

**MINUTES OF THE MEETING
of the
HARRIS CHAIN OF LAKES RESTORATION COUNCIL**

February 7, 2003

The regular meeting of the Harris Chain of Lakes Restoration Council (Council) was held at 9:05 AM on February 7, 2003 at the Lake County Board of Commissioner's Chambers, 315 West Main Street, Tavares, Florida

Members Present

Thomas Brooks
Charles Clark
Thomas Cook
Skip Goerner
Rick Powers
Hugh Davis
Keith Farner

Members Absent

Bill Pearce
Don Nicholson

1. CALL TO ORDER

Chairman Goerner called meeting to order at 9:05AM.

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The Invocation was given by Mr. Robert Kaiser, followed by the Pledge of Allegiance.

3. ROLL CALL

Chairman Goerner called roll. All members were present except Mr. Nicholson

4. WELCOME AND OPENING REMARKS

Chairman Goerner welcomed all Council members and members of the audience. Chairman spoke about the Bass Tournament that was held in Lake County recently. He mentioned the fine coverage ESPN gave the event and what a great promotion this was for Lake County. Chairman hopes that the tournament will return to Lake County in the future. He also would like Lake Griffin to be included next time.

He explained to the Council members that he attended a meeting where David Walker from SJRWMD made a presentation on the Flow Ways. Chairman asked for more information regarding phosphorus levels in Lake Griffin.

At this time Mr. Caputo reminded the Chairman he had not called the roll. Before doing so, he announced to the Council that Don Nicholson, a member of the Council was operated on. He had to have by-pass surgery and therefore could not attend last meeting and the meeting today. Chairman asked Mr. Caputo to please send him a get well card. Mr. Caputo will do so. Chairman then called the roll.

5. APPROVAL OF MINUTES

Chairman Goerner asked if the Council members had perused the minutes and if they had any comments or corrections. There were none. Mr. Farner made a motion to approve the minutes, Mr. Powers seconded the motion. Minutes were unanimously approved.

The minutes of January 10, 2003 had several corrections. Mr. Clark suggested a sentence that appeared on the second page of the minutes and in the Executive Report be removed. He felt this sentence was not needed since subject was addressed later in the paragraph. He also corrected a sentence on page 7. Sentence should read 35 parts per "billion" for Lake "Apopka." Chairman Goerner asked that Mr. Wehle's name be corrected on page 5. At this point Mr. Brooks made a motion to approve the minutes and Dr. Cook seconded the motion. Minutes were unanimously approved.

6. DISCUSSION ITEMS

Chairman Goerner announced he had written a letter to Senator Cowin stating what our legislative recommendations were. He informed her of the changes that Council made to some of these items and the elimination of one of them. He read the letter to the Council members and asked if they wanted a copy. They did not but he gave Mr. Caputo a copy for his file.

He told Council members that the LCWA voted to fund the Council in the amount of \$40,000. He stated that Ms. Ann Griffin was very instrumental in obtaining the funding for the Council. He also explained that the Council was formed under Florida statute. This fact allows our local legislators to only file a certain amount of state bills.

Mr. Perry explained that at the LCWA board meeting the board members did not decide how many years the Council would receive \$40,000. Mr. Perry stated that it would be discussed at the next meeting and a decision would be made as to how many years LCWA will give the Council \$40,000. Mr. Caputo asked if the \$40,000 is per year and Mr. Perry answered that it would be. At this time the \$40,000 has not been matched by any other agency.

Mr. Caputo reminded Chairman Goerner that the Council still had \$10,000 from the district and \$5,000 from LCWA in their fund.

There will be a legislation meeting held in Tallahassee. Our local legislators will be present at this meeting. Chairman Goerner did not have a date of this meeting at this time. He asked the Council members if they thought he should attend this meeting as a representative of the Council. Chairman would explain to the legislature that Council has accepted the decision by the LCWA to fund the Council in the amount of \$40,000. Mr. Perry did not think it was necessary for Chairman to speak at this meeting. Dr. Taylor a member of LCWA board thought Council, LCWA and SJWMD should attend this meeting.

At this time Mr. Brooks made a motion to have a representative from the Council present at the legislative meeting in Tallahassee. Mr. Powers seconded the motion. Dr. Cook wanted to know if chairman would be representing the Council. Chairman explained that he would only speak on the issue of funding that pertains to Council.

Before discussing this matter any further, Mr. Clark suggested Council should vote as to whether they will accept the \$40,000 funding from LCWA. Mr. Caputo agreed Council should make a formal acception of the funding. Mr. Brooks made motion to table his first motion, regarding Chairman Goerner's appearance at the legislature meeting, in order to vote on accepting the \$40,000 from LCWA. Mr. Clark seconded this motion.

Mr. Brooks made a motion to accept the \$40,000 from LCWA as offered for one year. Mr. Clark seconded the motion. Mr. Caputo asked if the motion could include a formal acknowledgement for funding received from the district of \$10,000 and \$5,000 from LCWA. Mr. Clark seconded the amended motion. Vote was taken and passed unanimously.

Mr. Brooks now presented his first motion asking that Chairman Goerner be the Council's representative at the legislative meeting. Mr. Davis seconded this motion. Motion passed unanimously.

Chairman is concerned about receiving the \$40,000 from LCWA for two years. He commended Council members for being at the LCWA board meeting and for speaking in support of the funding request.

Mr. Perry stated that Council should wait since the LCWA board members will be approving the funding for more than one year.

Mr. Caputo asked if this funding was the fiscal year 2002-2003 or 2003-2004. Chairman explained that this funding was for the fiscal year 2002-2003.

Ms. Ann Griffin speaking as a concerned citizen. She would like to see the Council become an independent body. She explained when she made the motion for \$40,000 at the LCWA board meeting, she did not mention how many years the \$40,000 would be given to the Council.

Chairman Goerner submitted five budget requests to the legislature. He thanked the SJRWMD for their help putting together these requests. He mentioned that there were some changes. Still hopeful that there will be legislative funding. There are several bills before the legislature. Mr. Powers asked for copies of these bills. Chairman has copies at this time.

Mr. Powers suggested having Council members send letters to representatives stating their support for these bills. Mr. Farner agreed. Chairman Goerner explained that he does speak to our representative and to the chairman of committees that are discussing funding. Chairman suggested Council needs a representative at these meetings in Tallahassee.

Mr. Brooks made a motion to have Chairman Goerner attend Lake County Days in Tallahassee. Dr. Cook seconded the motion. A vote was taken and the motion passed unanimously. Mr. Perry will take care of all accommodations for Chairman Goerner.

Chairman asked Gene Caputo to e-mail Council members and to mail copies of these bills to those members who do not have an e-mail address. Mr. Kaiser suggested that each Council member should automatically receive copies of all proceedings, letters etc.

Mr. Caputo has a file with copies of all reports, letters, etc. All Council members have access to this file. Mr. Powers asked for an updated list of Council members addresses and e-mail addresses. Mr. Caputo will take care of this request.

The other change in Council's budget requests was to change the amount from \$50,000 to \$45,000.

Chairman asked Mr. Caputo to announce plans for the tour of the Harris Bayou project. Mr. Caputo stated a date has been set for February 28, 2003. Tour will be between 10-12 noon. Vehicles will be provided by the district and the LCWA. Private cars will not be allowed. Everyone will meet at the Lake Square Mall behind Barnhills Restaurant. Tour will take no more than two hours. Everyone will meet at Barnhills Restaurant for lunch. He will send directions to each Council member.

Chairman stated that Council's meeting schedule may conflict with the districts meetings. When there is a conflict Council could use district meeting as a workshop meeting for the Council. Mr. Caputo will advise Council in advance of any conflicts.

Chairman asked for an update regarding the method of preparation and schedule for the 2003 legislative report. Mr. Perry presented copies of the three responses he received from Jones Edmonds & Associates, Berryman & Henigar, Inc and Professional Engineering Consultants. These were the firms that he had contacted. Each explained the administrative services they would provide and the fees for these services. Each firm would send a representative to the Council meetings where they would take the minutes. This person would also prepare the yearly legislative report that the Council presents to the legislature.

Chairman Goerner asked that Council have time to peruse these proposals and then discuss. He explained to the Council that he had thought about who should prepare this report and felt that the Council did not need a senior scientist to take minutes and prepare a report. Mr. Powers disagreed. Mr. Powers felt this was not clerical work. Chairman stated that the fees presented by two of the companies were a little higher than he thought they should be. Chairman Goerner and Mr. Clark both agreed that they did not want a person who works for any of the agencies to prepare the Council's report. They were concerned that the report would be influenced by the opinion of the person preparing the report not the Councils. Mr. Perry explained that the Council would know who is preparing report. Mr. Powers stated that consulting firms work for all agencies. They are not biased and they will prepare a fair report. Mr. Powers also explained fees for these services are not high and that they are qualified to prepare report. Chairman feels these people are over qualified.

Mr. Brooks main concern was that Council remain independent. Mr. Powers and Mr. Farner wanted to choose a firm now not to wait for the next meeting. Mr. Powers explained there was no reason to interview each applicant. Mr. Brooks agreed stating that two meetings have already occurred without a professional being present. He wanted the Council to move on this issue. Mr. Perry stated LCWA has worked with these firms and have been satisfied with their work.

Mr. Powers made a motion to accept the proposal from Berryman & Henigar, Inc. to take minutes and prepare the annual report to the legislature. Mr. Farner seconded the motion.

Mr. Davis asked if the minutes would be the same as the minutes being taken now. Chairman explained the firm would replace the person who has been taking the minutes. They would begin to attend meetings in March. Chairman asked Mr. Perry if there would be any problem starting a new person in March since the Council has a contract with Spherion which expires March 31, 2003. Mr. Perry explained that he did not feel there would be any problem. Chairman would like time to look over these proposals before making a decision.

A vote was taken at this time. All were in favor of accepting the proposal from Berryman & Henigar, Inc. Chairman Goerner was opposed.

Mr. Brooks suggested that someone should represent Council to prepare contract. Mr. Perry would draft a contract if Council wants him to. He would include a starting date and a date for preparing the legislative report. Chairman will work with Mr. Perry to prepare the contract. Mr. Brooks made a motion to have Chairman work with Mr. Perry and Mr. Caputo to get a contract signed so that we could have a person present at the Council's March meeting.

Mr. Clark asked for clarification as to when the new person would start to take the minutes. Chairman thought Council should decide. Chairman expressed his opinion that the new person should attend the March meeting. Mr. Perry could have Spherion have a representative take the minutes and have the new person in attendance.

Mr. Clark seconded Mr. Brooks motion. A vote was taken and passed unanimously.

Mr. Davis wanted to know if the same format that was used last year to prepare the legislative report will be used again this year and could partial report be presented to the Council each meeting. Chairman and some Council members felt having done two reports will help speed along preparation of this years report. Mr. Davis also expressed concern that the Council get back to discussing important issues. Chairman assured him this would happen and Council will make up an agenda today.

7. AGENCY UPDATES

Mr. Perry from LCWA was the first to report on projects being undertaken by the water authority. On February 20, 2003 the water authority will be touring a farm that is using a technique that uses only rainfall for watering. They are trying to begin the ALUM applications within the next few weeks. They will be experimenting using a technique that will use smaller test areas.

Dr. Cook asked several questions regarding the method of gathering water to test for toxic amounts. Mr. Perry explained since they have been monitoring lakes for at least 1 ½ year they know the areas where toxic levels are.

Dr. Cook and Chairman Goerner had some concerns regarding the testing method. They felt that the testing would be more accurate if taken directly from the lake not lake water that is isolated in a cylinder. Mr. Brooks suggested Council let LCWA do their testing and report to the Council. At that time Council would have the opportunity to discuss their finding.

Chairman agreed but just wanted to make sure Council gets as much information as possible. It is possible this could develop into a whole lake treatment which will be expensive, so Council should be very interested in results. Mr. Farner wanted to know when Council would have final report. Mr. Perry said report should be ready in early spring.

Mr. Powers asked if Mr. Perry had any updates on dredging permits. He explained district has asked for additional information which LCWA has given them. LCWA waiting for their district review.

Chairman will get more information from all agencies regarding the ALUM treatments. Both Dr. Cook and Mr. Clark suggested LCWA conduct a "blind" test. Treating some water and not treating other. Then both can be compared.

Mr. Kaiser updated Council on the Leesburg sewer plant. He gave each a copy of Leesburg's year end report. He felt report was very comprehensive. The new people in charge have done a very good job addressing different issues. He pointed out that Ms. Ann Griffin's perseverance has resulted in many of Leesburg's successes.

Dr. Battoe reported on the Lake Griffin flow way. There were two weeks with net uptake of phosphorus. Now there has been some leaks from the Long Farms a muck farm that the district has purchased, bringing small amounts of water with high levels of phosphorus into the lake. They have been having trouble with some of the pumps but he was told they are working better now.

Chairman asked Dr. Battoe for quarterly reports. He has asked for these reports before and would like to see them. The district also has volunteers looking for the location of hydrilla plants so that they can be treated. Dr. Battoe hoped to lower the levels of phosphorus in the lake by using the flow way. He will try to find out when fluctuation program will begin. Chairman asked Dr. Battoe to bring dredging schedules to Council's next meeting.

Mr. Farner asked about the status of the shad harvest. Dr. Battoe explained it has slowed down because there are less fish. May move the operation to Lake Apopka to start harvesting there.

Mr. Bill Johnson, from the Department of Fish and Wildlife reported his department is collecting information regarding the size of fish caught and checking their mortality rate. They have obtained information from some of the fishermen. Chairman asked if there was any vegetation planting going on. Mr. Johnson stated there has been some but did not have any details. Chairman asked if there are any plans to stock the lakes with bass. Mr. Johnson said there are no plans at this time. They have done evaluations and found that there has to be food for these fish to eat so they will grow.

Dr. Taylor a member of the LCWA, gave his opinion regarding ALUM treatments. He had questions regarding the study that is currently under way but decided to vote for the small study being done now. He encouraged the Council to get more objective views of whether projects are successful or not. Council should try to get independent verification of any studies being done.

Dr. Taylor wants a review of dredging data to be conducted by people on all sides of the argument at the next meeting of the LCWA. He wants everyone to thoroughly review studies that have been done before deciding to move to next step.

Chairman and Dr. Taylor feels Council and agencies must have clear goals. Chairman wants to discuss these goals at next months meeting.

8. COUNCIL MEMBER COMMENTS

Chairman would like to set an agenda for next months meeting. Council should discuss in-lake dredging with specific goals. Also wants to learn about re-vegetation from Department of Fish and Wildlife. Mr. Brooks would like to take one issue at each meeting and discuss until a recommendation can be made. He asked if is it possible to shorten the time spent on administrative issues and use most of time on important issues.

Chairman will let agencies know what information Council will need at the March meeting. He asked Mr. Caputo to ask Dr. Canfield to inform Council of the date of his advisor's meeting.

Mr. Davis asked if meetings could start earlier possibly at 8:30AM. There were some Council members who travel a great distance and could not be present at 8:30AM. Meetings will begin at 9:00AM.

All Council members want the Council meetings to proceed at a faster pace. They want everyone to try to limit the time that they speak. Mr. Clark wants to be advised of the date of the advisors meeting. Chairman noted most meetings are advertised in the newspaper. He explained that Dr. Canfield would start to inform Council of the date of the advisory committee meetings.

8. PUBLIC COMMENTS

Ms. Griffin passed out copies of data she obtained from LCWA regarding phosphorus and nitrogen counts for the Harris Chain of lakes. This data showed low levels of phosphorus on all lakes except Lakes Apopka and Beauclair. She suggested why spend money on some lakes to lower levels when they are already low. Mr. Powers suggested the possibility that the increased rainfall may be hiding some figures. She also said she has seen more scum in the lake water as the weather became colder. She sent some samples to be tested.

9. ADJOURNMENT

Mr. Farner made a motion to adjourn and Mr. Powers seconded it. The motion was carried. The meeting was adjourned at 1:05 PM. Next meeting will be held on March 7, 2003.

Respectfully submitted by:

Skip Goerner, Chairman

Hugh Davis, Secretary

EXECUTIVE SUMMARY

Chronological Summary of the Harris Chain of Lakes Restoration Council Meetings

Members met at 9:05AM on February 7, 2003. All members were present except Messrs. Pearce and Nicholson.

Chairman Goerner mentioned the fine coverage ESPN did regarding the Bass Tournament in Lake County. He felt the positive publicity was good for Lake County and for future Tournaments.

He told the Council he had attended a meeting where SJRWMD made a presentation regarding flow-ways.

Chairman Goerner asked Council members to approve the minutes of November 15, 2002. After some making some corrections to the minutes of the January 10, 2003 meeting, they were accepted.

Chairman explained he had written a letter to Senator Cowin stating what Council's legislative recommendations were. He also informed her of some changes Council had made to a few items and the elimination of one. He gave Mr. Caputo a copy of this letter for the file. The LCWA has voted to fund the Council in the amount of \$40,000 for at least one year. Mr. Perry from LCWA feels that the board will extend that amount for another year at their next meeting.

There will be a legislation meeting to be held in Tallahassee. A motion was made and seconded to send Chairman Goerner as the Council's representative. Vote was taken and unanimously passed.

At this time the Council accepted the \$40,000 funding from LCWA. Council has \$10,000 from SJRWMD and \$5,000 from LCWA in their account.

A motion was made to send Chairman Goerner to the Lake County Days meeting in Tallahassee. A vote was taken and was unanimously passed.

Chairman explained that the amount of requested funding from the legislature was changed from \$50,000 to \$45,000.

Mr. Caputo has set up a date and time for Council to tour the Harris Bayou project. Council members will meet on February 28, 2003 at 10:00AM at the Lake County Mall.

Chairman asked for an update regarding the method of preparation and schedule for the 2003 legislative report. Mr. Perry presented schedules and fee reports from three firms that

he had contacted. They were Jones Edmonds and Associates, Berryman & Henigar, Inc. and Professional Engineering Consultants. After some discussion Mr. Powers made a motion to accept the proposal from Berryman & Henigar, Inc. Chairman, Mr. Perry and Mr. Caputo will work on the contract. They hope to have a representative from this firm at the March meeting.

Under Agency Updates, Mr. Perry was the first to report. The LCWA will be touring a farm to see how they use rainfall for watering. The water authority will also be conducting a study using a different procedure to apply ALUM to smaller areas in Lake Griffin. There was much discussion on the method of the testing and application of ALUM.

Mr. Perry explained the district is reviewing some information and when ready they will proceed with permits for dredging.

Mr. Kaiser presented the year end report from Leesburg Sewer plant. The staff at the sewer plant has continued to work toward keeping the plant working efficiently.

Dr. Battoe reported on the status of the flow way, the shad harvest and phosphorus levels on Lake Griffin.

Dr. Taylor from LCWA gave his opinion on the ALUM treatments that they are about to perform on Lake Griffin. He would like to see a review of dredging data by people on all sides of the discussion.

Council members discussed their goals and how they would conduct future meetings. Chairman asked that all agencies bring the information that the Council has requested to the next meeting.

Ms. Ann Griffin was the only person to comment during the Public Comment segment of the meeting. She presented each member with information regarding phosphorus and nitrogen levels on all the lakes. She suggested only treated lakes that had high levels not all the lakes.

Meeting was adjourned at 1:05 PM.