

Winslow Farm Community Association, Inc.
Minutes of the Annual General Meeting
via Zoom
Tuesday, November 10, 2020

Call to Order: The meeting was called to order at 6:01 PM by President Lynne Marsh.

Opening Statements: President Marsh welcomed the attendees, and Board members Gary Wiggins, Joan Freeman, and Diedra Wykoff introduced themselves.

Attendees: 60 people pre-registered for the meeting, and at least 55 people attended via Zoom. Since no votes were to be taken during the meeting, there was no need for a quorum. Consequently, voting for approval of the 2019 minutes, the 2021 budget, and the candidate for election to the Board will be via a written ballot to be distributed after the meeting.

Instructions for questions and comments: Brandon Cavaness, Zoom Technical Director, explained the procedure for asking questions or making comments.

Remarks on the Reserve Study: Brent Eckhart, of the Indianapolis firm Reserve Design Advantage gave an overview of the methodology used in preparing the new reserve schedule, which should be finalized soon.

Treasurer's Report: Carole Damon, Capital Realty, Inc., reviewed the 2019 Profit and Loss statement and the Balance Sheet.

Proposed Budget: Gary Wiggins, WFCA Treasurer, commented on several factors that are causing a need for substantial increases in dues over the next few years, among them the new reserve schedule, expected pond expenses, and legal fees. Activities of the Board involving the ponds in 2020 included:

- Consideration of an extensive report from the Pond Committee
- Continued dredging of Pond 3
- Zoom meeting with the Moss Creek HOA Board on 5/6/2020
- Selection of and contracting with a lawyer
- Contracting with a local engineering firm for concept designs of the pond areas.

Gary read a statement from Bledsoe, Riggert, Cooper, James engineer Andy Knust: "BRCJ is proceeding with a hydrologic and hydraulic analysis of the Winslow Farms pond system. BRCJ will provide conceptual design recommendations for possible action by WFCA, which may include removing one or more of the existing ponds and reconstructing a natural stream channel in their place. Following on discussion with CBU engineering staff, all conceptual designs will reduce flooding potential both within and downstream of the Winslow Farms Community. Budget-level construction cost estimates will be provided to assist WFCA in planning for future expenditure."

The cost of the two conceptual designs will not exceed \$4,685 for each plan, and the design for restoration of the creek bed would not be developed if the City decides to disallow that option. PE Andy Knust learned in a 10/13/2020 e-mail from City Engineer Phil Peden: "In order to protect downstream properties and infrastructure from flooding, the peak flow at the outlet of Pond 7 needs to match either [a] the original design flow (if original calculations can be found), or [b] the existing peak flow from Pond 7 based on newly developed hydrologic modeling. Any changes to the ponds, channels, outlets, etc. should not result in any increase in flooding of private properties within Winslow Farm."

Ferguson Law, a firm with no ties to either the Moss Creek HOA or Winslow Farm Community Association, was hired to get an objective evaluation of the governing documents of Moss Creek and Winslow Farm as to responsibilities for the ponds and to provide assistance to WFCA in mediation regarding boundaries, responsibility for maintenance of the banks, and responsibility for maintenance of water quality. [NB: On October 27, 2020, Ferguson Law notified the MC HOA Board that “Based on the recorded deeds, plats, boundary survey, and Declarations of Covenants, Conditions, and Restrictions (CCRs), it is our opinion that Winslow Farm and Moss Creek at Winslow Farm homeowners’ Association, In. (“Moss Creek”) each have responsibility for the portion of the ponds that lies on their respective land.”]

The following proposal was recently made through the Ferguson Law firm to the Moss Creek Homeowners Association Board:

- WFCA shall maintain Ponds 1-5, excluding the banks surrounding them.
- MC shall maintain the banks surrounding Ponds 1-5, including any landscaping used to maintain the banks.
- MC shall maintain the banks surrounding Ponds 1-5 in such a way that would (a) reasonably prevent mud and debris flowing from the banks into any Winslow Farm ponds, and (b) reasonably suppress erosion of the Winslow Farm ponds’ banks.
- Each party shall grant the other an easement across their respective lands to accomplish such maintenance.

This led to a review of anticipated major expenses over the next 1-5 years:

- Pond Area Remediation/Refurbishment
- Adjustments to the Reserve Budget
- Attorney Fees for a negotiated (mediated) agreement to share costs between WFCA and the Moss Creek Homeowners Association for improvement and upkeep of the pond areas.

The WFCA dues from 2009-2015 (7 years) vacillated between \$120 and \$135, starting the period at \$120 in 2009 and ending at \$130 in 2015. In the next 5 years, the dues increased to \$195, and the new budget proposes an increase to \$220 (12.8% increase). Other categories in the proposed 2021 budget were increased by 4.4% for the Management Company Contract fee, 14.3% for Community Maintenance Area Expense (in part, to help cover the cost of cutting dead and dying trees in WFCA Common Areas), and 64.5% for Ponds (to cover refurbish pond 3).

Voting procedures for mail-in paper ballots were covered by Carole Damon, who projected the results to be available the first part of December. The lone candidate for the three open Board positions, Brian Bourkland, shared the fact that he and his wife are the original owners of their home in The New Bent Tree.

Other Business: President Marsh reviewed an extensive list of projects and actions undertaken by the Board in the last 12 months, including opinion surveys of WFCA members on topics ranging from Air BnBs to dead/dying trees in the neighborhood. Gary thanked Frank Fitzgerald for his excellent work on the tree project.

Adjournment occurred at 7:02 PM on a motion by Lynne Marsh, seconded by Joan Freeman.

Respectfully submitted,

Gary Wiggins, WFCA Secretary