

**Mill Creek Homeowners Association  
Board Meeting  
Tuesday, June 14, 2011**

**Summary Minutes**

**I. Meeting convened.** The meeting convened at 7:45 p.m. Present (underlined) were Neal Grandy (President and Associate Treasurer), Brian Markot (Vice President and Treasurer), Addeane Caelleigh (Secretary and newsletter editor), Janet Eden (Member at Large and Common Grounds Committee), Maritza Saavedra (Member at Large and Architectural Review Committee), and Sue Voreis (Member at Large and Common Grounds and Architectural Review Committees).

**II. Minutes of the May Board meeting.** The minutes (which had been circulated, revised, and posted on the website) were approved.

**III. Homeowner issues/comments/concerns**

- A. **Inquiry about suit over embezzlement.** In early June, a homeowner asked by email for information about Board members and insurance coverage, stating that it was on behalf of a homeowner who was asking whether present and former Board members could and should be sued personally over the embezzlement of HOA funds by the former Treasurer. After consulting with current Board members, the President replied that HOA records did not include a full list of former board members and that the HOA had Directors and Officers insurance coverage during the years in question. At the meeting, the President reported information from attorney Craig Johnson: Virginia statutes allow suing individual board members for only the amount of their remuneration for HOA duties; thus, because Mill Creek Board members receive no remuneration, there would be no grounds for suits.
- B. **Homeowner request/inquiry about maintaining a home office.** A homeowner on Mill Creek Drive wishes to establish a home office that might occasionally be visited by clients and inquired about compliance with the Covenants and any possible restrictions. The Board decided to reply that, to the extent that it has authority over homeowners' use of home offices, such an office meets the limitations of the Covenants, and that in light of other Covenants, the Board requires that there be no business sign on the property, that no parking problems be created for neighbors, and that any facilities comply with applicable County ordinances.

**IV. Treasurer's Report**

- A. **Funds.** The Treasurer reported that the association's checking account totaled \$54,218.64 as of May 31, 2011. This total includes the \$27,941.65 disbursement of the pond escrow account. The restitution fund contains \$1,820.00. The checking account statement was circulated and initialed by the Board members attending.
- B. **Dues.** As of June 10, 10 homeowners had not paid their dues, despite three notices. The President has sent a third, final notice stating that the homeowner will be liable for court cases once the HOA files warrants for debts. The Board agreed that members would work together to complete the paperwork for the court filings.

## **V. Old Business**

- A. Pond escrow account.** The pond escrow account has been closed and the funds disbursed. The total distributed to Mill Creek HOA was 27,941.65.
- B. Mill Creek sign at entrance.** The Vice President will seek estimates for installing permanent lighting for the entrance sign.
- C. Repaving the sidewalk along Mill Creek Drive.** The President will seek additional estimates for the paving work. The Board voted not to pave sidewalk that runs from the end of Mill Creek property to Avon Street Extended. The Board will attempt to notify the neighborhood that owns the land of our plans, in case it would like to repave at the same time.
- D. Mailboxes**
  - 1. Alternate mailboxes.** The Board voted not to propose an alternate, plastic mailbox such as used by Mill Creek South.
  - 2. Mailbox maintenance.** Board members are photographing mailboxes that need repair and will meet in July to decide which homeowners should receive repair notices. All notices are expected to be sent by the end of the summer.
- E. Mowing services.** The mowing service continues to mow lawn strips that are the responsibility of homeowners. The President will meet with Russell Loschelder's firm a final time, making clear that if the mowing cannot be done as specified, another firm will be hired instead. Also, arrangements will be made to have the vines pulled from the trees at the entrance.
- F. Paint colors.** The Architectural Committee is still working to put the new information about paint colors on the website.
- G. Mill Creek website.** The Board discussed again the need to upgrade and improve the website.
- H. Review of outstanding correspondence and projects requiring the Board's action.** The Board reviewed required correspondence (reply to homeowner communications; notify of non-compliance with Covenants; with other neighborhoods), financial reports outstanding, and other items.
- I. Form letter.** Further suggestions were made for the form letter. Revisions will be made, and the form will be used to send notices about mailbox maintenance within the next 6-8 weeks.

**VI. Common Grounds Committee.** A homeowner in the 1300 "block" of Gristmill has been trying to get the County to clean out the sewer easement area, where because of winter damage the trees and overgrowth are blocking drainage. The President will contact the County about getting the maintenance done.

## **VII. Architectural Review Committee.**

- A.** A homeowner on Mill Creek Drive requested approval for a retaining wall; it was approved.
- B.** The Board decided that approvals to requests to the Architectural Review Committee will be sent to all board members, so that all will know the decisions that have been made.

- VIII. Newsletter.** The Board discussed a draft and ideas for further articles. The goal is have the newsletter out by the end of June.
- IX. Covenants Committee.** There were no items for the Covenants Committee
- X. New Business.** There was no new business other than as noted under Homeowner Concerns.
- XI. Meeting adjourned.** The meeting was adjourned at 9:30 p.m.
- XII. Next meeting.** The next meeting is scheduled for Tuesday, July 17, 2011. Please check with Board members to learn the location of the June meeting. (The Board now meets in members' homes.)

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Board members reviewed and made corrections to the Summary Minutes before they were posted on the website.

REMINDER: We have a new P.O. Box number; please use it in postal correspondence with the Board: Mill Creek Homeowners Association, P.O. Box 1301, Charlottesville, VA 22902.