

BOUNDARY COMMISSION
ST. LOUIS COUNTY, MISSOURI
MEETING MINUTES

February 25, 2003

ROLL CALL

Commissioners Present: Ted Armstrong, Bob Ford, Thomas Hayek, Ilene Ordower, Johnnie Spears, Carol Stroker

Commissioners Absent: Matt Armstrong, Jane Arnold, Greg Kloeppe, Mary Schuman
Don Wojtkowski

COMMISSION STAFF PRESENT:

Kim Miller, Boundary Commission Executive Director
David Hamilton, Boundary Commission Legal Counsel

OTHERS PRESENT:

Lori Fiegel, St. Louis County Planning Department

CALL TO ORDER

Mr. Hayek called the meeting to order at 6:30 p.m., February 25, 2003. The meeting was held at the offices of the Boundary Commission, 1516 S. Brentwood Boulevard, Brentwood, Missouri.

ROLL IS CALLED – QUORUM DECLARED

Roll was called by Ms. Miller. Quorum was declared by Mr. Hayek.

APPROVE AGENDA

Ms. Ordower made a motion to approve the agenda. Mr. Spears seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

APPROVE MINUTES

Mr. Ford made a motion to approve the minutes of January 28, 2003. Mr. Spears seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

PUBLIC COMMENT

There was no public comment.

ANNOUNCEMENTS AND COMMUNICATIONS

Mr. Hayek introduced new Executive Director, Kim Miller, to the Commission. Mr. T. Armstrong asked Ms. Miller how many commission meetings she planned to attend. Ms. Miller said her formal agreement is to attend two meetings per year. She said she would honor that agreement and would attend more as her teaching schedule permits. If there is a meeting where her attendance is critical, Ms. Miller said she would do everything in her power to attend that specific meeting.

STAFF REPORT

Ms. Miller spoke to Crane Agency regarding the Directors/Officers Liability insurance policy. The Commission has a two million dollar limit with a thousand dollar deductible. There is a copy of the policy in the Boundary Commission office, should anyone wish to see it. The policy will expire September 21, 2003. Ms. Miller will contact Crane Agency 30-60 days before the expiration date to discuss policy renewal. Mr. Hayek asked if the two million dollar limit was the total policy value or if it was per event. Mr. Hamilton said he thought it was per occurrence in the total policy amount.

Mr. Hayek said there is no update on a new appointment for Jane Arnold's seat. Mr. T. Armstrong asked what the indication, "first" meant on the commission member appointment chart. Ms. Miller said it indicated the first Five-Year Term served by that commissioner. Mr. Ford said when this Boundary Commission was initially formed Commissioners' terms were staggered and randomly assigned so they would not end simultaneously. Reappointment terms, however, are five years long. Mr. Hamilton read from RSMo 72.401.5: No commissioner shall serve more than two consecutive full terms. Full terms shall include any term longer than two years.

Mr. Hayek referred the Commission to a "Pending Matters" chart outlining activity between the municipalities and the Boundary Commission office. Ms. Miller said Eureka's City Administrator, Craig Sabo, met with her February 6, 2003, and expressed a desire to have a proposal to the Commission by the February meeting. This did not happen. Mr. Sabo now hopes to have something ready by the first week of March. As of this date, Mr. Sabo is the only person who has met with Ms. Miller and expressed a date by which they hope to have something ready for the Commission to review.

Ms. Miller said she received a telephone call from Mr. Bobby Lewis, a resident of Paddock Meadows, located in Florissant Area 10. Mr. Lewis said he was contacted a number of times by Florissant to sign their petition and wanted to know if there was an expiration date for them to stop contacting him. Mr. Ford expressed concern that residents were possibly being harassed into signing the petition. Ms. Fiegel said she also received calls regarding Florissant's petition procedures. She was told Florissant police officers were conducting the petition drive after hours and in plain clothes. Ms. Stroker and Mr. Ford said a police officer asking for a signature could be intimidating to a resident. Mr. Hayek asked how the residents knew the petitioners were Florissant Police officers. (Unanswered.) Ms. Fiegel said there were enough complaints that she was told police chiefs of Florissant and the County had discussed the matter. Mr. Hayek said we should keep a record of these phone calls for a potential future public hearing. Mr. Ford asked Ms. Fiegel and Ms. Miller to keep track of any calls received. Mr. Hayek asked if the Boundary Commission office had heard anything more from Florissant. Ms. Miller said no. Ms. Stroker asked if anyone knew in general if residents in Area 10 wished to be annexed. Ms. Fiegel said she thought Florissant was having a hard time getting the 75% required signatures for a Simplified Boundary Change and may try to do a ballot annexation instead because they are confident they could achieve the necessary majority vote. Ms. Fiegel said Florissant had been working on Area 10 for almost as long as Area 12. Mr. Ford asked if there is a time limit for Florissant to secure petition signatures.

Mr. Hamilton said there is a time limit of 280 days from the date of the first signature. Section 72.408.2 provides that: “[e]very petition shall be presented to the commission within two hundred eighty days following the date on which the first signature was affixed to the petition.” Mr. Ford asked when Area 12 was brought to the commission. No one was certain.

Mr. Hayek asked if a map plan is required for a Simplified Boundary Change. Mr. Hamilton said according to RSMo 72.405, if it is a Transfer of Jurisdiction, no, but a Simplified Annexation, according to 72.405.6 does require does a map plan. Mr. Hayek asked for clarification of the approval timeframe for proposals. Mr. Hamilton said within four months of receipt of the proposal the commission shall make a determination. Within 21 days of receipt of the proposal the Commission must publish notice of the proposal and mail written notification to the County Clerk, City Village Clerk, etc. A public hearing must be held not less than 14 and not more than 60 days after publication. The Commission has three days to conduct a completeness review for a plan of intent, which would be conducted by Mr. Hamilton and Ms. Miller.

NEW BUSINESS

A question was raised about the Boundary Commission office lease. Mr. Hamilton and Ms. Miller think the lease is three one-year terms with the right to renew, with a six month notification before the expiration. Ms. Miller said she would confirm that.

OLD BUSINESS

Ms. Miller wished to discuss gift ideas for departing commission members. Mr. Hayek suggested an informal discussion after the meeting adjourned.

ADJOURNMENT

Mr. T. Armstrong made a motion to adjourn. Mr. Spears seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

The meeting was adjourned.

Respectfully submitted,
Kim Miller
Executive Director

Approved: March 25, 2003