

**BOUNDARY COMMISSION
ST. LOUIS COUNTY, MISSOURI**

**TRANSCRIPT OF
BC1002 PLAN OF INTENT PUBLIC HEARING
VALLEY PARK “Southwest Equestrian” ANNEXATION AREA**

SEPTEMBER 9, 2010

COMMISSION ATTENDANCE:

Commissioners	Present (P)/Absent (A)
Bob Ford	P
Thomas Freesmeier	A
Betty Humphrey	A
Frank Ollendorff	A
Bill Sauerwein	P
John Schuster	P
Jack Schwartz	A
Kathleen Schweitzer	P
Don Wojtkowski	A

OTHERS PRESENT:

Michelle Dougherty, Executive Director
David Hamilton, Legal Counsel

CHAIRMAN SCHUSTER: It's 7 o'clock and I would like to call this public hearing to order. This is a public hearing, BC1002, Valley Park's proposal to annex the area known as Southwest Equestrian Area. Just for you folks in the audience, I'd like to make a few remarks concerning the Boundary Commission, just to give you a little background.

The Boundary Commission is an independent government body that reviews all boundary changes or proposals for changes in St. Louis County. The Commission's authority derives from state statutes and from St. Louis County ordinance. The Commission is comprised of eleven members along with two staff members, our executive director, Michelle Dougherty, and our legal counsel, David Hamilton. All eleven commissioners are appointed. Four, by the St. Louis County Municipal League, four are appointed by our County Executive, and three are joint appointments by the Municipal League and the County Executive. We meet monthly, and we have additional public hearings as required.

Tonight's informational public hearing provides an opportunity for the City of Valley Park and St. Louis County to explain and comment on the proposed annexation of the area identified as the Southwest Equestrian Area. Public comment will be directed to the Map Plan being discussed tonight. The Commission staff will be available to answer questions about the Commission's process after the meeting.

A second public hearing will follow this one to discuss the proposed annexation of an area identified as an unincorporated pocket and assigned a file case number, BC1003.

We welcome your participation in the public comment segment of tonight's hearing. If you wish to address the Commission, you'll need to fill out a present a Public Comment Form to our executive director prior to the end of St. Louis County's presentation. If you are speaking as an individual, you'll be allotted three minutes. If you are speaking on behalf of a group or an association, you will be allotted five minutes. The Commission will also take public comment, either by letter or email, for 21 days from tonight's public hearing, and those comments will also be included as part of the record. As a reminder, no decision will

MINUTES – Boundary Commission Public Hearing BC1002

September 9, 2010

Page 2 of 17

be made tonight. The Commission will review the proposal along with the information provided by the City of Valley Park, St. Louis County, and any comments received from the public and will either reject the proposal or schedule it for an election. The Commission has nine months from the time of the proposal which was June 30, to make a decision so the deadline for our decision is March 30, 2011.

I'll now have the Commission members introduce themselves including their city of residence and their appointing authority, and we'll start with Mr. Ford.

FORD: My name is Bob Ford. I'm appointed by the County Executive. I live in St. Louis County Unincorporated.

CHAIRMAN SCHUSTER:: Thank you. Bill.

SAUERWEIN: I'm Bill Sauerwein. I'm from the city of Oakland in St. Louis County, and I was appointed the mayors of small cities in St. Louis County.

CHAIRMAN SCHUSTER:: Kathleen.

SCHWEITZER: I'm Kathleen Schweitzer, and I live in Unincorporated St. Louis County, and I was appointed by the County Executive.

CHAIRMAN SCHUSTER:: I'm John Schuster. I live in Glendale, and I was appointed by the County Executive.

We'll begin now with the presentation from the city of Valley Park. This will be 15 minutes, and Commissioner Ford will give you a signal when you have about one minute remaining. So, Mr. Martin, please.

MARTIN: Thank you, Mr. Chairman, Commission. Actually, on behalf of the city, I want to welcome everyone here in the city of Valley Park. This is, of course, the Valley Park School District, which does not serve the area that will be the subject of the first public hearing. That's all in Rockwood schools.

The statues have eleven factors for this Commission to consider, and I intend to go through each statutory element separately and basically reiterate what's in the application highlighting how it follows each statutory section by the way it's presented in the statute.

The first consideration of this Commission would be the impact on the tax base and the ability to raise revenue in the subject area, proposing city, adjoining areas not in the change and the entire County. And I really want to point out although this is about 150 acres, the total assessed valuation is about \$171,000 dollars. Doing some math ... and this is more for, I guess, illustrative purposes of how miniscule this is in the scheme of things compared to the \$25 billion dollar assessed valuation of St. Louis County, this represents, I think it was three zeros six eight ... so I think it's 68/10,000 of one percent of the entire assessed value of St. Louis County. St. Louis County, of course, is going to continue to receive their ad valorem property taxes on here. I don't think we're talking about any more than a net revenue loss to the County of about \$2,500 dollars a year. Much of that would come in the gross receipts utilities. St. Louis County has a 5 percent gross receipts on utilities; Valley Park has a 5 percent gross receipts which, of course, would supplant the St. Louis County tax.

Valley Park does have some sales taxes that St. Louis County does not. It has a 2 percent sales tax, one for the general local sales tax, and the second are two halves for storm water and community development and parks.

Basically, my analysis is because of the small amount of the assessed value, the dollars we're talking about ... there should be no impact on any of the cities, adjoining cities, St. Louis County or the area itself in order to raise money.

The second is a legal description. Of course, that's been provided by a surveyor. I spoke with Mr. Powers, the head of St. Louis County Planning, and there are evidently some ... some small glitches in the legal ... we had a surveyor do it and an engineer do the legal, and we will cure any defects that exist out there. They appear to be fairly small.

The third was logical and reasonable boundaries. This area has actually been the subject of a Map Plan that has been submitted in the year 2001. That was the first Map Plan that the new Boundary Commission Statute mandated, and it was Area 5, and this Area 5 ... this was the old city of Peerless Park. Area 5 extended all the way from the existing city's limits at that time at the Meramec River south to the Jefferson County line. In 2006 the city made a new map and shrank the Map Plan. Area 5 shrank from going all the way to the Jefferson County line and that was the focus. At the time this Map Plan was submitted, Area 1 was the subject of an annexation proposal under the old Map Plan schedule. So it was re-included because it wasn't final at the time. But Area 5 has been consistently the goal of the city and it's a portion of Area 5 that we are seeking to annex here today, all of Area 5. The point being that it is logical and a reasonable way for the City of Valley Park to expand its boundaries. It's been the subject of multiple hearings before this Commission, for map submissions at least three public hearings. It's legally contiguous ... and bear in mind that the statute only requires it be 15 percent contiguous to the existing city limits. It does meet that test.

It's accessible only through Valley Park from the north. The main routes through this area would be Hillsboro Road, which is primarily a north/south roadway that extends to the Jefferson County line. I think it hits 30 on the south, presumably goes to Hillsboro. I've never it all the way down through Jefferson County, but from the north it's accessed through Meramec Station Road, which is wholly within Valley Park and Highway 141, which is in Valley Park. It's how you can get to it and then north to south down Hillsboro Road.

City services. The city will provide, of course, police protection, residential sanitation ... we have our own sanitation company, and it's a subsidized sanitation system that is typically well below market rate. Although this district will not be within the Library District of the City of Valley Park, it's been our policy to extend benefits to the Library District to all residents of the City regardless of whether or not they're in the District or not so they would actually have a double benefit. They would be residents of the St. Louis County Library District and they would also have rights within the City of Valley Park Municipal District, which has reciprocity with all the other municipal libraries as well. We will provide street maintenance. We have a park system and we, of course, provide recreation together with the park system and code enforcement services.

The time schedule is the fifth element, and we will provide these city services immediately upon annexation. I think the statute provides within six months of the election if so determined by this Commission.

For tax rates, we've set forth all the current tax rates in the Plan of Intent provided, however, I only set forth the Valley Park Fire Protection District tax rates ... and I did not include the Fenton Fire Protection Tax District's rates. As you would be proceeding on Hillsboro Road to the east side of Hillsboro is served by the Fenton Fire Protection District. On the west side of Hillsboro Road is served by the Valley Park Fire Protection District. Of course, it's unaffected by the annexation.

Revenue sources is the seventh ... as I indicated that the city does have a gross receipts utilities tax, which is identical to St. Louis County at 5 percent. The city does have the two points on the sales tax over in excess of St. Louis County. We also have business license fees. Some of those are flat rate. Some of those for merchants and manufacturers, and I don't these horse arenas are merchants ... they're more of

a service, and they would pay a flat rate, I believe. So we would not have a ... we have a one/tenth of one percent tax on gross receipts up to, I think, a half-million dollars ... is the way our business license fees are computed on merchants and manufacturers only.

Zoning would be the closest compatible zoning that the current St. Louis County designation has to the city.

Any effect on county tax distribution I think's de minimis. I think, again, it's below \$2,500.

For compactness, the area is completely compact. It consists of very few parcels. I don't think there's any more than ten residents on maybe five to seven dwelling units. And I want to be clear, these dwelling units ... there is, I believe, two houses and we believe three to four trailers are out there. The rest is totally devoted to equestrian use.

Again, the effective date would be six months as provided by law.

Has anyone been out in that area? I'll be happy to show you just a couple of photographs so you can get the flavor. [inaudible] Here we go. Thanks. This is an area from the ... taken from the east to the west. This is Hillsboro Road in the foreground and this is about midway into the annexation area. And this is the equestrian stables for Kraus Farms, one of two equestrian facilities in the annexed area, area proposed to be annexed, and this is the other, it's called Valley Mount Ranch, and it is also owned by the Kraus family ... a different side of the Kraus family. This whole area was at one time under the common ownership, but siblings of the founder have broken it down into Valley Mount Ranch and Kraus Farms. And just another view of ... this would be south looking to north of Kraus Farms. There is a creek to the west behind Kraus Farms. This area is probably marginal. I think it probably is in flood plain here. I think maybe the road grade may be out, but clearly the pasture land is outside the flood plain ... or is in the flood plain, I'm sorry. The area on the other side of the road is ... is hillier and that would be outside of the flood plain ... and I'm talking about the hundred-year flood plain here. To the north would be Meramec Station Road and just beyond that would be Interstate 44 which wouldn't be visible. The area that the hillside is on is devoted to recreation, and it's called Forest 44 which is administered by the State Conservation Commission, and I think, if memory serves me, it's the largest piece of ground in St. Louis County that's undeveloped, and it's basically devoted to passive recreation uses and bridle paths, obviously, have been carved by the horses.

That concludes my presentation.

CHAIRMAN SCHUSTER: Thank you, Mr. Martin. We'll proceed with questions from the Commissioners. Commissioner Ford, would you like to lead off, please.

FORD: Sure thing. The one boundary next to the residential area of the proposed annexation, does that follow a road or is it ... or did you just draw a line on the map or what? This area right here.

MARTIN: One area is the [inaudible too far from microphone] but yeah, it is a property line.

FORD: It is a property line?

MARTIN: Absolutely. Shot it straight down the property line. No subdivision splits here.

FORD: Well, your red overflows into a subdivision, I couldn't really tell.

MARTIN: No, absolutely not. The subdivision is ... is totally separate. I think the road that separates the subdivision would be Smizer ... Smizer Mill, I believe, and so we're not taking any part of that. We're going just to the back of the Kraus property line.

MINUTES – Boundary Commission Public Hearing BC1002

September 9, 2010

Page 5 of 17

FORD: Also, is there anyone here from the Valley Park government? Just you making presentations?

MARTIN: I'm sorry, let me introduce. This is Nathan Grellner.

GRELLNER: Mayor of Valley Park. [inaudible] stop by and say hello and thank you all for coming.

FORD: Okay, Mayor. [talking at same time]. Thank you, Mayor.

MARTIN: We're a little proud of Nathan. He took office in April and within two weeks of him taking election, he turned 25, which is the statutory minimum to be a mayor in Missouri, at least in fourth-class cities, and we're pretty convinced he's the youngest mayor.

?: I could have given him a couple of years.

MARTIN: So he's doing a great job. He's got a lot of places to be.

FORD: Under Table 4, it shows that the school tax rate would change ... under Personal Property Tax Rate of 2009 ...

MARTIN: If it shows that, that's erroneous because the school tax rate ... it's a Rockwood school and it ... it won't change. It will have no impact whatsoever.

FORD: Okay. Also ...

MARTIN: The only ad valorem tax rate that will change is the City of Valley Park.

FORD: I understand. I just ... what I observe. Under your performance post annexation rate, general revenues estimated in 2011, \$3,200,000 while the current budget in 2010, \$3,790,000 dollars. What is generating this additional \$500,000 dollars?

MARTIN: Help me out. You're on Table 7?

FORD: Yes, and comparing it to Table 6 on your actual budget. The 2010 budget shows actual revenue ...

MARTIN: It's our new annexation. Our annexation became effective October 6, 20... and ad valorem property taxes won't be collected until January 1, 20... They won't be due in April, I'm sorry, until December 31, 2010. So that's what's driving that ... together with supplemental revenues [inaudible].

FORD: What is Valley Park's flood plain development policy?

MARTIN: I'm sorry and one more [sounds like]. We have a TIF, tax increment financing district, that is coming off in October 2011, and that's how we financed our \$50 million dollar levee. And that really consists of the bulk of Valley Park so when that goes off ... again, those property taxes go in so all that combination is the half-million dollars. And your second question was about flood plain ...

FORD: Let me back up there, what ... you're showing ... you've explained your increase in revenues, why is there almost \$400,000 dollars added to increases and expenses then?

MARTIN: We have expenses that now will be borne for the maintenance of the levee and it has yet to be constructed although the funding is there, a very extensive park that's going to be carved out of the levee area, about a 90-acre or so recreation area that is just inside the levee where the old Johnny Mac's used to be.

FORD: Wouldn't that be just a one-time fee?

MARTIN: Oh, no. That's continuing maintenance. Plus the levee, all the maintenance has ... has basically, we've got all the capital expenses done, but the Corp has turned the levee maintenance over to us now so we're going to have to maintain 3.2 miles of levee and this huge new park system together with all the infrastructure that feeds ...

FORD: Okay.

MARTIN: ... and it's horribly expensive.

FORD: I'm just a truck driver so ... walk me through this.

MARTIN: Okay.

FORD: If you're building a park, wouldn't there be an initial park cost for that ...

MARTIN: There is.

FORD: ... and then the maintenance cost wouldn't be ... wouldn't be as much every year? But you're showing increase ...

MARTIN: The maintenance cost should be a static. With the levee, there are relief wells and there are gatewell structures that in order to be certified to participate in the federal certification programs so that if there's damage in case of the flood certain things have to be done. That includes cameraing [sounds like], some 60 relief wells at \$5,000 dollars a pop every two years, cameraing and repairing all these gate closure structures. It is very expensive, and that ... that's where we're projecting a lot of our increase in expenses [inaudible].

FORD: So you're saying that all these expenses has [stet] nothing to do with the annexation area?

MARTIN: Yeah, yeah. I think I made it clear in the annexation area that we don't really see the need for any substantial capital improvements at all. The road surface itself is in good shape. There could be some storm water issues there; we let the residents' wishes dictate that typically. The area's all sewered.

FORD: With no residential, no added revenue, why is Valley Park interested in this?

MARTIN: Because in June, 2010, the Board of Aldermen gave an ordinance to me and said "You will submit a Plan of Intent." And they are simply following their predecessor boards which had this in the general map of proposed boundary changes in 2001 and 2006, and it's the belief of the city that this the natural and logical progression of the city.

FORD: With no residents?

MARTIN: This area has residents.

FORD: Okay.

MARTIN: This area has, I think, five to seven dwelling structures if I'm not mistaken. It has two permanent houses and has several trailers. Where did you get the impression there's no residents?

FORD: No, I ... impression that there's minimal residents ...

MARTIN: Well, that's the difference between no and minimal, I mean it's [inaudible].

FORD: Okay. Okay. Well, I would think as a tax base, you'd be more interested in more residents. That's where I was heading. That's just a personal thought, you know.

MARTIN: I don't know if that's typical municipal logic ...

FORD: Okay. What is the Valley Park's flood plain development policy?

MARTIN: We have been members of the National Flood Insurance Program since, I believe, 1982 so we've adopted all the mandated Federal Emergency Management Agency regulations, and those are updated biannually. So we're completely in compliance. We've just done new flood plain mapping studies in conjunction with the levee so on the levee side, that's all out of the special flood hazard zone. We've also, in conjunction with our annexation, completed mapping of the entire annexed area over across the river as well. So, to answer your question, we follow to the letter all FEMA guidelines as implemented by Valley Park ordinance.

FORD: And how did you determine that the area is contiguous to 15 percent? There seems to be a question about ...

MARTIN: I had an engineer and a surveyor that did that, and I'm assuming they do it [inaudible]

FORD: They certified it or ...?

MARTIN: Yes.

FORD: All right.

MARTIN: It's actually 15.1 percent.

FORD: Mr. Chairman, that's all I have at this time.

CHAIRMAN SCHUSTER: Okay. Thank you, Mr. Ford. Mr. Sauerwein.

SAUERWEIN: Thank you. Mr. Martin, I have a couple of questions for you.

MARTIN: Yes sir.

SAUERWEIN: Did I understand that the area that's going to be annexed is a serviced by two separate fire protection districts?

MARTIN: It is.

SAUERWEIN: And that's going to remain the same after the annexation?

MARTIN: Yes sir. Yes sir. That's historically the case.

SAUERWEIN: Does Valley Park contract for fire protection with any ... with those two districts?

MARTIN: We do not. We are wholly ... the city is within several fire protection districts: the old Manchester, which I think is what, the West County Fire Protection District now is to our north. We are also served by Valley Park and Fenton Fire Protection District.

SAUERWEIN: Okay. And then in reading the proposal, I had come to the understanding that Forest 44, that area of St. Louis County or that they refer to as Forest 44 is outside the annexed area.

MARTIN: That is correct.

SAUERWEIN: Oh, that is correct.

MARTIN: I simply pointed it out on the photograph for

SAUERWEIN: And then lastly, I want to talk about this ... the legal description of the property because it's ... it's really only important because it's so close to the 15 percent threshold.

MARTIN: Yes, sir.

SAUERWEIN: And in this proposal you say that it's 15.1 percent contiguous to the City of Valley Park boundary.

MARTIN: Yes, sir.

SAUERWEIN: And I didn't see where that was certified by a surveyor. And then you mentioned that the legal description had a few glitches in it. So I want to talk to you about that just because it's ... to me it's ... it's ... it's a threshold consideration legally that if it's not 15 percent contiguous then ...

MARTIN: I don't the contiguity was an issue with what ... it's some roadway areas. Our legal description actually came up Smizer Station according to Mr. Powers, and that clearly was erroneous and there's just a small area that

SAUERWEIN: ... So the glitches you're referring to don't pertain to the calls or the boundaries of the feet or anything of that that's in the legal description.

MARTIN: I don't believe it will affect the contiguity.

SAUERWEIN: Because this area here in looking at this diagram, this boundary here is 1,303 feet long, okay? And the only other part that's contiguous to Valley Park is this area that kind of juts down here and for ... I kind of did the math on that and for this ... and took into account the entire acreage and along the perimeter of this and for this to be 15 percent contiguous and meet that basic legal threshold, that little line has to be 651 feet long and I couldn't get that to come out from the legal description. I've got a little software in my office ...

MARTIN: Sure.

SAUERWEIN: ... that runs these legal descriptions, and I just couldn't get that to come out to 651 feet under any try that I did.

MARTIN: Mr. Sauerwein, we used ... Poehlman & Prost did the surveying and P H Weis [sounds like] and Associates are the ones who gave me the contiguity. I will have them send their map to you as well as the Commission.

SAUERWEIN: Yeah, that's, I think that's just one of those things that should be cleared up. It's just a basic matter. And probably ...

MARTIN: Sure.

SAUERWEIN: ... should be cleared up by a surveyor rather than have a couple of lawyers look at it.

MINUTES – Boundary Commission Public Hearing BC1002

September 9, 2010

Page 9 of 17

MARTIN: Absolutely.

SAUERWEIN: Could you provide that to Michelle at the Commission ... sometime in the future? Maybe before ... clearly before we vote on it or schedule a meeting.

MARTIN: It will be done within the week.

SAUERWEIN: Okay. All right. That's all I have.

CHAIRMAN SCHUSTER: Thank you. Commissioner Schweitzer.

SCHWEITZER: I just have one question. Oh ... go ahead.

SAUERWEIN: I'm sorry. I did have one more.

SCHWEITZER: Go ahead.

SAUERWEIN: This ... almost this entire property looks like it's owned by some member, whether they're connected or not, of the Kraus family.

MARTIN: Yes, sir.

SAUERWEIN: Do you know whether the Kraus family is in favor of this annexation or not? Or have they been contacted or consulted about the annexation.

MARTIN: I know that some members are, yes, sir.

SAUERWEIN: Okay.

MARTIN: It's a multi-family operation.

SAUERWEIN: Are you prepared to say some are and some aren't?

MARTIN: No, I don't think that would be fair. It would be fair to say that some are and some are perhaps undecided or haven't expressed an opinion.

SAUERWEIN: Okay, and I'm sorry to interrupt, but go ahead. I had that in my notes here.

SCHWEITZER: From your previous annexation proposal ...

MARTIN: Yes, ma'am.

SCHWEITZER: Am I understanding correctly that what you are proposing to annex now represents a portion ...

MARTIN: Yes.

SCHWEITZER: ... of what ... and here's the stupid question, I guess, why not request the same area for annexation now that you had previously? What is the point of slimming it down, I guess?

MARTIN: Well, the main reason was contiguity requirements. It obviously has to be 15 percent contiguous, and if we would have gone for the whole ball of wax here, it may have. What I did omit in this was Simpson Sand & Gravel, which is a huge quarry operation out there, and that's mainly what was omitted. I think it's 60 or 90 acres just to the west of the existing Valley Park city limits. I think on July 21

got a call from Mark Simpson, who owns it, and said, “Hey, Eric, we want to be annexed. Can you put it in?” Well, it’s too late at that point so

CHAIRMAN SCHUSTER: Any other questions?

FORD: Yeah, I got a few.

CHAIRMAN SCHUSTER: Okay.

FORD: On your last annexation, the last time Valley Park successfully annexed an area, in those presentations it was that Valley Park wanted that on the other side of 44 because that was the entrance into Valley Park. They wanted to make improvements to show off Valley Park, whatever. What improvements have been made?

MARTIN: Since October 6, 2009?

FORD: Whenever.

MARTIN: We’re talking about 11 months. We have done ... well, we’ve signed contracts for some rock mitigation, rock slide mitigation that had threatened some condominiums. We have signed contracts with P H Weis to bring sewer into that area because that area is non-sewered.

FORD: Which area? On the other side of 44 or in the industrial area?

MARTIN: The annexation area. The whole annexation area.

FORD: The whole annexation area.

MARTIN: The entire annexation area. I’m sorry, you’re right. It’s on this side of 44.

FORD: Okay.

MARTIN: In between Meramec River and 44 is non-sewered, and so we’re tying on ... very near the point of this property is a lift station ... by the Drury Hotel.

FORD: Okay.

MARTIN: What else are we doing? We are ... we’ve hired PGAV to do a zoning study of the area ... we just haven’t had it that long actually, but we have ... had several planned developments that have started. I believe one is a doctor’s office at Lucy at Majestic that is probably 40,000 square feet on two stories, and then there is a Southern Mobility which is near the old Molly Brown’s and they are raising their structure and building a new structure. There’s probably other stuff going around that I can’t recall through our planning and zoning process, but

FORD: Years ago I was out at one of those stables and there was a little shop there, which would be minimal tax revenue, but did you all include ... or is it still there or did you not include it or ...? A feed store?

MARTIN: To be honest, I don’t know. [inaudible] sold tack.

FORD: Saddles or tack shop.

MARTIN: I wasn’t even aware of that, but, you know, if it’s a ... and I don’t know all the law with agricultural equestrian sales, but if that’s a taxable item, then it would go in, but no, it is not included in my

estimates of the base. And I don't have access to that. That's privileged information but with the State Tax Commission.

FORD: Okay.

MARTIN: Or not State Tax, Department of Revenue.

FORD: That's all I have, Mr. Chairman.

CHAIRMAN SCHUSTER: Okay. Thank you. Thank you, Commissioners. Mr. Martin, thank you for your presentation.

MARTIN: Thank you, sir. Thank you, Commissioners.

CHAIRMAN SCHUSTER: St. Louis County, Mr. Powers.

POWERS: Yes, sir. [inaudible]

CHAIRMAN SCHUSTER: Okay.

POWERS: I think you all have the handouts, and so ... I'm not sure I'm making things much better by showing the slide presentation, but ... but here we go. We're talking first about the Southwest Equestrian Area. And I'll run through these first couple of slides really quick because I know you've heard it all before, but the point is that Unincorporated St. Louis County is provided services by St. Louis County Government so we're in essence the municipality for St. Louis County. It's a ... and in terms of our size, think of us as the third largest city in the state of Missouri. Full range of services, and we provide contract services as the slide says to over 90 percent of the municipalities in the County including Valley Park, and there are ... there's a list of the services. You'll see police at the top. Police protection for Valley Park proper right now is provided by St. Louis County, so whatever happens here, I assume that won't change.

And this is a point we ... we like to make about St. Louis County Government is we have striven in recent years to increase our emphasis on neighborhood planning and neighborhood services and so we're out talking to the public one-on-one, house-by-house on a regular basis, and so we're not a ... a remote outfit despite our size, situated down in Clayton detached from what's going on out in unincorporated areas.

With regard to the Southwest Equestrian Area, here are the figures we came up with only a minor differences [stet] in terms of the assessment from what Valley Park presented. We only count one house and four trailers not that that's an issue we want to argue about, but I was looking at some slides today curious about what the origin of the trailers were. We have photographs going back to the 1930's of the entire county which ... they're very interesting to see. But these things, the trailers, exist on the same lot ... this is off the side of Hillsboro Road, as the house. They've been there for a long time.

With regards to the existing land use, again, we count one single family house, four mobile homes. There's a little bit of commercial zoning up by the 44 frontage probably to accommodate an advertising sign somewhere along the lines. In 1968 in the only zoning action the County took in this area, they approved a conditional use permit for the Kraus Farms along the west side of Hillsboro Road, but even at that time, the operation existed. Since that time, you've seen more barn and stable structures established.

In terms of the zoning, I mentioned there is one spot of C-6 zoning, which is kind of an office zoning along the 44 frontage. And the slide says there is some flood plain zoning. Well, I'll tell you that most of it is flood plain except for the hill, if you've been out there, separating the two stable operations. The flood plain extends from the west of the area eastward across Hillsboro Road. Hillsboro Road is in the flood plain. All the stable structures are in the flood plain. It's only when you start climbing that hill does the property come out of the flood plain. And then the flood plain follows the south side of 44. The last time

we ... the Meramec flooded I did take some pictures down there, and this area does definitely flood. That's why we're trying to get Drury to bring the road out of the flood plain. And one thing about the flood plain is that it's not only ... the flood plain is not only designated on the basis of the size of the watershed and the amount of water that's coming downhill from south to north into the Meramec River, but you're right practically on the Meramec River and so when the Meramec River, there's a backwater off the Meramec River. Half the path just beyond where the stable structures are off the west side of Hillsboro Road, you get into the FEMA flood way where that's a more restrictive zone within the flood plain where you can't even grade in that area. So aside from the hilltop, there is very little development potential to any of this ground which ... which kind of has us wondering, "Well, what's driving this?" because usually there's a development deal driving these things, but at least as long as you stay within FEMA guidelines there isn't that much potential for development here.

Back to ... back to services, I mentioned that the County provides contractual police services to Valley Park. It's in the West County Precinct, which was recently located to Valley Park on Vance Road and 12 full-time officers assigned to Valley Park. Crime in the area is ... is low; there is hardly any crime. It's kind of a rural, you know, I guess somebody got horsewhipped or something, but very little crime to speak of. Not much of an issue in considering this proposal.

In terms of neighborhood preservation where we're typically talking about or telling you how many code violations there are, we haven't had any complaints or code ... or recorded code violations of this area although, you know, we can speculate about what the origin of the trailers are. And I speculated to Mr. Martin that perhaps these were for stable employees at some time. I'm unsure if they're even occupied at this point.

And there are some of the other contracts the County has with Valley Park so a number of the services would stay in place should the property be transferred.

In terms of the streets, Hillsboro Road is pretty long. It's not on the arterial system so it would become ... within the area ... within the proposed area it would become the responsibility of ... of ... of Valley Park. The pavement is very good. I believe it was redone last year ... well, it says '85-'86, but I know we had a development further south that precipitated some improvement ... improvements to the road last year.

Valley Park is one of the few ... I think there is only five municipalities in the County that actually have their own trash services as opposed to contracting out. I believe Valley Park is one of those; is that right? Yes. As you know we recently zoned trash in the unincorporated areas, and those are the monthly costs as they ... as they stand right now for that one household in the area.

And getting back to the tax issue, here is our comparative chart. There is a property ... a city property tax. There is a higher sales tax. There's a higher sewer lateral fee, although I think probably all these properties are not on sewer lateral right now although that is possible as the result of recent improvements. So for anyone who lives in the area, it would mean increased taxes.

Estimated revenue loss to the County, by and large, I think we're in agreement that the amount is around \$2,000 dollars. It's ... it's not significant.

[END SIDE A]

With regard to the ... to the contiguity requirement, we used our GIS capabilities at the County to check the contiguity and it was so close and our system isn't accurate enough that if we were pressed to certify one way or the other, we couldn't. It's survey close, so I think you're ... you're right to look for that information as a matter of law. One of the ... with regard to the overall boundary of the property, there are two properties to the west along the south frontage of 44 that were ... were excluded so ... they're privately owned. They are not part of the state park land and so what the ... from a service standpoint it does create an inefficiency where the County would have to drive through Valley Park to serve a short

dead-end road that accesses two properties fronting the south side of ... of Highway 44, and Mr. Martin was aware of that, and we'll talk about that, but apparently part of the problem of taking that in is that would definitely throw it below 15 percent contiguity. But it does create that ... that inefficiency with us. And we talked one other question in the legal description and some area included in the legal description, Meramec Station Road, which I think they would just as soon not have. So we're talking about those kinds of things.

So that's pretty much what I would have to say about it in terms of having a position, and I'm not sure we've formed one yet. We're ... we're as curious as some of the members here as to what's driving it, and we'll see. I'd be happy to answer any questions.

CHAIRMAN SCHUSTER: Okay. Thank you, Mr. Powers. Commissioner Ford.

FORD: In your presentation on ... bear with me ... Smizer Mill Road ... Department of Highway Traffic requests an adjustment to exclude Smizer from the proposal ... Smizer Mill Road from the proposal. Do you know why?

POWERS: Well, I can ... I can show you that, I think. Well, actually, I have a ... hold on

FORD: Take your time. We're here all night.

POWERS: The proposed annexation area has the green boundary on that, and here are the two properties and the short link of public right-of-way. They're kind of isolated off the west side of this annexation area. The rest of everything is owned by the state park and you access that from the state property, one exit to the west, but you have to get to this one by ... by coming through. It's a ... it's a minor matter, I suppose. We have a question as to whether they include this area in purple. I think ... you know ... but the Smizer Mill section is right here, where the legal description, at least according to our estimates, comes out into the right-of-way of Smizer Mill, and we're not sure why they would want to do that. Typically, either take it all or take none of it.

FORD: Oh, instead of taking the whole road, they're only taking part of it, is that what you're saying?

POWERS: Yes. I'm not sure it's intentional, but these are just things we're pointing out.

FORD: So these two properties that aren't included, does that create a pocket as annexed?

POWERS: Probably not because it's part of a much larger area as you go to the west. I'm just saying from an access service standpoint, they're isolated there because all their access comes through this way.

FORD: That's all I have at this time.

CHAIRMAN SCHUSTER: Okay. Mr. Sauerwein.

SAUERWEIN: On the Smizer Mill Road issue, I mean, just describing that to the centerline, I mean a lot of people's boundary lines are described as the centerline of a road ...

POWERS: That's true.

SAUERWEIN: ... so, I mean, it could be just a matter of following the owner's boundary lines along this line and annexing only that property, right?

POWERS: Yes, that's true. It's true that a lot of ... a lot of municipalities send their centerlines to the road, but that's not ... that's not necessarily the best thing always because if there's an accident, you've got two police departments responding, things like that.

SAUERWEIN: Well, one side's Unincorporated St. Louis County that St. Louis County services ...

POWERS: Right.

SAUERWEIN: ... and the other side would be serviced by St. Louis County, right? So it's the same people responding.

POWERS: It would, but there's the maintenance issue too.

SAUERWEIN: Okay. You also seem to ... seem to kind of imply a couple of times in your presentation that maybe Valley Park knows about some big grand plan to develop this or that there may be development plans in the ... in the process. You said that, you know, we were ... you were curious why they would want this and there was sort of this implication that there was something going on with the property. I mean does St. Louis County know of any such plans or have any information as to any such future plans?

POWERS: We don't and, actually, it's ... what I meant to imply was I can hardly imagine that there would be a development proposal of any size here because of the flood plain issues. So I'm as curious about it, but when I said "a lot of times these annexation proposals are development-driven," that's a perspective I have from being in county government for over 30 years. Back in the '70's and '80's ... well, beginning in the early '80's annexations took place to get control of lax St. Louis County development policies or at least that's how the campaigns went down. Now, it is ... now it's quite the opposite. It's perhaps to allow a development the County might not otherwise allow.

SAUERWEIN: But you don't have any information that's going on here ...

POWERS: No, I don't.

SAUERWEIN: ... in fact, it's probably unlikely, isn't it because of the flood plain issue and all that.

POWERS: As far as I can see, but maybe my imagination isn't good. You know, one thing that came up was mentioned ... was Simpson Sand & Gravel ... we recently ... it's not in this annexation proposal, but I think it came up with regard to contiguity where ... the Simpson Sand & Gravel just went through a rezoning with the County or a proposal. They were turned down in one respect. What Simpson Sand & Gravel wanted to do was to continue to maintain sand ... concrete and asphalt batch plants on their property after they were done quarrying sand. And our opinion was, no, we want ... the reason why we approved Simpson Sand & Gravel was to allow for the sand gravel operation for as long as ... to its conclusion, and then there is an agreement to turn that over to St. Louis County parks for park development. It wasn't our intent to expand industrial zoning on a permanent basis westward into the Forest 44 so that's what that whole issue is about, and so ... you know ... now they want to go into Valley Park. So that's more the kind of thing that I've observed in more recent years.

SAUERWEIN: Lastly, in your presentation, you've got the area that's being annexed calculated as like 145 acres whereas theirs is more like 149 acres. And do you think that was calculated just by using the GIS information or ...

POWERS: [talking over Sauerwein] Our number was so, you know, we're not going to certify to in and we're not survey-accurate so and that's why we can't say one way or the other on 15 percent. We do agree though that it's very, very close.

SAUERWEIN: Well, if their surveyor certified it as 15 percent though, you wouldn't have any issue with the continuity aspect of the annexation?

POWERS: No. No. I'm now going to ... that is something ... I agree with you that you need to feel comfortable with, but we're certainly not going to draw a challenge on that.

SAUERWEIN: Okay. I have nothing further.

SCHWEITZER: I just have a question or two relative to transferring of roads to Valley Park. You've listed Antire Road, Hillsboro Road, Meramec Station Road for a total of 1.24 centerline miles?

POWERS: Yes.

SCHWEITZER: And that ... I'm assuming that all of those pavements are ... have been seal coated and overlaid within the last few years?

POWERS: They're all in good shape, yes.

SCHWEITZER: Do you have an idea of what it costs St. Louis County on the average, ballpark even, to maintain, repair, improve and plough a mile of road ... on an average annual basis? I mean is there any figure out there that's ...?

POWERS: I'm sure I can get you a ballpark ... I'm sure if I had a highway person right now, I could look over and they'd flash me some fingers that represented numbers, but I'm not in the highway business.

SCHWEITZER: I'm just kind of wondering since it looks like, you know, about one and a quarter miles of road are going to be no longer maintained and ploughed and so forth by St. Louis County.

POWERS: Hillsboro Road's an interesting road. It's narrow and windy as you go south towards the Jefferson County line. It does go all the way through the Gravois ... it snakes and it's narrow, as I said, yet there is a lot of through traffic due to the development that occurred down in Jefferson County in the Gravois corridor so during periods of rush hour, there's all sorts of cars coming down there.

SCHWEITZER: Yeah. Okay. If you could find somebody to give me that information, I'd appreciate it.

POWERS: Sure, I think that will be pretty easy. We'll get that.

SCHWEITZER: Okay.

CHAIRMAN SCHUSTER: Is there any other questions from the Commission? Thank you, Mr. Powers.

POWERS: Thank you.

?: I don't need a microphone [inaudible].

SCHUSTER: We're going to record it.

?: If you'd look at the map right here ...

CHAIRMAN SCHUSTER: This is Mary Ann Flotron.

MARY FLOTRON: I live in the subdivision that is between Smizer Mill and Meramec Station. That is a bluff if you haven't been there. It's ... there is no like roadway. We had to sell some land to Drury for them to even have enough room to do the Drury Inn and everything along that edge there. Where Smizer Mill comes into ... where Smizer Mill comes into, I guess it's ... Meramec Station, that area floods most of the time. And there's an area where ... looks like a little triangle right next to Smizer Mill ... that area has a lot of water in it and it's a ... lots of horse farm area where they have horses in there, but St. Louis County monitors that for vector control because the water never leaves, and that's the way it has been all along Meramec Station until now. When Valley Park took it over, they don't clean any of the ditches anymore, which is what St. Louis County did continuously to keep that water from covering the road all the time. You know, it just gave them ... they put rock for drainage. They did a lot of work along that area. Now it's just overgrown. If you drive down the road and you look next to the road, it'll ... it's about this high above the road now. And that's my concern with the rest of the development if they annex the rest is that St. Louis County does a good job with all of that and the road is a high maintenance road because of the water. They are constantly out there resurfacing it. It's only been about three years that they just did the whole resurfacing and after the flood they ... whenever the road floods, they always come through and make sure it's clean, keep everything ... you know ... top shape. When we first moved there 12 years ago, the road was half-maintained by Valley ... by Peerless Park, half by St. Louis County. St. Louis County's part was perfect, the other part was just a demolition derby. And that would be my concern when you talked about Smizer Mill being half and half maintained, just that little wedge even, but it is a lot of flood plain and ... when St. Louis County had the Drury Inn development, we were told that if they ... if they moved the building down farther towards Smizer Road, they would raise that road. And when Valley Park got, I guess the annexation of that part, I could not find out from anybody if that was totally out of the picture because everybody said it was kind of going to be up to Valley Park. And, you know, if they don't raise that road ... if they do have any more development ... and there is right next to the ranch, they had raised that ground equal to what you'll see from Drury Inn down where I don't know if ... what they would want to put there, but I think it's a possibility, and I just look at us. We just keep getting more and more water down Smizer Mill, and it's basically because there's no other place to go since that was all flood plain. Now we have become the flood plain. So that's my only concern is that ... and I wish we could get maps whenever these meetings come up because I didn't know if it was even concerning us, you know, if there'd be some way even on a website to show ...

CHAIRMAN SCHUSTER: They are available on a website.

MARY ANN FLOTRON: I looked on the website. I couldn't find where it showed the map. It said "Maps", but then I couldn't find anything that showed this.

[background comments inaudible]

?: I get the Planning Council and theirs are right with the proposal so ...

SCHUSTER: Okay. Thank you very much. Are there any other comments regarding this? All right.

[background comments inaudible]

MARTIN: As Mr. Powers indicated, there is a portion of our legal description evidently that includes Smizer Station and that would be inadvertent on the city's part. And we would accede to his request and the Highway Commission's request that that be modified if that is the case. Again, we had a surveyor do this, but I'm not sure exactly what happened. There's legal descriptions and I'm sure he followed deeds and some of it depends if the County has the fee or just what ... how that works out there, but we will work together with ... with, of course, the Commission and Mr. Powers to satisfy [inaudible].

With regard to the lady's comments about Smizer Station, Valley Park doesn't abut Smizer Station, I'm sorry, Smizer Mill, and as far as maintenance, that's all a new one to me. I believe Valley Park does go to the south side of Meramec Station Road and so we would maintain at least a ribbon, I'm not so sure

about the other right-of-way. I would assume the ditch line we would work with but ... and as far as the development that is speculated here, there is none. This is driven again since 2001 and was specifically driven by one of the property owners' families that had requested that we take it, and it was interesting about Mr. Powers and Simpson. I know why that phone call came now after the deadline. Obviously over the zoning issue, but that's nothing pending before you all nor or it anything that we'll be considering for quite some time if at all. Thank you.

CHAIRMAN SCHUSTER: If there are no other comments, we'll conclude this public hearing. We will take a five-minute recess, and we will reconvene for the second public hearing at 8:10. Thank you.