

BAIL BOND BOARD MEETING

December 19, 2013

THOSE PRESENT: Judge Flores
Judge Lively
Catherine Presley
Emma Richardson
Becky Garcia
Joleen Fregia
Keith Day
Mary Godina
Liz Parks
Glenda Segura
Patrick Swain

THE COURT: Okay. We're going to convene this meeting of Jefferson County Bail Bond Board meeting. First item on the agenda, are there any comments or corrections to the minutes from the last meeting?

(No response.)

THE COURT: Hearing none we're going to go to the district attorneys' office report. Is there a representative from D. A.'s office?

BECKY GARCIA: There is not. But the report has been passed out.

1 JUDGE FLORES: Any comments or discussions
2 on the report?

3 (No response.)

4 THE COURT: Okay. Ms. Presley, I believe
5 there is one application or renewal?

6 CATHERINE PRESLEY: Yes, sir. What I have
7 is Stan Stanley doing business as Allied Bail Bonds
8 pledging additional property in order to release
9 property in the treasurer's office.

10 THE COURT: Okay. He's trying to release
11 some CD's and replace it with what, real property?

12 CATHERINE PRESLEY: Yes, sir.

13 THE COURT: Okay.

14 CATHERINE PRESLEY: Everything is in order.
15 I made sure all the taxes were current and they have
16 insurance on it. Now, it is the business.

17 THE COURT: Okay.

18 CATHERINE PRESLEY: So --

19 THE COURT: Okay.

20 CATHERINE PRESLEY: It appraised for two
21 hundred thousand.

22 THE COURT: That's not -- okay.

23 BECKY GARCIA: The Deed of Trust has been
24 recorded in our office. I'm going to give you the
25 original to add to his collateral; so next year you

1 could keep up, if they still have it pledged, to turn in
2 the tax returns and the insurance. So this is the
3 original Deed of Trust to the board.

4 THE COURT: Are there any questions or any
5 further discussion on that application?

6 (No response.)

7 JUDGE FLORES: Well if everything is order,
8 when it's presented to me, I'll sign it. Okay. Is that
9 the only application?

10 CATHERINE PRESLEY: Yes, sir.

11 THE COURT: Okay. Mrs. Godina, any
12 complaints against bondsmen?

13 THE BAILIFF: No, sir.

14 THE COURT: Okay. Report from the
15 treasurer's office?

16 JOLEEN FREGIA: That's been handed out.

17 JUDGE FLORES: Okay. Any comments or
18 questions on report from the treasurer's office?

19 (No response.)

20 JUDGE FLORES: Okay. And the report from
21 the auditor's office?

22 PATRICK SWAIN: It has been passed out; and
23 it's has pretty Christmas trees on it.

24 JUDGE FLORES: How long has the Jefferson
25 County Auditor's Office been in existence?

1 PATRICK SWAIN: 1936.

2 THE COURT: You want to give us a little
3 history on it?

4 PATRICK SWAIN: I think when they started
5 the office of the county auditor's office, they had no
6 idea that I would be filling that position; and if they
7 knew that, they would have never formed that position.

8 THE COURT: We're honored you're here
9 attending your first time here.

10 PATRICK SWAIN: This is a great group. This
11 is fun. I'm going to throw Rhonda off the board and --
12 no. Just kidding. Rhonda does a great job. I
13 appreciate all she does. Hope she's having fun on her
14 cruise. She said due to fiscal year end and holidays.
15 I think she meant due to her cruise -- just kidding.

16 THE COURT: Okay. The next item on the
17 agenda is the release of some of these -- Ms. Presley,
18 did they turn in all the stuff?

19 CATHERINE PRESLEY: Okay. I have Stan
20 Stanley's stuff. I believe the treasurer's office has
21 Barbara Hart's.

22 JUDGE FLORES: They filed with the
23 treasurer's office to release a CD or something?

24 JOLEEN FREGIA: Yes. Tim said we would have
25 to have approval through the board; and I couldn't act

1 on anything until the board --

2 THE COURT: That will be fine. Is there any
3 further discussion? These are basically the release of
4 some CD's, and -- I don't believe there's any property
5 being released is that right, Ms. Presley? Just CD's?

6 CATHERINE PRESLEY: No, sir.

7 JOLEEN FREGIA: I have a question. Are they
8 going to decide which ones to release or we pick one, on
9 the CD's?

10 CATHERINE PRESLEY: Are we talking about
11 Stan Stanley's or Barbara --

12 BECKY GARCIA: It looks only cash --

13 STAN STANLEY: I sent a CD I wanted to --

14 D. D. ROJAS: -- where --

15 THE COURT REPORTER: I'm sorry, I can't see
16 who's speaking.

17 STAN STANLEY: Stan Stanley, Allied Bail
18 Bonds.

19 D. D. ROJAS: D. D. Rojas.

20 MARY GODINA: I can look in Tina's office
21 for whatever she sent.

22 THE COURT: Right.

23 GLENDA SEGURA: She'll be back tomorrow.

24 JUDGE FLORES: Okay. Pending whatever the
25 designation of the CD's, is there any further

1 discussions or questions of the transfers of CD's and
2 cash for Allied Bail Bonds and Across the Street Bail
3 Bonds?

4 (No response.)

5 JUDGE FLORES: If there's no discussion, at
6 this time --

7 BECKY GARCIA: I make a motion to release
8 the funds.

9 JUDGE LIVELY: I second that.

10 JUDGE FLORES: It's been moved and seconded
11 to release the CD's. All in favor signify by saying
12 aye.

13 (Response.)

14 THE COURT: All opposed signify by saying
15 nay.

16 (No response.)

17 JUDGE FLORES: The ayes have it. We'll
18 clarify the account numbers on those, Mr. Stanley,
19 from --

20 JOLEEN FREGIA: She handed me a list of the
21 ones she wanted released.

22 THE COURT: Okay. Good deal. That will be
23 fine. Okay.

24 Last item on the agenda is legality of
25 adding a transaction fee.

1 CATHERINE PRESLEY: Judge --

2 THE COURT: Who's going to speak on that?

3 CATHERINE PRESLEY: That's me.

4 THE COURT: Go ahead.

5 CATHERINE PRESLEY: In 2000, there was a
6 bail bond transaction fee set up; and if you released or
7 added property and it wasn't renewal time, we charged
8 \$75. I don't know why it's not in place anymore; but I
9 wanted to check with our attorney to see if that's
10 something we can put back into place, because there's a
11 lot of paperwork involved when you're releasing and
12 adding, and it's not renewal time.

13 BECKY GARCIA: And the different offices it
14 effects.

15 THE COURT: Have we charged that in the last
16 few years?

17 CATHERINE PRESLEY: No, no.

18 THE COURT: I didn't think so.

19 CATHERINE PRESLEY: It was \$75 set up; but I
20 think we need to speak with the attorney to see if
21 that's something we could do.

22 THE COURT: Sure, we'd have to have some --

23 CATHERINE PRESLEY: -- legal --

24 THE COURT: -- board action on it to make
25 sure.

1 CATHERINE PRESLEY: But --

2 THE COURT: Keith, any comments to the bail
3 bond board --

4 KEITH DAY: Well, I vaguely remember that;
5 but -- it has been a long time. I don't know why it
6 was -- I don't know why it was started; and I don't know
7 why it was stopped. But you're -- you're asking for
8 every time between renewals --

9 CATHERINE PRESLEY: Yes, uh-huh. It was
10 something in place between renewals, like if you wanted
11 to add and pull -- and then take it back, and then put
12 it back, they charged a \$75 transaction fee, a bail bond
13 transaction fee. It's already set up through the
14 auditor's office.

15 THE COURT: Where did the money go, to the
16 Bail Bond Board?

17 CATHERINE PRESLEY: Yes. Yes, it does.

18 KEITH DAY: What was -- is the purpose of
19 it?

20 CATHERINE PRESLEY: Just because of all the
21 paperwork in it. And processing fee.

22 BECKY GARCIA: Processing fee.

23 CATHERINE PRESLEY: And processing fee,
24 uh-huh.

25 THE COURT: Well, just for everybody on the

1 board, what is the process that's involved, Ms. Presley
2 and Ms. Garcia?

3 CATHERINE PRESLEY: That's -- that's through
4 the treasurer and through Tina.

5 BECKY GARCIA: But if they're releasing
6 property?

7 CATHERINE PRESLEY: Then through the county
8 clerk also.

9 BECKY GARCIA: I will check any liens filed
10 on it, that's a lien search I have to go through and do.

11 THE COURT: Okay.

12 KEITH DAY: What if you're putting up cash?
13 What would be --

14 MARY GODINA: The treasurer's office takes
15 the cash. She needs to let us know so we can add it in
16 the computer. Are there any fees -- I mean, you're
17 saying some sort of processing fees for putting up
18 property?

19 CATHERINE PRESLEY: And cash --

20 KEITH DAY: But what about cash, CD's --

21 MARY GODINA: But still something needs to
22 be --

23 THE COURT REPORTER: I'm sorry. I can only
24 take one of you at a time. I understand you are talking
25 in a conversation; but --

1 THE COURT: Okay. Mrs. Godina?

2 MARY GODINA: It's just if anything gets
3 done, it needs to be reported to the treasurer's office,
4 money or anything; then it needs to be brought up top.
5 Tina or I in turn add it to the computer --

6 KEITH DAY: Right.

7 MARY GODINA: -- to up or lower the writing
8 abilities. So then they are involved and one of us
9 involved.

10 BECKY GARCIA: And, Joleen, correct me,
11 you-all have to get the bank involved with it, I mean?

12 JOLEEN FREGIA: Only with a CD. You know,
13 we have to send letters. They get the assignment. Then
14 we have to get all the paperwork like with the cash; but
15 then we have to go to the county clerk because we have
16 to get filed.

17 BECKY GARCIA: Does it have to go through
18 commissioner's when it's cash or CD's?

19 JOLEEN FREGIA: Huh-uh. It hasn't ever.

20 BECKY GARCIA: And see there's a filing fee
21 that my office has graciously waived upon releasing or
22 whatever.

23 KEITH DAY: That's what I'm saying. You've
24 waived fees for filing like for property issues, you
25 know, releasing; but that was my question about CD's and

1 cash. Are there any fees being waived?

2 JOLEEN FREGIA: The CD's.

3 BECKY GARCIA: If the paperwork is brought
4 to me, Keith, I can I make sure all fees -- like D. D.
5 rushed it through so she didn't see me. She had to pay
6 for the deed of trust.

7 Even on the cash or whatever, there's
8 releases that have to be filed because there's a
9 piece -- there's a document that gets filed in our
10 office showing that a CD is pledged; correct?

11 JOLEEN FREGIA: Yeah, the CD's; but not
12 cash.

13 BECKY GARCIA: CD. When that CD is
14 released, there's more paperwork that's involved on
15 their end to release that; gets filed back in our
16 office. So, yes, there's other fees involved to be --

17 KEITH DAY: Now, the fees are more than \$75
18 or less than that; or just a fee we just -- randomly was
19 thrown out there? Because I don't think it was in place
20 when I first started. Booger, do you remember that in
21 place?

22 BOOGER HOLLIER: I don't remember \$75; and I
23 been here a lot.

24 KEITH DAY: I don't know if that was a fee
25 that we -- that was decided on when Bob was on the board

1 at some point or if it's -- or where that started.

2 CATHERINE PRESLEY: 7-18 of 2000.

3 PATRICK SWAIN: Was when it stopped?

4 CATHERINE PRESLEY: When it began.

5 PATRICK SWAIN: Do we know when it started?

6 CATHERINE PRESLEY: It started in 2000.

7 JUDGE FLORES: Was it ever collected?

8 CATHERINE PRESLEY: Yes, because I remember
9 collecting it.

10 THE COURT: I been on the board before then
11 and I don't recall.

12 KEITH DAY: I vaguely recalled it; but I
13 think it's --

14 JUDGE FLORES: We need to talk to Tom
15 about --

16 Okay, Mr. Hollier, you wish to make a
17 comment?

18 BOOGER HOLLIER: Let me tell you what I
19 have. You have a -- a two-year \$50,000 CD. You go to
20 your credit union or your bank, they get a letter, we
21 bring it to you. Okay. Let me tell you what happened
22 to me. After two years, when they issued another one;
23 and -- but they didn't put on there the treasurer of
24 Jefferson County.

25 So here, I run five or six years, let's say

1 that you-all would never have collected that CD; because
2 the bank or the credit union, every time they make a CD
3 they don't necessarily put you have a hold on it.

4 So, I went there one day and I'm checking on
5 some stuff and two years -- you got 50,000 here and I
6 had a 100,000 with another deal; and she said oh, no,
7 it's cleared.

8 So, you need to watch that because that
9 could be some problems; but I caught it; and I told them
10 to put your name on it. You know, there was a -- a lien
11 against it; you know, had to check with you-all; but the
12 banks won't do that unless you make them do it; because
13 they'll just throw it out; and that's happened.

14 THE COURT: Okay.

15 JOLEEN FREGIA: That's what our assignments
16 are made for.

17 BOOGER HOLLIER: But the assignment, when
18 you make a new CD, when you do it, sometimes they don't
19 put you as a holder.

20 JOLEEN FREGIA: Does that leave the bank
21 liable?

22 BOOGER HOLLIER: Oh, I don't know.

23 JOLEEN FREGIA: Because their officers are
24 signing off on this CD stating that it is, you know,
25 held as collateral.

1 BOOGER HOLLIER: Officers are not there
2 after a while, and a new girl comes over; and that's
3 what happened to me.

4 KEITH DAY: Now, the bank, the one that's
5 saying it's being held as collateral or the --

6 JOLEEN FREGIA: We have a form. We have a
7 form that has to be brought to us with the CD; and it's
8 got to be signed off by everybody at the bank and
9 notorized saying that this money cannot be released for
10 anything unless they're notified.

11 BOOGER HOLLIER: They don't give you a CD
12 but a piece of paper.

13 JOLEEN FREGIA: Right. The piece of paper
14 filed.

15 BOOGER HOLLIER: When it comes through, you
16 get another one. They don't keep the same number.

17 KEITH DAY: How long ago was that?

18 BOOGER HOLLIER: About three years ago I got
19 it straight; but about five or six years it went on.

20 KEITH DAY: So about eight when it all took
21 place.

22 THE COURT: Well, I can see we're going to
23 need further discussions on the fees. We need to get
24 with Mr. Roebuck. Ms. Presley and Ms. Garcia, if you
25 could kind of -- for the next meeting, give me the

1 history on that as to when it exactly was started, when
2 we stopped taking it; and I'd be curious if we can find
3 out how much revenue this generated. Did we --

4 BECKY GARCIA: I think the auditor's would
5 be included on that.

6 JUDGE FLORES: That's why I'm looking at Mr.
7 Swain.

8 PATRICK SWAIN: We're going to see why it
9 stopped. And it might be something to do -- I know
10 there was -- you know, past history there was something
11 about bail bond had to be an account for one of the
12 general funds; there was some statute; and we had it in
13 special revenue funds. So I don't know if that was tied
14 to it; but make sure that fee didn't get moved somewhere
15 else.

16 THE COURT: Okay.

17 PATRICK SWAIN: Let us come back.

18 THE COURT: Let's table this until the next
19 time. Ms. Garcia, Ms. Presley and Mr. Swain, if you can
20 kind of look into that and give us a little background.

21 CATHERINE PRESLEY: I can get some history
22 on it.

23 JUDGE FLORES: Okay. All right. Is there
24 any other old business?

25 BECKY GARCIA: I have a point, just kind of

1 a general question. Where are we at with our
2 inspections for this year, if we've done any?

3 MARY GODINA: We did go out and we did
4 inspections.

5 BECKY GARCIA: For everyone?

6 MARY GODINA: Uh-huh.

7 THE COURT: Okay.

8 MARY GODINA: I believe mid-summer, maybe.

9 BECKY GARCIA: Okay, everything was good?

10 MARY GODINA: Uh-huh.

11 THE COURT: Okay.

12 BECKY GARCIA: Okay.

13 MARY GODINA: We'll go out again next year.
14 I don't know exactly when.

15 JUDGE FLORES: Any new business?

16 (No response.)

17 JUDGE FLORES: Judge Lively?

18 JUDGE LIVELY: Motion to adjourn.

19 THE COURT: Anybody to second?

20 BECKY GARCIA: Second --

21 CATHERINE PRESLEY: Yes, sir, I forgot. I'm
22 so sorry.

23 THE COURT: Okay.

24 CATHERINE PRESLEY: The criminal -- the
25 criminal history on Josh Stewart and his agent, I did

1 get them back.

2 THE COURT: Okay.

3 CATHERINE PRESLEY: Just so it's on record,
4 I did get the criminal histories back.

5 THE COURT: Okay.

6 CATHERINE PRESLEY: That's all I have.

7 THE COURT: And I believe that the -- the
8 applications been changed a little bit to kind of give
9 them more information as to the background?

10 CATHERINE PRESLEY: Yes, sir, we worked on
11 that.

12 BECKY GARCIA: Yes, sir.

13 CATHERINE PRESLEY: And then also I've put
14 it in my letter that I send out for renewals.

15 JUDGE FLORES: Great. Okay. Judge Lively?

16 JUDGE LIVELY: Subject to any objections by
17 Ms. Presley, I move to adjourn.

18 BECKY GARCIA: Second again.

19 THE COURT: All those in favor signify by
20 saying aye.

21 (Response.)

22 (END OF HEARING)

23

24

25