

Mallard Bay Property Owners Association
Minutes
Annual Meeting of the Mallard Bay Property Owners' Association
October 21, 2023

The meeting was called to order in the Mallard Bay Clubhouse by MBPOA President Marshall Sebra at 1 p.m.

Board Members present:

Marshall Sebra, President
Jeanne Widenmyer, Treasurer and MBPOA Registered Agent
Lynne Cerar, Board Member and Landscaping Committee
Barbara Bromley, Secretary
Larry Tupper, Vice President

Board Members not present:

Callie Robinson, Board Member at Large
John Miller, Board Member at Large
Richard Honey, Board Member at Large

Support Personnel present:

Brant Hays, Property Manager
Paul Malloy, Swimming Pool Maintenance Director
Bob Mitchell, Social Committee
Mary Yordy, Clubhouse Maintenance
Debbie Evans, Webmaster, Clubhouse Manager
Ted Hobson, Architectural Committee
Debby Tupper, Amenities Committee

There were over 50 community members who attended the meeting.

Opening Comments

Mr. Sebra opened the meeting by welcoming all attendees and thanked them for coming. He also thanked all the volunteers on the board/committees for all their hard work. He noted that there were 32 members present and 45 proxies which constituted a quorum and he proceeded with the agenda.

Reports

Secretary (Barbara Bromley) – Ms. Bromley introduced herself and asked for a motion for the approval of the Minutes of the 2022 Annual Meeting. The motion was made, no discussion was forthcoming, and on a voice vote the members approved the Minutes. She announced that she will no longer be secretary and will become a board member at large for the next two years.

Treasurer (Jeanne Widenmyer) – Ms. Widenmyer reported that there is very little change from last year’s budget and this year’s budget with one exception. There is a little less income due to two more lot mergers. She explained that most areas of the budget are within a hundred dollars from last year’s budget. It was asked how often Bay Cutters mow the common areas and Mr. Jones replied that it was every 3 weeks. With no other questions, she asked for a motion for the approval of the 2024 Annual Budget. The motion was made, no discussion was forthcoming, and on a voice vote the members approved the Annual Budget.

Webmaster & Clubhouse Manager (Debbie Evans) – Ms. Evans advised that there is a new feature to the website which automatically generates an email every time something is added to it. It is a gentle reminder to view what is happening in your community. She has printed up instructions, available on the information table, on how to sign up for this, if you are interested. Fifteen residents have signed up for this already. She also added that there is a Mallard Bay Facebook Group with 21 members. It is a private group, with only Mallard Bay Residents as members. She reported that Clubhouse usage has stayed the same with generally more activity during the summer and less during the winter. Mr. Sebra thanked her for stepping into the Clubhouse Manager Position. He also thanked Mary Yordy and Linda Hobson for the maintenance of the clubhouse and all they have contributed. They are stepping out of these roles and Amanda Marston and Donna Sebra will be stepping into these positions.

Architectural Committee (Ted Hobson) - Mr. Hobson gave a power point presentation on the ARC’s duties and what their responsibilities are in the community. He explained how the committee works. The 5 member committee includes Ted Hobson, Al Kragh, Paul Malloy, Ed Hind, and Gary Yordy. The main duty of the ARC is overseeing construction with the building of houses, sheds, piers, decks, etc. They also oversee landscaping in what is called the LPZ (Landscape Preservation Zone). The original developer wanted all houses in the community to maintain a certain amount of trees and shrubs around the border of each property. Nothing can be done in these areas unless permission is given by the ARC. They also handle boats and RV’s and deal with things such as flags and political signs. He talked about the 8 D’s concerning the removal of trees. They are: dead, dying, diseased, dangerous, detractive, dam, drain field, and diameter (6 inches or less). You must contact the ARC with tree removal, but if it is any of the 8 D’s it will most likely be approved. He then went on to talk about boats in our community. As it is now, one trailered boat per lot is allowed as long as it is screened from the road and lakes and the screen is approved by the ARC. He explained the proposed change to the covenant would take out the word “screened,” but add that a boat is only permitted on your property from November 1 thru March 31. Mr. Jones, a realtor was concerned about a boat being on the property for 6 months with no screening. He felt that this would devalue Mallard Bay. Mr. Bracker felt that the ARC currently has the flexibility to address screening that is unacceptable and that no change to the covenants is necessary. He felt that it’s a small community and the ARC can make exceptions to rules when the circumstances are necessary. He added that those that bought in the community, due to the strong covenants, do not want them changed. Mr. Hobson felt otherwise, that this is a boating community and the developer realized this. All the ARC members live in the community and do not feel that this would devalue their property. He also felt that the word “screened” is difficult to define and hard to defend. It was also discussed that Mallard Bay has a RV lot, and boats and trailers could be parked there. Spaces are available. The RV lot is in the process of being cleaned and straightened, but it is a viable option. Both sides of the argument were stated and now it’s time for the community to vote. The following is the current and proposed changes:

Currently in the Covenants: **Boats**

One trailered boat may be parked on each lot with a residence, **located and screened from the road and lake as approved by the Architectural Review Committee**. No vehicle shall remain in Mallard Bay unless it has current state license plates, county tags, and a current inspection sticker.

The proposed change: **Boats**

One trailered boat may be parked on each lot with a residence. No vehicle, boat or trailer shall remain in Mallard Bay unless it is in operable condition, has current state license plates, county tags, and a current inspection sticker **This will be allowed from November 1 thru March 31.**

Currently in the Covenants: **Leasing**

Nothing herein shall be deemed to prevent a member from leasing to a single family, subject to all of the provisions of this Declaration, provided that the term of any such lease **shall not be less than two (2) weeks in duration.**

The proposed change: **Leasing**

Nothing herein shall be deemed to prevent a member from leasing to a single family, subject to all of the provisions of this Declaration, provided that the term of any such lease **shall not be less than six (6) months in duration.**

Property Manager (Brant Hays) - Mr. Hays asked if there was anyone who could help him straighten up the posts in the clubhouse parking lot. John Barr volunteered right away and they will get to work re-securing the posts in the upcoming week. Ms. Widenmyer thanked Mr. Hays, on behalf of the morning exercise ladies, for always having the pool clean, warm, and crystal clear at 8am for their swim.

Pool Technical Maintenance (Paul Malloy) - Mr. Malloy reported that the pool has been winterized, chairs have been cleaned and put away, and the painting around the pool and clubhouse is done. He announced that he will be stepping down from the position. Anyone interested in taking over, he will gladly help you understand what the position entails and assist in the transition. He is not completely stepping away, he will continue to do plumbing jobs, as needed. Mr. Sebra thanked him for his hard work and the crowd clapped in appreciation.

Dock Master (Allen Garland) - In his absence, Mr. Sebra advised that there was nothing to report at this time.

Landscaping Committee (Lynne Cerar) – Ms. Cerar started by thanking those who have helped with the big task of keeping the landscaping looking good with planting, mulching, and cleaning up debris. She was very appreciative. She has planted some new roses up at the gatehouse, and she hopes that they will do well in that location. She has also become aware that there are some “volunteer” crepe myrtles in the middle bed at the entrance that need to be removed. They are obscuring the Mallard Bay sign. She also plans to plant some cat tails at the ponds along Mallard Bay Drive since they will help hold the soil, and they are nesting grounds for the Egret.

Amenities (Debby Tupper) - Ms. Tupper reported that there are a lot of amenities in this community and at times overwhelming. These include the pool, the dock, the crabbing pier, the trails, the RV lot, the ponds, the playground, the pickleball court, the basketball courts, the tennis courts, and the common areas. She reported that the Flyaway Lake Trail has been improved and it is in good shape. There are new signs which a community member hand painted, and the trail was rerouted to avoid the steep entrance area to improve safety. The Spring Valley Trail still needs work. It is the trail near the dog park which goes down to the original crabbing pier. She intends to make that a priority and she will continue to work on the RV lot. The other areas which really need some attention and a long term plan are the tennis, basketball, and pickleball courts. To replace the courts it could cost as much as \$200,000 for the two tennis courts and another \$140,000 for the clubhouse courts. There is only \$30,000 in the reserves for these items. Ms. Tupper had a sign up sheet for anyone interested in helping with amenities. You can sign up for what interests you, and she will use the list to call upon individuals for suggestions and help. She also added that she is learning about abandoned boats and the procedures necessary to dispose of them. This is one of the problems in the RV lot and it is an ongoing effort to solve this problem. The community acknowledged her with a big round of applause.

Social Committee (Bob Mitchell) – Mr. Mitchell started by thanking Bill Schreier, Sharon Lommel, and Winky Mitchell for being on the committee and helping so much this year. He stated that there have been 3 picnics which were a big success and tonight will be the Costume Bingo Night from 6:30 to 8:30 at the Clubhouse. There will be a prize for whomever wins the most games and a prize for the best costume. He also thanked Debbie Evans for her support through website announcements, and Susan Malloy who sends out the email announcements. He encouraged everyone interested to join and they welcome new ideas.

Extra Mile Award

Mr. Sebra advised that every year the board likes to recognize someone who has gone above and beyond to help this community. Debby Tupper is this year’s recipient. She stepped up with no hesitation and he presented her with a certificate to acknowledge all her hard work.

Report of Voting

Board of Directors Ballot - All 4 who were running were elected. They are Marshall Sebra, Jeanne Widenmyer, Lynne Cerar, and Barb Bromley.

Covenant Changes - It requires 78 “yes” votes to make the proposed changes. On the Leasing proposed change, so far there are 74 “yes” votes. Only 4 more votes are needed to change this covenant. On the proposed Boat change there are 40 “yes” votes and 53 “no” votes. Voting continues until the end of the year.

Open Comment Period

Mr. Malloy reported that he and Blaine Swank have repaired the basketball hoop at the Clubhouse Court. The handle has been removed so it will not get broken again. It will remain at 9 feet.

Someone asked how many rentals are currently in the community and Ms. Widenmyer said that there is only 1 at this time, and it is a long term rental. It was explained that the proposed leasing change was due to the rise in AirB&B rentals. It was the board's opinion that short term rentals do not lead to the respect of property.

It was suggested that the RV Lot could be made bigger, but Mr. Sebra stated that it is cleared to its boundaries at this point. There are spaces currently available, though. Mr. Sebra complimented Mr. Hobson for the outstanding job he has done working with people and putting this information together to help everyone understand what the ARC does. It was brought up by a resident, that our community is admired by others. An HOA president in a neighboring community has looked at Mallard Bay as an example to make improvements in their community.

A request was made by Mr. Bracker to the board to change the rule back to its original wording and intent concerning electrical use at the dock. He took this opportunity to express his continued opposition to the decision the Board made to permit permanent use of electricity at the Mallard Bay Marina. He shared a little bit about his boating background as a life-long boater and long-term Mallard Bay resident, and conveyed his concern about the potential dangers of permitting year-round electrical hookups, to include fires, electrocution, and corrosion. Mr. Bracker raised his concerns previously, and in response, the Board hired a certified electrician to conduct an on-site inspection of the Mallard Bay Marina to identify any potential issues. The Mallard Bay Marina was in compliance with required codes for electrical service dockside. Mr. Bracker reiterated his belief that the Board should revert to the prior prohibition on continuous electrical service at the Marina and asked for other comments or feedback from the audience. The audience gave their opinions, and after much discussion, due to safety, the board voted to change it back to prohibition on continuous electrical service at the Marina.

Ms. Widenmyer made an announcement that the Mid-County Volunteer Rescue Squad was preparing Thanksgiving Dinners. They are free for those over 75 years of age and \$20 for all others. They are available November 22, 2023 and you must make a reservation. Also, the Women's Club is having a Bingo Fundraiser on October 30, 2023 at the Lottsburg Women's Club building. It will include lunch and the prizes are cash.

It was suggested that the Mallard Bay boat landing be dredged. The board acknowledged that it was done once in 2013 when the concrete ramp needed to be replaced. Ms. Widenmyer said that there is money set aside for this, so the Board will proceed with this suggestion.

The RV lot was brought up again. It was asked if the community owns that lot and the Board answered that we do. They also wondered if there was other community property that could be used to store boats and RV's. Ms. Widenmyer answered that there is land, but it is out in the open and would not be appropriate. It was stated that purchasing a lot to make more room in the RV Lot has been considered. There is a 5 acre property next to the RV lot, but it is deemed inappropriate since it is on a ravine. Ms. Tupper felt that some reorganization of the RV lot would help to be able to store more vehicles/boats and help solve the problem. It was suggested by a resident to call Game and Inland Fisheries and declare unwanted boats as abandoned vessels. They will contact the original owners of these boats and the owner's will have a certain amount of time to move them. He felt it should be up to the owner's of the vessels to decide what to do with them. Ms. Tupper appreciated the suggestion, and she noted that it is a process and it will take some time.

Closing Comments

A motion to adjourn was made, seconded and approved and the annual meeting was adjourned at 2:45pm. Mr. Sebra then welcomed all to partake in the refreshments provided by the Social Committee.

Submitted by:

Barbara Bromley, Secretary