

SHHA 2022 ANNUAL MEETING MINUTES

Saturday, February 19, 2022

9:00 a.m. via Zoom/Hybrid Meeting

CALL TO ORDER: The 2022 Annual Meeting of the Sandia Heights Homeowners Association (SHHA) was called to order by President Roger Hagengruber, at 9:00 am via Zoom Meeting/Hybrid. A quorum of the Board and members of the Association was declared by Martin Kirk, Secretary. The President welcomed everyone and thanked them for attending. Invited guests, Tomas Chavez, Administrative Manager for Sandia Heights Services, Security, and Sanitation, and John Shorey, Operations Manager for Security were also welcomed to the meeting.

1. **APPROVAL OF THE 2022 ANNUAL MEETING AGENDA AND PROCEDURES OF CONDUCT:**

- a. The Board approved the agenda for the 2022 Annual Meeting and the 2022 SHHA Annual Meeting Procedures of Conduct at its December 8, 2022, Board meeting.
- b. 2022 Annual Meeting Packet: Each attending household received the following items in the packet.
 - Agenda for 2022 Annual Meeting
 - The 2022 SHHA Annual Meeting Procedures of Conduct
 - 2021 Report of Officers and Standing Committees
 - Ratification of Bylaws
 - 2022 SHHA Annual Meeting Question Form
- c. Annual Meeting Procedures of Conduct: The President explained the Annual Meeting Procedures below.
 - All attendees must pre-register to receive the sign-in information and link. Attendees will be placed in a Waiting Room for membership verification before release into the meeting.
 - Please place your microphone on mute until recognized by the Presiding Officer during the meeting. This will eliminate background noise.
 - Questions of the Officers or on Committee reports will be written via Chat process and sent to the Secretary, and each addressed according to the agenda. No oral questions will be accepted.
 - Before speaking, a member must be recognized by the Presiding Officer; please unmute your microphone to be recognized and state your name.

2. **APPROVAL OF THE ANNUAL MEETING MINUTES:**

- a. 2021 Annual Meeting Minutes: The minutes of the 2021 Annual Meeting were reviewed and approved by the Board of Directors at its March 10, 2021, Board meeting. Those minutes are on file in the Official Record Book (ORB) in the office and on the SHHA website.
- b. 2022 Annual Meeting Minutes: The SHHA Board will review and approve the minutes of the 2022 Annual Meeting at the next regular Board meeting on March 9, 2022. The approved minutes will be on file in the ORB in the office and posted on the SHHA website.

3. **INTRODUCTION OF THE 2021 BOARD OF DIRECTORS AND SHHA STANDING**

COMMITTEE VOLUNTEERS: The President introduced the 2021 Officers, Board of Directors, and Committee Chairs.

2021 Board of Directors: Roger Hagengruber – President and Executive Committee; Susan McCasland – Vice President, Executive Committee, Nominating Committee (NC) Chair, and Communications & Publications (C&P) Chair; Martin Kirk – Secretary, Executive Committee, and Parks & Safety Committee member; Randy Tripp – Treasurer, Executive Committee, and Finance Committee (FC) Chair; David Crossley – Executive Committee, Architectural Control Committee (ACC) Chair; Bob Thomas – Executive Committee, Covenant Support Committee (CSC) Chair; Elizabeth Edgren, Community Service & Membership (CS&M) Chair; Joe Boyce, Parks and Safety Committee Chair; Dale

Arendt, NC member; Robert Hare, ACC member; Fenton McCarthy, FC member; Mike Pierce, ACC member.

Randy Tripp – Treasurer, was not able to attend. His report will not be discussed but any questions to the Treasurer will be answered in the next few days and will be posted on the website. All questions not answered at this meeting will be answered and posted on the website.

all volunteers were thanked for generously giving of their time and expertise to SHHA and its members. SHHA is also looking for Board members, anyone present at this meeting interested in becoming a member should contact the SHHA office. The office staff, Betsy Rodriguez and Teresa Gonzales were also recognized.

4. ANNOUNCEMENT OF THE 2022 OFFICERS AND BOARD OF DIRECTORS:

The President announced the 2022 Officers.

President – Roger Hagengruber, Vice President – Dale Arendt, Secretary – Martin Kirk, and Treasurer – Randy Tripp

The 2021 Board of Directors will continue to serve on the Board in 2022.

5. REPORTS OF OFFICERS AND COMMITTEE CHAIRS: Below are the reports covering January through December 2021.

a. President: Roger Hagengruber

I was elected president of the Sandia Heights Homeowners Association at the December 9, 2020, Board meeting and took office after the 2021 Annual Meeting. It has been an honor to serve this past year and to be voted by the SHHA Board to serve one additional year. SHHA has some 1800 members and comprises over 2400 properties. There are 38 units in Sandia Heights, each with separate covenants, and that number will change from time to time as new developments seek to join SHHA as a unit. We have two full time employees that staff our offices at San Rafael and Tramway.

Our Board of Directors meets monthly, and the various committees meet separately approximately monthly as well. Two of our committees (Covenant Support Committee (CSC) and the Architectural Control Committee (ACC)) are especially busy approving plans submitted by owners (ACC) and enforcing the covenants (CSC). It is difficult to give proper appreciation to the chairs and members of all our committees. This is especially true for the ACC and CSC where so many volunteers give so much of their time. We all owe them our gratitude.

The SHHA Board is anxious to add new members, so if you have an interest in joining the Board, please let a member or the office know.

Yearly notes:

- o We are in good shape financially with all bills paid on time, adequate insurance and banking arrangements, and a sound reserve against contingencies. We offer our thanks to our treasurer.
- o We hired a new employee, Teresa Gonzales, to replace Jennifer Craft who relocated. Teresa is a homeowner and member of SHHA. She joined Betsy Rodriguez in our office. Betsy has been with SHHA for 14 years come April and is our “rock”.
- o Our committees handled hundreds of approvals for property modifications and many covenant issues, some involving our SHHA attorney. This represents a large workload and is a notable accomplishment.
- o Our SHHA dues will increase modestly this coming year. The past year has been very difficult with rising prices, inflation, and the need to be cautious in the face of the COVID pandemic. Still, our dues

are very low in comparison to other homeowner's organizations.

We are presenting some modest modifications to our bylaws that seek your approval. The process of reviewing the bylaws began more than a year ago led by the past president. At the time, it was clear to board members and officers that the bylaws needed to be amended to correct a few items and to bring them up to date. The Executive Committee and the entire board were given an opportunity to review the proposed bylaws and to offer changes. The document presented to the Annual Meeting represents the consensus view of the SHHA Board. We see benefits to these amendments with no contentious issues, and its approval is recommended to the membership of SHHA.

We are going to vote to support the amendments to the Bylaws (1-16) together as a whole at the end of the first portion of this meeting. We will put together a committee to review and to modify the Bylaws staffed by volunteers in approximately two months. This will give the volunteers an opportunity to review the Bylaws once again, correcting any grammatical errors or legal clarity if needed. This will either result in a special meeting of the membership to review and approve the changes to the Bylaws or that the Bylaws will be presented to the membership at the beginning of the 2023 Annual Meeting.

b. Vice President: Susan McCasland

I was elected for a second term as Vice President of the Sandia Heights Homeowners Association at the December 9, 2020, Board meeting. It has been an honor to serve this past year. I am not seeking a waiver to serve a third term and will be handing this Officer position over to a worthy successor at the end of this meeting.

- Served as Vice President for duration of the one-year term. Second year as VP.
- Performed the following functions in accordance with the Bylaws:
 - o Acted on behalf of President when President was not available.
 - o Set up Executive Committee Zoom meetings, including agendas and virtual meeting links

Nominating Committee

Members:

Susan McCasland, Chair
Martin Kirk Dale Arendt

- Screened Board members to select a slate for 2022 Executive Committee.
- Interviewed and brought 2 new members through the nominating process and onto the Board.
- Interviewed 2 potential new Board members and presented them at the 2022 Annual Meeting for election to the Board.
- Reviewed and amended the Nominating Committee charter to specify voting procedures in virtual meetings

We have two potential board members that have expressed interest. The membership was asked to vote on both. Brief qualifications were given for Kathleen McCaughey and Rick Thomson.

A poll vote was presented to the membership for Kathleen McCaughey, and the results were given for all to view.
Results: 38/0 Unanimous

A poll vote was presented to the membership for Rick Thomson, and the results were given for all to view.
Results: 35/1

Since both position on the Board were available, they have both been approved. Their terms are effective immediately after the Annual Meeting.

c. Secretary: Martin Kirk

I was elected Secretary of the Sandia Heights Homeowners Association at the December 9, 2020, Board meeting and took office after the 2021 Annual Meeting. It has been an honor to serve this past year and to be voted by the SHHA Board to serve one additional year.

- o As Secretary, I serve on the Executive Committee, which meets on the 1st Wednesday of every month.
- o As Secretary, I work with the Communications (Grit) Committee to approve Grit content.
- o Performed the following functions in accordance with the By-Laws.
 - Oversaw the preparation and approval of the Board meeting minutes.
 - Certified the presence of a quorum necessary for the proper conduct of business at each Board meeting.
 - Ensured that SHHA's Official Records Book is properly maintained and is on file at the SHHA office.
 - Reviewed and approved the format and printing of the monthly GRIT.

d. Treasurer: Randy Tripp (Randy Tripp was not present to give his report) Roger Hagenruber gave a short overview of Randy's Report. Any questions submitted to the Finance Committee will be answered in the next few days.

Members:

Randy Tripp, Chair
Carnie Abajian
Tracey Goodrich

Fenton McCarthy
Jim Stewart

2021 Budget Results

The Board approved 2021 Budget estimated Gross Income of \$221,157.73. Expenses of \$219,783.29 and Other Expenses of \$930.00, resulting in a Net Income of \$444.44.

As stated at the time the 2021 Budget was approved, these are projections which may change during the year and have changed. The final financial reports show a Gross Income of \$229,555.85, Expenses of \$222,754.78 and Other Expenses of \$1,926.54, resulting in a Net Income of \$4,874.53. The Major difference between budgeted and actual amounts were the purchase of only four tram tickets for 2021 and legal expenses. In addition, all Committee Chairs effectively manage their budgets which resulted in cost savings.

2022 Budget

After reviewing the proposed budget at its November 10, 2021, meeting, the Board approved the budget as proposed by the Finance Committee. The Finance Committee developed the budget based on the current and projected reserves and the revenues needed to cover the services needed by the association members.

This allows for a reasonable target Net Income of \$10,612.32.

Each year the income and expenses will be reviewed to establish the best course of actions for the following year.

Budgets are projections which may change as the year progresses, you may go to the Finance tab on the Board section of the SHHA website for current details.

There is an ongoing attentiveness to possible labor and financial expense conservation. When evident, these items will be brought to the attention of the EC and Board for consideration.

Internal Reviews

Each year members of the Finance Committee review the major financial procedures to ensure they are being followed.

This past year members reviewed payroll, QuickBooks, dues, petty cash, advertising, Tram passes, health insurance and security with no aberrant findings. Recommendations have been made to the EC and Board when warranted.

Based on the reviews, the required annual report was prepared and submitted to the Executive Committee for review and acceptance by the President.

e. Finance Committee (FC):

The report was presented as part of the Treasurer's report.

f. Architectural Control Committee (ACC):

Members:

David Crossley, Chair		
Robert Bower	Robert Hare	Randy Tripp
Richard Brackett	Michael Pierce	
Tracey Goodrich	Hugh Prather	

Functions:

- o Chartered by covenants for all SHHA Units
- o Manages the architectural control process for SHHA by approving changes to the external appearance of properties
- o Conducts neighborhood reviews, if needed
- o Strives to make decisions within 30 days of receipt of completed applications
- o Processes and manages about 300 projects annually
- o Meets monthly on 1st and 3rd Wednesdays to expedite response times
- o Administratively approves projects where review by entire ACC is deemed unnecessary by the Chairman

- o Publishes guidelines to assist residents with the design process
- o Maintains a log of active projects on the SHHA website and in the GRIT newsletter
- o Periodically publishes articles in the GRIT newsletter

Summary of Activities for 2021:

A total of 315 applications were approved in 2021. The ACC continued to work with the County on new community developments including North Tramway Estates (NTE), Hawks Landing, and the Las Pradas Subdivision in Unit 16. The ACC also attended meetings of the County Zoning Administrator, Planning Commission, and Board of County Commissioners regarding improvements and repairs to facilities at the Elena Gallegos picnic area.

Major Accomplishments for 2021:

- o Working with new owner of Quail Run Center for major upgrades, where the SHHA office resides. New name of center: Sandia Heights Village
- o Revised ACC approval process to expedite simple projects
- o Upgraded the legal status of the ACC Guidelines to equality with the covenants which will permit greater enforcement against violators.

g. Communications & Publications Committee (C&P):

Members:

Susan McCasland, Chair	
Stephen Baca	Judy Durzo
Elizabeth Edgren	Burt O'Neil

Summary of Activities for 2021:

- o Edited and laid out the monthly GRIT newsletter, adding content in each 2021 issue.
 - Jan: Extended Office Hours Trial Period, Seeking People Interested in Helping Their HOA
 - Feb: Kiwanis Cabin, Monthly Fun Fact, Apache Plume (*Fallugia paradoxa*), Extended Office Hours Trial Is Still Going On
 - Mar: annual committee report, Soliciting Board Members
 - Apr: Monthly Fun Fact
 - May: Water Conservation & Restrictions
 - Jun: Special Election Reminder, Farewell to Jennifer, Monthly Fun Fact
 - Jul: Happy 4th of July; Monthly Fun Fact; Too Close for Comfort; Dog Walkers, Take Note; Send in Your Photos Now!
 - Aug: Welcome, Teresa!; Respect Our Wildlife; Stormwater Pollutants; Wildfire Prevention Tip; SH Tips & Hacks; Monthly Fun Fact; Send in Your Photos Now!
 - Sep: We Need You!, Tumbleweed pulling reminder, Wildfire, Monthly Fun Fact, Send in Your Photos Now!
 - Oct: secured permission to reprint ABQ Journal article on Domingo Baca; Monthly Fun Fact; Time is Running Out, Send in Your Photos Now!; And While on the Subject of the Directory...; SH Tips & Hacks
 - Nov: Now Is the Time to Consider Serving; We'd Like Your Thoughts on the Website; Church of the Good Shepherd's Dedication Set for Sunday, May 5 [1985] (historical article); Bow Hunting in Sandia Ranger District; History of Veterans Day; SH Hacks & Tips; Last Chance!! Send in Your Photos Now!; Last Chance for 2022 Directory Changes, too; Monthly Fun Fact; Semi-annual Tramway Trash Pickup

- Dec: 2022 Annual Meeting, Board Member Candidate, Please Don't Feed Our Deer, December Holidays, Monthly Fun Fact
- o Oversaw and assisted office with publication of the 2022 *Residents Guide and Directory*.
- o Instigated and oversaw updates to the SHHA webpage. Started discussions on improving functionality of webpage and office databases.
- o Designed SHS utility bill inserts as needed for SHHA business
- o Reviewed committee charter and Association bylaws
- o Responded promptly to member requests, comments, and complaints

It was mentioned that the 2022 GRIT Newsletter pages have increased by four pages. One additional page of advertising content and three additional pages for other content. Authors and photographers were encouraged to submit articles and pictures for the GRIT to the office or to Susan McCasland.

- h. **Community Service and Membership Committee (CS&M):** (Elizabeth Edgren was not present to give her report.) Any questions submitted regarding the report will be sent to Elizabeth for a response.

Members:

Edgren, Chair as of March 2021
 Vicki Criel
 Roseann Houlihan
 Hugh Prather

Functions:

Works to strengthen member benefits and to support and encourage social events that will build a sense of community in the SHHA.

Summary of Activities for 2021:

- o Refined a new neighbor welcoming initiative to be implemented in 2022
- o Began review of Welcome Packet info that is mailed to all new residents
- o Published articles in *The GRIT* newsletter: SHHA website features (Apr), ballooning (Jun), Unit community-building (Jul), welcoming new neighbors and committee volunteer solicitation (Aug), interview with Sandia Heights Security (Aug), interview with Sandia Height Artists (Sep), intro to upcoming webinars (Oct), and Member Benefits key tag info (Dec)
- o Designed and began Zoom-based webinars open to all SH residents, on community-building topics: how to start a google group for your neighborhood (Oct), how to establish a little neighborhood library (Dec), and how to have a block party (TBD)
- o Added five Participating Merchants to the Member Benefits program
- o As part of SHHA Strategic Plan, updated the CS&M Committee Charter

Statistics for 2021:

- o On Jan 1, 2021 - 1722 member households
- o On Dec 31, 2021 - 1779 member households
- o Membership = 73% of 2441 households
- o Membership *number* increased by 57 households, but membership *rate* decreased by 10% due to the addition of about 220 households.
- o 974 Tram Passes were used (at a maximum rate of 4 per day)
- o 170 were not used = 85% usage rate

i. Covenant Support Committee (CSC):

Members:

Bob Thomas, Chair	
Randy Tripp, ACC liaison	Stan Davis
Stephen Baca	Joyce Harkwell
Judy Chreist	Vicki Meredith

All of the above listed members were thanked for their time and efforts on the committee.

Functions:

Sandia Heights has Use Restrictions (Covenants) governed by over 38 sets of Covenants, each applying to a designated Unit within the community. The CSC works with property owners to enforce these legally binding documents. CSC provides covenant enforcement through a formalized process.

Many of the covenants were written in the 1960–1970 timeframes and do not specifically address some of the key issues we face today. For some complaints, the unit covenants do not cover or address the alleged violation and there is nothing the CSC can do to help. We are bound by what your covenants permit. Only the homeowners in a specific unit can change their covenants. The SHHA webpage offers guidance on how to change your unit covenants.

In some situations, the Bernalillo County zoning Codes and Ordinances are more restrictive than the SHHA covenants, such as for outdoor lighting, barking dogs, and trash. In these instances, we encourage the homeowner to file a complaint with the County. The SHHA office staff can offer guidance on contacting the County.

The CSC meets the first Tuesday of every month at 6:00 PM in the office conference room. Due to COVID-19 most CSC meetings this past year have been conducted via Zoom. If you plan to attend a meeting, we request that you notify the office 24 hrs. ahead of time and give your subject matter. Homeowners with questions or a statement to make to the Committee are allotted five minutes at the beginning of each meeting. Then the meeting goes into Executive Session to maintain the confidentiality of CSC business. With a Zoom meeting, the homeowner will be signed out of the meeting before going into Executive Session. The CSC Agenda and Minutes are for internal distribution only.

Summary of Activities for 2021:

There were fifty-two complaints handled by the CSC in 2021, including eleven carried over from 2020. This compares to fifty-seven over the previous year. All were investigated by CSC members and recommendations were made as to the validity of the complaints with regard to the covenants in their particular units. Of these, forty-two were closed in 2021. Several complaints in 2021 required legal actions by the SHHA attorney.

2021 Successes:

As was the case in 2020, most CSC meetings in 2021 were held virtually via Zoom. Due to COVID-19 Committee members did not make in-person contact with complainants or suspected violators, alternatively all communication was by phone or email. This required significantly additional effort by the CSC members. However, in these COVID-19 times, all complaints filed with the SHHA office and handled by the CSC were thoroughly investigated and resolutions negotiated.

The Multi-year Strategic Plan was adopted by the Board in February 2020 and presented to the homeowners at the 2020 Annual Meeting. The plan placed additional emphasis on the SHHA dual

Mission Statements – preservation of property values and maintenance of the environment and unique quality of living in the Sandia Heights community. The CSC fully support these Mission Statements, and to further enhance and make visible our commitment, the CSC has updated their Charter to be explicitly tied to the Mission Statements. The CSC Charter is viewable on the SHHA website.

j. Parks & Safety Committee (P&S):

Members:

Joe Boyce, Chair	
Martin Kirk	Ron Vigil
Judy Durzo – resigned	Cheryl Wieker
Julie Rochman	

All of the above-mentioned committee members were thanked for their time and efforts on the committee. Bob Bower was acknowledged and thanked for his dedication in the clean-up of trash in this community and beyond the boundaries of Sandia Heights.

Summary of Activities for 2021:

- o Cleanup of Tramway Blvd. between Paseo Del Norte and Simms Park Road done April and November with numerous trash bags filled and ~ 10 volunteers for each event.
- o New Wildfire risk warning signs created
- o Main roadsides mowed with county to reduce fire and safety risks
- o Policy for SHHA for security camera consideration developed – encourage homeowner placement, no SHHA effort for now.
- o Multiple GRIT articles on street safety, dogs, invasive species, security neighborhood practices
- o Meetings were held via Zoom in view of COVID risks
- o Traffic risks at Paseo Del Norte and Tramway Blvd. identified and concern conveyed to county, state
- o Old files purged; survey results retained

Ongoing Projects:

- o Community wildfire plan – Julie Rochman and Cheryl Wieker, leads
- o Wildfire risk sign placement in coordination with Bernalillo County
- o Change name of committee to Environment and Safety
- o Ongoing safety and security efforts with Bernalillo County and other parties

Update: Paseo Del Norte and Tramway Blvd. intersection: Received feedback from Jill Mosher, Assistant Engineer for District 3, New Mexico Department of Transportation. They are responsible for the change of that intersection. As it stands, there are no changes planned for that intersection. The current modification was made with the NMDOT guidelines. A design study is currently being done that will eliminate the lane completely and make it a hard right turn, 90 degrees, coming east on to Paseo Del Norte onto Tramway Blvd. This may address some of the safety issues, we will have to wait to see the results of the study. Anyone interested is encouraged to contact Jill Mosher, her contact information is on the NMDOT website.

6. **Ratification of the Bylaws:** A poll vote was brought to the membership to adopt the revisions to the Bylaws as submitted, as a package, with no further discussion since that will be revisited in a few months with a special committee reviewing the Bylaws and looking at additional revisions and changes. The vote was concluded with the result being: 29 Yes/5 No. The Bylaws have been adopted as a package.

Anyone interested in volunteering to participate in the special committee to review the Bylaws is encouraged to contact the SHHA office.

7. The Officer and Committee reports were concluded.
8. Roger announced that a brief recess of approximately 10 minutes would be taken, and we would reconvene with the Question-and-Answer Session.
9. **ADJOURNMENT:** President Roger Hagengruber adjourned the Annual Meeting at 9:55 am.

10. QUESTIONS TO OFFICERS AND COMMITTEE CHAIRS:

The Question-and-Answer Session started at approximately 10:05 am. Secretary Martin Kirk called on the appropriate Officer, Committee Chair, or guest to answer the questions submitted in writing prior to the meeting or via Chat during the meeting. Below are the questions and answers.

1. *Parks and Safety (P&S) Committee Question Submitted via email by Keith Julian.*
 - a. When can we expect to receive an explanation/justification/alteration of the nightmare that has been created at the intersection of eastbound Paseo Del Norte and southbound Tramway Blvd. from NM Department of Transportation's District 3 Office?

Response by Joe Boyce, P&S Chair:

- a. Jill Moser, Assistant Engineer for District 3, NMDOT said that that intersection didn't have enough room for an on ramp or extra lane like you do on Louisiana for example, where you have a lane to accelerate to. They are basing their decision on engineering guidelines. I encourage you to contact Jill Mosher and Nancy Perea. The emails and phone numbers are in the NMDOT website.

2. *Finance Committee (FC) Question Submitted via email by Marlene Flor.*
 - a. 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.
 - I. Change "property owners" to "Association Members"
 - II. Name (some of) "these services".

Response to be given by, Randy Tripp, Treasurer:

3. *Community Service and Membership Committee (CS&M) Question Submitted via email by Marlene Flor.*
 - a. Reviewed committee charter and association Bylaws, why?
 - b. What was the result or what were the results?

Response to be given by, Elizabeth Edgren, CS&M Chair:

4. *Parks and Safety Committee (P&S) Question Submitted via email by Marlene Flor.*
 - a. Why was there no effort in developing a policy for security cameras consideration?

Response given by, Joe Boyce, P&S Chair:

- a. On the contrary, there was an enormous amount of effort. We looked at policy development and whether we should do something as a Board. We actually looked at and priced cameras that would be placed at the 18 entrances and looked at cameras to be placed at the main entrances. There were logistics issues, cost issues, privacy issues, and management issues. There was a GRIT article published that tries to explain the rationale and how we came to the

recommendation that we did. We explored the option of homeowners providing their own security cameras (that they own) in an effort to mitigate a lot of the concerns we had.

5. *Architectural Control Committee (ACC) Question Submitted by Nancy Galloway via Chat.*

- a. Is the change allowing ACC guidelines to be enforced going forward to be retroactive to include past violations?

Response given by, David Crossley, ACC Chair:

- a. We cannot actually do that for a couple of reasons. The first is the frequently used argument by people when they say well, you're going after my illegal fence that is wrong side out, why aren't you going after my neighbor's illegal fence? Because of the numerous numbers of violations that exist now, and ones we basically have to grandfather in, we can't go back and do that. There are a small number of properties that are currently sanctioned under the ACC. That is, we disapproved their plan or alternately they built without our permission, and we already notified them by the time we did the changes to the guidelines. Those people will be pursued but prior to that I'm afraid the scoff laws will get away with it just based on the practicality of the situation. We don't have the assets or the finances to chase everybody down that has already installed a white roof or an illegal fence.

6. *Executive Committee (EC) Question Submitted by Elaine L. Bearer via Chat.*

- a. If these amendments are going to be further reviewed, what are we voting on?

Response given by, Roger Hagenruber, President:

- a. The proposal to address all the amendments as a package was made since the Board has a chance to review them. It was also reviewed by Executive Committee and decided to proceed as a package in order to expedite getting them completed. The members, if they had read the minutes of the Board Meetings for almost the last year, would have had many opportunities to volunteer to participate in crafting new adjustments to the Bylaws. The fact that they didn't doesn't mean they aren't concerned but the fact is that we were not able to get a significant number of volunteers. Thanks to Woody Farber, I had a beginning, and we made a number of adjustments with the volunteers that we had. At this point the reason we voted for them as a package was to expedite putting in the changes that needed to be in place. The portion of the meeting that was involved is not a portion of the meeting open to individual bylaws, discussions, and comments because of the fact that it was already reviewed, and we decided to take them as a package. The other answer to that question is that we are going to reconvene a volunteer group. We are hoping for four to six members. I have a couple or three in mind already, including an attorney that will review the grammar and the clarity of the Bylaws as they currently stand. Given some of the suggestions and comments we have received, we will clarify and look at the possibility of coming up with a new or adjusted set of bylaws. Once this task is completed, those will go before the EC for review and then go to the Board. If the Board feels there is a substantial improvement of language and clarity over the bylaws that were agreed to at the Annual meeting, either the Board will decide to hold a special meeting to vote on the individual bylaws or the bylaws as a package. That will be decided by the volunteers as well as the Board, or it will await a vote in next year's annual meeting. We can convene a special meeting and that will likely be the step that we take. At this point these bylaws are now active, and they apply, and they will not be changed again until the membership of SHHA agrees on a revised set. I encourage any of the membership present that is interested in volunteering to make that known to the SHHA office.

7. *Committee Chairs Question Submitted by Claudia Poglitsch via Chat.*
a. Which committees are in most need of volunteers?

Response given by, Bob Thomas, CSC Chair:

- a. It always the case that the ACC and the CSC can use help.

Second Response given by, Roger Hagenruber, President:

- b. All of the committees could use additional volunteers. It's specially a burden on the ACC and also on CSC. I don't think there is any committee that couldn't use volunteers. Service on the Board is a three-year duty. Service as an Officer is a one-year duty renewable for an additional year. There will be a need for new Board members as well as Officers.

8. *Executive Committee (EC) Question Submitted by Marsha Thole via Chat.*

- a. If you submitted question via email, will they be addressed: or only those submitted in the chat today?

Response given by, Martin Kirk, Secretary:

- a. Roger addressed this issue at the beginning of the Q&A period. We will try to get to as many questions as we can during the Q&A period. We will do them sequentially to try to get most of the members questions addressed during this meeting. Any additional questions are proposed to be answered on the SHHA website.

9. *Finance Committee (FC) Question Submitted by Woody Farber via Chat.*

- a. Why is there a significant increase in Executive Committee expenses for 2021?

Response to be given by, Randy Tripp, Treasurer:

10. *Executive Committee (EC) Question Submitted by Kathleen McCaughey via Chat.*

- a. I see a conflict on the Board meetings. Is it the first or second Wednesday of the month? I assume you will send any additional information that we need to be reading on or where we can find this information.

Response given by Roger Hagenruber, Bob Thomas, and Susan McCasland:

- a. The Board meeting schedule is published in the GRIT newsletter and on the SHHA website. The Executive Committee meets on the first Wednesday of the month and the Board meets on the second Wednesday of the month. There is a Board meeting packet that goes out to all Board members via email in advance of the Board meeting. And as a new Board member, you will receive a Board Member Handbook with a schedule of the Board meetings, bylaws, etc.

11. *Parks and Safety (P&S) Question Submitted by Marlene Flor submitted via email.*

- a. Describe the purging policy for old files; describe the files, which files, extent of the type of date purged, etc.

Response given by Joe Boyce, P&S Chair:

- a. All of the committee chairs were asked to go through boxes that were in storage. Records went back 12 to 14 yrs. Surveys regarded speeding, how to get the sides of the roads cleaned, and traffic mediation. The only files purged were duplicates of the surveys and extraneous materials.

There is a survey from as far back as 2004.

12. *Parks and Safety (P&S) Question Submitted by Marsha Thole submitted via Chat.*

- a. What are we going to do about the policy, trash in Sandia Heights, roadside trash, detritus perhaps extending to recent increased activity at the Ice Rink?
- b. Can you address people leaving their trash containers in public view and how can residents get this issue resolved?

Response given by Joe Boyce, P&S Chair, Roger Hagenruber, President and Bob Thomas, CSC Chair:

- a. Twice a year we do a clean-up from the County Line Restaurant to Simms Park Rd. The rest of Sandia Heights is responsible for trash on their yards. We rely on individuals to help clean up the neighborhood and the sponsored event clean-up done by the Committee twice a year. We welcome anyone interested in the yearly clean-up to help. We post the event dates in the GRIT newsletter.
- b. Residents leaving their trash containers in public view is one issue, it relies on individuals complaining about their neighbors. If you have an issue with this, you should report it to the appropriate committee.
- c. (Roger Hagenruber) We received a few complaints recently regarding trash and other concerns at the ice rink. Bob Bower and Bob Thomas are scheduled to meet with the General Manager to discuss the concerns and hopefully come to a resolution. We also recently received a complaint regarding some inadequate work done by a contractor for PNM. It is not something that we can do directly but on the behalf of the resident in Sandia Heights, I sent a response to PNM, and sent a response to the residents encouraging them to address this question with PNM. There is a limit to what SHHA can do but we are trying to do the best that we can to put the authority of our ownership behind these requests to get things cleaned up or fixed.

Martin Kirk, Secretary, asked for clarification on the waste containers in public view: Is there anything that the Board can do if the neighbors are nonresponsive to this visible trash container issue?

Response by Bob Thomas, CSC Chair to Martin Kirk:

That is a Covenant Support Committee issue. There is language written in every one of the 38 covenants. A Report of Suspected Covenant Violation form should be submitted to the SHHA office.

13. *Parks and Safety Committee (P&S) Question Submitted by Marlene Flor.*

- a. Regarding the survey results, which were retained, can you describe the subjects of the surveys, and what were the years of the surveys that were retained?

Response given by Joe Boyce, P&S Chair:

- a. Marlene I would be glad to show them to you. 2004 was the most comprehensive one, there was another one 4 to 5 years later, and we did one three years ago. Subjects were crime, speeding, addition, and removal of speed bumps. Something will be posted to the website.

14. *Parks and Safety Committee (P&S) Question Submitted by Marsha Thole via Chat.*

- a. There are no dog waste containers in Sandia Heights on the west side of Tramway. Is there anything P&S is planning to do to rectify that situation?

Response given by Joe Boyce, P&S Chair:

- a. If there is an area would someone like to volunteer? Bernalillo County has usually designated the area. We will be glad to entertain that if there is a neighborhood asking for this service.

15. *Architectural Control Committee (ACC) Question Submitted by Marlene Flor Hand Delivered.*

- a. What was done in 2021 to revise the ACC approval process to expedite simple projects?

Response given by David Crossley, ACC Chair:

- a. The first thing that was done was the creation of a form for the prescreening for any project that is submitted for approval. It allows any individual on the ACC to review it and determine if it meets a few simple criteria for what we call an administrative approval. This allows us to immediately sign off and get the approval back to the homeowner for initiation. We have also distributed the ability to sign off some projects without going through the Chairman which speeds up the process considerably. In that way we have cut down the delay time.

16. *Parks and Safety Committee (P&S) Question Submitted by Marsha Thole via Chat.*

- a. Do you know what the responsibility is for trash vis-à-vis the establishments by the gas station?

Response given by Joe Boyce, P&S Chair:

I have talked to the lessors there. It was worse two years ago when we did the trash pickup. We talked to them at that time. They promised to try to do better. They have large containers, the gas station, CVS, the pizza place, and everybody else. A lot of it is the customers. It seemed better this year but I think it is their responsibility to deal with it. Bernalillo County is the residing authority on private property like that.

17. *Architectural Control Committee (ACC) Question Submitted by Marlene Flor Hand Delivered.*

- a. Upgraded the legal status... permit greater enforcement against violators. How did you accomplish this? Who is the arbiter of the upgrading, you? Any others?

Response given by David Crossley, ACC Chair:

- a. Actually, there weren't any changes at all. It was strictly a change in the status of the existing guidelines. Our attorney advised us that there is a language in the Homeowners Act, that says that community documents associated with the covenants have equal legal standing to them. Previously the guidelines were not community documents. They were just an attendant recommendation that we provided that had no authority. So, using the procedure that our attorney outlined that involves a motion to the Board, voting, and using the term community documents, we took those guidelines and reestablished them from being guidelines they are now community documents which carry legal status. So, there was change in the text of the documents only in their status.

We received no further Chat questions from any of the membership and the only written questions we have remaining are from the same individual that we have been discussing up to now. Those questions will be answered by the appropriate chair and those answers will be published on our website.

A motion was made and seconded to adjourn the Q&A session, by plurality, the session was adjourned at 10:42 am.

Roger Hagengruber, President

Date

Martin Kirk, Secretary

Date

Note: Signatures on file in the SHHA Office

February 19, 2022, Annual Meeting Questions & Answers (Q&A) Session

Questions Submitted and Deferred at the Q&A Session of the Annual Meeting.

1. *Question(s) by Marlene Flor for the Architectural Control Committee.*

Major Accomplishments for 2021

- a. Do you have proof that the Bernco District Court System accepts the (your) upgrading?
- b. How do you reconcile the change brought about by this upgrading with a change that historically in Sandia Heights has been brought about by a vote of the homeowners?

Response by David Crossley, ACC Chair:

This change was made on advice of, and guidance by our attorney, so we believe we followed the legal requirement exactly. We have been awaiting a clear-cut, solid case before testing it in court since the first case will be a precedent setting action. We now have identified such a case and are proceeding to bring the offender to court.

Also, in the opinion and interpretation of our attorney, considering both the Homeowner's Act and the SHHA procedures, this action did not require a membership vote, but rather a motion and approval by the Board. This action was taken using exactly the language cited in the Homeowner's Act.

2. *Statement by Marlene Flor for the Architectural Control Committee.*

In December 2021 a registered real estate appraiser, upon visiting my property, told me these changes (picture submitted) would impact the value of my property should I decide to sell it.

Response by David Crossley, ACC Chair:

Your displeasure with the construction on your neighbors' property has been clear from previous communications to the ACC. Nothing about their installation is in violation of the ACC Guidelines. Recall that decisions of the ACC are final, and not appealable. The issues you cite are subjective, as in the opinion of the appraiser; another appraiser might regard the installation as a positive. Under absolutely no conditions will the ACC revisit this project.

3. *Question(s) by Marsha Thole for the Parks & Safety (P&S) Committee.*

I see where the main road, Tramway Blvd., was considered for fire mitigation. Do you consider the same for the county land that runs along Brushwood Street, or the space that runs along Tennyson up against Sandia Heights residences there? If not, why not?

Response by Joe Boyce, P&S Chair:

Bernco decides which streets. We have urged them to do major volume streets within Sandia Heights.

4. *Question(s) by Marsha Thole for the Covenant Support Committee (CSC).*

How many complaints were repeat complaints? From my observations, people will comply for the moment, wait a very short while and (sometimes up to two weeks), and then just repeat the violation. The report states there were 41 complaints, yet 42 were closed. Am I missing something?

Response by Bob Thomas, CSC Chair:

There is only one or two repeat violators each year. There is an error in the reporting. The CSC received 41 Complaints in 2022. Adding the 11 carryover complaints, the CSC Handle overall 52 complaints, of which 42 were resolved in 2021.

5. *Question(s) by Marsha Thole for the Covenant Support Committee (CSC).*
The report notes that several complaints required legal action. Would you elaborate on the nature of a complaint, for example, was the violation vague or unable to be interpreted in the covenants? Just why would there be legal action?

Response by Bob Thomas, CSC Chair:

Legal action means both referral to the SHHA attorney and in rare cases, filing in Bernco District Court for a legal judgement. This is a good question – how much information regarding legal action does the CSC reveal and yet shield the identity of the homeowners involved? There is a summary of CSC actions posted monthly in the Board minutes. We could publish once a year a general summary of just the legal action. I would think specifically the District Court cases. I will discuss this option with the CSC members and seek an opinion from the SHHA attorney.

6. *Question(s) by Marlene Flor for the Community Service and Membership (CS&M).*
a. Why did the Committee review the Charter and Association Bylaws?
b. What was the result? Or what were the results?

Response by Elizabeth Edgren, CS&M Chair:

- a. We received and updated the wording in the CS&M Charter in accord with the 2020 Strategic Plan adopted by the Board of Directors. Each Committee was directed to review and update its Charter and ensure it aligns with the SHHA Mission Statement. Bylaws revisions were also recommended in the Strategic Plan, and the Board President asked each Director to review the Bylaws, to submit and cooperate in any revisions.
b. The Strategic Plan is a working document for the Board of Directors and is not available on the website.

7. *Question(s)/Comment by Marsha Thole for the Communications & Publications Committee (C&P).*
Communications & Publications Report – It would be nice to know how the website is working, such as some evaluation from Google Analytics. Which pages were the most popular? High usage and low usage, e.g., plus other data that can be evaluated from Google Analytics. Maybe even a monthly mention of how many visitors there were to the website—anything to engage the members.

Response by Susan McCasland, C&P Chair:

The SHHA has not used Google Analytics to track webpage usage in the past, but you have presented an intriguing proposition. The Communications & Publications Committee will look into implementing Google Analytics or similar software and also consider how to present the data gathered. Thank you for the suggestion.

8. *Question(s) by Marlene Flor for the Finance Committee.*
a. 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.
(1.) Change “property owners” to association members”.
(2.) Name some of these services.
b. There is an ongoing attentiveness to possible labor and financial expense conversation.
(1.) What does this sentence mean?

Response by Randy Tripp, Treasurer and Finance Committee Chair:

- a. (1.) I agree with the change in term from “property owners” to “association members”.
(2.) Regarding the request to name some of “these services”, please see page 8 for example expenses.

b. (1.) Regarding the question “What does this sentence mean?” The sentence being questioned is self-explanatory and as there is only one such inquiry out of all the participants perhaps a second reading is warranted.

9. *Question(s) by Marsha Thole for the Finance Committee.*

Treasurer’s report – Internal Reviews – It does not appear there were any non-board members in these reviews. Was that an oversight? For obvious reasons, there should be non-board members participating in such reviews.

Response by Randy Tripp, Treasurer and Finance Committee Chair:

The reviews were performed by the Finance Committee members two of which are non-board members.

10. *Question(s) by Marsha Thole for the Finance Committee.*

Actual vs. Budget – It is hard to evaluate this page, given the vague terminology where the data is not broken out. For example, where are salaries? Salaries are a fixed expense, yet they are not cited under Expense. Why not? Regarding the line item for Reserves on the Balance sheet, please explain what types of things that money would be planned for.

Response by Randy Tripp, Treasurer and Finance Committee Chair:

Operating expenses as noted to you last year remain essentially unchanged, they include Carpet Cleaning, Comcast, Computer Supplies, Computer Upgrades & Maintenance, Copier Lease, Electricity & Gas, HVAC Maintenance, License/Operational Permit, Office Lease, Office Security/Upgrades, Office Staff, Office Supplies, Postage, Operating Expense-Other (items not having their own line item). Note: staff salaries are private and confidential.

Regarding the question of “What things that money would be planned for”, only two of those would be as encountered this last year, legal and computer expenses as well as any other costs which cannot be foreseen but have a cost.