

BAIL BOND BOARD MEETING

MAY 17, 2018

THOSE PRESENT:

Tim Funchess

Judge Clint Woods

Judge Raquel West

Judge Craig Lively

Pat Knauth

Betty Limbrick

Becky Garcia

Theresa Goodness

Keith Day

Mary Godina

Tina Benoit

Patricia Moody

Tom Roebuck

Tonja Voorhies

Joleen Fregia

Lt. A. Morris

Al Reed

Tamika Martin

MR. FUNCHESS: I'm going to call this meeting together for the Bail Bond Board meeting for May 17th, 2018.

We'll begin with item number one, which is the minutes. I do believe they were emailed out to everybody. Has everybody had a chance to look at those and review them? If we're okay with that, I'll entertain a motion to accept the minutes as presented.

MS. GOODNESS: So moved.

MR. FUNCHESS: Got a motion.

MR. KNAUTH: Second.

MR. FUNCHESS: Second. All in favor?

(RESPONSES MADE)

MR. FUNCHESS: Any opposed? Motion carries.

Next, we got a report from the district attorney's office regarding status of collections on judgments.

MS. GARCIA: It's been passed out.

MR. FUNCHESS: Any questions or comments?

All right. Item three is consideration and approval of applications to become bondsmen or agents and renewals.

We have a Jamie Lynn Bettis.

MS. GARCIA: Yes, sir. She's not here. The office manager notified me she has double pneumonia but her application is complete and is in order.

MR. FUNCHESS: Your recommendation is we

1 approve it?

2 MS. GARCIA: To approve.

3 MR. FUNCHESS: Can I get a motion to approve
4 Jamie Lynn Bettis?

5 JUDGE LIVELY: I make that motion to approve.

6 JUDGE WEST: Second.

7 MR. FUNCHESS: I got a motion and a second.

8 All in favor say aye.

9 (RESPONSES MADE)

10 MR. FUNCHESS: Any opposed? Motion carries.

11 Next one is Joshua Stewart.

12 MS. GARCIA: Correct. He submitted application
13 with an insurance company of Allegheny Casualty Company.

14 MR. FUNCHESS: Do you have any comments or --

15 MS. GARCIA: I have made note as to Question 20
16 in the application. One of the members has brought to my
17 attention the question states: Has the executing agent or the
18 corporation ever had an unpaid final judgment in Jefferson
19 County or any other county in the state of Texas that has been
20 unpaid for more than 30 days?

21 The answer that was submitted is no. And I do
22 not believe that is correct.

23 MR. FUNCHESS: This email from Evelyn Juarez,
24 what is -- what exactly is that?

25 MS. GARCIA: Evelyn Juarez actually works in

1 Harris County in the bond forfeiture department, and she has
2 contacted me confirming that, in fact, Mr. Stewart did have
3 unpaid final judgments that went quite some time, as you can see
4 in the dates, as when the final judgment was rendered as to when
5 they were actually paid.

6 There is also another email from Chambers
7 County stating the same information, that essentially it went 22
8 months before it was resolved and paid.

9 MR. FUNCHESS: You want to introduce yourself?

10 MR. GOODE: Good morning or good afternoon. My
11 name is Ken Goode. I am the counsel for Allegheny Casualty
12 Company. I am also assistant vice-president. Along with me is
13 Alisha King and also our agent, who you well know.

14 We're here to answer any questions we have. I
15 note that you have a question about unpaid judgments. I will
16 say that when we answer a question about whether we have any
17 unpaid judgments, we may have misunderstood it because we
18 answered it whether we have any now because we know that we
19 cannot -- we're -- we are not entitled to a license now if we
20 say we have an unpaid judgment, if we have an unpaid judgement.
21 So if we know -- when we are looking at that question, we may
22 have misread it because I'm sure since we are one of the largest
23 insurance companies in the state that writes bail, it would be
24 impossible for us to say we haven't paid a judgment a day late.
25 I mean, we can't --

1 MS. GARCIA: We're not -- we're not -- I'm not
2 directing this towards the insurance company.

3 MR. GOODE: I know.

4 MS. GARCIA: I'm directing it towards a
5 previous application that Mr. Stewart had license with this bail
6 bond board.

7 MR. GOODE: Yes. And that's why I am trying to
8 give you just a little explanation. There may have been a
9 misunderstanding on how the question is -- what the intent of it
10 was because we couldn't honestly say that we never had a
11 judgment that was late.

12 Now, I've talked to the proposed agent. I know
13 that there is a history here. I know the issues that have come
14 up with his personal license. That's one -- when we were
15 investigating him, that's the reason why we agreed to come with
16 him to y'all because we give y'all an extra level of
17 administration because we're looking at him, trying to make sure
18 he's keeping up with his business.

19 I know two of the issues with Chambers County
20 involved bills of review that were filed to have those judgments
21 redone, and they were redone. So it's not just that he's not
22 taking care of business; but even then, we're responsible. So
23 we insure that he's taking care of his business for y'all.

24 And so if there was a misunderstanding of the
25 question, I apologize to the board. That was not anyone's

1 intent. We would be the stupidest people on the face of the
2 planet to come to y'all after that very issue arose and to give
3 you a grounds to -- to take it out on him a second time. So I
4 think that there was just a misunderstanding on the question
5 because we know we're not entitled to a license if we have an
6 outstanding judgment, and I think that was the way your question
7 was viewed. My apologies if there was confusion.

8 MR. FUNCHESS: Do we want to open it to the
9 board? Anybody has comments or questions.

10 MS. GOODNESS: I feel that the history with
11 Mr. Stewart is such that I don't believe I can vote in favor of
12 an application where Mr. Stewart is the agent.

13 MR. KNAUTH: I agree. I felt he was dishonest
14 with the board. I felt like he was dishonest in the hearing.
15 I'm not sure I can have any confidence as to the integrity to
16 anything that he presents on behalf of this board.

17 MR. FUNCHESS: Did everybody get a copy of
18 that --

19 MS. GARCIA: Yes.

20 MR. FUNCHESS: -- order?

21 Anybody else have anything?

22 MR. GOODE: May I ask that the board table the
23 application to allow us to evaluate this information? If we
24 agree with the board, we would just withdraw it.

25 If your issues are with him, if you table it,

1 then we will probably resolve the issue. But if you take out
2 your anger on him on us, then we have to report it statewide.
3 It's something that we have to keep -- make everybody aware of
4 and keep it on our application from now on.

5 MR. KNAUTH: It's not anger.

6 MR. GOODE: I apologize if I said anger.

7 MR. KNAUTH: Yeah, it's not anger.

8 MR. GOODE: I apologize. So I would ask the
9 board to table the application. We'll take care of it for you.

10 MS. GOODNESS: I make a motion that we table
11 this agenda item.

12 JUDGE WEST: Second.

13 MR. FUNCHESS: I have a motion to table. Do I
14 have a second?

15 JUDGE WEST: Second.

16 MR. FUNCHESS: Okay. Judge West.

17 All right. All in favor of tabling it, say
18 aye.

19 (RESPONSES MADE)

20 MR. FUNCHESS: Any opposed? All right. It's
21 tabled until next month's meeting.

22 MR. GOODE: Thank you.

23 MR. FUNCHESS: All right. Moving on to item
24 number four is consider complaints against bondsmen.

25 MS. GODINA: I don't have any at this time.

1 MR. FUNCHESS: Report from me on cash and CDs
2 up for collateral. I passed out my report if anybody has any
3 questions or comments.

6 MS. MOODY: Please note on the bondsmen report
7 that Shirley Laine's collateral increased with the treasurer's
8 office but not her bonding limit didn't increase -- but her
9 bonding limit didn't increase.

10 MS. FREGIA: She probably failed to give the
11 receipt; and I have a copy of the receipt if Tina needs it.

12 She probably forgot to give you the receipt,
13 Shirley Laine.

14 MS. BENOIT: Oh, I didn't get a receipt.

15 MS. FREGIA: I have one for you.

16 MS. BENOIT: Okay.

17 MS. FREGIA: That's the difference in the
18 numbers I think she's talking about.

19 MR. FUNCHESS: Any other questions or comments?

20 The last item, number seven, we're in the
21 process of cleaning up some of this collateral that's been
22 assigned by individual lawyers. This one right here, we cannot
23 find her. This has been on deposit since 1988, something like
24 that.

25 MS. FREGIA: '86.

1 MR. FUNCHESS: We've done all of our due
2 diligence to find Sharon Gonzales and we can't; so we're asking
3 the board to release this collateral and escheat it to the State
4 to their unclaimed property funds. So I'll need a motion to do
5 that.

6 MS. GOODNESS: So moved.

7 MR. KNAUTH: Second.

8 MR. FUNCHESS: Motion and a second. All in
9 favor say aye.

10 (RESPONSES MADE)

11 MR. FUNCHESS: Any opposed? All right. Motion
12 passes.

15 JUDGE WEST: Motion.

16 MR. FUNCHESS: And second?

17 JUDGE LIVELY: I second that.

18 MR. FUNCHESS: We are adjourned.

19 (MEETING CONCLUDED AT 12:43 P.M.)