

**MINUTES  
ALABAMA FORESTRY COMMISSION  
May 25, 2017**

PRESIDING – Jerry Dwyer, Chairman

SECRETARY – Rick Oates, State Forester

COMMISSIONERS PRESENT – Jerry Dwyer, Jane Russell, Stephen May, Robert Turner and Katrenia Kier.

ALABAMA FORESTRY COMMISSION PERSONNEL PRESENT – Rick Oates, Dan Jackson, Scott Rouse, Arthur Hitt, Hank McKinley, Becky Jackson, John Goff, Brandy Sponsler, Mike Kyser, Greg Wood, Chris Cotton, Nicholas Granger, and Regina Miller.

GUESTS –Russell Ledbetter, Will Green, Jim Jeter, Gary Cole and Roy McAuley.

MEETING CALLED TO ORDER – Chairman Dwyer called this special meeting of the Alabama Forestry Commission (AFC) to order at 10:00 a.m. on May 25, 2017 in the Alabama Forestry Commission's State Office located at 513 Madison Avenue, Montgomery, AL 36104.

Regina Miller called roll and Commissioners Jerry Dwyer, Jane Russell, Steve May, Robert Turner and Katrenia Kier were present. Miller announced that a quorum was present and that the meeting had been properly advertised.

MINUTES OF THE APRIL 3, 2017 MEETING – MOTION #2017-11 - Jane Russell made a motion to approve the minutes of the April 3, 2017 meeting and Robert Turner seconded the motion. The motion passed by unanimous.

Chairman Jerry Dwyer recognized State Forester Rick Oates and welcomed him to the job. Oates thanked Commissioners for the opportunity and challenge. He said he looks forward to visiting each of the Commissioners in June or July to discuss their vision and concerns for the agency.

Oates said his experience includes working with the Alabama Forestry Association for 18 years, Alabama Department of Agriculture and Industries for over a year and with ALFA overseeing Forestry, Wildlife and Catfish commodities as well as serving as the Executive Director of the Alabama TREASURE Forest Association for 2 years. Oates has proven experience working with landowners and entities on forestry and policy issues.

Both Commissioner Steve May and Oates thanked Gary Cole for volunteering to assist the State Forester as needed.

BUDGET UPDATE – Oates explained that the financial report has been changed to make it more understandable for Commissioners. He stated that our projected ending cash balance is \$863,779 and we need \$780,000 to make the first payroll in FY 2018. Additional revenue we have received or expect to receive includes \$690,000 from Governor Bentley, \$478,500 from Governor Ivey, and two transfers of \$180,000 and \$550,000 from the Emergency Fire Fund.

Oates stated he has initiated a cap on out-of-state travel unless 100% is paid by another entity or unless the travel is deemed necessary.

Becky Jackson reviewed the projected revenues and said at the end of April we are at 58.33% of our annual budget. Additional revenue from timber sales should provide approximately \$326,905 by

September 1. She said that the Actual Year-to-Date Totals shows actual revenue of \$14.9 million and actual expenditures of \$12.8 million and a cash flow of \$2.1 million.

May questioned the dollar amounts reported and stated it is important that regions closely monitor their budgets. Commissioner Katrenia Kier stated that the hard work is evident and was glad to see significant improvement. She credited Cole as a major player in correcting the budget direction. Oates said he feels confident if we monitor spending closely, we will be OK. He credited employees with being more proactive in managing the budget.

TIMBER SALES – Assistant State Forester Dan Jackson reported there are several stands at Geneva State Forest scheduled for thinning or pole-only sales. In addition to the timber harvested since October 1, 2016, additional timber sales at Geneva State Forest will hopefully generate an additional \$150,000 to \$200,000 (in addition to the \$326,905) by October 1, 2017, but will depend on the time frame of hiring a pole marker and his time in marking stands.

STATE OFFICE – Administrative Division Director Arthur Hitt reported that an appraisal of the State Office completed in July 2013 estimated a value of \$1.4 million for the property. He said we were exploring the option of building an office elsewhere at that time but chose not to conduct a feasibility study due to the cost, which was \$10,000 to \$15,000. At that time, mold and mildew were present downstairs and the air conditioning system was not adequate but we could not afford to purchase a new unit.

At the present time, there is no mold and mildew and we have a new air conditioning unit with a dehumidifier. The air conditioning cost has been reduced by \$1,000 per month due to cost saving measures. The power bill is one-third to one-half the prior amount. He stated that the State Office has an energy efficiency rating of 94%.

Oates reported that the agency pays \$52 per fax line per month and there is a total of 70 fax lines in our offices throughout the state. He plans to eliminate all fax lines except one that will be maintained on a computer in the State Office. The State Office would then relay, by computer, faxes designated for specific offices. Kier cautioned that we need at least one land line for faxes in case of emergencies.

Hitt explained that an employee had previously started keeping energy data but we have not had the time or money to monitor energy data it since that employee's retirement. Now, a retired state employee and an inmate (who was the catalyst) are making efficiency changes as we can. In 2009 or 2010, the Governor at that time mandated state office buildings to become more energy efficient. Kier cautioned about monitoring the roof and the interior walls for mold and mildew. Hitt said the roof can be patched as needed.

FY 2018 BUDGET – Becky Jackson said we are building budgets for FY 2018. She explained that PHOENIX will be set up where Work Unit Managers approve purchases/expenditures for the counties they supervise, followed by Regional Forester and State Office approvals.

Oates informed Commissioners we will receive a \$701,000 increase in our FY 2018 budget and an extra \$99,000 will go to volunteer fire departments. Even though we will have a \$2.2 million budget shortfall he is confident we will make it until October.

Becky Jackson said she will submit the FY 2018 budget to the Executive Budget Office by July 1 but will send the budget to Commissioners prior to submission for their review.

Oates reminded Commissioners that he had imposed a one-year merit raise freeze for all employees due to the budget situation.

Dwyer stated that equipment purchases are still frozen and that we will not be buying anything. Oates replied that they are frozen and that his goal is to not purchase anything.

FEDERAL GRANTS UPDATE – Oates introduced Grant Coordinator Sonja Hood. Oates reported that we should have \$4.035 million in federal grant revenue for FY 2017. As of October 1, we estimate we will have \$3.1 million in grants to roll over into the FY 2018 budget. FY 2018 federal grant awards are estimated at \$2.2 million.

ACCOMPLISHMENTS – Dan Jackson reviewed Statewide and Region Scorecard Goals saying that the State Forester and Commissioners decide what items to include on the scorecard with the input of Regional Foresters and Division Directors. Kier said she like the scorecard and services we offer citizens. She expressed the importance of communicating our services and the need to keep those in the forefront of the public and legislators.

Oates said that Cole developed the idea of informing legislators of fires over 100 acres, along with details by email. Dwyer recommended including year-to-date data as well.

Oates said he has arranged to have a one-page article in ALFA's monthly magazine informing members of what the agency is accomplishing.

Dwyer recessed the meeting at 11:50 a.m. for a break. He reconvened the meeting at 12:26 p.m.

Dwyer emphasized that the Accomplishment Scorecard is the State Forester's Work Plan as well as the agency's focal point. He said that all employees do not need to be working toward these goals.

STATE FORESTER GOALS – Oates reviewed his goals as State Forester.

**SHORT TERM GOALS:**

1. Balance the Budget
2. Meet with all Commissioners
3. Get the "Big Picture"
4. Begin Reorganization Discussions with Lead Team and Commissioners
5. Meet with Stakeholders and Legislators

**LONG TERM GOALS:**

1. Political
2. Budgetary
3. Program
4. Structural
5. Personnel
6. Employee/Commissioner/Public Relations

**MOTION #2017-12** - Following discussion of hiring needs, Steve May made a motion that, with the advice and consent of the Commission Chair and Vice Chair, the State Forester can hire and promote employees as needed. Katrenia Kier seconded the motion and the motion passed by unanimous vote. Dwyer stated that if a critical need arises, that it is understandable to proceed with hiring.

COMP TIME – Dan Jackson explained the difference between employees who are exempt and non-exempt saying that non-exempt employees can earn comp time; for example, field firefighters. Exempt employees do not earn comp time. Employees who are exempt can carry their comp time with them when they are promoted and some have carried over large amounts as they are promoted into an exempt classification. Once they are classified as exempt they cannot take off the comp time they have accrued and upon retirement are entitled to be paid for the comp time they have earned. He explained

there are some cases where the agency has paid great amounts of this type of leave upon retirement or resignation from the agency.

Discussion followed with a consensus that employees must be required to take their accrued comp time prior to being promoted into an exempt classification. Dwyer expressed concern that this is a liability for the agency due to our budget situation and stated that it needs to be handled. Oates assured Commissioners that it will be addressed immediately.

NATIONAL INCIDENT COMMAND MANAGEMENT SYSTEM – Steve May explained that the agency began talking about using the Incident Command System in the Fall of 2005 and then sent employees to Oklahoma to see how the system worked. At that time, the Governor and the Alabama Director of EMA encouraged us to implement this system. He stated it was never meant for us to become as involved as we are in the system with Type I and Type II Teams. He said he has talked to Jeff Byard at EMA and May said we need to help at Maxwell and with chainsaw teams for disaster situations.

May said we need to work on incident command teams with other entities. He stated he was disappointed in employees who only want to line their pockets by going out-of-state on wildfire details and stated that it costs the agency money to do so. He went on to say we should be helping other agencies and citizens of the state. He said we do have obligations to neighboring states. Dwyer said we do not have sufficient personnel to go out of state. May added that we must meet our obligations but to be careful when sending employees out of state. He said that the Regional Forester should approve an employee going out of state on wildfire detail and that the State Forester should know who is going out-of-state.

Discussion followed with Balsie Butler saying the agency has not allowed individuals to go on details for personal benefit - only to benefit the agency. Oates said we need to respond in-state as necessary but the Commission should retain the lead and the responsibility. Oates went on to say we will not be sending anyone out West on details but will assess situations in neighboring states on a case-by-case basis. Dwyer said we need some level of involvement but Alabama is our priority.

FEPP SCREENING – May asked John Goff to clarify that FEPP screening is for firefighting use and not for other Commission use. Goff replied that we have scaled back tremendously in the number of items screened. He said Oates is in the loop of items screened. He also said that if it is the wish of the Commission, they will not screen items for the Commission. May cautioned not to cut back on items screened for the volunteer fire departments. Oates said he is aware of the items being screened.

VFD REGULATIONS - Rouse stated that the Commission had approved the changes to the regulations regarding certification and decertification of volunteer fire departments at the January 2017 meeting. He said that in the 2016 Legislative Session a bill was passed that altered the certification process and included a provision allowing decertification of departments no longer in compliance. Part of the statute gave us regulatory authority to promulgate regulations to set up how the process operates. He said he and Volunteer Fire Assistance Coordinator Greg Wood have been working with the State Volunteer Fire Department Association and RCFP Steering Committee. We published the proposed regulations and in early March we received comments from two senators on the Legislative Council. Those comments have prompted a few changes to the proposed regulations, and those changes also need the approval of the Commission. Rouse said the changes are mostly procedural.

**MOTION #2017-13 – Following discussion, Steve May made a motion to approve the recommendations of our General Counsel regarding the new revisions to the VFD regulations. Jane Russell seconded the motion and the motion passed by unanimous vote.**

SOCIAL MEDIA POLICY – Rouse said that Personnel Manager Brandy Sponsler had found only three state agencies that have social media policies. Rouse told Commissioners that between now and the

July meeting he would work with the State Forester on a policy and provide it to Commissioners for their review.

BYLAWS – Rouse stated that revised bylaws will be presented for a vote at the July Commission meeting. Discussion of transcribing minutes ensued with Steve May recommending that the agency hire a court reporter to produce a transcription of the meeting instead of minutes. The issue of Regina Miller's time in developing the minutes compared to the cost of hiring a transcriptionist was discussed. Steve May then made a motion to hire someone to provide a transcription of the meeting. There was no second to his motion. Rick Oates stated that the process would be evaluated.

HAUSS NURSERY/LITTLE RIVER UPDATE – Rouse showed aerial drone footage of the two properties and stated that PRT has made substantial improvements on the portion of Hauss Nursery they are currently leasing.

Rouse informed Commissioners that three proposals to manage Little River had been received and those proposals will be reviewed and a decision will be made regarding who to approach as vendor(s). Oates stated that details be presented to Commissioners at the July Commission meeting.

OVERVIEW OF PHOENIX – Amy Smith, IT Section Chief, reviewed the agency's in-house tool, PHOENIX, that manages the agency's Time Program, Accounting Program, Fire Reporting, Accomplishments, forms, manuals, maps and much more. It was noted that Smith and Patrick Willoughby designed and created this application.

Dwyer said with the change in State Foresters, he would like to pursue requesting that an audit done for the agency which is customary.

Dwyer and May recognized and thanked retired BMP Coordinator, Jim Jeter, for his work with the agency. Steve May told Jeter that his work had been appreciated throughout the years. He stated that forest industry looked upon Jeter as Mr. AFC. He personally apologized for what had happened to Jeter in the past saying that it was wrong and a shame that it happened and that it cost him money and status. Dwyer also echoed this sentiment.

Dwyer, on behalf of the Commission, recognized the contribution and efforts of the State Forester Search Committee, with a special thanks to Chairwoman Lucretia Points, for their time and dedication to finding a new State Forester for the agency.

DATE AND LOCATION OF NEXT MEETING – Commissioners scheduled the next meeting at 10:00 a.m. on July 20, 2017 at the Commission's State Office.

ADJOURNMENT –There being no further business, Dwyer adjourned the meeting at 3:58 p.m.

