

BAIL BOND BOARD MEETING

June 20, 2013

4 THOSE PRESENT: Judge Flores
5 Judge Lively
6 Catherine Presley
7 Tom Maness
8 Tom Rugg
9 Becky Garcia
10 Tim Funchess
11 Keith Day
12 Mary Godina
13 Liz Parks
14 Rhonda Brode
15 Tom Roebuck

17 JUDGE FLORES: Okay, we'll call this meeting
18 of the Jefferson County Bail Bond Board meeting to
19 order. The first item on the agenda is review of
20 minutes from last meeting. Any comments, discussions or
21 any further additions to the minutes from last meeting?

22 (None.)

23 JUDGE FLORES: Hearing none, we'll move to
24 the report of district attorneys office. Judge Maness?

25 | TOM MANESS: I'll turn that over to Judge

1 Rugg.

2 TOM RUGG: I turned it over to Becky Garcia.

3 BECKY GARCIA: It should be before everyone.

4 JUDGE FLORES: I think everyone got it. Any
5 comments on the report?

6 TOM MANESS: Again I compliment these
7 ladies. They do all the work; and we put our names on
8 it. There's a lot of work involved in that and I
9 compliment you.

10 BECKY GARCIA: Thank you, Judge.

11 TOM MANESS: Good job.

12 JUDGE FLORES: Moving on to the next item;
13 Mrs. Presley, any applications or renewals we need to
14 consider?

15 CATHERINE PRESLEY: No, sir.

16 JUDGE FLORES: Mrs. Godina, any complaints
17 against bondsmen?

18 MARY GODINA: No, sir.

19 JUDGE FLORES: Report from the treasurer?

20 TIM FUNCHESS: My report's been distributed.
21 I don't have anything to elaborate on.

22 THE COURT: Okay. Any further comments or
23 questions on the treasurer's report?

24 (None.)

25 JUDGE FLORES: Okay. Probably the only I

1 thing of -- a little interest is the report from the
2 auditor's office.

3 RHONDA BRODE: I distributed three reports.
4 The expenses and revenues. Everything looked in line
5 there. The attorney's report is the new report I've
6 been asked to start distributing. I did it in color
7 this month just to show -- the yellow is basically if
8 they have collateral on the treasurer's report. The
9 green are areas that I -- I was concerned about; and I
10 was hoping that someone from the Court could discuss
11 that with me, help me out, see if I'm missing data,
12 maybe some collateral is missing on -- on the
13 treasurer's report or something. For the green items.

14 JUDGE FLORES: Okay.

15 RHONDA BRODE: Do you want to discuss it now
16 or after the meeting?

17 JUDGE FLORES: No, it's fine. Just going
18 ahead. Anybody have any -- I guess we can take on the
19 first one; Buchanan. Buchanan is deceased, so.

20 RHONDA BRODE: Okay. So --

21 JUDGE FLORES: And, Mrs. Garcia, I don't
22 know what steps have been taken on that as far as --

23 BECKY GARCIA: I've taken all his money.
24 That's why his balance is down to \$93.95. I don't know
25 if he owes any money on the felony side. But as far as

1 why he has a bond limit of 20,390, I have no idea.

2 RHONDA BRODE: And the amount out is
3 \$51,000; so it maybe --

4 BECKY GARCIA: He may have a felony bond
5 out. He may owe that money on the felony side.

6 RHONDA BRODE: The business is still open?

7 BECKY GARCIA: No, no. His license has
8 expired -- well, he's an attorney so it kind of never
9 does; but --

10 TOM RUGG: He expired.

11 BECKY GARCIA: He expired.

12 TOM MANESS: Paul's been dead for how long,
13 Judge?

14 JUDGE FLORES: Three or four years.

15 TOM MANESS: At least four or five.

16 JUDGE FLORES: And he wasn't even living
17 here. He'd moved up to Kentucky or somewhere.

18 MARY GODINA: He's never been taken out of
19 the computer.

20 RHONDA BRODE: So how does that work if
21 there's a bond amount out to him?

22 JUDGE FLORES: Well, what we can do, I
23 guess, I can have Mrs. Godina or Mrs. Gillespie check
24 and see what cases are still open.

25 RHONDA BRODE: Okay.

1 JUDGE FLORES: I mean, he may still have a
2 pending felony somewhere out there.

3 RHONDA BRODE: Okay.

4 JUDGE FLORES: But the person maybe at
5 large.

6 TOM RUGG: Yeah.

7 JUDGE FLORES: And obviously, I would guess
8 that's probably the case. Mr. Buchanan passed away,
9 whatever he had, may have -- I know that Mr. James Makin
10 had picked up a bunch of his cases and tried to resolve
11 them all; and --

12 RHONDA BRODE: Okay.

16 RHONDA BRODE: Okay.

17 JUDGE FLORES: Now, what about -- I know
18 Mr. Barnes has passed away, also. The next green one.

19 RHONDA BRODE: Okay.

20 JUDGE FLORES: And we'll do the same thing
21 on that one.

22 RHONDA BRODE: Okay.

23 JUDGE FLORES: And then --

24 RHONDA BRODE : Marsha Normand --

25 JUDGE FLORES: Marsha Normand is still in

1 active practice as far as I'm concerned.

2 MARY GODINA: Yeah. Paul Buchanan does have
3 a felony case out that's been forfeited.

4 RHONDA BRODE: Can we research the
5 collateral on Marsha Normand because she has a bond
6 limit and 40,000 out; and I only show the 20,000. I
7 don't show any additional collateral.

8 TOM RUGG: Are --

9 JUDGE FLORES: Well, she gets the 20,000
10 from the sheriff's department and she put up 20 more?

11 RHONDA BRODE: I don't know. We don't have
12 that on a collateral report anywhere. That's what I was
13 asking if we can research, maybe it's property?

14 JUDGE FLORES: Do you show anything, Mr.
15 Funchess?

16 RHONDA BRODE: -- the cash balances.

17 TIM FUNCHESS: I've never shown anything,
18 no, sir.

19 JUDGE FLORES: Okay. We'll look at that
20 one.

21 RHONDA BRODE: And Peter Doyle, I show the
22 20,000 plus 1700; which brings the -- the calculated
23 bond limit up to 37,000; and then says 42,500.

24 JUDGE FLORES: Some -- they may let him make
25 a felony bond or something, is the only thing I can

1 figure.

2 RHONDA BRODE: But without the collateral.

3 JUDGE FLORES: We'll look at it. I can tell
4 you it wasn't a misdemeanor.

5 RHONDA BRODE: Okay. Those are the only
6 attorney questions.

7 JUDGE FLORES: Okay.

8 RHONDA BRODE: And the bondsmen reports,
9 Michael Barborek -- first of all, Keith, I don't mean to
10 keep picking on you. I did color in your collateral
11 this time; but only because I went one month ahead of
12 the treasurer's report; and I put your \$7500 that I saw
13 in there. So, I wanted to kind of note that my -- my
14 collateral is higher than the treasurer's office.

15 KEITH DAY: Okay.

16 RHONDA BRODE: Michael Barborek, I know that
17 he had two pieces of property as collateral that made up
18 the 845,000. I think what happened -- Becky, if you
19 could help me -- one of the properties --

20 BECKY GARCIA: Was released.

21 RHONDA BRODE: -- was released; and I don't
22 think the bond limit was brought down.

23 BECKY GARCIA: Years ago before our new
24 procedures.

25 RHONDA BRODE: That was the first thing; and

1 then of course it kind of snowballed because -- I'll ask
2 the questions, the amount out is a hundred thousand.
3 Becky looked it up for me, and -- I'm not even going to
4 pretend to know what you-all talked about. So please go
5 ahead.

6 BECKY GARCIA: Okay. There were two felony
7 forfeitures. There's been abstracts that have been
8 filed, each for 50,000 plus court costs. So that would
9 account for the 100,000 that's out against him.
10 Rhonda's question she further asked me this morning was
11 about his collateral. He has two pieces of property in
12 the county that he's listed as the owner of, one of
13 which is pledged to the board, still.

14 He hasn't paid taxes on these pieces of
15 property in the last two years. I would presume he's
16 not going to pay taxes this year. The market value is
17 still listed above 30,000 on each of these properties.
18 So, you know, this is on the felony side. It's not my
19 side, you know. Eventually these properties are going
20 to be taken in under a tax sale, under a sheriff sale;
21 or if the board feels that -- or the district clerk's
22 office may feel they want to go gain possession of it
23 through a writ, they can go ahead and do so to try to
24 satisfy these liens on the felony side.

25 JUDGE FLORES: Is that something that

1 D. A.'s office would initiate like they do in the
2 misdemeanor courts?

3 BECKY GARCIA: Well, I kind of initiate
4 everything on my side, but --

5 JUDGE FLORES: I understand; but you do it
6 in conjunction -- you do it in conjunction with Mr.
7 Rugg's office.

8 BECKY GARCIA: Right.

9 JUDGE FLORES: I just didn't know whether
10 the D. A. wanted to do that with the district clerk.
11 Mr. Rugg, what do you think?

12 TOM RUGG: Yeah, we should do that. I'm not
13 sure why it wasn't been done; but I'll find out.

14 JUDGE FLORES: All right.

15 BECKY GARCIA: You know, there's also -- the
16 other thing that kind of jumped out at me, it's great
17 that these abstracts were filed here with us, because
18 it's where the liens originated from; however they also,
19 in my personal opinion, need to be filed in Orange
20 County where he currently resides so that if he's buying
21 or selling property, more specifically selling property,
22 these liens would be picked up in Orange County where he
23 currently resides. He may even have more collateral
24 over there that we can go seize.

25 JUDGE FLORES: Okay.

1 BECKY GARCIA: So I would suggest that these
2 abstracts need to be filed in Orange County; and the
3 Orange County clerk's office has been very nice in
4 allowing us, me, to file my abstracts at no charge;
5 because we also offer the same courtesy to her.

6 So that's just something that we may want to
7 think about. I mean, I can create a certified copy of
8 this abstract, give it to district clerk's office or to
9 the D. A.'s office and let them forward it over for
10 filing in their county.

11 JUDGE FLORES: Well, okay, but the moving
12 party has to be either the clerk's office or D. A.'s
13 office. I don't think we as a board can move to do
14 that. Mr. Rugg?

15 TOM RUGG: No, that's correct, Your Honor.

16 BECKY GARCIA: Right.

17 JUDGE FLORES: That's what I thought.

18 RHONDA BRODE: Is this business -- is he
19 still in business, Mr. Barborek?

20 BECKY GARCIA: No, his license has expired.

21 JUDGE FLORES: Well, I mean he's --

22 BECKY GARCIA: But I have him -- as I talked
23 to you this morning, because it's an expired license it
24 doesn't reflect anywhere, I went ahead and placed him in
25 default so that it wouldn't accidentally a bond surface

1 under his name.

2 JUDGE FLORES: Well, so long as there's
3 collateral up, we need to make some kind of a move to
4 decide to either go after the collateral to satisfy the
5 judgments or -- like I said, Judge Maness and Judge
6 Rugg, I would think that you-all have to be the moving
7 parties along with the clerk's office.

8 If you-all just kind of -- let's just hold
9 that until the next meaning; and we'll see. Are there
10 any other -- any other questions on the auditor's
11 report?

12 TIM FUNCHESS: If we go off the collateral,
13 do we assume the tax roll -- the tax roll liable?

14 TOM RUGG: No, sir. It's -- it's a priority
15 status on the sale.

16 RHONDA BRODE: Okay, the last one in
17 question is Stan Stanley's collateral, I mean bond
18 limit. The calculated amount -- for some reason this
19 month, since the last meeting, the bond limit went up a
20 hundred thousand dollars; and I didn't see the
21 collateral increase on the general ledger or on the
22 treasurer's report.

23 JUDGE FLORES: Okay, Mr. Funchess?

24 TIM FUNCHESS: I don't -- I don't think he's
25 brought us anything here lately. I can go back and

1 check.

2 RHONDA BRODE: DD, you said that he did
3 something --

4 DIANA ROJAS: Yeah, a couple of weeks ago.
5 I have a receipt at the office I could fax up.

6 RHONDA BRODE: Could you just call us and
7 get the information.

8 TIM FUNCHESS: When did you bring that in?

9 JUDGE FLORES: Let the record reflect that
10 Diana -- that Diana Rojas from the firm --

11 TIM FUNCHESS: This is the end of May.

12 JUDGE FLORES: -- will provide us a receipt.
13 You did add on to the collateral?

14 DIANA ROJAS: Uh-huh.

15 JUDGE FLORES: All right. All we need is
16 just make sure Mr. Funchess gets a copy.

17 Okay. If's there's nothing further on the
18 auditor's report, is there any other new business?

19 I want -- any -- new business?

20 Go ahead, ma'am.

21 BARBARA HART: I missed the last meeting --
22 I'm Barbara Hart. I had to miss the last meeting
23 because I was at our training school; and I was
24 wondering was it ever resolved about the attorney files?
25 Was that resolved at the last meeting.

1 KEITH DAY: No, that discussion was up for
2 today, Judge; but we're going to have to table it. The
3 two e-mails I sent out to Harris County, no response to
4 either one of them.

5 JUDGE FLORES: Okay.

6 KEITH DAY: So, I've got somebody going -- I
7 wish I had known you were going --

8 BARBARA HART: -- I asked questions --

9 KEITH DAY: -- oh, you did --

10 BARBARA HART: -- about --

11 KEITH DAY: -- perfect --

12 BARBARA HART: -- subject --

13 KEITH DAY: -- someone going to the one in
14 Lubbock.

15 (Both Ms. Hart and Mr. Day talking at the
16 same time.)

17 BARBARA HART: It's been resolved in many
18 counties that they do have to keep a separate file. I
19 got that from the attorney that was teaching my class.
20 His name is Roger Moore. I'm sure Keith knows him. He
21 said absolutely they have to keep a file that states --
22 you know, just their information on the bonding. It has
23 to be separate from the attorney file, that the board
24 can go and look at it. So Mr. Reed is actually correct.

25 JUDGE FLORES: Okay.

1 KEITH DAY: Roger Moore is the
2 representative for the P.D.T.

3 JUDGE FLORES: I've met him. I know who he
4 is. Okay. We'll give -- well, you're still going to
5 provide us more information; right?

6 KEITH DAY: I can. I've got somebody going
7 to the next --

8 JUDGE FLORES: Why don't we do that. And
9 that was going to be my topic, is that -- if anybody
10 wants to go to any of these schools, we still have some
11 funds available we have not used. Nobody's been. I
12 know that the only people that have been to my
13 knowledge, I know Mrs. Garcia's been twice. Mrs.
14 Gillespie and Mrs. Garcia have been. I know that a
15 representative from the auditor's office has been. I
16 know that Ms. Presley has been. I went one time before.
17 I think it would be good for like Mr. Rugg and Mr.
18 Roebuck to go. I think you went to one Judge Lively.

19 JUDGE LIVELY: The first year I was here.

20 JUDGE FLORES: But -- and from the auditor's
21 office I spoke to Mrs. -- to Fran, and she said that our
22 funds maybe more limited next year than they have been.
23 I don't know if that's because of the fewer number of
24 bondsmen or because the fees being paid in; or do you
25 have any idea on that?

1 RHONDA BRODE: I have no idea. I know that
2 we increased the revenues for last year because I
3 actually got a list from Cathy; and we could see who was
4 up for renewal.

5 JUDGE FLORES: Yes, ma'am.

6 RHONDA BRODE: Because -- we were pulling
7 that number out of thin air. We had no idea how much --
8 how many people --

9 JUDGE FLORES: Sure.

10 RHONDA BRODE: And when I got that list,
11 Fran said that this would be very helpful for our
12 revenue. So -- I don't know how she gets the money for
13 your classes. I just -- I don't know that part.

14 JUDGE FLORES: Well, I budget it every year.
15 I put in a budget.

16 RHONDA BRODE: I'm not sure.

17 JUDGE FLORES: And I know we have not used
18 any of our funding in the last couple of years.

19 RHONDA BRODE: And just it carries forward.

20 JUDGE FLORES: Because nobody has gone. I
21 think the last people were when you and Judge Lively may
22 have gone; but if anybody wants to go, I know that we
23 still have funds available in our budget for this year.
24 I know there's only a couple more schools left. I think
25 there's one in -- in fact, I think --

1 MARY GODINA: Here you go.

2 JUDGE FLORES: -- one going on right now,
3 Keith; right?

4 KEITH DAY: In Lubbock, I think.

5 JUDGE FLORES: And -- I know that there's
6 one in October.

7 BARBARA HART: The applications one is not
8 so basic. It goes over things that actually happened,
9 case studies that you can look at.

10 JUDGE FLORES: Right. Well, that's for the
11 one that Mister -- he was talking about in Lubbock.

12 Okay. Anything further, like I said,
13 anybody interested in going, please contact my office or
14 Mrs. Godina or Mrs. Gillespie.

15 Any other new business?

16 Mr. Roebuck?

17 TOM ROEBUCK: I'm great.

18 JUDGE FLORES: All right. If there's
19 nothing further then, Judge Maness?

20 TOM MANESS: I make a motion we adjourn.

21 JUDGE FLORES: Second.

22 JUDGE LIVELY: Second.

23 JUDGE FLORES: Seconded by Judge Lively.
24 All those in favor signify by saying aye.

25 (Response.)

1 JUDGE FLORES: Good deal. Good deal.

2 (END OF HEARING)

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25