

## Final Board Meeting Minutes

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

May 24, 2017  
9:00 am

**Present:** Catherine Claiborne, **Vice-Chairman**, Mr. Leon Boyd, Mr. Chuck Cunningham, Ms. Nicole Butterworth, Mr. Clayton Spruill, Mr. Douglas Dear, Mr. H. S Caudill, Mr. Watkins Abbitt, Mr. Leon Turner; **Absent:** Mr. Bill Bolling; **Executive Director:** Mr. Robert W “Bob” Duncan; **Senior Leadership Team:** Mr. Lee Walker, Mr. Gary Martel, Mr. Darin Moore, Mr. Tom Guess, Major Scott Naff, Major Bryan Young, Dr. Gray Anderson, Dr. Mike Bednarski, Mr. David Whitehurst. Ms. Kelci Block with the Attorney General’s Office was in attendance.

The Vice - Chairwoman opened the meeting at 9:00 am and welcomed everyone and noted for the record that a quorum was present for the meeting. Board member Mr. Dear read the mission statement and CPO Josh Thomas led the Pledge of Allegiance to the flag. The Vice-Chairwoman announced there would be a closed session during the Board meeting.

**Recognition of Employees and Others:** Vice-Chairwoman Claiborne called on Director Bob Duncan for recognitions.

The Director introduced Ms. Kelci Block from the Attorney General’s Office as our new attorney for the agency.

The Director called on Mr. David Whitehurst who recognized Mr. J. D. Kleopfer as the Terrestrial Biologist of the Year and Mr. George Palmer as the Aquatics Biologist of the Year.

The Director called on Major Scott Naff who recognized Senior CPO Tim Dooley as the Conservation Police Officer of the Year and Senior CPO Ken Williams as the NASBLA Boating Officer of the Year and CPO Tyler Blanks and CPO Toby Livermore with Life Saving Awards.

### **Approval of the February 22, 2017 Board Meeting Minutes:**

The minutes of the February 22, 2017 Board meeting have been distributed and posted to the website for review. The Chairwoman called for a motion to approve the minutes. Mr. Boyd made a motion to approve the February 22, 2017 Board minutes as submitted. It was seconded by Ms. Butterworth. Ayes: Claiborne, Boyd, Cunningham, Butterworth, Spruill, Dear, Abbitt, Turner, Caudill.

**Public Comments (Non-Agenda Items):** The Chairwoman called for Public comments for Non-Agenda items.

- Dia DuVernet of Virginia Beach, VA spoke regarding Wildlife Rehab Permits

**Committee Meeting Reports:**

**Wildlife, Boat, and Law Enforcement Committee:**

The Chairwoman called on Dr. Gray Anderson to present the 2017-2018 Terrestrial Wildlife Regulation Proposals.

Dr. Anderson presented the Furbearers and Small Game Regulations

Furbearers, Trapping, and Small Game: 4 VAC 15-40-30; 4 VAC 15-40-275; 4 VAC 15-20-50; 4VAC 15-30-50; 4 VAC 15-40-225; 4 VAC 15-190-10

After discussions and comments by the Board, The Chairwoman called for public comments:

- Kevin Cornwell of Carrollton, VA spoke regarding Furbearer regulations
- Bryan Nelson of Shenandoah, VA spoke regarding Furbearer regulations
- John Garvin of Roanoke, VA spoke regarding Fox regulations
- Sabrina Garvin of Roanoke, VA spoke regarding Fox regulations
- Kelly Gottschalk of Henrico, VA spoke regarding Fox regulations
- Julia Murphy of Richmond, VA spoke regarding Fox regulations

Furbearers, Trapping, and Small Game: 4 VAC 15-40-30; 4 VAC 15-40-275; 4 VAC 15-20-50; 4VAC 15-30-50; 4 VAC 15-40-225; 4 VAC 15-190-10

Mr. Abbitt made a motion, Ms. Chairwoman, I make a motion to adopt all amendments to the Furbearers, Trapping, and Small Game Section. It was seconded by Mr. Boyd. Aye: Claiborne, Spruill, Butterworth, Turner, Abbitt, Boyd, Caudill, Cunningham, Dear

Mr. Abbitt made a motion, Ms. Chairwoman, I make a motion to adopt all regulations except Drowning and Pet Fox. It was seconded by Mr. Boyd. Aye: Claiborne, Spruill, Butterworth, Turner, Abbitt, Boyd, Caudill, Cunningham, Dear

4 VAC 15-20-50: Ms. Butterworth made a motion, Ms. Chairwoman, I made a to amend the regulation by inserting the word "wild" before European in line 59 on page 6 of the Board packet . It was seconded by Mr. Boyd. Aye: Claiborne, Spruill, Butterworth, Turner, Abbitt, Boyd, Caudill, Cunningham, Dear

4 VAC 15-20-50: Ms. Butterworth made the motion to adopt the regulation as amended. It was seconded by Mr. Boyd. Aye: Claiborne, Spruill, Butterworth, Turner, Abbitt, Boyd, Caudill, Cunningham, Dear

4 VAC 15-40-225: Mr. Cunningham made a motion to amend the regulation by removing all language, including the following sentence, after the semicolon on line 5 of page 6 of the Board packet. Ms. Butterworth seconded the motion. Aye: Claiborne, Spruill, Butterworth, Turner, Abbitt, Boyd, Caudill, Cunningham, Dear

4 VAC 15-40-225: Mr. Abbitt made a motion to adopt as amended. Ms. Chairwoman, I make a motion to approve the regulation as amended. It was seconded by Chuck Cunningham. Aye: Claiborne, Spruill,

Butterworth, Turner, Abbitt, Boyd, Caudill, Cunningham, Dear

The Chairwoman called for a 5 minute break.

The Chairwoman resumed the meeting.

Dr. Gray Anderson presented the Bear Regulations:

Small Game: 4 VAC 15-50-11; 4 VAC 15-50-71; 4 VAC 15-50-120

After discussion and comments by the Board, the Chairwoman called for Public comments:

- David Steger of Catawba, VA spoke regarding Bear regulations
- Richard Sprinkle of Buchanan, VA spoke regarding Bear regulations
- Steve Long of Henrico, VA spoke regarding Bear regulations
- Kirby Burch of Powhatan, VA spoke regarding Bear regulations
- Amanda Nicholson of Waynesboro, VA spoke regarding Bear regulations
- Wilmer Stoneman of Richmond, VA spoke regarding Bear regulations
- Jeanine Larsen of Richmond, VA spoke regarding Bear regulations
- Matthew Gray of Richmond, VA spoke regarding Bear regulations
- Tabitha Treloar of Richmond, VA spoke regarding Bear regulations
- Steve Nicely of Clifton Forge, VA spoke regarding Bear regulations

4 VAC 15-50-11- Mr. Turner made a motion to move the start of this proposed season to the beginning of the firearms deer season. No second was made.

4 VAC 15-50-11- Mr. Turner made a motion, Ms. Chairwoman, I move that the Board approve the Open Season; generally (bear) as presented by staff. It was seconded by Mr. Caudill. Ayes: Claiborne, Spruill, Butterworth, Turner, Abbitt, Boyd, Caudill, Cunningham, Dear

4 VAC 15-50-71 - Mr. Abbitt made a motion. Ms. Chairwoman, I move that the board approve Muzzle loading gun hunting as presented by staff. Ms. Butterworth seconded the motion. Ayes: Abbitt, Butterworth, No: Claiborne, Spruill, Turner, Boyd, Caudill, Cunningham, Dear

4 VAC 15- 50-120 – Mr. Caudill made a motion. Ms. Chairwoman, I move to that the board approve the Bear Hound Training season as presented by staff. It was seconded by Mr. Dear. Ayes: Claiborne, Spruill, Butterworth, Turner, Abbitt, Boyd, Caudill, Cunningham, Dear.

The Chairwoman called for a motion to go into Closed Session.

Ms. Butterworth made a motion:

*Closed Meeting Motion  
May 24, 2017*

*Madam Chair,*

*I move that the Board go into a closed meeting 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, 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, Appomattox, Bath, Buchanan, Buckingham, Caroline, Carroll, Fluvanna, James City, King and Queen, New Kent, Pittsylvania, Prince Edward, Roanoke, Rockbridge, Spotsylvania, Sussex, and Wythe.*

*Further, pursuant to Section 2.2-3711.A.1.7 of the Code of Virginia for consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel.*

*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 Bureau Director, the Real Property Managers, The Law Enforcement Major for Operations, as it believes their presence will reasonably aid the Board in its consideration of topics that are the subject of the meeting.*

*It was seconded by Mr. Boyd. Ayes: Claiborne, Spruill, Butterworth, Turner, Abbitt, Boyd, Caudill, Cunningham, Dear.*

*The Board went into Closed Session at: 1:30 pm*

*The Board meeting reconvened at: 2:30 pm*

*Certification of Closed Meeting  
May 24, 2017*

*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.*

It was seconded by Mr. Boyd. Ayes: Claiborne, Boyd, Cunningham, Butterworth, Spruill, Dear, Abbitt, Turner, Caudill.

The Board Secretary conducted the following voice roll call vote:

Claiborne	Dear
Spruill	Boyd
Butterworth	Caudill
Turner	Cunningham
Abbitt	

The Chairwoman called on Ms. Butterworth to make 2 motions.

Motions Presented from Closed Session:

Ms. Butterworth made a motion , I move that the Board authorize the Director to proceed to acquire approximately 500+ acres of land in Caroline County, Virginia, and such authorization shall be according to state procedures. Mr. Boyd seconded the motion.

Ayes: Claiborne, Boyd, Cunningham, Butterworth, Spruill, Dear, Abbitt, Turner, Caudill.

Ms. Butterworth made a motion, I move that the Board authorize the Director to proceed to acquire approximately 1,300+ acres of land in Caroline County, Virginia, and such authorization shall be according to state procedures. It was seconded by Mr. Boyd.

Ayes: Claiborne, Boyd, Cunningham, Butterworth, Spruill, Dear, Abbitt, Turner, Caudill.

Dr. Anderson presented the Waterfowl Regulations.

4 VAC 15-290-140; 4 VAC 15-80-10; 4 VAC 15-260-160; 4 VAC 15-260-15; 4 VAC 15-260-35; 4 VAC 15-260-116; 4 VAC 15-260-45; 4 VAC 15-260-115; 4 VAC 15-40-275

After discussion and Comments by the Board, the Chairwoman called for public comments:

- Nate Tyler of Norfolk, VA spoke regarding the Kittewan Refuge
- Daniel Rohrig of Richmond, VA spoke regarding the Werowocomoco
- Duane Adams of Louisa, VA spoke regarding Blind Laws
- Andrew Hawkins of Stafford, VA spoke regarding VAC 15-260-45
- Cody W. Dent of Summerwood Drive, VA spoke regarding VAC 15-260-45
- Travis Stauch of Arlington, VA spoke regarding VAC 15-260-45
- Brandon Edwards of Woodford, VA spoke regarding VAC 15-260-45
- Fred Getty of Locust Grove, VA spoke regarding VA 15- 260-45
- Teddy Carr of Locust Grove, VA spoke regarding VA 15-260-45

4 VAC 15-290-140 - Mr. Abbitt made a motion, Ms. Chairwoman, I moved that the board approve the possession and display of a harvest information program registration number to hunt as presented by staff. It was seconded by Ms. Butterworth. Ayes: Claiborne, Boyd, Cunningham, Butterworth, Spruill, Dear, Abbitt, Turner, Caudill

4 VAC 15-80-10 - Mr. Boyd made a motion, Ms. Chairwoman, I move that the board approve the Open season for crow as presented by staff. It was seconded by Mr. Abbitt. Ayes: Claiborne, Boyd, Cunningham, Butterworth, Spruill, Dear, Abbitt, Turner, Caudill

4 VAC 15-260-160 - Mr. Abbitt made a motion, Ms. Chairwoman, I move that the board approve the Great Hunting Creek and Dyke March; floating blind area as presented by staff. It was seconded by Mr. Cunningham. Ayes: Claiborne, Boyd, Cunningham, Butterworth, Spruill, Dear, Abbitt, Turner, Caudill

4 VAC 15-260-15 –Mr. Boyd made a motion, Ms. Chairwoman, I move that the board approve the Distance from a licenses stationary blind and off-shore blind stake as presented by staff. It was seconded by Ms. Butterworth. Ayes: Claiborne, Boyd, Cunningham, Butterworth, Spruill, Dear, Abbitt, Turner, Caudill

4 VAC 15-260-35 - Mr. Abbitt made a motion, Ms. Chairwoman, I move that the board approve the distance from a licensed stationary blind and off-shore blind stake as presented by staff. It was seconded by Mr. Boyd. Ayes: Claiborne, Boyd, Cunningham, Butterworth, Spruill, Dear, Abbitt, Turner, Caudill

4 VAC 15-260-116 - Mr. Boyd made a motion, Ms. Chairwoman, I move that the board table Blinds adjacent to Werowocomoco and York River State Park as presented by staff until the August Board meeting. It was seconded by Mr. Abbitt. Ayes: Claiborne, Boyd, Cunningham, Butterworth, Spruill, Dear, Abbitt, Turner, Caudill

4 VAC 15-260-45 - Mr. Dear made a motion, Ms. Chairwoman, I move that the board approve the New Public Water Float Blind Hunting area. It was seconded by Mr. Caudill. Ayes: None, Against: Claiborne, Boyd, Cunningham, Butterworth, Spruill, Dear, Abbitt, Turner, Caudill

4 VAC 15-260-115 - Mr. Abbitt made a motion, Ms. Chairwoman, I move that the board approve the New Disturbing waterfowl on Kittewan Creek Refuge in Charles City County. It was seconded by Mr. Boyd. Ayes: Claiborne, Boyd, Cunningham, Butterworth, Spruill, Dear, Abbitt, Turner, Caudill

4 VAC 15-40-275 - Staff withdrew this regulation.

Dr. Anderson presented the Deer Regulations.

4 VAC 15-40-287; 4 VAC 15-90-70; 4 VAC 15-90-90; 4 VAC 15-90-80; 4 VAC 15-90-89; 4 VAC 15-90-91; 4 VAC 15-90-280; 4 VAC 15-90-291; 4 VAC 15-90-294; 4 VAC 15-270-96

After discussion and comments, the Chairwoman asked for public comments. Hearing no public Comments the Chairwoman moved on to the vote.

4 VAC 15-40-287 – Mr. Boyd made a motion, Ms. Chairwoman, I move that the board approve the model ordinances related to feeding of deer in cities and towns as presented by staff. It was seconded by Mr. Cunningham. Ayes: Claiborne, Boyd, Cunningham, Butterworth, Spruill, Dear, Abbitt, Turner, Caudill

4 VAC 15-90-70 – Mr. Abbitt made a motion, Ms. Chairwoman, I move that the board approve the Archery Hunting (deer) as presented by staff. It was seconded by Cunningham. Ayes: Claiborne, Boyd, Cunningham, Butterworth, Spruill, Dear, Turner, Caudill Against: Abbitt

4 VAC 15-90-90 - Mr. Boyd made a motion, Ms. Chairwoman, I move that the board approve the Bag Limit, bonus deer permits and special antlerless provision for youth hunters as presented by staff. It was seconded by Ms. Butterworth. Ayes: Claiborne, Spruill, Cunningham, Butterworth, Dear, Abbitt, Turner, Caudill, Boyd

4 VAC 15-90-80 - Mr. Boyd made a motion, Ms. Chairwoman, I move that the board approve the Muzzle loading Gun Hunting (deer) as presented by staff. It was seconded by Ms. Butterworth. Ayes: Claiborne, Spruill, Cunningham, Butterworth, Dear, Abbitt, Turner, Caudill, Boyd

4 VAC 15-90-89 - Mr. Boyd made a motion, Ms. Chairwoman, I move that the board approve the Earn a Buck as presented by staff. It was seconded by Ms. Butterworth. Ayes: Claiborne, Spruill, Cunningham, Butterworth, Dear, Abbitt, Turner, Caudill, Boyd

4 VAC 15-90-91 - Mr. Boyd made a motion. Ms. Chairwoman, I move that the board approve the General firearms season either-sex deer hunting days as presented by staff. It was seconded by Mr. Abbitt. Ayes: Claiborne, Spruill, Cunningham, Butterworth, Dear, Abbitt, Turner, Caudill, Boyd

4 VAC 15-90-280 – Mr. Caudill made a motion. Ms. Chairwoman, I move that the board approve the Sale of hides (deer) as presented by staff. It was seconded by Mr. Spruill. Ayes: Claiborne, Spruill, Cunningham, Butterworth, Dear, Abbitt, Turner, Caudill, Boyd

4 VAC 15-90-291 - Mr. Abbitt made a motion. Ms. Chairwoman, I move that the board approve the enclosed or fenced areas that prevent or impede the free egress of deer as presented by staff. It was seconded by Ms. Butterworth. Ayes: Claiborne, Spruill, Cunningham, Butterworth, Dear, Abbitt, Turner, Caudill, Boyd

4 VAC 15-90-294 - Mr. Caudill made a motion, Ms. Chairwoman, I move that the board approve the Rehabilitation of Cervids as presented by staff. It was seconded by Mr. Spruill. Ayes: Claiborne, Spruill, Cunningham, Butterworth, Dear, Abbitt, Turner, Caudill, Boyd

4 VAC 15-270-96 - Mr. Boyd made a motion, Ms. Chairwoman, I move that the board approve the Pneumatic rifles for hunting deer, prohibited for hunting bear and elk. It was seconded by Ms. Butterworth. Ayes: Claiborne, Spruill, Cunningham, Butterworth, Dear, Abbitt, Turner, Boyd; Against: Caudill

Dr. Anderson presented the Turkey Regulations:

4 VAC 15-240-50; 4 VAC 15-240-60; 4 VAC 15-240-70

After discussion and comments, the Chairwoman called for public comments.

Hearing no comments, the Chairwoman called for the vote.

4 VAC 15 240 50 - Mr. Caudill made a motion, Ms. Chairwoman, I move that the board approve the continuous closed season in certain counties, cities and areas (Turkey). It was seconded by Mr. Dear. Ayes: Claiborne, Spruill, Cunningham, Butterworth, Dear, Abbitt, Turner, Boyd, Caudill

4 VAC 15-240-60 – Mr. Caudill made a motion, Ms. Chairwoman, I move that the board approve the Archery hunting for Turkey. It was seconded by Mr. Boyd. Ayes: Claiborne, Spruill, Cunningham, Butterworth, Dear, Abbitt, Turner, Boyd, Caudill

4 VAC 15 240 70 - Mr. Dear made a motion, Ms. Chairwoman, I move that the board approve the Bag Limit. Mr. Caudill seconded the motion. Ayes: none. Nays: Spruill, Abbitt, Boyd, Caudill, Turner, Cunningham, Dear, Claiborne, Butterworth

Dr. Anderson presented 2 NEW Terrestrial Wildlife Staff Regulation Recommendations for the 2017 and 2018 Season.

4 VAC 15 70 50; 4 VAC 15 90 70

4 VAC 15 70 50 - Mr. Boyd made a motion, Ms. Chairwoman, I make a motion that the board approve the addition of the slingbow for the take of Bobcat. It was seconded by Ms. Butterworth. Ayes: Claiborne, Spruill, Butterworth, Turner, Abbitt, Boyd, Caudill, Cunningham, Dear



4 VAC 15 90 70 - Mr. Boyd made a motion, Ms. Chairwoman, I make a motion to that the board approve the Deer Archery Hunting as presented by staff. It was seconded by Mr. Abbitt. Ayes: Claiborne, Spruill, Butterworth, Turner, Abbitt, Boyd, Caudill, Cunningham, Dear

Mr. Caudill made a motion to apply the recently passed 3-day bear season to areas in southwest Virginia below I-81 (i.e., bear zones 6 and 7). It was seconded by Mr. Abbitt. On a roll call vote it failed on a 5 -4 vote.

**Finance, Audit and Compliance Committee:**

The Chairwoman called on Mr. Darin Moore to present the FY18 Budget Proposal.

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

Mr. Turner made a motion, Ms. Chairwoman, I hereby move that the Board approve the FY18 Operations Budget. It was seconded by Mr. Caudill. Ayes: Claiborne, Boyd, Cunningham, Butterworth, Spruill, Dear, Abbitt, Turner, Caudill.

**Education, Planning, and Outreach:**

The Chairwoman called on Mr. Watkins Abbitt for a Nominations Report.

Mr. Abbitt made a motion that the nominating committee had met and nominated Ms. Catherine Claiborne for Chairwoman and Mr. Leon Boyd as Vice Chairman for FY 18. It was seconded by Ms. Butterworth. Ayes: Claiborne, Boyd, Cunningham, Butterworth, Spruill, Dear, Abbitt, Turner, Caudill.

The Chairwoman called on the Director for his report.

**Director's Report:** The Director reported on the following items.

- Installation of Department's new sign and flagpoles
- Turkey harvest update
- Introduction of new media person, Ms. Paige Pearson

**Chairwoman's Report:**

The Chairwoman thanked everyone for attending today's Board meeting and for their patience during this long meeting and thanked staff for their hard work in putting together the presentations. The Chairwoman asked if there was there any additional business or comments and announced the next meeting would be Wednesday, August 23, 2017 at 9:00 am and adjourned the meeting at 5:35 pm.

Respectfully submitted,

Frances Boswell  
/s/