

## Talking Timber with a Logger

Adam Downing recently sat down with Buck Morris of Glen Morris and Sons Logging Inc. to talk timber. Buck was the recipient of the Logger Merit Award presented at the 2019 Forestry Summit. Like many loggers, Buck grew up in the logging business and continues to operate a single crew, with his brother, in the Orange County area. Also, like many loggers, Buck closely followed the development of the new Timber Larceny Law that spurred this conversation.



*Adam Downing, VCE, (left) and Dave Powell, VDOF, (right), presenting the 2019 Logger Merritt Award to Cheryl and Buck Morris (center) at the Forestry Summit in Norfolk. Photo by Leisha Berkel, VFA.*

**Adam:** What would you say is the most important thing a landowner can do when they sell their timber?

**Buck:** The first thing to ask, if someone comes offering to buy your timber, is if they have any professional affiliations and/or credentials. Belonging to the Virginia Loggers Association or the Virginia Forestry Association shows something. Ask them if they are a SHARP Logger and if they have liability insurance. If you get a “no” to all of these, kindly end the conversation.

If you get anything in the mail that came unsolicited, question it! Is this person local? Who are they working for? Can they provide references from past jobs? These are good questions to ask of anyone, but especially from an unsolicited offer. Sometimes these offers even include a dollar value and they may never have stepped foot on your land! How can

that work? Of, if they did walk your property, did they have permission? If not, you may not want to give them permission.

Another early question to ask is about insurance. If they have a crew, they likely need to have workers comp insurance and every logger should have some liability insurance. If they are willing to share proof of these, that's a good start.

**Adam:** This is great advice. It might seem like common sense, but sometimes we need to be reminded, especially with something like a timber sale that may be a once in a lifetime event. What else would you say to a landowner who has moved into the negotiations phase of selling timber?

**Buck:** Have a lawyer, experienced in timber, review the contract! This is an absolute. There are so many ways that even a written contract can take advantage of a landowner. This new Timber Larceny law does a pretty good job addressing some of these but there is still a responsibility for the landowner to make sure the contract is fair to them as a landowner. An experienced lawyer will be able to see if the contract is fair. Now, when I say "experienced" I don't mean experience in family law or even real estate. It needs to be someone who understands the basics of timber as a commodity.

**Adam:** What are some options a landowner has if they want to sell their timber?

**Buck:** There are two common ways timber is sold. Both ways have pros and cons. A lump-sum sale means that a price is agreed on ahead of time for all the timber in the stand or for all the marked timber in the stand. This can work well for a landowner, IF a bidding process was used to get at the sale price. That is the only way to get at the fair price for timber sold like this. Otherwise, someone can just offer what sounds like a lot of money and if they [the landowners] have no idea how much it's [their timber] worth, it can sound like a good price, while in reality they [the timber buyer] might have been willing to pay much more. For me, if I am trying to buy someone's timber as a lump sum, I will pay as much as I can while still making it profitable.

Selling on shares is sometimes looked down upon in the forestry community but it can work. The way it is supposed to work is that a logger harvests and loads a truck load of logs. He takes those to a mill to sell them. It's in his interest and yours to merchandise those logs well (different mills for different types of logs). At the end of the week or some other defined time, the load tickets are shared with the landowner as a record of what was sold and for how much. Then the logger cuts a check based on the agreed upon split. The

risk is that an unethical logger can simply not share every load ticket with the landowner. But the advantage of this type of sale is that the real value of the product is being shared with the landowner rather than a speculated value like in a lump sum. And with this selling on shares method, there is nothing wrong with asking the logger what the bottom line will be at the end of the day. Ask him for an educated guess for how much money will be made at the end of it all for the landowner.

In either case, get more than one person to look at the timber. This helps reveal the true value of the timber and also helps them find someone they are comfortable with. And I always encourage landowners to work with a forester too. A professional forester, like a consulting or industrial forester, can help in lots of ways to make sure the sale is going as planned and in a way that will hopefully improve the forest.

**Adam:** What parting thoughts do you have that might be good for a landowner to know?

**Buck:** Sometimes there is confusion as to who is who and who does what. Some sales are very simple and may only involve a logger and a landowner. In other sales, there may be a forester and/or a timber buyer. In these cases, the logger is more or less a contractor doing a job. In other cases, the logger may be the buyer and contractor or they may buy the timber and hire another logger as a contractor to harvest it. It can get confusing but there are important differences. I always suggest that landowners get educated! Go talk to the local Virginia Department of Forestry forester, go to Extension programs for woodland owners, read articles from local experts in things like the Virginia Forest Landowner Update or the Virginia Forests Magazine. And ask questions! Don't be afraid to ask lots of questions! Good loggers are happy to talk with landowners and explain everything and show examples of past jobs. Good loggers want the landowner to be happy with the job they did. It's their best calling card.

***Adam Downing is the Northern District Forestry Extension Agent, 540-948-6881, adowning@vt.edu.***

***Buck Morris is the owner of Glen Morris & Sons Logging Inc., 540- 854-5271, morris596@verizon.net.***