

BAIL BOND BOARD MEETING

January 23, 2014

THOSE PRESENT:

Judge Flores

Judge Lively

Lt. Beadle

Catherine Presley

Tom Rugg

Emma Richardson

Becky Garcia

Tim Funchess

Keith Day

Mary Godina

Liz Parks

Tina Gillespie

Rhonda Brode

JUDGE FLORES: All right, ladies and gentlemen. We can call this meeting of the Jefferson County bail bond board to order. The first item on the agenda is to review the minutes from last meeting. Are there any comments or discussion on the minutes?

(None.)

JUDGE FLORES: If there's not, then we'll move on the report from the district attorney. I believe that's been handed out.

1           Ms. Garcia or Mr. Rugg, any one of you-all  
2 have any comments?

3           TOM RUGG: I don't, Your Honor.

4           JUDGE FLORES: Okay. Moving right along  
5 to -- is there any consideration or approval of  
6 applications, Ms. Presley?

7           CATHERINE PRESLEY: No, sir.

8           JUDGE FLORES: Mrs. Godina, any complaints  
9 against bondsmen?

10          MARY GODINA: No, sir.

11          JUDGE FLORES: Mr. Funchess, you want to  
12 speak on your excellent report?

13          TIM FUNCHESS: Well, it's been distributed.  
14 I'll answer any questions. We have no complaints  
15 against the treasurer, either.

16          TOM RUGG: That's really good.

17          JUDGE FLORES: Well, that's a good deal.  
18 Okay. Report from the auditor's office?

19          RHONDA BRODE: It's been distributed. I  
20 noticed a few items on the attorneys report; if you  
21 notice the green items; and I just didn't know if maybe  
22 I hadn't made notes or if this was a new change. Some  
23 of the unpaid -- I'm sorry -- of the bond amounts and  
24 forfeiture amounts exceed the bond forfeiture limits. I  
25 looked at the collateral to see if there was an

1 additional collateral. Let's say -- well, Alan Parker.  
2 He has a \$4,000-limit on forfeiture; but he's got ten  
3 thousand out. I don't know -- I don't know if there's  
4 anything that can be done about that. I'm just pointing  
5 out.

6 JUDGE FLORES: When it shows the forfeiture  
7 limit of four thousand, that is a -- the -- the actual  
8 amount? Because if I'm not mistaken, didn't they used  
9 to get a certain number of times plus?

10 RHONDA BRODE: They get 20 percent.

11 JUDGE FLORES: I thought you put a --

12 RHONDA BRODE: They get 20 percent of the  
13 bond limit.

14 JUDGE FLORES: I thought it was more than  
15 that.

16 RHONDA BRODE: Or point two.

17 JUDGE FLORES: Okay. So maybe -- Mr. Rugg,  
18 what do you suggest as far as addressing these issues?

19 TOM RUGG: I'll have to look into this,  
20 Judge. I really don't -- I really don't know that it's  
21 a matter for the bail bond board anyway; but it looks  
22 like --

23 JUDGE FLORES: I think it's the sheriff's  
24 department.

25 TOM RUGG: We have some bonds that need to

1 be collected.

2 JUDGE FLORES: Okay. And it's hard to tell  
3 whether those are --

4 RHONDA BRODE: Collectable yet.

5 JUDGE FLORES: Collectable, or misdemeanor  
6 or felony.

7 RHONDA BRODE: I know if I get with Mary --

8 MARY GODINA: Yeah.

9 RHONDA BRODE: -- someone, maybe Mary can  
10 help me.

11 JUDGE FLORES: Okay, that sounds good. All  
12 right. Anything further on the auditor's report?

13 RHONDA BRODE: On Mr. Batiste on the  
14 bondsman report, if you flip it over, there's no  
15 collateral remaining; but there's still a bond limit; is  
16 that an error?

17 JUDGE FLORES: Well, I didn't think -- he's  
18 no longer practicing.

19 RHONDA BRODE: He's expired.

20 TOM RUGG: I don't know what that means. I  
21 don't know how he could have a bond limit under those  
22 circumstances. That has to be a mistake.

23 JUDGE FLORES: What -- do we need to  
24 follow-up on that?

25 RHONDA BRODE: I didn't see anything on the

1 collateral reports; so I guess I'm asking.

2 TINA GILLESPIE: I don't -- I don't have  
3 what you-all are looking at.

4 JUDGE FLORES: On the back of the report.

5 RHONDA BRODE: I missed her.

6 MARY GODINA: I think if his status is  
7 expired, he can't write any bonds anyway in the  
8 computer.

9 TOM RUGG: But the report ought to reflect  
10 he doesn't have any writing authority.

11 THE COURT: And if he owes money, we need to  
12 figure out a way to go after it.

13 RHONDA BRODE: Uh-huh.

14 TINA GILLESPIE: If he doesn't have any  
15 money out, I can take it off there; but if he's got  
16 outstanding stuff, it's -- usually stays there until  
17 everything is paid.

18 MARY GODINA: Uh-huh. I think with that  
19 status.

20 RHONDA BRODE: There's twenty-nine thousand  
21 in the amount out; and he's got unpaid forfeitures.

22 TINA GILLESPIE: That's the way it's setup  
23 to print out that he has something out there. He has to  
24 have a limit out there, or it won't --

25 BECKY GARCIA: I can't remember offhand if

1 he owes me anything. I don't think so.

2 TINA GILLESPIE: That will come off as soon  
3 as everything is taken care of.

4 TOM RUGG: Okay.

5 TINA GILLESPIE: I mean he can't write  
6 anything; because it's expired.

7 RHONDA BRODE: Right.

8 TINA GILLESPIE: So.

9 TOM RUGG: It just looked strange on the  
10 report.

11 TINA GILLESPIE: It looks --

12 RHONDA BRODE: Can he have a collateral  
13 limit of a dollar and still print out?

14 TINA GILLESPIE: Probably.

15 RHONDA BRODE: I can -- I'm just throwing  
16 something out there.

17 TINA GILLESPIE: I can change that if  
18 you-all agree to that. I don't change anything until  
19 I'm told to change it.

20 MARY GODINA: I think --

21 RHONDA BRODE: Judge --

22 JUDGE FLORES: Keith, does that make any  
23 sense to you?

24 KEITH DAY: On Floyd? First of all on the  
25 unpaid forfeiture of twenty-eight thousand doesn't

1 necessarily reflect that he owes twenty-eight thousand.  
2 I mean he might owe a hundred and something dollars. It  
3 could be one bond on there, because unless he's made a  
4 deal with D. A.'s office to settle, it's just going to  
5 sit there on the docket; but -- you know, I don't -- I  
6 don't have -- I didn't even know -- I don't remember  
7 Floyd Batiste being on the report last time.

8 RHONDA BRODE: It was.

9 KEITH DAY: It was?

10 RHONDA BRODE: Uh-huh.

11 KEITH DAY: I guess I just overlooked it;  
12 but --

13 JUDGE FLORES: I think that's Stella  
14 Morrison's brother.

15 BECKY GARCIA: Yep.

16 TINA GILLESPIE: I can take it out and see  
17 what happens.

18 MARY GODINA: But don't you think, Tina, on  
19 the forfeiture amounts -- that's going to stay on there.

20 JUDGE FLORES: One at a time.

21 MARY GODINA: I think that will stay on  
22 there as long as he owes the county; that's why it's  
23 going -- I think that may be why that other part needs  
24 to stay, even though he can't write bonds, because it's  
25 just going to be a plug number. We would just have to

1 go in and plug it to zero which is not the right thing  
2 either.

3 RHONDA BRODE: I just see an error on my  
4 report. The same thing has happened with Scott Goodman.

5 JUDGE FLORES: Yes, sir.

6 KEITH DAY: Tina? Tina, can you pull up his  
7 docket from your computer?

8 TINA GILLESPIE: Uh-huh, I can. His license  
9 expired in 2001.

10 JUDGE FLORES: That long?

11 TINA GILLESPIE: So how did he get all his  
12 stuff back if he owed money?

13 BECKY GARCIA: What stuff?

14 TINA GILLESPIE: Collateral.

15 TOM RUGG: I'm sure we took his collateral.

16 CATHERINE PRESLEY: Probably taken.

17 BECKY GARCIA: I would have to go back and  
18 check; but if he owed me money, I took it.

19 TINA GILLESPIE: When I take it out, if I  
20 didn't prepare anything, I have no idea the money is not  
21 there anymore. So --

22 BECKY GARCIA: That's just like I went and  
23 took money from Richard Colter. He's still showing  
24 fifty thousand; but -- he doesn't have fifty thousand  
25 put up anymore; and I'm fixing to grab some more.

1 JUDGE FLORES: Mr. Funchess, you have a  
2 record in the treasurer's office of what he's got posted  
3 as collateral?

4 TINA GILLESPIE: I have -- as collateral,  
5 no.

6 TIM FUNCHESS: Are we talking about Batiste?

7 RHONDA BRODE: Colter.

8 BECKY GARCIA: We're talking about Batiste  
9 or Colter?

10 JUDGE FLORES: Batiste.

11 TIM FUNCHESS: I can go back and double  
12 check; but when did you say his license expired?

13 KEITH DAY: '01.

14 JUDGE FLORES: 2001.

15 TINA GILLESPIE: 2001; and it looks like he  
16 has a forfeiture on a felony for twenty-five thousand;  
17 but that was -- that was the bond. It was twenty-five  
18 thousand; and then he has a felony possession of a  
19 controlled substance was three thousand.

20 KEITH DAY: That's it; then.

21 TINA GILLESPIE: And then --

22 MARY GODINA: That's your twenty-eight.

23 TINA GILLESPIE: Two misdemeanors at five  
24 hundred dollars apiece.

25 KEITH DAY: Well, then the twenty-five

1 thousand dollar one, has that guy been apprehend -- when  
2 did that forfeit; does it say?

3 TINA GILLESPIE: I can look it up. I'll  
4 have to write this stuff --

5 KEITH DAY: Chances are he just owes court  
6 costs and a little interest on that.

7 TINA GILLESPIE: Yeah, it might just be a  
8 matter of the -- the Court closing it out; if it already  
9 was taken care of.

10 EMMA RICHARDSON: If I can see the numbers,  
11 I can go back and --

12 KEITH DAY: Yes, that's a possibility, too,  
13 Judge, is he did pay it; and sometimes in the past, now,  
14 not anymore because Emma will usually send our receipts  
15 over to the courts now; but back in the past before, if  
16 a receipt wasn't sent over to the court after we paid  
17 it, the court may have never taken -- taken us off the  
18 list if we paid, you know, paid for the forfeiture, so  
19 it could still be sitting --

20 JUDGE FLORES: It was forfeited in 1998, the  
21 twenty-five thousand dollar one.

22 Do I have a consensus from the board which  
23 way we want to go on this? Mr. Rugg?

24 TOM RUGG: Judge, it sounds like just an  
25 administrative problem to me, if it's a bond that was

1 forfeited in 1998; and he hasn't been licensed since  
2 2001. There's got to be just an administrative reason  
3 why it's still showing up on the report.

4 JUDGE FLORES: Okay. What is the auditor's  
5 office suggestion as far as tracking this down?

6 RHONDA BRODE: Let's just research it, Tina,  
7 and Emma get together and research it and see what needs  
8 to get lined up.

9 JUDGE FLORES: Okay.

10 Any other comments or discussion on the  
11 auditor's report?

12 (None.)

13 JUDGE FLORES: Is there any new business?

14 (None.)

15 JUDGE FLORES: Any old business?

16 (None.)

17 JUDGE FLORES: Judge Lively?

18 JUDGE LIVELY: Make a motion to adjourn.

19 JUDGE FLORES: Anybody have any anything  
20 else to --

21 RHONDA BRODE: Pat left the meeting last  
22 month with a question about a fee that used to be  
23 collected that is no longer -- you-all need to help me  
24 because I wasn't here. Exactly what -- I looked it up  
25 and I couldn't find any paperwork. All of the paperwork

1 has been destroyed since this fee has stopped.

2 JUDGE FLORES: Okay.

3 RHONDA BRODE: All we have is what is in the  
4 computer. When --

5 CATHERINE PRESLEY: And I discussed it. We  
6 thought maybe Mr. Roebuck could help us out on that fee  
7 until -- you know, give us a clue.

8 JUDGE FLORES: That is that processing fee.

9 CATHERINE PRESLEY: Yes, sir, bail bond  
10 transaction fee; see if we'd be able to collect that  
11 again in the future; if we check with the attorney --

12 JUDGE FLORES: Well, let's get -- if --  
13 Tina, if you'll get ahold of Mr. Roebuck and ask him if  
14 we can assess a transaction fee.

15 Mr. Rugg, right off the top of your head,  
16 you see any reason why we can or should or should not do  
17 it?

18 TOM RUGG: I can see why we can't if it is  
19 not statutorily authorized; then we don't have the legal  
20 authority to impose it. The county doesn't have a legal  
21 authority to impose it; other than that.

22 JUDGE FLORES: And that may be why we  
23 stopped at the time.

24 KEITH DAY: Was it anything new between the  
25 renewal of license, or is it every -- like for instance

1 if I come to you right now and I want to put up a piece  
2 of property? What if my license was renewing and I was  
3 going to put up new property.

4 CATHERINE PRESLEY: Not then. Not then.  
5 Only when it's not renewal time.

6 JUDGE FLORES: What do you suggest, Mr.  
7 Rugg?

8 TOM RUGG: Let's have Mr. Roebuck look at  
9 it.

10 THE COURT: Okay.

11 TINA GILLESPIE: Got it.

12 JUDGE FLORES: Okay. Again, is there  
13 anything further to discuss, any matter?

14 Ms. Garcia, you're chomping at the bit.

15 BECKY GARCIA: No, I'm keeping my mouth  
16 shut. I'm ready to go.

17 JUDGE FLORES: Okay. Judge Lively?

18 JUDGE LIVELY: One more time, I think I move  
19 to adjourn.

20 JUDGE FLORES: Mr. Funchess?

21 TIM FUNCHESS: Second.

22 JUDGE FLORES: All in favor to adjourn  
23 signify by saying aye.

24 (Response.)

25 JUDGE FLORES: Thank you.