

BAIL BOND BOARD MEETING

DECEMBER 14, 2017

THOSE PRESENT:

NOT AVAILABLE

1 MR. FUNCHESS: All right. I'm going to call
2 the Jefferson County Bail Bond Board meeting of December 5th,
3 2017. We weren't able to get minutes out in time for this
4 meeting to approve so we're going to skip item number one and
5 move on to No. 2, report from the district attorney's office.

6 MS. GARCIA: It's been passed out.

7 MR. FUNCHESS: Do we have any questions or
8 comments? Hearing none, we'll move on to number three,
9 consideration and approval of applications to become bondsmen or
10 agents and renewals.

11 MS. GARCIA: There is none.

12 THE COURT: Mary, item four, consider
13 complaints against bondsmen.

14 MS. GODINA: I don't have any.

15 MR. FUNCHESS: I have distributed my report
16 from the treasurer's office on cash and CDs. I do want to point
17 out a dilemma that I have with Al Reed. He had some CDs that we
18 had assignments on and as the bank changed hands more than once,
19 we could no longer find the CDs that I had assignments on but it
20 turns out that there were some renewals on their CDs and had
21 different numbers and I don't have assignments on those exact
22 CDs but the bank evidently transferred the assignment with the
23 CDs. But when we went to go check for the CDs, they couldn't --
24 we couldn't find them and they had no upward trail. Well, we
25 went and to find out why these new CDs have an assignment to

1 Jefferson County, they could trace it back. So in the meantime,
2 we had -- we had removed the CDs from their collateral list and
3 reduced their limit but they came back in with real estate and
4 replaced it with real estate so their collateral position is
5 good. I don't have CDs to ask for a release for but I have CDs
6 that apparently have an assignment on them so I'm asking
7 permission, I guess, or get a consensus would it be okay if I
8 just went and ahead and did a release of assignment on those CDs
9 that we don't consider collateral, just to clear it up so he
10 can -- they can have access to their cash.

11 MS. GOODNESS: Is that an item that we need to
12 put on the agenda, though, to approve?

13 MR. FUNCHESS: Well, if I was releasing
14 collateral, you would have to put it on the agenda.

15 MS. BRODE: It's just cleaning up his list.

16 MR. FUNCHESS: It's off the list and it's on
17 the --

18 MS. GOODNESS: It's approval for you to execute
19 a release, isn't it?

20 MR. FUNCHESS: Well, that's true, too.

21 MS. BRODE: It's a release of an assignment,
22 not a release of collateral.

23 MS. GOODNESS: I am just saying I think it
24 needs to go on the agenda, but I may be the only one that feels
25 that way.

1 MR. FUNCHESS: I'm no lawyer.

2 MR. GERTZ: I don't know what y'all are talking
3 about so --

4 JUDGE WEST: I mean, my initial feeling was
5 that since it was not a release of collateral, it's really just
6 kind of administrative but I don't know -- but I don't know any
7 of the specific rules, if there are any, with regard to what we
8 have to -- if it has to be something that goes on the agenda.
9 I think if it's just administrative --

10 MR. PRICE: If it's an action item, though,
11 wouldn't you want to put it on your agenda so you would document
12 it so that it would actually -- if somebody comes back later on
13 and says, hey, why -- I mean, Al Reed had these CDs pledged as
14 collateral. Where is the minutes from the board meeting or
15 where is the agenda item from the board meeting saying that that
16 CD will be released and substituted for a bond, I mean, for real
17 property? I mean, to make it clear, it may be, or cleanest,
18 would be --

19 MS. BRODE: Well, I'm going to be honest and
20 say, technically, we made a mistake a few months ago if it has
21 to be on the agenda because when we had no CDs, we immediately
22 took it off of collateral because we had no CDs.

23 MR. PRICE: Well, that's not releasing it
24 from --

25 MS. GOODNESS: Yeah.

1 MR. PRICE: That's not releasing it. That's
2 taking it off the collateral for purposes of bond writing
3 capabilities. That's just saying, I mean, that is a more of
4 administrative item in my mind anyway.

5 MS. BRODE: We don't actually have CDs. There
6 are no CDs in existence. It's just the bank thinks that we have
7 assignment on the new CDs that they created.

8 MS. GOODNESS: Well, then there are CDs in
9 existence which they show an assignment on.

10 MS. BRODE: But we never got an assignment on
11 them. The bank transferred the assignment.

12 MR. REED: Tim, I think two months ago at the
13 board meeting it was agreed on that those CDs would be released
14 and replaced by real estate.

15 MR. PRICE: That may be.

16 MR. REED: So I think it's already been before
17 the board.

18 MS. BRODE: We had a small discussion. Tim and
19 I went back and looked at the minutes and it was a brief
20 discussion but it wasn't voted on to release -- release CDs.
21 That was -- that's the hiccup.

22 JUDGE WEST: I mean, if the cleaner way is to
23 put it on the agenda, we'll just put it on the agenda and we'll
24 do it next time.

25 MR. FUNCHESS: Yeah.

1 MR. REED: The problem that we're having with
2 the bank, one of the CDs comes up for renewal. And we have 10
3 days -- I think tomorrow is the last, you know, till tomorrow,
4 it comes up for renewal tomorrow, 10 days from that to renew it
5 or we're going to get penalized for it. It came up on the 12th
6 so we have 10 days from the 12th or we're going to get penalized
7 on having to cash that in.

8 MR. FUNCHESS: How long do they renew it for?

9 MR. REED: Be a year.

10 MR. FUNCHESS: I don't guess there is any way
11 for them to do like a 30-day extension or -- if I went down
12 there with a release of lien and referenced these old account
13 numbers, I mean, they're not going to know -- I mean, they
14 wouldn't know what to do with it.

15 MR. REED: We had talked to the bank and they
16 said all they need is a letter saying that Jefferson County does
17 not have attachment to this, to this CD, or these three CDs
18 that's in question.

19 MR. FUNCHESS: Do all three of them come up for
20 renewal?

21 MR. REED: No. Just one.

22 MR. FUNCHESS: Well, what's the consensus?

23 MR. DAY: I don't even see that we're holding
24 anything for collateral. I mean, the way it sounds, it doesn't
25 sound like we're even holding anything for collateral. I'm not

1 quite sure why we would --

2 MR. FUNCHESS: We don't have it included in
3 our --

4 MS. GODINA: Numbers.

5 MR. FUNCHESS: -- collateral numbers.

6 JUDGE WEST: So we just are getting a consensus
7 on sending a letter that says something; is that it?

8 MR. FUNCHESS: Yeah, a consensus that we can,
9 for house cleaning purposes, we can send a letter to them
10 releasing the assignment.

11 JUDGE WEST: I make a motion that Mr. Funchess
12 and his office be allowed to send the appropriate letter to take
13 care of that administrative issue on the CDs for Al Reed.

14 MR. DAY: I second it.

15 MR. FUNCHESS: All right.

16 Have a motion and a second. All in favor?

17 (RESPONSES MADE)

18 MR. FUNCHESS: Any opposed?

19 (NO RESPONSE)

20 MR. FUNCHESS: All right. It carries, and I
21 will draft that letter.

22 All right. Report from auditor's office.

23 MS. BRODE: It's been distributed, and I have
24 no comments.

25 MR. FUNCHESS: All right. Well, that completes

1 our agenda. Anybody have anything else they would like to bring
2 before the board without taking action? If not, I'll entertain
3 a motion to adjourn.

4 MR. DAY: Second.

5 MR. FUNCHESS: All right. Hearing no nay's, we
6 are adjourned.

7 (MEETING CONCLUDED)