

**MINUTES
ALABAMA FORESTRY COMMISSION
July 20, 2017**

PRESIDING – Jerry Dwyer, Chairman

SECRETARY – Rick Oates, State Forester

COMMISSIONERS PRESENT – Jerry Dwyer, Jane Russell, Robert Turner, Joe Twardy and Katrenia Kier.

ALABAMA FORESTRY COMMISSION PERSONNEL PRESENT – Rick Oates, Dan Jackson, Scott Rouse, Arthur Hitt, Terry Ezzell, Dan Chappell, Becky Jackson, Bruce Springer, John Goff, Balsie Butler, Brandy Sponsler and Lynell Mosley.

GUESTS – Sam Duvall, Will Green, and Charles Jackson.

MEETING CALLED TO ORDER – Chairman Dwyer called the regular meeting of the Alabama Forestry Commission (AFC) to order at 10:00 a.m. on July 20, 2017 in the Alabama Forestry Commission's State Office located at 513 Madison Avenue, Montgomery, AL 36104.

Lynell Mosley called roll and Commissioners Jerry Dwyer, Jane Russell, Joe Twardy, Robert Turner and Katrenia Kier were present. Mosley announced a quorum was present.

MOTION #2017-14 – Chairman Dwyer made a motion to excuse the absence of Steve May and Bill Sudduth as they had other obligations and unable to attend the meeting. Jane Russell seconded the motion. The motion passed by unanimous vote.

General Counsel Scott Rouse asked if it was announced that the meeting was properly advertised. Mosley stated it had been properly advertised.

MINUTES OF THE MAY 25, 2017 MEETING

MOTION #2017-15 – Commissioner Twardy made a motion to approve the minutes of the May 25, 2017 meeting and Commissioner Turner seconded the motion. The motion passed by unanimous vote.

BYLAWS REVISION – Rouse stated the proposed changes to the bylaws were provided to Commissioners at the May meeting for review. The changes were basically updating bylaws and streamlining some of the processes and making some necessary improvements. He stated the Rules and Regulations Committee met at 9:37 this morning and voted to recommend the proposed changes be adopted.

MOTION #2017-16 – Commissioner Kier made a motion to adopt the changes and Commissioner Russell seconded the motion. After further discussion, the motion passed by unanimous vote.

BUDGETS FY 2017 – State Forester Oates, Accounting Manager Becky Jackson and Administrative Division Director Arthur Hitt reviewed budgets for FY 2017. Jackson stated there were four reports she would be reviewing.

First Report – Revenues/Obligation Summary, June 30, 2017, Projected Revenues for FY 2017 (Page 1), is an internal report showing the actual revenues expected. The red figures in the variance column indicates the amount actually collected over what was expected for the entire year. Revenues are presently at a 10% favorable position. Revenues/Obligation Summary, June 30, 2017, Projected Expenditures for FY 2017 (Page 2) shows expected expenditures and actual year-to-date (YTD) expenditures.

Second Report – This is a new report given to State Forester Oates each Monday to show the previous week's transactions. The report allows Oates to know the amount of money coming in (Revenues, Page 1), as well as the amount being spent (Expenditures, Page 2). The "Available Cash" indicated at the top of the Revenues/Obligation Summary, July 14, 2017, Projected Revenues for FY 2017 is actual cash in an amount equal to 1.5 to 2 payrolls that is being kept in the bank. Provided all revenues are collected and we stay within the expenditures, we would end FY 2017 with an estimated ending cash balance of \$83,793.

Third Report – Updated Revenue Projection FY 2017 shows revenue we have been expecting all year, what has been received and what is expected to be received for the year as of July 14, 2017, and the difference in the two. The bottom line is we are expecting to have \$1.2 million more in revenues than originally anticipated.

BUDGETS FY 2017 –Hitt stated there had been concerns on overspending the budget in the transportation operations and in the repair and maintenance categories; however, approval for approximately \$85,000 worth of repairs before the end of FY 2017 is now being looked at. These repairs are mostly on equipment with some repairs on roofs and offices.

TIMBER SALES FY 2017 – Oates stated we are currently at approximately \$340,000 in timber sales income which is above budget. He also stated a pole sale is in progress in Geneva State Forest which should bring in another \$75,000. It is uncertain at this time if this sale will be completed in FY 2017.

BUDGETS FY 2018

Fourth Report is the AFC FY 2018 Internal Operating Budget which details the Revenues (Page 1) and Expenditures (Page2). This report shows the FY 2018 estimated revenue, the FY 2017 estimated revenues, the difference in those two estimates and the type of revenue funds. The reduction of \$640,000 in severance tax, code 1010, is due to new legislation that will become effective FY 2018. The Finance Department gave Jackson a reduction window of \$400,000 to \$640,000. There is a possibility this reduction could be less than the \$640,000.

Jackson stated the personnel costs on the expenditures page includes all employees' salaries, longevity, merit raises in the event they are opened back up, as well as all termination costs and retirement costs associated with 31 employees eligible to retire should they do so. Jackson indicated the unfavorable difference could be less depending on how many employees choose to retire. Jackson accounted for all known expenditures for next year such as the STAARS program, contract pilots, expenditures the AFC has throughout the year and information entered by field personnel in Phoenix which is being used to manage budget requests for FY 2018.

Oates stated he, Jackson, Hitt and Gary Cole were meeting with all Division Directors and Program Managers next week to review all budget requests line-by-line. Oates also stated all regional budget requests will be looked at line-by-line. Oates stated the bottom line shows the budget at a negative \$2.4 million; but, with \$1.2 million of carry forward funds the negative is reduced by half.

11:13 a.m. Meeting adjourned for break.

11:21 a.m. Meeting Reconvened.

REORGANIZATION PLAN – State Forester Oates stated reorganization will result in the Commission running more efficiently at a lower cost. He stated he worked very closely with the Lead Team which consists of Regional Foresters, Division Directors, Dan Jackson and a few others to come up with the proposed reorganization plan being presented. The proposal consists of the following:

- 6 regions reduced to 3 regions
- 6 work units per region
- 3 to 4 counties per work unit
- 1 Management Specialist or Staff Specialist per region
- 1 Fire Specialist per region
- Close 8 county offices – 5 or 6 of the proposed offices are already empty
- Maintain same number of employees as of June 30 which was 232

The monetary results would be:

- Savings of approximately \$250,000 for FY 2018
- Savings for future years projected to be \$550,000 to \$600,000 per year

After much discussion, Commissioners gave Oates the ability to move forward with laying out the proposal while better defining the work units. Oates is to provide Commissioners additional information on the work units in two weeks for their review and feedback.

MOTION #2017-17 – Commissioner Twardy made a motion that Oates continue to develop the initial plan to go to 3 regions with emphasis on developing a sound plan for the work units and how that will be handled, and identifying facilities with a target date of October 1, 2017 to have executed. Commissioner Turner seconded the motion. With no further discussion, the motion passed by a unanimous vote.

CENTRAL DISPATCH – Forest Protection Division Director John Goff presented a proposal to go from 1 central dispatch center to 2 and eventually 3 dispatch centers with one being in each of the newly proposed 3 regions. There are 17 dispatch positions when fully staffed and currently there are 13 filled positions. Discussion followed concerning costs, shift hours and locations. Oates recommended moving forward with locating a dispatch center in the North Region.

MOTION #2017-18 – Commissioner Twardy made a motion to proceed with the North Dispatch Center as outlined on page 1 and 2 of the handout. Commissioner Russell seconded the motion. With no further discussion, the motion passed by a unanimous vote.

12:24 p.m. Adjourned for lunch

1:00 p.m. Meeting Reconvened

PERSONNEL ISSUES – Assistant State Forester Dan Jackson reported progress has been made at reducing the amount of compensatory time balances and that effort will continue.

Jackson announced his intention to retire effective September 1, 2017. Dwyer suggested Oates continue moving forward on the 3 regions with help, as needed, from Regional Foresters until such time the Commission can replace Jackson. He also stated due to controversy in the past he felt all 7 Commissioners needed to be present before moving forward with any process.

Oates reported he had two candidates for Regina Miller's position, one internal and one external, and should be deciding in the next few days.

Oates stated Regional Forester Hank McKinley was tasked to work with Regional Foresters to come up with a draft of goals and accomplishments for the regions. Division Directors will then be pulled in with Regional Foresters to help clarify the goals. Once this process has been accomplished, the draft will be given to Oates to review. The goal is to have this process completed and in place by October 1, 2017.

STATE FORESTER'S REPORT – Oates reported 4 of the 6 regions have held their regional meeting. A question and answer session has been held at each session for employees to have an opportunity to ask questions and/or voice their concerns. A meeting will also be held with State Office employees in early August.

Oates stated in reviewing his work plan, he had pretty much been doing what he said he would such as working on the budget, meet with all commissioners, begin reorganization and meeting with stakeholders and Legislators. Previously Commissioners Kier, Dwyer and Tommy Thompson were on a committee to put together an evaluation process for the State Forester's position. Twardy volunteered to replace Thompson who has since left the Commission.

Oates stated he met with Governor Ivey and talked with her about the financial status of the Commission. Ivey is very supportive of trying to put additional funds annually in the Emergency Fire Fund and increasing the cap. She is also supportive of trying to get funds from the Education Trust Fund. They also discussed working with other state agencies to address the deficiencies in state government and how we can make things run a little smoother. Oates also stated he had met with Finance Director Clinton Carter and discussed the Commission's budget along with other things. Carter indicated there would probably not be any money coming from the Governor for FY 2018

Oates reported he will be meeting with Division Directors and Program Managers next week to review budget requests for FY 2018.

Oates advised the Examiners of Public Accounts were contacted by Becky Jackson and an audit of the agency has been requested. The Commission has been placed on the list but no date has been provided. In August, we are expecting an audit of the federal grants from the Forest Service to make certain their procedures are being followed.

Oates reported the Volunteer Fire Department (VFD) grant checks have been received, the Regional Foresters will pick them up and start distributing them. Oates and Rouse will attend as many VFD Association meetings and meet with as many Legislators as possible. Oates will send a schedule of the meetings to all Commissioners so they may attend the meetings. He has also asked Jackson to look into the cost of preparing and distributing the checks so the Commission can pursue the possibility of taking that cost out of future appropriations. Jackson estimated the cost at \$50,000.

Oates stated we are in the process of putting a FAX server in the State Office so FAX lines in the field and possibly some lines in the State Office can be removed. All faxes would be received in the State Office and then distributed accordingly. There will be a \$100 installation fee and a \$35 monthly service fee. We currently have 58 dedicated FAX lines at an approximate cost of \$42 to \$48 per line per month.

FIA UPDATE – FIA Coordinator Dan Chappell reported the FIA program is currently operating at a nearly optimal level. All positions have been staffed, travel reduced and efficiency increased. As of today, the 2017 survey is over 99% complete, and 6% of the 2018 survey has been completed. Chappell also noted FIA Crew Leaders Shannon Hotch and Josh Angel scored 100% scores on a forested plot. He also stated a new 2-year Cooperative Agreement is in place worth \$526,212 that is set to provide 75% of the program’s funding at the full 7-year length level through March 31, 2019.

SAFETY UPDATE – Fire Operations Chief Balsie Butler reported on a recent ATV roll-over injury that had taken place. Recommendations have been made as to how to prevent this type accident in the future. He stated there have been a total of 19 accidents from January through July 13, 2017. Butler also stated each office has a monthly safety meeting and all personnel receive a monthly safety report from the State Safety Officer. Commissioners requested the monthly safety report be sent to them.

LEGISLATIVE/LEGAL UPDATES – General Counsel Scott Rouse reported all policy manuals will be reviewed and updated as necessary beginning with the Personnel Manual.

Rouse stated as of July 10, the process on the VFD regulations, which began last July, had been completed and is in effect.

Rouse advised the Emergency Fire Fund was established around 1979 and, far as he can tell, has only been amended one time. In 1979, it was capped at \$500,000 and increased to \$1 million in 1987 where it remains. A major fire event could spend this amount in 5 to 6 weeks. The annual appropriation amount is \$180,000 and it is being suggested it be increased to \$300,000 with the cap being increased from \$1 million to \$2 million. Currently, the fund has around \$50,000 available. Rouse said he would like to ask the Legislature to not only make the changes but to infuse extra money in case we have another major fire event in the short term.

MOTION #2017-19 – Commissioner Twardy made a motion to move forward with changing the Emergency Fire Fund to \$300,000 annually and a \$2 million cap. Commissioner Kier seconded the motion. With no further discussion, the motion passed with a unanimous vote.

USE OF LEAVE TIME LEGISLATION – Rouse stated there is a statute that puts some severe limitations on an employee’s ability to maintain second employment, even limiting what they can do when using compensatory time and annual leave. The possibility has been explored to changing that to say its ok if there is no conflict and if it is using annual or compensatory leave that is approved by the employer. After discussion, it was decided Rouse will present draft legislation to the Commission at the next meeting for their consideration.

LEGISLATION TO ENFORCE STATE FOREST REGULATIONS – Rouse stated there has been no law enforcement in the Commission since our officers were transferred to the Alabama Law Enforcement Agency (ALEA). This being the case, rules pertaining to State Forest cannot be enforced. Rouse is proposing legislation to give regular employees the ability to enforce rules on State Forest. Draft legislation will be presented to Commissioners at the next meeting.

LITTLE RIVER STATE FOREST – Rouse advised he had been prepared to ask for approval to finalize an agreement with RRM, Recreational Resource Management, a vendor he had been working/meeting with and expecting to enter a contract with to operate and manage Little River State Park. Rouse stated he received an email from them this morning saying they had decided they would not be going through with the agreement. He will review the other proposals that were submitted and determine if a new RFP, Request For Proposal, is needed. He will also follow up with RRM to see if they will reconsider.

FLAGG MOUNTAIN – Regional Forester Bruce Springer gave a presentation on Weogufka State Forest and Flagg Mountain, giving the history, recommendations and long-term goals and objectives. Oates and Springer are to meet with other groups and present meeting results to the Commission.

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

ADJOURNMENT –There being no further business, Dwyer adjourned the meeting at 3:01 p.m.