

## Charlie Wilson: Indian River County staff continues reluctance in refunding impact fee refunds to deserving county landowners

Charlie Wilson is chairman of Impact Fee Consultants, Vero Beach. He has run for office in Indian River and St. Lucie counties several times.

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The yearlong political saga over impact fee refunds has finally come to an end. We can now separate facts from politics.

We begin with the very existence of refunds. Originally Indian River County staff claimed that there were no refunds. Community Development Director Bob Keating, Budget Director Jason Brown and County Administrator Joe Baird all were adamant that no refunds existed.

"It is staff's position that there are no refunds," Keating told the Indian River County Commission Aug. 16, 2011. We now know that was not true.

The county has collected impact fees since 1986. In that time millions were refunded, mostly to big developers with insider knowledge. For 26 years not one average citizen, small-business man or homeowner was notified that they were eligible for a refund.

County rules required that a property owner must apply for a refund within one year or lose it. Hundreds of homeowners have had refunds due to them but did not know it, and lost their money. County staff knew refunds were due but kept it a closely guarded secret. Not once in the 15 years when refunds were pending did Baird bring refunds to the attention of county commissioners.

On March 13, an additional \$1.5 million in refunds were made public. The County Commission ordered refunds despite continuing efforts by the staff to make refunds impossible. At this time, more than 600 families are eligible to receive \$3 million in refunds for unspent impact fees. It's a far cry from "no refunds due."

After a year of fighting against refunds, the county now wants you to believe that no one needs to continue to represent citizens and hold the county accountable. According to Keating, "All you have to do is fill out the form and wait for your check." This could not be further from the truth.

Check the record. The county has:

1. Kept refunds from the public for up to 15 years.
2. Charged a county fee that could exceed 30 percent to find if a refund was even possible.

3. Inaccurately and consistently denied that refunds even existed.
4. Refused to provide or delayed access to public records that proved refunds.
5. Eventually admitted that refunds existed but claimed to misunderstand which fund.
6. Issued inaccurate and incomplete lists.
7. Refused to process refunds that are legally due and properly applied for.
8. Misreported the amount of interest payable by the county.
9. Adopted unconventional accounting systems to eliminate hundreds of eligible citizens.
10. Increased spending on low-level projects to deplete funds rather than make refunds.

Remember what former President Ronald Reagan said: "The most frightening words in the English language are, 'We're from the government and we're here to help you.' "

Impact Fee Consultants will continue to fight for transparency and a full, honest, accurate accounting for the administration of impact fees. We will continue to advocate for all property owners whether or not they are clients. We will hold county government accountable.

Remember:

1. County staff to this day continues to deny refunds to people who are entitled to refunds.
2. Not one person would get a penny in refunds if it were up to county staff.
3. No one would be notified that they had a refund if it were up to county staff.

About 4. 600 residents are now eligible for \$2.6 million in refunds over staff objections.

If county staff led by Baird had been honest and transparent about impact fees from the beginning, there would have been no need for Impact Fee Consultants. Unfortunately they were not.



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