

Lee County Board Of County Commissioners
Agenda Item Summary

Blue Sheet No. 20030609

1. REQUESTED MOTION:

ACTION REQUESTED: Approve the attached list of Public Official Faithful Performance Bonds

WHY ACTION IS NECESSARY: To comply with the provisions of F.S. 137.05 (copy attached).

WHAT ACTION ACCOMPLISHES: Assures compliance with above provisions.

2. DEPARTMENTAL CATEGORY:
COMMISSION DISTRICT #:

CIA

3. MEETING DATE:

06-10-2003

4. AGENDA:

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON
- TIME REQUIRED:

5. REQUIREMENT/PURPOSE:
(Specify)

- STATUTE
- ORDINANCE
- ADMIN. CODE
- OTHER

6. REQUESTOR OF INFORMATION:

- A. COMMISSIONER
- B. DEPARTMENT County Administration
- C. DIVISION Budget Services/Risk
- BY: Tony Majul, Budget Director

AM

7. BACKGROUND:

The above-referenced statute requires the Board of County Commissioners to examine the sufficiency of bonds of the County officers.
The Risk Management office has examined the sufficiency of said bonds, and has found them all to be underwritten by solvent sureties.

8. MANAGEMENT RECOMMENDATIONS:

The Risk Management office recommends approval.

9. RECOMMENDED APPROVAL:

| A Department Director | B Purchasing or Contracts | C Human Resources | D Other | E County Attorney | F Budget Services Risk | | | G County Manager |
|-----------------------------|---------------------------------|-------------------------|------------|-------------------------|------------------------------|----------------------|----------------------|----------------------|
| <i>AM</i> 5/20/03 | N/A | NA | N/A | <i>KS</i> 5/20/03 | <i>OM</i> 5/20 | <i>GR</i> 5/20/03 | <i>GE</i> 5/20/03 | <i>DD</i> 5-21-03 |

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty
Date: 5/20/03
Time: 11:10 am
Forwarded to:
City Admin. Sec
5-20-03 11:25

RECEIVED BY
COUNTY ADMIN. TD
5-20-03
11:30
COUNTY ADMIN.
FORWARDED TO: DS
5/21/03

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CHAPTER 137

BONDS OF COUNTY OFFICERS

- 137.01 Bonds required by the board of county commissioners for county officers.
- 137.02 Bond of tax collector.
- 137.03 Bond of property appraisers.
- 137.04 County commissioners to give bond.
- 137.05 Duty of boards of county commissioners.
- 137.08 Sums for which sureties may be bound.
- 137.09 Justification and approval of bonds.
- 137.10 Provisions not applicable to surety companies.

137.01 Bonds required by the board of county commissioners for county officers.--Each board of county commissioners may by ordinance require any county officer to give bond, conditioned for the faithful performance of the duties of his or her office. The amount of the bond and the bond must be approved by the board of county commissioners. In determining the amount of the bond, the board of county commissioners may consider the amount of money or property likely to be in custody of the county officer at any one time. The bond of each of the county officers of whom a bond is required must be filed with the clerk of the circuit court.

History.--s. 1, ch. 3724, 1887; RS 616; GS 822; RGS 1568; CGL 2416; ss. 10, 12, 35, ch. 69-106; s. 837, ch. 95-147; s. 28, ch. 95-312; s. 20, ch. 98-34.

137.02 Bond of tax collector.--The tax collector of each county shall give bond as required by the board of county commissioners of the respective county, specifically conditioned to account duly and faithfully for all taxes collected by the tax collector. In fixing the bond the board of county commissioners may consider the amount of money likely to be in the custody of the collector at any one time.

History.--s. 5, ch. 3724, 1887; RS 617; GS 823; RGS 1569; s. 1, ch. 10033, 1925; CGL 2417; ss. 12, 35, ch. 69-106; s. 1, ch. 76-140; s. 29, ch. 95-312; s. 21, ch. 98-34.

137.03 Bond of property appraisers.--The county property appraiser shall give a bond as required by the board of county commissioners. In fixing the amount of the bond, the board of county commissioners may consider the amount of money likely to be in the custody of the

property appraiser at any one time.

History.--s. 7, ch. 3724, 1887; s. 1, ch. 3844, 1889; RS 618, 619; GS 824; RGS 1570; CGL 2418; s. 1, ch. 28294, 1953; s. 3, ch. 73-47; s. 1, ch. 77-102; s. 22, ch. 98-34.

137.04 County commissioners to give bond.--Each county commissioner, whether elected or appointed to such office, must give a bond conditioned for the faithful performance of the duties of his or her office as required by the board of county commissioners. The premium of the bonds given must be paid out of the county treasury.

History.--s. 1, ch. 6477, 1913; RGS 1571; CGL 2419; ss. 12, 35, ch. 69-106; s. 838, ch. 95-147; s. 30, ch. 95-312; s. 23, ch. 98-34.

137.05 Duty of boards of county commissioners.--The board of county commissioners of each county shall at its regular meetings in January and June of each year examine carefully as to the sufficiency of bonds of the county officers, and if it has reason to believe that the sufficiency of any bond has become impaired, it must at once require the officer to execute and file with the proper officer a new bond for the same amount and under the same conditions as his or her former bond.

History.--s. 2, ch. 4413, 1895; GS 825; RGS 1572; CGL 2420; s. 839, ch. 95-147; s. 24, ch. 98-34.

137.08 Sums for which sureties may be bound.--In every bond in which the amount of the bond shall not exceed \$1,000, there shall be at least two sureties, each bound for the full amount of the bond. In every bond so specified in which the amount of the bond shall exceed \$1,000, each surety may bind himself or herself for a specified sum, and the aggregate amount for which the sureties shall bind themselves shall not be less than the penalty of the bond.

History.--s. 9, ch. 3724, 1887; RS 620; GS 828; RGS 1575; CGL 2423; s. 841, ch. 95-147.

137.09 Justification and approval of bonds.--Each surety upon every bond of any county officer shall make affidavit that he or she is a resident of the county for which the officer is to be commissioned, and that he or she has sufficient visible property therein unencumbered and not exempt from sale under legal process to make good his or her bond. Every such bond shall be approved by the board of county commissioners and by the Department of Banking and Finance when they and it are satisfied in their judgment that the same is legal, sufficient, and proper to be approved.

History.--s. 10, ch. 3724, 1887; RS 621; GS 829; RGS 1576; CGL 2424; ss. 12, 35, ch. 69-106; s. 842, ch. 95-147.

137.10 Provisions not applicable to surety companies.--The provisions of this chapter requiring two sureties and justification by surety shall not apply where such surety is a surety company authorized to do business in this state.

History.---s. 1, ch. 5372, 1905; GS 830; RGS 1577; CGL 2425.

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LEE COUNTY

Public Officials Bonds

| Public Official | | | Amount | Surety | Bond# | Term |
|-----------------|-----------|-----------------|-----------|----------------------|-----------|----------|
| Last | First | Capacity | | | | |
| Albion | John | Commissioners | \$2,000 | Continental Casualty | 158311791 | 11/20/04 |
| Coy | Andy | Commissioners | \$2,000 | Continental Casualty | 141801507 | 11/19/06 |
| Curtis | Cathy | Tax Collector | \$15,000 | Continental Casualty | 929148319 | 01/01/05 |
| Green | Charlie | Clerk of Courts | \$100,000 | Continental Casualty | 141801538 | 01/01/05 |
| Janes | Robert P. | Commissioners | \$2,000 | Continental Casualty | 930008442 | 11/20/04 |
| Judah | Ray | Commissioners | \$2,000 | Continental Casualty | 141801703 | 11/20/04 |
| Shoap | Rod | Sheriff | \$10,000 | Western Surety | R25140493 | 01/01/05 |
| St. Cerny | Doug | Commissioners | \$2,000 | Continental Casualty | 141801541 | 11/19/06 |
| Winkinson | Ken | Property Appr. | \$25,000 | Continental Casualty | 141801653 | 01/01/05 |
| Young | Philinda | Spvr. Elections | \$5,000 | Continental Casualty | 141801698 | 01/01/05 |

02128 - Continental Casualty Company

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Best's Rating
A (Excellent)*
Financial Size Category
XV (\$2 billion or more)

**Ratings as of 05/16/2003 08:47:17 AM E.S.T.*

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Rating Category (Excellent): Assigned to companies that have, in our opinion, an excellent ability to meet their ongoing obligations to policyholders.

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00974 - Western Surety Company

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A.M. Best #: 00974 NAIC #: 13188
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Best's Rating
A+ (Superior)*
Financial Size Category
VIII (\$100 million to \$250 million)

**Ratings as of 05/16/2003 08:47:17 AM E.S.T.*

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