

BY-LAWS

BOUNDARY COMMISSION

ST. LOUIS COUNTY, MISSOURI

Adopted: February 22, 2000
Revised: September 25, 2001
Revised: July 24, 2007
Revised: June 25, 2013
Revised: March 28, 2017
Revised: January 25, 2022
Revised: December 17, 2024
Revised: October 28, 2025

TABLE OF CONTENTS

SECTION 1 - NAME	1
SECTION 2 - STATEMENT OF PURPOSE	1
SECTION 3 - OBJECTIVES	1
SECTION 4 - OFFICERS	1
SECTION 5 - ELECTION AND REMOVAL OF OFFICERS	1 & 2
SECTION 6 - DUTIES AND RESPONSIBILITIES OF OFFICERS	3
SECTION 7 - MEETINGS	4
SECTION 8 - AGENDA	5
SECTION 9 - ATTENDANCE POLICY	5 & 6
SECTION 10 - PUBLIC HEARINGS	6
SECTION 11 - COMMITTEES	6
SECTION 12 - RULES	7
SECTION 13 - AMENDMENT OF BY-LAWS	7
SECTION 14 - MISCELLANEOUS	7

**BY-LAWS
BOUNDARY COMMISSION, ST. LOUIS COUNTY**

SECTION 1 - NAME

The name of the commission governed under these By-Laws and created pursuant to the Revised Statutes of the State of Missouri and the applicable ordinances of St. Louis County, shall be known as the Boundary Commission, St. Louis County (hereinafter “Boundary Commission”).

SECTION 2 - STATEMENT OF PURPOSE

The purpose of the Boundary Commission is to hold public hearings, review and approve or disapprove proposals affecting boundaries according to the statute, of areas wholly or partially within the county.

SECTION 3 – OBJECTIVES AND COMMISSIONER TERMS

The objectives, purposes, duties, membership and powers of the Boundary Commission, St. Louis County are those set forth in these By-Laws, in the St. Louis County Charter and Ordinances, amended and supplemented, in the relevant statutes of the State of Missouri, as amended and supplemented, and in the Rules of the Boundary Commission.

3.1 The statute authorizing the Saint Louis County Boundary Commission provides for specified appointing authorities to appoint commissioner(s). The statute requires that the first appointments to the Saint Louis County Boundary Commission shall draw by lot to determine the initial term of each commissioner, so that commissioner terms rotate on a 3-2-2-2 yearly basis. Each subsequent term is then for five years.

In order to clarify the date of the terms of a commissioner appointed by each appointing authority after the initial terms were drawn, the following lists the dates of the term for each commissioner appointed by an appointing authority.

The number in the year column is the beginning of the five-year term starting on January 1 of the year ending in the specified digit. The Joint Appointments refers to the commissioners appointed by the appointive body consisting of the St. Louis County Director of Planning, a person designated by the County Executive, the president of the Municipal League and one person named by the board of the Municipal League.

<u>APPOINTING AUTHORITY</u>	<u>DATE</u>
Saint Louis County Executive (unincorporated area) (Mo Rev Stat 782.401.3(5))	1, 6
Saint Louis County Executive (unincorporated area) (Mo Rev Stat 782.401.3(5))	2, 7
Saint Louis County Executive (unincorporated area) (Mo Rev Stat 782.401.3(5))	4, 9
Saint Louis County Executive (incorporated area) (Mo Rev Stat 782.401.3(5))	3, 8

Mayors of Saint Louis County cities having a population over 20,000 (Mo Rev Stat 782.401.3(1))	0, 5
Mayors of Saint Louis County cities having a population over 20,000 (Mo Rev Stat 782.401.3(1))	3, 8
Mayors of Saint Louis County cities having a population less than 20,000 but over 10,000 (Mo Rev Stat 782.401.3(2))	4, 9
Mayors of Saint Louis County cities having a population less than 10,000 (Mo Rev Stat 782.401.3(3))	1, 6
Joint Appointment, (Mo. Rev. Stat. 782.401.3(4))	2, 7
Joint Appointment, (Mo. Rev. Stat. 782.401.3(4)).	1, 6
Joint Appointment, (Mo. Rev. Stat. 782.401.3(4)).	0, 5

SECTION 4 - OFFICERS

The officers of the Boundary Commission shall consist of a Chairperson, a First Vice-Chairperson and a Second Vice-Chairperson. All officers must be duly appointed members of the Boundary Commission.

SECTION 5 - ELECTION AND REMOVAL OF OFFICERS

Section 5.1 The Boundary Commission shall elect all officers at a regularly scheduled meeting in December of each year, or such later time as a majority of the Commission members may approve, for the positions to be filled in the following year. Officers shall assume office on January 1 of the next year after their election if the election is in December of the prior year, and hold office until December 31 of that year, or until his or her successor has otherwise been duly elected and assumes the elected office.

If an office becomes vacant during its term, then the President shall schedule an election to fill the vacant office at the next regularly scheduled meeting of the Commission, or such subsequent meeting as the Commissioners may agree to conduct the election. If an officer is elected after January 1 in a year for a term that has commenced, the officer elected shall assume office the next day after the meeting s/he is elected, and hold office until December 31 of that year, or until his or her successor has been duly elected and assumes the elected office.

When the term “open position” is used in this Section, such term shall include an office in which there is a vacancy or an office in which there is to be the expiration of the term for a Commissioner holding that particular office.

Section 5.2 (1) The election of officers shall be done in the following manner. The election shall be conducted as the final order of business at that meeting.

(A) The Chairperson of the meeting shall announce that nominations may be made for an open position.

(B) The Nominating Committee representative shall make a report which may include a nomination for any open position.

- (C) The Chairperson of the meeting shall then ask if there is any other nomination for any open position.
- (D) Any Commissioner may make a nomination for any office being considered.
- (E) Each nomination must then be seconded.

(2) If there is **only one candidate** for an office, either by the Nominating Committee or from a Commissioner's nomination, then the following procedure may be utilized.

- (A) Any Commissioner may move to elect all the nominated person(s) who is/are the only person nominated for an open position by acclamation, which motion must be seconded. This Motion to elect by acclamation may be voted on by acclamation also.
- (B) If the Motion to vote to elect by acclamation is approved, then the Chairperson of the meeting shall call for a vote by acclamation of the nominated person(s) for all open office(s) for which only one person has been nominated. If the Chairperson declares that the ayes are in favor of electing the person(s) nominated, the Chairperson of the meeting shall declare the person(s) so nominated are elected to the respective office(s).

(3) If **more than one person has been nominated** for an open office, the following procedures will be utilized.

- (A) The Chairperson of the meeting shall announce the open position being considered.
- (B) Any Commissioner may make an additional nomination not previously made for the office being considered;
- (C) Each additional nomination must then be seconded;
- (D) After all Commissioners present have had the opportunity to make a nomination, a motion to close the nominations should be made and seconded. When approved, the Chairperson may declare a period for discussion. The Chairperson shall declare the time limit for the period of discussion and the length of time for each Commissioner to make comments, and shall declare when the period for discussion is over.
- (E) If there is more than one nominee for the office being voted on, or if this procedure is utilized for any open position, then the election for that office shall be by public, roll call vote of each Commission member present at the meeting. The secretary of the Commission, or such other person present at the meeting designated by the Chairperson, shall record the vote of each Commissioner for such office, and shall announce the vote result at the end of each vote for each office. The nominee receiving the most votes of the Commissioners voting shall be elected to the office being voted on. The secretary of the Commission shall maintain the record of the roll call voting for each office as a public record in accordance with the Missouri Open Records Law (Sunshine Laws).
- (F) If there is a tie for the most votes in a round of voting, and if there are more than two nominees, then the persons with the lowest vote total shall drop out of the election and the election shall continue with an additional round of voting of the persons tied for the most number of votes cast. If there is a tie vote in a round of voting in which there are only two candidates (either when two persons have been nominated to an open position; or between the two candidates remaining after the additional candidates have dropped

from the ballot when more than two have been nominated), then there shall be one additional round of voting with the two candidates. If there is a tie vote in the second round of voting when there are only two candidates, then the Chairman of the meeting shall designate one of the nominees to call a coin flip, the coin flip to be done by the Chairman of the meeting. The nominee who wins the coin flip will be the person elected to the office being voted on.

Section 5.3. A candidate receiving the most votes of the Commissioners voting shall be declared elected. Should any Commissioner present at the meeting abstain from voting or vote present, then that Commissioner's vote shall not be considered in determining the most votes of the Commissioners voting.

Section 5.4. A Commission member may not succeed himself/herself in the same office more than twice. Those officers filling a vacancy for less than one year shall be eligible to succeed himself/herself in the same office for two full terms.

Section 5.5. Vacancies for officers shall be handled as follows:

- A. Chairperson Vacancy - The First Vice-Chairperson shall assume the duties and responsibilities of the Chairperson and thereafter be known as the Chairperson. The Second Vice-Chairperson shall simultaneously assume the duties and responsibilities of the First Vice-Chairperson and thereafter be known as the First Vice-Chairperson.
- B. First Vice-Chairperson Vacancy - The Second Vice-Chairperson shall assume the duties and responsibilities of the First Vice-Chairperson and thereafter be known as the First Vice-Chairperson.
- C. Second Vice-Chairperson Vacancy - A vacancy in this office shall be filled as soon as possible, subject to and in accordance with the election procedures set forth herein.
- D. All Vacancies - Any Commission member filling a vacancy shall complete the unexpired term of the office being filled, or until such time as a successor has been duly elected. The filling of a vacancy does not preclude a commissioner from succeeding himself/herself in the same office for a full one-year term.

Section 5.6. Removal of Officers

- A. Except under extenuating circumstances as approved by a majority of the Commission, any officer who fails to attend three (3) consecutive regular meetings of the Boundary Commission shall be deemed to have forfeited their office and a vacancy shall exist. Filling of the vacancy shall be in

accordance with Section 5.5 of this Section.

- B. Any officer may be removed during his/her term upon an affirmative vote of seven (7) or more Commission members at a regularly scheduled meeting of the Boundary Commission.

SECTION 6 - DUTIES AND RESPONSIBILITIES OF OFFICERS

Section 6.1 - Boundary Commission. All authority and power is vested in the Boundary Commission. Under these By-Laws, certain duties and responsibilities are delegated to the named officers.

Section 6.2 - Chairperson. The Chairperson of the Boundary Commission shall have the following duties and responsibilities:

- A. To preside at all meetings and hearings of the Boundary Commission.
- B. To appoint all members of committees of the Boundary Commission, and at the discretion of the Chairperson designate one as the chairperson of the committee.
- C. To have general charge of the activities of the Boundary Commission, all under these By-Laws of the Boundary Commission.
- D. To direct staff between meetings of the Boundary Commission.
- E. To serve as spokesperson for the Boundary Commission.
- F. To carry out other duties normally conferred by parliamentary usage on such officer.
- G. To engage in other activities as directed by the Boundary Commission.
- H. To have a voice and vote on all questions before the Boundary Commission.
- I. To have authority to:
 - 1. Preserve order at the Boundary Commission meetings.
 - 2. Enforce the By-Laws of the Boundary Commission.
 - 3. Call Special meetings of the Boundary Commission.
 - 4. Decide who shall be heard first when two or more Commission members seek recognition.

Section 6.3 - Vice-Chairperson. There shall be two Vice-Chairpersons, to be known as the First Vice-Chairperson and Second Vice-Chairperson.

- A. The First Vice-Chairperson shall have the following duties and responsibilities:
 - 1. To act for the Chairperson in the Chairperson's absence.
 - 2. To perform those duties delegated by the Chairperson of the Boundary Commission.
 - 3. To engage in other activities as directed by the Boundary Commission.
- B. The Second Vice-Chairperson shall have the following duties and responsibilities:
 - 1. To act for the First Vice-Chairperson in his/her absence and for the

Chairperson in the absence of both the Chairperson and the First Vice-Chairperson.

2. To engage in other activities as directed by the Boundary Commission

SECTION 7 - MEETINGS

Section 7.1 The Boundary Commission shall hold a regular monthly meeting. The Commission shall adopt a schedule of meetings for the following year at its November or December meeting. Regular Commission meetings shall generally be held on the fourth Tuesday of each month, except for November and December, when such meetings shall be scheduled considering the holidays, the convenience of the public, and the Commission members. However, the monthly meeting may be cancelled at the discretion of the Chairperson of the Commission if one or both of the following circumstances exist:

- A. The agenda for the monthly meeting does not call for the discussion of new business or substantive matters; or,
- B. The Chairperson discovers through polling the members of the Commission in advance of the meeting that a quorum will not be present.

Notwithstanding the above, the Boundary Commission shall hold no less than six (6) regular monthly meetings annually.

Section 7.2. Special meetings may be called by the Chairperson or by consent of three Commission members with a minimum of *three* working days' notice.

Section 7.3. Emergency meetings may be called by the Chairperson or by consent of three Commission members when done in compliance with the Missouri Open Meeting Law in effect at the time.

Section 7.4.

A. The Commissioners of the Boundary Commission may participate in a committee or Commission regular, special, or emergency meeting, by means of conference telephone or other communication equipment whereby all persons attending the meeting, including the general public can hear and communicate when appropriate. Participation in a committee or board meeting in this manner shall constitute presence in person at the meeting. The committee or board meetings referenced herein shall be considered public meetings subject to chapter 610, RSMo, and shall be reasonably accessible to the public.

B. PROXY.

A Commission Member may grant another Commission Member his or her proxy. The proxy may be for a regular or special meeting, or for a duration of time not to exceed 45 days. If the proxy is not limited to a specific matter at a meeting, the person giving the proxy, if accepted, shall be considered present for the meeting, including for a determination of a quorum.

Any proxy shall state: (1) the name of the person giving the proxy; (2) the person receiving the proxy; (3) any limitations on the grant of the proxy, and if no limitation is specified

then the person receiving or holding the proxy shall have the authority to act on all matters before the Commission for the person granting the proxy as if the grantor of the proxy was present; (4) the duration of the proxy, and if no time limitation is specified, then the proxy shall be valid only for the next scheduled (regular or special) meeting after the proxy is signed; and (5) all proxies must be signed (by hand or electronically) and dated, if no date is on the proxy, then the proxy shall be considered as dated the date it is electronically sent or, if not electronically sent, then the date the proxy is received at the Commission offices.

A proxy form which may be completed by hand and signed and a proxy form which may be completed electronically and contain an electronic signature shall be approved by the Commission. The form which can be completed by hand shall be distributed to the Commissioners or be available to be downloaded and printed. The electronic form shall be available to the Commissioners through the Commission's website.

A proxy form which has been approved by the Commission that is properly completed may be delivered electronically (i.e. by fax if available or email) or delivered in hard copy to the Commission office. All proxies must contain an actual signature, electronic signature or other signature that verifies the identity of the person granting the proxy. A proxy sent by electronic communication must be sent to the Commission's email address (or fax phone number, if the Commission has a fax number), or a fax number of a person or company who will deliver the printed proxy to the Commission. A proxy sent electronically shall be printed out by the Commission, and the printed copy shall be the official proxy. An electronic proxy, when completed, shall be sent pursuant to directions on the Commission's website. The electronic proxy will be printed out if possible, and the printed copy shall be the official proxy; if it cannot be printed out, then the proxy shall be preserved electronically.

The original of a proxy delivered by hand or sent electronically, or an electronic transmission of the electronic proxy, shall be delivered to the Commission offices or to the Executive Director or to the designated Commission electronic address at least one hour prior to the scheduled start of the first meeting at which the proxy is to be presented. Any proxy received by the Commission is a public record. A proxy received later than one hour prior to the scheduled start of the meeting at which the proxy is to be used is invalid.

If a proxy is to be used at a meeting, the Chairman shall first call the meeting to order. The Chairman of the Meeting shall then announce that a proxy has been delivered, the name of the person giving the proxy, the name of the person receiving the proxy, and limitations to the proxy, if any; and the duration of the proxy, if for more than the current meeting. The Chairman shall first ask the person receiving the proxy if s/he accepts being the receiver of the proxy. If the person receiving the proxy does not accept being the receiver of the proxy, then the proxy is void. The Chairman shall then ask those Commissioners present if there are any objections to the proxy. If no objection to the proxy is made, then the proxy is accepted and valid and in full force for the duration of the proxy. If the proxy is accepted, the roll call shall then be made, and the person giving the proxy shall be considered as present for the meeting, including for determining if a quorum is present.

If there is an objection to the proxy, then the Parliamentarian shall determine whether the proxy had been made and submitted pursuant to this section, and is otherwise valid according to law, and pursuant to these By-Laws. Appeals of the determination of the Parliamentarian shall be pursuant to Section 7.6 and Section 7.7 of these By-Laws. Any appeal of the determination of the

Parliamentarian shall be made by a Commissioner stating that s/he desires to appeal the determination of the Parliamentarian, which Appeal Request must be seconded. Should any vote be required on the determination of the Parliamentarian, a roll call vote shall be taken of those Commissioners present (which includes a Commissioner who is considered present but participating electronically), but without the proxy member voting, even if the number present do not constitute a quorum.

If the determination of the Parliamentarian is that the proxy is valid, and there is no appeal of the determination, then a roll call shall be taken to determine if there is a quorum of those Members present with the person granting the proxy considered as present. If the determination of the Parliamentarian is that the proxy is not valid, and an appeal of the determination of Parliamentarian is made and the vote of the Commissioners eligible to vote is to overturn the decision of the Parliamentarian so that the vote of the Commissioners is that the proxy is valid, then a roll call shall be taken to determine if there is a quorum of those Members present with the person granting the proxy considered as present.

If the determination of the Parliamentarian is that the proxy is not valid, and there is no appeal of the determination, then a roll call shall be taken to determine if there is a quorum of those Members present with the person granting the proxy not considered as present. If the determination of the Parliamentarian is that the proxy is valid, and an appeal of the determination of Parliamentarian is made and the vote of the Commissioners eligible to vote is to overturn the decision of the Parliamentarian so that the vote is that the proxy is not valid, then a roll call shall be taken to determine if there is a quorum of those Members present with the person granting the proxy not considered as present.

Section 7.5. A simple majority of the Commission members shall constitute a quorum, but a majority of those present at any meeting may adjourn from day to day or a certain day. Each Commission member shall have one vote.

Section 7.6. Parliamentarian

The attorney for the Commission shall act as parliamentarian and decide all questions of order.

Decisions of the parliamentarian may be appealed by two Commission members. Any appeal shall be decided without debate except the Commission members appealing shall be permitted to state their reason(s). Appeals shall be decided by a two-thirds vote of the Commission members present and voting.

Section 7.7. Robert's Rules of Order, Newly Revised, 1990 Edition, shall govern conduct of meetings of the Boundary Commission except when contrary to these By-Laws.

Section 7.8. The Boundary Commission shall by motion designate a person responsible for certifying the official record of each meeting of the Boundary Commission.

SECTION 8 – AGENDA

Section 8.1 The normal order of business at regular meetings shall be as follows:

Call to order/Acceptance of Proxy(ies)/Roll Call
Approval of Agenda
Approval of minutes of previous meetings and hearings
Financial Report – Quarterly
Reports
 (e.g. Staff, Committee, Other Announcements/Communications)
Public Comments
New Business
 (e.g. Resolutions)
Old Business
 (e.g. Tabled Resolutions)
Items for agenda for future meetings (e.g. set public hearings)
Adjournment

Section 8.2. The Chairperson shall:

- A. With the approval of the Commission, have the discretion to add items or to remove item headings from the agenda when there is no applicable item before the Boundary Commission.
- B. Prior to the posting of the agenda, add an item(s) to the agenda if requested by one Commission member and agreed to by the Chairperson, or absent agreement by the Chairperson, if requested by three (3) or more Commission members.
- C. Post or have posted the agenda of all meetings of the Commission as provided for in the Missouri State Statutes a minimum of 24 hours in advance.

SECTION 9 - ATTENDANCE POLICY

Section 9.1. A Commission member shall receive written notification from the Boundary Commission of three (3) consecutive regular meeting absences or five (5) meeting absences in a twelve-month (12) period. Written notification shall:

- A. State the number of meetings missed;
- B. Inquire of the Commission member's intention to resign or remain on the Boundary Commission;
- C. Be copied to the Commission member's appointing authority.

Section 9.2. Except under extenuating circumstances as approved by a majority of the Commission, after a Commission member's absence from four (4) consecutive meetings or six (6) meeting absences in any twelve-month (12) period, the Boundary Commission shall send

notification to the Commission member's appointing authority requesting removal of the Commission member. The notice shall be copied to the Commission member.

Section 9.3. In the event of anticipated absences, the Commission member shall promptly notify the Boundary Commission staff of the pending absence.

SECTION 10 - PUBLIC HEARINGS

Section 10.1. The Boundary Commission shall hold public hearings in accordance with its Rules. Public hearings may be held at a regular meeting, or another time as designated by the Boundary Commission.

Section 10.2. The Chairperson, or in his/her absence the First Vice-Chairperson or in his/her absence the Second Vice-Chairperson, shall conduct the Public Hearing. The Boundary Commission may designate another Boundary Commission member to conduct the Public Hearing. The Public Hearing may be held without a quorum of the Boundary Commission present if a record is made.

SECTION 11 - COMMITTEES

Section 11.1. The Boundary Commission may establish a personnel committee, a finance committee, a nominating committee, and ad hoc committees.

- A. Committee meetings shall adhere to the public notice requirements of the Missouri Open Meetings Law.
- B. The committee may elect its own chair if the Boundary Commission Chairperson does not designate the chair. Such election precludes later designation of the committee chair by the Boundary Commission Chairperson.

Section 11.2. The chairperson shall make appointments no later than the second regular meeting after the committee is established or the commissioners may make the appointments.

Section 11.3. With the exception of voting on matters before a committee, all Commission members may participate in said matters before a committee.

SECTION 12 - RULES

Section 12.1. The Boundary Commission may adopt rules, consistent with the applicable provisions of the Revised Statutes of the State of Missouri, which are binding on proposing agents.

Section 12.2. A rule may be voted on only at the second regular Boundary Commission

meeting after the introduction of the proposed rule at a regular Boundary Commission meeting. Any rule approved by the Boundary Commission shall be subject to a twenty-seven (27) day waiting period before becoming effective.

Section 12.3. Approval of any rule shall be by a simple majority vote of the Boundary Commission members present at the meeting.

Section 12.4. When there is a conflict between the Rules and these By-Laws, the Rules shall govern.

SECTION 13- AMENDMENT OF BY-LAWS

Section 13.1. These By-Laws may be amended by an affirmative vote of not less than six (6) Commission members of the Boundary Commission, with a minimum of fourteen (14) days public notice.

SECTION 14 - MISCELLANEOUS

Section 14.1. The principal office of the Boundary Commission shall be 401 N. Lindbergh Blvd, Suite 308, St. Louis, Missouri 63141 or other location where the Commission maintains its office.

Section 14.2. The Boundary Commission's records shall be open to the public unless closed by the Boundary Commission in accordance with the laws of the State of Missouri.

Section 14.3. All communications to the Boundary Commission or individual Commission members shall be made available as soon as possible to all Commission members.

Section 14.4. The Boundary Commission shall comply with applicable provisions of the Revised Statutes of the State of Missouri relating to conflict of interest.

Section 14.5. The Boundary Commission will submit a budget to St. Louis County within the requirements of Section 72.412 R.S.Mo.

Section 14.6. The Boundary Commission shall be responsible for the independent management of the Commission's budget pursuant to state and county legislation.