

BOUNDARY COMMISSION  
ST. LOUIS COUNTY, MISSOURI  
MEETING MINUTES

July 25, 2006

ROLL CALL

Commissioners Present: Matt Armstrong, Christine Bredenkoetter, Bob Ford, Frank Kenney (arrived at 6:35 p.m.), Greg Kloeppe, Betty Marver, Mary Schuman, Johnnie Spears and Edward Thibeault. Commissioners Absent: Ted Armstrong, and Don Wojtkowski.

Commission Staff Present: David Hamilton, Boundary Commission Legal Counsel, Michelle Dougherty, Executive Director. Others present: Lori Fiegel, St. Louis County Planning Department

Chairman Armstrong called the meeting to order at 6:30 p.m., July 25, 2006. The meeting was held at the County Government Building in Clayton, Missouri.

ROLL IS CALLED – QUORUM DECLARED

Roll was called and a quorum declared by Mr. Hamilton.

APPROVE AGENDA

Mr. Spears made a motion to approve the July 25th agenda. Mr. Kloeppe seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

APPROVE MINUTES

Ms. Schuman made a motion to approve the June minutes as submitted. Mr. Ford seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

Mr. Ford requested that the Executive Director include the approved minutes from the previous month in their monthly meeting packets.

FINANCIAL REPORT

Ms. Dougherty discussed the moving of \$108 to cover the purchase of the external hard drive for backing up the office computer.

Discussion ensued about a retirement program for the executive director position. In the 2007 budget, the retirement line item is included at the current county rate of 17% even though the executive director does not directly qualify for the county retirement program.

Ms. Dougherty researched what an SEP program as the retirement program for the Boundary Commission would be like. Mr. Ford questioned whether the salary that was decided upon for Ms. Dougherty was based upon no retirement and that now adding a retirement program (while Mr. Ford is a firm believer in planning for retirement) presses the commission to add that much more to salary and compensation than previously budgeted. Mr. Kloeppe disagreed with Mr. Ford and stated he thinks that the Commission ought to provide at least 17% in retirement funds as does the County. Ms. Bredenkoetter agreed with Mr. Kloeppe and stated that she did not know the benefits did not include retirement. Her assumption was county benefits included the county retirement benefits. She stated that whether right or wrong she views Ms. Dougherty as a

county employee and therefore should receive county benefits and that is what is right, just and fair. Ms. Marver inquired if there were other entities like the Boundary Commission that pay direct and do not include retirement. Ms. Fiegel of the St. Louis County Planning Department stated this benefit make-up had been consistent since Dan Krasnoff was the executive director. There are several entities such as the County Economic Council, the Boundary Commission and St. Louis County Housing Authority that do not qualify for retirement. Mr. Ford asked what the County Economic Council did. Ms. Dougherty responded that the County Economic Council provided an SEP program and contributed 7% of the employee's salary to the SEP. Mr. Ford pointed out to the Commissioners that what Ms. Dougherty was proposing as retirement was different than what St. Louis County provides its employees. Several Commissioners chimed in that they also had SEP programs. Ms. Dougherty reiterated that the line item in the proposed budget was there depending upon two Boundary Commission decisions: 1) does the Commission want to set up an SEP program? And, 2) if so, what percentage would the Commission want to contribute? The amount in the budget reflects the current county percentage and it would be entirely up to the Commission members if they want to contribute the same, less or more. The dollar figure is meant to be a guide for the budgeting process. Mr. Ford stated his only objection to including retirement in the budget is that the Commission is basically doubling the salary base for the position from where Courtney Irwin was to now. Ms. Bredenkoetter said that the salary was greatly decreased from where the first executive director was. Mr. Thibeault stated he was greatly surprised by the whole process and that it looks like what the Commission was doing was paying what they thought they had to or could get by with. He also stated that in the process it seemed that the Commission was presented with candidates who required more than the previous executive director and that if the Commission is to attract the type of employee with all the qualities it desires, then the salary would increase as well. Mr. Thibeault stated that he thought the Commission should price out this position instead of throwing out a line and seeing who responds and what their salary requirements are and then meeting that. Chairman Armstrong stated that Michelle Dougherty is the fourth executive director in seven years. The Commission paid Dan Krasnoff his salary because the Commission thought it needed a planner. Mr. Ford inquired as to Mr. Krasnoff's salary. Chairman Armstrong replied, \$50-\$55,000. Chairman Armstrong continued that on the next executive director, the Commission decided that it didn't need Mr. Krasnoff's level of expertise as much as good, high organizational skills. The Commission hired the secretary to replace Mr. Krasnoff and paid her \$42-\$44,000 on a 30-hour basis but that she left to become a professional juggler. Then the Commission hired Courtney Irwin. And that in this latest search for an executive director, the Commission looked for a middle ground between what Dan Krasnoff and Courtney Irwin brought to the table and indicated that Ms. Dougherty is that middle ground. But to keep this position filled on a more stable and long-term basis, the Commission needs to come up with some sort of retirement package. Chairman Armstrong repeated that it wasn't until the interview process with Ms. Dougherty that the Commission became really aware that "County Benefits" did not include retirement and that when the offer was made to Ms. Dougherty, it was stated that the Commission wanted to do something in terms of retirement to replace the County's pension plan.

Chairman Armstrong stated he felt we could submit the budget with the number that is in the Retirement line item. Mr. Kenney motioned for the Commission to submit the budget with 17% allocated for a pension for the Executive Director as non-taxable deferred compensation. Mr. Spears seconded.

Mr. Ford asked Ms. Dougherty if she were vested in the SEP at the very beginning or after some time. Ms. Dougherty replied that she wasn't sure if it was "day-one vested." Mr. Kenney acknowledged that the SEP plans are the recipient's from the beginning. Mr. Hamilton agreed that SEP plans are "day-one vested" but if money is removed, of course, penalties and taxes are taken from the total. Ms. Schuman stated that she wished the commission members had discussed this aspect of the benefit package during the interview process as opposed to further down the road. Chairman Armstrong responded that prior to being chairman, he served as the Personnel Committee chair and that he wished for greater involvement by the Commission members on these and other personnel issues during his time on that committee. Chairman Armstrong stated that he would greatly entertain a motion to appoint a new chair of the personnel committee along with members of that committee. Mr. Hamilton reminded Chairman Armstrong that that discussion was out of order because the Commission was discussing the motion put forth by Mr. Kenney.

Mr. Kenney stated that the motion is to approve the 2007 budget with the understanding that the line item is not an allocation to a SEP/IRA or SEP Plan for the 2007 year. Mr. Kenney stated that he'd like to revisit the issue, get the money from the county and then make a determination. Should the Commission be giving 17% in her first year, should it be 12%, 9% or should the Commission say "hey there is a carrot out there later on"? Mr. Kenney stated he does believe in a retirement plans and just wanted to be sure that just because the money is in the line item doesn't make it an automatic. Chairman Armstrong stated that with the County budget process, in his understanding, nothing is really set in stone and that money can be moved around during the year. Ms. Bredenkoetter agreed with Chairman Armstrong. Mr. Hamilton directed the commissioners to review the statement attached to the budget regarding the personnel fringe benefits "Boundary Commission historically has not budgeted nor included in the benefits package, unemployment insurance, long-term & short-term disability, workmen's compensation and retirement. This is being included per direction of Pam Reitz (County Budget Director)."

Mr. Kenney withdrew his previous motion. Mr. Kenney made a motion to approve the 2007 Budget as presented. Mr. Kloepfel seconded. Mr. Ford asked Mr. Hamilton about the professional services section and inquired about his rates for 2007. Mr. Hamilton stated his standard hourly rate for municipal work when he was hired six years ago was \$165/hour and it is now \$180/hour. He stated that if he increased the Boundary Commission rate to reflect the current municipal rate (about a 9% increase) that the budget for legal services for 2007 ought to be roughly around \$31,000. He stated he reviewed the 2005 fees charged to the Commission as they would mirror potential 2007 activity most closely. Mr. Ford asked that even with a lawsuit would \$55,000 be enough to cover legal services. Mr. Hamilton stated that he believes that the Valley Park case has not caused the Commission to spend that much above and beyond their budgeted amount

and that while he has been counsel to the Commission; there hasn't been that much litigation. Mr. Hamilton stated he believes what he has presented will get us through the 2007 budget but that we may have to revisit the amount for 2008 and on. Mr. Armstrong asked about the number of public hearings the Commission is going to be having and did Mr. Hamilton think that would cause an increase in his estimate. Mr. Hamilton replied that was his thinking when using the 2005 fees as his activity model for 2007. Chairman Armstrong repeated Mr. Kenney's motion. Voice Vote: Ayes, All. Nays, None. *The motion passed.*

Ms. Bredenkoetter asked if there were any items needing to be purchased for the office before the budget year ended. Ms. Dougherty commented that we had purchased the fax machine. Ms. Bredenkoetter reiterated that it would be nice to purchase what we need now before the next cycle. Chairman Armstrong stated that he believed we were going to need a new computer. The computer in the Boundary Commission office is seven years old and is really slow. Ms. Dougherty felt the computer could be used for at least another year and that the really slow part is the Internet which was being solved by moving from REJIS as our ISP to AT&T for DSL. Ms. Dougherty stated that the Commission was only getting 128K download speeds through REJIS which was costing the Commission \$500 per month. Ms. Dougherty stated that the intent when Dan Krasnoff was executive director was to access the county planning files and to do that a secure "back door" network had to be established. It was also determined that this feature was never used except once per year when the budget was submitted. Ms. Dougherty stated she was happy to walk over to the budget office and enter the annual budget data there in order to get DSL at the Commission office.

Chairman Armstrong stated he had Ms. Dougherty purchase an external hard drive to back up all the thousands of e-mails that had been stored on the computer and eating up space to free up RAM. And since the Boundary Commission did not have a formal document retention policy he did not want to just delete the e-mails. Ms. Schuman asked Mr. Hamilton if we had to keep all the e-mails. Mr. Hamilton stated the Secretary of State's office has a document retention policy that they recommend to their clients.

Mr. Armstrong stated that we still have a couple of years on the copier lease through the county. Ms. Dougherty stated that our laser printer is circa 1996. Mr. Kenney asked if the computer was running XP. Ms. Dougherty said yes and Mr. Armstrong stated that the computer was designed to run off Windows98 and that XP eats up more space and RAM. Ms. Bredenkoetter stated new computers are not that expensive. Mr. Armstrong agreed and said the Commission had the money in the budget currently for a new computer. Mr. Kenney asked what was allocated in 2006 and had it been spent yet or were we going to return it to the county again this year? Ms. Bredenkoetter stated that the Commission most likely was going to return it; and the Commission has always been good stewards of county funds.

Mr. Kenney made a motion to allocate \$1500 to upgrade the computer by buying an upgraded hard drive and operating system to handle the current load. Motion withdrawn.

Mr. Kenney made a motion for Michelle to make a recommendation to the Commission regarding the computer needs of the office. Ms. Marver seconded. Voice Vote: Ayes, All. Nays, None. *The motion passed.*

#### PUBLIC COMMENT

There was no public comment.

#### ANNOUNCEMENTS AND COMMUNICATIONS

There were no announcements and communications.

#### STAFF REPORT

Ms. Dougherty reviewed the staff report. She noted that in the last four days of June the Commission went from having 12 received map plans to 32 received map plans. She stated that she had been working on shrinking maps, uploading the maps to the web site, increasing the storage space at Godaddy.com to allow greater than 2MB files. She described how the maps are presented on the Boundary Commission web site. Ms. Dougherty stated she would like to have the website as user friendly and little to no frustration for anyone who might be searching for something on it. Ms. Bredenkoetter stated the site is a major improvement over the old one. Ms. Dougherty stated she had been fielding phone calls and taking care of general office business as well.

Mr. Hamilton reported on the letter to Committeeman Theodis Brown that was included in the Commissioner's meeting packets. Mr. Brown is aware that there were several cities that had incorporated Castlepoint into their map plans. Mr. Brown wanted to be included in one of the cities. Mr. Hamilton stated he told Mr. Brown that the best thing to do would be to contact those cities directly and work with them. Mr. Hamilton told Mr. Brown that the Commission would be happy to send him notices of the public hearings that are going to be held in the North County area.

Mr. Armstrong stated that he has received more e-mails from Ms. Dougherty in the last month than he could remember getting from the previous executive director and that Ms. Dougherty has saved the commission thousands of dollars by just finding the REJIS account.

#### NEW BUSINESS

##### 1. Map Plan Public Hearings

Discussion ensued about the Map Plan Public Hearing dates and groupings. Mr. Kenney asked if a quorum was necessary for the Map Plan Public Hearings. Mr. Armstrong stated it wasn't necessary for the Public Hearings but that they highly encourage everyone to attend every public meeting. However, when the Public Hearings were scheduled for after the monthly meeting, a quorum was needed for the monthly meetings to occur. Mr. Armstrong stated that he recognizes that at times it may be difficult for everyone to attend the Public Hearings, but encourages everyone to try just the same. Ms. Dougherty discussed the groupings based on geography and overlaps. She stated she mailed all the commission members all the map plans by their groupings. Mr. Armstrong summarized what the map plan public hearing format and process has been. It was discussed that there could be some more consolidation of the groupings.

Mr. Kenney motioned that they approve the August 22 meeting as set and then to determine at the next meeting when the subsequent ones will be. Mr. Armstrong seconded. Ms. Schuman asked Ms. Fiegel to review the listings and to offer her opinion on what groups would most likely go together like she had with Bridgeton and Hazelwood. Ms. Fiegel agreed to work with Ms. Dougherty. Ms. Fiegel asked what had Bella Villa submitted. Ms. Dougherty responded to the Commission that Ms. Fiegel was referring to Bella Villa's map plan that they submitted was actually their current boundaries. Ms. Fiegel had brought this to Ms. Dougherty's attention. Ms. Dougherty apologized to the commission that she wasn't as knowledgeable about all the various municipal boundaries and that she had contacted Bella Villa and told them of the error and they were supposed to be sending in a corrected map.

Mr. Ford requested to amend Mr. Kenney's motion to include the dates of 8/22, 9/12, 9/26 and 10/10. Mr. Kenney seconded the request to amend the motion. Voice Vote: Ayes, All. Nays, None. *The motion passed.*

Mr. Ford motioned to accept the amended motion. Mr. Kenney seconded. Voice Vote: Ayes, All. Nays, None. *The motion passed.*

Mr. Armstrong suggested that the commission ask Ms. Dougherty to review the groupings and the dates, rework them to 8 – 10 meetings and then send the listing out on e-mail to the entire commission and for the commissioners to respond via e-mail on their availability so that the Commission can lock in the dates and Ms. Dougherty can begin booking locations and making notifications. Mr. Armstrong asked the commission members at what locations they would prefer to hold public hearings: city locations, community centers, churches, schools etc... Mr. Armstrong recommended that the executive director work with Ms. Fiegel on getting a list of appropriate venues in the county.

## 2. Public Comments via Commission Web site

Discussion ensued about the Boundary Commission website's ability to accept public comments. Mr. Hamilton suggested that the Commission shouldn't be accepting public comment via the website and that the public hearings are for public comments. At this point the commission has the ability to approve or disapprove posting of the public comment to the web site. Counsel thought that what the commission needs to determine is how they want to solicit public comment. Mr. Armstrong suggested that the public comment section needs to be re-worked. Ms. Marver stated it needs to be a form and it needs to be standardized. Mr. Ford asked what was the purpose of the public comment section, for everyone to hear (read) or for the commissioners to receive? Mr. Spears stated he believed it was for the commissioners to hear. Mr. Ford stated that if it is for the commissioners then they can send an e-mail to the executive director who, in turn, can send it out to all the commissioners. Mr. Ford reiterated that the public comment/input is through e-mail to the commissioners not as a 'posting' to the web site. Ms. Bredenkoetter agreed and stated she felt it should be with a click of a button, a form comes up addressed to the Boundary Commission and they fill it out and click submit. Ms. Dougherty stated the website was not currently set up to take a form like Ms.

Bredenkoetter described. But said it would require a small redesign to effect such a change.

Mr. Armstrong noted that the Commission has purchased five new e-mail addresses and that one of those could be used for comments. Mr. Ford motioned to change the public comment functionality of the current website from a general posting capacity to an e-mail submission form that will then be distributed to the commissioners. Mr. Kenney seconded. Voice Vote: Ayes, All. Nays, None. *The motion passed.*

Ms. Bredenkoetter made a motion to begin the closed session of the meeting. Ms. Marver seconded the motion.

Matt Armstrong – Yes

Ted Armstrong –

Christine Bredenkoetter – Yes

Bob Ford – Yes

Frank Kenney – Yes

Greg Kloepfel – Yes

Betty Marver – Yes

Mary Schuman – Yes

Johnnie Spears – Yes

Ed Thibeault – Yes

Don Wojtkowski –

9 in favor, two absent. *The motion passed and the closed session began at 7:53 p.m.*

Mr. Ford made a motion to end the close session. Mr. Kenney seconded. Voice Vote Ayes, All. Nays, None. *The motion passed at 8:06 p.m.*

Mr. Kloepfel made a motion to move back into open session. Mr. Ford seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

#### OLD BUSINESS

Ms. Dougherty reported to the Commission that the Fund Transfers that are necessary to cover the difference (for this fiscal year) in the current executive director's salary and benefits and the previous director's of \$15,007 would come from the professional services category.

#### ADJOURNMENT

Mr. Ford made a motion to adjourn. Ms. Bredenkoetter seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.* The meeting was adjourned at 8:07 p.m.

Respectfully submitted,  
Michelle Dougherty  
Executive Director

Approved:  
August 22, 2006