

**DRAFT MINUTES OF CRSA
ADVISORY COMMITTEE MEETING OF
WEDNESDAY, MAY 21, 2008**

A meeting of the Corkscrew Road Service Area Advisory Committee was held on Wednesday, May 21, 2008 at 2:00 PM at the Estero Community Park in Estero, Florida. Committee members in attendance were Vice Chairman James Boesch (Stoneybrook), Raymond Gonzalez (Cypress Shadows), Madeline Isaacs (Grandezza), James Kurz (Wildcat Run) and Michael Maloney (Stoneybrook). Also in attendance were Scott Coovert (Lee County Attorney's Office), Elizabeth (Libby) Walker (Lee County MSTBU) and Don Deberry (Lee County DOT).

The meeting was called to order by Vice Chairman James Boesch.

1. Mike Maloney volunteered to take the minutes of the meeting.
2. Vice Chairman Boesch introduced and welcomed Madeline Isaacs as a new member of the CRSA advisory committee.
3. Minutes of the January 16, 2008 meeting were approved on the motion of Ray Gonzalez and seconded by Jim Kurz.
4. Financials were distributed by Libby Walker
 - a. Jim Kurz inquired as to the recorded expenditure of \$2,704 having been charged by Lee DOT for having Don Deberry attend and present information to the Board of County Commissioners (BOCC). Mr. Kurz felt that it was a good use of taxpayer's money as Mr. Deberry was a salaried County employee. Both Libby Walker and Don Deberry explained that under the present public accounting system utilized by the County, Mr. Deberry salary is paid out of each project that he is involved with according to the amount of time expended.
 - b. Maddy Isaacs questioned the ownership of unit assessment credits held by the developer of Grandezza in the amount of approximately \$900,000.00, as per Libby Walker. After discussion it was decided that the County Attorney's Office will offer an opinion as to the method of allocating among the property owners in the communities that have unit assessment credits.
5. Libby Walker informed the committee that the contract for Vanasse & Daylor the service provider of the CRSA had expired and was not renewed. Terri Melna was excused by her employer and was no longer available to take minutes. Libby said that it may be difficult to find a replacement as there is not sufficient work being done on the project presently. Jim Boesch felt that a consultant was not needed at the present time. Maddy Isaacs moved not to hire a consultant to replace Vanasse & Daylor, seconded by Jim Kurz and carried.
6. Don Deberry reported that a "land cost" resulting from the condemnation of right-of-way (ROW) on the Ginn property, opposite Bella Terra will be forthcoming. The matter of determining the property owner's damages is pending before the Courts, Ginn having rejected the County offer of compensation and instituted a suit for damages against the County.

7. A discussion regarding the Ginn property having ingress and egress rights to Corkscrew Road, when that development is not part of the CRSA and the housing and/or commercial units built, if any, will not be assessed for the CRSA. A question was posed as to whether we can legally limit Ginn's access to Corkscrew Road and divert traffic from that site to Alico Road? Another question on the subject of the Ginn property was to allocate the Impact Fees collected to the CRSA? Both are complex legal issues that will require further research.
8. Don Deberry reported that a number of questions were posed by the BOCC:
 - a. Can the project be pushed back to the year 2011? (permits will still be valid).
 - b. Disband the CRSA?
 - c. Use money to fund widening of Corkscrew Road from Three Oaks Parkway to Ben Hill Griffin Parkway? (estimated to cost \$13 Million).
 - d. Use funds for another project? (Can't use funds for other projects).

9. Motion by Maddy Isaacs, 2nd by Jim Boesch, and carried.

In order to mitigate safety concerns along the existing two lane section of Corkscrew Road and to preserve the functions allowed under existing permits for the planned improvements to Corkscrew Road, I hereby propose the following:

1. Begin the planned widening project by implementing a first stage before 2011. Stage 1 will consist of preparing the planned roadway Right-Of-Way (ROW) by:
 - a. Address safety issues in existing roadway (including adding turning lanes to improve ingress and egress to those communities where warranted and who have participated in the planned widening through contributions and/or assessments, add cement medians to ease turning onto Corkscrew from said communities, add paved shoulders and/or passing lanes; straighten curve or otherwise bank the road to provide safer travel)
 - b. Clear and fill wetlands in the ROW and perform other mitigation as authorized by the permits.
 - c. Pave shoulders
2. The cost of the above project shall be funded from CRSA fund 10405, which presently amounts to approximately four million, three hundred thousand dollars (\$4,300,000.00).
3. Any remaining monies after Stage 1 is complete or monies to be collected under the original CRSA resolution will be dedicated to a trust fund allotted to the cost of Corkscrew Road improvements and/or eventual widening.
4. Once Stage 1 improvements are completed, Lee County will assume financial responsibility in the excess of Corkscrew Road trust fund (noted above in item 3) for the previously planned and approved, paving, medians, landscaping and other improvements and ancillary construction necessary, when the present roadway reaches the prescribed peak hour trips (PHT) of 1750 vehicles or at such time that the County determines that Corkscrew Road warrants widening and completion of the planned road improvements.
5. This motion is warranted and justified in that

- a. the number of residential and commercial units first proposed to the County by the original developers, as justification for the widening and upon which initial assessments were calculated, will never be attained and which has changed individual assessment projections considerably
- b. the development in surrounding area has changed since the original resolution and has reduced the direct impact of the owners who are successors to this resolution and spreading the road and traffic impacts to other landholders and developments in the area (e.g., SW Florida Regional Airport and FGCU)
- c. the present peak time traffic volumes are estimated to be in 600-700 PHT.
- d. the present permits for the CRSA will expire in the year 2011.
- e. the original contract between Lee County and the developers was ill conceived as evidenced by it being the only such arrangement in Lee County, is 14 years old, and now poses a potential unfair financial burden on the residents of the CRSA to fund the roadway that in fact benefits all the residents of the County.
- f. the current motion requires that all successor owners meet their original assessment obligation and funds continuing improvements to Corkscrew Road with regard to capacity and safety.

