



**The County & District Clerk's Association of Texas
Board of Directors Virtual Meeting**

Meeting Date: December 9, 2020 @ 9:00am

MEETING MINUTES

(documentation provided during this meeting is attached hereto)

1. CALL TO ORDER

President Stacey Kemp called the Board of Directors meeting of the County and District Clerk's Association of Texas to order at 9:05am.

2. ROLL CALL

Roll call by Julie Smith, Secretary and marked the following present:

Officers

- President - Stacey Kemp, Collin County Clerk
- Vice President – Lisa Johnson, Hemphill County Combo Clerk
- Treasurer – Patti Henry, Chambers County District Clerk
- Secretary – Julie Smith, Potter County Clerk
- Immediate Past President – Laura Hinojosa, Hidalgo County District Clerk

Board Members

Director

Director in Charge

- | | | |
|------------|---|--|
| Region I | <input checked="" type="checkbox"/> Brenda McKanna, Moore County Clerk | <input checked="" type="checkbox"/> Melissa Mead, Hartley County Combo Clerk |
| Region II | <input checked="" type="checkbox"/> Paige Lindsey, Terry District Clerk | <input checked="" type="checkbox"/> Kim Carter, Terry County Clerk |
| Region III | <input type="checkbox"/> Berta Rios Martinez, Brewster County Clerk. | <input checked="" type="checkbox"/> Tammy Robinson, Taylor County District Clerk |
| Region IV | <input checked="" type="checkbox"/> Rachel Chavez-Duran, Sutton County Combo | <input checked="" type="checkbox"/> Velva Price, Travis County District Clerk |
| Region V | <input checked="" type="checkbox"/> Cathy Jentho, Eastland County Clerk | <input type="checkbox"/> Sharena Gilliland, Parker County District Clerk |
| Region VI | <input checked="" type="checkbox"/> Terri Willard, Rusk County District Clerk | <input checked="" type="checkbox"/> Laura Hughes, Kaufman County Clerk |
| Region VII | <input type="checkbox"/> Lisa Teinert, Lee County District Clerk | <input checked="" type="checkbox"/> Schelana Hock, Polk County Clerk |

Region VIII Anne Lorentzen, Nueces County District Clerk J.C. Perez III, Jim Wells County Clerk

Parliamentary - Karren Winter, Archer County Clerk

Guests in attendance were as follows:

Patricia Oyerbides – Ward County District Clerk
Lynne Findley - Collin County District Clerk
Luz Hinojosa – Texas Association of Counties
Sam Burke – Texas Association of Counties
Michele Mund – Texas Association of Counties
Sarah Lazarowitz – County Progress

A quorum was present and announced to Stacey Kemp.

3. Invocation

Invocation was given by Patti Henry, Treasurer.

4. Pledges to American and Texas Flags

Pledges to the American and Texas Flags were led by Patti Henry, Treasurer.

5. Discussion, Consideration and Approval of Minutes from Board of Directors Virtual Meeting – August 19, 2020, Julie Smith, Secretary

MOTION was made by: **Cathy Jentho**: Motion to approve.

SECOND was made by: **Velva Price**.

None opposed, motion carried.

6. Discussion, Consideration and Approval of Treasurer’s Report

Patti Henry, Treasurer, provided totals for the following accounts as of October 31, 2020.

Checking:	\$54,719.11	Expenses:	\$ 57,302.26
Money Market:	\$76,938.18	Income:	\$ 5,798.63
Auxiliary:	\$ 7,752.84	Net Income:	\$ (51,503.63)
Assets:	\$139,410.13	Total Assets:	\$318,264.23

MOTION was made by: **Schelana Hock**: Motion to accept the Treasurer’s report.

SECOND was made by: **Terri Willard**.

None opposed, motion carried.

7. Discussion, Consideration and Approval of the 2019 – 2020 Tax Return

Lisa Johnson, Vice President, stated that the 2019 taxes were filed on November 13, 2020 with a total of \$376,488.00. The invoice for preparation of the tax return from Hoyle Partain in the amount of \$4,045.00 was also discussed.

MOTION was made by: **Patti Henry**: Motion that we approve 2019-2020 tax return.

SECOND was made by: **Cathy Jentho**.

None opposed, motion carried.

8. Discuss and Consider Adopting an Automatic Payment System to pay CDCAT Fixed Rate Contract Vendors

Patti Henry, Treasurer, lead the discussion. She explained the process of how CDCAT checks are issued and the time it takes to get the check issued, signed and to the payee. We also have fixed rate contracts that we

could possibly expedite payments on. Patti spoke with Lori at Edward Jones and Rod at Hoyle Partain in reference to this situation and a reoccurring check request can be set up and the check would go straight to the payee. The CDCAT Board will need to give permission to Edward Jones which will require a one-time signature allowing the distributions until they are revoked by the payor or payee.

Stacey Kemp called for a Motion for the Board to approve the automatic payment system to pay CDCAT fixed rate contract vendors.

MOTION was made by: **J.C. Perez, III:** I'll make a motion.

SECOND was made by: **Laura Hughes.**

None opposed, motion carried.

9. **Discuss and consider asking the board to call a special meeting of the membership to vote on bylaws that would allow the association to hold a virtual vote for conference city, clerk of the year and secretary as outlined in CDCAT bylaws 5.03 and 6.09 adopted 2020.**

Discussion on this item was led by Velva Price, Bylaws Chair. Velva explained that a request was made for the Executive Board to consider holding an election for by-laws, conference city, secretary and clerks of the year outside of the Summer conference that we are planning on having in person. This would be in the event that the Summer conference in person would not be possible due to the current pandemic situation.

MOTION was made by: **Velva Price:** Under the bylaws of 6.10 the Board of Directors have determined that an emergency exists that requires a special meeting for the following items only: to have an election on a conference city, an election on the bylaws, election on the Clerk of the year, election on the Secretary be a virtual meeting that has been determined and sent to us by the President.

SECOND was made by: **J.C. Perez, III.**

None opposed, motion carried.

10. **Discussion, Consideration and Approval of the following items:**

a. **Committee Reports:**

i. **Audit**

Nancy Rister & Tammy Kneuper submitted a report that Stacey read to the Board. The letter to the covered July 1, 2020 to October, 2020 and all findings were good.

MOTION was made by **Cathy Jentho:** Motion to approve the audit report as submitted.

SECOND was made by **Schelana Hock.**

None opposed, motion carried.

ii. **Bylaws**

Velva Price, Committee Chair, provided an update on suggested bylaw changes which consists of reviewing grammar, general misspellings, virtual meetings and the process of elections for Secretary, Clerk of the year and conference city and the ability to have that without being in the middle of a pandemic. There was also a request to add language to the bylaws to include the changes to the surety bond for the Treasurer.

MOTION was made by **Schelana Hock:** Motion to accept the report.

SECOND was made by **Patti Henry.**

None opposed, motion carried.

ii. Community Outreach

Sylvia Garza-Perez, Committee Chair, sent an email to Stacey Kemp that she had nothing to report at this time.

No action taken.

iii. Education

Jennifer Lindenzweig, Committee Chair, provided an update via letter sent to Stacey Kemp. Stacey read the letter updating details of CDCAT education. Luz Hinojosa with TAC provided update on virtual hours that are currently available.

MOTION was made by **Stacey Kemp**: Motion to accept Jennifer's education report.

SECOND was made by **J.C. Perez, III**.

None opposed, motion carried.

iv. Legislative

Patti Henry, District Clerk Legislative Chair, provided update and outline of goals for upcoming session with the first priority being SB 346 cleanup and more specifically the time payment fee for deferred adjudication, crime stoppers re-payment processing fee and the peace officers reimbursement fee designation. Things are moving forward in legislative council to have language written for them. Other bills are in draft or out and authors for the bills are currently being sought after.

Stacey Kemp called for a motion to accept Patti Henry's legislative report.

MOTION was made by **Velva Price**: I so move.

SECOND was made by **Julie Smith**.

None opposed, motion carried.

v. Sales

Sandra Roblez, Committee Chair, sent message to Stacey Kemp that the sales committee made it possible to purchase some items online with the assistance of Anthony Monico, Tom Green County District Clerk. They are currently trying to figure out sales tax and shipping.

MOTION was made by **Stacey Kemp**: I make a motion to accept the sale committee report.

SECOND was made by **Terri Willard**.

None opposed, motion carried.

vi. Banking & Finance

Stacey Kemp commented that there was nothing to report from Dwight Sullivan, Committee Chair, at this time.

No action taken.

vii. Pictorial

Stacey Kemp received an email from Loretta Cammack, Committee Chair, stating that she had nothing to report.

No action taken.

viii. Procedure Manual

Kari French and Lynne Finley, Committee Chairs, submitted reports to Stacey Kemp. Lynne spoke about her report to the Board. Lynne commented that OCA will consider the changes they want and are willing to work with them. Stacey Kemp read Kari French's report to the Board.

Stacey Kemp called for a motion to accept the reports from Kari French and Lynne Finley for the procedural manuals.

MOTION was made by **Julie Smith**. I make a motion to approve.

SECOND was made by **Laura Hughes**.

None opposed, motion carried.

ix. Memorial

Patricia Oyerbides, Committee Chair, asked for help from the Regions that are sending memorials to the Committee to also provide a family address so she can send a note of acknowledgment to the family. She also asked that she be kept up to date on Clerks that have passed away.

Stacey Kemp called for a motion to accept the report.

MOTION was made by **Melissa Mead**: I'll make a motion.

SECOND was made by **J.C. Perez, III**.

None opposed, motion carried.

x. Historical

Beth Rothermel, Committee Chair, sent message to Stacey Kemp that there was nothing to report at this time.

No action taken.

xi. ResearchTX/efile

Stacey Kemp commented that there was nothing to report from Sharena Gilliland, Committee Chair, at this time.

No action taken.

b. Fall 2020 Conference Update – Luz Hinojosa, TAC

Luz Hinojosa provided an update on the conference that was previously canceled. All refunds have been processed. In order to avoid cancellation penalties, Stacey Kemp signed a new contract for the association with the Texas A&M Hotel and Conference Center for years 2022 and 2023.

c. 2021 Winter Conference Update/Registrations-Sam Burke, TAC

Sam Burke provided an update. This year's registrations are currently at 361 registrants compared to last year's registrants of 441.

d. 2021 Winter Conference Update/Sponsorships-Sarah Lazarowitz, TAC

Sarah Lazarowitz provided an update of vendors for the 2021 Winter Conference. There are two floor plans for the vendors. One that will allow for social distancing and one for booth on booth. Twenty-four vendors are registered with eighteen currently paid. We usually have 40-42 vendors at our conferences. Stacey Kemp asked what the board preferred in reference to social distancing vs. booth on booth citing that the Executive Board preferred social distancing but she needed a vote from the full board. Discussion followed.

MOTION was made by **Velva Price**: I'll make a motion that the Board of Directors follow the recommendation of the Executive Committee and that if we go forward in person for the 2021 Winter Conference that the spacing be social distancing for the vendors.

SECOND was made by **J.C. Perez, III**.

None opposed, motion carried.

e. 2021 Winter Conference Update and recommendation on Hotel-Luz Hinojosa, TAC

Luz Hinojosa provided an update on the hotel contract cancellation policy. The original contract had us at 820 rooms and food and beverage minimum of \$38,000.00. Due to COVID, the hotel adjusted the cancellation policy and extended our deadline to make a decision by December 11, 2020.

The hotel provided several options were presented in order for us to move forward which included the following:

- adjusting the food and beverage requirement if we continued to move forward;
- signing a contract with the hotel for years 2024 and 2025;
- booking 1 additional year with the hotel and paying \$10,000; or
- cancelling all together and pay \$20,000.

Karen Gladney, legal counsel, advised that using the force majeure clause is not a good option for the CDCAT to use.

Stacey Kemp discussed and read the results from the survey that was sent to the membership in reference to the 2021 Winter Conference.

No action taken.

f. 2021 Winter Conference Update on Judicial Grant-Michele Mund, TAC

Michele Mund provided update on the Judicial Grant. Lodging will be reimbursed for 4 nights and grant funds have been approved to reimbursement for an in person conference. If the association moves forward with a virtual conference, some of these funds could be used for the Summer Conference but not all of it.

g. Discussion, Consideration and Approval of Hosting a Virtual Winter Conference in 2021.-Stacey Kemp, President

Stacey Kemp commented on the survey and the numbers that came from that survey. Stacey then asked for input from Executive Board and Board of Directors about how to move forward. Luz Hinojosa explained that due to all of the protocols that would need to take place at the hotel during the pandemic, only 200 people could participate in person. She further explained the difference between a hybrid and virtual conference and that it would be more cost effective to have a virtual conference. Further discussion in reference to holding a virtual conference continued.

The following motions were made as a result of the discussions:

MOTION was made by **Velva Price**: I make a motion that the Winter Conference in 2021 be completely virtual.

SECOND was made by **J.C. Perez, III**.

None opposed, motion carried.

MOTION was made by **Laura Hinojosa**: I make a motion to set the conference prices at \$125.00 for the week or \$50.00 a day.

SECOND was made by **Cathy Jentho**.

None opposed, motion carried.

(Decisions on how to refund any overages on persons who have already registered will either be applied to additional registrants from each office or will be listed as a credit for the next conference. Sam Burke and Michele Mund will work to get the word out to previously paid registrants).

MOTION was made by **Velva Price**: I make a motion to cancel the contract with the hotel and pick up the option of two more years which will be years 2024 and 2025.

SECOND was made by **Lisa Johnson**.

None opposed, motion carried.

MOTION was made by **Velva Price**: I make a motion to allow our vendors who have participated in the last three conferences to be allowed to submit their products for free and that Stacey Kemp and TAC coordinate it.

SECOND was made by **J.C. Perez, III**.

None opposed, motion carried.

Sarah Lazarowitz will send an email to the vendors about the changes to the Winter Conference. She will coordinate wording with Stacey before it's sent out.

11. Update on Virtual Classes-Jennifer Lindenzweig- Education Chair

Stacey Kemp provided an update on virtual classes that had been and will be offered for Clerks who still need their CE hours for 2020.

No action taken.

12. Update to 2020 – 2021 Committee Appointments, Stacey Kemp, President

Stacey Kemp announced new appointments on committees as well as Clerks going off certain committees. Stacey also read a list of Clerks retiring at the end of 2020 which comes to a total of 185 years of service and knowledge leaving the association.

No action taken.

13. New or Future Business:

The following updates were provided on various subjects:

Julie Smith provided an update on the Summer Conference currently schedule for June 2021. The conference is still planned on being held in person.

Stacey Kemp mentioned the discussion that the Executive Board held in reference to sending Governor Abbott another letter in reference to the waiver of CE hours as the other one did not make it to his desk. Executive Board made the decision not to send it since the Clerks have been provided an opportunity to get 20 hours with the virtual classes that have been offered.

Stacey Kemp stated that a letter in reference to the Clerks ability to use audio/video technology to issue marriage license will be sent to the Governor. The purpose of this letter will be to ask for clarification of the technology that can be used by Clerks.

14. Adjourned

There being no further business the meeting adjourned at 11:27am.

MOTION was made by **Julie Smith**: So move.

SECOND was made by **Lisa Johnson**.

None opposed, motion carried.

Respectfully submitted,



*Julie Smith
Potter County Clerk
CDCAT Secretary*

