

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY

Meeting Date: January 9, 2007 ( X ) Consent ( ) Regular  
( ) Ordinance ( ) Public Hearing

Department:

Submitted By: Clerk & Comptroller

Submitted For: Tax Collector

EXECUTIVE BRIEF

A. Motion and Title:

**STAFF RECOMMENDS MOTION TO APPROVE the Bond of newly elected Tax Collector, Anne M. Gannon. Pursuant to F.S. 137.02**

B. Summary:

The Tax Collector of each county shall give bond and present the bond to the Board of County Commissioners for approval and give the bond to the Governor of the State, pursuant to F.S. 137.02, 137.09.

The Tax Collector is required to give bond in a sum to be fixed by the Board of County Commissioners. The current set Bond is at \$100,000 for the term ending January 2009.

Payment for the cost of the bond is paid out of the County's General Revenue Fund pursuant to Chapter 113.07 (4), F.S.

C. Background and Justification:

On November 7, 2006, the above referenced constitutional officer was duly elected for a four year term. Ms. Gannon beginning office on 11/8/06 replacing appointed Tax Collector PETER H. CARNEY.

D. Attachments:

Bond document for Anne Gannon, Tax Collector

Recommended:

Robert Fagin  
Robert Fagin, Chief Financial Officer

12/26/06  
Date

Approved:

Vincent J. Brevato  
Asst. County Administrator

12/19/06  
Date

## II. FISCAL IMPACT ANALYSIS

### A. Five Year Summary of Fiscal Impact:

Fiscal Years	2005	2006	2007	2008	2009
Capital Expenditures	_____	_____	\$1,393.00	_____	_____
Operating Costs	_____	_____	_____	_____	_____
Operating Revenues	_____	_____	_____	_____	_____

Is item included in current budget? Yes ☒ No ☐

Budget Account No.: Fund 0001 Agency 760 Org. 7601 Object 4501


Reporting Category \_\_\_\_\_

### B. Recommended sources of Funds/Summary of Fiscal Impact:

### C. Departmental Fiscal Review:


## III. REVIEW COMMENTS

### A. OFMB Budget and/or Contract Dev. And Control Comments:

 12-7-06  
OFMB/ Budget

N/A  
Contract Development and Control

### B. Legal Sufficiency:

 12/12/06  
Assistant County Attorney

### C. Other Department Reviews:

\_\_\_\_\_  
Department Director

***THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT.***



**TAX  
COLLECTOR**  
PALM BEACH COUNTY



**ANNE M. GANNON**  
**Tax Collector**

RECEIVED DEC 21 2006

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## MEMORANDUM

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TO: Louise Kelly  
Executive Secretary  
FROM: Helen L. Arnold  
SUBJECT: Bond for Anne M. Gannon, Tax Collector

DATE: 12-21-06

Attached is the Bond for Anne Gannon to be put on the agenda for approval by the County Commissioners and for filing with the Clerk's Office.

Also attached is the bill for payment.

Thanks!

## OATH OF OFFICE

I, DO SOLEMNLY SWEAR (OR AFFIRM) that I will support, protect and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

on which I am now about to enter, so help me God.

(1) Anne M. Gannon

Date Signed \_\_\_\_\_

**SECRETARY OF STATE**  
**500 South Bronough Street, Room 316**  
**TALLAHASSEE, FLORIDA 32399-0250**

DS-DE 56 (rev.2/04)

Sent By: MASSEY, CLARK FISCHER INC;

5614786876;

Nov-15-06 1:18PM;

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**State of Florida**  
**Secretary of State**  
**Division of Elections**  
500 South Bronough Street, Room 316  
Tallahassee, Florida 32399-0250  
**Public Official Bond**

County of Palm Beach

BondNo. 3-867-178

KNOW ALL MEN BY THESE PRESENTS, That we, Anne Gannon  
as Principal, and The Ohio Casualty Insurance Company (Official's Name)  
as Surety, are bound unto the Governor of the State of Florida, and his successors in office, in the  
sum of \$ 100,000 Dollars, we hereby bind ourselves and each of our heirs,  
executors, administrators, successors and assigns, jointly and severally.

THE CONDITION OF THIS OBLIGATION IS SUCH, That, whereas, said official  
was elected ☒ appointed ☐ Tax Collector to hold this office  
(Name of Office)  
for a term beginning 11-08-06 and ending 01-05-09 and until  
his/her successor is qualified according to the Constitution and Laws of the State of Florida,  
NOW, THEREFORE, If the official shall faithfully perform the duties of his/her office  
as provided by law, this obligation is void.

Signed and Sealed this 08 day of November, 20 06.

136 N. 3rd ST. Hamilton, Ohio 45026  
(Address of Main Surety Company)

Massey, Clark, Fischer  
(Name of Local Bonding Company)

400 Executive Center DR. WPB  
(Address of Local Bonding Company)

(SEAL)

By X Tom C. Mangum  
(Signature of Licensed Resident Agent)  
263-58-3526  
(Social Security Number of Licensed Resident Agent)  
Tom C. Mangum  
(Type Name of License Resident Agent)

The above is approved this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

Signature: \_\_\_\_\_  
Approved by: \_\_\_\_\_

fbond.doc (2/04)

CERTIFIED COPY OF POWER OF ATTORNEY  
THE OHIO CASUALTY INSURANCE COMPANY  
WEST AMERICAN INSURANCE COMPANY

Know All Men by These Presents: That THE OHIO CASUALTY INSURANCE COMPANY, an Ohio Corporation, and WEST AMERICAN INSURANCE COMPANY, an Indiana Corporation, in pursuance of authority granted by Article VI, Section 7 of the By-Laws of The Ohio Casualty Insurance Company and Article VI, Section 1 of West American Insurance Company, do hereby nominate, constitute and appoint Eric J. Fischer, Thomas C. Mangum or Debra A. Headberg of West Palm Beach, Florida its true and lawful agent (s) and attorney (s)-in-fact, to make, execute, seal and deliver for and on its behalf as surety, and as its act and deed any and all BONDS, UNDERTAKINGS, and RECOGNIZANCES, not exceeding in any single instance SIX MILLION (\$6,000,000.00) DOLLARS, excluding, however, any bond(s) or undertaking(s) guaranteeing the payment of notes and interest thereon

No. 37-707

And the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Companies at their administrative offices in Hamilton, Ohio, in their own proper persons. The authority granted hereunder supersedes any previous authority heretofore granted the above named attorney(s)-in-fact.

In WITNESS WHEREOF, the undersigned officer of the said The Ohio Casualty Insurance Company and West American Insurance Company has hereunto subscribed his name and affixed the Corporate Seal of each Company this 7th day of July, 2004.



STATE OF OHIO,  
COUNTY OF BUTLER

*Sam Lawrence*  
Sam Lawrence, Assistant Secretary

On this 7th day of July, 2004 before the subscriber, a Notary Public of the State of Ohio, in and for the County of Butler, duly commissioned and qualified, came Sam Lawrence, Assistant Secretary of THE OHIO CASUALTY INSURANCE COMPANY and WEST AMERICAN INSURANCE COMPANY, to me personally known to be the individual and officer described in, and who executed the preceding instrument, and he acknowledged the execution of the same, and being by me duly sworn depose and saith, that he is the officer of the Companies aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and the said Corporate Seals and his signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal at the City of Hamilton, State of Ohio, the day and year first above written.



*Cheryl S. Gregory*

Notary Public in and for County of Butler, State of Ohio  
My Commission expires August 6, 2007.

This power of attorney is granted under and by authority of Article VI, Section 7 of the By-Laws of The Ohio Casualty Insurance Company and Article VI, Section 1 of West American Insurance Company, extracts from which read:

Article VI, Section 7. APPOINTMENT OF ATTORNEYS-IN-FACT, ETC. "The chairman of the board, the president, any vice-president, the secretary or any assistant secretary of each of these Companies shall be and is hereby vested with full power and authority to appoint attorneys-in-fact for the purpose of signing the name of the Companies as surety to, and to execute, attach the corporate seal, acknowledge and deliver any and all bonds, recognizances, stipulations, undertakings or other instruments of suretyship and policies of insurance to be given in favor of any individual, firm, corporation, or the official representative thereof, or to any county or state, or any official board or boards of county or state, or the United States of America, or to any other political subdivision."

Article VI, Section 1. APPOINTMENT OF RESIDENT OFFICERS. "The Chairman of the Board, the President, any Vice President, a Secretary or any Assistant Secretary shall be and is hereby vested with full power and authority to appoint attorneys in fact for the purpose of signing the name of the corporation as surety or guarantor, and to execute, attach the corporate seal, acknowledge and deliver any and all bonds, recognizances, stipulations, undertakings or other instruments of surety-ship or guarantee, and policies of insurance to be given in favor of an individual, firm, corporation, or the official representative thereof, or to any county or state, or any official board or boards of any county or state, or the United States of America, or to any other political subdivision." This instrument is signed and sealed by facsimile as authorized by the following Resolution adopted by the respective directors of the Companies (adopted May 27, 1970-The Ohio Casualty Insurance Company; adopted April 24, 1980-West American Insurance Company):

"RESOLVED that the signature of any officer of the Company authorized by the By-Laws to appoint attorneys in fact, the signature of the Secretary or any Assistant Secretary certifying to the correctness of any copy of a power of attorney and the seal of the Company may be affixed by facsimile to any power of attorney or copy thereof issued on behalf of the Company. Such signatures and seal are hereby adopted by the Company as original signatures and seal, to be valid and binding upon the Company with the same force and effect as though manually affixed."

CERTIFICATE

I, the undersigned Assistant Secretary of The Ohio Casualty Insurance Company and West American Insurance Company, do hereby certify that the foregoing power of attorney, the referenced By-Laws of the Companies and the above Resolution of their Boards of Directors are true and correct copies and are in full force and effect on this date.

IN WITNESS WHEREOF, I have hereunto set my hand and the seals of the Companies this 11 day of 8 '06



S-4300 3/99

*Mark E. Schmidt*  
Assistant Secretary



THE OHIO CASUALTY INSURANCE COMPANY  
WEST AMERICAN INSURANCE COMPANY

APPLICATION  
FOR  
PUBLIC OFFICIAL BOND

136 NORTH THIRD STREET, HAMILTON, OHIO 45025

Agent  
Agency

License Number

City

State

IF BOND IS \$10,000 OR LESS, COMPLETE O-N-L-Y THE FIRST 7 QUESTIONS

1. Name of Applicant ANNE GANNON Social Security No 301-48-3759 Age 59  
Address 301 S. OLIVE WEST PALM BEACH, FL 33401
2. Amount of bond \$ 100,000. Effective Date 11-14-06
3. To whom payable GOVERNOR STATE OF FLORIDA  
(Exact Name of City, Village, Township, County, Board or other political body)
4. Position of applicant PALM BEACH CTY TAX COLLECTOR
5. Were you elected or appointed? ELECTED Give Date 11-7-06
6. Term of office begins 11-14-06 Ends 01-05-09
7. Will premium be paid annually? YES or for term in advance?

IF BOND IS OVER \$10,000, ALSO ANSWER FOLLOWING QUESTIONS AND SIGN

8. Did you hold this office during preceding term? NO
9. Name of your last employer STATE OF FLORIDA
10. Real estate in your name \$ 450,000. Other property \$ 0 Total Debts \$ 70,000.00
11. If you will employ deputies, give names and describe bonds which they will furnish you:
- | Deputy's Name | Amt. of Bond | Name of Surety | Expiration Date |
|---------------|--------------|----------------|-----------------|
|               | \$           |                |                 |
|               | \$           |                |                 |
|               | \$           |                |                 |
|               | \$           |                |                 |
12. Give names of banks that have been designated by the proper authority as depositories for public funds coming into your hands, and how deposits are secured:
- | Name and Location of Bank                    | Amount of Deposit (1)   | How Secured                                   |
|--|-------------------------|---|
| <u>WACHOVIA BANK - Charlotte, NC</u>         | <u>\$ 3,068,748,582</u> | <u>Qualified Public Depository - F.S. 280</u> |
| <u>BANK of Belle Glade - Belle Glade, FL</u> | <u>\$ 12,611,765</u>    | <u>"</u>                                      |
|  | \$                      |   |

In consideration of the execution by The Ohio Casualty Insurance Company or West American Insurance Company or American Fire & Casualty Company of the bond herein applied for, I agree to pay the company's usual premium in advance while such bond or any continuation thereof remains in force; and I further agree to indemnify and keep indemnified the Company and hold and save it harmless from any and all liability, loss, cost, charges or expenses of whatever kind or nature, including reasonable attorney fees, which the Company shall at any time sustain or incur by reason or in consequence of having executed this bond or any continuation or renewal thereof; and to pay over, reimburse, and make good to the Company all sums of money which the Company shall pay on account of the execution of said bond or any continuation or renewal thereof; and I hereby waive any homestead or other exemption to which I may be entitled under the laws of any state of the United States or of the United States of America.

"ANY PERSON WHO KNOWINGLY AND WITH INTENT TO DEFRAUD ANY INSURANCE COMPANY OR OTHER PERSON FILES AN APPLICATION FOR INSURANCE CONTAINING ANY FALSE INFORMATION, OR CONCEALS FOR THE PURPOSE OF MISLEADING, INFORMATION CONCERNING ANY FACT MATERIAL THERETO, COMMITS A FRAUDULENT INSURANCE ACT, WHICH IS A CRIME."

Dated 11-14-06

WITNESS:

Helen P. Arnold

Anne M. Gannon (Seal)  
(Applicant sign here)

Agent

Location

Form F-108 FL 4/99

(1) Fiscal Year 2006



## The Ohio Casualty Insurance Company

### STIPULATION

To be attached to and form part of Bond No. 3867178 issued by  
The Ohio Casualty Insurance Company on behalf of Anne Gannon  
in favor of Governor of the State of Florida in the amount of  
One Hundred Thousand --- (\$ 100,000. )  
Dollars, and dated 11-8-06

WHEREAS, it is the desire of all parties that this bond be amended as hereinafter provided.

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED that said bond hereinbefore described is hereby amended as follows:

Appointed Tax Collector of Palm Beach County beginning 11-14-06 and ending 01-05-09.

IT IS FURTHER STIPULATED AND AGREED that nothing herein contained shall vary, alter or modify any of the conditions of said bond except as herein expressly modified.

SIGNED, SEALED and DATED: 12-7-06

Anne Gannon

By:

*A. Gannon*

Principal

The Ohio Casualty Insurance Company

By:

*Tom C. Mangum*

Tom C. Mangum

Attorney-In-Fact

Agreed to and accepted by:

Governor of the State of Florida

By: \_\_\_\_\_



Massey, Clark, Fischer, Inc.  
400 Executive Ctr Dr, Ste 205  
West Palm Beach, FL 33401  
Phone : 561-478-1660 Fax : 561-478-6876

Anne Gannon  
301 S Olive Ave.  
West Palm Beach, FL 33401

<b>INVOICE #</b>		<b>13564</b>	<b>Page 1</b>
ACCOUNT NO.	OR	DATE	
GANNO-1	NM	11/30/06	
<b>POLICY INFORMATION</b>			
COMPANY			
The Ohio Casualty Insurance Co			
PRODUCER			
Thomas C. Mangum, Jr.			
EFFECTIVE	EXPIRATION	BALANCE DUE ON	
11/08/06	01/05/09	11/30/06	

Item #	Eff. Date	Trn	Description	Amount
152666	11/08/06	NEW	Public Official Bond	\$ 1,393.00
Invoice Balance:				\$ 1,393.00

Public Official Bond 11/8/06-1/5/09. Please make check payable to Massey Clark Fischer. Thank you.