

Mallard Bay Property Owners Association  
Minutes  
Meeting of Board of Directors  
April 2, 2024

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

The meeting was called to order in the Mallard Bay Clubhouse by MBPOA President Marshall Sebra at 6:30 p.m.

Board Members present:

Marshall Sebra, President  
Larry Tupper, Vice-President (Alternate)  
Jeanne Widenmyer, Treasurer and MBPOA Registered Agent  
Lynne Cerar, Secretary  
Carol Bracker, Board Member-At-Large

Board Members absent:

Barbara Bromley  
Susan Mahon

Committee and Support Personnel present:

Paul Malloy, Architectural Committee  
Bob Mitchell, Social Committee  
Debby Tupper, Amenities Committee

Property Owners present:

Bill Bracker  
Paul Malloy  
Wyn Marshall

### Opening Comments

Mr. Sebra opened the meeting by confirming the quorum.

### Reports

**Secretary** (Lynne Cerar) –There was no March, 2024 Board meeting. Mr. Sebra asked for a motion for the approval of the Minutes of the February 6, 2024 Board meeting. No discussion was forthcoming, and Ms. Widenmyer moved to approve and Ms. Cerar seconded, and on a voice vote the Board approved the Minutes.

**Treasurer** (Jeanne Widenmyer) – Ms. Widenmyer advised that 6 Homeowners/lot owners have not yet paid dues for 2024, 2 owe the penalty and 1 owes for 2 years. Ms. Widenmyer reported that \$6731 was paid for annual homeowners' insurance. She looked for lower rate, but notes that this is the only insurer that will cover the swimming pool. \$900 was spent on the electric bill. Paul Ryan fixed the pond pump that was clogged with seaweed. Regarding the elevator at the Clubhouse, Mr. Ryan fixed the switch but suggests getting a different one as it is currently operating, but is rusted and will wear out. The cost of a new switch is approximately \$800. There was discussion about whether it was time to replace the elevator for a cost of \$4000-\$5000. Ms. Widenmyer noted that funds have been set aside for a new elevator. A new hot water

heater for the clubhouse has been ordered and a part-time owner/plumber here at MBPOA has agreed to install it and carry away the old heater.

**Clubhouse Manager and Webmaster** (Debbie Evans) – Ms. Evans was not in attendance. Nothing to report.

**Property Manager** (Brant Hays) – Mr. Hays was not in attendance. Thanks to whoever has been keeping the tennis courts swept/raked.

**Pool Technical Maintenance** (Position is open) Debby Tupper suggested that since no one has come forward for this position, a pool of “pool technicians” volunteer to take on the maintenance and application of pool chemicals. These technicians would rotate the duty on a weekly basis. Paul Malloy will instruct these techs on the duties and responsibilities.

**Dockmaster** (Allen Garland) – Mr. Garland was not in attendance. There are 4 slips available at this time. Mr. Garland had contacted Mr. Marshall to advise that a plumber is needed to fix the plumbing from the hydrant to the fish cleaning station. Mr. Marshall will ask Mr. Garland to find a plumber.

**Architectural Review Committee** (John Barr) – Mr. Barr was not in attendance, but had asked Paul Malloy, a member of the ARC, to report to the Board. The ARC will change its meeting to the 3<sup>rd</sup> or 4<sup>th</sup> Saturday of the month so that its actions will be updated closer to the Board’s meeting on the first Tuesday. Several property owners asked for trees to be taken down and various ARC members approved. One property owner wants a dock, and ARC member Gary Yordy has referred them to Virginia Marine Commission and will keep abreast of that situation. Another homeowner has requested to build a garage that was previously approved on the original house plans. He will contact an architect and the ARC will look at those plans.

**Landscaping Committee** (Lynne Cerar) – Ms. Cerar reported that she is waiting on the weather before planting begins.

**Social Committee** (Bob Mitchell) – Mr. Mitchell announced that the Memorial Day picnic will be held at 5:30 pm on May 26<sup>th</sup>. Set up will be on Saturday, May 25<sup>th</sup> at 11:00 am. Menu will be hotdogs and sloppy joes.

**Amenities Committee** (Debby Tupper) – Ms. Tupper reports that one of the boats that had been abandoned in the RV lot has been taken away and there is now a large space there. Some people have not filled out forms for items that are currently in there. Many items do not have current registrations. Before next year, these must have current registration. Ms. Tupper asked if there should be a requirement that the Board receive a copy of the title for items in the RV lot. Mrs. Bracker stated that she believes that everything should be verified.

Ms. Widenmyer reports that the pickle ball court order has been placed and finalized plans are being drawn up.

Ms. Tupper suggest that a meeting be held on Saturday, April 6<sup>th</sup> at 11:00 am for the wider MBPOA community to assist in reviewing tasks from the amenities report by the old Maintenance Committee from several years ago. The Board then can be informed of items/issues that need to be addressed and the priority of those. She reiterated that the playground equipment is in poor condition, but would like homeowners who have children to give their input as to what they would like. Mrs. Bracker suggested that homeowners with young families be contacted for their feedback. Ms. Widenmyer reminded the Board that money has been set aside in reserves for replacement of the playground equipment.

#### **Discussion/FYI Items**

Mr. Mitchell has been researching solar-powered lights for the parking area, deck and clubhouse. He believes that this can be accomplished for about \$250.00. The Board agreed that Mr. Mitchell should go forward with this.

**Board Comments**

Mrs. Bracker stated that she believes the Board should enforce all the covenants as written, as they protect all homeowners' property values. She believes this is the Board's job and that the Board is not doing it. She is concerned about the Board being sued. Mr. Bracker did a survey in February that showed there is 1 RV on a homeowner's lot, 7 unscreened boats in the subdivision, numerous real estate signs and 1 car in a driveway that has expired license plates. He believes that this is a result of indifferent, lax enforcement of the covenants for quite some time and he wants to see a change. Ms. Widenmeyer responded that boats will be going into the water shortly, and any that remain the Board can take action. Mr. Sebra said that there are mechanisms for addressing complaints from the MBPOA and that the Board has taken action in situations where there have been complaints from neighbors. Mrs. Bracker asked what the Board was going to do with regard to the vote by the membership last October where the majority voted that a boat in a driveway must be screened. Ms. Cerar stated that she believed that it is too rigid when an owner is asked to remove two kayaks that are barely visible from the street. Mrs. Bracker responded that homeowners receive a copy of the covenants when they are about to close on their property and that they have 2 days to read and agree to follow the covenants, or if they do not agree then they should not buy. It is the responsibility of the owners to follow the covenants. Some people do not believe the rules apply to them. Mr. Tupper responded that common sense needs to be used—that he does not want to see Mallard Bay run in an overly punitive manner. Ms. Cerar agreed. Mrs. Bracker moved for a vote that the Board enforce the covenants as written. There was not a second. Ms. Widenmeyer moved and Ms. Cerar seconded a motion, and the Board voted to have the Architectural Review Committee write a letter to the homeowners regarding the need to remove boats and RVs from their driveways or have them screened. Ms. Marshall said that she bought here, in part, because of the covenants and that it is important to her to have the covenants enforced and to protect the property values and the high quality of Mallard Bay.

Mrs. Bracker suggested that, in order to increase attendance and interest, signs be placed at the entrance to Mallard Bay to announce MBPOA events, such as Cocktails on the River and major picnics and barbeques. The Board approved.

**Open Comments**

The next regular meeting of the Mallard Bay Board of Directors will be Tuesday, May 7, 2024 at 6:30 p.m.

There were no other comments, Mr. Sebra asked for a motion to adjourn, Ms. Widenmyer so moved, Ms. Cerar seconded, and the regular meeting was adjourned at 7:27 p.m.

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Submitted by:

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Lynne Cerar, Secretary