

**Mallard Bay Property Owners Association Minutes:
Meeting of Board of Directors
Tuesday, April 1, 2025**

******Note: Attachments to this report are available to all MBPOA property owners from the Secretary, MBPOA Board of Directors***

******Send your request by email to: Jsm328@aol.com - Address subject line: "MBPOA Minutes Attachment Request"***

******email responses will be sent out following that month's posting of the board minutes on our website***

The meeting was called to order, at 6:30pm, in the Mallard Bay Clubhouse by MBPOA President Scott Beers.

Board Members Present:

Scott Beers, President

Larry Tupper, Vice President and Dam Liaison

Jeanne Widenmyer, Treasurer and MBPOA Registered Agent

Susan Barr, Secretary

Barbara Bromley, Board Member (participated by phone)

Board Members Absent:

Ben Packett, Board Member

Property Reports:

Clubhouse Manager - Debbie Evans

Webmaster - Debbie Evans

Property Manager - Brant Hayes

Dock Master - Allen Garland

Committee and Support Personnel Present:

Bill & Carol Bracker: Social Committee Co-chairs

Bill Bracker: ARC - Architectural Review Committee member

John Barr: Maintenance

Debbie Tupper: Amenities Chair

Lynne Cerar: Landscape Committee

Property Owners Present:

Ted and Linda Hobson

Mary McGuire

Opening Comments:

Mr. Beers opened the meeting by thanking everyone for coming and by confirming the quorum.

Board Reports/Topics:

- Mr. Beers: Asked if anyone had a connection with the local Fire Department so that we could have the 2 “dry hydrants” tested. One on Pintail and one on Mallard Bay between the two ponds. Mrs. Widenmyer said that she would handle this.
- Mr. Tupper: Not much news. Mr. Tupper spoke to the person in charge of our region. We are in Region 2. He confirmed that he forwarded our request to the engineering department. Until they do the inundation study we can not get a core sample. We are now just waiting to hear back from them. Our plan is in motion.
- Mrs. Barr: March minutes have been delayed due to the Voice recording not transcribing correctly. Ms. Bromley will resend to Mrs. Barr to see if that will help. They will be posted asap. Another HOA contacted John and me and he gave us some good information regarding their HOA and offered to speak with any of us regarding possibly using shared services to get lower prices. For example, landscaping, pool maintenance, etc. They found that using Zoom meetings helped them get more people involved and volunteering.
- Mrs. Widenmyer: \$2600 spent last month on bills. The largest being the electric and after that was the dock hydrant that had to be replaced. The water bill went up significantly over the last 2 months. (up \$200) Mr. Barr will check under the clubhouse building and also any visible pipes for leakage. Mr. Beers said that Aqua will also come out to check if needed. Ms. Widenmyer said that we ended up with 5 lots unpaid at the end of March. The person that owed for 2 years paid up in full including penalties and his lots are now in good standing. We received another lot payment this week so now we are down to 4 unpaid.
- Ms. Bromley: Her sister is in a neighboring community and they participated in the Firewise program that we are considering. They had a delay of about 2-3 years in receiving the money during which time all the brush/branches/etc that they brought out to the street sat there. Mrs. Barr said that this is good info for us to have going into this program so we can prepare ahead of time. We can then discuss with the board about the possibility of the money being advanced to us. This would then alleviate any issues and/or complaints for our community. Mrs. Barr will bring this concern up to Heather

Rosser, the Eastern Region Fire Specialist of the Virginia Department of Forestry. She will also ask whether the recent governmental cuts are a concern.

Ms. Bromley suggested attaching the ARC approvals to the minutes every month so that we have a written record of things that have been approved or not approved. Mr. Bracker said that he sends an email and puts that in a file. He said he was not sure how the others did it. Mr. Beers suggested that the ARC have an email to send copies to and from. He felt this would simplify the process. ARC committee members can send all approvals and/or denials to the ARC email address that Bill Schrier has. Then once a month Mr. Schrier can see the documentation. You can then copy Mr. Beers at the same time so that we can have that documentation. Ms. Bromley said that the digital copy would be fine.

Property Reports: Ms. Widenmyer gave brief reports for the following:

Clubhouse Manager: Debbie Evans (not present) Everything is going well

Webmaster: Debbie Evans (not present/no report)

Property Manager: Brant Hayes (not present) He has been busy picking up sticks

Dockmaster: Allen Garland (not present/no report) 2 more boat applications this month, Mr. Garland called everyone that had a slip last year and had not renewed yet. He advised them that if the slips are requested by others they will be gone.

Committee Reports:

Architectural Committee: Bill Schrier (not present) Mr. Bracker - no report at this time, slow month

Landscape Committee: Lynne Cerar (not present)

Maintenance Committee: John Barr - I fixed and installed a new ramp sign to show where the end of the ramp is. It is wrapped in yellow and black tape. I took a look at the paddleboat and it is not perfect but for about \$50 we can fix it enough to make it float! Mr. Barr also sprayed ground clear around the tennis courts. The court near the back is in better shape but the one in the front is in very bad shape. I really don't feel it can be salvaged. Mrs. Tupper and I have had a few ideas about other things that we can do on that court for much less money.

Horseshoes, Bocce Ball, Cornhole, etc. Starting next Monday I will be cleaning, powerwashing, possibly lightly sanding, and staining the Clubhouse deck. I will be doing both docks in May. I rigged up something to be able to clear off the drains in the ponds. Mr. Barr thanked everyone that helped out with the snow while he was not here.

Social Committee: Bill and Carol Bracker - Bingo had a great turnout! Lots of fun! The next Sunset on the River Event will be a Cabaret Night on Saturday, April 26th, at 5:30 pm. Paul Malloy and Scott McGuire will be performing. We will send out an email to see if anyone else

would like to share their talent! Singing, juggling, dancing, telling jokes! Then May begins our picnics for the season. Mr. Beers said he will try to make this month's event!

Amenities Committee: Debbie Tupper - Mr. Tupper said that no report for today. Both he and Debbie have welcomed a new grandchild so they have been very busy! Congratulations!

President's Discussion Items:

Board/Open Comments:

Mrs. McGuire asked if anyone else has seen the dog that has been missing along with a very large dark brown/black Chesapeake Retriever/Labrador? Mrs. Barr did see them once but they ran from the car. Mrs. McGuire asked that we all keep an eye out for them. If anyone sees them try to snap a quick picture so we can post it to see if we can find the owners.

Boat parking - Mr. Hobson would like to read from an email: "The problem is, I'm not blaming anybody, but sometimes the minutes will say things and considerable discussion ensues. I understand and that's fine but when you have to go back and document things that you said before as the ARC Chairman, it's not documented and so I want to set them straight. For one thing, and that's part of the reason I'm here and some of those things are attached to my name personally, as far as being in violation of the covenants and some of them are attached to my performance as chairman of the ARC, as far as abusing my power authority. My responses to those to the board when these things are done, do not show up in the minutes. So I want to clarify, to set my record straight, but I also want to say to this board, if a person's name is mentioned in a derogatory or negative sense from either a homeowner or whatever, it's okay to capture that in the minutes. But, the opportunity needs to be given to that person to know that is going to go into the minutes of the board and going to go onto the internet for anyone to see. The board is obligated to caveat to say something like 'this is not reflective of the board' otherwise it looks as if we all agree. I think some care needs to be done as far as this is concerned."

Mr. Hobson went on to explain the 4 issues that he feels must be addressed. He has provided a written attachment to be submitted that explains what these 4 issues are, what he and the ARC did and said and reported to the board regarding each of these issues. His attachment is clearly worded and he would like it to be made available in his own words as posted so that others can read the details that he felt were left out of previous boards minutes. The details of which he feels has led to this being a continuing issue being brought up to new boards. For each set of our monthly minutes the attachments are available from the secretary. (See the ***Note at the top of the minutes to request a copy) Mrs. Barr said that she had also started to research the 2022 and 2021 files. She will continue to review the older files as well to look for any handwritten notations and/or attachments that would provide any information.

Mr. Hobson also told us that his boat is not currently in his driveway as it is getting painted. He will be putting his boat in his driveway tomorrow to prepare it to go in the water.

Mr. Bracker asked Mr. Hobson who was on the ARC at the time that all this was going on? Gary Yordy? Mr. Hobson said no, it was Dave Marcel, Ed Hind, Al Kragh, Sam McKinney and myself.

Mr. Beers thanked Mr. Hobson for presenting and stated, "I think I speak for everybody here, just so you know, there's nothing about what we are addressing with your boat or anybody else in here, personal to you from any of us. I just hope you understand that. Mrs. Hobson said "there was wording used in previous reports/minutes that was somewhat slanderous, I thought". Mr. Beers asked "from this board"? Both Mr. and Mrs. Hobson said "no, not this board". They were referring to the meetings from the original and somewhat long discussions under other boards including comments from individuals.

Mrs. Bracker asked Mr. Hobson, "When did the ARC designate Mallard Bay as a boating community?" Mr. Hobson was not sure of the date but said that the ARC is the sole authority to waive a Mallard Bay requirement in order to meet the intent of the design elements created. Mrs. Bracker said I thought you just said that the board made that decision? Mr. Hobson said that he asked the board to make the decision regarding his boat because he was the ARC chair at that time and did not want to make the decision himself so that it would not invoke an appearance of impropriety. Mrs. McGuire, who was the board President at that time, said that Mr. Hobson recused himself from that and the board made a unanimous decision to waive the requirement. Then the next board under, Marshall Sebra, gave approval also. Mrs. McGuire said that Mr. Hobson's boat was kept in good condition and was not an eyesore for the community and she would not have given her approval if it was. Mrs. Bracker was concerned that this could lead to other things happening in our community. Mr. Hobson said that he believed that this had been mentioned by a real estate agent. Mr. Hobson said that our covenants are very specific regarding waivers granted by the ARC and does not set a precedent for any other decisions. Every waiver request is a separate decision. Mr. Beers said that it is the board's belief that the wording is very vague and that it needs to be corrected. Doing this so that there is more direction given on what is acceptable and what is not so that it can be understood without question. Carol reminded everyone that a referendum went out last year to everyone in the community and it was voted down to have boats left out in the yard for 6 months. She asked if that was correct. Mr. Hobson said it was not exactly that but since she asked he stated that the resolution was whether or not to change the covenant right now or to leave out the part about screened as approved by the ARC. He said that it has always been that the boats must be licensed and properly maintained even if it is in the RV lot. So the vote was basically to take out the part about the screened in accordance with the ARC and we added in, because we thought this would be more palatable for the community, during the off season only. So if the ARC saw boats in the driveways in July we could tell people that during

boating season boats have to be in the water. So by turning that down we went backwards. It didn't change anything. Mr. Hobson wants this community to be a neighborly and friendly place. Mrs. Bracker agreed about the neighborly and friendly but she also wanted to say that the majority of the homeowners didn't want it. So perhaps we should put it on the ballot as "will or will not" allow boats in the driveway and forget the screening.

Mr. Beers summed up the discussion with his thoughts and asked for everyone to send an email to the board with their thoughts, ideas, and/or wordage for the rule so that we can work with everyone to figure this out rather than continuing to discuss without any resolution.

Mrs. Barr asked who else might be interested in joining the Firewise Committee. She will speak with Lynne Cerar to see if she has any interest and/or suggestions.

Volunteers: Mr. Barr, Ms. Bromley, Mrs. McGuire

With no additional comments, Mr. Beers made a motion to adjourn, so moved by Mrs. Widenmyer, seconded by Ms. Bromley. All were in favor.

Meeting adjourned at 8:30 pm.

Our next regular meeting of the Mallard Bay Board of Directors will be Tuesday, May 6, 2025, at 6:30 pm.

Respectfully submitted by: _____
Susan Barr, Secretary

***Open Comments** are not necessarily the personal opinions of the MB board members and not reflective of the Mallard Bay Property Owners Association.