

SHHA Board Candidates Wanted

Jim Cook, Chair Nominating Committee



The Sandia Heights Homeowners Association (SHHA) has appointed a Nominating Committee and the Committee is actively looking for people who want to become involved with their community by serving on the SHHA Board of Directors. Sandia Heights is a very special community and one way to ensure that it stays special is for the people who live here to actively participate in the SHHA. We are looking to fill several positions this year and we would like to have as many candidates as possible.

As an SHHA Director, you would have an opportunity to serve on Board Committees such as Traffic & Safety, Parks, Architectural Control, Membership, Covenant Support, Executive, Finance, or Publications. It is through the work of these committees that the SHHA can provide the services, vision, and leadership needed to keep Sandia Heights a truly special community. If you want to make a difference in your community, there is no better way to do so than to be an active member of the SHHA Board of Directors.

Members of the SHHA Board of Directors are elected for three-year terms by a plurality vote of the active members attending the annual meeting. This year the Annual Meeting of Members will be held on Saturday, June 1. Non-members may attend the annual meeting, however only members may vote.

As a Director you must attend the monthly Board Meetings, which are held on the second Wednesday of each month.

Directors must also serve as a member of one of the Board Committees. Officers of the Board – President, Vice President, Secretary, and Treasurer – are elected by the Board at the first Board Meeting following the Annual Meeting of Members.



Please contact the SHHA office at 797-7793 or by email at shha@sandiahomeowners.org if you would like to serve your community in this very important role. A member of the Nominating Committee will contact you. Even if you're not sure if this is something you want to do, contact the SHHA office and a member of the Nominating Committee will be happy to talk with you and answer any questions you may have.

If you are a member and not able to serve on the SHHA Board of Directors, please make time to attend the Annual Meeting of Members and vote for the people you believe will best represent the homeowners in the Sandia Heights community. Also, don't forget that every Sandia Heights resident can share their perspectives and knowledge with the community by submitting letters or articles to the Grit.

SHHA'S ANNUAL MEETING OF MEMBERS

is at 10 am, Saturday June 1ST, Downstairs at the
CHURCH OF THE GOOD SHEPARD 7834 Tennyson, NE
If you need directions, call the SHHA office

Keeping Our Neighborhood More Secure

Traffic and Safety Activity

Reported by Glenn Kuswa for Eric Nuttall, Traffic and Safety Committee Chair



- **Trimming chamisa.** Chamisa trimming is proceeding, although somewhat slowly, as the county learns to operate and correct problems in some new equipment. The motivation for trimming is to reduce safety problems that arise from narrowing the space for vehicles, diminished visibility, and barriers that endanger pedestrians and bicycle riders. We expect that over the next few months most roads will be cleared of vegetation in the area 3-4 feet on either side of the road. This space is part of a typical fifteen-foot **County-owned** boundary on either side of the pavement. In some cases there are special improvements within the region normally cleared, and the county crews have managed these special cases so that we have had no complaints. If any residents have special concerns, please contact the Traffic and Safety Committee.
- **County cooperates with SHHA.** We have productive relationships with the County Sheriff's office and the roads maintenance organization, and officials from these organizations often attend SHHA Traffic and Safety Committee meetings. (Special thanks to Officer Santanillanes and Mr. Mobarak for their interest and time. Many of you have noted "speed carts" that inform drivers of their speed, and help to control driving habits in a more friendly way than citations. However, speed surveys and the experience of pedestrians show that there are still many dangerous and inconsiderate speeders, and citations are still being issued. **The cost and nuisance of citations are minor, in comparison with insurance premium increases that often persist for several years after a minor moving violation; you may want to remind any young drivers in your family.**
- **Sheriff can now respond faster to Sandia Heights calls** The Sheriff's office now routinely patrols our area, and response times as short as a few minutes may be possible. In the past the patrol district had included the valley region. Please call 798-7000 to report speeders, suspicious vehicles or strangers in our neighborhood.
- **A gentle bump to slow speeders.** The most practical ongoing way to slow speeds on our curvy and hilly terrain seems to be speed bumps. The County now has an approved 15 mph design that should allow us to seek more speed bumps. The

county policies and procedures for traffic calming are on file in the office. This effort will require the involvement of residents along affected streets to collect signatures. We are seeking especially concerned residents to become leaders for their areas so that we can launch programs for some pilot streets.

- **Free security packet available.** The Sheriff's Office, supported by Radio Shack and ADT, have issued publications that contain helpful phone numbers, discuss such topics as neighborhood watches and discuss some commercial services and equipment. A particularly useful inclusion is a 8 ½ x 11 plastic laminated sheet with magnetic holders that can give you instant data on neighboring house phone numbers and other emergency numbers. (You fill in the blanks, of course.) **You can pick up a free package at the SHHA office, and if demand exceeds supply, we will obtain more.**
- **Keeping hydrants visible.** The SHHA has provided financial support for reflective hydrant markers and paint for the pavement to mark these important features. The vegetation will also be cleared near them. Volunteer labor to accomplish these very useful tasks is coming from Jason Williams of Sandia Heights who is working on his Boy Scouts Eagle Project. Thanks to Jason!
- **Standing measures to promote security.** A reward of \$2,000 is offered by the SHHA for information leading to the conviction of those responsible for major acts of vandalism in Sandia Heights. Glenn Kuswa and Chris Harmon continue to offer \$5,000 for information leading to the conviction of the arsonist responsible for destroying their home under construction at 96 Juniper Hill. **We have an Internet email list for distributing news on urgent security matters; call or email the office to get on the list.**



Traffic and Safety Continued next page

Traffic and Safety - Continued

- **Security enhancements.** Some ideas under discussion include: providing vehicle identification stickers that would identify resident vehicles; mailbox stickers bearing the security patrol and sheriff phone numbers; video cameras to photograph license plate numbers at entrances; a telephone notification system that would give officials a way to instantly notify groups of residents of a crime in progress or other hazard; a computer hook up that would economically allow any SHHA member to place one or more home security cameras on a network that could be viewed by others on the network from any location on the internet. The committee welcomes comments from residents, and would particularly like to have the involvement and/or advice of any telecommunications or video experts who could help determine the feasibility of some of our projects.
- **One neighborhood's security experiment.** Mark Boslough of the Traffic and Safety Committee reports that the South San Pedro Neighborhood Association is relying more on peer pressure than on signs and speed humps in their quest to make their streets safer, according to the Albuquerque Journal. One of the neighborhood association members created a certificate that says, "I promise not to exceed the speed limit anywhere," and is hoping she can get everyone to sign it. The association plans to inaugurate the "Speed Limit Drivers Club" at their next general meeting, and is challenging residents to take the safe-driving pledge. We plan to follow this to see if it works well.
- **Unsafe truck drivers reformed.** Mark Boslough furnished this account: "Last week I was enjoying a jog up Tramway Lane, when I heard a large vehicle approaching from around a blind curve. I got out of the road as a large delivery truck roared past at more than twice the speed limit. I motioned to the driver to "slow down!" He waved back and continued on his way at the same pace. Has that happened to you before? Judging from the number of complaints our committee has gotten from Sandia Heights homeowners, it probably has. Many drivers are under pressure to make deadlines or maximize their number of deliveries. Some are simply ignorant of the fact that most of our roads have 15 mph speed limits. But those are not valid excuses and their employers do not want them speeding and endangering our residents."

Mark called several of the companies whose vehicles often drive through our neighborhoods. Without exception, they want to hear from us when their employees violate our speed limits. A convenient list of phone numbers and phone menu shortcuts for some of the companies that frequent our roads is available below. The numbers do not imply that a particular firm is a violator. In general, Mark noted that the companies need at a minimum the time of the incident to reconstruct who the driver is, but it is better yet to note any identifying numbers on the truck. To thank those drivers who respect our safety, Mark also suggests rewarding courteous drivers by complimenting them, or by contacting their companies. We also encourage you to note incidents with the SHHA office so that we can better track the problem and consider sending formal correspondence if any companies are uncooperative.

Who to call:

Federal Express	800-463-3339 shortcut: *
UPS	800-742-5877 shortcut: 0
APS (school buses)	505-880-3989
US Postal Service	505-346-1799
ATEX Gas	505-897-7958
Schwan's Foods	505-821-4433
Peoples Flowers	505-884-1600



**How can you help?
Become a member of SHHA!**

**IT'S YOUR COMMUNITY
SUPPORT IT!**

**If you are not a member call SHHA
today at 797-7793 for information
about joining. Office hours are from
11am to 3pm
Monday through Friday**

What I Will Miss

By Robert C. Gardiner

For the last two years, I have had the pleasure of playing the role of Park Attendant at Elena Gallegos and Boca Negra Canyon. My opportunity to play that role ended on January 25th 2002. I have become aware that there are many things I will miss as I move on to other roles.

I will miss seeing the moon set as I drive to Boca Negra Canyon in the morning.

I will miss seeing the sun rise over the Sandias as I open the Boca Negra gates.

I will miss the roadrunners making sounds outside the booth to get my attention.

I will miss seeing the male roadrunner show off his catch before going to the nest.

I will miss seeing the chicks flap their wings, sound off and dance for food from mom.

I will miss the squirrels running and squabbling outside and inside the booth.

I will miss the squirrel that climbed my leg onto my lap looking for a tidbit to eat.

I will miss another squirrel that never learned that the best food was not on the floor.

I will miss a bird I dubbed "little bird". It is very small and chirps and bounces.

I will miss seeing the wary coyote on his infrequent trips to the waterhole.

I will miss seeing the timid cottontails run and then stand motionless as I pass by.

I will miss seeing the abundant millipedes crawling everywhere during their season.

I will miss seeing the rattlesnakes and the park visitors' reactions to them.

I will miss getting to see the plants change their attire to match the seasons.

I will miss getting to inform people from all over the world about the Petroglyphs.

I will miss giving Interpretive Talks and Tours to people of all ages.

I will miss responding to the questions of curious children who are eager to learn.

I will miss seeing the sunset and the light slowly turn to dark in Boca Negra Canyon.

I will miss seeing the moon rise over the Sandias as I return home in the evening.

I will miss seeing the city slowly bathed in light as I open the Foothill gates.

I will miss talking with the people who are out for their early morning walks.

I will miss the encounters with dogs on leashes – some friendly, some not.

I will miss feeling the happiness when separated dogs and owners are reunited.

I will miss seeing deer munching on foliage or just standing still and watching me.

I will miss greeting plants on their arrival and bidding them goodbye with the seasons.

I will miss informing people of the hiking and biking options at Elena Gallegos.

I will miss getting to mend the infrequent scrapes, bruises and cuts that occur.

I will miss seeing the play of clouds and light on the Sandias from Elena Gallegos.

I will miss experiencing extreme weather changes in a short period of time.

I will miss getting to redirect the path of people who are not sure where they are.

I will miss talking with visitors to the city who are glad they found Elena Gallegos.

I will miss talking with short-term residents who are glad they found Elena Gallegos.

I will miss talking with long-term residents who are glad they found Elena Gallegos.

I will miss seeing the play of light and dark on the Sandias as the sun slowly sets.

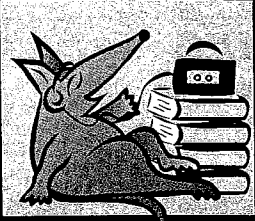
I will miss hearing the coyotes hooting and howling during the early evening hours.

I will miss seeing the city lights come on and twinkle as darkness engulfs the city.

I will miss seeing the moon rise and cast its soft light on Elena Gallegos and the city.

I will miss much more than I have written here. It will all remain with me as happy memories.





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SPECIAL REWARDS FOR INFORMATION leading to convictions:
\$2000 for major vandalism in Sandia Heights, \$1000 and \$5000 additional
for arson at 96 Juniper Hill Rd. on Jan 14, 2000. Call the SHHA office
at 797-7793 for more information.

THANK YOU TO ALL OF THE SANDIA HEIGHTS HOMEOWNERS ASSOCIATION ADVERTISERS AND SUPPORTERS!



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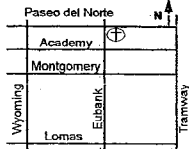
Sandia Presbyterian Church
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April 16-May 14

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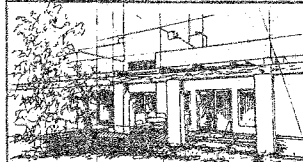


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Tom Smidt, attorney, wishes to thank all of his Sandia Heights client neighbors for their support and referrals over the past 25 years.

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The Finance Committee

By: Rick Nelson, Treasurer
Report for February 2002, the sixth month of our Budget year

Assets and Liabilities as of 2/28/02

Cash and in Banks

In Checking	\$ 7,560.57
In CD	45,828.01
In Petty Cash	131.93
Total Cash and In Banks	\$ 53,520.51

Other Assets

Equipment and Furniture	\$ 10,745.71
Membership Inventory	1,162.14
Prepaid Postage, Rent, Etc	2,959.41
Security Deposits	1,272.75
Total Other Assets	\$ 16,140.01
Total Assets	\$ 69,660.52

Liabilities

Open Space, Legal and Operating Reserve	\$ 45,828.01
Prepaid 2002 advertising Directory, Grit, Little Grit	
Reduced by published issues	13,015.83
Total Liabilities	\$ 58,843.84
Assets less liabilities	\$ 10,816.68

Inflows and Outflows month of February 2002

Inflows

Architectural Control	\$ 320.00
Advertising	500.00
Interest earned	82.08
Members Dues	7,591.93
Wine/Coffee event	1,040.00
Total Inflows	\$9,534.01

Outflows

Communications	\$ 1,382.80
Other committee expenses	373.25
Collection of dues	1,050.36
Legal,	2,017.58
Office, lease, utility, phone, Internet, supplies, etc.	1,600.22
Office Staff	3,858.32
Total Outflows	\$ 10,282.53
Outflow over inflow for month	(- \$ 748.52)

Note: another \$ 1,912.08 was spent on Prepaid costs and Inventory from operating reserves

Club Postings

Information about existing groups
and request to start new groups

Sandia Heights Wildflower Club



The May meeting of the Sandia Heights Wildflower Club is scheduled for Wednesday May 15th, at 7:30 p.m. at the home of Milton and Diane Mueller, 1216 Rockrose Road. Frank Soper will give a brief presentation about Sandia Heights covenants and answer related questions. This is also the annual brainstorming session for ideas for the activities of the club for next year.

Any Sandia Heights Resident is welcome to attend any of the bi-monthly meetings. To become a member, please send a check for \$5 payable to the Sandia Heights Wildflower Club to Susan Cook, 1842 Tramway Terrace Loop, Albuquerque, NM 87122 to cover dues for one year.

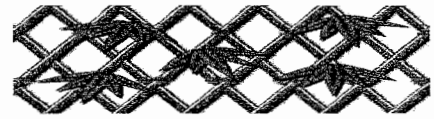
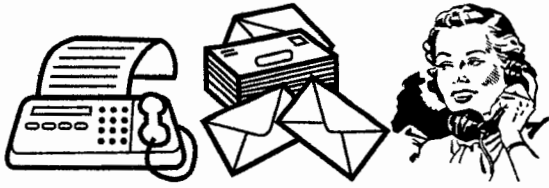
Sandia Heights Computer Club



We had our first meeting March 7 with 9 members attending. Everyone was interested in using PCs to be more productive. Topics of discussion for future meetings included: Firewalls, Viruses, Email filters, downloading files, backups, file system organization, Word, Excel, Access, Powerpoint, Publisher, Outlook, Calendaring tools, Windows, and Quicken. The topic of discussion for the next meeting is creating your own website.

You can find more information about joining the Sandia Heights Computer Club (SHCC) at its website:

<http://mywebpages.comcast.net/shcc/>
or email Jim Cook at shcc@comcast.net



Communications & Publications Committee

Jim Cook, Chair

Congratulations Grit readers! You've submitted so many articles and letters that we've had to expand the Grit to 20 pages for this issue.

- ◆ Dan Caudillo has continued his Gardener's Calendar series with tips for April and May and written an article on theme gardens for those of you who want to try your hand at creating a new garden for your home this year.
- ◆ Robert Gardiner submitted a poem that reminds us of all of the wonderful things in our area that we often take for granted.
- ◆ There were many letters submitted on the Sandia Pueblo issue so we allocated additional space in order to print all of them.
- ◆ Thanks to all of you who submitted material for publication. It's this type of active community involvement that helps us publish a better community newsletter.
- ◆ By now all SHHA members should have received their 2002 Resident's Directory. If you're an SHHA member and did not receive a directory, please notify the SHHA office. Also, please check your listing and let us know if you would like anything changed for next year.
- ◆ If you are a Sandia Heights resident who is not yet an SHHA member and would like a directory, you can purchase one at the SHHA office or join the SHHA and receive a directory at no charge.
- ◆ For those who would like additional directories, they're available for purchase at the SHHA office.



Wire Fences and Covenants

Frank Soper, Chair Covenant Support Committee

What is a wire fence? The legal advisors to the Sandia Heights Homeowners Association (SHHA) have provided their opinions that chain link fencing is a wire fence, as is chicken wire and barbed wire.

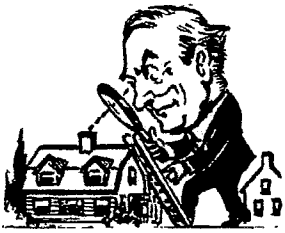
The Declaration of Restrictions (Covenants) for all 36 Sandia Heights units prohibits the use of wire fencing, which includes chain link fences. However, the Covenant Support Committee (CSC) regularly receives complaints about new installations of chain link fences. Since these fences do violate the restrictive covenants, the CSC must take action when complaints are received.

If your property has an existing chain link fenced area, you can avoid complaints by removing the fence. You may be able to avoid complaints by enclosing the fence with an approved material such as wood or stucco-coated concrete block with an approved color. Please note that any action other than removal of a chain link fence requires prior approval of the Architectural Control Committee (ACC), per the covenants.

The CSC is presently involved in three chain link violations. Please do not install new chain link fencing.

For those residents who want to install a temporary enclosure to protect a newly planted area from our critters, please advise the SHHA Office of your plan in order to avoid any potential covenant violations or neighbor complaints.

**DO NOT FORGET
MARK YOUR CALENDAR FOR
SHHA'S
ANNUAL MEETING
OF MEMBERS
at 10 am, Saturday June 1ST
Downstairs at the
CHURCH OF THE GOOD SHEPARD
7834 Tennyson, NE
If you need directions, call the SHHA office**



**Architectural
Control
Committee**
John M. Coffey, Chair



President's Message

Don Aunapu, President SHHA

It's Spring! This is the onset of the season of improving the exterior of our homes by restuccoing, additions, and landscaping.

Please remember that covenants require that before any of the above work can be started, application to and approval by the ACC are necessary. There is no charge for most of the above applications.

Please have your builder, stuccoer and landscaper review your unit's covenants before finalizing plans for submission of application. Acceptable stucco colors are on the SHHA website, and a color by another manufacturer which is within the color boundaries is almost always acceptable.

The ACC takes a positive attitude about maintenance and improvement of homes in Sandia Heights, and looks forward to working with all Sandia Heights home and property owners.



SHHA's 9th Annual Wine Tasting

Finian Murphy, Chair Community Service/Membership Committee

The SHHA's Annual Wine Tasting, held on March 16th, "was very successful," according to Ms. Astrid Lugowski, Chairperson for this event that was put on by SHHA's Community Service and Membership Committee. Dick Brackett, her co-chair, said it was very well attended. People seemed to be very pleased with the choice of wines supplied by National Distributors and the coffees and chias provided by New Mexico Coffee.

Ms. Lugowski wished to publicly thank the community volunteers and the SHHA's Office personnel for their excellent help and to give "kudos" to those businesses and individuals who donated items for the raffle. These included: Sandia Casino (Buffet tickets), County Line Restaurant (2 for 1 Ticket), National Distributors (wine), and Ruth Frazier (Acoma bowl and flowers).

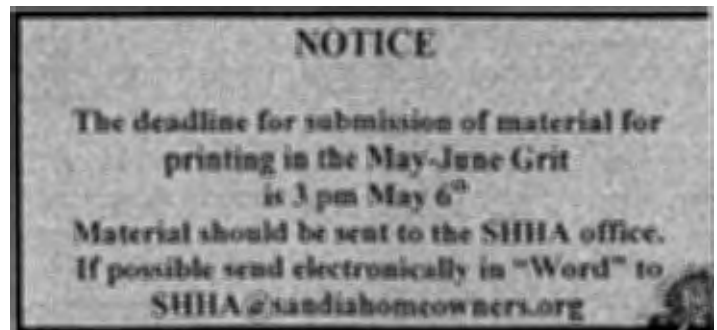
The Linda Vic Trio, dressed in green to honor St. Patrick's Day, provided lively music.

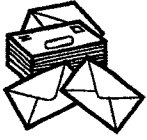
The Community Service and Membership Committee will meet next week to begin planning next year's event.

Your Board of Directors has been extremely busy for the past ten months. And this particular Board in its current composition has only two more months to serve before the Annual Meeting at which you will be selecting several new Directors to fill vacancies that will be left open by departing individuals. I strongly encourage each of you to attend this meeting and to participate in the voting for new Directors. Remember, this board represents you on multiple decisions that are required of them each month.

Our last Board Meeting on March 13, 2002 was a lively one. In addition to the normal agenda we had an open discussion on the Pueblo of Sandia Settlement issue. Many of our residents who attended this meeting were not happy with the Resolution that the Board of Directors approved on this issue. Neither were they pleased with the article that was published in the February 2002 issue of the Little Grit. The article I'm referring to is the one entitled "Resolution Concerning the Pueblo of Sandia Boundary Dispute". I want to thank all those members who attended this meeting and I want to assure you that your message was received loud and clear. I hope that once this one issue is settled, your interest in and monitoring of the Board's actions will not cease and that effective communication between the Board and its membership will continue to grow.

I want to reassure you that all of the current Board Members are trying to do what they feel is best for Sandia Heights and to protect the rights, privileges, and property of the residents of Sandia Heights.





Letters to the Editor

The Grit Publishes letters from residents and outside readers on topics of concern or interest to the community. Our policy is to publish as many letters as possible within space constraints so that all perspectives are presented.

Regarding the Sandia Pueblo Land Claim

from: Pete & Judi Foster, Sandia Heights Residents

Living in Sandia Heights North since 1977 and being Sandia Heights Homeowners Association members since that time, and Sandia Mountain Coalition members since the early '80's we are now discouraged to have our neighbors undermining our cause without full knowledge of the background information.

In 1748 Lt. Gen. Bustamante made a "regular" Pueblo Grant (approximately 17,460 acres) establishing the Pueblo of Sandia. The specific measurement for the eastern boundary in 1748 was one league (2.6 miles) from the center of the pueblo, which put it at the foothills of the Sandia Mountains, and not the crest. We attach Field Notes and Maps from R. E. Clement's approved and patented 1859/1860 Sandia Pueblo Survey. You can see he drew the border at the foothills, did not act alone, and placed large cross engraved rocks at the northeast and southeast boundaries. We include professional "sighting photographs" of the boulders at 6,600± feet elevation, not the 10,000 foot elevation of Sandia Crest. This Grant was resurveyed by Bohannon/Huston August 1988 and certified to be accurate within 933 feet.

Since the 1800's three different federal commissions have addressed American Indian claims. The east boundary of the Pueblo of Sandia was not questions until 1983 – over two centuries after the original Spanish Grant was made.

Bingaman's draft legislation states that the Pueblo would have jurisdiction over crimes committed in the undefined Trust area. The New Mexico Department of Game and Fish allows bow hunting in the National Forest/Sandia Wilderness 150 yards from our homes. Would you want Pueblo rule, over which you have no control, to govern the land 150 yards from where you and your children sleep – when you had originally purchased your home adjacent to National Forest/Wilderness areas? You "Little Grit" Editors must live safely in the area near Tramway Blvd.

Since it is already too late for a March Grit rebuttal, why don't you, in fairness, make the Homeowner's Association print space available to Anita Miller, Sandia Mountain Coalition co-chair (or Senator Domenici/Congresswoman Wilson) before May?

Editor's Note: Letter had 3 attached pages, which could not be reproduced due to space limitations. These pages are available in the SHHA office for viewing. The Grit encourages letters and articles from Sandia Heights residents and will also publish letters and articles by outside authors on topics that are timely and relevant to our readers. Submissions should be sent to the SHHA office

The Sandia Pueblo Land Claim

From: Jack Walker, Past Co-Chair,
Sandia Mountain Coalition

I and a number of my neighbors were dismayed at the Sandia Heights Homeowners Association (SHHA) Board's recent resolution regarding the proposed settlement "agreement" of the Pueblo land claim. The fact that the board would adopt and publish a "not opposed" position to the mediated settlement "agreement", crafted by the Pueblo and the Washington (WAS) bureaucrats, that went totally against the position that their members and constituents in the north subdivision have taken is most disturbing. This violates their charter as written by their own by-laws to support their members and protect their property values. After listening to the discussion at their March 13th meeting it is clear that this resolution was passed with only superficial knowledge or understanding of the issues. For example they were not aware of or just ignored:

1. All the expert research by historians and archeologists who firmly believe the claim is without merit.
2. The opinion of two preeminent attorneys specializing in Indian law who point out the agreement is riddled with "calculated ambiguities", which would almost certainly lead to further lawsuits by the Pueblo.
3. The position of the City of Albuquerque (ABQ) and Bernalillo County (BC) who realize that these ambiguities leave interpretation open and produces a high probability of further law suits that could threaten the loss of access to the mountain by the public.
4. The position of our Washington Congressional delegation who realize that the ambiguous agreement could threaten the Sandia Wilderness area and set a dangerous precedent across the nation.

It's interesting and disturbing that not one of the board has bothered to come to, and be educated by, the dozens of meetings of the Sandia Mountain Coalition (SMC) (made up mostly of their constituents) which, with our elected representatives from ABQ, BC, and WAS, have discussed and struggled with these issues in great detail for years. Perhaps better understanding of the issues would have helped the board understand that the agreement would have NOT provided the PERMANENCE required by their constituents from the north and may have opened the door to total loss of access to the mountain. It is now and has always been the objective of our elected representatives, and the SMC, to reach an agreement with the Pueblo that would protect their cultural and religious rights as well as the rights of the homeowners and public and, of primary importance, eliminate the threat of further law suits by the Pueblo. All of this leads me to these questions to the Board:

(1) Why did you rush to publish this resolution with so little research and knowledge?

(2) Why did you desert your constituents in the north without asking them for their input?

(3) Why did you gather your information through several meetings with the Pueblo to get their "spin" but not once did you meet with your constituents, e.g. the SMC?

(4) Why did you, in the "Little Grit", refer to the SMC as a "group" against the agreement, not acknowledging that this

Continued next page "Walker"

"group" is made up of your homeowner constituents who you are deserting?

(5) Do you believe your elected representatives from the city, county, and US Congress are incompetent or irresponsible because they believe that something other than the settlement "agreement" is necessary?

(6) Do you even know that there is draft legislation by Sen. Bingaman & Rep. Wilson which goes a long way toward totally resolving this issue with finality?

(7) Do you realize your endorsement of an outdated agreement that will not be supported by your constituents or elected officials could actually slow down the progress being made by the responsible parties?

(8) Finally, what good is a homeowners association if the Board won't support its members?

It is my hope that certain Board members do not have a hidden agenda here. One has to wonder. Incidentally the comments are mine only and do not represent, officially, the SMC but are shared by many of my neighbors with whom I have recently spoken.

Sandia Settlement Agreement

From: Andrew Gans, MPH, Sandia Heights Resident

As a new homeowner in Sandia Heights North, I was saddened by the SHHA Board meeting on March 13th. Peoples' feelings and fears led to some very unpleasant confrontation.

I believe the Board made a sincere effort to study the Sandia Settlement Agreement and developed the reasonable resolution that was published in *The Grit*. Clearly they are correct in thinking that this issue must be resolved by November, or we all lose out. Obviously there are diverse opinions about the settlement among our neighbors. However, the rudeness and personal attacks on Board members were unnecessary.

The Board is made up of unpaid volunteers who work very hard to improve our community – whether it is related to parks, safety, traffic, or even the settlement issue. We all have the right to disagree, but can still be respectful and grateful for these hard working volunteers.

The most effective way to reach an ideal settlement is for all parties to try to see the other points of view.

The Sandia Mountain Coalition's years of hard work and research will be more fruitful if they tone down the rhetoric and animosity.

The Sandia Pueblo will gain greater support for their cultural claims if they clearly state their support for a solution that permanently protects our property rights. And the SHHA Board will get broader support by crafting an improved resolution that reflects what we all want, a permanent agreement that is approved before the November deadline.

We should all remember that the Sandia Pueblo predates the Sandia Heights sub-division by hundreds of years. I believe they have been very good neighbors in making the compromises that they have offered to date. I hope all my neighbors will work towards a positive solution that earns us a

welcome into this neighborhood, so we can all benefit from this unique and beautiful place to live.

From the Pueblo of Sandia

Stewart Paisano, Governor,
David C. Mielke, Attorney for Pueblo of Sandia

On the evening of March 13, 2002 Governor Stewart Paisano and I attended the Sandia Heights Homeowners Association Board Meeting at which a number of residents sharply criticized the Board for passing a resolution declaring the Board does "not oppose" the settlement worked out between the Pueblo, the federal government, and the Tram Company. While differences of opinion on issues are understandable, the meeting was notable for the strong rhetoric of, and misstatements by, settlement opponents. I will attempt to briefly address some of these misstatements.

1 Titles to private property are not clear; utility and road rights of way are not permanent; Evergreen Hills property owners stand to "lose everything;" private property owners have only the "Pueblo's word" which could change at any time. These statements, made by residents at the SHHA meeting, are simply false. The Settlement Agreement could not be any more clear on these issues. The Pueblo's claims, including "any Pueblo claims to right, title, and interest in and to the subdivisions," are "permanently extinguished." The Agreement goes further to provide that "[t]he Pueblo shall have no civil or criminal jurisdiction for any purpose, including without limitation adjudicatory, taxing, zoning, regulatory or any other form of jurisdiction over the subdivisions and property interests therein, and the laws of the Pueblo shall not apply to the subdivisions."

As to the rights-of-way granted by the Pueblo, they are "irrevocable rights-of-way in perpetuity" which are granted to Bernalillo County for the roads, to the Forest Service for trails, and to the subdivisions for utilities.

2 Continued public use of and access to the Mountain are not guaranteed and the Pueblo could later claim full "trust" title. Again, it is difficult to imagine how someone could honestly make this claim. One of the explicit purposes of the Settlement Agreement is "to respect and assure in perpetuity the public's longstanding use and enjoyment of the Area." In exchange for the rights and interests recognized and protected by the settlement, "all Pueblo claims to right, title and interest of any kind in and to lands within the Area . . . are permanently extinguished." The boundaries of the Sandia Mountain Wilderness and the Cibola National Forest are explicitly recognized and maintained, as is Forest Service administration. In addition, the Pueblo has no right to close any part of the Area, even temporarily, or "to exclude persons or governmental entities from the Area."

3 Two Indian law "experts" have reviewed the Settlement Agreement and found it to be "full of calculated ambiguities" that would lead to future litigation. This claim, which has never been substantiated, much less debated, has been a

Continued on next page "Pueblo"

"Pueblo" Continued from previous page:

recurrent theme of settlement opponents. Only recently was the Pueblo provided a copy of a letter from one of these two "experts." That letter is nothing more than a series of conclusions, repeating past Coalition statements critical of the settlement. The other "Indian law expert" remains anonymous and has apparently not put his or her opinions in writing. It is difficult to respond to such arguments, but the Pueblo would welcome open and honest debate on the "ambiguities" issue. Suffice it to say, we believe the Agreement is very specific and ensures a permanent resolution – a result that a team of true Indian law experts from three federal departments, the Tram Company, and the Pueblo, all worked very hard to bring about.

4 The Hordes Report is authoritative and uncontroverted. Much has been made by settlement opponents of reports by Dr. Stan Hordes, a historian who was hired by the Forest Service and the Coalition to oppose the Pueblo's claim. Not surprisingly, the Pueblo's historians, anthropologists, linguist, and expert surveyor all strongly disagree with Dr. Hordes. Perhaps more significantly, the Pueblo's claim has received support from a host of other experts who have not been engaged by any party to the dispute. Conversely, we are not aware of any "independent" expert who agrees with Dr. Hordes' arguments, and even one of Dr. Hordes' primary researchers, now a history professor, strongly disagrees with his conclusions. In addition, it is somehow overlooked by Hordes' adherents that the first historian hired by the Forest Service to work on this case directly refuted Dr. Hordes' primary argument -- that Sandia was only entitled to an area of four square leagues, despite the plain language in the Pueblo's grant document, and Congress's confirmation of that grant, placing the Pueblo's eastern boundary at the "main ridge" of Sandia Mountain.

That historian wrote: "The size of land grants made to the Pueblo Indians has been a subject of extensive discussion over the years. First and foremost, there has never been a general law fixing the area of a pueblo at four square leagues or at any other rigid and unequivocal magnitude."

5 The so-called Leshy-Babbitt Opinion was a politically motivated rush to judgment that overruled a prior Interior Department opinion rejecting the Pueblo's claim. The recent Interior Department Opinion by former Solicitor Leshy and Secretary Babbitt on the Pueblo's claim came in response to a federal court decision that struck down a highly controversial 1988 opinion rejecting the Pueblo's claim (known as the "Tarr Opinion") and ordered Interior to reconsider the claim, applying appropriate legal principles. Settlement opponents who view the Tarr Opinion as objective and authoritative somehow overlook the fact that Solicitor Tarr was on the verge of issuing an opinion supporting the Pueblo's claim in April of 1986, when his draft opinion was leaked to the press and fears fanned about its potential consequences. The resulting political uproar caused Tarr to do an "about face", shortly before he left office, in disregard of the recommendations of others in the Department.

The County and Coalition, after withdrawing from settlement discussions, appealed the federal court's decision throwing out the Tarr Opinion, but their appeal was unanimously dismissed by a three-judge Court of Appeals panel (all three judges were Reagan or Bush appointees). On November 21, 2000, four days after the Court of Appeals' decision, the attorney for the County and Coalition wrote to the Secretary Babbitt, making the following request: "Pursuant to your authorities to correct surveys . . . the County of Bernalillo, New Mexico, and the Sandia Mountain Coalition herewith request that you undertake a resurvey or otherwise correct the erroneous survey of the eastern boundary of the Pueblo of Sandia."

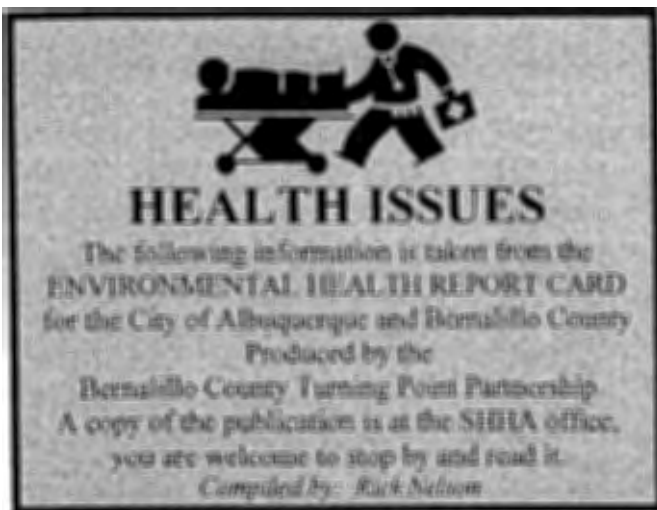
In accordance with this request and the federal court's remand order, the Interior Department proceeded to re-open the administrative record in the case for 30 days in case any party wished to make additional submissions, and on January 19, 2001, (the last day of the Clinton Administration) Solicitor Leshy issued a 31-page legal opinion, concurred in by Secretary Babbitt, that carefully analyzed and addressed the legal and factual issues, including Dr. Hordes' arguments. That opinion concluded that the Pueblo's eastern boundary had been missurveyed and that the crest was the proper boundary.

These are just some of the fears and misrepresentations we heard expressed at the March 13th meeting. We also understand that residents submitted letters to the Board and requested that these letters be published in your community newsletter, The Grit. We respectfully request that our letter presenting information correcting some of the misstatements made at the meeting be published in The Grit so that Sandia Heights residents are presented with all of the information needed to make informed decisions.

We are pleased that the SHHA Board of Directors has the integrity to present both sides of this issue even though your position is obviously unpopular with some Sandia Heights residents. The Pueblo's greatest frustration continues to be that many opposing the settlement are doing so based on misinformation, perceptions and fears – not facts. The comments at the recent SHHA Board Meeting certainly reinforced this. While public debate can play a useful role in the education process, such debate should be honest, informed, and respectful.

Once again, we implore all persons interested in or affected by our claim or the pending settlement to learn and determine the facts for themselves. We welcome the opportunity to have a productive and meaningful dialogue with any member of the Sandia Heights community about this issue, or to provide anyone who requests it with further information and/or documents, including any of the documents referenced or relied upon by us in this letter. Perhaps a forum, with a neutral moderator, could be arranged in the near future so that questions and opinions concerning the claim and the settlement could be aired and responded to by persons knowledgeable about these issues.

Editors Note: The letter had additional documents enclosed, which could not be reproduced due to space limitations. These documents are available in the SHHA office for viewing.



PLAGUE

Plague is transmitted to humans by infected animals and insects. As human migration into new housing developments in the foothills of the Sandia Mountains and in the East Mountain area of Bernalillo County increases, human exposure to plague-infected animals or fleas increases. In addition, exposure can increase during recreational activities such as camping, hiking and fishing.

Plague can be contracted if one is bitten by infected rodent fleas and/or handles plague-infected tissues of sick or dead animals. Domestic cats can also contract plague and transmit it to human handlers or caregivers. In addition to cats, dogs may carry plague-infected fleas into the home.

Symptoms of plague include high fever, headache, and chills. Pain and/or swelling in the lymph nodes of the groin, armpit or neck area may be other symptoms.

Prior to the inception of the plague surveillance programs in Bernalillo County in 1978 the County ranked number one within the U.S. in incidents of human plague. Surveillance efforts have resulted in only three human plague cases in the last five years, a significant improvement.

Vector-Borne Diseases

Vectors are insects or animals that transmit diseases to humans. The prevention and control of vector-borne diseases is vital to the public health protection of residents. Plague, hantavirus and encephalitis are the three primary vector-borne diseases of concern to residents in Bernalillo County. The City of Albuquerque and Bernalillo County provide funding for the joint Vector Control Program managed by the City of Albuquerque Environmental Health Department.

Because we live in an area that is susceptible to plague, hantavirus and encephalitis it is important to know what animals and insects these diseases are transmitted by and what prevention actions we can take.

The following is a partial list of insects or animals that transmit these diseases to humans:

- Rock squirrels
- Chipmunks
- Wood rats
- Mice
- Dear mice
- Prairie dogs
- Wild rabbits
- Mosquitoes
- Fleas
- Cats
- Dogs

Contacts:

City of Albuquerque Environmental Health Department, Environmental Services, 505-768-2600

City of Albuquerque WebPages:
www.cabq.gov/envservices/esmosquitoes.html
 and www.cabq.gov/envservices/esplague.html

Recommended Actions for Community-Plague Prevention

- Clean up woodpiles, uncovered garbage, scattered pet food and rock piles around homes.
- Elevate woodpiles and garbage cans off the ground.
- Keep pets (especially cats) confined and dust them weekly with an approved flea powder if living in a plague endemic area.
- Notify local environmental health departments if rodents are found.
- Seal homes so that rodents cannot enter.
- Avoid contact with items that may be contaminated by rodents.

Health Issues continued on next page

HANTAVIRUS

Deer mice and other field rodents transmit hantavirus in their urine, saliva and droppings. Symptoms of hantavirus include fever and muscle aches followed by coughing and difficulty in breathing. Symptoms may also include headache, nausea, vomiting, diarrhea, and abdominal pain. Call a physician for medical advice if symptoms occur after contact with rodents or their droppings.

While there have been 26 reported cases of hantavirus throughout the state during the last four years, Bernalillo County has not had a single case. The high incidence of hantavirus in other areas of New Mexico indicates that the county may be susceptible to hantavirus, and needs to enhance active surveillance to prevent the disease from becoming a problem.

What is being done about Hantavirus?

- The New Mexico Department of Health conducts active surveillance for hantavirus.
- The Vector Control Program develops educational messages for residents to prevent exposure to hantavirus.
- As hantavirus affects other parts of the state, more active surveillance must be implemented to keep Albuquerque and Bernalillo County free of this disease.

**Recommended Actions
for
Community-Hantavirus Prevention**

- Keep all food, water, and garbage in metal or thick plastic containers with secured lids.
- Never leave pet food and water outside over night.
- Clean spilled food from counters and floors.
- Seal up entry points in homes to keep rodents out.
- Avoid rodent droppings.
- Use spring-loaded rodent traps and EPA registered bait continuously to kill rodents, if rodent infestation is present.
- Eliminate possible nesting sites such as junk cars, old tires, and trash piles.

Mosquitoes are not only annoying, but they also carry diseases such as St. Louis and Western Equine Encephalitis, two diseases that have been documented in Bernalillo County. Migratory birds are sometimes also responsible for the spread of encephalitis. Adult mosquitoes that feed on infected birds and then bite humans are responsible for the spread of encephalitis to the human population.

The potential for disease transmission increases as the mosquito population increases. Stagnant water in ditches and backyard fishponds, as well as artificial containers (e.g. discarded tires, cans, bottles) are breeding sites for mosquitoes.

Symptoms of encephalitis include headache, stiff neck, confusion, nausea and/or vomiting.

Larval surveillance data show that Bernalillo County has not had any recent cases of encephalitis. Because mosquitoes in the larval or adolescent state are confined to water, they are less mobile and more accessible for elimination than are adult mosquitoes. In 1999 145 larval sites were surveyed and sprayed each week. This increased to 155 sites in 2000. In the years 1999 and 2000, 7,100 and 8,500 adult mosquitoes, respectively, were collected in surveillance efforts. This type of surveillance effort guides control measures to prevent larvae from developing into adult mosquitoes and reduces the potential for mosquito-borne disease transmission.

In addition a regional task force has been formed with New Mexico, West Texas, Arizona and Juarez, Mexico to strategically implement mosquito surveillance.

**Recommended Actions
for
Community-Encephalitis Prevention**

- Eliminate standing water.
- Eliminate containers where water collects.
- Avoid over watering property.
- Utilize mosquito-eating fish in existing ponds.
- Utilize xeriscaping to landscape.
- Clean pounds, birdbaths, and livestock watering areas regularly.

Copies of this Health Issues article may be obtained at the SHHA office

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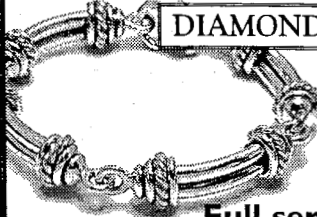
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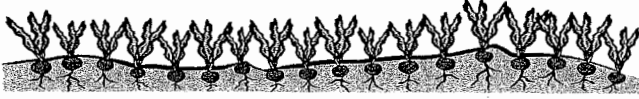
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Gardener's Calender

By Dan Caudillo



Early April

- Last week to prune your roses. It is too late to prune fruit trees.
- Tune-up your lawn mower and sharpen the blade.
- Check irrigation system for leaks and clogged emitters.
- Prune grapes
- Already purchased your tomato plants? 1) Repot in a larger pot and set outdoors during the day (if not too cold) and bring indoors each night. 2) Plant outside using a Wall-O-Water plant protector.
- Last chance to plant cool season vegetables.
- Time to plant seed potatoes.
- Hummingbirds first arrive in Albuquerque on their migration northward, so get those feeders ready!

Mid-April

- Last average day of frost is April 17. Do you feel lucky to chance it?
- First fertilizing for trees and shrubs (including roses).
- Heartier shrubs, trees, and perennials begin to show up at local nurseries.
- Plant spring bulbs such as canna, dahlia, gladiolus, and lily.
- Cottonwood trees begin to pollinate.
- A good time to plant mums.

Late April

- Check local nurseries for the best selection of roses you will see all year long.
- Check houseplants for insects and prune back leggy overgrowth.
- Late April to early May is time to spray pinion, ponderosa, and mugo pines for pine tip moths. Check local nurseries, newscasts or newspaper for exact times.
- Newest edition of Sunset Western Garden Book, page 1, features a Sandia Heights' garden!
- Time to use grub control on your lawn, especially fescue and bluegrass.
- What's blooming in April? Purple-leaf plum, redbud, peaches, apples, crabapples, and cherries (trees); Lilac, saucer magnolia, spirea and Japanese snowball (shrubs); Lady banks rose, and wisteria (vines); Upright rosemary, cherry sage, creeping phlox, Mexican evening

primrose, candy tuft, wood violet, Bowles mauve wallflower, coral bells, salvia superba, catmint, blue flax, chocolate flower, and purple robe (perennials); Daffodils, bleeding heart, and early tulips (bulbs); snapdragon, primrose, stock, viola and pansy (annuals).

Early May

- "Safe from late frosts". Time to plant warm season vegetables (tomatoes, peppers, egg plant, melons, squashes, and cucumbers) and annuals (dahlia, lobelia, nasturtium, verbena, cosmos, zinnia, coleus, marigold, aster and alyssum).
- De-thatch warm season lawns.

Mid-May

- May 12th is Mother's Day. Don't forget the one who brought you into the world! (P.S. Wives are just as important too!)
- Second feeding of your cool season lawn and the first feeding of your warm season lawn.
- Time to plant warm season grass seed such as buffalo or blue gramma grasses.
- Local nurseries have an excellent selection of trees, shrubs, and perennials. Time to start that garden you designed a few months back.
- Place a few pennies in your birdbath. Copper deters fungal growth and is safe for the birds.
- Watering should be set to higher frequency to reflect the hotter growing months.

Late May

- Prune early season flowering shrubs and vines such as lilac, forsythia, winter jasmine, flowering almond, and wisteria. You can prune up to the second week of June.
- Time to use a granular fungicide on your prize lawn (chiefly fescue and bluegrass) to prevent summer fungal problems.
- What's blooming in May? Hybrid locust, catalpa, tamarisk, and chitalpa (trees); Austrian copper rose, apache plume, weigela, potentilla, lena broom, Spanish broom, wood's rose, and Texas privet (shrubs); Red yucca and ocotillo (cacti and semi-succulents); Delphinium, galliardia, baby's breath, red valerian, yellow yarrow, pincushion flower, penstemons, gaura, coreopsis, and red hot poker (perennials); Late tulips, oriental lilies, iris, and daylily (bulbs); dahlia, lobelia, nasturtium, verbena, cosmos, zinnia, coleus, marigold, aster and alyssum (annuals).

Theme Gardens

By Dan Caudillo

What is a Theme Garden?

A Theme Garden employs the design of a garden to serve a particular use or to attract something to it. Some garden themes are for a specific use such as *fragrant* or *cutting* gardens, while others attract living things to the garden such as in *hummingbird* and *butterfly* gardens. This article briefly describes seven popular themes that just might find a place in your garden! Sound interesting? Let 's explore them.

Butterfly Garden. Uses plants to attract butterflies, caterpillars, and provide a place for cocoons to be spun. New Mexico is home to many beautiful types of butterflies including monarchs, painted ladies, swallowtails, and mourning cloaks. Also included in this garden are wet areas so that adult butterflies can occasionally drink and boulders to sun themselves. By creating this habitat, you will encourage adults to lay eggs, further increasing the number and types of butterflies.

Hummingbird Garden. Attracts and retains hummingbirds. In New Mexico, hummingbirds arrive in early April through early October. Hummingbird gardens provide nectar, water and shelter. Because of the variety of plant types available, an entire garden containing only nectar producing plants can be used – all without the use of a single feeder! Planting a hummingbird garden will give you a unique insight to hummingbird behavior.

Bird Attracting Garden. Attracts a variety of native bird species by providing food, water, cover, and places to rest. Similar to the hummingbird garden, but this is for the rest of the birds which do not feed on nectar but rather on seeds or fruit. Prudent plant selection can provide many bird species with a naturally grown, year around food supply. When native birds feed off plant sources, rather than feeders, this deters competition from non-native birds (i.e. pigeons), which are carriers of disease. Scrub jays, quail, finches, juncos, orioles, and bluebirds are, but a few, of the many bird species you can attract to your Sandia Heights garden.

Moonlit or Twilight Garden. A romantic garden design especially enjoyed on those warm summer evenings where light colored blooms and foliage dominate the garden. Light colored statuary and walkways glow in the moonlight. Fragrant plants and the sound of flowing water and wind chimes add to the evening's allure. Use of candles or mini-lights add enough, but not too much light, so one may stargaze. This garden can be designed for two people or more. Smaller spaces, like enclosed courtyards are ideal locations for a moonlit garden.

Cutting Garden. Includes flowers suitable to be cut and brought indoors for both fresh and dried arrangements. Also included are other items that can be grown for arrangements such as leaves, branches, berries, and seed pods. A well thought out design can insure an ample supply of plant materials for at least half of the year.

Fragrant Garden. Brings the added interest of fragrance into your garden to tempt your olfactory senses. Trees, shrubs, vines, perennials, bulbs, and annuals have fragrant blooms, foliage, and bark in a variety of different scents.

Native New Mexico Garden. Include plants found throughout the state of New Mexico. Most of these plants are drought tolerant, which can translate into big savings on your water bill. The vast number of indigenous plants is a surprise to most people as they are generally familiar only with the native plants found in their immediate locality.

So, Can More Than One Garden Theme Be Used? Yes. The Moonlit Garden Theme already uses the Fragrant Garden in it but you can combine several garden themes for a "custom effect". For example, you could combine a fragrant and cutting garden theme for your front courtyard, or include hummingbird, butterfly garden themes using native New Mexico plants.

OK Dan, you've got me hooked! How can we find out more about the specifics of each garden theme?

As you know the Grit is published bimonthly. So, the next article on a specific theme garden will appear in the May/June issue. I may submit a new garden theme entry through summer unless a topic of importance sways me away. Let me know what you're most interested in reading.



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Sandia Heights Garden Makes Big Time

By Joan & Dick Montag, Sandia Heights Residents

If you noticed a considerable brightening of the sky on the afternoon of February 26th, it was from the big smile on the face of Dan Caudillo, of Tramway Circle NE, when he opened the Sunset Magazine's big new WESTERN GARDEN BOOK. The theme photograph gracing the title page is of Dan's entry garden! What a coup!

Many Sandia Heights residents know Dan personally from visiting his gardens during several of the past years' garden tours. Many more may recall seeing his work featured in the June 1998 issue of Sunset Magazine and an article on Dan in the magazine's 1999 Spring & Summer Garden Guide.

From all the hundreds, probably thousands, of gardens photographed for Sunset Magazine, it is nice to have a New Mexico garden picked to represent the theme of the new book. Better still, that it is the work of one of our own: Dan has contributed many gardening articles to The Grit.

Congratulations, Dan!

Last summer, Home and Garden Television phoned Dan and asked to film him and his garden. They plan to air the segment sometime this Spring in an episode to be called "Secret Gardens of New Mexico". Watch for it in the HGTV schedule.

Editor's note: see pages 17 and 18 of this Grit for articles by Dan Caudillo.



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