

TYLER COUNTY COMMISSIONERS COURT
EMERGENCY MEETING
September 18, 2008 ---- 1:00 p.m.

THE STATE OF TEXAS ON THIS THE 18th day of September, 2008 the
Commissioners' Court in and for Tyler County, Texas convened in an Emergency
Meeting at the 201 Veterans' Way in Woodville, Texas, the following members of the
Court present, to wit:

MARTIN NASH	COMMISSIONER, PCT. #1
RUSTY HUGHES	COMMISSIONER, PCT. #2, Presiding
JOE MARSHALL	COMMISSIONER, PCT. #3
JACK WALSTON	COMMISSIONER, PCT. #4

County Clerk was not present at this meeting

The following were absent: Judge Blanchette thereby constituting a quorum. In
addition to the above were:

AUDREY PELLY COURT COORDINATOR

Due to power not being restored, the meeting was held at 201 Veterans' Way, EOC office
at the Nutrition Center. Commissioner Hughes presiding as Judge Pro-Tem:

A motion was made by **Commissioner Nash** and seconded by **Commissioner Marshall**
to modify the contract with North American Procurement Co. (NAPCO). All voted yes
and none no.

A motion was made by **Commissioner Marshall** and seconded by **Commissioner**
Walston to lease the old "landfill" of US Highway 190 E to North American
Procurement Co. (NAPCO) for debris collection from Hurricane Ike. All voted yes and
none no. SEE ATTACHED LEASE AGREEMENT

Commissioner Walston motioned to approve hiring an additional employee in the
County Auditor's office for the duration of the debris management contract. The motion
was seconded by **Commissioner Nash**. All voted yes and none no.

Commissioner Walston motioned to approve hiring a **contract administrator** to
oversee the debris management contract. The motion was seconded by **Commissioner**
Nash. All voted yes and none no.

A motion was made by **Commissioner Walston** and seconded by **Commissioner Nash**
to recess the meeting until 2:00 p.m. All voted yes and none no.

COURT IN SESSION:

Judge Blanchette called the meeting back to order. Informational discussion was had with
Lonnie Grissom (NAPCO) and Glen Bland (FEMA rep) and members of the court. No
further action was taken.

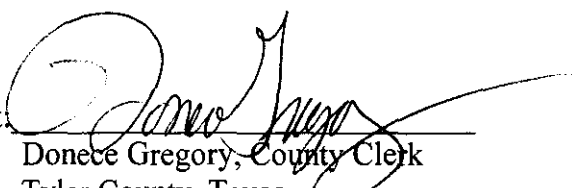
A motion was made by **Commissioner Hughes** and seconded by **Commissioner Nash** to
adjourn the meeting. All voted yes and none no.

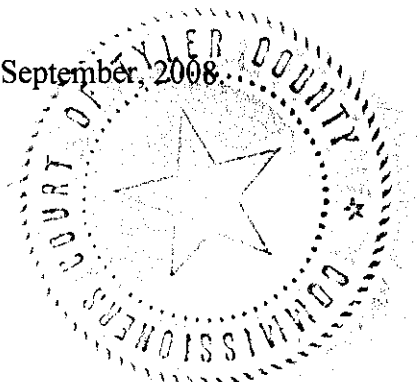
THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED.

I, Donece Gregory, County Clerk and ex officio member of the Tyler County
Commissioners Court, do hereby certify to the fact that these minutes were typed from
notes taken at the meeting by Audrey Pelly.

Witness my hand and seal of office on this the 23rd day of September, 2008.

Attest:


Donece Gregory, County Clerk
Tyler County, Texas



LEASE AGREEMENT

I. Lessor:

Name: Tyler County
Atten: Jacques L. Blanchette, County Judge
Address: 100 Courthouse, Suite 102
Woodville, Texas 75979

II. Lessee:

North American Procurement Company
P. O. Box 2279
Woodville, Texas 75979

III. Property:

Being all that certain tract or parcel of land described on the Exhibit "A" attached hereto, incorporated herein by reference and made a part hereof for all purposes the same as if copied herein verbatim.

IV. Term:

Month-to-Month Tenancy commencing September 16, 2008 and continuing for so long as Lessee pays the monthly rental herein provided.

V. Consideration for Lease:

\$100.00 per month commencing September 16, 2008 and extending until the end of Tyler County project.

VI. Purpose:

Lessee hereby leases the Property to Lessor for the purpose of permitting Lessee to utilize the Property as a Temporary Debris Staging and Reduction Site. In addition to leasing the Property to Lessee, Lessor hereby grants Lessee the right-of-way and access to, from, over and across the Property.

VII. Indemnification:

If there are any claims for damages attributable to the negligence, errors or omissions of Lessee in connection with this Lease and Lessee's utilization of the Property, it is understood and agreed that Lessee will indemnify and hold harmless Lessor from and against any and all such losses, costs, liability, damages and expenses arising out of, or having to do with, such claims.

COPY

VIII. Reclamation:

Lessee agrees that upon the termination of this Lease Agreement, Lessee will return the Property to substantially the same condition as it was in prior to the commencement of Lessee's utilization of the Property.

EXECUTED this 16th day of September, 2008.

LESSOR:
TYLER COUNTY

By: *Jacques L. Blanchette*
Jacques L. Blanchette,
Tyler County Judge

EXECUTED this 16th day of September, 2008.

LESSEE:
NORTH AMERICAN PROCUREMENT COMPANY

By: *David McClintock*
David McClintock,
Vice President of Operations

Woodville TDSRS

17.04 acres



TYLER COUNTY COMMISSIONERS COURT

September 18, 2008
1:00 PM

Tyler County Courthouse, Rm101
Woodville, Texas

NOTICE is hereby given than an *Emergency Meeting* of the Tyler County Commissioners Court will be held on the date above, at which the following subject(s) will be discussed;

NOTE: If power not restored this meeting will be held at 201 Veterans Way

AGENDA

➤ CALL TO ORDER

- Establish quorum

1. CONSIDER/APPROVE: **Modify contract by amendment with NAPCO.**
2. CONSIDER/APPROVE: **Lease of old landfill off US Hwy 190 E to NAPCO for Hurricane Ike debris collection.**
3. DISCUSS/CONSIDER/APPROVE: **Hiring additional employee in the auditor's office for the duration of the debris management contract.**
4. DISCUSS/CONSIDER/APPROVE: **Hiring a contract administrator to oversee the debris management contract.**

9-17, 2008


Jacques L. Blanchette
County Judge

I do hereby certify that the above Notice of Meeting of the Tyler County Commissioners Court is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice in the Tyler County Courthouse at a readily accessible to the general public at all times and that Notice remained so posted continuously for at least the required hours preceding the scheduled time of said meeting, as is required by Article 6252-17. V.T.C.S.

Executed on 9-17, 2008 Time 9:20 pm

Donece Gregory, Tyler County Clerk

By: Audrey Kelly (Deputy)

NO. _____ TIME 9:20 pm

SEP 17 2008

DONECE GREGORY, COUNTY CLERK
TYLER COUNTY, TEXAS

By: Audrey Kelly

NOTES FOR THE SEPTEMBER 18TH, 2008 1:00 pm COMMISSIONERS COURT MEETING

(Taped on larger cassette tape: dated)

Present: Martin, Rusty, Joe Marshall, Jack

Jim Powers, John Morrison, Audrey

Rusty opens meeting at 1:00 pm

<u>item</u>	<u>motion</u>	<u>second</u>	<u>vote</u>	<u>Special notes</u>
1.	Martin	Joe	all yes	It was later determined could not legally be modified for purpose required.
2.	Joe	Jack	all yes	
3.	Jack	Martin	all yes	
4.	Jack	Martin	all yes	

Motion to recess until 2:00 pm

Jack Martin all yes

Judge Blanchette called back to order at 2:00 pm

Present: Judge, Martin, Rusty, Joe Marshall, Jack

Lonnie Grissom, Glen Bland (FEMA rep), Audrey

Informational discussion on tape.

Motion to adjourn

Rusty Martin all yes

Audrey's notes