

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

**July 12, 2011  
9:00am**

**Present:** Mr. J. Brent Clarke, III, Chairman, Mr. F. Scott Reed, Jr. Vice-Chairman, Ms. Mary Louisa Pollard, Mr. Curtis Dixon Colgate, Ms. Lisa Caruso, Mr. Leon O. Turner, Sr., Mr. Charles S. Yates, and Mr. James W. Hazel; **Absent:** Mr. Randy Kozuch; **Executive Director:** Mr. Robert "Bob" W. Duncan; **Chief Operating Officer:** Mr. Matt Koch; **Senior Leadership Team:** Dr. Joice Conyers, Mr. Tom Gelozin, Mr. Larry Hart, Mr. Lee Walker, Colonel Dabney "Dee" Watts and Mr. David Whitehurst; **Legal Counsel:** Mr. Ryan Brown.

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

The Chairman welcomed everyone and called the meeting to order. The Chairman noted for the record that a quorum was present for today's meeting. The mission statement was read into the record by Ms. Mary Louisa Pollard and the Fellows of the Leadership Development Program lead the Pledge of Allegiance.

The Chairman proceeded with the agenda and called on the Director for Recognition of Employees and others.

***Recognition of Employees and Others:*** [\(Listen\)](#) The Director called on Mr. Lee Walker to introduce Mr. Kirk Whiting with Virginia Interactive to introduce the Agency's new iPhone Application. Mr. Walker and Mr. Whiting demonstrated the new application. They showed the features for hunting and fishing.

The **hunting** app includes:

- Seasons and Bag Limits
- Hunting Regulations
- Get a License
- Sunrise/Sunset Timer

The **fishing** app includes:

- Virginia Fish Identification
- State Record Fish
- Get a License
- Freshwater Fishing Regulations.

The Chairman and Director thanked Mr. Walker and Mr. Whiting for their presentation.

The Director called on Mr. Walker to recognize Ms. Karen Holson for her efforts with the National Archery in the School Program (NASP). Virginia currently has 525 schools participating in the program and ranks second in the nation.

The Director presented NASP Coordinator Plaques for 2011 to Mr. Walker and Ms. Holson.

The Chairman and Director thanked Mr. Walker and Ms. Holson for their dedication to having a successful program in Virginia.

The Director called on Mr. David Whitehurst to recognize Mr. Chip Augustine and Mr. Will McCahill for lifesaving efforts on the James River.

The Chairman and Director thanked them for their lifesaving efforts and service to the Agency.

The Director called on Colonel Dabney "Dee" Watts to present the Virginia NASBLA Boating Officer of the Year Award for 2011. This award was presented to Officer James Brooks from Region 3.

The Chairman and Director congratulated Officer Brooks and thanked him for his service and dedication to the Agency.

The Director called on Mr. Bob Ellis to recognize Mr. Gary Norman's contribution to Dr. Dean Stauffer's book entitled "*Ecology and Management of Appalachian Ruffed Grouse*" ([View Presentation](#)). A discussion was held by the Board, Director and Staff following Dr. Stauffer's presentation.

The Chairman and Director congratulated Mr. Norman for his collaboration and thanked Dr. Stauffer for the publications presented to the Board and his attendance at today's meeting.

**Public Comments - Non - Agenda Items:** ([Listen](#)) The Chairman called for public comment on non-agenda items. Hearing none, the Chairman moved forward with the agenda.

**Approval of June 7, Board Meeting Minutes:** ([Listen](#)) **The Chairman called for a motion to approve the June 7, 2011 meeting minutes. The Chairman noted for the record that Mr. Montgomery's name should be removed from the list who voted to adjourn the meeting since he had departed earlier in the meeting. The Chairman called for a motion to approve the minutes with the correction. Mr. Hazel made the following motion: Mr. Chairman, I hereby move the minutes of the meeting be approved as submitted with the noted correction. Motion Seconded: Ms. Pollard. Ayes: Pollard, Yates, Caruso, Reed Clarke, Colgate, Hazel and Turner.**

**Committee Reports:** ([Listen](#)) The Chairman noted for the record that the **Finance, Audit and Compliance** Committee had not met since the June Board Meeting. The Chairman announced that Mr. Colgate has been asked and has agreed to Chair the committee with the following additional members: Mr. Scott Reed, Mr. Leon Turner and perhaps a new Board member when appointed.

As the new Committee Chair, Mr. Colgate announced the next committee meeting would be on August 9, 2011 beginning at 10:00am.

The Chairman called on Mr. Scott Reed to report on the activities of the **Wildlife and Boat Committee** Meeting held on June 29, 2011.

Mr. Reed highlighted topics covered during the meeting and called on Mr. Bob Ellis to present the Staff Recommendations for the 2011-2012 Webless Migratory Game Bird, Early Goose and Teals Seasons. ([View Presentation](#))

Following Mr. Ellis's presentation, the Board, Director and Staff held a discussion on the presentation and called for public comments.

**Public Comments:**

*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.*

The Chairman called for public comments on this agenda item and called attention to the need to limit individual comment to 3 minutes and comments supporting a group to 5 minutes. The Chairman reminded everyone wishing to make a comment to move to the podium and to state their name and residence so all comments could be made a part of the record.

**Mr. Mac Wells, who represented the Richmond Dove Club, spoke regarding dove.**

The Board Chairman thanked Mr. Wells for his attendance and comments during today's meeting.

**Mr. Terry Wagner, Powhatan, Virginia spoke regarding the Woodcock seasons.**

The Board Chairman thanked Mr. Wagner for his attendance and comments during today's meeting.

Additional discussion was held by the Board, Director and Staff regarding the public comments on changing the Woodcock season. The Chairman called for a motion.

**Mr. Reed made the following motion:**

**Mr. Chairman,**

**I move the Board adopt the 2011-2012 Webless Migratory Game bird, September Canada Goose, and September Teal Seasons and Bag Limits and the Falconry Seasons as presented by staff and to further authorize staff to modify seasons and bag limits, if necessary, to comply with the established Federal Frameworks.**

Before calling for the vote, the Chairman thanked staff for maximizing hunting opportunities for this season.

**Motion seconded by Ms. Caruso. Ayes: Pollard, Yates, Caruso, Reed, Clarke, Colgate, Hazel and Turner.**

Following the presentation, the Board Chairman called for a 10 minute break.

[\(Listen: Committee Reports, Continued\)](#)

Following the break, the Chairman continued with the **Wildlife and Boat Committee** report and called on Mr. Cale Godfrey for his presentation. ([View Presentation](#))

Mr. Godfrey presented the staff recommendations: Proposed Hunting Regulation Amendment due to the new code section **§29.1-516.2 Use of Tracking Dogs**. Mr. Godfrey provided the Board information on the history the new code section and review the public comments received. Mr. Godfrey noted this new proposed regulation amendment would affect the code sections dealing with bear and deer.

Following the presentation, the Board Chairman called for comments from the Board. Hearing none, the Board Chairman called for public comment. The Chairman noted for the record that he had not received any request from the audience to speak on this topic.

The Chairman called on Mr. Reed for a motion:

**BEAR/DEER Regulation Amendments  
Motion**

**4VAC 15-50-70 Game. Bear: Bow and arrow hunting**  
**4VAC 15-50-71 Game. Bear: Muzzleloading gun hunting**  
**4VAC 15-50-110 Game. Bear: Use of dogs in hunting bear**  
**4VAC 15-90-23 Game. Deer: Youth deer hunting day**  
**4VAC 15-90-70 Game. Deer: Bow and arrow hunting**  
**4VAC 15-90-80 Game. Deer: Muzzleloading gun hunting**  
**4VAC 15-90-260 Game. Deer: Hunting with dogs prohibited**

**Mr. Reed made the following motion:**

**Mr. Chairman,**

**I move the Board adopt the regulation amendments as final in the form they were proposed.  
Motion seconded by: Ms. Caruso. Ayes: Pollard, Yates, Caruso, Reed, Clarke, Colgate,  
Hazel and Turner.**

The Board Chairman also announced that Ms. Caruso had been asked and agreed to Chair this committee with the following Board members: Mr. Charles Yates and a new Board member once appointed.

As the new Committee Chair, Ms. Caruso announced the next Committee meeting would be held on August 9, 2011 beginning at 1:00pm.

The Board Chairman thanked the Committee and Staff for their presentations.

The Chairman called on Mr. Hazel to report on the activities of the **Education, Planning and Outreach Committee** meeting held on July 7, 2011. Mr. Hazel reported the staff presented a revised list of potential 2011 Legislative Initiatives to the Committee for review and discussion. Mr. Hazel stated this information has been distributed to all Board members for review. Each member was encouraged to prioritize their list and return to Mr. Hazel by July 18, 2011. Mr. Hazel will compile the list and discuss at a later date with the Director and Mr. Koch.

Mr. Hazel indicated the next EPO Committee Meeting would be held in September.

The Board Chairman also announced that Mr. Hazel had been asked and agreed to Chair this committee with the following Board Members: Ms. Mary Louisa Pollard, Mr. Randy Kozuch, and Mr. Scott Reed.

The Board Chairman thanked the Committee and Staff for their presentation.

**Closed Session:** ([Listen](#)) **The Chairman called for a motion to move into a closed session. Mr. Colgate made the following motion:**

*Closed Session Motion  
July 12, 2011*

*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.**

*This closed meeting will be attended only by members of the Board. However, pursuant to Section 2.2-3712(F), the Board requests counsel, the Director of the Department, the Chief Operating Officer, the DGIF Infrastructure Division Director and the Director of General Services to attend this closed meeting as it believes their presence will reasonably aid the Board in its consideration of the topics that are subjects of this closed meeting;*

*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:*

**An update on DGIF Headquarters Relocation;**

*Furthermore, Pursuant to 2.2-3711.A.7 of the Code of Virginia regarding consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body; and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, specifically regarding:*

**A legal matter regarding the Coursey Springs Fish Cultural Station.**

*Motion Seconded by Mr. Hazel. Ayes: Pollard, Yates, Caruso, Reed, Clarke, Colgate, Hazel, Turner.*

*The Chairman called on Mr. Reed for comment. Mr. Reed made the following statement recusing himself from the portion of the Closed Session meeting dealing with any discussion on the proposed DGIF Relocation.*

*Mr. Chairman, before the Board goes into its closed meeting, I would like to clarify on the record that I will not be participating in the portion of the closed meeting that pertains to the discussion of the new DGIF headquarters and disposition of the current DGIF headquarters. It has come to my attention that I have a relative who could have a potential business interest in a portion of that overall transaction, and while I have consulted with counsel and been advised that I would have no conflict of interest preventing me from participating in the discussion, I have elected to disqualify myself from that portion of the meeting.”*

[\(Listen: Certification of Closed Meeting\)](#)

*Certification of Closed Meeting  
July 12, 2011*

*WHEREAS, the Board of Game and Inland Fisheries conducted 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.*

*Certification seconded by: Reed*

*The Chairman asked the Board Secretary to conduct a voice roll call vote on the Certification.*

*Pollard -Aye  
Yates-Aye  
Caruso-Aye  
Reed-Aye  
Clarke-Aye  
Colgate-Aye  
Hazel-Aye  
Turner-Aye*

The Chairman continued with the agenda and called on the Director for his report.

**Director's Report:** [\(Listen\)](#) The Director reported on the following items:

- Revisions to the Board Governance Manual
- Kill Permit Stakeholder Process Update
- License Information (Current Sales and 2012 License Increase)
- Multiple-Year Licenses
- Agency Salary Study and Compensation

- Law Enforcement will provide updates on their activity to the Wildlife & Boat Committee
- Blue Catfish Update
- LDP Fellows - Group 4
  - Al Bourgeois, Wildlife Bureau
  - Doreen Richmond, Infrastructure
  - Steven Living, Wildlife Bureau
  - Stacey Brown, Law

The Chairman thanked the Director for his report.

**Chairman's Remarks:** ([Listen](#)) The Chairman announced that Mr. Colgate had been asked and has agreed to continue to represent the Board on the Wildlife Foundation Board. The Chairman also noted the Board has received the 2011 FOIA regulations which have been placed in your meeting folders. Any questions regarding this information should be directed to Mr. Ryan Brown.

**Additional Business/Comments:** ([Listen](#)) The Chairman called for any additional business/comments. Hearing none, the Chairman announced the next meeting date.

**Next Meeting Date:** ([Listen](#)) The Chairman announced the next meeting date of August 16, 2011 beginning at 9:00am.

**Adjournment:** ([Listen](#)) The Chairman called for a motion to adjourn. **Mr. Colgate made the following motion: I hereby move this meeting be adjourned. Motion seconded by Hazel Ayes: Pollard, Yates, Caruso, Reed, Clarke, Colgate, Hazel, Turner.**

Respectfully submitted,

Beth B. Drewery, Secretary  
Board of Game and Inland Fisheries