



The Duck Call FALL 2008

Newsletter of the Mallard Bay Property Owners' Association

Annual Meeting Set for October 18

The annual MBPOA membership meeting for 2008 will be held on Saturday, October 18 at 1 PM at the Mallard Bay clubhouse. This is an especially important meeting because, in addition to the election of five members to the MBPOA Board of Directors, three proposed amendments to the Mallard Bay protective covenants will be discussed and voted on, and other significant issues, including the role and status of renters in Mallard Bay, and controlling access to community amenities such as the pool, dock, and ponds, will be discussed to gauge member sentiment and guide future Board action.

All Mallard Bay property owners are encouraged to attend this meeting. If you cannot attend, it's essential that you return the ballots enclosed with this newsletter, so that your voice will be heard. For the first time in memory, MBPOA is providing the stamp!

Three Covenants Amendments on Ballot

The Mallard Bay Declarations and Protective Covenants, the basic charter for the Mallard Bay community which is binding on all property owners, has not been changed since 1999. This year, however, there are three proposed amendments on the ballot. By law, changes to the covenants require the written approval of the owners of a majority of the assessable lots in Mallard Bay.

The first proposed amendment would increase the minimum square footage for new homes in Mallard Bay by 250 sq. ft., from 1000, 1250, and 1500 sq. ft. to 1250, 1500 and 1750 sq. ft. respectively (lots in each square footage class are listed in the covenants). This amendment is recommended by the Architectural Review Committee to discourage the potential building of cheap spec. homes and rental properties. The Board of Directors recommends this amendment be approved.

The second proposed amendment would permit the Board of Directors to allow exceptions, for good cause and in a case by case basis, to the covenants provision that bars the renting of rooms or suites in Mallard Bay homes. This proposal was placed in the ballot in response to concerns expressed by some residents living on fixed incomes that in hard economic times, renting rooms might be a necessary source of extra income as well as a way of having someone in the home to care for them. The board has taken no position on this proposal.

The final proposed amendment deals with a provision of the covenants that prohibits the operation of motor vehicles anywhere in Mallard Bay except on paved State roads. Read

literally, this would preclude the use of the marina and clubhouse parking lots as well as cul-de-sacs not yet taken into the State highway system – it needs to be corrected. In addition, this proposal would permit the Board to designate roadways for golf cart use (e.g., the upper and lower dam roadways), as recently authorized by Northumberland County. The Board recommends approval of this amendment.

Loggers Denude Area

Logging crews with heavy machinery have been working the area surrounding Mallard Bay throughout the summer, leaving devastation in their wake. Most recently, the woods between Mallard Bay and route 649 (Knight's Run Road) has been logged, leaving open fields, brush and debris behind lots 150 through 168. This logging is taking place outside of the boundaries of Mallard Bay, and neither MBPOA nor any Mallard Bay property owner has any authority over it.



Former woods behind the boat/RV storage lot shows result of recent logging operations.

State Delegate Albert Pollard advised MBPOA that it is the policy of area timber companies to buy up logging rights over a period of years until they have accumulated enough to make mechanized logging operations economical, and then cut the entire area in one season. Pollard noted that timber is a valuable crop in Northumberland County, and is so viewed by many landowners. He said that State law does not require replanting or remediation of cut-over hardwood forests, which are left to grow back on their own (though pines must be replanted).

A number of residents have expressed concern about erosion and silting of streams bordering the cut-over area. MBPOA has initiated inquiries with Northumberland County Supervisor Tommy Tomlin on this issue.

Golf Cart Ordinance Passes

At its meeting on September 11, 2008, the Northumberland County Board of Supervisors adopted an ordinance permitting the operation of golf carts and similar vehicles on the roadways in Mallard Bay. State law permits the use of golf carts in areas where the speed limit is 25 mph or less, with the approval of the local government. The speed limit in Mallard Bay is 25 mph community wide.

This ordinance permits partial implementation of the MBPOA Board resolution, passed in June, allowing operation of golf carts in Mallard Bay. However, full implementation, including designation of special golf cart roadways on land owned by MBPOA, must await amendment of the Mallard Bay covenants provision restricting all vehicles to paved State roads. This amendment is on the ballot for membership vote at the annual membership meeting on October 18.

Bracker Wins Extra Mile Award



Carol Bracker

This year's "Extra Mile" award will be presented to Carol Bracker at the October 18 annual membership meeting. The "Extra Mile" award is presented annually by the Board of Directors to a Mallard Bay resident or property owner who has made an exceptional contribution

to the quality of life that makes Mallard Bay the best place to live in the Northern Neck. Previous recipients include Harold and Syliva Baldwin, Herb Fowler, Steve Jones and Bill Land.

Carol Bracker served on the MBPOA Board of Directors as Secretary in 2003-2004 and President in 2005-2006. Her administration saw the initiation of several major initiatives, including marina expansion and construction of the new crabbing, canoe and kayak pier, clearing and improvement of the Spring Valley trail, and heating the community pool. Her active, hands-on management was vital in keeping the Board aware and involved in community issues and set the tone for subsequent MBPOA actions. Since leaving the Board at the end of 2006, Carol has served on the Nominating Committee and the "three Carols" Social Committee.

Are These Boats Yours?

These three Hobie Cats are among several apparently derelict boats and trailers stored in the Mallard Bay boat/RV storage lot. As space in the lot is at a premium, MBPOA is anxious to remove items that are



abandoned or otherwise don't need to be there. If you have anything in the lot that meets that description, please arrange to move it, or contact MBPOA at (804) 580-2709 or mbpoa@kaballero.com to discuss disposal.

County, MBPOA Grapple with Dog Issues

Northumberland County Supervisors on September 11 considered but did not adopt an ordinance to outlaw dogs running loose on public roads, after hearing testimony from the County Animal Control Officer that the proposed law was unenforceable with available resources. The supervisors agreed, though, that dogs running loose are a problem in the county and something needs to be done; they announced plans to meet with county staffers to craft a solution.

Mallard Bay is one of several areas in the county subject to an ordinance requiring dogs to be under the control of their owners at all times. While this is not a leash law, it does require positive control. The Board of Directors, in response to numerous complaints, has imposed a leash rule on the dock and in the marina/clubhouse area. The Board does not believe a leash rule is necessary elsewhere in Mallard Bay at present, although it may be in the future.

Dog complaints in Mallard Bay abated recently. However, earlier in the summer, two dogs belonging to a Mallard Bay resident were euthanized by county authorities after they got loose and were seen killing a pet cat.

As part of the ongoing rules revision process, the Board welcomes comments on animal control as well as any other issues affecting life in Mallard Bay.

Copperheads Sighted in Mallard Bay

Within the past two months, there have been several sightings of copperhead snakes in Mallard Bay all in the area of Canvasback Lane. While occasional copperhead sightings have been reported in the past, the number of snakes seen recently is unusual and may be a result of the creatures being driven from their normal habitat by logging operations around Mallard Bay. Copperheads are poisonous snakes and can be dangerous to people and pets. Watch your step, particularly at night. More information about copperheads is available on the Mallard Bay website – click on "Safety and Security", then on "Critters".

Social Committee Plans Events

Cocktails on the Rivah, the wildly popular cocktails and hors d'oeuvres event sponsored by the Mallard Bay Social Committee, is back at the Clubhouse at 5:30 PM on Saturdays, September 27, October 25, November 22 and next January 24 (the last date featuring a charity casino night). Bring your favorite beverage, and an appetizer to share, and be there! Complete schedules for activities sponsored by the Social Committee, the Dine-In Club, the Book Club, bridge and

exercise groups and other social activities, are available on the Mallard Bay website.

Website Wows! – Visit It

Mallard Bay's website has recently undergone a major upgrade and revision under the new webmaster Scott McGuire, and is now current, user-friendly, and very informative. News, Board minutes, schedules of activities and lots of information about Mallard Bay, are now available at a mouse click. In addition, the site features classified ads, reviews of vendors and restaurants, and other goodies for MBPOA members to post and respond to. MBPOA will be using the website as the primary means of communicating with our property owners in the future, so please visit it often and stay informed.

Mallard Bay Property Owners Association, Inc.

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Board of Directors for 2008

Barry Kean, President	(804) 580-2709
Sam McKinney, Vice President	(804) 580-4487
Jane Locke, Secretary	(804) 580-2478
Jeanne Widenmyer, Treasurer	(804) 580-5780
Carol Henderson	(804) 580-4756
Brenda Johnson	(804) 580-2459
Dave Marcel	(804) 580-4849
Scott McGuire	(703) 241-0521

Committee Chairs for 2008

Architectural Review: Harold Baldwin	(804) 580-6019
New Pier: Barry Kean	(804) 580-2709
Landscape: Tisha Hauser	(804) 580-4874
Social: Carol Henderson	(804) 580-4756
MB20-20: Gary Lupton	(804) 580-4535

The Board of Directors meets on the first Thursday of each month. Architectural Review Committee meets first Monday of each month when business requires. All meetings at 7:30 PM, at the Clubhouse. All MBPOA members are welcome.

The Duck Call is published twice annually by the Mallard Bay Property Owners Association, Inc., P.O. Box 87, Heathsville, Virginia 22473. Comments and suggestions should be directed to Barry Kean, President, MBPOA at (804) 580-2709, e-mail mbpoa@kaballero.com, or to any member of the MBPOA Board of Directors.

Visit Mallard Bay on the web at www.geocities.com/mallardbay_va