

Attachment R: Emails showing support from Board Selby Feasibility Study

From: STACEY SELBY <sselby.mallardlakes@gmail.com>
Sent: Friday, December 6, 2024 11:28 AM
To: Reba, Simone [REDACTED]
Subject: Re: [External] Re: Point Paper and Presentation We Discussed

You don't often get email from sselby.mallardlakes@gmail.com. [Learn why this is important](#)

I whole heartedly agree that a feasibility study should be performed. Even if the answers we get aren't those we are looking for there will be documentation to prove that the matter was investigated to it's full potential.

Stacey

On Fri, Dec 6, 2024, 10:56 AM Reba, Simone [REDACTED] wrote:

Hey Stacey, thanks. I know how much you care and also want to find solutions (or at least a way to reduce the problems as much as possible).

- Yes, I plan to present it and it is based on research from experts, to include the history of what you've explored and ML's history. Some, all, or none of these options will be in the final feasibility study. As you said to RASCL the other day, although you have an opinions (which are solidly based), what eventually becomes the plan will come from engineers that do this day-to-day and from help of organizations like RASCL.
- I do have one favor. I need your support that you agree a feasibility study should be done. The community listens to you and if this comes off as you saying none of this will work, then it will be impossible to get the homeowners behind exploring it further. ***Do I have that?***
- Regarding mold, other experts have said that we have a much better chance of getting federal and state funding if we can tie this to health and safety. I've taken the word "mold" out of the paper because I don't have solid research about whether it exists right now or not (just my neighbor's allegation), but the constant moisture could cause health and safety issues in the future, and I think our goal is to have **the government pay for anything we can do** as much as possible.

Simone

From: STACEY SELBY <sselby.mallardlakes@gmail.com>
Sent: Friday, December 6, 2024 10:21 AM
To: Reba, Simone [REDACTED]
Subject: [External] Re: Point Paper and Presentation We Discussed

Attachment R: Emails showing support from Board Selby Feasibility Study

You don't often get email from sselby.mallardlakes@gmail.com. [Learn why this is important](#)

This message is from an EXTERNAL SENDER - be CAUTIOUS of links and attachments. THINK BEFORE YOU CLICK.

Good Morning Simone,

The report looks very good and I appreciate all the work you have put into it. I do have concerns though, this project has to be your presentation and can not be considered a reflective view of the council or myself. For one I personally don't agree with almost any of the flood mitigation options on the table so far, and another is the mold issue. The issue of mold was brought up by an owner from an unsanctioned inspection. We have been under many of the buildings during inspections with the Engineering firm GMB and Associates and while the environment may be conducive to mold growth, mold was never found to be an issue. Additionally the four flood damaged buildings on the island were inspected by Sue White, an environmental health specialist who also did not find mold as an issue. For us to accept an unsanctioned report as fact could force Mallard Lakes into future litigation. Other than that I again want to thank you. Your time and effort in making contacts as well as finding support programs has been invaluable. This may just be the beginning stages but it is the closest to finding solutions to the flooding problem we have ever been, solely due to your work alone and it is greatly appreciated.

Stacey

Mallard Lakes Condominium Association Correspondence between 10/2025 and 11/2025 Legal Expenditure Request

On Oct 22, 2025, at 5:19 PM, simone reba <[REDACTED]> wrote:

Also, Please confirm receipt of this request and if possible, include this request under Financial Reports on the November board meeting agenda.

Simone Reba
Unit 342

From: simone reba <[REDACTED]>
Sent: Wednesday, October 22, 2025 5:17 PM
To: Donna Hemphill <dhemphill@legumnorman.com>; Dave and Kathy Morris <[REDACTED]>; Michael Knowles Mallard Lakes <mknowles@mallardlakes-de.com>
Cc: Margaret McCabe <mmccabe@legumnorman.com>; Daniel Nelson <dnelson@mallardlakes-de.com>
Subject: Mallard Lakes Legal Expense Disclosure Requested

Dear Mallard Lakes Community Association Board Members and Ms. Hemphill,
In advance of the upcoming November Board Meeting, I respectfully request that the Association provide a brief accounting summary of **legal expenditures year-to-date**, including:

1. Total legal fees and related costs incurred through the most recent month; and
2. The remaining balance in the 2025 budget for the "Legal" line item.

This request is made solely for the purpose of maintaining **financial transparency** and does not seek any privileged or confidential information. Providing owners with this information in advance of the meeting will help ensure a more informed discussion of the Association's current financial position and year-end projections.

As you know, **Delaware's Unit Property Act and DUCIOA §81-318** provide owners with the right to review and obtain financial information related to Association expenditures, which this request is intended to support in good faith.

Thank you for your attention to this matter and for your continued service to the community.

Sincerely,
Simone Reba
Unit 342

Mallard Lakes Condominium Association Correspondence between 10/2025 and 11/2025

November Board Meeting Clarifications

From: simone reba <[REDACTED]>
Sent: Monday, November 10, 2025 9:21 AM
To: Michael Knowles Mallard Lakes <mknowles@mallardlakes-de.com>; Michael Knowles Mallard Lakes <mknowles@mallardlakes-de.com>; Dave and Kathy Morris <[REDACTED]>; Donna Hemphill <dhemphill@legumnorman.com>; Margaret McCabe <mmccabe@legumnorman.com>
Subject: Re: Comment Clarification Letter – for the record and distribution

Dear Members of the Board and Ms. Hemphill,

Here is a copy of the certified letter for your tracking purposes which contains the official version of the updated signed letter (attached).

Simone Reba
Unit 342 — Mallard Lakes

From: simone reba <[REDACTED]>
Sent: Monday, November 10, 2025 8:29 AM
To: Michael Knowles Mallard Lakes <mknowles@mallardlakes-de.com>; Michael Knowles Mallard Lakes <mknowles@mallardlakes-de.com>; Dave and Kathy Morris <[REDACTED]>; Donna Hemphill <dhemphill@legumnorman.com>; Margaret McCabe <mmccabe@legumnorman.com>
Subject: Re: Comment Clarification Letter – for the record and distribution

Dear Members of the Board and Ms. Hemphill,

Please find a revised memo that includes an additional point of clarification related to the Mallard Lakes website.

Please disregard the previous version as it had some formatting errors.

Simone A. Reba
Unit 342 — Mallard Lakes

From: simone reba <simonereba@gmail.com>
Sent: Sunday, November 9, 2025 7:25 PM
To: Michael Knowles Mallard Lakes <mknowles@mallardlakes-de.com>; Michael Knowles Mallard Lakes <mknowles@mallardlakes-de.com>; Dave and Kathy Morris <[REDACTED]>; Donna

Mallard Lakes Condominium Association Correspondence between 10/2025 and 11/2025

Hemphill <dhemphill@legumnorman.com>; Margaret McCabe <mmccabe@legumnorman.com>

Subject: Comment Clarification Letter – for the record and distribution

Dear Members of the Board and Ms. Hemphill,

Attached for your reference is my letter dated November 8, 2025, regarding clarification of several statements made during the November Board meeting related to flood-mitigation funding, feasibility, and financial reporting.

The purpose of this correspondence is to ensure that all information shared with homeowners is accurate, consistent with governing documents, and aligned with publicly available data. I've sent the same letter via certified mail for your records.

Please confirm receipt of this email and attachment. I respectfully request that the Board review the clarifications and provide any response or supporting documentation by November 21, 2025.

Thank you for your attention to this matter.

Kind regards,

Simone A. Reba

Unit 342 – Mallard Lakes

simonereba@gmail.com

Attachment:

- *Letter – Clarification of Statements on Flood-Mitigation Funding and Request for Audit Documentation (11-8-2025)*

Attachment:

Simone A. Reba

[REDACTED]

[REDACTED]

Email: [REDACTED]

11/8/2025

Via Certified Mail and Email

The Mallard Lakes Community Association, Inc.

Attn: Board of Directors c/o Legum & Norman

Property Management 3 Edgewater House, Sea Colony East

Bethany Beach, DE 19930

Subject: Clarification of Statements on Flood-Mitigation Funding and Request for Audit Documentation

Mallard Lakes Condominium Association Correspondence between 10/2025 and 11/2025

Dear Members of the Board,

During the November 2025 Board meeting, several statements were made regarding floodmitigation funding, feasibility, and committee composition that require clarification. My intent is to ensure that information shared with homeowners is accurate, consistent with governing documents, and aligned with publicly available data.

1. Availability of Government Funding

Comments suggested that government funding is available only if existing flood damage exists, that no current federal or state programs are offering assistance, and that building elevation projects would only be considered if 100% funded by outside entities.

These statements are incomplete. For example, programs such as the U.S. Army Corps of Engineers' Continuing Authorities Program (CAP 205) and FEMA's Hazard Mitigation Grant Program (HMGP) both provide funding for preventive and feasibility-stage projects before catastrophic damage occurs. CAP 205 specifically supports small-scale community floodrisk reduction, and Mallard Lakes was deemed eligible in 2016 under a Federal Interest Determination (FID).

The current challenge lies in identifying a non-federal sponsor to meet the cost-share requirement. However, this condition could change in the future, and Mallard Lakes remains eligible for participation in multiple federal and state mitigation programs.

2. Improper Use of "Litigation" to Block Factual Clarifications

When I asked for the source of the above statement, I was told that such questions could not be answered because of ongoing litigation. My inquiry was solely to confirm factual, public information regarding funding eligibility — a matter unrelated to the pending case.

3. Misstatement of Association Policy on Elevation Funding

The Board stated that the Association would only pursue elevation projects if third-party funding covered 100% of the cost. However, the Association's own Tidal Waters at Mallard Lakes (July 2025) report states that elevation "may be financially prohibitive without some form of thirdparty assistance such as government grants."

That language allows for potential partial cost-sharing, not an all-or-nothing standard.

Mallard Lakes Condominium Association Correspondence between 10/2025 and 11/2025

4. Unsupported Assumptions on Elevation Scope

The Board indicated that the 23 "most at-risk" buildings would need to be elevated because they lie within the FEMA 100-year flood zone. Yet the original developer placed only 10 of these buildings on pilings, deeming those the most vulnerable to flooding. Their elevations range from —1.5 feet to 5 feet. In practice, the difference between flooding and remaining dry can hinge on minor elevation or drainage variations—precisely the type of information a professional feasibility study would quantify. Without such a study, the Board's assumptions lack a quantifiable foundation and likely overstate both the scope and potential cost of mitigation.

6. Misrepresentation of Envirotech's Role

Comments suggested that the Board declined to work with Envirotech, implying my references to their feasibility estimate were tied to the Association's Tidal Waters report. The two are unrelated: Envirotech's estimate concerned a professional feasibility study, whereas Tidal Waters is a narrative summary. Conflating them misleads owners about the type of technical analysis required for informed decision-making.

7. Exclusionary Composition of the Flood Committee

The Board stated that it "handpicked" members for the Flood Committee based on skill sets. To my knowledge, there has been no transparent process to identify or solicit volunteers with relevant expertise. This approach limits broader participation, diminishes community confidence, and risks narrowing outcomes to a predetermined narrative.

Requested Actions

In the interest of accuracy and transparency, by November 21, 2025, I respectfully request that the Board:

1. Correct or clarify the misstatements above in the official meeting record and future communications; and
 2. Provide the factual source supporting the claim that only flood-damaged properties with existing flood damage are eligible for government assistance
-

Thank you for your attention to these matters. Clear, fact-based communication benefits all property owners and strengthens confidence in the Association's governance.


Sincerely,

**Mallard Lakes Condominium Association Correspondence between
10/2025 and 11/2025**

Simone A. Reba

Unit 342



Mallard Lakes Condominium Association Correspondence between 10/2025 and 11/2025

REQUEST FOR POSTING MINUTES, TIDAL WATER BRIEF, INDEPENDENT AUDITS

From: simone reba <simonereba@gmail.com>
Sent: Wednesday, November 19, 2025 9:43 AM
To: Donna Hemphill <dhemphill@legumnorman.com>; Margaret McCabe <mmccabe@legumnorman.com>; Dave and Kathy Morris [REDACTED]
Michael Knowles Mallard Lakes <mknowles@mallardlakes-de.com>; Mallard Lakes <[REDACTED]>
Cc: Daniel Nelson <dnelson@mallardlakes-de.com>; Dana Hall (via Google Docs) [REDACTED]; jason mccanney <[REDACTED]>
Subject: Request for Posting of Minutes, Tidal Water Briefings, and Independent Audits

Dear Mallard Lakes Board of Directors,
I hope you are all doing well.

Attached please find a letter regarding several important governance and transparency items that require posting to the community website, including:

- Approved meeting minutes
- The original and revised Tidal Water briefing materials
- The association's independent audit reports by a certified public accounting firm

Providing these documents in a timely and accessible manner helps ensure that all homeowners remain fully informed about our shared property, infrastructure, and finances.

For your records, this correspondence is also being sent via certified mail.

Thank you for your prompt attention to these matters. I look forward to continuing to collaborate to ensure the community has the information needed to support good decision-making for Mallard Lakes.

Sincerely,

Simone A. Reba

Property Owner, Mallard Lakes Community

Attachment:

Mallard Lakes Condominium Association Correspondence between 10/2025 and 11/2025

Simone A. Reba
[REDACTED]

November 19, 2025

VIA CERTIFIED MAIL

Mallard Lakes Board of Directors

c/o Legum & Norman
4 Edgewater House Road
Bethany Beach, DE 1993

Dear Mallard Lakes Board of Directors,

Thank you for updating the website landing page to include the full mailing address for Legum & Norman. I'm assuming this means the webmaster is now back from vacation.

As I've been reviewing the website, I've noticed that several items I would expect to see posted are still missing. Specifically:

- The **October 2024 Owners Meeting minutes**, and
- The **August 2025 Board Meeting minutes**.

My understanding is that both sets of minutes were approved at the October 2025 Owners Meeting and the November 2025 Board Meeting, respectively. I am particularly interested in the August 2025 minutes to determine whether they include the statement I read during that meeting, consistent with my request that it be formally included in the record.

In addition, it was mentioned that the **Tidal Water facts, findings, and forward-planning briefing** had been revised, and that the updated version would be posted by the end of the month. To help homeowners understand what has changed, would you please post both:

1. The original briefing presented at the October Owners Meeting, and
2. The revised presentation,

so that we can clearly see what has been updated.


Finally, the Delaware Uniform Common Interest Ownership Act — **Title 25, Chapter 81, § 81-307(a)(6)** — requires that associations **engage a licensed certified public accounting firm to perform an independent audit at least once every three years**, with independent financial reviews in intervening years, to ensure proper financial oversight and controls.

To support transparency and ensure ease of homeowner access, would you please **make the association's independent audit reports digitally accessible**, for example by posting them on the community website. Given the importance of this information for community decision-

Mallard Lakes Condominium Association Correspondence between 10/2025 and 11/2025

making, I respectfully request that these reports (covering at least back to 2012) be made available **no later than December 15, 2025**.

Thank you in advance for your attention to these requests. I look forward to seeing these important governance and financial materials available for all homeowners.



Sincerely,
Simone A. Reba
Property Owner, Unit 342

