

MINUTES
Lessard-Sams Outdoor Heritage Council (LSOHC)
March 12, 2021
Remote Meeting via Zoom, pursuant to MS 13D.021 and MS 13D.04

Call to Order: Chair David Hartwell called the meeting to order at 8:00am.

Members Present

David Hartwell (Chair)
Ron Schara (Vice Chair)
Rep. Jamie Becker-Finn
Sen. D. Scott Dibble
Dudley Edmondson
Kristin Eggerling
Rep. Josh Heintzman
Mark Holsten
Sen. Andrew Lang
Ashley Peters
Tom Saxhaug
Jamie Swenson

Members Absent

NONE

A quorum was present.

1. Review and Approve Agenda: Councilmember Eggerling made a motion to approve the agenda – **Motion Prevailed**

2. Review and Approve Minutes: Senator Dibble made a motion to approve the minutes from January 11, 2020 – **Motion Prevailed**

3. Conflicts of Interest Reported: No new conflicts of interest were reported by Councilmembers. Previous reports of conflicts still stand.

4. Chair's Comments: Chair David Hartwell informed the Council that there were several requests for COVID-19 related appropriation extensions on the agenda, and noted that the Council may wish to explore the option of a blanket COVID extension for certain ML years. Chair Hartwell also noted that Governor Tim Walz had not yet made his appointments to the Council, and so the election officers scheduled for today's meeting (agenda item 6) would be postponed to a later date.

5. Executive Director's Report: Executive Director Mark Johnson and Project Analyst Manager Sandy Smith provided an update for the Council on several items of business:

- Mr. Johnson informed the Council of several minor conveyances and/or condemnations and directed members to posted materials for additional information.
- Ms. Smith gave the Council a status report update on all LSOHC projects that are currently open.
- Mr. Johnson updated the Council on the progress of the OHF bill in both legislative bodies, and noted that the bill would be heard in the Senate Environment and Natural Resources Policy and

Legacy Finance Committee the following Wednesday. Rep. Becker-Finn provided the Council with further information about the bill's progress in the House.

- Mr. Johnson also informed the Council of staff's intent to hire a temp to assist with several backlogged projects due to staff transitions and COVID-19.

Council discussion followed.

6. Election of Officers: Postponed, as previously stated.

7. Approval of 2021 Council Calendar: Chair David Hartwell noted that the approval of the 2021 Council Calendar would also be postponed until the final two Council appointments have been received from Governor Tim Walz.

8. Technical Amendment Correcting Availability of ML2020 Appropriation: Executive Director Mark Johnson gave the Council an overview of the proposed technical amendment to the ML2021 OHF bill.

Action: Councilmember Saxhaug made a motion to allow staff to work with the Legislature to make the needed correction. A roll call vote was taken.

AYE:

Hartwell
Schara
Sen. Dibble
Edmondson
Eggerling
Holsten
Sen. Lang
Peters
Saxhaug
Swenson

NAY:

ABSENT:

Rep. Becker-Finn
Rep. Heintzman

10 AYES, 0 NAYS, 2 ABSENT – **Motion Prevailed**

9. Acquisition of Parcels with Existing Partial State / Federal Ownership: Executive Director Mark Johnson informed the Council of several OHF projects requesting approval to acquire land parcels with existing partial State/Federal ownership. Mr. Johnson noted that staff had reviewed the parcels and was recommending approval.

Action: Vice-Chair Schara made a motion to approve the acquisition of the parcels before the Council despite their existing partial State/Federal ownership. A roll call vote was taken.

AYE:
Hartwell
Schara
Sen. Dibble
Edmondson
Eggerling
Holsten
Sen. Lang
Peters
Saxhaug
Swenson

NAY:

ABSENT:
Rep. Becker-Finn
Rep. Heintzman

10 AYES, 0 NAYS, 2 ABSENT – **Motion Prevailed**

10. COVID-19 Related Extension Requests: Executive Director Mark Johnson gave the Council an overview of several OHF projects requesting one-year extensions due to delays brought on by the COVID-19 pandemic. Mr. Johnson also verbally noted an additional request from the Trust for Public Land for a one-year extension to their ML18 Mississippi Headwaters appropriation. Council discussion followed.

Action: Sen. Dibble made a motion to grant extensions for all projects on the agenda requesting COVID-19 extensions, including the addition of the verbal submission from Mr. Johnson, with direction to staff to draft appropriate language.

Further Council discussion followed.

A roll call vote was taken.

AYE:
Hartwell
Schara
Sen. Dibble
Edmondson
Eggerling
Holsten
Sen. Lang
Peters
Saxhaug
Swenson

NAY:

ABSENT:
Rep. Becker-Finn
Rep. Heintzman

10 AYES, 0 NAYS, 2 ABSENT – **Motion Prevailed**

Council discussion regarding a blanket COVID-19 extension for all remaining ML18 projects followed.

Action: Sen. Lang made a motion to extend all ML18 appropriations by one year for COVID related purposes, with the requirement that project managers must submit a formal request to take advantage of the extension.

Further Council discussion followed.

A roll call vote was taken.

AYE:

Hartwell

Schara

Sen. Dibble

Edmondson

Eggerling

Rep. Heintzman

Holsten

Sen. Lang

Peters

Saxhaug

Swenson

NAY:

ABSENT:

Rep. Becker-Finn

11 AYES, 0 NAYS, 1 ABSENT – **Motion Prevailed**

11. Extension Requests Not Directly COVID-19 Related: Executive Director Mark Johnson gave the Council an overview of two separate appropriation extension requests before the Council. Mr. Johnson noted both programs had previously requested, and been granted, an extension of the same funds.

Jamie Beyer, Administrator with Bois De Sioux Watershed, Chad Engels, Director and Senior Project Manager with Moore Engineering, Inc, and James Guler, engineer, presented an Availability of Appropriation Extension Request for the ML 2014, Ch. 254, Art. 1, Sec. 2, Subd 5(e) Mustinka River Fish and Wildlife Habitat Corridor Rehabilitation project. Council discussion followed.

Action: Councilmember Holsten made a motion to approve the availability of appropriation extension for the ML 2014, Ch. 254, Art. 1, Sec. 2, Subd 5(e) Mustinka River Fish and Wildlife Habitat Corridor Rehabilitation project as requested.

A roll call vote was taken.

AYE:

Hartwell

Schara

Sen. Dibble

Edmondson

Eggerling

Holsten

Sen. Lang

Peters

Saxhaug

Swenson

NAY:

Rep. Heintzman

ABSENT:

Rep. Becker-Finn

10 AYES, 1 NAYS, 1 ABSENT – **Motion Prevailed**

Kevin Ruud with Wild Rice Watershed District presented an Availability of Appropriation Extension Request for the ML 2015, 1st Sp. Session, Ch. 2, Art. 1, Sec. 2, subd 2(j) Wild Rice River Corridor Habitat Restoration; ML 2017, Chapter 91, Ch. 2, Art. 1, Sec. 2, subd 5(c) Goose Prairie; ML 2019, 1st Sp. Session, Chapter 2, Ch. 2, Art. 1, Sec. 2, subd 2(e) Lower Wild Rice Corridor Habitat Restoration - Phase II; and ML 2020, Regular Session, Chapter 104, Ch. 2, Art. 1, Sec. 2, subd 2(e) Lower Wild Rice Corridor Habitat Restoration - Phase III projects. Council discussion followed.

Action: Councilmember Saxhaug made a motion to approve the availability of appropriation extension for the ML 2015, 1st Sp. Session, Ch. 2, Art. 1, Sec. 2, subd 2(j) Wild Rice River Corridor Habitat Restoration project as requested, provide a one year extension for both the ML 2017, Chapter 91, Ch. 2, Art. 1, Sec. 2, subd 5(c) Goose Prairie project and the ML 2019, 1st Sp. Session, Chapter 2, Ch. 2, Art. 1, Sec. 2, subd 2(e) Lower Wild Rice Corridor Habitat Restoration - Phase II project, and take no action on ML 2020, Regular Session, Chapter 104, Ch. 2, Art. 1, Sec. 2, subd 2(e) Lower Wild Rice Corridor Habitat Restoration - Phase III project extension request.

A roll call vote was taken.

AYE:

Hartwell

Schara

Sen. Dibble

Edmondson

Eggerling

Rep. Heintzman

Holsten

Sen. Lang

Peters

Saxhaug

Swenson

NAY:

ABSENT:

Rep. Becker-Finn

11 AYES, 0 NAYS, 1 ABSENT – **Motion Prevailed**

12. Updated February Forecast and Accompanying Memo: Chair David Hartwell reported that the updated February budget forecast projected approximately \$4 million in additional OHF funds available. Chair Hartwell stated that he and Vice Chair Schara recommended the Council fund the Conservation Partners Legacy Grant Program (CPL) to the full extent of their request and reserve the balance for the next funding cycle. Executive Director Mark Johnson reminded Members that the Council had chosen to keep a 10% reserve of ML21/FY22 funds as an additional safeguard due to economic uncertainties caused by the COVID-19 pandemic. Mr. Johnson stated under the scenario being considered, the same reserve would still be maintained. Council discussion followed.

Actions: Councilmember Swenson made a motion to recommend that the Legislature increase ML21/FY22 funding to the CPL program by \$590,000 in order to fully fund the program to its requested amount, and leave the remaining balance of the \$4 million in the OHF account, in order that newly appointed Councilmembers have an opportunity to fully participate in the upcoming allocation process, as recommended by Chair Hartwell and Vice-Chair Schara.

A roll call vote was taken.

AYE:
Hartwell
Schara
Sen. Dibble
Edmondson
Eggerling
Rep. Heintzman
Holsten
Sen. Lang
Peters
Saxhaug
Swenson

NAY:

ABSENT:
Rep. Becker-Finn

11 AYES, 0 NAYS, 1 ABSENT – **Motion Prevailed**

13. Public Comments: Chair Hartwell announced that no public comments had been submitted to the Council.

The meeting was adjourned at 10:35am.

APPROVED:

David Hartwell, Chair

Date

Jamie Swenson, Acting Secretary

Date