

MINUTES

Montgomery County Bail Bond Board

Rick Brass, Presiding Officer

FRIDAY, January 17, 2020

NOTICE IS HEREBY GIVEN THAT 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, TX 77301.

I. CALL TO
ORDER Time:
12:00PM

II. ROLL CALL

Board members present: Lt. Jeremiah Richards, designee for Sheriff Rand Henderson, Jamie Meinkowsky, designee for County Judge, Mark Keough, Donna Walters, designee for Judge Claudia Laird, County Court at Law # 2, representative for County Courts and Judges, Sandi Morris, designee for Surety Representative, Doug Wyrwich, Judge Wayne Mack, Vice Presiding Officer, Justice of the Peace, Pct. 1, representative for Justice Courts and Judges, Melisa Miller, District Clerk, Darin Bailey, designee for County Clerk, Mark Turnbull, Paul Damico, Designee for Judge Phil Grant, 9th District Court, representative for District Courts and Judges, Rick Brass, Presiding Officer and Defense Attorney Representative

Board members not present: Melanie Bush, County Treasurer, Vanessa Windham, designee for District Attorney, Brett Ligon, Judge Michael Davis, Conroe Municipal Court.

Non Board members present: John McKinney, Asst. County Attorney, Legal Counsel to the Board, Jan Avery, Bail Bond Board Administrator

III. PUBLIC COMMENT

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

Representatives of Georgette Whatley, ASAP Bail Bonds were present and said Georgette had public comment to make and she was on her way. The Board will come back to Public Comment after Executive Session.

IV. MINUTES

1. Read and approve minutes for the meeting December 19, 2019.

Judge Wayne Mack moved to approve the minutes for the December 19, 2019, Darin Bailey seconded, all other board members were in favor, the motion passed.

V. TREASURER

1. Consider acceptance and take action on the Treasurer's report.

Jan Avery stated that Melanie Bush was not at the meeting but the Report was in the meeting packets. Judge Wayne Mack moved to approve the Treasurer's Report, Lt. Richards seconded. All were in favor, the motion passed.

VI. ADMINISTRATOR'S REPORT

1. Review funds received for the month of December 2019.
2. Consider:
 1. Updated List of Licensed Surety companies for Posting. January 10, 2020 posting date.
 2. License Expiration Report – updated 12/31/2019.

Jan Avery presented Rick Brass a plaque for his years of service on the Bail Bond Board.

VII. PRESIDING OFFICER

1. Rick Brass read the results of the election for Surety Representative – Alexis van de Ven Seda – 8 votes, Doug Wyrwich – 1 vote. The results for the Defense Attorney Representative election was – Amanda Webb – 2 votes. – The new Surety Representative and Defense Attorney Representative will take their place on the board at the February 20, 2020 meeting.
2. Rick Brass read the results from the election for Justice of the Peace representative, unanimous 5 Votes for Judge Wayne Mack. – Judge Wayne Mack remains the Justice of the Peace representative on the Board.

Darin Bailey moved to accept the election results, Donna Walters seconded, and all other board members were in favor, the motion passed.

3. Consider, discuss and take action on the complaint filed by Blanca Stavropoulas that was received 12/23/19. The complaint appears to be

AAAA Discount Bail Bonds, On Time Bail Bonding and One Way Out Bail Bonds.

This item has been deferred which was requested by John McKinney, Legal Counsel to the Board, and stated it could be moved to a subsequent agenda.

VIII. EXECUTIVE SESSION:

The Board will recess for executive session pursuant to section 551.071 of the Texas Government Code – Consultation with Attorney.

Rick Brass read the above statement prior to the Board recessing for executive session. The Board recessed at 12:06 p.m.

- 1) Consultation with attorney regarding legality of Montgomery County Local Rules, Section VI, Solicitation, including possible updates.
- 2) Consultation with attorney on setting hearings for complaints filed by Juan Carlos Hernandez, Ashley Ashley, and Bryan Aaron Rocha.

The Board reconvened from Executive Session at 12:41p.m.

IX. TAKE ACTION ON MATTERS IN EXECUTIVE SESSION

Item VIII 1) Above

Darin Bailey moved to amend the Local Rules, Section 6 and asked if John McKinney wanted to state the proposed amendment now.

John McKinney read the proposed Section VI – Solicitation – To protect the public from fraud or misrepresentation, no licensee shall present any bond to the Sheriff of Montgomery County without first being requested to make and present said bond by the principal, personally, or an individual(s) acting with the consent of the principal, on behalf of the principal. To the extent allowable by law, solicitations are prohibited pursuant to Texas Occupations Code Section 1704.109 and 1704.304.

Darin Bailey moved that Jan Avery post the amended Local Rules on 01/22/2020 with an effective date of 02/01/2020. Paul Damico seconded the motion, all other board members were in favor, the motion passed.

Item VIII 2) above

Paul Damico motioned to defer hearings and no action to be taken today

(01/17/2020), Darin Bailey seconded, and as there was no further discussion it moved to a vote and all Board members were in favor, the motion passed.

Rick Brass stated we would now move back to Public Comment that was postponed earlier.

Georgette Whatley with ASAP Bail Bonds addressed the Board saying she had sent material to several of the Board members that she had email information on and stated the Board should address licensees on abiding with State and Federal laws which could be stated in the Local Rules. Some of the actions taken by bondsmen have criminal and civil penalties.

X. ADJOURN

Melisa Miller motioned to adjourn, Judge Wayne Mack seconded. All other board members were in favor, the motion passed. The meeting adjourned at 12:50p.m.

THE AGENDA IS ON THIS BULLETIN BOARD AND MAY BE OBTAINED IN THE COUNTY CLERK'S OFFICE ON THE FIRST FLOOR OF THE COURT'S BUILDING AT 210 WEST DAVIS AND IN THE COMMISSIONER'S COURTROOM – ON THE DAY OF THE MEETING.