

LAKE COUNTY
CAPITAL FACILITIES ADVISORY COMMITTEE
MEETING MINUTES – September 16, 2014

Members Present: Bill Benham, Agricultural Industry Representative
Carolyn Maimone, Home Builders Association of Lake County
Peter Tarby, League of Cities
Natalie Werner, Citizen At Large
Jim Richardson, Citizen At Large
Lori Farfaglia, Banking or Finance Industry Representative
Commissioner Sean Parks, District 2 (non-voting)

Members Absent: Rosanne Brandeburg, Lake County Schools Representative

Staff Present: Amye King, Lake County Growth Management
Melanie Marsh, Lake County Attorney's Office
Wendy Taylor, Lake County Administration
Tina Chavez, Lake County Growth Management

Guests: Jim Miller
Bill Mathias, Lake County School Board

Chairman Bill Benham called the meeting to order at 9:35 a.m. and introductions were made. He commented that Bill Mathias would be arriving in approximately a half hour but would not be a voting member. He stated that a quorum was present. He asked staff to go over the list of current committee members as several members' terms had expired.

MOTION was made by Peter Tarby to accept the minutes. It was seconded by Carolyn Maimone. The motion carried unanimously.

Old Business:

The chairman went over the location on the County's website to locate prior meeting documents. www.lakecountyfl.gov/board.agenda/capital_facilities_advisory_committee.aspx

New Business:

Discussion ensued regarding the current school impact fee study. It was noted that the study was done in 2011 and that some of the information was outdated. It was the consensus of the committee that an updated study would assist them in making recommendations to the Board of County Commissioners.

Amye King advised that she and Commissioner Leslie Campione attended the Lake County School workshop on Monday, September 14, 2014. During the meeting the School Board suggested that the Concurrency Working Group (advisory group consisting of city, county and school board planners which was formed by inter-local agreements) reconvene to discuss concurrency status and boundaries. Ms. King explained what concurrency was with regards to statutory references and the status of inter-local agreements with each of the cities.

At 10:10 a.m. Bill Mathias joined the group. He asked why he was not informed of the meeting, yet Ms. Brandeburg was. It was explained that Ms. Brandeburg is the current alternate member, but staff would ensure Mr. Mathias was notified of future meetings going forward.

Mr. Mathias discussed the need to update the current school impact fee study. He explained that there are several alternatives to consider to include MSBU's, lease back and charters. He stated the School Board is \$395M in debt and growth needed to be addressed immediately. He stated the MSBU is a special tax benefitting those that live in a certain area that is paid over time and does not affect the value of a home. He commented that when speaking with Mr. Fishkind, Mr. Fishkind felt the number of \$10,292 was too low.

Carolyn Maimone pointed out that when the study was done it was at the height of the building boom and that property values had changed drastically. She felt the number would be lower today. She stated that the current school impact fee being collected is \$2500 per home.

Discussion ensued regarding imposing a different fee per district in the county. Melanie Marsh stated that the school system is considered one system and they cannot separate it by district.

Carolyn Maimone advised of the plan Commissioner Campione proposed several months ago wherein a discounted fee for less than 10 homes would be considered or even be exempt.

Amye King explained that it was the School Board's responsibility to have the study updated if they so desired.

Melanie Marsh explained that the only exemption right now is in the 55 and over communities. She read portions of the May 2013 memo from Sandy Minkoff explaining the reasoning for not considering different impact fees in different parts of the County. The 1991 St. John's County case was shot down as the court determined the school system is a unified system and by doing so the fee would become a user fee. In regards to the Attorney General opinion that the School Board had requested, it was the AG's opinion that counties could level impact fees by district if it passes the dual rational nexus test and it does not implicate the Florida Constitution. She stated she would send both memos to the committee.

Discussion ensued regarding creating a program for low income citizens wherein a portion of the fee would be paid for out of the General Fund.

Amye King handed out a survey of the surrounding counties' impact fees.

The Chairman asked what was needed from the committee at this point. Amye King replied that the Board would like a recommendation from the committee (as to the letter from the School Board) before the December 2nd Board of County Commissioners meeting.

Discussion occurred regarding the Tax Collector collecting a fee/tax over a five year period to lessen the load on home builders. Melanie Marsh stated that he can only collect assessments and if the fee does not benefit the property it cannot be considered an assessment.

Amye King confirmed the items the committee had requested prior to the next meeting.

The next meeting was scheduled for October 16, 2014 at 9:30 a.m. at the EOC building in Tavares.

The meeting adjourned at 11:40 a.m.

Respectfully submitted

Wendy Taylor
Executive Office Manager

Bill Benham
CFAC Chairman