

## 1 BAIL BOND BOARD MEETING

2 MARCH 16, 2017

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4 THOSE PRESENT: Judge Ken Dollinger

5 Judge Craig Lively

6 Tom Roebuck

7 Tim Funchess

8 Sergeant Steven Morgan

9 Alisa Raumaker, CSR

10 Rhonda Brode

11 Becky Garcia

12 Mary Godina

13 Tina Landry

14 Al Reed

15 Regan Corbello

16 Carolyn Guidry

17 Zena Stephens

18 Cindy Ferguson

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12:46PM 1 JUDGE DOLLINGER: We'll call the March  
12:46PM 2 meeting of the Jefferson County Bail Bond Board to  
12:46PM 3 order.

12:46PM 4 The first item is to review the minutes  
12:46PM 5 from the last two meetings. However, we don't have the  
12:46PM 6 minutes in print form. I've just been informed they  
12:46PM 7 have not yet made it onto our website. So, we'll have  
12:46PM 8 to hold that in abeyance until such time as they get  
12:46PM 9 posted and can be reviewed and comments from the members  
12:46PM 10 and the public can be made about those.

12:46PM 11 Second is the report from the District  
12:46PM 12 Attorney's Office. We have a report from Mr. Wortham's  
12:46PM 13 office regarding collections. It looks like a total of  
12:47PM 14 right at \$5,600, a few dollars shy, has been collected.

12:47PM 15 Are there any comments or discussion about  
12:47PM 16 the District Attorney's collections report?

12:47PM 17 (No response).

12:47PM 18 JUDGE DOLLINGER: Hearing none, we'll move  
12:47PM 19 on.

12:47PM 20 Consideration and approval of applications,  
12:47PM 21 do we have any?

12:47PM 22 MS. GODINA: No, sir.

12:47PM 23 MS. GARCIA: There are no applications  
12:47PM 24 right now.

12:47PM 25 JUDGE DOLLINGER: Okay. Complaints against

12:47PM 1 bondsmen, Mary?

12:47PM 2 MS. GODINA: No, sir. I don't have any.

12:47PM 3 JUDGE DOLLINGER: No complaints against

12:47PM 4 bondsmen.

12:47PM 5 Report from the Treasurer's Office, we've

12:47PM 6 already seen the cash for collateral. That has been

12:47PM 7 distributed by Mr. Funchess.

12:47PM 8 Do we have any comments or discussion on

12:47PM 9 the report from Mr. Funchess's office on collateral

12:47PM 10 balances?

12:47PM 11 (No response).

12:47PM 12 JUDGE DOLLINGER: Hearing none, we'll go

12:47PM 13 on.

12:47PM 14 Next is the amendment -- I'm sorry. Excuse

12:47PM 15 me. I passed up the Auditor's Office, and we also have

12:48PM 16 the license fund and bondsmen report.

12:48PM 17 Are there any things of note that you need

12:48PM 18 to bring to our attention?

12:48PM 19 MS. BRODE: I just have a question just

12:48PM 20 because I missed the last meeting. Was anyone here -- I

12:48PM 21 know Tim discussed this with you, and I just didn't take

12:48PM 22 good notes when we discussed it -- about Ryan Gertz and

12:48PM 23 the fact that he's over his collateral amount?

12:48PM 24 MS. GODINA: Yes.

12:48PM 25 MS. BRODE: I know there was a situation.

12:48PM 1 I just can't remember what it was, but it's still there.  
12:48PM 2 So, I didn't know if it needed to be handled still.  
12:48PM 3 MS. GODINA: I checked with the Court,  
12:48PM 4 and he was allowed to make a couple of bonds on the  
12:48PM 5 assumption from the District Attorney's Office they were  
12:48PM 6 going to dismiss some cases. Now the District  
12:48PM 7 Attorney's Office says they've changed their mind. He's  
12:48PM 8 supposed to file paperwork for a motion to substitute  
12:48PM 9 the bonds and have a real bondsman bond the guy. I  
12:48PM 10 don't know that that's happened yet.

12:49PM 11 JUDGE DOLLINGER: We probably ought to jog  
12:49PM 12 that in his memory when the meeting is over with just to  
12:49PM 13 be sure it gets taken care of.

12:49PM 14 MS. GODINA: I thought that Judge West had  
12:49PM 15 the motions. I don't know if she's ruled on them or  
12:49PM 16 not. I mean, it's in the works. I just don't know if  
12:49PM 17 it's been done yet or whatever for the motion to  
12:49PM 18 substitute.

12:49PM 19 MS. BRODE: I knew something was happening,  
12:49PM 20 Mary. I just couldn't remember. Thank you.

12:49PM 21 JUDGE DOLLINGER: Just if you don't mind  
12:49PM 22 checking with Judge West to make sure that's done.

12:49PM 23 Any other items on the auditor's report?

12:49PM 24 MS. BRODE: No, sir.

12:49PM 25 JUDGE DOLLINGER: Next is the review of

12:49PM 1 proposed amendments to the Local Rules. I guess the  
12:49PM 2 first one would be -- is this L-11?

12:49PM 3 MS. GARCIA: Yes.

12:49PM 4 JUDGE DOLLINGER: Okay. L-11, we have the  
12:49PM 5 current wording at the bottom in the small type and the  
12:49PM 6 proposed wording at the top in large type; is that  
12:49PM 7 accurate?

12:49PM 8 MS. GARCIA: Correct.

12:50PM 9 JUDGE DOLLINGER: I took English as a  
12:50PM 10 foreign language. Could you maybe help us out and tell  
12:50PM 11 us what the sum and substance of the change actually is?

12:50PM 12 MS. GARCIA: The changes is --

12:50PM 13 JUDGE DOLLINGER: Where we put in the word  
12:50PM 14 "corporation"?

12:50PM 15 MS. GARCIA: Well, that, and we just want  
12:50PM 16 to be able to identify this local rule also in our  
12:50PM 17 application as a question that we'll be asking. The  
12:50PM 18 issue is that we have on occasion some bondsmen that  
12:50PM 19 actually go to final judgment in another county and then  
12:50PM 20 doesn't pay that other county but isn't making that  
12:50PM 21 aware to the Board. That -- that information is not  
12:50PM 22 being brought to the Board.

12:50PM 23 JUDGE DOLLINGER: Okay. Any comments or  
12:50PM 24 discussions on the proposed amendment to L-11?

12:50PM 25 (No response).

12:50PM 1 JUDGE DOLLINGER: Okay. I guess we can  
12:50PM 2 take both votes at the same time.

12:51PM 3 The next one is an amendment to G-3  
12:51PM 4 regarding investigations. Basically it says the Board,  
12:51PM 5 on its own motion, may investigate an action of or a  
12:51PM 6 record maintained by a license holder relating to a  
12:51PM 7 complaint that the holder violated either a Board rule  
12:51PM 8 or this chapter of the Occupation's Code. Then it says  
12:51PM 9 the Board shall investigate an action of or a record  
12:51PM 10 maintained if the Board receives a sworn complaint on a  
12:51PM 11 form approved by the Board and posted on the website  
12:51PM 12 providing reasonable cause to believe that a violation  
12:51PM 13 of 1704 has occurred or, number two, if a court should  
12:51PM 14 request an investigation. And, again, the current  
12:51PM 15 wording is at the bottom. So, you can see the  
12:51PM 16 differences in those two.

12:51PM 17 Do we have any comments or any discussion  
12:51PM 18 on the proposed amendment to G-3 of our Local Rules?

12:51PM 19 (No response).

12:51PM 20 JUDGE DOLLINGER: Hearing none, I guess  
12:51PM 21 we'll call for a vote on both proposed amendments, L-11  
12:52PM 22 and G-3. All those in favor of adopting these as a part  
12:52PM 23 of our Local Rules signify by saying "I."

12:52PM 24 THE BOARD: I.

12:52PM 25 JUDGE DOLLINGER: All those opposed?

12:52PM 1 (No response).

12:52PM 2 JUDGE DOLLINGER: Hearing no opposition, it

12:52PM 3 passes unanimously. Those will be adopted and

12:52PM 4 published.

12:52PM 5 The next thing has to do with the release

12:52PM 6 of property of Mr. Leach. And do you want to kind of

12:52PM 7 fill us in on exactly what it is we're doing?

12:52PM 8 MS. LANDRY: Yes. There is two properties

12:52PM 9 that they have requested released and I have already

12:52PM 10 taken the amount out and checked with Becky and the

12:52PM 11 District Clerk's Office, Casi, which she was there

12:52PM 12 before she left. They are in good standing, and it will

12:52PM 13 not effect anything. Their license has expired any way.

12:52PM 14 They're trying to get out of the business. And

12:52PM 15 everything is clear. So, I just need everybody to agree

12:52PM 16 to have it released.

12:53PM 17 JUDGE DOLLINGER: So -- so, there is no

12:53PM 18 possibility of him owing any judgments to the county

12:53PM 19 based on bonds previously written? Is that what I

12:53PM 20 understand?

12:53PM 21 MS. LANDRY: That is correct. There is

12:53PM 22 still more property up to cover what's out.

12:53PM 23 JUDGE DOLLINGER: Any comments or

12:53PM 24 discussion about the releasing Mr. Leach's property as

12:53PM 25 he has requested?

12:53PM 1 MS. BRODE: There is a chance that he would  
12:53PM 2 have forfeitures that would be due to the county?

12:53PM 3 MS. LANDRY: There are chances, but there  
12:53PM 4 is still property enough up to cover any chance that may  
12:53PM 5 occur.

12:53PM 6 MS. BRODE: Okay. It won't exceed his  
12:53PM 7 property value?

12:53PM 8 MS. LANDRY: Correct.

12:53PM 9 JUDGE DOLLINGER: And he's not writing any  
12:53PM 10 more. So, it can't increase.

12:53PM 11 MS. LANDRY: Correct.

12:53PM 12 JUDGE DOLLINGER: All those in favor of  
12:53PM 13 allowing the release of Mr. Leach's collateral as  
12:53PM 14 requested, signify by saying "I."

12:53PM 15 THE BOARD: I.

12:53PM 16 JUDGE DOLLINGER: All those opposed?

12:53PM 17 (No response).

12:53PM 18 JUDGE DOLLINGER: It passes unanimously.  
12:53PM 19 It will be ordered released.

12:53PM 20 MS. LANDRY: One other thing. Keith Day is  
12:53PM 21 not able to be here today. He did send me a request to  
12:54PM 22 release one of his properties valued at \$60,000. I  
12:54PM 23 checked with Becky, and she said that everything is  
12:54PM 24 clear with the County Clerk's Office. Once I deduct  
12:54PM 25 that, he is still in good standing as far as the courts

12:54PM 1 go. And did you check?

12:54PM 2 MS. CORBELLO: Yes, ma'am. She said that

12:54PM 3 he's good.

12:54PM 4 MS. LANDRY: Everything is good. And, so,

12:54PM 5 I just need everybody to approve that one.

12:54PM 6 JUDGE DOLLINGER: So, same circumstances as

12:54PM 7 Mr. Leach. If we release it, it doesn't impair any

12:54PM 8 potential forfeitures that could occur?

12:54PM 9 MS. LANDRY: Correct.

12:54PM 10 JUDGE DOLLINGER: He's more than covered

12:54PM 11 for whatever he's out?

12:54PM 12 MS. LANDRY: Yes, sir.

12:54PM 13 JUDGE DOLLINGER: Okay. All those in favor

12:54PM 14 of releasing Mr. Day's collateral as requested by him

12:54PM 15 signify by saying "I."

12:54PM 16 THE BOARD: I.

12:54PM 17 JUDGE DOLLINGER: All those opposed?

12:54PM 18 (No response).

12:54PM 19 JUDGE DOLLINGER: Okay.

12:54PM 20 MS. BRODE: I do have one request. I have

12:54PM 21 found in the past that we are not sending anything to

12:54PM 22 the Treasurer's Office about the property on the formal

12:55PM 23 stance -- I mean, are you going to be sending anything

12:55PM 24 on the release of lien?

12:55PM 25 MS. LANDRY: Uh-huh, a copy of release of

12:55PM 1 liens.

12:55PM 2 MS. BRODE: Okay. It's just they have  
12:55PM 3 missed some properties because they haven't received the  
12:55PM 4 release of liens. I just want to make sure.

12:55PM 5 MS. LANDRY: They should get them.

12:55PM 6 JUDGE DOLLINGER: Then you can go ahead and  
12:55PM 7 take care of that one as well.

12:55PM 8 Now, I have some documents here related to  
12:55PM 9 Mr. Francois' pledge of property and homestead -- prior  
12:55PM 10 homestead exemptions. I don't see it on the agenda.  
12:55PM 11 So, I guess that would be under old business; is that  
12:55PM 12 accurate?

12:55PM 13 MS. GARCIA: Yes. It was tabled from last  
12:55PM 14 month's meeting.

12:55PM 15 The collateral -- my notes here say that  
12:55PM 16 the collateral was denied because the removal of the  
12:55PM 17 homestead exemption. There was an issue -- there was a  
12:55PM 18 discussion that said, okay, she can remove it, but it  
12:55PM 19 still doesn't remove that it could be declared a  
12:55PM 20 homestead. There was also an issue with the notary  
12:55PM 21 acknowledgment wasn't correct. She's since supplied a  
12:56PM 22 new deed of trust, which you have in your hands there,  
12:56PM 23 that it does appear to be in order as far as format is  
12:56PM 24 concerned. But the issue now is that -- with the  
12:56PM 25 removal of the homestead exemption.

12:56PM 1 JUDGE DOLLINGER: So that I'm clear, it  
12:56PM 2 shows on the deed of trust that's been supplied to us  
12:56PM 3 from this previous January, a now current address of  
12:56PM 4 3751 Oakdale, as opposed to a prior address of 211  
12:56PM 5 Avenue D in Nederland. Is that 3751 pledged as  
12:56PM 6 collateral?

12:56PM 7 MS. FRANCOIS: No, sir.

12:56PM 8 JUDGE DOLLINGER: Mr. Roebuck, will we  
12:56PM 9 still have the same concerns as we had before or were  
12:56PM 10 you able to find any case law that would say that the  
12:56PM 11 affidavit --

12:56PM 12 MR. ROEBUCK: You've now confused me with  
12:56PM 13 the facts. She has another piece of property that is  
12:56PM 14 not pledged?

12:56PM 15 MS. GARCIA: She -- she owns two pieces of  
12:56PM 16 property. One is currently -- in Nederland. One is  
12:57PM 17 currently pledged -- or is it Port Arthur?

12:57PM 18 MS. FRANCOIS: Port Arthur. The one that  
12:57PM 19 is pledged is Port Arthur.

12:57PM 20 MS. GARCIA: This one in Nederland, she  
12:57PM 21 used to live in and was homesteaded; but now she has  
12:57PM 22 since, according to her affidavit, now moved out of that  
12:57PM 23 location and into the address listed at the top of that  
12:57PM 24 deed of trust. Which is your mom's address?

12:57PM 25 MS. FRANCOIS: Yes.

12:57PM 1 JUDGE DOLLINGER: It is not pledged?

12:57PM 2 MS. GARCIA: It's not pledged. She doesn't

12:57PM 3 own that property.

12:57PM 4 MS. FRANCOIS: I don't own that property.

12:57PM 5 MS. GARCIA: So, the question is on this

12:57PM 6 Avenue D piece of property, you know, there was an

12:57PM 7 original homestead listed on it. But she's since gone

12:57PM 8 to the -- to the appraisal district, had that homestead

12:57PM 9 exemption removed. But now the issue stands that the

12:57PM 10 discussion between Mr. Roebuck and even Mr. Galmour that

12:57PM 11 this could still be considered a homestead because she's

12:57PM 12 not yet listed another piece of property with the

12:57PM 13 homestead exemption.

12:57PM 14 MS. FRANCOIS: And if I may, I did provide

12:57PM 15 you with the letter from the appraisal district stating

12:58PM 16 that it was removed.

12:58PM 17 MS. GARCIA: That was submitted to the

12:58PM 18 Court.

12:58PM 19 JUDGE DOLLINGER: I think what -- so that

12:58PM 20 you're -- and I don't know. You may already be clear,

12:58PM 21 Ms. Francois. But so that you are clear, I think the

12:58PM 22 concern that the Board had earlier -- anybody here who

12:58PM 23 disagrees with what I'm about to say, please jump in and

12:58PM 24 correct me -- there is some concern that even though you

12:58PM 25 don't designate a place as a homestead, there could be

12:58PM 1 circumstances where you could still come forth and say,  
12:58PM 2 "it is my homestead," even though it is not with the  
12:58PM 3 appraisal district designated as such.

12:58PM 4 Is that reasonably accurate in that  
12:58PM 5 description?

12:58PM 6 MR. ROEBUCK: Reasonably accurate, Your  
12:58PM 7 Honor.

12:58PM 8 I think -- I was just handed that  
12:58PM 9 affidavit, which, as I say, don't confuse me with the  
12:58PM 10 facts. And I did a quick look and it appears perhaps  
12:58PM 11 that she can -- and I might do a little more looking --  
12:59PM 12 waive the homestead designation and for the period of  
12:59PM 13 time -- then if we take a valid lien and she then  
12:59PM 14 occupies it as her homestead, I think it's waived.

12:59PM 15 JUDGE DOLLINGER: So, we're in a position  
12:59PM 16 ahead of her?

12:59PM 17 MR. ROEBUCK: I think so. But that's the  
12:59PM 18 first time that's come up. So, I'll have to look it up.

12:59PM 19 JUDGE DOLLINGER: And the concern I have  
12:59PM 20 with reading the affidavit -- again, I just received it  
12:59PM 21 when you did -- the very last sentence, I think, maybe  
12:59PM 22 would be better worded if it said that there wouldn't be  
12:59PM 23 any declaration of, nor claim of, homestead as opposed  
12:59PM 24 to using it as a residence. In other words, if she  
12:59PM 25 said, "I won't ever claim it through the appraisal

12:59PM 1 district, nor claim it in any court action as a  
12:59PM 2 homestead property without prior notice to the Board," I  
01:00PM 3 think maybe might even put us in a little bit safer  
01:00PM 4 situation if that last sentence was in there. Assuming  
01:00PM 5 your research that you still need to do --

01:00PM 6 MR. ROEBUCK: If my stellar research is  
01:00PM 7 accurate.

01:00PM 8 I certainly would want to put in the deed  
01:00PM 9 of trust a homestead disclaimer. But as we stand here  
01:00PM 10 today, I want to look a little closer at that.

01:00PM 11 JUDGE DOLLINGER: Okay. All right. Any  
01:00PM 12 questions that you have, Ms. Francois?

01:00PM 13 MS. FRANCOIS: No, sir.

01:00PM 14 JUDGE DOLLINGER: Anybody else present that  
01:00PM 15 wants to make a comment or ask a question or discuss it  
01:00PM 16 any further?

01:00PM 17 (No response).

01:00PM 18 JUDGE DOLLINGER: Hearing none, I guess  
01:00PM 19 we'll save it until the April meeting. And by then we  
01:00PM 20 ought to have some definite thing we can vote on in that  
01:00PM 21 meeting hopefully.

01:00PM 22 Any other old business that the Board needs  
01:00PM 23 to take up that does not appear on the agenda?

01:00PM 24 (No response).

01:00PM 25 JUDGE DOLLINGER: Any new business that

01:01PM 1 anybody wants to bring before the Board at this meeting?

01:01PM 2 (No response).

01:01PM 3 JUDGE DOLLINGER: Being none, I guess the

01:01PM 4 next thing to do is make a motion to --

01:01PM 5 MR. LIVELY: Motion to adjourn.

01:01PM 6 MR. FUNCHESS: Second.

01:01PM 7 JUDGE DOLLINGER: We have a motion and a

01:01PM 8 second to adjourn. All those in favor, signify by

01:01PM 9 saying "I."

01:01PM 10 THE BOARD: I.

01:01PM 11 (Meeting adjourned).

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