



MINUTES

TENNESSEE FORESTRY COMMISSION MEETING MINUTES

4/7/2020

Tennessee Forestry Commission meeting was held remotely via WebEx on April 7, 2020. This meeting was held electronically as necessary to protect public health, safety, and welfare in light of the coronavirus according to the Tennessee Open Meetings Act as temporarily amended by Executive Orders Nos. 16 and 34, both of which are attached and made part of these minutes.

Participants:

Forestry Commission Members: Johnny Heard, Chairman; Tom Midyett, Vice Chairman; John Charles Wilson, Secretary; Alex Richman, Bob Qualman, Mike Witt, Sharon Jean-Philippe

Forestry Commission Ex-Officio Members:

Tennessee Department of Environment and Conservation:

Tennessee Wildlife Resource Agency (TWRA): Brian Chandler, Forest Management Program Leader

Tennessee Department of Agriculture (TDA): Commissioner Charles Hatcher; Jay Miller, General Counsel; Shannon Klonowski, Assistant Commissioner

Tennessee Department of Agriculture - Division of Forestry (TDF): David Arnold, State Forester; David Todd, Assistant State Forester; Heather Slayton, Assistant State Forester; Tim R. Phelps, Communications and Outreach Unit Leader; Rachel Greene, Forest Data and Analysis Unit Leader; Gina Sowders, Reforestation Unit Leader; Greg Merrell, Forestry Technician; Savannah Motl, Administrative Services Assistant; Dyshea Brown, Executive Administrative Assistant

Tennessee Forestry Association (TFA): Candace Dinwiddie, Executive Director

Chairman Johnny Heard welcomed everyone to the meeting. The meeting began at 9:00 a.m. David Arnold discussed Commission rules under special meeting via WebEx. Johnny Heard will recognize those desiring to speak. He asked that each person state their name before speaking.

Roll Call

- Johnny Heard conducted roll call of commission members



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- Jay Miller stated that roll call vote and requirement to identify people in the room is for Commission members only.
- An audio connection issue with one of the Commission members did occur. The meeting was suspended until audio connection was reestablished, at which time the meeting continued. An optional phone line connection was established per meeting plan contingency. Audio connection issues are required to be noted in the minutes per Executive Order 16.

Approval on having a quorum of members who are participating remotely

Tom Midyett motioned to acknowledge having a quorum of members who are participating remotely. John Charles Wilson seconded the motion. All Commission members voted yes to approve (remotely): Johnny Heard, Tom Midyett, John Charles Wilson, Mike Witt, Bob Qualman, Sharon Jean-Philippe and Alex Richman. The motion passed. Meeting can be conducted.

Approval of the Minutes of the January 7, 2020 meeting

- Johnny Heard asked members to review draft of previous minutes

John Charles Wilson motioned to approve minutes as presented. Mike Witt seconded the motion. All Commission members voted yes to approve (remotely): Johnny Heard, Tom Midyett, John Charles Wilson, Mike Witt, Bob Qualman, Sharon Jean-Philippe and Alex Richman. The motion passed.

Commissioner Hatcher spoke about current times facing the forest industry. Tennessee Division of Forestry is preparing for firefighting emergencies and providing low risk service to landowners. Department of Agriculture and Forestry Division are having weekly industry calls. Commissioner appreciates the work of the Tennessee Forestry Commission.

Recommended seedling production and pricing

- Seedling Production/Pricing
Heather Slayton, Assistant State Forester
Gina Sowders, Reforestation Unit Leader
Greg Merrell, Forestry Technician

Heather commended Gina and her staff on the tremendous job that they have done with the Nursery.

- Gina discussed Proposed Seedling Production 2021-2022 handout (#1) White Oak species is hard to find. Some of the species in red on the handout, nursery will not



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be producing. There will be a higher demand for some species than others. This document will be used to make necessary adjustments.

- 2019-2020 = Trees selling now, 2020-2021= Sowing/planting, 2021-2022=Planning phase.
- East TN Nursery Production and Sales handout (#2) For the 2019-2020 numbers the nursery is still selling. Typically, numbers are still available until end of April. COVID-19 and rain has had an impact on revenue.
- Public giveaways and events were cancelled which meant cancelled orders (Feb/Mar). Hoping to give some of those seedlings to tornado victims.
- Alex Richman inquired about white oak seedling sales; plan is to increase by 50,000. There is a high demand and the problem is procuring enough seeds. They are working with Universities, Colleges and other entities to collect seeds. This discussion is relative to 5-year business plan. Looking to have community to participate and help offset the nursery cost.
- Marketing is being handled in house with Tim Phelps promoting thru social media rather than traditional methods of newspapers and magazines.
- Nursery is hoping to invest in fixing drainage issues. Improve in tracking orders and bar code project to minimize problems and improve customer service and operational efficiencies.
- Alex Richman suggested adding info about temperature control on bags and improving the black plastic ties. Nursery is doing a great job.

Approval to accept Recommendation for 2020-2021 Seedling Production

Tom Midyett motioned to accept staff recommendation for 2020 – 2021 seedling production.

John Charles Wilson seconded the motion. All Commission members voted yes to approve (remotely): Johnny Heard, Tom Midyett, John Charles Wilson, Mike Witt, Bob Qualman, Sharon Jean-Philippe and Alex Richman. The motion passed.

- Proposed Seedling prices for 2020-2021 handout (#3)
- Nursery is working on recouping money that is spent on shipping. All shipping conducted by state employees is currently done free of charge. Looking at trying to mirror other states to recoup shipping cost. Georgia has a 5% charge for shipping



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cost but give a 5% discount for anyone that will pick up from the nursery. Nursery plan is to encourage that large orders be picked up. Every pine will have an additional 2% on top of the 5% already added for Pounce treatment of seedlings.

Approval to accept the Pricing Structure proposal for 2020-2021

John Charles Wilson motioned to accept pricing structure proposal for 2020-2021. Bob Qualman seconded the motion. All Commission members voted yes to approve (remotely): Johnny Heard, Tom Midyett, John Charles Wilson, Mike Witt, Bob Qualman, Sharon Jean-Philippe and Alex Richman. The motion passed.

Appointment of nomination committee for new Commission Officers

- Johnny Heard requested guidance as to whether nominated member can vote for themselves.
- David Arnold and John Charles Wilson provided clarity; they can.
- John Heard is asking the nomination committee to bring officer nominations to the June 10, 2020 meeting. The officers would take their position July 1st.
- Johnny Heard provided the following names to be on the nominating committee: Mike Witt, Bob Qualman and Sharon Jean-Philippe

Bob Qualman, Sharon Jean-Philippe and Mike Witt accepted

- Tom Midyett asked when the nominating committee meet via phone or face to face, does it have to be a public meeting?
- Jay Miller stated nominating committee can nominate themselves but will research further. Anytime two or more commission members meet electronically or otherwise to discuss matters that are for deliberation of the commission it would be considered a meeting. Jay will obtain a better understanding of the deliberations of the meeting and provide advice at the next meeting on how to comply with the public meeting act.
- Jay Miller asked the members to submit a list for the administrative staff to compile for the next meeting. Commission can move forward and if it is something that arises to the level of a meeting it can be addressed at next meeting with real deliberate conversation and not what was decided outside of the public meeting.

Discussion of June 10, 2020 meeting

- The June meeting was to be held in conjunction with Incident Management Team but there has been some conflict, in addition to COVID 19 situation.
- Candace Dinwiddie has stated the Commissioner's Mill tour will still take place on and dates of June 10, 11 & 12 has been reserved.



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- David Arnold stated that there are major topics that need to be discussed for the June meeting and the agenda will be full.
- Johnny Heard is proposing to have the Commission meeting on June 10th and Commissioner's Mill tour would be June 11th and 12th. The meeting would be at TN Division of Forestry making it easier to go on Commissioner's mill tour since the commission members will already be in Nashville.
- Jay Miller stated the Executive Order that allows some flexibility to the COVID 19 response to conduct meetings will expire the middle of May. There are provisions to allow for electronic participation of members, if necessary, without a physical quorum. If you have a physical quorum at the next meeting in Nashville, then other members may participate electronically with very little work. If you don't have a physical quorum, but have a quorum electronically, that may still be allowed.

Approval to accept June 10, 2020 meeting (tentatively) at TN Division of Forestry subject to Chair rescheduling meeting to another date with adequate notice

Tom Midyett motioned to accept June 10, 2020 meeting (tentatively) at TN Division of Forestry subject to Chair rescheduling meeting to another date with adequate notice. John Charles Wilson seconded the motion. All Commission members voted yes to approve (remotely): Johnny Heard, Tom Midyett, John Charles Wilson, Mike Witt, Bob Qualman, Sharon Jean-Philippe and Alex Richman. The motion passed

Public Comments

- No public comments

Future Meeting Dates

- June 10, 2020 - Approve Commission officers and field trip to observe IMT training – overnight stay (Second Wednesday in June).
- September 2, 2020- Approve Division budget (first Wednesday in September). *Note: Johnny Heard recommended moving the September date in those years it conflicts with Labor Day weekend. The next September meeting does not conflict with Labor Day 2020 (9/7/20).*
- January 12, 2021 – Discuss budget, timber sales (second Tuesday in January)

Tom Midyett made a motion to adjourn the meeting. Bob Qualman seconded motion. All Commission members voted yes to approve (remotely): Johnny Heard, Tom Midyett, John Charles Wilson, Mike Witt, Bob Qualman, Sharon Jean-Philippe and Alex Richman. The motion passed. Meeting was adjourned at 10:47AM CST.