

## Letter of Recommendation to the WFCB Board of Directors

**SUMMARY:** We, the undersigned members of the WFCB pond committee, are submitting a list of recommendations to urge the WFCB Board to:

1. Formally approve and proceed with a **Four Phase Plan** for ponds #3, #4, #5, #6 and #7 to address the issues of:
  - a. Sediment build-up.
  - b. The existing and potential problem of erosion encroaching upon personal property.
2. Identify and enforce a **long-term maintenance plan** for all ponds and related equipment.
3. Develop an **agreement** with the surrounding homeowners' associations (Moss Creek and Moss Creek Village) which are adjacent to ponds #3-6, to be accomplished by:
  - a. Opening channels for better on-going communications.
  - b. Organizing working sessions (mediated if necessary) to
    - i. Come to agreement on official property lines.
    - ii. Identify mutually agreed upon responsibilities for both immediate work and long-term maintenance.
4. Commit to addressing the issues plaguing **pond #3** no later than, the fall of 2020

Specifically, our recommendations to the WFCB Board of Directors are as follows:

### 1. Immediate work on Pond #3

- a. Pond #3 needs to be dredged as soon possible, preferably during the dry spell of the 2020 summer.
- b. A request for bids (RFP) should be distributed as soon as possible. A draft was created and previously provided to all board members. (A copy is attached as attachment E.) If the RFP draft is not satisfactory to the WFCB Board then it should be edited as quickly as possible and dispersed to ensure that the work can be accomplished during the current calendar year.
- c. The RFP should be sent to a wide variety of contractors and not just a select few. (A request has been made to the city to provide a list of contractors that were invited to their watershed contractors workshop.)
- d. A copy of the WFCB RFP needs to be sent to Terry Halloran, as she has submitted a letter of intent to the city for a stormwater grant and needs to release her RFP immediately in time to gather bids to be submitted for the grant deadline of April 1. It would be helpful if the interested contractors could view these two RFPs together. It would be logical to think that one contractor would want to do both projects simultaneously.
- e. Specifically, pond #3 needs attention to the following:
  - i. Dredging the entire pond. (Obviously, draining is required before dredging can occur.)
  - ii. Since ponds #1 & #2 were renovated without seeking permits, the committee suggests that no permits be requested to complete work on pond #3. If, however, during the discussions with the city officials, the city requires the approval of permits, then such should be obtained.
  - iii. Contingent as to what is revealed after the pond is drained and dredged, possible installation of a new liner may be required. However, it may be feasible to salvage the existing liner.
  - iv. While the pond is dredged and before it is lined, a barrier needs to be installed that will divert the water away from Terry Halloran's residence and restore some of the bank between her unit and the barrier wall. The barrier will need to be built either on or near the current boundary line. (This is the grant for which Terry is requesting funds from the city stormwater project. If approved, city funds would go towards the cost of the installation.) (See Attachment A)

- v. Other areas of erosion need to be analyzed to see if there is a need for additional reinforcements. Some of areas are in a similar position in that the bank has eroded to the point it is no longer inside the boundary currently considered to be WFCVA common area. (See attachment B)
- vi. The renovations of the north end of the pond (See attachment C) should address the need to reduce sediment build-up with options that could include, but not be limited to:
  - 1. Sediment trap
  - 2. Solid underlying bed that would facilitate ease of clean-out and discourage vegetative growth. (This bed could be large river rock, cement or other alternatives that can be “flushed” of sediment periodically.)
  - 3. Installation of a circulating system to keep water flowing from under the bridge to the weir between #3 and #4 at all times, thereby reducing sediment accumulation.
- vii. Provide for the finishing of the “access” point to be built-up and seeded that, when completed, will extend the lawn area located near the curve in Winslow Farm Dr and the bridge. (See attachment D.) Additionally, there may be a need for an erosion barrier to be installed. (quarry rock, large boulders, cement wall, rip rap)

2. **Boundary Jurisdictions:** There are issues related to the boundary lines identified in the Deckard Survey which impact the outcome of work to be completed on Pond #3. Due to a lack of communication between the parties a stalemate exists that impedes progress. This has serious ramifications for what can/will be done to complete the work on pond #3.

- a. Representatives of WFCVA Board and Moss Creek should meet to resolve the boundary issues and pave the way for meaningful progress to rectify the erosion problems. Since WFCVA must initiate the work on the ponds, it should be WFCVA to initiate a meeting with Moss Creek. Solutions may require innovative problem-solving. Some possible considerations could include, but not be limited to:
  - i. Confirmation of the accuracy of the Deckard Survey. If deemed to be incorrect, identify the correct boundaries.
  - ii. If the Deckard survey is judged to be correct, use the boundary lines as a springboard for discussing options.
    - 1. Identifying mutually agreed upon financial contributions.
    - 2. Changing the boundary lines with legal action such as quick claim deeds.
    - 3. Agreement to redistribute responsibilities for pond and area ground/structural maintenance.
- b. During this meeting, three other questions related to erosion need to be addressed:
  - i. If the Terry Halloran’s application to the city is denied, how will the erosion problem behind her residence be resolved?
  - ii. If the application from the city is approved, but does not reimburse her for the total costs, which entity will be responsible for the excess costs?
  - iii. Regardless of the erosion problem behind Terry Halloran’s residence, there are other areas across the pond that have also experienced significant erosion. Will those areas receive any assistance in reconstructing or reinforcing the banks?
- c. While resolving the boundary issues related to pond #3, plans should be made as to how to best identify and resolve other concerns related to future pond repairs and/or maintenance for ponds #4 and #5.
- d. Though issues are not as contested or significant, a similar meeting should be held eventually with Moss Creek Village to address issues related to pond #6.

3. **Long-Term Plan:** A Four Phase Plan was presented at the October WFCAs Annual Meeting.
- a. The Four Phase Plan provides some leeway to allow contractors to recommend changes. The changes could include:
    - i. Redesign of a pond such as pond #4 and/or #5 to a restored stream.
      - 1. It is recognized that pond #7 is a required retention pond and must remain as a pond.
      - 2. Since pond #1 and #2 have recently been renovated it would not be prudent to redesign them at this time.
      - 3. Pond #6 would present several challenges to restore it to a stream bed. A stream bed typically assumes a single inlet and single outlet. Pond #6 has three major sources of water from different points in the pond, making a “stream” a questionable design, as well as not being very well received by the residents who live adjacent to the pond.
      - 4. Though a contractor could submit a plan to redesign pond #3, at this point in the process, it would not appear to be a strong viable choice based upon guesses as to expense and what would probably be strong negative reactions from those who currently reside next to pond #3.
    - ii. Installation of erosion prevention components.
    - iii. Inspection of the existing water circulating system from pond #7 to pond #1 to determine if it remains viable to revive. During the dredging of pond #3, attention should be given to using this opportunity to check for the status of the pipes if they are located under pond #3.
    - iv. Options for landscaping to impede erosion and the occurrence of wild fowl.
  - b. Four Phase Plan needs to be formally adopted by the WFCAs Board. Formal approval will provide the groundwork for:
    - i. A timeline to address the issues related to ponds #5, #4, #6, and #7 (The Four Phase plan identifies a suggested timeline.)
    - ii. The creation of a feasible pond renovation reserves budget which should extend for what could be the next five years or more. (The Four Phase plan identifies estimated budgets.)
    - iii. The basis for a realistic assessment of the WFCAs dues structure and possible increase in assessments. (The Four Phase plan identifies the potential critical impact upon the reserves without an increase in the dues assessments. The Board needs to make a determination as to what an acceptable minimum level should be maintained in the reserves and calculate how to best maintain that threshold.)
4. **Long-Term Maintenance Plan:** Having experienced what has become a crisis management issue due to a lack of overall maintenance, it would be incumbent upon WFCAs to review a previously identified maintenance plan and make adaptations as appropriate.
- a. The plan should include:
    - i. Regular removal of debris.
    - ii. Structural inspection of bank integrity, liners and other structural components such as weirs, drains, pumps, aerators, and erosion control features.
    - iii. Periodic removal of sediment.
    - iv. Continued abatement of invasive vegetation and wild life.
  - b. This plan should identify possible expenses based upon past projects and adjustments should be made in a “reserve budget” to accommodate such tasks.
  - c. It would then become critical that this plan be conveyed to each new WFCAs Board member/manager and monitored for on-going compliance.

5. **Aesthetics:** It is not enough just to ensure that the ponds are functioning adequately, but that they are maintained in such a manner as to make them an attractive feature of the community.
- a. WFCFA is to be commended on its recent efforts to abate algae and other invasive vegetation.
    - i. It should continue
    - ii. Once a pond has been cleaned, options should be explored to help maintain a good water quality.
      1. Aerators/fountains
      2. Introduction of beneficial algae eating fish. (The city has personnel that can advise on such.)
      3. Solar power installation for pumps, aerators and/or fountains.
  - b. WFCFA needs to continue to eliminate animals and pests that endanger the integrity of the ponds
  - c. WFCFA should promote the beautification project that was proposed last year to encourage residents to assume projects that will enhance the neighborhoods.
  - d. WFCFA should be willing to accept gifts designed to enhance the neighborhoods
  - e. WFCFA should maintain a positive relationship with the two bordering HOAs, Moss Creek and Moss Creek Village. It is not appropriate that there is a lack of communication. Better communication could serve to create more cooperative agreements that could better identify of responsibilities for maintenance of the grounds surrounding the ponds to include:
    - i. Mowing,
    - ii. Weeding,
    - iii. Planting attractive vegetation (especially in the flexamat around ponds #1 & 2.
    - iv. Identifying a systematic plan to install a border of attractive plants around the ponds that could attractively impede erosion and the invasion of wild fowl.
    - v. In the meantime, before an attractive border can be nurtured, identify a mutually agreed upon "fringe" that could attractively serve to reduce erosion.
      1. Identify the parties that will be responsible for the upkeep of the "fringe"
      2. Monitor the consistent maintenance of the agreed upon "fringe"

**Future of the WFCFA Pond Committee:** The pond committee is at a juncture that will require a response from the WFCFA Board of Directors. Without such, the purpose of the committee is lost. It has been difficult to maintain members and leaders. There is no need to recruit new members or seek new leadership if the WFCFA Board will not commit, if not to all, to at least most of the recommendations listed.

The most crucial of these recommendation for the near future are the issues of working with Moss Creek HOA to address the boundary issues and to complete the necessary work on pond #3. We urge you to share this with Moss Creek, with the goal to reach a satisfactory resolution post-haste. Though the immediate urgency lies mainly with Moss Creek, we would trust that WFCFA would also reach out to Moss Creek Village to better clarify shared concerns and responsibilities for the present and, as well as, the foreseeable future.

We, as members of the committee, all profess to our interest in keeping our community a place in which we are all proud to live. However, the issues that have been allowed to develop over the years are now at a critical stage and to delay addressing them will only become more expensive. We believe we have offered a reasonable set of recommendations and trust you will move forward with them.

If you elect to demonstrate your approval, then this committee can work to enhance your efforts. Without your commitment there is little need for this group to continue.

**Signature Page**

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Rhett Salisbury

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Lynne Marsh

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Rebecca Owens

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Sandy Martin

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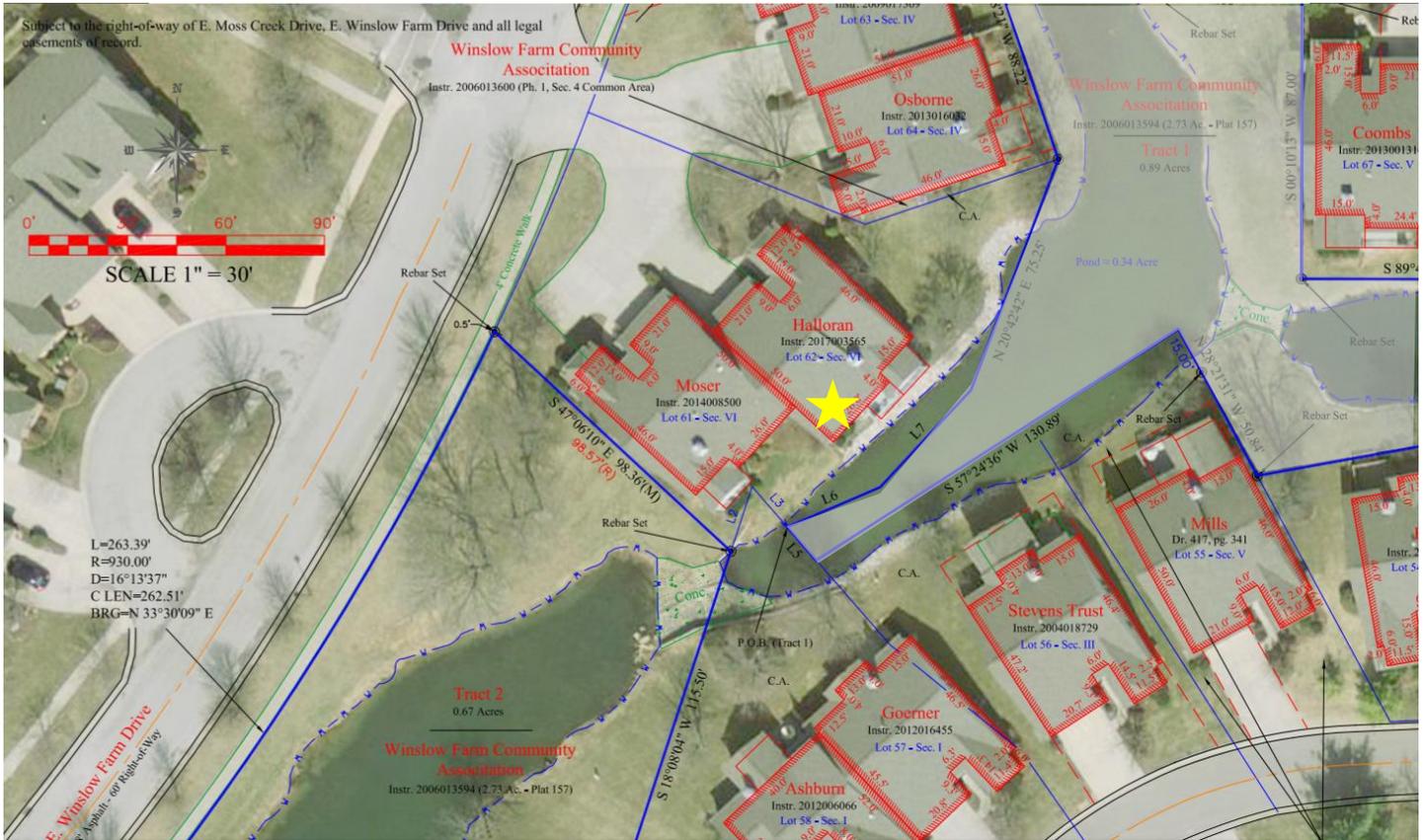
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Gary Wiggins, liaison to the WFCB Board

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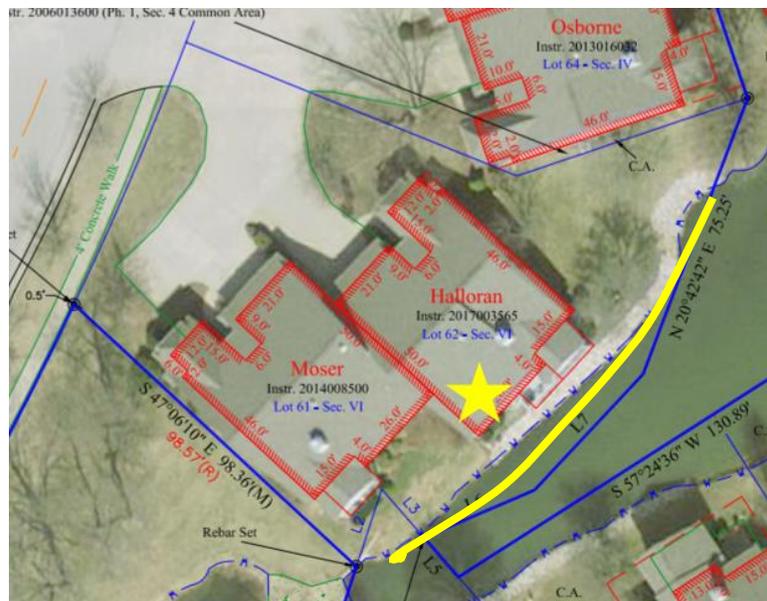
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# ATTACHMENT A: Deckard survey lines for area behind 604 E. Winslow Farm Dr.



The shaded area delineates Winflow Farm Community Association (WFCA) common area. According to this diagram areas outside the shaded area are not WFCA responsibility.

Note the current bank essentially abuts the foundation of Terry Halloran’s deck. The yellow star indicates her unit.

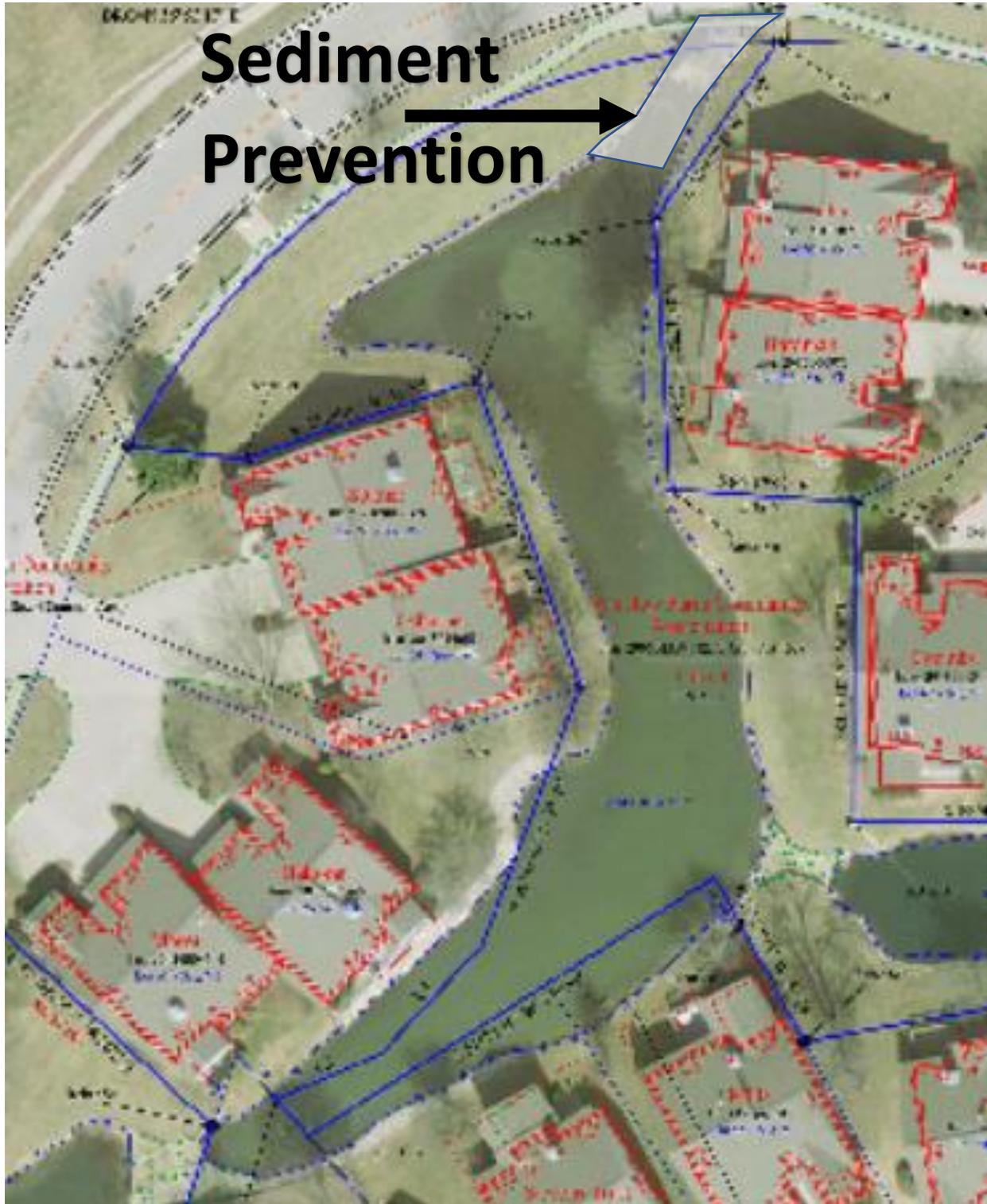


A barrier to divert the water needs to be installed between the current boundary line and the current bank; the exact design and length are open for recommendations by the contractor. (Example is in yellow)

**Attachment B: Deckard Survey for Boundary Lines**



Attachment C: Area to address with a method to slow sediment build-up or provide for ease of clean out.



Attachment D: Area to fill and seed



## Attachment E: Draft of request for bids (RFP) to be issued from WFCA

### Winslow Farm Community Association, Inc.

323 E. Winslow Road, Suite 100

Bloomington, IN 47401

(812) 331-9095

### Request for Proposal

March 7, 2020

**OBJECTIVE:** The Winslow Farm Community Association Board of Directors is accepting proposals to address the issues of sediment build-up and erosion in Pond #3.

**BACKGROUND:** Winslow Farm is located north of Winslow Road and east of Highland Avenue. Pond 3 is located south of Winslow Farm Drive directly south of the intersection with Olde Mill Drive. WFCA maintains seven ponds as part of the stormwater flow that eventually drains into the ditch alongside East Winslow Farm Road. In addition to run off from the area streets and lawns, a significant amount of stormwater comes from the recreational area of Winslow Park on the east side of South Highland. These ponds are showing their age of approximately 30 years with significant sediment build up, as well as erosion encroaching upon residential property. The ponds are numbered from the north to the south as ponds, #1 through #7. The issues in Ponds #1 and #2 have been addressed in the last three years. The remaining ponds #4-7 will need attention over the next few years. (Attachment A shows the overview of the neighborhood with the numbered ponds.)

It should be noted that a separate RFP is being submitted by a resident, Terry Halloran, for the construction of a barrier to divert water around her property at 604 E. Moss Creek Drive. WFCA is limited to maintenance of only WFCA common properties. According to recent surveys, the area behind her shared patio home is outside the boundary of WFCA property. However, since the barrier needs to be constructed at the time the pond is drained and dredged these projects are to be coordinated. Mrs. Halloran will be responsible for the awarding of the contract for the specific barrier. Contractors are encouraged to bid on building the barrier in conjunction with this RFP, but regardless must be willing, at minimum, to coordinate the two projects.

Issues in Pond #3 to be addressed:

**PART I: Dredging:** Sediment build-up at the north end was so severe that during much of the summer months there was no water retained and a large amount of vegetation created an unsightly mess. Last fall, a contractor spent two days removing enough sediment to create a trench. Approximately 3-4' of sediment was removed. Some proved to be topsoil that was reused. Otherwise eight truckloads of muck were removed. The pond is lined, and the digging did not reach down to the liner. Nor did it extend beyond the immediate area close to the bridge. A significant amount of sediment has already accumulated in this area. More dredging needs to be completed in this area along with the remainder of the pond. It is understood that the pond will first need to be drained to accomplish this task. (Attachment B is a diagram of the area that was dredged during the fall of 2019)

- Part II:** This quote should provide a recommendation and design for the most cost-effective option to finish the pond once the pond is dredged. The pond was constructed with a liner which has never been replaced. Considerations could include, but not be limited to:
- Repair old liner
  - Install new liner
  - Eliminate the pond and convert the detention pond to a “dry creek bed”/restored stream; the design of which should identify the associated necessary details to accomplish such.
- Part III:** An assessment should be made as to what banks, if any, (other than the barrier behind 604 E. Moss Creek Drive) need to be reinforced. If erosion prevention options deem to be needed, then the quote should identify the locations for the recommended reinforcements as well as the most cost-effective materials.
- Part IV:** Provide a cost-effective alternative to finish the bed of the north end of pond #3 to reduce sediment build-up or provide for ease of periodic cleaning. This area has been especially susceptible to sediment build-up, becoming a host for invasive plants, an eye sore and a potential health problem. Options for consideration may include, but not be limited to using a sediment trap, river rock, concrete, and/or a circulating system to keep water flowing from under the bridge to the weir between #3 and #4. (Attachment C indicates the area to be addressed.)
- Part V:** Fill and seed the bank area which is now being used as an access point that will extend the current lawn area south of the bridge. This portion of the quote should include a recommendation for erosion prevention along the new bank area. (Attachment D is a diagram of the area to be filled in.)

#### **REQUIREMENTS:**

- 1. Submit separate quotes for each of the Five Parts**
- 2. Provide details of recommended products for each of the Five Parts**
- 3. Provide drawings or sketches of proposed options for each of the Parts II-V.**
4. include a current certificate of insurance that includes worker's compensation or a valid independent contractor's affidavit from the State of Indiana.
5. Submission due by 5:00 p.m. April 30, 2020

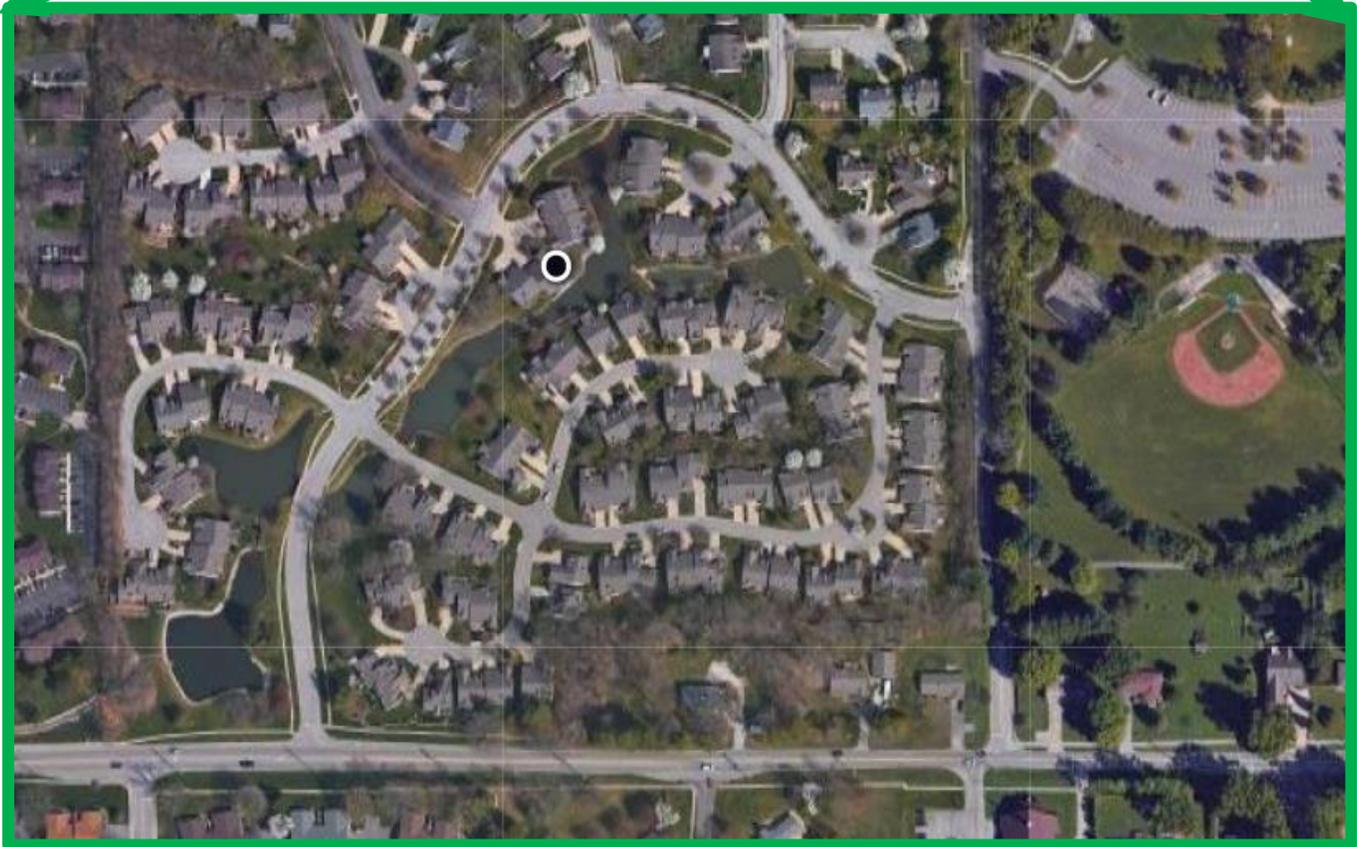
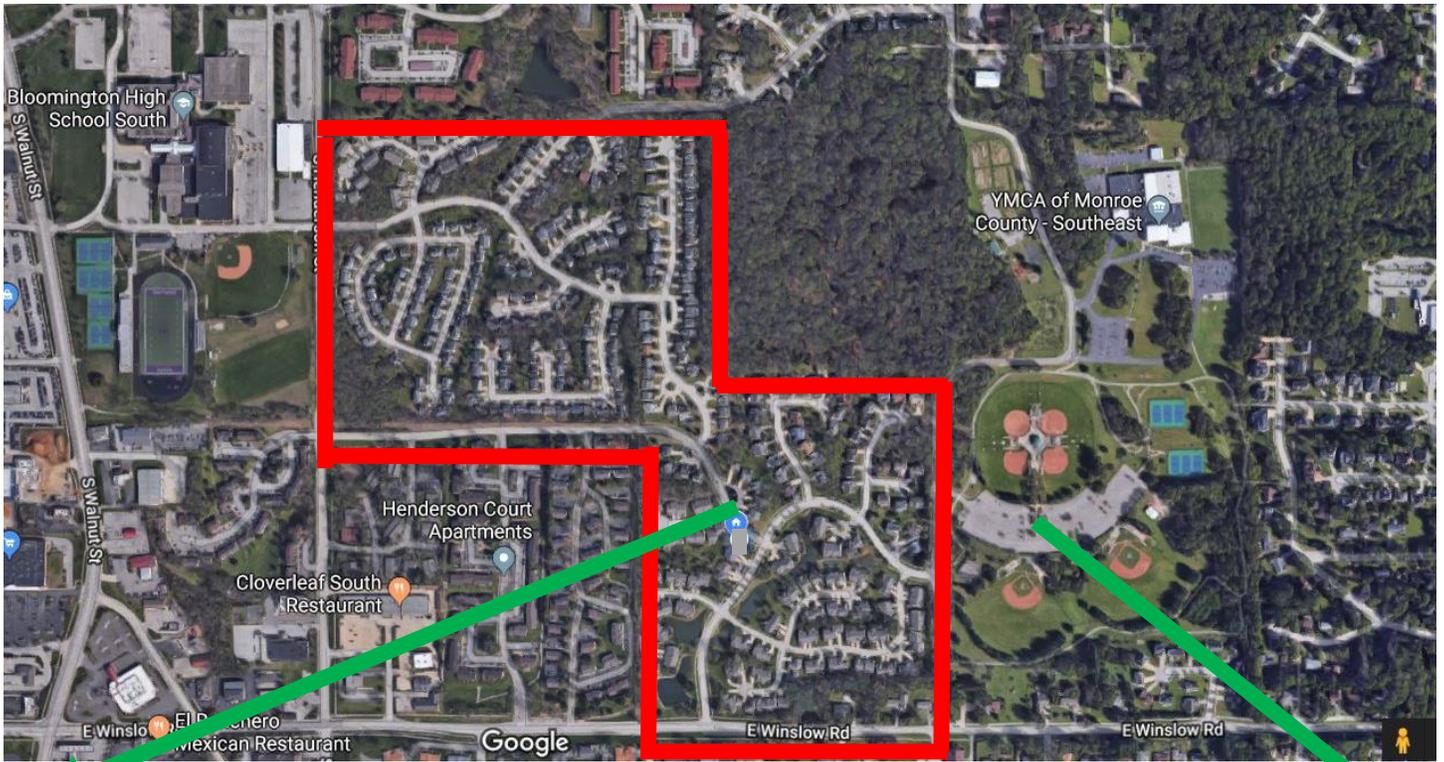
WFCA reserves the opportunity to negotiate details of any accepted bid and/or submitted designs.

If you have any questions, please feel free to contact me.

Sincerely,

Carole Damon  
Managing Broker  
Capital Realty, Inc.

# Attachment A: Overview of Winslow Farm Community Association



Ponds flow from 1 through 7 and into the ditch along East Winslow Farm Road.

**Attachment B: Area dredged the fall Of 2019**



Attachment C: Area to address with a method to slow sediment build-up or provide for ease of clean out.



Attachment D: Area to fill and seed

