



COUNTY & DISTRICT CLERKS' ASSOCIATION OF TEXAS
BOARD OF DIRECTORS MEETING
Meeting Date: May 17, 2017 - Time: 11 AM.
Embassy Suites Hotel – CHAUTAQUA SALON
San Marcos, Texas

MINUTES

1. CALL TO ORDER

President Celeste Bichsel called the Board of Directors Meeting of the County and District Clerks' Association of Texas at 11:00 am on May 17, 2017 (Attachment "A").

2. ROLL CALL

Roll call was done by Laura Hinojosa, Secretary, and marked the following present.

Officers

- President - Celeste Bichsel, County & District Clerk Carson County
- Vice President - Tammy Kneuper, District Clerk Bandera County
- Treasurer - Jennifer Lindenzweig, County Clerk, Hunt County
- Secretary – Laura Hinojosa, District Clerk, Hidalgo County
- Immediate Past President – Heather H. Hawthorne, County Clerk Chambers County

Board Members

Director

- Region I Diane Hoefling, District Clerk, Moore Co.
- Region II Sheri Hawkins, Combo Clerk, Shackelford Co.
- Region III Judy Crawford, Combo Clerk, Crane Co.
- Region IV Beverly Crumley, District Clerk Hays Co.
- Region V Stacey Kemp, County Clerk, Collin Co.
- Region VI Sheri Dowd, County Clerk, Navarro Co.
- Region VII Schelana Hock, County Clerk, Polk Co.
- Region VIII Arturo Guajardo, Jr., County Clerk, Hidalgo Co.

Director in Charge

- Renee Calhoun, County Clerk, Randall Co.
- Susan Tipton, County Clerk, Lynn Co.
- Linda Haney, County Clerk, Ector Co.
- Liz Gonzalez, County Clerk, Hays Co.
- Jon Gimble, District Clerk, Cooke Co.
- Loretta Cammack, District Clerk, Nacogdoches Co.
- Lisa Teinert, District Clerk, Lee Co.
- Esther Degollado, District Clerk, Webb Co.

Parliamentarian-Beth Rothermel, County Clerk, Washington Co.

Guests:

See the attached sign-in sheet. (Attachment “B”)

3. INVOCATION AND PLEDGES TO THE AMERICAN FLAG AND THE TEXAS FLAG

Invocation, Pledge to the American Flag and Texas Flag was led by Celeste Bichsel, President.

4. DISCUSSION/ACTION – BOARD OF DIRECTORS MINUTES, FEBRUARY 7, 2017 – LAURA HINOJOSA (Attachment “C”)

The minutes of the Board of Directors minutes for February 7, 2017 were presented by Laura Hinojosa for review and approval. Tammy Kneuper moved to approve the minutes as presented. Diane Hoefling seconded the motion; none opposed and motion carries.

5. TREASURER’S REPORT – JENNIFER LINDENZWEIG (Attachment “D”)

A copy of the budget spreadsheet for the February 1st thru April 30th period shows a balance of \$118,161.26. Several line items are in the red such as Awards & Gifts and Merchandise & Sales. These are actual numbers and will not be changed. Legislative Expenses is also in the red as expected due to the legislative session and the association’s involvement in the process. Conference Expenses was added to the spreadsheet to be able to allocate expenses more accurately. In February, for example, an \$84,000 check was made out to the hotel during the winter conference and there was no line item to allocate those expenses from/to. The Sales & Use Tax Return Item was also added and although has not been done in the past will be used this year to allocate the association’s sales tax, which according to the State must be reported on sales (contingent on the conference host city tax, in addition to the Austin City/MTA Tax for using the TAC Austin address). A motion was made by Tammy Kneuper to amend the spreadsheet to include a Sales & Use Tax Return Expense Column in addition to the Income column. The motion was seconded Diane Hoefling; none opposed and motion carries.

6. DISCUSSION/ACTION: AUDIT REPORT – LARRY BEVILL (Attachment “E”)

Larry Bevill briefly presented on the outcome of the Treasurer’s books. After a thorough review, the audit shows no items in question. Linda Haney made a motion to approve the audit report as presented. Diane Hoefling seconded the motion; none opposed and motion carries.

7. BUDGET AMENDMENTS/LINE ITEM TRANSFERS – JENNIFER LINDENZWEIG (Attachment “F”)

No report was presented on Budget Amendments/Line Item Transfers

8. BYLAW CHANGES AS PRESENTED BY BYLAWS COMMITTEE – RENEE CALHOUN (Attachment “G”)

Copies of the proposed Bylaw Changes were disseminated by Laura Hinojosa. Renee Calhoun, with the Bylaws Committee, presented the proposed changes beginning with the proposed change of the word “spring” to “winter” meeting/conference in sections 7.09, 10.07, and 16.01. The seconded amendment to the Bylaws consists of allowing wire transfers of annual conference proceeds vs. requiring an actual check, no later than 180 days after the annual conference, in sections 9.01 (E) and (G). Discussion was had on the third proposal regarding Non-Active Membership and

whether the association would/could limit access to list-serve, educational conferences and membership services in general. The third proposal will be removed from the list of proposed amendments and reconsidered next year. The fourth proposal involves section 5.03 (Absentee Voting) and would require the Secretary to send out the absentee ballot for a voting period of two weeks. The proposed Bylaw Changes will be presented at the Annual State Conference for approval.

9. 2017 UT CONFERENCE UPDATE – APRIL ROGERS

April Rogers provided an update on the 2017 UT Conference. Currently there are 226 registrants, which may decrease depending on no-shows. These numbers are down from last year, which was 286 in attendance. The association contracted for a total of 510 room nights total. Currently, including late cancellations and no-shows, there are 417 room nights booked. The association is not at attrition at the moment and all should be well as long as there aren't too many more cancellations or no-shows.

10. 2017 SUMMER 122ND ANNUAL CONFERENCE, SOUTH PADRE, UPDATE – SYLVIA PEREZ-GARZA & ERIC GARZA

Eric Garza, Cameron County District Clerk, provided an update on the summer conference. There are currently 264 attendees registered. In regards to the extra reception tickets, 59 tickets have been sold for the welcome reception, 63 have been sold for the president's reception, and 57 tickets for the banquet. Currently there are 23 exhibitors registered and 11 sponsors for a total of 34 exhibitors. Sponsors have been confirmed in the following levels: 6 BAM!, 2 BOOM!, 1 KABOOM!, 1 POW!, and 1 KAPOW!, with KAPOW! being the highest sponsorship level. According to Luz Hinojosa, TAC has billed \$61,500.80 for the conference and have collected \$46,385.00 to date. Extra tickets for the evening events can be purchased at registration and host will confirm with the hotel to ensure there is enough food/beverage for any extra attendees. Schlitterbahn tickets will also be available at a special rate. The executive board meeting for the annual conference is scheduled for Sunday at 3pm and the board meeting at 4pm.

11. 2018 SUMMER 123RD ANNUAL CONFERENCE, SAN ANTONIO, UPDATE – DONNA KAY MCKINNEY

Donna Kay McKinney was not in attendance

12. CDCAT WINTER 2016 FINAL REPORT – LUZ HINOJOSA (Attachment "H")

Luz Hinojosa from TAC provided an update on the Winter Conference, which is close to wrap up. A summary handout was distributed. Registrations for the February conference totaled 471, including cancellations. There were a total of 214 counties in attendance. Final total profit was at \$30,780.34. Registration fees totaling \$1,260 have not been paid out to the association. However, from that there is currently only \$210 still pending. Those checks will be processed timely.

13. DISCUSSION/ACTION COMMITTEE APPOINTMENTS FOR 2017-2018: TAMMY KNEUPER, PRESIDENT ELECT
(Attachment “I”)

Tammy Kneuper reached out to several association members who have all agreed to serve on the committees. There were some clerks who agreed to serve despite an anticipated retirement and new clerks who were contacted and open to the idea of serving. Tammy reached out to David Slayton regarding the OCA Texas Advisory Council, which hasn't met since 2015. Mr. Slayton welcomed the idea of moving forward with the council and working together to get things done. Tammy will update the documents to reflect the correct members associated to the group. Although a committee chair will remain on the Research Texas Committee, due to the conclusion of the legislative year, the committee itself may remain active for the time being. Heather Hawthorne made a motion to approve the committee appointments for 2017-2018 as presented. Judy Crawford seconded the motion; none opposed and motion carries.

14. DISCUSSION/ACTION RE:SEARCHTX – SHARENA GILLILAND

Sharena Gilliland, Re:SearchTexas Committee Chair, provided an update on the current state of the legislation. Senator Estes, has agreed to sponsor a bill, which needs to first and foremost, get referred to the State Affairs Committee before anyone can proceed, at which point similar steps will take place as did in the House. An order was issued by the Supreme Court, which allows access to the Re:SearchTexas database to Judges, attorneys-of-record and clerks. However, it appears that the database is still not ready and currently not accessible by attorneys-of-record. Clerks can only access the database if they agree to pilot with their integration model. There are two models. The traditional model (plan A) secures a copy of documents when e-filed. The second, the integration model, doesn't keep a copy of records, however, directly taps into your case management system, with access to clerk's metadata, including all documents, e-filed or not. Some counties have opted for piloting this plan. Clerks have been advised to proceed with caution and consult with their legal division before piloting any plan, specifically due to liability issues. In regards to redaction responsibilities, the clerk's bill in the House, was able to amend the bill to include that the clerk, county and commissioners' court are not only immune from liability but immune from suit, which is ultimately the preferred language for the bill. The second amendment refers to the fee schedule, which changed the language to provide for negotiated rule making, which charges the agency responsible for fee setting to initiate the required formal process with what they identify as "stakeholders" to set that fee. At this point, the association is simply waiting to hear whether or not it was referred to committee on the Senate side. Celeste will make an announcement to have clerks contact their senators to please reach out to the Lieutenant Governor to refer the measure to the State Affairs Committee.

15. DISCUSSION/ACTION ON MOVING GRANT MANAGEMENT FROM THE JUDICIAARY TO COUNTY JUDGES EDUCATION PROGRAM TO BE MANAGED BY TAC – SUSAN REDFORD

Leah Magnus provided a brief update on moving grant funds from the Texas Center for the Judiciary to TAC. TAC did reach out to the administrators of the grant funding from the Texas Center for the Judiciary and discussed the potential transition, which the Texas Center for the Judiciary supported. Action would be required during this meeting to allow TAC to not only apply for funding on behalf of the association but also administer the funding, in addition having the association's legal counsel draft a resolution to allow TAC to assist the association in writing the grant. Grant funding amounts at this time are uncertain due to pending legislative bills, which could increase or cut funding by 18% across the board. Currently any left over funding at the end of the year rolls back into the Texas Center for Judiciary's general fund.

Likewise, they absorbed additional expenses when the association went over budget last year. Heather Hawthorne further expressed how transitioning grant funds to TAC would greatly benefit the association and be able to provide regular reporting on the current state of funds. Tammy Keneuper made a motion to allow TAC to apply for and administer/manage the associations' judiciary grant and further have them prepare a resolution to be presented at the next board meeting in June for approval. Heather Hawthorne seconded the motion; none opposed and motion carries. Clerks are also encouraged to contact their county commissions (judge/commissioners) and have them reach out to their senators as well.

16. DISCUSSION/ACTION CONTINUING EDUCATION REQUIREMENTS

Agenda item #16 withdrawn

17. DISCUSSION/ACTION ON SUB AREA MEETINGS

Agenda item #17 withdrawn

18. COMMITTEE REPORTS

No committee reports

19. NEW BUSINESS

Celeste Bichsel announced that only one person filed for secretary which was Stacey Kemp, Collin County Clerk. Stacey will serve as the association's incoming secretary. There was also only one bid for the annual conference city in 2019, which will be the Woodlands, Texas, submitted by Chris Daniels. Sheri Woodfin made an announcement regarding the education agenda for the conference. During the last break-out session on Friday, an announcement will be made regarding a clerk's guide specific to "everything processes" and they will try to identify certain categories that clerks often struggle to find such as efile, employee issues, etc. The June conference agenda is full, other than one afternoon where the hotel has to prepare/flip the conference room for the banquet. Clerks can anticipate being able to accrue approximately 15 hours in educational credits. Celeste also announced that the sales chairman will not be in attendance and therefore there will not be a sales table set up during the conference.

20. ADJOURN

There being no further business, the meeting adjourned at 12 p.m., May 17, 2017. Linda Haney made a motion to adjourn. Judy Crawford seconded the motion; no one opposed, and motion carries.

Respectfully submitted

Laura Hinojosa

Laura Hinojosa, CDCAT Secretary
District Clerk, Hidalgo County

