

FY17 Conflict of Interest

ENRTF ID	LCCMR Member
042-B	Commissioner Faber reported a conflict of interest for ENRTF ID: 042-B “Morrison County Performance Drainage and Hydrology Management”, Morrison SWCD. Written statement attached. (Attachment #1)
088-B	Commissioner Young reported a conflict of interest for ENRTF ID: 088-B “Surface Water Bacterial Treatment System Pilot Project”, Vadnais Lake Area Water Management Organization. Written statement attached. (Attachment #2)
099-C	Commissioner Gibson reported a conflict of interest for ENRTF ID: 099-C “Expanded Wolves at Our Door Program”, International Wolf Center. Written statement attached. (Attachment #3)
134-D	Commissioner Broberg reported a conflict of interest for ENRTF ID: 134-D “Invasive Carp Applied Research in Lake Nokomis Subwatershed”, Minneapolis Park and Recreation Board and ENRTF ID: 173-F “. Written statement attached. (Attachment #4)
153-E	Co-Chair Persell stated he does not have a conflict for ENRTF ID: 153-E “Solar Solutions to Minnesota Energy Poverty”, Rural Renewable Energy Alliance but would like it noted that he works for the Leech Lake Band of Ojibwe. The Leech Lake Band of Ojibwe are partners in the ENRTF ID: 153-E proposal but will not be receiving any funding from this proposal.
173-F	Commissioner Broberg reported a conflict of interest for ENRTF ID: 134-D “Invasive Carp Applied Research in Lake Nokomis Subwatershed”, Minneapolis Park and Recreation Board and ENRTF ID: 173-F “. Written statement attached. (Attachment #4)
183-G	Commissioner Lamma reported a conflict of interest for ENRTF ID: 183-G, “Tower Historic Harbor Nature Trail/Kayak Route”, City of Tower. Written statement attached. (Attachment #5)
n/a	Commissioner Kari Dziedic reminded members of a letter on file from Tom Bottern, Senate Counsel, regarding a family member working at the DNR affirming that it did not constitute a conflict of interest with MN DNR’s proposals submitted. (Attachment #6)

Diana Griffith

To: Susan Thornton
Subject: RE: Faber COI 42B

From: William Faber [<mailto:WFaber@clcmn.edu>]
Sent: Wednesday, September 30, 2015 7:22 AM
To: Susan Thornton <susan.thornton@lccmr.leg.mn>
Subject: Re: DNR launches voluntary program to test ducks for avian influenza

Dear Susan and LCCMR Co-Chairs Persell, Gibson, and Tomassoni,

I would like to officially notify you of an upcoming conflict of interest that I have, concerning the proposal hearing of Project 042-B Morrison County Performance Drainage and Hydrology Management, scheduled for Wed. October 7 at 2:45 P.M. (I don't plan on attending that entire day, but still want this put in the official minutes) - I would like to recuse myself from that hearing, and any other actions concerning that project. If you need further information or justification kindly let me know, otherwise a confirmation of receipt of this e-mail would be greatly appreciated-

Thanks kindly, see you tomorrow- Dr. Bill Faber

William E. "Bill" Faber, Ph.D., Certified Wildlife Biologist®
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"We all answer the calls of life: family, God, friends, and career. Some of us hear an additional voice, the call of conservation." Jim Slinsky



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Diana Griffith

Subject: FW: 88-B - Conflict of Interest Statement

From: Young, Della NS [<mailto:dnsyoung@burnsmcd.com>]
Sent: Monday, September 21, 2015 4:20 PM
To: Susan Thornton <susan.thornton@lccmr.leg.mn>
Cc: Young, Della NS <dnsyoung@burnsmcd.com>
Subject: 88-B - Conflict of Interest Statement

LCCMR Commission Members:

Burns & McDonnell Engineering Consulting firm is assisting the Vadnais Lake Are Water Management Organization (VLAWMO) with this proposal. As an employee of Burns & McDonnell a conflict of interest exists.

Thanks,

Della Schall Young, PMP, CPESC \ Burns & McDonnell
Sr. Hydrologist \ Regional ES&P Manager
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September 18, 2015

Senator David Tomassoni-Co-Chair LCCMR
Representative John Persell- Co-Chair LCCMR
LCCMR Office
Room 65 State Office Building
100 Rev. Dr. Martin Luther King Jr. Blvd.
Saint Paul, MN 55155

Dear Senator Tomassoni and Representative Persell:

This letter declares that I have a conflict of interest with LCCMR proposal 99C "Expanded Wolves at Our Door" submitted by the International Wolf Center. I am a current member of the board of directors at the International Wolf Center.

Sincerely,

A handwritten signature in black ink, appearing to read "Nancy Gibson". The signature is written in a cursive style with a large, looped initial "N" and a long horizontal stroke at the end.

Nancy Gibson
LCCMR Co-Chair
2712 Glenhurst Ave.
St. Louis Park, MN 55416

Jeffrey S. Broberg
LCCMR Citizen Commissioner
11596 Persons Rd, St. Charles, MN 55972
C 507-273-4961

LCCMR Chairmen and Executive Committee
c/o Susan Thornton, Executive Director
Rm 5 State Office Building
St. Paul, MN 55155

Re: Avoidance of appearance of conflict of interest.

Projects

173-F Restoring the City of Champlain's Northern Gateway

134-D Invasive Carp Applied Research in Lake Nokomis sub watershed.

Dear LCCMR Chairs and Ms. Thornton:

I wanted to be put on record information relative to my current employment at WSB Associates, Inc. who was named in two LCCMR proposals 134-D and 173-F. Two years ago I sold my ownership interest in McGhie & Betts Environmental Services (38 employees) to WSB Associates, Inc. (350 employees). At the time of the sale I entered into an employment contract with WSB as a Senior Environmental Manager for the Environmental Natural Resources and Permitting Group in Rochester, MN. I have no stock or other ownership interest in WSB and I gain no financial benefit directly from any WSB projects.

No Prohibited Conflict of Interests.

For the two projects where WSB has been mentioned as possible consulting engineers WSB is not the project proposer. I have no direct, or indirect interest in the project proposers, the City of Champlain or the Minneapolis Park and Recreation Board, therefore, I do not believe I have a prohibiting conflict of interest in projects 134-D and 173-F.

Conflict of Interest Managed Through Procedures:

I am not an employee of the project proposers, nor would I gain any direct financial benefit if WSB were selected as a project consultant and I do not have any conflict in these regards. However, due to the possibility that WSB Associates, Inc. could be selected as a consultant by these project proposers it is remotely possible that I could be asked to provide consulting services to the project proposers. For this reason, however remote, I prefer to avoid any appearance of conflict of interest and therefore I will not advocate for, or against, nor vote on projects 134-D or 173-F.

Sincerely:


Jeffrey S. Broberg

Diana Griffith

Subject: FW: Conflict of Interest Letter Needed

From: Gary Lamma [mailto:glamma@crdlc.net]
Sent: Thursday, September 17, 2015 4:15 PM
To: Susan Thornton <susan.thornton@lccmr.leg.mn>
Subject: Re: Conflict of Interest Letter Needed

I have declared a conflict of interest for 183g the Tower Historic Harbor project. While working for SEH, I secured this project for SEH engineering and upon my retirement they have retained me as a consultant. I understand that I cannot participate in advocating for or voting as it has to do with this project. Thank you.

Sent from my iPad
Gary Lamma, Principal
Community Resource Development
Office phone: 651-770-7417
Cell phone: 218-260-9639
glamma@crdlc.net

**Senate Counsel, Research,
and Fiscal Analysis**

G-17 STATE CAPITOL
75 REV. DR. MARTIN LUTHER KING JR. BLVD.
ST. PAUL, MN 55155-1606
(651) 296-4791
FAX (651) 296-7747
THOMAS S. BOTTERN
DIRECTOR

Senate

State of Minnesota

TO: Senator Kari Dziedzic

FROM: Tom Bottern, Director (651/296-3810) *TB*

DATE: June 29, 2012

RE: LCCMR Procedures -- Analysis of Conflict of Interest
Regarding a Family Member

You have asked me whether the Procedures of the Legislative-Citizen Commission on Minnesota Resources (LCCMR Procedures) (as adopted September 23, 2008, and attached to this memo as you provided them to me) raise any concerns regarding a potential conflict of interest arising from your brother-in-law's employment with the Minnesota Department of Natural Resources (DNR). After reviewing the procedures and the information you have provided to me, I do not believe a conflict of interest exists.

Item C, section 7 of the LCCMR Procedures deals with conflicts of interest. Under the heading titled "Conflict of Interest to be Managed through Procedures" the LCCMR Procedures state "nevertheless, certain affiliations may constitute a conflict of interest that must be managed by the LCCMR. They include...having a family relationship with a proposer or a staff or board member of a proposing organization." The LCCMR Procedures then state that a conflict of interest must be identified before or during the initial proposal review process, and that a member who has declared a conflict of interest "may not advocate for or against the proposal or vote on the proposal."

The first step in evaluating this issue is to determine whether your brother-in-law can be considered a "family member" within the meaning of the LCCMR Procedures, which do not contain a definition of the term "family member". In the absence of a specific definition, the term should be given a reasonable construction and interpretation based on the common understanding of the term. With that in mind, I have reviewed selected Minnesota Statutes in search of a definition of the term "family member." There are several sections in statute that



define the term "immediate family member." One example is Minnesota Statutes, section 58A.02, subdivision 4, found in the chapter of law regulating Individual Mortgage Licensing. This subdivision defines "immediate family member" as follows:

58A.02 DEFINITIONS.

Subd. 4. Immediate family member.

"Immediate family member" means a spouse, child, sibling, a parent, grandparent, or grandchild. This includes stepparents, stepchildren, stepsiblings, and adoptive relationships.

Another example is Minnesota Statutes, section 181.947, which provides unpaid leave for immediate family members of military personnel injured or killed in active service. Minnesota Statutes, section 181.947, subdivision 1, paragraph (e), defines "immediate family member" to mean "a person's parent, child, grandparents, siblings, or spouse."

I did not find a statute that defines in-laws (whether siblings or parents related by marriage) as family members. As you can see, the two statutes I have cited in this memo do not contain a reference to in-laws, even though they provide a broad and inclusive definition of the term "immediate family member." These definitions in statute provide a strong basis to interpret the term "family member" as it used in the LCCMR Procedures not to include siblings related by marriage.

I do not believe the term "family member" as it is used in LCCMR Procedures includes a relationship to a sibling by marriage. For this reason alone, I believe the LCCMR Procedures do not require you to declare a conflict of interest with respect to any LCCMR project proposal involving your brother-in-law.

/TSB
Attachment

cc: Greg Knopff