a motion and vote to adopt the boating regulation amendment proposals as presented by staff.

Ms. Crumley made the following motion: Mr. Chairman, I hereby move that the Board propose the amendments to the boating regulations as recommended by staff. Motion Seconded by: Mr. Hazel. Ayes: Yates, Hazel, Crumley, Reed, Clarke, Greer, Railey, Kozuch, Burton and Pollard.

The Chairman thanked Mr. Guess for his presentation and called on Mr. Burton, the Wildlife and Boat Committee Chairman for any additional reports from the Committee. Mr. Burton called on Mr. Bob Ellis to present the draft Elk Restoration and Management Plan. Mr. Ellis presented the draft plan ([View presentation](#)).

[\(Listen: Wildlife and Boat Committee Report - Draft Operational Plan – Elk Management in Southwestern Virginia\)](#)

Following Mr. Ellis's presentation to the full board, the Chairman asked Mr. Burton for the Committee's recommendation. On behalf of the Committee, Mr. Burton stated the Wildlife and Boat Committee recommends that the Board endorse the draft Elk Restoration and Management Plan as presented by staff and solicit further public comment and input on this plan.

After a discussion by the Board, Director and Staff, the Chairman called for Public Comments on the draft plan.

Public Comments:

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Wilmer Stoneman, Richmond, Virginia, who represented the Virginia Farm Bureau, spoke regarding Elk and opposed putting the draft plan out for public comment..

The Chairman called on Ms. Kathy Funk who deferred her comments and introduced Ms. Caroline "Tinker" Frazier, who represented the Rocky Mountain Elk Foundation. Ms. Frazier is from Burke, Virginia and spoke in favor of putting the draft plan out for public comment.

Ms. Kathy Funk, Greenville, Virginia, who represented the Rocky Mountain Elk Foundation, spoke in favor of putting the draft plan out for public comment.

The Chairman thanked everyone for their remarks. The Chairman called for additional discussion by the Board, Director and Staff. Hearing none the, Chairman called for a motion and vote.

Mr. Burton made the following motion: Mr. Chairman, I move that the Board accept the draft Operational Plan for Elk Restoration and Management in Southwest Virginia as presented by staff in order to receive further public review and comment. Motion Seconded by Ms. Crumley. Ayes: Yates, Hazel, Crumley, Reed, Clarke, Greer, Railey, Kozuch, Burton and Pollard.

The Chairman thanked the Board, Director and Staff for their work and comments regarding the draft plan.

At 1:00pm, The Chairman called for a motion to recess for lunch and stated the Board would hear the remaining agenda items following lunch. Mr. Clarke made the following motion: I hereby move the Board go into recess for lunch. Motion seconded by Ms. Crumley. Ayes: Yates, Hazel, Crumley, Reed, Clarke, Greer, Railey, Kozuch, Burton, Pollard.

Mr. Railey, Dr. Greer and Mr. Kozuch departed at 1:15pm

[\(Listen: Director's Report\)](#)

The Chairman called the meeting back to order at 1:30pm and called on the Director to present his report. The Director reported on the following items:

- The Shooting Range located in Powhatan County
- Agency Furlough Day
- Signing of the South Holston River Agreement
- Coursey Springs Open House
- Opening of the Hopyard Board Landing
- Provided an update on the Fredericksburg Easement
- 2010 Spring Turkey Harvest
- Upcoming meeting with the Legislative Caucus.

The Director presented Mr. Ray Davis his 15 year service award. The Director thanked Mr. Davis for his service to the Agency and Board. Mr. Davis will be retiring on June 30, 2010.

The Director also noted that Mr. Gary Martel has agreed to serve as the interim Planning and Finance Director until this position can be filled. The Director thanked Mr. Martel for his willingness to serve in this capacity.

The Director thanked Ms. Kerri Nicholas of the Attorney General's Office, who substituted today for Ms. Elizabeth Andrews, as legal counsel for the meeting.

Chairman's Remarks: ([Listen: Chairman's Remarks](#))

The Chairman requested staff to notify the Board of the public hearings on the Elk Plan. The Chairman thanked the Board, Director, staff and especially Beth Drewery for all of the assistance provided during his term as Chairman. He congratulated Mr. Hazel on becoming the new Chairman. The Chairman thanked the Board once again for the Quail Print.

([Listen: Motion to Move to Closed Session](#))

At 2:00pm The Chairman called on Ms. Pollard for the motion to go into a closed session. Ms. Pollard made the following motion:

*Closed Session Motion
June 8, 2010*

Mr. Chairman,

I hereby move that the Board of Game and Inland Fisheries go into a closed meeting pursuant to Section 2.2-3711.A.1 of the Code of Virginia for discussion or consideration of employment, assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointee, or employees of the Department of Game and Inland Fisheries specifically regarding:

The performance of the Director.

And

Pursuant to Section 2.2-3711.A.3 of the Code of Virginia for discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property with respect to:

Possible property transactions located in King and Queen County and Caroline County.

Motion Seconded by: Ms. Crumley Ayes: Yates, Hazel, Crumley, Reed, Clarke, Burton and Pollard.

[\(Listen: Certification and Actions from Closed Session\)](#)

At 2:45 pm, the Chairman called on Ms. Pollard for the Certification of the Closed Session. Ms. Pollard made the following certification:

*Certification of Closed Meeting
June 8, 2010*

WHEREAS, the Board of Game and Inland Fisheries has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712.D of the Code requires a certification by this Board that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Board of Game and Inland Fisheries hereby certifies that, to the best of each member's knowledge, only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board.

Motion Seconded by Ms. Crumley. Ayes: Yates, Hazel, Reed, Burton, Pollard and Crumley. Mr. Clarke was absent for the vote.

The Chairman called for a motion regarding items discussed in closed session. Ms. Pollard made the following motion:

Mr. Chairman, I move that the Board authorize the Director to acquire by conservation easement approximately ±261.5 acres of land in King and Queen County, Virginia, and such acquisition shall be according to applicable state procedures. Motion Seconded by Mr. Hazel. Ayes: Yates, Hazel, Clarke, Pollard, Reed, Crumley, Burton.

[\(Listen: Additional Business\)](#)

[\(Listen: Next Meeting Date and Adjournment\)](#)

The Chairman called for any additional business of the Board and thanked Ms. Nicholas for her assistance with today's meeting. Hearing none, the Chairman announced the next meeting of the Board would be held on July 13, 2010 at 9:00am. The meeting was adjourned at 2:55pm.

Respectfully submitted,

Beth B. Drewery, Board Secretary
Game and Inland Fisheries