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### County's home-rule powers in jeopardy

Sarasota County Commissioner Jon Thaxton has been urging residents to lobby Florida legislators about impact fees: "Hands off. Let the counties continue to handle them."

He was appointed last August to a 15-member statewide task force whose majority, he said, is composed of builders, developers and Realtors. He fears that the group's report, scheduled in February, will follow the "party line": replace the home rule powers of the counties and transfer them to the state Legislature.

The task force was mandated by the revised state growth management plan. It was charged with providing a balance between development and broader community interests.

"The Legislature is not the appropriate body to deal with impact fees," Thaxton said. "Raising revenues and resisting deficits for infrastructure should be in the hands of the people who have those needs."

Legislators, he said, are under greater pressure from special-interest groups.

"Impact fees are a right of home rule, which was supported by Florida's courts," he added. "The home-building industry is upset with the courts. Builders want to bypass the judiciary, and go through the Legislature, ignoring standards established by case law since 1975."

Thaxton agrees that "impact fees are high. Land, materials, labor are making it virtually impossible to pay for the roads we need to sustain growth in Sarasota County, probably all over the state.

"But allowing the state to regulate impact fees instead of the counties, which home-builders want, is not the way. It will mean shifting impact fee income to property taxes, and dismantling impact fees."

#### Every tax source

County Administrator Jim Ley estimates that residents pay \$150 in taxes annually, per person, to support road-building. He credited the county commissioners' foresight in increasing taxes on gasoline and telecommunications a few years ago.

"That has enabled revenues to almost match the costs to build necessary roads," he said.

"But this only allows us to pay for about half of needs for roads," Thaxton observed.

Forty Florida counties use impact fees to pay for roads, schools and libraries. Huge deficits paying for infrastructure is the norm in every county. Thaxton, in discussions with other task force members, discovered that Sarasota County is midway in impact fee rates.


"We're not falling as far behind as other counties in supporting growth," he reported. "I found that we are the only county that uses every tax source to pay for our roads."

"Other counties have had a significantly difficult time paying their transportation costs," Ley added. "The state's transportation policy takes funds from Manatee, Hillsborough and Sarasota counties, and gives them to more urban areas. When counties raised the gasoline tax last time, cities got a windfall."

"The commission's willingness to bite the bullet in this respect has been rewarding," Ley said. "But despite the generosity of our public, land costs for right of way and construction keep rising beyond budgets."

**By Gerald A. Rogovin**

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