

SEMINOLE COUNTY EXPRESSWAY AUTHORITY MEETING
Seminole County Services Building
1101 East First Street; Room 1028; Sanford, Florida

November 7, 2006

MINUTES

MEMBERS PRESENT:

Commissioner Bob Dallari, Chairman, Presiding
Commissioner Art Woodruff, Vice Chairman
Commissioner Carlton Henley
Commissioner Brenda Carey
Commissioner Randy Morris
Commissioner Dick Van Der Weide
Commissioner Gary Brender

STAFF PRESENT:

Gary Johnson, Executive Director
Don Fisher, Deputy County Manager
Bob McMillan, SCEA Counsel
Guy Minter, County Attorney's Office
Jerry McCollum, County Engineer
Pam Hastings, Manager, Public Works/Administration Division
Lisa Spriggs, Secretary-Treasurer
Sheralyn Brinson, SCEA Recording Secretary
Antoine Khoury, P.E., Public Works-Engineering Division
Dori DeBord, Director, Planning & Development Department
Tony Matthews, Planning & Development Department
April Boswell, Planning & Development Department

GUESTS PRESENT:

Mark Callahan, P.E., CH2M HILL, Wekiva Parkway Project Manager
Tom Percival, Project Manager, Florida Department of Transportation
Mary Brooks, Wekiva Parkway Public Information Officer
Mike Snyder, Executive Director, Orlando-Orange County Expressway Authority

ITEM #1: CALL TO ORDER

Chairman Dallari called the meeting to order at 4:05 P.M.

ITEM #2: INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Commissioner Van Der Weide. The pledge was led by Commissioner Morris.

ITEMS #4 AND #5 TAKEN OUT OF ORDER.

ITEM #4: CHAIRMAN'S REPORT

A resolution honoring Commissioner Randy Morris for his service on the Seminole County Expressway Authority from 1994 to 2006 was read by Commissioner Henley.

A motion to approve the resolution was made by Commissioner Henley and seconded by Commissioners Van Der Weide and Carey. The motion passed unanimously. A copy of the resolution is attached herewith.

ITEM: 5: REORGANIZATION OF THE AUTHORITY FOR 2006-2007: ELECTION OF OFFICERS

- (a) Gavel passed to the Executive Director
- (b) Election of Chairman and Vice Chairman
- (c) Gavel passed to the Elected Chair
- (d) Election of Secretary-Treasurer
(Lisa Spriggs, Seminole County Fiscal Services Director, is the incumbent and has indicated her willingness to continue serving in this office.)

Chairman Dallari passed the gavel to Gary Johnson, Executive Director, for election of Chairman and Vice Chairman of the Authority.

Gary Johnson opened the floor for nominations for the office of Chairman of the Authority.

Commissioner Henley nominated Commissioner Carey for the office of Chairman. Motion by Commissioner Morris, second by Commissioners Woodruff and Van Der Weide to close the nominations; the motion carried unanimously.

Mr. Johnson opened the floor for nominations for Vice Chairman.

Commissioner Carey nominated Commissioner Woodruff. Motion by Commissioner Morris, second by Commissioner Van Der Weide that the nominations be closed; the motion carried unanimously.

Commissioner Dallari passed the gavel to Chair-elect Carey.

Commissioner Morris recommended that Chair-elect Carey pay keen attention not only to the Wekiva Parkway Project but also to the northeast connector to I-95 at 44, and work with Volusia County on that project.

Commissioner Carey called for election of Secretary-Treasurer. She stated that Lisa Spriggs has served for a number of years as Fiscal Services Director; she is the incumbent and has indicated her willingness to serve. Motion by Commissioner Dallari, second by Commissioner Van Der Weide that Lisa Spriggs would serve as Secretary-Treasurer; the motion carried unanimously.

ITEM # 3 TAKEN OUT OF ORDER

ITEM #3: APPROVAL OF MINUTES - May 9, 2006 Meeting

Upon motion by Commissioner Dallari and second by Commissioner Woodruff, the May 9, 2006, Minutes were approved unanimously.

ITEM #6: INFORMATIONAL UPDATES AND DISCUSSION ITEMS:

**(a) Update on the Wekiva River Basin Commission Meeting of July 28, 2006
Jerry McCollum, P.E., County Engineer**

Jerry McCollum stated:

Commissioner Carey and I both attended the July 28 meeting. Most of the day centered on environmental issues, i.e., septic tanks, water quality, SJRWMD requirements. They also had a brief presentation on the Wekiva Parkway. It was more of a big picture presentation; most of the questions focused on the bypass at the Sorrento area; there wasn't a lot of discussion.

Commissioner Carey stated:

A lot of people have been watching the Wekiva Parkway discussions from the Commission regarding the septic tank issue. It is a nitrate issue more so than just a septic tank issue. They are moving forward with the study to determine what the problem is. The Department of Health has not written any rules at this time; I don't anticipate they will write any until this study is complete; the money has been allocated for the study. The study is moving forward and as soon as it is concluded, the Wekiva Basin Commission will be updated; stay tuned for upcoming rules from the Department of Health.

(b) Wekiva Parkway Presentation – Mark Callahan, P.E., CH2M HILL

Commissioner Carey noted for the record that CH2M HILL is the planner doing the PD&E Study for the Wekiva Parkway.

Mark Callahan noted for the record that Tom Percival, Project Manager from the Florida Department of Transportation; and Mike Snyder, Executive Director of the Orlando Orange County Expressway Authority, were in attendance.

He stated the following:

This is a brief update on the Wekiva Parkway and a summary of the workshops held in July and August, focusing on the key issues in Seminole County, a brief update on the others, and where we are headed from here. Since our last meeting we identified a series of viable alternatives which were presented at a group of public workshops – one in each county, Seminole, Orange and Lake, in the July-August timeframe. Since those meetings, we received a lot of input. We have been focusing on key issues in each of the three county areas. As it relates to the workshops, over 400 folks attended the workshop in Seminole County; over 1200 attended in the three counties. There is wide support for the project; people know about the project. In terms of some of the Seminole County comments, we had a lot of comments regarding whether the interchange at I-4 should be at 417 or at 46. A fair majority of those supported a connection to 417 with the eastern beltway. We had a couple of alternative alignments where we looked at widening for the Wekiva Parkway to the

north side along SR-46 or to the south side. An overwhelming majority supported a widening to the north. The key issues in Seminole County that we have been focused on and received the most input at the meetings included how do we widen along the SR-46 corridor coming across the river into the east; and how do we tie into I-4, 417 or SR-46? In reviewing those key issues, our typical section along SR-46, we have one-way frontage road systems with the Wekiva Parkway in the middle (and I will note the "Morris" trees on the diagram). Unfortunately, when we go to six lanes, the trees in the middle get taken away but we keep the others. The issue of widening to the north or south on SR-46: the primary issues that we have with the widening to the north, we hold that existing south right-of-way along 46 avoiding many of the residential subdivisions that have been developed or are under development; however, we impact the lower Wekiva River Preserve area, the State Park, as you come to the east of the river. There is a 24-inch gas line that would have to be relocated with the northern widening. On the other hand, if we widen to the south, the gas line can stay in its existing location. However, we impact an additional 20+ properties as opposed to the north; and it impacts some existing subdivisions and homes that have now been developed in that area as well. We are still looking at that issue; we are getting updated ROW costs and will be reporting back to you with our final evaluations and recommendations.

Shortly after our workshops, we had some neighborhoods express some concerns – one being Capri Cove, which is in the area just west of Orange Boulevard; and Tall Trees, their southern boundary is along Wilson Road. Capri Cove: with the alignment that we presented at the meeting, from the corner of that subdivision was about 60 feet to the nearest roadway pavement. In Tall Trees it was even closer, less than 20 feet, very close to those neighborhoods with the roadway. We met with both of those neighborhoods, among others, and also one additional facility, Lakeside Methodist Church, which is just on the east side of Orange, south of Wayside Drive. The church building, with the alignment we presented at the meeting, is about 280 feet away from the nearest roadway alignment. With that alignment, we went through the back part of their property; they are looking for expansion in that area. So it impacts them as well. As we looked at trying to address the issues with Capri Cove and Tall Trees, we looked at some new alignments. The first alignment we looked at, Alternative A, shifted the alignment further to the north as it comes off 46 and then crossing Orange, north of where it had previously been, and then dipping it a little bit further to the south as we approach Tall Trees. Unfortunately, with these types of facilities, when you push on one side, you have some additional impacts. The advantage to this alignment at Capri Cove is the alignment actually gets over 500 feet away from Capri Cove in this area; however we go right through the middle of the building of the church at Lakeside. It would directly impact the existing church facility there. At Tall Trees, we were able to make a shift in the alignment and move it 120 feet away from the Tall Trees neighborhood. Unfortunately, we can't move it a lot more because of the Cobblestone Crossing development to the south. If we moved it any further, we would start impacting them fairly significantly very quickly. This alignment gets nine (9) additional homes as opposed to the original alignment and those are generally located just south of 46 along Center Avenue. Also in the area between Orange and Wilson, we get some additional homes. Alternative B is a split-the-difference alternative. We move it a little further to the north at Capri Cove and keep it about the same at the Tall Trees area. The result of that alignment is at Capri Cove, we are about 160 feet away from the neighborhood as opposed to the original 60 feet so we've gotten an additional 100 feet away. We miss the church

building itself but have a direct impact on the remainder of their property to the south at Lakeside. This alignment puts the roadway edge approximately 150 feet from the corner of the existing church building. At Tall Trees we are about 120 feet away from them, and have moved off the neighborhood. Those are the two additional alternatives we developed in response to the comments. Alternative B impacts four (4) additional homes than the original alignment; we have additional direct relocations associated with that. We are putting our assessments together on these two alternatives, developing ROW costs. We will have that information available within a month and we'll be preparing some recommendations for your consideration.

Commissioner Carey asked whether the impact to the church would be a total taking regardless of which route is taken?

Mark Callahan responded:

Based on our discussions with the church, we recognize it as a severe impact to their expansion and continued growth. Whether they would want to move based on that or not, I don't know; that is something they would have to decide; ROW agents at the time of purchase would work with the church on those issues.

Tom Percival stated:

Our ROW staff indicates that unless we actually touch the building we probably would not consider it a take. It could still be utilized as a smaller church or something like that; it does not mean that there wouldn't be a fair amount of money to go along with it. But as far as it being a total take and the church wiped out, no.

Commissioner Van Der Weide stated:

You probably should readjust your conclusion; unless you actually touch the building, it would not be a take.

Tom Percival stated:

What they are saying by that is the building could remain and it could be that some other church may want to take over the building with a smaller congregation or something like that; so there is still some usage of the remainder. Granted the church as it is may want to remain at that location.

Commissioner Van Der Weide stated:

If they sign on to something that is one thing; but when you start taking churches, I think we're going to get into a fuzzy area; there would be problems in Seminole County.

Commissioner Carey stated:

I think you have to go through the process; there are impacts to churches and homes any time you are doing something; charting a new road makes a great impact.

Commissioner Van Der Weide stated:

They may be interested; I don't know; but if they are not interested, you will have a hard time taking churches.

Commissioner Brender asked Mr. Callahan how often check-ups take place with new businesses, homes, etc. There is a new pool store going in at the corner of Orange Boulevard and Wayside, brand new construction.

Mark Callahan stated:

We review this as a matter of course. We are in fairly constant contact with the Planning Department as it relates to proposed developments that are in the pipeline and there are several of those in this area in that timeframe. As we develop and finalize our assessments, we go out and drive the area. A lot of things have changed since we took the aerial shots as well as since our first field review about a year ago; and there are still things changing.

Commissioner Carey stated:

We have a number of projects that have been approved but not yet constructed. With the doing away with the roadway right reservation, the laws have changed such that we can't keep that from happening. You have to deal with it at the time it happens.

Commissioner Morris stated:

Commissioner Brender, you had a conversation with your commission at one of your commission meetings; there was concern about the nature of what was being constructed in the County and we can certainly send an attorney over to your council and explain the law. There is no route yet and even if there were a route, because there is no funding, you can't begin to say what one would do. It's not a question of what we could do; there is nothing we can do, legally. In fact if you get into anything, we could get into a tortuous interference issue relative to the involvement; so it needs to be crystal clear.

Commissioner Brender stated:

It seems counter intuitive for us to be talking 6 months from now if by that time we will be making a decision about the layout. We may very well be impacting these properties six months from now and meanwhile they are building a brand new building.

Commissioner Morris stated:

Even when you pick the route Mr. Brender, you have to understand they can still build. No legal protection any more; I hope your commission will understand that.

Commissioner Brender stated:

I hope the landowner understands; when he's a year and a half into his business or 6 months into his business and we come knocking on his door saying oh by the way ...

Commissioner Carey stated:

We should take a minute to publicly state the process. Even once this alignment is set, if there is no funding, there still is no right-of-way being acquired.

Jerry McCollum stated:

In 1988, legislation was filed that set up ROW reservation maps; it was struck down by the court as unconstitutional. Therefore as Commissioners Morris and Carey have mentioned, you can't do anything until you have the checkbook. In terms of the Wekiva Parkway, they will go ahead and get the recommended alignment for the PD&E document; that has to be transmitted to Federal Highway with all the federal specifications. Then you begin the design; if you are funded for design (there is no funding now for design). It will take at least two years after the approval of the document which puts us about three years from now before the design is complete, if

they have funds. There are no ROW funds available. Realistically, when you have no design money and no ROW money, someone could go build something tomorrow, they could be there 10 years from now still operating their business; the State, Turnpike or whomever at the time, can't do anything unless there is money to buy the ROW. I believe the only ROW program is in Lake County around the Sorrento area. Unless Mr. Callahan, Mr. Snyder, or Mr. Percival can tell us anything differently, I don't believe there is any money available on that project for ROW, design or construction.

Mark Callahan stated:

Regarding the SR-46 alternatives: We have a couple of interchange options that have the Wekiva Parkway continuing along 46 and tying into I-4 at 46; we would keep the service interchange providing access to local 46 traffic and implement a system-to-system interchange on top of that. That has fairly significant impacts to the commercial areas in and around that intersection; we also have a fire station there that may be impacted, depending on the interchange concepts. We are increasingly concerned as we have refined our traffic models and done some assessments with the traffic operations. This is the first alternative at 46 and here's the 2nd; they both share similar issues as it relates to the traffic impacts. Essentially what we have with the tie-in at 46, we're seeing a significant amount of traffic coming to and from SR-417 east of I-4 and getting on the Wekiva Parkway. How that traffic gets there is a very difficult problem. In trying to pull all that traffic and work that interchange in along I-4, given the close proximity between those two interchanges will be extremely difficult, if not impossible. It would take a lot more ROW than what we are showing now. What would happen with the 46 connection is the local road system which at the very minimum would include Rinehart Road and International Parkway would be severely impacted by that traffic. On the other hand with the 417 connection, that traffic is able to move between 417 and the Wekiva Parkway fairly readily without any hindrance at all. Just to reinforce some of the information we have provided before, for every hundred cars that cross the river, 37 of those cars are coming to or from 417 east of I-4. That is a huge number and to put that burden on I-4 or other locations is going to have some impact; it will create problems. In our traffic analysis, although not complete, this issue keeps popping up as being of primary concern with those 46 connections beyond the impacts at that existing interchange. Some of the other significant issues that we heard: (1) noise impact is a primary concern given the residential nature of this portion of Seminole County. We are conducting a noise study and will be looking at mitigation. (2) stormwater pond locations. We are looking at those, considering alternatives and will continue working and ensuring that a trail would be provided where appropriate. We are working with Mr. McCollum's staff and others on this issue.

Next Steps: We're in the process of completing our evaluations, getting ROW costs, back-checking, and making field visits checking the latest developments. We will be developing our recommendations and hope to have those ready by January of next year. It looks like our public hearings will probably be early summer, maybe late spring as we get our evaluations completed; then we'll be able to tie down the schedule. Our plan is to, shortly after recommendations if possible, come back to this board and present our recommendations and receive your input prior to the public hearings.

Commissioner Brender stated:

During several of the public hearings I attended, more people were worried about noise impacts than the actual placement of the road. I found generally overwhelming support for the road; it's how do we deal with the noise. Are we required or do we follow the same federal guidelines for decibel readings and putting up noise walls, etc?

Mark Callahan stated:

We will be following the Federal regulation criteria and the State policies as it relates to noise analysis. In fact we have already conducted some noise monitoring, getting the ambient noise condition so we know what the situation is today. We are preparing our model and looking at what noise increases we would anticipate with the project. I can assure you there will be noise impacts within Seminole County; where we have those noise impacts, we will be assessing the feasibility of noise mitigation which is a fancy term for noise walls. In the coming months, we will be in the process of conducting those studies.

Commissioner Brender stated:

I think we can garner a significant amount more sport if we make sure it's known that we can and will do what we can to mitigate noise impacts. Most people admitted even those on the southern corridor that they are already impacted by noise. They can hear I-4 plainly at night, whether this road will significantly change things is something we need to monitor.

Commissioner Carey stated:

We would need to know what the decibels are today compared to what we think they would be.

Commissioner Dallari requested that, once the report is finalized with recommendations, an Expressway Authority meeting be held and that Mr. Callahan provide a briefing.

Mark Callahan replied that he would like to meet in the first quarter of '07 depending on SCEA schedule.

Commissioner Carey stated if there are issues that need to come before this Board, arrangements would be made to schedule a meeting.

ITEM #7: OTHER BUSINESS

(a) SCEA Member Reports

Commissioner Morris stated:

When you look at how this is progressing, our relationship with the OOCEA, FDOT, and the Turnpike Authority, I'm very impressed with the way this is progressing in terms of the plan that this board originally took up, which is not dissimilar to the way the commuter rail issue has progressed in terms of the positions that Seminole County and its partnering cities have taken. These are two good examples of our impact in the region. Congratulations to this Board; it's going to be real fun implementing some of this.

Commissioner Carey stated:

The original alignment of the "connection" was across the Wekiva in a totally different place. If it had been built years ago, it was very much to the south of where the alignment is looking at going today. We will continue to get updates on this and hopefully this project will move forward.

Commissioner Morris stated that it was Chairman Linda Chapin, on behalf of Seminole County, who took that alignment off the maps.

Commissioner Brender stated:

It's important to continue to recognize the fact that we have on board with the Wekiva Parkway Project, the Wekiva Conservation Committee, the Audubon Society and Friends of Wekiva. Having those environmental groups on board with us at the table from the very beginning is what makes this whole operation successful.

Commissioner Carey stated:

The County Commission, the Expressway Authority and all of the local commissions have realized over the years that the more public input we have, the better product we have at the end of the day; it may take a little longer to get through the process, but it is a much better process.

ITEM #8: ADJOURNMENT

There being no further business at this time, the next meeting date is May 8, 2007, unless notified otherwise. The meeting was adjourned at 4:40 P.M.



W. Gary Johnson
Executive Director



Brenda Carey
Chairperson

/sb
Attachments:

APPROVED

05/08/07