

Mallard Bay Property Owners Association  
Minutes  
Meeting of Board of Directors  
Monday, August 5, 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 Vice President Larry Tupper at 6:35 p.m.

Board Members present:

Larry Tupper, Vice President  
Jeanne Widenmyer, Treasurer and MBPOA Registered Agent  
Lynne Cerar, Secretary  
Barb Bromley, Board Member-at-Large  
Susan Barr, Board Member-at-Large

Board Members absent:

Carol Bracker, President

Committee and Support Personnel present:

Paul Malloy, Architectural Review Committee  
John Barr, Maintenance Committee  
Amanda Marston, Clubhouse Maintenance  
Bob Mitchell, Social Committee  
Debby Tupper, Amenities Committee

Property Owners present:

Shaina DeOca

### Opening Comments

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

### Reports

**Secretary** (Lynne Cerar)—Ms. Cerar had sent out to the Board via email the minutes of the July 1, 2024 Board meeting. No discussion was forthcoming, and Ms. Widenmyer moved to approve, the motion was seconded by Ms. Bromley, and on a voice vote the Board approved the Minutes.

**Treasurer** (Jeanne Widenmyer) – Ms. Widenmyer advised that only one person has not paid dues on two lots. She has filed a lien on those properties and sent the owner a copy. 3 members have paid toward this year's dues. The Association is \$4000.00 under budget. The cost of the docks repairs does not count against this amount, as that money comes out of reserves.

**Clubhouse Manager and Webmaster** (Debbie Evans was absent)--No items to report.

**Property Manager** (Brant Hays was absent)—Susan Barr reports that there is a big tree branch down on the lower dam trail.

**Pool Technical Maintenance** – Mrs. Tupper reported that pool maintenance is going well. Pool technicians are communicating and working well together.

**Dockmaster** (Allen Garland) – Mr. Garland was not in attendance. No items to report.

**Architectural Review Committee** (Bill Schreier)—Paul Malloy spoke in Mr. Schreier's absence. The camper has been moved into the RV lot. Paul and Shaina DeOca submitted a plan for a backyard fence, which the ARC approved. Bill Bracker reports that all realty signs are now in compliance. Mr. Schreier is having a meeting at Lot 83 with the contractor about plantings to restore the LPZ. Lot 14 had a large realty sign that Mr. Malloy returned to the realty company after it was not taken down.

**Landscaping Committee** (Lynne Cerar) – Ms. Cerar replaced dead lantana with zinnias at the front entrance. A work day for the community is scheduled for Saturday, August 17, to prune crepe myrtle suckers and trim up the front.

**Social Committee** (Bob Mitchell) –Mr. Mitchell announced that the Labor Day luau will be held on Sunday, September 1, at 5:30 pm. He needs help with decorating the Clubhouse on August 31 at 11:00 am. Menu will be barbequed chicken. Mr. Mitchell said that he has been the Social Committee chair for over 8 years and is looking for a replacement, please. The Board complimented Mr. and Mrs. Mitchell for their excellent service. Mr. Mitchell also suggested a campfire at the newly renovated fire pit. Guitar players welcome! Mrs. Barr suggested an Octoberfest campfire.

**Amenities Committee** (Debby Tupper) – No update on abandoned boats in the RV lot. In the long term, the tennis courts are an issue, as well as resurfacing the swimming pool.

**Maintenance Committee** (John Barr)—Mr. Barr continues to be busy! The docks are finished. Big shout out to George Pierce and company, who did a great job. They replaced items that were missing such as bolts and rotting boards, and did not charge for them. They did a great job cleaning up as well. Ultimately, Mr. Barr received three more quotes after our docks were finished, for \$15.50, \$14.50 and \$13.50 per square foot. We paid Mr. Pierce \$10.50/square foot to get both docks done. Regarding dock rescue ladders, they are aluminum, adjustable, and have arrived. Mr. Barr will paint the bottoms so that when the tide comes in there will not be barnacles. All three ladders totaled \$161.00. The new table for the crabbing dock will be done before the end of the summer. Resealing the docks, the picnic set, the tables, and the Clubhouse deck will be done before the swimming pool opens next Spring. They will then need to be redone every two-three years and Mr. Barr will ask for help with those tasks.

Mr. Barr has rebuilt the playground structure. He still needs to sand the playhouse. Mrs. Tupper bought a pirate flag for which Mr. Barr will build a mast and that will be attached to the swing set. There will also be a steering wheel and fake telescope.

An air conditioner has been installed in the pool house, which will greatly improve the life of the chemicals housed there, and Mr. Bracker has installed bolts to secure the door from the inside and has added a new lock.

Mr. Tupper and the Board thanked Mr. Barr profusely for all the time and effort he has put into the many tasks he has accomplished, especially for the fantastic job he did in the replacement of the two piers. He located the

contractor, specified the materials to be used, negotiated the best price and oversaw the work. Mrs. Bracker wrote that volunteers like John are largely responsible for the continued growth and wonderful appearance of Mallard Bay.

Mr. Barr emphasized that the larger problems with the dam must be addressed.

### **Discussion/FYI Items**

#### **Sediment Removal from Boat Ramp:**

Theron Holt received a quote of \$7,650.00 from Delta Marine for this work. Mr. Holt has already made application by filling out a 36 page report for VMRC and done engineering drawings of the current boat ramp, as required.

The Board has questions about this issue. Ms. Widenmyer noted that this project has not been approved by the Board. She also noted that if this is done in August, there will be about two more months of boating before the sediment returns, which was a concern of others on the Board. Other pontoon owners have not had trouble with this issue, as they put their boats in at high tide, or change tires so that the pontoon can be put in any time. Mr. Barr volunteered to check the silt buildup between the concrete and the ramp via a probe. If the sediment is only a few inches deep, removing it now will be merely a short term resolution. Ms. Widenmyer made a motion that sediment removal not be done this year and that the Board table the issue until next year. Ms. Bromley seconded the motion and the Board approved by voice vote.

#### **Dams:**

(Please see July 2024 minutes for background information on this topic).

Mr. Tupper stated that MBPOA has a conditional permit for the operation and maintenance of both dams. The permit is conditioned upon an inspection by a professional engineer every 6 years. This was done in 2022, but that report was never received by DCR. Mr. Tupper has been in touch with Brenton Payne at DCR who stated he had not received any inspections for Mallard Bay. Additionally, an annual report needs to be submitted which can be done by an engineer, or by a member of the community, which would be less expensive. This should take into consideration the Commonwealth's requirements, including maintenance such as mowing the embankment, clearing woody vegetation, reseeding low area, removing burrowing rodents, removing debris from the intake structure, mowing the channel bottom and side-slopes, repairing erosion, reseeding bare areas, and clearing debris from entrance. After that has been done, pictures need to be taken, a report written and submitted to DCR's Dam Safety and Inventory System, which is a relatively simple thing to accomplish. A Dam Break Inundation Study is also required. One can apply for a simplified study to be performed by DCR, or a normal study to be performed by a professional engineer. Also required is an emergency plan. Additionally, for any kind of work that needs to be done, one must apply for an alteration permit. The problem with the lower dam should be of major concern to the MBPOA Community. The bottom of the lower dam at Eagle Lake has lots of low areas near the outflow pipe that should be filled in. Flyway Lake dam will not need an alteration permit. Mr. Tupper is awaiting a callback from Mr. Payne as to what we need to do next.

(n.b. As of August 13, the clearing of the slope at the lower dam has been completed by G & C Tree Service, who did a very good job. The professional engineer who wrote the 2022 report has sent another copy of that report to DCR. In 2021, Affordable Tree Care removed trees on the lower dam and added gravel to both dams. Mo and J bush hogged both dams in 2023, but a formal inspection was not done in 2023. One needs to be done now for 2024).

### **Board Comments**

There were none.

### **Open Comments**

There were none.

The next regular meeting of the Mallard Bay Board of Directors needed to be moved due to Labor Day weekend. Ms. Cerar made a motion that the next regular meeting be Monday, September 9, 2024 at 6:30 p.m. Ms. Widenmyer seconded.

There being no other comments, Mr. Tupper asked for a motion to adjourn, Ms. Widenmyer so moved, Ms. Barr seconded, and the regular meeting was adjourned at 7:25 p.m.

Submitted by:

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Lynne Cerar, Secretary