

THE GORBLIT

Sandia Heights Homeowners Association

July—August 2003



President's Report By Bob Francis

The SHHA Board of Directors accomplished many milestones during the past year. They include:

Dues increase will keep future funding adequate.

New By-laws were approved unanimously.

Participation in the Sandia Pueblo settlement

Contribution to Cedar Hill Park of \$19,000 will allow development.

In addition we conducted a resident survey of the Covenants and the design of the Cedar Hill Park.

We Also attended several sessions of the City/County Unification Charter Commission.

We worked very hard this year to ensure a smooth transition of the duties from the previous SHHA officers and committees to the newly elected officers, who are:

Bob Francis, President

Ralph Rudolph, Vice President

Cheryl Iverson, Treasurer

New SHHA Board of Directors Elected

At the SHHA Annual meeting on June 7th, 2003, five new Board of Directors were elected. The five new SHHA Directors are:

Kerney Bolton

James Erspamer

Edward Whitten

Ed Cohen

Jeff Brinker

In addition, three SHHA Board members were reelected:

Bob Francis

Mona Lee Schilling

Heinz Schmitt

SANDIA HEIGHTS - THE PEAK OF LIVING

Communications & Publications By Rick Nelson

The three years I have worked on the Grit and other publications and Web Site have been a great pleasure to me, and to tell the truth it has been fun, fun I will miss. A special thanks to all who submitted articles of interest and letters to the editor—keep it up, your input is vital to a good publication.

I am pleased to tell you that our Advertising income this year from the Grit, Little Grit and Directory was \$15,668.10 and this years total cost for publishing them plus the cost for our Web site was \$14,581.58, giving us a surplus of \$1,086.52 this year.

Last year cost exceeded income by \$1,955.75. Therefore, by raising the cost of advertising in our publications and lowering the cost of production we have reached the goal we set 3 years ago, to make Communications and Publications pay for itself by doing the work “in-house” with volunteers and staff.

Just for your general information prior to SHHA producing the publications “in-house” [prior to the 2000-2001 fiscal year] the cost of having the Grit work done out of house cost the association around \$8,000 per year more than the income from Grit advertising. The same with the Directory before we started doing the work “in-house” it cost over \$3,000 per year more than the income from Directory advertising.

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I want to thank Melanie Christman and Jim Cook and others for their help and ideas these past three years. What a great accomplishment, going from doing everything by contract with an expense of some \$11,000 per year to a doing it “in-house” with a surplus of \$1,086.52. Gosh, that is a turnaround of \$12,000 per year or \$1,000 per month, [that amount more than pays the rent on the office.]

Keeping cost below income takes much effort and we will all need to support whoever takes over the job of Communications and Publications in their work to keep operating with a surplus.

From all of us here at SHHA we would like to Thank Rick for all of his hard work.



NOTICE: The July 9th Board meeting at 7:00 PM will feature Ray Padilla who will speak on City/County Unification efforts.



Covenant Support Committee By Frank Soper

During the present term of the SHHA Board of Directors the CSC has verified 80 Covenant violations and resolved the vast majority of them by direct contact of the violator. Legal action by SHHA has only been necessary in one situation: the violator agreed to compliance upon receipt of one letter from the SHHA attorney. Eight construction violations were referred to the ACC and the two committees worked together to correct the problem. A breakdown of the types of violation was presented at the Annual Meeting.

In August the Covenant Review subcommittee, consisting of 5 CSC members and 12 very valuable volunteer residents, was formed. This group has made a great deal of progress in our effort to establish a model set of Covenants which will be uniform, far less controversial and much more resident friendly.

The recent survey concerning some facets of the existing covenants resulted in valuable input from a significant number of residents which the committee will use for guidance as this project proceeds. An interesting fact is that we received 14 violation complaints which have never been brought to the attention of the CSC. Also, quite a

Residents wanted the SHHA to increase our speed limits. Bernalillo County establishes speed limits, not the SHHA. Based upon test results conducted over the past two years, very few of us observe the present speed limits. Increased limits could only result in many more unsafe conditions.

Results of the survey were also presented at the Annual meeting: they are available at the SHHA office for anyone interested.

The CSC wants to thank our residents who have cooperated in resolving the issues we brought to their attention. Consideration for your neighbors and familiarity with the Covenants is the key to pleasant existence and minimal problems in Sandia Heights.

Community Service & Membership Committee By Chuck McLeod

We started off the board this year hoping to increase SHHA Membership through various projects. We worked hard trying to get businesses east of Tramway (businesses located from Tramway Rd. to San Rafael) to offer a discount on food items to SHHA members. We were able to negotiate a firm discount with Sandiago's and High Finance on a 6 month trial basis, provided our members had an identification card.

The County Line Restaurant would not offer any discount, but they did agree to give a free shrimp cocktail (3 shrimp) to card carrying members for up to six people in a party. The others, Subway and Pizza Hut, did not offer anything.

We are now working to put together a

Late summer event that will appeal both to the young and the young at heart, including such events as softball, volleyball, horse-shoes, cook—outs, etc. When we have the necessary planning complete, the membership will be notified via *The Grit* and other media.



Parks & New Development Committee By George Connor

Cedar Hill Park coordination was our major activity this year.

SHHA pledged \$19,000 to Bernalillo County in November 2002 to encourage work to start on the park this year. Design started in March 2003 with the first public input meeting. The second public input meeting was held in May to review the preliminary park design.

The preliminary park design was also presented at the Annual SHHA board meeting on June 7th. We expect the Design and Contract Specification preparation to be finished in early fall. The BC Parks and Rec. department expects Construction to start in the October timeframe and to be finished around the end of the year.

Design work was donated through SHHA by BPLW Inc. (worth about \$50,000). BC has \$153,000 available for construction (including the \$19,000 dona-

tion from SHHA).

This year we also participated in a five year SHHA budget exercise and requested \$10,000 per year be allocated to Open Space, Parks, and access. This was one of the reasons for the SHHA dues modest increase this year.

We have been working with BC Parks and Recreation to help eliminated Goat Heads, maintain the equipment, keep the trees that we purchased for the park last year alive, and to keep the park free from trash, and we have posted signs to remind residents with dogs to clean up behind them.

The vacant 10 acres of land at Tramway and Paseo Del Norte is being watched for any zoning postings and development on this parcel of land. It has been recommended to the BC Open Space Advisory Committee that BC purchase this land for Open Space. A recommendation to get an appraisal on this land was in the BC Open Space report to the BC Commission in February.

A few other activities were planned, but put on the back burner because of BC Parks and Rec. department's quick response to the SHHA donation for construction of Cedar Hill Park. One of the guiding principles of the Committee this year has been to not undertake any more activities than can be accomplished with limited time and the SHHA money available. We believe it is better to do a few things well than to undertake too many and do some or all poorly. We hope that the residents of Sandia Heights agree.

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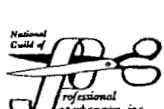
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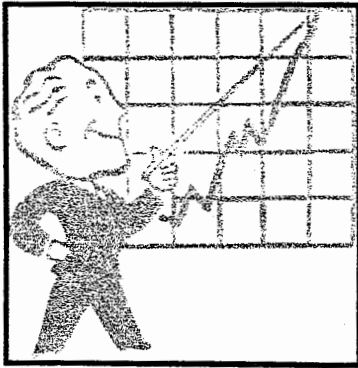


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**Treasurer's Report
By Rick Nelson**

As I end my third year as your treasurer and my last year on the Board I want to Thank the membership for their support during this period of major change in the of operation of you association.

For the past 12 months total receipts were \$137,297.26 and disbursements were \$144,707.93, thus this past year expenditures exceeded receipts by \$7,410.67 this resulted from two major items:

1. The discovery that SHHA as a non-Profit homeowners association and not A 501-C type non-profit was obligated to pay Gross Receipts Tax on advertising income. We corrected this oversight for future operations and are now current with the State having paid \$5,142.04 for the past six years unpaid Gross Receipts Tax, penalties and interest.
2. The other major outlay was the donation of \$19,000 to the County towards the construction cost of the Cedar Hill Park. It is estimated the total cost of land design, and construction of the park will come close to One Million Dollars.

Other than those two items and expense items fell within the expected range and were inline with previous years. We ended the year with \$42,396.50 in Checking and in one CD. Also there is \$100 in Petty Cash.

For the past tow months Cheryl Iverson, your new Treasurer, has been working doing most of the Treasurer's work to assure an easy transition. I appreciate her effort and know she is going to do an excellent job for the association.

**SHHA STATEMENT OF CONDITION
As of May 31,2003**

ASSETS

Cash and in Bank

Checking	\$10,906.70
CD	31,489.80
Petty Cash	<u>100.00</u>
Total	\$42,496.50

OTHER ASSETS

Office equipment/furniture	11,498.11
Prepaid Postage	330.25
Prepaid Expense	300.00
Prepaid Rent	991.10
Security Deposits	<u>1,075.75</u>
Total Other Assets	\$14,195.21

Total Assets	\$57,291.71
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LIABILITIES - - - NONE

CASH FLOW 6/1/2002 THROUGH 5/31/2003

INFLOW

Advertising	\$15,668.10
Fees, ACC reviews	2,490.00
Interest Earned	1,642.46
Membership Dues	114,229.61
Wine Tasting	3,003.65
Misc., refunds etc.	<u>263.44</u>
Total Inflow	\$137,297.26

OUTFLOW

Donations to County	\$19,000.00
Dues	620.00
Insurance	14,353.68
Committee Expenses	476.89
Communication/Publication	14,581.85
Legal	22,213.02
Office, including rent	22,368.51
Office Staff	30,112.05
Officers Expenses	23.16
Meeting Expenses	416.75
Sandia Services	12,752.20
Taxes, IRS	558.03
Taxes, NM Gross Receipts	5,142.04
Wine Tasting	<u>2,091.02</u>
Total Outflow	\$144,707.93

TOTAL INFLOW LESS OUTFLOW [-\$7,410.67]

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HOMEOWNERS ASSOCIATION**
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Communications & Publications
Committee**
Mona Lee Schilling

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Monday thru Friday

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Architectural Control Committee By Jack Wolfe

The past year (June thru May 2003) has been a very bust and challenging year for the Architectural Control Committee (ACC) as it continued to strive to meet isn't obligations and responsibilities to the Sandia Heights home and property owners in ensuring that all construction, renovation, maintenance and landscaping projects within Sandia Heights were complaint with applicable restrictive covenants.

Over the year, the ACC received and reviewed applications and plans for and approved 144 projects ranging from new home construction, to major remodeling to the demolition of one residence. The largest number of projects fro the year fell within the "walls/fences" category where a total of 27 applications were approved. This has been the largest number of requests for this category of projects within recent years and appears to be indicative of a trend of which all should be aware. The covenants are inconsistent across all units regarding the placement of structures such as walls and fences, relative to property lines. Some of the covenants state that no "structure" shall be placed closer than 15 feet to the back and side property lines and 45 feet to the front property line. (These setback measurements/requirements are not the same in all Units.) Other covenants state that no "building" shall be placed closer than 15 feet to the back and side property lines.

The ACC continued to ensure all project applications/requests approved by the ACC were in compliance with the covenants within each area. This included trying to ensure compliance with the spirit and intent of some of the extremely vague coven-



ant restrictions such as those dealing with "harmony" and "undue obstruction of views." The ACC also continued to increase the use of "neighborhood" reviews to obtain inputs from neighbors regarding applications and associated plans for new construction as well as major remodeling projects. The purpose and intent of these reviews were detailed in the article that appeared in the Grit this past year and which is also posted on the SHHA's website.

Thee ACC also initiated some internal actions this past year as a measure to ensure consistency and fairness in its decisions relative to the review and approval (or disapproval) of pending construction and related projects. Draft guidelines for internal ACC use were developed for evaluating "harmony" as contained in many of the Unit's covenants and also for evaluating the construction and placement of storage sheds. While storage sheds are not specifically mentioned in our covenants, there are restrictions in most covenants regarding the number of buildings on a lot and the use of such. And based on the growing number of applications for walls and fences as noted above as wells some issues regarding these applications, an article dealing with walls and fences was prepared for and published in the Grit a few months ago. The intent of this article was to sensitize home and

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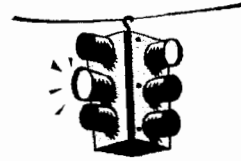
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Property owners of this trend so they could ensure their covenants contain the necessary guidelines and restrictions relative to the construction and placement of walls within their Unit.

Everyone needs to recognize that ACC's primary guidelines for the approval and disapproval of projects are the covenants for the applicable Unit. Based on this, we are hopeful that all home and property owners will take an active role in the Board's ongoing review of and recommended revisions to the covenants for all Units within Sandia Heights. You need to be aware that any change to the covenants requires the approval of 75% of the property owners within each of the impacted units. And if you want the ACC to make the decisions you feel are necessary to protect and enhance the character of your Unit and Sandia Heights, you need to make sure that your covenants contain the necessary guidelines and restrictions.

The ACC always welcomes home and property owners' input regarding its actions and decisions. And we also welcome SHHA membership attendance at our regular meetings to become more aware of the efforts of all ACC members. Anyone wishing to address the ACC on a specific subject should contact the SHHA office to get on the ACC's meeting agenda.

This past year has been a very productive year in terms of the number of applications reviewed and approved. We are also confident that the coming year will be more demanding not only in terms of the number of projects, but also in terms of trying to ensure such projects are in compliance with the spirit and intent of our covenants.



Traffic, Safety, & Environment **By Mark Boslough**

The work "Environment" was added to the name of our committee to reflect the fact that we have been involved with environmental protection of Sandia Heights. Among this year's environmental accomplishments were the production and distribution of signs reminding dog walkers to clean up after their pets, and the prevention of accelerated erosion in the South Domingo Baca Arroyo by putting a stop to the removal of fill dirt by Sandia Heights Services.

We remain committed to the safety of our streets, and consider this to be our community because our roads double as sidewalks. The fact that our roads are shared by pedestrians, bicyclists, automobiles (and even skaters and skateboarders) requires a speed limit that is lower than many people like to drive. Demographics continue to evolve in Sandia Heights, with more young families moving to our community, and more children that use our narrow winding streets to walk to bus stops.

In an effort to help with traffic safety in neighborhoods like ours, Bernalillo County this year approved the design of a 15 mph speed hump, and several have already been installed in Sandia Heights. The Traffic, Safety, and Environment Committee has assisted a number of residents in their efforts to have speed humps installed on

Streets. This process involves having the county perform a traffic study to ensure that the street qualifies, and then the residents must have 75% of the homeowners along the street in question sign a petition. To request a traffic survey, resident should contact A.L. Mora, a traffic engineer with Bernalillo County Public Works. Residents are encouraged to request assistance from our committee.

The Committee also continues to work with the county to trim overgrown vegetation along our roadways. This is a difficult project, because there are so many opinions about how this should be accomplished, and homeowners tend to be very protective of the strip of land between the roadway and their lots (even though it is owned by the county as part of the right-of-way). According to Bernalillo County Ordinance Code Section 66-225©, adopted in 1988, it is the homeowner's responsibility to maintain this setback area and all plantings therein. Nevertheless, the county has worked with the SHHA on a "courtesy mowing project" to keep about 3 feet of the roadside clear of shrubbery and vegetation, but there is a balance between esthetics and safety that is sometimes difficult to achieve.

Finally, the Committee was asked to look into the legal issue of whether the trails up our arroyos (e.g. Pino and South Domingo Baca) are legal to use for access from Sandia Heights to the National Forest. We have concluded that these trails may or may not be prescriptive easements, depending on how long they have existed and the precise nature of their historical use (New Mexico's prescriptive period is ten years). To determine whether or not they are legal access would require detailed historical research

And is ultimately a matter for a civil court to decide should a lawsuit be filed for civil trespass (by a landowner) or for a prescriptive easement (by a trail user). We hope that owners of parcels that are crossed by these trails, and users of the trails, are able solve this issue without going to court. Because we do not have complete information on the history of these trails, we do not think it would be prudent for our committee or the SHHA to take a legal position in this matter. However, we hope that courtesy and neighborliness prevail.



Meeting for Utilities for SH North To be Scheduled

The Bureau of Indian Affairs has contacted the various parties concerning the "right of way" across the Sandia Pueblo for the utilities to Sandia Heights North.

The various people contacted by the BIA include, the U.S. Forrest Service, The Tram Company, Sandia Pueblo, and the SHHA. PNM, and Comcast will be notified of the pending meeting.

In addition to bringing natural gas services and cable service to Sandia Heights North, we want to coordinated the actions of PNM, Comcast, and the Sandia Peak Water Co.

Residents of Sandia Heights North were contacted by SHHA to determine the amount of interest in bringing natural gas service to the area. So far approximately 20 residence have indicated a desire to have natural gas service. A meeting between the residents and PNM will be scheduled soon. PNM will discuss the cost of bringing natural gas service to the North. Residents of Sandia Heights North should call the SHHA office to indicate their interest in natural gas service.



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