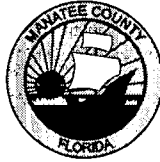


MEMORANDUM



Public Works Department
Fiscal Services Division
1022 26th Ave. E.
Bradenton, FL 34285

MANATEE COUNTY
FLORIDA

Phone: 941-708-7450
Fax: 941-708-7502
www.mymanatee.org

To: Susan Romine, Board Records Supervisor, Clerk of the Circuit Court

Thru: Sue Sandhoff, Fiscal Operations Division Manager *Sue Sandhoff 11/30/10*

From: Jane Oliver, Bond Coordinator *Jane Oliver*

Date: November 30, 2010

Subject: **GULFSTREAM BORROW PIT
RELEASE AGREEMENT IN CONJUNCTION WITH CASH BOND
RELEASE CASH BOND**

Please schedule on your consent calendar for the next available Board of County Commissioner's Agenda, the following "Form of Motion":

- **Authorization to release the Agreement in Conjunction with Cash Bond as Security Insuring Compliance with Site Reclamation** in the amount of \$79,200.00;
- **Authorization to release and return cash** provided in conjunction with the above Agreement. Funds should be returned to Dick Kelecyc, Chief Financial Officer of Compass Environmental, located at 221 Hobbs Street, Suite 108, Tampa, FL 33619;
- **Official Check No. 235512753-7** issued through Charter One Bank;
- **Amount of Security \$79,200.00;**

SS/jo

cc: Records
Charlie Hunsicker, Director, NRD
Rob Brown, Division Manager, NRD
William Clague, County Attorney's Office
Dan Wolfson, Finance Director
Neal Parker, NRD
Alissa Powers, NRD
Dick Kelecyc, Compass Environmental
Eric Raymond, Gulfstream Natural Gas System

RECEIVED
NOV 30 2010
BOARD PROCLAM

HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK

OFFICIAL CHECK

HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK

 Charter One

23-97
1020

235512753-7

April 20, 2007

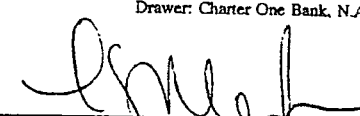
PAY ***\$79,200.00** DOLLARS

TO THE ORDER OF *Manatee County Government*

MEMO: Compass Environmental

Drawer: Charter One Bank, N.A.





AUTHORIZED SIGNATURE

Issued by Integrated Payment Systems Inc., Englewood, Colorado
JPMorgan Chase Bank, N.A., Denver, Colorado

⑈ 222469⑈ ⑆ 102000979⑆ 68002355127533⑈

TO: Finance Department
FROM: Susan G. Romine, Board Records Manager
RE: Cash Bond Release – Gulfstream Borrow Pit
DATE: December 1, 2010

*Diane E. Vollmer
for SGR*

Please release Charter One Check Number 235512753, \$79,200, accepted by the Board of County Commissioners on April 24, 2007 (supporting material is attached for your information).

Please return the check to: Compass Environmental
Attn : Dick Kelecy
221 Hobbs Street; Suite 108
Tampa, FL 33619

Thank you for your assistance.

RBS/SGR/vt
Attachments

Manatee County
Board of County Commissioners
Audit Slip

Compass Environmental
Attn: Dick Kelecy
Vendor Name
221 Hobbs Street ; Suite 108
Address
Tampa FL 33619
City State Zip Code

Phone number

I hereby certify that the materials or services have been received, inspected and found satisfactory for the purpose for which they were purchased.
(ONLY COMPLETE IF ITEMS HAVE BEEN RECEIVED)

Diene E. Vollmer for
Susan G. Romine
Payment Authorized by:
Board Records
Dept/Div
Same
Contact Person
x 4180
Phone

Received by _____ Date _____

REASON FOR PURCHASE _____

ITEM	GENERIC DESCRIPTION	QTY	UNIT	AMOUNT	ACCT KEY	OBJ	JL NUMBER	ACTIVITY
	Bond Release Gulf Stream Borrow Pit (Back up Attached)	1		\$79,200	001 000000 229100	02500	473002	
TOTAL AMOUNT				\$79,200				

FINANCE USE ONLY

DESC _____ PE ID _____ PO _____
INV NUMBER _____ INV AMT \$ _____ INV DATE _____
DUE DATE _____ TERMS _____ DISCOUNT _____ SEP CK _____
RELATE CODES _____ SEC REF _____ DIVISION _____
VENDOR ACCT# _____

sent to finance _____ Attn: Vicki Ayles

**AGREEMENT IN CONJUNCTION WITH CASH BOND AS SECURITY
INSURING COMPLIANCE WITH SITE RECLAMATION**

WHEREAS, Gulfstream Natural Gas System, LLC, a Delaware Limited Liability Company (the "Landowner") and the owner of certain property in Manatee County, Florida, and Compass Environmental, Inc., a Delaware Corporation (the "Operator"), have made an application to Manatee County, Florida (the "County"), to create a borrow area to provide protective cover pursuant to Temporary Use Permit No. 06120911 and have requested approval of an operating permit (the "Operating Permit") for the Gulfstream Borrow Pit to be constructed on said property (the "Project"); and

WHEREAS, the County, in accordance with the Manatee County Land Development Code, requires security to be posted by the Landowner and the Operator to ensure the completion of site reclamation relative to the Project; and

WHEREAS, the Landowner and the Operator have submitted a Certification by the Engineer-of-Record of the actual cost of site reclamation, and the Security provided for herein is an amount which represents at least one hundred ten percent (110%) of the cost for total site reclamation.

NOW, THEREFORE, for and in consideration of the mutual covenants contained herein, it is hereby understood and agreed:

1. The Landowner and the Operator, in consideration of the County's issuance of the Operating Permit to the Landowner and the Operator for the Project, and for other valuable considerations, hereby guarantee the performance of said Mining Plan and Site Reclamation Plan and hereby agree to fully comply with the requirements of the Comprehensive Plan and Chapters 719 and 732 of the Manatee County Land Development Code.

2. Concurrently with the execution hereof, the Landowner and the Operator have collectively tendered unto the County a Cash Bond in the minimum amount of Seventy-Nine Thousand Two Hundred Dollars (\$79,200.00) (hereinafter, the "Security") to Manatee County as security for the completion of the site reclamation in connection with the Operating Permit.

3. In the event that the Landowner or the Operator should fail or refuse to expeditiously perform in accordance with the site reclamation requirements, the County, or its assigns, shall give written notice to the Landowner and the Operator to correct or cure the deficiencies asserted by the County. The Landowner or the Operator shall, within thirty (30) days after receipt of written notice for site reclamation, satisfactorily undertake to perform corrective actions. If at the end of the applicable period the deficiencies have not been corrected or satisfactory actions have not been undertaken to commence the corrections, the County, its agents, or its assigns, at its option, shall notify the Clerk of its intention to commence the corrections and shall have the right to enter upon the Project site to initiate, correct, or complete site reclamation in accordance with

MEMORANDUM



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1022 26th Ave. E.
Bradenton, FL 34285

MANATEE COUNTY FLORIDA

Phone: 941-708-7450
Fax: 941-708-7502
www.mymanatee.org

To: Susan Romine, Board Records Supervisor, Clerk of the Circuit Court

Thru: Sue Sandhoff, Fiscal Operations Division Manager *Sue Sandhoff 11/30/10*

From: Jane Oliver, Bond Coordinator *Jane Oliver*

Date: November 30, 2010

Subject: **GULFSTREAM BORROW PIT
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- **Official Check** No. 235512753-7 issued through Charter One Bank;

APPROVED IN OPEN SESSION

- **Amount** of Security \$79,200.00;

DEC 02 2010

BOARD OF COUNTY COMMISSIONERS
MANATEE COUNTY, FLORIDA

SS/jo

cc: Records
Charlie Hunsicker, Director, NRD
Rob Brown, Division Manager, NRD
William Clague, County Attorney's Office
Dan Wolfson, Finance Director
Neal Parker, NRD
Alissa Powers, NRD
Dick Kelecy, Compass Environmental
Eric Raymond, Gulfstream Natural Gas System

RECEIVED

NOV 30 2010

BOARD OF COUNTY COMMISSIONERS

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\$79,200.00

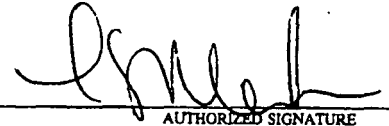
DOLLARS

PAY

TO THE ORDER OF *Manatee County Government*

MEMO: Compass Environmental

Drawer: Charter One Bank, N.A.


AUTHORIZED SIGNATURE

Issued by Integrated Payment Systems Inc., Englewood, Colorado
JPMorgan Chase Bank, N.A., Denver, Colorado

⑈ 222469⑈ ⑆ 102000979⑆ 68002355127533⑈