

Teleconference/Video Board Meeting

FINAL Board Minutes

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

August 20, 2020
9:00 am

Present: Mr. John Daniel, II, **Chair,** Mr. Brian Vincent, **Vice Chair;** **Board Members:** Mr. G. K. Washington, Mr. Leon Boyd, Ms. Karen Terwilliger, Mr. Tom Sadler, Dr. Mamie Parker, Mr. Frank Adams **Absent:** Mr. Douglas Dear, Ms. Catherine Claiborne; **Executive Director:** Mr. Ryan Brown; **Director's Working Group:** Mr. Gary Martel, Mr. Tom Guess, Dr. Gray Anderson, Dr. Mike Bednarski, Mr. George Braxton, Mr. Darin Moore, Mr. Lee Walker, Major Scott Naff, Ms. Paige Pearson, 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 thanked the Director and staff for making this virtual meeting possible, 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 51, 53, and 55 issued by the Governor of Virginia. The Board's actions today shall be solely limited to those matters included on the agenda; while there will be opportunities for public comment on agenda items, there is no public comment on non-agenda items. All of these proposed actions are statutorily required or necessary to continue operations and discharge lawful purposes, duties, and responsibilities of the Board.

The Board Secretary took a roll call vote for attendance: Ayes: Daniel, Washington, Vincent, Terwilliger, Adams, Boyd, Parker, Sadler

Approval of the May 27, 2020 Board Meeting Minutes:

The minutes of the May 27, 2020 minutes have been distributed and posted to the website for review. The Chair called for a motion to approve the minutes. Mr. Vincent made a motion to approve the May 27, 2020 Board minutes as submitted. It was seconded by Mr. Vincent.

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

Staff Recommendations – Aquatic Regulations

The Board Chair called on Dr. Mike Bednarski to present the Staff Recommendations – Aquatic Regulations.

The Board Chair thanked Dr. Bednarski for his presentation.

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

After questions and comments, the Board Chair called for a motion.

Mr. Boyd made a motion. Mr. Chair, I move that the Board adopt the Staff Recommendations for Aquatic Regulations as presented by staff. It was seconded by Mr. Adams.

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

Regulation proposal for camping on Department Lands:

The Board Chair called on Dr. Gray Anderson to present the Regulation proposal for camping on Department Lands.

The Board Chair thanked Dr. Anderson for his presentation.

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

After questions and comments, the Board Chair called for a motion.

Ms. Terwilliger made a motion. Mr. Chair, I move that the Board adopt the Regulation Proposal for camping on Department Lands. It was seconded by Mr. Sadler.

The Board Secretary took a roll call vote: Ayes: Daniel, Washington, Vincent, Terwilliger, Adams, Boyd, Parker, Sadler

Wildlife Regulations public scoping period:

The Board Chair called on Dr. Gray Anderson to present the Wildlife Regulations public scoping period.

The Board Chair thanked Dr. Anderson for his presentation.

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

After questions and comments, the Board Chair moved on to the next Agenda item.

Annual Finance Report – Fiscal Year 2020:

The Board Chair called on Mr. Darin Moore to present the Annual Finance Report for Fiscal year 2020.

The Board Chair thanked Mr. Moore for his presentation.

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

After questions and comments, the Chair moved on to the next agenda item.

Report on 2020 State Audit:

The Board Chair called on Mr. Darin Moore to present the Report on the 2020 State Audit for Fiscal year 2019.

The Board Chair thanked Mr. Moore for his presentation.

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

After questions and comments, the Chair called for a break.

The Chair called for a break at 10:40 am

The Chair resumed the meeting at 10:50 am

Law Enforcement Accreditation Resolution:

The Board Chair called on Executive Director Ryan Brown to present the Law Enforcement Accreditation Resolution.

The Board Chair thanked Mr. Brown for his presentation and remarks.

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

After questions and comments, the Chair called for a vote on the Resolution.

The Board Secretary took a roll call vote: Ayes: Daniel, Washington, Vincent, Terwilliger, Adams, Boyd, Parker, Sadler

Regulation proposal for changing DGIF to DWR:

The Board Chair called on Mr. Aaron Proctor to present the Regulation proposal for changing DGIF to DWR.

The Board Chair thanked Mr. Proctor for his presentation.

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

After questions and comments, the Chair called for a vote on the Proposal.

Dr. Parker made a motion, Mr. Chair, I move that the Board of Wildlife Resources adopt the recommendation by staff to amend language throughout the Department's regulations referencing the Department of Game and Inland Fisheries to the Department of Wildlife Resources. It was seconded by Mr. Washington.

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

Regulation proposal for Facility Use Fee on boat ramps:

The Board Chair called on Dr. Gray Anderson to present the Regulation proposal for Facility Use Fee on boat ramps.

The Board Chair thanked Dr. Anderson for his presentation.

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

After questions and comments, the Board Chair called for a motion.

Mr. Vincent made a motion, Mr. Chair, I move that the Board adopt the Regulation proposal for Facility Use Fee on boat ramps as presented by staff. It was seconded by Mr. Washington.

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

Director's Report:

The Board Chair called on Executive Director Ryan Brown for his report:

- 5 K Run for the Wild Update
- Department beginning to hold a few small Public Events that are being held outside
- Governor's Fishing Challenge in September 2020 will be virtual
- Update on hiring of the new Law Enforcement Colonel
- Inclusion Excellence Council working to develop a Diversity Plan
- National Conferences will be held Virtual this year so if Board Members want to attend they are welcome to
- Hunter Ed Class will be held outside for a group

Chair's Comments:

The Board Chair thanked everyone again who made this board meeting possible through Teleconference and Virtual means.

The Chair mentioned the Executive Director, Assistant Director, the four Committee Chairs, and the Department Senior Staff held a teleconference discussion concerning Committee meeting times, dates, meeting conduct, procedures and procedural discussion related to committee meetings. It was decided that each committee chair would put together their own virtual committee meeting on different days instead of the day before the Board meetings while we are working through COVID-19 and meeting Virtual. The Committee Chair would give a report at the next Board meeting following their committee meeting. All Board Members will be invited to attend the Virtual Committee meetings.

Each Committee Chair expressed their opinions about holding their own separate Virtual Committee meeting and feel the Committee meetings will be flexible, responsive and adoptive and will be a workable solution.

The Next Meeting Date:

The Chair announced that the next meeting date will be Thursday, October 22, 2020

Closed Session:

The Chair announced there would be a Closed Session. The Chair read the Closed Session Motion.

Closed Session Motion

August 20, 2020

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 negotiation strategy of the Board with respect to:

- (i) Real property located in: Caroline County*

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 legal counsel, the Department Executive Director, Chief Wildlife Resources Division, and the Real Property Manager, as it believes their presence will reasonable aid the Board in its consideration of topics that are the subject of the meeting.

It was seconded by Ms. Terwilliger.

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

The Board went into Closed Session at: 11:40 am

The Board reconvened from the Closed Session at 12:15 pm.

Mr. Adams departed at 12:15 pm

The Chairman read the Certification of Closed Meeting.

Certification of Closed Meeting

August 20, 2020

WHEREAS, the Board of Wildlife Resources conduct 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.

The Chair called for a roll call vote.

The Board Secretary took a roll call vote: Ayes: Daniel, Washington, Vincent, Terwilliger, Boyd, Parker, Sadler

The Chair called on Board Member Karen Terwilliger to make a motion. Mr. Chair, I move that the Board authorize the Director to proceed to acquire approximately 17.5 acres of land in Caroline County, Virginia, and such authorization shall be according to state procedures. It was seconded by Mr. Sadler.

The Board Secretary took a roll call vote. Ayes: Daniel, Terwilliger, Vincent, Washington, Boyd, Parker, Sadler

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.

Former Chair Mamie Parker congratulated Mr. Daniel on his first virtual meeting of the new Board year!

The Chair adjourned the meeting at 12:30 pm.

Respectfully Submitted,

Frances Boswell
/s/