

BOUNDARY COMMISSION
ST. LOUIS COUNTY, MISSOURI
MEETING MINUTES

April 22, 2008

ROLL CALL

Commissioners Present: Christine Breckenkoetter, Bob Ford, Frank Kenney, Greg Kloeppel, John Schuster, Johnnie Spears and Don Wojtkowski (arrived at 6:33 p.m.)
Commissioners Absent: Matt Armstrong, Ted Armstrong, Mary Schuman, and Edward Thibeault.

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

Chairman Breckenkoetter called the meeting to order at 6:30 p.m., April 22, 2008. 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. Kenney 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. Mr. Kenney seconded the motion.
Voice vote: Ayes, All. Nays, None. *The motion passed.*

REPORTS

Financial Report - Boundary Commission expenditures for 1st Quarter are \$20,275. The municipal fee account balance for the 1st Quarter is \$10,817.52. There was an expense of \$141.55 related to the Boundary Commission's cost of the Ellisville annexation election. Mr. Kenney asked why there was no cost for postage in the 1st Quarter expenditures. Ms. Dougherty replied that she had been using stamps that the Boundary Commission had purchased earlier.

Staff Report – Mr. Hamilton introduced Elizabeth Chostner to the Commissioners. Ms. Chostner has been working on the briefs to the Appeals Court and the Supreme Court.

Ms. Dougherty stated that it continues to be very quiet at the Boundary Commission. Mr. Ford asked if Ms. Dougherty has heard anymore from Florissant. Ms. Dougherty replied that there has been no indication from any municipality of any proposals coming. Chairman Breckenkoetter stated that Florissant is holding annexation meetings in several areas in Florissant. Chairman Breckenkoetter stated that at a couple of those meetings, Mayor Lowery has told her that proposals are coming. Chairman Breckenkoetter stated that she continues to tell the mayor that if he has those intentions, that he knows the process and should contact the executive director.

Ms. Dougherty stated she did get a call from a resident in Town & Country asking whether or not any proposals from her community have been submitted.

PUBLIC COMMENTS

There were no public comments.

NEW BUSINESS

Ellisville Annexation Transition Team

State statute provides that immediately following certification of the election, the governing body of the commission has to establish a transition team. Mr. Ford made a motion for the Boundary Commission to establish a transition team for the approved Ellisville Annexation. Mr. Spears seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

Changing May Meeting Date

Mr. Kenney made a motion to change the may meeting date from May 27th to May 20th due to the Memorial Day holiday. Mr. Spears seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

OLD BUSINESS

Elizabeth Chostner stated that on the 11th of April we filed a substitute appellant's brief with the Supreme Court specifically addressing the Eastern districts ruling that individuals, municipalities, and the county doesn't have any rights in its boundaries. The brief highlighted the distinction in the requirement of a hearing for the Administrative Procedures Act hoping to focus the Supreme Court's decision on whether this case was a contested case. The City's response is due the 28th of April. We have an opportunity to file a reply on the 7th of May. Supreme Court said it was unlikely it would be docketed for oral argument until September or October. As soon as our briefing is done, we should get a date but they don't anticipate it to be before September or October.

Discussion continued among the commissioners.

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 6:47 p.m.

Respectfully submitted,
Michelle Dougherty
Executive Director

Approved: May 20, 2008