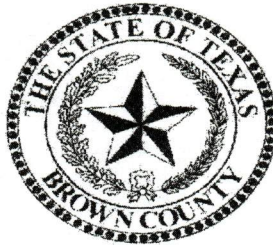


**SHARON FERGUSON
BROWN COUNTY CLERK**



**ARCHIVE PLAN
For Preservation and Restoration
Of Archived Records
FY 2023-2024**

Prepared by Sharon Ferguson, Brown County Clerk

HEARING DATE SEPTEMBER 18, 2023

September 18, 2023
(Exhibit #5)

September 18, 2023

The Honorable Judge Shane Britton
Brown County Judge

The Honorable Gary Worley
County Commissioner Pct. 1

The Honorable Joel Kelton
County Commissioner Pct. 2

Mrs. Jennifer Robison
Brown County Auditor

The Honorable Wayne Shaw
County Commissioner Pct. 3

The Honorable Larry Traweck
County Commissioner Pct. 4

Re: PROPOSED ARCHIVAL PLAN OF BROWN COUNTY CLERK

Dear Sirs, Madam,

The proposed Archival Plan of the County Clerk follows:

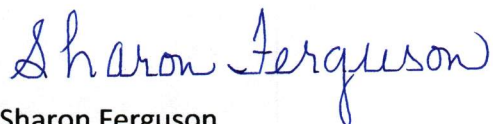
Noteworthy topics:

1. Effective September 1, 2019, the maximum allowable archive fee became permanent. It was scheduled to be reduced to a maximum \$5 fee on 09/01-2019, but SB 658 of the 86th Texas Legislature made the current \$10 maximum allowable amount a permanent figure.
2. Archival Plan, long term, includes preserving remaining deed records, marriage records, (some dating back to the 1880's) or any records in the County Clerk's Office that need to be archived.

Sharon Ferguson, Brown County Clerk requests the Commissioners' Court approve and accept this archival plan as presented.

Thank you for your time and consideration.

Respectfully submitted,



Sharon Ferguson
Brown County Clerk
325-643-2594

**BROWN COUNTY CLERK'S OFFICE
ARCHIVAL PLAN FOR FY 2022-2023**

STATUTES

Local Government Code 118.025 permits the commissioners court of a county to adopt a records archive fee under Local Government Code 118.011(f) as part of the county's annual budget for the preservation and restoration services performed by the county clerk in connection with maintaining a county clerk's record archive. Section 118.025(g) requires an annual written plan for funding the preservation and restoration of the county clerk's record's archive.

HB 1513 passed by the 83rd Texas Legislative Session amends Sections 118.011 (b) and (f) of the Local Government Code to increase the amount of the County Clerk's Records Archives Fees (assessed 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 was set to revert to the \$5 amount on September 1, 2019.

SB 685 passed by the 86th Texas Legislature made permanent the former temporary increases in records archive fees and records management and preservation fees charged by district and county clerks. Section 118.011 (b) and (f) were amended to allow the County Clerk to set and collect a Records Management and Preservation Fee of not more than \$10 and a Records Archive Fee of not more than \$10.00 on September 1, 2019.

Most of the permanent records in the County Clerk's office are paper based. These records are used daily by the public and are vulnerable to loss by theft and wear and tear.

With no cost to the County, these records can be preserved by using the archive fee collected to cover the cost of scanning the paper-based documents and preserving the handwritten ones by encapsulation. In addition to preserving the documents, the images can be added to our existing imaging system and improve customer service by offering a wider date range of documents on the internet.

PURPOSE

The County Clerk's Records have been exposed to deterioration from usage and unfavorable elements in some of the storage areas. Although the office is progressive in the preservation of current records by utilizing the Records Management Fees collected, funding has not been sufficient to conserve all the oldest records or to electronically preserve, restore and re-index these records 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 record books by restoration, digitization, re-indexing these records and importing newly created images and data into the existing computer system.

PLAN SUMMARY

The purpose of this document is to define the restoration and preservation plans of the County Clerk's Office for the upcoming fiscal year. The scope of work will be ongoing for many years to come to preserve documents and conduct restoration activities when necessary. Not all documents of significant interest to the County Clerk and the public have been restored and preserved. Changes to the plan must be approved by the Commissioner's Court. The plan can be modified as required. My plan for this next fiscal year is to continue to archive additional permanent records, only when funds are available. The County Clerk will provide the Commissioner's Court with the written quotes and will adhere and comply with Subchapter C, Chapter 262 Texas Local Government Code.

- . Digitize all official public records/birth/death records.
- . Suspend or reduce the deterioration of public documents
- . Create roll of security microfilm for scanned images.
archival backup.
- . Modernize and upgrade old records systems in the office by back scanning.
- . Continue to add records and information to existing computer system.
- . Eliminate or reduce manual lookups and searches.
- . Expedite record searching by having more records available for electronic retrieval.
- . Provide more public information via the Internet and other electronic methods
- . Continue to eliminate the need for paper records
- . Commissioner Court Records-continue to import data to existing computer in the searchable format Easy Doc.

RESPONSIBILITY

The responsibility for implementing the preservation and restoration of records maintained by the County Clerk's Office will be by the County Clerk and employees selected by her to assist. **Final decision regarding the funding and expenditures of the plan shall be made by the County Clerk with Commissioners' Court approval.**

VOLUME APPRECIATED

This archive projects include court records, from misdemeanor criminal cases, estate and probate cases, and all types of civil suits. Additionally, the project includes deed records, lien records, commissioners' court minutes, and marriage and death records. Due to the enormous volume of records in the Brown County Clerk's Office, the record archival projects will be an ongoing process for many years to come.

PROPOSED PROJECTS FOR FY 2023-2024

- Scan, index and restore commissioner court minutes books
- Scan, index and restore military discharge books
- Scan, index and restore marriage record books
- Scan, index and restore birth record books
- Scan, index and restore death record books
- Scan, index and digitize official public records
- Scan, index and digitize criminal, civil and probate case files
- Scan, index and restore other books as needed

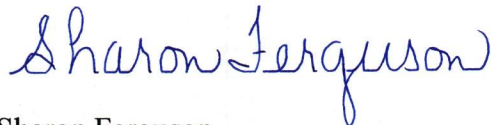
SUMMARY

The Legislature has provided a means to raise revenue for the records management and preservation of older county records. The records archive fee is an alternative to raising taxes or spending general fund monies to accomplish these projects. This plan will be implemented in phases as money is accrued and all contract services will be done through standard purchasing procedures. Approval and implementation will insure the preservation of priceless historical records for future generations.

Sharon Ferguson, Brown County Clerk, requests the Commissioners' Court approve and accept this archival plan as presented.

Respectfully submitted,

09-18-2023
Date



Sharon Ferguson
Brown County Clerk
sharon.ferguson@browncountytexas.gov

STATE OF TEXAS
COUNTY OF BROWN

ORDER TO ADOPT RECORDS ARCHIVAL PLAN

WHEREAS, Local Government Code, Section 118.011 (f) enables the Commissioners' Court to adopt a Records Archive Fee, for the preservation and restoration services performed by the County Clerk in connection with maintaining a County Clerk's records archive;

WHEREAS Commissioners' Court approved the collection of a Records Archive Fee of \$10.00 to commence on October 1, 2021, which the County Clerk's office will collect at the time of filing or recording of any public record, excluding a state agency;

WHEREAS Sections 118.011 (f) of the Local Government Code was amended to increase the amount of the County Clerk's Records Archives Fee 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.

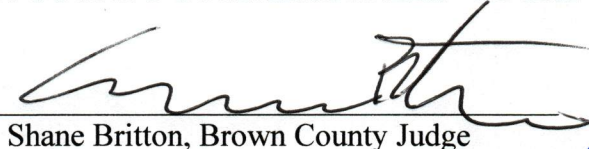
WHEREAS, with approval from the Commissioner's Court the County Clerk will collect a Records Archive Fee of \$10.00 when a non-court document is presented for recording or filing with said fee to commence October 1, 2023.


WHEREAS, after Commissioners' Court approval of the County Clerk's Records Archive Plan for FY 2023-2024, and the Plan being accepted as presented.

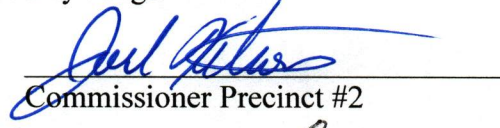
NOW THEREFORE, BE IT ORDERED by the Commissioners' Court of Brown County, pursuant to the Local Government Code, Section 118.011 (f) hereby adopts the County Clerk's Records Archival Plan for FY 2023-2024. Further, the fees collected may be expended only for the preservation and restoration of County Clerk's records archive. The funds may not be used to purchase, lease, or develop computer software to geographically index public records for current recordings.

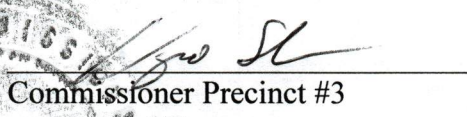
ADOPTED, this 18 day of September, 2023.

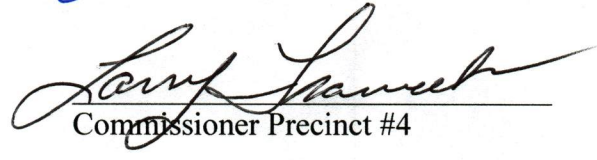
BROWN COUNTY COMMISSIONERS' COURT


Shane Britton, Brown County Judge

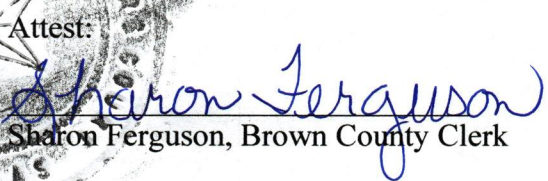

Commissioner Precinct #1


Commissioner Precinct #2


Commissioner Precinct #3


Commissioner Precinct #4



Attest:

Sharon Ferguson, Brown County Clerk