

MINNESOTA VALLEY TRANSIT AUTHORITY
Special Board Meeting
October 13, 2008 – 8:00 a.m.
Eagan Bus Garage

Board Members Present:

Elizabeth Kautz, Burnsville
Ruth Grendahl, Apple Valley
Jon Ulrich, Scott County
Margaret Schreiner, At Large
Jane Victorey, Savage
Will Branning, Dakota County
Meg Tilley, Eagan

Others Present:

Beverley Miller, Executive Director
Corrine Heine, Kennedy & Graven
Lois Spear, Finance Officer
Wally Lyslo, At-large Alternate
Dan Krom, Dakota County
Troy Beam, Scott County
Jim Allen, Jim Allen Consulting

I. Call to Order

The meeting was called to order at 8:04 a.m. by Chair Elizabeth Kautz.

II. Public Comments

There were no comments from the public.

III. Approval of Agenda

Motion by Margaret Schreiner and seconded by Jane Victory to approve the agenda.
Motion carried.

IV. Old Business

A. Peter Bell letter/AVTS Ownership

Ruth Grendahl reported on the meeting that was held with Peter Bell, MC Chair; Tom Weaver, MC Regional Administrator; and MVTA on Friday, October 10 at 2:30 p.m. at the Metropolitan Council building. Ruth Grendahl asked Corrine Heine to prepare draft language that would convey the new Apple Valley Transit Station property back to the MVTA, upon approval by the legislature. Ruth Grendahl presented the draft language to Peter Bell and asked if the Met Council would support this legislation during the next session. Peter Bell stated that they couldn't.

She also stated that the Met Council did not propose any alternative solutions, any compromises nor did they have a draft of a lease agreement prepared as MVTA previously requested. There was nothing new brought forth. The MC's position was reiterated.

Prior to this meeting, Ruth Grendahl met with Dakota County Commissioner Nancy Schouweiler to discuss ownership issues. At that time, Nancy Schouweiler stated that she didn't care what governmental entity owned the property. During the MC meeting, Nancy Schouweiler changed her position, stating that since the property was a regional asset, MC should own the property.

During the MC meeting, Ms. Grendahl stated that it appeared that Met Council is taking steps that would essentially remove authority and disband the “opt-outs.” Bell stated that was not the case. Chair Bell stated that it was the Met Council position that they were to be the owners and operators of all transitways.

Board discussion followed Grendahl’s report on the MC meeting. Trust remains an issue between MVTA and MC. Met Council is seeking more and more command over the opt-outs such as with the Master Lease Agreement, with budget approval and with review of conceptual transit station designs. MVTA has competent staff and consultants, and having MC staff reviewing everything MVTA staff does is a waste of money. Met Council has a \$40 million deficit and they appear to be eyeing the opt-out reserves.

Also, it was suggested that Dakota County transit staff should focus their energies on areas of the county where no transit service exists.

Statements were made suggesting that the Met Council recognize the authority of the MVTA Board, which is comprised of elected officials. These officials represent the citizens of the communities and their needs, and decisions should not be overturned by MC staff or non-elected representatives.

After Friday’s MC meeting, Ruth Grendahl made phone calls to MC Representatives asking if they knew of any policies that MC had concerning ownership. The representatives stated that they didn’t know of any.

Ruth Grendahl suggested that the action might be to approve the transfer of the title to the new Apple Valley Transit Station property from MVTA to MC subject to the following conditions upon the delivery of the deed:

1. Authorize the Executive Director and Legal Counsel to approve a lease for the new Apple Valley Transit Station property subject to the terms and conditions listed in the October 6, 2008 letter from Peter Bell, MC Chair, to Elizabeth Kautz, MVTA Chair,
2. Receive letter from the MC Board approving their support of the MVTA proposed legislation on land conveyance,
3. Obtain agreement from Met Council that they will defer to MVTA’s design decisions as long as MVTA stays within the MC approved budget,

Jane Victory suggested adding a fourth condition stating that nothing in this agreement is intended to set ownership of land and facilities as regional policy. Motion by Grendahl and seconded by Tilley to incorporate this suggestion into the motion. Motion carried with Will Branning voting yes so that he can bring the item up for reconsideration later. The Board also directed the Executive Director to send a letter/email to Chair Bell and Regional Administrator Weaver with the Board’s action.

Jon Ulrich stated that the UPA represents a large amount of money for the metro area and receipt of those funds shouldn’t be jeopardized. It was also noted that GEARS was to review the applications and make recommendations to CTIB at its October 29th meeting.

There was then discussion regarding the CTIB representative from Dakota County being a member of MVTA’s Board for continuity and knowledge of the pertinent issues. Motion by Grendahl and seconded by Tilley to adopt the position that the representatives be the same

person. Motion carried with Branning abstaining and Lyslo voting in place of Schreiner. This will be the topic of future discussion. Schreiner then asked that MVTA's policy on ownership be revisited at the next strategic planning meeting.

V. Continuance

At 9:26 a.m., Motion by Margaret Schreiner and seconded by Ruth Grendahl to continue the meeting tomorrow, October 14, 2008 at 10:30 a.m. at Burnsville City Hall. Motion carried.

VI. Reconvene

The meeting was reconvened by Chair Kautz on October 14, 2008 at 10:30 a.m. at Burnsville City Hall. The decision to send a letter/email, re: MVTA Board action of October 13, 2008, to Chair Bell was reaffirmed.

VII. Adjourn

Motion by Ruth Grendahl and seconded by Margaret Schreiner to adjourn the meeting at 10:36 a.m.

Minutes Prepared By: Lois I. Spear

Next Regular Meeting Scheduled: October 22, 2008, 4:30 p.m. Eagan Bus Garage

All regularly Scheduled Board Meetings will be held on the **FOURTH** Wednesday of the month at the posted time and location unless otherwise notified.

Approved by: _____ Date: _____