

Minutes of the Meeting of the
Arizona Game and Fish Commission
Friday, November 7, 2008
Arizona Game and Fish Department
5000 W. Carefree Highway
Phoenix, Arizona 85086

PRESENT: (Commission)

(Director's Staff)

Chairman William H. McLean
Vice Chairman Robert D. Hernbrode
Commissioner Jennifer L. Martin
Commissioner Robert R. Woodhouse
Commissioner Norman W. Freeman

Director Larry D. Voyles
Acting Deputy Director Harry Seck
Chief of Staff Gary Hovatter
Assistant Attorney General Jim Odenkirk
Assistant Attorney General Shelley Cutts

Chairman McLean called the meeting to order at 8:00 a.m. This meeting followed an agenda revision #1 dated November 3, 2008. The Commission went immediately into Executive Session.

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1. Executive Session

The Commission voted to meet in Executive Session in accordance with A.R.S. § 38-431.03 (A)(3) and (4) for the purpose of discussion and consultation with legal counsel.

Motion: Hernbrode moved and Freeman seconded THAT THE COMMISSION VOTE TO GO INTO EXECUTIVE SESSION.

Vote: Unanimous

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The Public Meeting reconvened at 9:55 a.m.

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Chairman McLean called the meeting back to order and lead those present through the Pledge of Allegiance. The Commission introduced themselves and Chairman McLean introduced the Director and the Director's staff.

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5. Renewal of Director's Employment Contract

Presenter: Shelley D. Cutts, Assistant Attorney General

Ms. Cutts, standing in for the Human Resources Manager, addressed the Commission regarding the Director's current employment contract with the Commission, which expires on January 21, 2009. This item is on the agenda for the Commission to discuss and/or to take action on a five-year renewal of the Director's employment contract.

Chairman McLean stated for the record that while this item was discussed in Executive Session, there were no decisions or conclusions made by the Commission in Executive Session. Chairman McLean further commented that Director Voyles was selected by the Commission and contracted to complete the last several months of the former Director's contract with the understanding that he may be offered a full five-year term at the completion of the former Director's term. Additionally, Chairman McLean was confident that the Commission made the right choice in selecting Director Voyles.

Motion: Hernbrode moved and Woodhouse and Freeman seconded THAT THE COMMISSION VOTE TO CONFIRM THE APPOINTMENT OF LARRY VOYLES AS DIRECTOR OF THE ARIZONA GAME AND FISH DEPARTMENT FOR A FIVE-YEAR TERM COMMENCING IN JANUARY 2009 SUBJECT TO APPROVAL OF A CONTRACT BETWEEN MR. VOYLES AND THE COMMISSION; AND FURTHER MOVE THAT THE ASSISTANT ATTORNEYS GENERAL DRAFT A CONTRACT FOR COMMISSION REVIEW AND APPROVAL AT THE REGULAR DECEMBER MEETING.

Vote: Unanimous

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2. Request to Amend Commission Order 40: Fish, Open Seasons, Open Areas, and Bag and Possession Limits, for calendar year 2009 and 2010.

Presenter: Kirk Young, Fisheries Branch Chief

The Commission was asked to adopt Commission Order 40: Fish, establishing open seasons, open areas, and bag and possession limits for calendar year 2009 and 2010. Modifications to Commission Order 40 were presented and adopted by the Commission at the October 11, 2008 Commission meeting. However, the Commission was not asked to authorize continuation of Commission Order 40 regulations at that time, leaving the existing unmodified Commission Order regulations for 2009 and 2010 not approved. Therefore, Commission Order 40 was brought back to the Commission for approve at this meeting.

Motion: Woodhouse moved and Freeman seconded THAT THE COMMISSION VOTE TO ADOPT COMMISSION ORDER 40 (FISH) AS AMENDED, ESTABLISHING OPEN SEASONS, OPEN AREAS, AND BAG AND POSSESSION LIMITS FOR CALENDAR YEAR 2009 AND 2010.

Vote: Unanimous

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3. Request for the Commission to approve Intergovernmental Agreement between Maricopa County, Maricopa County Parks and Recreation Department (County), and the State of Arizona, Arizona Game and Fish Commission (Commission).

Presenter: Ty Gray, Assistant Director, Information and Education Division

The Commission was provided with a final draft of the Intergovernmental Agreement (IGA) to provide assistance for operating the Buckeye Hills Shooting Complex (Complex). The Complex was completed in early 2008 under the assumption that an outside entity or concessionaire would maintain and operate the complex. The bid proposal process did not succeed in identifying and viable party to operate the range. In October of 2008, the County approached the Department for guidance in identifying a party to operate the range and to ask for technical, administrative and financial assistance to make the complex operational. A local sportsmen's club has since committed to operating the range with a proposed opening date in late 2008. Included in the Agreement is a commitment from the Commission to provide technical, administrative and financial assistance to aid this purpose. The Department recommended that the Commission vote to approve the Intergovernmental Agreement.

Public Comment

Tom Timmons, Contracts Administrator with Maricopa County Parks and Recreation Department addressed the Commission is support of the IGA.

Motion: Martin moved and Hernbrode seconded THAT THE COMMISSION VOTE TO APPROVE THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE MARICOPA COUNTY PARKS AND RECREATION DEPARTMENT AND THE ARIZONA GAME AND FISH COMMISSION, AND AUTHORIZE THE DIRECTOR TO EXECUTE ALL DOCUMENTS AS SECRETARY TO THE COMMISSION.

Vote: Unanimous

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4. Director's Goals and Objectives

Presenter: Larry Voyles, Director

The Commission worked on the Director's Goals and Objectives extensively at yesterday's (November 6, 2008) Commission Workshop and provided the Department with input regarding the overall Goals and Objectives process leading into the new calendar year.

Motion: Freeman moved and Woodhouse seconded THAT THE DEPARTMENT DRAFT THE DIRECTOR'S GOALS AND OBJECTIVES USING THE INFORMATION GATHERED FROM THE DISCUSSIONS AT THE NOVEMBER 6, 2008 COMMISSION WORKSHOP AND TO BRING THAT DRAFT BACK TO THE COMMISSION FOR REVIEW AT THE REGULAR DECEMBER COMMISSION MEETING.

Chairman McLean clarified that he would like the draft provided to the Commission in plenty of time for review prior to the December Commission meeting.

Vote: Unanimous

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6. State and Federal Legislation

Presenter: Anthony Guiles, Legislative Liaison

This item was discussed in yesterday's (November 6, 2008) Commission Workshop and was presented to the Commission today as it related to the Department becoming more involved at the federal legislative level.

Chairman McLean requested that the Department draft a plan for the Department to move into the federal legislative arena and to provide some alternatives, and to bring that back to the Commission at the December Commission meeting.

Commissioner Hernbrode suggested that the Department explore taking the lead with WAFWA or AFWA in finding a funding mechanism for a full-time federal legislative lobbyist/liaison.

Director Voyles clarified that AFWA currently employs full-time staff for legislative matters, but that may be something to take up with WAFWA.

The Department understood the direction by the Commission and no formal vote was needed.

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7. Request for Commission direction and to take action regarding the upcoming elections for the Board of Directors of the Cibola Valley Irrigation Drainage District (CVIDD).

Presenter: Josh Avey, Chief, Habitat Branch

Mr. Avey briefed the Commission on the service of its voting rights on CVIDD and the opportunity to nominate a Commissioner or cast their votes for the Board of Directors of the CVIDD for the upcoming board member elections. The Commission has an interest in this Board because of the Commission owned property and the potential impact that decisions from the CVIDD might have on the lessee of this property.

The Lower Colorado River Multi-Species Conservation Program (MSCP) administered by the Bureau of Reclamation (BR), is a comprehensive 50-year species conservation and habitat management program that seeks to conserve habitat, work toward the recovery of threatened and endangered species, and reduce the likelihood of additional species being listed under the Endangered Species Act. The MSCP is designed to mitigate for present water diversions and power production and optimize opportunities for future water and power development. In September 2007, the Department acquired a land and water assignments transfer by which Mojave County Water Authority (MCWA) would transfer to the Commission 1,309.1 acres of land and water assignments to 1,300 acre-feet (a/f) 4th priority Colorado River water, 750 a/f 5th priority (unused apportionment) Colorado River water, and 1,000 a/f 6th priority (surplus) Colorado River water located at the Cibola Valley Conservation Area in La Paz County, Arizona. MSCP is the lessee of the Commission owned Cibola property and will maintain this lease for 48 years.

The Commission discussed potential nominees and that it would be in the Commission's best interest to have a representative on the five member board (two-year term). Since Commissioner Woodhouse lives in the area and has considerable experience and knowledge with Irrigation Districts, the Commission asked him if he would be interested in serving on the board.

Commissioner Woodhouse stated that he would do what the Commission thought was best and accepted their nomination.

The Commission further discussed whether there would be any conflict of interest if Commissioner Woodhouse served on the board.

Mr. Odenkirk stated that he did not see any statutory conflict since Commissioner Woodhouse would be serving in the capacity to benefit the Commission's interest.

Commissioner Hernbrode requested that the MSCP be a topic of discussion at a Commission Workshop.

Mr. Avey offered a tour and site visit of another potential MSCP site to any interested Commissioners.

Motion: Martin moved and Freeman seconded THAT THE COMMISSION VOTE TO NOMINATE COMMISSIONER ROBERT WOODHOUSE TO RUN FOR ELECTION TO A POSITION ON THE BOARD OF DIRECTORS FOR THE CIBOLA VALLEY IRRIGATION DRAINAGE DISTRICT.

Vote: Unanimous

Motion: Freeman moved and Martin seconded THAT THE COMMISSION VOTE TO DIRECT DIRECTOR VOYLES TO ACT AS THEIR PROXY AND CAST ALL THE COMMISSION'S SHARE VOTES FOR COMMISSIONER ROBERT WOODHOUSE FOR BOARD MEMBER ON THE BOARD OF DIRECTORS FOR THE CIBOLA VALLEY IRRIGATION DRAINAGE DISTRICT.

Vote: Unanimous

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7. Call to the Public

There were no requests from the public to speak.

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Mr. Seck recapped the following action items/future agenda items that he captured during this meeting:

- With the involvement of Human Resources and the Commission, the Department will develop an evaluation form for the Director which includes the Goals and Objectives
- Schedule a Commission workshop to review and discuss the 2012 Strategic Plan

- Schedule a Commission workshop on legislative matters with timelines and issues for legislation
- Schedule Commission review and action on the Director's contract at the December Commission meeting
- The Legislative Liaison will explore the use of professional lobbying at the federal level and provide the Commission with alternative solutions
- Schedule a Commission workshop on MSCP activities and responsibilities

Commissioner Hernbrode added that he would like to invite the Tucson Rod and Gun Club, specifically David Hardy, to the December Commission meeting to make a presentation to the Commission on their proposed shooting range in Tucson.

Mr. Odenkirk advised that since "Future agenda items" was not on the agenda, the Commission should individually contact the Director at another time regarding any other future agenda items.

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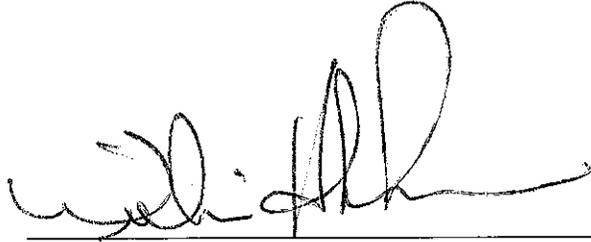
Motion: Martin moved and Woodhouse seconded THAT THE COMMISSION VOTE TO ADJOURN THIS MEETING.

Vote: Unanimous

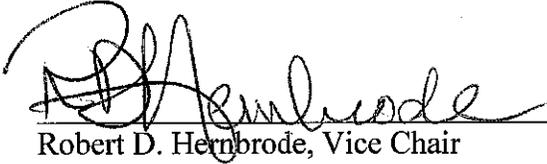
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Meeting adjourned at 10:55 a.m.

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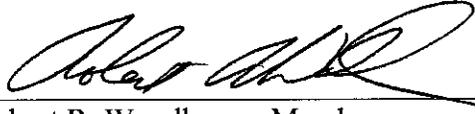
William H. McLean, Chair



Robert D. Hennbrode, Vice Chair



Jennifer L. Martin, Member

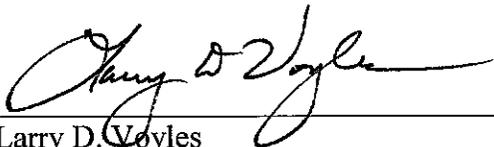


Robert R. Woodhouse, Member



Norman W. Freeman, Member

ATTEST:



Larry D. Voyles
Secretary and Director