

## 2017 Annual Meeting Minutes

### SHHA 2017 ANNUAL MEETING MINUTES

Saturday, February 4, 2017

9:00 a.m. Church of the Good Shepherd

1. **CALL TO ORDER:** The 2017 Annual Meeting of the Sandia Heights Homeowners Association (SHHA) was called to order by President, Joe Pappé at 9:00 a.m. at the Church of the Good Shepherd. The Vice President, Treasurer, and members of the Board were present and a quorum of both the Board and members was declared.
2. **WELCOME:** The President welcomed everyone and announced that Secretary, George Connor was out state and Vice President, Bob Bower will present the Secretary's portion.
3. **ANNUAL MEETING PROCEDURES OF CONDUCT:**

The Vice President explained the Annual Meeting Procedures of Conduct.

  1. Please silence all cell phones during the meeting.
  2. Questions for the Officers or about committee reports will be addressed at the end of each presentation.
  3. Before speaking, please present yourself at a microphone to be recognized by the Presiding Officer and state your name.
4. **CONTENTS OF THE ANNUAL MEETING PACKET:**

Each attending household received the following items in the member Annual Meeting packet:

  1. The Agenda
  2. The Annual Meeting and Town Hall Meeting Procedures of Conduct
  3. Annual 2016 Treasurer's Report
  4. Treasurer's report of the 2017 budget
  5. Explanation of the increase in Tram passes
  6. Town Hall Member/Comment form
5. **INTRODUCTION OF BOARD/COMMITTEE CHAIRS/OFFICE STAFF:** The President introduced the Board members in attendance and stated the committee each served on: Robert Bower, Woody Farber, Dick Wavrik, Carnie Abajian, Don Aunapu, Kyran Mish, Cindy Mottle, Dave Mottle, Michael Pierce, Hugh Prather, Emily Rudin, Marion Simon, Bob Thomas and Bill Wiley.

Committee volunteers were recognized. Also present were Janice Strand, Parliamentarian for the 2017 meeting, and office staff: Betsy Rodriguez and Amanda Allen. The President thanked all who contribute to make SHHA the great organization it is.
6. **REPORT OF THE 2016 MINUTES:** The minutes of the 2016 Annual Meeting were reviewed by the Board of Directors at its March 2016 meeting and found to be correct. Those minutes are on file in the Official Record Book in the office and on the SHHA website.

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7. **APPOINTMENT OF THE 2017 MINUTES APPROVAL:** The President announced that the SHHA Board will review and approve the minutes of the 2017 Annual Meeting at the next regular Board meeting in March. The approved minutes will be on file in the Official Record Book in the office and posted on the SHHA website.
8. **ANNOUNCEMENT OF OFFICERS AND BOARD ELECTIONS:**
  - a. The President explained that new Officers of the Board are elected by the Board members or elected by the general membership, must be a property owner, a member of SHHA, serve on a committee and serve a 3-year term. Members were invited to get a Statement of Interest form from the office or the SHHA website if interested in serving on the Board.
9. **REPORTS OF OFFICERS:** These are the summary reports covering January to December 2016. Complete reports are on file in the Official Record Book.
  - a. **PRESIDENT (Joe Pappé):**
    - The Board participated in the Mhoon-Hawks Landing successful mediation resolution.
    - SHHA hosted two Meet-and-Greets with Bernalillo County Sheriff's Office on area security, which were coordinated by the Parks & Safety (P&S) Committee.
    - The Board reviewed association procedures to ensure compliance with the NM Homeowner Act (HOA) of 2013. The HOA makes certain information available to members. The accessible information required by the HOA can be found on the SHHA website or by requesting the required information in writing.

### **QUESTIONS:**

Verbal questions about the President's report-

**Question by Dick Cline:** The President's report states SHHA participated in the Mhoon Property mediation. What was the outcome?

**Answer by Bob Bower:** The preliminary plans have been approved by all parties involved and Bernalillo County.

**Comment by Dick Cline:** My Concern is I've seen that area flooded and wasn't sure if or how they were going to dam it. What's going to happen thirty years from now to those people?

**Answer by Bob Bower:** George Connor was successful with AMAFCA for an easement on south end of the property for the arroyo. Otherwise the builders would have been able to develop the south area.

- b. **VICE PRESIDENT (Bob Bower):**

The Vice President served on the Executive Committee and performed the duties of the President at his request during times of his absence. The Vice President is also Chairperson of the Nominating Committee. It was announced that three new Directors were added to the Board in 2016.

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### **QUESTIONS:**

No questions were asked about the Vice President's report.

c. **SECRETARY (George Connor):**

The Secretary's report was presented by Vice President, Bob Bower. The Secretary has overseen the production of the Board Meeting minutes, certified the presence of a quorum for the conduct of business, ensured the published notification of the Annual Meeting, oversaw the Board answers to the 2016 Town Hall Meeting questions and ensured the preparation and filing of the Association's annual report for non-profit corporations to the State. The Secretary is responsible for maintaining and updating the Official Record Book.

### **QUESTIONS:**

No questions were asked about the Secretary's report.

d. **TREASURER (Woody Farber):**

The volunteers were announced and thanked for their service. The Treasurer explained SHHA's tax implications as a non-profit and that the goal is to try to end each year as close to zero as possible. A copy of the Annual 2016 Treasurer's Report was included in the Annual Meeting packet.

The 2017 SHHA Budget:

- After reviewing the proposed 2017 budget at its November 9<sup>th</sup> meeting, the Board approved the budget.
- The Board voted to maintain the dues at \$8.00/month for 2017.
- The Board approved Tram passes to be \$6.00 for 2017. An explanation of the increase in Tram passes was included in the Annual Meeting packet.
- The 2017 budget allows for a reasonable targeted Net Income. Each year the income and expenses will be reviewed to establish the best course of action for the following years.
- The Finance Committee developed the budget based on the current and projected reserves and the revenues needed to cover the services needed by the property owners.
- Budgets are projections that may change as the year progresses, so please go to the Finance tab on the Board section of the SHHA website for current details.
- The 2016 results were -\$4,670.99 in Net Income, versus a budgeted Net Income of -\$13,090.00.
- In 2016 SHHA was able to recover taxes paid in 2013-2014.

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### QUESTIONS:

Verbal questions about the Treasurer's report-

*Question by Tony Strati:* Is there a balance sheet available?

*Answer by Woody Farber:* Yes. Amanda has copies.

*Question by homeowner (name unannounced):* Are we investing any money? If so, how is it invested? CD's or Treasury Bonds?

*Answer by Woody Farber:* Yes. In a CD and Business Investor Fund.

*Question by Cal Jager:* Why is there an increase in the D&O insurance policy?

*Answer by Woody Farber:* Our insurance company made a mistake in billing so the financials have two annual policies paid in the same year.

*Question by Cal Jager:* Has there been an impact on Tram passes sold with the closure of High Finance?

*Answer by Woody Farber:* No. There has been no effect on the Tram pass usage.

The President stated that a big thanks needs to be extended to Woody and the Finance Committee for restructuring the accounting system and annotating the expenses and where they go. Please give Woody and the Finance Committee a round of applause.

### 10. STANDING COMMITTEE REPORTS

- a. FINANCE COMMITTEE (FC) CHAIR (Woody Farber) - report was presented as part of the Treasurer's report.
- b. ARCHITECTURAL CONTROL COMMITTEE (ACC) CHAIR (Robert Bower):  
The eight volunteers were thanked for all their hard work and dedication to the Committee that allows the projects to be processed within the 30-day time limit and in most cases more quickly.  
The ACC is chartered by the covenants for all SHHA Units. It manages the architectural control process for SHHA by approving changes to the external appearance of property (e.g., new construction, additions, remodels, and landscaping). The ACC conducts neighborhood reviews primarily for the large construction projects. The Committee meets on the first and third Wednesdays of the month. The ACC processes and manages 300-400 projects annually and strives to make decisions within 30 days of the initial application. The ACC publishes guidelines to assist residents with the design process. The ACC also maintains a Project Log on the website, which displays all current and ongoing projects. The GRIT publication lists the projects approved for the month. Articles have been published in the GRIT to help educate the residents on the ACC process. The ACC processed 342 projects in 2016. The Committee continues to work with the County Planning Commission on new development efforts: The Hawks Landing and North Tramway Estates developments. The ACC will continue monitoring these developments in 2017.

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The ACC will also continue to keep the community informed on the following on-going efforts:

- PNM rate hike decisions.
- Additional changes to the County's Wastewater Ordinance and the effect of those changes on our septic systems.

Bob Bower announced that he has resigned as chair of the ACC and that Kim Mish is the chairman as of February 1, 2017. Bob also announced that he will remain on the Committee as a volunteer.

### **QUESTIONS:**

Verbal questions about the Architectural Control Committee report-

***Question by Bob Calhoun and Marcia Lubar:*** We have questions about 563 Black Bear and the multiple covenant violations. We understand that there is ongoing legal action.

***Answered by Bob Bower:*** We are currently in a lawsuit and have had no response whatsoever from the homeowner.

***Questions by Marcia Lubar:*** May we contact the SHHA attorney so that we know what is happening? How can we as neighbors know more about the case?

***Answered by Bob Bower:*** Dick Wavrik is next. He will cover the Covenant Support Committee (CSC) report. We will refer that to Dick.

***Comment by Dick Wavrik:*** We do not provide updates with ongoing violations. You will receive a letter once the file is closed.

***Comment by Marcia Lubar:*** We would like to thank you for posting a GRIT article about white roofs.

***Answered by Bob Bower:*** I did not write that article. Dick Wavrik with the CSC wrote that article.

***Comment by Cheryl Wieker:*** Can we appreciate Bob Bower for chairing the Architectural Control Committee?

### c. COVENANT SUPPORT COMMITTEE (CSC) CHAIR (Dick Wavrik):

The Covenant Support Committee (CSC) is responsible for investigating written covenant complaints filed by members of SHHA. There are 35 different Units with their own covenants. SHHA did not write them and cannot change or modify them, SHHA can only enforce them.

The Committee does not patrol purposely looking for covenant violations and is concerned mainly with use restrictions. All complaints are investigated. The CSC does not take phone calls-violations must be submitted in writing on a form. The complainant must be in the same Unit or an adjacent Unit. Some complaints take months to resolve, especially if someone is noncompliant. Although the CSC may be investigating it right away, it may take several letters from the CSC and may take letters from the SHHA attorney. Once the complaint is resolved, a letter will be sent out to the complainant closing out the file. The CSC does not provide updates to the complainant. The Committee tries to be uniform and consistent in evaluating suspected violations in accordance with the covenants and homeowner's rights.

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Since the 2016 Annual Meeting, the CSC has received 40 complaints as shown below. The investigator makes many visits to ensure the complaints are resolved.

- RV, Boats, Cars – 4
- Maintenance/Landscaping/Dead Tress – 14
- Trash Bins - 5
- Lighting – 7
- Miscellaneous - (no ACC Applications, visible HVAC units, renting rooms) – 10
- The CSC does not handle complaints regarding barking dogs, noise or children.

Some complaints are County code violations and the complainant is referred to the County to evaluate and enforce (i.e., light pollution, noise, traffic, animal control). The CSC is not able to make noise and light measurements. The County can measure and fine for non-compliance if necessary.

- During 2016, nine properties required SHHA legal action totaling approximately \$14,000.
- Security lighting- Sandia Heights by design has no street lights. All covenants say the same thing: no unshielded flood lights may shine into your neighbor's house. Bernalillo County does allow for pathway and door lighting but there are restrictions as to how bright and the direction of the light. The County code does not make an exception for leaving your lights on all night for security. Security really belongs to the individual homeowner.
- The Committee is working on how to address newer technologies such as the LED lighting which is much brighter and more intrusive.

### **QUESTIONS:**

Verbal questions about the Covenant Support Committee report-

**Question by Bill Wiley:** Is it the responsibility of the County to ensure the lights on Tramway Blvd are shielded?

**Answered by Dick Wavrik:** Yes. The County is responsible for the lighting on Tramway Blvd.

**Question by Tony Strati:** Does the Association have the ability to seek financial damages or payment back from lawsuits?

**Answered by Dick Wavrik:** Only if a judge awards that.

**Question by Tony Strati:** So we have no ability to recoup our costs? And they prolong their case at their leisure and we have to endure the costs?

**Answered by Dick Wavrik:** Until a judge awards damages.

**Question by Tony Strati:** Have we ever been successful in that request?

**Answered by Dick Wavrik:** Not at this point. Not during my 8 years. I've never seen that happen.

**Question by Tony Strati:** Do we have the ability to impose a court order?

**Answered by Dick Wavrik:** Not presently. You, the homeowner will need to change your Unit covenants.

**Question by Tony Strati:** Have you seen a unit change their covenants?

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*Answered by Dick Wavrik:* There has been one unit change their covenants. It's very difficult when you need 75% or more to make a change in the covenants.

*Question by Julie McBride:* Could we make the threat in the first letter if it is found the covenants have been violated that the Association will seek damages?

*Answered by Dick Wavrik:* We are sort of reluctant to make such a threat in the first letter.

*Question by Julie McBride:* Say the second letter?

*Answered by Dick Wavrik:* The letter from the SHHA attorney states something to that effect.

*Question by Loretta Fisher:* What are the special request stats in the GRIT? What is considered a special request?

*Answered by Dick:* Those numbers are from Sandia Heights Security.

The President stated he would like to make two points clear:

1- The CSC sends out two letters, if there is no response, the SHHA attorney will send out a letter. The intent is that corrective action will be taken within the first two letters without being threatened.

2-The two Committees that do the most for the community are the ACC and CSC. I would like to give the CSC a round of applause. That is what your dues are paying for. If you would like to join either of these Committees, the CSC could use some help.

### d. COMMUNITY SERVICE & MEMBERSHIP COMMITTEE (CS&M):

The Executive Committee manages the charter of this Committee.

The President presented the following CS&M report:

1. The Tram Pass program continues to offer eight passes per day for \$6.00 per pass. In 2016, 2267 passes were used and 467 unused which is an 83% usage rate. We will continue to have eight passes per day in 2017.
2. SHHA Merchant Benefits Program is a program that allows SHHA members to get a discount from the participating merchants. There are 17 participating merchants. The merchants and their discounts are displayed on the SHHA website at [www.sandiahomeowners.org](http://www.sandiahomeowners.org).
3. Association Membership: Total membership in SHHA continues to increase slowly. We started the year with 1731 members, and ended with 1753. Total membership stands at 80% percent of 2199 households.

### **QUESTIONS:**

No questions were asked about the Community Service & Membership Committee report.

### e. COMMUNICATIONS & PUBLICATIONS COMMITTEE (C&P) CHAIR (Cindy Mottle):

The homeowners were welcomed and thanked for coming. The Committee volunteer members and office staff were thanked for their help and time. The Communications and

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Publications is primarily responsible for the monthly newsletter, the GRIT and the SHHA Annual Directory. Other items worked on in 2016 are as follows:

1. Worked closely with the office staff to ensure C&P is aware of member needs.
2. Responded promptly to member requests, comments, and complaints.
3. Continued publishing the monthly newsletter, the GRIT, frequently adding new content. The GRIT is also published on the website in color in PDF format. Members are encouraged to sign up for electronic notification by contacting the office.
4. Provided more timely updates to the main page of the SHHA website.
5. Changed the GRIT banner to a more updated format.
6. Updated the online GRIT so that it loads more quickly to various devices.
7. Provided meeting space at SHHA for any requesting Unit. Maybe if your unit is organized enough to meet, contact Cindy Mottle and the office for help in scheduling a meeting at the SHHA office.
8. Publishing the annual Resident Directory: The Directory included an alphabetical listing as well a numerical one and a Unit map. Additional maps are available in the office.
9. Continued to monitor the office technical infrastructure, including website software updates.
10. Two new members have been added to the committee. Jo Ann Hamlin has expertise in marketing and publishing and Carroll Voelkel specialties are marketing and photography.

### **QUESTIONS:**

Verbal questions about the Communications & Publication Committee report-

***Question from Dennis Pabich:*** I have a concern about the resident Directory. If I'm a bad guy or a thief, it gives me the name address and phone number to see if anyone is home. Is it really worth having or maintaining given the security issues?

***Answered by Jo Pappé:*** The Board will address that concern. The C&P is planning on performing a survey and we can include that.

***Comment from Marion Simon:*** You can opt out of having your name printed and be listed as resident. I agree with that concern about security but you can opt out.

***Comment from Joe Pappé:*** If you would like to opt out, call Amanda or Betsy and they will take care of that.

***Comment by Greg Carrozza:*** Everything on the website is public. There are additional measures that can be taken to secure the information on the website.

***Answered by Joe Pappé:*** Public documents are public other documents require a password which you can get from the office.

***Comment by Dick Wavrik:*** You will need a password to access the online Directory from the website.

***Comment by Betsy Rodriguez:*** SHHA Members can log onto the website to update their contact information, check on Tram pass availability, and access the online Directory.

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You can call the office and get your username and a temporary password. Once you have the password, you can see the availability of Tram passes, and the Directory which is only available to homeowner members only.

**Question from Bill Wiley:** What is the percent of online viewers vs. the printed GRIT?

**Comment by Bob Bower:** I just want to make it clear that the advertisers pay for the publishing of the GRIT and the Directory.

f. **PARKS & SAFETY COMMITTEE (P&S) CHAIR (Dave Mottle)**

The volunteers were thanked for their service. During calendar year 2016, the Committee took care of many issues in and around Sandia Heights. Issues worked on in 2016 are as follows:

1. Participated in the Mhoon/Hawks Landing Zoning and Planning hearings.
2. Street address issued researched and resolved.
3. Performed a monthly assessment of the County parks in Sandia Heights regarding County maintenance.
4. Coordinated Meet and Greet meetings with Sandia Heights Services and Bernalillo County Sherriff's Office regarding security.
5. The Committee is currently looking into security signage for Sandia Heights. The Committee is in the process of working with the County and Sandia Heights Security to determine the language and location of the signs and hopes to have them up before the summer.
6. Capital Outlay Program (Capital Improvement Program) regarding County road maintenance.
7. Phone scam alerts have and will continue to be posted to keep homeowners members aware.
8. It was announce that John Evans is retiring as Head of Sandia Heights Security. He was recognized for the work he has done for SHHA. Paul Adkins, the new Head of Security for Sandia Heights was in attendance and introduced to those in attendance. The GRIT and email alerts will continue to be used to communicate about various neighborhood activities & issues. If anyone wants to volunteer for the P&S Committee, please contact the office staff.

### **QUESTIONS:**

Verbal questions about the Parks & Safety Committee report-

**Question by Mary Adkins:** I have spoken about this subject before. During the holidays there were two burglaries. My suggestion is that Security be mandatory to the property owner of record or a renter. We cannot expect Security to patrol the entire area. If you can afford to live in Sandia Heights, you can afford to pay for Security. It is mandatory in High Desert and it should be mandatory here. I heard CSC talk about low lighting which burglars love.

**Answer by Dick Wavrik:** In order to have 100% of homeowners pay for Security the covenants have to change. Your Unit has to change that. SHHA does not have that

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authority. You and 75% of the homeowners in your unit can give us that authority. We can't change it, only you can change it.

**Question by Tony Strati:** Is that information given to the homeowners? I don't recall anything that informed me of homeowners in my area being responsible for covenant changes.

**Answer by Dick Wavrik:** That information is stated in your covenants. You are given a copy of your covenants at the time you purchase your property and by the SHHA office.

**Comment by Jo Pappé:** We can put something in the GRIT.

**Comment by Paul Adkins (Head of Sandia Security):** There are going to be some changes coming. One is we are hiring more staff for more security coverage and providing more training for our Officers. There are some other changes coming. I just ask that you please be patient.

The committee and officer reports were concluded. There were no special committees therefore, there were no special committee task reports.

13. DOORPRIZES: It was announced that the member must be present to win. There were three door prizes from Whole Foods, Savoy and Trader Joes. The winning numbers were called out.

14. ADJOURNMENT: The Annual Meeting adjourned at 11:11am.

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Joe Pappé, President

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Date

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Bob Bower, Secretary

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Date

*Note: Signatures on file in the SHHA Office*

## 2017 Town Hall Meeting Minutes

### Sandia Heights Homeowners Association Town Hall Meeting Q & A Saturday, February 4, 2017 Church of the Good Shepherd, Albuquerque, NM

#### **TOWN HALL MEETING PROCEDURES**

The Secretary announced the Town Hall Meeting Procedures of Conduct.

1. Please silence all cell phones during the meeting.
2. Please fill out the Town Hall Member Question/Comment form with a summary of your questions or comments and present them to the Presiding Officer.
3. Before speaking, please present yourself at a microphone to be recognized by the Presiding Officer and state your name.
4. Each speaker is limited to three minutes.
5. No member may speak twice until all who wish to speak have had the opportunity to do so.

Members wishing to speak were directed to sign up at the sign-in table and fill out a Town Hall Member Question/Comment form.

#### **Town Hall Meeting Questions and Comments:**

##### ***Question by Sherry Pabich: Subject: Trespassing on private property***

My concern is about trespassing on the arroyo behind our house. We have had problems over the years with people letting their dogs loose, moving rocks, removing cactus and talking loud which breaks up the silence up there. The arroyo is on private property. What can be done? People think it's a public way to State land.

***Answer by Joe Pappé:*** Thank you for your question. You will receive a response by the Board of Directors.

##### ***Question by Mary Tabor (absent during Town Hall): Subject: New development on Tramway & Paeso (Hawks Landing )***

Is there a summary of this development? Will they have their own covenants?

***Answer by Joe Pappé:*** We do have a preliminary site plan and yes they have their own covenants which will probably be more restrictive than other Units. Since Mary has left, the Board of Directors will respond to her questions in writing.

##### ***Question by Mary Adkins: Subject: Security Patrol***

Crime has accelerated in the neighborhood. Security patrol fee should be mandatory to every land owner just as trash pickup is on the utility bill.

***Answer was provided during the Parks and Safety Report***

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***Question by Melvin Sutton: Subject: Security Cameras***

For the first time, we had a trespasser. We called Security and we have an alarm. It's concerning to have people looking into your windows. We are thinking about getting cameras. I'm wondering if anyone here has any cameras and how they work.

***Joe Pappe:*** Asked if anyone in attendance had security cameras. No response.

***Question by Melvin Sutton:*** If I get a picture what do I do with it.

***Answer by Joe Pappe:*** Turn it into Bernalillo County Sheriff's Office. We are planning on another Meet and Greet which is something we can bring up to them.

***Comment by Bob Bower:*** Security is really up to the individual homeowner.

***Question by Melvin Sutton:*** Do we need approval to install security cameras?

***Answer by Joe Pappe:*** No. Parks & Safety is currently looking at the potential privacy issues with security cameras.

***Question by Melvin Sutton:*** Another question is how do I protect my skylights?

***Answer by Bob Bower:*** You can reinforce your skylights with rebar.

***Comment by Bob Thomas:*** There are no privacy issues with outdoor cameras. However, you cannot capture any children.

ADJOURNMENT: The Town Hall Meeting adjourned at 11:36 a.m.

\_\_\_\_\_  
Joe Pappe, President

\_\_\_\_\_  
Date

\_\_\_\_\_  
Bob Bower, Secretary

\_\_\_\_\_  
Date

*Note: Signatures on file in the SHHA Office*

**Sandia Heights Homeowners Association  
Annual and Town Hall Meeting Q&A  
Saturday, February 4, 2017  
Church of the Good Shepherd, Albuquerque, NM**

**2017 Annual Meeting Questions and Answers**

***Verbal Question by Denis Pabich:*** “I have a concern about the resident Directory. If I’m a bad guy or a thief, it gives me the name address and phone number to see if anyone is home. Is really worth having or maintaining given the security issues? ”

***Answer:*** SHHA’s Resident Directory is similar to the public phone book that is made available to anyone and everyone. However, the Resident Directory is delivered only to SHHA members and, upon purchase, to non-SHHA member residents. While every address of record in Sandia Heights is listed, residents can request that their phone number be omitted and that their name be listed only as “Resident.” by contacting the SHHA office.

***Verbal Questions from Tony Strati and Mary Adkins:*** *Homeowners being responsible for amending their own unit covenants.*

***Completed Action:*** A guideline of procedures for homeowners to amend their unit covenants has been published on the SHHA website and the GRIT.

***Answer:*** Sandia Heights Homeowners Association (SHHA) cannot modify or change any unit covenants. Any covenant changes or modifications can only be done by the property owners within their individual unit. SHHA recognizes the right of property owners to amend the covenants of their units in accordance with procedures set forth in the covenants of each unit. SHHA has developed information to facilitate that process and to ensure that a proposed amendment is in agreement with established covenants. To avoid potential conflicts with the existing covenants, it is suggested that the proposed amendment(s) be presented to the SHHA Board of Directors for review prior to initiating a petition signature effort.

A copy of your unit covenants as well as a helpful guide to initiate a covenant amendment will be enclosed with your official response letter.

## **2017 Town Hall Meeting Written Questions and Answers**

### ***Written Question by Sherry Pabich: Trespassing on private property***

“My concern is about trespassing on the arroyo behind our house. We have had problems over the years with people letting their dogs loose, moving rocks, removing cactus and talking loud which breaks up the silence up there. The arroyo is on private property. What can be done? People think it’s a public way to State land.”

**Answer :** SHHA contacted Bernalillo County Sheriff’s Office which referred the matter to Albuquerque Metropolitan Arroyo Flood Control Authority (AMAFCA), the authority of any course of water, which means any river, creek, arroyo, canyon, draw, or wash. AMAFCA’s response to the issue of people trespassing on private property which extends into the arroyo is to place “No Trespassing” signs on your property. No fences of any kind are allowed affecting the collection, channeling, impounding or disposition of storm and flood waters is contained in the Arroyo Flood Control Act.

### ***Written Question by Mary Tabor (absent during the Town Hall Meeting): New development on Tramway & Paeso (Hawks Landing)***

“Is there a summary of this development? Will they have their own Covenants?”

**Answer:** 1. Summary of the proposed development: After months of planning by the developer and coordination with the County, residents of Sandia Heights, Sandia Heights Services (SHS), and SHHA, a preliminary plat plan for the Planned Development Area (PDA) named Hawks Landing was presented to the County Planning Commission (CPC) at its regularly-scheduled meeting on December 7, 2016. The plat plan shows the details of the development for a 33-lot 3-tract subdivision located immediately east of the intersection of Tramway Blvd and Paseo del Norte. The CPC subsequently approved this preliminary plat plan as briefed by the developer. The PDA is zoned A-1 with a Special Use Permit for residential development and contains approximately 10.39 acres. Copies of the plat plan and its accompanying legal description are available at the SHHA office. As of February 2017, the developer is working with the County to finalize the grading and drainage plans and is preparing the financial guarantee package to be submitted to the County Clerk. Additional upcoming efforts include coordination with SHS and PNM for infrastructure layouts (water and sewer lines, electrical service requirements, etc.), coordination with AMAFCA and FEMA regarding flood control issues associated with the arroyo that runs along the southern edge of the PDA, and obtaining all appropriate County signatures on the plat plan prior to its final review by the County Development Review Authority.

2. Covenants for the Hawks Landing development: SHHA will work with the developer to generate the covenants associated with this subdivision. The responsibility for enforcement of the covenants will be assumed by SHHA once the construction of individual residential units begins. It is anticipated that the covenants will be very similar to those developed for the North Tramway Estates (NTE) subdivision. The developer has asked that the covenants contain clauses for mandatory SHHA membership and for mandatory subscription to security services offered by SHS. These clauses are currently contained in the NTE covenants. The developer will maintain architectural control of the subdivision until it is built out. This is a similar arrangement that is currently in place for the NTE subdivision.