

CERTIFIED COPY OF ORDER

STATE OF MISSOURI }
County of Boone } ea.

December Session of the October Adjourned

Term. 20 13

In the County Commission of said county, on the 26th day of December 20 13

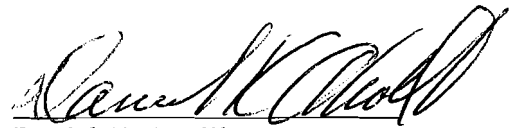
the following, among other proceedings, were had, viz:

Now on this day the County Commission of the County of Boone does hereby approve the attached extension agreement and reduction of Letter of Credit No. 2100500410 between the County of Boone and Columbia Public Schools. The terms of the agreement are stipulated in the attached extension agreement. It is further ordered the Presiding Commissioner is hereby authorized to sign said Extension Agreement and Letter of Credit reduction.

Done this 26th day of December, 2013.

ATTEST:

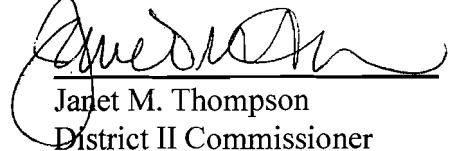
Wendy S. Noren
Wendy S. Noren
Clerk of the County Commission



Daniel K. Atwill
Presiding Commissioner



Karen M. Miller
District I Commissioner



Janet M. Thompson
District II Commissioner

579-2013

EXTENSION AGREEMENT
\$52,618.50 Letter of Credit – CPS Midway Heights Elementary School Access
Improvements Project

THIS AGREEMENT, effective December 4, 2013, is entered into by and between Boone County, Missouri, through its County Commission, a political subdivision of the State of Missouri, herein “County;” and the Columbia Public Schools, a political subdivision of the State of Missouri, herein “CPS” and Landmark Bank, herein “Landmark.”

WHEREAS, CPS is conducting a building project to improve access at an elementary school, the Midway Heights Elementary School Access Improvements Project, herein “Project”; and

WHEREAS, CPS has undertaken certain necessary road improvements near the site of the Project; and

WHEREAS, Landmark has issued an Irrevocable Letter of Credit to County on behalf of CPS, dated April 8, 2013, in the amount of \$52,618.50 to secure stormwater improvements associated with the road improvements; and

WHEREAS, said Letter of Credit contemplates that the parties may agree to extend the expiration date of the Letter of Credit, which currently expires on December 31, 2013; and

WHEREAS, the parties intend through this Extension Agreement to extend the expiration date of said Letter of Credit to June 30, 2014.

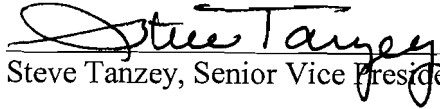
NOW, THEREFORE, in consideration of the mutual covenants, promises and representations in this agreement the parties agree as follows:

1. The Landmark Letter of Credit dated April 8, 2013, in the amount of \$52,618.50, with an expiration date of December 31, 2013, is attached hereto and incorporated herein by reference.
2. The Landmark Letter of Credit dated April 8, 2013, in the amount of \$52,618.50 will be reduced to the amount of \$9,500.00 as of December 9, 2013.
3. The parties mutually agree to extend the December 31, 2013 Letter of Credit such that the new expiration date will be June 30, 2014.
4. All other terms of the Letter of Credit and attachments thereto shall remain unchanged and in full effect.
5. This Extension Agreement may be entered into in one or more counterparts which, when taken together, shall constitute the full Agreement of the parties.

SO AGREED.

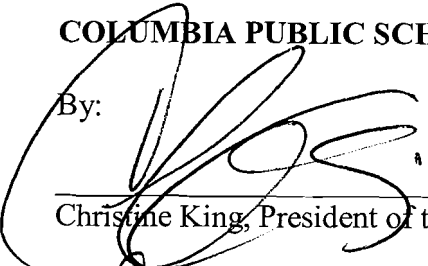
LANDMARK BANK

By:



Steve Tanzey, Senior Vice President

COLUMBIA PUBLIC SCHOOLS:

By:


Christine King, President of the Board of Education


ATTEST:


Secretary to Board of Education

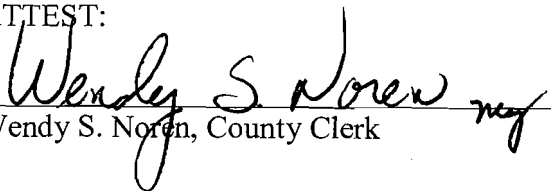
BOONE COUNTY:

(Commission Order: 579-2013)


By:


Daniel K. Atwill, Presiding Commissioner

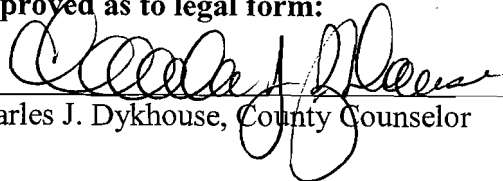
ATTEST:


Wendy S. Noren, County Clerk

APPROVED BY:


Stan Shawver, Director
Boone County Resource Management

Approved as to legal form:


Charles J. Dykhouse, County Counselor



Boone County Resource Management

ROGER B. WILSON BOONE COUNTY GOVERNMENT CENTER
801 E. WALNUT ROOM 315 COLUMBIA, MO 65201-7730
(573) 886-4330 FAX (573) 886-4340

STAN SHAWVER, DIRECTOR

PLANNING – INSPECTIONS – ENGINEERING

DERIN CAMPBELL, CHIEF ENGINEER

December 20, 2013

Landmark Bank
PO Box 1867
Columbia, MO 65205-1867
Attention: Steve Tanzey, Senior VP

Re: Bank Letter of Credit No.: 2100500410
Dated: 04/08/2013
In Favor of Boone County, Missouri on behalf of Columbia Public Schools

Gentlemen:

This certificate authorizes reduction in the amount of \$43,118.50 of the above letter of credit. The remaining maximum available credit for this letter of credit is \$ 9,500.00.

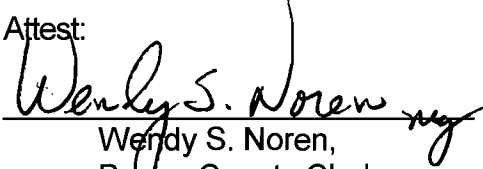
BOONE COUNTY, MISSOURI

By: 
Presiding Commissioner

APPROVED BY:


Stan Shawver, Director,
Resource Management

Attest:


Wendy S. Noren,
Boone County Clerk

Commission Order: 579-2013

CERTIFIED COPY OF ORDER

STATE OF MISSOURI }
County of Boone } ea.

May Session of the April Adjourned

Term. 20 13

In the County Commission of said county, on the 9th day of May 20 13

the following, among other proceedings, were had, viz:

Now on this day the County Commission of the County of Boone does hereby accept the Security Agreement and Letter of Credit for Midway Heights Elementary School Access Improvements. It is further ordered the Presiding Commissioner is hereby authorized to sign said Security Agreement and Letter of Credit.

Done this 9th day of May, 2013

ATTEST:

Wendy S. Noren
Wendy S. Noren
Clerk of the County Commission

Daniel K. Atwill
Daniel K. Atwill
Presiding Commissioner

Karen M. Miller
Karen M. Miller
District I Commissioner

Janet M. Thompson
Janet M. Thompson
District II Commissioner

Stormwater Erosion and Sediment Control Security Agreement

Date: April 15, 2013

Developer/Owner Name: Columbia Public Schools
Address: 916 Bernadette Dr. Columbia, MO 65203

Development: Midway Heights Elementary School Access Improvements

This agreement is made by and between the above named developer (herein "Developer") and Boone County, Missouri, a political subdivision of the State of Missouri, through its Public Works Department, (herein "County") and shall be effective on the above date when signed and approved by all persons listed below.

In consideration of the performance based by each party of their respective obligations described in this agreement, the parties agree to the following:

1. **Background and Purpose of Agreement** – The Developer is the owner or authorized agent of the owner for the real estate contained within the development described above which is subject to the Boone County Stormwater Regulations. This agreement is made pursuant to Section 8, in Chapter 28 of the Subdivision Regulations of Boone County, Missouri in order to permit the Developer to disturb land on the development described above, and to assure County of the required erosion and sediment control and stormwater management. By entering into this agreement the developer is agreeing to comply with the erosion and sediment plan described below in accordance with the County Stormwater Regulations and specifications and provide to County financial security in the event the developer fails to comply with the plan, or complete the improvements within the time and manner provided for by this agreement.
2. **Description of Improvements** – The Developer agrees to adhere to the Stormwater Pollution Prevention Plan (SWPPP) and Erosion and Sediment Control (ESC) Plans for Construction activities at Midway Heights Elementary School Access Improvements. The SWPPP and ESC was prepared by Engineering Surveys & Services on January 4, 2013.
3. **Time for Completion** – The Developer agrees to complete the land disturbance activities and stabilize the site as described in the SWPPP no later than the 31st day of December, 2013, and all such improvements shall pass County inspection as of this date.
4. **Security for Performance** – To secure the Developer's performance of its obligations under this agreement, Developer hereby agrees to provide the County with security in the amount of \$52,618.50, which County may use and apply for Completion of the above described improvements in the event the Developer fails to complete the above described improvements within the time or within manner required by County under its regulations.

The Security shall be provided to County as a condition precedent to the effectiveness of this agreement in the following form:

- ⊔ Cash deposit with County Treasurer
 - ⊔ Irrevocable standby letter of credit, with form to be approved by County and issued to Treasurer of Boone County, Missouri
 - ⊔ Certificate of Deposit issued by FDIC insured bank for a term of xx months.
 - ⊔ Corporate surety bond issued to Boone County, Missouri
5. **Use of Security** – The Developer hereby authorizes County to use, redeem, or otherwise obtain payment as applicable, from the security described above for purposes of completing improvements required of the Developer under this agreement in the event that such improvements are not completed within the time provided for by this agreement, or any extension thereof granted by County in its discretion, or in the event such improvements are not completed in accordance with regulatory requirements or specifications imposed by County. Developer authorizes County to cash the Certificate of Deposit contemplated herein upon written instructions from the duly-elected and serving Treasurer of Boone County without further authorization or signature required by Developer. In the event Developer fulfills its obligations in the time and manner required by this agreement and obtains a satisfactory final inspection from the County prior to December 31, 2013, then County shall provide Developer with written proof that the requirements of this Security Agreement are satisfied and the Certificate of Deposit can be released to Developer. If no written proof has been provided to the financial institution issuing the Certificate of Deposit that Developer has complied with the requirements of this Agreement, however, then the financial institution shall, on December 31, 2013, or such extended period as mutually-agreed by the parties in writing, shall immediately transfer the balance of the Certificate of Deposit to the account then-designated by the Boone County Treasurer. If the total sum of the Certificate of Deposit is not used for completion of any necessary permit items, then the remaining balance shall be paid to Developer within thirty (30) days of completion and acceptance of any required work, along with an itemization of charges detailing the expenditures made by the County.
6. **Additional Sums Due** – In the event that the security provided herein is insufficient to complete the required improvements as determined by the County, Developer will, upon demand by the County accompanied by a detailed itemization of the requested additional sum, deposit with County such additional monies which, in the opinion of the County, will be required to complete the necessary improvements. In the event that Developer does not deposit the additional monies with the County within ten (10) days, the Developer shall be deemed in default of this Agreement.
7. **Remedies Cumulative** – Exercise or waiver by the County of any enforcement action under this Agreement does not waive or foreclose any other or subsequent enforcement action whatsoever. The County shall be entitled to its costs, including reasonable attorneys' fees, in enforcement of Developer's obligations under this Agreement.

8. **Authority of Representative Signatories** – Signatories to this agreement who execute this agreement in a representative capacity for a corporation, limited liability company or partnership, or other business entity, hereby affirmatively represent that they have obtained all resolutions or orders needed to enter in this agreement and are duly authorized to enter into this agreement and bind the parties which they represent to all terms and conditions herein.
9. **Binding Effect** – This agreement shall be binding upon the parties hereto in their respective heirs, personal representative, administrators, successors and interest in successors in assigned offices. The County and Developer hereby accept this Agreement as a lawful and satisfactory Security Agreement.

In Witness Whereof the Developer and the County have executed this agreement to be effective on the day and year first above written.

ACKNOWLEDGED AND AGREED TO:

Developer/Owner:

By: _____

Printed Name: _____

Title: _____

BOONE COUNTY, MISSOURI:

Department of Resource Management

Stan Shawver, Director Resource Management

County Commission:

Daniel K. Atwill, Presiding Commissioner

Attest:

Wendy S. Noren, Boone County Clerk

County Treasurer

Nicole Galloway, County Treasurer

Approved as to form:

C.J. Dykhouse, County Counselor

ORIGINAL



IRREVOCABLE LETTER OF CREDIT
NO. 2100500410
DATE: April 8, 2013

Amount: \$52,618.50

County of Boone
Attn: Director, Planning and Building
801 E Walnut St, Rm. 210
Columbia, MO 65201

Ladies and Gentlemen:

We hereby authorize the County of Boone to draw on the Landmark Bank for the account of the Columbia Public School District located at 916 Bernadette Dr Columbia, MO 65203 up to an aggregate amount of \$52,618.50 available by your drafts at sight. Your drafts must be accompanied by your invoice to Columbia Public School District and accompanied by a Certificate for Drawing in substantially the form set out on Exhibit "A", which is attached hereto and incorporated by reference.

All drafts hereunder must be marked "Drawn under Landmark Bank Letter of Credit #2100500410 dated April 8, 2013."

The amount of each draft drawn under this credit must be endorsed hereon, and the presentation of each draft, if negotiated, shall be a warranty by the negotiating bank that such endorsement has been made and that documents have been forwarded as herein requested. Partial drawings are permitted. All payments under this letter of credit will be made available to you at the counters of the loan issuer or immediately by wire transfer of immediately available funds to the account(s) designated by the Boone County Treasurer.

We hereby engage with the drawers, endorsers, and bona fide holders of drafts drawn under and in compliance with the terms of this credit that the same will be duly honored on due presentation and delivery of documents as specified if presented to this bank on or before December 31, 2013, provided further that upon such expiration, either at December 31, 2013, or such extended period as contemplated herein we shall immediately transfer the balance of the maximum available credit to you at the account then-designated by the Boone County Treasurer.

This letter of credit may be extended upon presentation of an agreement to extend, executed by the Columbia Public Schools and the County of Boone, and presented to Landmark Bank within the 60-day period prior to the then-effective date of expiration of this letter of credit.

Upon our receipt, from time to time, from the County of Boone, of a written reduction certificate in substantially the same form as Exhibit "B", which is attached hereto and incorporated herein by reference, we are authorized to reduce the maximum available credit hereunder by the amount stated in such certificate, any such reduction to be effective only at our close of business on the date which we receive said written reduction certificate.

This letter of credit sets forth in full our undertaking, and such undertaking shall not in any way be modified, amended, amplified, or limited by reference to any document, instrument or agreement referred to herein, except that Exhibit "A" and Exhibit "B" attached hereto are incorporated herein by reference as an integral part of this letter of credit.

Except as expressly provided herein, this credit is subject to the Uniform Customs and Practice for Documentary Credits (1993 revision), The International Chamber of Commerce Publication #500.

Sincerely yours,

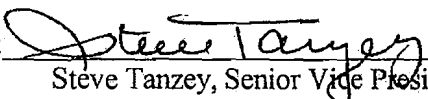
By: 
Steve Tanzey, Senior Vice President

Exhibit "A"
To Letter of Credit
Form of Certificate for Drawing

Boone County, Missouri letterhead

Date

Landmark Bank
801 E. Broadway
Columbia, Missouri 65201
Attention: Steve Tanzey, Senior VP

Re: Landmark Bank Letter of Credit No.: 2100500410
Dated: April 8, 2013
In Favor of Boone County, Missouri on behalf of Columbia Public Schools

Gentlemen:

The undersigned, a duly authorized official of County of Boone, Missouri (the "Beneficiary"), hereby certifies to Landmark Bank (the "Bank"), with reference to Irrevocable Letter of Credit No. 2100500410 (the "Letter of Credit"; any capitalized terms used herein and not defined shall have their respective meanings as set forth in the said Letter of Credit) issued by the Bank in favor of the Beneficiary, that:

1. The Account Party has failed to complete all improvements or fulfill all obligations required by the Subdivision Regulations, Stormwater regulations, or other applicable rules and regulations of the County of Boone.
2. A draft in the sum of \$_____ as requested by this Certificate is not in excess of the Maximum Available Credit under the Letter of Credit and shall result in a reduction of the Maximum Available Credit under the Letter of Credit.

Transfer the funds as stated above to the credit of the Boone County, Missouri to the following account, as instructed by the Boone County Treasurer: [INSERT BANK Account # _____], Attention: Boone County Treasurer.

IN WITNESS WHEREOF, the Beneficiary has executed and delivered this certificate this _____ day of _____.

BOONE COUNTY, MISSOURI

By: _____
Presiding Commissioner

APPROVED BY:

Attest:

Stan Shawver, Director, Planning & Building

Wendy S. Noren, Boone County Clerk
Commission Order: _____

Exhibit "B"
To Letter of Credit
Form of Reduction Certificate

Boone County, Missouri letterhead

Date

Landmark Bank
801 E. Broadway
Columbia, Missouri 65201
Attention: Steve Tanzey, Senior VP

Re: Landmark Bank Letter of Credit No.: 2100500410
Dated: April 8, 2013
In Favor of Boone County, Missouri on behalf of Columbia Public Schools

Gentlemen:

This certificate authorizes reduction in the amount of \$_____ of the above letter of credit. The remaining maximum available credit for this letter of credit is \$_____.

BOONE COUNTY, MISSOURI

By: _____
Presiding Commissioner

APPROVED BY:

Attest:

Stan Shawver, Director, Planning & Building

Wendy S. Noren, Boone County Clerk

Commission Order: _____

CERTIFIED COPY OF ORDER

STATE OF MISSOURI

December Session of the October Adjourned

Term. 20 13

County of Boone

} ea.

In the County Commission of said county, on the

26th

day of

December

20 13

the following, among other proceedings, were had, viz:

Now on this day the County Commission of the County of Boone does hereby approve the Organizational Use of the Government Center Chambers by Missouri NOW (National Organization for Women) for February 2, 2014 from 11:30 a.m. to 4:00 p.m.

Done this 26th day of December, 2013.

ATTEST:

Wendy S. Noren
Wendy S. Noren
Clerk of the County Commission

Daniel K. Atwill

Daniel K. Atwill
Presiding Commissioner

Karen M. Miller

Karen M. Miller
District I Commissioner

Janet M. Thompson

Janet M. Thompson
District II Commissioner



Boone County Commission

APPLICATION FOR ORGANIZATIONAL USE OF BOONE COUNTY CONFERENCE ROOMS

The undersigned organization hereby applies for a use permit to use the Roger B. Wilson Boone County Government Center conference rooms or Centralia Satellite Office as follows:

Organization: Missouri NOW(National Organization for Women)

Address: 2401 W. Broadway Apt. 1120

City: Columbia State: MO ZIP Code 65203

Phone: 573-445-7144 Website: www.missourinow.org

Individual Requesting Use: Diane Meeker Position in Organization: Vice-President

Facility requested: Chambers Room 301 Room 311 Room 332 Centralia Clinic

Event: State Council Meeting

Description of Use (ex. Speaker, meeting, reception): Meeting

Date(s) of Use: February 2, 2014

Start Time of Setup: 11:30 AM AM/PM Start Time of Event: Noon AM/PM

End Time of Event: 2:30 PM AM/PM End Time of Cleanup: 4:00 PM AM/PM

The undersigned organization agrees to abide by the following terms and conditions in the event this application is approved:

1. To abide by all applicable laws, ordinances and county policies in using Boone County Government conference rooms.
2. To remove all trash or other debris that may be deposited (by participants) in rooms by the organizational use.
3. To repair, replace, or pay for the repair or replacement of damaged property including carpet and furnishings in rooms.
4. To conduct its use in such a manner as to not unreasonably interfere with Boone County Government building functions.
5. To indemnify and hold the County of Boone, its officers, agents and employees, harmless from any and all claims, demands, damages, actions, causes of action or suits of any kind or nature including costs, litigation expenses, attorney fees, judgments, settlements on account of bodily injury or property damage incurred by anyone participating in or attending the organizational use of rooms as specified in this application.

Organization Representative/Title: Diane Meeker, Vice-President

Phone Number: 573-445-7144 Date of Application: December 23, 2013

Email Address: columbiamonow@yahoo.com

PERMIT FOR ORGANIZATIONAL USE OF BOONE COUNTY GOVERNMENT CONFERENCE ROOMS

The County of Boone hereby grants the above application for permit in accordance with the terms and conditions above written. The above permit is subject to termination for any reason by duly entered order of the Boone County Commission.

ATTEST

Wendy S. Noren
County Clerk

Donnell [Signature]
BOONE COUNTY, MISSOURI
County Commissioner

DATE: 12-26-13

CERTIFIED COPY OF ORDER

STATE OF MISSOURI }
County of Boone } ea.

December Session of the October Adjourned

Term. 20 13

In the County Commission of said county, on the 26th day of December 20 13


the following, among other proceedings, were had, viz:

Now on this day the County Commission of the County of Boone does hereby approve the Organizational Use of the Government Center Chambers by 2014 Leadership Columbia/Chamber of Commerce for April 30, 2014 from 10:00 a.m. to 1:00 p.m.

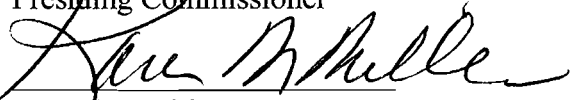
Done this 26th day of December, 2013.

ATTEST:

Wendy S. Noren
Wendy S. Noren
Clerk of the County Commission



Daniel K. Atwill
Presiding Commissioner



Karen M. Miller
District I Commissioner



Janet M. Thompson
District II Commissioner



Boone County Commission

APPLICATION FOR ORGANIZATIONAL USE OF BOONE COUNTY CONFERENCE ROOMS

The undersigned organization hereby applies for a use permit to use the Roger B. Wilson Boone County Government Center conference rooms or Centralia Satellite Office as follows:

Organization: 2014 Leadership Columbia / Chamber of Commerce

Address: 300 S. Providence Road

City: Columbia State: MO ZIP Code: 65201

Phone: 573-874-1132 Website: www.columbiamochamber.com

Individual Requesting Use: Chuck Leake Position in Organization: Co-Chair City/County Day

Facility requested: Chambers Room 301 Room 311 Room 332 Centralia Clinic

Event: City/County Government Day for the 2014 Leadership Columbia Day

Description of Use (ex. Speaker, meeting, reception): Speakers,

Date(s) of Use: April 30, 2014

Start Time of Setup: 10:00 AM AM/PM Start Time of Event: 10:30 AM/PM

End Time of Event: 12:45 AM/PM End Time of Cleanup: 1:00 PM AM/PM

The undersigned organization agrees to abide by the following terms and conditions in the event this application is approved:

1. To abide by all applicable laws, ordinances and county policies in using Boone County Government conference rooms.
2. To remove all trash or other debris that may be deposited (by participants) in rooms by the organizational use.
3. To repair, replace, or pay for the repair or replacement of damaged property including carpet and furnishings in rooms.
4. To conduct its use in such a manner as to not unreasonably interfere with Boone County Government building functions.
5. To indemnify and hold the County of Boone, its officers, agents and employees, harmless from any and all claims, demands, damages, actions, causes of action or suits of any kind or nature including costs, litigation expenses, attorney fees, judgments, settlements on account of bodily injury or property damage incurred by anyone participating in or attending the organizational use of rooms as specified in this application.

Organization Representative/Title: Chuck Leake /Co-chair City/County Day of 2014 Leadership Columbia

Phone Number: 573-219-0459 (C) Date of Application: December 24, 2013

Email Address: cleake@bcfdmo.com

PERMIT FOR ORGANIZATIONAL USE OF BOONE COUNTY GOVERNMENT CONFERENCE ROOMS

The County of Boone hereby grants the above application for permit in accordance with the terms and conditions above written. The above permit is subject to termination for any reason by duly entered order of the Boone County Commission.

ATTEST:

Wendy S. Noren
County Clerk

BOONE COUNTY, MISSOURI
Daniel K. Atwill
County Commissioner

DATE: 12-26-13

CERTIFIED COPY OF ORDER

STATE OF MISSOURI }
County of Boone } ea.

December Session of the October Adjourned

Term. 20 13

In the County Commission of said county, on the 26th day of December 20 13

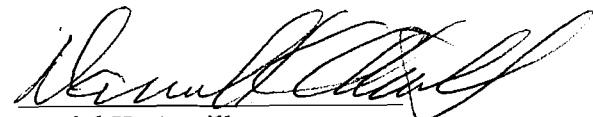
the following, among other proceedings, were had, viz:

Now on this day the County Commission of the County of Boone does hereby rescind Commission Order 574-2013, the appointment of Michael Morrison to the Community Services Advisory Commission.

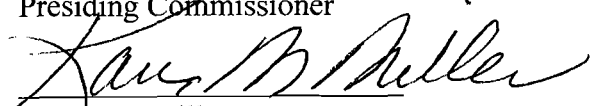
Done this 26th day of December, 2013.

ATTEST:

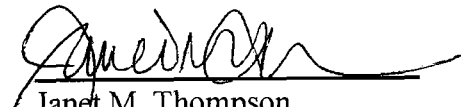
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Wendy S. Noren
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Presiding Commissioner



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District I Commissioner



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District II Commissioner