

MILL CREEK HOME



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

What a winter!

Heavy-duty winter hit us early this year when the December storm blew in. I'm sure we've all heard good stories of neighbors helping each other—clearing paths, digging out cars, and other aid.

My husband and I want to thank the Mystery Person who plowed our driveway. We were away during the storm and drove back prepared to dig our way to the front door. To our amazement, our whole driveway was cleared. We still don't know who the kind person was—if you did this kind deed, please let us know so we can thank you.

The other big news has been the embezzlement crisis that the HOA faces. At the lively annual

What a winter!	1
Board members for 2010	1
Community Notice Board	2
Check out the Mill Creek website	2
Is it time to repair or retire your mailbox post?	2
2010 Annual Meeting	3
Seminars on Trees	4
The 2009 Snow Storm (photo)	4

members meeting last week, Neal Grady gave us a detailed update on the legal and financial situation. See the short report on page three; minutes are posted on the website. Please share your news and suggestions with me (asc8f@virginia.edu) or any of the Board members.

Addeane Caelleigh
newsletter editor

Board members for 2010

The Board has two new at-large members. Please get in touch with board members if you have questions or comments about HOA issues.

Neal Grandy, President and Treasurer
Chair, Grounds Committee
nrg2p@virginia.edu

Brian Markot, Vice President
Member, Architectural Review Committee
wbm0n@embarqmail.com

Addeane Caelleigh
Secretary & newsletter editor
asc8f@virginia.edu

Janet Eden
Member, Grounds Committee
outsidewitheden@aol.com

Lisa Heuchert
At-large member
lisa.heuchert@mjh.org

Maritza Saavedra
Chair, Architectural Review Committee
mms3u@virginia.edu

Sue Voreis
At-large member
suevxyz@yahoo.com

Join the Board for meetings

—1st Tuesday of each month, 7:30 pm—

Meetings are held in the Calvary Baptist Church on Avon St. Extended at Southern Parkway.
(check the website for updates)

Community Notice Board

Deadline for annual dues: January 31

Thanks to everyone who paid their dues early this year! If you haven't already sent your check, please do so by the end of January. (Mail to Mill Creek Homeowners Association, P.O. Box 3903, Charlottesville, VA 22903.)

Next board meeting: Tuesday, February 2, at 7:30 p.m., Calvary Baptist Church (on Avon Extended across from Southern Parkway). Come to raise questions or concerns.

Check out the Mill Creek website

The HOA website has valuable information for everyone in Mill Creek:

- Board members' contact information
- Minutes of recent board meetings
- Newsletters (current and past)
- Bylaws and covenants
- Information on Mill Creek paint colors
- Information on Mill Creek mailboxes
- Contractor recommendations

These recommendations are from Mill Creek homeowners—please add yours!

www.millcreekhomeowners.org

Is it time to repair or replace your mailbox post? —there's help available—

Does your mailbox post need to be replaced or repaired? Some of our posts have serious problems— perhaps they've been damaged or vandalized; perhaps the wood is rotten.

Repairs. If you need repairs, check the Contractor Recommendations on the website—
<http://millcreekhomeowners.org/contractors.html>. The list has neighbors' recommendations for handymen and others who do exterior repairs and improvements.

Also, if you've had a good experience with a craftsman who repaired your mailbox, please take a minute to add the name to the Contractor Recommendations list. Just send a message to

Miles Weiss at mweiss@nlrg.com; be sure to give the full name and contact information

Replace. If you need to replace the entire mailbox post, there is a new option available. Neighbor Mark Louisall of Gray Stone Court is starting a service to build new mailbox posts (everything except the mailbox). His new posts will be made of entirely of cedar, have premium exterior screws, be painted inside and out with Mill Creek's official Duron "Shore Beige," and will be caulked in selected places for protection and to keep flyers and papers dry. His notice has not been posted on the website yet, but you can contact Mark at mlouisell2@hotmail.com or 434-409-8439.

2010 Annual Members Meeting

Most of the 2010 meeting was devoted to the financial and legal issues of the embezzlement by the former treasurer, but other issues were also discussed.

Minutes for the meeting and the treasurer's reports have been posted on the Association's website (www.millcreekhomeowners.org), but an overview is presented here.

Treasurer's Report on 2009. The Treasurer reported that because approximately three-quarters of homeowners had paid their 2010 dues, the HOA has paid all outstanding obligations and has a small operating surplus. When the rest of the dues are collected, the HOA should have sufficient funds for 2010 expenses.

Embezzlement. The President reported the status of the various issues related to the embezzlement by the former treasurer.

How much was taken. The embezzlement began as long ago as existing bank records go—to December 2002. Determining the amount of money missing must be based on bank records because the former treasurer has provided almost no records from that time period. The amount of the embezzlement is approximately \$130,000, comprised of checks the former Treasurer wrote to himself, ATM withdrawals, debit card transactions and bank charges resulting from his activities. The President and Board will continue to try to establish an accurate, verifiable total.

There was considerable discussion of how best to calculate the total.

Status of criminal case. The former treasurer has pled guilty to felony theft. The Grand Jury will hear the case on February 1, and a sentencing hearing will be scheduled. At that hearing, the judge will determine the length of prison sentence and the amount of restitution to be made. The sentence will depend on the nature of the final criminal charges filed. Any restitution will be paid to the Court, which will monitor payment and send the money to the HOA.

Restitution. The Commonwealth Attorney's Office and the Court are relying on the HOA to determine the amount of money embezzled. The judge will use that total in determining the required restitution. There was considerable discussion about the former treasurer's ability to make restitution, and how he might do so. The Association has retained legal counsel for advice as the case moves forward.

Back Taxes. In a related development, the President (and interim Treasurer) has confirmed with the Virginia Department of Taxation that no returns have been filed since 2000. The Board will be working in the next six months to file outstanding returns, endeavoring to minimize attendant interest and penalties.

Homeowners' Concerns. Several other issues were raised by homeowners.

—***Possibility of lowering dues.*** A homeowner asked whether dues would be lowered if restitution

continued on page 4

Needed: topics for the newsletter

Do you have a topic you'd like to see in the newsletter?

Would you like to work with the editor to write or research a special article?
Contact Addeane Caelleigh (asc8f@virginia.edu; 434-293-4167) and let's work together!

Annual Meeting, continued from page 3

is made of the stolen funds. The question was tabled for further discussion. The President emphasized that the Association needs get comply with 2008 State legislation governing HOAs including determining how large a reserve fund is needed and obtaining a fidelity bond. Anticipated improvements include resurfacing and perhaps expanding the sidewalk.

—**Mill Creek and the new State park at Biscuit Run.** A homeowner suggested that the HOA explore connecting the Mill Creek Trail with the trails in the Biscuit Run. It was pointed out that there is no bridge across Mill Creek. Another homeowner suggested that the HOA consider donating its land along Mill Creek to the State park.

—**Condition of Mill Creek Trail.** There was general discussion of the damage done to the trail by ATVs.

Board members for 2010

—**New members.** The Board is pleased to welcome two new at-large members: Lisa Heuchert and Sue Voreis. Thanks for stepping up and volunteering your time!

—**Members' terms.** A homeowner asked when current Board members' terms expired. The President noted that, although the Covenants specified three-year terms, in recent years that limit had not been met because too few homeowners were willing to serve. Three current members have completed three years or more: the President-Treasurer, Vice President, and head of the Architectural Review Committee. The President noted that they wished to continue another year while working to resolve the current financial and legal issues.

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Seminars on selecting and caring for trees

Charlottesville Area Tree Stewards is offering a free three-session program on selecting and caring for trees.

When: Wednesday evenings:

March 31 at 6:00 p.m.

April 7 at 6:30 p.m.

April 14 at 6:30 p.m.

Where: Northside Library — Meeting Room
300 Albemarle Square

Contact: Board member Janet Eden

outsidewitheden@aol.com

Nancy Weiss 434-296-0101

Mill Creek Homeowners Association
P.O. Box 3903
Charlottesville, VA 22903

www.millcreekhomeowners.org



Fun on Mill Creek Drive, December 2009

—to see the scene in full color, go to the website—

Send photos of Mill Creek's gardens, wildlife, and other beauty to
asc8f@virginia.edu.