

BOUNDARY COMMISSION
ST. LOUIS COUNTY, MISSOURI
MEETING MINUTES

October 23, 2007

ROLL CALL

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

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

Chairman Armstrong called the meeting to order at 6:30 p.m., October 23, 2007. The meeting was held at the St. Louis County Government Center, 8th Floor Conference Room, 41 S. Central, 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 agenda. Ms. Bredenkoetter seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

APPROVE MINUTES

Mr. Kenney made a motion to approve the minutes. Mr. Spears seconded the motion. Ms. Schuman pointed out an error in the statement: “Ms. Dougherty there was not much more to add to her staff report than what was in the meeting packet.” Ms. Schuman said a verb was needed. Mr. Kenney made a motion to amend minutes. Ms. Schuman seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*
Mr. Kenney made a motion to approve the amended minutes. Ms. Schuman seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

FINANCE REPORT

Chairman Armstrong asked if the Boundary Commission had any technology needs. Ms. Dougherty stated the Boundary Commission did not. Chairman Armstrong reported that in the past he had put the annual website hosting fee for the Boundary Commission on his credit card, and that apparently it had converted to a monthly charge in February of this year. However, after working with godaddy.com it was converted back to a monthly charge and the Boundary Commission has reimbursed Chairman Armstrong for those charges.

REPORTS

Ms. Dougherty stated there was not much more to add to her staff report than what was in the meeting packet. Mr. Kenney asked what sorts of checks and balances are in place when people call with procedural questions. Did Ms. Dougherty check with David Hamilton before answering any questions. Ms. Dougherty responded that she only confers with Mr. Hamilton if the question is more detailed or requires interpretation of the statutes. Mr. Kenney asked if Ms. Dougherty copied Mr. Hamilton on

correspondence of that type when it goes out. Ms. Dougherty replied that she did and also copies the chairman. There were no other reports.

PUBLIC COMMENTS

There were no public comments.

NEW BUSINESS

Officer Nominations discussion. Chairman Armstrong brought the issue to the table because he wanted to get the Commissioners thinking about the offices. Nominations normally occur in November and it was the Chair's experience that waiting until November to think about the officer slots was too late. The open positions are Chairman (Chairman Armstrong is term limited out and is also resigning at the end of this year), 1st Vice Chairman (with Mr. Spears currently serving) and 2nd Vice Chairman (with Mr. Kloeppel currently serving).

Chairman Armstrong said if anyone were interested in being Chair, he'd be happy to talk with them about it. He asked if anyone were interested in nominating themselves or others to the position. He stated he had had some inquiry but not a whole lot.

Mr. Kenney asked about the length of the terms being served by the Commissioners. Discussion ensued. Ms. Dougherty stated that the only Commissioner's whose term was expiring this year is Ms. Schuman's. Mr. Kenney asked if the Boundary Commission had a nominating committee. Chairman Armstrong responded that it doesn't and typically it would have open nominations in November. Chairman Armstrong reminded everyone that the November meeting is moved up to accommodate Thanksgiving. It will be on Tuesday, November 13 (three weeks away). Chairman Armstrong restated that he wanted to get the discussion going about officer nominations.

Ms. Schuman asked if anyone were interested in the offices. Ms. Bredenkoetter stated she was interested and had spoken with Chairman Armstrong about the position of Chair. She stated she was interested in learning more about the workings of the Boundary Commission. Chairman Armstrong stated that the Chair position is typically more about running a meeting and fulfilling administrative functions. Chairman Armstrong stated the Boundary Commission is more of a consensus body; there has been very little disagreement among the commissioners and that has made serving as Chair an enjoyable experience.

OLD BUSINESS

Mr. Hamilton reported on his argument before the Appeals Court earlier that day. The primary issue is whether the Boundary Commission's proceedings in considering the Valley Park proposal to annex Peerless Park was a contested case under Missouri law. Mr. Hamilton stated that the Boundary Commission did believe it was a contested case. Mr. Kenney asked Mr. Hamilton if the Court reverses the decision from the lower court does that reinstate the Boundary Commission findings? Mr. Hamilton replied that the Appeals Court could enter an order that the lower court judge should have considered the case as a contested case review only and sustained the Boundary Commission's decision. Alternatively, the Appeals Court could send it back to the Boundary Commission asking

for specific separate Findings of Fact and Conclusions of Law. Mr. Hamilton said he hopes to have an answer by the end of the year.

ADJOURNMENT

Mr. Kenney made a motion to adjourn. Mr. Spears seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.* The meeting was adjourned at 6:53 p.m.

Respectfully submitted,
Michelle Dougherty
Executive Director

Approved: November 13, 2007