

**Butler Chain of Lakes Advisory Board
Windermere Water and Navigation Control District (WWNCD)
Regular Meeting
Orange County - Windermere Library
July 15, 2013**

Board Members Present: Cheryl Miller (Chair), Ann Connolly (Vice Chairperson)
Jason Fulmer, Ijaz Ahmed and Robert Binkley

Board Members Absent: none

Staff & Guests: Sergio Duarte, Orange County Environmental Protection Division (EPD),
Lt. Jeff Hudson, Butler Marine Patrol

Residents: Lori Bradford, John Armstrong and Dick Radkewich

I. Call to Order:

With a quorum present, Cheryl Miller called the meeting of the Butler Chain of Lakes Advisory Board (BCLAB) to order at 6:03 p.m.

II. Approval of the June 17, 2013 Meeting Minutes:

Upon a motion by Robert Binkley, seconded by Jason Fulmer and carried with all present members voting AYE by voice vote; the Advisory Board approved the June 17, 2013 meeting minutes as presented.

III. Butler Marine Patrol Report:

Monthly Marine Patrol Report

Lt. Jeff Hudson presented the following report for June 2013:

Total Patrol Hours	123.5
Uniform Boating Citations	6
Warnings Issued	63
Vessels inspected	114
Disable Vessels Assisted	6

Lt. Hudson discussed the policy for disable vessel assistance. Lt. Hudson stated that the Butler Patrol can only do the towing services to the nearest shoreline, because the Butler Patrol would need to be ready to response to other emergencies at anytime.

Chair Miller inquired about the status of the ski course that was abandoned at the east side of Lake Down. Chair Miller stated that this particular ski course was upgraded and is now being actively used. Mr. Duarte stated that the ski course at the east side of Lake Down was cited as an unpermitted in 2011. Mr. Duarte stated that he will verify with EPD - Permitting and Compliance the status of this particular ski course.

IV. EPD Report:

- 1) **Permit Compliance Report: Rubin et al Channel (Lake Tibet):** Mr. Duarte presented the following report from Neal Thomas on the Rubin et al Channel:

- On July 10, 2012 the Board of County Commissioners approved this permit to impact 0.07 acre of Class I wetlands to clear / maintain a channel free of vegetation in perpetuity.
- A Conservation Area Impact CAI 12-02-005 was issued on July 13, 2012 and on January 9, 2013 the permit was transferred to: Terrance and Renee Peppy, Michael and Tina Calvo, Carlos Eduardo Gonzalez, Neal and Toni Rodriguez and Real Estate Services Limited LLC.
- The following key Permit Conditions completed:
 - (a) The Conservation Areas was marked with signage, and signs were installed every 50 ft. along the channel;
 - (b) A survey was received by EPD after the clearing. The survey included any tree with a diameter at breast height of 4" or greater, within 10 feet of the subject impact area;
 - (c) The channel area boundaries were permanently marked by monuments above the water level;
 - and (d) A permanent staff gauge was installed at both ends of the channel area.

Dick Radkewich discussed the following issues with the Advisory Board:

- The permitted channel at Private Lake and the adjacent cove (Rubin et al channel) were apparently made wider by boaters dragging a chain link fence and blocks.
- The Rubin et al channel permit was given under a fictitious name, in view that the person that signed the permit was no longer the Keene's Pointe HOA president.
- The Keene's Pointe HOA gave away, with the permit transfer, its property rights to the property owners.
- After the channel permit was issued the review compliance has been marginal by EPD and nothing happened about the Cypress tree that was illegally cut.
- There is no clarity on what will happen if the water level is below 98 and how the HOA or the residents will post/enforce the closure of the channel.

The Advisory Board discussed the permit conditions; and recommended scheduling a meeting at EPD in August 2013 to discuss the permit compliance & concerns for this particular channel at Lake Tibet:

Upon a motion by Jason Fulmer, seconded by Ijaz Ahmed and carried with all present members voting AYE by voice vote; the Advisory Board recommended to set up meeting at EPD in early August 2013 to further discuss the permit compliance for Rubin et al channel (Lake Tibet).

Dick Radkewich discussed the Keene's Pointe HOA plans to introduce grass carp in their ponds to control aquatic weeds; and stated that there is the need to prevent the grass carp stockings in all the lakes and ponds around the Butler Chain of Lakes. Mr. Radkewich stated the he does not want the same problems experienced with Chinese carp in the Mississippi River that are now trying to reach Lake Michigan.

Mr. Duarte stated that the grass carp permits are regulated by the Florida Fish and Wildlife Conservation Commission (FWC). Mr. Duarte stated according to the FWC - Regional Biologist (CJ Greene) the grass carp permits for the Keene's Pointe HOA will only include ponds with no direct connection to the Butler Chain. Mr. Duarte stated that the problems at the Mississippi River are being caused by Silver Carp and Big Head Carp, which reproduce and behave differently from grass carp.

The Advisory Board discussed the writing of a letter to the FWC to raise a concern on the grass carp stockings around the Butler Chain of Lakes.

Upon a motion by Jason Fulmer, seconded by Ijaz Ahmed and carried with all present members voting AYE by voice vote, the Advisory Board recommended writing a letter to FWC stating the concerns with grass carps stockings on water bodies around the Butler Chain.

- 1) **Draft Butler Chain of Lakes Newsletter:** Mr. Duarte presented a draft of the “Butler Chain of Lakes Newsletter”. Mr. Duarte stated that he will obtain quotes for the printing of the newsletter/refrigerator magnet, for the approval at the next Advisory Board meeting on August 19, 2013.

The Advisory Board discussed the possibility to include commercial ads in the newsletter similar to the Town of Windermere Newsletter. Mr. Duarte stated he will inquire if Orange County will allow ads in future releases of the newsletter to offset printing cost.

- 2) **Butler Chain - Navigation Markers Map for the FWC web page:** Mr. Duarte presented the Navigation Markers Map that was put together for the FWC web site.

II. New Business:

Lori Bradford stated that she requested to Neal Thomas (EPD Permitting and Compliance Manager) to investigate the permit rights on three lots in the Waterstone Subdivision, between Lake Cypress (Estes) and Lake Butler. Mrs. Bradford stated that Mr. Thomas is investigating if the wetlands on the Water stone’s parcels are considered part of Lake Butler (sovereign submerged lands), and if they can be used to permit a navigable canal between Lake Cypress (Estes) and Lake Butler.

Upon a motion by Ijaz Ahmed, seconded by Jason Fulmer and carried with all present members voting AYE by voice; the Advisory Board made a motion to verify what permits, if any, Orange County would potentially issue (i.e. docks, LSP shoreline clearing.etc.) on the three lots/wetlands in the Waterstone Subdivision, between Lake Cypress (Estes) and Lake Butler.

III. Old Business: none

IV. Non-Agenda Items/Public Comment: none

V. Meeting Schedule:

Upon a motion by Ijaz Ahmed, seconded by Jason Fulmer and carried with all present members voting AYE by voice; the Advisory Board approved the next meeting for Monday, August 19, 2013 at Orange County Library in Windermere.

VI. Meeting Adjournment: The meeting adjourned at 7:48 p.m.

Cheryl Miller, Chairman

Date

Sergio Duarte, Minute Preparer

Date