

FINAL Board Minutes

Board of Game and Inland Fisheries
7870 Villa Park Drive
Henrico, Virginia 23228

March 21, 2019
9:00 am

Present: Mr. Douglas Dear, **Chairman,** Dr. Mamie Parker, **Vice-Chairwoman;** **Board Members:** Ms. Nicole Butterworth, Mr. Leon Boyd, Ms. Karen Terwilliger, Mr. Ryan Brown, Mr. Brian Vincent, Ms. Catherine Claiborne, Mr. G. K. Washington; Mr. John Daniel; **Absent:** Mr. H. S. Caudill, **Executive Director:** Mr. Robert W. “Bob” Duncan; **Senior Leadership Team:** Mr. Gary Martel, Mr. Tom Guess, Mr. Darin Moore, Dr. Gray Anderson, Dr. Mike Bednarski, Ms. Rebecca Lane, Major Bryan Young, Major Scott Naff, Mr. Lee Walker

Ms. Kelci Block, Assistant Attorney General attended the Board meeting.

Ms. Christine Wolfe, Ms. Kate Hopkins, and Mr. Austin Brown with Joint Legislative Audit Review Commission (JLARC) attended the Board meeting.

The Chairman opened the meeting at 9:00 am. The Chairman welcomed everyone attending and noted for the record that a quorum was present for the meeting and announced there would be a Closed Session. The Chairman called on Board member Ryan Brown to read the Mission Statement and Canine Officer Jim Patrillo to lead the Pledge of Allegiance to the flag.

Recognition of Employees and Others: The Chairman called on Director Bob Duncan for recognitions.

The Director introduced and thanked Ms. Catherine Tucker, a former Board member and Dr. Suzanne Jenkins, Retired State epidemiologist for attending the Board meeting.

The Director introduced Mr. Peter Easter and presented him with a plaque from the agency for his many years of support.

Mr. Easter spoke and thanked the Board for their work at DGIF and complimented Bob Duncan on his retirement.

The Board Chairman called Director Bob Duncan to the podium and presented him with a brass turkey as a gift from the Board and a plaque in honor of his retirement.

Approval of the January 24, 2019 Board Meeting Minutes:

The minutes of the January 24, 2019 minutes have been distributed and posted to the website for review. The Chairman called for a motion to approve the minutes. Dr. Parker made a motion to

approve the January 24, 2019 Board minutes as submitted. It was seconded by Mr. Boyd. Ayes: Dear, Parker, Claiborne, Terwilliger, Butterworth, Vincent, Washington, Boyd, Brown, Daniel

Public Comments (Non-Agenda Items): The Chairman called for Public Comments Non-Agenda Items

- Mr. Fred True of Henrico, VA spoke regarding New Regulations on Doe Harvest

Bob White Quail Presentation: The Chairman called on Mr. Mark Puckett and Mr. Jay Howell for a presentation.

Mr. Puckett and Mr. Howell presented an update on Bob White Quail in Virginia. Mr. Cale Godfrey updated the Board on the Red Cockaded Woodpecker.

After discussion and comments, the Chairman thanked Mr. Puckett, Mr. Howell and Mr. Godfrey for their presentations.

Joint Legislative Audit and Review Commission Update: The Chairman called on Mr. Justin Brown for an update.

Mr. Justin Brown, the Senior Associate Director with Joint Legislative Audit and Review Commission gave an update on their review of the Department of Game and Inland Fisheries. He introduced Ms. Kristine Wolfe and Ms. Kate Hopkins who are working on the project with him.

Committee Meeting Reports:

Wildlife, Boat, and Law Enforcement Committee:

The Chairman called on Mr. Ryan Brown to report on the Wildlife, Boat, and Law Enforcement Committee.

Mr. Brown reported that the Wildlife, Boat, and Law Enforcement Committee had met on Wednesday, March 20, 2019 and called on Dr. Gary Costanzo to present the Proposed Migratory Bird Regulations.

After discussion and comments, the Chairman thanked Dr. Costanzo for his presentation.

Public Comments on Agenda Item:

- Mr. John Robertson of Doswell, VA spoke regarding Waterfowl Season Changes

The Chairman called for a motion, Mr. Brown made a motion, Mr. Chairman, I move that the Board approve the 2019-2020 Migratory Game Bird Season and Bag Limit proposals as presented by staff. It was seconded by Ms. Claiborne. Ayes: Brown, Butterworth, Washington, Boyd, Claiborne, Vincent, Parker, Dear, Terwilliger, Daniel

The Chairman called for break at 10:40 am
The Chairman resumed the meeting at 10:50 am

Mr. Brown called on Dr. David Kalb for a presentation.

Dr. Kalb presented the Elk Management Plan.

After discussion and comments, the Chairman thanked Dr. Kalb for his presentation.

- Ms. Stefani Kitchen from VA Farm Bureau spoke regarding the Elk Plan
- Ms. Emily Edmondson from VA Farm Bureau spoke regarding the Elk Plan
- Ms. Kathy Funk from Stuarts Draft, VA spoke regarding the Elk Plan

The Chairman called for a motion. Mr. Brown made a motion, Mr. Chairman, I move that the Board approve the 2019 – 2028 Virginia Elk Management Plan as presented by staff. It was seconded by Mr. Boyd.

Mr. Brown called on Dr. Gray Anderson to present the Proposed Wildlife Division Staff Recommendations.

After discussion and comments, the Chairman thanked Dr. Anderson for his presentation.

Public Comments on Agenda Items:

- Ms. Debbie Pittman of Northumberland, Va spoke regarding hunting with dogs
- Mr. Eric Gregory of Richmond, VA spoke regarding hunting with dogs
- Ms. Stefanie Kitchen from the VA Farm Bureau Federation spoke regarding the Public Scoping Period

Closed Session:

The Chairman called on Dr. Parker to read the Closed Session Motion. Mr. Vincent seconded the motion. Ayes: Dear, Parker, Terwilliger, Claiborne, Butterworth, Vincent, Daniel, Boyd, Washington, Brown.

The Board went into Closed Session at 12:30 pm.

*Closed Meeting Motion
March 21, 2019*

Mr. Chair,

I move that the Board go to into a closed meeting pursuant to Section 2.2-3711.3 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, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Board, with respect to:

- (i) Real property located in: Accomack, Bath, Carroll, Charles City, Chesapeake, Chesterfield, Caroline, Gloucester, Grayson, Highland, Nelson, Patrick, Roanoke, Spotsylvania, and York Counties*

And Finally, 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:

- (i) 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 legal counsel, the Department Executive Director, the Deputy Director, the Real Property Managers, as it believes their presence will reasonably aid the Board in its consideration of topics that are the subject of the meeting.

******Mr. Ryan Brown did not participate in a portion of the Closed Session governed by 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 Board reconvened at 2:30 pm

The Chairman called on Mr. Daniel for the reading of the Certification.

*Certification of Closed Meeting
March 21, 2019*

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 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.

It was seconded by Ms. Butterworth. Ayes: Dear, Parker, Claiborne, Terwilliger, Butterworth, Vincent, Washington, Daniel, Boyd, Brown

The Board Secretary conducted the following voice roll call vote:

Ms. Claiborne – Aye
Ms. Terwilliger – Aye
Ms. Butterworth – Aye
Mr. Vincent – Aye
Mr. Washington – Aye
Mr. Boyd – Aye
Mr. Daniel - Aye
Dr. Parker – Aye
Mr. Dear – Aye
Mr. Brown – Aye **

**Board member Ryan Brown did not participate in a portion of the Closed Session governed by 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 Chairman called on Ms. Catherine Claiborne for a motion. Mr. Chairman, I move that the Board authorize the naming of the Mattaponi Bluffs WMA and Robert W. Duncan WMA's in Caroline County, Virginia. It was seconded by Mr. Brown. Ayes: Claiborne, Daniel, Terwilliger, Butterworth, Vincent, Washington, Boyd, Parker, Dear, Brown

Finance, Audit, and Compliance Committee: The Chairman called on Dr. Mamie Parker to report on the Finance, Audit, and Compliance Committee meeting.

Dr. Parker reported that the Finance, Audit, and Compliance Committee met on Wednesday, March 20, 2019 and called on Mr. Darin Moore for a presentation.

Mr. Moore presented the FY 19 Budget to Actual Update

After discussion and comments, the Chairman thanked Mr. Moore for his presentation.

Mr. Moore presented the State Audit Update.

After discussion and comments, the Chairman thanked Mr. Moore for his presentation.

Mr. Moore continued with the Fund Reserve Strategy Proposal.

After discussion and comments, the Chairman thanked Mr. Moore for his presentations.

The Chairman called for a motion, Dr. Parker made a motion, Mr. Chairman, I move that the Board approve the following:

- Reduce approved floor balance for Game Protection Fund to 12M, from \$16M;
- Reduce approved floor balances for State Boat Fund to \$800K, from \$2M;
- Remove floor from Non Game Fund; and
- Tentatively plan to budget up to \$700,000 for operating budgets from Lifetime License Endowment Fund between FY20 and FY25, with the requirement that we revisit in 5 years.

It was seconded by Mr. Daniel. Ayes: Claiborne, Daniel, Terwilliger, Butterworth, Vincent, Washington, Boyd, Parker, Dear, Brown

The Board called Becky Gwynn to the podium for purposes of a Board Resolution. Mrs. Gwynn presented a Board Resolution.

RESOLUTION OF THE BOARD OF GAME AND INLAND FISHERIES

Whereas, the South Island of the Hampton Roads Bridge-Tunnel is important habitat for the largest seabird colony in Virginia, supporting nearly 25,000 birds of eight species during the annual nesting season; and

Whereas, the seabird colony at South Island has expanded significantly in recent years while other seabird colonies have declined across Virginia; and

Whereas, up to 20% of the state threatened Gulf-billed Terns in Virginia breed on the Island ; and

Whereas, South Island is the only place that the Sandwich Tern and the Royal Tern breed in Virginia; and

Whereas, the success of the seabird colony at south Island has been the direct result of on-going collaboration between the Virginia Department of Transportation and the Virginia Department of Game and Inland Fisheries;

Therefore, be it resolved that the Board of Game and Inland Fisheries is committed to preserving this habitat and these species;

Be it also resolved that the Board of Game and Inland Fisheries supports the staff's efforts to collaborate with the Virginia Department of Transportation and find solutions that allow the Hampton Roads Bridge-Tunnel expansion to continue while protecting these important resources to the greatest extent possible;

Be it also resolved that the Board of Game and Inland Fisheries conveys its intention via this resolution to the Secretaries of natural Resources and Transportation.

Adopted this 21st day of March 2019 by the Board of Game and Inland Fisheries, Catherine Claiborne, John Daniel, Karen Terwilliger, Nicole Butterworth, Brian Vincent, G. K. Washington, Leon Boyd, Mamie Parker, Douglas Dear, Ryan Brown.

Director's Report: The Chairman called on Mr. Bob Duncan for his report.

Mr. Duncan reported on:

- The Director called on Lee Walker who presented new employee Alex McCrickard
- The Director called on Tom Guess for a Legislative Update
- The Director called on Darin Moore for a Wildlife Value Study
- Announced April 27, 2019 as the date for the VA One Shot Turkey Hunt
- The Director thanked staff and the Board for all of their support during his tenure at the Department and appreciated everything the Board had done.

Chairman's Report:

The Chairman selected and announced the 2019 – 2020 Nominating Committee as:

- Catherine Claiborne - Chairwoman
- Nicole Butterworth
- Leon Boyd

The Chairman thanked everyone for their attendance at today's meeting and thanked staff for the work and for their presentations.

The Chairman asked if anyone had any questions or comments, hearing none, the Chairman announced the next Board meeting will be Thursday, May 30, 2019 and Mr. Dear made a motion to adjourn the Board meeting at 4:00 pm.

Respectfully submitted,

/s/ Frances Boswell

