

Mallard Bay Property Owners Association
Minutes
Meeting of Board of Directors
Monday, September 9, 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 Carol Bracker at 6:30 p.m.

Board Members present:

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

Committee and Support Personnel present:

Architectural Review Committee—no one present
John Barr, Maintenance Committee
Bob Mitchell, Social Committee
Debby Tupper, Amenities Committee

Property Owners present:

Gail and Gary Bowman
Bill Tolbert
Gary Yordy

Representing NAPS:

Mike Ahert
Carrie Mullins

Opening Comments

Mrs. Bracker 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 August 5, 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, and he has not responded. The Association spent \$9,000 last month, of which \$3,200 was for clearing the lower dam of vegetation.

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

Property Manager (Brant Hays was absent)—No items to report.

Pool Technical Maintenance – Mrs. Tupper reported that pool maintenance continues to be a big time commitment. There has been a problem with the chlorinator, which is being evaluated. There is also a question of where to store the new pool furniture, the pickleball and tennis nets. Mr. Yordy noted that there has been talk in the past about putting a shed on the outside of the fence at the corner of the road and pool. Mr. Barr agreed to look at the cost of 10 x 12 sheds and will report back next month. Mrs. Tupper also noted the need for more pool lights for security/safety purposes--perhaps more solar lights as are currently in the parking lot. Ms. Widenmyer moved and Mrs. Barr seconded and the Board approved more lights be installed at the pool area. Mr. Mitchell will work on this.

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

Architectural Review Committee (Bill Schreier was absent)—Mr. Bracker reported through Mrs. Bracker that Mr. Larson has been approved for a garage location and construction on his lot.

Landscaping Committee (Lynne Cerar) – Mr. Hunt approached Ms. Cerar about a leaning tree on MBPOA property that is leaning over the pickleball court and will hit the fence and the court if it is not taken down. He also expressed disappointment that the Russian olives at the approach to the Mallard Bay Clubhouse drive have become wild and unsightly and that nothing has been done about them, as well as the woody patch between the Hunt's home and the Clubhouse. The Board will look at these areas; Ms. Cerar will obtain several estimates of what it would cost to cut down and remove the tree.

Social Committee (Bob Mitchell) –Mr. Mitchell announced a successful Labor Day picnic. Mr. Mitchell thanked his wife for all the cooking, and all those who helped setting up and cleaning up. He suggests an October campfire at the fire pit, with s'mores, etc., to be provided by the Social Committee, as there are sufficient funds from donations at previous events.

Amenities Committee (Debby Tupper) – Work continues on getting signage up at the entrances to the lower dam regarding no trucks or cars on the dam. The playground area is coming along well; staining has stopped for now because wood needs to dry out. The price of rubber mulch has gone up a lot; perhaps in the spring cypress mulch and cypress pellets should be put down to keep bugs away. Clubhouse decking will be sealed in the spring, as well as docks. The pool will need to be closed down—Mr. Malloy and pool techs will get together on what will be needed next spring.

Upper tennis court looks bad; Mr. Yordy agreed, and asked if property manager was spraying for weeds. Mr. Yordy proposed to the Board that we pay the property manager to spray more often. Mr. Tupper noted that spraying is not all that is needed on that court—that the dead brown materials has to be scraped and raked as well. Ms. Widenmyer will ask Mr. Hays to spray again, and will bring a copy of the property manager's contract, delineating what those duties are, to the next Board meeting. Ms. Bromley opined that the Board may have to hire more work to be done outside of the volunteers, but asked if the property owners would want their dues raised in order to accomplish that.

If another pickleball court is installed, Mrs. Tupper said the MBPOA should pay to have it installed. She and Mr. Tupper installed the first one and she said it was too big a job for them. Mrs. Tupper has the tiles to repair the basketball court in the spring. There is a new reservation form for boats and vehicles in the RV lot that will give more information about registrations, as well as limiting the number of items that can be stored there. Ben Packett is still working on a number of items regarding abandoned boats. Mrs. Tupper is putting in a request to VDOT regarding a dead tree on Canvasback in the culvert to determine whose responsibility it is. Mr. Barr noted

there is a sinkhole on Mallard Bay Drive that VDOT needs to address. Mrs. Barr asked that the minutes reflect that if anyone has anything that they are concerned about, to let the Board know.

Maintenance Committee (John Barr)—The new dock ladders are pull-down aluminum. They are assembled, and the bottoms have first coat of white-bottom paint, which will need to be done once or twice a year. The ladder for the small crabbing dock is a boat ladder, which can be pulled down as needed. It will be installed on the lower floating part of the dock. The other ladder is adjustable by pulling a pin. Mr. Barr will put a rope on it so that it can be pulled down and will be placed over by the fishing bench.

The power outlets on the main dock have been fixed.

The playhouse construction is finished and it is safe and usable, but some boards are moist and need to dry out before they can be sealed. Fire pit benches are stained and sealed.

A pipe broke underneath the Clubhouse and flooded that area. Mr. Barr says there are no vents there. Some moisture remains from the flood, the insulation got wet, and an air conditioning duct vent soaked up water and split. That can be replaced, as well as the two bags of insulation. Mr. Barr will also look at the power, as the light is not working. We need some type of dehumidifier. An industrial dehumidifier would cost between \$600 - \$1200, with a five year warranty and would be more efficient than a smaller, less expensive one, which would pull less moisture and would need to be replaced every couple of years. Ms. Cerar moved and the motion was seconded and the Board approved buying an industrial dehumidifier.

Mr. Barr will take the two picnic tables into his shop this winter, take them apart, sand them and put them back. The crabbing dock table will receive the same repairs. There is enough lumber left over from the piers to replace boards. That table will be bolted down. He will also replace the three cleats that are broken.

Mr. Barr has placed a No Parking sign at the Clubhouse drain field. This should not be a parking lot. Golf carts are permitted.

Discussion/FYI Items

Lower Dam:

Mr. Tupper reports that a friend of Ms. Cerar's who is experienced in construction and permitting came to look at the dam. Most of the Board was there to hear his opinion. There are two issues that need to be addressed. The most easily addressed is the large pipe that is in two parts. An engineer would need to draw up a plan to be attached to an application for an Alteration Permit from the Department of Conservation and Recreation/Dam Safety Division (DCR). Once approved, a contractor would need to attach the pipe and bring in soil to fill in the erosion that has taken place around the pipe. This does not appear to be a difficult project. The other problem—that of seepage, needs more exploration. To address this, a geotechnical engineer would need to bore into the soil around the bottom of the dam to determine where the water is coming from. All of this is a long term project—taking perhaps 5 years to resolve. Mr. Tupper will speak to Mr. Marston to get a list of contractors that might help with the first part of the program.

Mr. Yordy expressed concern that MBPOA is delinquent in its maintenance of the dam. Ms. Cerar addressed this by reporting that Mr. Tupper has been in communication with Brent Payne of DCR—that we have applied for a Dam Break Inundation Study (DBIZ), and that we have had the dam vegetation mowed down for maintenance purposes, as required. Mr. Tupper has also put Mallard Bay on the list of the DCR's Dam Safety Inventory System, which will allow for a more efficient way to submit our plans to DCR. Mr. Tupper pointed out that DCR is significantly undermanned, and that this will affect the timing of our repairs. DCR is sponsoring a seminar on Dam Owners Training in Staunton. Mr. Tupper has signed up to attend this via Zoom.

Boat Ramp:

Theron Holt received a quote of \$7,650.00 from Delta Marine for scraping the ramp, which has not been done since 2012. 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.

Mrs. Bracker asked Allen Garland to conduct a survey of the boat owners regarding the boat ramp. Six people responded that they were having problems launching their boats from the ramp. Leslie Garland's Facebook survey had two people requesting improvements to the boat ramp. Ms. Cerar asked, if scraped, how long it will take for the silt to fill in again. Mr. Barr responded that the silt will never be more than the actual level of the river itself--that it does not accumulate and pile up. The angle of the ramp cannot be changed—it is a shallow ramp to begin with, and the water is shallow. A discussion ensued. Mrs. Bracker noted that the boat ramp is an amenity and people are having problems with it. She will ask members of the Board to meet with Mr. Holt when he is available to discuss the issue. (Since writing these minutes, that meeting will occur on Tuesday, Sept 17 at 4:00pm).

Board Comments

There were none.

Open Comments

Mr. Yordy remarked that the pier is supposed to be self-sustaining from fees collected from the boat owners. The pier reserves have been used up by the pier repair. He does not believe that the scraping of the boat ramp should be paid for by general funds, or that an assessment should be levied. Ms. Widenmyer responded that the boat reserves will be built back up and an assessment was never considered.

Mike Ahert made a presentation to the Board about the NAPS clean-up day on Sunday, September 22nd. They used the Mallard Bay Clubhouse and pier in 2019 for the same purpose. All are welcome to attend and see how many tons of debris are collected from the River.

Mr. Bowman asked whether a blue VW on Ruddy Duck is an abandoned car, as it has been there about one month. The Board will look into this.

The next regular meeting of the Mallard Bay Board of Directors will be Monday, October 7, 2024 at 6:30 p.m. Ms. Widenmyer moved that the meeting be adjourned, Ms. Barr seconded, the motion was approved by voice vote and the regular meeting was adjourned at 7:42 p.m.

Submitted by:

Lynne Cerar, Secretary

Special Meeting of the Board of Mallard Bay Property Owners Association

Tuesday, September 17, 2024

The meeting was called to order in the Mallard Bay Clubhouse by President Carol Bracker at 4:00 pm.

Board Members Present:

Jeanne Widenmyer, Treasurer

Lynne Cerar, Secretary

Susan Barr, Board Member

Property Owners Present:

John Barr

Theron Holt

Mrs. Bracker confirmed the quorum. This meeting was called to discuss the possible scraping of sediment from the Mallard Bay boat ramp.

Ms. Widenmyer noted that sediment was not removed from the ramp in 2011, but that the concrete was repaired.

Mr. Holt gave a review of his obtaining permission from the Virginia Marine Resources Commission to scrape the ramp. Mr. Holt provided the drawing that he made as an attachment to the 20-page report he submitted. The ramp slope is 9.46" (range should be between 10-12"). The ramp is 45 feet long. He also measured Maximum High Tide (35") and Maximum Low Tide (24"). Mr. Holt measured the silt at approximately 12 inches at the base of the ramp. This is impairing his ability to launch his pontoon boat. He took this measurement before the pier repair had been done.

Mrs. Barr noted that everyone on the Mallard Bay side of the Great Wicomico River has a lower slope of the River. Because Mallard Bay is so close to the estuary, our slope is particularly low. The slope of the River across from Mallard Bay is higher. It would be prohibitively expensive to deepen the angle of the Mallard Bay ramp.

Mr. Barr recently measured the silt at approximately 4 inches at the base of the ramp. Mr. Barr opined that when the pier was redone there was a water pump with pipes that pushed the water away. Mr. Barr would like to re-measure in the spring to see how deep the sediment is on the ramp.

Mrs. Bracker summed up the meeting by stating that Mr. Barr and Mr. Holt will monitor the boat ramp sediment during the winter, and in the spring they will re-measure the sediment depths, and the Board will reassess remedies if needed at that time. All parties were in agreement.

Mrs. Bracker adjourned the meeting at 4:30 pm.

Submitted by:

Lynne Cerar, Secretary