

# **Archive Plan**

For Preservation and Restoration  
Of Archived Records

for  
Nancy E. Rister, County Clerk

September 2023

## Executive Summary

The vast majority of the permanent records in the County Clerk's office are paper based. These records are used on a daily basis 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 fees 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.

## Introduction

County Clerks are currently authorized to collect a records management fee for maintaining and preserving current documents. A fee not to exceed \$10 may be imposed for recording or filing public documents in county clerk offices in any county for the purpose of preserving, restoring, and managing these county records. The legislation is designed to target archived records. This does not include court records.

This bill authorizes the Commissioners Court to adopt a records archive fee as part of the county's annual budget. This additional revenue will be dedicated to help focus on preserving older records.

*Williamson County Commissioners Court approved the \$5 fee on August 26, 2003 under agenda item #23.*

## Historical Data FY2001 – FY2019

In FY 2001-2002 Deed books 1 through 3 and Survey book for 1902 were preserved and encapsulated. In FY 2002-2003 Deed books 4 and 5 were preserved and encapsulated. In FY 2003-2004 Police Court minutes 1850 – 1859; Elections Volume 1 – 1884-1892; Deed books 6 – 26 were preserved and encapsulated. In FY 2004-2005 Deed books 27 – 122 were preserved and encapsulated. In FY 2005-2006 Williamson County Bid 06WC406 was awarded. Deed books 123 – 168 were preserved and encapsulated. In FY 2006-2007 Marriage Indexes 1848 - 1997; Elections Volumes 2-9 were preserved and encapsulated.

The encapsulation effort was halted in 2006 pending the acceptance of the vendor that has done the majority of our books onto the State of Texas contract vendor's list. In early 2008, Brazoria County, TX awarded a contract to this same vendor for repair and restoration of historical books for Brazoria County. At that time, Williamson County Clerk's Office entered into an Interlocal agreement with Brazoria County for the Repair and Restoration of historical books.

*Williamson County Commissioners Court approved an Interlocal Agreement with Brazoria County for the Repair and Restoration of historical books for the County Clerk on March 25, 2008 under agenda item #25.*

Subsequent to the approval by the Commissioners Court, 52 Marriage books (1850-1997) and 51 Commissioner's Court books were sent to the selected vendor for preservation and encapsulation.

Also completed in FY 2008-2009 were Birth Record Volumes 1-12, 1903-1957, Delayed Birth Records Volumes A-Z and Volumes A-1 through A-10, Still Birth Record and Register of Births 1868-1876, Death Records Volumes 1-12, 31 Naturalization Books, Index to Deeds and the Reverse Indexes for preservation and encapsulation. This was done in FY 2008-2009.

Since February 2005 with a staff of 7, all of the deed books have been scanned. All scanned books are made available on personal computers in the public research area and over the internet. Each book and page is accessible by book and page lookup. Scanning of 943 deed books has been completed. These images are now available online. Staff was reduced to 5 in 2007-2008 FY as people moved on to other jobs. After finishing this initial project, they scanned and indexed all marriage records including old marriage licenses that were not returned or picked up. This project was completed in FY2010-2011.

Restoration of the oldest probate records was started after the archive staff took photos of all documents sent for restoration. They then reviewed the returned books to proof the restoration work and verify what was sent, actually came back. Minor errors were caught and corrected. More books were encapsulated while they worked on photographing probate cases. There were no books restored in FY2009-2010 as staff got caught up with all the marriage books and taking photos of all probate coming up for restoration in FY2011-2012.

In the Fiscal Year 2011– 2012 restoration of all older probate records was completed. The original marriage licenses from the 1800's have been restored, scanned and indexed. They now are available online. Also 40 boxes of civil case files from the 1800's were photographed in preparation for being restored and encapsulated. This was a partial project as restoration couldn't be completed all in one year and was finished in October of 2012.

During FY2012-2013 criminal files from the 1800's consisting of 6,096 cases and 43,934 pages were photographed in preparation for restoration and encapsulation. These were sent out in October 2012 and were received before the end of the fiscal year.

The Archive Division indexed, scanned and entered the 60,000+ birth records in FY2013-2014. They started on the delayed birth records that are recorded from the beginning of the county records through 1940. During this same period technicians also reviewed 231,880 microfilmed OPR documents for image quality and completeness.

Archive personnel continued entering delayed birth records in FY2014-2015 with an anticipated completion by the end of December 2015. Reviewing microfilm is ongoing since we still have many years of reels left to review.

The Delayed Birth Record Project was completed in December 2015. A total of 23 books were photographed and sent to Kofile for restoration. It averages 7 to 12 weeks for Kofile to complete the restoration process.

On April 8, 2016, the Death Record Project was suspended to allow a data dump to be completed for the new Tyler Eagle Recording Project. The go-live for the Tyler project was August of 2016. That data was verified and the Death Record Project resumed.

In October 2016, there were 20 books sent to Kofile to go through the restoration and encapsulation process. These consisted of the Milam Survey 1850-1853, 1 plat Index, Field Notes Original 1874, Embalmer's Record Vol 1, 3 General Index to Civil Minutes, Civil Minutes – County Court Vol A, 2,3,4 & 5, Lunacy Record, Lunacy Document Vol 3, Lunacy Minutes Vol 1 Probate Minutes, Lunacy Minutes Vol 3 Mental Illness Order Commitment, Mental Illness Docket Vol 4, 5 & 6 and Mental Illness Vol 2. It took 12 weeks for the vendor to complete.

Staff completed reviewing the 2007 microfilm from the Texas State Library in late October 2016 then began reviewing the 2013 microfilm from Stars Information Solutions with an estimated completion date of about January/February 2018. The review of the microfilm received from our vendors is necessary to ensure image quality and confirm that no documents have been skipped before filing them in the cabinets that were purchased when we moved into the Justice Center. Microfilm is still a preferred medium because of the length of its service life.

In August of 2017, a shipment of "Plats" were prepared to be sent to Kofile to go through the restoration and encapsulation process. This consisted of Cabinets A through K which consists of 4400 plats. A schedule for additional books to be sent to Kofile in the 2017-2018 budget year was completed. The books were photographed and were shipped to Kofile beginning in October of 2017 with plats shipment midway through the 2017-2018 budget year.

For FY 2017-2018 the Archive Division completed work on the Death Records Projects and started on changing the birth certificate dates from 2 digits to 4 digits while conducting quality control on the indexing of those records. They also finished reviewing the 1995, 1997, 2013, 2014 & 2015 microfilm.

A total of 25 books and a bag of miscellaneous historical documents were photographed and sent to Kofile for restoration and encapsulation on February 6, 2018. This effort included photographing each page, editing the quality of the photo (by cropping and enhancing the image), mapping, packing, then shipping to the vendor. Once the books were received back from the vendor at the end of May, they were reviewed to proof the restoration work and verify what was sent, is what we received.

Over 4,979 photos were taken of the 19 books that are scheduled for the October 2018 shipment to Kofile. An inventory of all books, remaining plats and other miscellaneous documents in Research is also being conducted at this time as well as an inventory of documents and books that are currently store in our storage room in the basement. During this inventory project it is being noted as to which items have been previously restored and by which vendor.

For FY 2018-2019 the Archive Division finished reviewing the 2006 & 2016 microfilm which consisted of a total of 345 reels containing 1,692,442 images. The 2017 microfilm is currently being created by the Texas State Library and should be available for review during the next reporting period.

Kofile completed digitizing the 112 Commissioner Court Minutes books from 1884 to 1996 and Police Court Minutes books from 1850 to 1874 as well as 8 Commissioners Court Index books. The Archive Division completed the comparison of the Commissioner's Court Books to the Optical Character Recognition version. This consisted of 108 books with a total of 89,654 pages.

A total of 19 books were sent to Kofile for restoration and encapsulation in January of 2019. In June of 2019 the books were received back from the vendor. Photostat Probate Minutes Volumes 69-141 which needed a special preservation treatment to keep the pages from sticking to each other. This method of creating books was dropped in the 1970's when they realized the unintended consequences when creating the books by using this method. We have the 2017 reels of microfilm completed as of the spring of 2017. Images for 2018 & 2019 were sent to the State Library for creation of microfilm. Images for 2020 and beyond will be sent to that the State Library's FTP site so they will be able to download weekly to be able to create film almost immediately instead of waiting to the end of a fiscal year.

For FY 2020-2021 We have three pallets of criminal records that we received from the warehouse that were preserved and reviewed once received. These are from the 1800's and early 1900's. **Storage room is becoming an issue. We will need to look at a larger facility to house the county historical records very soon. We are required by law to keep Commissioner Court records permanently as they continue to grow in size.**

FY 2021-2022 All marriage licenses need to be on microfilm as well as the birth and death records. We have more books and thousands of Probate cases that need to be preserved. We will begin these projects but it may take almost ten years to complete just the thousands of Probate cases. A few more books will be preserved per State contract vendor. Books will need a place to be stored. There is no more room for planned roller shelving in the break room that was taken from us and remains unused. **We will need a Records Building to house in a temperature controlled, humidity controlled, lighted with pest control services and other requirements as set forth by the Texas State Library & Archives for permanent record retention storage facilities.**

FY 2022-2023 We are proofing the microfilm from the State on birth, death and marriage records we sent from through July 2022. We have taken photos of all the probate cases that we will be sending from 1906-1929 and will be shipping them to our vendor in October. The books have come back that we sent off last year, have been proofed for pages and they are all there. We will also start sending some of the Commissioners Court packets to be microfilmed and start analog backups of them as well. **Again the Probate when we receive it back will be in book form and will not go back into the small pull drawers so we will need space for more roller shelving in the new building.**

## **FY 2023-2024**

Images of all Probate documents through 1984 completed by US Imaging will be entered into the Odyssey Probate Case Management Software. The next group of Probate cases ready for preservation will be picked up in October providing we can get a purchase order. We have gone through the process of an Interlocal with Harris County and have started one with Bexar County if we need it.

## **2022 Revenue**

<b>Document Type</b>	<b>Forecast of # documents filed subject to fee based on 2022 filings</b>	<b>Anticipated maximum revenue at <b>\$10.00</b> per document</b>

Official Public Records	142,438	<b>\$1,424,380</b>
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## Proposed Budget of Expenses for 2023-2024

Salaries for 5 people	\$278,461.00
Longevity	3,120.00
Merit/Retention	4,447.00
FICA	21,881.00
Retirement	45,908.00
Insurance	57,600.00
Workers Comp	422.00
Preservation of books	<u>500,000.00</u>
<b>Total</b>	<b>\$911,840.00</b>

### LOCAL GOVERNMENT CODE

§ Sec.118.025. COUNTY CLERK'S RECORDS ARCHIVE. (a) In this section:

(1) "Deterioration" means any naturally occurring process or a natural disaster that result in the destruction or partial destruction of a public document.

(2) "Preservation" means any process that:

(A) Suspends or reduces the deterioration of public documents; or

(B) Provides public access to the public documents in a manner that reduces the risk of deterioration, excluding providing public access to public documents indexed geographically.

(3) "Public document" means any instrument, document, paper, or other record that the county clerk is authorized to accept for filing or maintaining.

(4) Repealed by Acts 2005, 79th Leg., Ch. 804, Sec. 7, eff. June 17, 2005.

(5) "Restoration" means any process that permits the visual enhancement of a public document, including making the document more legible.

(b) The commissioner's 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.

(c) The fee must be paid at the time a person, excluding a state agency, presents a public document to the county clerk for recording or filing.

(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) 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. The county clerk shall designate the public documents that are part of the records archive for purposes of this section. The designation of public documents by the county clerk under this subsection is subject to approval by the commissioner's court in a public meeting during the budget process.

(f) The funds may not be used to purchase, lease, or develop computer software to geographically index public records, excluding indexing public records by lot and block description as provided by Section 193.009(b)(4).

(g) BEFORE collecting the fee under this section, the county clerk shall prepare an annual written plan for funding the preservation and restoration of the county clerk's records archive. **The commissioner's court shall publish notice of a public hearing on the plan in a newspaper** of general circulation in the county not later than the 15th day before the date of the hearing. After the public hearing, the plan shall be considered for approval by the commissioner's court. Funds from the records archive account may be expended only as provided by the plan. All expenditures from the records archive account shall comply with Subchapter C, Chapter 262. The hearing may be held during the budget process. **After establishing the fee, the plan MAY be approved annually during the budget process.**

(h) If a county charges a fee under this section, a notice shall be posted in a conspicuous place in the county clerk's office. The notice must state the amount of the fee in the following form: "THE COMMISSIONER'S COURT OF \_\_\_\_\_ COUNTY HAS DETERMINED THAT A RECORDS ARCHIVE FEE OF \$\_\_\_\_\_ IS NEEDED TO PRESERVE AND RESTORE COUNTY RECORDS."

(i) The fee is subject to approval by the commissioner's court in a public meeting during the budget process.

(j) Repealed by Acts 2011, 82nd Leg., R.S., Ch. 330, Sec. 3, eff. June 17, 2011.

(k) Repealed by Acts 2005, 79th Leg., Ch. 804, Sec. 7, eff. June 17, 2005.

Added by Acts 2001, 77th Leg., ch. 794, Sec. 4, eff. Sept. 1, 2001. Amended by Acts 2003, 78th Leg., ch. 974, Sec. 3, eff. Sept. 1, 2003; Acts 2003, 78th Leg., ch. 1275, Sec. 3(32), eff. Sept. 1, 2003.

Amended by:

Acts 2005, 79th Leg., Ch. 804 (S.B. [526](#)), Sec. 1, eff. June 17, 2005.

Acts 2005, 79th Leg., Ch. 804 (S.B. [526](#)), Sec. 7, eff. June 17, 2005.

Acts 2011, 82nd Leg., R.S., Ch. 330 (H.B. [2716](#)), Sec. 2, eff. June 17, 2011.

Acts 2011, 82nd Leg., R.S., Ch. 330 (H.B. [2716](#)), Sec. 3, eff. June 17, 2011.

From SB 526 79<sup>th</sup> Legislature

SECTION 7. Subsection (g), Section 118.011, and Subdivision (4), Subsection (a), and Subsection (k), Section 118.025, Local Government Code, are repealed.

## From HB 1513 83<sup>rd</sup> Legislature and AG Opinion GA1055

Allowed for an increase in the Records Management Fee to \$10 maximum and the Records Archive Fee to a maximum of \$10 to be implemented on September 1, 2013. The Records Management fee went up to \$10 but the Archive fee stayed at \$5 as computer and software purchases also come out of RMF as well as salaries which deplete it. This bill had an expiration date of 9-1-2019 but the expiration date was removed by **SB658** and signed by the Governor on 6-14-2019.