

# **Tyler County Clerk Annual Archival Plan**

**Local Government Code 118.025(g)**

## **Introduction**

County Clerks collect a records management fee for maintaining and preserving current documents. However, in most cases, this fee is not enough to also preserve and restore paper-based archived records. SB 1731 was designed to target archived records in every county in Texas and became effective September 1, 2003.

The Tyler County Commissioners' Court adopted the Archive Plan and fee of \$5 on August 15, 2003, after the required public hearing. The Clerk used the Archive Fund budget to employ part-time employees to scan and index records; and, repair volumes that fall within the archival timeline allowed by statute. In 2011 legislation was amended to no longer be tied to restricted year ranges.

The Commissioners' Court adopted on September 9, 2013 the increase to \$10 which became effective on January 1, 2014. The fee remains to be \$10.

Records can be preserved by adding the archive fee to cover the cost of digitizing records, computerized indexes and to finish the yearly project of having the paper-based records security microfilmed, digitized and in some instances encapsulated in archive sleeves.

The fee is deposited into a dedicated fund to be spent for the purposes specified in the statutes. This revenue covers the expenses allowed, targeting the older records, at no cost to the General Fund of the County.

## I. Statute

Section 118.025(b), Local Government Code, enables the Commissioners' Court to adopt a Records Archive Fee. 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)(1) LGC is for the preservation and restoration services performed by the County Clerk in connection with maintaining a County Clerk's Records Archive.

## II. Purpose

Indexes from the mid-1800s to 1978 and Records from mid-1800s to 1973 are in their original paper record copy. In order to preserve the integrity and reliability of the existing system for preserving public documents; the County Clerk seeks to preserve existing original records by restoring or recreating books, using an encapsulating process for deteriorated records, microfilming and digitizing records, re-indexing handwritten indexed records and entering these images and data into a computerized system. The indexes and records are used daily by title abstractors, oil and gas landmen, surveyors, clerk employees and the general public.

## III. Restoration and Preservation Project Archive Plan

Since the implementation of the Archive Fee and original adopted Archive Plan in 2003:

### Deed Records

Vols. A-Z, 1-219 (mid-1800s to 1965)

- Security Microfilmed
- Deteriorating binders have been replaced
- Original record books have been encapsulated in archival quality sleeves for preservation
- Record book pages that are showing deterioration have been encapsulated in archival quality sleeves.

### Birth, Death and Marriage Records (Vital Records)    Earliest record to current

- Deteriorating binders have been replaced
- All birth, death and marriage records have been indexed into computer software
- All birth, death and marriage records have been scanned resulting in the images stored in a dedicated server (InfiniVault) for storing images.
- All original marriage license from 1881 to 1970 that were not picked up by the couple have been encapsulated in archival quality sleeves for preservation resulting in 16 volumes.
- Preserving mid-1800s to early 1900s original marriage license have been encapsulated in archive sleeves have been completed as of August 2021

### Commissioners' Court Minutes

1970 – current

- Digitized and indexed for preservation and faster retrieval
- Images are stored in a personal computer with a dual hard-drive
- Software (IDS) has been purchased to make the minutes and agenda available on the internet

### Criminal Court Records

prior to 1990

- Summer interns index and scan the archive cases into the computer
- Images are stored in the server (InfiniVault) dedicated to storing images.

### **Probate Records**

- Preserving original hand-written probate court records (in folded condition) encapsulated in archive sleeves
- Cost estimate for preserving the hand-written Probate records is \$532,433.00. This was approved through Commissioners Court on December 14, 2023. This project will be broken down the next few years until complete.
  - 1951- 1960's will be imaged and stored in acid-free folders in corrugated archival boxes (Pre-preservation)
  - 1800s – 1950 will be deacidified, encapsulated and put into binders

### **Various Records**

- Eight record books have been preserved

### **Real Property Records**

The real property records have been microfilmed for security and archival purposes.

A total of 73 volumes of original records have been preserved using the archival sleeve process.

The goal of the County Clerk's office is to continue archival of records by:

- Having security microfilm rolls of microfilm aperture cards of all records to which the majority are real property and vital statistic records
- Digitizing all archive paper-based records
- To continue to employ part-time employees to scan and index the older records
- Preserving original records by reducing daily usage with help of digital images
- Expedite record searching by having more records available for electronic retrieval
- Having court record books and vital statistic books microfilmed for archival purposes
- Having paper-based record books, as they start to show deterioration, to be encapsulated in archive sleeves and re-bound into new binders, beginning with the handwritten records
- Maintain off-site records storage of microfilm aperture cards in temperature/humidity-controlled room and roll microfilm store in temperature/humidity-controlled environment for archival safety backup
- Original documents to be stored in archival folders and boxes

All public records that are scanned are made available on computers in the public research area. A printer is available to print instruments on demand. This reduces the need to handle heavy record books to make copies, which cause damage to the books and to the copy machines.

## **IV. Budget**

The budget is made a part of the annual budget process and adopted by the Commissioners' Court each year during the budget cycle. Refer to fund number 031.

The cost of microfilming, encapsulating deteriorating pages and new binder cost \$3000 - \$5000 each. This cost is on-going as books get into disrepair from daily use.

The project for preservation and archiving the hand-written Probate records is \$532,433.00. This project will be broken down the next few years until complete.

A full-time employee position is budgeted out of this fund to continue the indexing of records prior to 1978 and digitization of records prior to 2005.

THE COMMISSIONERS'  
COURT  
OF TYLER COUNTY

HAS DETERMINED THAT A

RECORDS ARCHIVE FEE OF  
\$10

IS NEEDED TO PRESERVE  
AND  
RESTORE COUNTY RECORDS

State of Texas

County of Tyler

ORDER TO ADOPT ARCHIVAL PLAN

**Whereas**, Local Government Code, Section 118.025(b), 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; and

**Whereas**, after a public hearing, Commissioners' Court approved, on August 15, 2003, the Archival Plan and authorized the \$5 Records Archive Fee to be collected by the County Clerk; and

**Whereas**, Commissioners' Court approved an increase to \$10 for the Records Archive Fee on September 9, 2013, which the County Clerk's office collects at the time of filing or recording of any public record allowed by statute; and

**Whereas**, the fee shall be deposited in a separate line item of the Records Management Account of the County Clerk of Tyler County. Any interest accrued remains with the account per Section 118.025 (d) of the Local Government Code; and

**Now therefore**, be it ordered by the Commissioners' Court of Tyler County, pursuant to the Local Government Code, Section 118.025(b), hereby adopts the Archival Plan to continue to be implemented by the County Clerk at the time of filing or recording of any public document. Further, the \$10.00 fee, pursuant to Local Government Code, Section 118.011(f), may be expended only for preservation and restoration of the 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 9<sup>th</sup> day of September, 2024.

SIGNED:  Milton Powers, County Judge

 Joe Blacksher, Commissioner, Pct. #1

 Doug Hughes, Commissioner, Pct. #2

 Mike Marshall, Commissioner, Pct. #3

 Buck Hudson, Commissioner, Pct. #4

ATTEST:  Donece Gregory, County Clerk