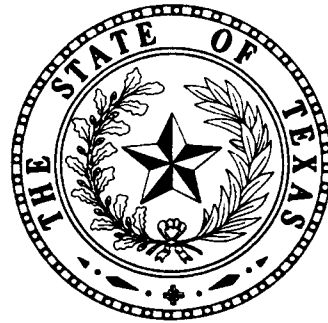


## **PUBLIC NOTICE**

The Montague County Commissioners Court will conduct a public hearing to the progress of the District Clerk's and County Clerk's Records Archive Fund. This is a result of Senate Bill 1685 and amended by House Bill 1513, to fund the preservation and restoration of the district and county clerk's records. The meeting will be held on September 13, 2021 at 8:45 a.m. in the Courtroom of the Montague County Annex, Montague, Texas.

**Kim Jones**  
**Montague County Clerk**  
**P.O. Box 77**  
**Montague, Texas 76251**  
**(940) 894-2461**  
**(940) 894-6601 Fax**



**RECORDS MANAGEMENT & RECORDS ARCHIVE  
WRITTEN PLAN  
FISCAL YEAR 2021/2022**

**I. Statute**

The 77<sup>th</sup> Texas Legislature passed HB 370 to allow border counties to assess a \$5.00 Records Management and Preservation Fee for the preservation of older records filed with the County Clerk. The 78<sup>th</sup> Legislature passed SB 1731 amending the original legislation allowing all counties to collect this fee with the Commissioners' Court approval. This legislation amends Local Government Code, § 118.011 (g), to enable the Commissioners' Court to adopt a Records Archive Fee for the preservation and automation of previously filed and recorded records.

The court established a fee of \$5.00 to be collected at the time of filing or recording of any public record with the exception of documents filed by the state. The Montague County Clerk has been collecting this fee.

SB 526 passed by the 79<sup>th</sup> Texas Legislature repeals the Local Government Code, § 118.025(a)(4) regarding definition of "Records Archive" as public documents filed with the County Clerk before January 1, 1990 and adds language to allow the County Clerk to designate records that are part of records archive plan, with approval of Commissioners' Court in a public meeting. The bill repeals the Local Government Code § 118.011(g), and § 118.025 (k), relating to the expiration date of September 1, 2008.

HB 1513 passed by the 83<sup>rd</sup> Legislative Session amends § 118.011 (b) and (f) of the Local Government Code to increase the amount of the County Clerk's Records Archives Fee (accessed when a non-court document is presented to the County Clerk for recording or filing) from not more than \$5.00 to not more than \$10.00. The increased fee is set to revert to the "not-more-than \$5.00" amounts on September 1, 2019.

*Effective September 1, 2019, the maximum allowable archive fee will be permanent. It was scheduled to be reduced to a maximum \$5 fee on 9/1/19, but SB 658 of the 86<sup>th</sup> Texas Legislature made the current \$10 maximum allowable amount a permanent figure.*

General Provisions: The fee for "Records Management and Preservation" under § 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 fee for "Records Archive" under § 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) the 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.

## **II. Purpose**

To continue to back scan deed/real records to digital formats to keep from exposing these records from daily usage and deterioration. Although the office is progressive in the preservation of current records by utilizing the Records Management Fee, funding has not been sufficient to electronically preserve, restore, and re-index the older documents that have priceless historical value. In order to preserve and enhance the integrity and reliability of the existing system for recording and preserving public documents; the County Clerk seeks to preserve existing original records by restoring or re-creating books, digitizing older microfilm and paper records, re-indexing old handwritten and typed indexed records and importing newly created images and data into the existing computer system.

## **III. Restoration and Preservation Projects**

The goal of the County Clerk's office is to:

Digitize all official public records.

Modernize and upgrade old records systems in the office.

Continue and add records and information to existing computer system.

Eliminate record searching by having more records available for electronic retrieval.

Provide more public information via the Internet.

Preserve original records by reducing daily manual usage.

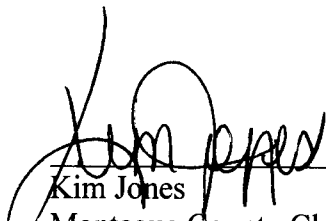
Due to enormous volume of records in the Montague County Clerk's Office, the records management and archive plan projects will be an ongoing process for many years to come.

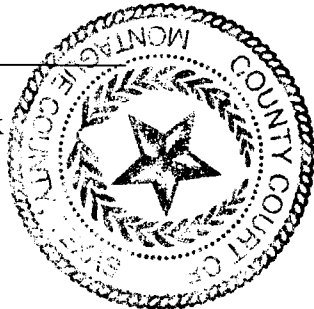
## Summary

The County Clerk's office has taken advantage of preserving and maintaining documents with the use of records management and archive fee. These fees are dedicated to that task. The vast majority of the permanent records in the County Clerk's office were paper based and used on a daily basis by the public making them vulnerable to loss theft, wear, and tear.

These records are preserved by adding the records management and archive fee to cover the cost of scanning and indexing the paper-based documents without additional cost to the County. In addition to preserving the documents, the images are added to our existing system which improves customer service and disaster recovery.

Revenue collected and not expended in the fiscal year will be carried forward and used toward outstanding balances on the current projects. We will then re-assess and prioritize what records and/or documents need to be completed on future projects and obtain new pricing information to achieve those projects, as needed.

  
Kim Jones  
Montague County Clerk



**MONTAGUE COUNTY DISTRICT CLERK  
RECORDS MANAGEMENT & RECORDS  
ARCHIVE PLAN FOR THE FISCAL YEAR  
2021-2022**

# **MONTAGUE COUNTY DISTRICT CLERK RECORDS**

## **MANAGEMENT & RECORDS ARCHIVE PLAN**

### **FISCAL YEAR 2021 /2022**

#### **EXECUTIVE SUMMARY**

The purpose of this document is to define the restoration and preservation, digital capture, storage retention and management of archived records belonging to the District Clerk's office. Records maintained in the District Clerk's Office have been identified to fall under the category of "Preservation and Restoration Plan" that will provide reproduction and archiving of such records and assist in maximizing storage space and making records readily available for optimum viewing. It is the intent of the District Clerk to follow guidelines set by the Texas State Library and Archives Commissioner for preservation of such records.

#### **GOAL**

The goal is to reproduce and archive all documents, regardless of type, as efficiently as possible. The District Clerk's Office is also looking at restoring records, suspending or reducing deterioration of public records, improving the public access to these documents in a manner that reduces the risk of deterioration, and possible reducing or eliminating paper documents.

#### **SCOPE**

The scope of this document includes the following:

- \*All District Clerk records filed at the Montague County Courthouse
- \*Plans to restore and preserve records with significant historical value
- \*Future plans are to improve public and governmental access and provide an archive for records that have or will be imaged.

This document addresses the restoration and preservation needs of the District Clerk Records Archive. No other departments are addressed.

## **SECTION ONE: RECORDS CURRENTLY IN REPOSITORY**

### **INVENTORY**

The District Clerk's office currently holds over 500 docket books and 20,000 + files that are related to civil and criminal actions which have occurred throughout the years.

## **SECTION TWO: RESTORATION AND PRESERVATION**

### **PERMANENT RECORDS**

After reducing and/or reproducing these records, the District Clerk plans to utilize the space for the growing number of cases occurring daily. The reproduction will allow better access to the records and will alleviate overcrowding of storage rooms and archive facilities by assisting in eliminating items that are not required to maintain permanently. Historical records will be imaged and the goal is to make them available on line in the future.

## **SECTION THREE: FUTURE PLANS**

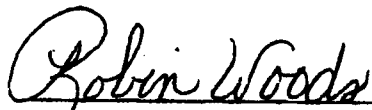
- \*The goal of the District Clerk's office:
- \*To continue to add records and information to existing computer system
- \*Preserve original records by reducing daily manual usage
- \*Digitize all official public records
- \*Eliminate record searching by having more records available for electronic retrieval

## **SUMMARY**

The District Clerk's office has taken advantage of preserving and maintaining documents with the use of records management and archive fees. These fees are dedicated to that task. The vast majority of the permanent records in the District Clerk's office were paper based and used on a daily basis by the public making them vulnerable to loss, theft and daily wear and tear.

By using the records management and archive fee, we have been able to scan and index these records which preserves these documents at no cost to the County. In addition to preserving these documents, the images are added to our existing system which improves customer service and disaster recovery.

Revenue collected and not expended in the current fiscal year will be carried forward and used toward outstanding balances on the current projects. We will then re-assess and prioritize which records and/or documents need to be completed regarding future projects and obtain new pricing information to achieve new projects, as needed.



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Robin Woods, District Clerk, Montague County