



Commission on Wildlife, Fisheries, and Parks
Minutes of the Meeting
December 15, 2009 – Holmes County State Park
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The Mississippi Commission on Wildlife, Fisheries and Parks met at Holmes County State Park on Tuesday December 15, 2009, at 2:30 p.m. The meeting was attended by Commissioners Bryan Jones; Charles Rigdon; John Stanley; and Jerry Munro. Commissioner Billy Deviney was present via telephone. Among MDWFP staff attending were Dr. Sam Polles; Don Brazil; Noel Hughes; Larry Castle; Tim Brinkley; and Doug Mann, Special Assistant Attorney General.

WELCOME

Chairman Jones welcomed everyone to the meeting and Major Tim Brinkley opened with prayer.

MINUTES

There were no changes made to the Minutes from the November 17, 2009 Commission meeting.

ACTION: Upon motion made by Commissioner Munro and seconded by Commissioner Stanley, the Minutes of November 17, 2009 were unanimously approved as presented.

TODAY'S AGENDA

There were no changes made to today's Agenda.

ACTION: Upon motion made by Commissioner Munro and seconded by Commissioner Stanley, the December 15, 2009 Agenda was unanimously approved as presented.

PUBLIC COMMENTS

There were several public comments made by individuals from Franklin County regarding the running of dogs during deer season. They are as follows:

Mr. Hilton had two (2) items to consider: (1) Deer hunting with dogs on public lands bordering private lands and dogs getting onto private property (problem is rampant and issuing trespassing violation is not effective); and (2) large number of does being killed in Franklin County; dead carcasses found along highway.

Major Tim Brinkley addressed the concern of deer hunting with dogs on public land and dogs crossing onto private lands. He stated the following:



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This issue is one the Department has dealt with for many years. We advise our officers to issue trespassing citations to hunters who allow their dogs to run on private land by dropping them off and letting them run. He clarified that it is considered trespassing if the hunter is seen intentionally letting his dogs go at the private land owner's property line. He advised as much assistance as possible is needed from the land owner to help catch these perpetrators. For example, if tag numbers can be obtained, descriptions of vehicles, etc., can be given to the officer. There is a "BE SMART" number which is available 24/7 to call to report incidents. Our dispatcher can then dispatch an officer to the scene as quickly as possible. Major Brinkley noted that oftentimes the perpetrators have left the scene by the time an officer is notified. He added that if law enforcement is notified when the problems are occurring, details can be set up to monitor and hopefully catch the problem at the time of incident. Currently, there are several details already set up to guard against trespassing.

Dr. Polles asked what can be done if the officer doesn't see the violation. Major Brinkley said that the land owner would have to sign an affidavit, charging the individuals with trespass. More often than not, the landowner is reluctant to sign an affidavit because they don't wish to get involved; however, in order to prosecute, there has to be a signed affidavit if the officer did not witness the violation take place, in his presence.

Commissioner Stanley asked if it is considered trespassing when a hunter follows his running dogs onto private land. Major Brinkley stated that it may or may not be considered trespassing. However, if a land owner sees a hunter stop in front of his property and purposefully send his dogs across the land, then most of the judges will hear a prosecution for trespassing. On public lands, when the dogs cross onto private land and the owner doesn't follow onto the private property, there is really nothing one can do. He added that most of these perpetrators are hunting in groups with one person designated as the spotter to watch the road for conservation officers. So, if the landowner doesn't assist with the problem, the Department has very limited means to stop the behavior.

Mr. Hilton asked if there are laws stating specific times to hunt dogs and deer within each county. Dr. Polles answered that only the Legislature has the authority to pass laws and the best option for making new laws or changing existing law is to contact your legislator.

Chief Larry Castle addressed the second concern which was the number of dead does found along the highway in Franklin County. He stated that the same answer applies to the doe killing as does with the dog hunter running his dogs. Our legal seasons set for the National Forest lands, private lands and WMA lands will not cause any problem with reducing the population at levels detrimental to the number of deer. The problem



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revolves around the illegal harvest of does. Mr. Hilton asked if there were any surveys done on this and Chief Castle said yes, that one of our biologists has been on the property in Franklin County this year surveying the deer population, and that we maintain updated deer population information on the WMA land itself. The problem comes back to unethical and illegal harvest of does on open forest service land. Our doe season statewide has not caused the deer population to fall below what it should be.

Second Public Comment from Mr. Robert Dossett:

Mr. Dossett said that everything he wished to comment on has already been discussed.

Third Public Comment from Mr. Preston Sullivan:

Mr. Sullivan stated he is from Franklin County and he represents at least 22 people who own land in Franklin, Jefferson, and Amite counties. The total land involved is over 15,000 acres of private land. He stated his group does not have a problem with dog hunting from any other user groups except deer hunting. These deer dogs are set loose on National Forest Land by out-of-county people in most cases. Further, he stated that the landowners and guests are spending thousands of dollars on deer-food plots, hunting gear, overnight accommodations, leases, meals, etc. only to have still hunts ruined by deer dogs. Mr. Sullivan continued by stating he has already contacted Mr. Tim Reed, Ranger for the Homochitto National Forest. Mr. Sullivan read an e-mail from Mark Morrison, President of the MS Dog Hunter's Association and Mr. Sullivan feels, based on the email, that Mr. Morrison would support rules and regulations like the state of Georgia. Dr. Polles asked Mr. Sullivan if he thought Mark Morrison would be willing to attend a meeting with the MS Department of Wildlife to discuss this matter and Mr. Sullivan said he believed he would, based on his comments in the e-mail from him.

Mr. Don Brazil stated that the legislature sets the number of days to hunt with dogs but the Department has the authority set the zones. Dr. Polles said the zoning we presently have applies to deer only he believes. Chief Castle said the Department has the authority to set the zoning but the Forest Service is the regulatory agency just like the authority given to the Corp of Engineers and the Forest Service chooses not to deal with the problem.

Fourth Comment from Mr. Jones:

He is a Franklin county resident for forty years and served as the Chancery Clerk for 24 years. He is retired presently. Franklin County is a unique place with 95,000 acres of U.S. Government land. Regarding the running of dogs issue, he stated that the Louisiana hunters don't mind the trespassing ticket and the land owners need some help from MDWFP. An additional problem is the deer hunting dogs running his cattle.



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Fifth Comment from Mr. Wayne Gamry:

Mr. Gamry is also a Franklin county resident who owns a guide service. He leases land for out-of-state hunters. All during the summer he invests money for food plots, etc. and he has a problem with the dogs running on his property messing this up.

Dr. Polles recommended that all the public comment people leave their name and contact information so they can be invited to the Capital for Wildlife Committee hearings. The session begins January 5, 2010 and Noel Hughes and Don Brazil will be coordinating those meetings. We will encourage as many as can come to address the Wildlife Committees at the Legislature.

LICENSE SALES REPORT

Mr. Michael Bolden presented the License Sales Report. He stated the report reflects much of the same as previous reports. This past month's report shows that sales are down a little less than the previous month. Last month's sales were down 6% and this month's sales are down 4%.

Mr. Bolden stated the Department is working on standardized options to communicate with the apprentice license holders as well as the hunter's education students. Our Marketing Director is investigating the best options to keep our names in front of them in terms of outdoor recreation.

LAW ENFORCEMENT

Major Tim Brinkley presented the law enforcement citation report and stated that as of last Monday, there were 685 citations written for various offenses. There are currently a lot of details throughout the state particularly to address head lighting and trespassing. Hunting accidents have increased. So far there have been fourteen (14) total incidents and all of them while deer hunting. There were eight (8) firearm incidents with one (1) fatality; six (6) tree stand falls with one (1) fatality; eighty-two (82) reported boating incidents; nineteen (19) fatalities and twenty-seven (27) injuries; thirty-seven (37) non boating drowning; and fifty-two (52) BUI cases.

OTHER

Reinstatement Request: Charles Lee Bell, Hamilton, MS.

Major Brinkley stated that Mr. Bell has fulfilled all his obligations regarding his sentence and Law Enforcement recommends his reinstatement. Mr. Bell stated that he was caught with a loaded gun in his truck and was cited for head lighting but he did not fire his gun.



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ACTION: Upon motion made by Commissioner Rigdon and seconded by Commissioner Munro, Mr. Charlie Bell's request for reinstatement was unanimously approved as presented.

Catch-A-Dream:
Chief Larry Castle presented a letter from Marty Brunson with Catch-A-Dream. There is a youth, age 17, from West Virginia who has terminal cancer. The Catch-A-Dream organization needs the Commission's approval to allow this youth to use a center-fire weapon for a hunt at Tara on January 27-31, 2010.

ACTION: Upon motion made by Commissioner Munro and seconded by Commissioner Stanley, Catch-A-Dream's request was unanimously approved as presented.

NEXT MEETING DATES

Tuesday, January 19, 2010
MDWFP Main Office, Jackson, MS @ 2:30 p.m. (Confirmed)

EXECUTIVE SESSION

ACTION: Upon motion made by Commissioner Munro and seconded by Commissioner Stanley, the meeting was closed to determine the need for Executive Session. The vote was unanimous. It was determined that an Executive Session was needed to discuss certain land acquisitions and budget line items that could affect the continued employment of specific individuals. Upon a motion made by Commissioner Stanley and seconded by Commissioner Munro, the Commission voted unanimously to enter Executive Session.

Rickie Felder discussed the Fiscal Year 2010 State Funds Report. Budget cuts were discussed pertaining to Parks and the Museum. No action was required at this time.

Art Kennard discussed several properties in the Delta that were being evaluated for purchase. No action was required at this time.

Nichols Realty has identified a property south of the Tuscumbia WMA, near Cane Creek, that must be appraised to move forward.



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Upon a motion made by Commissioner Stanley and seconded by Commissioner Munro, the Commission voted unanimously to authorize appraisals of the Tuscumbia property.

Don Brazil updated the Commission on several other properties under consideration for acquisition. No action was required of the Commission at this time.

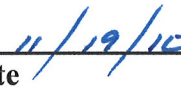
Upon motion made by Commissioner Stanley and seconded by Commissioner Munro, the Commission voted unanimously to exit Executive Session.

ADJOURNMENT

There being no further business to discuss, Chairman Jones gavelled the meeting into adjournment.



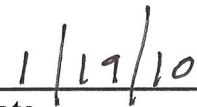
BRYAN JONES, CHAIRMAN



Date



CHARLES RIGDON, VICE-CHAIRMAN



Date