

AGENDA

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

October 19, 2022
9:00 am

Call to Order and Welcome –

1. Recognition of Employees and Others
2. Approval of the August 18, 2022 Board Meeting Minutes
3. Public Comments – Non Agenda Items
4. Committee Meeting Reports:

Final Action

Wildlife and Boat Committee:

- Proposed Eastern Shore Property naming
- WMA and Boating Access and allowable Activities
- Wildlife Regulation cycle schedule and public scoping
- Elk Hunt Report
- WMA Camping Report
- VPA-HIP Update

Final Action

Finance, Audit & Compliance Committee:

- Board Approval for the Standing Committees for 2022-2023
- FY2023 - First Quarter Finance Report

Final Action

Law Enforcement Committee:

Education, Planning, and Outreach Committee:

5. Director's Report
6. Chairman's Report
7. Additional Business/Comments
8. Next Meeting Date: January 19, 2023
9. Closed Session
10. Adjournment

Draft Board Minutes

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

August 18, 2022
9:00 am

Present: Mr. G. K. Washington, **Chair,** Mr. Tom Sadler, **Vice Chair;** **Board Members:** Mr. Leon Boyd, Mr. John Daniel, Ms. Tammy Jo Grimes, Mr. Tom Sadler, and Mr. Michael Formica; Mr. Jon Cooper, Mr. George Terwilliger; **Absent:** Dr. Mamie Parker and Ms. Catherine Claiborne; **Executive Director:** Mr. Ryan Brown; **Deputy Directors:** Ms. Becky Gwynn and Mr. Gary Martel; **Director's Working Group:** Dr. Gray Anderson, Dr. Mike Bednarski, Mr. Darin Moore, Ms. Paige Pearson, Colonel John Cobb, Mr. Bob Smet, Ms. Rebecca Lane, Mr. George Braxton, Mr. Stock Watson, Mr. Paul Kugelman

Kelci Block, Assistant Attorney General attended the Board meeting.

The Chair called the meeting to order at 9:00 am. The Chair welcomed everyone to the meeting. The Chair noted for the record that a quorum was present.

The Chair welcomed New Board Members, Mr. Jon Cooper and Mr. George Terwilliger to their first Board Meeting and welcomed Mr. Michael Formica.

The Chair called on Ms. Tammy Grimes to read the Mission Statement.

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

The Director called on Colonel John Cobb who introduced the 3rd New Major in Law Enforcement, Major Jody Blackwell.

Colonel Cobb also recognized the Boating Officer of the year, Officer 1st Class Shane Wilson.

The Director called on Deputy Director Becky Gwynn who recognized Ms. Ruth Boettcher for receiving the 2022 William T. Hesselton Memorial award.

The Director and Chair Washington presented Past Chairman Brian Vincent with a plaque in recognition of his service as Chair during the past year.

Approval of the May 19, 2022 Board Meeting Minutes:

The minutes of the May 19, 2022 minutes have been distributed and posted to the website for review. The Chair called for a motion to approve the minutes. Mr. Sadler made a motion to approve the May 19, 2022 Board meeting minutes. It was seconded by Mr. Daniel.

Ayes: Washington, Vincent, Boyd, Grimes, Sadler, Daniel, Cooper, Terwilliger, Formica

Public Comments – Non-Agenda Items:

The Chair called for Public Comments – Non Agenda Items:

- Mr. Charles Woodson spoke regarding the Killing Contest (in person)
- Ms. Stefanie Taillon spoke regarding the VA Farm Bureau and DWR (in person)
- Mr. Gary Kimberlin spoke regarding Virginia property Rights Alliance (virtual)
- Ms. Eileen Hanrahan spoke regarding killing contest (virtual)
- Mr. Jordan Jackson spoke regarding killing contest (virtual)

The Chair thanked the speakers for their comments.

Committee Reports:

Wildlife and Boat Committee:

The Chair called on Mr. Leon Boyd for a report of the August 17, 2022 Wildlife and Boat Committee Meeting.

Mr. Boyd gave an update of the Wildlife and Boat Committee Meeting on August 17, 2022.

After comments and questions, The Chair thanked Mr. Boyd for his update.

The Chair called on Dr. Mike Bednarski for a presentation on the Aquatic Wildlife Regulations.

Dr. Bednarski gave a presentation on the final Aquatic Wildlife Regulations.

The Chair asked the Board and public for any comments or questions.

After comments and questions, the Chair thanked Dr. Bednarski for his presentation.

The Chair called for a motion. Mr. Vincent made a motion, Mr. Chair, I move that the Board of Wildlife Resources adopt the final staff recommendations for aquatic wildlife regulations effective January 1, 2023. It was seconded by Mr. Sadler. Ayes: Daniel, Washington, Cooper, Vincent, Boyd, Grimes, Sadler, Terwilliger, Formica

The Chair called on Mr. Mike Fies for a presentation on the Recommendations for Foxhound Field Trial Permits.

Mr. Fies presented the Recommendations for Foxhound Trial Permits.

After comments and questions, the Chair thanked Mr. Fies for his presentation.

Public Comment on Agenda Items:

- Mr. Judge Charlton spoke regarding fox hound field trials (in person)
- Mr. Chris Patton spoke regarding foxhound field trials (in person)
- Mr. Kevin Edwards spoke regarding foxhound field trials (in person)
- Mr. Kirby Burch spoke regarding foxhound field trials (in person)
- Mr. Mike Hicks spoke regarding foxhound field trials (virtual)
- Mr. John Keppeler spoke regarding foxhound field trials (virtual)

The Chair called for a motion. Mr. Boyd made a motion, I move that the Board endorse the foxhound field trial permit application and permit conditions, administrative recommendations for these permits, and implementation of the new permit and permitting process on 1 January 2023 as amended by the Wildlife & Boat Committee and presented by staff. It was seconded by Mr. Daniel. Ayes: Daniel, Washington, Cooper, Vincent, Boyd, Grimes, Sadler, Terwilliger, Formica

The Chair called for a 5- minute break at 10:45 am.

The Chair resumed the meeting at 10:50 am.

Boating Regulations and Permits: The Chair called on Ms. Stacey Brown for a presentation.

Ms. Brown gave an update on Boating and Permits Regulations.

After comments and questions, The Chair thanked Ms. Brown for her presentation on Boating and Permits.

The Chair called for a motion. Mr. Boyd made a motion. Mr. Chair, I move that the Virginia Board of Wildlife Resources adopt the final staff recommendations for boating and permitting regulations effective January 1, 2023. It was seconded by Mr. Sadler.

Ayes: Daniel, Washington, Cooper, Vincent, Boyd, Grimes, Sadler, Terwilliger, Formica

Proposed Meeting Dates:

The Chair called on Dr. Gray Anderson for a presentation regarding the upcoming Wildlife regulatory process and proposed Board meeting dates.

After comments and questions, the Chair thanked Dr. Anderson for presentation.

The Chair called for a motion, Mr. Boyd made a motion, Mr. Chair, I move that the Board endorse the proposed terrestrial wildlife regulation review and amendment cycle timeline and proposed Board meeting dates for the coming year as presented by staff. It was seconded by Mr. Sadler. Ayes: Daniel, Washington, Cooper, Vincent, Boyd, Grimes, Sadler, Terwilliger, Formica

Finance, Audit, and Compliance Committee Report:

The Chair called on Mr. Tom Sadler to give an update on the August 17, 2022 Finance, Audit, and Compliance Committee meeting.

Mr. Sadler gave an update on the August 17, 2022 Finance, Audit, and Compliance Committee meeting.

The Chair called on Mr. Darin Moore for a Finance Report.

Mr. Moore presented the FY22 Annual Finance Report and the FY23 Budget Approval Update.

Mr. Moore gave an Internal Audit and Internal Audit Plan for FY 2023.

After comments and questions, the Chair thanked Mr. Moore for his reports and updates.

***The Chair called for a motion, Mr. Sadler made a motion, Mr. Chair, I make a motion to adopt the Internal Audit Charter and the Internal Audit Plan for FY 2023. It was seconded by Ms. Grimes. Ayes: Daniel, Washington, Cooper, Vincent, Boyd, Grimes, Sadler, Terwilliger, Formica

Law Enforcement Committee: The Chair called on Mr. Vincent to give an update on the August 17, 2022 Law Enforcement Committee meeting.

Mr. Vincent gave an update on the August 17, 2022 Law Enforcement Committee meeting.

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

The Chair thanked Mr. Vincent for his Committee update.

Education, Planning, and Outreach Committee Report: The Chair called on Mr. John Daniel for an update on the August 17, 2022 Committee meeting.

Mr. Daniel gave an update of the EPO Committee meeting on August 17, 2022.

After comments and questions, the Chair thanked Mr. Daniel for his report.

Director's Report: The Chair called on Director Ryan Brown for a report.

- Thanked Staff & Board for all the work on the Fox Hound Permit
- Reminded the Board of the Flippo-Gentry Dedication on October 20, 2022
- Mussels being released in Scottsville, DWR received positive news coverage

- The Director presented a Resolution on the Hampton Roads Bridge Tunnel Seabird Colony - A motion was made by Mr. Daniel. It was seconded by Mr. Washington.
Ayes: Daniel, Washington, Cooper, Vincent, Boyd, Grimes, Sadler, Terwilliger, Formica

The Chair thanked the Director for his report.

Chair's Report: The Chair reported this was his first meeting as Chair of Board of Wildlife Resources, he thanked staff for all the hard, long work on the Board meeting and was pleased how the meeting turned out. He thanked everyone for their support and looks forward to continuing working with everyone.

The Chair announced the next meeting date as Wednesday, October 19, 2022.

The Chair called for a Closed Session at 11:45 am.

The Chair called on Mr. Formica to read the Closed Session motion. It was seconded by Ms. Grimes.

Ayes: Daniel, Washington, Cooper, Vincent, Boyd, Grimes, Sadler, Terwilliger, Formica

Closed Meeting Motion, August 19, 2022

Mr. Chairman,

I move that the Board go into a closed meeting:

First, pursuant to Section 2.2-3711.A.7 of the Code of Virginia, for consultation with legal counsel and briefings by staff members pertaining to actual litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body, specifically regarding the matter of Medeiros vs. Department of Wildlife Resources.

Second, 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 negotiating strategy of the public body, specifically regarding real estate located in the city of Chesapeake and the counties of Orange, Buchanan, Dickenson, and Wise.

Third, pursuant to Section 2.2-3711.A.29 of the Code of Virginia, for discussion of the award of a public contract involving the expenditure of public funds, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body, specifically regarding the Chandler's Mill Pond Dam project.

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 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 Director, the Deputy Director, the Chief Financial Officer, the Capital Programs Manager, the Real Property Manager, the Assistant Real Property Manager, and the Legal Compliance Officer to also attend this meeting, as it believes their presence will reasonably aid the Board in its consideration of topics that are the subject of the meeting.

It was seconded by: Ms. Grimes Ayes: Daniel, Washington, Cooper, Vincent, Boyd, Grimes, Sadler, Terwilliger, Formica

The Board reconvened from Closed Session at 1:30 pm.

The Chair called on Mr. John Daniel to read the Certification of Closed Meeting. It was seconded by Mr. Terwilliger.

*Certification of Closed Meeting
August 18, 2022*

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.

The board secretary took a roll call vote: Daniel, Washington, Cooper, Vincent, Boyd, Grimes, Sadler, Terwilliger, Formica

The Chair called on Mr. Vincent for a motion. Mr. Chair, I move that the Board of Wildlife Resources authorizes the Director to purchase 1,250+ acres in the City of Chesapeake, VA including the procurement of certain due diligence and such authorization shall be according to state procedures. It was seconded by Mr. Sadler

Ayes: Daniel, Washington, Cooper, Vincent, Boyd, Grimes, Sadler, Terwilliger, Formica

The Chair called on Mr. Boyd for a motion. Mr. Chair, I move that the Board of Wildlife Resources authorizes the Director to continue to investigate the potential fee simple and /or easement acquisitions within the 79,000+ acres of the Elk Management Zones in Buchanan, Dickenson, and Wise Counties as opportunities emerge, including the procurement of certain due diligence items, and of preliminary investigative costs (not to exceed \$150,000). Such authorization shall be according to state procedures. It was seconded by Mr. Daniel.

Ayes: Daniel, Washington, Cooper, Vincent, Boyd, Grimes, Sadler, Terwilliger, Formica

The Chair called on Mr. Formica for a motion. Mr. Chair, I move that the Board of Wildlife Resources authorize the Director to utilize funds from the Lifetime License Endowment Fund, if needed, to complete the outstanding repairs to the Chandler's Millpond Dam in Westmoreland County. The amount to be utilized shall not exceed \$3,000,000 and the full amount borrowed from the Fund shall be repaid within five (5) years of use. It was seconded by Ms. Grimes.

Ayes: Daniel, Washington, Cooper, Vincent, Boyd, Grimes, Sadler, Terwilliger, Formica

The Chair asked if there were any comments or questions.

Director Ryan Brown recognized Deputy Director Gary Martel and announced this would be Gary's last Board meeting as Gary is retiring October 1, 2022. The Chair congratulated Mr. Martel on his well deserved retirement and years of service to DWR.

Mr. Vincent spoke of a meeting he and Director Brown attended recently with other state Wildlife Agencies in the SE and how grateful he is for this agency and how well thought of Virginia DWR is amongst all the SE agencies.

The Chair announced the next Board meeting will be Wednesday, October 19, 2022 and adjourned the meeting at 1:50 pm..

Respectfully submitted,

Frances Boswell

/s/