

HARRIS COUNTY BAIL BOND BOARD MEETING MINUTES - June 30, 2022

HARRIS COUNTY BAIL BOND BOARD
SPECIAL BAIL BOND BOARD MEETING MINUTES
JUNE 30, 2022
12:31 P.M.

HARRIS COUNTY BAIL BOND BOARD MEETING MINUTES - June 30, 2022

A P P E A R A N C E S

Troy McKinney, Chairman

Honorable Angela D. Rodriguez, Vice Chairman

Michael Butera, designee for District Attorney Kim Ogg

Honorable J. Elaine Marshall, Director and Presiding Judge

Mario Garza, Bondsman Rep.

Dylan Osborne, County Treasurer

Judith Snively, designee for M. Burgess, District Clerk

Sergeant Sisto DeLeon, designee for Sheriff Ed Gonzalez

Deputy David Kern, Harris County Sheriff's Office

Leslie Rubio, Recorder, Harris County Sheriff's Office

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P R O C E E D I N G S

1
2 CHAIRMAN MCKINNEY: Okay. It is
3 12:31 p.m. I'm calling the special called meeting
4 of the Harris County Bail Bond's Board on
5 Thursday, June 30th, 2022 to order. Since I
6 skipped it last time, let's go around the table
7 and announce everybody who's present.

8 SERGEANT DELEON: Sisto DeLeon, Sergeant in
9 Harris County Sheriff's Office representing Sheriff Ed
10 Gonzalez.

11 MR. OSBORNE: I'm Dylan Osborne, County
12 Treasurer.

13 HONORABLE MARSHALL: Judge Elaine Marshall,
14 Houston Municipal Court, City of Houston.

15 MR. BUTERA: Michael Butera representing Kim Ogg
16 for the District Attorney's Office.

17 VICE CHAIRMAN RODRIGUEZ: Justice of the Peace,
18 Angela D. Rodriguez with the JP.

19 CHAIRMAN MCKINNEY: Troy McKinney, Chairman of
20 the Committee, the Defense's lawyers representative.

21 MR. GARZA: Mario Garza, bail bondsman rep.

22 MS. SNIVELY: Judith Snively representing
23 Marilyn Burgess, District Clerk.

24 CHAIRMAN MCKINNEY: Okay. I'll make the
25 announcement as we always do. If anybody has any comments from

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1 the public with respect to any of the items on the agenda,
2 please raise your hand and you'll be recognized.

3 We have one item on the agenda. It's a new
4 license for a license from Lexington National Insurance
5 Corporation with Dane Webb Embrey, as the agent. That's what's
6 for consideration.

7 Who is here for -- okay.

8 MR. EMBREY: Dane Embrey with A Mobile Bail
9 Bonds. Thank y'all for much for this.

10 MR. BELL: Steven Bell. I represent Dane. I
11 also represent Lexington National Insurance Corporation.
12 Again, I also greatly appreciate y'all doing this.

13 MR. WILLIAMS: Scott Williams, Lexington
14 National. Thank you so much.

15 CHAIRMAN MCKINNEY: Okay. For those of you who
16 are going to testify, raise your right hand.

17 (Witnesses sworn)

18 CHAIRMAN MCKINNEY: Okay. Start with Sheriff.

19 SERGEANT DELEON: So the application for the new
20 license, I will reiterate that the property was inspected and
21 everything was in order and the application is complete. I
22 think more conversation will happen in regards to the
23 information requested from them as we go around the table.

24 CHAIRMAN MCKINNEY: Okay. Let's -- let's open
25 up for questions. If you've got a question, let's -- we're not

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1 going to go around the table. If you've got a question, ask
2 it.

3 VICE CHAIRMAN RODRIGUEZ: Rodriguez, no
4 questions.

5 MR. BUTERA: So, this is Michael Butera from the
6 DA's office. I did have --

7 You know, I always think the party that raise
8 some concerns are just a few red flags in our last meeting in
9 regards to some profit sharing or how that would work with
10 Ms. Tanner seeking to phase out the business and Mr. Embrey
11 seeking to phase in, particularly 17.04.252, Subsection 9,
12 which I couldn't remember off the tip of my tongue at the last
13 meeting.

14 But I've had a subsequent conversation with
15 Mr. Bell. The application is complete. It does satisfy the
16 statutory requirements. I just wanted to have that
17 conversation to see -- make sure we're all on the same page
18 going forward.

19 I feel like I do have a better understanding of
20 what y'all are seeking to do and what the agreement is. So
21 I'll leave it at that. I do not have any questions about the
22 application.

23 I do have a question on the timing. So if
24 Mr. Embrey's application is approved today -- and assuming the
25 deposit gets taken care of, the \$50,000 -- his earliest

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1 licensing date would be ten days from today, so that would be
2 July 9th.

3 MR. BELL: Correct.

4 So have not spoken to Officer DeLeon. We
5 projected Monday the 11th is what we're looking at. That
6 should -- will give us time to get the CD. Obviously, they
7 can't turn her off in on that Monday. So -- but over the
8 weekend. So, we're going to do Monday, the 11th.

9 First thing in the morning -- first thing in the
10 morning, we will -- I've also spoken to them about how to
11 handles DOIs in 17.16; and we will surrender her license that
12 morning. The CD will be in place. He will not write a bond
13 until the license has been surrendered.

14 MR. BUTERA: Okay. That was my next question
15 is, you plan to -- when Mr. Embrey's license is activated,
16 that's also going to be timed with the surrender and phase out
17 start of Ms. Tanner's.

18 MR. BELL: That's correct; that's correct.

19 MR. BUTERA: Okay. Those are the questions
20 have.

21 CHAIRMAN MCKINNEY: Anybody else have any
22 questions?

23 HONORABLE MARSHALL: I did.

24 I know that the last time we spoke, we were
25 talking differently. There was a lot of discussion about

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1 profit sharing, like she will still be able to receive benefits
2 from the company. Is that --

3 Can you clarify that part for me?

4 MR. BELL: She's going to receive benefits from
5 Mr. Embrey in the form of a promissory note which is a fixed
6 amount over a certain number of payments. And that's what kind
7 of -- when Mike and I were talking about it before, what kind
8 of got me off is was it based upon this or that?

9 Well, it was based upon numbers; but it was a
10 fixed amount over, I believe, 42 or 48 months and the number
11 changes; but it's going to remain the same. He has the option
12 to -- basically like a good car note. He can pay it off next
13 month if he wants to, and it's over or he can extend it out to
14 the term; but it's a fixed amount. That amount is not going to
15 change.

16 HONORABLE MARSHALL: So, during that time, what
17 will be her role in the -- in the company?

18 MR. EMBREY: She's going to -- she's going to be
19 phased out of it; and then Mr. Embrey and Lexington National,
20 which is responsible for the bonds, we are going to work
21 together harmoniously to make sure that everybody gets their
22 court dates, all individuals that are on bond, continue to get
23 court dates and are able to make their court dates.

24 And unfortunately, for those that fail to
25 appear, we're also going to handle the back side of that and

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1 we'll work with Mr. Embrey and recovery agents.

2 They'll be a smooth transition. Honestly, with
3 the exception of maybe Mr. Kern and DeLeon and Leslie, nobody
4 in here is going to know that anything has changed.

5 HONORABLE MARSHALL: So other than the
6 promissory note that she's going to get, once she surrenders
7 her license and once his license is activated, her role in the
8 company ceases?

9 MR. BELL: Correct.

10 She has a financial obligation to the insurance
11 company for the bonds, but her role in the company will cease
12 at that point.

13 CHAIRMAN MCKINNEY: And so we're clear, this
14 agreement between the -- between the two of you is a straight
15 purchase agreement for a fixed amount? It's not contingent on
16 the quantity business you have going forward or the --

17 MR. BELL: Yes. It's just a monthly payment.
18 It's not a percentage or anything.

19 CHAIRMAN MCKINNEY: A minute ago you said the
20 numbers changed.

21 What did you mean by that?

22 MR. BELL: The number is not -- it's not the
23 same amount for the full 48 months. I think it -- it varies a
24 little bit per year based upon some way they figured it out.

25 CHAIRMAN MCKINNEY: What --

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1 MR. BELL: It's kind of like --

2 It's basically like a car note or like --

3 The best example I'm experiencing right now, I'm
4 leasing my building. The first 12 months is like 2,602 a
5 month. The second 12 months, it's like 2,731. That's how it
6 changes.

7 CHAIRMAN MCKINNEY: Okay.

8 MR. BELL: But it's fixed amounts for the full
9 term.

10 CHAIRMAN MCKINNEY: Those fixed amounts are
11 spelled out and don't change based on anything outside the
12 note.

13 MR. BELL: No, sir.

14 CHAIRMAN MCKINNEY: Okay. I don't have anymore
15 questions.

16 HONORABLE MARSHALL: This is Judge Marshall.

17 That was my question because I think the last
18 time it was -- there was some conversation on, if there weren't
19 any bonds being written or no one was coming in for bonds, that
20 the amount would change.

21 So I think that was some of the discussion that
22 we had the last time that sent us to ask these questions.

23 MR. BELL: Correct.

24 And what caught me up a little bit was the way
25 those numbers were derived from is past business and future

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1 anticipated business. It's kind of like buying a store. If
2 you look at the last couple of years of business and that's how
3 you reach your number and you hope you can increase it by a
4 certain amount with expectation and that's how you arrive at
5 your purchase agreement or in this case, a promissory note.

6 CHAIRMAN MCKINNEY: Yes.

7 VICE CHAIRMAN RODRIGUEZ: Okay. Based on what
8 we've heard last time and this time, it's my understanding that
9 she will be available for a transition process.

10 MR. BELL: Correct.

11 VICE CHAIRMAN RODRIGUEZ: Is that right? Okay.

12 MR. BELL: That's correct.

13 If you want to get into the technical part of it
14 when this all goes into effect, they are going to terminate all
15 the employees immediately and Mr. Embrey is going to hire them
16 so that they will become his employees.

17 VICE CHAIRMAN RODRIGUEZ: I understand.

18 Well, I wasn't inquiring as to the inner
19 workings of their business. I'm just looking at -- which is as
20 normal in other industries and private contracts -- she will be
21 available using her experience and her relationship with the
22 folks who have trusted her with their bonds to help smooth the
23 transition over into the new bond; is that about right?

24 MR. BELL: Yes, that's correct.

25 Glenda's going to -- Glenda's going to still be

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1 around. She's not going anywhere. She will assist in that,
2 too.

3 VICE CHAIRMAN RODRIGUEZ: Okay. And at this
4 time -- you know, finally, to close this out from my
5 perspective, she's not an employee right now; but in the
6 future, I mean, that's opened. It's not anything that's
7 prohibited --

8 MR. BELL: No.

9 VICE CHAIRMAN RODRIGUEZ: -- by any fall or
10 regulation or rule.

11 MR. BELL: No. It's not prohibited. Actually,
12 you can do things in a bond office in this county with having a
13 bond card.

14 VICE CHAIRMAN RODRIGUEZ: Okay.

15 MR. BELL: But that's not really anticipated.

16 VICE CHAIRMAN RODRIGUEZ: Thank you.

17 CHAIRMAN MCKINNEY: I do have one question and
18 I'd like Mr. Embrey to answer it.

19 Can you affirm or confirm to us that there is no
20 unwritten side agreement that if business is a certain amount
21 or less than a certain amount or if those numbers would change
22 or you will forgive it in some way?

23 MR. EMBREY: Yes.

24 CHAIRMAN MCKINNEY: There is no agreement.

25 MR. EMBREY: There is no side agreement.

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1 There's no back deal.

2 CHAIRMAN MCKINNEY: Okay.

3 MR. EMBREY: It's a straight deal.

4 CHAIRMAN MCKINNEY: Thank you.

5 Anybody else have questions?

6 MR. GARZA: I just one question.

7 For clarity, what you were explaining, is Glenda
8 going to be serving as -- more as a -- what -- I just had the
9 word.

10 MR. BELL: Adviser?

11 MR. GARZA: Adviser, yeah.

12 MR. BELL: Mentor. She knows the neighborhood
13 well better than anybody --

14 MR. GARZA: So that's basically her capacity.

15 MR. BELL: That's correct.

16 MR. GARZA: Consulting, basically.

17 MR. BELL: Correct.

18 HONORABLE MARSHALL: I have one last question
19 and that is: Terry McAllister, is she going to have a working
20 part in all of this as well?

21 MR. BELL: Terry -- Terry is the power of
22 attorney for her mom Glenda, so she has signed and agreed to
23 all of the documents. And we learned of that power of attorney
24 about 60 days ago -- give or take 60 days ago, I guess -- I
25 required that she sign all the agreements and everything of the

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1 upmost precaution if something were to happen.

2 But I believe that Glenda understands what's
3 going on. We've been working on this for quite some time.

4 CHAIRMAN MCKINNEY: Any further questions from
5 anybody?

6 Do we have a motion?

7 VICE CHAIRMAN RODRIGUEZ: Move to approve.

8 MR. BUTERA: This is Michael Butera, I second.

9 CHAIRMAN MCKINNEY: Any further discussion?

10 All in favor.

11 THE BOARD: Aye.

12 CHAIRMAN MCKINNEY: Anybody oppose? Any
13 abstentions?

14 It passes. Thank you.

15 MR. BELL: Thank you very much. We appreciate
16 it.

17 CHAIRMAN MCKINNEY: We didn't set a record for
18 the shortest meeting, but it's 12:42.

19 Do I have a motion to adjourn?

20 MR. BUTERA: Michael Butera, I'll make a motion
21 to adjourn.

22 VICE CHAIRMAN RODRIGUEZ: Second.

23 CHAIRMAN MCKINNEY: All in favor?

24 THE BOARD: Aye.

25 CHAIRMAN MCKINNEY: Motion to adjourn.

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(Meeting concluded at 12:42 p.m.)

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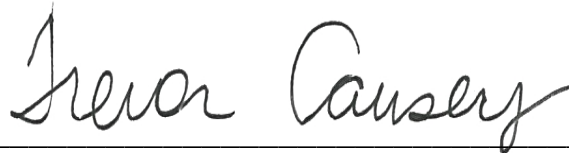
1 STATE OF TEXAS)

2 COUNTY OF HARRIS)

3
4 I, Trevor Causey, do hereby certify that the facts
5 as stated by me in the caption hereto are true; that the above
6 and foregoing transcript of the proceedings was taken in
7 stenograph, reduced to typewriting under my direction, and is a
8 full, true and correct transcript of the proceedings.

9 I further certify that I am not, in any capacity, a
10 regular employee of the party in whose behalf this transcript
11 was taken, nor in the regular employee of any attorney; and I
12 certify that I am not interested in the cause, nor of kin or
13 counsel to any of the parties.

14 GIVEN UNDER MY HAND, on this day, 13th day of
September, 2022.

15 
16

Trevor Causey

Notary Public in and for

The State of Texas

My Commission expires 5/24/2025

Q&A Reporting

Firm Registration No. 62

1225 North Loop West, Suite 327

Houston, Texas 77008

Phone: 713 467-7900