



## WFCA PRESIDENT'S REPORT MAY 2023 WFCA BOARD MEETING

After a delay caused by an electrical outage on May 9th, the WFCA May meeting was rescheduled and held Tuesday, May 16th via zoom at 6:00 p.m. To provide our membership with information, I provide the following report. The official minutes will be posted on the website after their approval at the next Board Meeting.

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**The sharing Session with members from Old Mill** provided concerns about tree limbs which block sidewalks and in some cases the right of way along streets. WFCA will inspect the area to determine responsibility.

The June 13th Meeting will invite residents of the Bent Tree neighborhood.

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### UPDATE ON THE POND PROJECT

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For those of you who are curious as to the status of the Pond Project:

**Residents can expect to see work starting the middle of June,** (contingent upon weather.) The first phase will start by draining pond #3. Each pond will be drained in succession. The ponds will be dredged, liners removed, ponds deepened where possible, banks reformed as needed, new liners installed, rip rap installed to be below and above the water level, a “ledge” of river rock will edge the rip rap and the disturbed lawns will be reseeded. The contractor indicates the project should take 2.5 to 3 months with the target date of October 1 for the completion of the project.

**In response to questions concerning wildlife during the project:** The contractor has assured us that when wildlife, such as turtles, are discovered they will be relocated. Waterfowl will just move on their own. There are few fish in the ponds and will likely be eliminated. We will follow-up with the city for recommendations to resupply. However, muskrats are very destructive to the liners and even surrounding property and will be eliminated.

**Please NOTE about Pond algae and other invasive vegetation:** Since ponds #3-#7 will be dredged during the summer, the board agreed to save money by not treating those ponds until after they are renovated, and the need arises. Ponds #1 and #2 will continue to receive enzyme treatments to abate algae and sediment build-up.

The following is a synopsis of what has been happening over the past few weeks.

- A. After a proposal/bid was received in response to the WFCA request for bids, the Board first met to identify details needing further clarification. A special meeting with Jeremiah Percival of PAF was arranged for March 27 to include a walk around the ponds to address each item of concern. This resulted in a “Memorandum of Understanding” to reflect the agreement of the details in question and was attached to the contract.
- B. The Board also agreed that more legal language was necessary to protect the WFCA members’ interests. Language was adapted from resources, reviewed by the Board, and submitted to the

WFCA attorney for review and comment. A special zoom meeting was held with the Attorney to finalize the contract. Upon suggestions from the attorney, three adjustments were made:

- a. Attachments of diagrams, photos and charts were added when such were referenced in the narrative.
  - b. The first of October was more clearly delineated as the target for the completion of the project.
  - c. The Board is asking for a \$100,000 Performance Bond. A performance bond is a type of “insurance” to protect WFCA in the event the contractor is unable to complete the project. It was decided that the \$100,000 amount would cover the initial downpayment. Since there is such a short time span for the project it was decided that only the initial investment needed to be covered as other payments would not be made if the project was incomplete. Since this was not part of the original RFP, the WFCA Board will reimburse PAF for the cost anticipated to be 3% of the bond, or \$3,000. Pegasus Properties recently saved WFCA in excess of \$3,000 in insurance fees. The cost of the Performance Bond will come from those savings.
- C. The contract was signed by all parties by Monday, April 30<sup>th</sup> and a check for the first installment was provided to PAF.
- D. CIT Bank Loan submission process was completed on May 9. The loan is for \$239,432.00 at an interest rate of 5.75%

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## WFCA MAY BUSINESS MEETING

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Management: Pegasus Properties, Michael and Sharon Dalton: Phone: 812-824-3230  
email: [pegasus.properties@gmail.com](mailto:pegasus.properties@gmail.com)

- **REQUESTS for EXTERIOR ALTERATIONS:** The Board reviewed ELEVEN requests for exterior alterations.
  - Four were easily approved as they involved painting or replacing exterior items in the same color as the original. The Board would like to see each neighborhood form their own Architectural Committee (AC) and take the lead in determining acceptable color choices for their own neighborhood.
  - Two requests were made to remove dead trees. Another was investigated when trees were removed without seeking approval. It should be noted that the CCRs were written nearly thirty years ago and address “trees originally planted by the developer”. Dead trees are the responsibility of the homeowner and with the passage of time it is next to impossible to identify “original” trees. The Board will be reviewing the policy for possible changes or elimination as it seems to be an out-dated regulation.
  - Two requests did not require Board action; one was for changing landscaping, and another was a simple repair of a deck. Neither are covered by CCR regulations.
  - Two requests were for the installation of fences. One was approved since it provided the necessary documents and fell within the parameters of previously approved fencing. One was tabled until more information could be gathered to ensure that it would meet

the guidelines. This is another issue the Board will review as the CCRs need to be updated to address new and improved products, as well as shifts in homeowners' interest in partitioning off their property.

- To remind homeowners of the CCR regulations, I have repeated the guidelines for exterior alteration requests at the end of my notes. You can also find the CCRS on our website at [www.winslowfarmcommunity.com/ccrs-bylaws](http://www.winslowfarmcommunity.com/ccrs-bylaws).
- In addition to the typical business of reviewing minutes and financial reports, the May meeting included the following:
  - A. **Identification of border line:** We continue to discuss how to identify the boundary line between Moss Creek Village and WFC without incurring the cost of another professional survey. There are dead trees that will require removal and it is important to identify the responsible party. One idea we would like to pursue is to obtain the services of someone with metal detecting experience to see if there are metal stakes delineating the boundary lines from previous surveys. *If you, or you know of someone, that could provide this service please or assist in reading survey charts, contact Pegasus Properties.*
  - B. **Hoosier Network and GigabitNow** have made repeated contacts. In a meeting, their representatives explained that the city has arranged to provide fiber-optics internet access throughout the city and these two companies have a role in the process. **WFCA HAS NO ROLE IN AUTHORIZING OR PROMOTING ANY OF THEIR SERVICES.** However, the reps indicated that we could see additional digging in our neighborhoods due to the city contract. Even though WFCA has no role in the project, we will attempt to share information as we receive it from these companies.
  - C. **Point of Information:** Due to redistricting, our new city council person for Winslow Farm is Dave Rollo. We are now in district 4 instead of 5.
  - D. **Sweetbriar:** Nature's Link is instructed to remove trash left by trespassers, which could include syringes, from the common area behind Sweetbriar.
  - E. A document was submitted for consideration to start the discussion as to the need to **update the CCRs related to Requests for Exterior Alterations.** However, the review of the document was tabled due to the length of the meeting. There was a short discussion about whether or not the Board can promulgate policy or if the CCRs would need to be revised. Joan Lewis volunteered to review the CCRs for possible revisions concerning Requests for Exterior Alterations and the Board responsibility to respond to such requests.

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Since this is the season for sprucing up our properties, I have repeated the relevant information concerning Requests for Exterior Alterations.

- **REQUESTS MUST BE MADE IN ADVANCE TO ALLOW THE BOARD ENOUGH TIME TO RESPOND.** Recent requests have not waited for Board approval before the installation/change has been made. The CCRs are clear that if a change is made without Board approval, **THE BOARD MAY REQUIRE ANY ITEM NOT APPROVED (fence, for example) TO BE REMOVED AT THE COST OF THE HOMEOWNER.**

- In accordance with the by-laws, the Board is to respond during regularly scheduled monthly meetings. But in recognition of the need to provide a timelier response, the Board has, in compliance with the by-laws, recently developed a method to provide a response outside of the regular meeting schedule.
- However, a **MINIMUM OF TWO WEEKS** should be provided to allow the Board to collect any missing information and act upon the request. **Work should NOT be performed without the approval to do such.**
- **THE CCRS ARE CLEAR AS TO WHAT WILL BE APPROVED.**
  - For fences: only vinyl-coated green or black chain-link or wooden fences not to exceed 4' above ground level are permitted.
  - Exceptions are extremely limited, and any such request must provide supporting information. Generally, 6' fences are not permitted.
- All communications concerning alterations/installations must be with the **homeowner**. Renters are not considered to be WFCAs members.
- The WFCAs Board is obligated to uphold the CCRs for the purpose of maintaining property values and maintaining the harmonious integrity of the community:
  - **Fences:** *Ensure “the environmental integrity of Winslow Farm” by maintaining an “open nature of the community” by preventing the “proliferation of fences of excessive height.” (Section 9.2 of the CCRs) The specific fence height restrictions are outlined in Sections 9.1, 9.2.1 through 9.3.4.*
- Painting Homes: Each neighborhood has a set of CCRs. **Laurelwood and New Bent Tree have specific color themes from which to select.** Homeowners should first refer to their specific set of CCRs prior to making a request to paint siding/trim.

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## ADDITIONAL INFORMATION

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**WFCAs CCRs and BY-LAWS:** Copies of governing documents for WFCAs and each of the eight neighborhoods can be found on the website at: [winslowfarmcommunity.com/ccrs-bylaws](http://winslowfarmcommunity.com/ccrs-bylaws)

**MINUTES:** Minutes of the WFCAs Board meetings are posted on the website after approval at the next Board meeting. You can find copies at: [winslowfarmcommunity.com/minutes-forms](http://winslowfarmcommunity.com/minutes-forms)

**CONTACT:** Send inquiries to [pegasus.properties@gmail.com](mailto:pegasus.properties@gmail.com)

*This reflects my personal summary of the proceedings of the last WFCAs Board meeting. It is not the official documentation of the meeting. It is offered to provide Members information in a timelier manner than the release of official minutes following the next regularly scheduled Board meeting.*

Submitted



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