

**Lessard-Sams Outdoor Heritage Council Meeting
Meeting Summary
September 29, 2016**

Members Present

Bob Anderson, Chair
Julie Blackburn
David Hartwell
Jane Kingston

Rep. Leon Lillie
Rep. McNamara
Susan Olson (phone)
Sen. Tom Saxhaug

Ron Schara
Barry Tilley
Elizabeth Wilkens

Members Absent

Sen. Bill Ingebrigtsen

Call to Order: Call to order at 8:15 a.m. A quorum was present.

Review and Approve Agenda

Motion by Mr. Tilley to approve the agenda for September 29, 2016 as presented. Mr. Hartwell asked to amend the motion by adding an item to the agenda at 7b., Roads and Trails Discussion. Chair Anderson called the question on the amendment, the addition to the agenda, as a separate item.

(00:06:35) Roll call vote on Mr. Hartwell's amendment:

Bob Anderson, Chair - Yes
Julie Blackburn - Yes
David Hartwell - Yes
Jane Kingston - Yes

Rep. McNamara - Yes
Susan Olson - Yes
Sen. Tom Saxhaug - Yes

Ron Schara - Yes
Barry Tilley - Yes

Motion to amend adopted (9-yes, 0-no).

(00:07:16) Roll call vote on Mr. Tilley's motion:

Bob Anderson, Chair - Yes
Julie Blackburn - Yes
David Hartwell - Yes
Jane Kingston - Yes

Rep. McNamara - Yes
Susan Olson - Yes
Sen. Tom Saxhaug - Yes

Ron Schara - Yes
Barry Tilley - Yes

Motion adopted (9-yes, 0-no).

Review and Approve Minutes – August 23-24, 2016

Motion by Ms. Kingston to approve the minutes. Motion adopted.

(00:07:21) Roll call vote on Ms. Kingston's motion:

Bob Anderson, Chair - Yes
Julie Blackburn - Yes
David Hartwell - Yes
Jane Kingston - Yes

Rep. McNamara - Yes
Susan Olson - Yes
Sen. Tom Saxhaug - Yes

Ron Schara - Yes
Barry Tilley - Yes

Motion adopted (9-yes, 0-no).

Conflicts of Interest:

No new conflicts were noted.

(00:09:48) Executive Director's Report

Executive Director Mark Johnson reviewed a draft calendar for council activities for 2017. Sandy Smith, Project Analyst Manager reviewed the August 2016 program status updates. Mr. Johnson reviewed a conversion/conveyance in Goodhue County and a public survey which will include questions about the Outdoor Heritage Fund (OHF) that will be conducted by the University of Minnesota in October. Mr. Johnson provided an overview of the process by which the council could take action on the Mississippi River Northwoods property issues. Members discussed the options. Mr. Johnson confirmed he seeks direction from the council on how members would like to proceed.

(00:19:00) Motion by Mr. Hartwell to instruct staff to follow the appropriate process with the MN Department of Natural Resources (DNR) and the attorney general's office to pursue legal action with regards to Crow Wing County and the terms of the Mississippi River Northwoods accomplishment plan (ML 2012, Subd. 3(b)). Members discussed the motion at length. Sarah Strommen, DNR Assistant Commissioner, provided testimony on behalf of the DNR.

(00:41:10) Roll call vote on Mr. Hartwell's motion:

Bob Anderson, Chair - No	Rep. Leon Lillie - No	Ron Schara - Yes
Julie Blackburn - Yes	Rep. McNamara - No	Barry Tilley - Yes
David Hartwell - Yes	Susan Olson - Yes	Elizabeth Wilkens - Yes
Jane Kingston - Yes	Sen. Tom Saxhaug - Yes	

Motion adopted (8-yes, 3-no).

Mr. Johnson called members' attention to an Aquatic Invaders Summit on October 5-6, 2016 in St. Cloud. He reported that recent staff outreach activities included Assistant Director Joe Pavelko attending the Prairie Pothole Joint Venture meeting on September 7 in Worthington, MN. He asked Mr. Pavelko to report on an inquiry from the council relating to personnel reporting and multi-year programs funded by the OHF. Mr. Pavelko reported that his analysis and conversations with the DNR Grants Management staff yielded no indication that inappropriate or inaccurate reporting has occurred regarding personnel and the DNR's reimbursement process.

**(00:47:30) Accomplishment Plan Amendment, ML 2012, Ch. 264, Art. 1, Sec. 2, Subd. 5(h),
Protect Aquatic Habitat from Asian Carp.**

Nick Frohnauer, Invasive Fish Coordinator, MN DNR reviewed the amendment before the council. The council discussed the amendment.

(01:03:30) Motion by Mr. Schara to approve the following extension of time and language change to be included in the ML 2017 appropriation law, with the match limited to \$200,000. Staff will work with legal counsel on exact language for inclusion.

ML 2017, XX, Ch. X, Art. X, Sec. X amended to read: \$7,500,000 in the second year is to the commissioner of natural resources for design, construction, including acquisition, operation, and evaluation of structural deterrents for invasive carp to protect Minnesota's aquatic habitat. Use of this money requires a one-to-one match for projects on construction of state boundary waters. A match is not required for design and feasibility studies. The availability of the appropriation in ML 2012, Ch. 264, Art. 1, Sec. 2, Subd 5, paragraph (h) for Protect Aquatic Habitat from Invasive Carp is extended to June 30, 2019.

Members discussed the motion.

Roll call vote on Mr. Schara's motion:

Bob Anderson, Chair - Yes	Rep. Leon Lillie - Yes	Ron Schara - Yes
Julie Blackburn - Yes	Rep. McNamara - Yes	Barry Tilley - Yes
David Hartwell - No	Susan Olson - Yes	Elizabeth Wilkens - No
Jane Kingston - No	Sen. Tom Saxhaug - Yes	

Motion adopted (8-yes, 3-no).

(01:06:35) Easement Working Group

Mr. Pavelko asked for volunteers from the council to participate in the Easement Working Group proposed at the August 4th, 2016 council meeting. Mr. Hartwell and Ms. Blackburn stated they had made October 4th available, as proposed by staff. Mr. Hartwell agreed to serve as chair of the working group.

(01:11:10) Administrative Budget Approval

Mr. Johnson outlined the proposed OHF administrative budgets for FY 2018 and FY 2019. Ms. Blackburn asked Mr. Johnson to explain how communications strategies including outcomes reporting is represented in the budgets. Mr. Johnson said both were included in the budgets as presented. Ms. Blackburn asked that a plan for moving forward on OHF outcomes appear on a future council agenda.

(01:15:30) Motion by Rep. Lillie to adopt the OHF Administrative Budget for FY 2018 and FY 2019 as presented. Members discussed the motion. As Ms. Blackburn, the treasurer, had not been given the opportunity to review the information prior to the meeting, she requested time to evaluate whether council priorities are represented and how a staff work plan aligns with the budget. Mr. Hartwell amended the motion to adopt the budgets on a preliminary basis, contingent upon review and approval by the treasurer and review of a work plan by the entire council. Rep. Lillie accepted the amendment.

Roll call vote on Rep. Lillie's motion:

Bob Anderson, Chair - Yes	Rep. Leon Lillie - Yes	Ron Schara - Yes
Julie Blackburn - Yes	Rep. McNamara - Yes	Barry Tilley - Yes
David Hartwell - Yes	Susan Olson - Yes	Elizabeth Wilkens - Yes
Jane Kingston - Yes	Sen. Tom Saxhaug - Yes	

Motion adopted (11-yes, 0-no).

(01:20:30) Roads and Trails Discussion

Mr. Hartwell proposed the adoption of further disclosure language regarding roads and trails in proposals and the draft accomplishment plans for ML 2017/FY 2018. Members discussed the proposal. Ms. Smith stated that it would be feasible to add further disclosure language to the OHF project management system for this year's round of draft accomplishment plans, due October 10, 2016.

(01:35:38) Motion by Mr. Hartwell to adopt further disclosure language regarding descriptions of roads and trails in proposals and the draft accomplishment plans for ML 2017/FY 2018, including a proviso for access roads and the ability to change the language as needed. Members continued to discuss the proposal including the council's role vs. the legislature in adopting trail language and the planned presentation to the council, "ATVs in Minnesota", by the ATV Association of Minnesota and the DNR.

(01:53:40) Sen. Saxhaug moved to table the motion until such time as the planned "ATVs in Minnesota" presentation occurs. Ms. Olson suggested adding language to future proposals and accomplishment plans a Yes/No question stating, "I certify that all current existing roads and trails are set forth in this document, and that all future uses and/or expansions of roads and trails are fully and completely explained by this document."

Roll call vote on Sen Saxhaug's motion:

Bob Anderson, Chair - Yes	Rep. Leon Lillie - Yes	Ron Schara - Yes
Julie Blackburn - No	Rep. McNamara - Yes	Barry Tilley - Yes
David Hartwell - No	Sen. Tom Saxhaug - Yes	Elizabeth Wilkens - No
Jane Kingston - No		

Motion to table adopted (6-yes, 4-no).

(01:58:21) Allocation Process Guidelines

Mr. Johnson reviewed proposed edits to the Allocation Process Guidelines adopted by the council on August 24, 2016. Members discussed the changes.

(02:02:45) Motion by Mr. Hartwell to adopt the changes proposed by staff with the exception of removing the strikeout of the first sentence of item 5. Item 5 would thus read, "The council will then discuss the projects "above the line" without any motions to change an allocation up or down based on the discussion. The discussion could include the need to fully fund, limit funding to a lower level than the average, restrict funding to a specific part of any request, etc." Ms. Kingston offered the amendment that the guidelines be reviewed every year. Mr. Hartwell agreed.

(02:12:09) Roll call vote on Mr. Hartwell's motion:

Bob Anderson, Chair - Yes	Rep. Leon Lillie - Yes	Ron Schara - Yes
Julie Blackburn - Yes	Rep. McNamara - Yes	Barry Tilley - Yes
David Hartwell - Yes	Sen. Tom Saxhaug - Yes	Elizabeth Wilkens - Yes
Jane Kingston - Yes		

Motion to table adopted (10-yes, 0-no).

(02:12:50) Discussion, Proposals and Allocations

Chair Anderson reviewed his proposed allocation recommendation and total dollars available to allocate. Members discussed the total allocation amount and the proposals before the council.

(02:31:10) Bill Penning, Conservation Easement Section Manager and Tim Kohler, Senior Programs Advisor, BWSR, provided testimony regarding past and present BWSR programs with the OHF. Members continued to discuss the proposals.

(03:11:30) Motion by Mr. Tilley to adopt the chair's proposal. Members continued to discuss proposals.

(03:13:30) Steve Hobbs, Minnesota State Director, The Conservation Fund, provided testimony on FA 09, Bushman Lake. Members continued to discuss proposals.

(03:30:50) Allocation Selection

Kris Larson, Executive Director, and Wayne Ostlie, Director of Land Protection at the Minnesota Land Trust, Bob McGillivray, Senior Project Manager for The Trust for Public Land and Todd Rexine, Director of Operations of Great River Greening provided testimony on behalf of proposal HA 02, Metro Big Rivers, Phase VIII. Members discussed their proposal and prior appropriations to Metro Big Rivers.

(03:56:10) Motion by Ms. Blackburn to amend Mr. Tilley's motion by eliminating funding for HA 02, Metro Big Rivers, Phase VIII. Members discussed the motion.

Roll call vote on Ms. Blackburn's motion:

Bob Anderson, Chair - Yes	Rep. Leon Lillie - No	Ron Schara - Yes
Julie Blackburn - Yes	Rep. McNamara - Yes	Barry Tilley - No
David Hartwell - No	Sen. Tom Saxhaug - No	Elizabeth Wilkens - Yes
Jane Kingston - Yes		

Motion to amend adopted (6-yes, 4-no).

(04:09:30) Motion by Ms. Blackburn to amend Mr. Tilley's motion by reducing proposal FA 09, Bushman Lake to \$3,000,000.

Roll call vote on Ms. Blackburn's motion:

Bob Anderson, Chair - Yes	Rep. Leon Lillie - Yes	Ron Schara - Yes
Julie Blackburn - Yes	Rep. McNamara - Yes	Barry Tilley - No
David Hartwell - No	Sen. Tom Saxhaug - Yes	Elizabeth Wilkens - Yes
Jane Kingston - No		

Motion to amend adopted (7-yes, 3-no).

(04:12:00) Motion by Ms. Blackburn to amend Mr. Tilley's motion by funding HA 06, Goose Prairie at \$600,000. Ron Harnack, representing the Goose Prairie project, testified that the project does not need to be funded at the full amount requested.

Roll call vote on Ms. Blackburn's motion:

Bob Anderson, Chair - Yes	Rep. Leon Lillie - Yes	Ron Schara - Yes
Julie Blackburn - Yes	Rep. McNamara - Yes	Barry Tilley - Yes
David Hartwell - No	Sen. Tom Saxhaug - Yes	Elizabeth Wilkens - Yes
Jane Kingston - Yes		

Motion to amend adopted (9-yes, 1-no).

(04:15:45) Motion by Ms. Blackburn to amend Mr. Tilley's motion by adding \$3,273,500 to WA 03, RIM Wetlands - Phase VIII.

(04:16:20) Motion by Mr. Tilley to amend Ms. Blackburn's amendment by reducing her motion by \$1,000,000 to WA 03, RIM Wetlands - Phase VIII. (Net to WA 03 would be \$2,273,500).

Roll call vote on Mr. Tilley's motion:

Bob Anderson, Chair - Yes	Rep. Leon Lillie - Yes	Ron Schara - No
Julie Blackburn - No	Rep. McNamara - No	Barry Tilley - Yes
David Hartwell - No	Sen. Tom Saxhaug - Yes	Elizabeth Wilkens - Yes
Jane Kingston - Yes		

Motion to amend adopted (6-yes, 4-no).

Roll call vote on Ms. Blackburn's motion to amend Mr. Tilley's original motion to adopt the chair's proposal:

Bob Anderson, Chair - Yes	Rep. Leon Lillie - Yes	Ron Schara - Yes
Julie Blackburn - Yes	Rep. McNamara - Yes	Barry Tilley - Yes
David Hartwell - Yes	Sen. Tom Saxhaug - Yes	Elizabeth Wilkens - No
Jane Kingston - No		

Motion to amend adopted (8-yes, 2-no).

(04:21:00) Motion by Mr. Tilley to amend his motion by adding \$1,000,000 to FA 07, State Forest Acquisition - Richard J. Dorer Memorial Forest - Phase IV.

(04:21:30) Motion by Rep. McNamara to amend Mr. Tilley's motion to amend by reducing Mr. Tilley's amendment of \$1,000,000 to FA 07, State Forest Acquisition - Richard J. Dorer Memorial Forest - Phase IV, by \$600,000, adding that amount to HRE 01, Minnesota Trout Unlimited Coldwater Fish Habitat Enhancement and Restoration - Phase IX. Net to FA 07 would be \$400,000.

Roll call vote on Rep. McNamara's motion:

Bob Anderson, Chair - Yes	Rep. Leon Lillie - Yes	Ron Schara - No
Julie Blackburn - No	Rep. McNamara - Yes	Barry Tilley - No
David Hartwell - Yes	Sen. Tom Saxhaug - No	Elizabeth Wilkens - No
Jane Kingston - No		

Motion to amend fails (4-yes, 6-no).

Roll call vote on Mr. Tilley's motion to add \$1,000,000 to FA 07:

Bob Anderson, Chair - Yes	Rep. Leon Lillie - Yes	Ron Schara - Yes
Julie Blackburn - Yes	Rep. McNamara - No	Barry Tilley - Yes
David Hartwell - No	Sen. Tom Saxhaug - Yes	Elizabeth Wilkens - Yes
Jane Kingston - No		

Motion to amend adopted (7-yes, 3-no).

Members discussed PA 09, Martin County/Fox Lake DNR WMA Acquisition - Phase II. Doug Hartke, Fox Lake Conservation League board member testified on behalf of proposal PA 09 that they could work with less funding than they requested.

(04:35:00) Motion by Mr. Hartwell to call the question. Members discussed the motion.

Roll call vote on Mr. Hartwell's motion:

Bob Anderson, Chair - No	Rep. Leon Lillie - No	Ron Schara - No
Julie Blackburn - No	Rep. McNamara - No	Barry Tilley - Yes
David Hartwell - Yes	Sen. Tom Saxhaug - Yes	Elizabeth Wilkens - Yes
Jane Kingston - No		

Motion to close debate fails (4-yes, 6-no).

(04:39:15) Motion by Mr. Schara to amend Mr. Tilley's original motion to adopt the chair's proposal by reducing FA 02, Laurentian Forest - St. Louis County Habitat Project, by \$400,000 and PA 02, Accelerating the Wildlife Management Area Program - Phase IX, by \$400,000, and adding those funds (\$800,000) to PA 09, Martin County/Fox Lake DNR WMA Acquisition - Phase II.

Roll call vote on Mr. Schara's motion:

Bob Anderson, Chair - No	Rep. Leon Lillie - Yes	Ron Schara - Yes
Julie Blackburn - Yes	Rep. McNamara - Yes	Barry Tilley - No
David Hartwell - No	Sen. Tom Saxhaug - No	Elizabeth Wilkens - Yes
Jane Kingston - No		

Motion to amend fails (5-yes, 5-no).

(04:41:10) Motion by Ms. Kingston to amend Mr. Tilley's motion by reducing CPL, Conservation Partners Legacy Grant Program – Phase IX: Statewide and Metro Habitat, by \$300,000 and FA 02, Laurentian Forest - St. Louis County Habitat Project, by \$400,000 and adding those funds (\$700,000) to PA 09, Martin County/Fox Lake DNR WMA Acquisition - Phase II. Members discussed the motion.

Roll call vote on Ms. Kingston's motion:

Bob Anderson, Chair - No	Rep. Leon Lillie - No	Ron Schara - Yes
Julie Blackburn - Yes	Rep. McNamara - No	Barry Tilley - No
David Hartwell - No	Sen. Tom Saxhaug - No	Elizabeth Wilkens - No
Jane Kingston - Yes		

Motion to amend fails (3-yes, 7-no).

(04:43:20) Motion by Sen. Saxhaug to call the question.

Roll call vote on Sen. Saxhaug's motion:

Bob Anderson, Chair - No
Julie Blackburn - Yes
David Hartwell - Yes
Jane Kingston - No

Rep. Leon Lillie - Yes
Rep. McNamara - Yes
Sen. Tom Saxhaug - Yes

Ron Schara - No
Barry Tilley - Yes
Elizabeth Wilkens - Yes

Motion is adopted (7-yes, 3-no).

(04:45:20) Roll call vote on Mr. Tilley's main motion to recommend the chair's proposal as discussed and amended to the 2017 legislature, allowing staff to round appropriation amounts as appropriate:

Bob Anderson, Chair - Yes
Julie Blackburn - Yes
David Hartwell - Yes
Jane Kingston - Yes

Rep. Leon Lillie - Yes
Rep. McNamara - Yes
Sen. Tom Saxhaug - Yes

Ron Schara - Yes
Barry Tilley - Yes
Elizabeth Wilkens - Yes

Motion to is adopted (10-yes, 0-no).

(04:52:00) Opportunity for Public to Address the Council

No testimony was heard. Ms. Blackburn stated she will be attending a DNR Aquatic Habitat Meeting on Nov. 2-3, 2016.

Meeting adjourned at 1:40 p.m.

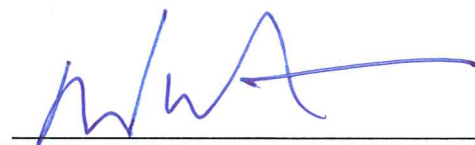
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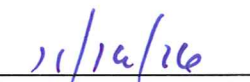
Bob Anderson, Chair



Date:



David Hartwell, Secretary



Date: