

BAIL BOND BOARD MEETING**AUGUST 20, 2015**

THOSE PRESENT:

Judge Dollinger

Judge Woods

Casi De La Torre

Becky Garcia

Theresa Goodness

Tim Funchess

Al Reed

Kevin Cribbs

Mary Godina

Tina Benoit

Rhonda Brode

Brandi Sewell, CSR

1 JUDGE DOLLINGER: We'll call the August
2 meeting of the Jefferson County Bail Bond Board to order. We
12:37 PM 3 have a quorum.

4 First is review of the minutes from the last
5 meeting, and I haven't seen them.

6 Tina, were they up on the web?

7 MS. BENOIT: They were not. She hasn't had a
8 chance to put them up yet.

9 JUDGE DOLLINGER: All right. Then we won't
10 worry about them until they get posted, and we will take it up
11 next time.

12 Next is a report from the district attorney's
13 office regarding status of collections. That's been passed
14 out. Are there any comments, questions or corrections? I
15 don't know how we correct it because none of us would know if
12:37 PM 16 it's right or not. But any comments or --

17 MS. GARCIA: I'm adding to this.

18 JUDGE DOLLINGER: Oh, okay. All right.

19 Okay. Nothing from the DA's office.

20 The second item on the agenda is --
21 correction. The third is the consideration of approval of
22 applications to become bondsmen or agents and/or renewals.

23 We have a renewal from Mr. Segura and I'm
24 assuming that that is in order?

25 MS. GARCIA: Yes, sir.

1 JUDGE DOLLINGER: Okay. Anybody have any
12:38 PM 2 questions or comments on Mr. Segura's application to renew as a
3 bail bondsman?

4 Is that something we need to vote on --

5 MS. GARCIA: Yes, sir.

6 JUDGE DOLLINGER: -- to accept it?

7 Do I have a motion to accept Mr. Segura's
8 renewal.

9 MS. GOODNESS: My name is Theresa Goodness.

10 JUDGE DOLLINGER: Second.

11 JUDGE WOODS: Clint Woods, second.

12 JUDGE DOLLINGER: We have a motion and a
13 second to accept Mr. Segura's application. If there are any
14 comments or questions, this would be the time for it.

15 Hearing none, we'll call for a vote. All of
16 those in favor of accepting his renewal application.

17 THE BOARD: "I."

12:38 PM 18 JUDGE DOLLINGER: The second one we have is an
19 application from Erica Francois. I believe Ms. Francois is
20 present today. She is. She had previously filed an
21 application and we found some deficiencies with it and I
22 believe it was returned to her to have some of those corrected
12:39 PM 23 and I understand that there are still some deficiencies that
24 have shown up.

25 Have you gotten a copy of this, Ms. Francois?

1 MS. FRANCOIS: (Nodding).

2 JUDGE DOLLINGER: Do you want to address any
3 of these to let us know your feelings on it?

4 MS. FRANCOIS: Well, the letters of
5 recommendation, prior to the first time that I applied was one
6 of the other lady resigned or whatever.

7 JUDGE DOLLINGER: Yes, ma'am. Yes, ma'am.

8 MS. FRANCOIS: I can -- I never got any help
12:40 PM 9 as far as sample letters or anything. When I submitted the new
10 letters to Ms. Garcia, I called her and asked her are they
11 okay. At that time I never got a response saying, yes, they
12 are; no, they are not. No, you need a -- I need a sample
13 letter.

14 Also the dba, I filed a new dba the exact way
15 y'all asked for it.

12:40 PM 16 She's stating that the residential homestead
17 category -- it is my property. It is in my name. Also, she's
18 stating that she can't prove I earn \$1600 weekly. I have more
19 than one employment, and I provided all three stubs. If you
20 add them all three together, that's exactly what you're going
21 to get.

22 My life insurance policy, she's stating that
23 there is an issue with that. I will have to get with my agent
24 because I purchased \$150,000 worth of life insurance policy.

12:40 PM 25 As far as my bank statements, those are my

1 personal bank statements. When I attended the classes, nowhere
2 do I recall them stating that I had to provide with my personal
3 bank statements and showing that. Now, if that's an issue,
4 then I can get you a copy showing that.

5 JUDGE DOLLINGER: Okay. Now, let me get
6 Ms. Garcia, if she would, to address them post Ms. Francois'
7 comments and let us know -- I guess we could take them from --
12:41 PM 8 first of all, Mr. Kimler is here. So I don't think there is a
9 problem with your statement or your signature on the letters.
10 Is that correct, Mr. Kimler?

11 MR. KIMLER: No, sir.

12 JUDGE DOLLINGER: You signed them?

13 MR. KIMLER: I signed the first letter, yeah.

14 MS. GARCIA: He did not sign the second one.

15 JUDGE DOLLINGER: Who did the second one, do
16 you know?

17 MR. KIMLER: It was by permission.

18 JUDGE DOLLINGER: By permission?

19 MR. KIMLER: Right.

20 JUDGE DOLLINGER: Okay. Well, I don't have a
21 problem with that if it was by permission.

22 MS. GARCIA: So starting with the question
23 number one in the financial statement and, Judge, I provided
12:41 PM 24 you a copy with these two --

25 JUDGE DOLLINGER: Yes, ma'am.

1 MS. GARCIA: -- pages. The question is cash
2 on hand and in banks. She has referred to \$10,000 but -- as
3 being cash on hand; but according to her bank statement she
4 provided me, her ending balance as of 8/13 of '15 shows \$9.10.

5 JUDGE DOLLINGER: Ms. Francois, are you saying
6 there are other bank accounts that would total the 10,000 that
12:42 PM 7 you didn't provide?

8 MS. FRANCOIS: I have other bank accounts. I
9 have a business bank account and I have my personal bank
10 account. She was not specific on which one. She asked for a
11 bank statement, and I provided her with one.

12 JUDGE DOLLINGER: The cash on hand, it's
13 obviously in an account different than what you gave her?

14 MS. FRANCOIS: Correct.

15 JUDGE DOLLINGER: Correct?

16 MS. FRANCOIS: Correct.

17 JUDGE DOLLINGER: So that was one thing.
18 Whatever you say on your application has to be backed up with
19 your --

20 MS. FRANCOIS: On my financial statement.

21 JUDGE DOLLINGER: Correct. Whatever is on
22 this form (indicating) has to be backed up with whatever you
23 provide her so that the two --

24 MS. FRANCOIS: And I have provided you with
12:43 PM 25 that. It's not going to be my personal bank account, but it

1 is -- it is my account.

2 JUDGE DOLLINGER: Okay. If it's your account,
3 it's your account. That's all we're concerned about. They
4 just have to go together.

5 MS. FRANCOIS: Okay.

6 JUDGE DOLLINGER: They have to mesh and match.
7 Okay?

8 Cash value of the life insurance, you're
9 saying you took out \$150,000 policy through your agent?

10 MS. FRANCOIS: Correct.

11 JUDGE DOLLINGER: But that doesn't mean the
12 cash value of the policy is 150,000.

13 MS. FRANCOIS: When I went with my agent, I
12:43 PM 14 specifically told her that it had to be a cash value of
15 \$150,000 specifically because that's what we paid for. If
16 Ms. Martha, my agent, failed to do so, then that's something I
17 have to take up with her.

18 JUDGE DOLLINGER: Right. Well, we're going by
19 this. Okay? And the document that you provided that I'm sure
20 Farmers -- she provided to you --

21 MS. FRANCOIS: Correct.

22 JUDGE DOLLINGER: -- it says total cash value
23 at end of policy year guaranteed nothing, nothing and nothing
24 for the first three years. So it's showing zero for the first
12:43 PM 25 three years the policy is in effect and then it starts growing

1 from 590 to 1220 to 47 to 13. Even at age 65, it only shows a
2 cash value of 37.

3 MS. FRANCOIS: Well, but I'm only 27, Judge,
4 and I just purchased it.

5 JUDGE DOLLINGER: If it went all the way
6 to sixty --

7 MS. FRANCOIS: I just purchased the insurance.

8 JUDGE DOLLINGER: I understand that. But I'm
9 saying if you're saying that it has cash value of 150, even if
10 this policy were in effect until you're 65, it would only have
11 a cash value of 37.

12:44 PM 12 MS. FRANCOIS: Well, then I'm assuming that's
13 something I have to take up with my agent.

14 JUDGE DOLLINGER: Okay. All right.

15 MS. GARCIA: And that the policy is only for
16 100,000, not the 150 she's referring to.

17 JUDGE DOLLINGER: Okay. All right. There is
18 a discrepancy in the amount. You said it was a 150 policy and
19 apparently she wrote it for 100.

20 MS. FRANCOIS: Yes, sir, because that's what
21 I purchased.

22 JUDGE DOLLINGER: Okay. And then you said
23 that your -- you have the pay stubs, Becky, that she submitted?
24 She said if you add the three different employees together,
25 that they would come to 16. Is that accurate?

1 MS. GARCIA: They're not exactly pay stubs.

2 JUDGE DOLLINGER: Oh, all right.

3 MS. GARCIA: It's an earning statement.

12:44 PM 4 JUDGE DOLLINGER: Okay.

5 MS. GARCIA: Showing a net of 547. This is a
6 check from Groves Equipment for 4 -- I guess --

7 MS. FRANCOIS: 450.

8 MS. GARCIA: -- 450.

9 JUDGE DOLLINGER: So that's right at 1,000.

10 MS. GARCIA: Then another one for 567. But
11 what I asked her to provide me was the last three weeks of
12 payments showing that you have three weekly payments of the
13 1800, not just one.

14 JUDGE DOLLINGER: Are these all from the same
15 week? I mean, I didn't see --

16 MS. GARCIA: That's what she is telling me
17 today.

12:45 PM 18 JUDGE DOLLINGER: These are all from one week?

19 MS. GARCIA: Yes.

20 JUDGE DOLLINGER: Okay. Okay. Well, if she
21 can just -- she can correct that by just providing the two
22 other weeks showing basically the same earnings, and then we're
23 good to go.

24 Okay. Now, let's talk about the residential
25 homestead category.

1 MS. GARCIA: On the second page of the real
2 estate schedule, it asked to provide a residential homestead.
3 In this she's listed two pieces of property; one of which is
12:45 PM 4 the property that she's trying to pledge. If it's a homestead,
5 this isn't -- this is your homestead. This is something that's
6 nonexempt that we can't go back and collect on. So, again, the
7 information is in the wrong category. It needs to be placed in
8 the nonexempt from for sale category.

9 JUDGE DOLLINGER: So from the top to the
10 bottom?

11 MS. GARCIA: Correct.

12 JUDGE DOLLINGER: And you said there are two.

13 Ms. Francois, can I ask which of those two
14 addresses --

15 MS. FRANCOIS: The last time I spoke with
16 Ms. Garcia, I specifically told her the property that I am
12:46 PM 17 pledging is 4217 Philmont. 2111 Avenue D shouldn't even be
18 brought up because I told her specifically more than once that
19 it was just Philmont that I am pledging, not Avenue D.

20 JUDGE DOLLINGER: Well, did she write that on
21 there, or did you?

22 MS. FRANCOIS: I've owned -- is 2111 on there?

23 MS. GARCIA: Yes.

24 JUDGE DOLLINGER: Come see. Come look at it.

25 MS. FRANCOIS: Well, yes, because both of the

1 properties are mine, but the one I'm pledging is 4217.

2 JUDGE DOLLINGER: But if you'll look at
3 this -- do you have your copies of this?

4 MS. FRANCOIS: No, I don't have it. The only
5 thing I have is what she gave me.

12:46 PM 6 JUDGE DOLLINGER: If you'll come look at this,
7 you can answer my question.

8 MS. FRANCOIS: Well, I mean, clearly it's on
9 there if you're telling me it's on there. I can see from here,
10 but the property that I'm pledging is 4217 Philmont.

11 JUDGE DOLLINGER: And is that the homestead or
12 not the homestead?

13 MS. FRANCOIS: No.

14 JUDGE DOLLINGER: That is not the homestead?

15 MS. FRANCOIS: That's not the homestead.

16 JUDGE DOLLINGER: Okay. Then all that needs
17 to happen -- is 24 --

18 MS. FRANCOIS: 2111.

19 JUDGE DOLLINGER: -- 2111, is that the
20 homestead?

21 MS. FRANCOIS: Correct.

22 JUDGE DOLLINGER: Then all that needs to
23 happen to correct that is to take the 4217 Philmont and move it
24 from the top block --

12:47 PM 25 MS. FRANCOIS: Well, then I don't understand

1 why when I call Ms. Garcia she doesn't tell me that when I can
2 come down here and do it. I don't even -- I don't -- that's
3 fine.

4 JUDGE DOLLINGER: If it's moved from the top
5 block to the bottom block, then everything is good. One is the
6 homestead, one is the nonexempt property that you wish to
7 pledge.

8 MS. FRANCOIS: Okay.

9 JUDGE DOLLINGER: Okay.

12:47 PM 10 MS. GARCIA: We're on number six.

11 JUDGE DOLLINGER: There never -- there was
12 never a withdrawal filed from the previous dba when a corrected
13 dba was filed. Now, would that not automatically happen?

14 MS. GARCIA: No, sir. There is an actual form
15 that is filled out.

16 JUDGE DOLLINGER: To withdraw your old dba --

17 MS. GARCIA: Yes.

18 JUDGE DOLLINGER: -- after you've substituted
19 the new dba.

20 MS. GARCIA: And then you would file your new
21 dba.

22 JUDGE DOLLINGER: Okay. So she just needs to
23 stop by and withdraw whichever one is the earlier; correct?

24 MS. GARCIA: Correct.

25 JUDGE DOLLINGER: Okay. That's an easy thing

1 to take care of.

12:48 PM

2 Then letters of recommendation, are there
3 three? I'm only seeing Mr. --

4 MS. GARCIA: Well, I only provide you that one
5 because of the conflict of the signature. I previously asked
6 Mr. Kimler to come down, look at it, to see if that was his
7 signature, if he gave permission but Rife unfortunately was
8 still tied up in court and never made his way back to my
9 office. All I had was this letterhead that had his last name

12:48 PM

10 misspelled and his signature that's obviously not his signature
11 in my information. So I presumed that it was given without
12 permission because there's no indication on there that it was
13 by permission.

14 JUDGE DOLLINGER: Okay.

15 MS. GARCIA: There are three letters,
16 including this one, this is one of the three but none of them
17 meet the requirements as stated in Chapter 17.04.

18 JUDGE DOLLINGER: Okay. Did we provide
19 Ms. Francois with 17.04 language to show her what --

20 MS. GARCIA: I did the previous time because
12:49 PM 21 the previous three letters were incorrect. I gave her a copy
22 of the statute along with all the other deficiencies in our
23 last time we discussed her application.

24 JUDGE DOLLINGER: Okay. Did you have a
25 problem, Ms. Francois, with what it is the statute is asking?

1 MS. FRANCOIS: Whenever I go to anyone and ask
2 them for a letter of recommendation, I told them specifically
3 what needed to be said and that's what they provided me with.
4 They can be corrected. That's not a problem. As far as the
5 Mr. Kimler issue, I wouldn't put myself in that kind of
12:49 PM 6 trouble. So for Ms. Garcia to even assume anything of that
7 nature is beyond me.

8 JUDGE DOLLINGER: Well, I will tell you that
9 if I got two different letterheads and his name were spelled
10 two different ways on two different letterheads, I would have a
11 problem with it and I would have a concern with it. I mean,
12 one of them spells his name K-i-m-l-e-r and the other one
13 spells his name K-i-m-l-e-r-e-r. Obviously, Mr. Kimler didn't
14 buy that stationery with the misspelled name.

15 MR. KIMLER: It's not stationery. My stuff is
16 not stationery. It's printed off the computer.

17 JUDGE DOLLINGER: Oh, okay. Well, I'm going
18 to assume that Mr. Kimler knows the correct spelling of his
19 name and wouldn't misspell his name on his letterhead in his
12:50 PM 20 computer. So when she got two, that was a logical thing for
21 her to question.

22 MS. FRANCOIS: I submitted what was given to
23 me. I don't work for Mr. Kimler

24 JUDGE DOLLINGER: Well, I understand you don't
25 work for Mr. Kimler.

1 And if that came from one of his employees,
12:50 PM 2 then they would probably need to figure out how to spell his
3 name.

4 MS. FRANCOIS: Correct.

5 JUDGE DOLLINGER: So are we clear on what it
6 is that needs to be taken up prior to our next meeting?

7 MS. FRANCOIS: Yes, sir.

8 JUDGE DOLLINGER: Okay. Then we will table
9 her application until the deficiencies are corrected and we
10 will take it up again at the next meeting of the Board.

11 The next item on the agenda is complaints
12 against bondsmen.

13 MS. GODINA: I don't have any at this time,
14 sir.

15 JUDGE DOLLINGER: None at this time.
16 Hallelujah.

12:51 PM 17 Next is a report from the treasurer's office.
18 Those have been passed out by Mr. Funchess. Are there any
19 questions?

20 MR. FUNCHESS: I have a couple comments.

21 JUDGE DOLLINGER: Yes, sir.

22 MR. FUNCHESS: First off, Barbara Hartt, there
23 were two writs that were of -- two writs of execution that were
24 issued on her and dropped her collateral value below the
25 50,000. It doesn't show here because this report is all of

12:51 PM

1 July. Those writs came through in August so her total
2 collateral value is 49,407.78. So I think she's already
3 suspended.

4 JUDGE DOLLINGER: Is that accurate?

5 MS. GODINA: Yes.

6 JUDGE DOLLINGER: She is suspended?

7 MS. GARCIA: Well, default.

8 MS. BRODE: Default.

9 MR. FUNCHES: Well, this is an automatic --
10 this calls for automatic suspension as we've discussed in
11 earlier meetings.

12 JUDGE DOLLINGER: Okay. And has she been
13 notified of what she needs to do in order to get her --

14 MR. FUNCHES: We can't find her.

15 JUDGE DOLLINGER: -- collateral back up to
16 \$50,000.

12:52 PM

17 MR. FUNCHES: No one can find her.

18 MS. DE LA TORRE: I have an address on her.
19 She actually came to my office so I'll get everyone that. I
20 didn't realize that was going on.

21 JUDGE DOLLINGER: Yeah. If we could just give
22 her notice that she needs to correct that so that -- I mean, I
23 don't know if she still desires to write, does she?

24 MS. GODINA: I don't think so.

25 MS. DE LA TORRE: No.

1 MR. FUNCHES: Also, George Michael Jamail,
12:52 PM 2 the law firm brought in another \$7,450 giving him collateral,
3 total collateral value of 8000 so his bond privileges have gone
4 up to 100,000.

5 JUDGE DOLLINGER: Okay.

6 MR. FUNCHES: Since he --

7 MR. REED: Can I? Does the attorneys have the
8 10 to one ratio same as the bondsmen?

9 JUDGE DOLLINGER: I would say that's a matter
10 for the sheriff rather than for us?

11 MS. BRODE: Yes, sir.

12 JUDGE DOLLINGER: I don't know what the
13 sheriff's policy is. Is the sheriff's rep -- I don't see the
12:53 PM 14 sheriff's representative here today so I can't honestly answer
15 that because I don't -- I don't know what the sheriff's policy
16 is, whether he gives them 10 to one or one for one or two for
17 one, I don't know what his policy is.

18 MR. REED: Well --

19 JUDGE DOLLINGER: Do you know, Mr. Kimler?

20 MR. REED: -- the one to keep records -- the
21 one that keeps records would have to know that in order for
22 them to up the amount and who -- who keeps the records on
23 the --

24 MS. BENOIT: Since the bondsmen -- I mean, the
12:53 PM 25 attorneys are not underneath the Bail Bond Board, the sheriff,

1 they don't even have to -- they don't even have to put up
2 money. They can bring in, from what I understand, livestock if
3 they want to, you know. They -- they're not --

4 JUDGE DOLLINGER: And it's up to the sheriff
5 what kind of bonding privilege he provides to them?

6 MS. BENOIT: But from what we have gathered
7 from the sheriff's department, they're giving them the 10 to
8 one because when they bring us the receipts we are giving them
9 10 to one.

10 MR. REED: Okay.

12:54 PM 11 JUDGE DOLLINGER: Okay. So Mr. Jamail is
12 higher than what is shown on here as of today and Ms. Harrt is
13 in default --

14 MS. GODINA: Needs to be suspended.

15 JUDGE DOLLINGER: -- and is automatically
16 suspended until that default is cured. Do I understand that
17 correctly?

18 MR. FUNCHES. Right. She's is automatic
19 suspension until her collateral is brought back up.

20 JUDGE DOLLINGER: Okay. All right.

21 MR. FUNCHES: The default -- she will stay in
22 default until everything is cured on that side.

23 JUDGE DOLLINGER: Right. I understand.

12:54 PM 24 MS. BRODE: So is that going to be changed to
25 suspend?

1 MS. GODINA: We'll mark her suspended.

2 JUDGE DOLLINGER: Next item on the agenda is a
3 report from the auditor's office, and that has been passed out
4 as well, and everybody should have a copy for fiscal year 2015.
5 Are there any comments that you want to make on that?

6 MS. BRODE: Yes, sir. I would like you to
7 look at the bottom where it says net loss or income. We
8 actually are in the black \$1500 at this point for the year.

9 JUDGE DOLLINGER: Whoa.

12:55 PM 10 MS. BRODE: I know. That's very good. Also
11 on the bondsmen's report, last meeting we discussed
12 Mr. Coulter's collateral decrease because of a writ that was
13 executed against it.

14 JUDGE DOLLINGER: Yes, ma'am.

15 MS. BRODE: I had said that I realized that
16 he's expired but I feel that the process needs to remain the
17 same in all changes of collateral, no matter the status, that I
18 wanted that process to stay the same. So I was anticipating
12:55 PM 19 his bond limit to have gone down, and it didn't. I show that
20 it should be \$370,059.80.

21 JUDGE DOLLINGER: Okay. Becky, would it be
22 possible to get with her after the meeting to see if the two of
23 you can reconcile the bonding amount or would that be Tina to
24 do that?

25 MS. BENOIT: That's me.

1 JUDGE DOLLINGER: That would be you, Tina?

12:56 PM

2 Can you get with her when the meeting

3 concludes and --

4 MS. BENOIT: I'm checking it right now.

5 JUDGE DOLLINGER: Okay. All right. You're

6 way ahead of me.

7 MS. BENOIT: Yes, sir.

8 JUDGE DOLLINGER: Any other comments?

9 MS. BRODE: No, sir. I did break out the

10 expenses. If you notice, I broke out the meals and the payroll

11 so you can see about what we've spent so far this year on the

12 meals. So if that's helpful further on in the meeting.

13 JUDGE DOLLINGER: Yes, ma'am.

14 MS. BRODE: That's all.

12:56 PM

15 JUDGE DOLLINGER: All right. Next is the

16 discussion of the complaint against Barbara Hartt. Have we

17 heard any more from Mr. Roebuck?

18 MS. GODINA: I haven't heard anything from

19 Mr. Roebuck or the attorney or Barbara. I sent the letter out

20 regular mail that you signed from the last meeting and I did

21 get Barbara's letter back.

22 JUDGE DOLLINGER: Unclaimed?

23 MS. GODINA: Unclaimed. And I haven't heard

24 anything from the attorney.

25 JUDGE DOLLINGER: The one that was returned to

1 you was it the first class or the --

2 MS. GODINA: Both.

12:57 PM 3 JUDGE DOLLINGER: -- or the return receipt?

4 Both came back.

5 MS. GODINA: Uh-huh.

6 JUDGE DOLLINGER: So that's saying that she
7 must not be at that address if the first class came back.

8 MS. GODINA: Yeah, they both came back. And I
9 haven't heard from the attorney at all, and I'm assuming Mr.
10 Roebuck hasn't because I haven't heard from him.

11 JUDGE DOLLINGER: Well, am I correct that the
12 proper thing to do would be for us to vote to --

13 MS. GODINA: Suspend her.

14 JUDGE DOLLINER: -- suspend her privileges?

15 MS. GODINA: Uh-huh.

16 JUDGE DOLLINGER: Do I have a motion to that
17 effect?

18 MR. REED: Suspend or revoke?

19 MS. GOODNESS: Well, I don't know what the
20 nature of the complaint was so forgive me.

21 MS. GARCIA: I think, though, on the grounds
12:57 PM 22 of her falling below her money, it's automatic grounds for
23 suspension without a hearing.

24 JUDGE DOLLINGER: Right. We've established
25 that, I believe.

1 MS. GARCIA: I don't think that we can do the
2 revoking until we take care of this matter as far as
3 Mr. Roebuck finishing up on his end.

4 JUDGE DOLLINGER: Oh, okay. Then we'll
5 withhold the vote on the revocation and the suspension is
6 automatic because of the money.

7 MS. GODINA: Right.

8 MS. GARCIA: Correct.

12:58 PM 9 JUDGE DOLLINGER: So until we hear from
10 Mr. Roebuck and we make sure that all the t's have been crossed
11 and the i's dotted, maybe we'll withhold a vote on revoking her
12 privileges. Although I guess the result is the same. If she
13 can't write, she can't write so.

14 MR. REED: Well, on the suspension she can get
15 the money, she's back in good graces. On the revoke it's done,
16 it's over.

17 JUDGE DOLLINGER: Well, I would be more
18 comfortable if we wait until Mr. Roebuck let's us know.

19 MR. REED: Yeah, sure.

20 JUDGE DOLLINGER: All right. Discussion of
12:58 PM 21 lunches, I think that was your original -- you brought that
22 before the Board or was your concern that --

23 MR. REED: Me?

24 JUDGE DOLLINGER: Is that not right?

25 MS. BENOIT: It was a question on the -- I

1 think it was the meeting before last because I don't know that
2 you were here the last meeting. It was meeting before last,
3 our funds were low and we had discussed whether we should still
4 serve lunch.

5 MR. REED: No, no, no. What I had brought up
12:59 PM 6 was the -- the accounting part of it.

7 JUDGE DOLLINGER: Okay. Will you illuminate
8 me with what it is -- what is your concern in the accounting
9 part? Tell me what your --

10 MR. REED: The running total and balance of
11 what was in the fund that we pay into.

12 JUDGE DOLLINGER: Okay. And did you have some
13 concerns that maybe we should withhold or suspend doing
14 lunches?

15 MR. REED: No, no. That was never brought up.
12:59 PM 16 I was just wondering what was in the funds.

17 JUDGE DOLLINGER: Well, we have that from the
18 auditor's office now, and I think she said we're 1500 ahead so
19 far.

20 MS. BRODE: Yes, sir.

21 JUDGE DOLLINGER: And is this the last month
22 of our fiscal year, or is there another one?

23 MS. BRODE: September is the last of the year.

24 JUDGE DOLLINGER: September is the last one.

25 MS. BRODE: The amount that was put into

1 the -- I did ask the question. I was asked -- I left before
2 you asked the question. I do apologize. I asked Fran about it
3 and what she said and Patrick said was that the monies that
01:00 PM 4 were in there had been used years ago. I mean, we just -- so
5 now the County is basically funding the Bail Bond Board. But
6 if you look at it, that's what -- we fund the excess. If we go
7 in the red, the County funds it. Right now we're supporting
8 ourself this year.

9 MR. REED: Well, at one time I knew we had
10 about \$60,000 into the fund.

11 MS. BRODE: The last I saw was 47 and then it
12 just dwindled and dwindled.

13 MS. GARCIA: I think, Al, at the time that
14 that was when everyone started going to the meetings, I mean,
01:00 PM 15 to the classes.

16 JUDGE DOLLINGER: Classes.

17 MS. GARCIA: And it just really dropped it
18 down.

19 MR. REED: Yeah.

20 JUDGE DOLLINGER: Travel, mileage, hotels.

21 MR. REED: I hadn't seen it in years so I was
22 just concerned. But if we have somebody else to take up the
23 slack if it runs out so we don't have to worry about that.

24 JUDGE DOLLINGER: Let's don't speak too loud.
25 This place could be bugged. Okay. So it looks like that's

1 okay.

01:01 PM

2 Now, discussion of changes in the local rules.
3 Was one of those local rules to do with the attorneys or was it
4 or are we on some other subject with local rules?

5 MS. GARCIA: We're on another subject. This
6 other subject; number nine and 10 go hand-in-hand. Because
7 with our changes of local rules we also have to talk about the
8 changes that I want to bring up and our office wants to bring
9 up in the application process. What I'm going to do is --
10 Judge, you already have your copy.

11 JUDGE DOLLINGER: Yes, ma'am.

01:01 PM

12 MS. GARCIA: But Theresa has done a lot of
13 research on referencing each question and why we're asking the
14 question to the statute that's referring to it and actually
15 condensing -- there is three applications; the surety, an agent
16 and one from an insurance company. I think this will simplify
17 the process and avoid a lot of the problems that we saw with
01:02 PM 18 Ms. Francois. We've also attached examples and a format in
19 some of the affidavits, the letters of recommendation and so on
20 and so on.

21 MS. GOODNESS: For instance, the letters of
22 recommendation at the back, they're like -- they're toward the
23 back of each one of these. Basically we took exactly what the
24 Occupation Code said had to be in here and made a blank form so
01:02 PM 25 that way when they bring those back, they're not deficient

1 because it didn't use the wording that was in the Occupation
2 Code. Before we never had a form for what the recommendation
3 letter was supposed to say, per se. And so what I did was I
4 went through each -- each of the questions that are currently
5 on our different applications, I tried to put the cite where
6 the Occupation Code required it and/or the rule in the local
7 rules to give the wording exactly what -- why we're asking
8 that, why it's required and what needs to be responded to. And
9 then at the very end, there is a checklist. This will assist
10 the applicant in making sure that they have submitted
11 everything and then a copy of -- a column there for the board
12 administrator to go through and verify that, yes, they did
13 submit everything.

14 JUDGE DOLLINGER: Okay. Am I correct,
15 Theresa, that all three -- I have letter one, letter two and
16 letter three -- they're exactly the same with the exception of
17 the number?

18 MS. GOODNESS: Exactly.

19 JUDGE DOLLINGER: And would it be your belief
20 having looked at the code language that just filling in the
21 blanks would be sufficient --

22 MS. GOODNESS: Yes, sir.

23 JUDGE DOLLINGER: -- without them drafting a
24 letter with this wording?

25 MS. GARCIA: Yes.

1 MS. GOODNESS: Right.

2 JUDGE DOLLINGER: That really will make it
3 easy then.

4 MS. GOODNESS: That's my hope. For simple
5 little things like that, we're not rejecting applications for
6 something that we just didn't know we needed to have this one
01:04 PM 7 word in the letter of recommendation so.

8 JUDGE DOLLINGER: Okay. All right. And some
9 of them are probably, I'm assuming, more wordy than they
10 actually need to be.

11 MS. GARCIA: Sure.

12 MS. GOODNESS: Certainly.

13 MS. GARCIA: Absolutely.

14 MS. GOODNESS: And miss the one thing it needs
15 to say.

16 JUDGE DOLLINGER: I think that's -- first, I
17 want to commend you for the work that you did putting all this
18 together because this looks like an extremely large amount of
19 --

20 MS. GOODNESS: Well, thank you.

21 JUDGE DOLLINGER: -- of tedious effort.

22 MS. GOODNESS: One thing I would like to do if
23 it's the Board's pleasure and approves these forms, I believe
01:04 PM 24 that I have everything in there that was already in there and
25 my hope was that once these were approved, we could put these

1 on the board's website and I can actually make these fillable
2 pdf forms that would help facilitate, you know, the
3 application.

4 JUDGE DOLLINGER: That would really be good.

5 MS. GOODNESS: Now, if someone -- and probably
6 because these are so big and we might need to table this
7 another month, I would -- I would be happier to give everyone a
8 month to look these other.

9 JUDGE DOLLINGER: That was exactly what I was
10 about to recommend.

01:05 PM 11 MS. GOODNESS: And Mr. Roebuck again to look
12 at those and, you know, I'm certainly capable of missing
13 something and y'all have all been doing this a very long time
14 so I think it would be better to wait a month.

15 JUDGE DOLLINGER: No. I agree with you 100
16 percent. If there is no -- if there is no dissent from any of
17 the members of the board, I would like us to put this on the
18 agenda for the September meeting and vote to accept them or to
19 modify them. And if anybody goes through them and sees things
01:05 PM 20 on there that are missing or that you believe for some reason
21 balancing it against the code that you believe are incorrect or
22 inaccurate, then if you'll get with Ms. Goodness directly and
23 let her know what those are, then she can either change or add
24 it or subtract as necessary and then we'll bring it for a vote
25 before the full board next month. Does anybody have heartburn

1 with that? Not hearing any. And, again, thank you for the
01:06 PM 2 effort that you put forward doing that.

3 MS. GOODNESS: Yes, sir.

4 JUDGE DOLLINGER: That's a lot of work, and it
5 certainly is going to make Tina and Becky's jobs easier.

6 MS. GOODNESS: I hope it makes everyone's job
7 easier.

8 JUDGE DOLLINGER: All right. That brings us
9 to the end.

10 MS. GARCIA: Oh, no, Judge. I got one more
11 thing.

12 JUDGE DOLLINGER: Not on my agenda, I don't.

13 MS. GARCIA: Dealing with these applications,
14 I mean, it seems like at times they can be dragged out for
01:06 PM 15 months with the deficiencies and coming back and such and such.
16 I was wondering if there is any way we can put an expiration
17 cap on this thing because if not you're dealing with it
18 constantly from month to month to month, you know, rather than
19 saying, hey, this application is only good for 90 days. Then
20 you got to start over again. I'm just throwing that out there
21 because it is a lot of work to keep up with these things and go
22 through it.

23 JUDGE DOLLINGER: Well, and I certainly
01:07 PM 24 understand your concern and where you're coming from. My first
25 blush impression is I would hate to penalize somebody -- and I

1 think that Theresa's revision and modification is going to
2 eliminate the vast majority of our problem. If you've a got
3 fillable pdf form, you just go on the computer and fill in the
4 blanks. It's going to be awful tough to say you missed
5 something or forgot to do something. It's right there in front
6 of you.

7 MS. GARCIA: It is.

8 JUDGE DOLLINGER: So I would say that why
01:07 PM 9 don't we do this: Why don't we wait until next month when we
10 vote on the new forms and if we vote on the new forms and it's
11 the board's pleasure that we put a time limit, then we'll
12 certainly entertain voting on a time limit. And if we don't
13 see that need -- I would actually like to give the new forms a
14 little bit of a time run, you know, maybe till the end of this
15 fiscal -- I mean, calendar year and see if it does correct the
16 problems, which I believe it's going to.

17 MS. GARCIA: Uh-huh.

18 MS. GOODNESS: Yeah.

19 JUDGE DOLLINGER: If it does, then there
20 wouldn't be any need for us to put a restriction on time. And
01:08 PM 21 if it doesn't, if we continue to have problems with people
22 having to redo and redo and redo, then certainly we'll look at
23 putting a cap on it.

24 MS. GOODNESS: And to me it seems like we
25 can't really say -- I would not like seeing an expiration date

1 on the application because I feel like the board has to make a
2 decision at one some point to accept or reject the application
3 and we haven't done that because we have been putting it off,
4 you know, to rectify. But at some point the board does need to
5 say we have rejected the application or we have accepted it.

6 JUDGE DOLLINGER: That's a good point.

01:09 PM

7 MR. REED: But say, for instance, this
8 application that we didn't accept, it has to be submitted
9 within 30 days of the bail bond -- before the bail bond board
10 meeting so we can't even review it on the next session unless
11 it's submitted today so it would have to go on to the following
12 meeting.

01:09 PM

13 JUDGE DOLLINGER: Well, since what she's doing
14 is making changes, I am kind of the opinion that if she makes
15 the corrections and gets the corrections back in, that we would
16 say it has been on file for over 30 days and all she did was
17 correct it. Now, in the form that we're going to vote on it,
18 you're absolutely correct, it would not have been 30 days for
19 that but I would say that Ms. Francois' application is beyond
20 30 days now and would, you know, if she walked outside and
21 corrected it and came back in while the meeting was still going
22 on, I don't know that we couldn't have voted on it right there.

01:09 PM

23 MS. GARCIA: And there is a few more things --
24 in reading this chapter as much as Theresa and I did, there is
25 a few legal questions, legal terminology that we kind of came

1 across and I've asked Mr. Roebuck to be here today but I guess
2 he had another important issue to take care of. The word agent
3 and the way that it's formed and referenced in the chapter is
4 not how we interpret it and loosely use the word agent. The
01:10 PM 5 agent is only under an incorporated company and that's in the
6 statute.

7 JUDGE DOLLINGER: So if you have a -- so that
8 I'm understanding what you're saying. If I have a bail bonding
9 business that is a sole proprietorship and I have someone
10 working for me, while we call that person an agent, you're
11 saying it doesn't meet the statutory definition --

12 MS. GARCIA: Correct.

13 JUDGE DOLLINGER: -- of an agent? What would
14 they call somebody working for you in a sole proprietorship or
01:10 PM 15 a partnership?

16 MS. GOODNESS: We kind of looked at a few
17 other bail bond board sites and it looks like maybe sometimes
18 they call them a bail bond runner or something like that, not
19 actually an agent, per se. And so I think different counties
20 are handling it a little bit differently. Not everybody is
21 doing it the same way.

22 JUDGE DOLLINGER: And are they separately
23 licensed, Theresa?

24 MS. GOODNESS: That was not really clear to
25 me. They had like a separate application, but it wasn't really

1 a license --

2 MS. GARCIA: Huh-uh.

01:11 PM

3 MS. GOODNESS: -- that we could see on the
4 website for those bail bond boards. I think we looked at Fort
5 Bend and Harris County. We were trying to look at some larger
6 counties that deal with this, and that's why we wanted to ask
7 Mr. Roebuck some questions about it to see if we did need to do
8 something differently on the agent license or maybe, you know,
9 make reference.

01:11 PM

10 MS. GARCIA: Because these counties that are
11 saying it's a runner, again, we use the term runner but not in
12 that respect. We use it as just someone that's running
13 dropping off the paperwork that can't interview, you know, the
14 defendant.

15 JUDGE DOLLINGER: Or sign.

16 MR. REED: Even in Harris County, in order to
17 present a bond to the window, bonding window, you have to be a
18 licensed runner. Okay? Not in this county, you know, anybody
19 can drop it off, even the family member can drop it off but
20 it's different in Harris County.

01:12 PM

21 JUDGE DOLLINGER: Okay. Would it be possible
22 to -- to reduce your concerns over terminology to writing so we
23 can get it to Mr. Roebuck and he'll have a chance to look at it
24 and give us his opinion?

25 MS. GARCIA: Well, I actually spoke to him

1 earlier in the week in court. He had a trial going on and he
2 had some dead time between. He also -- this -- he's come
3 across this same issue. He is on the same page as Theresa and
4 I. He was just kind of hoping that this wouldn't surface at
01:12 PM 5 any point to, I guess, have to take issue on; but he does read
6 it the way we read it.

7 JUDGE DOLLINGER: Okay. Well, maybe I'll try
8 to speak with him before we have our next meeting and see what
9 his feelings are and if it's something that needs to be
10 addressed or if he's going to be of the opinion like he was on
11 another matter that if it ain't broke, don't repair it.

12 MS. GOODNESS: And that may be exactly what we
13 need to do.

14 MS. GARCIA: Uh-huh.

15 MS. GOODNESS: I just didn't know.

16 JUDGE DOLLINGER: Okay. Well, thanks again
01:13 PM 17 for looking into that and bringing that to the board's
18 attention because I would have never seen it.

19 MR. REED: Maybe it needs to be called a
20 Jefferson County bail bond agent.

21 JUDGE DOLLINGER: Call it a facilitator. I
22 don't care what we call it.

23 MS. CRIBBS: It would kind of seem like if our
24 form is referring people to actual statute paragraphs and that
25 wording is going to be in there that we need to be using that

1 wording as it's intended in the statute when we talk about it
2 so that it isn't confusing.

3 JUDGE DOLLINGER: Which would make us have to
01:13 PM 4 come up with another name for the people who do the same work
5 but don't happen to work for an entity that's incorporated, my
6 understanding.

7 MS. GARCIA: Which would have to change our
8 local rules.

9 MS. GOODNESS: Which might mean we have to
10 modify these a little bit.

11 JUDGE DOLLINGER: Okay. All right. Well,
12 that wouldn't be that difficult to do, I don't think.

13 Any other business to bring before the board
14 today that we have not yet covered?

15 MS. GODINA: I have something. I guess it's
16 more of a "for your information." I had an attorney call. His
01:14 PM 17 office is out of Houston and he's not in our computer so he
18 wanted to know how he could get the 20,000-dollar writing
19 ability from the County. So I told him that he needed to
20 contact the sheriff's office because it's up to the sheriff if
21 he wants to accept a bond from someone that's not our usual
22 attorney or whatever.

23 JUDGE DOLLINGER: Correct.

24 MS. GODINA: And I asked him to send me
25 something on his letterhead to give me the information so I

1 could, in turn, maybe even pass it by the judges here and then
01:14 PM 2 send it to the sheriff if needed. So the next day I went to
3 the jail and they gave me a copy of a homemade bond that this
4 attorney made with our Jefferson County logo on it and he
5 didn't write the bond. They ended up -- thank goodness, the
6 jail rejected the bond and so they went across the street
7 and -- did y'all make this bond?

8 MR. REED: Did we make it?

9 JUDGE DOLLINGER: On that person?

10 MR. REED: I wouldn't know.

11 MS. GODINA: Anyway, the guy had -- the
01:15 PM 12 attorney had a Texas driver's license -- a state bar of Texas
13 but his driver's license was from Georgia but his office is in
14 Houston. So thank goodness, the jail was on top of things and
15 did not take the homemade bond form he made.

16 MR. REED: Well, good. They shouldn't.

17 JUDGE DOLLINGER: Have you referred that to
18 the D.A.'s office?

19 MS. GODINA: I have not.

20 JUDGE DOLLINGER: I would think that that's
21 probably something -- I'll defer to Clint -- but I think that's
22 something probably ought to go to the D.A.'s office. I don't
23 know that that might not fall under the statutory language of
24 tampering with a Government record.

25 JUDGE WOODS: Right.

1 MS. GARCIA: Judge, this is also, I would
01:15 PM 2 assume, the same attorney that called me earlier in the day and
3 was asking me about the free 20 thousand. He questioned me
4 about it. I explained to him what our process is, and then I
5 discussed this with --

6 MS. GODINA: I had called your office and you
7 were out of town so I told him that and I said you may want to
8 pass it by the sheriff's office because it's up to the sheriff
9 if they want to accept it. In the meantime, our chairman would
10 be back tomorrow.

11 JUDGE WOODS: What's the name?

01:16 PM 12 MS. GODINA: Jonathan Frank. Anyway, the next
13 morning at the jail, because I go to the jail every morning,
14 they made me a copy and so they have the original paperwork
15 where the actual Jefferson County seal is in blue just like --

16 JUDGE DOLLINGER: I would like that to go to
17 the D.A.'s office so that one of their investigators can take
18 a look at it and see that.

19 MS. GODINA: Luckily, they didn't accept the
20 bond so they just said they went across the street -- I thought
21 they said Al Reed's office -- I'm not sure -- and paid the
22 money and did it the right way and then came back and the guy
01:16 PM 23 got out of jail but he did try to make a homemade bond.

24 MS. GARCIA: Well, when I looked him up when
25 Mary was in my office and we looked him on the state bar home

1 web page he was just licensed back in, what, May?

2 MS. GODINA: May.

3 JUDGE WOODS: Okay. That's what I was going
4 to do.

5 MS. GODINA: That was just kind of FYI for the
6 board so y'all would kind of know.

7 JUDGE DOLLINGER: Well, maybe that ethics
8 portion --

9 JUDGE WOODS: Yeah.

01:17 PM 10 JUDGE DOLLINGER: -- scooted by him in law
11 school.

12 MS. GARCIA: And I guess in conclusion, the
13 only thing I want to remind the board of is next month we'll
14 need to conduct our elections and our local rules it says
15 annually the board shall choose one of its members to serve as
16 a chairman no later than the September meeting to take office
17 October 1st.

18 JUDGE DOLLINGER: Well, then y'all need to get
19 your yard signs together and your bumper stickers. I'll be
01:17 PM 20 contributing to whoever wants to run. I'll be giving them my
21 money.

22 One other thing that I had to bring up was
23 it's an a or b choice for the board to make. I'm not going to
24 be here on the 17th which I think is our usual meeting day so
25 choice a would be we could either ask Judge Woods or Judge

1 Lively or any other board member to chair that meeting on the
2 17th. Or if you wanted to move it, I will be the following
01:18 PM 3 Thursday on the 24th unless someone has a conflict with coming
4 on the 24th as opposed to the 17th. But whatever the board's
5 pleasure is works for me.

6 MR. REED: You know, Judge, some boards have a
7 cochair that if the -- if the chairman is not going to be
8 there.

9 MS. GOODNESS: That's actually in the statute.

10 MS. GARCIA: That's actually in our local
11 rules and in the statute.

12 JUDGE DOLLINGER: Well, let's vote on a
13 cochair as well then next month; but we still need to figure
14 out if we are going to do it on the 17th or the 24th.

15 MS. GOODNESS: I move that we have it on the
01:18 PM 16 24th when you're here, Judge.

17 JUDGE DOLLINGER: Anybody feel differently?
18 This is your chance to say something.

19 MR. FUNCHESS: I agree with the 24th. I'm
20 going to be gone the 17th anyway.

21 JUDGE DOLLINGER: So we'll move it to
22 September 24th and at that time we'll elect a chair and a
23 cochair and eliminate this problem for the future.

24 MS. GOODNESS: That's right. Great idea.

25 JUDGE DOLLINGER: Motion to adjourn.

1 MR. FUNCHESS: I move.

2 MS. GOODNESS: Second.

3 JUDGE DOLLINGER: Anybody opposed, keep your
4 mouth closed and stay here.

01:19 PM 5 (MEETING CONCLUDED AT 1:19 P.M.)

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