

# Management Committee

**Business Item**  
Item: 2009-343SW

Meeting date: **September 23, 2009**

## ADVISORY INFORMATION

<b>Date:</b>	September 18, 2009
<b>Subject:</b>	Appointment of General Counsel
<b>District(s), Member(s):</b>	All
<b>Policy/Legal Reference:</b>	Minn. Stat. § 473.123, subd. 8
<b>Staff Prepared/Presented:</b>	Peter Bell, Chair, 651-602-1453 Thomas H. Weaver, Regional Administrator, 651-602-1723
<b>Division/Department:</b>	Regional Administration/Office of General Counsel

## Proposed Action

That the Management Committee recommend the Metropolitan Council appoint Don Mueting to the position of General Counsel.

## Background

The Office of the General Counsel is supervised by a General Counsel. This position currently is vacant. Pursuant to Minnesota Statutes section 473.123, subdivision 8, the Metropolitan Council appoints a General Counsel who serves at the pleasure of the Council.

The vacancy was publicly advertised, applications and resumes were accepted and reviewed, and several applicants were interviewed by a panel comprising the Chair, the Council's four standing committee Chairs, and the Regional Administrator. The panel is recommending Mr. Mueting for the position of General Counsel.

## Rationale

The General Counsel position is a senior management position within the Council's organizational structure and is responsible for: supervising the attorneys and staff within the Office of the General Counsel; managing legal services contracts; advising the Council and its staff on legal matters; and representing the Council on a variety of legal and policy matters. Mr. Mueting has been with the Minnesota Attorney General's Office since 1972 and has managed the Transportation Division since 1985. His background and experience make him well suited to lead the Office of the General Counsel.

A salary within the range for this position has been negotiated consistent with the Non-Represented Plan and Mr. Mueting will qualify for other benefits as outlined in the Plan for executive employees. Subject to the Council's approval of this recommended appointment, Mr. Mueting's first day will be October 19.

## Funding

Funding for this position is included in the 2009 operating budget.