

Jeffrey S. Broberg, LPG, REM
LCCMR Citizen Commissioner
1648 3rd Ave SE, Rochester, MN 55904
507-289-3919 cell 507-273-4961
jsbroberg@mcghiebetts.com

June 15, 2009

Senator Dennis Frederickson
Senator Jim Vickerman
Representative Jean Wagenius
Nancy Gibson
Co-Vice Chairs LCCMR
100 Rev. Dr. Martin Luther King Jr. Blvd.
State Office Building, Room 65
St. Paul, MN 55155

Re: Jeffrey S. Broberg, Citizen Commissioner
Notification of Conflict of Interest

Dear Co-Vice Chairs:

In accordance with the language relative to conflict of interest in the LCCMR Temporary Operating Procedures adopted June 10, 2008 I am notifying the LCCMR that I have a conflict of interest managed through procedures for three proposals that have been submitted to LCCMR for consideration, therefore, I will not advocating for or against or voting on the following projects:

1. Water Resources: Project Manager Dr Deborah Swackhamer, Organization: University of Minnesota. Title Understanding Sources of Aquatic Contaminants of Emerging Concern
2. Water Resources: Project Manager Phil Wheeler, Organization Olmsted County. Title Identity/Protect Southeastern Minnesota Rare Groundwater Fed Wetlands
3. Natural Resource Conservation Planning and Implementation: Project Manager, Rob Keehn. Organization: City of Lake City. Title: Hok-Si-La Trail Extension

I have reviewed the Operating Procedures and as required I am making a written disclosure of the potential for conflict due to the fact that I have consulted, without payment, to the proposers of the cited projects.

I am also writing because I am sensitive to the perception of a prohibiting conflict of interest derived from similar names of separate companies in Rochester, MN. I have a direct ownership interest and derive a direct personal financial benefit from McGhie & Betts Environmental Services, Inc. (MBESI) of Rochester, MN. MBESI is not involved in any of the named proposals. MBESI is distinctly Minnesota Corporation from McGhie

& Betts, inc. (MBI) and is separate legal entity, under different ownership, management and operations from MBI. I don not have ownership, nor do I derive any direct, or indirect financial benefit from McGhie & Betts, Inc. Unfortunately there may be an erroneous perception that MBI and MBESI are the same or financially related.

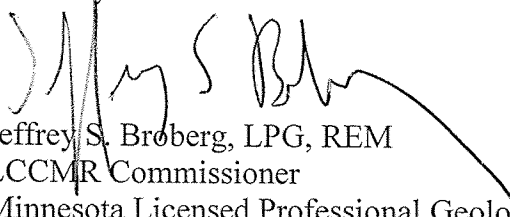
I have no role as a project manager and do not serve on a relevant technical advisory or peer review panel for the three proposals. Furthermore I receive no direct, or indirect, personal financial benefit from MBI or from the three cited proposers. The managers and staff of MBI have assisted, consulted and provided a scope of services and costs for the UofM and the Olmsted County proposals. Also, MBI is currently retained for professional planning services by the City of Lake City in a project that is marginally related to the Lake City grant proposal.

I have consulted with our corporate attorney Dan Berndt of Dunlap and Seegar to review the potential for prohibitions due to a conflict of interest. Mr. Berndt reviewed the MBI involvement, the lack of MBESI involvement and reviewed the LCCMR Operation Procedures. Mr. Berndt has advised me that I have no conflict of interest subject to prohibitions because I am not a project manager and have no financial interest or owner/principal status with MBI. I respectfully submit this information to the LCCMR for your review and determination (see attached).

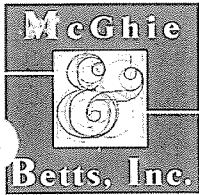
I do I have a conflict of interest to be managed through procedures in the three cited proposals because I have consulted with the proposers before they were submitted to LCCMR, therefore, I am writing to notify the LCCMR that I shall recuse myself from consideration of the three cited proposals. I will not advocate for or against, nor will I vote on the three proposals cited.

I hope this provides clarity for the confusion between my financial interests in McGhie & Betts Environmental Services, Inc. and my lack of financial ties to McGhie & Betts, Inc. and I hope this letter satisfies the LCCMR Operating Procedures. If the LCCMR co-vice chairs, or the LCCMR staff needs further clarification, or if the LCCMR has further guidance or requirements to satisfy and to complete my recusal please notify me at 507-289-3919 or at my work address.

Sincerely:



Jeffrey S. Broberg, LPG, REM
LCCMR Commissioner
Minnesota Licensed Professional Geologist #30019
Registered Environmental Manager #3009



INTEROFFICE MEMORANDUM

To: Jeff Broberg
Dave Morrill

Cc:

From: Bill Tointon *BT*

Date: 4/29/2009

Re: LCCMR Project – Conflict of Interest

It was brought to my attention by the staff of McGhie & Betts Environmental Services, Inc. and at the request of Jeff Broberg, that there is the potential for a conflict of interest with LCCMR projects and Jeff Broberg's role as a member of the Citizens Board that considers and makes grants to various organizations and consultants. The language relative to the conflict of interest is found in "Temporary Operating Procedures amended June 10, 2008".

I provided our corporate attorney Dan Berndt with this information and requested his review for potential conflict of interest with Jeff Broberg being a member of the LCCMR organization. After Dan reviewed the document he stated that it would not be a conflict of interest if the following items were met:

- McGhie & Betts, Inc. was listed as the Consultant or Subconsultant
- Jeff Broberg is not a project manager for the work
- Jeff Broberg has no financial interest or owner/principal status with McGhie & Betts.

According to Dan Berndt, if the above criteria are met Jeff would not receive any direct or indirect personal financial benefit from the project.

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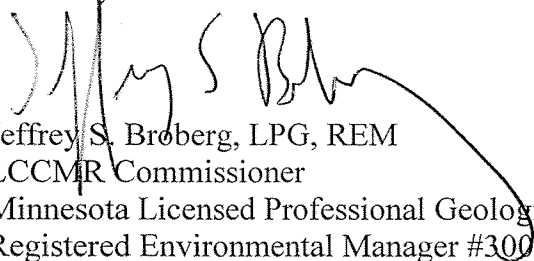
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