

BAIL BOND BOARD MEETING

September 20, 2012

THOSE PRESENT: Judge Flores
 Judge Walker
 Judge Lively
 Lt. Kelly
 Catherine Presley
 Tom Maness
 Lolita Ramos
 Becky Garcia
 Mary Godina
 Liz Parks
 Tina Gillespie
 Rhonda Brode

JUDGE FLORES: I'm going to call this meeting of the Jefferson County Bail Bond Board to order.

The first item on the agenda is review of the minutes from the last meeting. Any comments or additions to the minutes?

(None.)

JUDGE FLORES: Okay. Move on to the next item. Report from the district attorney's office. I

1 believe everybody has a copy. Judge Maness, any
2 comments?

3 TOM MANESS: No comments. The clerks, as
4 usual, are doing a wonderful job and congratulate you,
5 Judge, and they just make all us look real good. So.

6 JUDGE FLORES: Okay. Consideration and
7 approval of applications. Mrs. Presley?

8 CATHERINE PRESLEY: Yes, sir. The first one
9 we're going to look at is a new application for Stellina
10 Reed. It's doing business as Mrs. Bail Bond.

11 JUDGE FLORES: Okay. Everybody has a copy.
12 Mrs. Presley, you reviewed this?

13 CATHERINE PRESLEY: Yes, sir.

14 JUDGE FLORES: Any comments on this?

15 CATHERINE PRESLEY: Everything is in order.

16 JUDGE FLORES: Okay. Any comments or
17 discussion on this application?

18 (None.)

19 JUDGE FLORES: Okay. Hearing none, I'll
20 sign it.

21 Go ahead, Mrs. Presley, if you'll take them
22 one at a time.

23 CATHERINE PRESLEY: Okay, the second
24 application is a renewal application for Eric Mark James
25 doing business as Eric -- EJ's Bail Bonding, sorry.

1 It's a three-year license renewal.

2 JUDGE FLORES: Again, Mrs. Presley, you
3 reviewed that?

4 CATHERINE PRESLEY: Yes, sir. Everything is
5 in order.

6 JUDGE FLORES: Okay. Any comments,
7 questions, or discussion on the application from EJ's
8 Bail Bonding?

9 RHONDA BRODE: I do. Is the collateral the
10 same?

11 CATHERINE PRESLEY: It is the same piece of
12 property; but the amount has changed.

13 RHONDA BRODE: I'm sorry. I do need to back
14 up and back up to the first one.

15 CATHERINE PRESLEY: That's a new one.

16 RHONDA BRODE: Do you know how much the
17 collateral is?

18 CATHERINE PRESLEY: Uh-huh.

19 RHONDA BRODE: Is the 138,380 --

20 CATHERINE PRESLEY: Hold on, I'll find it.
21 138,380. That's on Stellina Reed.

22 RHONDA BRODE: And Eric James is changing to
23 a different --

24 CATHERINE PRESLEY: Let me make sure. Hold
25 on because he has a certified appraisal.

1 RHONDA BRODE: Uh-huh. Whoever finds it
2 first, holler.

3 LOLITA RAMOS: It's at the back.

4 RHONDA BRODE: Hundred and twenty -- no,
5 that's the coverage.

6 CATHERINE PRESLEY: 114,000.

7 RHONDA BRODE: Thank you.

8 BECKY GARCIA: Even.

9 CATHERINE PRESLEY: Certified appraisal.

10 LOLITA RAMOS: Even is what it says.

11 CATHERINE PRESLEY: Uh-huh. Everything is
12 in order on his, also.

13 JUDGE FLORES: All right. And the next one?

14 CATHERINE PRESLEY: Okay, the next one is an
15 agent license. It's a new application. It's for
16 Gwendolyn Gerber; and she's going to be working for S.
17 J. Laine, business name Real Fast Bail Bond. Everything
18 is in order. No collateral; she's an agent.

19 JUDGE FLORES: Okay. And what's your --

20 CATHERINE PRESLEY: Everything is in order.

21 JUDGE FLORES: Okay. Any questions on the
22 application on Ms. Gerber?

23 JUDGE WALKER: I do. Did you go to
24 Westbrook?

25 JUDGE FLORES: That's not on the record,

1 Mrs. Parks.

2 (Off the record discussion.)

3 JUDGE FLORES: All right. Okay, if there
4 are no other comments or whatever, I'll also approve the
5 one on Ms. Gerber.

6 Go ahead, Mrs. Presley.

7 CATHERINE PRESLEY: Okay, we have a new
8 renewal application for a three-year license on Ronald
9 Ducote, doing business as Butch's Bail Bond; and for his
10 collateral -- he has 50,000 up.

11 RHONDA BRODE: In cash?

12 CATHERINE PRESLEY: In cash. Nothing has
13 changed.

14 RHONDA BRODE: Thank you.

15 JUDGE FLORES: Any other comments,
16 questions, or --

17 CATHERINE PRESLEY: Everything is order on
18 his, also.

19 JUDGE FLORES: Okay. All right. If nothing
20 further, then, I'll approve that one, also.

21 Okay. And the next one?

22 CATHERINE PRESLEY: Okay, the next one is a
23 renewal. It's a three-year renewal. It's for Shirley
24 Laine, doing business as Real Fast Bond Company; and her
25 collateral stayed the same; the amounts and everything.

1 JUDGE FLORES: Okay.

2 CATHERINE PRESLEY: I can call it out to
3 you, Rhonda, if you need me to.

4 RHONDA BRODE: I got it, thank you.

5 CATHERINE PRESLEY: Huh?

6 RHONDA BRODE: I got it. Appreciate it.

7 CATHERINE PRESLEY: That stayed -- that
8 stayed the same and everything is in order.

9 JUDGE FLORES: Okay. Any comments or
10 questions, anything further on that application?

11 (None.)

12 JUDGE FLORES: Okay. Go ahead, Mrs.
13 Presley.

14 CATHERINE PRESLEY: And the last one, we
15 have a renewal application. It's for an insurance
16 company. It's Lexington National Insurance Corporation.
17 They have an agent of Derrick Dixon.

18 JUDGE FLORES: Okay.

19 CATHERINE PRESLEY: It's a two-year license
20 renewal.

21 JUDGE FLORES: Okay. Okay. And what's the
22 status on that one?

23 CATHERINE PRESLEY: I have questions on that
24 one.

25 JUDGE FLORES: Okay.

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CATHERINE PRESLEY: In the application it says, No. 7, that if you're licensed in any other county that you need a letter of good standing. They were unable to get those letters; and they have someone here to represent them to speak about it.

JUDGE FLORES: Is there an attorney -- would you state your full name for the record?

RANDY PARTON: My name is Randy Parton. I'm the senior vice president of Lexington National --

JUDGE FLORES: Yes, sir.

RANDY PARTON: -- Corporation. Our general counsel, Mark Holtschneider was unable to be here today. Our Texas general counsel, the Monks Law Firm, in Houston, both brothers in that firm had scheduling conflicts; so I got to be the one to address the board today.

JUDGE FLORES: I believe we received a letter from Mr. -- from your counsel.

RANDY PARTON: Mark Holtschneider is our general counsel.

CATHERINE PRESLEY: It's on the top of everyone's application for him.

JUDGE FLORES: Okay. I think that's one that we'd already talked a little bit about. I think

1 there's a -- a little bit of conflict between our local
2 rules and with what the Occupation Code says. The
3 Occupation Code does not require letters of good
4 standing. I think that's something that we've asked
5 for.

6 Judge Maness, I think you had some questions
7 on this; is that correct?

8 TOM MANESS: Well, Judge, I think we need to
9 clarify that. I -- is this one also that the -- the
10 applicant has a criminal violation?

11 JUDGE FLORES: One of the agents, I believe.

12 CATHERINE PRESLEY: No, an employee.

13 JUDGE FLORES: An employee, oh, okay.

14 CATHERINE PRESLEY: An employee.

15 JUDGE FLORES: Yes.

16 CATHERINE PRESLEY: Yes, sir.

17 TOM MANESS: What's the rule on that?

18 CATHERINE PRESLEY: I just ran a criminal --

19 TOM MANESS: Anybody remember what the rule
20 on that is?

21 JUDGE FLORES: I know what the Occupation
22 Code says, if it's over 10 years, you know, it's -- they
23 can still -- they can be an employee. I think Mrs.
24 Gillespie also checked it this morning, Mrs. Presley.
25 We tried to get ahold of our attorney, Mr. Roebuck; and

1 he's ill; and we also tried to get ahold of one of your
2 employees, Mister --

3 TOM MANESS: -- Wiggins.

4 JUDGE FLORES: -- Wiggins, he's out of town
5 at a seminar.

6 TOM MANESS: Okay. So do we know if the
7 Occupational Code overrules the Bail Bond Board rules?

8 RANDY PARTON: Yes, we do know that. In
9 fact, your own local rules say that. In Section C,
10 there are 6 pages of requirements; and nowhere in those
11 requirements does it call for the letters of good
12 standing. What the Occupation's Code calls for in the
13 application process is an affidavit from the applicant,
14 in this case Lexington National Insurance Corporation,
15 that we have no unsatisfied judgments in any of the 21
16 counties that Lexington is qualified to do business in,
17 any of the board counties that Lexington is qualified to
18 do business in; and our general counsel, Mark
19 Holtschneider provided that affidavit to the board.

20 JUDGE FLORES: That is correct as far as --

21 TOM MANESS: How come we don't have -- what
22 do you say, we usually get recommendation letters?

23 JUDGE FLORES: Letters of good standing.

24 TOM MANESS: How come we don't have that?

25 JUDGE FLORES: I think because they operate

1 in like 21 counties or something.

2 RANDY PARTON: When we went through the
3 renewal process two years ago, we got responses from 17
4 of the 20 counties at that time. It was a painful,
5 difficult process; but -- nonetheless, we tried to
6 accommodate the board. Four counties, I think,
7 steadfastly refused to comply. They said it wasn't a
8 requirement in the Code; and therefore they weren't
9 going to present it to this board; and we were approved
10 nonetheless.

11 This time when our general counsel's office
12 reviewed the application, recalled the difficulty in
13 getting those letters of good standing, researched the
14 Code and found there was no such requirement in the
15 Code; and it clearly states in the Code that no local
16 board shall enact a policy that exceeds the requirements
17 or authority of the Occupation Code. So, having
18 satisfied those requirements, with regard to this issue,
19 Mr. Holtschneider and his office didn't pursue the
20 letters of good standing and have been in contact with
21 Mrs. Presley in that regard.

22 CATHERINE PRESLEY: Uh-huh.

23 RANDY PARTON: And also with this board, and
24 of course, with the correspondence that you have.

25 JUDGE FLORES: Yes, sir. And as far as the

1 original question, Judge Maness, I think my opinion is
2 the Occupation Code does trump our local rules; and I
3 think that they're in compliance as far as that.

4 LOLITA RAMOS: I tend to agree with you,
5 Your Honor.

6 JUDGE FLORES: Yes, ma'am.

7 TOM MANESS: Why do we have local rules?
8 Why don't we just operate under the Occupation Code?
9 Why even have them if this gentleman is correct? I
10 think we need to table it and need to get our attorney
11 to look at it. I've got too many problems. I see a
12 criminal record. I see that they can't even get letters
13 of recommendation from these other folks. I don't know,
14 maybe it probably isn't a problem, and it may be as you
15 say, they just don't do that.

16 RANDY PARTON: Well, we provided --

17 TOM MANESS: And then this last issue, I
18 would -- I'd feel more comfortable if we table it until
19 our attorney can give us a legal opinion.

20 JUDGE FLORES: My only question is, Mrs.
21 Presley, how will this effect their occupation? I don't
22 want to do anything that is going to keep them out of
23 business.

24 CATHERINE PRESLEY: He doesn't expire until
25 October 30th, next month.

1 JUDGE FLORES: Okay. And we'll meet again
2 before that.

3 CATHERINE PRESLEY: Correct.

4 JUDGE FLORES: Okay.

5 TOM MANESS: Let's just make a point --

6 JUDGE FLORES: Are you from out of state?

7 RANDY PARTON: That's not a problem. Yes, I
8 am, I -- Lexington is domiciled in Maryland,
9 head-quartered in a suburb of Maryland. I actually live
10 in Orlando, Florida; but it's not a problem coming back;
11 and -- we want to help the board; if there's questions
12 or concerns, we certainly want to address them; and the
13 proper way to do that might be to table this
14 application.

15 JUDGE FLORES: Let's -- narrow down the
16 issues, though, as to what we need from them to -- what
17 more information do we need from them, Judge, or what do
18 we need to do ourselves? I know you want to get Mr.
19 Roebuck involved.

20 TOM MANESS: Yes, sir. I just need to
21 probably get with Mr. Roebuck, when he gets back to
22 visit with us; and I've even gone through the
23 application, I just received it. You know, I see some
24 problems to me that -- I would hate to have to come back
25 and revisit it if we approve it and you're good until

1 the end of October.

2 RANDY PARTON: If that's the problem --

3 JUDGE FLORES: I talked to Mr. Roebuck.
4 He's ill.

5 TOM MANESS: We'll get him next week, Judge,
6 and visit with him, have him have a look at it. I just
7 would feel more comfortable, at least for my vote.

8 JUDGE FLORES: Yes, ma'am.

9 CATHERINE PRESLEY: The only other thing,
10 too, Judge, is there is a charge that I do not have all
11 the complete information on, also.

12 JUDGE FLORES: I think they were trying to
13 provide that.

14 RANDY PARTON: What?

15 TOM MANESS: Like what?

16 CATHERINE PRESLEY: The charge out of
17 Houston, I don't have the charging instrument or the
18 probation order. I only have the discharge.

19 RANDY PARTON: Can I present that to you
20 now, Mrs. Presley?

21 JUDGE FLORES: Sure. Yes, sir.

22 RANDY PARTON: Is that 2008 or 2007?

23 CATHERINE PRESLEY: 2008. This is the one
24 out of Harris County.

25 GENTLEMAN IN AUDIENCE: I gave --

1 JUDGE FLORES: That's the forgery case that
2 you --

3 CATHERINE PRESLEY: Okay. I'll run copies
4 for everybody.

5 TOM MANESS: Okay. We'll get our lawyer to
6 look at it; and is there anything else you have that we
7 don't have that you can think of?

8 RANDY PARTON: If there's another questions
9 while I'm here I can address so we can be aware of what
10 we'll be asked to provide for the next meeting.

11 TOM MANESS: Okay.

12 RANDY PARTON: I understand the letters of
13 good standing; and it's the position of our company that
14 the Occupations Code by definition provides what's
15 required in the application and eligibility process, and
16 that we've satisfied that.

17 JUDGE FLORES: By the affidavit.

18 RANDY PARTON: By the affidavit of a surety.
19 That the letters of good standing are only required by
20 two counties in the State of Texas, those being
21 Jefferson County and Cameron County; and while it's part
22 of Cameron County's application, that hasn't been
23 enforced in at least six years and more than that; and
24 the chair of the Cameron County Bail Bonding Board has
25 requested that they redo their application to make it

1 current with the -- the current requirements of the
2 Occupation's Code.

3 JUDGE FLORES: So they coincide with the
4 code?

5 RANDY PARTON: Exactly.

6 JUDGE FLORES: Well, that may be something
7 we have to look at --

8 RANDY PARTON: And you're own local rules
9 say if there's a conflict between the rules and the
10 Occupation's Code, that the Occupation's Code shall
11 prevail.

12 GENTLEMAN IN AUDIENCE: Well, I think it's
13 pretty clear --

14 JUDGE WALKER: Is there a reason that
15 bothers you-all.

16 RANDY PARTON: Well, no, it doesn't bother
17 us. It's just getting it. If a county refuses to
18 provide it to us, we can't compel that county to do so.

19 BECKY GARCIA: No, but in the past that list
20 or that county has been given to us and we've called to
21 get a verbal --

22 RANDY PARTON: But you have that now. You
23 have a list of all the counties that Lexington is
24 qualified to do business in as part of the application.

25 BECKY GARCIA: But of those counties which

1 ones are not giving that you list or giving you that
2 letter or whatever, statement?

3 RANDY PARTON: Well, when we were approved
4 two years ago for Mr. Dixon for the insurance renewal,
5 there were four counties that didn't provide that. Off
6 the top of my head I can't recall what those four
7 counties were; but I do know the board approved the
8 renewal absent those letters.

9 BECKY GARCIA: Now, these are only bail bond
10 board counties we're talking about.

11 RANDY PARTON: Oh, yes, yes, they're the
12 only counties covered by the Occupation Code.

13 JUDGE FLORES: At this time do I hear a
14 motion to table it?

15 TOM MANESS: I make the motion.

16 JUDGE WALKER: Second.

17 JUDGE FLORES: Did you have something else?

18 RANDY PARTON: I did. That's the one
19 questions. There were other concerns, the criminal
20 records of one of the employees.

21 CATHERINE PRESLEY: An employee.

22 JUDGE FLORES: Yes.

23 BECKY GARCIA: Do you have the charging
24 instrument?

25 RANDY PARTON: No, but we'll get that for

1 you. We tried to get that in the last couple of days
2 and weren't able to. We were able to get the order of
3 probation; and we will have the charging instrument by
4 the time this board meets again; but that's the 2008
5 where adjudication was deferred. There was no
6 conviction. And was there a third or fourth?

7 JUDGE FLORES: There was a conviction back
8 in 2002, April of 2002 for a misdemeanor theft; but I
9 think the Occupation's Code says that if it's older than
10 ten years it can't be considered. I know Judge Maness
11 had a question on that, too.

12 TOM MANESS: Yeah, once again I just got the
13 application; and if, in fact, that's the case, that
14 may -- that may determine whether or not we go forward;
15 but once again, I'd like our attorney to look at that
16 and give us a legal opinion.

17 RANDY PARTON: Well, the specific section of
18 the Occupation's Code that addresses that is 1704.302
19 (c), that's the ten-year conviction statute of
20 limitations.

21 JUDGE FLORES: Okay. It's been moved and
22 second that we table this matter; all those in favor of
23 tabling signify by saying aye.

24 (Response.)

25 JUDGE FLORES: All those apposed say nay.

1 | LOLITA RAMOS: Nay.

2 JUDGE FLORES: Ayes have it. We'll table
3 this until the next meeting.

4 LOLITA RAMOS: I have a further question,
5 Your Honor.

6 JUDGE FLORES: Yes, ma'am.

7 LOLITA RAMOS: On these applications,
8 especially if there's something on there, we have a
9 gentleman here from out of state to meet with us, yet
10 none of us were given prior knowledge of this problem
11 where we can investigate, and maybe have -- what we're
12 doing, in my opinion, is holding this man up in his
13 business from doing business because this board has a
14 little bit of incompetency on it; because we don't have
15 the information ahead of time where we can discuss it
16 and maybe get the lawyer here and do what we needed to
17 do to move forward; and I've got a problem with that.

18 JUDGE FLORES: Okay.

19 LOLITA RAMOS: I'm saying in the future, if
20 we've got an application that's got a problem, I believe
21 there -- is there a rule that we're not supposed to get
22 it until we come to the meeting?

23 JUDGE FLORES: No, ma'am, we can get it
24 early.

25 CATHERINE PRESLEY: And this is a month

1 prior to him expiring, also.

2 LOLITA RAMOS: But, you know, could we look
3 at them --

4 JUDGE FLORES: We look at the applications
5 one month before; that's why we can, if we do have
6 questions and problems, that's why --

7 LOLITA RAMOS: Okay, I still think --

8 JUDGE FLORES: -- that's why we can table it.
9 That's why we schedule it a month in advance so we don't
10 have that problem.

11 Whatever happens, in the next meeting, if --
12 without knowing the answers, I mean, he's either going
13 to be approved or not; but it's not going to effect his
14 business right now. I mean he still -- he still can
15 practice.

16 LOLITA RAMOS: What's the answer to my
17 question as far as getting the information?

18 JUDGE FLORES: If -- see -- well, what we
19 can do, is if Mrs. Presley sees a problem, she can let
20 me know and then we'll try to get the information to
21 everybody on the board.

22 CATHERINE PRESLEY: Okay.

23 BECKY GARCIA: I mean one thing I do know,
24 is every application in its entirety needs to be
25 submitted at least ten days in advance before it goes on

1 for that month.

2 CATHERINE PRESLEY: Uh-huh.

3 BECKY GARCIA: And sometimes that's not even
4 happening. They're still funneling information in the
5 day of our meeting. So that's another problem. I mean,
6 it may be a problem; but they're not even getting us the
7 information until we come.

8 JUDGE FLORES: Well, that's why we have
9 the -- hopefully that's why we have the authority to
10 table it and get everything. That's what we're trying
11 do. Anything further, Judge?

12 TOM MANESS: Sounds good.

13 You ask what the other issues were, well,
14 I've already forgot; so you can see --

15 JUDGE WALKER: I did too.

16 TOM MANESS: But we'll go back to it.

17 RANDY PARTON: My recollection was those
18 three, the letters of good standing, a 2008 deferred
19 adjudication, and 2002 conviction that would fall
20 outside the scope of the licensing requirements. If
21 there's anything else, we'll be in touch with Mrs.
22 Presley between now and then.

23 JUDGE FLORES: Just -- whatever you need,
24 get from her; and she'll notify me and I'll notified the
25 rest of the board.

1 RANDY PARTON: She's been very helpful and
2 we've tried to cooperate with everything she's required.

3 JUDGE FLORES: Any other application?

4 CATHERINE PRESLEY: No, sir.

5 JUDGE FLORES: All right. Mrs. Godina?

6 MARY GODINA: Yes, sir?

7 JUDGE FLORES: Any complaints against
8 bondsmen?

9 MARY GODINA: No, I don't have any
10 complaints; but Tina and I did go out and check the
11 majority of the bonding offices, surprise visits; and
12 there were two or three offices that didn't have their
13 license posted on the wall or anywhere. So we let them
14 know those need to be posted; and we are going to try to
15 get to the other offices. We didn't go to like four
16 offices. So we're going to try to go --

17 JUDGE FLORES: Who did you go; you have a
18 list?

19 MARY GODINA: -- next week. Uh-huh.

20 JUDGE FLORES: Go ahead.

21 MARY GODINA: The ones we didn't go to --
22 well, nobody answered at Ace Bail Bonds. We didn't do
23 Joe Segura in Beaumont, or Barbara Hart; we had been out
24 all day long. Eric James and Ronnie LeBlanc, we're
25 going to call and just make sure they're in their

1 offices instead of driving all the way over there.

2 JUDGE FLORES: Okay. But everybody else you
3 covered.

4 MARY GODINA: Everybody else was fine except
5 for having the license posted.

6 JUDGE FLORES: Okay. Did -- did they have
7 the license there on premises, just didn't have it
8 posted.

9 MARY GODINA: Uh-huh, right.

10 JUDGE FLORES: All right. Any other areas
11 that you feel might be a problem?

12 MARY GODINA: No, everybody was fine.
13 Everybody had everything we asked for. We checked a
14 couple of felonies and a couple of misdemeanor cases.

15 JUDGE FLORES: Okay. Any further questions
16 on that?

17 (None.)

18 JUDGE FLORES: Okay.

19 Report from the treasurer's office, I think
20 we have that. Any questions on the report from the
21 treasurer's office?

22 (None.)

23 JUDGE FLORES: All right. Report from the
24 auditor's office? Go ahead, ma'am.

25 RHONDA BRODE: I'm pretty sure I handed one

1 out to everyone. Nothing unusual. All the expenses
2 look great. I did want to mention that revenues are
3 actually up this year, a lot. We budgeted 6,000; we're
4 at \$5500; and Cathy just turned in 6 more; so that's
5 another 3,000.

6 JUDGE FLORES: That's good.

7 RHONDA BRODE: Yeah. Also, on the -- the
8 sub meetings that we're having on the bail bond board
9 listing, trying to get it cleaned up, we've had a lot of
10 progress since the last meeting; and we've sent everyone
11 out with homework last time to kind of clean things up.
12 And I hear Tina and Mary and Becky and Cathy -- who am I
13 forgetting? I think that's about it -- we met in Tim's
14 office; and we cleaned up a lot. I need to work with
15 MIS.

16 LOLITA RAMOS: Emma.

17 RHONDA BRODE: Oh, yeah, Emma. Lots of
18 help. I think maybe one more month and we'll have it
19 clean. I might be able to present it next month.

20 JUDGE FLORES: Sounds good. Great. Okay.
21 Next item was release of funds to Keith Day. I think we
22 took care of it. Any questions or comments on that?

23 TOM MANESS: I'm sorry, what was that?

24 JUDGE FLORES: This was a release of funds,
25 bondsman had -- what we're doing now, Judge, is we're

1 putting it on the agenda. In the past we just use to do
2 it. We're putting it on the agenda.

3 BECKY GARCIA: I do have a statement from
4 Tim Funchess he would like for me to read. He had a
5 question about this.

6 JUDGE FLORES: About what?

7 BECKY GARCIA: Releasing this collateral.

8 JUDGE FLORES: Okay.

9 BECKY GARCIA: He says, we have a provision
10 in our local rules that provides for emergency meetings
11 via electronic polling for our members. We used this
12 provision last month to release collateral. My question
13 is how do we continue to do this and remain compliant
14 with the open meetings act which requires a posted
15 agenda 72 hours prior to any open meeting.

16 TOM MANESS: Who's that question from?

17 BECKY GARCIA: Tim Funchess.

18 JUDGE FLORES: The treasurer.

19 TOM MANESS: He's just making trouble. It's
20 a good question because it isn't posted, it's done -- I
21 guess by -- what, you-all send it off on computer to
22 everybody?

23 JUDGE FLORES: In the past, Judge, that's
24 been more of like a -- it would be like an executive
25 thing. It's just matter of releasing -- everything is

1 in order. The person has no outstanding --

2 TOM MANESS: I don't know who would be
3 complaining? I mean Tim has got a good question but I
4 don't know; there's no issues there.

5 JUDGE WALKER: Haven't yet. There's no
6 meeting.

7 TOM MANESS: Really, there's no meeting, no
8 posting. He's right.

9 LOLITA RAMOS: He's right about all that.

10 TINA GILLESPIE: Would it being posted on
11 the internet, if I could like get Ken to post we're
12 going to do this electronic thing, if I put it on the
13 internet, is that good enough posting of the opening
14 meeting?

15 BECKY GARCIA: You have to post it 72 hours
16 before it takes place.

17 TINA GILLESPIE: Well, I mean, I could do
18 that.

19 TOM MANESS: We can do that.

20 THE REPORTER: I'm sorry, I can only --

21 JUDGE FLORES: Okay. One at a time. Judge
22 Lively?

23 JUDGE LIVELY: How would it be an open
24 meeting if we're going to electronically --

25 JUDGE WALKER: It's not --

1 TOM MANESS: You'd have to put it out on the
2 bulletin board, like we do the other open meetings,
3 Judge, which nobody looks at. You can do it that way,
4 Tina. Put it out on the bulletin board. Wherever you
5 do your opening meetings stuff, just put it out.

6 JUDGE FLORES: Just post it that we're going
7 to have an electronic meeting on such and such day.

8 TOM MANESS: We're going to have a
9 electronic vote on such and such a day.

10 JUDGE WALKER: Does that qualify as a
11 meeting?

12 BECKY GARCIA: At least four members have to
13 vote on it.

14 JUDGE WALKER: Fine. Fine, but you're not
15 meeting. You've already made a decision but you're not
16 having a meeting. Whatever I do in my office by
17 myself --

18 JUDGE FLORES: That sounds like a question
19 for Judge Maness.

20 JUDGE WALKER: If we had correspondence back
21 and forth prior to the vote and there was a quorum
22 present, yeah, you're having a meeting. But I don't
23 think it's posted; but that's just my opinion.

24 That might be something Mr. Roebuck ought to
25 crawl out of bed and come take a look at.

1 TOM MANESS: Judge, has a good point. I
2 think in an abundance of caution, you could post it.
3 You don't need to. It doesn't hurt anything; but that
4 may be another issue we have legal counsel look at.

5 JUDGE FLORES: Okay.

6 JUDGE MANESS: But once again, Judge --

7 JUDGE FLORES: You know, that's the
8 reason -- that's the reason we started having electronic
9 meetings in the first place to -- to do that and try to
10 take care of problems, because in the past they are just
11 submitting it to the chairman of the Bail Bond Board,
12 Judge Gist, Carver, now myself.

13 JUDGE MANESS: Right, right.

14 JUDGE FLORES: And if everything was in
15 order, we just signed it. Now, we wanted a paper trail.

16 JUDGE WALKER: Just for the record, in case
17 it is illegal, I never have voted on it; so -- just --

18 JUDGE FLORES: Okay.

19 TINA GILLESPIE: I do have a question on it.
20 Why -- if they're in good standing and it's their
21 money -- can they not get it back on an emergency basis
22 when they need it? I mean --

23 TOM MANESS: Pretty reasonable.

24 TINA GILLESPIE: Why do we -- why do they
25 even need to do that?

1 BECKY GARCIA: But if I'm not mistaken, it
2 has to go to commissioner's court to get the check cut.

3 TINA GILLESPIE: It does. It does.

4 BECKY GARCIA: Yeah.

5 TINA GILLESPIE: Why does the board have to
6 say he can have his money back if he's in good standing
7 in the first place.

8 CATHERINE PRESLEY: Maybe because of the
9 ratio.

10 JUDGE FLORES: Well, somebody has to make a
11 decision to release it.

12 TOM MANESS: -- decision, also protects an
13 individual. In the past, maybe Judge Flores or one
14 individual did it and it was wrong, there was a problem,
15 they can --

16 JUDGE FLORES: Judge, that's why we started
17 that so that -- the chair person who's doing it as a
18 rule would not get in trouble.

19 TOM MANESS: Right.

20 JUDGE FLORES: And transparency, I think was
21 your word.

22 TOM MANESS: Let the sun shine in.

23 JUDGE WALKER: We like that word.

24 TOM MANESS: Let the sun shine on it. I
25 recommend we post it there on the bulletin board.

1 Probably you're not going to have a bit of problem. Go
2 through that rig-a-ma-role, then do it.

3 JUDGE FLORES: Okay.

4 TOM MANESS: If you have a problem on the
5 mechanics -- I don't think we need a legal opinion.

6 JUDGE FLORES: Any other discussion on that?

7 (None.)

8 JUDGE FLORES: Okay. Number 8, consider
9 possible changes to Rule 11, subsection d.

10 Who proposed that?

11 BECKY GARCIA: That's me; and I think
12 basically what we're saying is there's a question on
13 both of our applications for a surety, and a surety
14 that's listed under -- going to be written under an
15 insurance company, where it says on a separate sheet of
16 paper list all the employees that work for you, include
17 their name, date of birth, and social security number.
18 But in order for the sheriff's office to run a criminal
19 history on these persons, the information that they're
20 needing is also their driver's license number, and their
21 race and sex, to do the complete history. So, you know,
22 maybe if we need to go back and amend that to include
23 that additional information so that the criminal history
24 can be run more effectively and accurately to pull up
25 any information that's needed.

1 JUDGE FLORES: Okay. Any other discussion?

2 CATHERINE PRESLEY: Not on that; but -- I
3 have the bail bond board rules and regulations; and this
4 pertains to what you-all just spoke about releasing
5 collateral, if you want to look at it. And it does say
6 in there that you can do it by -- I thought we had voted
7 on that.

8 JUDGE FLORES: We did.

9 CATHERINE PRESLEY: Electronically.

10 TOM MANESS: That's been the rule.

11 CATHERINE PRESLEY: Yeah, it's in here.

12 JUDGE WALKER: I suggest someone send a copy
13 of that to Mr. Funchess.

14 JUDGE FLORES: I will. Okay, going back to
15 this rule change by Mrs. Garcia, any other comments or
16 discussion? Is that something we can vote on today,
17 since it is changing our rules; or do we have to vote on
18 it next -- at the next meeting?

19 LOLITA RAMOS: Was it posted as an action
20 item or other business or what?

21 JUDGE FLORES: I don't think it was --

22 BECKY GARCIA: It's an agenda item.

23 JUDGE FLORES: Was it brought up at the last
24 meeting or what?

25 BECKY GARCIA: No, it's on this month's

1 agenda.

2 JUDGE FLORES: It's on the agenda.

3 CATHERINE PRESLEY: I need it, sir, to run
4 the criminal history.

5 JUDGE WALKER: Did you make a motion?

6 BECKY GARCIA: She can't.

7 MARY GODINA: How long have we been doing
8 the applications without it?

9 CATHERINE PRESLEY: I don't do it without
10 it. I call and ask.

11 JUDGE FLORES: She needs that information to
12 get --

13 CATHERINE PRESLEY: It would be better to be
14 on there. Never do it without it.

15 JUDGE FLORES: -- run the criminal history.
16 All right. Pending before the board is a change to
17 local rule 11, subsection d; basically to add on the
18 requirements Mrs. Presley requested, basically date of
19 birth, Social Security --

20 CATHERINE PRESLEY: Social Security is on
21 there; sex, race and date of birth please.

22 JUDGE FLORES: All right. All those in
23 favor of changing the rule signify by saying aye.

24 LOLITA RAMOS: You need a motion.

25 JUDGE WALKER: I make the motion.

1 LOLITA RAMOS: And I second.

2 JUDGE FLORES: Okay, let's vote. All in
3 favor.

4 (Response.)

5 JUDGE FLORES: All apposed? Okay. Okay.
6 So now what is this next one? Consider possible change
7 on the surety application number 8 and number 10. Mrs.
8 Garcia?

9 BECKY GARCIA: Yes, sir, the surety license
10 page three, number 10, and the surety under an insurance
11 company, would be page three, on the application itself,
12 that's where the change will take place.

13 CATHERINE PRESLEY: Uh-huh.

14 JUDGE FLORES: Okay. Go ahead and explain
15 that, please.

16 LOLITA RAMOS: We're going to add on what we
17 voted on a moment ago on those two points on the
18 application.

19 BECKY GARCIA: Yes.

20 JUDGE FLORES: All right.

21 LOLITA RAMOS: Pages 3 and 8. Those
22 applications printed in house or --

23 BECKY GARCIA: We do.

24 CATHERINE PRESLEY: They're on the internet
25 with the rest of the --

1 LOLITA RAMOS: Okay.

2 CATHERINE PRESLEY: They're on the internet.

3 JUDGE FLORES: Okay. Anything further?

4 Anything further? Okay. So we've taken action on both
5 of those, right?

6 BECKY GARCIA: Yes, sir.

7 JUDGE FLORES: Judge Walker?

8 JUDGE WALKER: Motion to adjourn.

9 TOM MANESS: Second.

10 JUDGE FLORES: All those in favor say aye.

11 (Response.)

12 (END OF MEETING)

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