



COUNTY CLERK

Sasha Kelton

Fiscal Year 2024

Records Management, Preservation & Disaster Recovery Plan

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, increased the fee from \$5 to \$10, which was to expire in 2019, but has been made permanent. 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.

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.

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 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, being responsible for the safety, upkeep, preservation and availability of these county records.

June 1, 2022 – May 31, 2023

| Record Type | Filed | | Disposed | |
|-------------------------|--------------|----------------------|-----------------|--------------------|
| Official Public Records | 2,406 | (down 416 from FY23) | N/A | |
| Marriage Licenses | 52 issued | (down 11 from FY23) | N/A | |
| Criminal | 209 | (down 48 from FY23) | 214 | (up 41 from FY23) |
| Civil | 19 | (down 8 from FY23) | 5 | (down 4 from FY23) |
| Probate | 56 | (down 6 from FY23) | N/A | |

Preservation and Disaster Recovery

The Clerk’s office met and/or exceeded all automation/preservation goals set for FY2023, in regard to back-scanning and records preservation. The Clerk’s office utilizes three software programs, both of which offer disaster recovery for 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 offer the most access to the public as possible during such time. In Kelton’s absence, Chief Deputy Amy Martin shall serve as officer in charge of making above-mentioned decisions. In the absence of both Kelton and Martin, Deputy Clerk Cortney Reid will make decisions concerning the office and records contained herein.

Fees Collected & Annual Revenue Estimate

The County Clerk collects Record Management (RMF), 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 RMF & Archive Fee budget lines this year for the following:

- * *Annual software fees for records applications and case management system*
- * *Supplement salary of Deputy II position*
- * *Implementation of new Uniform Case Mgmt. System (UCMS)- conversion fees*

Annual Revenue Collected 6/1/2022– 5/31/2023

RECORDS MGMT (16-340-446) \$28,025

ARCHIVE FEE (16-340-459) \$24,498

**Decrease of approx. \$17,000 from FY23, primarily due to brand registration*

FY 2023 Projects Completed

- ***Vital Statistics Automation Project, Phase III***
This project was implemented in 2016 in three phases to be completed over a span of several years. All Birth, Death and Marriage records have now been scanned and digitally archived. The marriage records are currently being uploaded and attached to our existing index data (this will incur an additional fee from Tyler Technologies, to be paid FY2024). Kofile was paid during FY23 using ARPA funds.

FY 2024 Goals and Expenses

- ***Court Case Automation Projects***
Scan and digitally index historic court records, back-up for disaster recovery published online. Probates are currently back to early 1950’s and Criminal is back to 1970’s. Completed in-office, no cost to county.
- ***Deed Records Automation Project***
Scan and digitally index deeds (currently being done in-office during free time, back to 1960’s). Kofile may be enlisted to bulk-scan a span of volumes at one time. Cost for Kofile to scan all remaining deed books is approx. \$100,000.

- ***Commissioners' Court Minutes Automation Project.***
Back-scan Commissioners' Court Minute books from 2010 and earlier using IDS Minutes Manager program. The minutes and attachments will be scanned and archived for disaster recovery, and available on the county's website, with key word index search capability. Completed in-office, no cost to county.

- ***Deputy II Salary***
Continue to utilize Records Mgmt. & Archive funds collected to partially fund salary of Deputy II, in accordance with LGC 118, as previously approved in Commissioners' Court.
GA-0118 (2003): The County Clerk Records Management & Preservation Fund may be used for employee salaries, so long as the employees perform records management and preservation functions. The clerk determines what constitutes records management and preservation functions.

- ***Case Management/ UCMS Costs***
Possibly use funds for additional fees associated with transition to new case mgmt. software vendor

- Continue historic book preservations, enlisting services of Kofile, as needed and as funds permit.
Volume in need of preservation: Record of Elections vol. I (1887-1922)