

TYLER COUNTY COMMISSIONERS COURT
SPECIAL MEETING
August 22, 2005 ---- 8:30 a.m.

THE STATE OF TEXAS ON THIS THE 22th day of August, 2005 the
Commissioners' Court in and for Tyler County, Texas convened in a Special Meeting at
the Commissioners' Courtroom in Woodville, Texas, the following members of the Court
present, to wit:

JEROME OWENS	COUNTY JUDGE, Presiding
MARTIN NASH	COMMISSIONER, PCT. #1
RUSTY HUGHES	COMMISSIONER, PCT. #2
JOE MARSHALL	COMMISSIONER, PCT. #3
JACK WALSTON	COMMISSIONER, PCT. #4
DONECE GREGORY	COUNTY CLERK, EX OFFICIO

The following were absent: none thereby constituting a quorum. In addition to the above
were:

JOYCE MOORE	COUNTY AUDITOR
SHARON FULLER	COUNTY TREASURER
JOE SMITH	CRIMINAL DISTRICT ATTORNEY

Steve Hollis, Assistant Criminal District Attorney presented the need to institute
nuisance abatement procedures. This would allow measures to take care of sites that
are hazardous to health and safety. The program would be administered by the acting
assistant **criminal district attorney** and the chief deputy of the **sheriff's department**.
A motion was made by **Commissioner Marshall** and seconded by **Commissioner Nash**
to adopt the **resolution** to institute nuisance abatement procedures for Tyler County,
approving the procedures therein. All voted yes and none no. SEE ATTACHED

Dana Broom presented the specifications for new computers that can be upgraded and
with a warranty. She reported that NETDATA was in agreement with this purchase
being compatible to their software. **Commissioner Marshall** motioned to approve the
purchase of two **computers**, for less than \$4000 from Aaron Mitcham, for the **Criminal
District Attorney' office**. **Commissioner Nash** seconded the motion. All voted yes and
no. SEE ATTACHED PROPOSAL.

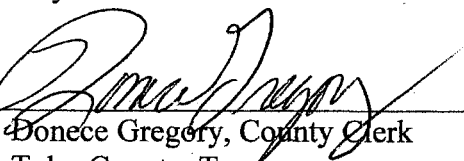
The meeting was adjourned upon motion from Commissioner Walston.

THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED- 8:45a.m.

I, Donece Gregory, County Clerk and ex officio member of the Tyler County
Commissioners Court, do hereby certify to the fact that the above is a true and correct
record of the Tyler County Commissioners Court session held on August 22, 2005.

Witness my hand and seal of office on this the 22nd day of August, 2005.

Attest:


Donece Gregory, County Clerk
Tyler County, Texas

NOTICE OF TIME AND PLACE OF MEETING
COMMISSIONERS' COURT, TYLER COUNTY, TEXAS

THIS NOTICE IS POSTED IN ACCORDANCE WITH V.A.T.S.-17 NOTICE IS HEREBY GIVEN THAT A SPECIAL MEETING WILL BE HELD ON MONDAY, AUGUST 22, 2005 AT 8:30 A.M. IN THE COMMISSIONERS' COURTROOM, FIRST FLOOR, TYLER COUNTY COURTHOUSE.

AGENDA

m/n

1. CONSIDER AND APPROVE RESOLUTION TO INSTITUTE NUISANCE ABATEMENT PROCEDURES IN TYLER COUNTY AND CONSIDER AND APPROVE NUISANCE ABATEMENT PROCEDURES CONTAINED THEREIN. *as exp by Don Hollis, Asst. DA*

m/w

2. CONSIDER AND APPROVE PURCHASE OF TWO (2) CUSTOM COMPUTERS FOR THE CRIMINAL DISTRICT ATTORNEY'S OFFICE.

*Harro Mitcham
of warranty*

JEROME OWENS
COUNTY JUDGE

*July 14
WWS 8:45*

Joer is Co out of pocket?

NO. _____ TIME 11:00 AM

DA has no up State's Local Health Dept

AUG 18 2005
DORICE GREGORY, COUNTY CLERK
TYLER COUNTY, TEXAS
By

Vol. Fire dept.

*Co adopt what St. Leg has pass w/ health?
sanitation-*

Asst DA's! Chief deputies @ SO

*subseq cases will be invest by Health Dept - Clean 4
Abatement set*

*Does each side pay theirs? At the moment may pay a hours
prop demol of 3/dg*

RESOLUTION

STATE OF TEXAS §

COUNTY OF TYLER §

WHEREAS, from time to time nuisance abatement procedures may need to be adopted by the Tyler County Commissioners' Court for the safety and welfare of the citizens of Tyler County; and

WHEREAS, Texas Statutes, as set forth in Subchapter C of §343of the Safety and Health Code provides for such nuisance abatement procedures; and

WHEREAS, § 343.021 of the Safety and Health Code provides that a county may abate a nuisance by demolition or removal after the adoption of abatement procedures consistent with Subchapter C, §343 of the Safety and Health Code; and

WHEREAS, the Commissioners' Court of Tyler County has reason and just cause to implement Nuisance Abatement Procedures for the safety and welfare of the Citizens of Tyler County.

NOW THEREFORE BE IT RESOLVED, that the Tyler County Commissioners' Court unanimously approves and adopts the implementation of Nuisance Abatement Procedures for Tyler County as specifically set forth herein:

§ 343.022. Abatement Procedures

- (a) The abatement procedures adopted by the Commissioners' Court must be administered by a regularly salaried, full-time employee, Acting Assistant District Attorney, or in his absence, the Chief Deputy of the Tyler County Sheriff's Department, but the removal or demolition of the nuisance may be made by a person authorized by the person administering the abatement program.**
- (b) The abatement procedures must require that written notice be given to:
 - (1) the owner, lessee, occupant, agent or person in charge of the premises; and**
 - (2) the person responsible for causing a public nuisance on the premises when:
 - (A) that person is not the owner, lessee, occupant, agent or person in charge of the premises; and**
 - (B) the person responsible cannot be identified.******
- (c) The notice must state:
 - (1) the specific condition that constitutes a nuisance;**
 - (2) that the person receiving notice shall abate the nuisance before the 31st day after the date on which the notice is served;**
 - (3) that failure to abate the nuisance may result in:
 - (A) abatement by the county;**
 - (B) assessment of costs to the person responsible for causing the nuisance when that person can be identified; and**
 - (C) a lien against the property on which the nuisance exists, if the person responsible for causing the nuisance has an interest in the property; and****
 - (4) that the person receiving notice is entitled to submit, before the 31st day after the date on which the notice is served, a written request for a hearing.****

- (d) the notice must be given:
 - (1) by service in person or by registered or certified mail, return receipt requested; or
 - (2) if personal service cannot be obtained or the address of the person to be notified is unknown, by posting a copy of the notice on the premises on which the nuisance exists and by publishing the notice in a newspaper with general circulation in the county two times within 10 consecutive days.
- (e) The abatement procedures must require a hearing before the county abates the nuisance if a hearing is requested. The hearing may be conducted before the Commissioners' Court or any board, commission or official designated by the Commissioners' Court. The Commissioners' Court may designate a board, commission or official to conduct a hearing.

§ 343.023. Assessment of Costs; Lien

- (a) The county may:
 - (1) assess the cost of abating the nuisance, the cost of legal notification by publication and an administrative fee of not more than \$100 on the person receiving notice under § 343.022; or
 - (2) by resolution or order, assess the cost of abating the nuisance, the cost of legal notification by publication, and an administrative fee of not more than \$100 against the property on which the nuisance exists.
- (b) The county may not make an assessment against property unless the owner or owner's agent receives notice of the nuisance in accordance with § 343.022.

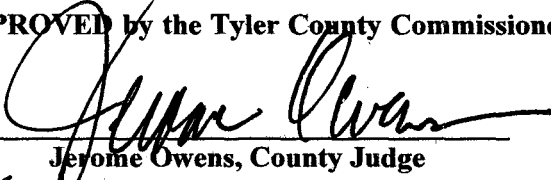
§ 343.024. Authority to Enter Premises

- (a) A county official, agent or employee charged with the enforcement of health, environmental safety or fire laws may enter any premises in the unincorporated area of the county at a reasonable time to inspect, investigate or abate a nuisance or to enforce this chapter.
- (b) Before entering the premises, the official, agent or employee must exhibit proper identification to the occupant, manager or other appropriate person.

§ 343.025. Enforcement

A court of competent jurisdiction in the county may issue any order necessary to enforce this chapter.

PASSED AND APPROVED by the Tyler County Commissioners' Court this 22nd day of August, 2005.

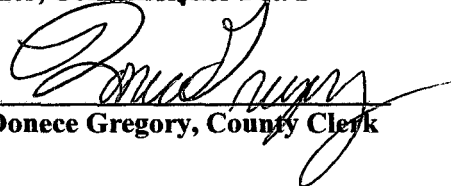

 Jerome Owens, County Judge


 Martin Nash, Commissioner Pct. 1


 Joe Marshall, Commissioner Pct. 3


 Rusty Hughes, Commissioner Pct. 2


 Jack Walston, Commissioner Pct. 4

ATTEST: 
 Donece Gregory, County Clerk

Web Storm COMPUTERS

409-331-0988

Invoice Date:

Quote For: District attorney

*2 computers
D. A.*

Quantity	Description	Taxable	Unit Price	Total
2	High end custom pc's. Will include 17" lcd monitors, dvd burners	Yes	\$1,950.00	\$3,900.00
	Wireless keyboard and mouse Windows 2000 Office 2000			\$0.00
	Antivirus, anti-spyware, and other latest software.			\$0.00
	Services also include onsite install and setup as well as data transfer			\$0.00
	From old pcs to new pcs.			\$0.00
	Exact specifications can not be established until a build date is specified			\$0.00
	As the market is very volatile. However minimum speaks will be at least			\$0.00
	An Amd 2900+ or higher and 512MB of ram or higher with an 80gb hard			\$0.00
				\$0.00
			Subtotal	\$3,900.00
			Shipping	
			Tax	\$521.75
			Total	\$4,221.75
			Payments	
			Amt Due	\$4,221.75

3,900