

THE

GRIT

Sandia Heights Homeowners Association

November 2010

President's Message by Phyllis Moore

The Balloon Fiesta is now history for another year and as I write this article I can readily observe the colorful gold Aspens in the mountains, so fall and yes what follows is soon upon us.

I know our SHHA committees have been really busy the past month, especially the Community Service and Membership Committee. They hosted the recent Coffeehouse Concert series on 17 September and on 25 September they also hosted our Meet and Greet. They collaboratively worked with the Architectural Control Committee and arranged to have George Schroeder and Chris Gonzales of the Bernalillo County Office of Environmental Health speak about the new County wastewater regulations. The meeting was well attended and as a result our County Commissioner, Michael Wiener hearing your questions and concerns we will be organizing an ad hoc committee to further explore alternatives for our community. We have a few names of interested residents that signed up for the ad hoc committee at our original meeting, however, if you are interested and are willing to expend some of your time for a few additional meetings, please contact the SHHA office by Tuesday, November 9.

The purpose of the committee will be to work with Commissioner Wiener to request case-by-case exceptions to the County wastewater ordinance and to explore the possibility of installing sewer lines in Sandia Heights. I know our County Commissioner jumped into action on Monday following our

meeting and he has started the ball rolling with the appropriate county officials. At this time, we envision a meeting or two with our newly organized ad hoc residential committee and the appropriate county personnel. Then after that, we anticipate another public meeting for the entire community giving the results of our additional research and possible alternatives and related costs. We hope to make all of this happen by March of next year. Stay tuned and we will use the GRIT to keep you informed of any future meeting. Again a special thanks to all of our volunteers who made these two events a reality. Just a quick reminder, the deadline for our annual photo contest is Friday, 5 November.

With sadness, I recall our mid July meeting with Richard Abruzzo, President of the Sandia Heights Services. Richard, who is presumed lost in a gas balloon accident over the Adriatic Sea, will be gravely missed in our Sandia Heights community. As I reflect on our July meeting, I remember his positive and collaborative attitude as we all that morning discussed possibilities for our community and potential additional membership benefits. I know you share with me in expressing our deepest sympathy to his immediate family and to the entire staff of Sandia Heights Services. Richard will be missed in our immediate community and in the greater Albuquerque area as well.



Roadside Mowing

It doesn't seem fair, but the features that make our Sandia Heights roads so picturesque also make them dangerous. Our roads are narrow and winding, and are used by bicycles and pedestrians as well as by cars. We don't have sidewalks for pedestrians to use, nor do we want them—sidewalks would change the unique character of our community, and not for the better. The natural vegetation growing along the roads is also an important part of the look of Sandia Heights. The problem arises when the vegetation grows right up to the edge of the road or even out over the road, obscuring sight lines at intersections and preventing people who are walking from getting off the road when cars go by. None of us wants an accident to happen because of this situation!

As you are aware, property owners are responsible for maintaining the County right-of-way, which is the part of your property next to the edge of the road. While the County right-of-way extends about seven feet from the edge of the road, the area we're concerned with in this article is the three-foot-wide area right next to the road. Maintaining this area includes removing vegetation (such as chamisa) and keeping grasses and other native plants trimmed to preserve sight lines and allow pedestrians to walk on that area if necessary.

If property owners do not maintain the County right-of-way, the County can and will mow these areas to ensure clear lines of sight. The County usually mows the first three or four feet.

SHHA and the County Public Works Department frequently get calls from residents asking for cutting and mowing of roadside brush. SHHA and the County also get many calls from residents objecting to cutting and mowing that has taken place. The reality is that when the County mows

the roadsides, they mow over chamisa, grasses, cactus, juniper saplings, wildflowers, and whatever else is growing there, and the results are not attractive. In addition to the unsightly result of ragged bare branches, mowing chamisa does not eliminate the problem—it just stimulates the chamisa to grow more vigorously. We individual homeowners can do a much tidier job, and indeed we should be doing it anyway. The County cannot accommodate individual requests to opt out of mowing; however, they will not mow sections of the road that are well enough maintained not to need mowing.

So here's the deal. If you don't like the way the roadsides look when the County mows them, you must take the initiative and groom the sides of the roads along your property. This means **removing** chamisa and other woody plants (that is, digging them out by the roots) and either cutting short or trimming and thinning grasses and wildflowers to preserve sight lines and provide an "escape route" for pedestrians. Bernalillo County has told SHHA that if you keep the right-of-way trimmed along your property, they will **refrain from mowing that section**. It may be a lot of work initially, but the results will be worth the effort. Neighbors could pool their efforts to periodically clean up and trim an entire street. It's a great way to get to know each other, and it's a good feeling to know that you're working together to keep Sandia Heights looking the way we want it to!





The SHHA Tree Lottery is Back!

Your SHHA Board of Directors was very pleased with the overwhelming support expressed by you, our Members, for tree removal and for the Tree Lottery. The Board has once again voted to run a tree lottery for another year and raised the total winnings to \$7,500.00. Trees cut since this year's SHHA Annual Meeting, June 12th, 2010 are eligible for a drawing at next June's Annual Meeting.

Eighty-nine percent of our residents have stated that they were either very or somewhat concerned with undue obstruction of views by trees.* Now is the time to act on our convictions and do our part to curtail, reduce, and reverse the otherwise relentless advance of trees into our distant mountain and valley views. *The SHHA Tree Lottery* will once again provide an excellent chance for all Association Members to have all or most of their tree removal costs paid for by the Association!

Are any of your trees interfering with your enjoyment of Sandia Mountain or the Rio Grande Valley? Are they interfering with the views of your neighbors? If the answer is yes, now is a good time to add tree removal to your list of Fall cleanup jobs.

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

Winners

- Drawings will follow the SHHA Annual Meeting in June 2011
- Need not be present to win
- Winners will receive actual cost of removal, including GRT, up to a maximum of \$750.00 per tree
- Drawings will continue until a total of \$7,500.00 has been awarded

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

Not a member of the SHHA? Join with your neighbors now to do your part to support Sandia Heights and enjoy the many benefits of membership, including the Tree Lottery. Drop by the Office to join!

*Extrapolated from the January 2006 ACC Covenant Enforcement Survey

** Siberian Elms, often confused with Chinese Elm, are prohibited by the Covenants.



TRAM CLOSURE:

The Tram will be closed for maintenance from Monday, November 8 through Friday, November 19. It reopens Saturday, November 20, at noon.





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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 September Call Type	# of calls	Month of September Call Type	# of calls
Alarms	33	Noise complaints	1
Animal control asst.	1	Open door/window	4
Breaking & entering	0	Parking problem	3
Assault/Battery	0	Pet nuisance	4
Car accident	0	Rescue assist	1
Customer assist	2	Salesman problem	1
Construction site burglary	0	Snake Call	11
Dumped/spilled material	2	Special (extra patrol or observation)	15
Fire	0	S.O. assist	1
Fireworks complaint	0	Special request	6
Front office	2	Speeding vehicle	0
Loud music/party	3	Suspicious person	4
Lost/found pet	4	Suspicious vehicle	13
Lost/found item	0	Theft	8
Mailbox vandalism	0	Threat/personal	0
Motorcycle nuisance	2	Utility Co. assist	3
Motorist assist	8	Vandalism	3
Neighbor Dispute	1	Vehicle burglary	1
Newspaper pickup	17	Wildlife report	16
		Total Calls	170



Security Reminder:

Whenever possible park your car in the garage rather than just in the driveway and remember not to leave valuables in your car (particularly gifts visible in the car at this time of the year).

Phone numbers to keep handy:

Emergency – 911 (when using cell phone ask to be passed to BCSO)
Non-Emergency – 798-7000
Sandia Heights Security – 856-6347
Security Mobile – 263-4654

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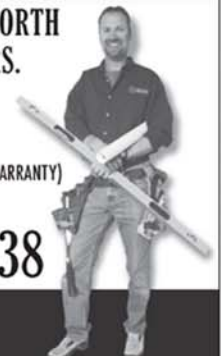
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Covenant Enforcement ~ From the ACC and CSC

Since its inception in the late 1960's, Sandia Heights has grown to include over 2000 homes in 29 Units, each with its own covenants. The covenants were drafted by the original developers and registered in Bernalillo County to ensure the integrity, quality and appearance, and indeed to maintain the values of the properties in all the Units. Every property owner in Sandia Heights was given the covenants when purchasing property in Sandia Heights and should know that this is a covenant-controlled community and that adherence to the Unit covenants and to the applicable ordinances of Bernalillo County is the responsibility of each and every property owner in Sandia Heights.

The responsibility to uphold and enforce the covenants is the duty of two committees staffed entirely by volunteer homeowners who serve terms lasting three years. These committees are the Architectural Control Committee (ACC) and the Covenant Support Committee (CSC). The ACC is responsible for maintaining the external architectural appearance of all SHHA properties as covered by the covenants, while the CSC is responsible for all other situations and conditions defined in the covenants. Neither of these committees engages in active patrolling to look for covenant violations. Both committees have established procedures where alleged violations, initiated through written complaints from the SHHA members, are investigated to determine if the complaints are valid.

Once the violation has been documented and determined to be valid, letters are sent

by either the ACC or CSC or both, to the violator with notification of the nature of the violation and asking that the violation be corrected within a given time deadline. The majority of violations are resolved at this stage. Only a few cases require a second letter or follow-up visit.

However, there are a few cases (about 3% of the original complaints) in which the property owners choose to ignore these letters and visits, which leaves the two committees and SHHA no choice but to engage the services of the SHHA attorney and possibly the courts for compliance. Legal costs resulting from involvement of the SHHA attorney may range from \$300 to \$5,000 or more. Since all SHHA activities and functions are entirely supported by your membership dues, such extraordinary measures for covenant enforcement are actually paid for by every member of SHHA.

Many of these problematic covenant violations requiring expensive attorney involvement and court action could be resolved with a minimum of effort and expenditure of funds on the part of the offending property owner. For example, a resident failed to apply to the ACC for approval to replace an old garage door with a new one, which happens to be white in color. The covenants prohibit white garage doors. To date, about \$1,300 has been spent on legal fees, and more funds will be required if the case has to be taken to court. The entire situation could have been avoided if the homeowner had hired someone (or spent part of a day himself) to paint the door an acceptable color or bought a door with an acceptable color in the first place. What a needless waste of our SHHA member fees!

In another example it cost the SHHA and each and every member a total of \$1,200 to

get a resident to remove a trash container from the street after trash pickup. Similarly, every Unit covenant states that travel trailers (this includes fifth wheels, RV's, motor homes, campers, and boat trailers as interpreted by the courts in a 2005 SHHA case) are prohibited from being stored in Sandia Heights, except for a period of 48 hours before and after a trip for the purpose of loading and unloading. Yet at present, there are several motor homes, travel trailers and boats parked throughout SHHA. Again, repeated letters from the CSC brought no response from the offending residents. The eventual resolution of this situation will require involvement of the SHHA attorney and courts to force these residents to move these items, which will cost every member of SHHA. Again, the inconsiderate actions of a few are resulting in significant costs being borne by the entire community!

So how do we remedy these situations which require a large amount of time and expense for the CSC, ACC, and SHHA and encourage residents to respond to letters and visits from the ACC and CSC? In cases involving court action, we have asked judges to rule that SHHA can recover attorney fees and court costs from the offending property owner.

Another possibility is to spend some of our monetary reserves, which may require an increase in the SHHA dues. This remedy would penalize all SHHA members because of a very small number of property owners who disregard the covenants. Such measures are perhaps drastic but may have to be considered.

Clearly, then, the best solution would be to obtain the cooperation of the few who insist on blatantly disregarding the covenants and the attempts by SHHA to enforce the

covenants for the benefit of the entire community.

SHHA would appreciate comments, thoughts, and suggestions from our members to help solve the problems caused by recalcitrant property owners who refuse to adhere to our covenants.

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SHHA Membership Cards & Merchant Benefit Program

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.

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

- 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 & Sandiago'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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HOLIDAY PARTY TIME:

It's time to book your holiday party at High Finance Restaurant or Sandiago's Mexican Grill for a group of 20 or more. Call Rorik Rivenburgh at 856-7899. Also, Sandiago's is open daily at 11:00 am...come on up for lunch.

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Bernalillo County Ordinance regarding animals:

The Bernalillo County Ordinance No. 88-16 Section VI. E. states “Animal Nuisances on Sidewalks, Public Parks, Alleys, and Other Places Open to the Public. It is unlawful for the owner of any animal to permit, either willfully or through failure to exercise due care of control, any such animal to commit any nuisance upon the sidewalk or public park; or upon the floor or wall of any common hall in any multiple dwelling; or upon any entrance way, stairway or wall immediately abutting on a public sidewalk, or upon the floor or wall of any theater, shop, store, office building or other building used in common by the public; or upon any private property other than the owners of the animal.”

Leaving your dog’s mess is not only unsightly but also inconsiderate. Please be considerate of your neighbors and pick up your dogs waste material.



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Letter to the Editor:

Recently my sister Pattie and brother-in-law Walt were visiting here from Pennsylvania; they walked to the Sandia Heights Homeowners office from our home and unbeknownst to me they carried two plastic grocery bags to pick up litter. They arrived home from the walk with two full bags of recyclables. I would like to acknowledge their generosity and

thoughtfulness to have done this. If anyone would like to send a ‘thank you’ to them via email please email me and I will forward it: (cinowalt@q.com).

Mary Ann Cinowalt

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Bernalillo County Septic Tank Upgrade Requirements for Sandia Heights Homeowners - Burt O’Neil

At our last Meet 'N Greet, Mr. George Schroeder and Mr. Chris Gonzales of Bernalillo County Office of Environmental Health (Tel: 314-0310, gschroeder@bernco.gov or cgonzales@bernco.gov) gave a slide presentation that described how the County wastewater regulations, scheduled to take effect in 2015, will affect your property and septic tank requirements. The presentation is about 30 minutes in length and the complete video presentation is available on our website (sandiahomeowners.org). Make sure you have your speakers on so that you can hear the commentary. Also included on the website is a partial list of local contractors who employ registered onsite sewage treatment inspectors. Some of these contractors can also make septic tank upgrades if required. The SHHA does not specifically endorse any of these contractors--they are merely provided for your convenience. It is recommended that you check with the NM Better Business Bureau or talk with customers who have had experience with any of these contractors.

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Please be reminded that on Sunday, November 7, 2010 - at 2:00 a.m. to set your clocks back an hour.



ACC Activity Log

The following is a summary of activity since the last GRIT.

Approved Projects:

1 Sandia Heights Drive – Window Replacement
9 Juniper Hill – Reroof
20 Eagle Nest Court – Window Replacement
46 Cedar Hill Road – Photovoltaic Panels
53 Rock Point Place – Reroof Deck and Replace Rails
83 Juniper Hill Place – Replace Wall
119 Whitetail Drive – Re-roof
208 Spring Creek Drive – Restucco
334 White Oaks Drive – Parapet Repair
377 Big Horn Ridge Drive – Replace Window and Door
421 Live Oak Court – Replace Garage Door and Repaint Trim
519 Black Bear Loop – Driveway
564 Black Bear Road – Garage Door Replacement
725-17 Tramway Lane – Restucco
752 Tramway Lane – Re-stucco & Trim
780 Tramway Place – Addition
785-3 Tramway Lane – Reroof
795-D Tramway Place – Restucco
810 Live Oak Road A-F – Restucco and Repaint Trim
889 Tramway Lane - Restucco
941 Antelope Ave. – Refinish Trim and Garage Door
957 Antelope Avenue – Paint Garage Door & Trim
962 Antelope Avenue – Re-roof
1051 Red Oaks Loop – Repave Driveway and Window Replacement
1054 Red Oaks Loop – Wall and Gate

1137 Marigold Drive – Re-roof, Restucco and Window Replacement
1195 Bobcat Blvd. – Reroof & Restucco
1460 Bluebell Drive – Window Replacement
1473 Morning Glory Rd – Replace shingles
1478 Morning Glory Rd – Reseal Driveway
1555 Eagle Ridge Road – Reroof
1558 Eagle Ridge Road – Install Railing
1606 Quailwood Drive – Window Replacement
1697 Quail Run Court - Reroof
1715 Quail Run Court - Addition
1823 Tramway Terrace Loop – Wall and Stucco
1843 Tramway Terrace Loop – Window Replacement
1861 Tramway Terrace Loop – Landscaping
1932 Quail Run Loop – Restucco
2023 Quail Run Drive – Photovoltaic Panels
2822 Tramway Circle – Restucco
2885 Tramway Place – Roof Repair
2305 Calle de Rafael – Garage Door Replacement
2306 Calle de Rafael – Restucco
2316 Calle de Rafael – Restucco
2434 Tramway Terrace – Wall Repair
2736 Tramway Circle - Replace Spa
2804 Tramway Circle – Window and Garage Door Replacement
2876 Brushwood Street - Chimney Replacement
9108 Lynx Loop – Re-roof
6103 Bluebird Lane - Wall
12614 Colony Place – Landscaping
12712 Colony Place – Roof Repair
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.

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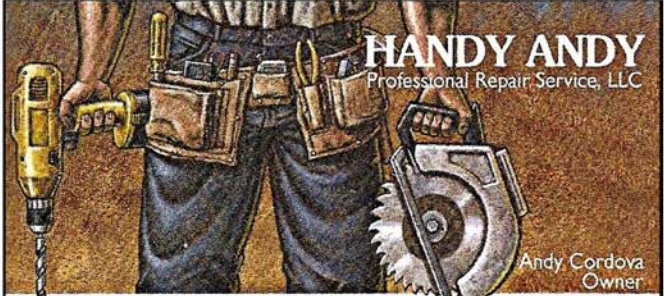
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Community Event Bulletin Board

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

Church of the Good Shepherd: Join the FUN! Church of the Good Shepherd teen's program (youth ages 13-19) on Sunday mornings at 9:00 a.m. This program is designed to support the teens in our community and to help them 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. **All are welcome!**

Sandia Heights Artists News... The wait is over! November 13th, your one-stop shopping experience for everyone on your holiday gift list. Sandia Heights Artists, your friends and neighbors, will have for purchase one-of-a kind, affordable pieces of art; paintings, stained glass, prints, gourds, sculptures, hand-bound books, ceramics, collage, fiber art and water-media. See examples of our work at www.sandiaheightsart.com. Join us SATURDAY, NOVEMBER 13, 2010 10am-4pm at the Church of the Good Shepherd, 7834 Tennyson NE. Look for the big, red SANDIA HEIGHTS ARTISTS signs on Tramway at San Rafael and Tennyson to guide you. Refreshments will be served.

ANNOUNCEMENTS & NOTICES:

- **Office hours:** Monday – Friday 9am – 4pm.
- **Office closed** on Thursday, November 11 in observance of Veterans Day and Thursday, November 25 in observance of Thanksgiving.
- **Notary, copies and faxes** free to members.
- **Tram passes** free to members, please check with the office for your reservation.
- **Contractor Evaluation binder** free to members. We are in need of evaluations for Handy Men and Septic Tank Contractors. You may download the form from the website or contact our office and we can email you one.
- **SHHA Board Meeting** – Wednesday, November 10 at 7pm in the SHHA Office.
- **Committee meeting** dates and times are posted in the monthly calendar found on our website: www.sandiahomeowners.org.
- **Classified ads and lost and found notices** can be found on the website under the News and Information page. Classified ads are free for members.
- **Safety Vests for sale** in the SHHA office. \$2 per vest for members.
- **Septic Tank information:** you may view the slide presentation and partial list of contractors on our website: www.sandiahomeowners.org.
- **Tree Lottery** – see page 3 or go to our website for details.
- **SHHA membership cards:** do not forget to go to the website to get a full listing of the companies that offer a discount!



Sandia Heights Homeowners Association
2-B San Rafael Ave NE
Albuquerque, NM 87122

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PHOTO CONTEST – LAST CHANCE!

We are accepting entries for our annual photo contest for the 2011 Sandia Heights Resident Directory & Guide. **Submissions are due to the SHHA office by Friday, November 5.** If you are the lucky winner, your photo will be featured on the cover of the 2011 Directory, and you will be acknowledged as the photographer.

Submission criteria:

- You must be a member of the Sandia Heights Homeowners Association and you must be an amateur photographer.
- Photos must be related to the Sandia Heights area (see the 2010 Directory).
- Photos must fit reasonably on the cover without loss of the composition.
- Photos must be in color, and may be submitted digitally, as a hardcopy or by email to sandiaheights@comcast.net.
- The resident must submit a statement that the photograph is an original taken by the homeowner, that he/she is not a professional photographer (in business as a photographer), and that you grant permission to SHHA to use your photo(s) in the Directory or on our website.

All entries may be picked up at the office once the Directory is published.