

LAKE COUNTY IMPACT FEE COMMITTEE
January 17, 2008

The Lake County Impact Fee Committee met on Thursday, January 17, 2008 in Room 233 of the Lake County Administration Building, 315 W. Main Street in Tavares, Florida. Ordinance 1996-31, effective April 19, 1996, created this Committee to review impact fees adopted by the Board of County Commissioners, evaluate the expenditure of funds collected via impact fees, and make recommendations to the Board of County Commissioners.

Ordinance 2004-26, enacted April 6, 2004, effective April 13, 2004, changed the name of the Impact Fee Evaluation and Review Committee to the Lake County Impact Fee Committee and changed membership from eleven members to ten members. A current commissioner of the Lake County Board of County Commissioners shall serve as liaison in a nonvoting position and shall not be considered a member.

County Commission Liaison

Commr. Jennifer Hill

Members Present:

Bill Calhoun, Citizen at Large
Nancy Hurlbert, Citizen at Large
Jean Kaminski, Home Builders Association of Lake County, Chairman
Karen LeHeup-Smith, Lake County League of Cities
Ray San Fratello, Industrial Community Representative
Ammon Smith, Citizen at Large

Members Not Present:

Jim Miller, Chamber of Commerce, Vice Chairman
Bill Benham, Agricultural Industry Representative
Carol MacLeod, Superintendent of Schools Designee

Staff Present:

Angi Thompson, Impact Fee Coordinator
Ed O'Malley, Impact Fee Technician
T. J. Fish, Executive Director MPO

Other:

Tom Leahy, Lake County School Board for Carol MacLeod

Chairman Kaminski called the meeting to order at 9:35 a.m. Mr. Tom Leahy from the Lake County School Board introduced himself and advised he was attending the meeting at the request of Carol MacLeod. Chairman Kaminski advised Mr. Leahy that he was invited to participate in the meeting but could not participate in any votes.

MOTION by Nancy Hurlbert, SECONDED by Ray San Fratello, to approve the November 15, 2007 Lake County Impact Fee Committee minutes as submitted.

**FOR: Kaminski, Calhoun, LeHeup-Smith, Hurlbert, Smith,
San Fratello**

AGAINST: None

NOT PRESENT: Miller, Benham, MacLeod

MOTION CARRIED: 6-0

Chairman Kaminski confirmed that the meeting had been properly advertised in the newspaper and noted that the minutes from the October 18, 2007 meeting also were available for approval by the Committee. A short discussion followed during which Committee members refreshed their memories with respect to the October 18, 2007 meeting.

MOTION by Nancy Hurlbert, SECONDED by Ray San Fratello, to approve the October 18, 2007 Lake County Impact Fee Committee minutes as submitted.

**FOR: Kaminski, Calhoun, LeHeup-Smith, Hurlbert, Smith,
San Fratello**

AGAINST: None

NOT PRESENT: Miller, Benham, MacLeod

MOTION CARRIED: 6-0

Election of Officers

Chairman Kaminski offered to accept nominations for officers. Committee members discussed the merits of rotating committee members through the Chairman and Vice-Chairman positions and further discussed whether members not present at the meeting could be nominated and elected to a position. Discussion further explored the possibility of tabling the vote until the next meeting. Chairman Kaminski suggested that an agenda item regarding impact fee study updates be moved forward on today's agenda so that Commissioner Hill could take part in that discussion. Commissioner Hill had another commitment and would have to leave the meeting early today. It was agreed to table the election of officers until later in the meeting.

Impact Fee Study Update

Angi Thompson summarized for members that the fire, park and library impact fee studies have not been completed. Tindale, Oliver & Associates (TOA) has informed Ms. Thompson that it will cost approximately thirty seven thousand dollars (\$37,000.00) to complete these studies and would take about four (4) to eight (8) weeks to complete. Commissioner Hill will need a recommendation to take back to the Board of County Commissioners (BCC) with respect to these studies. The Committee will need to determine whether the current climate is suitable to expend the funds, complete the studies and recommend potential impact fee increases to the BCC or to defer completion of the studies to a later date. Bill Calhoun suggested it was a poor time to propose additional spending on an impact fee study particularly with Amendment 1 on the ballot for January 29th. He suggested that discussion on whether to authorize spending the money and finishing the study be tabled until at least the next meeting. Ms. Thompson explained that the money to complete the studies was available and would be paid out of the existing impact fee accounts. She further stated that the Committee needed to determine whether to spend the money and complete the studies without first determining whether they would be willing to recommend the study results to the BCC should they indicate an increase in impact fees was warranted. Nancy Hurlbert felt it would be a disservice to recommend spending the money to complete the study and then not be ready

to recommend the study conclusions to the BCC. She mentioned further concerns with the data getting old and the complaints that accompanied the recently completed school impact fee study which was criticized for having used outdated data. She further stated her agreement with Mr. Calhoun that the committee should not be spending the money at this time. Chairman Kaminski voiced her agreement that the timing was bad for the committee to be considering spending this money and then potentially recommending to the BCC further impact fee increases. Ray San Fratello brought up that the recent annual reports for fire, park and library indicated impact fees were declining as a result of the slowdown in the housing market and he asked if any Committee members remember during the annual reports if there were any indications from the respective divisions of a shortage of funds due to this slow down. Chairman Kaminski responded that she also didn't recall any suggestion from any of the departments that they were concerned that impact fee receipts were declining and would affect their funding requirements. Mr. San Fratello indicated that he would be concerned if we ended up with a study that was based on old data. He also raised the issue of the Transportation Alternative Funding Task Force (TAFTF) which was formed to evaluate transportation funding. Jean Kaminski advised Committee members that the TAFTF was on today's agenda and T. J. Fish would be filling members in on its status. Mr. San Fratello stated his concern that school impact fees had just been raised some 32%, the future of transportation impact fees is uncertain in that the TAFTF may well recommend increased impact fees in concert with other ideas to raise additional funds for roads. He is concerned that these increases plus potential increases for fire, park and library impact fees which may come out of a completed study may be more than the economy could bear. Discussion continued with input from Commissioner Hill stating the BCC could wait for further input from the Committee although they wanted to be sure any recommendation made to them was based on reliable study data. T. J. Fish was asked if he could contribute to the discussion by letting Committee members know what the status of the transportation study was. Mr. Fish indicated that the TAFTF would be holding their first meeting on January 28th and it was his feeling that it would take them somewhere in the range of nine (9) to twelve (12) months to make any recommendation to the BCC. He further stated it was his opinion that paying out the \$37,000.00 now to finish the studies was unwise and that he believed the Committee should wait to tie the fire, park and library impact fee study timeline back in line with the outcome of the TAFTF results in the early 2009 time frame. Ammon Smith asked if the current study underway was based on the last two (2) or three (3) years. Ms. Thompson confirmed that data was from the last three (3) to five (5) years. Discussion moved to deferring a decision on completing the study until the March Impact Fee committee meeting. Commissioner Hill asked if the cost to complete the study would increase if a decision was deferred and if so how much. Ms. Thompson indicated she would check with the consultant to see if there would be additional costs or if new data would be required by delaying a decision until March.

MOTION by Bill Calhoun, SECONDED by Nancy Hurlbert, to table a decision on completing the fire, park and library Impact Fee Studies until the March, 2008 meeting of the Impact Fee Committee.

FOR: Kaminski, Calhoun, LeHeup-Smith, Hurlbert, Smith, San Fratello

AGAINST: None

NOT PRESENT: Miller, Benham, MacLeod

MOTION CARRIED: 6-0

Commissioner Hill departed the meeting after thanking committee members for all their hard work during 2007.

Transportation Alternative Funding Task Force

Chairman Kaminski reintroduced T. J. Fish, Executive Director of the Lake-Sumter Metropolitan Planning

Organization (MPO). Mr. Fish provided background on the MPO. Essentially the only current funding source for capacity in the transportation network is impact fees, all other funding sources are relegated to maintenance. He stated that this puts an enormous burden on impact fees. To approach this problem the TAFTF will be educated on needs and funding sources over the next two (2) months. The Task Force will be looking at all options to fund needs including a five (5) cent per gallon gasoline tax already approved but not implemented. This increase in the gas tax would not necessarily have to go before the voters but could be approved by the BCC. Another source could be ad valorem taxes from Community Redevelopment Areas (CRA) within the municipalities. Decisions for the Task Force will not be easy. Chairman Kaminski invited committee members to feel free to attend TAFTF meetings in order to stay informed. Nancy Hurlbert asked if there is a deadline for the Task Force to reach conclusions. Mr. Fish indicated that no deadline has been set. The TAFTF will look at items that may need referendum votes or action by the BCC. He believes that actions will be identified and enacted on over the next one (1) to two (2) years. Chairman Kaminski indicated she is hopeful the TAFTF will be successful and asked Mr. Fish to please be available to provide future updates to the Committee.

2008 Impact Fee Committee Meeting Schedule

Ms. Thompson indicated that the Committee is obligated to meet at least once a quarter and at this point she felt identified Committee activities could be consolidated to alleviate the need to meet more often than once per quarter in 2008. She asked if the Committee was agreeable to this. The Committee discussed postponing the next meeting until April and any decision on impact fee studies would be deferred to that meeting. It was agreed on a recommendation from Mr. San Fratello, that should any member feel a need has arisen for the committee to meet in the interim, this could be arranged by contacting Ms. Thompson. Ms. Thompson then identified a tentative agenda for April including ordinance review, the road fee annual report, discussion of the study status (fire, park and library) and a TAFTF update from T. J. Fish. The next meeting would be in July and could tentatively include the legislative update, the school fee annual report and the MPO funding update. Chairman Kaminski suggested that the Committee needed to know if there are deadlines they should be aware of in terms of submittals to the BCC for legislative action. Ms. Thompson agreed to identify same. The last quarter meeting could be in October to hear the fire, park and library impact fee annual reports. Ms. Thompson informed the Committee that by adopting this schedule of meetings, the Committee would only be meeting once per quarter in the first month of each quarter. She wanted the Committee to also understand that due to a lack of meeting rooms county-wide she planned to reserve Room 233 in the Administration Building for those dates only. Should the Committee determine over the course of the year that an additional meeting was required, meeting space at a County facility could be difficult to find.

Other Business

Ms. Thompson opened the discussion relative to Committee vacancies; one vacancy is for an appointment by the Conservation Council. A letter was sent to the Council requesting an appointment on November 20, 2007. No response has been received yet. We may send letters out to other conservation groups within the County to solicit nominations. One other vacancy is for another Citizen-at-Large member. Recruiting is underway and terms will be coincident with all terms expiring in August 2008 and then will be extended for an additional two (2) years. Committee membership is being increased to eleven (11) members in hopes of alleviating any potential for tie votes. All Committee appointments expire at the same time and all members will be notified in advance to see if they are interested in serving on the Committee for another two (2) years.

Election of Officers

Chairman Kaminski reinitiated the discussion on the election of officers by asking if the committee wanted to table this discussion until the April meeting.

MOTION by Bill Calhoun, SECONDED by Ray San Fratello, to reappoint the current Chairman and Vice Chairman of the Lake County Impact Fee Committee

to another one year term.

FOR: Kaminski, Calhoun, LeHeup-Smith, Hurlbert, Smith,
San Fratello

AGAINST: None

NOT PRESENT: Miller, Benham, MacLeod

MOTION CARRIED: 6-0

No further business being advanced Chairman Kaminski adjourned the meeting at 10:32 a.m.

Respectfully submitted,



Ed O'Malley
Impact Fee Technician



Jean Kaminski
Chairman