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County: Rail terminal's impact fees difficult to track

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BARTOW - Representatives from the county and CSX say they are pleased to have a blueprint for calculating future impact fees related to the planned rail terminal in Winter Haven, but stress that current dollar amounts may change before the site is developed.

The county commission approved last week in a 3-2 vote an agreement with Evansville Western Railway, Inc., a subsidiary of CSX, identifying the formula used to calculate transportation impact fees. Commissioners Jean Reed and Randy Wilkinson cast the dissenting votes.

The agreement states that using the approved formula with recent data, transportation impact fees calculated for the Winter Haven terminal total about \$2.07 million. The calculation allows credit for the amount of property tax and fuel tax paid by the company.

But County Attorney Michael Craig said this figure is likely to be different by the time the terminal is developed.

"The numbers presented in the agreement are based on information as we know it today," Craig said.

"These numbers may change between now and when Evansville seeks application for development approval."

Craig said there isn't yet an official time frame for the development of the terminal but that it could be one to two years from now.

"We agreed on methodology," Craig said. "We agreed to take information that may be more up to date than these today so the fee that is paid is based on relevant figures."

Evansville Western Railway will not pay the transportation impact fees until the development has completed the approval process.

Rick Hood, assistant vice president for CSX Real Property, the developing agency for Evansville, said the impact fee calculation issue was raised in April when consultants from the Lakeland-based engineering firm Tindale-Oliver and Associates suggested a new impact fee schedule for regional rail facilities.

"It became apparent that there was information we could share," Hood said.

Craig said the original impact fee schedule included a separate category for rail impact fees in which fees were calculated on a per-acre basis.

"Our outside council expressed a concern about basing an impact fee category for one particular use and calculated on a per acre basis," Craig said.

Hood said the \$2.07 million impact fee includes the development of the entire 318-acre site.

The county's current impact fee schedule does not include a category for rail impact fees.

"I think what we're glad about is that we had the opportunity to enlighten the staff at the county about the formula and the variables and help them come to the proper conclusion," Hood said.

Craig said the agreement is based on one used by other companies for alternative impact ordinances.

But Hood said the county's transportation impact fees aren't the norm.

"Polk County is one of the few counties that has this type of transportation impact fee," Hood said.

"Transportation impact fees vary by county."

Reed said she voted against the agreement because she felt it should have been approved by the Impact Fee Committee before being brought before the commission.

Wilkinson said that he is not against the rail terminal project but has concerns about the impact fee covering the demands the terminal will place on road and other transportation elements.

"I still think it needs to pay for itself," he said. "I think the \$2.07 million mark is low to me."

But his main reason for voting against the agreement is because consultant Steve Tindale, wasn't at the meeting to address questions.

"I really wanted the person who did the original study to be there," Wilkinson said.

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