

MONTGOMERY COUNTY BAIL BOND BOARD
SYLVIA OLSZOWY, PRESIDING OFFICER
MINUTES
TUESDAY, MAY 17, 2016

THE MONTGOMERY COUNTY BAIL BOND BOARD CONVENED AT 12:00 NOON ON THE DATE LISTED AT THE TOP OF THIS AGENDA, IN THE ALAN. B SADLER, COMMISSIONERS COURT BUILDING, 501 N. THOMPSON, 4TH FLOOR, CONROE, TEXAS.

1.0. CALL TO ORDER **TIME: 12:00**

2.0 ROLL CALL

Board members present: Darin Bailey, designee for Mark Turnbull, County Clerk, Alexis van de Ven, Surety Representative and Vice Presiding Officer, Rick Brass, Defense Attorney representative, Sylvia Olszowy, Presiding Officer, designee for County Judge, Craig Doyal, Stephanie Davenport, County Treasurer, Stacie Wheeler, Designee for Barbara Adamick, District Clerk, Bradlee Thornton, Designee for Brett Ligon, District Attorney, Judge Tracy Gilbert, 418th District Court, Representative for District Courts and Judges, Sr. Sgt. Mike Weintzettle, designee for Sheriff Tommy Gage.

Board members not present: Judge Claudia Laird, County court at Law # 2, Representative for County Courts and Judges, Judge Michael Davis, Conroe Municipal Court, Judge Wayne Mack, Justice of the Peace, Pct. 1, Representative for Justice Courts and Judges.

Non Board members present: Daniel Plake, Asst. County Attorney and Legal Counsel to the Bail Bond Board, Jan Avery, Bail Bond Board Administrator.

3.0. PUBLIC COMMENT

(Public must sign registration prior to the beginning of meeting in order to address the Board. Comments are limited to 3 minutes per speaker.)

There were no public comments.

4.0. Read and Approve minutes for the meeting April 19, 2016.

Rick Brass motioned to approve the April 19, 2016 meeting minutes, Alexis van de Ven seconded. All were in favor, the motion passed 9 – 0.

5.0. TREASURER

- a) Consider acceptance and take action on Treasurer's Report.

Stephanne Davenport motioned to approve the Treasurer's report, Rick Brass seconded, all were in favor, the motion passed 9 -0.

6.0. ADMINISTRATOR'S REPORT

- 1) Review funds received for the month of April 2016.
- 2) Consider:
 - a) Updated List of Licensed Surety companies for Posting and Updated
 - b) License Expiration Report

No action needed

7.0. PRESIDING OFFICER

- A) HEARING License renewal application for Leslie French dba – A-1 Discount Bail Bonds.**

Les French informed the Board for the records that a typo had been made; his dba is A-1 Bail Bonds.

After swearing in Les French proceed to b.

Darin Bailey swore in Les French

- 1) Conduct hearing on license renewal application of Les French dba A-1 Discount Bail Bonds. Consider, discuss, review and take action.
- 2) 1704.159 – Enter an order on action taken on the license renewal application of Les French.

Darin Bailey moved to approve the license renewal of Les French, Rick Brass seconded. Alexis van de Ven abstained. The motion passed 8 – 1 (1 abstained)

B) LOCAL RULES COMMITTEE ITEMS

The Local Rules Committee for the Bail Bond Board met on Tuesday, May 10, 2016 at 2:00 p.m. and recommended that the following items discussed would be presented to the Bail Bond Board for review, discussion and action:

1. Rules of Order for the Bail Bond Board

Judge Gilbert motioned to adopt the Rules of Order, Rick Brass seconded. Bradlee Thornton added that it should have an effective date of the next meeting. All were in favor, the motion passed 9 -0. The Rules of Order have been posted on May 18, 2016 in accordance with the Occupations Code Section 1704.104, and will have an effective date of May 28, 2016. The Rules of Order will be in effect at the next meeting.

2. Election procedures for Surety Representative and Defense Attorney Representative.

The Committee agreed to recommend to the Board that election ballots and information for the Surety Representative election could be put on the Bail Bond Board website and an email be sent to the registered email address of the Licensees. The Licensee would complete their ballot and either 1) email to the Administrator from their registered email address, 2) deliver by hand, or 3) US mail.

Darin Bailey moved that the election for Surety Representative and Defense Attorney Representative shall be by ballot, signed, notarized and either mailed, emailed, delivered by hand or by fax. Rick Brass seconded. All were in favor, the motion passed 9 -0. It was later agreed that the procedure above was for Surety Representative and that Defense Attorney Representative was not addressed adequately by the Local Rules Committee. Rick Brass moved to ask the Local Rules Committee to look at this again for the Defense Attorney Representative, Alexis van de Ven seconded. All were in favor, the motion passed 9-0.

1. ***The procedure for Surety Election Representative will be by ballot which will be provided by the Administrator, the ballot shall be signed and notarized by the voting licensee and returned by either email, US Mail, fax, or delivered by hand to the Administrator.***
2. ***The Local Rules Committee will discuss and review procedures at the next Local Rules Committee meeting on the election of the Defense Attorney Representative.***

3. Election procedures for Presiding Officer.

The Committee agreed to recommend the Board considers a change in the procedures for the election of Presiding Officer from a rise of hands to ballot. This would be a change of Paragraph "X" in the Local Rules.

After discussion Alexis van de Ven moved that this should be sent back to the Local Rules Committee for further review and specifications, Bradlee Thornton seconded. All were in favor, the motion passed 9 -0.

4. Application packet with all documents and attachments complete.

It was agreed by the Committee to recommend that all documents and attachments that are required with the application shall be submitted by the posting date of the agenda. Failure to comply will be cause to remove the application from the agenda until the next meeting.

Darin Bailey moved that any substitutions or amendments to the application must be received 5 calendar days prior to the hearing date. Rick Brass seconded, all were in favor, and the motion passed 9-0.

5. FBI Background check

The Committee agreed on the following recommendation:

That proof by an applicant or a licensee that a background check has been submitted to the FBI 120 days prior to the submission of the application or renewal shall be included in their application packet. The 120 days was determined by the approximate length of time it is currently taking to receive the background checks. The Committee also agreed to recommend this change to have an effective date of one year from the date this is agreed upon and revised. This would affect new applicants, as well as current licensees that do not have a current background check on file. Current has been determined by the Board previously to be within 24 months of the application renewal submission date.

The Board agreed to come back to this item while Daniel researched it. This was addressed after Item 7.

Judge Gilbert moved to approve the 120 days prior to submission of the application on the FBI Background check to the Local Rules with the effective date of one year from the revision date. Bradlee Thornton seconded, all were in favor, the motion passed 9 -0.

6. Bond form for Licensed Sureties. The Committee agreed to recommend to the Board the following changes:
 - a) The DOB on the Bond form will be removed and substituted with SO#.

Sylvia Olszowy motioned to remove the DOB and substitute it with SO#, Rick Brass seconded. All were in favor, the motion passed 9-0.

- b) Removing the Section on the Bond form "Out of County Certification". It was discussed that a new and separate form could be made for the Out of County Certification.

Bradlee Thornton motioned to remove the "Out of County Certification" Section from the bond, Darin Bailey seconded. All were in favor, the motion passed 9 -0. A separate form will be made for "Out of County Certification".

The bottom portion of the form where the courts are listed be reformatted and arranged side by side with the correct addresses.

- c) New application instructions, application form and attachments were not ready for Committee discussion as some changes needed to be made. These new forms will be reviewed and discussed at the next Local Rules Committee meeting and presented to the Board after that.

This item will be reviewed in further detail by the Local Rules Committee.

7. Items 1 – 5 a) and b) would be added to the Montgomery County Bail Bond Board Local Rules after approval by the Bail Bond Board. The revised Local Rules with changes would be presented at the next Board meeting for Board member signatures. Items 5 c) will be reviewed at the next Local Rules Committee Meeting.

Sylvia Olszowy made a correction for the record on the above, it should read Items 1 -5 (not a and b) would be added.... And the last sentence should say Items 6 c) (not 5 c).

The Board moved back to Item 5.

Judge Gilbert moved that Items 1, 2, 4, 5 and 6 a) and 6 b) recommendations by the Local Rules Committee were approved and can be added to the Local Rules, Rick Brass seconded. All were in favor, the motion passed 9-0.

8. Modify Paragraph "X" of the Local Rules if Item 3 is approved by the Board and to also delete the chain of succession on the Board which is addressed in the Rules of Order presented to the Board.

This item will be sent back to the Local Rules Committee for further review.

8.0. ADJOURN

Alexis van de Ven motioned to adjourn, Rick Brass seconded. All were in favor, the meeting adjourned at 12:45.