

MILL CREEK HOME



Newsletter of the Mill Creek Homeowners Association, Charlottesville, Virginia
also available online at www.millcreekhomeowners.org

An Eventful Year

It's been almost a year since the Board first learned that the HOA's funds had been embezzled by the Treasurer. Instead of having a comfortable working budget and enough savings to undertake community improvements, the association did not even have money to pay outstanding obligations to vendors. That chapter in our history was closed last month when the former treasurer was sentenced to prison for embezzlement and money laundering. (See details on page 4.)

Our finances are now stable even if our savings are slim. Thanks to homeowners who paid their dues early, attended special meetings, offered useful suggestions, and volunteered to work with

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the Board, we have weathered this crisis well. We all owe special thanks to President Neal Grandy, who spent so many days and nights reconstructing financial records and meeting with the Commonwealth Attorney, the police, and our own attorneys, and attending court sessions.

Addeane Caelleigh, Editor
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Come to Mill Creek Board Meetings

Join the Board for meetings

—1st Tuesday of each month, 7:30 pm—

Meetings are held in the Calvary Baptist Church, intersection of Avon Ext. & Southern Parkway (Come in the glass double doors, turn right, then left toward the meeting rooms.)

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Correction

In the Spring issue of the newsletter, there was an error in the article "10 Ways to be a Good Neighbor." Item 2 gave incorrect information about parking your cars on the street. Article VI, Section 1(i) states that "The maximum number of vehicles which may be maintained or stored on any Lot (excluding those stored in garages) shall be three (3)." The Covenants do not state how many vehicles must be parked in the driveway before any should be parked on the street, as was incorrectly reported in the Spring newsletter.



Montalto Trek: Sept. 18

Are you a hiker who likes a challenge?

This hike is for you: Peter Hatch will lead a strenuous, 1000-foot vertical hike up Montalto, Thomas Jefferson's "high mountain." Walk through a mature forest to cleared pastureland with unobstructed views of Charlottesville, Albemarle County, the Blue Ridge Mountains, and Monticello. This 2-1/2 hour trek is for the fittest climbers.

Reservations required; admission \$10. Meet at the Thomas Jefferson Parkway Lower Trailhead at 9:30 a.m. For more information, call 434-984-9822 or visit the Monticello website at www.monticello.org.

Planning for Biscuit Run Park begins in January

The Director of Virginia Parks and Recreation met with the Charlottesville Area Tree Stewards this summer. Homeowners Janet Eden and Mark Louisell attended the meeting.

The Director reported that the planning process for Biscuit Run will begin in January 2011. If a bond referendum is approved, construction on park facilities will begin in 2012. More information will be made available as plans are finalized.

State officials plan to hold a walk through the Biscuit Run area and the public will be invited to attend. The date has not been set. Homeowner Janet Eden has suggested to officials that each neighborhood near the park have an officially designated representative who will be notified of information about park planning.

Tufton Fern Walk: Oct. 2

Do you prefer something less strenuous?

Ferns will be the excuse for this ramble along Henderson Creek in the forests of Tufton Farm. Peggy Cornett and Peter Hatch will lead this 2-hour walk through a relatively undisturbed and isolated natural woodland. There is no trail for substantial sections of the hike, so appropriate hiking shoes are a must.

Reservations required; admission \$10. Meet at Tufton Farm barn at 9:30 a.m. For more information, call 434-984-9822 or visit the Monticello website at www.monticello.org.

Mill Creek Picnic — not this year

The Mill Creek Picnic, normally held in September, will not be held this year.

After wide-ranging discussions, the Board concluded that, because of the homeowner association's financial situation, it would be prudent to forego the annual get-together. The association normally pays for the food (BBQ, hot dogs, and side dishes in recent years) as well as for the children's "bounce and play" and often for a musical group.

At the annual meeting in January 2011, there will be a discussion of ideas and suggestions for the annual community event. Attendance has been relatively low for several years, perhaps partly because of changing demographics, such as having fewer young children in the neighborhood.

A different format may better suit the community now—so be ready to bring your ideas to the annual meeting or email them to a Board member.

Rebates for Rain Barrels

You can get rebates for buying and installing rain barrels to capture and reuse rainwater from your roof.

The Albemarle County Service Authority offers up to two \$30 rebates for purchase of rain barrels. You may choose any vendor from any source. Purchase receipt is required. The ACSA's website (<http://www.acsanet.com>) has information on how to apply--(click on link for "Rain Harvesting Brochure" at left of screen). To participate in the rebate program, you must be a customer of the Albemarle County Service Authority or the city.

Rainwater harvesting is a very old concept with a new application: A rain barrel collects and stores rainwater from rooftops to be used for non-drinking purposes later. Plants thrive on stored rainwater—it's ideal for watering vegetable gardens, raised planter beds, and indoor tropical plants like ferns and orchids and for washing cars, windows, siding, and lawn and patio furniture.

Community Notice Board

September Picnic — The annual picnic will not be held this year. See article above.

Planning major additions or outbuildings? Remember to request approval from the Architectural Review Committee—contact Maritza Saavedra (mms3u@virginia.edu) to submit a request. Check the Covenants on the Mill Creek website about requirements.

"Miss Utility" — before major digging or excavation projects, contact the "Miss Utility" office at 800-552-7001 or www.missutilityofvirginia.com.

Former Treasurer Sentenced for Embezzlement

On October 19, Kevin O'Connor, former treasurer of the Mill Creek HOA, was sentenced to prison for embezzlement of HOA funds from 2003 through 2009.

The next day the HOA President sent a message to Board members about what happened in Court. Below is that message (with slight editing).

Here are the salient details regarding the embezzlement case against Kevin O'Connor:

- Kevin pleaded guilty to six counts of embezzlement and one count of money laundering (one count for each year from 2003 through 2009).
- He took \$136,123, paid back \$63,706, and has made restitution to date of \$1,810, for a net amount owed of approximately \$70,606.
- There was a plea agreement between the prosecution and defense, and after initially holding out I decided to accept it on behalf of Mill Creek. (There simply was no attractive option that would get us any of the restitution in a meaningful time frame.)
- The judge sentenced Kevin to 5 years on each of the embezzlement charges, with all time suspended, and 10 years on the money laundering charge, with all but one year and ten months suspended. So his active jail time will be 22 months—although I'm told that he will actually serve 85% of that, or about 18.5 months. I'm also told this will be served at a state correctional institution, not in a facility like the regional jail on Avon St.
- Kevin also was sentenced to five years of probation, meaning that after his jail time he will be on probation for five years and have to report regularly to his probation officer.

- Kevin must get a job within 60 days of release from prison and was ordered to pay us 20% of his net earnings. I think that is paid to the parole office so that they can monitor it, and in turn it is passed along to the Association.
- He must report to the Court on August 25 to be remanded into custody and begin his sentence.

[*Update:* Kevin is now incarcerated in the Albemarle/Charlottesville Regional Jail on Avon St. but eventually will be moved to a State correctional facility.]

Kevin did make a public apology in Court to the Association and the Mill Creek homeowners for violating their trust. He also said that he is no longer living in Mill Creek.

It's not an ideal outcome from the viewpoint of the association because we are still missing a substantial amount of money that could be used for the neighborhood. The only bright note is that, hopefully, we can begin to put this behind us. I appreciate everyone's support and cooperation in working through this difficult situation.

Regards,
Neal

Neal R. Grandy
President, Mill Creek HOA

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