Gmail JB [redacted]

Subject: Arkansas FOIA Request – Stokenbury Farms Moratorium, Engineer Certification, Pond Remediation, and HOA Responsibilities

[redacted] Mon, Jul 20, 2026 at 2:10 PM
To: Troy Reed <troyreed@elkins.arkansas.gov>, Donna Campbell <donnacampbell@elkins.arkansas.gov>, Jd Demotte <jddemotte@elkins.arkansas.gov>, [redacted] Eiland <seiland@elkins.arkansas.gov>

Dear Ms. Campbell,

This is a request for public records under the Arkansas Freedom of Information Act, A.C.A. § 25-19-101 et seq.

For clarity, I currently have two other matters pending with the City: (1) a separate records matter relating to my property, and (2) a separate records request concerning stormwater-compliance records. This request does not concern either of those matters. Instead, this request concerns the Stokenbury Farms moratorium, the engineer-certification requirement associated with that moratorium, detention pond remediation, the City's determination that development could resume, ownership of the detention pond properties, and the transfer of maintenance responsibilities to the Property Owners Association. This request seeks records relating to different subject matter and different governmental decision-making processes.

The primary purpose of this request is to identify the records relied upon by the City in determining that detention pond concerns underlying the Stokenbury Farms moratorium had been sufficiently addressed to allow development to continue, and to identify the current ownership and maintenance responsibilities associated with those detention ponds.

I request electronic copies of all responsive records whenever available.

1. Moratorium and Engineer Certification

Please provide:

• Records identifying the conditions required to satisfy or lift the November 17, 2016 moratorium.

• Records reflecting the City's determination that the engineer-certification requirement of the moratorium had been satisfied.

• Any engineer certification, report, letter, memorandum, recommendation, sign-off, inspection report, acceptance document, or other record that the City considered sufficient to satisfy the engineer-certification requirement referenced in the moratorium.

• Records identifying who submitted, reviewed, approved, accepted, or relied upon that certification.

2. Resolution No. 2018-06 and Remediation Work

Please provide records relating to Resolution No. 2018-06 and the associated agreement between the City of Elkins and NWA LD, LLC, including:

• Records showing whether the remediation work required by the agreement was completed.

• Records showing when the remediation work was completed.

• Inspection records.

• Engineer certifications or sign-offs.

• Acceptance documents.

• Records showing City verification that the required remediation work was completed.

• Records identifying who determined the obligations contained in the agreement had been satisfied.

• Records identifying who accepted the completed work on behalf of the City.

3. Determination That Development Could Resume

Please provide:

• Records identifying who determined that detention pond concerns underlying the moratorium had been adequately addressed.

• Records identifying who approved continued development following the moratorium.

• Records identifying what reports, certifications, inspections, analyses, recommendations, or other information were relied upon in making that determination.

4. Ownership and HOA Responsibilities

Please provide:

• Records identifying the current owner of the detention pond properties.

• Records identifying ownership of the detention ponds, drainage facilities, drainage easements, maintenance easements, and related stormwater infrastructure associated with the detention ponds.

• Records transferring ownership or maintenance responsibility for the detention ponds.

• Maintenance agreements.

• HOA declarations.

• HOA bylaws.

• Protective covenants, restrictions, or similar governing documents relating to the detention ponds.

• Records describing the HOA's maintenance, inspection, repair, operational, funding, water-quality, drainage, stormwater, or other responsibilities relating to the detention ponds.

• Records identifying when ownership or maintenance responsibility transferred to the HOA.

• Records identifying who approved, accepted, authorized, acknowledged, or documented that transfer.

• Records identifying the governance, control, management, or administration of the HOA at the time responsibility for the detention ponds was transferred.

• Records identifying whether any developer, developer-controlled entity, or affiliated entity retained control of the HOA following transfer of pond ownership or maintenance responsibilities.

Legal Requirements

If any portion of this request is denied, please identify the specific statutory exemption relied upon, describe the records being withheld, and identify the person responsible for the denial.

I request that responsive records be provided electronically whenever available.

Thank you for your assistance.

Sincerely,

[redacted]