

**LAKE COUNTY IMPACT FEE COMMITTEE
JANUARY 21, 2010**

The Lake County Impact Fee Committee met on Thursday, January 21, 2010 in the Lake County School Board Room at 201 W. Burleigh Blvd. 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. 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

Commissioner Jennifer Hill

Members Present:

Bill Benham, Agricultural Industry Representative
Richard Giacobe, Citizen at Large
Peter Glenn, Banking and Finance
Nancy Hurlbert, Citizen at Large, Chairman
Carol MacLeod, Lake County Schools
Linda Nagle, Home Builders Association of Lake County
Ray San Fratello, Chamber of Commerce (arrived at 9:44 a.m.)

Members Not Present:

James Argento, Citizen at Large
Bill Calhoun, Citizen at Large
Robert Foley, Lake County Conservation Council
Karen Leheup-Smith, Lake County League of Cities

Staff Present:

Amye King, Director, Department of Growth Management
Angi Thompson, Development Processing Manager
Ed O'Malley, Program Specialist
Melanie Marsh, Interim County Attorney
Wendy Breeden, Public Resources Director
Bobby Bonilla, Parks Director
Tom Merchant, Library Services Director

Chairman Hurlbert called the meeting to order at 9:30 a.m. and noted that the meeting had been duly advertised. Chairman Hurlbert asked for a motion on the October 15, 2009 Lake County Impact Fee Committee meeting minutes.

MOTION by Linda Nagle, SECONDED by Carol MacLeod to approve the October 21, 2009 Lake County Impact Fee Committee minutes.

FOR: Benham, Giacobe, Glenn, Hurlbert, MacLeod, Nagle, San Fratello

AGAINST: None

NOT PRESENT: Argento, Calhoun, Foley, Leheup-Smith

MOTION CARRIED: 7 – 0

Ms. Hurlbert announced that the Library and Parks Fee Reports would be moved up to the start of the agenda. Additionally, Ms. Hurlbert added an impact fee suspension discussion as an additional item on the agenda. She then asked for self introductions of all members and staff present for the meeting.

Library Fee Report:

Mr. Tom Merchant, Library Services Director, provided an overview of the Library systems impact fee receipts. He provided a written report showing fiscal year 08/09 beginning balances, revenues, expenditures and ending balances. Mr. Merchant provided corresponding fiscal year 09/10 projections and open project awards along with their cost projections. Finally he provided listing of final costs on closed projects within the library system. Mr. Merchant than opened the discussion for any questions. He was asked by Mr. San Fratello to confirm whether Library impact fees were collected on a county wide basis as opposed to a district basis. Mr. Merchant confirmed that this was true.

Parks Fee Report:

Mr. Bobby Bonilla, Parks Director, provided an overview of the Parks system impact fee receipts beginning with fiscal year 06/07 and running through fiscal year 08/09. The charts provide by Mr. Bonilla indicated starting balances, fees collected, interest earned, expenditures and final balances by park district for each of the three fiscal years. Mr. Bonilla further provided a projection for 2010 by way of proposed projects with a description and status for each of the three park districts. He then opened the discussion for questions. Ms. Hurlbert confirmed that the report showed a balance across the three park districts of approximately \$700,000.00. Mr. San Fratello questioned whether there are any agreements to share costs for parks between any of the municipalities and the county. Mr. Bonilla responded that discussions are ongoing but have not as yet reached any resolution. Agreements would require approvals by the individual City/Town Council as well as approval by the Board of County Commissioners (BCC).

Old Business

Ms. Hurlbert asked Ms. Thompson, Development Processing Manager, to provide an update on the status of the ongoing impact fee studies. Ms. Thompson reminded the members that Duncan Associates had been awarded the study, that they were finishing up the data collection phase of the study and are or would soon begin putting together the staff reports and that they have currently invoiced a little over \$20,000.00 to this point. In response to questions, Ms. Thompson indicated the committee would in all likelihood be hearing from Duncan Associates in the form of a report at our next regularly scheduled meeting, or earlier if necessary, at a special meeting.

New Business

Annual Election of Officers:

Ms. Hurlbert opened the discussion by calling for nominations from the floor for Chair of the Impact Fee Committee for 2010.

MOTION by Ray San Fratello, SECONDED by Carol MacLeod to elect Nancy Hurlbert as 2010 Chair of the Impact Fee Committee

FOR: Benham, Giacobe, Glenn, Hurlbert, MacLeod, Nagle, San Fratello

AGAINST: None

NOT PRESENT: Argento, Calhoun, Foley, Leheup-Smith

MOTION CARRIED: 7 – 0

Ms. Hurlbert opened the discussion for filling the position of Vice Chairman of the Impact Fee Committee for 2010.

MOTION by Peter Glenn, SECONDED by Carol MacLeod to elect Ray San Fratello as 2010 vice Chair of the Impact Fee Committee

FOR: Benham, Giacobe, Glenn, Hurlbert, MacLeod, Nagle, San Fratello

AGAINST: None

NOT PRESENT: Argento, Calhoun, Foley, Leheup-Smith

MOTION CARRIED: 7 – 0

2010 Meeting Schedule:

Ms. Thompson informed the committee that meetings will be scheduled for the third Thursday of the first month of each quarter, those months being January, April, July, and October. Room 233 in the Administration Building is set up to be the permanent county Emergency Operations Center and as a result the committee may need to meet at various locations depending on room availability. Ms. Thompson will provide a schedule in the coming weeks.

Impact Fee Suspension Discussion:

Ms. Thompson opened the discussion by informing the committee of a BCC agenda item provided to the members at our meeting. This particular agenda item was for a proposed discussion of a payment plan for impact fees that was to be held in a joint meeting of the BCC and the Lake County School Board. That meeting has been rescheduled for 2:00 PM on Monday, March 22, 2010. Committee members are welcome to attend this public meeting. Ms. Thompson then initiated a second discussion item for the committee to consider regarding a suspension of the collection of transportation impact fees. The BCC is looking at means to incentivize commercial construction in the county. She further stated that a legal requirement would not allow for a suspension of transportation impact fees for commercial projects only. If suspended, the suspension would have to apply to residential as well as commercial. Commissioner Hill indicated that the BCC was interested in learning if the committee was supportive of the BCC looking into the possibility of a suspension on the collection of transportation impact fees. Some things to consider include how this would affect prepaid impact fees, existing developer agreements, existing deferral agreements, etc. The BCC wanted the committee's opinion because any change in the impact fee ordinance would have to first go through the Impact Fee Committee. Ms. Thompson confirmed for the members that the BCC is looking only at those fees which are collected on commercial projects. If the board wished to suspend all commercial impact fees for projects that suspension would include transportation and fire impact fees. This suspension would then automatically have to apply to residential construction as well. There was considerable back and forth discussion on whether a suspension of fees would mean that the money for roads would be collected or paid out of another source. Ms. Thompson clarified that a suspension was not the same as a waiver and that if suspended, the county would have to make do without the money. Discussion then evolved as to how a potential suspension might change the need for the impact fee studies currently underway. Ms. Thompson stated that the studies would still need to be completed to satisfy legal requirements for current study data and would be used by the BCC to set future impact fee rates. The BCC is looking into a temporary suspension of the transportation impact fee. The committee then discussed what other surrounding counties and municipalities are doing with respect to impact fees and how those counties fund their road projects. The committee was unprepared to make a determination on whether the impact fees should be suspended. Commissioner Hill brought the meeting back into focus by indicating that the BCC was not looking for this decision but was interested in knowing whether the committee supported the idea of the BCC examining the idea of a suspension of transportation impact fees. The committee coalesced around this idea and a motion was made.

MOTION by Ray San Fratello, SECONDED by Bill Benham to voice support of the BCC exploring the idea of an indefinite suspension of the collection of transportation impact fees.

FOR: Benham, Giacobe, Glenn, Hurlbert, MacLeod, Nagle, San Fratello

AGAINST: None

NOT PRESENT: Argento, Calhoun, Foley, Leheup-Smith

MOTION CARRIED: 7 – 0

Ms. Hurlbert entertained a motion to adjourn which was seconded at 10:34 AM.

Respectfully submitted,

Ed O'Malley
Program Specialist

Nancy Hurlbert
Chairman