

Lessard-Sams Outdoor Heritage Council
The State of Minnesota

State Office Building, Room G95
100 Dr. Rev. Martin Luther King Jr. Blvd.
Saint Paul, Minnesota 55155



DATE: September 20, 2013
TO: Representative Paul Thissen, Chair Legislative Coordinating Committee
FROM: David Hartwell, Chair, Lessard-Sams Outdoor Heritage Council
SUBJECT: Request for LCC Advice and Consent to Add One Full Time Equivalent to the LSOHC Staff

The Lessard-Sams Outdoor Heritage Council is organized under Minnesota Statutes 2013, Chapter 97A.056. In reference to staffing, M.S. 2013, Chapter 97A.056, Subd. 2 (g) provides for limited staff, provided the council coordinates with the Legislative Coordinating Commission.

(h) Upon coordination with the Legislative Coordinating Commission, the council may appoint nonpartisan staff and contract with consultants as necessary to carry out the functions of the council. Up to one percent of the money appropriated from the fund may be used to pay for administrative expenses of the council and for compensation and expense reimbursement of council members.

On September 4, 2013 the Council approved the addition of one Full Time Equivalent. On September 20, 2013 the attached Assistant Director position description was reviewed by the full Council and approved, for the additional FTE. Our rationale for moving from a complement of 3 FTE to a complement of 4 FTE is below. We request your advice and consent to move forward. We will remain well below the statutory administrative limit of 1% of the appropriations from the Outdoor Heritage Fund. The council annual budget is expected to be \$570,000 for FY 15, well below the limit currently of \$1,000,000 annually.

Rationale for assistant director position

The current staffing complement does not adequately address the Council's administrative needs nor does it provide the level of appropriation oversight required of Legacy funds. The addition of the assistant director position is the first of three staff re-alignments. It is anticipated that the position description for the analyst manager and the administrative/council assistant positions will be re-written subsequent to the approval and filling of the assistant director position. The target complement is 4 FTE.

The environment in which the LSOHC is working has evolved since the first staff was hired. The council administration needs to be adjusted to meet the changing environment and ensure proper oversight of

OHF expenditures and implementation of M.S. 97A.056. The major changes requiring expanded staffing include:

- Increasingly complex proposals and programs before the council for consideration require higher level staff assistance in the development and presentation of materials
- Increasingly complex programs that demand greater attention to progress and outcomes, especially for land acquisition programs (i.e. frequency and number of conservation easement conveyances and alterations; big-ticket acquisitions)
- Exponential growth in number of programs and appropriations to be monitored, accomplishment plans to be developed, amendments to be reviewed, and final reports to be approved. In the first year OHF was appropriated, there were 23 funded programs; today there are 182 requiring monitoring and oversight.
- Need for additional management staff to carry out and direct the work of the Council. Additional staff will require more work planning and coordination, as well as day-to-day supervision
- Level and complexity of analysis has increased over five years of funding
- The political environment demands more consistent interaction with legislators and the governor's office and their staffs
- Great demand in the Council and in the Legislature as a whole to broaden the OHF applicant pool requires higher level staff to independently interact with the public to encourage potential proposals from a wide variety of audiences
- The rise in profile of highly contentious habitat issues (i.e. aquatic invasive species) which require sensitive handling the council's position as well as convening and facilitating meetings of stakeholders, experts and legislators.

We respectfully request your concurrence and assistance in moving forward with this improvement in administration of the council and oversight of the OHF programs.

Job Title: Assistant Director (proposed)
Job Grade Level:
Name of Incumbent:
Agency: Lessard-Sams Outdoor Heritage Council
Date: Created September 20, 2013
Reporting to: Exec. Dir. Lessard-Sams Outdoor Heritage Council
Approved By Exec. Director:

Primary Objective: Advise and assist the Director in all responsibilities involving the administration and daily direction of the Lessard-Sams Outdoor Heritage Council (the Council.) The Lessard-Sams Outdoor Heritage Council is a 12 member citizen and legislator Council that makes recommendations to the Minnesota Legislature for use of the Outdoor Heritage Fund (OHF). Approximately \$200 million is recommended biennially. It is essential that staff lead in a non-partisan fashion to ensure that the purposes of the Outdoor Heritage Fund are implemented as intended by the Minnesota Constitution.

Reportability:

Reports to: Executive Director, for program and policy direction.
 Supervises: Planner/Program Analyst Manager, Commission Assistant, temporary employees and interns

Dimensions: \$200 million biennially in recommendations to the legislature. The incumbent is responsible for guiding recommendations through the legislative process, working with the Executive Director. The position monitors the processes, progress and final outcomes of 100 to 150 active appropriations of \$500,000 to approximately \$15,000,000 each spanning efforts of three to five years. The employee represents the Council and the Legislature before the press and public regarding use of the OHF.

Customers: Council members; House and Senate members and staff; Governor and staff; federal agencies; state agency leadership; local units of government; tribes; non-governmental organization leadership; general public; media.

Responsibilities & Tasks:

- 1. Lead Council activities to restore, protect and enhance Minnesota habitat 50%**
 Provide leadership through learning opportunities, so as to assure constitutional, high priority Outdoor Heritage Fund recommendations for Minnesota
 - Advise the Council leadership on Council member issues and guidance
 - Advise the Council leadership on habitat program content and efficacy
 - Plan and facilitate public issue forums for the Council
 - Deliver presentations describing the Outdoor Heritage Fund history, recommended projects, desired outcomes, and related processes on behalf of the Outdoor Heritage Council to a variety of audiences, including Legislative bodies
 - Develop productive working relationship with habitat managers at federal, state, local and private levels, so as to obtain their professional advice and communicate advice to Council and Legislative Leadership

- Involve interested leaders in decisions
- Seek advice from leadership of the Council and the legislature
- Work with Council members, legislators and legislative staff to develop consensus on the Outdoor Heritage Fund's mission, procedures and recommendations
- Provide information on funded programs and habitat conservation issues to Council members, legislators, and others, as requested
- Lead in the content and message development of site visits to evaluate funded programs and increase Council, House and Senate member understanding of associated issues and the impact of funding.

2. Develop and Analyze Statute and Law Related to the Outdoor Heritage Fund and Supported Programs **10%**

- Consult with legislative legal authorities as necessary on the meaning and intent of Minnesota Statutes and Laws affecting the programs and projects of the Outdoor Heritage Fund
- Write draft statute and law to implement the intent of the LSOHC and the legislative bodies guiding related appropriations and policies
- Enforce relevant statute and law in the interests of Minnesotans and Minnesota habitat

3. Appropriation recommendation process **15%**

Assist in guiding the Council in implementation of informed choice techniques for Council members as they develop recommendations for use of constitutionally dedicated habitat funds to protect, restore and enhance habitat statewide.

- Solicit funding requests and assist organizations interested in requesting funds from the OHF
- Assist Council membership as it develops a Call for Funding Requests that encourages Minnesota's priority constitutional program and project to apply for OHF funding
- Solicit requests from a variety of groups and constituencies so as to expand the number and kind of requests
- Review prospective requests with representatives of requesting organizations to align requests with Call for Funding Request requirements and priorities
- Provide members with the necessary data to understand the outcomes of proposed and funded requests
- Guide a selection and hearing process for Council members to the specification of Council Leadership including legislative leaders.
- Draft Outdoor Heritage Fund recommendations bill for the Council to be presented on their behalf to Minnesota House and Senate leadership
- Prepare presentation materials for and provide testimony to Legislative committees
- Use legislative, fiscal and program analyst skills to guide the OHF process through the legislative process.
- Lead additional inquiries into problems and develop solutions related to uses of the OHF
- Negotiate solutions among legislators, constituencies and other interested parties

4. **Monitor** **10%**

Oversee appropriations in law to ensure fiscal procedure, program purpose compliance, and implementation of legislative intent while synthesizing important findings for future planning and policy considerations and maintaining transparency and accountability of funded programs.

- Guide development of, use of, and refinement of all reporting instruments used by staff, Council members, and the public in order to comply with statutory requirements and requirements in law related to OHF funding;
- Assist recipients as they develop accomplishment plans, request amendments, , and prepare final reports for the Council and Minnesota Legislature as a whole;
- Monitor projects on a regular basis; communicate with program managers and others in the field in order to gauge progress and support project be success;
- Develop working knowledge of fiscal and administrative procedures and program management techniques used by the spectrum of OHF recipients including state, local, federal, tribal, and NGOs;
- Work cooperatively with executive branch leadership to ensure compliance with legislative intent
- Consult with executive agency program leaders on programs and collaboration with OHF funded programs;
- Design mechanisms to implement M.S. 97A.056 and promote the OHF, its programs, and its legacy.

5. **Administration** **15%**

- Assists in the preparation, review, and management of \$1,000,000 biennial administrative budget for the Council
- Consult with Minnesota Management and Budget to provide Council leadership with an understandable and accurate projections of the Outdoor Heritage Fund available balance
- Assist the Office of Legislative Auditor with program and financial audits of OHF programs and program expenditures
- Maintain oversight of external programs evaluating work done with the OHF
- Conduct business in a non-partisan, bi-cameral fashion in order to retain the highest level of confidence and respect from legislators and staff
- Encourage staff to seek training opportunities for job improvement
- Respond in a timely and appropriate fashion to the wide range of inquiries made.
- Supervises Planner/Program Analyst Manager, Commission Assistant, temporary employees and interns
- Contributes to hiring/firing decisions, conducting performance reviews, determining salary adjustments, and providing ongoing employee evaluation.

Decision Making & Impact of Error

A highly collaboration team effort must be employed. Responsibilities are usually assigned and discussed by the Director. Decisions or actions are relayed or reported to other staff as appropriate. Final decisions and review made by Director.

Impact of error is credibility and ability to perform in the future. Error is dealt with and resolved to avoid unnecessary consequences.

Working Conditions/Physical Demands

Generally, work takes place in a normal office setting; however, there are frequent long days during the legislative session. Field trips and site visits around the state are required which require the loading of vans with heavy notebooks and field equipment. Site visits require traveling long distances, often with two or more overnight out of town stays, to boating, canoeing, challenging walking in forested or wetland conditions and other rough terrain.

Budget Responsibility:

In the director's absence, review and approve expenditures from the Council administrative budget.

Supervisor Responsibility:

Supervises: Project Analyst Manager; Administrative Assistant; interns; contractors

Scope of Relationships:

The incumbent frequently works collaboratively with other staff, Council members, the general public and OHF recipients. It is imperative the employee have the capacity to work with Council members who are highly successful in their non-council pursuits and are learned and self-confident. The incumbent exercises monetary authority, shared with the executive branch, of appropriations from the OHF. The incumbent must use judgment when responding to inquiries from the public, answering questions and presenting information in Council hearings and conducting Council business, so as to ensure facts are the basis of communications.

Required Knowledge, Skills, and Abilities:

- Masters Degree and 5 years or a Bachelors Degree and 7 years of relevant work experience in progressively responsible professional work in management and administration;
- ability to work in a confidential manner;
- ability to recognize violations of law, ethical standards and activities outside the normal legal scope of state government;
- excellent written and oral communications skills;
- possesses above average attention to detail.
- experience working in a nonpartisan manner in a political atmosphere;
- successful experience facilitating consensus in adversarial environments;
- ability to analyze complex, technical issues and make recommendations on competing interests;
- proven ability to manage upward;
- ability to understand emerging natural resource issues, habitat, industry and technology;
- supervisory skills to manage highly skilled professionals;
- demonstrated experience in work planning and management
- project management skills; and
- understanding of the operations, programs and policies of tax exempt non-governmental organizations, local units of government, the federal government and state agencies.

Desired Qualifications:

- leadership representing an entity within an advocate based, collegial and representative arena

Problem Solving:

The position requires experience and demonstrated ability assessing and finding solutions to administrative and policy-making differences between empowered individuals. Incumbent must be able to help resolve differences and assist the Council in reaching consensus. Creative ability to develop new systems and approaches to governance is critical. Developing consensus through education and analysis, often in an environment of multiple points of view, is a plus.

Freedom to Act:

This position works in a collaborative environment with staff, Council members, project managers, and a variety of public and nonprofit officials. The position is self-directed on a daily basis, acting and reporting, but consults on a regular basis with the Executive Director and Council leadership on matters affecting others, such as applicants and recipients of Outdoor Heritage Funds.