

**METROPOLITAN COUNCIL**  
390 North Robert Street, St. Paul, Minnesota 55101

**REGULAR MEETING OF THE ENVIRONMENT COMMITTEE**

Tuesday, April 8, 2008

Committee Members Present: Chair Peggy Leppik, Kirstin Beach, Craig Peterson, Roger Scherer,  
Lynette Wittsack, Daniel Wolter

Committee Members Absent:

**CALL TO ORDER**

A quorum being present, Committee Chair Leppik called the regular meeting of the Council's Environment Committee to order at 4:02. on Tuesday, April 8, 2008.

**APPROVAL OF AGENDA AND MINUTES**

It was moved by Wolter seconded by Peterson to approve the April 8, 2008 agenda and the minutes of the March 11, 2008 regular meeting of the Environment Committee. **The motion carried.**

**BUSINESS**

**2008-101 Increase of Delegated Construction Change Order Authority for Meter 102 Capacity Restoration, MCES Project No. 801105; Contract No. 07P019**

It was moved by Scherer, seconded by Wittsack that the Metropolitan Council increases the delegated construction contract change order authority of its General Manager, Environmental Services, from \$50,000 to \$85,000 for Meter 102 Capacity Restoration, MCES Project No. 801105, Contract No. 07P019.

**Motion carried.**

**2008-102 Increase of Delegated Construction Change Order Authority for Lake Elmo East Interceptor, MCES Project 806300, Contract No. 06P177**

It was moved by Wolter, seconded by Scherer that the Metropolitan Council increases the delegated construction contract change order authority of its General Manager, Environmental Services, from \$165,722 to \$ 495,722 for Lake Elmo East Interceptor, MCES Project No. 806300, Contract No. 06P177.

**Motion carried.**

**2008-103 Authorization to Negotiate and Execute an Agreement with the Minnesota Department of Transportation for Interceptor 7015B Modifications**

It was moved by Scherer, seconded by Wittsack that the Metropolitan Council authorizes its Regional Administrator to negotiate an Agreement with the Minnesota Department of Transportation (MnDOT) for modification of interceptor 7015B facilities in the vicinity of the proposed TH 169 Triangle Improvements Project.

**Motion carried.**

**2008-104 Authorization to Negotiate and Execute an Agreement with the Three Rivers Park District**

It was moved by Wittsack, seconded by Wolter that the Metropolitan Council authorizes its Regional Administrator to negotiate and execute an agreement with the Three Rivers Park District for the replacement of portions of the Dakota Rail Regional Trail during reconstruction of interceptor 6-MO-650.

**Motion carried.**

**INFORMATION**

**Eco Finishing Update**

Keith Buttleman, Assistant General Manager-Environmental Quality Assurance, and Leo Hermes, Manager-Industrial Waste/Pollution Prevention, provided the Committee with details relating to the U.S. Environmental Protection Agency (EPA) investigation involving a local metal finishing company that was eventually found guilty of multiple violations of the federal Clean Water Act. MCES staff assisted the EPA in the investigation, supplying data that led to criminal charges.

**Hastings Aggregate Update and Recommendations**

Jason Willett, MCES Finance Director, and Dale Ulrich, Budget Coordinator, reviewed the specifics of the land lease of 150 acres of Council-owned property in Hastings, Minnesota. The land has been leased to Tiller Corporation for mining and storing aggregates. Staff requested direction from the Committee as to options for use of the property after the lease ends May 31, 2008. Mike Caron, Tiller Corporation, informed the Committee that Tiller wants to continue the lease. The Committee suggested that staff and Tiller Corporation discuss the option of leases of 3-5 years, with annual price negotiations.

**Construction Updates**

Smithtown Road Interceptor Project. Bryce Pickart, Assistant General Manager-Technical Services, summarized the project that will increase sewer capacity to serve projected growth in the west metro area. Mr. Pickart informed the Committee that the contractor had a crane accident, knocking out a power line and damaging a tree on the neighboring property. There were no injuries. The contractor's work was suspended until they provided us with a plan demonstrating that they have properly trained operators, safe equipment, and standard operating procedures, and that their construction work plan is safe. The contractor submitted information that satisfied staff. Work has resumed. Staff has contacted the neighbors and inspected the homes. Homeowners will be compensated for damages.

Mr. Pete Nelson described the condition of his home because of the construction, and his experiences with the contractor and MCES staff. He acknowledged that the project has to be done. Mr. Nelson emphasized that information and cooperation is needed, and expressed his frustration with the process.

Mr. Pickart agreed that there are unresolved issues, but indicated that staff is working with all parties so that homeowners will be treated fairly. The Committee will be kept posted of the progress.

Business completed, the meeting adjourned at 5:25 p.m.

Respectfully submitted,

Susan M. Harder  
Recording Secretary