

**MINUTES**  
**ALABAMA FORESTRY COMMISSION**  
**January 11, 2018**

**PRESIDING** – Jerry Dwyer, Chairman

**SECRETARY** – Rick Oates, State Forester

**COMMISSIONERS PRESENT** – Jerry Dwyer, Jane Russell, Stephen May, Robert Turner, Katrenia Kier, Joe Twardy, Dr. Bill Sudduth

**ALABAMA FORESTRY COMMISSION PERSONNEL PRESENT:** Greg Wood, Bruce Springer, Terry Ezzell, Allen Varner, Dan Chappell, Gary Faulkner, Donna Snyder, Arthur Hitt, John Goff

**GUESTS:** Charles Jackson, Jimmy Bullock, William Green, Andrew Schock, Sam Duvall

**MEETING CALLED TO ORDER** – Chairman Jerry Dwyer called the meeting to order at 10:01 a.m.

Recording Secretary Sybil Green conducted roll call and declared a quorum was present. She stated the meeting had been properly advertised.

Commissioner Robert Turner opened the meeting with a prayer.

Chairman Dwyer stated the nominating committee had met and recommends to the Commission that Commissioner Jane Russell be nominated for the position of Chair, and Commissioner Katrenia Kier be nominated for the position of Vice Chair.

**MOTION #2018 – 1** Commissioner Steve May made a motion that Russell be nominated as Chair and Kier be nominated as Vice-Chair. Turner seconded the motion. There was no further discussion. A vote was taken and the motion passed unanimously.

Chairman Dwyer stated as the outgoing Chairman he appreciated everyone's support over the last two years. He added everybody had been fully engaged and helpful to him and encouraged all to offer the same support to incoming Chair Russell.

Russell assumed the position of Chair and presided from this point forward. She stated she appreciates the trust of her fellow Commissioners and pledges to do all she can to support the Alabama Forestry Commission.

Chair Russell addressed the next agenda item, the approval of previous meeting minutes. State Forester Rick Oates commended Green for the thoroughness of the minutes and asked everyone to note the two documents in the packet distributed; a full 21-page copy of the minutes, and a separate document that breaks down motions and action items. May praised the format of the minutes and said using this format shows what actually took place at the meeting.

**MOTION #2018 – 2** May made a motion to accept the minutes as written. Dwyer seconded the motion. A vote was taken and the motion passed unanimously.

## **PERSONNEL**

Oates asked the Commissioners to reference a biography introducing the new Management Division Director Will Brantley. He stated Brantley has a sick child at home, and was unable to attend today.

Oates introduced the new Chief Financial Officer Donna Snyder and who gave a synopsis of her 27 years in state government, primarily working with budgets. Oates added she is an expert in STAARS.

Oates introduced the new Forest Economic Development Specialist Gary Faulkner. Faulkner is a former state employee who retired from the Department of Commerce as an economic developer with forestry as his specialty. Oates stated that he believes the Forestry Commission needs to be actively pursuing these interests. Faulkner stated the first six years of his career were with the Forestry Commission and he considers it an honor and a privilege to be back. He worked at the Forestry Academy in the Marketing Utilization Division and was placed on loan to the Alabama Development Office, now known as the Alabama Department of Commerce. He said the last two or three years has been phenomenal for forest products, particularly housing starts. He also stated working with Dan Chappell has been a thrill, particularly with TPO and FIA (Forest Inventory Analysis) because they are seeing a net growth in many areas and are working very closely with Commerce, as well as extending our reach to many other allies, especially utilities and their professional economic development groups. Oates added that we are using grant money through FIA to pay most of Faulkner's salary as Faulkner will be working as a part-time retired state employee. Oates stated he is hoping Faulkner will bring in a few projects that will increase the amount of timber harvested so the severance tax will increase.

Dwyer stated he never understood why the Forestry Commission stopped their work in economic development as the lead forest agency in the state. Oates stated he has had a long conversation with Chris Isaacson about this and the AFA is excited about the new direction of our partnership with them.

## **SAFETY REPORT**

Fire Operations Chief Balsie Butler referenced a the handout provided to Commissioners, stating the first form is an overview of the 2017 calendar year, showing injuries and accidents.

Butler said he wanted to concentrate more on the two spreadsheets in the packet, one each for 2016 and 2017. The last page of each report is in an OSHA platform. He pointed out the last form on the DART rate, which is calculated on every 200,000 hours for every 100 employees. From 2016 we had 2.93, we reduced that injury rate down in 2017 to 1.64. He pointed out that is extraordinary and due to efforts of our employees to implement new policies and procedures that had been put in place. He asked if anyone had questions.

Chair Russell thanked Butler for his report. Oates added that Butler has just recently taken on the duties of Safety Officer, as the previous Safety Officer Willie Holston has been on Military Leave since July. Oates added he felt the position should be manned. Holston will return to St. Clair County when his deployment is finished.

Commissioner Joe Twardy asked if the high number of total hours worked in 2017 was due to the busy fire season. Oates answered he believed that to be the case.

May asked about the difference in the way state office hours are shown on the two reports. Oates stated Human Resources Officer Randy Kinman compiled these reports and he will need to ask Kinman to explain. May stated it looked like all the positions in the state office are combined except Protection and that it should be done one way or the other. He prefers it be kept separate. Oates told him he will discuss this with Kinman. May asked Protection Division Director John Goff if he had seen these reports prior to today's meeting. Goff answered that he had not, and May told him he should catch this kind of discrepancy. Oates took responsibility, saying Goff had not been given this information. Dwyer said the main point is to make sure the method used is consistent from year to year.

## **BUDGET REPORTS**

Administrative Division Director Arthur Hitt referenced the 2017 report. The Actual revenue shows \$23,589,304.29. If you follow that down to the summary of Expenses which is \$20,491,275.77, it shows we had more revenue than expenses, with \$3,098,028.52 to end the year. This was due to a lot of hard work by everybody. We got some extra money through federal grants and we cut spending. That is tough to do and even tougher for a prolonged period of time.

The cash balance coming into 2018 was \$817,754.21. That along with the Emergency Fire Fund, the Education Trust Fund and the operating fund amounted to \$4.8 million in cash. Having that to carry forward was quite an accomplishment so that we could continue to do business.

Dwyer asked how the field personnel perceive this cash balance. Hitt answered the field personnel understand they helped make this happen and he has gotten very little negative feedback about the cuts in spending. He stated it is difficult to maintain low levels of spending for long periods of time, and unless we get more money from somewhere, we will be faced with that. You can see the biggest part of our budget is personnel costs. If the Legislature does not provide us with more money it will come down to cutting expenses or cutting personnel and we are bare-bones on personnel now. We should consider that when we talk to the Governor and the Legislature about more funding.

May asked about the \$4.8 million brought forward and where that figure is reflected on the 2018 budget. Oates answered it is under carry forward cash, explaining the budget that was approved by the Commission showed \$4.5 carry forward. He said he is not sure where on the breakdown you would list the actual cash. Snyder said we are not supposed to put it above the line at the top of the page. Oates stated he and Snyder are working on a format that will be easier to understand.

Chair Russell stated the budget shortages need to be addressed in a positive manner, rather than attacking people about their job, and we should be careful about how that is handled. Hitt answered that in our chain of command we try not to mandate things directly from the state office to the county office, and our Regional Foresters do an excellent job relaying things to the county offices in a positive manner.

Oates asked the two Regional Foresters in attendance to speak to this. Northwest Regional Forester Terry Ezell stated some employees do complain about not being able to spend money, but most employees just press on and find a way to get things done. Most of them understand that cutting personnel is the next step. Southeast Regional Forester Bruce Springer stated he presented the financial reports to staff and explained to them where the funds originated and they understood needs come before wants, and what we must have to keep operating is the priority.

Ezell added the people in the field have more trouble with the constraints put in place by using the state bid law. We waste a lot of time and spend a lot of money complying with these rules in the rural areas. Oates added that he received an email from another Regional Forester that one of our Work Unit Managers had so much trouble buying toilet paper for the office through the state process, he has been paying for it himself. He thinks that has been fixed as our employees are not expected to do that.

Twardy asked if other state agencies have these problems, and if there is any way to get an exception. Rick Oates answered all agencies deal with these rules, particularly ones that have offices in rural areas.

Twardy asked what the \$8.4 million included and Oates told him it included almost a million dollars that Governors Bentley and Ivey had given the agency above and beyond the budget last year. Oates stressed that the \$4.8 million carried forward is vital to the 2018 budget, it is spent, and without the work that was done to save money in 2017 he is not sure where the agency would be. Also, a lot of extra money was pulled down early from federal grants.

Twardy mentioned to Springer that field people need to know these kinds of things and understand carry-forward money is not extra money. Springer told the Commission the structure of the Work Units helped us to handle the shortage of funds and personnel. Oates added he intends to grow the alliance between counties and work units.

Dwyer asked about seedling sales. Hitt answered it is long-leaf pine seed sales as there was not another category for that. Dwyer asked if that is from the seed collection at Geneva State Forest and was told it is from the agreement we have with International Forest Seed Company and it is seed sales. Dwyer asked if we get anything for the pollen collection and was told it is all rolled into the seed sales category.

Twardy asked Oates if he is still monitoring weekly expenses. Oates told him he is. Hitt added a cash report is run every day and a weekly report show expenses statewide, down to the county level.

Hitt stated the 2018 report in the handout is a quarterly report. It shows actual revenue is \$5.89 million, last year at this time we were around \$6.8 million in revenue, so we are behind on revenue. Expenses this year are \$6.1 million and last year at this same time it was \$5.4 million. We changed up some things in the way we are handling the accounting process so our expenses don't really tell the whole story. Overall, revenue minus expenses, we are in the hole \$223,000. We have spent more than we took in for this 3-month period. Our prediction is at the end of year, September 30, we will have a cash balance of \$479,000. An extra payroll is included in the personnel costs to handle the first payroll in FY2019. This shows you with our budgeted revenue and budgeted expenses that we are \$3 or \$4 million in the hole already. We will need that much more just to be able to operate.

May asked Oates if he communicates weekly with the Regional Foresters on these budget numbers. Oates answered that he does. He currently approves every purchase and as he gets more comfortable with things, he hopes to loosen up on that, but while the money is so tight he keeps a very close eye on every purchase. Oates stated there is a little money, about \$700,000, in the estimated ending cash because of some grant money that was expected last year, but did not come in until this year. Even though this shows about \$479,000 he believes our ending cash will be about \$1 million. Oates stated expenses are budgeted at \$22.3 million and his goal is to get that down closer to what it was last year.

Kier stated kudos to all employees and they should be commended. She asked how we are reporting the data once it gets to the top, how secure are we that this final figure is right and how confident are

we in these figures. Donna Snyder stated she is very confident. She took the figures straight out of the STAARS system and is confident those numbers are correct.

Kier asked since we now have a greater knowledge of STAARS, can we be assured our figures are going to be closer than they have been. Oates answered that the 2017 files are closed, these are facts. He has a lot of confidence in Snyder and her ability to work in STAARS. He has asked Snyder by the beginning of the next fiscal year, October 1, to have the agency operating completely in STAARS. We use Phoenix and STAARS now, and this causes a little bit of confusion and some of the numbers are different. We waste time entering things in Phoenix and then entering it in STAARS. By October 1, everything should be in STAARS, budgets and grants. We will probably keep Phoenix for the time system, but all accounting and budgeting functions will be in STAARS.

Dwyer asked if STAARS allows a screening process, such as, a County Forester requests something, Regional Forester signs off on it, and then the State Office signs off on it. Snyder answered the agency sets up their own approval process in STAARS, the layers of approval are up to each agency.

Twardy asked Hitt for the 1<sup>st</sup> quarter 2017 actual revenues and Hitt answered \$6.9 million. Twardy then asked if the expenses were \$5.4 million and Hitt replied yes. Oates said he made the decision to not include those numbers based on different timing and what we are doing with Purchase Orders. Snyder added that FY17 was the agency's first year on STAARS, and expenditures will be about 2 months behind, so it will be low compared to the first quarter of FY18.

Twardy said he understands the budgeting process but asked if we can somehow turn the page and put down on paper where we think we will actually be with cash. Hitt said Accountant Truman Hornsby prepared these budgets and spent a lot of time addressing what you are asking, that is, can we trust STAARS to give us the right information. Hornsby concluded that everything in STAARS is correct if entered correctly. He keeps a worksheet that does exactly what you are saying, it projects expenses and revenues. When you put in the actual numbers, and over time, you get much more comfortable and on course to actual expenditures and revenues. It was difficult to become acclimated to STAARS, but we have been using it a year. The regions are now keeping a set of books and we hope to give them access to STAARS so we can be on the same page.

General Counsel Scott Rouse added our appropriations have been cut for multiple years, and this year represents an \$800,000 increase for our general fund appropriation. Rouse stated he and Oates looked at the Governor's proposals last night and it looks like there may be a slight increase next year as well. He said he believes the Legislature is beginning to listen to our needs. What Hitt said is correct about us being heavy on personnel costs, meaning there is not a lot of our budget that can be cut. The Finance Director in his presentation to the legislature pointed out there has been a decline over the last several years of personnel overall, and state staffing is nearly at a minimal level.

Kier stated it is critical that our staff become comfortable in STAARS, as the confusion regarding the Commission's budget has been frustrating on all levels.

Oates referred to a handout outlining severance tax. He said we are all concerned about the change in severance tax and Chappell has produced some spreadsheets to help us understand where we are going with the taxes. Chappell stated the calculation of tax is very different now, much simpler. Everything is now calculated in tons but to go back and try to calculate the previous two quarters with this method was difficult, but he believes the estimates came out pretty close to what we actually received. It is a

little early to tell, but he believes it is going to be close to neutral. Taking an average of the two previous quarters, and comparing it to the first quarter of the new system, there is not a great difference. If the money came in short this year, there was an opportunity for the legislature to change the formulation, but if we came in real short, there wouldn't really be a way to cover for that. The promise of revenue neutral is realistic. He charted the first 3 quarters of 2017 with what has actually been cut and the agency benefits from greater severance and any show of increase in economic activity. Total tonnage from first quarter 2017, about 9.4 million tons, increased to 9.8 million. The latest quarter is 10.2 million. The economy seems to be picking up and it is bearing out in the numbers. The severance tax should do the same. The promise of revenue neutral seems to be close to correct.

May asked Chappell to define "revenue neutral." Chappell answered that the legislative intent with this is if in 2017 we brought in a million dollars, then in 2018 we would bring in a million dollars. He says he thinks it is referencing gross numbers. May asked him if the economy improved, there would be more severance tax money, and we would not get that. Chappell answered that is correct. If we get less the first year, then it will be adjusted. If we get more, then they are done.

Twardy asked if the first, second and third quarters are fiscal year or calendar, and was told they are calendar quarters. Twardy asked the first quarter severance reported is for what period? Chappell told him it is for what was cut in January, February, and March of 2017. Twardy clarified that he is asking what months are on the 2018 statement and was told the 2018 first quarter money is for the third quarter of 2017.

Kier moved that the Commission go into Executive Session. May seconded the motion. Rouse stated the purpose for the Executive Session is to discuss pending or threatened litigation and the law requires that he give a declaration on the record: our discussion in Executive Session will comply with that part of the statute that allows us to do so. We may also be discussing some things that get into character and reputation, another thing that is allowed in executive session. Before we go into Executive Session we need a roll call vote.

**MOTION #2018 – 3** Green conducted the roll call vote to go into Executive Session. The motion passed unanimously. The Commission broke at 11:05 for a short break, to reconvene for Executive Session at 11:10 a.m. The regular meeting will reconvene at 12:00 p.m.

Chair Russell reconvened the regular meeting at 12:30 p.m.

## **PERSONNEL**

Oates reminded the Commissioners he was asked at the previous meeting to bring a recommendation for Assistant State Forester to this meeting. He presented his recommendation of Southeast Regional Forester Bruce Springer and asked Springer to introduce himself.

Springer stated he is honored to be in consideration for this position. He gave a brief summary of his education and work experience. He has worked with AFC for 26 years, starting in Chilton County as a Staff Forester, moved to Montgomery in 2001 as the Management Division Director for 4 years, and then took the Regional Forester position he currently holds. He stated he has served on the Leadership Team since 2001. Prior to his work with AFC, he worked for 8 years with Sizemore and Sizemore, a consulting forestry firm out of Tallassee, where he did a variety of different things. Timber appraisals from company lands was one of his primary duties, giving him an opportunity to see most of the

Southeast's forestry industry. He has a Master's Degree from Purdue University and a Bachelor's Degree from Oklahoma State University, both in Forestry and Forest Management.

**MOTION #2018 – 4** May nominated Springer to be appointed as Assistant State Forester. Kier seconded the motion.

Oates added that he and Springer have worked together for many years and Springer has been instrumental in many things we have done such as developing the grant database we are currently using. Oates stated he expects Springer to be a great addition to the State Office and the Executive staff.

**Chair Russell called for a vote. Springer was unanimously approved.**

Oates stated the Governor has to approve the appointment and State Personnel has to approve the salary. Oates proposed the salary of \$105,000 and some change, which would be 3 steps from his current salary, or a 7% increase.

May asked if Springer is topped out on salary as a Regional Forester, and asked how much that is. He was told the top salary is \$97,700 for a Regional Forester and Springer is topped out.

**MOTION #2018 – 5** May made a motion to accept the starting salary of \$105,000 for Assistant State Forester Springer. Turner seconded the motion.

May stated he believes Springer deserves a higher salary, about \$110,000. Oates added that it is his understanding three steps is the maximum he can be increased because he is currently a state employee. If he came from outside State government, it may be possible to offer him more, but because he is a state employee it must be done in increments. Springer made the statement he is happy with the 3-step raise.

**Chair Russell restated that a motion had been made and seconded and called for a vote. The motion passed unanimously.**

Oates stated the salary must be approved by the State Personnel Board, which is scheduled to meet next week. A letter will go to the Governor for her approval as well.

Dwyer asked if the Chairperson needs to sign the letter, and Oates answered he did not believe that to be the case. May stated they should both sign it.

## **POLICY CHANGES**

Oates stated that many incidental policies are discussed and changed by the Leadership Team, but more important policies, like the Firearms Policy, come before the Commission. The Harassment Policy has proposed changes and will be presented by Rouse.

Rouse referenced the handout and pointed out changes and additions. In the first paragraph we tried to make it very clear that supervisors do have an affirmative duty to report anything regarding potential sexual harassment or discrimination of which they are aware. They have an obligation to report that up the chain of command and any violation of that policy is considered very serious.

The next two paragraphs were flip-flopped, as we were trying to describe different types of harassment and discrimination in the workplace. The second paragraph is a little generic and the third paragraph describes in more detail what constitutes sexual harassment. Some provisions were added, groping and grabbing, and we also clarified, because sometimes there are issues, about consent. Regardless of any communicated consent, it is never acceptable under our policy for a supervisor to engage, solicit, or do anything with a subordinate employee. This policy makes that explicitly clear.

The reporting process is changing a little bit, making it clear that a written report must be submitted immediately so behavior can be corrected as soon as possible. Also, employees need to know they can submit a report at any time. Once there is a report, most of the duty of the investigation will reside with me (Rouse) as the General Counsel.

In the last paragraph we tried to clear up some things that were already in the policy. If there is confirmation of sexual harassment or hostile work environment, then corrective action will be taken. All information is to remain as confidential as possible, and there will be no retaliation against someone who reports or who participates in the investigation.

Rouse went on to say he thought we already had a good policy, but thinks the changes make it even better. May asked if the policies of other state agencies were looked at, and if Alice Ann Byrne at State Personnel has seen this policy. Rouse stated he had looked at many different policies from some state agencies, some outside government, federal agencies, etc. May asked Rouse if he felt like State Personnel should see this. Rouse answered we certainly could, but thinks it should be put into place as soon as possible.

Twardy added he would also like for State Personnel to see the policy. Kier asked if State Personnel has an ombudsman or another person that an employee could go to outside of our agency, and if we can add that option to this policy. She said we are approaching this from the position of protecting the agency, but an employee that feels unsafe may hesitate to come forward. It is understood there is not someone with our agency, but if there is someone within the state agency that holds that office, then our employee would have the right to contact that person.

Rouse answered there is not an ombudsman, per se. Some of the larger agencies have an EEO Officer within that agency, and they work closely with the legal office if they receive a complaint. That does not fit an agency of our size. At State Personnel there is not a representative as such, but there is a right under the statute to contact State Personnel if anyone feels they have been discriminated against. They can file a complaint with State Personnel and it can go to a hearing much like a termination proceeding. That process does exist in state law.

Kier said that takes it to a whole other level. A person should have a safe spot, a neutral party, someone they could call on the phone or go to. Oates said he can talk to Jackie Graham at State Personnel, but this agency cannot afford to hire a person to fill this type of position. Kier said she understood that but wonders if that exists within the state. May stated he thinks there is somebody in State Personnel. Rouse and Oates agreed to research this.

Rouse added, one thing we are trying to do is add multiple avenues for employees to report. You never want a scenario where a person must report harassment to the person who may be harassing them. What we have done is given employees alternates: they can come to a Division Director, Regional

Forester, or if they choose to, they can come to the Assistant State Forester, State Forester, or me as General Counsel. Dwyer added they should be able to contact our Personnel Officer. Oates repeated he will talk to State Personnel. Twardy pointed out that a female needs to be in that group. Kier stated the HR person should be included, and maybe we need to consider Brandy Sponsler's job description as typically a person would go to HR first. Certain responsibilities and training may need to be added to her position. Dwyer said the reporting needs to be done within a reasonable time frame. Rouse stated he and Oates were concerned about setting a definite time period for reporting and investigating when every situation is unique.

Dwyer stated the policy should outline the disciplinary action, we need to say what the appropriate disciplinary action might be. It says up to and including dismissal, but should it say suspension, leave, demotion, if nothing else it needs to be addressed in the training session. Rouse said it is in the first paragraph, but maybe it needs to be in the last paragraph.

May asked who does the investigation. Rouse said he would take the lead, in cooperation with the State Forester. May asked how he would be able to give an unbiased view as he is representing the agency. Kier added she did not see how that would be possible. May said the investigation needs to be done by someone who has no ties to the agency. Rouse questioned who that person would be. May said it did not need to be in our agency, could be in State Personnel. Dwyer said State Personnel has conducted investigations for us in the past. Rouse said it creates other issues because these things can be very sensitive and you generally want to keep that circle as tight as possible. The accusations always start with unsubstantiated allegations. You have to be very careful about people's privacy, approach it correctly, and may be the person is being falsely accused. Kier stated there is proper training for the person who has that responsibility and that Rouse was thinking like an attorney. Kier said typically this would come out of the Human Resources Department as that person is thoroughly trained to handle matters with discretion; how to deal with management staff, how to deal with each employee. She stated we need to go back to State Personnel and ask what our options are and if we need to hire an outside firm to do this. Kier stated she would be surprised to find out there is not someone in the state to do this. We can line up our policy with who a person can get in touch with very quickly and be able to trust the person they talk with so when it comes back to our Leadership, these policies and procedures are in fact lined up with each other, not opposed to one another. We owe it to our employees to have that kind of trust; it seems we don't have the trust here. It is what it is, you have inherited an organization that is like that. Until we put the effective steps in place it is not going to change.

Oates said he, Rouse and Human Resources Manager Brandy Sponsler will sit down with State Personnel and discuss what other agencies do on this. He is not sure how we go about having a third party involved. Dwyer said it would be troubling to him, as an employee, to talk to Rouse about a situation when he is representing the agency. Dwyer said he did not see how Rouse could deliver the information to Oates without there being bias involved.

May said in the history of the organization the previous attorney had the relationship with one of the previous State Foresters where he was a hatchet man. If you are an employee you are in trouble to start with and you already have the culture of people thinking like that in the organization.

Oates said they will get the recommendation of State Personnel. Chair Russell stated the discussion will be tabled for now.

Oates said he would like to get the policy update out to employees as soon as possible, and asked if he can email each of the Commissioners and then talk to them individually. Kier stated she does not have anything against the policy, but we need to add in the reporting process who the people report to. Rouse asked if the Commission can adopt this and then make additional changes to all the things we have talked about. May stated he hopes Rouse is making good notes on all the things we have talked about because that does not need to be left out. May said if this policy is adopted he will be expecting to see some changes.

Turner asked if it is possible that X number of Commissioners could get the training and then an employee could come to us, we represent the employees. Kier stated that opens up to everything, because we are not just talking about sexual harassment. We don't want this to be a hostile work environment no matter what the offense is. May stated he thinks that would give the Commissioners exposure to lawsuits, which they are protected from right now. Oates said there is nothing to stop you from talking to an employee and bringing us a concern. May stated if hypothetically somebody called a Commissioner, that Commissioner should immediately contact the State Forester. May stated that is not an unlikely possibility.

Chair Russell said this policy will be adopted, but Rouse and Oates will be looking into other things. Kier stated we approved this, but I think we need to look at the scope of work our current Human Resource personnel has and see if they will be of assistance to best implement this policy.

#### **VOLUNTEER FIRE DEPARTMENT DECERTIFICATIONS**

Volunteer Fire Assistance Coordinator Greg Wood was recognized by the Chair. He introduced himself and brought to the attention of the Commission 2 requests to decertify Volunteer Fire Departments.

Wood explained the history of this process. In 2016 we successfully petitioned the Legislature to update the section of the *Code of Alabama* that deals with volunteer fire department certifications. Prior to the update, the 1980 law stated the AFC had authority to certify volunteer fire departments but it gave no specific authority to decertify. Over a period of years there were some volunteer fire departments that ceased to exist for whatever reasons, but they were still on the books. In some cases where local legislation had been adopted to add funding for those volunteer fire departments, those VFDs were still able to draw local revenue, plus the money that is appropriated by the legislature from our budget that goes to VFDs. We began to receive requests from VFDs and County Fire Associations to decertify some of these nonexistent fire departments so they would stop receiving the funding. We began this process in 2017 in conjunction with the Rural Community Fire Protection Steering Committee of which Mr. Charles Jackson, who is here today, is the Vice Chairman. We received unanimous support to the updates to the Code and the regulations that were adopted into the Administrative Code from the RCFP Steering Committee, the Alabama Association of Volunteer Fire Departments and the Alabama Joint Fire Council. This process was not something we entered into to do harm to volunteer fire departments, it is actually something we did to help them.

The regulations that were adopted stated certifications of new volunteer fire departments can be approved by the State Forester. Decertifications for any existing fire department requires the Commission's approval. That is what I am bringing before you today. I will try to give you a little background information on the two we present to you today which will lead up to a recommendation from the State Forester to you.

Wood referred to the handout to show a written request to Oates from Chief James Henderson of Shelby County EMS Association. The process does not allow AFC to act upon these decertifications without a written request from the county association where that fire department is located. This letter requests that Westover Volunteer Fire Department be considered for decertification. The second paragraph says this fire department last responded to a call on September 13, 2014. The next two letters were sent from AFC Legal to Westover VFD, the first stating we received this request from the County association to decertify your department and asking them to contact us. We did not receive a response to that letter and 30 days later a second letter was sent, informing them if we did not receive a response they would be considered decertified. We received no response from that letter. One thing that needs to be mentioned is the end result of both of the decertifications today will result in improved fire protection for these communities. The Westover Volunteer Fire Department has been replaced and their coverage area is now covered by the Town of Westover, who have created a paid fire department. This will get the nonexistent VFD off the books.

The second request is from Marion County Fire Fighters Association's President requesting that Sunnyhome Volunteer Fire Department in Marion County be decertified. The second letter in your handout is a letter from AFC Legal and the third sheet is their response. They stated due to lack of membership and lack of interest the Sunnyhome Volunteer Fire Department asks to be decertified and it is signed by the Chief. The situation with the Sunnyhome VFD is on September 29, 2017 we certified a new VFD in the Craft Community in Marion County, which replaces a large part of the coverage area which was vacated by Sunnyhome. The Brilliant VFD covered the remainder of the old coverage area. Again, the end result is improved fire coverage.

Oates recommended to the Commission that both volunteer fire departments be decertified.

**MOTION #2018 – 6** May made a motion to decertify both volunteer fire departments. Kier seconded the motion. A vote was taken and the motion passed unanimously.

### **LEGACY GRANT**

Oates stated the AFC received a grant through the Forest Service called the Forest Legacy Program. That grant charges us with creating a conservation easement with RMS (?) close to the Little River State Forest. Oates stated he wants the Commissioners' feeling on this and whether we want to pursue it. He asked Stewardship Coordinator Allen Varner to present this.

Dwyer encouraged Oates to always seek the Commission's thoughts on any grants because that was a stumbling block in the past.

Varner introduced Jimmy Bullock with RMS and Andrew Schock with The Conservation Fund who are partners in this project.

Varner: Alabama has 23 million acres of forest land out of 33 million acres and is the third most forested state in the nation. We have an increasing population and all the I-65 corridor is growing tremendously. Do we have enough working forest in the state of Alabama? Forest Legacy is about one thing, keeping working forest as a working forest.

The Forestry Commission is the lead agency to manage the program here in the state. The idea is to identify properties, and then on a very competitive basis, nationwide, go through these properties and

add some to the Forest Legacy Program. One of the goals for this is to prevent conversions. If there is a working forest near a community and they decide they need a Walmart, do we want to do that? Fish and wildlife habitats with real biological diversity is worth preserving and protecting. Obviously if a tract of timber is part of the watershed for a community there is value to conserve. Also, if there is timber production; it is a working forest and we will harvest timber.

The program began in June of 2000 when then Governor Don Siegelman wrote a letter to the Forest Service telling them that we (AFC) are the agency that will manage the program. Before we could implement the program, we had to have a document known as an Assessment of Need. It is a lengthy document that helps define how we will determine the properties that are candidates for this program. That Assessment of Need document was edited by Dr. Dan Dumont of the Alabama Forest Resource Center in Mobile, with Mark Bailey as his main researcher and data gatherer. Then in 2010 this document was incorporated into the State Forest Action Plan, a document that every state in the nation created to help have goals to manage the forests in each particular state. In that Action Plan there are two key components, early growth and fragmentation. Our State Action Plan also supports our Forest Legacy Program.

A few years ago, I (Varner) began to look at the Stewardship Advisory Committee that almost mirrored the Alabama Natural Resources Council. We have streamlined them into the Natural Resources Council. We have been successful with this program in the past. We have over 13,000 acres, a value of over \$21 million, all fee simple properties, working in conjunction with the State Lands Division in the Forever Wild Program. Forest Legacy is a 75/25% match, the federal side is 75% and state side is 25%. It has been a while since we have had a program due to some personnel changes at State Lands and some of the relationships have not been as strong as they used to be.

In 2007, we were requested to pinpoint and try to be more precise as to what areas of the state we considered priority areas for Forest Legacy. The Cumberland Plateau, the Walls of Jericho, right on the state line, a key property, has been very successful, as we have been in the Perdido, Gulf region. Now we realize Escambia County and that area of the state, needs to be considered for projects.

Varner asked Bullock for his presentation.

Bullock stated a number of years ago, the discussion was that it is really hard to work with large institutional landowners because you have a short investment horizon. In some cases, you don't want to put things out in perpetuity, you are not always looking at conservation value. We kind of took that as a challenge. We happen to have management authority for about 200,000 acres in Baldwin and Escambia Counties, Alabama and Santa Rosa and Escambia Counties, Florida. That is a very key historic long-leaf pine historic area. We said we think we can put something on the table to restore that 200,000 acres as a working long-leaf forest in perpetuity that also fulfills the longleaf ecosystem needs. Our base idea is for Coastal Headwaters to have an economic component and an environmental component and become a model for large landowners to figure out how to fit into the Longleaf conservation space. We want the owner of the land to be financially secure in this transaction so the economic component was very important. The economic benefits are that the land stays on the tax rolls, it is a working forest and it supports jobs in rural economies such as sawmills and the people that manage, harvest and transport the trees. It can also help create new markets. There are some sawmills in the area of our (inaudible) footprint that would be very interested in developing markets around longleaf for flooring, paneling and for other types of uses. We know there are some pole manufacturers that are interested in longleaf.

On the environmental side, the project area covers 5 major river watersheds that flow into the Gulf of Mexico, 575 miles of flowing streams. The project area as a whole can help conserve up to 45 federally listed at-risk state S1 species. Foremost is the gopher tortoise which we will come back to in a moment.

We have built a strong public-private partnership and the AFC is certainly part of that. The goal is 8 million acres restored by 2020. Everyone listed has put something into this project. Varner by helping work the Forest Legacy grant through has been a strong part of what we are trying to do.

We have found if you have a 200,000-acre project you are not going to get the money for the easements overnight. Working through programs such as the NRCS grant programs, USDA programs like Forest Legacy and through the Forest Service Program for Rural Families, we have put together enough funding that we can restore about 40,000 to 50,000 acres to date. We are still working toward that 200,000-acre mark.

You will notice the Little River piece to the north of I-65 and in Baldwin County, we have received 3 grants that we are looking at about 20,000 to 25,000 acres. The focal species for that grant is gopher tortoise.

The Coastal Headwaters idea is that we can create a working longleaf forest and manage it as a working longleaf forest in perpetuity, plus provide important ecological services that help all of us in various ways, particularly on the regulatory front. We think it is a game-changing project. It is a critical habitat area for longleaf pine and we are a willing landowner.

I understand this is a big ask. For this easement, monitoring it is not a huge leap, because when we get it restored to longleaf pine, it is being managed as a longleaf pine forest, the requirement is to see that it stays a working longleaf pine forest.

I want to point out 3 benefits to all of us in Alabama. First, it protects a really long stretch of Little River. Second, Dr. Bob Boyd at Auburn says there is a limestone sink pond in this protected area that is unequivocally the best example in the state and he takes his ecology class there every year. Third, the gopher tortoise is being considered for listing as a federally threatened or endangered species east of the Mobile-Tombigbee River System, and to keep it from being listed, there needs to be enough conservation action taking place long-term to make a decision to not list that species. Anyone who is a landowner within the range of the gopher tortoise has concerns about it being listed.

This Little River property, we have pledged to manage for conservation of gopher tortoises, is one of a number of viable populations that the service needs to make that decision. The parcel shown to you in Baldwin County also made that commitment. That gives the service two private land populations that would have permanent protections through easements, and a management plan that would show it is being managed for that going forward by us as the landowner. We are asking you to do this for all of the landowners in the state.

Bullock thanked everyone for allowing him to make this presentation. Varner referred to the nomination form in the handout. This form goes to a committee that meets in Washington, D.C. in January. There will be about 80 applications, and the evaluation process will focus on categories of Important, Threatened, Strategic and Readiness. The significant piece of this is the gopher tortoise habitat. We were very successful in this competition and we were awarded the funding. It is now sitting

in Washington, D.C. and we haven't made any moves to acquire this funding until we have a response from the Commission.

The map tells the story. It was originally submitted as a 2017 project and the Little River Annex in the middle of the page, the north half of it, is the 2017 project. The committee was slow responding so we decided to hedge our bets and submitted the whole piece in 2018. That is why you have a 2018 map instead of 2017. If you look at the insert you will see the (inaudible) pond. I have been there and it is a unique part of the world. It is just a 40-acre block of cypress knees and trees. The Little River is along the north end of the entire property. It has a lot of important features and is also strategic.

Page three shows you the threatened category; that picture is standing on this property, looking across one of the country highways. It was a forest that was taken away from the program, so this could happen to Little River as well. Note the (inaudible) mills to the east and (inaudible) cascade northwest, there is up to 36 mills within a hundred-mile radius of Little River, so there is the economic portion of this report. This is productive land.

Remember, it was a very competitive process to get the funding. We competed strong and it will be a prescribed fire plan regimen. In the conservation easement, there are 3 documents and a key concept you need to be aware of when approved. A baseline document (the defined baseline of where everything starts), a preappraisal and an appraisal process where the Forest Legacy appraiser will come and meet with an on-the-ground appraiser to determine how we do this process. It is laid out very clearly. There will be a Stewardship Forest Management plan. All those documents combined help define the conservation values we want to conserve and will be in a written document. Legacy does require an annual monitoring which means we must go down and make certain the easement is in effect and properly adhered to. As Bullock mentioned, it is in perpetuity protecting a portion of the world as a longleaf forest and hopefully providing benefits from now on.

Dwyer asked Varner to define monitoring, the level required. Varner answered he will ride across the property to view it, and write a report. Dwyer asked if he was the only one that could do it and Varner answered it could be done by local employees if they are instructed what to look for.

Dwyer asked how in depth the report would be. Varner answered he has seen all sides of that and some are not in depth at all, just outlining any violations of the management plans.

May asked Varner what he is asking the Commission to do. Varner answered to take this under advisement. May asked to do what with. Varner answered to see if we can move forward with it.

Oates added we would be responsible for the monitoring. May asked if it is the Commission's land. Oates answered no, if we go ahead with the easement and we procure the easements, RMS will be responsible for maintaining the property. Our responsibility will be to monitor it annually to ensure RMS is in compliance with the conservation easements. May asked if the Commission would be checking on RMS and Jimmy Bullock answered whomever the owner is in perpetuity.

Bullock stated they realize this is different than anything the Commission has done before, and that is why Oates was prudent to bring this before you. Bullock stated some of the thought should be that if you approve one, you may get another one. This really will be easy to monitor. If it is in a forest management condition, the easement is being met.

May asked what the Commission would gain from doing this. Bullock stated right now you would get permanent protection on Little River, the State of Alabama gets what Dr. Boyd says is the best example of limestone pond, and most importantly you get a private land gopher tortoise population. May asked what happens if we have to clear cut Little River to sustain the Commission. Bullock answered that would not be on this land.

Oates stated this is their land, just south of ours. May asked why they cannot do it themselves and Oates stated there has to be a third party. May stated he is trying to get Bullock to answer.

Kier asked if we would make any money and she was told no. Twardy stated the federal government has \$3 million they want to set aside to protect gopher tortoise so they came to RMS, the landowner. RMS gets the money and they need a third party to check the easement.

Bullock said the change is brought about because Forest Legacy is not funded at the level it has been in the past. Now the amount, \$3 million, will go less than a third of the way of what an easement would do.

Chair Russell asked who is paying us to do this job. Bullock stated this would be the AFC's contribution to the project. Twardy stated it would be a contribution by the AFC to protect natural forest and gopher tortoise habitat.

Chair Russell asked if this is forever and was told yes. Dwyer stated it is part of our mission. Bullock stated they understand the Commission has not been asked to do anything like this before and stated, at some point, if the State of Alabama wanted to expand Little River State Park and that wildlife management area, acquiring an area that is already restored to longleaf pine and has an easement is of far greater value than a piece of land not like that. There is some down the road value. Varner is not overstating that it could be something besides working forest in the years to come.

May stated a landowner has a right to do what they want to with their land. Bullock stated if this easement is on it, it will stay as a working longleaf forest in perpetuity with conservation benefits.

Twardy asked what RMS will do if AFC does not agree to do this. Bullock stated they cannot go to anyone else with the help of AFC because you are the entity now that has responsibility for doing this.

May said, so rather than pay us in real dollars, RMS will give us trade-off in protecting the forest. Kier asked if that helps us with the Legislature. Varner said we should think about the concept of in perpetuity. Varner said that is why he started off by asking if we have enough working forests in Alabama. It may be safe today, but 50 or 100 years from now will it. Populations and urbanization is increasing and before you know it, that forest is gone.

Dwyer said his dilemma is it may only cost us \$2,000 today to do this monitoring, picking a number, but 50 years from now that may be much more. Are we going to have people to do that monitoring? What happens if it does not get monitored?

Bullock said he would think if the cost of monitoring got to be prohibitive that the program responsibility would shift to another agency or a third party conservation organization would step in and help out. Varner stated he is constantly negotiating with the Legacy people in Atlanta about helping us out with monitoring, telling them we cannot work with unfunded mandates.

May asked if the Legacy group is federal and was told yes. Twardy stated the Forest Service is a big part of that and what we keep talking about as far as the working forest. If the gopher tortoise is there it won't be a working forest. Bullock stated he respectfully disagreed with that. RMS is betting 200,000 acres as a working forest that can also include gopher tortoise conservation because the tenets for managing longleaf, burning on regular intervals to open up the canopy, normal forest management or working longleaf forest benefits the gopher tortoise. Bullock is rock-solid firm RMS can do both. Our company is betting 200,000 acres we can.

May said under the present administration gopher tortoise may not even be listed. Bullock said that a population here will certainly help the government make that decision.

Chair Russell stated the Commission will take this under advisement. She suggested everyone read all the information provided, and research before we make a decision. Twardy asked for a timetable as to when they need a decision. Varner said hopefully a decision at the next Commission meeting.

Kier asked Oates if there is a plan to do this, how it will fit into the scheme of our plans to do the monitoring. Oates answered right now we can do it. Russell stated her biggest worry with this is the "forever" involved, and it is a lot to consider before that decision is made.

Oates stated there is no way to know what the Forestry Commission will be years from now. It may become a fire-fighting agency and this would be something we could not do anymore. There is no way to predict that.

Kier asked if there is any benefit for us. Oates stated the greatest benefit, he can see, is gaining a viable gopher tortoise population which would be beneficial to the industry. Fish and Wildlife is telling us we need probably 20 viable gopher tortoise populations to keep it from being listed.

May said if you let the federal government drive you toward that, you see their numbers are always skewed away from reality. I really don't like anything to do with the federal government expanding its way into any part of my life any more than they already are. The best people to manage the land in Alabama are private landowners. If they can't do it, they don't need to own it, they can sell it to somebody else, but don't give it to the government. Bullock stated they haven't given it to the government, we will be managing it going forward.

Chair Russell stated at this time this will be tabled and asked the Commissioners to do their homework.

Rouse asked if we hold the easement on the property and there is a violation, what responsibility does the AFC have for enforcing the easement. Kier said that is the research we need to do and bring back to the next meeting. Dwyer asked what that could mean. Oates stated that could mean taking them to court to get them in compliance. Varner stated that is where the value of monitoring comes into play.

Chair Russell thanked them for their presentation.

#### **STATE FORESTER'S GOALS AND EVALUATION PROCESS**

Kier stated there is no report at this time.

**STATE FORESTER'S REPORT****PERSONNEL**

Oates asked everyone to reference a map distributed to them showing personnel by counties and indicating there are several counties without any personnel. We are in the process of putting two people in Talladega County, a Ranger and a Forester.

Oates stated there is a current organizational chart in their handout. The only change at this time is to add Springer as Assistant State Forester.

Twardy asked if Southwest Regional Forester Hank McKinley has announced his retirement. Oates stated McKinley is planning to retire in the summer of 2018. May stated it is unfair to Ezzell and feels McKinley needs to be under Ezzell. May stated he feels this is not being managed right. McKinley needs to be directly under Ezzell or you can bring him to Montgomery and let him count tower sites. May stated it was his opinion that this is not going to work.

Oates stated he and Ezzell discussed this issue and Ezzell is beginning to work with the Work Unit Managers currently under McKinley. Ezzell stated he has interjected himself into the other work units, the administrative duties and the day-to-day operations. Ezzell stated consideration might be given for McKinley to oversee the Southeast Region since Springer is now at the State Office. Ezzell stated he has no problem working with McKinley.

Dwyer stated he feels it is hard on the employees in that area. Oates stated he understands the concerns and is open to suggestions. Springer stated he hopes to move very quickly to fill the Regional Forester position he is vacating and thinks it would be counterproductive for McKinley to fill in there.

May asked if there is a written document from McKinley referencing retirement and Oates stated there is not. May said he wanted a signed note somewhere as the whole thing concerns him. Dwyer says it concerns him too and feels it is awkward. May said McKinley could take advantage of the position he is in.

Oates stated he and Springer will work together to come up with some special projects. May said he will be okay with that and Oates agreed. Twardy said he wants the region to start moving ahead with the new organization. May stated there has already been a problem there but did not want to spend a lot of time elaborating on it. May said Dwyer knows what it is, when the work units were reinventing as to what counties went where. May said it kind of blew up in their faces and they did not know where it came from. They finally figured it all out and it was a situation where people way down the chain start questioning what we are doing at a much higher level and getting all incensed about it, when it is really none of their business to begin with. That came right out of the work units he is still managing. Oates stated again that he and Springer will assign McKinley some much-needed special projects.

**COMP TIME**

Oates asked the Commissioners to reference a handout in their packet concerning comp time. He said it has increased a little bit due to the change in regions and they will work to decrease the balances.

Oates referenced the Southeast Regional Forester job description handout. He said this needs to be filled as soon as possible and a simulated register has been pulled. Springer will handle this. May said in the event people apply and do not meet the minimum qualifications, they need to be told why. He said that will put down some of the rumors in the regions. We have had situations where people complained about not getting a shot at the job, but did not meet the minimum qualifications to start with. Oates stated they will do that.

Oates stated we received an application that Sponsler looked at and then called the person to tell him he was not going to qualify for that position unless he did some things, rewrote the application and sent it back. He did not take advantage of that opportunity and did not have an interview because of that. He was told very clearly what he needed to do.

Kier asked where this job is located and Oates told her it was the job Springer vacated, the Southeast Region.

Springer stated, as usual, there will be an opportunity for internal transfer first. Oates stated filling that position will be a high priority.

Oates brought up the Young Leaders Program of the Alabama Forestry Association. He stated he would like to send 2 of our people to it. We have talked in the past about ways to reward and recognize some of our employees but can't give them a bonus. This is an opportunity to recognize doing a good job. Oates stated he started this program when he was with AFA and it is a great opportunity for young people to connect and interact with peers of their age in the industry. Chris Blankenship with AFA has agreed to give us a discount on the tuition which is normally \$2,500. We will pay about half-price which pays for travel, hotel, meals, everything. The Sustainable Forestry Initiative Committee is paying for our BMP Coordinator Ryan Peek to go through this as well.

May asked if any names have been submitted and Oates said he has gotten some suggestions. AFA needs an answer in the next week or so. Email me or call me and offer your recommendations. Oates stated since Peek will be going from the state office, he feels field personnel should fill the other two slots. The age limit is under 40.

Dwyer stated he understands about the field personnel, but thinks Chappell would be a good candidate and Oates agreed. Dwyer said this is a good program and the contacts are important. Twardy stated it is a way to recognized people, reward them and a good way to encourage initiative in employees.

Chair Russell asked if everyone agreed, there were no objections and Oates is to go forward with this. Dwyer stated he would like each person that attends to come back to the Commission and speak briefly about how the training was a benefit to them. May said it is a good idea any time a state employee is sent off to a meeting somewhere for them to come back and give the Commission a report on it.

Oates asked the Commissioners to look at the 2017 Annual Report in their packet and stated it must be submitted to the Legislature/Governor's office by the end of January. The Commissioners were asked to let Oates know if they have any problems or comments and get them to him or Mike Kyser in the Media Team/Web Education pretty quickly.

Dwyer stated it is important that the Commissioners look through the Annual Report and review it for a good idea of what went on in 2017. Kier complimented Oates on the opening letter in the Annual Report.

Oates asked if everyone is getting *TreeTopics* by email and commended the Media Team, Mike Kyser, Elishia Ballentine and Kelvin Daniels, for their work on that publication. It is also sent to partner organizations like Alfa, AFA and others, so it reaches beyond the AFC. Dwyer asked if it is sent to the Legislators and Oates said he has not done that, but it is a good idea and we may summarize it to a couple of pages and consider doing that.

## LEGISLATIVE UPDATES

Rouse stated the session started on Tuesday and there is a little bit of good news. There has been an uptick in the economy, a little more money in the General Fund and the Education Trust Fund. Oates and he both looked at the Governor's proposed budget last night and if that is approved by the Legislature we would have \$88,000 more dollars over this year, which is a slight increase. The General Fund budget may be a little lagging time wise because a big piece of it is what the federal government does with the Children's Health Insurance Program. There is optimism that it will be funded at the federal level, so this proposed budget would go forward. If it is not, the proposal will have to be retooled. We will keep you updated on progress.

Senate Bill 131 was dropped the first day of the session by Senator Pittman, Senate Budget Chair. Its effect to us has to do with the severance tax, which we currently get all the proceeds of the severance tax toward our agency operations. This bill would divert 20% of that revenue stream to the General Fund. That is a huge deal for us, as it is about a million and a half dollars. This bill would not just apply to us, it is a mixture of several different funds that are not connected in any meaningful way. Each one of these revenue streams would be diverting 20% to the General Fund. We have seen a number of things like this in the past, two or three years ago there was a bill that would have completely removed the earmark on severance tax. The Legislature talks about the problem with earmarks every year. Alabama earmarks a lot of its money and we get the benefit of a lot of that, with the severance tax. The good thing for us is when it is collected it, automatically by law, comes to us, with no discretion about where to route it. They want to free up money to spread it around as it is needed. Our worry is that it may be a prelude to diverting the money to Medicaid or Corrections. The Finance Director showed a chart of the state's financial situation and showed this diverging group of lines and the prominence of Medicaid and Corrections and Alabama's money. Those two continue to eat more and more of the General Fund proceeds and eventually that will come to a critical point. The question is what do we do about this bill. The last bill we saw got out of the committee but it went no farther. We have not seen a House companion bill so they may be trying to make a statement. We obviously need to stay on top of it and let everyone know how that affects us. We used this in the past as an opportunity to speak to the Budget Committee about what we use that money for. Since we are one of the smaller agencies we don't get invited to the budget hearings. This gave us an opportunity to go tell them what we do and explain the importance of that severance tax money, what we do with it, and how it benefits the state. If it looks like it has some momentum we will do all we can to fight back.

Rouse stated we are proceeding with the bill regarding enforcement of regulations on state forests which you agreed to move forward at the last meeting. We have lined up some sponsors for that. A bill has not been introduced yet, but think it will be Representative Chastain from Geneva County in the House and Senator Albritton in the Senate. We are trying to move forward with that pretty quickly.

Rouse said the Emergency Fire Fund may be a little trickier. We have talked to Representative South and are taking a wait and see approach in the Senate. We don't believe anyone has any problems, conceptually, with updating the cap and the annual contribution. The sticking point may be this infusion of extra money and we don't know if there is money available to do that and if there is to what extent. We are going to have to do a little legwork and figure out what is going to be feasible.

Dwyer stated we could use that as a bargaining chip. Oates stated that is the way we have the bill written right now, talking to the sponsors and potential sponsors and we will get it done within the next week or so. Rouse stated that is on his priority list. The General Fund side of things is a little unsteady right now. At the very least, we will move forward with changing the caps but at this juncture we don't know where we stand in terms of getting an infusion of money into the fund.

Twardy asked that we be sure our partners know where we are on these issues and solicit their support. He suggests Senator Pittman wants to remove the earmark so why don't they start with Education and if he doesn't want to do that, then they can come back and get us. Oates stated Pittman is Chairman of the General Fund so he is not interested in Education. He stated he has spoken to AFA and Alfa about the bill and we will try to send out a weekly update on the Legislature. Twardy stated please let us know if there is something we can do.

#### **STATE LANDS/PARKS UPDATE**

Springer stated he has presented the Weogufka State Forest/Flagg Mountain to the Commission before. This is property we own in Coosa County containing about 200 acres. It has a historic tower and cabins on the mountain that were built by the Coosa County Cooperators back in the 1920's. It is the end of the Pinhoti Trail which is an extension of the Appalachian Trail and very important to the hiking community. We were looking for the support of the County Commission and others to improve some the facilities, especially the cabin and the stairs on the tower site. There was a community listening session in Coosa County in November, about 80 local people attended, and they were extremely supportive. We drafted an Action Plan, part of that is to restore the tower stairs. It is a stone tower and we want to open it back up to the public. We hope to get federal grants and private sources to fund this. We hope this will be no cost to the state.

We have had a long-term agreement since 2003 with the Alabama Hiking Trail Society to manage the trails. We amended that agreement so they could do some work on the cabins as well as minor repairs like painting, fixing doors, etc. Their insurance company would not allow them to do the work unless we had an agreement. We have some grandiose ideas of eventually building a bathhouse to allow primitive camping and our long-term hope is to allow overnight primitive camping and charge user fees.

Twardy asked about the response from local people. Somehow, we have got to raise the level of influence of this Commission so that people are aware and pressuring the Legislature to fund us. They will be throwing us scraps forever if we don't. Our employees need to be more aware of that and make themselves indispensable to landowners which is easy to say and hard to do. Oates stated he is in full agreement and told the Commission about Dan Chappell's talk to the AFA Board in December and about the results of his work. Chappell has been working with some companies. Boise called asking questions, Scotch and some others have also called wanting to know how to use the data Chappell is producing. He is spending some time working with those companies. He made a pitch to the Board of the AFA

explaining what we can do to help them and Chris Isaacson was very complimentary of his presentation. Chappell will be speaking to the Forestry Council in a couple of weeks.

Dwyer asked if Conservation is doing a magazine and was told they have one online. Dwyer stated he used to get Conservation's magazine and does not recall ever seeing forestry related articles in it. Dwyer said he does see wildlife articles in our Treasure Forest magazine and they are coming from Conservation people. He asked if we send things to Conservation to go into their magazine and to people like Alfa to go in their magazine. Oates stated he sends things to Alfa, but has never sent anything to Conservation, probably because they have never asked for it. Dwyer stated Kim Nix is a former AFC employee and is now with Conservation. She would probably welcome articles. Oates stated he would follow up with that.

Chair Russell addressed the Commission to set the meeting date for the next meeting. After discussion, the meeting is scheduled for Thursday, April 12, 2018. The location has not been determined, although the north Alabama area was suggested. May mentioned Westervelt has a nice facility and is sure they would probably be willing to allow us to use it.

**MOTION 2018 – 7** May made a motion to adjourn. Turner seconded the motion. There were no objections and the meeting was adjourned at 2:35 p.m.