

Fort Monroe Authority Board of Trustees
November 19, 2020
Meeting Minutes

The Fort Monroe Authority (FMA) Board of Trustees Annual Meeting was held on September 17, 2020 via zoom.

Governor Ralph Northam declared a state of emergency in Virginia on Thursday, March 12 in response to COVID-19. Therefore, the FMA chose to use electronic communications in accord with Item 4-0.01.g. of Chapter 1289 (2020 Acts of Assembly). The purpose of the meeting was to discuss or transact the business statutorily required or necessary to continue operation of the FMA and the discharge of its lawful purposes, duties, and responsibilities. Board members participated remotely using a ZOOM platform.

Members of the public were able to register to witness the meeting online via live-streaming and were provided the opportunity to provide public comment at the outset of the meeting using the zoom link provided in the online meeting public notice.

The online internet public notice for the meeting noted that this meeting would be conducted using an electronic process due to the COVID-19 state of emergency and as a precaution to reduce the risk and spread of the novel coronavirus. The online meeting public notice also furnished the Agenda and Board materials as well as information regarding the availability of online live-streaming of the meeting at the noted link.

Online viewers were furnished a telephone number to call to notify staff of any interruption of the live streaming of the meeting in accordance with Item 4-0.01.g. of Chapter 1289 and Section 2.23708.2 of the Code of Virginia; and no interruption of the live streaming was noted during the meeting.

Members Present: The Honorable James P. Moran, Chair
Ms. Mary Bunting, Vice-Chair
Dr. Edward Ayers
Ms. Benita Byas
Mr. Brian Jackson
Mr. Destry Jarvis
Mr. Jay Joseph
Dr. Maureen Elgersman Lee
The Honorable Martha M. Mugler
Mr. John Reynolds
Secretary R. Brian Ball, Commerce and Trade
Secretary Matt Strickler, Natural Resources

Members Absent: Dr. Rex Ellis
The Honorable Mamie E. Locke

Staff Present: Mr. G. Glenn Oder, Executive Director
Mr. John Hutcheson, Secretary/Treasurer
Ms. Donna Swiney, Assistant Secretary
Ms. Jan Bomar
Dr. Françoise Bonnell
Ms. Rachel Dancy
Ms. Veronica Gallardo
Ms. Jenn Taglieri
Ms. Phyllis Terrell
Dr. Yolanda Spooner
Mr. David Stroud
Mr. Aaron Whittington

Others in Attendance: Ms. Katheryn E. Surface Burks, Office of the Attorney General
Ms. Eola Dance, National Park Service ("NPS")
Ms. Kym Hall, National Park Service
Mr. Daniel Ingersoll, Office of the Attorney General
Mr. Braxton M. Williams, Office of the Attorney General

The Honorable Jim Moran called the meeting to order at 1:02 p.m. He welcomed the members to the virtual meeting and reminded the members it was a public meeting and should be conducted in the same manner as an in-person meeting. He also gave instructions on public comment.

Ms. Donna Swiney called the roll and determined that a quorum was present.

Public Comment

There was no public comment.

Minutes from September 17, 2020 Meeting

Mr. Moran called for a motion to approve the minutes of the September 17, 2020 meeting.

MOTION: I move that the FMA Board of Trustees approve the minutes of the September 17, 20, 2020 meeting as circulated prior to the meeting (APPENDIX I).

So moved: Mr. Joseph
Seconded: Delegate Mugler
Unanimously approved.

Reports and Briefings

5. Executive Director's Report

The Executive Director's report was included in the Board package (APPENDIX II). Executive Director Glenn Oder shared that the storms at Fort Monroe continue to be an unknown nemesis with significant water in the Casemate Museum. The Historic Preservation Office is working with the museum staff to develop a scope of work that

will lead to things that can be done right away and some that will be a longer-term fix. The success of the Ghost Walk tours was highlighted. Each department continues to work hard and manage their time. HR interviews will take place via Zoom on November 20th.

6. Financial Report

Deputy Executive Director John Hutcheson reviewed the Financial Report included in the Board package (APPENDIX III). Agreements have been signed with all three homeless support service providers.

Mr. Hutcheson reported that the General Assembly finished their special session and the regular funding remains the same as was in the special session. The hiring freeze was lifted, which allowed the FMA to post the Human Resource Manager position.

Mr. Hutcheson reviewed the FY20 audit by Cherry Bekaert and noted it was exemplary. Mr. Joseph thanked Mr. Hutcheon and the accounting team for their efforts on a successful audit. He noted that the Finance Committee does recommend approval of the audit.

MOTION: I move that the FMA Board of Trustees accept the FY20 Audit as circulated prior to the meeting (APPENDIX IV).

So moved: Mr. Joseph

Seconded: Mr. Reynolds

Unanimously approved.

Mr. Hutcheson reviewed the Capital Improvement Plan, an annual update to the Board. After the finance committee meeting, the chair asked FMA to provide a breakdown on VPBA funding for priority projects and secondary projects, which has been made. The CIP focuses on the next two to three years of projects. It was suggested to pursue alternative resources to help with the financial hurdle.

MOTION: I move that the FMA Board of Trustees approve the Capital Improvement Plan as circulated prior to the meeting (APPENDIX V).

So moved: Mr. Jackson

Seconded: Mr. Joseph

Unanimously approved.

7. Chairman's Report

Chairman Moran acknowledged the resilience and creativity of the entire FMA staff during this period of COVID.

8. National Park Service Report

Ms. Eola Dance, Acting Superintendent, reported appreciation for the transparent process and conversation with FMA as moved into level of visitor service and public program. In addition to a permanent park ranger, there were two seasonal rangers on site this year and their positions will end this month. NPS is in conversations across the country in how to keep the public engaged with the safety option of

keeping social distance. Ms. Dance and Ms. Kim Hall are working on next steps in key needs and planning. This particular Transition will focus on youth and visitor experience. Participating with FMA in their strategic planning more in line in how to implement appropriate activity on the landscape.

9. Fort Monroe Foundation Progress Update

The Fort Monroe Foundation Progress Update was provided in the Board package (APPENDIX VI). Dr. Ayers reported that progress has been made on many fronts. Ms. Mary Ellen Stumpf briefly reported on the first three years, the clear direction for the next three years, and how the Trustees can help moving forward.

Old Business

10. Approve Operating Agreement—FMA and FMF

Director Oder reported that the Operating Agreement has been worked on for some length of time and has been signed. The Resolution included in the Board package needs Board approval.

MOTION: I move that the FMA Board of Trustees approve the Operating Agreement as circulated prior to the meeting (APPENDIX VII).

So moved: Mr. Jarvis

Seconded: Mr. Reynolds

Unanimously approved.

Regarding Exhibit B of the Operating Agreement, it was proposed that the FMA and FMF work on adding to the last part of the Agreement metrics and expectations for the ability to show progress against the metrics, and that becomes reflective in the request for quarterly payment by the FMA to the FMF. Without some metrics or progress statements against the metrics in place, the FMA is in a difficult situation to explain why they spend the quarterly payment.

11. Moving Properties to the Marketplace

Mr. Joseph reported that the FMA continues to have conversations with two developers who meet the high standards.

12. African Landing Memorial Art Project

Mr. Jarvis reported that the FMA engaged a Site Plan Design Team to begin the conceptual design for the African Landing Memorial Art project. Extensive consultation continues with the Virginia Commission for the Arts, Project 1619, and the National Park Service. The survey work is now complete and a site constraints map has been created. Full presentation to the FMA Board and the FMF Board will be in February from the Artist.

13. NPS Transfer

Mr. Reynolds reported that FMA and NPS continue to have meetings to review the transfer of the property. Transferring of the property will provide unification for the NPS lands along the waterfront and put the beaches under one ownership and ensure development cannot occur on the property.

14. Army Transfer

Director Oder reported that the Army still controls five acres where the Chamberlin sits. A letter was sent to the Army stating the FMA is ready to receive the property. There has been no comment except it is a top priority, but no time frame when it will be resolved.

15. Legislative Agenda

Director Oder reported that there is a legislative option that the FMA could initiate to have the property revert back to the Commonwealth. If the FMA wanted to pursue this, could work with the Attorney General's office along with Delegate Mugler and Senator Locke to have legislation drafted that if the Governor's Office wanted to move forward with this, legislation could undo what was done before. Chairman Moran asked the FMA to proceed with drafting.

16. Strategic Action Plan

Ms. Bunting reported that the FMA embraced the opportunity to engage in an extensive period of strategic planning. After the last meeting, the FMA Trustees participated in a review of Strategic Initiatives that came from the community-based focus groups that were held in 2019 and 2020. The results of their input generated a list of desired outcomes for the FMA Strategic Action Plan Development. The desired outcomes are now under review and analysis. Results of the efforts will be brought to the February Trustees meeting and then the Trustees will be included in a discussion and implementation process at the April retreat.

17. 2021 Meeting Calendar

Director Oder presented the 2021 meeting calendar and reported that he was not aware of any issues with the proposed dates.

New Business

18. Freedom Of Information Act and Conflict Of Interest Act Training

Mr. Daniel Ingersoll, Assistant Attorney General, discussed the highlights of FOIA and COIA. FOIA requires all information created in written form or electronic form has to be available for the public view. Written and oral requests have five days to make available to the individual. COIA requires no acceptance of bribes, may not accept any amount of money in consideration of performing duties beyond actual salary, may not accept gifts who are lobbyists, and may not have personal interest in contracts and transactions before the FMA. A link to the COIA training will be sent

out to complete the online training module, which are tailored for each different type of local or state. Training must be complete within two months for new Board members and within two years on odd years for everyone. FOIA training is only mandatory for the FOIA Officer for the FMA.

19. Board of Trustees Open Discussion

There was no open discussion.

Closed Session

20. In accordance with VA code 2.2-3711

- Acquisition or disposition of real property – 2.2-3711(A)(3)
- Consultation with Legal Counsel – 2.2-3711(A)(8)

MOTION: I move the Fort Monroe Authority Board of Trustees convene in closed session to discuss matters pursuant to Section 2.2-3711 of the Code of Virginia pertaining to acquisition or disposition of real property located at Fort Monroe in accordance with Section 2.2-3711(A)(1); and consultation with legal counsel, in accordance with Section 2.2-3711(A)(8) of the Code of Virginia.

So moved: Mr. Joseph.

Seconded: Ms. Bunting

Discussion: None.

Unanimously approved.

Reconvene

MOTION: I move that the Fort Monroe Authority Board of Trustees end the closed session to discuss matters pursuant to Section 2.2-3711 of the Code of Virginia pertaining to acquisition or disposition of real property located at Fort Monroe; and consultation with legal counsel.

So moved: Mr. Joseph

Seconded: Ms. Bunting

Unanimously approved.

MOTION: I move that we close the executive session and reconvene an open meeting. Each member will now be asked to certify that only those matters lawfully exempted from open meeting requirements under Section 2.2-3711 of the Code of Virginia, and only such public business matters as were identified in the motion by which the closed meeting was convened, were heard, discussed or considered by the Fort Monroe Authority Board of Trustees in executive session.

So moved: Mr. Joseph.

Seconded: Dr. Ayers

Ayes: Chairman Moran, Dr. Ed Ayers, Mary Bunting, Benita Byas, Dr. Rex Ellis, Destry Jarvis, Jay Joseph, Delegate Mugler, John Reynolds.

Nays: None.

Unanimously approved.

Adjournment

Next Meeting is February 18, 2021

MOTION: I move the Board adjourn.

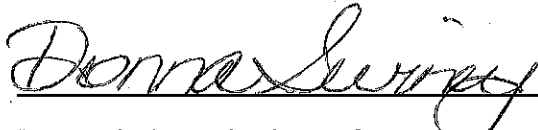
So moved: Mr. Reynolds

Seconded: Dr. Elgersman Lee

Unanimously approved.

There being no further business to come before the Board of Trustees, the meeting adjourned at 3:30 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Donna Swiney". The signature is written in black ink and is positioned above a horizontal line.

Donna Swiney, Assistant Secretary