

**LOUISIANA FORESTRY COMMISSION
BATON ROUGE, LA
DECEMBER 3, 2018
MINUTES**

CALL TO ORDER

The Louisiana Forestry Commission meeting was called to order by Chairman Scott Poole at 10:03 a.m.

ROLL CALL

The roll was called by Epney Brasher

Members Present:

Chairman Scott Poole, Gradon Clemons, Wayne Hagan, Michael Hudson, Bill Jenkins and Dr. Allen Rutherford

LDAF Staff Present: Wade Dubea, Epney Brasher, David Campbell, Brent Cutrer, Walter Daigre, Patricia Dayberry, Damian Johnson, Amy McInnis, Don Smith, and Roy St. Pierre

Guests Present: Shaun Tanger, George Tiley and Buck Vandersteen

PUBLIC COMMENTS

No Public Comments

APPROVAL OF MINUTES

MOTION: Dr. Allen Rutherford made a motion to approve the minutes of the meeting held on September 10, 2018; Wayne Hagan seconded the motion. All were in favor.

ADJUDICATORY HEARING

Michael Heier from the Attorney General's office was the hearing officer at the adjudicatory hearing. The hearing covered Case No. 18-000041 with Mr. Stephen Cage. The hearing was handled like a civil trial with each side presenting their case. Mr. Cage represented himself and LDAF staff attorney, Amy McInnis represented the Louisiana Department of Agriculture & Forestry.

MOTION: Dr. Allen Rutherford made a motion to go into executive session to deliberate the facts and evidence just presented on the case; Michael Hudson seconded the motion. All were in favor.

At 11:29 adjudicatory hearing called back to order from executive session.

MOTION: Scott Poole made a motion in regards to the finding of facts against Mr. Stephen Cage that affirmative, they do support the charges against him; Gradon Clemons seconded the motion. All were in favor.

Counsel for LDAF recommended that Mr. Cage be fined \$250.00 for each violation, with a total fine of \$500.00, since this is his first offense. Fines can range from \$0 to \$5,000 per each offense. After a brief discussion between the Commission members and Mr. Cage, Scott Poole made a motion for a penalty.

MOTION: Scott Poole made a motion for the penalty fines against Mr. Cage to be assessed at \$100.00 per violation for a total of \$200.00; Wayne Hagan seconded the motion. All were in favor.

Wade Dubea spoke about the stumpage price summary. The information comes from what was reported to the Department of Revenue, which is then forwarded to LDAF. The stumpage values were discussed and examined. Timber purchase volume and price paid in those reports assist in severance determination. The stumpage values were discussed and examined and how we can get the best possible information available based on questions asked by Shaun Tanger, with LSU, who has agreed to provide his assistance for next year on getting those facts and figures to help assist in determining the severance tax rates.

MOTION: Dr. Allen Rutherford made a motion to go into executive session to determine severance tax rates with outside information provided for determination; Gradon Clemons seconded the motion. All were in favor.

At 12:15 commission meeting called back to order from executive session.

Severance tax rates were set for 2019 after discussion of how information is collected and reported, which the reporting information that our office gets only covers about 10 to 20% of the state. The Commission members also asked that the severance tax information be sent earlier to the board members for review prior to the December meeting in which the rates are set for the following year.

ADOPTED SEVERANCE TAX VALUES FOR 2019

<u>PRODUCT</u>	<u>VALUE PER TON</u>	<u>TAX RATE</u>	<u>TAX PER TON (2019)</u>
Pine Sawtimber	\$31.84	2.25%	\$0.72
Hardwood Sawtimber	\$34.50	2.25%	\$0.78
Pine Chip-n-Saw	\$16.87	2.25%	\$0.38
Pine Pulpwood	\$9.25	5.00%	\$0.46
Hardwood Pulpwood	\$8.33	5.00%	\$0.42

MOTION: Wayne Hagan made a motion to accept the tax rates as stated; Dr. Allen Rutherford seconded the motion. All were in favor.

BUDGET

Epney Brasher reported that as far as we know there are no mid-year budget cuts coming. We are under 50% of our budget so far with almost half the fiscal year over. We have kept the major budget purchases for this year in line, which included the painting of the airplanes and installation of some new systems in the planes. We are planning on replacing some aircraft engines next fiscal year. According to the almanacs this winter should be very cold and wet; we should not have a lot of fires resulting in huge fuel bills. So the goal for the next six months is that we are trying to get the equipment repaired and up to date with those fuel savings.

The Good Neighbor program was discussed about working with Kisatchie. Working with the US Forest Service can be hard, because of the way state government funding works, but we are looking forward to working with them and hoping to get programs implemented that would benefit the Office of Forestry. If there is a bad fire season out west, the funds will be pulled and paid out west instead of for the projects that were planned. So the funds are not dependable recurring income and we are looking for programs and opportunities that will bring in recurring income. We also have our legal counsel looking into how the Office of Forestry would be able to accept donations to assist in firefighting.

Wade reminded that some of the expenditures are for the whole year has already been accounted for in Epney's report so we are comfortable where we are. Wade stated that the cut to the Forestry's budget was \$650,000. When the funds were "found", the cuts were supposed to be reinstated. They are supposed to be put back in the budget at mid-year, so we are waiting to see if that happens or how much of that money is replaced. The Department will get that money back, but we don't know if it will come back to the Office of Forestry or not.

DIVISION REPORTS

Program Directors are present if anyone has any questions, but there were no questions regarding these reports.

A brief discussion was had regarding our fire towers and removal process. Wade explained that we still have a few to remove, but any that we are using as antenna repeaters we are keeping. We are trying to be a good neighbor and leave the properties involved as we found them for the landowners. Even though we have removed the first step of steps to the fire towers and have POSTED signs up it still does not keep individuals from trespassing.

OLD BUSINESS

All old business was covered under the FPP reports.

NEW BUSINESS

The FPP guide is on the website and is distributed to the foresters and landowners. There have been at least three requests to plant containerized pine as early as October. The wording in the guidelines gives the Office of Forestry enough flexibility to rule on a case by case basis as to the timing of the planting along with specifications on the conditions. Wade requested and received approval from the Commission for using a case by case basis with documentation for these early plantings.

PUBLIC COMMENTS

No Public Comments

ADJOURNMENT

MOTION: Dr. Allen Rutherford made a motion to adjourn the meeting; Wayne Hagan seconded the motion. All were in favor. Meeting was adjourned at 12:53 p.m.