

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

**August 22, 2013
9:00 am**

Present: Mr. Curtis Dixon Colgate, **Chairman**, Mr. Garry Gray, Mr. David Bernhardt, Mr. Vaughn Groves, Ms. Lisa Caruso, Mr. Hugh Palmer, Mr. Scott Reed, Mr. Leon Turner, Mr. Charles Cunningham, Dr. Mark Winkler; **Absent:** Mr. Ben Davenport; **Executive Director:** Mr. Robert W. "Bob" Duncan; **Chief Operating Officer:** Mr. Matt Koch; **Legal Counsel:** Ms. Elizabeth Andrews, **Senior Leadership:** Mr. David Whitehurst, Lt. Colonel Mike Clark, Mr. Larry Hart, Mr. Tom Gelozin, Dr. Joice Conyers, Mr. Lee Walker.

[\(Listen to this meeting\)](#)

The Chairman opened the meeting at 9:09 am and welcomed everyone and noted for the record that a quorum was present for the meeting. The Chairman welcomed Ms. Sara Maddox from the Secretary of Natural Resource Office and Ms. Carol Rauschberg from DHRM. The Chairman welcomed the 2 new Board Members, Mr. Charles Cunningham from the 10th Congressional District and Dr. Mark Winkler from the 11th Congressional District. The Chairman announced there would be Closed Session during the Board meeting. Mr. Groves read the mission statement and Sgt. Randy Hickman led the Pledge of Allegiance.

Recognition of Employees and Others:

The Chairman called on Mr. David Whitehurst for purposes of a recognition. Mr. Whitehurst asked that the recognition be delayed until later in the agenda because the recipient was delayed in traffic.

Public Comments (Non-Agenda Items): The Chairman called for public comments and hearing none he continued with the agenda.

Approval of the July 9, 2013 Board Meeting Minutes: The minutes of the July 9, 2013 meeting had been distributed and posted to the website for review. The Chairman called for a motion to approve the July 9, 2013 minutes as presented. Ms. Caruso made a motion that the minutes be approved as presented and Mr. Gray seconded the motion. Ayes: Groves, Bernhardt, Caruso, Palmer, Reed, Colgate, Turner, Cunningham, Winkler, Gray.

Committee Meeting Reports:

Wildlife, Boat, and Law Enforcement: Ms. Caruso, Chairwoman of the Wildlife, Boat, and Law Enforcement Committee reported the committee had met on August 13, 2013 and recognized Mr. David Whitehurst for the 2013-2014 Waterfowl Regulations. Mr. Whitehurst introduced Dr. Gary Costanzo for a presentation on the 2013-2014 Waterfowl Regulations.

- 2013-2014 Migratory Waterfowl Seasons and Bag Limits Federal Frameworks and Staff Recommendations were presented by Dr. Gary Costanzo.

Mr. David Lowman from White Stone, Virginia and Mr. Robert Woolfolk from Bumpass, Virginia spoke regarding the Waterfowl Seasons.

A discussion was held by the Board, Director, and staff on the 2013-2014 Migratory Waterfowl Seasons and Bag Limits.

The Chairman and Director thanked Dr. Costanzo and staff for the presentation and recommendations.

Mr. Reed made a motion to adopt staff recommendations with a change to the duck season. The motion did not receive a second.

Mr. Turner made a motion to adopt the 2013-2014 Migratory Waterfowl Seasons and Bag Limits as presented by staff and Mr. Colgate offered an amendment to the motion to “authorize the Director to modify the season to comply with the Federal framework”. Mr. Gray seconded the motion. Ayes: Groves, Bernhardt, Caruso, Palmer, Reed, Colgate, Turner, Cunningham, Winkler, Gray.

The Board tasked the Director to complete a survey of waterfowl hunters ahead of next season to better assess acceptance of potential changes to the duck season as proposed by Mr. Reed.

*****Recognition of Employees and Others:**

The Chairman called on Mr. David Whitehurst who introduced Mr. David Adamson, State Chairman for Ducks Unlimited, who recognized Ms. Janet Hong, the 2013-2014 Virginia Waterfowl Conservation Stamp Artist.

The Chairman and Director congratulated Ms. Hong on her artwork.

Ms. Caruso recognized Mr. Gary Martel to present the Schedule for 2014 Freshwater Fishing, Nongame Wildlife, and Boating Regulation Review and Amendment Process.

- Schedule for 2014 Freshwater Fishing, Nongame Wildlife, and Boating Regulation Review and Amendment process was presented by Mr. Gary Martel .

A discussion was held by the Board, Director, and Staff on the Schedule for 2014 Freshwater Fishing, Nongame Wildlife, and Boating Regulation Review and Amendment process.

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

Ms. Caruso made a motion for the Board to adopt the 2014 Schedule for Freshwater, Nongame Wildlife, and Boating Regulation Review and Amendment Process. It was seconded by Mr. Reed. Ayes: Groves, Bernhardt , Caruso, Palmer, Reed, Colgate, Turner, Cunningham, Winkler, Gray.

Ms. Caruso recognized Mr. Larry Hart to present the Land –Use Plan for 2014.

- The Land – Use Plan was presented by Mr. Larry Hart.

A discussion was held by the Board, Director, and staff on the Land-Use Plan.

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

Ms. Caruso made a motion for the Board to adopt the 2014 Land-Use Plan. Mr. Gray seconded the motion. Ayes: Groves, Bernhardt, Caruso, Palmer, Reed, Colgate, Turner, Cunningham, Winkler, Gray.

Finance, Audit, and Compliance Committee: Mr. David Bernhardt reported the Finance, Audit, and Compliance Committee had met on August 13, 2013 and heard presentations on the Small Purchase Charge Card and a report from the Internal Auditor. Mr. Bernhardt also reported that an annual performance appraisal will once again be performed on the Internal Auditor. He recognized Mr. Tom Gelozin to give the FY2013 Financial Summary.

- FY 2013 Financial Summary – Year In Review

A discussion was held by the Board, Director, and staff on the Financial Summary. The Chairman and Director thanked Mr. Gelozin for his presentation.

Education, Planning, and Outreach Committee: Mr. Gray, Chairman of the Education, Planning, and Outreach Committee, reported that the Committee had not met since the last Board meeting. He also announced that each Board Member would be receiving the Director's Performance evaluation to complete and return.

Closed Session: The Chairman called for a motion to move into a Closed Meeting.

Mr. Cunningham made the following motion:

**Closed Meeting Motion
August 22, 2013**

Mr. Chairman,

I move that the Board 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, appointees, or employees of the Department of Game and Inland Fisheries specifically regarding:

The performance of the Director.

Secondly, 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:

The potential acquisition of an interest in real property in Caroline County.

Thirdly, pursuant to Section 2.2-3711.A.7 of the Code of Virginia for consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, with respect to:

The relocation of the agency headquarters.

Finally, pursuant to Section 2.2-3711.A.7 of the Code of Virginia for 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 negotiation or litigating posture of the public body, with respect to:

Litigation pending in Hanover County Circuit Court, case number CL 13002440.

This closed meeting will be attended only by member of the Board. However, pursuant to Section 2.2-3712 (F), the Board requests counsel, the Department Director, the Chief Operating Officer, the Bureau Director, and the Infrastructure Director to also attend this meetings, as it believes their present will be reasonably aid the Board in it consideration of topics that are the subject of the meeting.

It was seconded by Mr. Reed. Ayes: Groves, Bernhardt, Caruso, Palmer, Reed, Colgate, Turner, Cunningham, Winkler, Gray.

Before going into Closed Session there was a 10 minute recess.
The Board reconvened at 12:42 pm.

Dr. Winkler moved the following Certification.

***Certification of Closed Meeting
August 22, 2013***

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 here by 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.

It was seconded by Mr. Reed.

The Board Secretary conducted the following voice roll call certification:

*Gray – Aye
Colgate – Aye*

Palmer – Aye
Caruso – Aye
Turner – Aye
Reed – Aye
Bernhardt – Aye
Groves – Aye
Cunningham – Aye
Winkler – Aye

Director’s Report: The Director reported on the following items:

- Retail Industry Round Table
- Thanked Human Resources and Lt. Colonel Clark for their help in our recent hiring process
- National Bobwhite & Quail Technical meeting
- Update on the Elk Restoration in Virginia
- Doe Creek WMA dedication set for September 20, 2013
- Recent Law Enforcement graduation
- Thank you’s from constituents around the country for DGIF partnership with the Wildlife Center on the bear enclosure
- Industry Outreach Meeting

Chairman’s Report: The Chairman thanked everyone for their presentation and tireless work of staff and congratulated the new CPO’s.

Additional Business/Comments: Mr. Davenport made the following motion:

Mr. Chairman,

I move that the Board authorize the Director to proceed to acquire approximately 1.83 acres of land in Caroline County, Virginia and such authorization shall be according to state procedures.

It was seconded by Mr. Reed. Ayes: Groves, Bernhardt, Caruso, Palmer, Reed, Colgate, Turner, Cunningham, Winkler, Gray.

Next Meeting Date: The Chairman announced the next Board meeting will be October 17, 2013 at 9:00 am.

Adjournment: The Chairman adjourned the meeting at 12:54 pm.

Respectfully submitted,
/s/ Frances Boswell