



**Winslow Farm Community Association, Inc.  
Pegasus Properties, Inc.  
PO Box 37  
Smithville, IN 47458**



## ***From the Desk of the President WFCA Board of Directors***

### **BOARD OF DIRECTORS**

Sandy Martin, President

[WFCABoardPresident@gmail.com](mailto:WFCABoardPresident@gmail.com)

Ted Boardman, Vice President

Anita Douglas, Treasurer

Vertessa Hall-Laloggia, Secretary

Joan Lewis

Management: Michael and Sharon Dalton

Pegasus Properties

[pegasus.properties@gmail.com](mailto:pegasus.properties@gmail.com)

(812) 824-3230

### **WFCA ARCHITECTURAL COMMITTEES**

#### **New Bent Tree**

Nancy Szakaly (AC)

Molly Rosenberg (AC)

#### **Sweetbriar**

Brandon Cavaness (AC)

Mara Dahlgren (AC)

#### **Olde Mill, Bent Tree, Laurelwood**

Vacant

### **WFCA Homeowner Associations (HOAs)**

#### **Bayberry**

Vickie Renfrow, President

Management

Mackie Properties

[mackierentalproperties.com](http://mackierentalproperties.com)

#### **Moss Creek**

Jan Greenwood, President

Management

PMI

#### **Moss Creek Village**

Jane Perry, President

Management

PMI

### **To Everyone in WFCA,**

Typically, the WFCA Board tries to release a newsletter at least once a year. But the past year was an unusual year. As many of you know, our former manager, Carole Damon with Capital Realty Company, announced her resignation in December of 2021. Immediately a search for a new management service was undertaken.

The Board is more than pleased to welcome Michael and Sharon Dalton with Pegasus Properties to our WFCA community. Michael and Sharon came to us with more than thirty years of experience. Their references included the long-term relationship with the neighborhoods at "The Pointe".

When faced with transferring to new management, it is never without trepidation. However, with the cooperation from Carole to organize years of documents, and the experienced knowledge that have come with the Daltons, the transfer has been productive and smooth.

WFCA Board members have demonstrated a drive to address issues that have been with us for some time. You can read about some of the major projects the Board undertook during 2022 and are eagerly looking forward to seeing the fruition of those efforts come to pass during 2023.

Those of you who have regularly been reading my recap of the monthly Board meetings may find that some of the information in this newsletter will not be new. But we know that not everyone has elected to receive WFCA emails, and we want to make sure everyone is aware of what has been and will be happening in our lovely little corner of Bloomington.

**If you do not receive our WFCA emails, please be sure to share your contact information at the address below. We promise not to share your info or to inundate you with messages. If we don't have your email address, just know you may be missing out on something:**

[pegasus.properties@gmail.com](mailto:pegasus.properties@gmail.com)

I hope you find information in this newsletter helpful!

[WFCABoardPresident@gmail.com](mailto:WFCABoardPresident@gmail.com)



**MEETINGS:** As with every organization and business, the WFCB Board recognized the challenges of Covid and held meetings via zoom. As Covid lifted somewhat, we elected to stay with the zoom format because we had so many more people participating in our meetings than when they were held in person. The convenience can't be ignored. We will continue to use zoom until further notice. *(Note: Distribution of audio or video recordings are prohibited without consent from the WFCB Board.)*

**NEW FORMS:** We have been addressing on-going requests. Given the new management company, you will find there are revised forms to submit to request approval for exterior property changes, as well as requests for work to be completed on the common areas. Each form can be found on our website at: [winslowfarmcommunity.com/minutes-forms](http://winslowfarmcommunity.com/minutes-forms).

**ANNUAL GENERAL MEETING:** After much difficulty finding a location, the WFCB 2022 Annual General Meeting (AGM) was held at the Switchyard Pavilion. Regrettably the only date available in November happened to fall just two days before Thanksgiving. We thank those who joined us. The significant turnout allowed us to hear neighbors' concerns and pass the 2023 budget. Vertessa (Tess, pronounced Teese) Hall-Laloggia was elected to the Board of Directors. The budget passed with a vote of 121 to 42 and included the plan to restore ponds #3-#7 during 2023. The date for the 2023 AGM will be finalized at the March Board meeting.

**OUTREACH INITIATIVE:** To better respond to community concerns, the Board has made a concerted effort to improve communications. Early in 2022, the Board adopted an outreach program.

To better focus on each of the neighborhoods, the Board established a schedule to issue a special invitation to homeowners in each of the neighborhoods to attend one of the regular monthly board meetings for a specific discussion focused on that neighborhood's concerns and comments. This effort will continue in 2023. The schedule is:

- February 15<sup>th</sup>: New Bent Tree
- March 14<sup>th</sup>: Bent Tree
- April 11<sup>th</sup>: Bayberry
- May 8<sup>th</sup>: Olde Mill
- June 12<sup>th</sup>: Moss Creek & Moss Creek Village
- July 11<sup>th</sup>: Laurelwood
- August 8<sup>th</sup>: Sweetbriar

The Board is committed to sharing information. Each month, the board members review a recap of the previous meeting created by the President. Once reviewed it is distributed via email to WFCB homeowners. Even though minutes of meetings have always been available on the website, these summaries can provide a more up-to-the-minute, though unofficial, summary. The minutes are posted on the website: [winslowfarmcommunity.com/minutes-forms](http://winslowfarmcommunity.com/minutes-forms).

Following are details of two significant issues t WFCB Board brought forward in 2022: **PRIVATE PROPERTY CCR MAINTENANCE VIOLATIONS**; and the **POND PROJECT**. Both topics are covered separately in this newsletter. To ensure WFCB funds are prudently managed and WFCB Member Interests are truly represented, the Board referenced the Indiana State Code, sought professional advice, conducted research, and spent considerable time discussing and carefully considering viable options before selecting the final endorsements.



## THE PROCESS TO REPORT PRIVATE PROPERTY CCR MAINTENANCE VIOLATIONS

Bent Tree, Laurelwood, New Bent Tree, Olde Mill and Sweetbriar

It cannot be stated strongly enough that there are some homes in Winslow Farm, that due to neglect, are falling into significant disrepair and are negatively impacting the property values of the surrounding homes. The WFCAs CCRs provide oversight of the five neighborhoods. Each of the neighborhood CCRs are explicit, and in part, state: “... to protect property values

*therein by requiring property owners to maintain the Lot, Residence... in a first-class condition and in such a manner as to prevent the Lot, the Residence, ... from becoming unsightly.”*

In January, 2022, the new board was presented a dilemma. Complaints had emerged about the condition of a private property in WFCAs that was in such disrepair that it was jeopardizing the resale of neighboring properties. Prior to 2022, an attorney had provided guidance to the WFCAs Board, and after several warnings had been ignored, issued a letter to the homeowner indicating that WFCAs would rectify some of the violations and charge the expense back to the homeowner. Mistakenly believing that WFCAs can only expend funds on the WFCAs common areas, the new board challenged the validity of that action and prompted a review of the situation.

The complaint was serious, and a directive had been issued indicating that WFCAs would act. Acknowledging this commitment and knowing that this may just be the beginning of other complaints to come, it was determined that before any action was undertaken that three things should be completed:

1. Additional legal review was needed to ensure that all CCRs had been thoroughly reviewed.
2. WFCAs needed a formal procedure to ensure that this single problem would not create a precedent without justification.
3. WFCAs needed to ensure that any procedure that was promulgated had legal validation if challenged in court.

The 2022 Board consulted the Indiana Code and incorporated the necessary legal procedures. A second attorney was asked to review WFCAs CCRs, the neighborhood CCRs and the draft of the WFCAs proposed procedures. The attorney’s response indicated that not only could WFCAs justify intervening in the problem, but the proposed procedures were well-thought out and provided legal argument backed by the Indiana Code.

If a neighboring homeowner issues a complaint, WFCAs Board may upon an investigation, issue warnings. If after the steps outlined in the formal process are followed and corrections are NOT made by the homeowner, simple cosmetic corrections such as removal of mildew or weeds, or the removal of such an item as a fallen tree or dead shrub can be accomplished by WFCAs to improve the appearance and thereby, preserve the surrounding property values. The costs to rectify the problem will be charged to the homeowner. WFCAs will not address internal or structural problems.

Per standard procedure for unpaid fees, if the expenses are not reimbursed, WFCAs has the right to pursue legal proceedings to obtain payment. At last resort, WFCAs has the right to place a lien on a property for any unpaid fees. Please refer to the details provided in the *PROCEDURE TO REPORT A FAILURE TO MAINTAIN PRIVATE PROPERTY IN WFCAs NEIGHBORHOODS* located at: [winslowfarmcommunity.com/minutes-forms](https://winslowfarmcommunity.com/minutes-forms)

# POND PROJECT UPDATE

**BACKGROUND INFORMATION:** For those of you who are new to WFCOA, there are seven wet ponds which were designed for flood control. They were installed almost thirty 30 years ago. There is also a dry pond located in the Sweetbriar neighborhood, as well as a green space drainage area maintained by Moss Creek Village. Sediment build-up and erosion have become serious issues for the seven wet ponds. The WFCOA governing documents state that all WFCOA homeowners are to equally share in the responsibility to maintain the ponds.

The water in the ponds flow from northeast to southwest from pond 1 through to pond 7. Each has been constructed with a liner to prevent water from seeping into what could be underground karsts. To recirculate the water, a pump was originally installed in pond 7 to return the water to pond 1. It is currently unable to function due to the shallow condition of pond #7. Several ponds have a concrete weir to direct overflow from one pond to the next. Each year a company is contracted to treat for algae growth. Fish and typical water-based animals live in the ponds. Burrowing animals are removed.



Over the years sediment from run-off, waterfowl waste and general vegetation has accumulated causing the ponds to become too shallow leading to the destabilization of the environmental balance needed to sustain water quality. Fish kill, unsightly invasive vegetation, and offensive algae growth proliferate. The overall impact is not only a blight on the community and reduces the capacity to handle water runoff, but bank erosion threatens private property. WFCOA has reached a point that we can no longer ignore the problems which have developed over time. The costs to address them will only become more expensive if the issues continue to be ignored.

**THE POND PROJECT FOR 2023:** Over the last many years multiple WFCOA Boards of Directors have debated solutions and sought the advice from specialists as to how to address the problems of the ponds. Various Boards have contracted for reports seeking technical advice and cost estimates. The 2022 Board of Directors reviewed all the available information and presented a plan at the 2022 Annual General Meeting. The plan was approved with a vote of 121 to 42.

- During 2022 a reputable company provided an estimate of \$360,00 to restore all the ponds. To account for inflation and unseen expenses the cost for the pond project is estimated at \$380,000.
- \$140,000 will come from unexpended 2022 funds, budgeted funds for 2023 and some reserves.
- The remainder of the cost will be covered by a loan not to exceed \$240,000. No homes will be used as collateral. A lending institution specializing in loans to HOAs will accept future fees as the guarantee towards repayment. The 2022 annual fees were increased by \$100. The loan can be repaid by earmarking the “additional” \$100 over the life of the loan, avoiding the need to increase the annual fee specifically to address the pond project.
- The significant components of this plan are:
  - Since ponds #1 and #2 were restored within recent years, the plan focuses on restoring ponds #3 thru #7 by dredging to remove sediment and muck, installing improved liners, and restoring eroded banks.
  - To reduce costs, complete all the work at one time, rather than over multiple years.
  - A request for bids has been released requiring interested contractors to address specific criteria including finishing the banks to avoid high-cost maintenance while preventing unsightly vegetative growth. The bids are due March 1, 2023. It is anticipated that the contractor will be selected by the middle of March to provide for the work to start as soon as the weather is accommodating. One contractor estimated that it would take approximately two months to complete the work.
  - Any interested homeowner may elect to make contributions towards the cost to renovate the ponds.

A copy of the RFP can be viewed at [winslowfarmcommunity.com/ponds](https://winslowfarmcommunity.com/ponds). Photos of a recommended method to finish the banks can be found at: [winslowfarmcommunity.com/updates](https://winslowfarmcommunity.com/updates).



### *From The Dept of Natural Resources:*

**DON'T FEED BREAD TO DUCKS** – it's harmful to them! When ducks eat high calorie, low nutrient human foods, they can develop "angel wings," an extremely painful wing deformity where the duck: can't fly, can't avoid predators, can't migrate, and is in extreme pain. If you feel compelled to feed them, use oatmeal or other grains.

**Want to help ducks? DON'T FEED THEM!** Discourage others from doing so as well. Feeding any of the waterfowl encourages them to stay. Their excrement fouls the sidewalks and contributes to the sludge buildup and algae formation in our ponds. For your safety around the ponds, for the health of the wildlife, as well as the integrity and aesthetics of the ponds, **please obey the rules.**

### *Oh, Deer!*

Wild deer sightings are part of everyday life in Winslow Farm. Opinions vary on how to respond to the deer living alongside us. Some WFCR residents do everything they can to discourage the deer; especially from eating their gardens. They want the deer controlled. Some other WF residents feed the deer. Still other WF residents think the deer have a right to their natural habitat, which we appropriated, but think feeding deer is unwise.



1. **Is it against the law to feed the deer?** No, but the Indiana DNR advises against feeding deer. **Why does the Indiana DNR advise against feeding deer?**
  - **Deer who are given supplemental food stop foraging.** When the supplemental food supply ends or is insufficient, deer may go hungry. They may become an aggressive nuisance to surrounding property as they hunt for more "easy" food. We have witnessed an increase in bucks, be cautious.
  - **Unnatural food disrupts natural deer biology.** Indiana deer are adapted for surviving long, cold winters. Deer store fat in the fall and do not need to eat much in winter. Feeding deer high calorie food interrupts the natural pattern and speeds up metabolism; causing deer to burn fat reserves faster. If supplemental feeding is discontinued or insufficient, the deer are less able to survive on their own.
  - **Close proximity facilitates the spread of disease.** Deer naturally spread out when they forage. Giving them supplemental food, encourages them to congregate, aiding the spread of disease.
  - **Supplemental food is unhealthy.** Acidosis, enterotoxaemia, and aflatoxin are among the medical complications that result from feeding corn and pellet-based foods. All trigger the bacteria in the deer digestive system to adjust to accommodate the chemistry of the new food. This adjustment causes deer 2-3 weeks of severe discomfort. Some deer do not survive the process. If the supplemental food is then withdrawn, the deer suffer again for weeks as their system transitions back to its natural state.
2. **Are there any safe ways to give deer supplemental nutrition?** Deer eat natural woody boughs, which includes leaves, twigs, and buds of woody plants. Cutting twigs and branches so deer can reach them is effective in severe winter. "
3. **Is there a safe way to quit feeding the deer?** To stop supplemental feeding, gradually decrease the amount of food you are putting out. This gives deer time to readjust to their natural browsing habits and become independent again. Don't just abruptly stop feeding.
4. **What are effective ways to control deer?** There are deer repellants, both commercial and home remedy that work for some people. Other options include devices such as motion-sensor water sprinklers, and electronic devices that send out high-frequency sound waves that deer can hear but people can't. The sound irritates deer, so they avoid it.

**Deer information resources:** *Final Report: Common Ground: Toward Balance and Stewardship - Recommendation of the Joint City of Bloomington-Monroe County Deer Task Force* (PDF) at [bloomington.in.gov](http://bloomington.in.gov); *Managing Deer Damage* Department of Natural Resources, IN.gov, *Feeding Deer: Just Say No* - IN.gov

## LANDSCAPING, TREES, AND EXTERNAL RENOVATIONS

A policy regarding **planting of any vegetation on WFCB Common Property** is posted on our website [winslowfarmcommunity.com/neighborhoods](http://winslowfarmcommunity.com/neighborhoods). Additionally, if you intend to plant new landscaping you may be interested in the following resource: [wfyi.org/news/articles/indiana-panel-adopts-rule-making-invasive-plants-illegal](http://wfyi.org/news/articles/indiana-panel-adopts-rule-making-invasive-plants-illegal).

**A REMINDER: IF THERE IS A DEAD TREE ON YOUR PRIVATE PROPERTY IT IS YOUR RESPONSIBILITY TO REMOVE IT.**

**REMEMBER BEFORE YOU START ANY EXTERIOR RENOVATIONS, BE SURE TO FIRST SUBMIT YOUR PLANS FOR PRIOR APPROVAL** to the WFCB Board, your neighborhood architectural committee, or HOA Board. This includes, **SIDING, ROOF, PAINTING, FENCING, ANY PERMANENT STRUCTURES**, as well as removal of trees. Find the request form on our website: [winslowfarmcommunity.com/documents](http://winslowfarmcommunity.com/documents).



## FIBER-OPTIC CABLE COMPLAINTS



You can find a copy of the handout concerning the AT&T Fiber-Optic issues on our website: <https://www.winslowfarmcommunity.com/updates>

There have been several complaints expressed concerning the work that is being done to install fiber-optic cable for AT&T in WFCB. WFCB nor any HOA in WFCB was contacted prior to work starting. Many of us have dealt with the holes and patches of mud/sand for over a year. We offer the following as resources for submitting complaints. Mayor John Hamilton responded to one of our neighbor's complaints about the installation of the "orange tubes."

*I am sorry to hear about the disappointing work of J&K Underground Utilities.*

*Our office looked into the process of appealing to AT&T for property damage while installing fiber. Sadly AT&T states that all property damage must be addressed to the contractor. They also state that the contractor will fix the yards of neighborhoods once they finish the installation of a whole neighborhood. While J&K Underground Utilities has no public website or phone number, our office was able to find a company address. You can write to J&K at 1124 W Main St Mitchell, IN 47446.*

*I will continue to track any complaints about further installation. Thank you for bringing this to my attention and please feel free to reach out to my office if you have any other questions or concerns.*

Additionally, various people have provided the name of Jacob Perry at [jp123189@gmail.com](mailto:jp123189@gmail.com)

Just for your information another resident provided the following code for the flags that have been set up in anticipation of any digging:

- **Red:** electric power lines, cables, conduit, and lighting cables
- **Orange:** telecommunication, alarm or signal lines, cables, or conduit
- **Yellow:** natural gas, oil, steam, petroleum, or other flammable utilities
- **Green:** sewers and drain lines
- **Blue:** potable drinking water
- **Purple:** reclaimed water, irrigation, and slurry lines
- **Pink:** temporary survey markings, unknown/unidentified

# GENERAL INFORMATION



Board member Anita Douglas, Treasurer, is organizing a committee to review WFCAs finances. We are seeking 3-4 residents with financial backgrounds to provide informal “audit(s).” If you would be willing to serve on this committee, provide your name and contact information to Pegasus Properties: (812) 824-3230 or [pegasus.properties@gmail.com](mailto:pegasus.properties@gmail.com).



## WOODEN WALKWAYS

A car crash in April, 2022 took out part of one of the wooden walkways. Repairs were made and charged to the driver’s insurance. Once the wood cures, a stain will be applied.



## POWER WASH DISCOUNT

Some WFCAs homes are exhibiting significant mildew staining. To assist our homeowners, WFCAs has again obtained a discount from Power Washer Plus. Just mention WFCAs when contracting their service. Text or call 812-345-1478. Their website is: [powerwasherplus.com](http://powerwasherplus.com)



## CITY CODE VIOLATIONS

Complaints on private property about trash, weeds, lawns, (and snow removal), or other City of Bloomington Code Violations may be submitted anonymously to Bloomington’s Dept of Housing and Neighborhood Development, HAND @ [bloomington.in.gov/ureport](http://bloomington.in.gov/ureport)

**LATE PAYMENTS:** In the event you have yet to make your 2023 annual fee payment, contact Pegasus Properties immediately. A late fee has been charged.

For homeowners owing past fees. Certified letters explain that legal action has been filed in small claims court and includes the addition of legal fees. The addition of legal fees significantly increases the amount owed. If a court judgement remains unpaid, a lien on the property is initiated.



**SECURITY:** Unhoused individuals have been reported in various locations in WFCAs. Other residents have reported people knocking on doors at odd hours and in some cases instances of theft. **Remember to lock doors and cars parked in driveways. Remain vigilant throughout the neighborhood.**

WFCAs has a website with lots of information. Be sure to check it out. <https://www.winslowfarmcommunity.com/>

