

BOUNDARY COMMISSION
ST. LOUIS COUNTY, MISSOURI
MEETING MINUTES

January 23, 2007

ROLL CALL

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

Commission Staff Present: David Hamilton, Boundary Commission Legal Counsel, Michelle Dougherty, Executive Director. Others present: David Wade of Mead O'Brien, Inc., Lori Fiegel, St. Louis County Department of Planning

Chairman M. Armstrong called the meeting to order at 6:30 p.m., January 23, 2007. The meeting was held in the 8th Floor Conference Room at the St. Louis County Government Center in Clayton, Missouri.

ROLL IS CALLED – QUORUM DECLARED

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

APPROVE AGENDA

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

APPROVE MINUTES

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

FINANCE REPORT

Ms. Dougherty reported the Boundary Commission ended Fiscal Year 2006 with a \$49,124 surplus. She pointed out that she indicated where transfers were made during the year. Mr. Kenney asked what happens with the surplus and Ms. Dougherty stated it goes back to St. Louis County. Mr. Wojtkowski asked what the 2007 budget amount is and Ms. Dougherty stated that it is \$183,000.

PUBLIC COMMENT

Mr. David Wade of Mead O'Brien, Inc. attended the Boundary Commission meeting to make positive comments about what St. Louis County has been able to provide his business and the other businesses in his area. They are very happy with the county, they have their own police substation at corner of Ashby and Warson; the services are good. And, in general, the entire business community in that area is positive toward the county and wanted to make sure the Boundary Commission realizes that. And that this business area doesn't need a city, the county is doing a really good job in providing them the environment in which to do business.

Mr. T. Armstrong asked which map plans included his business area. Mr. O'Brien stated that they have been included in the Creve Coeur and Olivette map plans. They are in the southeast quadrant of Page down on Ashby, the industrial area and that there are no residents.

ANNOUNCEMENTS AND COMMUNICATIONS

Mr. Ford asked what the County Council was questioning in regards to our 2007 budget. Ms. Dougherty stated that they were asking for more clarification on our Purchased Services category expenditures.

STAFF REPORT

Ms. Dougherty stated that the phone calls have considerably lessened. Ms. Dougherty stated that she had been working with Jeannette Zinkgraf on a records retention program for the Boundary Commission and that Ms. Zinkgraf had some recommendations that the Boundary Commission could do with relative ease. For instance, all the audiotapes of the Regular Boundary Commission meetings and Public Hearings should be migrated to a newer media. Ms. Dougherty stated that she has spoken with Ted at Alobars (the company who records our public hearings) and he had some suggestions on how to complete that project and also to record the Boundary Commission's future meetings and public hearings onto a hard drive. Mr. T. Armstrong asked if that would be expensive. Ms. Dougherty stated that Alobars thought this solution would come in under \$400. Mr. Kenney asked if it was necessary to keep the tapes once the minutes have been transcribed or approved. Mr. Hamilton said that his recommendation is to follow the Secretary of State guidelines in developing the Boundary Commission record retention policy. And that once a policy is in place, the Commission can move forward, with relative comfort, on destroying records based on that accepted/adopted policy. Ms. Dougherty stated that she would have a suggested records retention schedule to share with the Commission at the next meeting.

Mr. Wojtkowski asked what the Boundary Commission revenue was last year. Ms. Dougherty stated we had no revenue. Mr. Ford stated that we only generate revenue when municipalities are filing annexation proposals and paying the fees associated with that. Ms. Dougherty stated that the "muni account" still had \$10,977. Ms. Dougherty stated that the Commission would pay for public notices for the public hearings relating to annexation proposals from that fund. And that during the Map Plan public hearings, there were complaints from attendees that they didn't see the notices. Ms. Dougherty stated that she compared the cost of putting the public notices in the Countian versus the Suburban Journals. The Countian costs average \$43-\$45. The Suburban Journals in one area was over \$550. Ms. Dougherty stated that if the Commission wants to use the Journals in the future, then the fees collected might not be high enough to pay for the notices in the Journals. Discussion ensued about what the muni account funds could be used for (costs associated with publicizing the public hearings) and that these funds were held in a separate account on the County's system.

Mr. Wojtkowski clarified that although his Boundary Commission term has expired, he himself has not.

Mr. T. Armstrong asked if the Boundary Commission had received any response from the letter that was sent to Creve Coeur. Ms. Dougherty stated that there has been no response. Mr. Hamilton stated that another letter has been prepared to send to Creve Coeur. Mr. Hamilton stated that the first letter sent to Creve Coeur asked them for more specific information regarding the Robinwood West common area that had been included in their map plan. Mr. Hamilton also discussed that he had had some discussions with Barbara Ellis of the Robinwood West CID about the nature of the letter. He clarified that he would be following up with another letter that says based on the demerits of their plan that the Boundary Commission requests they amend their plan to exclude the Robinwood West CID areas.

Discussion followed on whether the Boundary Commission should only make a recommendation on the Robinwood West area and not the Old Farm Estates subdivision that would be cut in half. Mr. Hamilton stated that a comment can be made that states the Commission will require, should a plan of intent be filed, in detail the rationale behind why the municipality would split a subdivision.

NEW BUSINESS

A. Petition Letter from Sherman residents

Ms. Dougherty stated the Boundary Commission received this petition/letter shortly after the December regular meeting. She questioned if this letter requested anything different than what the Robinwood West group requested. Discussion ensued and Mr. Wojtkowski said there was nothing to do except acknowledge the Boundary Commission is aware of the dissent. Mr. Wojtkowski asked if the municipalities had been sent any of these comments. Ms. Dougherty stated not at this time.

Mr. Hamilton said that this raises another issue in that Mr. Tim Fischesser of the Municipal League asked if we had been forwarding all comments on all map plans to the respective municipalities. Mr. Hamilton stated that in discussion with Ms. Dougherty, he advised that the Boundary Commission through the Municipal League make the communities aware that if they want copies of the public comments for their map plans to just send in a Record Request form. That way the Boundary Commission would have some record of what had been asked. Ms. Dougherty stated that since Mr. Fischesser had sent the e-mail to his constituents, the Boundary Commission had received a number of record requests. Ms. Dougherty also stated that a statement was being added to the comment form on the website that says that since the Boundary Commission is a public body, any comments made will be shared with the Commissioners and others who may request copies. Mr. Kenney asked who covers the cost of the copies. Mr. Hamilton stated that the Boundary Commission's first response would be to send the documents electronically but that if they request hard copies, then the standard copy rate would be applied. Ms. Dougherty stated that so far all the requests have been fulfilled electronically.

Ms. Schuman suggested that at least an acknowledgement letter be sent to the main contact person on the Sherman petition that the Boundary Commission had received their letter.

B. St. Louis County's written comments pursuant to the Map Plans

Ms. Dougherty stated that there was a lot of material in the County's letter and that she wanted to be sure the Commission saw it, deliberated on it and took any necessary steps or action.

Mr. T. Armstrong suggested the Boundary Commission take action regarding the Bella Villa map plan. Discussion ensued about notifying Bella Villa that there is a question to the validity of their map plan submission. The Commission directed Mr. Hamilton to send Bella Villa a letter stating that the Boundary Commission believes their plan suffers from serious demerits because the first plan (filed by the deadline) showed their existing boundaries and the second plan (submitted after the deadline) shows expanded boundaries and that they should be aware that that will be an issue should they decide to file a plan of intent. And that the validity of a Plan of Intent could be challenged by the Boundary Commission or other party.

Mr. T. Armstrong discussed the County's recommendations on the St. George map plan. He suggested the Boundary Commission ask St. George to respond to the County's comments and that they consider amending their map plan. Mr. Hamilton said a letter stating the Boundary Commission had received these comments on their map plan and would they please clarify their map plan criteria would be sent to St George.

Mr. T. Armstrong also suggested the Commissioners review the paragraph in the County's letter regarding the commercial areas as it brings up several important points to keep in mind.

Mr. Ford asked if the clarification that Des Peres had sent was consistent with their map plan. Ms. Dougherty stated that yes it was and the letter was reinforcing Des Peres statement at the Public Hearing that the map plan includes all the roadways that are in the map plan.

Mr. Kenney made a motion to begin the closed session of the meeting. Mr. T. Armstrong seconded the motion.

Matt Armstrong – Yes
Ted Armstrong – Yes
Christine Bredenkoetter – Yes
Bob Ford – Yes
Frank Kenney – Yes
Greg Kloepfel –
John Schuster -
Mary Schuman – Yes
Johnnie Spears – Yes
Ed Thibeault –
Don Wojtkowski – Yes

8 in favor, three absent. *The motion passed and the closed session began.*

Mr. Kenney made a motion to end the close session. Mr. T. Armstrong seconded. Voice Vote Ayes, All. Nays, None. *The motion passed at 7:21 p.m.*

OLD BUSINESS

There was no old business.

ADJOURNMENT

Mr. T. Armstrong made a motion to adjourn. Ms. Bredenkoetter seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.* The meeting was adjourned at 7:22 p.m.

Respectfully submitted,
Michelle Dougherty
Executive Director

Approved:
March 27, 2007