

BOUNDARY COMMISSION
ST. LOUIS COUNTY, MISSOURI
MEETING MINUTES

December 13, 2005

ROLL CALL

Commissioners Present: Matt Armstrong, Ted Armstrong, Christine Bredenkoetter, Bob Ford, Frank Kenney, Betty Marver, Mary Schuman, Johnnie Spears, and Don Wojtkowski. Commissioners Absent: Greg Kloepfel and Edward Thibeault.

Commission Staff Present: David Hamilton, Boundary Commission Legal Counsel, Courtney Irwin, Executive Director.

First Vice-Chairman Spears called the meeting to order at 6:30 p.m., December 13, 2005. The meeting was held at the County Government Building in Clayton, Missouri.

ROLL IS CALLED – QUORUM DECLARED

Roll was called and a quorum declared by Mr. Hamilton.

APPROVE AGENDA

Chairman Matt Armstrong joined the Commission at 6:32 p.m. and relieved Mr. Spears of his First-Vice Chairman duties. Mr. T. Armstrong made a motion to approve the December 13th agenda. Ms. Schuman seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

APPROVE MINUTES

Ms. Schuman observed on page two that subsection A. under New Business should read: *Vote to accept or reject amendments to the Boundary Commission Rules.* Mr. Ford made a motion to approve the minutes as amended. Mr. Wojtkowski seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

FINANCIAL REPORT

Ms. Irwin reported that the Commission's year end budget was expected to total around \$96,493 dollars. This meant there would be roughly \$78,123 dollars left over which the County would then take back into their general fund. She attributed the savings to the purchase of a scanner which cut back on paper supplies and postage, as well as the fact that it is the downtime of the annexation cycle. Ms. Irwin also noted that there was \$10,977.07 remaining in the Municipality Fees account. That money would not be seized by the County. Mr. Ford asked what that money would be used for. Ms. Irwin said it is used for mailing notifications to citizens about upcoming public hearings.

PUBLIC COMMENT

Committeeman Theodis Brown spoke of his desire to incorporate his hometown, Castlepoint, Mo. He handed Ms. Irwin numerous documents, acquired over the past decade, showcasing his petition-drive effort. Committeeman Brown was adamant about

getting his petition on the April 2006 ballot. He has litigation in state and federal court pending over his petitions, as well as a letter of support from Congressman Clay. In the beginning, his goal was to incorporate one-square mile of Castlepoint, population 5,000. He has acquired several hundred signatures over the last decade and he wants to get credit for these prior petitions, plus the petitions that he is currently obtaining and will attain in January. It was his understanding that he is supposed to submit his current petitions for this issue in January 2006.

Committeeman Brown then showed his revised map plan which illustrated his desire to incorporate all of North County. He claimed that if Castlepoint is incorporated as a metro city, it would then become the second largest city in the St. Louis area. In the future, he wants Castlepoint to have riverboat gambling and become a rival with St. Charles. He said when he is finished with his annexation effort, there will not be any unincorporated areas left in North St. Louis County.

In January 2004, he appeared before the County Council explaining the boundary problem Castlepoint has. The Council took no action, so he filed a lawsuit which is pending. He said Castlepoint will have its own police force, fire district and will be one of the best public safety agencies in the state.

Chairman Armstrong asked Committeeman Brown if he had a copy of the Boundary Commission Rules. The committeeman said yes and finished his public comment by submitting his formal petition and plan of intent to incorporate. Chairman Armstrong stated that he understood what the Committeeman was trying to do, but he needed to follow the Rules which allow him to submit all this information after the first of the year. Chairman Armstrong also advised him to hire a municipal lawyer to help him with the process. Committeeman Brown said he was trying to hire a lawyer on a contingency basis.

Ms. Schuman wanted to make it clear to Committeeman Brown that there was no way his petition would be on an April 2006 ballot, since no actual proposals can be submitted until 2007. Mr. Wojtkowski said that was a very important clarification. Mr. T. Armstrong asked Mr. Hamilton to explain the statute to Committeeman Brown. Mr. Hamilton said Committeeman Brown attended the June 28th Commission meeting, and afterwards he sent Mr. Brown a letter dated on June 30th. Mr. Hamilton showed him the letter and asked the Committeeman if he still had a copy of it. Committeeman Brown said the letter did not look familiar. Ms. Irwin let the Committeeman keep the copy of the letter. Mr. Hamilton told the Commission that his letter outlined for the Committeeman what the procedures are. It also informed him of the number of signatures needed to be obtained in order to submit a map plan and a plan of intent.

Chairman Armstrong emphasized again to Committeeman Brown the importance of obtaining a lawyer. The Committeeman asked about the issue of submitting his current petitions on January 1, 2006. Mr. Hamilton said that is the first day a map plan can be filed. Mr. Ford asked if there was a time frame in which petition were collected. Mr. Hamilton said, yes, 170 days from the first day a petitioner starts collecting signatures.

Chairman Armstrong said the Commission has to obey state laws in regards to how petitions are created and obtained. Mr. Hamilton told the Committeeman that the Commission would be doing him a disservice by saying, "we can accept signatures you've accumulated up to 10-years ago," because anyone could challenge that. Chairman Armstrong said the timelines are not set by the Commission, but are set by the state. The Commission thanked the Committeeman for his comments.

ANNOUNCEMENTS AND COMMUNICATIONS

Ms. Irwin said she had mostly been fielding phone calls from people asking about the amendments to the Rules. She also sent a letter to St. Louis County, the Municipal League and all of the cities notifying them of the changes to the Rules.

STAFF REPORT

Ms. Irwin reported that the Commission received some positive press in a Post-Dispatch article. The story noted that the changes to the Rules were mostly to make the map plans more internet friendly for constituents. The article also posted the new and improved website address.

NEW BUSINESS

A. Officer Nominations

Chairman Armstrong noted that he sent an email out to the Commissioners seeking further nominations. He asked one more time if there were any nominations. The Commission remained silent. Mr. T. Armstrong moved to close the nominations. Ms. Bredenkoetter seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

Mr. Wojtkowski moved to accept the officers of 2006 as follows: Matt Armstrong as Chairman, Johnnie Spears as 1st Vice-Chairman and Greg Kloeppel as 2nd Vice-Chairman. Ms. Marver seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

Chairman Armstrong thanked the Commission and said he looked forward to a second year. The Commission thanked him for his service.

Mr. Wojtkowski made a point of clarification. He reiterated that January 1st is when the Commission begins accepting map plans. He wanted to clarify that a plan of intent cannot be submitted on January 1, 2006. Mr. T. Armstrong said a plan of intent can not be filed until 2007.

OLD BUSINESS

Ms. Schuman suggested changing the November and December 2006 dates. The Commission agreed on November 14 and December 12 for 2006. Mr. Wojtkowski made a motion to amend the 2006 Commission Meeting Dates. Mr. T. Armstrong seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

ADJOURNMENT

Mr. Kenney made a motion to adjourn. Mr. Wojtkowski seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.* The meeting was adjourned.

Respectfully submitted,
Courtney K. Irwin
Executive Director

Approved: January 24, 2006