



Clay County Clerk

Records Management and Preservation Plan for \$10.00 RMF/Archive Fee- FY 2015

Legislative History:

The 77th Texas Legislature passed HB 370 in 2001 to allow border counties to assess a \$5.00 records archive fee for the preservation and automation of previously filed and recorded property and vital statistics records. The 78th legislature passed SB 1744 amending the original legislation allowing all counties to collect this fee with commissioners' court approval. This fee was to terminate September 1, 2008. The 79th legislature passed SB 526 which allowed the County Clerk to designate which records will be preserved and/or automated. HB 1513, Effective September 1, 2013 (expires 9-1-2019) increased the fee from \$5 to \$10 then in 2019 will revert back to \$5. Clay County began collecting this fee Jan. 1, 2014.

Records Archive LGC 118.025

Each document filed: \$10.00 (b) the commissioners' court of a county may adopt a records archive fee under Section 118.011(f) as part of the county's annual budget. The fee must be set and itemized in the county's budget as part of the budget preparation process. The fee for Records Archive under Section 118.011(f) is for the preservation and restoration services performed by the county clerk in connection with maintaining a county clerk's records archive. (d) The fee shall be deposited in a separate records archive account in the general fund of the county. (e) The funds generated from the collection of a fee under this section may be expended only for the preservation and restoration of the county clerk's records archive. (g) County Clerk shall prepare an annual written plan for funding the preservation and restoration of the county clerk's records archive. All expenditures from the records archive account shall comply with Subchapter C, Chapter 262.

Record Management LGC '118.0216

Each document Filed: \$10.00 (a) Fee for "Records Management and Preservation" under Section 118.011 is for the records management and preservation services performed by the county clerk after the filing and recording of a document in the records of the office of the clerk. (d) The fee shall be deposited in a separate records archive account in the general fund of the county. Any interest accrued remains with the account. (e) All expenditures from the records management and preservation account shall comply with Subchapter C, Chapter 262.

HB 1513, Effective September 1, 2013 (expires 9-1-2019) Increased the fee from \$5 to \$10 then in 2019 will revert back to \$5. Clay County began collecting this fee Jan. 1, 2014.

The \$10.00 fees are assessed on any instrument that the County Clerk is authorized to accept for filing or recording, including, but not limited to, Deeds, Liens, and other property or land records, Livestock Brands and Marriage Licenses.

Goals and Projects

See attached records preservation/ disaster recovery plan

Annual Revenue Estimate

See attached spreadsheet based on revenue from June 2013 through May 2014.



Clay County Clerk

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Clay County Preservation and Disaster Recovery Plan- FY 2015

Approved in Commissioners' Court September 8, 2014

RECORDS

The Clay County Clerk's office houses some of the county's historic records back to 1873, as well as current records. These records consist of public records, all of which have a permanent retention period, and include land records, Plats, livestock brands, Military Discharge records, Records of Elections, Physician's Records, and political candidate filings.

The County Clerk also serves as the Clerk of the Court for County Criminal Court, Civil Court, Commissioners' Court, and Probate Court. The Clerk's office houses these original records as well, including all contracts and agreements for the county that are passed through a Commissioners' Court order, which have a permanent retention period.

The Clerk serves as the only local registrar for the county and also houses all vital statistic records, such as birth, death, and marriage records, which are also all permanent. The County Clerk serves as the Records Management Officer for the county, and is responsible for the safety and upkeep of these records.

PRESERVATION/ DISASTER RECOVERY

The Clerk's office met and/or exceeded all automation/preservation goals set for FY 2014, in regards to back-scanning and records preservation. The Clerk's office utilizes three software programs, both of which offer disaster recovery for any and all records contained in the systems.

In the event of an emergency and/or natural disaster, County Clerk, Sasha Kelton will make decisions concerning the management of the office hours, office location, and availability of vital records, based on the situation, and type of emergency and/or disaster. It will always be the goal and main concern of the clerk's office to preserve the integrity of the records, and to offer the most access to the public as possible during such time. In Kelton's absence, Chief Deputy Carla Moore shall serve as person in charge of making above-mentioned decisions. In the absence of Kelton and Moore, Deputy Clerk Terri McGhee shall serve as the person in charge of making the above-mentioned decisions.

FEES COLLECTED/ ANNUAL REVENUE ESTIMATE

The County Clerk collects Record Management (RMF), Record Preservation (RPF), Archive fees Vital Statistics fees and Court technology fees, which may be used in specific ways to preserve or digitize records. Some of those funds are shared among one or more other offices, which also collect the fees.

The Clerk’s office has utilized the Archive Fee budget line this year for the following:

- * Image Processing (Partial payment to Kofile for scanning Deed Records)

The Clerk’s Office has utilized the Records Management Record Preservation and Automation budget line this year for the following:

- * Annual software maintenance fees
- * Annual Disaster Recovery services
- * County Court case files (for newly filed cases)
- * Image Processing (Partial payment to Kofile Inc. for scanning Deed Records)

The Clerk’s office has not used a notable amount of funds from RPF, Vital fees or court technology fees, during FY 2014.

COUNTY CLERK FILING/ COLLECTIONS JUNE 2013- MAY 2014

NUMBER OF FILINGS				
DATE RANGE	Instruments Filed	Probates Cases	Civil Cases	Marriage Lic.
JUNE 1, 2013-	2850	45	23	64
MAY 31, 2014				

FEES COLLECTED				
MONTH	RMF	ARCHIVE	RPF	GENRL FUND
JUNE 2013	\$1040	\$1040	\$232.85	\$6,412
JULY 2013	\$1505	\$1505	\$220.86	\$8,512.25
AUGUST 2013	\$1525	\$1525	\$85	\$8,720.70
SEPTEMBER '13	\$1271.87	\$1145	\$20	\$7,626.63
OCTOBER 2013	\$1760.23	\$1620	\$50	\$10,213.09
NOVEMBER '13	\$1305.29	\$1020	\$40	\$7,722.84
DECEMBER 2013	\$1185	\$1055	\$60	\$7,488.40
JANUARY 2014	\$2285	\$2140	\$90	\$7,600.90
FEBRUARY 2014	\$2050	\$1980	\$80	\$7,826.05
MARCH 2014	\$2290	\$2145	\$20	\$7,508.68
APRIL 2014	\$2650	\$2480	\$90	\$8,869.08
MAY 2014	\$2295	\$2110	\$20	\$8,243.82
TOTAL	\$21,162.00	\$19,765.00	\$1,008.71	\$96,744.00
<ul style="list-style-type: none"> • EFFECTIVE JAN. 1, 2014, RMF & ARCHIVE FEES WERE INCREASED BY \$5 EACH. 				

PROJECTS COMPLETED FY 2014

- **COMMISSIONERS' COURT MINUTES AUTOMATION PROJECT**
January 2014- County implemented IDS *Minutes Manager* program to record minutes electronically, and publish minutes, supporting documents and audio files on the county's website. Minutes are now electronically imaged and indexed, and stored for disaster recovery, from mid-2010 to present (all minutes which are typed on a computer).
- **CRIMINAL COURT CASE AUTOMATION PROJECT**
June 2014- County Clerk staff completed *Criminal Court Case Automation Project*. Records from 1992 to present are now electronically imaged, indexed, stored for disaster recovery and available online.
- **DEED RECORD AUTOMATION PROJECTS**
January 2014- County Clerk staff completed *Deed Automation Project, Phase I*: Deed Record vol. 467-531. Instruments filed Jan. 2001 - Dec. 31, 2010 are now electronically imaged and indexed, and stored for disaster recovery.

Began *Deed Record Automation Project, Phase II*: Deed Record vol. 360-466
County Clerk staff completed back-scanning and electronically indexing Deed Record vol. 360-366 (year 1985), in office.

Kofile back-scanned 100 books, Deed Record vol. 367-466 (approx. 90,000 images) at a cost of \$15,750 in FY2014 and \$15,750 in FY2015. Each instrument is currently being electronically indexed by Clerk staff, in office.

Upon completion of *Deed Record Automation Project, Phase II* in FY2015, property records will be electronically imaged and indexed, and stored for disaster recovery from 1985 to present.

GOALS FOR FY 2015

- Possibly hire Kofile Inc. to preserve historical books, such as the cattle brand records, birth and death records, and/or Commissioners' Court Minute books, which are deteriorated.
- Possibly begin *Deed Automation Project, Phase III*.

CLAY COUNTY AUTOMATED RECORDS

	ELECTRONIC INDEX DATA	VOLUMES	SCANNED IMAGES	VOLUMES
OPR	JAN. 1, 2011-PRESENT (COMPLETE)	1- PRESENT	JAN. 1, 2011-PRESENT (COMPLETE)	1- PRESENT
DEED	JAN. 1, 1985- MID-1985	360- 366	JAN. 1, 1985- DEC. 31, 2010	361-531
	* MID-1985- DEC. 31, 2000 *	367- 466		
	JAN. 1, 2001- DEC. 31, 2010	467- 531		
MARKS & BRANDS	AUG. 31, 2011- PRESENT	8- PRESENT	AUG. 31, 2011-PRESENT	8- PRESENT
MARRIAGE	JAN. 1, 1874- PRESENT (COMPLETE)	1- PRESENT	JAN. 1974- PRESENT (All small books)	18- PRESENT
BIRTH	1800's - PRESENT (COMPLETE)	1- PRESENT	AUG. 31, 1999-PRESENT (All small books)	7- PRESENT
DEATH	1903- PRESENT (COMPLETE)	1- PRESENT	APRIL 1, 1989- PRESENT (All small books)	6- PRESENT
MILITARY DSCHG	1918- PRESENT (COMPLETE)	1- PRESENT	MARCH 5, 2012- PRESENT	5- PRESENT

	ELECTRONIC INDEX DATA	CAUSE NO.	SCANNED IMAGES	CAUSE NO.
PROBATE	JAN. 1, 1994 - PRESENT	3378- PRESENT	JAN. 1, 1994 - PRESENT	3378- PRESENT
CIVIL	JAN. 1, 2004- PRESENT	4150- PRESENT	JAN. 1, 2004- PRESENT	4150- PRESENT
CRIMINAL	JAN. 1, 1992 - PRESENT	10100- PRESENT	JAN. 1, 1992 - PRESENT	10100- PRESENT

* DEED AUTOMATION PROJECT INDEXING IN PROGRESS

Clay County Clerk Disaster Recovery Back-Up Inventory as of August 30, 2014

Official Public Records (Contains all property records filed 1/1/2011- present)

Date Range	Volume	Microfilmed	Scanned to CD	Scanned to USB	Software	Stored Off-Site
1/1/2011- 4/30/2014	1-53		YES		YES	YES
5/1/2014 - Present	53- Present				YES	YES

Deed Records

Date Range	Volume	Microfilmed	Scanned to CD	Scanned to USB	Software	Stored Off-Site
1/1/1873- 1890	A-Z*	YES				YES
1890-1973	27-270	YES				YES
1973-2005	271-493		YES			
1985	360-366				YES	YES
1985	367-466		YES	YES	YES	YES
2/1/2001 - 1/2004	467-483				YES	YES
1/2004 - 12/31/2010	484-531				YES	YES

* Vol. B and Q are not microfilmed.

Deed of Trust Records

Date Range	Volume	Microfilmed	Scanned to CD	Scanned to USB	Software	Stored Off-Site
1876-1973	1-60	YES				YES
1973-1987	61-99					
1987-2005	100-193		YES			
2005-2010	194-233					

Abstract of Judgment Records

Date Range	Volume	Microfilmed	Scanned to CD	Scanned to USB	Software	Stored Off-Site
1879-12/31/2013	1-7		YES *			

* Scanned archive of vol. 7 is not complete

State Tax Lien Records

Date Range	Volume	Microfilmed	Scanned to CD	Scanned to USB	Software	Stored Off-Site
1962-12/31/2013	1-2		YES *			

* Scanned archive of vol. 2 is not complete

Federal Tax Lien Records

Date Range	Volume	Microfilmed	Scanned to CD	Scanned to USB	Software	Stored Off-Site
1932-12/31/2013	1-3		YES *			

* Scanned archive of vol. 3 is not complete

Military Records (DD-214)

Date Range	Volume	Microfilmed	Scanned to CD	Scanned to USB	Software	Stored Off-Site
1918-2008	1-4					
2009-Present	5-Present				YES	YES

* All small binders are scanned

* Complete
Index in Software

Marriage Records

Date Range	Volume	Microfilmed	Scanned to CD	Scanned to USB	Software	Stored Off-Site
1/1/1873-1975	1-16				YES	
1975-Present	17-Present				YES	YES

** All small binders are scanned*

** Complete Index in Software*

Birth Records

Date Range	Volume	Microfilmed	Scanned to CD	Scanned to USB	Software	Stored Off-Site
1917-9/30/2013	1-7				YES	
10/1/2013 - Present	7-Present				YES	YES

** All small binders are scanned*

** Complete Index in Software*

Death Records

Date Range	Volume	Microfilmed	Scanned to CD	Scanned to USB	Software	Stored Off-Site
1903-9/30/2012	1-9				YES	
10/1/2014 - Present	9-Present				YES	YES

** All small binders are scanned*

** Complete Index in Software*

Probate Case Files

Date Range	Case Number	Microfilmed	Scanned to CD	Scanned to USB	Software	Stored Off-Site
1873-1993	1-3377				YES	YES
1994-Present	3378-Present					

* Probate Records books Vol. 1-29 is microfilmed (documents filed 1873-1972)

Criminal Case Files

Date Range	Case Number	Microfilmed	Scanned to CD	Scanned to USB	Software	Stored Off-Site
1935-1992	3515-10099				YES	YES
1992-Present	10100-Present					

Civil Case Files

Date Range	Case Number	Microfilmed	Scanned to CD	Scanned to USB	Software	Stored Off-Site
1876-1994	1-4149				YES	YES
1994-Present	4150-Present					

Commissioners' Court Minutes

Date Range	Volume	Microfilmed	Scanned to CD	Scanned to USB	Software	Stored Off-Site
1873-1997	1-15	YES				YES
1997-2014	15-32					
2014-Present					YES	YES