

BOUNDARY COMMISSION
ST. LOUIS COUNTY, MISSOURI
MEETING MINUTES

March 12, 2015

ROLL CALL

Commissioners Present: TR Carr, Rick Dorsey, Frank Ollendorff, Kathleen Schweitzer, Steve Wegert and Carmen Wilkerson

Commissioners Absent: Jack Schwartz and Kyra Watson

Commission Staff Present: Michelle Dougherty, Executive Director
John Young, Legal Counsel

Others present: None

Chairman Schweitzer called the meeting to order at 6:37 p.m., March 12, 2015. 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

Ms. Wilkerson made a motion to amend the agenda to make the meeting an open meeting. Mr. Ollendorff seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

NEW BUSINESS

A. HB 511

Chairman Schweitzer asked Mr. Young to give an update on the latest developments regarding HB511 and the legislature's reaction to the Commission stating its objection at the public hearing to the proposed amendment to the legislation. Mr. Young stated that after the hearing the lobbyist for Eureka, David Klarich, made threats to file legislation to disband the commission to retaliate against the commission showing up at the hearing and opposing the proposed legislation. Since then, the chairman of the legislative committee (Rep. Hinson) amended the HB511's proposed legislation to effectively disband the Boundary Commission. Related to HB511, the Senate Bill 221 has been perfected in the Senate and read twice in the House and it contains language that was in the original HB511 basically exempting the city of Eureka from having to go through Boundary Commission review for any annexations.

Mr. Dorsey further explained that SB221 has passed the Senate and gone to the house and has been read twice but it has not been assigned to a committee yet. The new version of HB511 was recorded as Do Pass by the Select Committee as of this day and needs to go on the House Calendar. It is not on the rocket docket. There are a myriad of steps it still needs to go through. Mr. Dorsey suggested that if the Commission takes no action then SB221 will probably pass and this allows Mr. Klarich, the lobbyist for Eureka to stomp his feet and throw his tantrum. Ms.

Wilkerson questioned if this would mean the lobbyist was holding the Commission hostage with his threats. Mr. Dorsey said that was one way to look at it but that there were so many different scenarios that still could take place. He also stated that if the Commission were to go up again to oppose the legislation at another public hearing, they would be effectively 'daring' the legislature to do something. Mr. Carr agreed with Mr. Dorsey that we are poking a bear if we register any more formal objections to this legislation. Mr. Carr suggested the best course of action would be to let this go because the Boundary Commission is very important to St. Louis County, and it would be worse if the Commission didn't exist than to let Eureka have its way.

Mr. Dorsey also reminded the Commission that if HB511 passes and the Commission is abolished, then Ms. Dougherty is out of a job. He further commented that he too in principle is a bear 'poker' but sometimes you must poke in a different way. He stated that St. Louis County came down hard on Ms. Dougherty because the Commission attended the hearing and the outcome of it. And it was learned during the hearing that the legislature had never received any of the Commission's objections to prior attempts of amending the legislation.

Chairman Schweitzer asked the commissioners if it was a good idea, as a commission, to write a letter to the committee in the mildest possible form why we think allowing a municipality who provides water and sewer service the ability to annex an area with an unspecified way of doing it relative to the people who live there and possibly invoking the ire of the other municipalities who do have to play by the rules. Mr. Dorsey interjected that that was what Ms. Wilkerson and Mr. Young did last week that has now caused this firestorm. Discussion continued. Chairman Schweitzer asked if the various committees were aware of the Joint Interim Committee report on the Boundary Commission. Mr. Carr stated that the best course is to leave the legislators alone and don't do anything regarding the Eureka amendment because the work the Commission does is too important to the whole county. Mr. Dorsey concurred that there appears that deals have been cut. Mr. Wegert interjected that he feels the Commission has been played. Chairman Schweitzer added that in the chance the Eureka amendment does get passed, there is no telling what sorts of lawsuits could come to challenge it.

Mr. Ollendorff suggested that the Commission listen to Mr. Carr and just let HB511 go and not do anything and to deal with whatever outcome happens.

ADJOURNMENT

Mr. Carr made a motion to adjourn. Mr. Dorsey seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.* The meeting was adjourned at 7:00 p.m.

Respectfully submitted,
Michelle Dougherty
Executive Director

Approved: June 23, 2015