

**Butler Chain of Lakes Advisory Board
Windermere Water and Navigation Control District (WWNCD)
Regular Meeting
Town of Windermere Community Room
February 18, 2013**

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

Board Members Absent: Ijaz Ahmed and Jason Fulmer

Staff & Guests: S. Scott Boyd, District 1 Orange County Commissioner, Neal Thomas and Sergio Duarte, Orange County Environmental Protection Division (EPD), Diana Almodovar, Orange County Public Works, Carol Knox Hossfield, Orange County Zoning Division, Alan C. Plante, Orange County Division of Building Safety, Roberta Alfonso, Orange County Attorney's Office, and Lt. Jeff Hudson, Butler Marine Patrol

Residents: Zack and Andrea Stoumbos, Molly Rose, Mick and Louis Floyd, Thad Lee, and Edgar "Judd" Hedrick.

I. Call to Order:

With a quorum present, Cheryl Miller called the meeting of the Butler Chain of Lakes Advisory Board (BCLAB) (Advisory Board) to order at 6:05 p.m.

II. Approval of the January 22, 2013 Meeting Minutes:

Upon a motion by Robert Binkley, seconded by Ann Connolly and carried with all present members voting AYE by voice vote, with Ijaz Ahmed and Jason Fulmer being absent; the Advisory Board approved the January 22, 2013 meeting minutes as presented.

III. Butler Marine Patrol Report:

Monthly Marine Patrol Report

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

Total Patrol Hours	84.3
Uniform Boating Citations	1
Warnings Issued	17
Vessels Inspected	50
Disable Vessels Assisted	0

IV. EPD Report:

1) **Discussion: Mick Floyd - Variance Request for a Retaining Wall (Lake Butler):**

Mr. Mick Floyd stated that he is interested in a variance to increase portions of his retaining wall system from approximately 4 feet to 7 feet at his residence located at 12422 Park Avenue. Mr. Floyd stated that the majority of his retaining wall system is located within 50 feet of the NHWE and have been constructed to meet the County height restriction of 4 feet; however, he will be asking for several portions of the wall to be higher than what is allowed by Code. Mr. Floyd stated that his retaining wall has not

been inspected by Orange County, and that he is looking for input before submitting a variance request to the Orange County Zoning Division.

Zack Stoumbos stated that he is a next door neighbor to Mr. Floyd, and that he is in opposition of any variance to increase the height of the retaining walls. Mr. Stoumbos stated that Mr. Floyd did extensive ground filling and created a "boat ramp" without a permit that ended with a 6 foot wall next to his property.

Neal Thomas (Environmental Program Supervisor) stated EPD has determined that the "boat ramp" on the Floyd property does not meet the definition of a ramp, and that Mr. Floyd's seawall was fully permitted by EPD along with a riprap and shoreline plantings. The walls in question are retaining walls landward of the NHWE, regulated by Orange County Building Safety and Zoning Divisions and do not require a permit by EPD.

The Advisory Board discussed with the residents and Orange County staff the aesthetic impacts of allowing a higher retaining wall inside the 50 foot lake setback. The Advisory Board stated that they are not in favor of a variance because of the aesthetics issues and negative precedent around the Butler Chain of Lakes.

Upon a motion by Ann Connolly, seconded by Robert Binkley and carried with all present members voting AYE by voice vote, with Ijaz Ahmed and Jason Fulmer being absent; the Advisory Board recommended that Orange County not approve a variance to increase the height of Mr. Floyd's retaining wall to 7 feet.

2) Navigation Markers and Heavy-Duty Buoys / Concrete Anchors Installations:

Mr. Duarte stated that the navigation markers on the Butler Chain of Lakes were inspected by the Florida Fish and Wildlife Conservation Commission (FWC) on February 5, 2013. Mr. Duarte stated that some old FWC permits that are still open will be closed and incorporated into the existing Butler Chain Permit.

Mr. Duarte stated that the caps of the existing regular buoys are falling apart and need to be replaced with new sealed heavy duty buoys. Mr. Duarte stated that between 2010 - 2012 eight regular buoys were already replaced with heavy duty buoys equipped with concrete anchors; and that there are still 8 more regular buoys pending for replacement at Lake Down, the Sportsman's Club ramp, the Conroy-Windermere Ramp and Lake Tibet. Mr. Duarte presented a quote for the installation of 8 heavy duty buoys and concrete anchors at the locations listed above in the amount of \$4,400.00.

Upon a motion by Robert Binkley, seconded by Ann Connolly and carried with all present members voting AYE by voice vote, with Ijaz Ahmed and Jason Fulmer being absent; the Advisory Board recommended to move forward with the proposed heavy-duty buoys and concrete anchors installations in the amount of \$4,400.00

3) Update on the Lake Down Alum / Stormwater Facility:

Mr. Duarte reported that all the issues with the Orange County - Building Permit were resolved, and that a \$45 fee was paid for a "Diminimus Concurrency Review Application" for the Lake Down Alum Nutrient Removal Facility. Mr. Duarte stated that Orange County is completing the appraisal of the two drainage easements for the water diversion/weir/outfall structures and that he will present the results of the appraisal at the next Advisory Board meeting on March 18, 2013.

4) **2013 WWNCD Newsletter (mailings/web links/refrigerator magnets):**

Mr. Duarte presented an outline of potential topics for the WWNCD Newsletter, and added that the newsletter will be essential to advertise the ongoing projects at the Butler Chain. Mr. Duarte requested that the Advisory Board review the proposed "newsletter topics" for discussion and approval at the next meeting on March 18, 2013.

V. **New Business:** None

VI. **Old Business:** None

VII. **Non-Agenda Items/Public Comment:**

1) **Audubon Environmental Recertification - Isleworth Country Club Golf Course:**

Mr. Duarte stated that he invited Robert Binkley to witness the environmental inspection of the Isleworth Country Club on February 7, 2013 with the help of the Reedy Creek Improvement District.

Mr. Duarte stated that since 2009 the Isleworth Golf Course (GC) has been working on an action plan to offset the impacts of excess nitrogen and phosphorous coming from the use of reclaimed water (RW). This action plan includes the use of synergistic aeration in the ponds, the mixing of RW and stormwater prior to irrigation, proper use of slow release fertilizers, computer controlled irrigation, and beneficial bioaugmentation (with purple sulfur bacteria) to maintain the water quality and protect the lake ecosystem/wildlife habitat. Mr. Duarte stated that the Isleworth GC has been paying special attention to nutrient management and water quality monitoring (via surface and groundwater); as well as the proper maintenance/expansion of stormwater systems and conservation areas to protect the lakes/wildlife at the Butler Chain.

VIII. **Meeting Schedule**

Upon a motion by Ann Connolly, seconded by Robert Binkley and carried with all present members voting AYE by voice vote, with Ijaz Ahmed and Jason Fulmer being absent; the Advisory Board approved the next meeting for Monday, March 18, 2013 at the Town of Windermere Community Room or the local Orange County Library in Windermere.

IX. **Meeting Adjournment:** The meeting adjourned at 8:30 p.m.



Cheryl Miller, Chairman

3-18-2013

Date



Sergio Duarte, Minute Preparer

3-18-2013

Date