

MISSISSIPPI COMMISSION ON WILDLIFE, FISHERIES, & PARKS

Thursday, July 23, 2015

2 p.m.

MDWFP Main Office, 1505 Eastover Drive, Jackson, MS. 39211

MINUTES OF THE MEETING

PRESENT: Commission Chairman Charles Rigdon, Commissioners William "Billy" Deviney, Clay Wagner, Bill F. Cossar, and Scott Coopwood.

Among the MDWFP staff attending were: Dr. Sam Polles, Executive Director; Robert Cook, Executive Deputy Director; Larry Castle, Michael Bolden, Jennifer Head, Chad Dacus, Colonel Steve Adcock, Jason Thompson, Chris McDonald, Charles Knight, Ed Penny, and counsel, Doug Mann and Drew Malone, Special Assistant Attorneys General.

Chairman Rigdon gaveled the meeting to order and welcomed House Wildlife, Fisheries, and Parks Committee Chairman Scott Bounds.

OPENING PRAYER

Robert Cook, Deputy Executive Director, opened the meeting with prayer.

OATH OF OFFICE

Scott Coopwood, having been appointed by Governor Phil Bryant to serve a five year term beginning July 1, 2015 and ending June 30, 2020, was sworn into office by Notary Donnie Tate.

MINUTES/AGENDA

ACTION: Upon motion by Commissioner Bill Cossar and seconded by Commissioner Clay Wagner, the minutes for the Commission Meeting on June 10, and the minutes of the special meeting on June 22, 2015, and the agenda for today's meeting were unanimously approved.

PUBLIC COMMENTS

No comments were brought forward by the public.

LICENSE SALES REPORT

Jason Thompson, Director of License/Boat Registration, presented the License Sales Report for the month of June 2015. He stated that FY 15 revenue ended two percent (2%) down from FY14.

Jason's report indicated the total revenue for the month of June is comparable to last year.

- Resident Sales are down 1 %
- Non-resident Sales are up \$7,000
- Seven Day/All Game License sales are up \$8,000
- 3 Day /All Game License sales are up \$46,000
- Louisiana License sales are up \$24,000
- Other License revenue is up
- Lifetime License quantity sold is down over 2%

Data analysis shows that four percent of customers are 65 and over and not required to buy a license. Plans are being made to send seniors a note encouraging them to buy a \$5 Senior Exempt license.

MUSEUM

Megan Fedrick, MDWFP Museum of Natural Science (MMNS) Outreach Coordinator, gave a PowerPoint overview of the educational programs conducted by MMNS over the past year. Over 140,000 customers participated in one or more of the 1,335 events including outreach programs, teacher workshops, in-house programming, special events, and summer camps. These camps and events over the years have lead to some serious-minded youth who continue to come back each year excited to learn how to be conservationists. Many were participants in the Jr. Naturalist Camp this summer.

WILDLIFE

FINAL RULE: 40 Miss. Admin. Code Part 2, Chapter 8:

- **Rule 8.5 – Decommission of Enclosures containing White-tailed Deer**

Chris McDonald, Assistant Wildlife Bureau Director, presented Final Rule 8.5 for approval. No comments were received; therefore, the rules were presented for final adoption with no changes.

Commissioner Deviney requested that the minutes reflect that he was abstaining from any discussion or vote on this rule.

ACTION: Upon motion by Commissioner Cossar and seconded by Commissioner Wagner, Rule 8.5 (FINAL) was unanimously approved as presented, with one abstention (Commissioner Deviney) as noted.

Alligator Draw Hunt 2015

Ricky Flynt, Wildlife Alligator/Furbearer Coordinator, presented a PowerPoint presentation on the history of alligator draw hunts in Mississippi which began in 2005 with 1,205 applicants and 50 permits in one zone and has grown to 15,749 applicants and 920 permits in seven zones for the 2015 season. Highlights of his presentation are listed below:

- During 2012 – 2014 only 73% of permit holders used their permits with a 66% success rate of harvesting at least one alligator.
- Last week on July 14 at 9 a.m. alligator permits for 2015 were sold for the first time on the MDWFP website (on-line only) on a first come-first serve basis.
- The capacity of the server was doubled in preparation for this day as 11,639 applicants logged onto the website.
- All 920 permits were sold within 38 minutes in the seven public water zones.
- 85% of customers buying permits last week did not receive a permit in 2014 and 54% were first time alligator permit holders.

Chad Dacus, Wildlife Bureau Director, expressed his gratitude to the MDWFP Information Technology (IT) Department, Mississippi Interactive, and Active Outdoors for making the sale of alligator licenses possible through the MDWFP website.

LAW ENFORCEMENT

PROPOSED Rule Change: 40 Miss. Admin. Code Part 4, Rule 6.1:

Rule 6.1 – Rules and Fees for MDWFP Public Shooting Ranges

Capt. Scottie Jones, LE Programs/Planning, presented changes to the current rules and fees for MDWFP public shooting ranges.

ACTION: Upon motion by Commissioner Deviney and seconded by Commissioner Cossar, Proposed Rule 6.1 was unanimously approved as presented.

PROPOSED MDWFP Policy Change – Line of Duty Injuries-No Leave Required

A request was made by Colonel Steve Adcock, Chief of Law Enforcement, to update MDWFP Policy to comply with changes made in the MISSISSIPPI CODE ANNOTATED §25-3-93 (5) which provides that:

Any state law enforcement officer who is injured by wound or accident in the line of duty shall not be required to use earned personal leave during the period of recovery from such injury. As used in this subsection, the term "state law enforcement officer" means a person employed by a state agency who, as a condition of his or her employment, is required by law to complete a course of study at the Law Enforcement Officers' Training Academy.

MDWFP recognizes that this statute shall apply to all sworn, certified law enforcement (qualified) officers of the Law Enforcement Bureau of the Mississippi Department of Wildlife, Fisheries, and Parks.

ACTION: Upon motion by Commissioner Cossar and seconded by Commissioner Wagner, the Proposed MDWFP Policy change concerning Line of Duty Injuries was unanimously approved as presented.

Citation Report

Colonel Steve Adcock briefed the Commission on citations and compliance checks.

Operation Dry Water (National Boating under the Influence Awareness and Enforcement Campaign) took place June 26 – June 28. During that period 267 citations were issued.

A team of six MDWFP Conservation Officers recently participated in the 2015 National LawFit Competition held July 16-18 in Olive Branch. MDWFP earned first place overall in the competition—winning five categories and setting five national records. Colonel Adcock plans to recognize members of the team and their accomplishments at next month's Commission meeting.

Since May 29, 2015 Conservation Officers have been involved with six (6) lost person calls. All have ended on a positive note with everyone being recovered.

Nine cadets successfully completed 12 weeks of basic Law Enforcement Training at the Mississippi Law Enforcement Officers' Training Academy (MLEOTA) followed by an additional 12 weeks of specialized training at the MDWFP Conservation Officer Training Academy (MCOTA). The Mississippi Department of Wildlife, Fisheries, and Parks hosted a graduation ceremony for its 2015 Cadet Class on July 8 at 10 a.m. at the Livingston Performing Arts and Media Center at Roosevelt State Park in Morton.

Reinstatement Requests (3)

- Dustin Domiano, Hammond, LA.

Colonel Adcock informed the Commission that Mr. Domiano had retaken Hunter Education and had paid all outstanding fines. Mr. Domiano came forward and explained to the Commission the circumstances of his arrest and conviction.

ACTION: A motion was made by Commissioner Deviney to reinstate the privileges of Mr. Domiano and was seconded by Commissioner Cossar. The Commission voted unanimously to approve.

- Larry Sanders, Ethel, MS.

Colonel Adcock informed the Commission that Mr. Sanders had met all the requirements to reinstate his license. Mr. Sanders gave an account of his arrest and conviction.

ACTION: Upon motion made by Commissioner Deviney and seconded by Commissioner Cossar, Mr. Sanders' license was reinstated by unanimous consent.

- Kyle Jones, Water Valley, MS.

Colonel Adcock informed the Commission that Mr. Jones had retaken Hunter Education and paid all fines. Mr. Jones explained the details of his arrest and conviction for spotlighting.

ACTION: Commissioner Deviney made a motion to reinstate the privileges of Mr. Jones, seconded by Commissioner Cossar and the motion unanimously carried.

Loss of Hunting Rights

- Cody Parker, Calhoun City, MS.

Colonel Adcock informed the Commission that Mr. Parker had received four (4) citations during the current year, from which two (2) have resulted in convictions of violations of the wildlife laws of the state. Under MISSISSIPPI CODE ANNOTATED §49-7-27, upon the conviction for the second offense, Mr. Parker's rights to hunt, trap, and fish were forfeited. Mississippi law provides that the Commission may revoke these rights for additional periods if there are any additional violations and/or convictions. Due to Mr. Parker's continued disrespect for the laws and regulations of Mississippi and the conservation officers who uphold it, Colonel Adcock wanted the Commission to have prior knowledge of this situation in case additional actions were needed in the future.

OTHER BUSINESS

No other business was presented.

NEXT MEETING DATE

Next Commission date was set for Wednesday, August 19, 2015 at 2:00 p.m., at the Jackson office.

EXECUTIVE SESSION

ACTION: Upon motion made by Commissioner Deviney and seconded by Commissioner Wagner, the Commission voted unanimously to close the meeting to determine the need for Executive Session. The Commission determined that Executive Session was needed for discussions regarding job performance of specific individuals in specific positions, budget line items that may affect the continued employment of specific employees in specific positions, transactions in land, strategy for ongoing litigation, and prospective relocation of a business or industry. Upon motion made by Commissioner Cossar and seconded by Commissioner Deviney, the Commission voted unanimously to enter into Executive Session.

Dr. Polles updated the Commission on the proposed budget request for FY 2017. The request will include funding requests for needed repairs to state park water infrastructure, as required by the Mississippi Department of Environmental Quality. However, the budget request and related processes cannot be discussed without a caveat regarding Proposition 42 which will appear on the November ballot. Dr. Polles informed the Commission that, in light of the possibility that Proposition 42 could pass, each state agency had been requested to present information to the Legislative Budget Office ("LBO") reflecting an across-the-board reduction in the agency's budget of 7.8%.

ACTION: Upon motion made by Commissioner Wagner and seconded by Commissioner Cossar, the Commission voted unanimously to approve the staff budget request for FY 2017.

Discussion followed regarding services and/or facilities that may have to be closed or restricted should funding be cut.

Dr. Polles then presented the Commission with information regarding the appraisals for a tract of land adjacent to the McHenry Shooting Range.

ACTION: Upon motion made by Commissioner Wagner and seconded by Commissioner Cossar, the Commission voted unanimously to authorize the Executive Director to offer the average of the two appraisals to purchase the tract of land in Stone County, adjacent to the McHenry Shooting Range.

Deputy Executive Director Robert Cook presented a request for action under the Commission's authority set forth in MISSISSIPPI CODE ANNOTATED §49-1-9. This statute authorizes the Commission to set the salary of a specific position in the department. Mr. Cook explained that for years the salary for this position has been set by the State Personnel Board within its guidelines for the general conservation officer occupational class. However, in comparison with other similar state agencies, the MDWFP position was dramatically less than the same position in other agencies. Mr. Cook asked the Commission to set the salary for this position at a rate more in keeping with similar positions in sister state agencies.

Discussion followed. Mr. Cossar, who had previously served on the State Personnel Board, asked whether or not the Commission could set the salary higher than the request. Mr. Cook replied that the statute contained no restrictions on the Commission's authority.

ACTION: Upon motion made by Commissioner Cossar and seconded by Commissioner Coopwood, the Commission voted unanimously to set the salary for the requested position at a figure higher than the staff request.

Attorney Doug Mann updated the Commission on litigation against the Commission by the Leflore County Hunting and Fishing Association ("LCHFA"). The matter is a boundary dispute with the Malmaison Wildlife Management Area. Mr. Mann showed the Commission where a mistake in a prior land description has resulted in a faulty survey of the boundary line. A subsequent survey by the LCHFA created even more deviation from the traditionally recognized boundary line. Since the filing of the suit, discussions had been had where the LCHFA indicated they wanted to return to the older recognized line and establish that as the boundary between the properties. Mr. Mann asked the Commission to authorize Dr. Polles to enter into negotiations to settle the dispute.

ACTION: Upon motion made by Commissioner Wagner and seconded by Commissioner Deviney, the Commission voted unanimously to authorize the Executive Director to negotiate a settlement of the boundary dispute.

There was no other business for discussion in Executive Session.

Upon motion made by Commissioner Cossar and seconded by Commissioner Coopwood, the Commission voted unanimously to end Executive Session and open the meeting.

ADJOURNMENT

The meeting being open, Commissioner Cossar made a motion to adjourn. Commissioner Wagner seconded the motion, and the Commission voted unanimously to adjourn.

Chairman Rigdon gavelled the meeting into adjournment.



Charles Rigdon, CHAIRMAN

8/19/15

Date



Clay Wagner, VICE CHAIRMAN

8/19/15

Date