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# Builders' Impact-Fee Lawsuit Is Not Delaying School Construction

Published: Wednesday, March 18, 2009 at 2:51 a.m.

Last Modified: Wednesday, March 18, 2009 at 5:19 a.m.

In regard to your story on March 7 "County, Schools Meet on Funding," the conversation of impact fees arose by Superintendent of Schools Gail McKinzie ,wherein she said that more school-construction money may be available soon, depending on whether the development industry decides to appeal its challenge of Polk's school impact fees to the Florida Supreme Court.

School Board Chairman Frank O'Reilly pointed out that \$18 million has been sitting in an escrow account, pending the outcome of the suit, adding that it's ironic that the lawsuit filed by the Builders Association is holding up construction and the jobs it will create. "People who are out of work should call up Mr. Scott Coulombe," O'Reilly said.

I received no phone calls at all, only one e-mail from a concerned mother of three who had been waiting two years for their new school to be built. Here is the gist of my response to her:

Concerned mother of three, please understand a few things here. First off, Frank O'Reilly was out of line in his comments to blame me. Secondly, this lawsuit was filed because we feel that it is unconstitutional and that this will be statewide precedent-setting. The language states that "it is the responsibility of the legislature to fund the class size reduction not the local jurisdiction." The School Board had told us that "they didn't care what the constitution says, we need the money and we don't trust the Legislature to fund it."

What kind of message is that for our children?

Well the state did come forth with approximately \$144 million for the class-size reduction, which reduced the amount collected for the class-size reduction down to a remaining portion of \$1,210 that is part of the \$4,171 that we pay to the school. We fully expected that local judges would never rule against a School Board, especially their own local one. The School Board, never had to put the money into escrow. That was done on the advice of their attorney Wes Bridges.

Eighteen million dollars is 1.9 percent of the School Board's capitol improvements budget and is not by itself holding up any school construction. Frank O'Reilly was not telling the whole truth but rather taking advantage of a media opportunity to take a direct shot at me.

As a matter of fact, student enrollment is declining. Commercial builders are working and are much better off than single-family home builders. Yes, the economy is what it is, but the lawsuit has nothing to do with the overall budget dollars that are no longer coming into the school coffers.

Ms. McKinzie is known for having a top-heavy administration, which throws off the student ratio dollars and salaries for teachers.

The Polk County Builders Association's lawsuit is a grain of sand on the School Board's beach and nothing at all as Mr. Frank O'Reilly would like you to believe. It is a much larger issue than the School Board members would ever admit too.

I was surprised to read in the paper what Frank O'Reilly said, in light of the fact that the FBI came knocking on the school district's door to investigate allegations of construction-contract or procedural violations, and corruption. If you have any further questions, I will try my best to answer them. Thank you.

SCOTT COULOMBE

Executive Director

Polk County Builders Association

Lakeland

This story appeared in print on page A10

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