

**ST. JOHNS COUNTY**  
**CIVIC ASSOCIATION ROUNDTABLE**  
**Minutes for March 14, 2005**

*Treasurers Report: \$3,935.33, including \$900 from contributions of 15 members.*

*Corrections to February minutes -- re Georgia Pacific to place pipeline for industrial runoff in the St. Johns River: Many scientists believe Dioxin to be one of the most toxic chemicals known to man. Pollution and other toxic assaults hit women harder than men. Endometriosis and the ability to reproduce have strong ties to toxic chemicals.*

*Dr. Allicock of the SJC Health Department had an emergency, could not present at the March meeting.*

**IMPACT FEES – RECOMMENDATIONS for the MARCH 16 BCC**  
**Meeting**  
**Participation from Roundtable Representatives**

Chairman Dick Thomas handed out "Exhibit A", "Impact Fees by Land Use Type with Past Payment Credit". This was a suggested Revision of the Five Tier Steps presented earlier through consultant Prof. Dr. James Nicholas. This revision was based upon types of Land Use, including different types of industrial, office, commercial, recreational, institution, medical, and two tiers of Residential as opposed to a Nicholas schedule based on amount of square footage or number of bedrooms. Use categories in Exhibit A seem to defy some rationalization. Wouldn't a Nursing Home, for example, have greater need for fire and rescue? Why would expansion of the existing hospital have a very high fee?

Two weeks ago at a BCC meeting, testimony by the Chamber of Commerce, Builders Association, and Economic Development Council was in opposition to any increase in commercial impact fees as they said it would negatively impact their efforts to bring business into the county. It doesn't make sense to exempt already approved DRIs or PUDs for the very reason Impact Fee increases are being considered.

As background, in 1988 Dr. Nicholas, a nationally recognized authority, presented the first Impact Fee suggested schedule for St. Johns County. After a two year "study" by a Committee, the BCC adopted Impact Fees, but only at 65% of the recommended amount. A few years later it was increased to 85%. There was no indexing to take into account increased costs. As a result, the County is perhaps \$500 million behind in providing adequate roads and bridges, schools, law enforcement, fire and rescue service, parks and recreation. Any Impact Fees imposed today just by themselves will not be able to play catch up to this mega million short fall caused by a failure to impose Impact Fees in the past. What used to cost \$725,000 for a mile of road now costs \$2.5 million.

In 1990 the cry was heard that Impact Fees would stop development and create a negative for new commercial interest. But this had no effect on growth then, so why should it have a negative effect now? "*We must raise funds for infrastructure now, or God help us*", commented one Roundtable rep.

Dr. Nicholas has based his numbers in the 5 Tier proposal on what he found the actual impact costs are. He was hired because, under contention, he would be able to defend the basis for impact costs presented. There has been no argument about his calculations. He was hired again this time, paid for with general tax dollars from our pockets. We need to listen to him. A political agenda often takes the form of "muddying the waters" with a lot of negative discussion. The result often is that no action or only token action is taken. Just because "developers don't like it" is not a reason to penalize the current residents of the County. If Dr. Nicholas doesn't know what he is doing, why did we invite him back?

Argument on behalf of the commercial interests appears rational, however the reason a company locates its business here is: quality schools for children of its valued employees, recreation and quality of life, and the tax base going forward. Our county has one of the lowest tax bases in the region. A one time fee that might equal one year's taxes is not going to bother a business. If it is a business based on number of rooftops like a grocery store, it will come here no matter what. If we reduce the amount for commercial impact fees, we will have to raise funds in other ways. Commercial businesses should be given incentives where and if incentives are warranted.

A legal reason can be given not to approve new development. It can be based on issues of public safety and not having sufficient infrastructure to support new development. Our Board of Commissioners in the past two years has approved more development than ever before and frequently approve waivers to zoning and changes to the Comprehensive Plan. They have just paid more than necessary in multi-million dollar amounts for new land for schools and recreation, which

should be paid for or donated by development. Every new school that opens has portable classrooms because they are not big enough, fire and rescue service cannot catch up, and much of the county has one of the worst ISO insurance ratings. Every year Commissioners roll their eyes and gulp at a multi-million dollar budget increase request from the Sheriff's office. They prune a few dollars off and swallow. There needs to be a better institutional memory of what has been occurring.

There is a misunderstanding about what Impact Fees really are. They are NOT a tax. The fees must be related to REAL COSTS. When a new unit is approved, it creates an immediate need for schools, roads and parts. If Impact Fees don't pay for these, existing residents and businesses will have to. People who create the impact should pay for it. Taxes are UNRESTRICTED revenue, which can be used for anything, including infrastructure that is otherwise not funded. Fees are RESTRICTED revenue, which must be used for the purpose levied. With fees you know what you spend is what you pay for, i.e. Impact Fees build Ball Fields; taxes pay for their maintenance.

**Tom Manuel, a Member of the PLANNING AND ZONING AGENCY (PZA) Reported:**

The PZA has discussed the Impact Fee subject at length and has made unanimous resolutions and sent recommendations to the BCC. Chair Ron Schumaker will be present on March 16 to personally present these recommendations. (1) The Nicholas study as submitted is consistent with the comprehensive plan, (2) Recommend adoption of the Nicholas study as submitted, (3) Recommend (a) at a minimum the timing of the payment of Impact Fees be made consistent (currently inconsistent); (b) developments of less than 20 total units pay Impact Fees for long term planning items (transportation, education and recreation) upon issuance of a building permit; (c) developments greater than 20 units pay Impact Fees upon issuance of a development order. (4) Recommend all Impact Fees be Indexed, (5) Recommend Index to be used is the Construction Cost Index based upon the previous year's number [*choices of Indexing are the CPI, Construction Costs, or Petroleum indexes*]. *Manuel also commented:* The PZA recommends adoption of the original 5 Tier Nicholas report as submitted, without exceptions. DRIs (*Developments of Regional Impact*) have contributed significantly more toward infrastructure than PUDs (*Planned Unit Developments, under 999 units*), giving more incentive to break up properties and less incentive for good planning. This needs to be corrected. Transportation, Education, and Recreation are long term planning needs which need funding sooner than the issuance of the Certificate of Occupancy (C.O.). Now affordable housing and mobile homes pay at building permit time and a 6,000 SF home at C.O. This should be a consistent plan. Now we collect \$729 per school seat as a fee, when the actual cost is \$30,000.

**AROUND THE ROUNDTABLE – Comments from Around the Room**

1. *Jim McLean, Willow Walk.* A general tax increase needed gets taxed to everyone, but Impact Fees are specific and fair.
2. *Harold Baker, North Shores.* I was on the county selected committee that wrote the impact fee report in 1988-90. There was a 6 month delay in action after that by the BCC. We need to get this through now; no delay.
3. *Dave Spiller, Vicar's Landing.* There are a lot of increased costs. These fees are a requirement now.
4. *Pat Doran, Marsh Landing.* There are three issues – Economics, Quality of Life, and Delay. No one talks much of quality of life, which should be a major goal. Because of the gap in time between approval and permitting and the gap that is pre-existing, removing as much of the delay factor is crucial.
5. *Mary Kohnke, Palm Valley [former County Commissioner\*].* Companies look for schools, life style and a tax base. They don't focus on a one time entry fee.
6. *Clara Cowan, Seaside.* We hired an expert. The controversy that is being created is not good for anyone.
7. *Sarah Bailey, Bishops Estates [former County Commissioner\*].* After Impact Fees were passed the last time, we heard no uproar. The BCC meeting following the passing of Impact Fees, they were reduced to 65%. They were never increased to 100%.
8. *Roger Van Ghent, Audubon of St. Johns\*.* The fees should be Indexed to match the actual impact as time goes along. The fee has to grow, or shrink, as conditions warrant. Any reductions made to any category must be compensated by another source of revenue, and these fees do not address the current short fall.
9. *Tom Manuel, Maplewood/Julington Creek\*.* The Index would be an annual adjustment. The timing of payment is now two weeks before new residents show up when the Certificate of Occupancy (CO) is received for developments under 20 units. Over 20 units is a long term planning item for Schools, Transportation, and Recreation, and should be at least when permitting is done. Horizontal infrastructure should be prior to vertical construction.
10. *Bill Jepson, Treasure Beach.* I will build a house on the lot next to me, and the impact fee doesn't bother me, because I'll get it back when I sell it. If you build houses, commercial enterprises will come no matter what.
11. *Phil Ham, St. Augustine Shores.* Residential has the greatest impact, Commercial less, and Industrial even less, so any classification by use needs to be made on the impacts needed.

12. *Joe Ciriello\*, St. Augustine South.* Once a house is up, hopefully it's there at least 20 years. Doesn't think the justifications by categories (Exhibit A) make sense. Fire Service is way behind needs.
13. *Jackie Van Horn, Flagler Estates.* There is a lot of growth now. We seriously need better Fire and Rescue protection in the Southwestern part of the county.
14. *Jerry Durcholtz, Flagler Estates.* (Five Ps:) Proper Planning Prevents Poor Performance. Figures Don't Lie, Liars Figure. Let's not muddy the waters.
15. *Jerry Cameron\*, St. Augustine South.* You took my money to hire Dr. Nichols. Is this being wasted? If you go to a Doctor and he tells you how to save your life, do you say you are not going to follow his advice?
16. *Nick Meiszer, Casa Cola [former County Commissioner]\*.* If you believe development should pay for itself, you have impact fees related to development. The more revenue sources for infrastructure purposes the better. Need also to look at taxes on utilities, sales tax and real estate transfer fees.
17. *Len Kaufman, Glenmoor.* Today, when I left to drive here, I could see the need for impact fees.
18. *Carl Bloesing, Ponte Vedra.* Increased fees are critically important. I support the original schedule. The County has a lot of debt. Development should be paid for up front.
19. *David Wiles, South Anastasia Island.* Supports the PZA recommendations and Indexing.
20. *Daniel MacDonald, Marsh Landing.* Impact Fees do not cover all growth in the county, only new construction. We should fully support the Nicholas report and indexing, with payment at the appropriate time in advance.
21. *Linda Oakley, Marsh Creek.* I support the PZA report, fees levied sooner rather than later, and Indexed.
22. *Henry Warner, Marsh Creek.* [This is a personal comment, and not that of Marsh Creek, as the President of the Builders Council lives there ]. I observed that other Counties have much higher Impact Fees than the ones proposed here. When payment comes from taxes out of my pocket, I support the increase to decrease the burden on current residents.
23. *Sam Ertel, Sawgrass Association.* I support the PZA recommendations and Indexing
24. *Walter Rohrer, Sawgrass Association.* I support the Dr. Nicholas report and the PZA recommendations.
25. *Marshall Caitlin, Westminster Woods.* I support increased impact fees but not the Exhibit A schedule by land use. There should be a complete study of all taxes and fees imposed in the county.
26. *Dick Houser, Sawmill Lakes.* Is this decision going to be Rational or Political? The increase in value of each home appears to have gone up by \$100,000 in just a few years, so why the argument?
27. *Ellen Whitman, Bartram Scenic Highway\*.* I support Nicholas and Indexing by construction costs. I also am against the continuing practice of making Amendments to the Comprehensive Plan at almost every BCC meeting.
28. *Jack Jones, South Anastasia Island.* I support the PZA recommendations. There should be no rational break for Commercial.
29. *Ron Sanchez, County Road 13\*.* I endorse the PZA action and important Indexing. Law Enforcement and Fire Protection is critically lacking. We must look at other income to catch up.
30. *Marcy Silkebaken, Friends of NERR.* No one has challenged the Nicholas numbers. Everyone needs to make a call to their Commissioner.
31. *Diane Mills.* We need accountability. Is the "Where is the money going?" question being answered?
32. *Sacha Martin, Villages of Vilano.* There is a valid reason why new development should not be approved at all if there are not sufficient, schools, fire and law enforcement, recreational facilities or road capacity. The new schedule should be imposed on all development not yet constructed to help with catch up.  
*[because of time constraint, several did not comment, but did vote]*  
*\* Held public office, or were candidates for public office*

**MOTION: To be presented to the BCC by the Chairman**

**That this Board take a position that it supports Dr. Nicholas' [impact fee] recommendations unadulterated, that it supports the PZA's positions on indexing, and that it supports the PZA positions with the exception that we believe that the fees should be payable upon issuance of the building permit. Further that Roger Van Ghent, with another on the Board, prepare a document to be presented reflecting such. (proposed, seconded, and unanimously approved)**

Chairman Dick Thomas asked every one to call their commissioner, and to ask at least 6 people to come to the meeting at 5:30 pm on Wednesday, March 16.

**ST. JOHNS COUNTY  
CIVIC ASSOCIATION ROUNDTABLE**

**Agenda for**

**MONDAY – APRIL 11, 2005**

**St. Johns County Main Library – U.S.1 at San Carlos Avenue  
9 – 11 AM**

**: Program :**

**Suzanne Jenkins  
City Council Representative for District 4  
Jacksonville City Council**

**REGULATIONS and REGULATORS  
How They Do It in Duval County**

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**Review of County Budget  
and Other Committee Reports  
Associations Show and Tell  
Issues of County Interest**

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**ST. JOHNS COUNTY: [www.co.st-johns.fl.us](http://www.co.st-johns.fl.us)  
ST. JOHNS COUNTY VISION: [www.stjohnsvision.com](http://www.stjohnsvision.com)  
ROUNDTABLE INFORMATION:  
Sacha Martin, Secretary, 824-1212, 501-5545 : 133 Coastal Hollow Circle 32084**