

Mill Creek HOA

Board Meeting Minutes

Tuesday, May 24, 2016
Monticello High School Media Center

Attendees: Leigh Wion, Robert Finley, Ben Whitmer, David Golladay, Brian Lewis, John Costanza, Nancy Costanza, Neal Grandy, Peggy Riso, Chris Ledvina, Allie Gould, Susan Patrick, and Carmen Trimble

- I. The meeting was convened at 7:01PM by Leigh Wion, President.
- II. Approval of the Annual Meeting Minutes was tabled until the next meeting because of a technical issue.
- III. Treasurer's report
Ben Whitmer presented the Treasurer's Report and it was approved. Transfer of check signatories has been completed. There is a process in place with the Treasurer, Office Manager, and Wills & Associates for retrieval of bills from the PO Box, scanning and distribution to the appropriate parties, approval, and payment.
- IV. Committee reports
 - A. Architectural Review Committee
No report.
 - B. Common Grounds Committee
 1. Common Area Overview
Brian Lewis, Grounds Chair, provided an overview of the common area parcels in Mill Creek. He noted that the original intent of the common areas was to serve as storm water control zones. Mill Creek does not have a system of culverts and storm drains; rather, it allows the water to flow through natural drainage zones in the landscape. Because of the easy passage, several of these common areas now have unofficial walking trails through them. The grounds committee is examining the effect such trails have on storm water control, and currently believes these areas should be restored to their natural state in order to function most efficiently as originally intended.
 2. Brush clearing and trail definition/maintenance of an unapproved trail has been noted in the common area behind 1348/1354 Gristmill Dr. Additionally, the presence of the trail has encouraged trespassing through adjacent properties. No Trespassing signs were put up by a homeowner to discourage such activity. Both the signs and disturbing vegetation without

HOA approval are prohibited by the HOA Covenants. After a lengthy discussion, a motion was made, seconded, and passed by the Board requesting the following:

- a. That the “no trespassing” signs be removed
 - b. That no further work be done on trails or brush in the common areas
 - c. That the feasibility of installing signs near Foxcroft stating that the open area is not a trail and is not for hiking be investigated.
3. The Board will need to continue to engage community governmental agencies regarding storm water control, trail development (particularly in the area between 5th Street Station and Biscuit Run State Park), and the resulting environmental and usage impacts on our neighborhood.
 4. A tree in the common area adjacent to 1295 Copperstone Dr. is leaning toward this property. Brian Lewis noted that the County’s GIS aerial view and maps can be used to verify whether trees are in the common areas or on private property. This tree is on common ground, but it is healthy and was deemed to not be a threat at this time. The Common Grounds Committee will continue to monitor this tree’s health and condition. Trees that are dead or dangerous will be removed by the HOA immediately. Otherwise, a homeowner may petition the HOA for permission to remove a troublesome tree, at the homeowner’s expense.
 5. At 150 Mill Creek Drive, a prior owner had cleared land that was actually common land. Brush needs to be cleared in this area to allow for proper drainage. The Board will engage Greg Davis, Davis Lawn Care, to address this issue.
 6. Brian Lewis recommended increasing the size of the Common Ground Committee. As the development ages, there is more work for this committee, and future budgets will need to plan for additional expenses for common area maintenance. Neal Grandy and Chris Ledvina agreed to serve with Brian and Nancy Costanza on the Common Grounds Committee.
- C. Albemarle Avon-5th Street CAC/Planning Committee
No report.

V. Homeowners’ issues/comments/concerns

A. 38 Mill Creek Dr.

The mailbox at this residence is in need of repair or replacement. Carmen Trimble will research the county records to determine who the current owner or lienholder is for this property. One of the listed owners is now deceased, and we received information indicating the property may be in foreclosure.

B. 1468 Gray Stone Ct.

A violation notice regarding a noise complaint for this property was sent by certified mail April 25, 2016, but was returned unclaimed. Additional

complaints regarding an unlicensed, inoperable vehicle, a mailbox in disrepair, and an unmaintained lawn have since been received by the Board. Because the vehicle is in the VDOT easement, the Board will check to see if the ACPD has any jurisdiction over this issue. An attempt will be made to telephone the owner.

VI. Questions from the Annual Meeting

A. Communication of expenses for homeowner knowledge.

This issue was tabled until a later meeting.

B. Interest bearing account.

Ben Whitmer, Treasurer, will investigate the feasibility of transferring some funds to an interest bearing account.

C. Exact number of rental units in Mill Creek.

There is concern that the neighborhood is becoming overly populated by transient residents. Although the HOA only maintains data on homeowners and not actual residents, Carmen Trimble was able to use address data in the HOA records to compile a list of 29 known and/or probable rental units

VII. Old business

A. Officer Manager Report

Nothing to report.

B. Status of Unpaid Dues

Six lots have outstanding dues for 2016; two remain unpaid for 2015. Ben Whitmer will prepare a final strongly worded letter regarding delinquent dues, giving homeowners two weeks to pay their balances in full before Warrants in Debt and liens are filed for properties with unpaid dues.

C. Status if Mill Creek Lake/Reynovia Connector Trail

The bollards and chains blocking vehicular traffic through this access between neighborhoods are in disrepair. Although the County of Albemarle owns the property, they have denied having any maintenance responsibility for it. The board voted to purchase the necessary materials to repair the bollards and chain.

D. Status of Storm Water

In response to a flooding complaint by a Lake Reynovia resident, Albemarle County initiated a survey of the area in question, which includes property along Boulder Spring Court. The County has determined that the stream channel should be relocated to its original position. Mill Creek residents have raised concerns about access to the easement area and the impacts the project will have on their properties. The Board and Common Grounds Committee will continue to monitor any developments with David Lockledge of the Albemarle County Water Resource Program.

E. Website

Items to be posted on the website should be sent to Brian Lewis.

VIII. New business

A. Board Resignation

Leigh Wion received and accepted the resignation of Kevin Palm from the Board of Directors. A new Secretary needs to be elected.

B. Adding new Board Members

Brian Lewis will review the Bylaws in regards to appointing a new member to the Board following a resignation. Leigh Wion will extend an offer to Andre LaVelle to serve on the Board.

IX. Next Board Meeting: June 21st at 7:00 PM. Carmen Trimble will check to see if meeting space at Monticello is available. If not, the Constanza's have offered their home as a meeting place.

X. The meeting was adjourned at 9:05 PM.