

**LOUISIANA FORESTRY COMMISSION
LAKE CHARLES, LA
AUGUST 31, 2016
MINUTES**

CALL TO ORDER

The Louisiana Forestry Commission meeting was called to order by Chairman Scott Poole at 7:00 a.m.

ROLL CALL

The roll was called by Epney Brasher

Members Present: Chairman Scott Poole, Gradon Clemons, Wayne Hagan, Michael Hudson, Bill Jenkins & Dr. Allen Rutherford

LDAF staff present: Wade Dubea, Epney Brasher, David Campbell, Don Smith & Roy St. Pierre

Guests included: Buck Vandersteen, Tina Meiners, Matt Sutton, Shaun Tanger, George Tiley, and George Ramsey.

PUBLIC COMMENTS

Buck Vandersteen welcomed the commission to the 69th Annual Convention of the Louisiana Forestry Association. Buck discussed a special award regarding vandalism of logging equipment. Roy St. Pierre recommended a candidate for this award because of valuable information leading to the arrest and conviction of vandals in North Louisiana. Roy gave the details of the case to the Commission and answered questions on the case. Tina Meiners is chairperson of the Protection Committee and will make the recommendation to the committee for the award.

APPROVAL OF MINUTES

MOTION: Gradon Clemons made a motion to approve the minutes of the meeting for June 6, 2016; Dr. Allen Rutherford seconded the motion. All were in favor.

Buck Vandersteen expressed appreciation to the members of the Department of Agriculture & Forestry for all the extraordinary work that they did during the flood in rescuing people, pets and animals.

BUDGET

Epney Brasher reported that the Office of Forestry ended the year fine and the budget for beginning of the new fiscal year was fully funded. The Department will have a mid-year cut of about two million dollars with around \$400,000 being from the Office of Forestry. Wade Dubea stated that finding out early will help the office plan for the cuts and should be able to absorb it. Because of the rains, the fuel budget is not being spent as much on fires. That money not being spent will help the budget to absorb the mid-year cuts. With this flood event, the Department has spent around \$2 million and will only be able to recoup 75% of that amount from FEMA. The other 25% will have to be absorbed in the Department's budget. There will be a very long time lag in receiving those funds back from FEMA and it will come thru LAFA funds for the time being.

Mr. Clemons asked if there was any way for private enterprise or industry donations to help out with funds or equipment. Wade stated that in the past, any increases or gains that Forestry received from writing grants or prescribed burns or any self-generated income would cause a proportionate cut in state general funding. He is not sure what this administration would do, but that has been the practice for the past eight years. The net never changes, at least in the past. The changes made in the FPP program made a way to bring more of the severance taxes into the Department by increasing the opportunity for prescribed burning. Discussions have been to set aside prescribed burning teams to help get the work done and earn more money. This will benefit the private sector as well as the Department.

Wade discussed that the Department was audited in several areas. In the audit of the protection tax, several areas were discounted. One was the fees for hangar rental. The parking of the airplanes in a hangar is maintenance of firefighting equipment. All of those fees were reversed, so other funds had to be used to cover those expenses. That left a surplus in the protection tax that was transferred to LAFA to pay on the bonds. The auditors and higher ups explained that if the word "operation" was added in the statute that they would allow us to pay tower rent for the radio system and hangar rent out of the protection tax. Salaries and fuel cannot be paid out of this tax. Wade is proposing that legislation be drafted to include the word operation or including acquisition, maintenance and operation excluding fuel, salaries or whatever. This would allow Forestry to continue operating as it has in the past. Wade was asked to submit the proposal to the commission for review and that it needed to be done prior to the time to submit it to the legislature. Protection of assets and radio communication is very important to the Office of Forestry.

Buck Vandersteen brought up that there is some proposed legislation to certify that people in the Cajun Navy can do rescue work. Buck questioned as to what is the difference with rescuing people or having volunteers or organizations going out and getting a certificate saying that they can help the Office of Forestry to fight fire. The issue in the past has always been surrounding the liability and the risk of doing this. If there are other groups working to get this volunteer or Good Samaritan law, it might be a good time to include wildfires. Wade stated that once the precedent has been set, then everything would be in line to come back and add wildfires to the list.

Scott Poole questioned Wade on where we stand for employee adjustments. Wade stated that as far as the merit increases for employees, that went away with the storm. Epney stated that was due to the added expense incurred with the storm. The only way that we are allowed to do merit increases is if we are able to do them within the budget. The expenses of the storm wiped out any chance of the funds being available. The question was would it be allowed after we are reimbursed for the storm expenses. Wade said that it took almost four years to be reimbursed after Katrina. Traditionally merit increases would come around the first part of October. Commissioner Strain fully intended to do all he could to give some sort of merit increase this fiscal year, but the expenses of the storm just won't allow it to be this fiscal year.

Wade told about the Department undertaking a job progression series. This would mean hiring in as a one and after so many accomplishments or years you would move into a two and then into a three. This would allow everyone some kind of job progression. Forestry has been instructed

to work on this now. It will take several months to get it in place. But once it is in place and implemented, that would allow the employees who are eligible for the next level will advance to that level and begin the progression from that point forward. So there will be opportunity for pay adjustments thru that process. Wade explained briefly on how he has been working on this to move it forward.

OLD BUSINESS

The first item was the by-laws for the Forestry Commission. Wade stated that the current by-laws came into effect when Forestry was a stand-alone agency and reported directly to the governor and not to another agency as it is now. So they do need to be updated. The by-laws are supposed to tell the Commission how to operate under the statutes. The statutes have been amended to more accurately define the operation of the Commission. Wade proposed to do a draft set of by-laws with the attorney to submit to the Commission.

Scott Poole described the process in the past as well as what is done now to set the rates and procedures for severance taxes. The new way of determining this with real information and data that accurately represents the market. This results in better numbers and information and is fair to the state and landowner. Wade explained to the new members that the information is reported to the Department of Revenue. The only obligation Forestry has is to report what Revenue gives us. We have no obligation to collect the information or go after someone who does not report. Wade explained how the numbers were figured and the rates that the Commission needed to look at for approving at the December meeting. He also explained the changes in the statutes. As a commission the rates can be changed if they have the documentation to back up the change.

Bill Jenkins questioned the data that was submitted as not being complete. The point was made about the definition of “chip & saw” being different with each person. Wade stated that the debate was still going on. We have tried for years to have this taken away from Revenue and our own agents to verify the severance. It was the Commission’s duty to make the rates uniform and apply to the whole state. The report was not figured by tract, but by quarter. The statute requires that the owner of the timber when it is severed is obligated to report it. That may not be how it is paid or reported, but legally that is who is obligated.

Buck Vandersteen questioned the timber production for 2016, if there was more or less timber being harvested compared to last year. The answer was less and the main reason being the weather. The answer is dependent on the weather mainly, but other factors such as mill closures, longer hauls, quotas at the mills all affect the pricing. Much discussion followed about the building industry and the value of lumber along with the production of the mills and timber from out of the country. The trade issues are very complicated.

NEW BUSINESS

No new business was brought up.

ADJOURNMENT

MOTION: Wayne Hagan made a motion to adjourn the meeting; Bill Jenkins seconded the motion. All were in favor. Meeting was adjourned at 8:05 a.m.