

CERTIFIED COPY OF ORDER

STATE OF MISSOURI }
County of Boone } ea.

May Session of the April Adjourned

Term. 20 12

In the County Commission of said county, on the 3rd day of May 20 12

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

Now on this day the County Commission of the County of Boone does accept the attached letter of credit for the Midway Arms Roosevelt Addition in the amount of \$22,950, and the stormwater erosion and sediment control security agreement. It is further ordered the Presiding Commissioner is hereby authorized to sign said agreement.

Done this 3rd day of May, 2012.

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

Skip Elkin
Skip Elkin
District II Commissioner

Stormwater Erosion and Sediment Control Security Agreement

Date: April 26, 2012

Developer/Owner Name: Coil Construction, Inc,
Address: 209 E Broadway, Columbia MO 65203

Development: Midway Arms Roosevelt Addition, 5875 Van Horn Tavern Rd
Parcel ID Number: **16-103-07-00-026.00 01**

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 Resource Management 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 5875 Van Horn Tavern Rd, Columbia Mo. 65203. The SWPPP and ESC was prepared by Crocket Engineering Consultants on April 5, 2012.
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 15th day of June 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 \$22,950 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 X months, with terms and conditions acceptable to the Boone County Treasurer.
 - 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 June 15, 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 June 15, 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:

Coil Construction, Inc

By: Jim Holman

Printed Name: Jim Holman

Title: Project Manager

BOONE COUNTY, MISSOURI:

Department of Resource Management

Stan Shawver
Stan Shawver, Director Resource Management

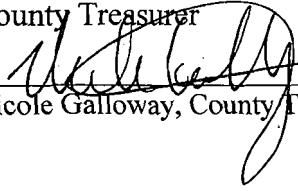
County Commission:

Daniel Atwill
Daniel Atwill, Presiding Commissioner

Attest:


Wendy S. Noren
Wendy S. Noren, Boone County Clerk

County Treasurer



Nicole Galloway, County Treasurer

Approved as to form:



C.J. Dykhouse, County Counselor

Boone County National Bank



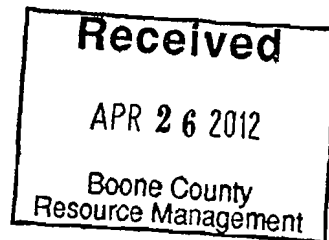
IRREVOCABLE LETTER OF CREDIT

NO. 0218628-0099

DATE: April 26, 2012

Amount: \$22,950.00

Re: Midway Arms Roosevelt Bldg Addition
5875 W. Van Horn Tavern Road



County of Boone

Attn: Director, Resource Management

801 E Walnut St, Rm. 315

Columbia, MO 65201

Ladies and Gentlemen:

We hereby authorize the County of Boone to draw on the **Boone County National Bank** for the account of the Developer Coil Construction, Inc., up to an aggregate amount of \$22,950.00 available by your drafts at sight. Your drafts must be accompanied by your invoice to Owner 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 **Boone County National Bank** Letter of Credit #0218628-0099 Dated 04/26/12."

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 April 26, 2012, provided further that upon such expiration, either at October 24, 2012, 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 Developer/Owner and the County of Boone, and presented to **Boone County National Bank** within the 60-day period prior to the then-effective date of expiration of this letter of credit.

WARRANTY APR 26 2012

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.

This Letter of Credit is subject to the Uniform Customs and Practice for Documentary Credits (2007 Revision) of the International Chamber of Commerce Publication No. 600. However, if this Credit contains a drawing schedule or a schedule of availability, then Article 32 of the UCP is hereby expressly deleted. In addition, if this Letter of Credit expires during the interruption of business as described in Article 36 we hereby specifically agree to effect payment if this letter of Credit is drawn against within thirty (30) days after resumption of business.

Sincerely yours,


By:  _____
Dawn Shellabarger, Assistant Vice President Commercial Banking

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

Boone County, Missouri letterhead

Date

Boone County National Bank
720 E. Broadway
Columbia, MO 65201
Attention: Dawn Shellabarger, Assistant Vice President Commercial Banking

Re: **Boone County National Bank** Letter of Credit No.: **0218628-0099**
Dated: 06/26/12
In Favor of Boone County, Missouri on behalf of **Coil Construction, Inc. for LD**
12-04 Midway Arms Roosevelt Bldg Addition, at 5875 W. Van Horn Tavern
Road

Gentlemen:

The undersigned, a duly authorized official of County of Boone, Missouri (the "Beneficiary"), hereby certifies to **Boone County National Bank** (the "Bank"), with reference to Irrevocable Letter of Credit No. **0218628-0099** (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:



Stan Shawver, Director Resource Management

Attest:

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

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

Boone County, Missouri letterhead

Date

Boone County National Bank
720 E. Broadway
Columbia, MO 65201
Attention: Dawn Shellabarger, Assistant Vice President, Commercial Banking

Re: **Boone County National Bank** Letter of Credit No.: **0218628-0099**
Dated: 06/26/12
In Favor of Boone County, Missouri on behalf of **Coil Construction, Inc. for LD**
12-04 Midway Arms Roosevelt Bldg Addition, at 5875 W. Van Horn Tavern
Road

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 }
 County of Boone } ea.

May Session of the April Adjourned

Term. 20 12

In the County Commission of said county, on the 3rd day of May 20 12


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


Now on this day the County Commission of the County of Boone does hereby appoint/ reappoint the following:

Name	Board	Period
Bill Oswald	Building Code Commission	Effective: 5/3/2012 Expires: 5/3/2014
Jay Creasy	Building Code Commission	Effective: 5/3/2012 Expires: 5/3/2014
Boyd Harris	Planning & Zoning Commission	Effective: 5/3/2012 Expires: 5/3/2016

Done this 3rd day of May, 2012.

ATTEST:

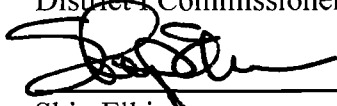

 Wendy S. Noren
 Clerk of the County Commission



Daniel K. Atwill
 Presiding Commissioner



Karen M. Miller
 District I Commissioner



Skip Elkin
 District II Commissioner

Dan Atwill, Presiding Commissioner
Karen M. Miller, District I Commissioner
Skip Elkin, District II Commissioner



Boone County Government Center
801 E. Walnut, Room 333
Columbia, MO 65201
FAX 573-886-4311
E-mail: commission@boonecountymo.org

RECEIVED
APR 18 2012

2 yr. term
5/12/12 thru 5/12/14

Boone County Commission

BOONE COUNTY BOARD OR COMMISSION APPLICATION FORM

Board or Commission: Building Code Commission Term: 4/6/2012

Current Township: Centralia Today's Date: 4/6/2012

Name: Bill Oswald

Home Address: 16654 North Crownview Drive Zip Code: 65240

Business Address: 700 Cherry St. Columbia, Mo. Zip Code: 65201

Home Phone: 573-696-0004 Work Phone: 443-1407
Fax: _____ E-mail: Oswald@soa-inc.com

Qualifications: Architect For over 30 years with responsibilities of Code reviews, O.C., Design. E.C.T. Owner of a small architectural firm in Columbia Mo.

Past Community Service: Building Codes Commission, Past CSI & AIA Presidents
(449-2683)

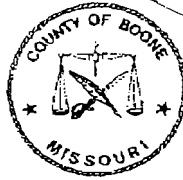
References: Brad Wright - PWA, Jennifer Hedrick - SOA (443-1407), Dan Marshall - Building Inspector For Boone County.

I have no objections to the information in this application being made public. To the best of my knowledge at this time I can serve a full term if appointed. I do hereby certify that the above information is true and accurate.

Bill Oswald
Applicant Signature

Return Application To: Boone County Commission Office
Boone County Government Center
801 East Walnut, Room 333
Columbia, MO 65201
Fax: 573-886-4311

Dan Atwill, Presiding Commissioner
Karen M. Miller, District I Commissioner
Skip Elkin, District II Commissioner



Rec'd 4/13

Boone County Government Center
801 E. Walnut, Room 333
Columbia, MO 65201
573-886-4305 • FAX 573-886-4311
E-mail: commission@boonecountymo.org

Boone County Commission

5/13/12 thru 5/14/14
2 yr. Term

BOONE COUNTY BOARD OR COMMISSION APPLICATION FORM

Board or Commission: Building Code Commission Term: 4/2/2012

Current Township: Columbia Today's Date: 4/2/2012

Name: Jay Creasy

Home Address: 911 West Rollins Road Zip Code: 65203

Business Address: 911 West Rollins Road Zip Code: 65203

Home Phone: 573-442-8882 Work Phone: 573-999-9009

Fax: _____ E-mail: benchmark@computerland.net
benchmarkj@hotmail.com

Qualifications: I own a home inspectors company and am very familiar with the building codes. I also serve on the Building Code Commission for the City of Columbia.

Past Community Service: Pres. Crime Blockers, Downtown Optimist Soccer Coach, Baseball coach

References: Dave Nichols - Chief Engineer City of Columbia
Kevin Crane - Circuit Court Judge
Doug Stienhoff - Columbia Public Schools

I have no objections to the information in this application being made public. To the best of my knowledge at this time I can serve a full term if appointed. I do hereby certify that the above information is true and accurate.

Applicant Signature

Return Application To: Boone County Commission Office
Boone County Government Center
801 East Walnut, Room 333
Columbia, MO 65201
Fax: 573-886-4311

Dan Atwill, Presiding Commissioner
Karen M. Miller, District I Commissioner
Skip Elkin, District II Commissioner



Boone County Government Center
801 E. Walnut, Room 333
Columbia, MO 65201
573-886-4305 • FAX 573-886-4311
E-mail: commission@boonecountymo.org

Boone County Commission

*4 yrs term
3/29/12 thru 3/29/16*

BOONE COUNTY BOARD OR COMMISSION APPLICATION FORM

Board or Commission: Planning & Zoning Commission Term: 3/29/2012

Current Township: Centralia Today's Date: 3/29/2012

Name: Boyd Harris

Home Address: 19510 N. Drew Road Zip Code: 65240

Business Address: 1397 E. Hwy 22, Centralia, MO. Zip Code: 65240

Home Phone: _____ Work Phone: 573-682-6200
Fax: _____ E-mail: boyd@agrilandappraisals.com

Qualifications: real estate sales, appraisal, development.
4 yrs as chair - 3 yrs prior service

Past Community Service: _____

References: _____

I have no objections to the information in this application being made public. To the best of my knowledge at this time I can serve a full term if appointed. I do hereby certify that the above information is true and accurate.

Applicant Signature

Return Application To: Boone County Commission Office
Boone County Government Center
801 East Walnut, Room 333
Columbia, MO 65201
Fax: 573-886-4311

CERTIFIED COPY OF ORDER

STATE OF MISSOURI }
 County of Boone } ea.

May Session of the April Adjourned

Term. 20 12

In the County Commission of said county, on the

3rd

day of

May

20 12

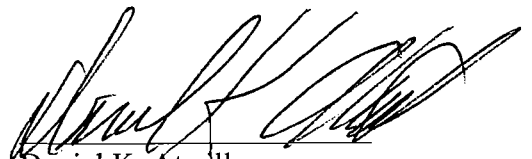
the following, among other proceedings, were had, viz:

Now on this day the County Commission of the County of Boone does hereby authorize a closed meeting on Monday, May 7, 2012, at 3:30 p.m. The meeting will be held in Room 338 of the Roger B. Wilson Boone County Government Center at 801 E. Walnut, Columbia, Missouri, as authorized by 610.021(1) RSMo. to discuss legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys, and 610.021 (3) RSMo. to discuss the hiring, firing, disciplining or promoting of particular employee by a public governmental body when personal information about the employee is discussed or recorded.

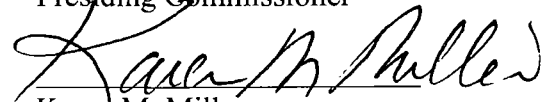
Done this 3rd day of May, 2012.

ATTEST:

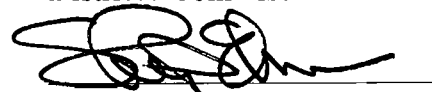
Wendy S. Noren cc
 Wendy S. Noren
 Clerk of the County Commission



Daniel K. Atwill
 Presiding Commissioner



Karen M. Miller
 District I Commissioner



Skip Elkin
 District II Commissioner