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Collier commissioners to attend meeting of impact fee task force

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Members of the Collier County commission will invade Jacksonville on Monday to register their displeasure with the work of an impact fee task force.

Commissioners Frank Halas, Tom Henning, Donna Fiala and Jim Coletta have chartered a plane to make the meeting.

The impact fee task force will make recommendations to the governor and state Legislature next year on where to go next with future growth management legislation, and the county fears the task force will push to cap impact fees.

Collier officials believe the task force has been stacked with developers, and will recommend either a cap on impact fees or a standardization of impact fees throughout the state.

Either option would hurt Collier County.

A request to have a Naples Daily News reporter on the plane to Jacksonville was denied because the plane doesn't have room.

County Attorney David Weigel said the plane flight is legal as long as the commissioners don't discuss county business. Weigel is expected to dispatch an assistant county attorney on the plane to make sure no one violates the Sunshine Law.

"We'll make sure no county business is discussed," said Deborah Wight, assistant to the county manager, who will be on the plane.

Adria Harper, director of the First Amendment Foundation in Tallahassee, agrees this action is legal, but said the foundation advises against situations like this.

"On the surface there is no violation of the Sunshine Law," Harper said. "But it is a gray area where you have to take the county officials' word that nothing improper was discussed."

People are suspicious and often lack faith in their officials doing the right thing in such situations, Harper said.

Collier government officials contend a growth management law that went into effect earlier this year will damage their system for balancing growth with providing services, known as concurrency management.

Commissioners' main complaint is that the growth management bill doesn't let them create a tougher concurrency program than the state allows. Collier County's program is tougher than the state's, so commissioners fear the local program will become moot and they'll have to abide by weaker state requirements as the new law is implemented.

The growth management law called for the appointment of an impact fee task force that would review Florida's use of impact fees to pay for growth and offer suggestions for improving the way impact fees are levied.

The task force cannot enact any laws on its own, but its recommendations are expected to carry a lot of weight with the Legislature and governor.

Wight said the commissioners hope to speak against the capping of impact fees, or any other action that damages a county's ability to manage its own growth management plan.

Coletta said he hopes to speak to the task force.

"I don't think we can afford not to go," Coletta said when asked why he was attending the meeting.

Coletta attended a previous meeting of the task force, but was not allowed to speak.

"I want to talk at this one and let them know how I feel," Coletta said. "It's important that the task force hears from Collier County."

Coletta said his understanding of the task force is that it doesn't want to cap impact fees.

Fiala said she also hoped to speak about the county's concerns.

"I'm optimistic that we can make a difference," Fiala said.

Commission Chairman Fred Coyle is the only commissioner not going. Coyle said he doesn't believe going to the meeting will accomplish anything.

Coyle expects the task force to recommend capping impact fees. He believes the task force already has decided to do that, so going to the meeting is a waste of time.

Al Zichella, president of the Collier Building Industry Association, is on the state task force. Zichella said the task force has not made any decisions yet and will continue to discuss scenarios for several more meetings.

The task force expects to make a recommendation before the 2006 legislative session begins.

County officials would like to see the task force recommend a bill that specifically says county's can have a tougher concurrency system than the state requires. There is disagreement as to whether or not the law that passed earlier this year allows systems tougher than the state requires.

Monday's impact fee task force meeting will be held from 9 a.m. to 3 p.m. in the Board of Trustees Room at the University of North Florida's University Center in Jacksonville.

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