

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of the Joint Application of House Springs)
Sewer Company, Inc., and Jefferson County Public)
Sewer District for Approval of House Springs Sewer)
Company, Inc. to Sell Company Assets to Jefferson)
County Public Sewer District, in Connection with)
Other Related Transactions.)

File No. SM-2016-0204

STATUS REPORT

COMES NOW the Staff of the Missouri Public Service Commission (Staff), by and through counsel, and for its *Status Report and Motion for Filing Deadline* in these matters hereby states:

1. On February 16,¹ House Springs Sewer Company, Inc. (HSSC) and Jefferson County Public Sewer District (JCPSD) (collectively Applicants) filed a joint application (application) with the Commission. The application seeks authority for JCPSD to buy the assets HSSC uses to provide sewer service to approximately 1,100 customers in Jefferson County, and then for JCPSD to provide sewer service to those customers.

2. On February 23, the County of Jefferson and Missouri and Delinquent Tax Trustee of Jefferson County, Missouri, filed as intervenors in this file. On March 7, the Missouri Department of Natural Resources (DNR) filed as an intervenor in this file.

3. On March 29, the parties participated in a prehearing conference to discuss case status and procedures and were directed to make a filing to update the Commission on the status of the case.

4. On April 20, the parties requested a thirty (30) day reporting deadline be set to either submit a status update or file a procedural schedule, as a new counsel for the Applicants entered his appearance. The Commission issued its *Order Granting Staff*

¹ All dates occur in the year 2016.

Motion on May 11, directing the parties to file a procedural schedule or status report no later than May 20.

5. On April 25, Staff received a letter and documentation from the County of Jefferson and Missouri and Delinquent Tax Trustee of Jefferson County, Missouri, intervenors to this application, declaring that their issues were resolved and stating their intent to withdraw from the case, appended hereto as Attachment A. Counsel for the intervenors has not filed for withdrawal from the casefile to date.

6. On May 11, Staff received notice from DNR declaring that its issues have been resolved, appended hereto as Attachment B. Counsel for DNR has not filed for withdrawal from the casefile to date.

7. While Staff's concerns raised at the pre-hearing conference remain outstanding, the Applicants have agreed to address Staff's concerns within thirty (30) days. Staff requests a reporting deadline be set thirty (30) days from the filing of this motion for the parties to file either a procedural schedule or status report to provide the Applicants an opportunity to address Staff's concerns.

WHEREFORE, Staff submits this Status Update for the Commission's information and consideration, and requests the parties submit a procedural schedule or status report no later than thirty (30) days from the date of this filing.

Respectfully submitted,

/s/ Hampton Williams

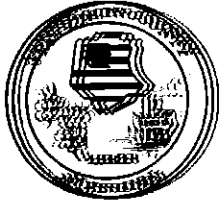
Wm. Hampton Williams
Assistant Staff Counsel
Missouri Bar No. 65633

Attorney for the Staff of the
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102
(573) 751-8517 (Telephone)
Hampton.Williams@psc.mo.gov

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by electronic mail, or First Class United States Postal Mail, postage prepaid, on this 20th day of May, 2016, to all counsel of record.

/s/ Hampton Williams



Jefferson County, Missouri

Administration Center
729 Maple Street · PO Box 100
Hillsboro, Missouri 63050

Kenneth B. Waller
County Executive

DEPARTMENT OF THE COUNTY COUNSELOR

Carl W. "Wes" Yates, III—County Counselor

Telephone: 636-797-5072 - Fax: 636-797-5506 - Email: wyates@jeffcomo.org

Victor J. Melenbrink
Municipal Prosecutor
Municipal Division
636-797-5403

Stephanie A. Powell
Assistant County Counselor
Revenue/Tax Compliance
636-797-5409

J. Isaac Crabtree
Assistant County Counselor
Litigation/Special Projects
636-797-5478

April 25, 2016

TO: Mr. Hampton Williams
Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

RE: **SM-2016-0204**

Dear Mr. Williams:

Enclosed please find a certified copy of the Jefferson County, Missouri, Council's Ordinance authorizing the sale of the subject property by the Jefferson County Delinquent Tax Trustee to the Jefferson County Public Sewer District.

Please note that while there is a scrivener's error in the ordinance on pages 1 of 4 and 3 of 4 (both in the legal description of the property, misspelling "Brook"), this error is not contained in the trustee deed conveying title for same.

Now that this issue has been resolved, Jefferson County, Missouri, intends to withdraw from the case. Please contact me if you have any questions or issues.

Regards,

/s/ J. Isaac Crabtree #62551
Assistant County Counselor
729 Maple Street – PO Box 100
Hillsboro, MO 63050-0100
P: 636-797-5478
F: 636-797-5506
E: icrabtree@jeffcomo.org



COUNTY OF JEFFERSON

Wes Wagner
County Clerk

COUNTY CLERK'S OFFICE
ADMINISTRATION CENTER
729 MAPLE STREET/PO BOX 100
HILLSBORO MO 63050
636-797-5486
FAX 636-797-5360
WWAGNER@JEFFCOMO.ORG

CERTIFIED COPY

STATE OF MISSOURI)
) §
COUNTY OF JEFFERSON)

I, WES WAGNER, COUNTY CLERK, IN AND FOR SAID COUNTY, HEREBY CERTIFY THE ATTACHED TO BE A TRUE COPY OF:

ORDINANCE NO. 16-0216; AN ORDINANCE ORDERING THE DELINQUENT TAX TRUSTEE AS APPOINTED PURSUANT TO SECTION 140.230 RSMO (2015) TO SELL CERTAIN PROPERTY, EXECUTE DEEDS AND DELIVER SAME FOR MEADOW BOOK ESTATES LOT 98 PLAT BOOK 92 PAGE 9; SECTION 23, TOWNSHIP 42, RANGE 4; SCHOOL DISTRICT R1; PARCEL 07-6.0-23.0-0-000-001.85 (PREVIOUSLY KNOWN AS PARCEL 07-6.0-23.0-0-000-001.85A AND 07-6.0-23.0-0-000-001.85B) (LOCATED IN COUNCIL DISTRICT 7)..

AS PERSONALLY RETAINED IN MY OFFICE IN HILLSBORO, JEFFERSON COUNTY, MISSOURI.

IN TESTIMONY WHEREOF, I HAVE HERE UNTO
SET MY HAND AND AFFIXED THE SEAL OF SAID
COUNTY OF JEFFERSON, AT THIS OFFICE IN HILLSBORO
THE 13TH DAY OF APRIL, 2016.



Wes Wagner
WES WAGNER COUNTY CLERK
BY: *Amy Wotke*
DEPUTY CLERK

VOTE-and the choice is yours

REGISTER-or you have NO choice

DON'T VOTE-and the choice is theirs

BILL NO.: 16-0341

ORDINANCE NO.: 16-

0216

INTRODUCED BY: COUNCIL MEMBER(s) Kasten

1 **AN ORDINANCE ORDERING THE DELINQUENT TAX TRUSTEE AS**
2 **APPOINTED PURSUANT TO SECTION 140.230 RSMO (2015) TO SELL CERTAIN**
3 **PROPERTY, EXECUTE DEEDS AND DELIVER SAME FOR MEADOW BOOK**
4 **ESTATES LOT 98 PLAT BOOK 92 PAGE 9; SECTION 23, TOWNSHIP 42, RANGE**
5 **4; SCHOOL DISTRICT R1; PARCEL 07-6.0-23.0-0-000-001.85 (PREVIOUSLY**
6 **KNOWN AS PARCEL 07-6.0-23.0-0-000-001.85A AND 07-6.0-23.0-0-000-001.85B)**
7 **(LOCATED IN COUNCIL DISTRICT 7).**

8 **WHEREAS**, the Delinquent Tax Trustee for Jefferson County, Missouri, ("Trustee")
9 as appointed pursuant to Section 140.230.1 RSMo. (2015), purchased on August 28, 1995,
10 the following described real property, to wit:

11 **MEADOW BOOK ESTATES LOT 98 PLAT BOOK 92 PAGE 9;**
12 **SECTION 23, TOWNSHIP 42, RANGE 4; SCHOOL DISTRICT R1;**
13 **PARCEL 07-6.0-23.0-0-000-001.85. (PREVIOUSLY KNOWN AS**
14 **PARCEL 07-6.0-23.0-0-000-001.85A AND 07-6.0-23.0-0-000-001.85B)**
15 **(LOCATED IN COUNCIL DISTRICT 7).**

16 and,

1 **WHEREAS**, the current Delinquent Tax Trustee for Jefferson County, Missouri, has
2 been offered Five Thousand Five Hundred Seventy Nine and 75/100 Dollars (**\$5,579.75**) for
3 the purchase of the above described property by Jefferson County Public Sewer District,
4 which said offer is the best thus far received; and,

5 **WHEREAS**, the Trustee has made application and requested an Ordinance of the
6 Jefferson County, Missouri, Council, authorizing the sale of the property described above as
7 set forth and contained in Exhibit "A" attached hereto and incorporated herein by reference;
8 and,

9 **WHEREAS**, pursuant to Section 140.230.5 RSMo. (2015), and Sections 3.4.2.10 and
10 3.4.2.11 of the Home Rule Charter of Jefferson County, Missouri, the County Council may
11 administer and order real estate, lands and lots so purchased by the Trustee sold and the
12 deeds thereto executed and delivered to a buyer; and,

13 **WHEREAS**, it is in the best interest of the County to dispose of the property
14 described herein and to put the same back on the tax rolls.

15 **BE IT ENACTED BY THE JEFFERSON COUNTY, MISSOURI, COUNCIL,**
16 **AS FOLLOWS:**

17 Section 1. The Jefferson County, Missouri, Council hereby orders that:

1 MEADOW BOOK ESTATES LOT 98 PLAT BOOK 92 PAGE 9;
2 SECTION 23, TOWNSHIP 42, RANGE 4; SCHOOL DISTRICT R1;
3 PARCEL 07-6.0-23.0-0-000-001.85 (PREVIOUSLY KNOWN AS
4 PARCEL 07-6.0-23.0-0-000-001.85A AND 07-6.0-23.0-0-000-001.85B).
5 (LOCATED IN COUNCIL DISTRICT 7).

6 Be sold to Jefferson County Public Sewer District, for Five Thousand Five
7 Hundred Seventy Nine and 75/100 Dollars (\$5,579.75).

8 Section 2. The Jefferson County, Missouri, Council orders the Trustee to execute
9 and deliver the Trustee's Deed for the above described real property.

10 Section 3. This Ordinance shall be in full force and effect from and after its date
11 of approval. If any part of this Ordinance is invalid for any reason, such invalidity shall not
12 affect the remainder of this Ordinance.

13
**THIS BILL BEING DULY INTRODUCED, THE MEMBERS OF THE
JEFFERSON COUNTY, MISSOURI, COUNCIL VOTED AS FOLLOWS:**


Council Member District 1, Don Bickowski	<u>Yes</u>
Council Member District 2, Renee Reuter	<u>Yes</u>
Council Member District 3, Robert Boyer	<u>Absent</u>
Council Member District 4, George Engelbach	<u>Absent</u>
Council Member District 5, Oscar J. "Jim" Kasten	<u>Yes</u>
Council Member District 6, Cliff Lane	<u>Yes</u>
Council Member District 7, James Terry	<u>Yes</u>

THE ABOVE BILL ON THIS 11 DAY OF April, 2016:

✓ PASSED FAILED



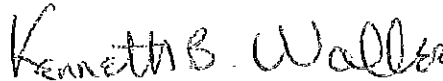
Renee Reuter, County Council Chair



Pat Schlette, Council Administrative Assistant

THIS BILL WAS ✓ APPROVED BY THE JEFFERSON COUNTY EXECUTIVE AND ENACTED AS AN ORDINANCE OF JEFFERSON COUNTY, MISSOURI, THIS 12TH DAY OF April, 2016.

THIS BILL WAS VETOED AND RETURNED TO THE JEFFERSON COUNTY, MISSOURI, COUNCIL WITH WRITTEN OBJECTIONS BY THE JEFFERSON COUNTY EXECUTIVE, THIS DAY OF , 2016.

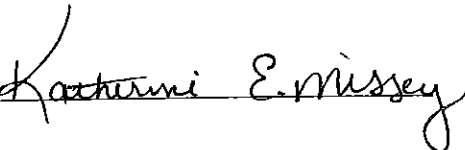


Kenneth B. Waller, Jefferson County, Missouri, Executive

ATTEST:



Wes Wagner, County Clerk

BY: 

First Reading: 03-28-2016

Second Reading: 04-11-2016

Third Reading: 04-11-2016

Application For County Council Ordinance Authorizing Sale of Land

**Sec. 140.260 RSMo 1949
Attorney General opinion Oct. 22, 1954**

Comes now Jody Harness and states to the Council that she is now the duly appointed, acting and qualified Trustee for land acquired for delinquent taxes for Jefferson County, Missouri, said appointment having been made a matter of record on the 28th day of May, 2013, and that the Predecessor Trustee did on August 28, 1995, purchase at the 3rd offering, the following described property, to wit:

MEADOW BROOK ESTATES LOT 98 PLAT BOOK 92 PAGE 9;

SECTION 23 TOWNSHIP 42 RANGE 4; SCHOOL DISTRICT R1;

PARCEL NUMBER 07-6.0-23.0-0-000-001.85 (PREVIOUSLY KNOWN AS PARCEL

NUMBER 07-6.0-23.0-0-000-001.85A AND 07-6.0-23.0-0-000-001.85B)

all located in Jefferson County, Missouri.

That said property was assessed in the name of Echo Lake Development Inc. and House Springs Sewer Co. Inc., and the amount of taxes and costs for which it was sold was \$12,935.97 that the Trustee purchased said property for a bid of \$12,935.97 and that there has been incurred expenses in the sum of \$21.00 Trustee Deed, \$21.00 Collector Deed, \$30.50 Recording Fee and \$1,300.85 Commission; the Trustee has been offered a bid of \$5,000 for the purchase of said property and that there has been incurred expenses in the sum of \$21.00 Trustee Deed, \$21.00 Collector Deed, \$30.50 Recording Fee and \$507.25 by Jefferson County Public Sewer District, P.O. Box 632, Hillsboro, Missouri 63050, which said offer is the best thus far received.

WHEREFORE, premises considered, your Trustee respectfully requests an ordinance of the County Council authorizing the sale of said property for the sum \$5,579.75.

Respectfully submitted,

/s/ Jody Harness

Delinquent Tax Trustee

Approved as to form /s/ Carl W. Yates III
County Counselor

(Above space reserved for recording information only)

Title of Document: TRUSTEE DEED
Date of Document: <Date approved by Council>
Grantor: Jody Harness, Trustee
Grantee: Jefferson County Public Sewer District

Grantee Mailing Address: P.O. Box 632
Hillsboro, Missouri 63050
Legal Description: Page 3

Trustee's Deed for Land Acquired for Delinquent Taxes

THIS INDENTURE, Made and entered into <Date approved by council>, by and between Jody Harness, trustee, for the use and benefit of the funds hereinafter mentioned, grantor, and Jefferson County Public Sewer District, P.O. Box 632, Hillsboro, Missouri 63050, of the County of Jefferson, State of Missouri, grantee /s; WITNESSETH THAT:

WHEREAS, the County Commission of Jefferson County, Missouri, by an order of record dated the 28th day of May, 2013 a certified copy of which is on file in the office of the county collector of said county, did designate and appoint the grantor as a trustee for the benefit of all funds entitled to participate in the funds entitled to the taxes against the lands herein described; and,

WHEREAS, the said grantor has accepted said appointment and is now the duly appointed, qualified and acting trustee for the uses and purposes aforesaid; and,

WHEREAS, the said grantor, by virtue of the aforesaid appointment, is now and was at all times hereinafter stated authorized to bid at all sales of delinquent lands offered for taxes, interest, penalty and costs, by the collector of said county, which had been offered for sale for taxes for two successive years next prior thereto; and,

WHEREAS, the said grantor is and was at all the times herein mentioned, authorized to purchase at such sales all lands or lots offered thereat, necessary to protect all taxes due and owing, and to prevent their loss to the taxing authorities involved from inadequate bids; and,

WHEREAS, Beth Mahn, Collector of Jefferson County, Missouri, did on August 28, 1995 , offer for sale for taxes for the third time, the lands hereinafter described, and at said sale no person having bid therefore a sum equal to the delinquent taxes thereon, interest, penalty and the cost provided by law, Judy Kuhlman , predecessor trustee for the uses and purposes herein set forth and by virtue of the authority vested in her, did bid and purchase the lands hereinafter described at a price not in excess of a sum equal to the delinquent taxes thereon, interest, penalty and costs provided by law, and the same were stricken off and sold to the said trustee for the use and benefit of the following funds to be prorated as compromised by the County Council and Pursuant of the Home Rule Charter of Jefferson County, Missouri to distribute payment of the taxes for which the real estate hereinafter described was sold as follows:

FUNDS	AMOUNT	FUNDS	AMOUNT
STATE	\$ 26.63	ST. LOUIS	\$ 0.00
COUNTY	\$ 0.00	SPECIAL	
HEALTH	\$ 56.87	MER. SUR.	\$ 211.47
ROAD	\$ 127.43	MENTAL HEALTH	\$ 88.77
AMBULANCE BR	\$ 375.25	LIBRARY	\$ 177.54
COLLEGE JC	\$ 191.69	CITY	\$ 0.00
SCHOOL R1	\$ 3,061.76	TOTAL TAX	\$ 4,982.00
		INT/PEN	\$ 0.00
FIRE AF	\$ 489.00	ADVERTISING	\$ 18.00
HANDICAPPED	\$ 88.77	RECORD SEARCH	\$ 0.00
PARK	\$ 21.36	POSTING FEE	\$ 0.00
BRIDGE BOND	\$ 65.46	CERT POSTAGE	\$ 0.00
		AMOUNT DUE	\$ 5,000.00

All of which proceedings are shown by deed from the Collector of said county to Judy Kuhlman, predecessor trustee, dated August 28, 1995, and recorded in the office of the Recorder of Deeds of Jefferson County, Missouri, in, Book 0685 Page 316; and,

WHEREAS, the said grantor has been offered the sum of Five Thousand Five Hundred Seventy Nine and 75/100 (\$5,579.75) by the said Jefferson County Public Sewer District, grantee /s, for the lands hereinafter described; and,

WHEREAS, the County Council, by ordinance of record dated <Date approved by Council>, has ordered the undersigned to sell the hereinafter described lands to the said grantee /s at that price and sum, and to execute and deliver a deed therefore.

NOW, THIS INDENTURE, WITNESSETH, That the said grantor, under and acting by virtue and in pursuance of the powers in her vested as hereinbefore stated, in consideration the sum of Five Thousand Five Hundred Seventy Nine and 75/100 (\$5,579.75) to her in hand paid by the said Jefferson County Public Sewer District, grantee /s, the receipt of which is hereby acknowledged, does by these presents, grant, bargain, sell and convey unto the said grantee /s, the piece or parcel of land situated in the County of Jefferson, State of Missouri, and described as follows:

MEADOW BROOK ESTATES LOT 98 PLAT BOOK 92 PAGE 9;
SECTION 23 TOWNSHIP 42 RANGE 4; SCHOOL DISTRICT R1;
PARCEL NUMBER 07-6.0-23.0-0-000-001.85 (PREVIOUSLY KNOWN AS PARCEL
NUMBER 07-6.0-23.0-0-000-001.85A AND 07-6.0-23.0-0-000-001.85B)

TO HAVE AND TO HOLD the above described premises together with all and singular
the hereditaments and appurtenances thereto belonging or in anywise appertaining unto the said
grantee /s, his, her, their heirs and assigns forever.

IN TESTIMONY WHEREOF, the said grantor has hereunto set her hand this <Date
approved by Council>.

Jody Harness

Trustee

STATE OF MISSOURI

ss.

COUNTY OF JEFFERSON

Before me, the undersigned, Notary Public, in and for said County, this day, personally came the above
named Jody Harness, trustee, described in the foregoing instrument, and acknowledged that she executed the same
for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, this <Date approved by
Council>.

Notary Public
Jefferson County, Missouri

END OF DOCUMENT

Williams, Hampton

From: Willoh, Don <Don.Willoh@dnr.mo.gov>
Sent: Wednesday, May 11, 2016 9:42 AM
To: Williams, Hampton; 'Arturo Hernandez'
Subject: House Springs

Gentlemen, I wanted to let you both know that all of the outstanding permit fees that were the original subject of MDNR's motion to intervene have been resolved. We are preparing a letter to this effect.

Don Willoh
Assistant General Counsel
Missouri Department of Natural Resources
(573) 751-5464

Promoting, Protecting and Enjoying our Natural Resources. Learn more at dnr.mo.gov.

CONFIDENTIALITY NOTICE: This e-mail communication and any attachments may contain confidential and privileged information intended for the use of the designated recipients named above. Do not disclose this information to any other party without my authorization. If you have received this communication in error, please contact me immediately and destroy all copies of this communication and any attachments.

PLEASE NOTE: Please be aware that (1) e-mail is not a secure method of communication; (2) any e-mail that is sent to you or by you may be copied and held by various computers as it passes from me to you or vice versa; and (3) persons not participating in our communication may intercept our communications by improperly accessing your computer or my computer or even some computer unconnected to either of us which the e-mail passed through. I am communicating to you via e-mail because you have consented to receive communications via this medium. If you change your mind and want future communications to be sent in a different fashion, please let me know AT ONCE.