

Mill Creek HOA
Annual Meeting Minutes
Wednesday April 17, 2024 7pm
via Zoom

Participants:

Adele P, Dan H., Robert F, Blair C, Naomi and Jim A., William and Marsha R, Ann C, Anne G, Brian & Ann L., Cecilia S., Cindy L., Elizabeth C, Jill S, Jim, Joyce, Ken W., Kurtis P, Larry, Laura & Chris M, Leigh, Leonard, Lisa D., Mark D., Mark L, Marvin S., NLI, Patricio H., Stephanie L, Susan S., Tim S. , Tish J, Mitzi W., Will R., Gary P.
phone numbers ending in: 2494, 4379, 1147, 0988
(34 accounts were logged in)

1. Convene -- Rob Finley
 - a. 7:05 pm
2. Introduction of Board members -- Rob and members
 - a. *Board members will continue, except Adele Plunkett is stepping away from the secretary at large job.*
 - b. *Especially soliciting neighbors from "Upper" Mill Creek area (i.e. Gray Stone, Copper Stone and connected streets)*
3. Treasurer's Report -- Jim Aitken
 - a. treasurer@millcreekclassic.org – anyone can email if they want a copy of the treasurer's report
 - b. *We ended last year with a slight profit (that was not budgeted), due to lower tree removal expenses and lower expenses for nature committee. Tree damage cost is always a big unknown that we have to budget for.*
 - c. *We maintain a reserve in order to update the paved path along Mill Creek drive*
 - d. *We want to account for possible legal fees for future Biscuit Run Greenway easement (to be discussed below).*
4. Architectural Review Committee Report -- Naomi Aitken
 - a. *A summary of the types of projects that were handled by the ARC.*

- b. arc@millcreekclassic.org – you can email if you need mailbox paint, which the HOA has for the neighbors to use*
 - c. ARC also reviews homes when a home is for sale, so that seller and buyer are aware whether the home is in compliance.*
 - d. Currently the ARC has 3 members. Additional members are invited. Please contact Naomi at the arc@millcreekclassic.org email address.*
- 5. Common Grounds Committee Report -- Dan Heuchert
 - a. Mill Creek has quite a few “Common Grounds” areas, the largest of which is near the Biscuit Run creek. Other common areas serve as buffers between different properties. A major issue in some common areas can be fallen trees and limbs that we have to deal with.*
 - b. Please keep an eye on ivy on and near your property (if on common areas), and cut it away from trees so that it won’t strangle the trees.*
- 6. Update on Biscuit Run Greenway Easement Negotiations -- Rob Finley
 - a. Ongoing activity for about 5 years.*
 - b. This is about creating a county-operated greenway through the Mill Creek common area behind our neighborhood between 5th Street Station and the future Biscuit Run Park. A VDOT trail hub would connect the city, the Rivanna Trail and the future park.*
 - c. Recap since last annual meeting: Early last summer, a sub-committee (Rob, Naomi, Adele, Neal) began meeting with the county over 3 half-day meetings. They were quite productive meetings. If you want a copy of the current draft of the easement, please email hoa@millcreekclassic.org .*
 - d. Rob is in touch with the Foxcroft board president.*
 - e. Primary remaining issues are coordinating with Foxcroft; and the county’s potential acquisition of another privately-owned plot of land south of ours. That landowner has a deeded right to use motorized vehicles to pass through the greenway, if they so choose to use it. However, the greenway is devised to be for pedestrian and bicycle access only, and closed to private motorized vehicles.*

- f. The county surveyed the right-of-way at the end of Southern Parkway, which is owned by VDOT. They had considered creating a public access point from this area. However, the placement of the easement is problematic because the VDOT easement goes through the middle of the steep creek/valley, whereas the current paved path is on Foxcroft land. An access point along the VDOT right-of-way would be problematic.*
- g. Issues of parking are being discussed.*
- h. Next steps would include taking the easement to an attorney that we would hire with specific expertise in land policy for outside council.*
- i. To grant the easement, it appears we would need $\frac{2}{3}$ of the homeowners to approve it. The board is being very careful to ensure that this agreement would be in the best interest of our neighbors.*
- j. On March 29, there was a new announcement on the county website about construction actively taking place on route 20/ Scottsville Road, with soft opening hoped for in Phase 1a in Fall 2024.*
- k. Tim S. asked: What are some important issues that could affect our neighborhood? Parking is important, and Rob noted that Mill Creek South encountered this. They were able to work with VDOT and the County police to reduce this issue. Mill Creek and Foxcroft homeowners are concerned about construction during the early phases of building the trail, since they would access from Southern Parkway. There is no similar access elsewhere. Both of these issues probably impact Foxcroft more than Mill Creek. Rob also notes that the easement gives Mill Creek a lot of power to regulate trail usage. Foxcroft seems concerned that increased foot traffic on the trails could be unsafe to their property, but there's strong evidence to believe that commonly used trails are safer and can be more effectively policed.*
- l. Tim S. asked: Has there been consideration of the positive impact to property values? The park is planned to be 1000 acres, largest park in the county, with ambitious plan for improvements and trails. The park and trail hub will generate*

more usage, so it seems worthwhile to promote a quality trail, and regulate the usage with the support of the county.

- m. William R. asked about County maintenance and requirements for the trail, as well as how the natural habitat could be impacted. He notes that it would be concerning if our land lost its “wild” character. How will this be maintained through the easement? Rob responds that these are important concerns, and they have been advocated for by meeting with County staff. The county staff is responsive to this concern. Surface would be compacted stone dust, with nominal width of 8 feet, down to 6 feet where it would have to pass between any trees or narrow passes. The County asked for a wider (40 foot total width) easement to allow them space to do construction, maintenance, and projects to avoid erosion. While we discussed minimizing this, it does seem reasonable, and the County does not seem to intend to use the whole width in all areas. Rob read a few provisions of the easement draft about removal of trees, etc. which would prevent the County from behaving against the spirit of nature preservation.*
- n. William R. inquires about whether the easement could involved a period of reasonable review.*
- o. Joyce K. comments that with the increased usage of the trails in recent years, she has seen more reckless behavior and noise. She makes the comparison with Saunders Monticello trail, especially on weekends. Rob replies that certainly there will be more traffic with time, and the question is what the best action that we can take will be, given that the park and the trail hub will go in, and we are in the middle. Rob also notes that the alternative would have been a full housing development back there, and we prefer a park instead of development. Dan adds that regulating seems better than leaving it as the “wild wild west”.*
- p. Neighbors can feel free to attend our board meetings to hear updates, and the board will also ensure that neighbors are informed if there is notable progress.*

7. General Discussion -- topics and questions from attendees

- a. *Blair C. heard from a neighbor that there were two instances of soliciting, and asks whether we can put up a neighborhood sign against soliciting. Rob responded that it's not clear if the neighborhood can legally put up a sign to cover these instances. If there is a "no soliciting" sign on your home's doorway, and someone disobeys this, then you can call the police. Mill Creek South and Reynovia do have "no soliciting" signs at the entrance. The board will take this concern seriously and investigate best options.*
 - i. *Dan wrote: "It would apply to Girl Scouts selling cookies."*
 - ii. *Adele wrote: "I would suggest that we leave a note or communicate to neighbors that any community groups can ask permission to the HOA in advance, and the board can consider it on a case-by-case basis."*
- b. *Tish J. expressed concern about traffic in the neighborhood, and asked for information about a roundabout at the top of Mill Creek Drive. No further news. One idea that was considered was to ask the County to do speed enforcement on Mill Creek Drive. Blair spoke with the school to communicate with their parents about the importance of driving safely through Mill Creek. Blair suggests that when the school year starts again, go over and speak to the families in person to make them aware. Rob notes that the Board will look into additional enforcement.*
- c. *Pam R. (Mark D.) comments that she was on the planning commission when the Peabody expansion went for review. The agreement between the school and the county was that the school would work with the families to keep them from preferring the route through our neighborhood. She suggests that a few weeks before school starts, approach the head of school to explain that some of the new parents don't understand the situation, and reiterate that they're not supposed to come through (friendly reminder). The idea to get some county radar support is a good one. Pam says she can look into the documentation on this.*

8. Adjournment 8:22 pm