



State of Utah

SPENCER J. COX
Governor

DEIDRE M. HENDERSON
Lieutenant Governor

Insurance Department

JONATHAN T. PIKE
Insurance Commissioner

Bail Bond Oversight Board Meeting (<https://insurance.utah.gov/licensee/other/bail-bond/board>)

Date: **October 12, 2022**

Place: **In Person**

Virtual

Time: **12:00 Noon**

Taylorsville SOB
4315 S. 2700 W.
Big Cottonwood Room
Taylorsville, UT 84129

Google Meet

ATTENDEES

BOARD MEMBERS

xClay Carlos (Chair)
Dominic Sanone (Co-Chair)
xLt. Kacey Bates
Chad Woolley

Tony Choate
xBonnie Johnson
xCurt Oda
xReed Stringham (Non-Voting)

DEPARTMENT STAFF

Jon Pike, *Insurance Commissioner*
xRandy Overstreet, *Licensing Manager*
xSteve Gooch, *PIO Recorder*

Tracy Klausmeier, *P&C Dir.*
xPerri Babalis, *AG Counsel*

xPatrick Lee, *Finance Dir.*
xShelley Coudreaut, *AG Counsel*

PUBLIC

Wayne Carlos
Ali Jensen Chaffee
Josh Massey

Gerald Conder
Stephanie Kramer
Skip Pappas

Terry Smith
Christie Ellis
Ernesto Hermozillo

MINUTES — Not Approved

General Session (Open to the Public)

- Welcome / Clay Carlos, Chair (12:08 pm)
- Telephone roll call
 - Attendance code #1: **383407**
- Adoption of Minutes for August 10 and August 17 meetings
 - **Motion by Curt to adopt minutes for August 10. Seconded by Kacey. Motion passes 4-0.**
 - Yea: Bonnie, Clay, Curt, Kacey
 - Nay: None
 - **Motion by Kacey to adopt minutes for August 17. Seconded by Curt. Motion passes 4-0.**
 - Yea: Curt, Kacey, Bonnie, Clay
 - Nay: None

Executive Session - If Needed (Closed to the Public)

General Session (Open to the Public)

- **Approve Recommended Actions from Executive Session** – Not needed
- **Summary of Reports**
 - Quarterly Accounting for Bail Bond Administration Account / Patrick

- We're now in fiscal year 2023, and last year's ending balance becomes this year's beginning balance. The fund balance at the start of FY23 is \$40,729.49.
 - There have been 3 accounting periods so far. Period 1 had \$2,000 revenues and \$147.50 expenditures. Period 2 had \$600 revenues and \$303.43 expenditures. Period 3 had no revenues and \$1,222.91 expenditures.
 - The balance at the end of Q1 is \$41,655.65.
 - Curt notes that Q1 goes from July 1 to September 30.
- **New Business**
 - Discuss Bail Bond Board bylaws / Shelley
 - The Open and Public Meetings Act was amended under HB 52 to require boards to adopt a resolution by Dec. 31 that allows a board member to attend a meeting electronically, and to include them as part of the quorum. The BBB already has a rule allowing electronic meetings, but there is nothing that allows them to be included in the quorum. Perri reviewed the bylaws and they are already covered in the code. Shelley recommends that the BBB repeal the existing bylaws and adopt the resolution instead.
 - Clay asks if the resolution would allow the board to no longer have an anchor location determination. Perri says this is separate from the anchor location, which goes into effect if there's a threat to the health or safety of in-person attendees. The BBB has always had a provision to allow a meeting to be held electronically. The statute now requires a board to adopt a resolution giving the board that permission. The recommendation is to repeal the bylaws that are redundant to the code, and moving the one relevant provision in the bylaws and making it a resolution, and adding a resolution that allows electronic attendees to be included in the quorum. The resolution will go into effect on December 31, 2022.
 - **Motion by Kacey to adopt the new resolution. Seconded by Curt. Motion passes 4-0.**
 - Yea: Bonnie, Clay, Kacey, Curt
 - Nay: None
 - **Motion by Kacey to repeal the existing bylaws. Seconded by Curt. Motion passes 4-0.**
 - Yea: Curt, Kacey, Bonnie, Clay
 - Nay: None
 - Suggested method for delayed meeting attendance / Curt
 - Steve notes that Todd Harris suggested at the last meeting that there should be a way for people to watch recorded meetings after the fact and get credit for it. Curt asked that we put it on the agenda for this month.
 - Clay says in his opinion it's easy to make one meeting a year, especially when you can call into them. There's an issue with watching them later to get credit, especially when there's an importance placed on attending. The attendance issue is almost a non-issue, aside from what we just experienced in this last renewal. Most of the industry manages to attend one meeting and doesn't have a problem. He's reluctant to invent a wheel for something that isn't needed.
 - Curt disagrees with the idea of getting credit for watching later because there's no way to monitor it.
- **Old Business**
- **Other Business**
 - Attendance dates
 - Clay has had some questions about where the cutoff date is for meeting attendance: is it for the calendar year or is it at renewal? Curt says it has to be within the renewal dates, after renewal.
 - Randy says a couple of agencies attended after the renewal period and their license expired. Their attendance at the renewal meeting wouldn't count for the next year because it was during the new term and they had to attend it to get their license reactivated. They would still need to attend another meeting to renew next year.

- Curt says if they came in late for the reinstatement, that only counts for the prior year. They would need to attend another meeting after that for renewal. Randy says anyone else whose license hadn't expired could count the renewal meeting for their next renewal. Randy says that's how it works in other license types as well.
- Expiring board member terms / Steve
 - We have 4 board member terms that are expiring:
 - 2 Bail Bond Surety Company members (Clay and Bonnie)
 - 1 General Public member (Curt)
 - 1 Attorney member (Chad)
 - Clay has served two terms, Bonnie, Curt, and Chad have served one term. Members can serve two consecutive terms.
 - If anyone is interested, they can send a resume to sgooch@utah.gov. There may be another step that has to be taken with the Office of Boards and Commissions, but Steve hasn't gotten a complete answer from them.
 - Curt is interested in continuing.
 - The current terms run until June 30, and the new terms begin July 1.
- **Adjourned** (12:41 pm)
 - Attendance code #2: **937281**
 - **Motion by Kacey to adjourn. Seconded by Curt. Motion passes 4-0.**
 - Yea: Curt, Kacey, Bonnie, Clay
 - Nay: None
 - **Next Meeting:** January 11, 2023 — Big Cottonwood Room, Taylorsville State Office Building

2022 Meetings (Noon to 1:30pm)

January 12, 2022	April 13, 2022	August 10, 2022	October 12, 2022
------------------	----------------	-----------------	------------------

2023 Meetings (Noon to 1:30pm)

January 11, 2023	April 12, 2023	August 9, 2023	October 11, 2023
------------------	----------------	----------------	------------------