

**Lee County Board Of County Commissioners
Agenda Item Summary**

Blue Sheet No. 20030686

1. REQUESTED MOTION:

ACTION REQUESTED: Approve setting the date of value, for right of way, needed for Corkscrew Road Service Area (CRSA) MSBU, at October 1, 2003. It is the intent of the CRSA to convey the necessary right of way to the County by November 30, 2003.

WHY ACTION IS NECESSARY: Board approval is required.

WHAT ACTION ACCOMPLISHES: Sets date of valuation and ,upon the conveyance to the County, secures the necessary right of way for this project.

2. DEPARTMENTAL CATEGORY: 6
COMMISSION DISTRICT # 3&5

C6B

3. MEETING DATE: *06-24-2003*

4. AGENDA:

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON
- TIME REQUIRED:

5. REQUIREMENT/PURPOSE:
(Specify)

- STATUTE 125
- ORDINANCE
- ADMIN. CODE
- OTHER

6. REQUESTOR OF INFORMATION:

- A. COMMISSIONER
- B. DEPARTMENT *Independent*
- C. DIVISION *County Lands R66-5-03*
- BY: *Karen L.W. Forsyth, Director*

7. BACKGROUND: In 1994, the Corkscrew Road Service Area (CRSA) MSBU resolution was approved by the Lee County Board of County Commissioners for those properties adjacent to Corkscrew Road, east of I-75 and just west of the intersection of Corkscrew Road and Alico Road.

The design for the widening of Corkscrew Road, within the CRSA, is currently being prepared. By setting the date of value and having the necessary right of way conveyed to the County by November 30, 2003, the roadway alignment will be set and re-design due to future development is minimized. This pertains to any right of way which has not already been conveyed.

The CRSA Advisory Committee supported and approved setting this valuation date at their May 15th meeting.

Staff recommends approval

No funds are required for this motion.

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL:

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services				G County Manager
<i>K. Forsyth</i>	<i>MA</i>	<i>m/r</i>	<i>W</i>	<i>E. Hight</i>	OA	OM	Risk	GC	<i>HS 10-10-03</i>
					<i>26 Jun 6-24-03</i>	<i>6/9/03</i>	<i>or 6/16/03</i>	<i>6-9-03</i>	

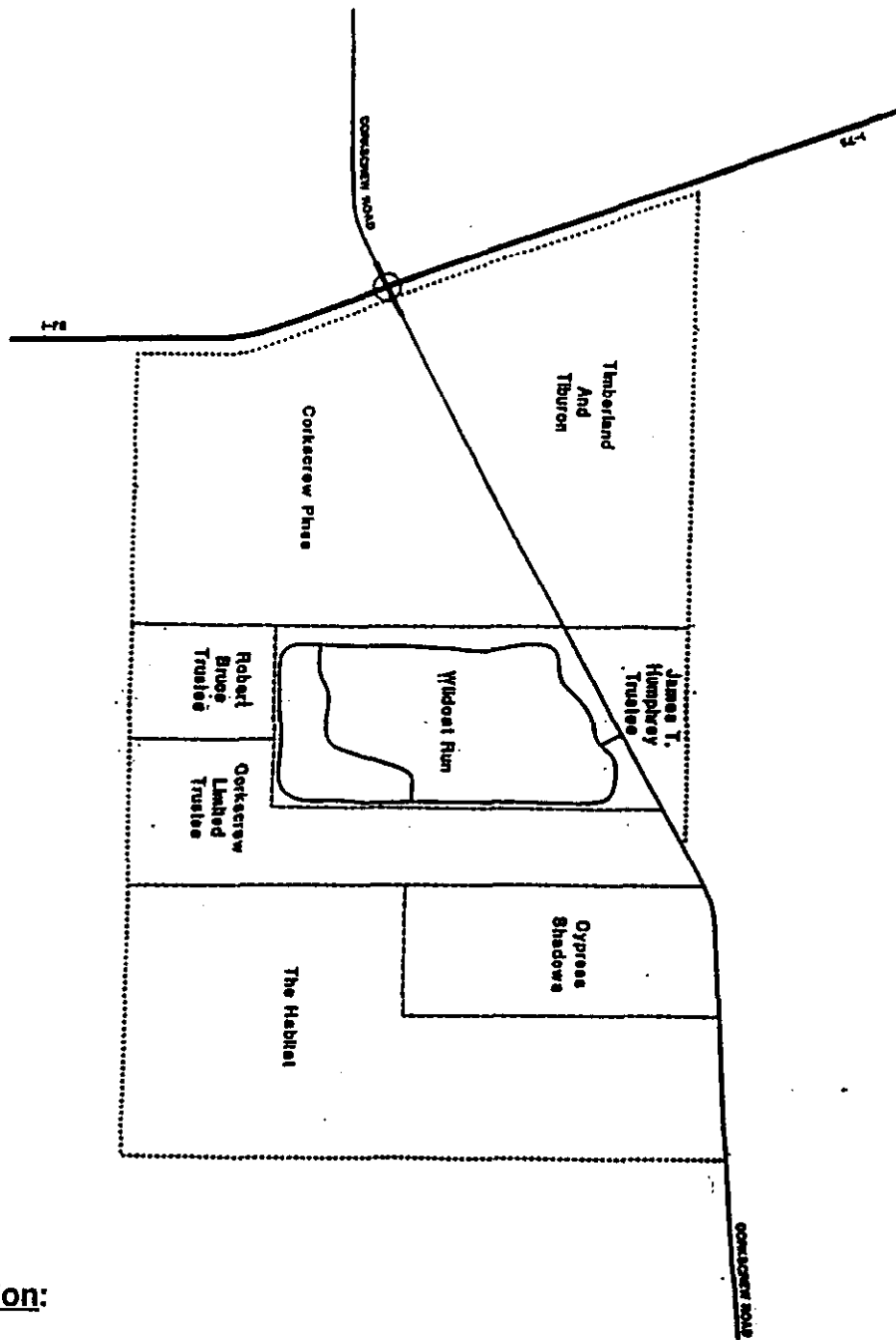
10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty
Date: *6/10/03*
Time: *1:00 PM*
Forwarded To:
6-6-03 City At
3:00

RECEIVED BY
COUNTY ADMIN.
6-6-03 3:25
HS
W/M 1:00

**EXHIBIT A
MAP OF CORKSCREW ROAD SERVICE AREA,
AND LEGAL DESCRIPTION**



UR2541 P6156U

Legal Description:

All of Section 25 and 36, and those portions of Section 26 and 35 east of the right-of-way of I-75 in Township 46 South, Range 25 East.

All of Sections 29, 30, 31, and 32 and that portion of Section 20 south of the right-of-way of Corkscrew Road in Township 46 South, Range 26 East.

**DRAFT Minutes of CRSA
Advisory Board Meeting
Of
Thursday, May 15, 2003**

A meeting of the Corkscrew Road Advisory Committee was held on May 15, 2003 at 3:00 p.m. at the Wildcat Run Clubhouse. Board members in attendance were Chairman Neal Noethlich (Wildcat Run), Mr. Bob Imig (Grandezza), and Mr. Charles Thomas (Antamarian). Also in attendance were Mr. James Kosluchar (Hole Montes), Mr. Scott Coovert (Lee County Attorney's office), Mr. Mike Roeder (Knott, Consoer, et al), Ms. Terri Melna (VanasseDaylor), and Ms. Libby Walker (Lee County MSTBU). Mr. Ray Gonzales from Banks Engineering was also in attendance in Mr. Antonio Gonzales' absence. Chief Dennis Merrifield and several members of the public were also in attendance.

Mr. Noethlich called the meeting to order without a quorum and postponed approval of the minutes until later in the meeting when hopefully, there would be a quorum.

Mr. Noethlich asked Ms. Walker to give her financial report. A copy of same is attached to these minutes. Ms. Walker clarified for Mr. Noethlich that the () figures were revenues. There is approximately \$2.9M available now with an average \$10,000 increase per month. Ms. Walker then passed out an exhibit showing costs vs. anticipated funds. CEI is construction/engineering/inspection. Basin 2 is near the curve in the road by the Water Management District. These figures do not include enhanced lighting or landscaping above core level. A review of the figures indicates there may be a shortfall of money. Ms. Walker also passed out an exhibit showing the build-out schedule figures she had received from the developers. Note only three were listed, Stock, Habitat and Miromar. Miromar did have a \$541,000 prepayment credit.

At this point in the meeting, Mr. Kevin Jursinski of Wildcat Run entered the meeting, making a quorum.

Permits are valid for a period of 4 years with a one-year extension. Mr. Thomas questioned whether road impact fees could be used towards the roadway and Ms. Walker stated she would have to check the original agreement. Mr. Roeder interjected that over

and above road impact fee credits, there should be some sort of truck traffic impact fee. Perhaps the County could be asked to help. If there isn't enough money, the landowners may have to pay the difference.

A motion to request Staff have a yearly update of buildout figures or whenever there is a significant change was made by Kevin Jursinski, and seconded by Bob Imig. The motion was carried unanimously by the Board. This update should be at the end of the first quarter each year.

A motion to approve the minutes of the March 20, 2003 meeting was made by Charles Thomas, and seconded by Kevin Jursinski. The motion was carried unanimously by the Board.

Old Business

Update on Corkscrew Road Project Plans & Permitting (James Kosluchar)

Mr. Kosluchar stated the right-of-way was 80% along as far as the legals and parcels were concerned. Mr. Kosluchar passed out a timing schedule. He stated the Habitat drainage issue was still under discussion. The best-case scenario for construction to begin would be 11-12 months. Mr. Ray Gonzales stated that the Lee County permitting has assisted in the amended model to accept water from the road for the Habitat. Permit applications most likely would be submitted within 1-2 weeks. Calculations will reflect the flow into the Habitat. ERP permit must have water use permit from SFWMD.

Also attached to these minutes are the outstanding issues as presented by Jessica White of LCDOT. Mr. Gonzales stated that although Ms. White's issue list (Item 2a.ii) stated Banks had not provided the requested information, it had been submitted. The Habitat is in their first phase of construction but must have the second permit to take the discharge water. If Lee County doesn't approve their permits, the Habitat stops all construction past Phase I. In order to grant the drainage easement through the Habitat, a legal description and flowway is needed. Mr. Gonzales stated everyone seemed to be in agreement with this. Mr. Kosluchar stated a letter of understanding would be required as

stated in Ms. White's list. Mr. Thomas questioned whether if Lee County signs off, would South Florida be a problem. Mr. Gonzales stated there was no indication that there would be any problems.

Mr. Noethlich asked for clarification of the right-of-way acquisition process. Ms. Walker stated the right-of-way had not yet been acquired and that CRSA should vote for a valuation date of October 1st and a conveyance date of November 30th. A discussion ensued as to berming or installing walls and design types. Mr. Coovert stated this should be decided and put in the design base if everyone wants a wall or berm. Of course, adequate frontage is needed for berms. A question was raised regarding the turn lanes into Wilcat and the exit lanes and location of the gatehouse.

The second schedule which Mr. Kosluchar passed out took into consideration Ms. White's memo, if the Habitat could not take the discharge water.

A motion to set the valuation date of 10-1-03 with all conveyances by 11-30-03 was made by Charles Thomas, and seconded by Kevin Jursinski. The motion was carried unanimously by the Board.

A motion reaffirming approval of IIa.ii of Ms. White's May 12th memo and expressing support for Lee County Utilities approval of the permits being sought by the Habitat was made by Charles Thomas, and seconded by Bob Imig. The motion was carried unanimously by the Board.

Mr. Noethlich questioned Mr. Kosluchar as to "2b. The Alico Property" and it was decided to leave on the table as is.

A motion to authorize Jessica White to prepare a letter of understanding with the Habitat with regard to implementation of 2)a.ii. was made by Charles Thomas, and seconded by Bob Imig. The motion was carried unanimously by the Board.

Mr. Noethlich introduced Chief Merrifield and questioned any update on the traffic signals. Mr. Noethlich stated the traffic signal at Ben Hill and Corkscrew was

supposed to be installed in June of this year; however, no signs of it yet. CRSA is paying for this from the roadway construction fund. At FireHouse Road, CRSA is not paying for that proposed signal and the County has not agreed to put one there as yet. The Chief stated he requested it to be activated by emergency equipment and to allow the school buses to enter/exit the road. Mr. Noethlich suggested scheduling a meeting with himself, the Chief and Ray Judah to further discuss this.

Report on Mining Issues (Neal Noethlich)

Mr. Noethlich reported on a set of amendments to the LDC (copy attached to these minutes) dealing with mining. These amendments are due to go before the LPA on May 28th. One of the important issues is the term “presumed compatible”. Mr. Noethlich introduced an invited guest, Peggy Schmidt, of the Corkscrew Road Rural Community. Mr. Noethlich also read a letter he wrote on behalf of the CRSA to Mary Gibbs urging a temporary hold on the proposed changes and requesting a presentation of the Strategic Plan to the CRSA. A copy of this letter is also attached herewith. Ms. Schmitdt reported this issue is currently scheduled for public hearings on June 10th and June 24, 2003. The Westwind Corkscrew Mine hearing is scheduled for June 26th. Chief Merrifield stated dates should be checked again as he knows Comm. Judah will not be in attendance on June 10th. Mr. Roeder said they may take testimony and defer the vote until the 24th. EROC voted on May 14th to table this issue. LPA will vote on May 28th. Ms. Schmidt says the term “presumed compatible” does not look at the traffic, noise, visibility, smell, etc. One of the aims of the Corkscrew Road Rural Community is to stop the Westwind Mine and to remove the corridor from the proposed map. Check out the website, www.corkscrewroad.com for more information on their group. Mr. Roeder said he was preparing a list of discussion points. This list is also attached to these minutes and has been provided to the Board members since the meeting. Mr. Roeder and Mr. Noethlich will coordinate for discussion. It was mentioned that the proper authorities were not looking at this issue for the cumulative effect to both the environment and to people. The Corkscrew Road Rural Community Group is scheduled to meet with Mary Gibbs on May 22. Ms. Gibbs has agreed to meet with members of the industry and the mine operators.

New Business

Corkscrew Road I-75 Interchange Improvements

Mr. Noethlich announced that by the end of the year, there were to be improvements at this interchange due to the increasing volume of traffic.

Current Landscape Installation – Corkscrew Rd. I-75 to BHG & east of BHG

Complements were given to Ms. Walker on the landscaping of Ben Hill Griffin and she was questioned regarding the landscaping/lighting for Corkscrew Road. The developers need to decide what they would like to see on their roadway. A discussion of costs determined it would take approximately \$3M to make our section of Corkscrew look the same. Mr. Noethlich questioned the power line grid – would it be buried, overhead?? This item will be discussed at the next CRSA meeting scheduled for July 17th. Ms. Walker stated perhaps HoleMontes should look at this.

Mr. Noethlich also questioned pursuing other owners on Corkscrew to join CRSA. Was this possible?

ADJOURNMENT

A motion to adjourn the meeting was made by Bob Imig and seconded by Kevin Jursinski. The motion was carried unanimously by the Board.