

BAIL BOND BOARD HEARING

February 15, 2011

- THOSE PRESENT: Judge Flores
- Judge Dollinger
- Judge Lively
- Lt. Kelly
- Cathy Presley
- Tom Rugg
- Lolita Ramos
- Becky Garcia
- Tim Funchess
- Keith Day
- Mary Godina
- Liz Parks
- Tina Gillespie
- Rhonda Brode

JUDGE FLORES: We're on the record for the meeting of the Jefferson County bail bond board. First item on the agenda is a report from the district attorney's office. Mr. Rugg, any comments?

MR. RUGG: No, sir.

JUDGE FLORES: If no comments, any other discussion?

Ms. Presley, are there any applications for bondsmen?

1 CATHY PRESLEY: No, sir.

2 JUDGE FLORES: No applications, great.

3 Mrs. Godina?

4 MARY GODINA: Yes, sir.

5 JUDGE FLORES: Any complaints?

6 MARY GODINA: I passed out a supposed  
7 complaint I received. I gave it to Mr. Roebuck -- it's  
8 not a legitimate complaint -- but to let everyone see  
9 it.

10 JUDGE FLORES: Mr. Rugg, remember that was  
11 last time instead of just a -- having myself and Mr.  
12 Roebuck and whoever make a decision, we had thought we'd  
13 just go ahead and make copies, even if we felt there was  
14 nothing to be addressed by the board.

15 I think this is more of a question on  
16 probably a fee dispute than any type of bail bond  
17 action. Mr. Roebuck told me he was going to be here. I  
18 talked to him last night.

19 TOM RUGG: Yeah, this is something the board  
20 doesn't have any jurisdiction over.

21 JUDGE FLORES: As per the discussion last  
22 time, whenever we get a complaint, we're going to make a  
23 couple of copies so everybody on the board can see it  
24 rather than just ceremoniously saying there's nothing  
25 there. Okay.

1 Any other complaints, Mrs. Godina?

2 MARY GODINA: No, sir.

3 JUDGE FLORES: Next item on the agenda  
4 report from the treasurer?

5 TIM FUNCHNESS: We have an updated report on  
6 collateral. One thing I will say is I don't have any  
7 tax receipts for pledged collateral real estate; but  
8 we're in the process. We put letters out to all the  
9 bail bondsmen.

10 JUDGE FLORES: Good. It's my understanding,  
11 that's one of the new things we've started, that the  
12 treasurer sure is going to make sure that they are the  
13 ones that have the receipts and everything else, right?

14 TIM FUNCHNESS: Yes, sir.

15 JUDGE FLORES: Mr. Funchess, what do you  
16 think the procedure ought to be or what do you recommend  
17 as far as just sending out letters, certified letters;  
18 or we need to have a certain date by which they're due?

19 TIM FUNCHNESS: I think letters probably need  
20 to go out towards the end of the year with the 31st  
21 being the deadline.

22 JUDGE FLORES: And for the members of the  
23 board, these are for people, for bondsmen who put up  
24 collateral, houses, whatever property; and we're just  
25 making sure they pay the property taxes.

1 BECKY GARCIA: But we've already passed a  
2 rule on this.

3 JUDGE FLORES: I understand. I'm just  
4 trying to find out what he thinks as far as what would  
5 be the best procedure.

6 TIM FUNCHESS: I would think just sending a  
7 letter out 30-days in advance, they know they're going  
8 to be paying taxes by the 31st; then if we don't have it  
9 by the 31st, then we can take action or send a -- send a  
10 follow-up letter with more -- with more severity in it,  
11 I guess.

12 JUDGE FLORES: Well, whatever -- whatever  
13 you suggest. If you want to do that, if you'll just go  
14 ahead and just report to the board whenever you have  
15 somebody that hasn't paid or whatever; and that way we  
16 can take action; and if you want to do more than one  
17 letter then do a follow-up. I'll defer to your  
18 discretion on that.

19 Any other member of the board have any other  
20 suggestions or --

21 KEITH DAY: Judge, I'm going to call a  
22 meeting of bondsmen to get everything to make sure we  
23 all understand that those of us that do have collateral  
24 up, they need to get it. It's now the responsibility of  
25 the bondsmen to get those paid receipts. So I'm going

1 to try to get everybody together in two weeks, so.

2 JUDGE FLORES: That's great. If you work  
3 with Mr. Funchess and work something out that would be  
4 great.

5 MARY GODINA: Is that also, Judge, for the  
6 insurance, too; or is the treasurer's office going to  
7 get something on that, also, from each bondsman or what?

8 JUDGE FLORES: Do we have to have -- I think  
9 there is a rule that states that the property has to be  
10 insured.

11 KEITH DAY: Yeah.

12 JUDGE FLORES: And I don't know what the  
13 procedure is right now. Does anybody remember; has that  
14 been given to the treasurer's office in the past or has  
15 it been sent to either you or Ms. Tina?

16 MRS. GILLESPIE: No, just --

17 KEITH DAY: Just whenever -- when we renew  
18 the license, the insurance --

19 MRS. GILLESPIE: Proof; but you only renew  
20 every three years. If we want to be sure they have it  
21 year to year, something would have to be implemented for  
22 that.

23 JUDGE DOLLINGER: We would have to put a  
24 rule in place.

25 JUDGE FLORES: Sir?

1 JUDGE DOLLINGER: We would have to put a  
2 rule in place.

3 JUDGE FLORES: I'm thinking, Mr. Funchess,  
4 that maybe something we do; and let's kind of -- I'm  
5 going to be open for discussion, maybe that's something  
6 when you notify people of taxes maybe you also ask to  
7 proof of insurance so that we stay current.

8 MR. FUNCHESS: Okay.

9 JUDGE FLORES: Anybody, Judge, you have  
10 any --

11 JUDGE DOLLINGER: I would say not  
12 necessarily if it's just real property without  
13 improvements.

14 JUDGE FLORES: Correct.

15 JUDGE DOLLINGER: We wouldn't need to have  
16 proof of insurance but anything with a structure or  
17 dwelling on it; absolutely, because that's going to be  
18 part of the value of the collateral.

19 MR. RUGG: Sure.

20 MARY GODINA: I did check some -- most of  
21 the properties that are put up for collateral; and there  
22 are several people that are not current their taxes.

23 So it's been, you know, past the time or  
24 whatever; and I'm not sure the treasurer's office is up  
25 to date.

1 JUDGE FLORES: Mrs. Godina, if you'll make  
 2 sure Mr. Funchess has a list of those so that he -- so  
 3 that you can send out letters or whatever; and then if  
 4 you still don't get any response quickly, then let us  
 5 know; and we may have to take board action.

6 JUDGE LIVELY: Does that also require wind  
 7 storm insurance in addition to whatever basic dwelling  
 8 insurance is?

9 JUDGE DOLLINGER: In this area I would think  
 10 it would.

11 JUDGE FLORES: Judge, I think you may have a  
 12 point. What you think, Mr. Rugg?

13 MR. RUGG: In some places you may have flood  
 14 insurance issues which is a separate underwriting  
 15 obligation. I don't know how -- I don't how we make  
 16 those decisions without having a board rule on the  
 17 subject.

18 JUDGE FLORES: Okay.

19 MR. RUGG: And so it's something we ought to  
 20 discuss as a board, under an appropriate agenda posting  
 21 and make some decisions as to what sort of insurance  
 22 ought to be required in order to properly protect the  
 23 collateral.

24 JUDGE FLORES: Okay.

25 JUDGE DOLLINGER: Probably something we

1 would be well advised to get Mr. Roebuck's input as  
2 well.

3 JUDGE FLORES: Yes, sir.

4 JUDGE DOLLINGER: He'd be the guy who'd  
5 probably litigate on our behalf if we suffer a loss.

6 JUDGE FLORES: Well, do I have a consensus  
7 from the board we put on the agenda for the next meeting  
8 basically title it insurance and tax matters; because I  
9 think we do have a rule in place as far as getting tax  
10 receipts and whatever; but -- then incorporate the  
11 insurance; okay?

12 Any other discussion on that? Any other  
13 suggestions, Mr. Rugg?

14 MR. RUGG: No, sir. I think it would be  
15 beneficial for the bondsman if we have some pretty  
16 definitive rules what's going to happen if you don't  
17 comply with the obligation to insure or to pay your  
18 taxes --

19 JUDGE FLORES: Sure. Absolutely.

20 TOM RUGG: -- in a timely matter that they  
21 know there are consequences and what those consequences  
22 are going to be.

23 JUDGE FLORES: Mr. Day?

24 KEITH DAY: Yes.

25 JUDGE FLORES: Could you check with your

1 organization to see what other jurisdictions do as far  
2 as requirements for like the insurance and tax receipts  
3 and stuff, what rules they have in place?

4 KEITH DAY: Yes, sir.

5 JUDGE FLORES: That might be something that  
6 we could -- no sense re-inventing the wheel if somebody  
7 has a program in place.

8 KEITH DAY: Okay.

9 JUDGE FLORES: Okay. And if you'll have  
10 that for us for the next meeting.

11 Anything further? Okay. Okay.

12 Report from the auditor's office?

13 RHONDA BRODE: Hi. The MIS department is  
14 currently working on correcting the report that we had  
15 received at one point; giving us the bail bondsmen  
16 totals, written and collateralized and everything, very  
17 beginning of the writing.

18 JUDGE FLORES: Okay. Okay. Item number  
19 six, questions on the Power of Attorney.

20 KEITH DAY: That was me.

21 JUDGE FLORES: I was looking at you.

22 KEITH DAY: While it was still fresh on our  
23 mind about everything that went on with -- with --  
24 between Stan taking over the business from Marsha; and,  
25 Stan's here, so, I'm hoping he'll be able to chime in on

1 anything that I talk about here; but -- Tom, I wanted to  
2 find out from you, is there -- it seems like we went  
3 into a big circle to get at the same point we were at  
4 with him having to open up a new business in order to  
5 carry on business, I guess, until the will and  
6 everything was read, I'm not sure.

7 But I wanted to find out if there was a  
8 way -- to use an example, let's say for instance that I  
9 wasn't married and something happened to me; and I went  
10 into a coma or something. I had a Power of Attorney and  
11 I had to have someone, you know, sign that Power of  
12 Attorney. What would -- how would my business continue?

13 TOM RUGG: I can't answer that. You're  
14 asking questions that -- you'd have to see private legal  
15 counsel on that.

16 KEITH DAY. Okay, I mean that's -- that's  
17 what I'm trying to figure out. Seems like we -- Stan,  
18 exactly what was the procedure that you went through  
19 with you-all's situation.

20 STAN STANLEY: My mother was ill at the  
21 time; and I wanted to sign the bonds for her.

22 JUDGE FLORES: For the record, your are  
23 Mr. Stan Stanley.

24 STAN STANLEY: I think we checked with a  
25 lawyer and got an opinion about that, that was not

1 really appropriate. So -- you know, I went ahead and  
2 got my license; and it -- you know, from my opinion, I  
3 think it's -- I think the way it stands to where two can  
4 share the same location is a good deal because it allows  
5 for a smooth transition in the case of death or illness  
6 if you want to sell your own company.

7 KEITH DAY: Yeah.

8 STAN: I was okay with that; and that was --  
9 actually, if we're going into that issue --

10 KEITH DAY: Okay, that's the second.

11 STAN: But as far as the Power of Attorney,  
12 I think that was -- we got the opinion that that was  
13 inappropriate.

14 KEITH DAY: The question, the second  
15 question he's asking, or he raised was another issue  
16 that I -- that came up. The issue about Preferred and  
17 Allied being on the list was brought to my attention by  
18 another bondsman who had contacted me and wanted to know  
19 why both companies were still on the list; but I think  
20 Preferred is being taken off the list this coming up  
21 month.

22 JUDGE FLORES: We received notice from  
23 Mr. Stanley to make sure it was taken off the list.  
24 They took appropriate action as soon as they found out  
25 about it.

1           KEITH DAY: The next issue that was raised,  
2 that I wanted to raise -- and it's not an issue that  
3 we're dealing with right now, except in this  
4 situation -- but we know why the issue -- that they have  
5 now; but I'll go back, that way I'm not the bringing up  
6 anything that's going on currently or just recently.  
7 I'll go back 15 years when I got into the business. In  
8 the situation I'm talking about is when my mom and Al  
9 Reed were married. At the time Al had a license and my  
10 mother had a license; and they were separate licenses  
11 they got through the county. And what they were doing  
12 was running both of their businesses under one roof  
13 basically; two different licenses under one roof, had  
14 two different names on the list.

15           JUDGE FLORES: Was it two different phone  
16 numbers?

17           MR. DAY: Two different phone numbers. When  
18 one number was called, you know, it was answered -- you  
19 know, by one -- wasn't answered Beth Reed Bail Bonds.  
20 It was answered Al Reed Bail Bonds. So, of course,  
21 obviously that doesn't go on anymore; but I know it's  
22 happened a couple more times in the past. So, I brought  
23 up to Stan when we were talking about this other stuff  
24 about seeing if I could talk to the board and bring up  
25 to the board about having two licenses cease running a

1 business under one roof, basically, phones being  
2 answered.

3 JUDGE FLORES: Mr. Day, what is the  
4 situation, because I know we've dealt with this not that  
5 long ago when there was two companies that they both  
6 wanted to use ASAP -- not ASAP --

7 KEITH DAY: I think they were trying to  
8 transition, too.

9 JUDGE FLORES: They had two different  
10 insurance companies but apparently they were both  
11 located in the same place and used the same phone  
12 number.

13 KEITH DAY: Like I said, this issue is not  
14 going on right now. It has gone on in the past. Like I  
15 said, when my mom and Al were married it went on; and I  
16 think it's happened a couple more time within the past  
17 few years. Basically, bondsmen, the best form of  
18 advertising for us are the phone books and that list at  
19 the jail. It's kind of -- if you have two spots on the  
20 list, if you got two licensees working under one roof  
21 and kind of in cahoots together, I mean, it's all legal;  
22 if have you two -- if I want to get my wife licensed and  
23 her have a license as well and do the same thing, I  
24 could do it right now. I was just wondering what the  
25 board's feeling was on maybe trying to eliminate some of

1 that, by forcing any licensee, no two licensees to be  
2 able to run a business under one office?

3 TOM RUGG: I don't know if we have that  
4 authority.

5 KEITH DAY: Don't know? But Stan --

6 JUDGE FLORES: As long as they maintain  
7 separate facilities, separate numbers, separate  
8 accounts, I think they're -- it would be like two people  
9 officing in the same office building, maybe one office  
10 here and the other office next door or whatever. I  
11 think you're going to run into problems. I understand  
12 where Mr. Rugg is coming from.

13 TOM RUGG: I don't know we have the  
14 authority.

15 JUDGE FLORES: What do you think, Judge?

16 JUDGE DOLLINGER: I can smell a restraint of  
17 trade issue coming up, you telling them they can't  
18 operate out of the same premises, one sublets one of  
19 their spaces to someone else. I don't see the harm in  
20 it, myself, as Judge Flores said. The records are kept  
21 separate. They're separately licensed.

22 LOLITA RAMOS: Which is what we want to make  
23 sure of as a board they've got security.

24 JUDGE DOLLINGER: I don't see the problem in  
25 sharing -- co-locating together.

1 MS. RAMOS: I mean I would think the issue  
2 that you're talking about, Keith, might be something you  
3 take up with the Texas Bail Bonds Association, is that  
4 something you-all are going to sanction, rather than us.

5 JUDGE FLORES: Are there are other  
6 jurisdictions where more than one bonding company in the  
7 same location?

8 KEITH DAY: Oh, I'm sure they're numerous,  
9 numerous places; and that's what me and Stan had  
10 discussed when we were talking about the power of  
11 attorney is -- can you give them the example you were  
12 talking about, Stan, if you and Kelly, or if Kelly ever  
13 got licensed.

14 STAN STANLEY: Yeah. It's possible --

15 KEITH DAY: And this goes against my point  
16 what he's about to talk about.

17 STAN STANLEY : Well, my sister and I  
18 actually discussed forming some sort of business  
19 partnership and occupying the same building; and, of  
20 course, our sureties would be different; and we'd have  
21 to put up separate security and all that; and so -- that  
22 was my point is that, that I think --

23 JUDGE FLORES: I know it's been done in the  
24 past; and I think at one time Mr. Reed had two different  
25 companies; one was with collateral and the other was by

1 an insurance company.

2 CATHY PRESLEY: It never went through.

3 JUDGE FLORES: Ma'am?

4 CATHY PRESLEY: It never went through.

5 JUDGE FLORES: Okay.

6 TOM RUGG: Unless the legislature through  
7 the Bail Bond Act gives us some authority to regulate in  
8 that area, it's a nice hypothetical discussion; but I  
9 don't know we can regulate that; and I'm certainly not  
10 going to recommend to the board that --

11 JUDGE FLORES: As long as they follow our  
12 rules and maintain everything they're supposed to  
13 maintain under our local rules, I think we'd be hard  
14 pressed to do it; and I mean if -- I don't think we can  
15 tell you that your wife can't open up a company.

16 TOM RUGG: I know we can't.

17 JUDGE FLORES: And office there.

18 KEITH DAY: No, and -- no. And that's not  
19 what I was thinking. I was saying basically that she  
20 can't run her business out of my office.

21 TOM RUGG: But I don't know if that's  
22 prohibited. If it's not prohibited, I'm not going to  
23 recommend this board go down that path.

24 KEITH DAY: Well, that's why I'm bringing it  
25 up. That's why I'm bringing it up, because I want to

1 find out if it is or it isn't. I don't know. That's  
2 what I want to know.

3 JUDGE FLORES: What we can do, Mr. Day, if  
4 you want to table that --

5 TOM RUGG: We can ask Tommy.

6 JUDGE FLORES: -- we can make sure that  
7 Mr. Roebuck researches that for the board. And very  
8 frankly if you can find something in your -- in your  
9 state board, maybe they've got some rules or maybe  
10 they've got some kind of guidelines.

11 Yes, ma'am?

12 CATHY PRESLEY: I know the phones have to be  
13 answered as separate companies, also. Even though all  
14 the phone lines come in, you can't say the same company  
15 for all the lines.

16 TOM RUGG: You're never going to catch that.

17 JUDGE FLORES: Yeah. I would think if you  
18 have different number and one answers Allied; one answer  
19 ASAP, or whatever. I'm just throwing those names out.

20 CATHY PRESLEY: Yeah.

21 JUDGE FLORES: As long they answered  
22 differently --

23 CATHY PRESLEY: Right. And the collateral  
24 is separate.

25 JUDGE FLORES: I understand the situation

1 that the gave. They supposedly had two different  
2 licenses. I don't think that would fly today.

3 KEITH DAY: If what now?

4 JUDGE FLORES: If -- like you said, when  
5 they both answered the same way.

6 KEITH DAY: Right.

7 JUDGE FLORES: But if you have two phone  
8 lines, separate phone lines, maintain separate records  
9 and one says, you know, Allied and one says ASAP.

10 KEITH DAY: Uh-huh.

11 MARY GODINA: They can just say bonding  
12 office.

13 CATHY PRESLEY: You have to identify that.  
14 It's in Chapter 1704.

15 JUDGE FLORES: Okay.

16 Any other discussion on this issue? If not,  
17 Mr. Day, we'll table this; and we'll make sure  
18 Mr. Roebuck looks into that; and again, if you can help  
19 us with that through your association.

20 KEITH DAY: Okay.

21 JUDGE FLORES: Okay. Item number 7, the  
22 address bonding list at the jail. Sir, if you'll tell  
23 us what the procedure is out at the jail.

24 LT. KELLY: I'll --

25 JUDGE FLORES: And identify yourself for the

1 record.

2 LT. KELLY: Lt. Kelly at the jail. We  
3 receive these copies; and once we receive them, we post  
4 them all over the jail. We have the different locations  
5 we post them. We post them in the dorms where the  
6 inmates are; post them in the day rooms where the  
7 inmates are, and all phone locations for the inmates;  
8 and that's all with we do.

9 JUDGE FLORES: Lieutenant, how do you  
10 determine -- I know there's a rotation; right?

11 LT. KELLY: No.

12 JUDGE FLORES: Like sometimes you may be at  
13 the top or at the bottom or whatever.

14 LT KELLY: We don't do that. She does that.

15 CATHY PRESLEY: You move from the top to the  
16 bottom, one a month.

17 JUDGE FLORES: So it's rotated on a monthly  
18 basis?

19 CATHY PRESLEY: Yes, sir.

20 JUDGE FLORES: Any other discussion or  
21 questions on that issue, Mr. Day?

22 KEITH DAY: No.

23 JUDGE FLORES: Okay. Okay. Any new  
24 business to be brought before the board today?

25 BECKY GARCIA: The only thing I want to kind

1 throw out there, we may need to put on next month's  
2 agenda, is the -- I was actually going back and looking  
3 at our rules posted, you know, on our internet; and I've  
4 noticed the new rules that we passed aren't being put  
5 out there. So that may be something we need to kind of  
6 look at. And there's a few things in here, I kind of  
7 thumbed through, that kind of shows you where we need to  
8 go for further discussion on.

9 JUDGE FLORES: Right. If you've got  
10 specific rules that need to be put in there, I believe  
11 that we -- that's just something that, you know,  
12 Mrs. Gillespie or Mrs. Godina can make sure it's posted  
13 on there.

14 Mrs. Gillespie and Mrs. Godina, any  
15 discussion on that, or any suggestions what we need to  
16 do to make sure the rules are current?

17 MRS. GILLESPIE: Well, off the top of my  
18 head I can't remember a rule that we've implemented  
19 since it hasn't been added on to; so I would need to  
20 know that in order to get in touch with Mr. Roebuck's  
21 secretary to add that on and get a whole new set of  
22 rules is what needs to be done.

23 JUDGE FLORES: Yeah. Mrs. Garcia, you found  
24 some specific ones that aren't on there?

25 BECKY GARCIA: Well, I know we passed one

1 last year on the tax issues, turn in your tax receipts  
2 to the treasurer's office. That's no where in our local  
3 rules that we adopted --

4 JUDGE FLORES: Okay.

5 BECKY GARCIA: -- as a board. Any other  
6 rule passed in the last year or so, our own special  
7 rules that we're telling these the bondmen they need to  
8 follow, none of that has been in here as well. I know  
9 we made a lot of amendments to some rules and lot of new  
10 rules we passed.

11 JUDGE FLORES: There hasn't been any major  
12 changes, Mr. Rugg?

13 BECKY GARCIA: Not major changes but --

14 JUDGE FLORES: Well --

15 TOM RUGG: Part of the problem is, Judge, is  
16 that we don't regularly keep in an identifiable place  
17 for review, minutes of these board meetings; and so it's  
18 virtually impossible to go back and reconstruct, if  
19 we're not keeping track of rule changes as and when they  
20 happened where we publishing the rules.

21 JUDGE FLORES: Okay.

22 MR. RUGG: So, as a board, it might be  
23 advisable for us, because we do go to the trouble of  
24 having a record made of the proceedings, if those  
25 records are at least in summary form prepared so that we

1 know what we've done; and those are kept in a regular  
2 location where we can go back and reconstruct from time  
3 to time a booklet of rules and make those available to  
4 say a new bondsman --

5 BECKY GARCIA: Right.

6 TOM RUGG: -- or available when you renew  
7 your license, here are the new and current rules.  
8 You're responsible for everything in there; and those  
9 sorts of things. Right now it would be quite a task,  
10 I'm afraid, to go back several years and try to  
11 reconstruct any tweaking we've done to the rules.

12 BECKY GARCIA: Right.

13 TOM RUGG: Because we'd be relying on our  
14 collected memories. I don't know about by the rest of  
15 us, but I don't remember a damn thing about rule  
16 changes. Can you put that in the record.

17 BECKY GARCIA: And one of the things it says  
18 here is that we've adopted Robert's Rules. Well, we're  
19 not exactly following Robert's Rules about approving the  
20 previous month's minutes and doing, you know --

21 TOM RUGG: When did we do that, let's take  
22 that out of there.

23 MS. RAMOS: Take it out.

24 BECKY GARCIA: Well, take it out.

25 LOLITA RAMOS: I'd like to vote on that

1       again.

2                       BECKY GARCIA:  But it also says in here --  
3       but it also says in here under the enforcement, the  
4       board shall require a record and transcription of each  
5       board proceeding.  See that's still -- if we're going to  
6       take this out so we don't have to do it, then we need to  
7       take it out of our rules.  And it also says, next thing  
8       I found in here, the board shall post a rule adopted or  
9       any action taken by the board on a bulletin board on the  
10      first floor of the Jefferson County courthouse ten-day's  
11      preceding the date the rule or action takes effect.  So  
12      there again, it's not, you know, we're not even  
13      following our own rules that we've set out.

14                      TOM RUGG:  That's embarrassing.

15                      LOLITA RAMOS:  It is.  I'm ashamed.  I'd  
16      like to make an amendment to that rule, that rather than  
17      downstairs outside that door where Danny sleeps --

18                      BECKY GARCIA:  You need a gas mask over  
19      there --

20                      LOLITA RAMOS:  It's posted in the hallway  
21      across from my office, on the second floor where it  
22      would be a lot more easily available for someone like a  
23      bail bondsman.

24                      JUDGE FLORES:  Okay, Mr. Rugg, what do you  
25      suggest as far as -- for want of a better term, maybe

1 try to find all the rules and have them available. I  
2 know that one of the main advantages we have is that we  
3 do make a recording of all the -- of all the meetings;  
4 so, I think that --

5 TOM RUGG: Judge, I think it's an  
6 administrative matter. Some decisions need to be made  
7 about preparation of minutes. I don't think that  
8 requires board action. I think it's an administrative  
9 matter the chair can handle.

10 JUDGE FLORES: Okay. All right.

11 TOM RUGG: And where we're going to keep the  
12 official records of the board. There ought to be a  
13 place where they are kept; and I don't know --

14 JUDGE FLORES: Well, for a long time, all --  
15 all the documents and records whatever were kept, you  
16 know my staff, the staff of the bail bond board; and we  
17 can continue to do that. I know that we have made some  
18 rules now, that -- for a long time we even had like some  
19 of the deeds we had. Becky had some of the deeds, and  
20 the treasurer, they -- we now have everything with the  
21 treasurer. But if you want to -- keep minutes and  
22 whatever, I see no problem in doing that; you know, in  
23 my office or with Mrs. Godina or Mrs. Gillespie.

24 TOM RUGG: I'll tell you when it's going to  
25 get, when it's going to get important is when we reach a

1 point where we actually have a problem with a bondsman  
2 that's going to --

3 JUDGE FLORES: Sure.

4 TOM RUGG: -- require some enforcement --

5 JUDGE FLORES: Sure.

6 TOM RUGG: -- and we get some bright lawyer  
7 defending a bondsman and suggests we can't prove up our  
8 own rules.

9 JUDGE FLORES: The only thing is, whenever  
10 we've had -- any type of discipline it's been a  
11 violation of the Bail Bond Board Act.

12 TOM RUGG: I understand.

13 JUDGE FLORES: It's not any of the local  
14 rules.

15 TOM RUGG: Historically it's not a problem.  
16 The one time --

17 JUDGE FLORES: The historical rules, as far  
18 as I'm concerned are more administrative on how we do  
19 stuff; but the Bail Bond Act is the law we have to  
20 follow.

21 TOM RUGG: Sure.

22 MR. FUNCHESS: But the administrative, the  
23 rule we just talked about today on proof of insurance,  
24 could be fairly substantive.

25 TOM RUGG: Absolutely.

1 JUDGE FLORES: Yes, sir, I agree.

2 MR. FUNCHESS: Would the open meetings act,  
3 doesn't that cover what we're suppose to do, where and  
4 how we keep official records?

5 TOM RUGG: No, it does not.

6 MR. FUNCHESS: Okay.

7 Ms RAMOS: Also, we do have a website; do we  
8 not? Seems that to me would be a perfect place to post  
9 our administrative rules --

10 BECKY GARCIA: And that's what this is.

11 MS. RAMOS: -- and our minutes.

12 JUDGE FLORES: Let's do this. Why don't  
13 you -- and I tend to agree that's something we do that  
14 administratively. I can do with Mrs. Gillespie and  
15 Mrs. Godina. Give us a chance to come up with some  
16 ideas and maybe we can -- if anyone has any input --  
17 Mrs. Garcia always does -- just give us some -- changes  
18 that you see that we need put in there.

19 TOM RUGG: And I agree. And that's why I  
20 suggested it's an administrative matter for your guys to  
21 handle.

22 JUDGE FLORES: But as far as -- the problems  
23 as far as the board, I -- I -- I don't see any major  
24 problems because whenever we have any violations, it's  
25 usually of the Bail Bond Board Act.

1           TOM RUGG: Well, and I think Tim brought up  
2 a good point that the problem we're going to have is  
3 when we remove 125,000-dollars worth of collateral from  
4 bondsman's account because he didn't show us his tax  
5 certificate on time --

6           MS. RAMOS: Yeah.

7           TOM RUGG: -- and that's a local rule; and  
8 that's going to be a problem that has serious and  
9 significant impact, an immediate impact --

10          JUDGE FLORES: Yes, sir.

11          TOM RUGG: -- it terms of loss of revenue.  
12 So, I want to make sure that before we get to that stage  
13 that we're on solid ground procedurally and legally to  
14 take that step; because otherwise we're going to get  
15 sued as a board; and we're going to lose; and I don't  
16 like to lose.

17          JUDGE FLORES: I'm with your.

18          MRS. GILLESPIE: My suggestion is everybody  
19 read over the rules and if there are any changes or  
20 anything they want to take out or add, for instance to  
21 handle at the next meeting, and we can all discuss it  
22 and figure out whether it's legal to do, not legal, or  
23 anything; and that way we're not just guessing.

24          JUDGE DOLLINGER: The problem with that,  
25 Tina, as I understand it is we have some that have been

1 adopted the past 18 to 24 months or possibly longer that  
2 don't show up anywhere. So we don't know to bring them  
3 up to the -- to the board at the next meeting. Unless  
4 we have them, unless we have them to look at, I'm in  
5 the -- I'm in the recovery mental state of Mr. Rugg; and  
6 unless we have them in writing to refer back to, I'm  
7 going to be on the same ship.

8 MS. RAMOS: And i think why it would be nice  
9 to have them on the website. So you and I can just go  
10 there and stand just click on and say what am I supposed  
11 to be doing?

12 JUDGE DOLLINGER: For instance we had a  
13 brand new applicant today that said they wanted to  
14 become a bondsman and we made a copy of what Ms. Garcia  
15 has, and handed it to him and said this is the latest  
16 copy of our rules.

17 MR. RUGG: We know.

18 JUDGE DOLLINGER: He would be operating did  
19 devoid of some new rules; and we'd be expecting him to  
20 comply with them when in fact we've not given him  
21 notice --

22 THE COURT REPORTER: I am sorry; but I  
23 cannot take everybody talking in three different  
24 conversations.

25 JUDGE FLORES: Mr. Dollinger has the floor.

1                   JUDGE DOLLINGER: That's okay. That's all  
2 right. I'm saying if we had an applicant; we said here  
3 are our rules and we gave them a copy of what Mrs.  
4 Garcia is holding, we wouldn't be giving a copy of our  
5 rules. We'd be giving a copy of some of them. Some  
6 have been modified. Some may not longer -- may no  
7 longer exist; and then devoid of others which we've  
8 adopted in the recent past.

9                   JUDGE FLORES: Okay. Well, for the next  
10 meeting what we're going to do, I'll get together with  
11 Mrs. Godina, Mrs. Gillespie; and I agree the website  
12 ought to be where everyone gets the information. And  
13 we'll look and see, and just as Mrs. Gillespie said, if  
14 anybody has any -- any other corrections or suggestions,  
15 please get with us; and hopefully by the next meeting  
16 we'll be able to make some kind of presentation as to  
17 what we've got.

18                   TOM RUGG: Good.

19                   JUDGE FLORES: Any other discussions? Any  
20 other new business?

21                   Judge Dollinger?

22                   JUDGE DOLLINGER: Move to adjourn.

23                   TOM RUGG: Second.

24                   JUDGE FLORES: All in favor say "Aye".  
25