

BAIL BOND BOARD MEETING

October 20, 2011

THOSE PRESENT: Judge Flores
Judge Branick
Judge Dollinger
Judge Lively
Sgt. Jana Hawkins
Catherine Presley
Becky Garcia
Tim Funchess
Keith Day
Kevin Cribbs
C. Haden Cribbs, Jr.
Mary Godina
Liz Parks
Tina Gillespie
Rhonda Brode
Tom Roebuck

Bail bond board October 20, 2011

JUDGE FLORES: Ladies and gentlemen, we're going to call this meeting of Jefferson County Bail Bond Board to order. First item on the agenda is the review from the last -- review of the minutes from the last two

1 meetings. Is there any comments on the minutes that you
2 received?

3 (No response.)

4 JUDGE FLORES: Okay. We'll go to the next
5 item, then. Did the district attorney's office send a
6 report?

7 BECKY GARCIA: Yes, sir, you have it.

8 JUDGE FLORES: All right. There's no
9 representative from D. A.'s office today, I don't think.

10 BECKY GARCIA: I do it, anyway.

11 JUDGE FLORES: Okay. Any comments or
12 questions on the report from the D. A.'s office?

13 (No response.)

14 JUDGE FLORES: Hearing none, we'll to go the
15 third item. Ms. Presley, we have some applications we
16 have to consider, is that correct?

17 CATHERINE PRESLEY: Yes, sir.

18 JUDGE FLORES: Go ahead.

19 CATHERINE PRESLEY: We have a renewal
20 application on a Nguyet Pham. She's an agent for Stan
21 Stanley, Allied Bail Bonds.

22 JUDGE FLORES: Any member of the Bail Bond
23 Board have any questions or comments on that
24 application?

25 (No response.)

1 JUDGE FLORES: Okay. Ms. Presley, is
2 everything in order?

3 CATHERINE PRESLEY: Yes, sir.

4 JUDGE FLORES: All right. Then that will be
5 approved.

6 Next item on the agenda, Mrs. Godina, are
7 there any complaints against bondsmen?

8 CATHERINE PRESLEY: I --

9 JUDGE FLORES: Oh, okay. You have another
10 one, I'm sorry.

11 CATHERINE PRESLEY: Yes, sir.

12 JUDGE FLORES: Go ahead.

13 CATHERINE PRESLEY: A renewal application
14 for Joshua Stewart doing business as Stewart Bail Bonds.
15 It's a renewal.

16 JUDGE FLORES: Anybody have any comments on
17 that? I think you even reviewed that, Mr. Roebuck; is
18 that correct?

19 MR. ROEBUCK: Yes, but we have a question.
20 It looks like his property is homesteaded.

21 JOSHUA STEWART: No, sir, that's incorrect.
22 I removed the homestead two years ago when I applied for
23 my bondsman's license. Taxes went up from seven hundred
24 to over \$2000. It's still removed in Hardin County.

25 MR. ROEBUCK: So where are you living?

1 JOSHUA STEWART: In Hardin County. To
2 pledge it --

3 COURT REPORTER: I'm sorry, sir, I can't
4 hear you.

5 JOSHUA STEWART: I said to pledge it
6 originally, I had to remove the homestead; and it
7 remains removed.

8 JUDGE FLORES: Okay. For the record, state
9 your full name.

10 JOSHUA STEWART: Joshua Levi Stewart.

11 COURT REPORTER: Eli?

12 JOSHUA STEWART: Levi.

13 COURT REPORTER: Levi, thank you.

14 JUDGE FLORES: Mr. Roebuck, what's your
15 opinion on that? And Judge Lively, both of you-all are
16 involved in real estate.

17 MR. ROEBUCK: What other real estate do you
18 own?

19 JOSHUA STEWART: I own two pieces of
20 property. There's one that's not pledged to the board
21 or to Jefferson County.

22 MR. ROEBUCK: But you're not living --

23 JOSHUA STEWART: This property I'm living
24 at, we're building another piece -- we're building on
25 another property to rent this house out; but it's not

1 homesteaded.

2 MR. ROEBUCK: Well, it's not homesteaded for
3 tax purposes.

4 JOSHUA STEWART: It's not homesteaded
5 period.

6 TOM ROEBUCK: But that has nothing to do
7 with Texas Homestead -- constitutional protection of a
8 homestead because that's where you're living. I don't
9 know how -- I don't want to throw a monkey wrench in
10 this; but I don't know how it got done last time.

11 JOSHUA STEWART: All I can tell you is that
12 we had an attorney, Roger Moore from Austin, the special
13 bail bond petition, look over the application; and he
14 said that it was allowed then when requested with the
15 understanding that as long as we're not homesteaded, and
16 it's in a trust currently with Jefferson County, then
17 there should be no problem; because as it sits now it's
18 in trust with Jefferson County.

19 JUDGE FLORES: Mr. Funchess, do you have any
20 questions on that? I know you -- you and Judge Lively
21 have dealt a lot with real estate. Mr. Roebuck is board
22 certified in real estate law.

23 TIM FUNCHESS: Well, when it comes to
24 legality issues, I plead ignorance.

25 JUDGE FLORES: Okay. Judge, any comments?

1 JUDGE LIVELY: I don't --

2 JUDGE FLORES: I'll be honest with you, I'm
3 not sure. I would think you can waive the homestead
4 exemption.

5 MR. ROEBUCK: You can waive it for tax
6 properties -- property tax purposes; but homestead has
7 to do with the place that you occupy, is your abode.

8 JUDGE FLORES: But you can't waive that for
9 a lien?

10 MR. ROEBUCK: You can't waive that at all.

11 JOSHUA STEWART: I was under the
12 understanding -- like I said, I'm not disagreeing; but I
13 was under the understanding two years ago when we
14 pledged it, we ran that by; and they said it was no
15 problem with that. And as it sits now, I mean it's --
16 you know, it's trusted, so --

17 JUDGE FLORES: Yes, sir, Judge?

18 JUDGE DOLLINGER: Is this a renewal we're
19 talking about?

20 JUDGE FLORES: Yes.

21 JUDGE DOLLINGER: Would it be possible for
22 us to have a motion to allow him to continue business
23 provisionally until we can get a more detailed ruling?

24 JUDGE FLORES: Absolutely. That's what I
25 was going suggest. I'm glad you're making the motion.

1 JUDGE DOLLINGER: I'll so move.

2 JUDGE FLORES: Is there a second to Judge
3 Dollinger's motion that we accept this contingent on
4 Mr. Roebuck's investigation as to whether this can be
5 done or not?

6 JUDGE DOLLINGER: Second.

7 (Only second heard.)

8 MR. ROEBUCK: Well, Mr. Stewart, you also
9 said you're building another house?

10 JOSHUA STEWART: Less than two miles from
11 there.

12 MR. ROEBUCK: I don't want to get into your
13 personal business. What are we looking at --

14 JOSHUA STEWART: Six months.

15 MR. ROEBUCK: So we can solve this in six
16 months because you'll be in the other house?

17 JOSHUA STEWART: Yes. According to my wife;
18 that's -- yeah.

19 MR. ROEBUCK: Well --

20 JUDGE FLORES: Okay.

21 MR. ROEBUCK: The problem is we've already
22 done it once.

23 JUDGE FLORES: Sure. Okay, we've got a
24 motion on the -- before the group, as to --

25 KEVIN CRIBBS: I'm just curious. What do

1 you mean when you say it's considered trusted to the
2 Jefferson County? What does that mean?

3 JOSHUA STEWART: I had to deed the property
4 over to trust to represent any financial loses I might
5 have to back my bonds.

6 KEVIN CRIBBS: Does that mean he's still the
7 owner or he's renting or what?

8 MR. ROEBUCK: It's like a mortgage on your
9 house.

10 KEVIN CRIBBS: Okay.

11 BECKY GARCIA: The bail bond board is the
12 actual deed of trust.

13 JUDGE FLORES: We've got a lien on the
14 property if we have to.

15 JOSHUA STEWART: If they had to come collect
16 on a large bond or -- that's what -- the property would
17 go there.

18 JUDGE FLORES: And Mr. Roebuck's concern is
19 that since it is even de facto homesteaded, we might not
20 be able to collect; but -- I agree with Judge
21 Dollinger's motion at this time; and he's got a motion
22 basically go ahead and do this, contingent on what
23 Mr. Roebuck finds. If he finds something categorically
24 we cannot do that, then we'll have to consider it again.

25 Yes, sir?

1 JUDGE DOLLINGER: We might also have
2 Mr. Stewart's attorney that he consulted previously to
3 contact Mr. Roebuck and possibly direct Mr. Roebuck to
4 whatever statute it was that he researched that made him
5 believe that it was a deal that could be done. The two
6 of them could -- look at the same statute and see if
7 they have different interpretations.

8 JUDGE FLORES: All those in favor of Judge
9 Dollinger's motion, signify by saying aye.

10 (Response.)

11 JUDGE FLORES: All those opposed say nay.

12 (No response.)

13 JUDGE FLORES: The ayes have it. At this
14 time if everything else is in order it will be approved.

15 KEVIN CRIBBS: Judge? Just -- did you put
16 a -- did it say six months or did you have it where it
17 had an end where the provision was up?

18 JUDGE FLORES: We're going to leave that up
19 to Mr. Roebuck, whatever time it takes him to verify
20 that.

21 KEVIN CRIBBS: I see.

22 JUDGE FLORES: He'll bring it back to us.

23 Okay, now, any complaints again bondsmen,
24 Mrs. Godina?

25 MARY GODINA: No, I don't have any.

1 JUDGE FLORES: Okay. Report from the
2 treasurer's office, Mr. Funchess?

3 TIM FUNCHESS: Treasurer's report is in
4 front of you. It's up to date with the exception of
5 Marsha Mason. They re-pledged another piece of property
6 that's not reflected on here; but it will go on next
7 month's report.

8 JUDGE FLORES: Okay. Are there any
9 questions or comments on the report by the treasurer's
10 office?

11 (No response.)

12 JUDGE FLORES: Okay. Report from the
13 auditor's office?

14 RHONDA BRODE: I've handed it out to
15 everyone. Everyone should have a copy of fiscal year
16 2011. It's been -- --

17 COURT REPORTER: I'm sorry I can't hear you.

18 RHONDA BRODE: The fiscal year 2011 expenses
19 and revenue and the bail bond -- bail bondsmen report.
20 I am currently looking at the report; but the fiscal
21 year end has kind of taken precedence over the report.
22 So -- I'm getting to it when I can, a little at a time.
23 We have found a couple of errors.

24 JUDGE FLORES: Okay. On this bondsmen
25 report?

1 RHONDA BRODE: Uh-huh, yes, sir.

2 JUDGE FLORES: How are we addressing the
3 fact, I know there's quite -- just right off, one page I
4 know at least seven or eight people that are no longer
5 practicing law or have actually deceased.

6 RHONDA BRODE: Well, it's -- the way I
7 understand it, once on this report always on this
8 report.

9 TINA GILLESPIE: That is correct.

10 MARY GODINA: That's correct.

11 JUDGE FLORES: Even if deceased?

12 TINA GILLESPIE: They said they cannot -- if
13 they take it out, it will take out all the history that
14 is in the AS400, as far as --

15 JUDGE FLORES: Their representation of
16 people and everything else? Got you.

17 TINA GILLESPIE: -- representation and
18 everything else.

19 BECKY GARCIA: It's not separated. And the
20 problem that we ran into when Rhonda called me after
21 last month's report is on the felony side, once a case
22 was dismissed, it could have been dismissed prior to;
23 but the outstanding balance is still showing against the
24 attorney. So there's a glitch with some of the
25 reporting on that report as well; but that's on the

1 felony side.

2 RHONDA BRODE: And she was out due to
3 surgery; so, that's why I haven't fixed it.

4 BECKY GARCIA: Okay.

5 JUDGE FLORES: Are there any comments or
6 questions on the report from the auditor's office?

7 (No response.)

8 JUDGE FLORES: Okay. All right. Then the
9 next item on the agenda is finalize the bail bond rules.
10 Has every member of the board had a chance the look at
11 the new proposed bail bond rules or the by-laws, I
12 guess? Any comments or anything?

13 (No response.)

14 JUDGE FLORES: Ms. Garcia, anything else?

15 BECKY GARCIA: No, sir.

16 JUDGE FLORES: Okay. Well, is there a
17 motion to approve the rules as -- by-laws as they have
18 been proposed?

19 JUDGE LIVELY: I make that motion to approve
20 the rules as they are proposed.

21 JUDGE FLORES: Is there a second to the
22 motion?

23 BECKY GARCIA: Second.

24 JUDGE FLORES: Is there any further
25 discussion on the rules?

1 (No response.)

2 JUDGE FLORES: Okay. If there's no further
3 discussion, then, all those in favor of the motion by
4 Judge Lively, please signify by saying aye.

5 (Response.)

6 JUDGE FLORES: All those opposed?

7 (No response.)

8 JUDGE FLORES: Okay, the ayes have it.

9 Item No. 8, I believe there's a proposal to
10 have a standardized financial statement. Keith, I
11 believe that you're the one that proposed that?

12 KEITH DAY: Yes.

13 JUDGE FLORES: At this time if you'll kind
14 of explain.

15 KEITH DAY: Well, I just know that, you
16 know, over the past six months we've had three or four
17 applications; and they're different each time. So I
18 just thought it would be more uniform if we had a
19 standard financial form. I went to Wells Fargo, which
20 is where I believe the county banks -- if I'm not
21 mistaken -- and printed a copy of the financial
22 statement form off that website. And I just thought we
23 can attach that as part of the application, that way
24 every bondsman that turns in an application is using the
25 exact same financial statement form.

1 JUDGE FLORES: Mr. Roebuck, do we have to
2 get any kind of permission or authority from Wells Fargo
3 to use this particular document as part of our records,
4 because it says Wells Fargo on it? So I'm just
5 wondering.

6 MR. ROEBUCK: Not if it doesn't contain some
7 sort of trade secrets. So I'd have to look at it and
8 see; but I wouldn't think so.

9 JUDGE FLORES: Okay. What I would suggest
10 then, is that we go ahead and table this until the next
11 meeting; make sure that, if you can, get copies either
12 to my office or whoever to where we can send out a copy
13 to each member of the board; and for sure the one I have
14 I'll be glad to turn over to Mr. Roebuck so he can look
15 at it. And basically what you're proposing is to have a
16 standardized financial statement for all bondsmen that's
17 attached to whatever the application is; is that right?

18 KEITH DAY: Correct. Because basically, if
19 you try to walk into a bank to get a loan for anything,
20 and basically that's kind of what we're doing here. You
21 have to walk -- you can't just walk in with something
22 written down on a piece of notebook paper. You have to
23 walk in there with a standardized financial statement
24 form with a notary to your signature; and I think
25 that's, you know, the way it should be here as well.

1 So --

2 JUDGE FLORES: Okay. What we're going to do
3 is table it until the next meeting; and that will give
4 us a chance to -- if you can get a copy of it to the
5 court reporter, and I think she can get it out; or -- or
6 if we can, Xerox it right now on my Xerox machine.

7 KEITH DAY: That's just a copy off the
8 internet. That's fine.

9 JUDGE FLORES: Whatever.

10 MR. ROEBUCK: This needs to be massaged a
11 little bit. It has some stuff we don't need; but
12 basically they're all the same.

13 KEITH DAY: Yeah.

14 JUDGE FLORES: All right. Do I hear a
15 motion to table this until the next meeting until we
16 have a chance to look at it and let everybody look at
17 it?

18 JUDGE DOLLINGER: So move.

19 JUDGE LIVELY: Second.

20 JUDGE FLORES: Okay. There's motion to
21 table. All in favor say aye.

22 (Response.)

23 JUDGE FLORES: Okay. The next item on the
24 agenda is consider and possibly approve an amendment to
25 the bail bond by-laws requiring that all collateral

1 releases are to be approved by the board in the form of
2 an agenda item.

3 I believe, Mr. Funchess, you could address
4 that; is that correct?

5 TIM FUNCHESS: Right. This was just to take
6 responsibility away from the individual members. If
7 we're going release collateral, I think we ought to do
8 it as a board, as a whole; and kind of just, give every
9 individual the -- it takes the responsibility off the
10 individual, the individuals and puts it on the board.

11 JUDGE FLORES: I understand. What he's
12 talking about is the fiduciary duty we have as board
13 members; and what Mr. Funchess is proposing is that
14 right now when somebody wants to release whatever funds
15 there are, they just send a letter to me basically as
16 the chairman. It comes through Tina and we prepare a
17 letter releasing the funds, and then we send it to the
18 treasurer's office. Mr. Funchess is proposing instead
19 of just the chairman making the unilateral decision,
20 that it be brought up to the board; and that way the
21 board rules on it, or takes action on it.

22 If there's any discussion on that at this
23 time the floor is open.

24 TIM FUNCHESS: Let's assume -- I know I got
25 all the cash as collateral as well; and I would like the

1 board as a whole to tell me when to release it, instead
2 of just the individual or two. But I'll make the motion
3 that we approve this.

4 JUDGE FLORES: Okay. Well, what we'll do is
5 since this is a change of by-laws we'll hear it today
6 and take it up next month when we come up. I think we
7 need to let it go from one month to next on a change in
8 by-laws if I'm not mistaken.

9 KEITH DAY: Well --

10 JUDGE FLORES: And I'll hear any other
11 discussion. I haven't really thought about that until
12 Mr. Funchess brought it up to my attention; but very
13 frankly, I like the idea of having some insulation
14 instead of me just signing these things, or you know,
15 there could be a mistake or something; and I like the
16 idea of, you know, being looked at by someone -- by
17 someone else other than myself.

18 KEITH DAY: Well, there's only three reasons
19 that I can think of off the top of my head, and I could
20 be wrong, that we would release the property; right?
21 Drop somebody under their limit.

22 JUDGE FLORES: Correct.

23 KEITH DAY: The \$50,000 limit or it drops
24 someone under what they already have out; or if they
25 have any unpaid --

1 BECKY GARCIA: Forfeitures.

2 KEITH DAY: -- forfeitures.

3 THE COURT: Or they substitute property.

4 Let's say they put in another piece of property and they
5 want a release.

6 KEITH DAY: I didn't know, was there an
7 issue that came up that -- or is it just --

8 JUDGE FLORES: No. Mr. Funchess is just
9 being the good steward of the money.

10 KEITH DAY: Oh, okay.

11 JUDGE FLORES: That's the job of the
12 treasurer. As far as -- I mean I don't think we've had
13 any problems at all.

14 KEITH DAY: Uh-huh.

15 JUDGE FLORES: One of the drawbacks that I
16 see -- and this is just on a personal note -- a lot of
17 times a bondsman will come up and say look, I'm down to
18 this limit. I need money for some personal reason,
19 emergency, medical, whatever; and that's how -- that's
20 why we've done it. Okay? And it's going to hold it up.
21 It's going to -- it's going to change it from my being
22 able to do it within, you know, a few hours' notice to
23 having to go before the board; but -- it does provide
24 for more -- more of a paper trail, more transparency,
25 whatever; and that's the only reason.

1 I don't -- as far as problems, since I've
2 been here I don't think we've had any problems with
3 that, with releasing something, because it was all -- my
4 staff always checks to make sure that the limits are
5 there. There're no forfeitures. They check with Mrs.
6 Garcia and -- you know, before we do anything; but -- I
7 understand where Mr. Funchess is coming from; and --

8 Judge Dollinger?

9 JUDGE DOLLINGER: What if we were -- in
10 amending the by-laws, what if we were to include a
11 provision that would allow the chairman to do a phone
12 poll of the majority of the board members, and get the
13 their approval that way; and we wouldn't have to wait
14 until the following month when there was an actual
15 scheduled meeting.

16 JUDGE FLORES: That's fine.

17 TINA GILLESPIE: That's kind of what I was
18 going to suggest. We can always have an emergency
19 meeting, as long as there's three here that are voting
20 members --

21 BECKY GARCIA: Four.

22 TINA GILLESPIE: Four? Okay -- will make a
23 quorum. I mean, I'm sure we could gather up four people
24 if there was an emergency to do that.

25 KEITH DAY: We're talking about cash,

1 property, we're talking everything?

2 JUDGE FLORES: Yes, sir.

3 KEITH DAY: All right.

4 JUDGE FLORES: Yes, ma'am.

5 KEVIN CRIBBS: I was thinking based on what
6 Judge Dollinger was saying, you know, if the concern is,
7 I wish somebody could maybe double check, if there were
8 four or five different reasons people withdraw their
9 property and you just call on the phone, how would you
10 vote; how would we know how to vote unless we had -- we
11 understood exactly -- we'd have the information. So, I
12 don't see how you just do it on a phone unless somehow
13 we were provided the information what's their limit, are
14 they over their limit, have unpaid forfeitures and all
15 that. So maybe an emergency meeting would probably be
16 best --

17 JUDGE FLORES: Probably --

18 KEVIN CRIBBS: -- because that's where you'd
19 have the documents.

20 JUDGE FLORES: One of the procedures could
21 be to either fax the documents right before you make the
22 call; or do it by e-mail or something like that, make
23 sure they have notice.

24 KEVIN CRIBBS: Get the information.

25 JUDGE FLORES: Sure. I mean I don't think

1 any of us would want to vote on something without
2 looking at it.

3 KEVIN CRIBBS: Right.

4 JUDGE FLORES: In fact, whenever I see a
5 request, the request is laid out in the form of a letter
6 saying why, why they would like to withdraw.

7 KEITH DAY: But I think -- I think at the
8 same time, whoever gives the information to us, like say
9 for instance if Tina comes to the meeting and somebody
10 is wanting -- if I'm wanting a piece of property taken
11 off; and -- and Tina says it's not going drop him below
12 his limit. It's not -- you know, we're basically going
13 to go by what the expert in that field would tell us
14 anyway. So, whether it be on the phone or in a meeting,
15 I would think. Is that the way you'd do it, Tina?

16 TINA GILLESPIE: Yes. I'd go in and --
17 whatever property or cash that you're withdrawing, I'd
18 subtract it, and see how many forfeitures are out there
19 and whether everything, everything has --

20 KEITH DAY: Yeah, we're just basically going
21 to vote whatever she's saying anyway. So -- is what I
22 would think.

23 JUDGE FLORES: Okay. How do you proposed
24 we -- if you want to do it by phone or limit it to just
25 four people, Judge Dollinger, any suggestions?

1 JUDGE DOLLINGER: Well, I would say
2 contact -- my suggestion would be to try and contact
3 each of the board members.

4 JUDGE FLORES: Got you.

5 JUDGE DOLLINGER: Somebody or one or two of
6 them were unavailable, out of town, or couldn't be
7 reached, you still have above the quorum; and you could
8 get the documentation to them electronically by fax or
9 by e-mail; and they're prepared after reviewing to it
10 cast a vote. Then I'd say that would be sufficient, I
11 would think.

12 JUDGE FLORES: Okay. All right. Well,
13 then -- we'll -- the proposal is going to be considered.
14 Go ahead, ma'am.

15 RHONDA BRODE: I sorry. I just have a
16 question on the accounting side it.

17 JUDGE FLORES: Go ahead.

18 RHONDA BRODE: There's two ways to get
19 money. One is through cash advance, which sometimes the
20 account could be limited looking at some of these dollar
21 amounts. The cash advance account would not be able to
22 cover that; and we always try to pay through accounts
23 payable so we have really good records. If it were
24 after Wednesday, the check wouldn't get cut for a whole
25 week because it's got to go through commissioner's

1 court. So is there a way we can find out if this is
2 truly an emergency, or if it's just wanting their money
3 to be released; because -- I mean we can always transfer
4 money in bank accounts.

5 KEITH DAY: I would think it would only be
6 an emergency if the bondsman, like you stated, that if
7 they came to you and said, you know, I have a medical
8 emergency at that point; but otherwise we'd just have it
9 here at our meetings.

10 JUDGE FLORES: But, you know, even if it was
11 not an emergency, if it's his property, his collateral,
12 he can request to remove it if he's got enough
13 collateral to cover whatever he owes. I mean -- he may
14 decide he wants to go buy a boat, you know, or a
15 motorcycle. I'm just using those as examples because
16 I'm looking at Judge Dollinger.

17 JUDGE DOLLINGER: They may want to loan it
18 to me to buy a motorcycle; in which case we'd want it
19 immediately. That is an emergency.

20 JUDGE FLORES: But anyway, it's the
21 bondsman's property. They have a right to do with it,
22 as long as they meet their obligations to the county, I
23 think we're okay with it; and I think that's the --
24 that's the rationale behind Judge Dollinger to just do
25 an e-mail, electronic fax or e-mail. And what we'll do

1 is we'll hold this to next meeting. If you'll make sure
2 it's an agenda item on a change of the by-laws, and then
3 we'll consider it at that time.

4 BECKY GARCIA: Well, if someone --

5 JUDGE FLORES: Any further discussions?

6 BECKY GARCIA: If someone is putting a
7 request is, what is the response time? Are we going to
8 wait until the next day to hear back or two days.

9 JUDGE FLORES: As soon as -- as soon as my
10 office can get to it, we'll get the e-mail or the fax
11 out to it everybody.

12 BECKY GARCIA: But the response once I get
13 it?

14 JUDGE FLORES: Ma'am?

15 BECKY GARCIA: What's my response time? I
16 mean that's what I'm asking. How long do I have to
17 research it to respond back to it? I know, as soon as
18 possible, but --

19 MARY GODINA: Reasonable time.

20 TINA GILLESPIE: Thirty minutes.

21 JUDGE FLORES: Well, I mean if we send you
22 all the information as to what the amounts are, how many
23 they still have committed, and basically make sure that
24 there's enough money to cover whatever outstanding
25 obligations they have, what other information would you

1 require?

2 BECKY GARCIA: Well, I mean I would just
3 have to look to see if he owes me any money.

4 JUDGE FLORES: I understand.

5 BECKY GARCIA: I mean it takes time to run
6 the report and to go back and check it. I'm just --

7 JUDGE DOLLINGER: What kind of time are you
8 taking now when Tina tells you?

9 TINA GILLESPIE: I don't.

10 KEITH DAY: We don't do it.

11 JUDGE DOLLINGER: We don't check it?

12 (Several talking at once. Inaudible.)

13 TINA GILLESPIE: -- what they have left.

14 JUDGE FLORES: Tina checks it through the
15 computer in our office.

16 KEITH DAY: Tina checks it and Judge Flores
17 approves it.

18 JUDGE DOLLINGER: Okay.

19 JUDGE FLORES: And very frankly, if the
20 county clerk or district clerk's office had a judgment,
21 it would be in the -- Tina would be able to find out.

22 TINA GILLESPIE: Well, they always leave
23 enough money to cover any bonds and forfeitures that are
24 out there. They always have -- I mean, that's what I
25 check.

1 JUDGE FLORES: Okay. Anything else? Yes,
2 sir?

3 TIM FUNCHESS: This is a posted agenda item.
4 It's within --

5 JUDGE FLORES: It was? Okay.

6 MR. FUNCHESS: It was posted last month.

7 TINA GILLESPIE: Yeah, he brought it to me
8 that same day after the bail bond board meeting last
9 time and that's why I put it on there.

10 JUDGE FLORES: All right. Is there a motion
11 to -- Mr. Funchess, you may make a motion.

12 TIM FUNCHESS: I make a motion that we
13 approve this amendment to the bail bond board by-laws.

14 JUDGE FLORES: Do you accept Judge
15 Dollinger's amendment or proposal that it be done, if it
16 can be done, electronically if there's some type of
17 request for that?

18 TIM FUNCHESS: I do, but how does that -- do
19 the open records, do the open meetings law pertain to --
20 does it have any type of provision for emergency
21 meetings?

22 BECKY GARCIA: Yes, it actually does, I
23 believe.

24 THE COURT: I'm looking at Tommy.

25 MR. ROEBUCK: I know. I know you are.

1 BECKY GARCIA: It's in the -- in one of the
2 chapters that --

3 MR. ROEBUCK: Yeah, I'm pretty sure there
4 is. It's not something I obviously look at every day.

5 KEVIN CRIBBS: Maybe we could amend the
6 motion to say in accordance with the rules presented in
7 the open meetings act or -- and then whatever that is,
8 that's what's followed.

9 MR. ROEBUCK: Works for me.

10 JUDGE FLORES: You know, in the past, like I
11 said somebody made a request, we verified it was okay
12 and no problems. I mean, but I like Mr. Funchess'
13 suggestion. Okay? I mean the one that it insulates in
14 all this is the chairman of the board; okay? I -- I've
15 just taken on that responsibility and relying on my
16 staff to make sure that everything was right; but --
17 this basically just insulates me. I've got no problem
18 with it. I'll go with whatever the board wishes. Any
19 other comments before we vote on this?

20 (No response.)

21 JUDGE FLORES: Okay. Has it been seconded?

22 TIM FUNCHESS: Not yet.

23 THE COURT: Is there a second to
24 Mr. Funchess' motion along with Judge Dollinger's
25 amendment?

1 BECKY GARCIA: Second.

2 JUDGE FLORES: Okay. Been moved and
3 seconded. Any further discussion?

4 (No response.)

5 JUDGE FLORES: Okay. If there's no further
6 discussion, then all those in favor of Mr. Funchess'
7 motion please signify by saying aye.

8 (Response.)

9 JUDGE FLORES: All opposed.

10 (No response.)

11 JUDGE FLORES: Mr. Funchess, if you could
12 get with the reporter right after the meeting and make
13 sure that we have the proper wording, okay?

14 Is there any other new business to be taken
15 up by the board?

16 (No response.)

17 JUDGE FLORES: Okay.

18 KEVIN CRIBBS: May I -- may I, Judge?

19 JUDGE FLORES: Yes, ma'am.

20 KEVIN CRIBBS: I know that I'm new and
21 you're probably tired of me speaking; but I noticed as
22 you did today and also last month when we were here, on
23 the roster that shows the debts owed by lawyers that are
24 deceased? And I'm not speaking about this personally,
25 because I know my dad shows no debt. So he would be

1 happy to know that he didn't show a debt in a world
2 where he worked really hard not to have debt.

3 JUDGE FLORES: Right.

4 KEVIN CRIBBS: And that he didn't happen to
5 die and some dead beat didn't show up for court; and
6 he's got a debt he didn't intend because he died. And
7 there are lawyers on there that are well respected or
8 were well respected. And it seems to me the computer
9 program is the tail wagging the dog and not letting
10 people do what might be done. And I would like to see
11 if there was anyway that there could be a mechanism
12 where after they've died -- instead of them being
13 remembered on a monthly basis or whatever, somebody
14 reviews this person's information, that they just think
15 that they were a dead beat -- owned money when they left
16 the -- the earth; and every day, every month are
17 remembered as owing money for a bad bond.

18 So, it seems like there should be some
19 mechanism to vote to write those off as a debt against
20 the county that's uncollectible and clear that person's
21 name in the records.

22 JUDGE FLORES: The problem has been with
23 dealing with the management information system, they say
24 there's not; and they're the experts on preparing the
25 reports; because I know we've check into that numerous

1 times. If you wish to meet with either Mrs. Gillespie
2 or some of the other members, Ms. Garcia or whoever, you
3 could do that and maybe talk to MIS again. But -- so
4 they can explain it to you. That's my understanding of
5 it. That's not anything I've got any control over.

6 KEVIN CRIBBS: But if it's -- I'm not
7 talking about with the computer program. I'm talking
8 about if there's a debt against the county that somehow
9 it's moved to another category where it's just a bad
10 debt; and then that person's name is cleared because
11 they can't fix it anyway. You know what I'm saying, a
12 move of a debt from one column to another by some voting
13 mechanism not on -- not through MIS.

14 JUDGE FLORES: Feel free to contact MIS
15 yourself and ask them.

16 KEVIN CRIBBS: Okay.

17 JUDGE FLORES: I've got no problem with
18 that. Anything further?

19 (No response.)

20 JUDGE FLORES: Okay. Judge Dollinger?

21 JUDGE DOLLINGER: Move to adjourn.

22 BECKY GARCIA: Second.

23 JUDGE FLORES: Judge Lively.

24 JUDGE LIVELY: And third.

25 JUDGE FLORES: All in favor of adjourning

1 signify by saying aye.

2 (Response.)

3 JUDGE FLORES: Go.

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