

BOUNDARY COMMISSION
ST. LOUIS COUNTY, MISSOURI
MEETING MINUTES

July 26, 2011

ROLL CALL

Commissioners Present: Bill Bergfeld, TR Carr, Frank Ollendorff, John Schuster, Jack Schwartz, Kathleen Schweitzer and Don Wojtkowski. Commissioners Absent: Thomas Freesmeier, Bill Sauerwein and Janet Wilding

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

Others present: Lori Fiegel, St. Louis County Planning Department

Chairman Schuster called the meeting to order at 6:35 p.m., July 26, 2011. The meeting was held in the 8th Floor Conference Room, 41 S. Central in Clayton, MO 63105.

ROLL IS CALLED – QUORUM DECLARED

Roll was called and a quorum declared by Ms. Dougherty.

APPROVE AGENDA

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

APPROVE MINUTES

Mr. Ollendorff made a motion to approve the minutes of June 28, 2011. Mr. Schwartz seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

2ND QUARTER FINANCIAL REPORT

Ms. Dougherty stated the commission is doing well and are well under budget.

Mr. Ollendorff made a motion to approve the 2nd Quarter Financial report. Mr. Bergfeld seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

STAFF REPORT

Ms. Dougherty stated that in addition to what was in her report, there had been some increased activity related to the recent appointments of three new commissioners. She stated there had been a few calls with questions about school district boundaries and if that fell under the Boundary Commission. She stated that she was waiting to hear back from St. Louis County on who they were appointing to the Transition Committees for BC1002 & BC1003.

PUBLIC COMMENTS

Lori Fiegel introduced herself to the new commissioners.

NEW BUSINESS

A. Budget 2012

Mr. Ollendorff presented the budget to the Commission. He stated that the County had requested a zero growth budget and that the budget reflected that request. He recommended the budget be approved by the Commission.

Ms. Schweitzer asked how the rents/leases could have decreased from the current budget year to the next. Ms. Dougherty stated she believed it was in the CAM charges but would double check to make sure.

Mr. Wojtkowski made a motion to approve the 2012 budget as presented by the Budget Committee. Mr. Schwartz seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

OLD BUSINESS

A. Rule Change, Article III Map Plans A.3

Chairman Schuster explained the process for making a rule change. He stated that this change was really to clarify a requirement that 12 hard copies of the map must be included with the map plan certifications and filings. Chairman Schuster stated the Commission would vote on the rule change at the August meeting. Ms. Dougherty stated she would include in next month's packet the changes to be voted upon.

B. BC1001

Chairman Schuster stated that this proposal was back on the agenda. He reviewed the results of the different votes taken on BC1001. He stated it is still pending because it hasn't garnered the necessary 6 affirmative votes to pass any motion.

Mr. Ollendorff made a motion to discuss the proposal again. Mr. Schwartz seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

Chairman Schuster asked Mr. Hamilton to explain why BC1001 was back on the agenda for discussion. Mr. Hamilton explained that the Rules require a proposal be resolved within 9 months after submittal. He said that the Rules are not as clear what happens to a proposal if it is not resolved within that nine month period. But they do say that if the proposal is not resolved by the end of the 5-year cycle it does expire. Because of the ambiguity of the Rules, Mr. Hamilton stated he had recommended the Commission remove BC1001 from the agenda after the 9-months had passed. Florissant filed a lawsuit asking to count the March 8th vote as an approval or to make clear that the Commission still has the authority to vote on it pass the 9-month mark. Mr. Hamilton stated that Florissant is willing to take and understands the risk that there is the possibility that a vote after the 9-month window could draw a lawsuit challenging that vote. Mr. Hamilton stated the Commission could place it back on the agenda for discussion and vote.

Ms. Dougherty stated that the Orientation binders contained the BC1001 proposal, public hearing transcripts and more. Mr. Bergfeld stated he didn't feel comfortable voting on any proposal until he had had time to review all the documents. Mr. Carr concurred. Chairman Schuster stated he would hold this on the agenda until the new commissioners could get up to speed. Mr. Wojtkowski requested that a vote be held after all the vacant appointments had been filled and those new commissioners had been given an opportunity to review the information. Chairman Schuster agreed.

ADJOURNMENT

Mr. Ollendorff made a motion to adjourn. Mr. Berfgeld seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.* The meeting was adjourned at 6:54 p.m.

Respectfully submitted,
Michelle Dougherty
Executive Director

Approved: August 23, 2011