

Teleconference/Video Board Meeting

Final Board Minutes

Board of Wildlife Resources
7870 Villa Park Drive
Henrico, VA 23228

May 27, 2021
9:00 am

Present: Mr. John Daniel, II, **Chair,** Mr. Brian Vincent, **Vice Chair;** **Board Members:** Mr. Leon Boyd, Ms. Karen Terwilliger, Dr. Mamie Parker, Mr. Frank Adams, Mr. Rovel Brown, Ms. Tammy Jo Grimes, Mr. Tom Sadler; Ms. Catherine Claiborne and Mr. G. K. Washington; **Executive Director:** Mr. Ryan Brown; **Director's Working Group:** Mr. Gary Martel, Ms. Becky Gwynn, Mr. Tom Guess, Dr. Gray Anderson, Dr. Mike Bednarski, Mr. George Braxton, Mr. Darin Moore, Colonel John Cobb, Ms. Paige Pearson, Ms. Rebecca Lane.

Kelci Block, Assistant Attorney General attended the Board meeting by Teleconference.

The Chair opened the meeting at 9:00 am. The Chair welcomed everyone attending the virtual meeting and thanked everyone for being able to attend by teleconference; The Chair noted for the record that a quorum was present.

The Chair, Mr. John Daniel announced that this meeting is proceeding under Item 4-0.01, Subsection G of the Appropriation Act and section 2.2-3708.2 of the code of Virginia. It is being held by electronic communication, as the COVID-19 virus has made a physical meeting of the Board impracticable. This emergency imposed by COVID-19 is observed by Executive Orders issued by the Governor of Virginia. The Board's actions today shall be solely limited to those matters included on the agenda. All of these proposed actions are statutorily required or necessary to continue operations and discharge lawful purposes, duties, and responsibilities of the Board.

The Chair called for a roll call vote. The Board Secretary took a roll call vote for Attendance: Ayes: Daniel, Vincent, Terwilliger, Adams, Boyd, Parker, Sadler, Brown, Claiborne, Washington and Grimes

Recognitions of Employees and Others: The Chair called on Director Ryan Brown for Recognitions of Employees.

The Director recognized and welcomed Ms. Rebecca Gwynn as the new Deputy Director.

The Director and Deputy Director Gary Martel called Mr. Lee Walker to the podium who was recognized by the leadership of DWR and the Board for his years of service to the agency and wished him well on his recent retirement. The Director read a Resolution for Mr. Walker. The Chair called for a motion. Mr. Daniel made a motion. I move that the Board of Wildlife Resources approve the resolution for Mr. Lee Walker. It was seconded by a host of Board members. The Board Secretary took a roll call vote: Ayes: Claiborne, Daniel, Terwilliger, Adams, Vincent, Washington, Boyd, Grimes, Parker, Brown, and Sadler

The Director called on Ms. Becky Gwynn for recognition of Dr. Gary Costanzo for the William T. Hesselton Memorial Award presented by the Northeast Wildlife Administrators Association of the Northeast Association of Fish and Wildlife Agencies.

The Director called on Dr. Gray Anderson for recognition of Dr. Megan Kirchgessner with the Henry Mosby Award given by VA State Chapter of the Wildlife Society.

The Director called on Colonel John Cobb who introduced new Major, Ryan Shuler and new Compliance Officer Paul Kugelman.

Colonel Cobb recognized Officer Cory Harbour with the CPO of the Year Award.

Approval of the March 18, 2021 Board Meeting Minutes:

The minutes of the March 18, 2021 minutes have been distributed and posted to the website for review. The Chair called for a motion to approve the minutes. Ms. Terwilliger made a motion to approve the March 18, 2021 Board minutes which included a correction. It was seconded by Mr. Sadler.

The Board Secretary took a roll call vote. Ayes: Daniel, Vincent, Terwilliger, Adams, Boyd, Grimes, Brown, Parker, Claiborne, Washington, and Sadler

Public Comments – Non-Agenda Items:

The Chair called for Public Comments – Non Agenda Items:

- Mr. Tom Benzing spoke regarding Fish stocking on the South River
- Mr. Todd Miller spoke regarding Deer Hound Hunting
- Mr. Mauricio Tovar spoke regarding Deer Hound Hunting
- Mr. John Morse spoke regarding Deer Hound Hunting
- Mr. Judge Charlton spoke regarding Deer Hound Hunting
- Mr. Andy Forbes spoke regarding Deer Hound Hunting
- Ms. Katie Abercrombie spoke regarding Deer Hound Hunting
- Ms. Robin Hutt spoke regarding Deer Hound Hunting
- Mr. James Hudson spoke regarding Deer Hound Hunting

- Mr. Chuck Ellsworth spoke regarding Deer Hound Hunting
- Mr. Johnny Glazebrook spoke regarding Deer Hound Hunting

The Chair thanked all the speakers for their comments.

Committee Reports:

Wildlife and Boat Committee:

The Chair called on Ms. Catherine Claiborne for an update on the virtual May 17, 2021 Wildlife & Boat Committee meeting.

Ms. Claiborne gave an update on the May 17, 2021 virtual Wildlife & Boat Committee meeting.

After comments and questions, the Chair thanked Ms. Claiborne for her update.

The Chair called on Dr. Gray Anderson to present the Final Action on the 2021-2022 Wildlife Regulations.

Dr. Anderson presented the Final Action on the proposed 2021-2022 Wildlife Regulations

The Chair asked for questions from the public and the Board.

*Due to the size of the presentations, species recommendations were voted on in groups. **

Virtual Speakers for Elk:

Ms. Stefanie Taillon spoke regarding Elk.

ELK: 4VAC15-20-10; 4VAC15-20-65; 4VAC15-90-500; 4VAC15-90-510; 4VAC15-90-520; 4VAC15-90-530; 4VAC15-90-540; 4VAC15-90-550; 4VAC15-270-10

The Chair called for a motion. Mr. Boyd made a motion, Mr. Chair, I move that the Board of Wildlife Resources adopt the proposed amendments to the Elk regulations as presented by staff. It was seconded by Catherine Claiborne. The board secretary took a roll call vote: Claiborne, Daniel, Terwilliger, Adams, Vincent, Washington, Boyd, Grimes, Parker, Brown, and Sadler.

Virtual Speakers for Deer:

Ms. Stefanie Taillon spoke regarding Deer.

Chronic Wasting Disease: 4VAC15-90-10; 4VAC15-90-89; 4VAC15-90-260; 4VAC15-50-110; 4VAC15-90-293.

Deer & Muzzleloader Hunting: 4VAC15-90-70; 4VAC15-90-80; 4VAC15-50-71; 4VAC15-90-90; 4VAC15-90-91

Harvest Reporting: 4VAC15-90-231; 4VAC15-50-81; 4VAC15-240-81; 4VAC15-90-241; 4VAC15-50-91; 4VAC15-240-91

The Chair called for a motion. Ms. Claiborne made a motion, Mr. Chairman, I move that the Board of Wildlife Resources adopt the proposed amendments to the Chronic Wasting Disease, Deer & Muzzleloader Hunting, and Harvest Reporting regulations as presented by staff. It was seconded by Mr. Adams. The Board Secretary took a roll call vote. Claiborne, Daniel, Terwilliger, Adams, Vincent, Washington, Boyd, Grimes, Parker, Brown, Sadler

Virtual Speakers for Bear:

Ms. Stefanie Taillon spoke regarding Bear.

Bear & Wild Turkey: 4VAC15-50-120; 4VAC15-240-20; 4VAC15-240-40; 4VAC15-240-40; 4VAC15-240-60

The Chair called for a motion. Ms. Claiborne made a motion, I move that the Board of Wildlife Resources adopt the proposed amendments to the bear & wild turkey regulations as presented by staff. It was seconded by Mr. Adams. The Board Secretary took a roll call vote. Claiborne, Daniel, Terwilliger, Adams, Vincent, Washington, Boyd, Grimes, Parker, Brown, Sadler.

Rabbits: 4VAC15-200-15; 4VAC15-200-30; 4VAC15-200-50; 4VAC15-200-60

Wildlife Diversity: 4VAC15-20-130; 4VAC15-30-40; 4VAC15-360-60; 4VAC15-360-10;

The Chair called for a motion. Dr. Parker made a motion. I move that the Board of Wildlife Resources adopt the proposed amendments to the rabbit and wildlife diversity regulations as presented by staff. It was seconded by Mr. Brown. The Board Secretary took a roll call vote: Ayes: Claiborne, Daniel, Terwilliger, Adams, Vincent, Washington, Grimes, Parker, Brown, Sadler. Nay: Boyd

Lands and Access: 4VAC15-20-100; 4VAC15-20-150; 4VAC15-20-151; 4VAC15-20-152

Definitions & Miscellaneous: 4VAC15-20-240

General: 4VAC15-40-220; 4VAC15-40-240

The Chairman called for a motion. Ms. Claiborne made a motion. Mr. Chair, I move the Board of Wildlife Resources adopt the proposed amendments to the lands & access, definitions & miscellaneous, and general regulations as presented by staff. It was seconded by Mr. Washington. The Board Secretary took a roll call vote: Ayes: Claiborne, Daniel, Terwilliger, Adams, Vincent, Washington, Boyd, Grimes, Parker, Brown, and Sadler

The Chair called for a break at 11:30 am

The Chair resumed the meeting at 11:45 am

The Chair called on Mr. Cale Godfrey for a CWD update.
4VAC15-90-10; 4VAC15-90-290

Mr. Godfrey gave a CWD update.

The Chair asked for questions and comments from the public and the Board Members.

The Chair called for a motion. Mr. Boyd made a motion. Mr. Chair, I move that the Board of Wildlife Resources propose the amendments to the chronic wasting disease regulation for Disease Management Area 3 as presented by staff. It was seconded by Ms. Claiborne. The Board Secretary took a roll call vote. Claiborne, Daniel, Terwilliger, Adams, Vincent, Washington, Boyd, Grimes, Parker, Brown, Sadler.

The Chair called on Mr. Cale Godfrey for a presentation of information requested by the Board at the March 18, 2021 meeting related to the regulatory proposal to prohibit the award of prizes of value at predator hunting contest.

Mr. Godfrey presented the Predator Hunting Contest Information.

The Chair called for questions and comments.

Speakers on Predator Hunting Contest: 4VAC15-20-260 (new)

- Stefanie Taillon spoke regarding Predator Hunting Contest
- Delegate Wampler spoke regarding Predator Hunting Contest
- Jason Groseclose spoke regarding Predator Hunting Contest
- Eric Fagerholm spoke regarding Predator Hunting Contest
- Gilliam McPhee spoke regarding Predator Hunting Contest

- Michelle Lute spoke regarding Predator Hunting Contest
- Kyle Crickenberger spoke regarding Predator Hunting Contest
- Carroll Mayberry spoke regarding Predator Hunting Contest
- Ryan Borum spoke regarding Predator Hunting Contest
- John McPherson spoke regarding Predator Hunting Contest
- Linda Greaves spoke regarding Predator Hunting Contest
- Nathaniel Brookbank spoke regarding Predator Hunting Contest
- Colton Leonard spoke regarding Predator Hunting Contest
- Austin Cramer spoke regarding Predator Hunting Contest
- Bryce Kalen spoke regarding Predator Hunting Contest
- Joseph Strosneider spoke regarding Predator Hunting Contest
- Cameron Gonder spoke regarding Predator Hunting Contest
- John Alden spoke regarding Predator Hunting Contest
- Luke Hilgeman spoke regarding Predator Hunting Contest
- Lucas Hughes spoke regarding Predator Hunting Contest
- Ben Shrader spoke regarding Predator Hunting Contest
- Heidi Crosky spoke regarding Predator Hunting Contest
- Stephanie Boyle Griffin spoke regarding Predator Hunting Contest
- John Foden spoke regarding Predator Hunting Contest
- Allen Boynton spoke regarding Predator Hunting Contest
- Matt McHugh spoke regarding Predator Hunting Contest
- Sandy Estep spoke regarding Predator Hunting Contest
- Kyle Moses spoke regarding Predator Hunting Contest
- Sydney Hearst spoke regarding Predator Hunting Contest

The Chairman called for a vote. Mr. Vincent made a motion. Mr. Chair, I move that the Board of Wildlife Resources approve that the Regulations/Recommendation (4VAC15-20-260) be referred out for Public Comment. It was seconded by Mr. Brown. The Board Secretary took a roll call vote. Ayes: Claiborne, Daniel, Terwilliger, Adams, Vincent, Washington, Grimes, Parker, Brown, Sadler. Nay: Boyd

The Chair called for a break at 1:50 am
 The Chair resumed the meeting at 2:00 pm

Finance, Audit, and Compliance Committee Report:

The Chair called on Mr. Brian Vincent to give an update on the May 20, 2021 Finance, Audit, and Compliance Committee meeting.

Mr. Vincent gave an update on the virtual May 20, 2021 Finance, Audit, and Compliance Committee meeting.

Mr. Vincent gave an overview of the 2021-2022 Budget.

The Chair asked if there were any comments or questions from the public and the Board.

The Chair called for a motion. Mr. Boyd made a motion. Mr. Chair, I move that the Board of Wildlife Resources adopt the 2021- 2022 Operating and Capital Budget. It was seconded by Ms. Claiborne. The Chair called for a roll call vote: Ayes: Claiborne, Daniel, Terwilliger, Adams, Vincent, Washington, Boyd, Grimes, Parker, Brown, and Sadler

The Chair thanked Mr. Vincent for Committee and Board report.

Law Enforcement Committee: The Chair called on Mr. Washington to give an update on the virtual May 26, 2021 Law Enforcement Committee meeting.

Mr. Washington gave an update on the May 26, 2021 virtual Law Enforcement Committee meeting.

The Chair asked if there were any comments or questions from the public or the Board?

The Chair thanked Mr. Washington for his Committee update.

Education, Planning, and Outreach Committee Report:

The Chair called on Ms. Karen Terwilliger to give an update on the May 26, 2021 Education, Planning, and Outreach Committee meeting.

Ms. Terwilliger gave an update on the May 26, 2021 virtual Education, Planning, and Outreach Committee meeting.

Ms. Terwilliger gave an overview of the VA Wildlife Viewing Plan.

The Chair asked if there were any comments or questions from the public and the Board.

The Chair thanked Ms. Terwilliger for her report on the committee meeting and update on the VA Wildlife Plan.

The Chair called for a motion. Ms. Terwilliger made a motion, I move that the Board of Wildlife Resources adopt the VA Wildlife Viewing Plan presented by staff and Virginia Tech. It was seconded by Mr. Adams.

The Chair called for a roll call vote. The Board Secretary took a roll call vote. Ayes: Claiborne, Daniel, Terwilliger, Adams, Vincent, Washington, Boyd, Grimes, Parker, Brown, Sadler.

Nominations Committee: The Chair called on Dr. Mamie Parker for a Nominations Committee report.

Dr. Parker presented the nominations committee report and thanked Mr. Boyd and Mr. Sadler for serving on the Nominations Committee.

The Chair called for a motion. Dr. Parker made a motion. Mr. Chair, I move that Mr. Brian Vincent be elected Chair of the Department of Wildlife Resources Board July 1 for the 2021-2022 Board year. It was seconded by Mr. Sadler.

The Board Secretary took a roll call vote: Claiborne, Daniel, Terwilliger, Adams, Washington, Boyd, Grimes, Parker, Brown, and Sadler

The Chair called for a motion. Dr. Parker made a motion. Mr. Chair, I move that Mr. G. K. Washington be elected Vice Chair of the Department of Wildlife Resources Board July 1 for the 2021-2022 Board year. It was seconded by Mr. Boyd.

The Board Secretary took a roll call vote. Claiborne, Daniel, Terwilliger, Adams, Vincent, Boyd, Grimes, Parker, Brown, Sadler

Director's Report:

The Board Chair called on Executive Director Ryan Brown for his report: In the essence of time, the Director referred to the Chair.

Chair's Report:

The Chair thanked staff for all the work in the last 14 months during Covid, and making the Board's life easier and appreciated everything that was done during his tenure as Chair.

The Chair announced there would be a Special Call Board meeting in June 2021 to discuss Deer hunting with dogs.

The Next Regular Board Meeting Date:

The Chair announced that the next meeting date will be Thursday, August 19, 2021

Closed Session:

The Chair announced there would be a Closed Session. A motion was made by Chair Daniel and seconded by Mr. Washington. The Chair called for a roll call vote: Ayes: Claiborne, Daniel, Terwilliger, Adams, Vincent, Washington, Boyd, Grimes, Parker, Brown, and Sadler

*Closed Meeting Motion
May 27, 2021*

Mr. 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 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 and Frederick 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 Wildlife Resources 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 the Department's Executive Director, The Department's Deputy Director, and the Real Property Manager as it believes their presence will reasonably aid the Board in its consideration of topics that are the subject of the meeting.

The Board Secretary took a roll call vote. Ayes: Claiborne, Daniel, Vincent, Terwilliger, Adams, Washington, Boyd, Grimes, Parker, Brown and Sadler

The Board went into Closed Session at: 2:30 pm.

The Board reconvened from the Closed Session at 3:00 pm.

The Chairman called on Mr. Washington to read the Certification of Closed Meeting.

*Certification of Closed Meeting
May 27, 2021*

WHEREAS, the Board of Wildlife Resources 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 Wildlife Resources 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. Adams.

The Chair called for a roll call vote. Ayes: Claiborne, Daniel, Vincent, Terwilliger, Adams, Washington, Boyd, Grimes, Parker, Brown and Sadler

The Chair called for a motion. Mr. Frank Adams made a motion. Mr. Chair, I move that the Board authorize the Director to acquire approximately 750+ acres of land in Accomack County, Virginia, and such authorization shall be according to state procedures. It was seconded by Mr. Brown. The Board Secretary took a roll call vote. Ayes: Claiborne, Daniel, Terwilliger, Adams, Vincent, Washington, Boyd, Grimes, Parker, Brown and Sadler.

The Chair asked if there were any comments or questions from the Board.

The Chair thanked the Executive Director and staff for making today's meeting possible and thanked Board members for their attendance and the work they continue to do for DWR during these times and asked if anyone had any further comments for today's meeting.

The Chair adjourned the meeting at 3:35 pm.

Respectfully Submitted,

Frances Boswell

/s/