

Jeffrey S. Broberg, LPG, REM  
LCCMR Citizen Commissioner  
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June 4, 2012

Senator Jen Olson  
Rep. Tom Hackbarth  
Rep. David Dill  
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:  
Four Projects: 014-B, 017-B, 047-C1 and 079D

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 four proposals that have been submitted to LCCMR for consideration, therefore, I will not advocating for, or against and I will not be voting on the following projects in the following categories:

- B. Forestry/Agriculture/Minerals:
  - a. 014-B; Understanding Environmental/Economic considerations of Frac Sand Mining. Project manager Donald Fosnacht, UofM Duluth
  - b. 017-B; Controlling terrestrial Invasive Plants with Grazing Animals. Project manager John Beckwith, Hiawatha Valley Resource conservation and Development, Inc.
- C-1: Invasive Species - Aquatic
  - a. 047-C1; Shallow Lake Carp Exclusion: Shell rock Watershed, Project Manager Andy Henschel. Shell Rock River Watershed District6
- D: Land Acquisition and Restoration
  - a. 079-D; Wedge Creek Stream habitat Restoration and Enhancement. Project Manager Andy Henschel. Shell Rock River Watershed District.

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 or the proposers are, or have been, clients of McGhie & Betts Environmental Services, Inc. (MBESI). MBESI is not, and will not be directly involved in any of the named proposals.

As I have stated before 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

## Attachment #1

ownership interest and derive a direct personal financial benefit from McGhie & Betts Environmental Services, Inc. (MBESI) of Rochester, MN. MBESI is distinctly Minnesota Corporation from McGhie & Betts, inc. (MBI) and is separate legal entity, under different ownership, management and operations from MBI. I do 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 otherwise financially related.

For the identified projects I have no current or future role as a project manager and will 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 any of the proposed projects. The managers and staff of MBI may have assisted, consulted and provided a scope of services and cost estimates for the above projects.

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. In the past I have submitted this information to the LCCMR for review and it is on file with the LCCMR director..

I do I have a conflict of interest to be managed through procedures in the four cited proposals, therefore, I am writing to notify the LCCMR that I shall recuse myself from consideration of the four cited proposals. I will not advocate for, or against, nor will I vote on the four proposals cited.

I want to also note that one project is proposed for the Watershed where I reside and other projects would benefit natural resources in areas where I recreate, however, these interests are not defined as conflicts under our operating procedures.

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 am confident that 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