

Mallard Bay Property Owners Association  
Minutes  
Meeting of Board of Directors  
DRAFT April 5, 2021

*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 Mary McGuire at 6:30 p.m.

Board Members present:

Mary McGuire, President  
Keith Lilienfeld, Vice-President  
Victoria Coffineau, Secretary  
Jeanne Widenmyer, Treasurer and MBPOA Registered Agent  
Lynda Browne, Board Member and Landscaping Committee  
Marshall Sebra, Board Member and Maintenance Committee  
John Miller, Board Member at Large

Committee and Support Personnel present:

Ted Hobson, Architectural Review Committee  
Mary Yordy, Amenities Committee  
Bob Mitchell, Social Committee  
Linda Hobson, Clubhouse Maintenance

Property Owners present: Sharon Hunt Blaine Swank Gary Yordy

### Opening Comments

Ms. McGuire opened the meeting by welcomed all attendees. She took the opportunity to thank all those who helped clear multiple Mallard Bay roads after the St. Valentine's Day weekend ice storm in February and tree debris clearing activities into March. Ms. McGuire worked closely with VDOT representatives on tree debris removal and most of their work has been completed. She also noted that Affordable Tree Service (ATS) has removed a significant amount of tree debris in the past month. Finally, she thanked those who obtained and assembled our new picnic tables. Ms. McGuire then opened the floor for any additional comments.

### Reports

**Secretary** (Victoria Coffineau) – Ms. Coffineau presented the Minutes of the February 2021 meeting for approval. No discussion was forthcoming. On a voice vote, the Board approved the Minutes.

**Treasurer** (Jeanne Widenmyer) – Ms. Widenmyer advised that at the end of February there were 5 property owners who have not yet paid their 2021 dues. One property owner owes delinquent payment fees, two others are making partial payments, one who advised that he would remain delinquent, and one that is in pre-pay status. We are currently over budget - just slightly over \$ 5,700 mostly due to the cost of tree cutting services in February and March and the loss of dues resulting from the merger of three lots.

**Property Manager** (Tanya Mitchell) – Ms. McGuire welcomed our new Property Manager, Ms. Tanya Mitchell. Ms. Mitchell reported that many tree branches were downed around Clubhouse in the February storms but that the debris has since been cleared.

**Webmaster, Dockmaster & Clubhouse Manager** (Scott McGuire) – Ms. McGuire advised that Mr. McGuire reported that there are still 4 boat slips available.

**Architectural Review Committee** (Ted Hobson) – Mr. Hobson reported multiple properties have recently sold in Mallard Bay, and that the ARC sent LPZ and Plat documents to Ms. Widenmyer to be included in packets for Lots 50, 51, 53, and 153. Requests for tree removal were approved for Lots 54, 67, 104, and the ARC also approved a request for an addition (to the house) on Lot 115. Ms. McGuire asked whether the new buyers of the vacant lots intend to build homes and Mr. Hobson said that is what they have told him they plan to do with their lots.

**Landscaping Committee** (Lynda Browne) – Ms. Browne confirmed the number of Hydrangea bushes to be planted in front of the Clubhouse (three), and said that she will plant Sweet Potato Vines with blooms in the pots by the pool and the Dichondra Silver Falls with the Mandevilla vines in the pots curbside. The two Rhododendrons in the front of the Clubhouse are doing well and she will provide them with additional plant food soon. Ms. Browne plans to plant additional Dichondra Silver Falls and Mandevilla vines in pots near the Guardhouse at the entrance to Mallard Bay. She also would like to plant some deer-resistant, sun-hardy ground cover (Snow in Summer) near the rocks located in front of the Mallard Bay signage at the entrance, or perhaps some Verbena or salmon-colored Begonias or Petunias. Ms. McGuire recommended that she work with her fellow expert gardeners to narrow down the choices, and that the Board would no doubt support whatever combination of plants the experts recommend for these areas. Ms. Browne has asked for some weed control assistance at the Guardhouse and advised that some additional weeding and trimming will be needed in that area.

**Facilities Maintenance Committee** (Marshall Sebra) – Mr. Sebra reported that he and his kids cleared quite a bit of tree debris from the slope at Eagle Commons (Mallard Bay Drive and Ruddy Duck Road) and Ms. McGuire thanked the Sebra's for stepping in to help their neighbors in Mallard Bay. Mr. Sebra has also volunteered to help clear some of the nature trails making them more accessible, and perhaps look at tackling the installation of terrace landscape steps in some areas. He will put out a call for volunteers to join him for the one-day project. Ms. McGuire mentioned that we will also look at this as part of the rescheduled Spring Cleanup effort.

**Neighborhood Watch Committee** (vacant) – Ms. McGuire advised that Mr. Garland, Board Member and Neighborhood Watch Committee Chairman, has resigned from his position.

**Social Committee** (Bob Mitchell) – Mr. Mitchell regretfully reported that the Social Committee has decided that it would be inadvisable to host a Memorial Day Picnic given the restrictions still in effect in the COVID-19 pandemic guidance issued by the State of Virginia. He is very hopeful that conditions will be optimal for a 4<sup>th</sup> of July Picnic.

**Amenities Committee** (Mary Yordy) – Ms. Yordy reported that in addition to the future clearing of the nature trails, she would like to see the cutting of the grasses surround the two ponds on Mallard Bay Drive to deter the geese. The wood boards on two more picnic tables (at the Crabbing Pier and at the water's edge) need to be repaired and she requested the procurement of two metal trash cans for the Clubhouse Multipurpose Court. As a separate matter, Ms. Yordy has proposed the removal of the trash can currently located at the Mallard Bay Marina dockside on a one-year trial basis, on the grounds that boaters consistently discard dead fish and other such rubbish into the can, creating a foul mess for the staff who empty the can. Finally, there was some consideration given to installing a removable "throwback" net at the Canvasback Lane Recreational Area tennis courts until it was determined that these nets are permanent, so this is no longer a viable option. Ms. Yordy indicated that she has additional Amenities-related issues that will be discussed at the next Board meeting. Mr. Yordy reported that when the heat pump for the Clubhouse was recently checked out, he noticed that the pool water was not circulating. Ms. Widenmyer advised that this pre-pool opening activity has been rescheduled for May 11.

## Updates

Ms. McGuire confirmed that she had asked Ms. Yordy to hold for discussion at the next meeting a number of Amenities projects, such as the RV Lot, in order to permit sufficient time to complete several pending projects.

- Dog Park Completion (Mary McGuire) – Ms. McGuire has confirmed that a new Dog Park has been installed adjacent to the tennis courts at the Canvasback Lane Recreational Area. Northern Neck Fencing will be returning this week to adjust the gate and install a gate latch. Grass seed will be planted and chairs will be added soon. In addition, a sunshade (canopy) will be installed and the post holes have already been dug for that purpose. Several attendees thanked Ms. McGuire for her efforts to stand up a functional and attractive dog park in Mallard Bay.
- Swimming Pool (Jeanne Widenmyer) – Ms. Widenmyer reported that the large section of the pool has been refinished while the baby pool has some additional work pending. The work completed comes with a 5 year warranty. Mr. Yordy noticed that there is still masking tape on some of the tiles and Ms. Widenmyer advised that this was to protect from paint or cement splatter and that it can be easily removed by hand. Ms. Hunt asked as to when the Clubhouse deck will be stained, and Mr. Sebra replied that it can be done now (we have met the recommended one year waiting period). Ms. Yordy suggested that we coordinate the stain colors between the front porch and the back deck when we do stain the wood. Ms. McGuire added this project to the list.
- Seeding Playground Area (Mary Yordy/Linda Hobson) – Ms. Hobson advised that she and Mr. Hobson have seeded the area nearest the parking lot and then will seed the central area and allow the existing grass to grow up to it. She asked that the Mallard Bay grass cutters be scheduled to cut the grass at least three times this summer after that grass has had a chance to grow. Ms. Browne asked Ms. Hobson if she has had any success using hay to promote grass growth and Ms. Hobson provided her with additional information on the process she has successfully used.
- Mallard Bay Dam (Ted Hobson) – Mr. Hobson reviewed a report that he had prepared to address the following issues: VA state regulations governing Dams, Mallard Bay obligations under those regulations, the results of his survey of the properties adjacent to the Mallard Bay Dams and his interactions with the property owners, and next steps for Board consideration. He conveyed the urgent need to provide any affected property owner with a letter explaining the current situation and requesting their permission to cut the trees (at Mallard Bay expense) in order to bring Mallard Bay into compliance with VA regulations. Any property owner that fails to approve the Mallard Bay request to cut the trees at this time will run the risk of having the state compel them to cut the trees down sometime in the future and at their own expense. Mr. Hobson will provide each affected property owner with the letter this week. Finally, Mr. Hobson presented the Board with the results of an assessment of the health of the Dams, and then a series of options to address the current status of the Dams. Ms. Browne inquired about one of the options to address erosion.

Mr. Yordy mentioned that even though the state inspections are required every 5 years, Mallard Bay is required to conduct its own inspection every year. Mr. Yordy noted that ATS indicated that the tree clearance project would require at a minimum 4 days, therefore we should plan on alerting all Mallard Bay property owners now of the upcoming temporary closure of the nature trails & dams to golf cart traffic and other access restrictions, followed with an update when the actual dates are established.

Ms. McGuire recounted some of the efforts she and others have expended on meeting the VA Dam requirements and noted that multiple experts strongly urged Mallard Bay to remove the trees from the dam area without further delay. She explained that she had obtained three estimates for this project, two of which came in between \$50,000 and \$100,000. ATS, which offered the most reasonable bid for this project at under \$20,000, confirmed that they required written permission from the property owners authorizing any tree removal and that all such trees needed to be clearly marked for removal before they

would proceed. Ms. Widenmyer moved that the Board approve the issuance of notification letters to the property owners and that it approve the ATS bid for the project. On a voice vote, the Board approved the letters and the ATS bid for this project. Mr. Sebra reminded the Board that Northumberland County approval is required prior to the removal of trees within 100 feet of the waterline. Mr. Sebra has been in contact with the necessary county officials and Mr. Hobson, Mr. Yordy and Ms. McGuire will coordinate with him with him to provide the documentation needed to obtain the required county approval. On a voice vote, the Board approved Ms. McGuire, Mr. Hobson, and Mr. Yordy serving as the POCs with ATS on the tree removal project. Mr. Hobson will coordinate with Ms. Widenmyer of the letters to the property owners.

- Mallard Bay Dock Repair (Marshall Sebra) – Ms. McGuire is in the process of procuring the boards for the dock. Mr. Sebra recommended we just replace the worn or damaged boards, and if need be, any damaged pilings. Ms. McGuire reminded all that the revenue from the boat slips is dedicated to dock repair and maintenance, so we have funds to be used for this purpose. On a voice vote, the Board approved the repair of worn or damaged boards on the Mallard Bay dock and Ms. McGuire offered to seek estimates for this project from multiple contractors. Mr. Sebra volunteered to tackle this one-day project as long as he can count on the support of a handful of other volunteers.
- Spring Cleanup Projects (Mary McGuire) – Ms. McGuire reported that several of the wood posts in the Clubhouse parking area have been accidentally knocked down by vehicles and need to be righted. Ms. Yordy recommended that a call for volunteers for this and other projects would be the best way to get the support we need to keep our community engaged and contributing to Mallard Bay in some meaningful way.

#### **Closing Comments**

Ms. Hunt noted that there are many dead trees in the nature trails and she wondered what, if any, liability Mallard Bay has in the event that they should fall and injure visitors to the trails. There was some discussion about what constitutes an “Act of God”, and whether there is any way to mitigate this danger. Further to this, on some trails, the trees are located on both community property and private property. Mr. Hobson opined that the community needs to be aware of the danger that all trees potentially pose and take action to remove or top them in order to reduce the risk. Ms. McGuire suggested that we post signage at the Spring Valley Trail that warns visitors that they enter the trails at their own risk or something to that effect. Ms. Yordy requested confirmation on the approval of the two metal trash cans and permission to remove the dock-side trash can for one year. Ms. McGuire confirmed the two trash cans are approved, but she will need to forward the request for the dockside trash can removal to the Dockmaster for further consideration. Also, Ms. Widenmyer will work with Bay Cutters on mowing the playground periodically. Ms. Browne was pleased to report that that VDOT responded within days to her e-mailed request to relocate a street sign in front of her house that had been downed last year. The meeting was adjourned at 7:40 p.m. The next regular meeting of the Mallard Bay Board of Directors will be Monday May 3, 2021 at 6:30 p.m. in the Clubhouse.

Submitted by:

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Victoria Coffineau, Secretary