

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

**August 16, 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, Mr. Ward Burton, 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 Mr. Leon O. Turner, Sr. and the Fellows of the Leadership Development Program led the Pledge of Allegiance.

The Chairman recognized Mr. Russell Garrison, former Board Chairman, who was in the audience.

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 introduced the LDP - Peer Learning Group 5. The members are: Kendall Ryan, Eric Brittle, Susan Watson and Lt. Scott Naff.

The Chairman and Director congratulated them for their participation in the LDP Program and attending today's meeting.

The Director called on Mr. Russell Garrison for a special presentation. Mr. Garrison thanked the Board and Staff for the successful implementation of the Quail Action Plan. This plan will help to re-establish the quail population. Mr. Garrison presented Mr. Marc Puckett a quail print in appreciation for his dedication to the quail management program.

The Chairman and Director thanked Mr. Garrison for his service and dedication to the Agency and also for his attendance at the meeting.

The Director recognized Sgt. Karl Martin who recently received the Governor's Public Service Award for Career Achievement. Colonel Watts also congratulated Sgt. Martin on earlier receiving the first "Karl Martin Water Safety Award". The award was established by the Smith Mountain Lake Water Safety Council to honor Sgt. Martin for 40 years of promoting boating safety in Virginia.

The Chairman, Director and Colonel Watts congratulated Sgt. Martin on receiving his award(s) and thanked him for his service and dedication to the Agency.

Mr. Tom Gelozin introduced the new Accounting Manager, Mr. Robert Lewis.

The Chairman and Director welcomed Mr. Lewis to the Agency.

Public Comments - Non-Agenda Items: ([Listen](#)) The Chairman called for Public Comment on non-agenda items and called 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 the podium so all comments can 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.

Mr. Kirby Burch, Richmond, Virginia, spoke regarding the Kill Permit Stakeholder Group. Mr. Burch commended DGIF Staff for their work on the kill permits review process.

The Chairman and Director thanked Mr. Burch for his comments and attendance at today's meeting.

Approval of July 12, 2011 Board Meeting Minutes: ([Listen](#)) **The minutes of the July 12, 2011 meeting have been distributed and posted to the website for review. The Chairman called for a motion to approve the minutes of the meeting as presented. Mr. Reed made the following motion: Mr. Chairman, I hereby move the minutes of the meeting be approved as presented. Motion Seconded by: Ms. Pollard. Ayes: Clarke, Reed, Pollard, Colgate, Caruso, Turner, Yates, Hazel, Burton and Kozuch.**

Committee Reports: ([Listen](#)) The Chairman called on Mr. Colgate, Chairman of the **Finance, Audit and Compliance Committee**, to report on the activities of the August 9, 2011 meeting. Mr. Colgate reported on the following:

- ◆ Small Purchase Charge Card
- ◆ APA Audit
- ◆ Internal Audit Report

Mr. Colgate called on Mr. Matt Koch, Chief Operating Officer, to present the Multi-Year License Regulation - Staff Recommendation ([View Presentation](#)). The Board was granted this new authority during the 2011 General Assembly effective July 1, 2011. Following the presentation, a discussion was held by the Board, Executive Director and Mr. Koch.

The Board Chairman called for a motion to adopt the regulation as presented for advertisement. **Mr. Colgate made the following motion:**

Mr. Chairman,

I move that pursuant to § 29.1-103 subsection 16 and § 29.1-328 of the Code of Virginia that the Board propose amendments to 4 VAC 15-20-65 (Hunting, trapping, and

fishing license and permit fees) to offer reduced pricing for customers who purchase two, three, and four year resident hunting, trapping, or fishing licenses. The cost for each additional year of privilege over the first will be \$1 less than the cost of an annual license. Motion Seconded by Mr. Hazel: Ayes: Clarke, Reed, Pollard, Colgate, Caruso, Turner, Yates, Hazel, Burton and Kozuch.

Mr. Colgate announced the next Committee meeting would be held on October 12, 2011 beginning at 10:00am.

The Chairman thanked Mr. Colgate for his report.

The Board Chairman called on Ms. Caruso, Madam Chairman of the **Wildlife and Boat Committee**, to report on the activities of the August 9, 2011 meeting. Ms. Caruso reported the Committee heard reports on:

- ◆ Feral Pigs
- ◆ Update on Blue Catfish Fishery
- ◆ Wildlife Management Area Report
- ◆ Update on the activities of the Bureau

Ms. Caruso called on Mr. Bob Ellis to present the Staff Recommendations 2011-2012 Migratory Waterfowl Seasons and Bag Limits - Final Action ([View Presentation](#)). Following the presentation, a discussion was held by the Board, Director and Staff.

The Board Chairman called for a motion to adopt the recommendations as presented by Staff. Ms. Caruso made the following motion:

Mr. Chairman,

I move that the Board adopt the 2011-2012 Waterfowl 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. Motion Seconded by Mr. Yates. Ayes: Clarke, Reed, Pollard, Colgate, Caruso, Turner, Yates, Hazel, Burton and Kozuch.

The Board Chairman and Director thanked Mr. Ellis for his presentation.

The Board Chairman called for a 15 minute break.

[\(Listen: Committee Reports, Part 2\)](#)

Following the break, Ms. Caruso called on Mr. Gary Martel to present the Staff recommendations - Fisheries, Wildlife Diversity, and Boating Regulations Process ([View Presentation](#)). Following the presentation, a discussion was held by the Board, Director and Staff.

The Board Chairman called for a motion to adopt the regulation process as presented by staff. Ms. Caruso made the following motion:

Mr. Chairman,

I move that the Board approve the proposed process for the fishing, boating, and wildlife diversity regulation cycle. Motion Seconded by Mr. Yates: Ayes: Clarke, Reed, Pollard, Colgate, Caruso, Turner, Turner, Yates, Hazel, Burton and Kozuch.

The Board Chairman called the Board Members attention to the Proposed 2012 Board Meeting dates listed in the presentation. The Board Chairman noted unless there are suggested changes to this list, the Board will take final action on the proposed schedule during the October Meeting.

The Chairman and Director thanked Mr. Martel for his presentation.

Ms. Caruso called on Ms. Stacy Brown, Statewide Coordinator for Boating Safety Education, to present the Staff Recommendations-Boater Safety Education Course Provider Requirements ([View Presentation](#)). Following the presentation, a discussion was held by the Board, Director and Staff.

The Board Chairman called for a motion to adopt the Boater Safety Education Course Provider Requirements for advertising as presented by staff.

Ms. Caruso made the following motion:

Mr. Chairman,

I move that the Board propose regulation amendments for watercraft as presented by staff. Motion Seconded by: Mr. Colgate. Ayes: Clarke, Reed, Pollard, Colgate, Caruso, Turner, Yates, Hazel, Burton and Kozuch.

The Board Chairman and Director thanked Ms. Brown for her presentation.

Ms. Caruso called on Mr. Larry Hart to present the Department Land Use Plan ([View Presentation](#)). This plan is an Annual Department Land-Use Plan presented to the Board for approval. Following the presentation, a discussion was held by the Board, Director and Staff.

The Board Chairman called for a motion to approve the plan as recommended by staff.

Ms. Caruso made the following motion:

Mr. Chairman,

I move that the land use plans for reportable agency properties be adopted as presented by staff. Motion Seconded by: Mr. Reed. Ayes: Clarke, Reed, Pollard, Colgate, Caruso, Turner, Yates, Hazel, Burton and Kozuch.

Ms. Caruso thanked Mr. Ellis, Mr. Martel, Ms. Brown and Mr. Hart for their presentations. The next Wildlife and Boat Committee Meeting will be held on October 5, 2011 beginning at 10:00am.

The Board Chairman and Director thanked everyone for their presentations.

The Board Chairman called on Mr. Hazel, Chairman of the **Education, Planning and Outreach Committee**. Mr. Hazel stated the Committee had not met since the July Board Meeting. Mr. Hazel indicated approximately 1/3 of the Legislative Proposals submitted by the Board and Staff had been submitted as proposed legislation for 2012. Mr. Hazel stated a committee meeting would be scheduled prior to the October Board Meeting.

The Board Chairman thanked Mr. Hazel for his report.

The Board Chairman noted for the record that a Closed Session would be called following the Director's Report.

Director's Report: ([Listen](#)) The Chairman called on the Director for his report. The Director reported on the following items:

- ◆ The Wildlife Management Area Study
- ◆ Virginia Outdoor Sportsman's Show
- ◆ Lake Brittle Dam Renovations Update
- ◆ Leaking Riser Tower at Lake Thompson
- ◆ Update on the Partnership Activities with the Wildlife Foundation
- ◆ Update on the Kill Permit

The Chairman thanked the Director for his report.

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

***Closed Session Motion
August 16, 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, the DGIF Human Resource Director, and a contract representative from the Department 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 the DGIF Headquarters Relocation.***

Motion seconded by: Mr. Colgate. Ayes: Clarke, Reed, Pollard, Colgate, Caruso, Turner, Yates, Hazel, Burton and Kozuch.

Following the Closed Session Motion, the Chairman called on Mr. Reed for comment. Mr. Reed made the following disclosure statement for 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.”

Certification of Closed Session: ([Listen](#)) Mr. Hazel made the following Certification of the Closed Session:

*Certification of Closed Meeting
August 16, 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. Motion Seconded by:Caruso

The Chairman called on the Board Secretary to conduct the voice roll call vote for the Closed Session:

*Ms. Pollard - Aye
Mr. Burton - Aye
Mr. Hazel - Aye
Ms. Caruso - Aye
Mr. Clarke - Aye
Mr. Yates - Aye
Mr. Turner - Aye
Mr. Reed - Aye
Mr. Colgate -Aye*

Chairman's Remarks: ([Listen](#)) The Chairman reported on his meeting with the Secretary of Natural Resources and the Director that was held on July 20, 2011 and the Chairman stated he would also meet with the Secretary of Natural Resources again on August 22, 2011.

The selections for the Nominations Committee will be made after January 1, 2012. This Committee is charged with developing the Slate of Chairman and Vice-Chairman for 2013.

The Chairman thanked everyone for their presentation and attendance at today's meeting.

Additional Business/Comments: ([Listen](#)) The Chairman called for any additional comments and/or business of the Board.

The Chairman called on Mr. Burton for comment. Mr. Burton commented on the use of coyotes in Fox Pen Operations. A discussion was held by the Board, Director and Staff. The staff will continue to meet with Fox Pen Operators to develop regulations.

Following the discussion, the Chairman called for any public comment.

Mr. Steve Colvin, who represented the Virginia Trappers Association, spoke regarding stiffer penalties for violations of trapping laws.

Mr. Davy Hackett President of the Fox Pen Owners Association spoke in support of allowing coyotes to be stocked in fox pens.

The Chairman thanked Mr. Colvin for his remarks.

Next Meeting Date: ([Listen](#)) The Chairman announced the next meeting will be held on Thursday, October 20, 2011 beginning at 9:00am.

Adjournment: ([Listen](#)) *The Chairman called for a motion to adjourn. Mr. Colgate made the following motion: Mr. Chairman, I hereby move that this meeting of the Board of Game and Inland Fisheries be adjourned. Motion Seconded by Mr. Yates. Ayes: Clarke, Reed, Pollard, Colgate, Caruso, Turner, Yates, Hazel, Burton and Kozuch.*

Respectfully submitted,

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