

BOUNDARY COMMISSION  
ST. LOUIS COUNTY, MISSOURI  
MEETING MINUTES

January 22, 2008

ROLL CALL

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

Commission Staff Present: Michelle Dougherty, Executive Director and David Hamilton, Legal Counsel.

Chairman Breckenkoetter called the meeting to order at 6:30 p.m., January 22, 2008. The meeting was held at the St. Louis County Government Center, 8<sup>th</sup> 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. Mr. Schuster seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

APPROVE MINUTES

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

FINANCIAL REPORT –

Ms. Dougherty stated that she has not received the Cumulative Expenditure Report Detail from the County and as soon as she does she will prepare the year-end report and get it out via e-mail.

REPORTS

Staff Report – Ms. Dougherty stated that it has been very quiet at the Boundary Commission these days.

Mr. Hamilton reported that the appeals court upheld the lower court's decision and sent it back to the Boundary Commission to forward to the Election Board for an election. At issue was whether or not the proceeding before the Boundary Commission was a contested case or a non-contested case? They found for two reasons that it was a non-contested case – the Boundary Commission procedural formalities didn't make it a contested case and the proceeding didn't determine the rights of specific parties. The appeals court relied on a Michigan case but also stated this was a case of first impression. Mr. Hamilton stated the Boundary Commission did have options and would discuss those in closed session.

Ms. Schuman asked if everything was okay with the Boundary Commission lease since the building had been sold. Discussion ensued about keeping in mind that the Boundary Commission lease expires in May 2009.

## PUBLIC COMMENTS

There were no public comments.

## NEW BUSINESS

A. Approval of Ellisville Annexation Election date

Mr. Ford motioned to approve the date of April 8, 2008 for the Ellisville annexation election. Mr. Kenney seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

B. Closed Session –

### **Closed Session pursuant to Section 610.021 (1) regarding legal actions, causes of actions or litigation and any confidential or privileged communications**

Mr. Kenney made a motion to enter the Closed Session of the meeting. Ms. Schuman seconded the motion.

## ROLL CALL:

Matt Armstrong:

Ted Armstrong:

Christine Bredenkoetter: Yes

Bob Ford: Yes

Frank Kenney: Yes

Greg Kloeppe:

Mary Schuman: Yes

John Schuster: Yes

Johnnie Spears: Yes

Edward Thibeault:

Don Wojtkowski:

*6 in favor. The motion passed and the closed session began at 6:50 p.m.*

Mr. Kenney made a motion to close the close session and re-open the meeting. Mr. Ford seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed and the closed session ended and the meeting re-opened at 6:58 p.m.*

## OLD BUSINESS

There was no old business.

## ADJOURNMENT

Mr. Ford made a motion to adjourn. Mr. Kenney seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.* The meeting was adjourned at 6:59 p.m.

Respectfully submitted,  
Michelle Dougherty  
Executive Director

Approved: March 25, 2008