

**Mallard Bay Property Owners Association Minutes:
Meeting of Board of Directors
Tuesday, March 4, 2025**

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, 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

Ben Packett, Board Member

Barbara Bromley, Board Member

Board Members Absent:

Susan Barr, Secretary

Committee Chair Personnel Present:

Bill & Carol Bracker: Social Committee Co-chairs

Debbie Tupper: Amenities Chair

Brant Hayes: Property Manager

Property Owners Present:

Mary McGuire

Opening Comments:

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

Board Reports/Topics:

- Mr. Beers:
 - Boat Parking - As decided at the previous meeting we continued the discussion of the boat parking issue. Mr. Beers sent out an email to Mr. Gale and Mr. Hobson. Mr. Gale has removed his boat. Mr. Beers will confirm Mr. Hobson's email address and resend as he did not get a response from the email address that he used.
- Mrs. Widenmyer: Good news ... The 1 person with 2 lots that we discussed at the last meeting has reached out and paid up everything that was owed. We are down to 5 now

that have not paid. They have been charged the extra \$50 and when it hits June 1st, she will go back and add the interest from Feb-June. If not paid by July I will put a lien on them. Chances are they will all pay.

- Mr. Tupper:
 - Dam Update - Mr. Tupper reiterated the dam situation outlining the procedures that needed to be followed. He and Debbie went down to look at the spillway of both dams. Upper dam is still in good shape. It needs some work. There are some small trees growing in the water. Other than that it's a matter of mowing the grass and keeping it down. The lower dam is a different story. We have to keep up with that. We know that the outflow pipe is in bad shape. Mr. Tupper explained that although we know that we need a Geotech engineer, we would not be able to get that without first getting something called a Simplified Dam Break Inundation Study. This is required by the state and although it is simplified, it will cost money. The prices vary depending on the size of the dam and how much land is involved. The grant requests can not be put in unless we have had the dam study done. Mrs. Tupper provided additional input and said that they will keep an eye out for any other Grant information. They have been assured that no fines will be due as long as we are working on getting a resolution. Mr. Beers reminded us that once we are through to the repair step, he has a contact that will also give us another repair estimate. Mr. Tupper is still looking for a Geotech engineer that will service this area.
- Mr. Packett: He had to be out of town for business and was unable to attend the last meeting. He read the minutes and asked about the ongoing boat situation. Mr Beers explained that for the time being we are going to enforce the rules that are currently in place. At this point we are going to continue exploring the definition of "screening" or, as Ms. Bromley mentioned getting something more well-defined. Mr. Packett said that it is going to be a bit difficult with all the factors involved such as percentages, angle from the road, etc.
- Ms. Bromley: no report or news at this time

Property Reports:

Clubhouse Manager: Debbie Evans (not present/no report)

Webmaster: Debbie Evans (not present/no report)

Dockmaster: Allen Garland (not present/no report)

Property Manager: Brant Hayes - Mr Hayes said that he has been looking for fallen tree limbs. He hasn't seen too much. Mostly on the property of residents. There is one small limb on the back roof that he will remove.

Committee Reports:

Architectural Committee: Bill Schrier (not present) Mr. Bracker said there was no news.

Landscape Committee: Lynne Cerar (not present)

Maintenance Committee: John Barr - absent

Social Committee: Bill and Carol Bracker - We had a very small group that met in the clubhouse. It was a grand time. We sat in front of the fire after we ate and then we all played Trivial Pursuit. Winner won a dozen eggs! Our next event will be on Saturday, March 22nd.

Amenities Committee: Debbie Tupper - Brief update with the RV lot. Still a few holdouts with registrations. Still working on the few abandoned items. The Bowman's did a lot of clearing and removal of brush and debris over the weekend. As far as the trails, Mrs. Tupper spoke about signage and asked whether the insurance company had any recommendations regarding the wordage. She will be speaking with John Barr about the upper courts. Mr. Barr has some ideas for those, without spending \$200,000 dollars. Two items that were found and are unidentified, a yellow kayak and paddle at the edge of Eagle Lake near Flyaway and a black trailer in the RV lot. Ms. Widenmyer said they have both been posted on the website.

Discussion Items - President:

Mr. Beers asked Ms. Widenmyer for information about the Insurance Audit. Ms. Widenmyer had the Insurance Policies and a one page Audit from 7/2023. We have a new one coming due this year. One suggestion from the Insurance agent was to review the rates. For example, the Clubhouse is currently only insured for \$291,000 for replacement value, which we felt was low. Ms. Widenmyer is awaiting the new policy to see what they have adjusted the value to. (they usually automatically do this)

Board/Open Comments:

Mary McGuire introduced herself as a previous Board President, for 4 ½ years. She said that during that time it was brought up many times about looking at the wordage of the documents of Mallard Bay. From the original 1985 documents, which was 40 years ago, it mentions amenities as tennis courts and refers to our clubhouse as Yacht Club. There has not been any major overhaul of this for 40 years and she suggested changing some wording to reflect things that are more appropriate for us. For instance, things have changed here, we now have cable here and telephone/cellular service. So Mrs. McGuire's suggestion is to delete the word Yacht

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and insert Clubhouse. Since we have never had a yacht here we can update to reflect what we use it for. As far as courts go she suggests deleting tennis courts and insert recreational courts. This would reflect what we have relevant to current times. We have basketball courts, pickleball courts and shuffleboard courts. It makes it more representative of what would be more inclusive to our community. Ms. Widenmyer did some research and said that she knows that we do not need a board vote to change grammatical errors but that she would like to review this with an attorney to be sure. Mr. Beers agreed. Ms. Widenmyer will see if we have an attorney that lives in the community that can do this at no charge. If not, she will find an attorney. Mrs. Tupper asked if these changes are recorded somewhere. Ms. Widenmyer said that the changes are recorded in the courthouse. Mr. Bracker stated that we should all be aware that these amenities affect the value of our community. He stated that a realtor would say that the amenity package is an important part of the value of our property. Mr. Bracker said this is certainly important to him. Mrs. McGuire said it is certainly important to her also. She said that having a tennis court that is in the condition that ours is in, where over the years it has not been maintained is hazardous. It creates a risk for being sued. Mr. Beers reminded us that maintaining the tennis courts is extremely expensive. Mr. Bracker agreed that we may need to change some things but feels that it must be through a community vote. Ms. Widenmyer will look into a lawyer for clarification.

I believe we have 2 sprayers in the guardhouse that were purchased by us. Is the RV lot an amenity and if not who pays for the insurance. Was it previously mentioned that it was insured? Ms. Widenmyer explained that our insurance covers liability only and that each person who stores something needs their own insurance. There is a minimal charge for using the lot. We consider it an amenity.

Mr. Bracker spoke to the Aqua VA supervisor, Justin Webb, in regards to the high pressure in different places and the community and the peak pressures that Chip Hunt and I have both found. Mr. Webb explained to Mr. Bracker how the system works to allow the correct flow. Mr. Webb said it is a pretty standard system and he will speak with others at Aqua VA to see if they can find any other explanation for the higher pressures. Mr. Bracker did not get the impression that he would be getting any kind of satisfactory response. Mr. Bracker suggests in the meantime, any resident that would like their water pressure tested to contact either Chip Hunt or himself. It would then be up to the individual homeowners to decide, like we did for the Clubhouse, to have a pressure gauge put on. It cost us about \$550 to have this done. This could prevent a problem or flood.

There will also be repairs and patches for the asphalt. We are on their list.

Ms. Widenmyer said there were 2 sales this month. Lot 96 and the ranch house on Canvasback.

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Ms. Chisholm is missing her rescue dog. It has been spotted a few times but haven't been able to get her back. Info on website.

With no additional comments, Mrs. Widenmyer made a motion to adjourn, it was seconded by Ms. Bromley. All were in favor.

Mr. Beers adjourned the meeting at 7:35 pm

Our next regular meeting of the Mallard Bay Board of Directors will be Tuesday, April 1, 2025 at 6:30pm

Submitted by: _____
Susan Barr, Secretary