

Bois D' Arc Lake Zoning Commission

08/29/2019 Meeting Minutes

THE STATE OF TEXAS
COUNTY OF FANNIN

On Thursday, August 29, 2019, the Bois D' Arc Lake Zoning Commission (BDA-LZC) held a public meeting after public notice was posted on August 22, 2019 at 12:11 p.m. with the following members being present:

Kevin Darwin
Gary Fernandes
Bob McCraw
Randy Moore
Gilbert Welch

I. Call to Order / Establish Quorum;

Judge Moore called the meeting to order at 8:30 a.m. and stated all members are present. Quorum established.

II. Introductions;

No introductions.

III. Public Forum;

No one came forward to speak.

IV. Approve Meeting Minutes from 07/11/2019;

Mr. Fernandes made a motion to approve the 07/11/2019 minutes. Seconded by Mr. Darwin. Motion passes.

V. Discussion, consideration and action to approve the BDA Lake Special/Variance Application;

Mr. Welch was concerned about having too many forms/applications regarding Lake development. He stated the application doesn't have an option of whether it is in a floodplain area or not. It also does not list whether or not it is involved in any legal matter.

Mr. Fernandes asked if the LZC really wants to get involved with whether or not there is any legal action on the property. If we take action on an application and there is legal action pending, would that put the BDA in the middle of it?

Mr. Darwin asked if any legal action on the property would be a reason for denial.

Judge Moore thought we should hear from Ms. Huffman or Mr. Cunningham regarding this matter.

Mr. McCraw also questions whether or not it is the concern of the BDA if there is legal action or not.

Judge Moore said the only thing the Lake Zoning Regulations say is to provide proof of taxes paid.

Mr. Welch made a motion to table the item until the next meeting. Seconded by Mr. Fernandes. Motion passes.

VI. Discussion, consideration and action regarding a 312 Reinvestment Zone for Weisz properties;

Judge Moore mentioned that he went to a seminar regarding reinvestment zones (RZs) and learned a lot. He stated our county solar farms have been granted reinvestment zones, but that they barely qualify. What Mr. Weisz is proposing is why they have RZs. Community enhancement.

What is needed are details...how big of a hotel, how many cabins, how big will the restaurant(s) be, how will it benefit the County, etc... He would like to get someone here to talk to the board regarding RZs.

Mr. Welch stated he doesn't believe the BDA regulations say anything about RZs. This decision may be strictly up to the Commissioners Court. If Commissioners Court wants us to address RZs, we will need to have that in the Regulations Manual.

An audience member asked what the tax liability would be if the BDA did grant RZs. None at first, but then it would go back five years.

Judge Moore mentioned that the RZ must be in place before any work is done and can understand why the BDA-LZC would not have a say in RZs. This is a question for Daniel Harrison.

Mr. Welch made a motion to table the item until we hear back from Daniel Harrison. Seconded by Mr. Darwin. Motion passes.

VII. Discussion, consideration and action regarding language and responsible parties in Section 8.04 Lake Area Development (Building) Permit in the Lake Zoning Regulations;

Section 8.04 states to go through the Commissioners Court to obtain building permits and such. Commissioner Lackey would like to see this language changed to Development Services.

Commissioner Magness, who was present in the audience, agrees and said this is why we created the Development Services position in the first place.

Mr. Welch said he likes the terminology Commissioners Court Appointee. He feels the name of the office should match what the individual is applying for, i.e. Permitting Office.

Mr. Darwin agrees with Commissioner Magness.

Mr. McCraw made a motion to recommend the Commissioners Court designate the responsible office for actions related to lake building permits. Seconded by Mr. Welch. Motion passes.

VIII. Discussion, consideration and action on changes and/or modifications requested by landowners

There are not any current applications to be discussed. Item passed on.

IX. Set next BDA-LZC Regular Meeting date and time.

Mr. McCraw moved to set the next Regular Meeting date to October 3, 2019 at 8:30 a.m. Seconded by Mr. Welch. Motion passes.

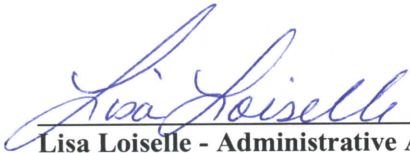
IX. Adjourn

Mr. Darwin motioned to adjourn. Seconded by Mr. McCraw. Motion passes.

Meeting adjourned at 9:17 a.m.

The above and foregoing represents true and correct minutes of the Bois d' Arc Lake Zoning Commission meeting that was held the 29th day of August, 2019 at 8:30 a.m.

ATTEST:

A handwritten signature in blue ink, appearing to read "Lisa Loiselle", is written over a horizontal line.

**Lisa Loiselle - Administrative Assistant to
Fannin County Judge, Randy Moore**