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Senator, Collier commissioners wage impact fee war of words

By Larry Hannan

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The 2007 Florida legislative session is still more than a month away, but insults already are flying between Collier commissioners and a state lawmaker.

Collier officials are critical of legislation, Senate Bill 576, pushed by a Bradenton state senator that would change the way impact fees are collected. That GOP senator, Mike Bennett, responded by blasting the entire Collier County Commission and specifically Commissioner Fred Coyle.

"It appears to me that you all elected a group of aristocrats down there that don't think the working man should own a house," Bennett said when contacted by phone Friday. "When you have idiots like Coyle down there you're not getting good representation, and you're welcome to print that."

Bennett is an architect of growth management laws that have been widely criticized by Collier commissioners. Senate Bill 576 would prohibit governments from collecting impact fees, onetime charges on new construction to pay for growth, until a certificate of occupancy is granted. That is issued when someone is ready to move into a building.

Collier County officials are sounding the alarms over the bill, saying some projects can take two years to complete and that's two years of delay for receiving the money growth requires to widen roads, add sewers and serve the development.

Impact fees usually are collected in Collier before buildings are constructed.

Coyle said this legislation could end up costing Collier government \$100 million in revenue a year. He believes the development industry is pushing this legislation.

Commissioners authorized Commission Chairman Jim Coletta this past week to sign a letter to Southwest Florida state legislators objecting to Senate Bill 576, and calling on them to defeat the bill.

"I believe our local legislative delegation can kill this bill," Coyle said. "It's imperative that they do this."

There are people in the Legislature who don't want local government to have control of impact fees, Coyle said, singling out Bennett as one of those people.

"Those people are going to have to bear the brunt of voters' frustration because the voters have said loud and clear that they want local governments to have this power," he said.

About 85 percent of Collier voters passed a straw poll last year that said developers should be required to make improvements to congested roads before they can build subdivisions along them.

Coyle said he believes Bennett didn't have a true understanding of what Collier County is doing with its impact fees.

"My concern is that he listens to the developers here in Collier County who are not telling him the truth," Coyle said.

Coyle was interviewed for this story Thursday, a day before Bennett was interviewed and made his remark about Coyle.

When informed Saturday of Bennett's comment and asked if he had a response, Coyle joked that his response wasn't printable.

"I represent the people of Collier County," Coyle said. "I'm not going to worry about what Mike Bennett thinks of me."

Coyle said he hoped Bennett would come down to Collier County and talk to the commissioners in detail about the county's system for managing growth.

"I really don't think he's getting good information about what we're doing down here," Coyle said. "I think he's got (Collier) builders whispering stuff in his ear, but what he's being told isn't accurate."

Bennett said he's introducing the legislation because counties like Collier are abusing impact fees.

Collier County charges about \$30,000 in impact fees for a 2,000-square-foot single-family home, which is among the highest total of any county in Florida.

The county's property tax rate of \$3.58 per \$1,000 of taxable value is among the lowest in Florida.

"If Collier has the lowest (property tax) rate in the state then all they're doing is protecting the people who already live there and shoving it in the faces of the working people," Bennett said.

With an affordable housing crisis occurring throughout Florida, Collier has no right to charge exorbitant impact fees that make it impossible for middle-class people to buy homes, Bennett said.

"This brings some common sense to impact fees," Bennett said when asked what Senate Bill 576 would accomplish.

"We all know the housing market is in the tank. But instead of taking on the burden themselves, counties like Collier are putting it on the working-class people."

This isn't the first time Collier is unhappy with the Legislature.

In 2005, Collier leaders opposed a growth-management law the state passed because they believed it prohibited counties from having a tougher concurrency management system than the state required. Bennett was one of the leading supporters of that bill, and Coyle was vocal in his disdain for the legislation.

In 2006, Coyle asked Bennett to put a few paragraphs into a larger growth-management bill that would have allowed counties to have a tougher growth-management system.

Bennett put the language into the bill, but took it out before the bill passed and accused Coyle of double-crossing him by pushing separate legislation that would have weakened the 2005 growth management law. Coyle responded by saying developers duped Bennett into taking the language out of the bill.

Collier Commissioner Donna Fiala expressed frustration that Collier is battling the Legislature again.

"For some reason I think a lot of legislators are envious of Collier County because we're a wealthy county and our (property) tax rate is low," Fiala said.

The commissioner also had harsh words for Bennett.

"Isn't he a wonderful guy?" Fiala said sarcastically about Bennett. "Always trying to cut us off at the knees."

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