

BAIL BOND BOARD MEETING**(VIA ZOOM)****SEPTEMBER 16, 2021****THOSE PRESENT:**

JUDGE CLINT WOODS

PAT KNAUTH

BECKY BERTRAND

KELLIE HOLMES

GLENDA SEGURA

DONTÉ MILLER

THOSE PRESENT VIA ZOOM:

JUDGE RANSOM "DUCE" JONES

JUDGE CRAIG LIVELY

VALENCIA SIMPSON

CHARLIE HALLMARK

KEITH DAY

RHONDA BRODE

TOM ROEBUCK

TAMIKA MARTIN

THERESA GOODNESS

DUSTIN GALT

QUENTIN PRICE

1 JUDGE WOODS: I call the September Bail Bond
2 Board meeting to order now.

3 First up are to review the minutes from last
4 month. It's my understanding August minutes have been posted
5 with the correction of adding Ms. Goodness as being present
6 during that meeting.

7 Do I have a motion to approve and accept those
8 minutes?

9 MR. KNAUTH: So moved.

10 JUDGE WOODS: Do I have a second? That was
11 Mr. Knauth, first.

12 MS. GOODNESS: Judge, this is Theresa. I
13 second.

14 JUDGE WOODS: All right. Ms. Goodness second.
15 All those in favor say "aye."

16 (RESPONSES MADE)

17 JUDGE WOODS: All right. Any no's?

18 No no's. That will be approved.

19 Number two, report from the district attorney's
20 office, I think that's been passed out. Any questions or
21 comments about the report? Okay. No questions and comments.

22 Moving on to number three, consideration and
23 approval of applications for bondsmen and/or renewals and
24 agents.

25 MS. BERTRAND: We have two. The first one is

1 Shirley Laine. That was emailed out to all the members.

2 Everything is in order.

3 JUDGE WOODS: Okay. Any questions or comments
4 for the application for Ms. Shirley Laine? And do I have a
5 motion to approve her renewal.

6 MR. KNAUTH: So moved.

7 JUDGE WOODS: Mr. Knauth make the motion to --

8 JUDGE LIVELY: Judge Lively, second.

9 JUDGE WOODS: Judge Lively seconds to approve.

10 All those in favor say "aye."

11 (RESPONSES MADE)

12 JUDGE WOODS: Any opposed? No? No opposed.
13 That will be approved.

14 Any other?

15 MS. BERTRAND: The second one is on Ngyuet
16 Pham. She works for Allied Bail Bonds. It also was emailed
17 out, I believe this morning, to all the members; and everything
18 is in order on that one as well.

19 JUDGE WOODS: Any questions or comments about
20 Mrs. Pham's renewal? I guess that's a renewal, right?

21 MS. BERTRAND: Yes.

22 JUDGE WOODS: No questions or comments. Do I
23 have a motion to accept Ms. Pham's renewal application.

24 MR. HALLMARK: So moved.

25 JUDGE WOODS: Who said that?

1 MR. HALLMARK: I did. This is Charlie.

2 MS. GOODNESS: I'll second. This is Theresa.

3 I'll second.

4 JUDGE WOODS: Okay. Mr. Hallmark made the
5 motion and Ms. Goodness made the second. All those in favor say
6 "aye."

7 (RESPONSES MADE)

8 JUDGE WOODS: Any opposed? Hearing none, it
9 will be approved.

10 And that's it for applications and renewals.
11 Okay.

12 Moving on. Any -- any new complaints since
13 last meeting?

14 MS. HOLMES: No, sir, there is not any new. We
15 just still have the one pending complaint.

16 JUDGE WOODS: Yeah, we are going to get that at
17 the end. So no new complaints since --

18 MS. HOLMES: Nothing new, no, sir.

19 JUDGE WOODS: Moving on. Number five, report
20 from treasurer's office.

21 MR. HALLMARK: Nothing to report.

22 JUDGE WOODS: Very good. Thank you.

23 Number six, release of any properties, CDs,
24 cash or cashier's checks.

25 MS. SEGURA: None.

1 JUDGE WOODS: None?

2 MS. SEGURA: None.

3 JUDGE WOODS: Okay. None. Moving on. Report
4 from the auditor's office.

5 MS. BRODE: I have e-mailed out my reports, and
6 I've been talking to Mr. Price about it. I'm not sure what we do
7 with the bondsmen who are deceased that have bonds out and
8 forfeiture amounts out. Quentin, are you there?

9 MR. PRICE: Yes, I'm here.

10 Have y'all got her report where down at the
11 bottom on that first page -- I think it's the first page. It's
12 the page that I put on first but anyway, there is a whole list
13 of bondsmen and I think everyone agrees are deceased. It starts
14 out with H. Guillory & Associates and it goes down to Kenneth
15 Leblanc. You know, I mean, it's pretty considerable sums on
16 some of these; but we need to -- since we are about to change
17 over on the computer system, we really need to figure out a way
18 to get this all straightened out. And I don't know how to do
19 it; but, I mean, if y'all need me to do orders of dismissals,
20 satisfactions of -- well, not satisfactions but dismissals of
21 abstracts or whatever else. I don't know how this information
22 gets on here; so I don't know who to talk to about getting it
23 off. That's my problem.

24 JUDGE WOODS: Okay.

25 MS. BRODE: Anyone have any advice?

1 JUDGE WOODS: Yes.

2 MS. BERTRAND: Do we know if there is any
3 existing collateral still put up?

4 MR. PRICE: As far as I understand, they're --
5 no, I don't. I don't know that.

6 MS. BRODE: It's not on the collateral list.
7 It's not on the treasurer's collateral list.

8 MS. BERTRAND: Then that would mean that we
9 have taken all their collateral and this is the balance that
10 they still owe. And if there was a probate done, we didn't file
11 a claim against it; so I don't see how we are going to get the
12 money.

13 MS. BRODE: How do we clean it up, Becky, if we
14 are not going to get the money?

15 MS. BERTRAND: I mean, we will just have to
16 history it out. It's just -- we can just have the comment of
17 the name, that they're deceased. But to me, we are just going
18 to have to zero it out. It's a loss.

19 MS. BRODE: Okay. Do we have to get any kind
20 of legal from a judge, from Quentin?

21 MS. GOODNESS: This is Theresa. I have a
22 question: How old are these judgments because if they're --

23 MS. BERTRAND: Over 20 years.

24 MS. GOODNESS: For the State of Texas, money
25 that's owed to us, if it's more than 20 years, then basically

1 the judgments not any -- you can't collect on it, right?

2 MR. PRICE: No. And it was that way, but the
3 more recent statute -- and I don't know what year it went into
4 effect -- but the more recent statute, now the judgments are
5 eternal.

6 MS. GOODNESS: Okay.

7 MR. PRICE: And the abstracts of liens are
8 eternal.

9 MS. GOODNESS: Okay.

10 MR. PRICE: In fact, that was something that
11 Valencia and I were talking about yesterday with one -- with a
12 question Rhonda had. We have got some abstracts of judgment
13 that have never been released that are 20 years old. So for
14 most private sector individuals, nobody is going to pay
15 attention to those because they don't matter. But since we are
16 a governmental entity and now that's what the law is, I'm afraid
17 these people are going to be getting dinged on abstracts of
18 judgments even though they've actually paid them. And I think
19 what happened on at least the two of them that Valencia and I
20 looked at, was there was payment made to the district clerk's
21 office but our office either didn't know that the payment was
22 made or didn't file the release of -- or the satisfaction of
23 judgment with the county clerk's office. So there is -- if
24 y'all run across any of those, let us know and we will, you
25 know, get them -- get the satisfaction of judgment filed just

1 for clarification purposes. But I don't -- I don't know. I
2 don't need a judge or anybody to sign off on that once we get
3 paid. I think I can do that.

4 MS. GOODNESS: But on these that are so old and
5 we know that we're not ever going to get any money on those
6 because -- is there some legal paperwork you can file in the
7 case that would let us get these off of the books?

8 MR. PRICE: Well, I mean, I can file a
9 satisfaction of judgment; but the problem with that, it's not
10 really satisfied. I may file like an uncollectability of
11 judgment and then we could write it off that a way. I mean, I
12 know that's not a legal term "uncollectability" but if they're
13 deceased, the time period is passed, then that will at least
14 leave a paper trail for why we did what we did.

15 MS. BERTRAND: Yes.

16 MR. PRICE: Unless somebody has got a different
17 thought.

18 MS. GOODNESS: No.

19 MR. PRICE: Well, Tom was making a face there;
20 so I thought he might throw something out there.

21 MR. ROEBUCK: No. I was just laughing at your
22 nonlegal legalese.

23 MR. PRICE: Hey, you know, it's like what else
24 do you do? Just tell them why you're doing it and put a fork in
25 it and let's call it done.

1 MS. BERTRAND: Well, I think that's fine. If
2 we can get an itemized list, which we can, of all the
3 outstanding debts against each person and have you enter, you
4 know, create that document to put in the court's file, that will
5 be our legacy moving forward as to why we zeroed these amounts
6 out.

7 MR. PRICE: If everybody is happy with that,
8 I'm good with it.

9 JUDGE WOODS: And that would satisfy purging
10 them out of the system?

11 MS. BERTRAND: Uh-huh.

12 JUDGE WOODS: Okay. That sounds good to me.

13 MS. BRODE: How do we get that list, Becky?

14 MS. BERTRAND: OKAY.

15 MR. PRICE: And back on some of the original
16 questions, I guess at that point in time we will know how old
17 those judgments really are, correct?

18 MS. BERTRAND: Yes.

19 MS. BRODE: Yeah.

20 MR. PRICE: Okay. All right. And as far as
21 the list goes -- and I don't remember what we did but at one
22 point in time, I had some of our investigators look at the
23 individuals listed here and I know -- I want to say like Keith
24 Leblanc, you know, depending on the popularity of the name, it
25 was difficult for the investigator to determine whether or not

1 that person is deceased or not deceased but is there -- is there
2 any question that any of these individuals on here are still
3 living? Because I know most of them were, you know, back in the
4 1990s or so.

5 MS. BRODE: Do we need to get death
6 certificates or anything?

7 MR. PRICE: Well, if everybody knows they're
8 deceased, I can live with that.

9 Is there anybody on here on this list that
10 somebody says, "Yeah, they're still alive"?

11 MS. BERTRAND: I believe they're all deceased.

12 MR. PRICE: Okay. And have been for many
13 years?

14 MS. BERTRAND: Yes. The most recent one that
15 passed away was Kenneth Leblanc. He's out of Orange County, and
16 that was just a couple of years ago. Keith will remember that
17 one.

18 MR. PRICE: Did they ever open up an estate for
19 him, or do you know?

20 MS. BERTRAND: I don't -- I know I didn't
21 check. I mean, I didn't find out about it until almost a year
22 later but --

23 MR. PRICE: Is there anybody else that died in
24 the last five years that we know of on this list?

25 JUDGE WOODS: I don't know.

1 MS. BERTRAND: Keith, do you see that list?

2 MR. DAY: No, I don't see it.

3 MR. PRICE: I bet I can't show it to you. It's
4 on Rhonda's report.

5 MR. DAY: If you want verification from me that
6 somebody has died, I can't give you that verification. I don't
7 know.

8 MS. BERTRAND: Well, you know Jimmy Mason.

9 MR. DAY: I didn't know Jimmy. That was before
10 my time.

11 MS. BERTRAND: But you know he's dead.

12 THE COURT: Can you see that list, Keith?

13 MR. DAY: Well, I'm assuming. But I still
14 question whether John F. Kennedy, Jr. is dead.

15 JUDGE WOODS: Oh, my God. Or Elvis?

16 MS. BERTRAND: Put your hand down.

17 JUDGE WOODS: No more questions for Mr. Day.

18 CAPTAIN MILLER: Mute him.

19 JUDGE WOODS: Yes. Any more questions or
20 comments regarding --

21 MS. BRODE: Yes. I'm sorry. Do we know where
22 the process -- where the project is with moving the
23 out-of-county bonds into the individual bondsmen's accounts?

24 MS. BERTRAND: Yes. Mary Ann and I have talked
25 about that about a week and a half ago, but we have been pulled

1 to this Tyler Technology classes. So we are still working on
2 that together. It's a matter of just merging some files
3 together, I think, at this point.

4 MS. BRODE: Okay. Thank you. That's all.

5 JUDGE WOODS: Okay. Anyone else? Any more
6 questions or comments regarding that matter?

7 Or any more questions or comments regarding
8 reports from the auditor's office? All right. Hearing none,
9 moving on.

10 Last item, number 8, is to make a determination
11 if there's a valid complaint against Erika Francois Burge. I
12 believe what we need to do to make this more procedurally
13 correct is that we actually vote on whether or not there is an
14 actual valid complaint. Has everyone been able to review the
15 complaint or do I need to read it a loud so everyone will know
16 what the actual complaint it.

17 MS. HOLMES: I e-mailed it to everyone.

18 MS. SEGURA: Everybody should have it.

19 MR. GALMOR: I've read the complaint. This is
20 Dustin Galmor.

21 JUDGE WOODS: Okay. Well, in summary, it's --
22 it alleges that a client of hers alleges that Ms. Francois
23 recommended a particular attorney for representation for his
24 case. That being Mr. Rife Kimler. On its face, that would --
25 of course, that would be a violation. And that was -- let's

1 see. It was filed on July 20th, 2021, through the county
2 clerk's office and it's one of enumerated complaints that's on
3 its face, if found to be true, a violation of the rules and
4 regulations of the Bail Bond Board bondsmen.

5 Do I have a motion to accept the complaint as
6 being a viable complaint, I guess I should say, and that we move
7 forward to have a hearing to whether or not we take any action
8 regarding this complaint?

9 Do I have a motion to accept the complaint as
10 it stands and then move forward for a hearing, to give her
11 notice so she can respond? And we will make sure that she gets
12 notice. I guess we need to send her notice either certified
13 mail or by hand delivery, I would assume, with some sort of
14 receipt showing that she received it so we can satisfy that she
15 did receive notice.

16 MS. HOLMES: Yes, sir.

17 JUDGE WOODS: Okay. So do I have a motion to
18 accept the complaint as it's been filed?

19 MS. GOODNESS: Yes. This is Theresa. I make a
20 motion, Judge, that we move forward with this complaint.

21 JUDGE WOODS: Okay. Do I have a second?

22 MR. HALLMARK: Second.

23 JUDGE WOODS: That was?

24 MR. HALLMARK: Charlie Hallmark.

25 JUDGE WOODS: Okay. Mr. Hallmark second. All

1 those in favor say "aye."

2 (RESPONSES MADE)

3 JUDGE WOODS: Any opposed? Hearing none, then
4 I will find that there is a valid complaint that exists against
5 Ms. Francois and we will set this for a hearing. I ask that
6 Ms. Holmes or Ms. Segura send out notice to Ms. Francois to have
7 her present and that she actually gets a copy of this complaint
8 so she can prepare, if anything, in response to it.

9 MS. HOLMES: Yes, sir.

10 MR. ROEBUCK: I've already prepared a notice,
11 Judge.

12 JUDGE WOODS: Okay. Then we will make sure she
13 gets that. Any questions or any more comments or questions
14 regarding that matter? Okay.

15 Then hearing none, any other old business we
16 need to take care of, that we need to wrap up today? None. All
17 right.

18 Any new business we need to discuss any
19 further? Hearing none, all right.

20 Do I have a motion to adjourn?

21 MR. KNAUTH: So moved.

22 JUDGE WOOD: All right. Mr. Knauth. Second.

23 MR. HALLMARK: Second.

24 JUDGE WOODS: Okay. Approved. We are
25 adjourned.