

THE GRIT

Sandia Heights Homeowners Association

March 2011

President's Message by Phyllis Moore

On Saturday January 29 SHHA Homeowners Association collaborated with our District 4, County Commissioner, Michael Wiener to hold a meeting to basically discuss the County Line Summer concerts and the proposed Noise Ordinance and the impact to our Sandia Heights residents. The meeting allowed our County Commissioner, Michael Wiener, to explain his point of view for proposed ordinance change. County Line Restaurant owner, Skeeter Miller, addressed his objective for the summer concert series. After both speakers shared their respective points of view, residents were granted time to share their individual experiences with the concert series. George Schroeder representing the Bernalillo County Environmental Health also contributed to the meeting regarding the technical decibel sound levels gathered during past concerts and addressed decibel sound level questions.

In addition to the above speakers, our newly elected Bernalillo County Sherriff, Dan Houston addressed our SHHA community residents about his plans and goals for Bernalillo County surveillance. He also addressed the issues and concerns confronting our specific community regarding the excessive motorcycle noise and racing on Tramway Blvd during late night and early morning hours. The one outcome that stands out in my mind will be the planned increased presence of Sherriff vehicles for surveillance within the Sandia Heights community. Following the Sherriff

Dan Houston presentation, a Question and Answering session was conducted for our SHHA residents. Sheriff Houston did request our individual inputs regarding our issues and concerns and recommended we use the following phone number to contact him: Sherriff Dan Houston (249-9442).

We were fortunate to have the services of a neutral facilitator, Tim Karpoff. According to the facilitator the key concerns regarding the concert series for our SHHA residents so far include:

Property Values, Concert – frequency, duration, Air Pollution, Fencing, Casino Relations, Wildlife Impact, Motorcycle noise, Parking and Trash. *Note these topics were gleaned from the email traffic between Commissioner Wiener and our SHHA residents.

Please watch our SHHA website and GRIT publication for future developments and any notification about Proposed Noise Ordinance hearings.

I want to thank each of you that took time to attend and demonstrate your interest and concern regarding this SHHA community issue. All the information collected at the recent meeting can be viewed at www.bernco.gov.



Nomination Committee

We are beginning our search for new officers interested in serving on the SHHA Board for next year (2011-2012). Please drop Kate Fry an email kfry4956@yahoo.com or give me a phone call at 828-1689 so we can discuss and explore your interest as an SHHA Board Member or a Committee volunteer.

PROPOSED AMENDMENTS TO THE SHHA BYLAWS

THE FOLLOWING TWO AMENDMENTS WILL BE VOTED ON INDIVIDUALLY.

AMENDMENT #1 –To Bylaws Section 7.1.3: change the first sentence, which currently reads:

7.1.3 Directors’ Participation on Committees: All Directors except for the President shall serve on at least two (2) Standing Committees.

To read: All Directors except for the President shall serve on at least one Standing Committee.

Rationale: SHHA committees can be adequately staffed with Board members serving on one committee. Board members may serve on additional committees at their discretion. This change will also make Board membership more feasible to residents who wish to serve but whose time commitments would prevent them from serving on more than one committee.

CONS: None are known.

AMENDMENT #2 - To Bylaws Sections: 7.2.4, 7.2.5 and 7.2.7: change the first sentence which currently reads:

7.2.4 Covenant Support Committee. The Covenant Support Committee (CSC) - **shall consist of a minimum of five (5) Board members**, excluding ex officio members. For each Unit in Sandia Heights for which CSC has responsibility, the Board authorizes it to take necessary and appropriate actions to enforce the Unit covenants as set forth in its charter, as well as other functions as may be set forth in its charter.

7.2.5 Community Service and Membership Committee. The Community Service and Membership Committee **shall consist of a minimum of three (3) Board members** excluding ex officio members. It shall be responsible for activities which enhance a sense of community and perform such other

duties and functions as set forth in its charter.

7.2.7 Parks and Safety Committee. The Parks and Safety Committee **shall consist of a minimum of three (3) Board members** excluding ex officio members and shall be responsible for overseeing park issues, working with Bernalillo County on traffic, road and safety related matters such as proper visibility along roadways, making recommendations to the Board and appropriate legislators, and such other duties and functions as are set forth in its charter. Change the first sentence of each to read: “shall consist of a minimum of two (2) Board members.”

Rationale: There appears to be no historical rationale for requiring more than two Board members on these committees. This change will make the requirement for a minimum of two Board members consistent for all standing committees.

CONS: None are known.



Tennis or Swimming Anyone?

Enjoy your new SHHA Member Benefit: Swim and Tennis Passes at the Sandia Heights Four Seasons Club!

Beginning January 1, 2011, Sandia Heights Homeowners Association members may enjoy free passes to use the tennis and swimming facilities at the Sandia Heights Four Seasons Club. SHHA member-families are now eligible for up to 3 visits (free passes) during 2011. Each pass will be good for 4 family members and/or their house-guests per visit. Passes are available at the SHHA office and will be issued for a specific date on an as-available basis.

Visit the SHHA office for details or see the SHHA website sandiahomeowners.org for details.

*Sandia Heights Coffeehouse
Concert Series presents...*

Stephanie Bettman & Luke Halpin
in concert Saturday, April 9



Luke Halpin, a nationally-touring singer/songwriter and instrumentalist duo, will perform at the *Church of the Good Shepherd* on Saturday, April 9th.

Stephanie and Luke create uplifting original folk/bluegrass/Americana music. Their songs range from up-tempo bluegrass to ballads, with a focus on lyrics, musicianship, and vocal harmonies. Stephanie grew up in Albuquerque and is also an accomplished actress. She stops the show with her fiery fiddle playing, while Luke thrills with stunning work on mandolin, fiddle and guitar. Listen to their music on www.stephaniebettman.com.

“That Stephanie Bettman has reached a level comparable to others like Emmylou Harris, Joan Baez and Alison Krauss so quickly it’s a bit uncanny.” – Country Jukebox

Showtime will be 7:30 p.m. A capacity audience of 188 enjoyed the January 15th Coffeehouse concert with The Chapmans. For preferred seating **members will be admitted starting at 6:30**. Doors will open for non members at 7:00.

SHHA members and their houseguests will be free. General admission \$15/adults, \$10/teens & seniors, \$5/12 & under, free/under 5. For more information, or to

volunteer to help, please contact Linda Bolton, 856-7100, nlightsmgt@aol.com.



SHHA Tree Lottery

Applications for the June 2011 tree removal lottery are coming in. Now is a good time to add tree removal to your plans for yard work this spring.

Open up your own mountain and valley views and those of your neighbors by selectively cutting trees that have grown too large for their original intend purpose. Remember, overgrown foundation plantings can also cause structural problems for your house and functional problems for your septic system and water supply lines.

The SHHA Tree Lottery will once again provide an excellent chance for Association Members to have all or most of their tree removal costs paid for by the Association!

Lottery Rules

- Must be a member of the SHHA
- Trees must have been cut and removed after June 12, 2010
- Any size Siberian Elm** may be entered (including young sprouts)
- Siberian Elm stumps must be treated to prevent re-growth
- Trees of all species over 26 feet tall are eligible
- Trees on County rights-of-way are eligible
- Only Tree Owner can give permission for tree removal

To Apply

- Fill out a Lottery application at the SHHA Office
- Provide a paid copy of the invoice for tree removal

Please see the SHHA website at sandiahomeowners.org or drop by the Office for complete Lottery eligibility, entry, and rules information.





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Office Staff

Betsy Rodriguez – ACC
Administrative Assistant
Sheraz Saint-Lôt – Publications &
Communications Editor

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Email:
shha@sandiahomeowners.org

GRIT Editorial Policy is:

- Attempt to publish both sides of every issue, including constructive criticism; no abusive or insulting remarks.
- Reserve the right to edit any submission.
- Not to print any unsigned letters or articles.



Stats and more from the Sandia Heights Security Patrol:

Month of January Call Type	# of calls	Month of January Call Type	# of calls
Alarms	23	Noise complaints	1
Animal control asst.	0	Open door/window	1
Breaking & entering	1	Parking problem	0
Assault/Battery	0	Pet nuisance	5
Car accident	1	Rescue assist	1
Customer assist	5	Salesman problem	1
Construction site burglary	0	Snake Call	0
Dumped/spilled material	0	Special (extra patrol or observation)	15
Fire	0	S.O. assist	0
Fireworks complaint	0	Special request	0
Front office	13	Speeding vehicle	0
Loud music/party	1	Suspicious person	8
Lost/found pet	1	Suspicious vehicle	18
Lost/found item	1	Theft	3
Mailbox vandalism	0	Threat/personal	0
Motorcycle nuisance	1	Utility Co. assist	10
Motorist assist	8	Vandalism	12
Neighbor Dispute	0	Vehicle burglary	5
Newspaper pickup	31	Wildlife report	0
		Total Calls	166


If you have questions regarding these stats, please call Security at 856-6347. Please be reminded that *Sandia Heights Security is a subscription service separate from Sandia Heights Homeowners Association membership.* Membership in SHHA does not include SHS membership. You can call Security to confirm your membership with them.

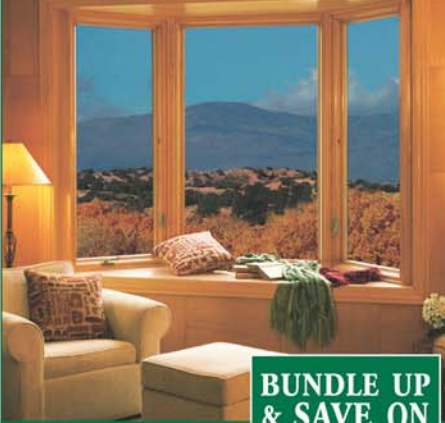


TRAM Passes SHHA has purchased 6 corporate tram passes per day! We cannot make your reservations over the phone but you can call the office and find out if passes are available for the day you want.



PLEASE NOTE: The Tram will be closed for maintenance April 4 through April 15.

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Commissioner Michael C. Wiener - District 4

I want to thank all of you who contacted me in December and January expressing concerns about the County Line Restaurant and the loud noise, parking issues, littering, etc. I replied to everyone, returned every phone call and met with anyone who wanted to personally discuss this situation. The three-hour meeting we held at the Church of the Good Shepherd on Saturday, January 29th was well-attended and everyone there had an opportunity to speak and to hear from County Line owner Skeeter Miller.

Action was just deferred on the amendments I authored to the County Noise Ordinance for 90 days so we can conduct several more meetings throughout the county. On February 6th, the Journal ran my Op-Ed article in which I explained why the current Noise Ordinance is simply not working and a pro-active permit process might be the answer. If you have not read this article you can do so at the Bernalillo County website: www.bernco.gov

Where do we go from here to resolve the situation with the County Line? The only complete resolution would be for Bernalillo County to buy the restaurant and turn it into a neighborhood community center. Not such a far-fetched idea and our staff IS looking into this; we've already done an initial appraisal/assessment. It would take three votes, I have two and need to convince one other commissioner of the soundness of this idea. District 4 residents pay an enormous amount in property taxes and to be honest, we are not getting our fair share in return. I only have one community center in my vast sprawling district and that is in Paradise Hills over 15 miles away.

Maybe if we organized an effort to show support from Sandia Heights residents that a community center is needed and desired we could solve two problems? It would certainly

bear more fruit than expressing anger at the loud music emanating from the County Line.

New Sheriff Dan Houston has given Sandia Heights residents assurances that he will step-up patrols and will do everything possible to stop the loud motorcycle noise on Tramway. He has met with County Line owner Skeeter Miller to address the problem of illegally parked cars on Tramway during the Thursday night concerts. Sheriff Houston has graciously provided his personal cell phone number: 249-9442 to Sandia Heights residents in case you need to reach him.

January was a challenging, frustrating and very emotional month for Bernalillo County Government. As you know, a 3 to 2 majority on the County Commission decided it was time to remove and replace our County Manager; a decision I did not support. I had an excellent and very productive working relationship with Thaddeus Lucero and he was beloved by our staff and employees who knew how effective he was at getting things done! He had served as a stabilizing force for the past seven years in this very complicated post, managing 2,500 county employees and ultimately being responsible and blamed for everything that happened in our Metropolitan Detention Center. The MDC incarcerates over 40,000 people each year (that represents 5% of our county population) and costs taxpayers \$71 million a year to operate. It is our biggest single expense and largest source of frustration which is why our politically astute former Mayor Marty Chavez gladly unloaded it on us.

The three newest members of the five member Commission decided it was time to change the "culture" in Bernalillo County and now we have begun an arduous and expensive national search to select a new manager while paying Mr. Lucero over \$150,000 to exit quietly. I can understand the new commissioners frustration, as I too read the daily dirt dispensed with delight by the Albuquerque Journal. Unfortunately, our lone surviving daily fish wrap never covers anything positive that we accomplish - yet always finds front page headline space to feast

on and regurgitate anything that just doesn't quite sit right with their editorial staff.

Believe me when I assure you that I'm not an apologist for all that HAS gone wrong in Bernalillo County Government, but for God's sake, any and all irregularities HAVE BEEN corrected and action was taken QUICKLY by the County Commission. Proudly, we have a new ethics ordinance, a balanced budget, a Triple A Bond Rating, have not had to cut salaries or lay anyone off and have been the recipient of numerous national honors and prestigious management awards; all of which have mysteriously escaped the coverage of the Albuquerque Journal. Don't we deserve ANY credit for getting anything right? Apparently not when it comes to our lone surviving tabloid.

Last year, with great pride, I re-dedicated a 16 acre Hang Gliding park in North Albuquerque Acres to honor Sandia Heights resident and former Apollo 17 astronaut Senator Harrison Schmitt - yet the Journal did not deem it newsworthy. Same with the groundbreaking ceremony we held for the \$25 million Eubank Blvd. expansion/widening project, the Journal was not there to cover it. Just not controversial, I guess? But I thought it was a NEWSpaper?

Blaming Thaddeus Lucero, and subsequently removing him - while leaving Winston Brooks in charge of the failing Albuquerque Public Schools after a litany of far worse management disasters (including: teachers stealing and fencing stolen televisions, janitors stealing computers, rampant and repeated school vandalism, massive scheduling anomalies, broken pipes at over fifty schools costing in excess of \$1 million to fix, and a dropout rate that is a national embarrassment) I find to be inconsistent at best! Wait a minute, didn't the APS Board just vote to EXTEND Mr. Brooks contract for another year? Where is the outrage and disbelief over this extraordinary hypocrisy?

Moving on to other issues....Soon we will be holding a meeting in Sandia Heights to discuss plans to deal with impending new and

expensive 2015 septic tank regulations and what other options exist, including sewer connections. Our staff has been working diligently on this assessment.

I am always available to my constituents at: mcwabq@aol.com and can be reached by phone at 858-0004 or on my cell 688-0004, or at my office 468-7010 to my assistant Darrell Dady.

Thanks again for giving me the honor and privilege of representing you on the County Commission.

Respectfully, Michael C. Wiener
County Commissioner, District 4

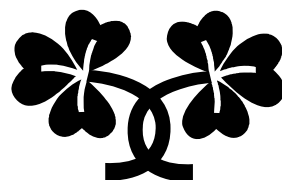


Covenant Support Committee (CSC)

The issue taking up much of the CSC time the past month has been County Line Concerts and the related Noise Ordinance amendment. In that regard, SHHA arranged for residents to meet with and provide input to our County Commissioner, our Sheriff and other County personnel at the Church of the Good Shepherd on Saturday morning, January 29.

Notes from this meeting are now posted on the main page of the Bernalillo County website at www.bernco.gov. The Proposed Noise Ordinance amendment was discussed at the Tuesday, February 8 BC Commission meeting and detailed information about this meeting is posted on the SHHA website at www.sandiahomeowners.org.

SHHA is continuing to work this issue as it is a concern to many association members. Check the SHHA website for updates and progress reports every couple of weeks.



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Sewer/Septic Report ~ Bob Francis

The Sewer/Septic sub-committee has been working to try and understand the environment and requirements facing the Sandia Heights homeowners.

There are 5 different government agencies along with Sandia Heights Services (SHS) which are involved in the current sewer/septic tank situation. These include the State of New Mexico Environmental Department, Bernalillo County (Bernco), Bernalillo County Board of Commissioners, Bernalillo County Water and Sewer Authority, and The State of New Mexico Public Regulatory Commission (PRC).

Sandia Heights Services (SHS) currently serves approximately 473 sewer customers in Sandia Heights. SHS has the right to serve these customers since they own the sewer and water franchise for Sandia Heights. The sewer franchise is regulated by the PRC.

The SHS sewer line feeds into the sewer system operated by the Bernco Water/Sewer Authority. SHS is a customer of the Bernco Water/Sewer Authority.

According to SHS, their sewer line is near full capacity, and they have no plans to expand their sewer system.

The Bernco Water/Sewer Authority is the operator of the sewer system. Expansion of the sewer system would require the approval of the Bernco County Commissioners. At this time, the Bernco County Commissioners have no plans to expand the sewer system to serve Sandia Heights. Estimates of building a new sewer system into Sandia Heights would cost \$50-60 million.

The Bernalillo County Commissioners adopted a set of septic tank rules which are separate and different than the rules set by the State of New Mexico Environmental Department. The stricter septic tank rules are set to begin in 2015.

The Sandia Heights Sewer/Septic sub-committee has been meeting with the various agencies mentioned above along with Sandia Heights Services in order to determine what action we can take to improve our situation. We will be meeting Commissioner Michael Wiener and various Bernco Environmental employees to explore the fairness of the septic tank rules as they relate to Sandia Heights.

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SHHA member benefits

Your SHHA member benefits and services include: office and notary services, annual classified ads, Coffeehouse Concert Series, Sandia Tram passes, tree lottery, covenant enforcement, no-fee ACC applications, and discounted safety vests.

Check out the entire SHHA Member Benefits Program at sandiahomeowners.org and enjoy discounts at our supporting local merchants.

The SHHA Merchant Benefits Program includes the following current participating merchants:

- Asian Café**
- Bair Medical Spa**
- Best Way Carpet**
- Black Diamond Taekwondo**
- Bob's Painting**
- Chiropractor, Mark L. Schwartz DC**
- County Line of Albuquerque**
- Curves**
- Granite Transformations**
- High Finance Restaurant**
- Sandiego's Mexican Grill at the Tram (\$1 parking fee will be reimbursed with purchase of lunch)**
- Jade Enterprises**
- Massage Envy**
- The UPS Store**
- Yoga with Marcy**

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ACC Activity Log

The following is a summary of Approved Projects activity since the last GRIT:

841 Llave Lane – Patio
963 Antelope Ave – Re-stucco, Refinish Trim and Door Replacement
989 Lynx Loop – Replace Windows and Doors
995 Lynx Loop – Driveway & Landscaping
998 Lynx Loop – Replace Windows and Doors
1048 Red Oaks Loop – Reroof
1102 Marigold Drive – Reroof
1439 Honeysuckle – Landscaping
2804 Tramway Circle – Replace Mailbox
7744 Cedar Canyon Road - Restucco

Check the ACC Project Log at the website sandiahomeowners.org. Click on THE A.C.C. then on Architectural Control Committee Project Log and read about all projects currently under ACC management.



FROM THE ACC: VARIANCES TO COVENANT RESTRICTIONS

On some occasions, the ACC is asked by a property owner to consider granting a covenant variance. These variance requests are normally received as part of the application for a new construction or home improvement project and usually involve asking for a relaxation of the dimensional setback requirements imposed by the covenants. These variance requests are one of the most difficult parts of the ACC approval process and are very carefully considered prior to making an approval or denial decision.

So how does the ACC handle a variance request? The first step is to work with the property owner to see if there are alternatives to the home improvement or new construction design that would eliminate the need for a variance request. If not, the ACC then proceeds to debate the merits of the variance request. The ACC will grant a variance only when it can

be shown that there are specific physical characteristics of the lot (arroyo locations, steep grades, etc.) which, without relief from covenant restrictions, prevent construction of a residence (or making a modification to an existing residence) that is in parity with other local residences. Parity is determined in terms of the average size and features of other local residences. In such cases, the ACC will grant a variance in order to bring the disadvantaged property up to the level enjoyed by nearby properties but not so as to create an advantage over limitations placed on the other properties. In addition, the ACC will try to provide relief in ways that minimize deviations from the spirit and intent of the covenants and that will minimize any negative impact upon the interests, welfare, and rights of the owners of other local properties. If, however, it is determined at this time that there is insufficient justification to support the variance request, the property owner will be so informed in writing.

Once the ACC decides to grant the variance, a neighborhood review will be conducted to ensure that all owners of nearby properties are fully informed that a project within their neighborhood contains a request for a variance. Upon receipt of comments from neighbors, the ACC will proceed with the evaluation of the entire project and, if approved, will include a written justification for granting the variance in the approval letter to the applicant.



Please join us for our first
SHHA Easter Egg
Hunt at the **WL**
Jackson Park (Cedar Hill and Tramway) on
Saturday, April 23,
2011, 10am-12pm.

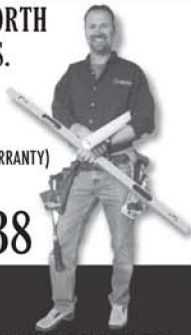
Refreshments provided.

Please call the office 797-7793 to rsvp so that we know how many to expect.



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Sharon and Judson McCollum are ready to sell your home! They have acquired a long list of satisfied Sandia Heights sellers throughout their real estate career. This is because Sharon and Judson promote **Top VALUES and SALES** in Sandia Heights!

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Community Event Bulletin Board

Not all of these groups are sponsored by SHHA. Information is provided to keep residents informed

Church of the Good Shepherd:

All youth ages 13 to 19 are welcome to join the FUN at Church of the Good Shepherd's teen program on Sunday mornings at 9:30 a.m. This program is designed to provide encouragement and help the teens in our community make healthy choices while feeling support in a caring environment. Visit www.goodshepherdunitedchurch.com, stop by the church at 7834 Tennyson NE, or call the office @ 856-1004 for more information.

Cancer SOS – Sandia Presbyterian Church Cancer Support

If you have experienced cancer (just diagnosed, patient, survivor, caregiver, friend, and/or family) and would like information or contacts to providers, or just want to talk to someone who has been there, please join us. Cancer Survivors Offering Support (Cancer SOS) and Sandia Presbyterian Church (SPC) are providing a FREE support group and/or one-on-one discussions for those in all stages of cancer and caregiving.

For information call Cancer SOS (505) 255-0405 or SPC (505) 856-5040. SPC Support Group meetings are the 1st & 3rd Wednesday evenings monthly at 6:30 – 8:00 p.m. at 10704 Paseo del Norte NE, on the frontage road south of Paseo between Eubank and Browning (enter through Browning to avoid construction).

Services are provided by cancer survivors, who are seasoned veterans of cancer and who have completed training for facilitating support. (We do not provide professional medical advice, consultation or services, but can help you find those services.)

Sandia Heights Artists News... We will be having the 2011 Studio Tour on September 10 & 11. If you missed the very productive meeting in January, you still have time to get involved. Although the tour is our main event, please consider showing your work at the Holiday Sale (date tba), the coffee houses and the SHHA Meet & Greet. There is also a web site: sandiaheightsart.com for any artist in our community. All Sandia Heights Artists are encouraged to use this opportunity to support each others arts and to support our community. Artists can also contact Kathryn Lazier if they would like to show their work at any of the coffee houses this year or at the SHHA meetings. **TO PARTICIPATE IN THE TOUR:** The deadline for joining the tour is April 30, by which time all artists need to have contributed \$75 to the costs and have provided information on themselves and their art for the studio map. CONTACT Kathryn Lazier 797-0974 or kalazier@gmail.com to let her know if you plan to participate in the tour or would like more information. **OUR NEXT ORGANIZATIONAL MEETING** will be on April 4th at 7:00 p.m. at the home of Barbara Nahler: 1202 Marigold Dr. NE

HAPPY ST. PATRICK'S DAY





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