



WINDERMERE PARKS & RECREATION COMMITTEE
October 8, 2020 AGENDA

In order to maintain a 1hour time schedule, the committee will address the monthly agenda items only unless time remains for New Business discussion at the end. Agenda items should always be submitted in advance for committee consideration.

1. OPEN FORUM/PUBLIC COMMENT (3 Minute Limit):
2. OLD BUSINESS:
 - a. Events:
 - i. Windermere Pet Fest Sat. March 7, 2020
 1. Create subcommittee for next year's event – On hold pending covid
 - ii. 19th Annual UMC Run Among the Lakes
 1. Race ends 10/15
 2. Race is fully virtual
 3. Thank to Doug for late packet pickups
 4. Currently have about 650 runners
 5. Awards determined 10/16
 6. 4/10/2021 tentatively set for 20th Annual RATL
 - iii. Halloween Costume Parade and Hayride Saturday, October 31, 2020 (Doug)
 1. Police will lead parade
 2. Report from Doug
 3. Tracy working on volunteers to stuff candy bags
 4. Nora working on graphics
 - b. Tennis
 - i. Tennis Report – Doug
 - c. Parks
 - i. CIP
 1. Fernwood Park –
 - Discuss improvements and concerns of neighbors
 - Proposals from Tom Stroup and Jim Willard
 2. Lake Down
 - Need to clean up – completely overgrown around fence and new cypress tress at 4th St dock
 3. Frank – kayak storage at parks

- ii. Review & modify final plans from IDG for Lake Bessie & Lake Down pathways -
 1. Tabled for near future

Park Walk Through 20191019

Central Park

1. Powerwash pavilion
2. Grind stumps in park – danger to people running through park
3. Dead pine tree behind MaryEllen Stones house – need to remove
4. Tree leaning on other trees behind MaryEllen Stones house – need to remove before it falls
5. Remove queen palms groing into oaks by Oakdale & 5th
6. Add benches at 4th Street end of park
7. Add pine trees/East Palatka Hollies along fence along Oakdale. Need to replace pines and add screen from parking.
8. Add understorey tree(Dogwood) at corner of Oakdale & 5th.
9. Need irrigation for tree plantings?
10. Determined site of new exercise equipment

Palmer Park

1. Chinning Bar missing from playground equipment
2. Tether ball missing
3. Pressure wash wooden playground equipment and seal the wood
4. Dead pine tree near play area
5. Drains clogged and standing water in park

WRC

11. Repair/resurface floor of pavilion
12. Wood rotting on electrical box – replace
13. Dead pine tree along walkway to bridge – remove
14. Replant trees between tennis courts and pavilion walkway
15. Branch touching bathroom facility
16. Remove section of railing on dock; add cleats & ladder
17. Missing cap on walkway to dock
18. Fix volleyball court – add borders and sand. Add weed stop fabric under sand?
19. Bathroom flooring – Consider new or different top coating

Fernwood

6. Add berms/swales at end of roadway near lake
7. Add large oak tree in center of roundabout
8. Add border to roundabout so people don't park there
9. Add hedge along chain link fence (west side)
10. Consider adding gravel in circle driveway area

3. NEW BUSINESS

a. MINUTES

- i. Approval September Meeting Minutes (Attached-Committee Option)

b. GENERAL ITEMS FOR CONSIDERATION

c. Liaison Reports

- i. Councilman McKinley
- ii. Robert Smith
- iii. Scott Brown

4. NEXT MEETING DATE – Thursday November 12, 2020

5. ADJOURNMENT

**Town of Windermere
Parks and Recreation Committee
Proposed Meeting Minutes
September 10, 2020**

Members Present: Doug Bowman, Nora Brophy, Lesha Miller, Tracy Mitchell, Frank Krens

Others Present: Scott Brown, Bob McKinley, Robert Smith

Call to Order: The meeting was called to order by Nora Brophy

Open Forum: No guests were present for comments

Business Agenda

Old Business/Events

- A. 19th Annual UMC Run Among the Lakes – Nora indicated that 630 persons had signed up for the race. At this point, very few had requested refunds and only 1 sponsor had dropped out. She also noted that October 1st-15th were the chosen days for the virtual run, and roughly 12-15 banners will be placed along the route. Run packet pick-up days are scheduled for Wed, Sept. 30th thru Friday, Oct 2nd.
- B. Halloween Hayride & Costume Parade – Gatherings of more than 50 people are still not allowed in Orange County. After some discussion, the suggestion was made to have the Chief of Police and Mayor drive around town on Saturday, October 31st and distribute candy from a truck vehicle. The committee agreed that this was a great idea and Doug will confer with Diane Edwards to get the candy and drawstring bags for the day of event. Other ideas included hiring a photographer to follow behind the Mayor and Chief.
- C. Tennis Updates – Doug noted that he had been monitoring tennis court usage relating to court wait issues the town had been experiencing thru the summer. Tracy also mentioned that she had as well and usage wand waiting for courts seemed to be down. Because of that, both felt the idea of tennis court scheduling software is not needed at this time. Doug also indicated that Dena O'Malley's USTA team had reserved 8 Wednesday morning sessions in 2020 for USTA team matches.
- D. Fernwood Park Charette – September 16th and 23rd are allotted for Zoom meeting sessions for residents to provide feedback on the park. Robert mentioned that he had requested comments in advance for better preparation and he had received 6 comments as of September 10th. Discussion ensued around future park master plan change notifications, and what the responsibility of the committee is to do that.
- E. Kayak Storage Near Palmer Park – This matter was tabled to the next meeting with Frank Krens' input

Scott noted that the Bill Criswell memorial plaque is ready to install by the 4th Street pier. He also reminded the committee that the tennis courts and boat ramp will be re-keyed on Thursday, October 1st.

New Business

- A. Minutes Approval – Meeting minutes from July 9th and August 13th were approved as submitted
- B. Liaison Reports – Bob McKinley had no formal report.
- C. Adjournment – The meeting was adjourned at approximately 6:00 p.m.
The next regular meeting is scheduled for Thursday, November 12th at 5:00 p.m. in Town Hall.



Fernwood Park Charette

Presented September 16, 2020 10am & September 23, 2020 6pm

Discussion Topics

- Fernwood History
- Parks & Recreation Recommendation and Actions
 - Timeline of Suggested Improvements
 - Proposed Concept
 - Submitted Concepts
- Egret/Bird Island Background
- Egret/Bird Island Action Items prior to 2020
- Egret/Bird Island Enforcement Actions 2020 and beyond
- Egret/Bird Island Plan
- Open Discussion
 - Fernwood Improvements
 - Egret/Bird Island Issues





Town of Windermere Parks & Recreation



The Town of Windermere Parks & Recreation Board is made up of volunteers who live within the Town limits. They are unpaid and are strictly volunteers. They typically meet monthly if not more frequently and have put on several successful events including put not limited to Pet Fest, Annual Run Among the Lakes, Kids Summer Tennis Clinics and Halloween Parade and Hayride. The money they have raised thru their programs and sponsors have enabled the Town to enhance, maintain and leverage funds to help improve the health and recreation of all of the residents of Windermere.

For this I would like to start off by thanking those who sit on this Committee:



- P&R Members
- Chair Nora Brophy
- Vice Chair Lesha Miller
- Secretary/Treasurer Doug Bowman
- Donna Steele
- Sherry Cassidy
- Frank Krens
- Tracy Mitchell
- Council Liaison Robert McKinley





Central Park

Central Park is located on Oakdale Street between East 4th and 5th Avenues.

Amenities include:

- Playground
- Picnic tables and pavilion
- Walking path
- Frisbee golf
- Parking
- Bike racks
- Drinking fountain/bottle filling station
- Exercise equipment

The newest addition to Central Park is a full-body workout circuit. Follow the walking path to each exercise station targeting different muscle groups. Each station has detailed instructions on how to use the equipment and which muscles are engaged.



Johnson Park

Johnson Park is located along the Lake Bessie lakefront on East 6th Avenue between Lee and Lake Streets. There is a park bench, though this park is mainly used for stormwater retention and there is no parking.



Lake Bessie Lakefront Park

Lake Bessie Lakefront Park is located along the Lake Bessie shoreline from East 8th to 11th Avenues.

Amenities include:

Resident-only boat ramp
Walking trail



Lake Street Park

Lake Street Park is located at the end of East 5th Avenue at Lake Street, adjacent to the end of the trail along Lake Down.

Amenities include:

Walking trail

Park benches

Fishing pier

Picnic tables

Swing



Palmer Park

Palmer Park is located on Pine Street between 2nd and 3rd Avenues.

Amenities include:

Playground

Picnic table

Park benches

Parking

Park Among the Lakes

Park Among the Lakes is located at Main Street is between East 2nd and 3rd Avenues.

Amenities include:

Three resident-only tennis courts*
Parking



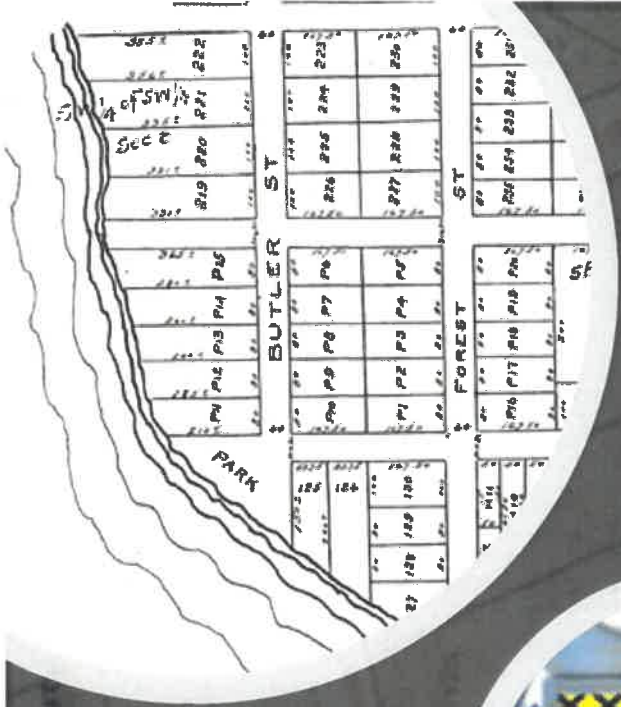


Courtesy Rick Singh, CFA, Orange County Property

Butler St

Fernwood Park Background

- The park was platted and dedicated to the public on the Windermere Plat from 1921.
- The park has a future land use and zoning of Recreation.



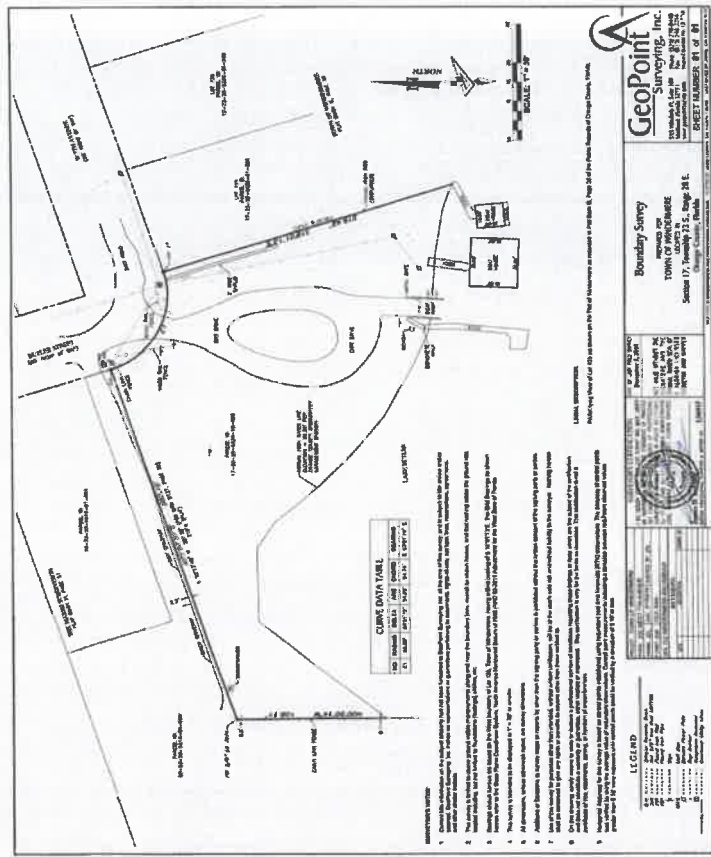
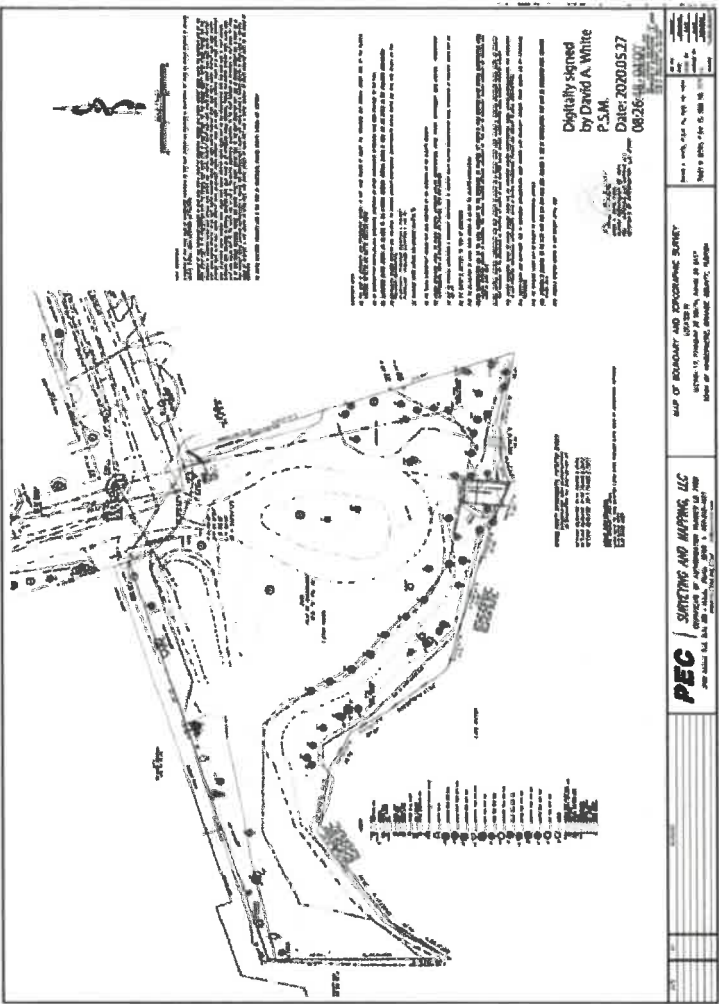


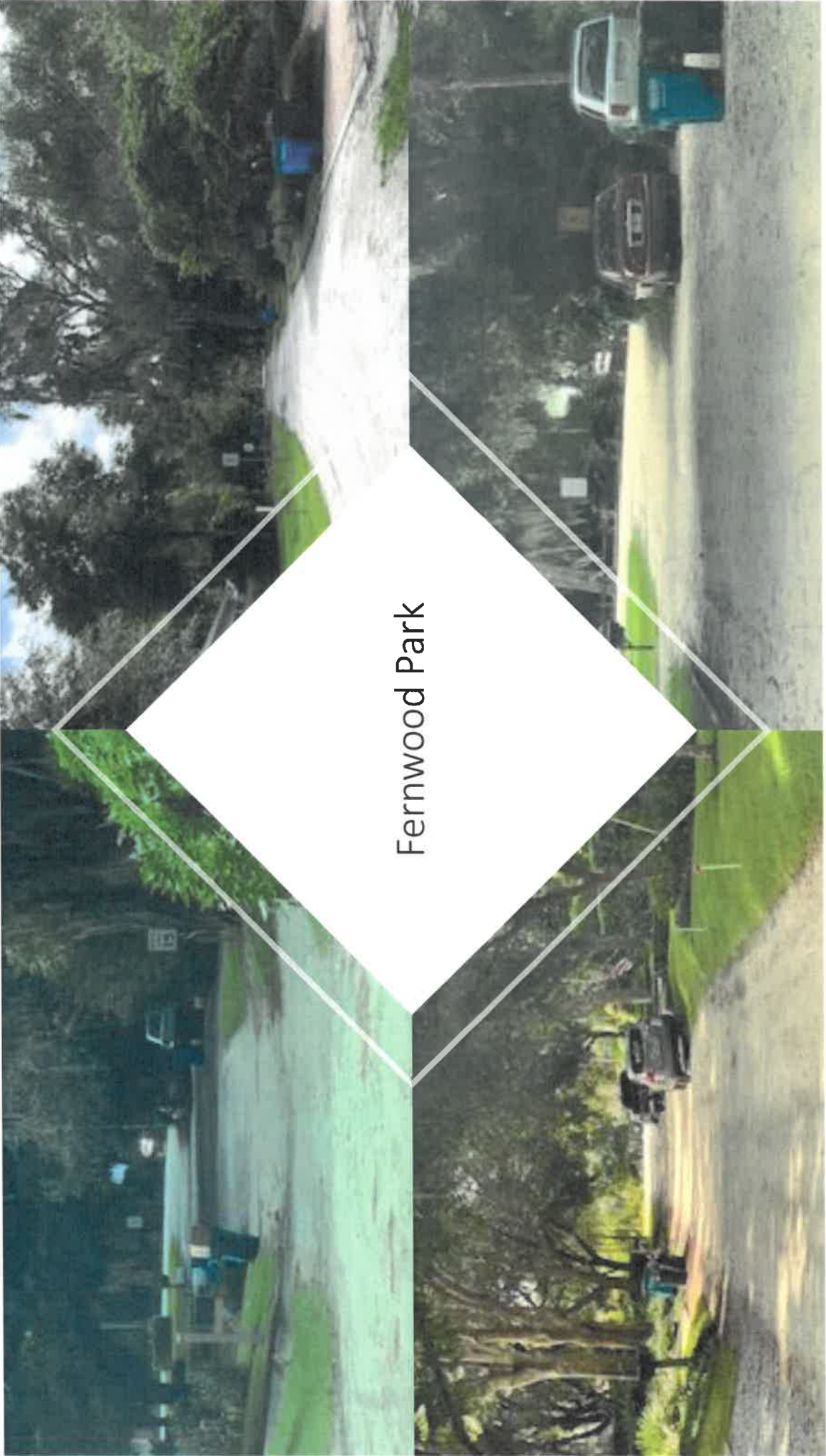
Fernwood Park





Fernwood Park





Fernwood Park



Fernwood Park



Fernwood Park



Fernwood Park



Fernwood Park



Fernwood Park



Fernwood Park



Timeline of Suggested Improvements



- July 27, 2016 – Staff discussed with Tree Board the plan to hire landscape architect to design improvements to the parks.
- August 18, 2016 – TB discuss attending P&R meeting to co-work with the design/needs
- September 22, 2016 – P&R notes 3 responses to RFP for park improvements
- October 27, 2016 – P&R notes selection of 2 finalist firms and invites them to walk-thru parks.
- December 15, 2016 – TB reviewed RFP for park improvements
- January 10, 2017 – TC approved RFP 2016-03 for Innovations Design Group for master design for the parks
- March 2017 – Staff walked the parks with IDG.
- March 16, 2017 – Stakeholders meeting conducted.
- May 25, 2017 – P&R discussed IDG drafting plans, boardwalk for Fernwood
- June 29, 2017 – IDG presented plans to P&R. Requested minor revisions.
- June 29, 2017 – Final plans completed by IDG
- July 20, 2017 – TB discussed that the TOW established park priorities once funds available – Fernwood, etc.
- July 27, 2017 – IDG completed 1st round of revisions.



Timeline of Suggested Improvements



- October 18, 2017 – TB noted update on IDG plans presented to TC meeting for review and plans available on Town website.
- November 30, 2017 – P&R discussing plans and park priorities.
- January 25, 2018 – P&R discuss park plans and improvements, 2 of 3 members prioritize Fernwood.
- February 22, 2018 – Staff working with IDG for park improvements CIP list.
- May 17, 2018 – Staff advised TB that P&R will meet for final review of IDG plans. FRDAP funds were to prioritize WRC and Fernwood for first park upgrades.
- May 24, 2018 – FRDAP grants awarded.
- June 21, 2018 – Staff working with IDG on revisions to move forward wit FRDAP funding.
- June 25, 2018 – Staff updated and discussed with TB how IDG plans and items are to be budgeted.
- July 19, 2018 – Staff provides TB with large set of IDG plans for Fernwood and Central Park improvements for review. Notes to add trees and shows larger boardwalk.
- July 26, 2018 – P&R approved IDG plans for Fernwood. Mr. Willard, in public forum, noted he was concerned about additional noise after.
- August 14, 2018 – TC approved final design plans for Central & Fernwood Parks
- October 25, 2018 – Staff working on RFP/bidding docs for park improvements
- December 12, 2018 – Staff received herbicide permits from OC and FWC. Completing boundary survey for FRDAP.



Timeline of Suggested Improvements



- January 08, 2019 – TC approved 5 final plans on the other parks
- April, 2019 – FRDAP grant approved by FDEP.
- May 09, 2019 – P&R discussion on Rough Order of Magnitude cost estimates, etc.
- May 16, 2019 – P&R reports to TB FRDAP grant funds to be used at Fernwood, as well as P&R funds. ISG estimates 180K for initial phase. P&R request TB to fund clearing of invasive plants/trees and re-planting plan for park improvements.
- June 9, 2019 – TB approves funding clearing of trees and shoreline.
- June 11, 2019 – P&R approved 10K to clear overgrown area for future boardwalk.
- July 11, 2019 – Area has been cleared at this time.
- November 14, 2019 – P&R, removal of large invasive trees have been complete. Herbicide treatment in the waters in on-going. Committee approved \$8,500 for initial work using Faden Builders for design, engineering, permitting and any variances needed.
- December 12, 2019 – P&R approved \$7,700 to hire lakefront maintenance company to machine remove vegetation, dead trees, etc from water (this has not been done at this time – awaiting prior to boardwalk construction)
- January 9, 2020 – Staff advises P&R of statues of Fernwood boardwalk conceptual drawing.
- February 13, 2020 – Staff advises P&R of permitting requirements and how they may effect minor changes in boardwalk plan. P&R approves concept plan for boardwalk.
- June 11, 2020 – Public concerns about Fernwood boardwalk brought to P&R.

Florida Recreation Development Assistance Program (FRDAP)

Town of Windermere
Public Meeting Notice
Florida Recreation Development Assistance Program (FRDAP)
Proposed Improvements to Fernwood Park

- A public meeting will be held at the Town of Windermere Town Hall located at 614 Main Street, Windermere, Florida 34786 on **Tuesday, September 13, 2016 at 5:30 p.m.** to allow the public an opportunity to provide comments on a proposed grant application that the Town intends to submit to the Florida Department of Environmental Protection. The application will request funding for recreation improvements to Fernwood Park, which is located within the town limits of Windermere. The grant will be funded by the **FY 2017-2018 Florida Recreation Assistance Program (FRDAP)**. The amount being requested will not exceed \$50,000. The grant will fund improvements to the fishing pier, trails, picnic facilities, and related recreation improvements. For more information concerning this meeting, contact Robert Smith, Town Manager at (407) 876-2583, ext. 5324.

A FAIR HOUSING/EQUAL/OPPORTUNITY/HANDICAP ACCESS JURISDICTION

FERNWOOD PARK
PLAT OF WINDERMERE G/36
PARK DESC IN PLAT LYING W OF LOT 125
TOWN OF WINDERMERE, FLORIDA

PARK IMPROVEMENT PACKAGE IN ACCORDANCE WITH RFP #2016-03
JUNE 29, 2018



LOCATION MAP

LANDSCAPE ARCHITECTURE AND
AREA DEVELOPMENT PACKAGE

INDEX OF DRAWINGS

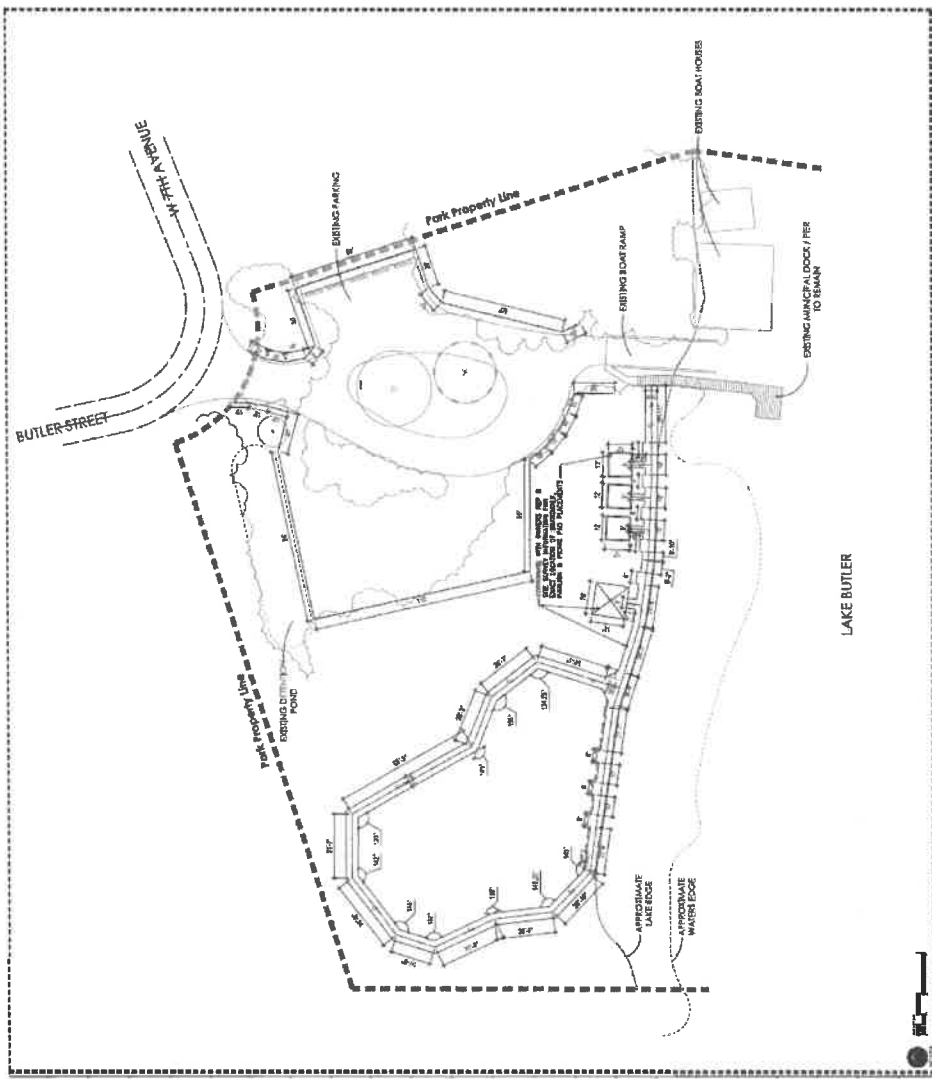
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L-1.01	HARDSCAPE PLAN
L-1.05	MATERIALS SCHEDULE
L-3.01	HARDSCAPE LAYOUT PLAN
L-7.01	HARDSCAPE DETAILS
L-7.02	SITE FURNISHING DETAILS
L-7.10	SITE FURNISHING & HARDSCAPE SPECIFICATIONS

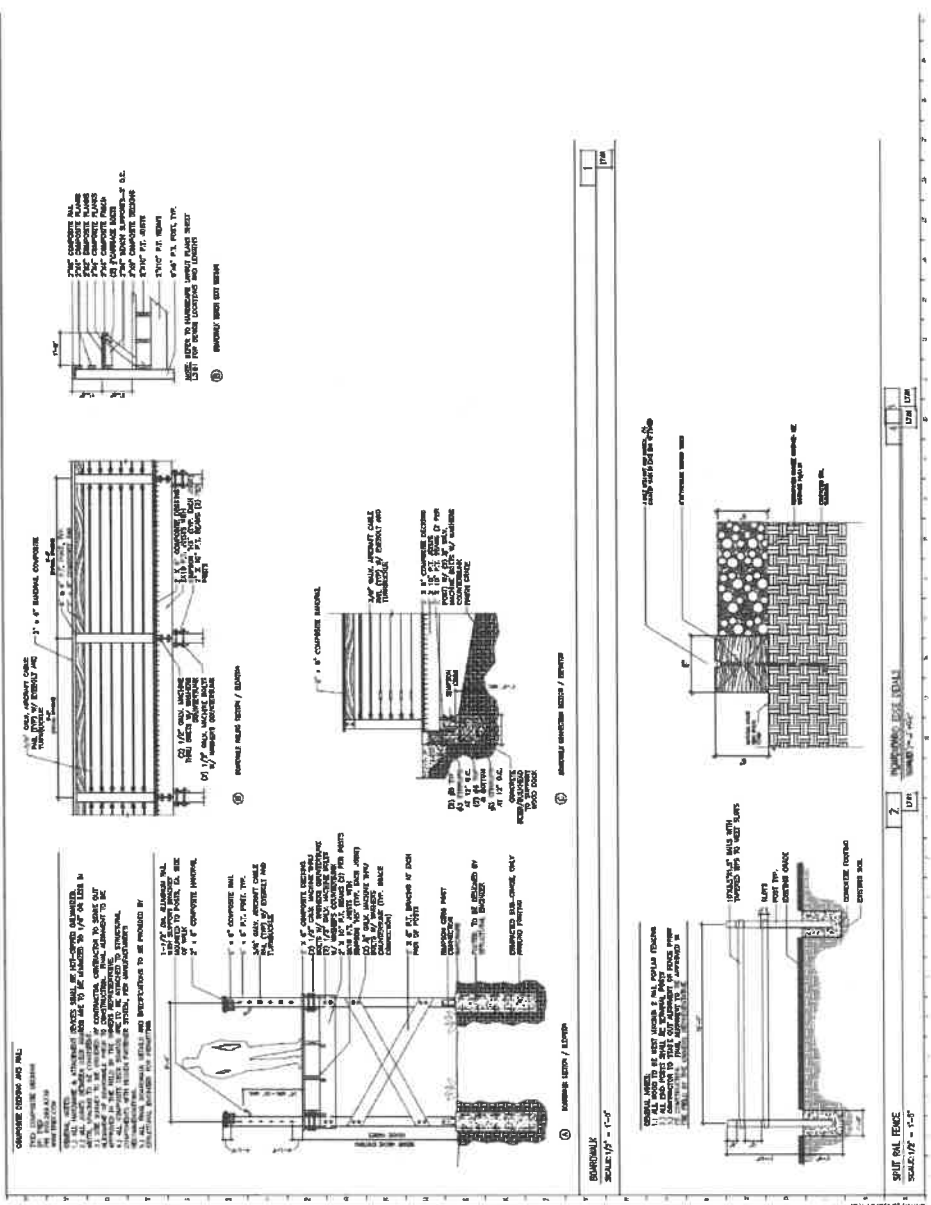
TOWN OF WINDERMERE
FINISHED FINAL BOARDING
CONCEPT PLAN

NO.	DATE	REVISION

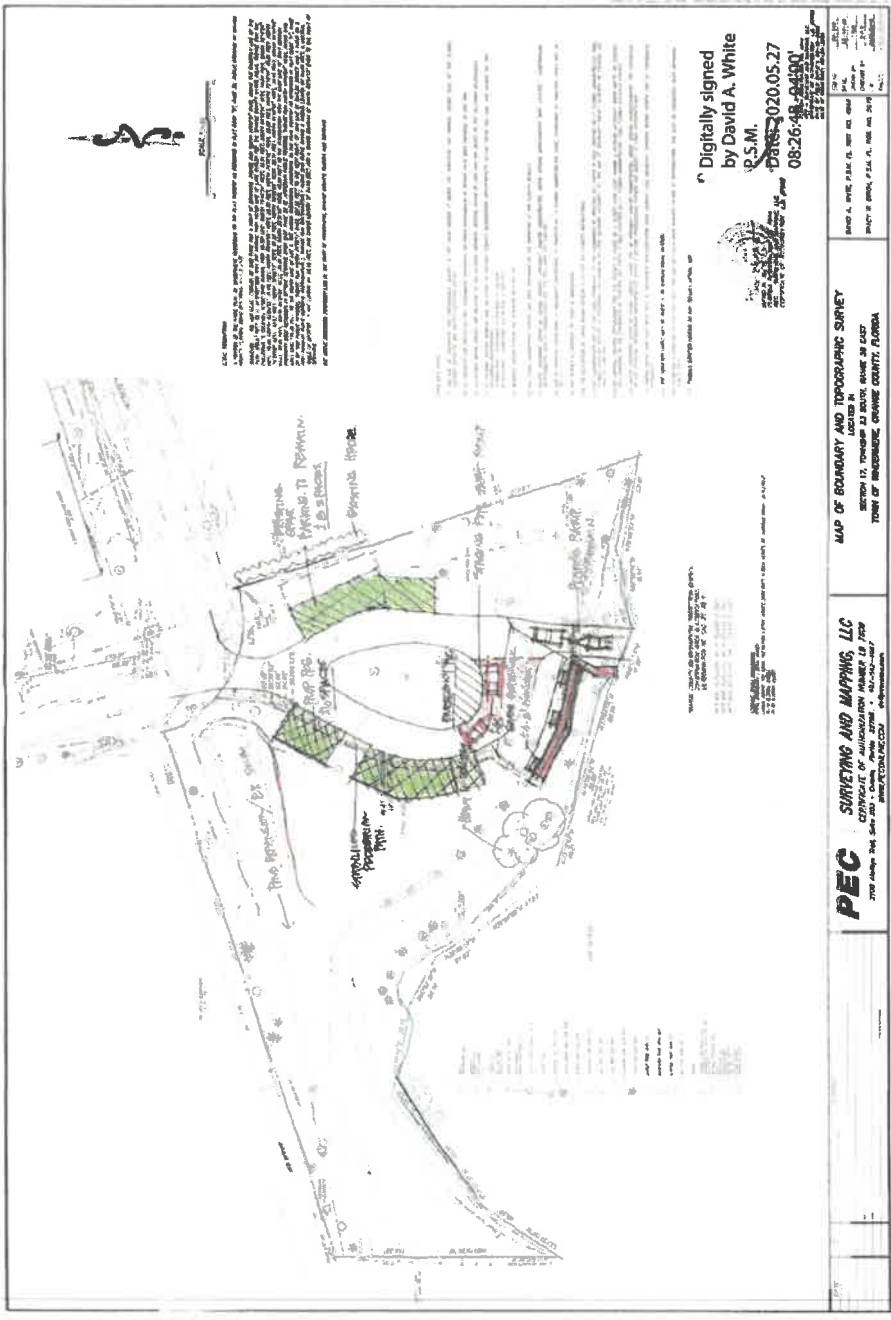
FABER
CONSULTANTS, INC.
1700 CAMP AVENUE
SUITE 2000A, FORT LAUDERDALE, FL 33309
PH: 352.433.0000







NO.	DESCRIPTION	QTY	UNIT
1	1" X 4" COMPOSITE RAIL	100	LINEAL FEET
2	4" X 4" COMPOSITE POST	50	PIECES
3	1/2" X 1/2" X 1/2" GALVANIZED STEEL JOINT	100	PIECES
4	1/2" X 1/2" X 1/2" GALVANIZED STEEL JOINT	100	PIECES
5	1/2" X 1/2" X 1/2" GALVANIZED STEEL JOINT	100	PIECES
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9	1/2" X 1/2" X 1/2" GALVANIZED STEEL JOINT	100	PIECES
10	1/2" X 1/2" X 1/2" GALVANIZED STEEL JOINT	100	PIECES



THIS SURVEY WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IT COMES IN ACCORDANCE WITH THE REQUIREMENTS OF THE FLORIDA SURVEYING AND MAPPING ACT, CHAPTER 461, F.S. I AM A LICENSED SURVEYOR IN THE STATE OF FLORIDA, LICENSE NO. 12345. I HAVE NOT BEEN CONVICTED OF A CRIME INVOLVING FRAUD OR PERJURY IN CONNECTION WITH MY PROFESSIONAL SERVICE AS A SURVEYOR. I HAVE NOT BEEN CONVICTED OF A CRIME INVOLVING FRAUD OR PERJURY IN CONNECTION WITH MY PROFESSIONAL SERVICE AS A SURVEYOR.

THIS SURVEY WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IT COMES IN ACCORDANCE WITH THE REQUIREMENTS OF THE FLORIDA SURVEYING AND MAPPING ACT, CHAPTER 461, F.S. I AM A LICENSED SURVEYOR IN THE STATE OF FLORIDA, LICENSE NO. 12345. I HAVE NOT BEEN CONVICTED OF A CRIME INVOLVING FRAUD OR PERJURY IN CONNECTION WITH MY PROFESSIONAL SERVICE AS A SURVEYOR. I HAVE NOT BEEN CONVICTED OF A CRIME INVOLVING FRAUD OR PERJURY IN CONNECTION WITH MY PROFESSIONAL SERVICE AS A SURVEYOR.

Digitally signed
 by David A. White
 U.S.M.
 Date: 2005.05.27 08:26:48 -0400



MAP OF BOUNDARY AND TOPOGRAPIH SURVEY
 SECTION 17, TOWNSHIP 33 SOUTH, RANGE 40 EAST
 COUNTY OF HAMILTON, GEORGIA

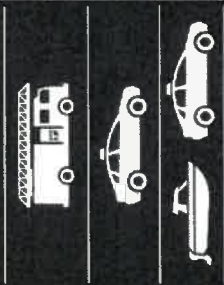
PEC SURVEYING AND MAPPING, LLC
 CORPORATION OF GEORGIA, LICENSE NO. 12345
 12345 Peachtree Road, Atlanta, Georgia 30309
 (404) 123-4567

DATE: 05/27/05
 SCALE: AS SHOWN
 SHEET NO. 1 OF 1

Ramp

Boat Launch Lane

Emergency Vehicles



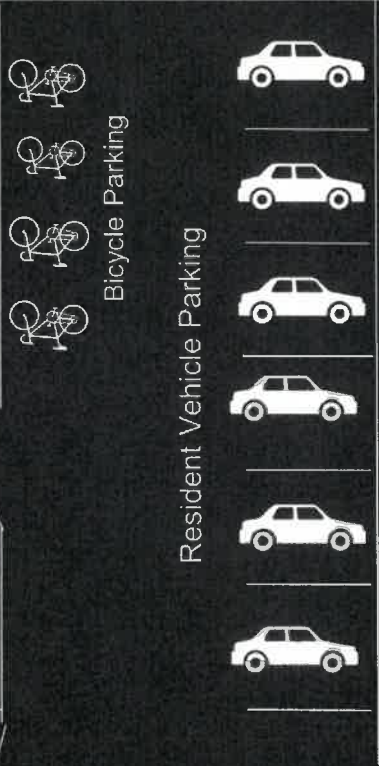
Environmentally Sensitive area
Replanted With Indigenous Water
Filtering plants

Walk In Gate

Vehicle Gate



Golf Carts



Bicycle Parking

Resident Vehicle Parking

Egret/Bird Island Background

- Egret Island (a.k.a Bird Island) is a 20 acres naturally vegetated island located along the eastern side of Lake Butler just west of the Town of Windermere. With its 4,000 feet of natural shoreline beauty it has become a hot spot for boater's on the Butler Chain to rest, party or stop to appreciate nature and the riches of wildlife. Unfortunately, Egret Island has in recent years become the center of law enforcement activity related to large and noisy congregation of boaters, underage drinking, fights and different types of disorderly behavior. This has resulted in numerous arrests, increased litter, fires and destruction of trees and vegetation within Egret Island preservation boundary.
- It appears that many lake residents are unaware that in 1958, the state of Florida dedicated Egret Island to the Florida Audubon Society in perpetuity for the preservation as a wildlife sanctuary for the Butler Chain.
- The boundaries of Egret Island were recently surveyed and ten (10) No-Trespassing signs were installed this past summer. This action was a coordinated effort to educate and protect the island wildlife and its natural vegetation from human impacts. This preservation effort was initiated by the Orange County Environmental Protection Division and the Butler Patrol and was funded in a 50-50 partnership between the Butler Chain of Lakes Advisory Board (Windermere Water and Navigation Control District) and the Florida Audubon Society.
- The survey revealed that Egret Island is actually half-moon shaped and that a good portion of the island remains flooded during most of the year, providing shelter to a large number of permanent and migratory birds, alligators, otters, small fish and mammals.

LA. 3563 #2806

IN WITNESS WHEREOF, Chase Groves, Inc. has caused these presents to be executed the day and year first above written.

signed, sealed and delivered in the presence of:

Charles L. Johnson
Secretary

ACKNOWLEDGMENT

STATE OF FLORIDA
COUNTY OF ORANGE

I, **WERNER CROFT**, that on this day, before me, as officer duly authorized in the state and county aforesaid to take acknowledgments, personally appeared **R. Chase Ashby** and **Cecilia L. Johnson**, well known to me to be the President and Secretary, respectively, of the corporation named as first party in the foregoing quitclaim deed, and that they severally acknowledged executing the same in the presence of two subscribing witnesses freely and voluntarily under authority duly vested in them by said corporation and that the seal affixed thereto is the true corporate seal of said corporation. Witness my hand and official seal in the county and state last aforesaid this 21st day of September, 1958.



WERNER CROFT
Notary Public
Orlando, Fla.

2207241
Oct 9 9 56 AM '58
LA. 3563 #2804

QUITCLAIM DEED

THIS QUITCLAIM DEED executed this 21st day of September 1958, by and between Chase Groves, Inc., a corporation existing under the laws of the State of Florida, party of the first part and Florida Audubon Society, a non-profit corporation existing under the laws of the State of Florida, party of the second part.

WITNESSES

WHEREAS, the party of the first part is the record owner of Government Lot 1, in Section 17, Township 23 North, Range 28 East, Orange County, Florida, which includes a portion of a swampy island in Lake Butler, more particularly described as:

An unincorporated island in Section 17, Township 23 North, Range 28 East, Orange County, Florida, the location of which is below described, comprising an area of approximately one acre and more or less, and the same to be made off the aforesaid tract and set off the aforesaid tract as "Egret Island";

WHEREAS, on the 24th day of May, 1958, the Board of Directors of Chase Groves, Inc., authorized its officers to convey its interest in Egret Island to the Florida Audubon Society to be used perpetually as a bird refuge;

WHEREAS, in August, 1958, the officers of Chase Groves, Inc. executed a deed conveying its interest in and to Egret

This instrument prepared by F. Nelson to

G. Thomas Hall, Esq.,
Post Office Box 112
Orlando, Fl. 32801
(Replacement/Corrective deed)

LA. 3563 #2805

Island to the Florida Audubon Society subject to certain conditions; and

WHEREAS, prior to its recolonization, said deed was lost, stolen or destroyed; and

WHEREAS, Chase Groves, Inc. desires to issue a replacement deed;

NOW, THEREFORE, out of its desire to assist in conservation and to perpetually preserve certain breeding spotteries for posterity and to fully evidence the previously executed deed in the records of Orange County, Florida, the party of the first part does hereby remise, release and quitclaim all the right, title, interest, claim and demand which the first party has in and to Egret Island unto the party of the second part and its successors for the sole purpose for use as a bird refuge to be used in perpetuity subject to the following conditions:

1. That said Egret Island shall be used for no other purpose than a bird refuge.
2. That no buildings shall be erected on said Egret Island.
3. In the event that said Egret Island shall be used for any other purpose than a bird refuge or the party of the second part herein shall fail to maintain said Egret Island for such purpose or in the event any buildings shall be erected on said Egret Island, then the interest in right of the party of the second part herein shall cease, terminate and become null and void and the party of the first part may repossess said property immediately or thereafter at the option of the party of the first part.

Egret/Bird Island Plan

For the past several years various jurisdictions have been working together in order to resolve the issues related to Egret/Bird Island while balancing the continued enjoyment of not only the area surrounding the island but the entire Chain itself.

To better understand the plan, residents must be familiar with all of the jurisdictions and players:

- Town of Windermere
- Butler Chain of Lakes Advisory Board (BCLAB)
- Florida Fish & Wildlife (FWC)
- Orange County
- Audubon Society



Butler Chain of Lakes Advisory Board (BCLAB)

- The BCLAB consists of five members appointed to four-year terms by the District Commissioner and approved by the Board of County Commissioners to advise Orange County on boating regulations, waterfront construction, canal maintenance, flood plain alterations, lakes patrol services, protection of public riparian property rights, aquatic weed control, and pollution control for the preservation of water bodies.

Duties

- Protection of public riparian property rights
- Preservation of the natural beauty and attractiveness of the lakes, canals, streams, waterways, inlets and bays.
- Regulate and control water levels within the District.
- Regulate floodplain changes (minimum elevation of land filling for residential building purposes).
- Regulate and control the speed and operation of watercraft.
- Regulate the construction and repair of canals or ditches.
- Prevent the ditching of lands for drainage into waters within the District.
- Regulate dredging, pumping of sand, extension of lands, construction or extension of islands, creating canals, basins, inlets or bays, filling or creating obstructions in the waters of the District.
- Cooperation with agencies to control invasive plants.
- Employment and compensation of personnel.
- Conduct hearings on exceptions.
- Make rules and regulations for the construction of docks or wharves.
- Review time limits on permits: revocations for noncompliance or violations of terms
- Purchase of submerged lands, islands, sand bars, swamp and overflow lands, applications, notice and hearings.
- Determination of the natural landward extent of waters for regulatory purposes.
- Recommend use of moneys collected under taxing and fee provisions.

MSTU: .2528 Millage Rate Revenue Source FY 20/21: \$1,546,455

Butler Chain of Lakes

- The Butler Chain of Lakes has over 5,000 acres in surface water; distributed in the following 13 interconnected lakes:
 - Down (900 acres)
 - Little Lake Down (23 acres)
 - Wauseon Bay (100 acres)
 - Butler (1,600 acres)
 - Louise (140 acres)
 - Isleworth (86 acres)
 - Blanche (121 acres)
 - Chase (135 acres)
 - Tibet-Butler (1,200 acres)
 - Unnamed lake (14 acres)
 - Sheen (656 acres)
 - Pocket (126 acres)
 - Fish (23 acres)
- The Butler Chain has a total of 32 navigable canals.



Butler Chain of Lakes
Orange County, Florida



Florida Fish & Wildlife (FWC)



Resource Protection

This includes educating the public and enforcing state and federal fisheries and wildlife laws; protecting threatened and endangered species and habitats; managing captive and nonnative wildlife; investigating fish and wildlife crimes; and participating in youth projects to develop the next generation that cares about conservation.

Boating and Waterways

This includes enforcing boating rules and regulations, coordinating boating safety campaigns and education; managing public waters and access to them; conducting boating accident investigations; identifying and removing derelict vessels; and investigating vessel theft and title fraud.

Public Safety

FWC officers respond to natural and manmade disasters and search and rescue missions. Specialized response units are equipped to operate by air, land and sea. The Division is a partner in Florida's Mutual Aid Plan, administered by the Florida Division of Emergency Management. The FWC works with other law enforcement agencies to provide intelligence and security support, general law enforcement services and critical incident investigations.

To cover not only the Butler Chain of Lakes but the balance of waterways and wildlife areas in all of Orange and Osceola County there are a total of 6 Officers.



Documented Issues



7/3/2016	1957 hours	Boats near Bird Island playing loud music all day. OCSO already had call.
9/4/2016	2106 hours	Suspicious vehicle. Unknown if occupied. Officer cleared call
3/24/2017	1814 hours	Resident need assistance with opening boat ramp.
4/9/2017	1748 hours	Caller needed gate opened as their boat broke down. Just needed boat towed.
5/2/2018	0214 hours	Approximately 15 teenagers at the dock. Checks conducted. Officer cleared.
5/30/2018	2207 hours	Suspicious vehicle checked. Nothing to report.
6/10/2018	1537 hours	Illegally parked vehicle.
8/19/2018	1847 hours	Boat near Bird Island would not start. Storm moving in. WPD boat pulled them back to dock.
4/19/2019	1955 hours	Suspicious person. Check conducted. Officer cleared.
6/30/2019	0116 hours	Suspicious vehicles/persons2. Check conducted. Officer cleared. Resident at 416 Butler Street called ref person injured by propeller. A lot of people on Bird Island.
7/4/2019	1644 hours	Victim passed away.
8/16/2019	1738 hours	Found property (ID card). Turned over to officer.
3/20/2020	1606 hours	Juveniles on dock. NOI.
3/24/2020	1814 hours	Citizen Assist. Ramp was closed and complainant needed to take his boat out for repairs.
5/9/2020	1853 hours	Five juveniles in park, swearing at complainant, possibly intoxicated, urinating in park, physically carrying one person from the boat through the park. One male vomiting. FD called to scene.
5/16/2020	1724 hours	Out with 2 females, verbal warning ref careless operation of jet ski. Information about the need for a parking permit to park at Fernwood. Officer handled via telephone.
5/31/2020	1256 hours	
6/12/2020	1741 hours	Several teens sitting at dock and drinking. Trespass warnings completed.
7/19/2020	1152 hours	Call of jet ski v. dock. No injuries. OCSO met at dock. No sign of damage.
8/9/2020	0048 hours	Suspicious person. Officer on scene then cleared. NOI.

Various Viewpoints on How to Solve Problem

- Annexation
- No Wake Zones
- Do what we can on the landward side where WPD has enforcement capabilities:
 - Current
 - Future
- Establish Swim Area
- BOCC/FWC/Audubon Society Strategy Establish CWA
- Other Ideas

Should Town Annex the Island?

Jurisdiction on Waterway

- If the Town were to annex the island, who has jurisdiction of the waterway?
- The state currently has and will continue to have sole jurisdiction over Lake Butler. The lake is listed in Appendix C of the Maloney Book from 1968 as a meandered lake. The county currently handles boating accidents, regulates speeds, no wake zones, etc. under the authority provided by Chapter 327 of the Florida Statutes, and as approved by the Florida Fish and Wildlife Conservation Commission. [See e.g., 327.46, 327.60 Fla. Stat.] In any event, the State has the authority to preempt both the Town and the county regarding jurisdiction.
- Do jurisdictional boundaries extend between land masses, encompass the whole waterway now, etc.?
- No, they don't extend between the waterway and land masses, they encompass the entire lake. However, if the Town annexed all of the lands surrounding the lake, there is an argument under the statute that the lake is annexed, whether or not the state consents.
- Who handles Boating accident investigations, recovery, forensics, etc.?
- The Sheriff would continue to handle such issues unless the Town and the Sheriff enter into an agreement stating otherwise. However, please note that there could be some pushback or disagreement from the county on this issue. Subsection 171.021(4), Fla. Stat. provides that one of the purposes for annexation is to "Ensure that areas are not annexed unless municipal services can be provided to those areas."

Should Town Annex the Island?

Public Works Assessment

- PW staff would need a watercraft capable of transferring people and maintenance equipment to the island and for bringing back trash and debris.
- We would need an easy access storage location for said watercraft.
- We would need to provide maintenance for said watercraft.
- We would have to add trips to and from the island to our regular trash and cleanup rounds that we do weekly.
- Vandalism in general would be a major concern.
- Because of the chain of lakes issues, all treatment for weeds and vegetation would require specialized services.
- I would assume OSHA would require some specialized training for watercraft operation and for working on the water.

Should Town Annex the Island?

Police Assessment

- PD would have to have someone available 24/7 to handle calls
- Either everyone would need to become Certified / Knowledgeable Boat Operators to ensure this availability and/or create a Marine Patrol Unit/Person that specializes in this type of enforcement.
- Police Boating Schools are costly, time consuming and would take officers off the road. Currently there are other priority training needs still not met in this agency. Here are just a few schools and items to consider:
 - Police Boating Operators Program
 - Boating Accident Investigation School
 - Crime Scene on Waterway School
 - Additional School Required
- Chief would prefer to have one person designated to this assignment. This would be a new full time position. Cost of an additional Officer @ \$65k.
- Patrol Boat would need to meet industry standards as well as fully equipped (unknown at this time)



No Wake Zones



A “No Wake” zone means that boats must reduce to the slowest speed they can travel at while still maintaining the ability to steer and make forward progress. When vessels move at these speeds, they produce a minimum wake. These are common in crowded, narrow areas like channels or confined harbors.

The issues of No Wake Zones was discussed several years ago with the intent to reduce the amount of high-speed traffic on the lake. However when speaking with FWC the criteria would not be met and if the boats were to be slowed down, this means less recreation and noise complaints would escalate since the newer boats sound systems would be blaring while moving slower.



Increased Enforcement From WPD



The Town of Windermere entered into an agreement for additional off-duty services to help support FWC and OCSO at this location. Please keep in mind that the jurisdiction of the Town ends at the Normal High Water Level. Anything beyond that point is with FWC and OCSO

Off Duty--Agreement with Butler Chain of Lakes Advisory Committee

- 1 WPD Officer to work summer weekends, holidays and any special events as deemed necessary by the employer.
- WPD officer will be responsible for patrolling the Town of Windermere Boat Ramps and Parks that have public access (in part of in full).
- WPD Officers will enforce Town of Windermere Ordinances as well as appropriate Florida State Statutes.
- WPD Officers will help educated the public on boating safety laws, ordinance and violations as deemed necessary.
- While WPD does maintain a boat and certified Marine Patrol Officer it shall be used only in emergency situations pursuant to a request by FWC or OCSO as deemed necessary and in accordance with existing Mutual Aid Agreements for emergencies.
- WPD will assign Sgt. Jayson Bonk as the point of contact to handle all scheduling of our officers, time cards, payroll submissions and reimbursement through the Town of Windermere Finance. This officer will also provide training and education for our officers who may work the off-duty detail.
- The times and dates WPD officers shall be limited as determined by your office.
- The off-duty rates will be determined by your office and in compliance with WPD policy and procedures.



Increased Restrictions at Town Parks & Boat Ramps

- New Locking System: Key Holder Locking System placed at both ramps.
- Cameras: The Windermere Police Department Foundation, Town of Windermere as well as other organizations are looking to fund cameras at Fernwood Park as well as other parks. We have been working with internet providers for cost and timing. This would allow real time views for enforcement purposes and evidence collection should something happen.
- Increased Communication between agencies: (Jet Ski Rally)
 - No Parking at 6th Ave Boat Ramp
 - TOW has power to shut down 6th Ave Boat Ramp
 - TOW worked with Post Office and Groves for No Trailer Parking and Towing
- In 2020 the Town Council passed an ordinance that allows the WPD to search coolers, etc. for possession of alcohol. Any juveniles found with alcohol will be cited and trespassed from the premises.
- In 2020, The Town Council passed more restrictions to not only the Boat Ramp Passes and Keys but also the Tennis Keys:
 - All keys will be numbered
 - Any Key found not being used by the owner or a person living in that household will be confiscated and the owner of the key will be suspended from purchasing a new key 1 year from date of offense
 - Second Offense will result in loss of Boat Ramp Privileges

Legal Issues

- Trespass:
 - If an issue arises, the TOW has the right to trespass someone from the park for certain offenses. If the individual returns, then the person will be cited or arrested based on officer discretion.
- Juvenile Crimes
 - At this time (COVID 19) the Juvenile Detention Center is not taking any non major crime detainees. Minor offences will be given citation and a court date
- Misdemeanor Crimes
 - At this time Officer discretion is at its peak due to the pandemic. As indicated by current and newly elected State Attorney, minor offenses will not be prosecuted. Again citation and then handed to SAO
- Public Park
 - Parks should remain open to the public for all to enjoy. This is the case for other municipalities frequented by TOW residents.
- Noise Complaints:
 - With the amount of boats and the fact that noise travels over the water, it has been difficult for FWC or OCSO to identify or to cite boats on the waterways for noise complaints.
- Parking
 - Parking is limited within the park and access must remain open for First Responders

Establish Swim Zone

FWC Captain Klein stated that the easiest way to solve their goals of limiting boat access is to designate a swim / bathing area around the island. This would prevent any watercraft which is defined in Florida State Statute #327.46 (1b). It was suggested to review the Islamorada swim zone, Mashta Flats and Crab Island permit process as they are similar to what OC is trying to accomplish.

Orange County Commissioner VanderLey requested information on how Orange County can proceed with this process. Members of OC Legal advised that OC is in the process of updating the Orange County Chapter 8 – Boating / Safety Zones to accommodate the changes and will put them in a better position to apply to FWC for the permit to install the markers to designate the area a swim / bathing zone.

Egret/Bird Island Strategy

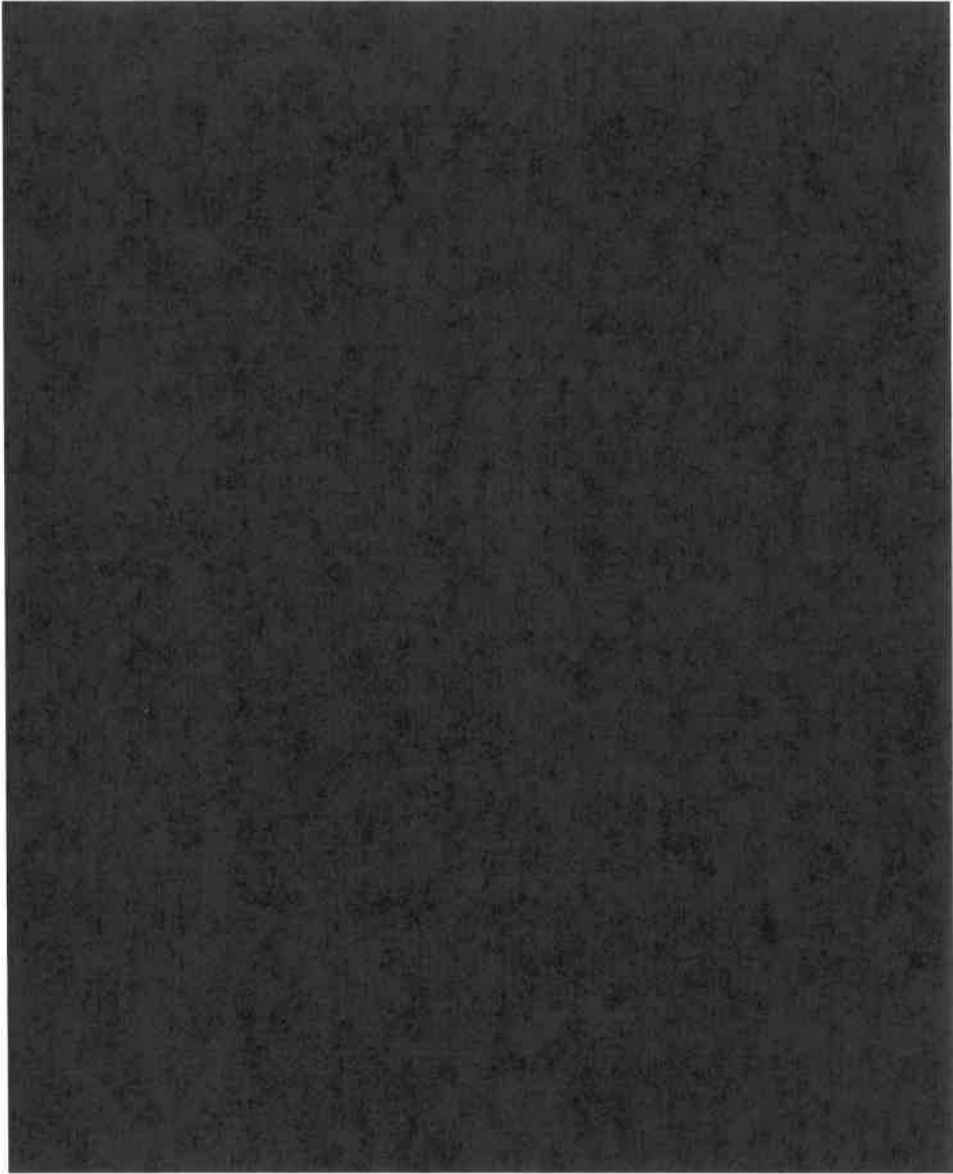
Through the various discussions between the jurisdictions listed above, the best plan of action moving forward would be to establish a Critical Wildlife Area (CWA) designation for Egret/Bird Island. What this would do in effect is to move the barrier or wading area far enough to where boaters would not be able to tie up to the shoreline and “beachgoers” will not be able to wade in the water. The process is lengthy but the best way to approach the problem.

Critical Wildlife Area (CWA)

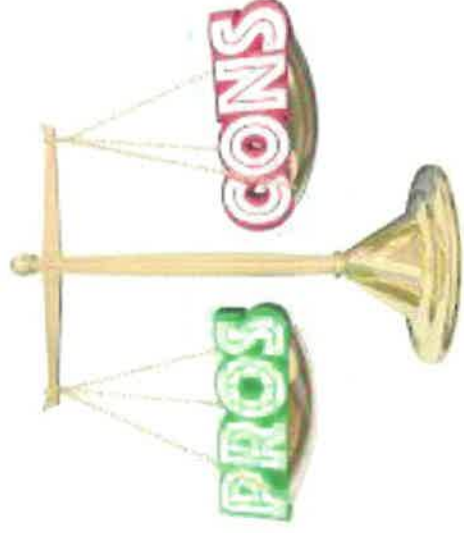
1. Requirements for establishing a CWA:
 - Has to be a significant aggregation of sensitive species.
 - Has to have a problem with human disturbance.
 - Has to be manageable / accessible.
 - The landowner has to approve the designation.
2. A request for establishment of a CWA should be submitted to the appropriate Regional Species Biologist and CWA Coordinator for consideration. The request should include:
 - Background information - site importance, history, evidence of a problem and what actions have already been taken.
 - Management: Can include any past activities including informational approaches, erosion control, plantings, signage, predator control, exotic removal, etc.
 - Why it is necessary to designate the site as a CWA – why current protections are not enough.
 - Specified closure period (seasonal or year-round).
 - Monitoring plan.
 - Commitment to signage, management, monitoring, enforcement, etc. (financial and otherwise).
 - Describe how boundaries will be enforced (anything beyond FWC law enforcement).
 - Written concurrence of the landowner.
 - Letters of support from key partners / stakeholders recommended and documentation of stakeholder input and public meetings.
3. CWA establishment will be presented to the Regional Leadership Team for their concurrence.

Critical Wildlife Area (CWA)

4. If it is determined that there is sufficient need for the proposed CWA and there are sufficient resources to conduct establishment, management and enforcement, then the CWA Coordinator will prepare an executive summary and establishment order. The establishment order will contain:
 - The location and boundaries of the proposed CWA using latitude and longitude for corners, or other features, whenever possible.
 - A map that shows the proposed boundaries of the CWA diagrammed on an aerial photo.
 - What species would be protected and during which life stage.
 - A clear statement of the specific restrictions that would be imposed.
 - The potential area within the CWA boundary that would likely be posted closed.
 - The period of the year during which areas would be closed.
 - Specific actions of people, animals, vehicles, or vessels that would be restricted.
5. The executive summary and establishment order will be submitted to the FWC Commissioners for their approval by the DHSC Director, or designee. If approved, the order will go into effect as of the date specified on the order.
6. Requests to re-establish CWAs which do not require stakeholder input and requests to disestablish CWAs will be submitted to the Executive Director as the Commissioners' designee.



Public Suggestions



Create No Parking
along Butler and
Seventh.

Allow only limited
parking in the
park for Boat
Passes and EMS.

- Pros:
 - Would eliminate non-residents from using parking in park or along roadway.
- Cons:
 - Enforcement: If they use a friends key they will use friends pass
 - Park is still a park so a person without a boat would need to buy Boat Pass just to enjoy Fernwood Park
 - Adjoining Residents would not be able to utilize park for overflow parking
 - No Parking would be enforced. Friends, Family etc. who park along right of way would be ticketed.
 - Comment: Give everyone passes to park or a certain number to those who need it along that route: Again, it's a piece of paper which can be replicated easily. Tracking would be a logistical nightmare for the Town's small staff

Move Gate to entrance of Park

-
- Pros:
 - Requires only those who purchase Boat Pass entrance into park.
 - Only those with a Boat Pass would be able to park in the park
 - Cons:
 - Requires only those who purchase Boat Pass entrance into park.
 - Parking would be pushed to the ROW along Butler and Seventh

Comment
was made
to have
gate at
entrance
and one at
ramp

-
- This would create the same issues as above but also someone launching their boat would have to get out to enter, unlock, move into park, get out, relock gate, drive to boat ramp, get out, unlock, launch boat, lock gate, drive to entrance gate (since no trailers allowed), get out, unlock gate, drive thru, get out, lock gate, drop off trailer, come back, get out, unlock gate, drive into park (if parking), get out, lock gate. Repeat to get boat out.

Remove or Reduce Size of Proposed Boardwalk

The argument has been made both ways, if you build it they will come and more issues with follow. On the other hand, if you build it they will come (residents) who don't have a lake front view and be able to enjoy the park. The parks are public and meant for the enjoyment of all.

Keeping Boardwalk in current configuration:

- Pros:
 - Added amenity to the park for all residents to enjoy.
 - Attract more people to the Park to view the lakes and events upon the lakes
- Cons:
 - Attract more residents to the area. The argument was made that this would create more issues with juveniles as with Lake Street Park.
 - More permitting would be needed since it extends past the Normal High Water Elevation
 - More people will use this as a jump off point for Bird Island
 - More traffic at the park
 - Removal of more vegetation



Discussion

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Boardwalk

Private vs Public Parking

Other Items
