

**Marion County  
Board of County Commissioners  
Road Assessment Program**



Southeast 33rd Avenue

**Marion County MSTU/Assessment**  
2710 E. Silver Springs Blvd.  
Ocala, FL 34470  
352-438-2650

## **Improving subdivision roads with Marion County MSTU/Assessment**

Marion County MSTU/Assessment (MSTU) works with residential groups to procure services and resources for subdivisions and areas where property owners would like to see improvements. These programs are paid for by those residing in a particular service area. The Marion County Board of County Commissioners (BCC) has adopted the following policy to provide property owners opportunities for roadway improvement within their subdivision otherwise not available through the use of general tax dollars.

### **Policy no. 11-2**

Marion County policy number 11-2 provides the purpose of and procedures for road assessment programs as:

#### **1. Purpose**

Pursuant to Florida Statutes 125.01 and section 2.02 of county ordinance 09-10, the BCC retains authority to levy road assessments without a petition process and is not legally bound by the result of a petition process. This policy provides the BCC with a means to gauge community sentiment regarding interest in road assessments.

## **2. Assessment funding for road projects**

Applications for road assessment project consideration by the BCC are initiated by the submission of an application to MSTU from either a legally constituted homeowners' association or civic group (regardless of total membership) or a petition signed by 10 percent of the property owners within the proposed project area. Applications and petitions must be accompanied by payment by check for postage of up to \$500 made payable to Marion County. Only one postage payment check per requested proposed road project assessment will be accepted.

MSTU then conducts an initial meeting with the applicants or petition sponsors to determine the proposed project's feasibility or if additional information is required to complete the request. At or following the initial meeting, the MSTU director will determine the area affected by the proposed project. The county will mail petitions by certified mail with return receipt to all property owners within the determined area.

## **3. Postage and mailing costs**

The county will use the \$500 postage payment referenced in paragraph two for costs associated with the mailing petitions to all property owners within the proposed project area. These costs include materials, postage and staff time.

If the project is approved by the BCC, the

county shall reimburse the individual or group who tendered the postage payment. When the project is approved, the county's mailing costs will be incorporated into the total project cost and will be proportionately assessed to all property owners within the approved project area.

If the project is not approved by the BCC, the postage payment will not be reimbursed.

#### **4. Petition distribution**

MSTU will prepare petitions to be mailed using certified return receipt. The appropriate division of the Clerk of Circuit Court's (Clerk) office and associated post office box address required for petition return will be clearly indicated on the return receipt and petition. The petition mailing packet will also include a self-addressed, stamped envelope, map of the proposed project area and an information sheet. The petition shall contain a statement that it must be completed and returned no later than 60 calendar days from the date of mailing.

The return petition shall be counted and verified by Auditing. The petitions shall specify the preliminary assessment methodology. The BCC retains authority to modify assessment methodology.

The information sheet included in the petition packet shall contain the following notice:

The BCC urges you to return your completed petition to Marion County. Please understand that the tabulation of the petition responses is used by the county as a measure of initial support for the proposed project-such tabulation is not the final determinate of whether or not the county will proceed with the proposed project.

### **5. Petition responses**

Auditing verifies and records petition responses received by the deadline pursuant to paragraph four to determine if substantial support for the proposed project within the proposed project area exists. Only responses postmarked by the designated petition deadline will be recorded in the official results of the petition process.

The official petition results are provided to the MSTU director who presents the proposed project for consideration at the next regularly scheduled commission meeting. A list of property owners who did not respond will be provided to the BCC at the advertised public hearing for the proposed project. The BCC will consider the project for approval and provide direction regarding engineering cost estimates.

## **6. Public hearing**

A designated consulting engineer will assess the proposed project, provide an overall cost estimate, determine assessments for each property and decide if any revisions are necessary to the assessment methodology.

A public hearing is then scheduled and advertised to publicly explain the details and costs of the proposed project. This public hearing also allows for public comment in favor and in opposition of the proposed project to be recorded.

Upon closing the public hearing, the BCC shall make and announce its decision whether or not to proceed with the proposed project and assessments pursuant to county ordinance 09-10.

## **7. Road construction types**

Road construction assessments shall be completed using the construction standards adopted by the BCC on Sept. 15, 2009. These standards may be amended from time to time by the BCC. Value engineering may be used to determine the construction type required to reduce the proposed project cost.

## **8. Petition-to-public hearing timeframe**

The time frame for a proposed road assessment project shall not exceed 24 months from petition stage to public hearing.

The MSTU director shall advise the BCC of the delay and request additional time for completion of design and acquisition should construction crews encounter extenuating circumstances such as the need to acquire drainage property.

#### **9. Assessment costs**

The payment of assessments will be extended over a period of time to be determined by the BCC, typically 10 years.

Adopted by the BCC on Dec. 20, 2011.

## **Marion County Clerk of Circuit Court Internal Auditing office**

Only responses postmarked by the petition deadline will be considered in tabulating property owners for and against the project. The petitions will be accepted and tabulated by Auditing. All petition results will be submitted to the BCC for consideration by MSTU after the tabulation by the internal audit office.

**Notice:** Hand-delivered road assessment petitions cannot be accepted in our department or by Auditing per county policy. All petitions must be mailed in the self-addressed, stamped envelope that is provided with each road assessment petition. All petitions postmarked by the due date will be counted.



## FAQs

### ***Who can be assessed for the road and drainage improvements?***

All properties determined to benefit from the proposed drainage and road improvements can be assessed. This includes properties outside of the subdivision and those properties which only have access using the roads proposed for improvements.

### ***How are affected properties assessed?***

Three methods which may be used to assess affected properties are:

- 1) per parcel
- 2) per platted lot
- 3) per frontage foot

The BCC is not limited to these options, though “per parcel” has been determined to be the most equitable method of assessing properties within areas benefitting from drainage and road improvements.

### ***How is the assessment cost derived for each property or owner?***

All costs associated with the project including mailings, inspections, testing, engineering design, construction, contingency, MSTU, Finance, Clerk and Legal are compiled. That sum is then divided by the number of assessable parcels or by assessable footage within the affected area.

***How long does it typically take to pay for road assessment costs?***

At the BCC's discretion, assessments are payable for up to 10 years and are included on the affected property's annual tax bill. There is no penalty for paying the assessment costs prior to the payment date.

***Will driveway aprons also be paved?***

Driveways are provided to occupied lots in accordance with county policy 93-02. Vacant lots do not receive a paved approach unless there is a fence and gate, or a building permit was issued prior to the beginning of the project's bidding process.

***What factors determine the estimated cost for an assessment program for a road, neighborhood or subdivision?***

The estimated cost per property varies and is dependent on the number of affected properties as well as the number of miles included in the project.

***Can the assessment be paid in full?***

Yes, the assessment costs can be paid in full during the prepayment period or at any time over the life of the assessment payment period. Financing, interest and borrowing costs to date will be included in the pay-off amount. There is no prepayment penalty.

***What are the advantages to paying for an assessment in full?***

Paying the assessment in full prior to the end of the payment period saves financing, borrowing and interest applied after the prepayment period has expired.

***When does the prepayment period begin?***

The prepayment period begins upon MSTU's receipt of the Notice of Special Assessment. This notice is mailed to all affected property owners after the final public hearing by certified mail and includes assessment details such as the amount owed by recipient, payment due date and costs saved if paid in full.

***When will construction begin?***

Per policy, construction may not begin until after the final public hearing is held, the awarded contractor has provided required documents to Procurement Services and a Notice to Proceed has been issued-typically within 30 to 45 days after the final public hearing.

***Will property owners receive refunds if costs are saved during construction?***

Refunds are determined after the end of the warranty period and accepted by Marion County. All costs are calculated by Finance which then submits an amended assessment listing to the BCC for approval.

***How can I find out the pay-off amount for my road assessment on my tax bill?***

Contact MSTU at 352-438-2650. We're glad to help and may save a call to the Clerk's or Tax Collector's Office.

***What if I have a concern during or after construction of the improvement?***

Feel free to contact MSTU concerning a current or previous improvement project at 352-438-2650.

***Why are the assessment projects "bundled" for construction financing?***

Several projects are typically "bundled" for financing savings if bundling was approved at the final public hearing.

The amount owed by each assessment area is derived by dividing the number of assessable areas into the financing costs. The more projects sharing financing costs, the lower the cost to each assessment area. These cost savings are then passed onto the respective property owners.

## **Advantages**

- ✓ Properties are more marketable for re-sale with well-maintained roads.
- ✓ Avoid potholes and other repairable, but damaging, road conditions which may lead to expensive vehicle repairs.
- ✓ Less dust and dirt infiltrates your home and vehicle's heating and ventilation units reducing possibilities of developing or exaggerating breathing problems.
- ✓ Road assessments can be paid in full at any time during the 10-year payment period without penalty or in full during prepayment period.
- ✓ Property owners have opportunities to assess roads on their own and have their roads improved, which may not have been an option under other circumstances.

## **MSTU/Assessment services**

MSTU coordinates the necessary activities of each approved assessment from the initial inquiry to the petition stage and through completion of construction, including the warranty phase.

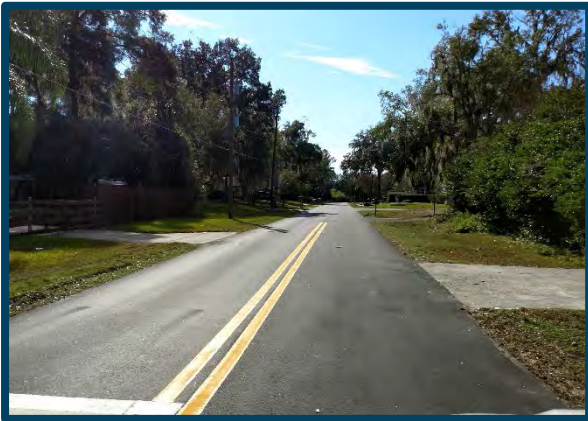
Functions performed by our staff include, but are not limited to:

- ❖ Assisting property owners interested in a road assessment project for their area or subdivision.
- ❖ Holding informational meetings to answer questions and provide information to all who attend.
- ❖ Preparing certified mailings to notify all affected property owners of a proposed road assessment.
- ❖ Preparing all documents that are sent to the county auditor for counting petitions.
- ❖ Submitting petitions and proposed assessment to the BCC for consideration and approval. Board approval allows proposals to be obtained from engineering design firms.
- ❖ Managing plan and design development. Facilitating FDOT permitting, design, water management district permitting.
- ❖ Preparing bid documents.
- ❖ Preparing assessment rolls for submission to the tax collector and property appraiser.
- ❖ Working with bond counsel, Legal, Clerk and the commission's designated finance consultant to coordinate the assessment rolls, final mailings and calendar of events

prior to the final public hearing and the borrowing for the assessment.

- ❖ Notifying all assessable property owners by certified mail of the amount owed and the date and time of the final public hearing.
- ❖ Preparing informational packets for the BCC and attends the final public hearing to provide background information.
- ❖ Attending all assessment project pre-bid and pre-construction meetings.
- ❖ Assisting in the preparation of all addenda required prior to bidding.
- ❖ Managing all construction activities.
- ❖ Overseeing quality control of construction process including scheduling and testing agencies to ensure integrity.
- ❖ Handling all complaints, concerns, comments or requests prior to and during construction of the improvements within the assessment area.
- ❖ Reviewing all construction progress payment requests during construction for approval.
- ❖ Presenting completed assessment to the BCC for commencement of the contractor's one year warranty period or final release
- ❖ Preparing amended assessment rolls after improvements are completed so any unused funds can be returned to the property owners in the form of a refund.
- ❖ Managing all non-ad valorem assessment records that appear on the property tax bills.

*The following are before and after photos of previous reclaim and resurface projects.*



Southeast 160th Court Road – Citrus Park





Southeast Seventh Avenue – Turning Hawk Ranches



Southeast 160th Court Road –Twin Lakes Ranchettes

## Marion County Board of County Commissioners



*District 1 - David Moore*

*District 2 - Kathy Bryant, Vice Chairman*

*District 3 - Jeff Gold*

*District 4 - Carl Zalak III, Chairman*

*District 5 - Michelle Stone*

### **Marion County MSTU/Assessment**

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[www.marioncountyfl.org/MSTU](http://www.marioncountyfl.org/MSTU)



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FLORIDA

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