

**APPROVED SHHA 2009 ANNUAL MEETING MINUTES**  
**Saturday, June 6, 2009**  
**10:00 a.m. Church of the Good Shepherd**

1. **CALL TO ORDER:** The 2009 Annual Meeting of the Sandia Heights Homeowners Association was called to order by President Sy Caudill at 10:02 a.m. at the Church of the Good Shepherd. The secretary was present and a quorum was declared.
2. **WELCOME:** The President welcomed everyone, stating that it was a 2-part meeting, with the annual business portion first, and then a town hall meeting following that.
3. **VOTING PROCEDURES:** The Secretary explained the voting procedures. In order to move the voting along in a timely manner, and to ensure that an accurate vote is taken, each household has been given a yellow card which will be used for the voting on the bylaw amendments. When the vote is called for, the card should be held up while the tellers count them. The card must be turned in if a member should have to leave before voting takes place. Each member household is allowed one vote, regardless of how many people reside in the household or are in attendance, and all cards must be returned at the end of the meeting. The following board members were appointed to be tellers for this meeting: Jim Irving, Kerney Bolton, Frances Desonier, Burt O'Neil, and Bruce Childs.
4. **INTRODUCTION OF BOARD/COMMITTEE CHAIRS/OFFICE STAFF:** The President introduced the board members in attendance and stated the committee each served on (Andy Anderson, Ed Tull, Marsha Thole, Kerney Bolton, Pete Heinstein, Burt O'Neil, Frances Desonier, Phyllis Moore) Also serving: Phil Abshere, Bruce Childs, and Jim Irving. (Absent/excused): Mona Lee Schilling and Mike Winokur. Also noted were non board members holding special positions: George Connor and Bob Francis; other guests attending: Mr. Lenton Malry, County Commissioners Neighborhood Program Coordinator, Ms. Shannon Parden, the Association attorney, and Mrs. Pat Sutton, Professional Registered Parliamentarian and office staff, Sheraz Saint-Lôt and Betsy Rodriguez (present).
5. **APPOINTMENT OF THE MINUTES APPROVAL COMMITTEE:** The President appointed the SHHA BOD to serve as a committee to approve the minutes of this annual meeting.
6. **REPORT OF THE 2008 MINUTES REVIEW COMMITTEE:** The minutes of the 2008 Annual Meeting which were reviewed by the Board of Directors at its July 2008 meeting and found to be correct. Those minutes are on file in the official record book in the office.
7. **REPORTS OF OFFICERS:** These are the summary reports covering June 2008-May 2009. Complete reports are on file in the Official Record Book for SHHA 2008-2009.
  - a. **PRESIDENT (Sy Caudill):**

## 2009 Annual Meeting Minutes

I would like to highlight our accomplishments from June of last year through last month, give you a rundown of some of our future plans, and present some concerns where we need to involve the members of the community.

As you have read in my monthly GRIT articles we continue to have a lack of volunteers to support the work of the SHHA. I would ask each of you to consider volunteering to assist the association as either a board member or a volunteer on one of our committees. The committee chairs would be glad to discuss their work after this meeting. It takes all of us to keep this association running. Now let me move on to some specifics from the past year.

We have had representatives at several County Planning meetings for major projects. If you have questions regarding these projects please be sure to write them on a card that you can get at the back table and bring them up during the Town Hall Meeting:

- Property at the northeast corner of San Rafael and Tramway Blvd: The County Planning Commission approved 8 homes in this area. This effort is still pending.
- 900 Tramway Lane – the eastside intersection of Paseo Del Norte and Tramway Blvd. We have a special task group headed by George Connor that has been and is still working with the county to get them to purchase this land as open space. George will report on the work of that group in a few moments.
- We have been working with our state Representatives Bill Rehm and Kathy McCoy to request and receive Capital Outlay money for road improvements in Sandia Heights. The funds for this year are less than in previous years, given the shortfall in the state's budget, but we will continue to work on submissions. We could use some help in doing that.
- We successfully led the effort to bring a new business to the lot next to our offices, which is owned by a SHHA homeowner. This medical building is estimated to be completed by late summer.
- We have fielded calls from concerned members regarding the application for a liquor license by the CVS Pharmacy, which is moving into the space vacated by Ace Hardware. As many of you were told, whenever there are issues of this nature, you need to not only notify us, but submit your complaints and concerns in writing to the County Commissioners and to the appropriate State office.

Please note that a public hearing is scheduled for this coming Monday, June 8, 2009, at 1:00 p.m. in the Bernalillo County Manager's Office Conference Room B, located at One Civic Plaza NW, 10<sup>th</sup> Floor, downtown Albuquerque, for the purpose of considering the application of CVS Pharmacy, Inc. for a Liquor License Application.

## 2009 Annual Meeting Minutes

We have instituted several ways to enhance the value of membership in the association, and the acting chair of the Community Services & Membership Committee, Kerney Bolton, will cover those.

Finally, to reiterate what we hear all the time from both members and non members—they want the Covenants enforced. Both the ACC and the CSC, whose chairs you will hear from in a moment, work with covenant issues to maintain property values and preserve the character of Sandia Heights. We consider this our prime duty and will continue to work to preserve the neighborhood.

b. VICE PRESIDENT (Andy Anderson):

Thank you, Mr. President. Since last June, as Vice President, I have performed the duties of the President at his request during times of his absence.

As chair of the Nominating Committee, we have a slate of officers to be ratified, and a slate of candidates for director positions on the board, to be voted on later in this meeting.

c. SECRETARY: (Marsha Thole):

I have overseen the production of the board minutes, certified the presence of a quorum for the conduct of business, supervised the administrative management of the office staff for actions related to the board and secretary, ensured the published notification of the annual meeting and script, proposed bylaw amendments to the membership, and scheduled 3 Q&A sessions to address members' concerns and questions with the proposed amendments; maintained the annual reports from officers and committee chairs, and prepared and filed the Association's annual report for non-profit corporations to the State. I am responsible for the Official Record Book. At each of the Board meetings I gave a short parliamentary lesson. We also have new name tags for board members, to identify us at various SHHA functions and meetings.

d. TREASURER (Ed Tull):

Thank you, Mr. President. Thank you, Mr. President. There is a copy of the 2008 Treasurer's report and the 2009 Year-to-Date Treasurer's Report through May 31 in the packet you received at the sign-in table. The Association is financially sound. The 2008 annual report will be included in the July issue of the GRIT.

## 8. STANDING COMMITTEE REPORTS

a. FINANCE COMMITTEE CHAIR (Ed Tull):

In accordance with Article V Section 5.4, the Finance Committee arranged for the annual internal financial review. The review was conducted in accordance with our Bylaws and in compliance with the State Statutes. Mr. Bob Francis, chairman, Mrs. Cheryl Iverson, and Mr. Andy Anderson performed the review. All three are very qualified individuals and I would like to thank them for their time and effort in doing this important task. Their report gave us a clean bill of health.

## 2009 Annual Meeting Minutes

In August, the Board authorized the Finance Committee to contract with the John H. Altman and Associates Bookkeeping and Tax Service to provide an independent review of our books and evaluate the HOA's status with regard to IRS Code section 528 filing. The net result was that the HOA has two options for filing, depending on whichever results in the lower tax liability. A copy of the "Review of Sandia Heights H.O.A." is available at the SHHA office for review.

In December, the Treasurer requested quotes from several insurance carriers for the renewal of the Directors & Officers (D&O) insurance policy. A total of three quotes were received. The Kinney Agency representing Cincinnati Insurance was selected based on the lowest premium cost of all the respondents and also provided the best coverage.

On April 23, the 2009 Four Seasons Swim Pass Purchase Agreement with the Sandia Heights Services LLC was signed and fully funded. Details were announced in the May GRIT. The swim season began May 11.

- b. ARCHITECTURAL CONTROL COMMITTEE CHAIR (Kerney Bolton):  
The ACC acted on 277 applications in the last 12 months compared with nearly 400 the year before. The ACC continued its focus on fair and evenhanded covenant enforcement and increased transparency.

This year the Committee revised its design guidelines for Landscaping, Walls and Fences, and Setbacks, to clarify the use of stone as a ground cover, the placement of trees adjacent to houses, and front setback restrictions on all property lines that abut street frontage.

The Committee continued to meet twice a month on the first and third Wednesdays and has thus been able to reduce its average response times on applications significantly.

For the first time in many years the Association reluctantly had to sue a homeowner to comply with covenant restrictions. The issue was settled out of court. The homeowner was required to remove a structure that was constructed after it had been disapproved by the ACC. The settlement completely restored the project to the terms of the original ACC-approved application.

Taken all together, the past year has offered many challenges and opportunities for the Architectural Control Committee and the Committee believes that it has grown more open and fair in the process.

The ACC continues to need candidates to serve on the committee.

- c. CSC CHAIR (Pete Heinstein):  
The Covenant Support Committee is responsible for investigating covenant complaints filed by members of SHHA. The committee attempts to resolve these issues by talking to the complainant as well as to the alleged violator to determine whether there is a

## 2009 Annual Meeting Minutes

violation. The committee bases its decision on the covenants of the many different units of SHHA.

Since the 2008 annual meeting we have received 39 complaints judged by the committee to be actual covenant violations. The majority of these complaints (33) were resolved within a few weeks through the cooperation of all parties. The committee very much appreciates this cooperation. Two complaints were referred to the County for action. Two complaints were resolved after action by the SHHA attorney. Two remaining complaints are presently in the hands of the SHHA attorney.

The successful resolution of the above complaints would not be possible without the many hours of work on behalf of SHHA by the dedicated, committed and hard-working members of the CSC committee.

### c. COMMUNITY SERVICES & MEMBERSHIP COMMITTEE ACTING CHAIR (Kerney Bolton):

The Committee produced and presented the following events and benefits for Association members:

1. Held 3 SHHA *Meet 'N Greet* open houses to introduce non-members to the Association and to build a sense of community for all residents of Sandia Heights. We featured several experts on various issues pertinent to home ownership.
2. Sponsored 3 Sandia Heights Coffeehouse Series *Coffeehouses* to nearly sold-out shows, where we have also had the Sandia Heights artists display their work.
3. The highly popular Tram Pass program continued this year with members grabbing up most of the available passes and sometimes months in advance.
4. Introduced a new Swim Pass program wherein up to 40 individuals can swim at the Four Seasons Swim and Tennis Club pool each day.
5. A new SHHA member card that will speed admission and access to SHHA events and benefits and which will introduce our new SHHA Merchant Benefits Program.
6. A TV/DVD player in the SHHA Office now provides information on SHHA activities and benefits.
7. The committee is working on 3 new benefits for next year.

Working Condition Improvements for SHHA volunteers: The Association continued to hold semi-annual Volunteers Luncheons to recognize the contributions of its volunteers. The outstanding work of 4 volunteers was recognized this year. Mileage reimbursement was authorized for volunteers for mileage incurred in the course of Association duties.

Association Membership: Total membership in SHHA continued to increase slowly. We started the 2008 year with 1633 members, and ended with 1648, for a gain of 15. As of June 3, we have 1661 members. 78% of all residences are members.

Conclusions: The Association continues to need additional volunteers on the Board of Directors and on the various committees. The CS&MC Committee appreciates the

## 2009 Annual Meeting Minutes

support of the Board of Directors this year for its initiatives and will continue to expand its efforts to serve the Community and encourage voluntarism next year.

- e. **COMMUNICATIONS & PUBLICATIONS COMMITTEE CHAIR (Burt O'Neil):**  
This committee has three main areas of responsibility: publication of the Resident Directory that all members receive. The committee also manages the website, and publication of the GRIT.

The Resident Directory is a member benefit containing a wealth of general information on utilities, emergency services, government services, and pertinent miscellaneous member information. If you find errors, please call the office.

The SHHA website also contains a wealth of information specific to residents, such as the covenants for each unit and a detailed summary of the Architectural Control Committee's procedures and guidelines to assist in your applications. The website is constantly updated to include current useful information, such as updates on special issues – an example is the CVS Pharmacy liquor license application. The website also posts resident security and safety alerts. You can often find an answer to your questions by checking the website.

Also online is a photo gallery with photographs submitted for the directory cover.

We continue to move various procedures and operations to the website, just as you have probably experienced with other groups that you belong to. This usage saves tremendously on postage, paper, and printing costs, since posting on the Internet is free. One great example is the posting of the proposed bylaws online—this one action alone has saved us more than \$3000.

With the volunteer support from board member and photographer Bruce Childs, we have a moving slideshow in the office of photographs submitted by members, as well as photos taken at Association events. So be sure to check the video screen the next time you are in the office.

We are experiencing some technical difficulties in posting the GRIT on the website, albeit not yet in the format we would like. This allows us to include color photos/graphics, audio and video. As we move more activities online, this usage will save tremendously on postage, paper, and printing costs, since posting on the Internet is free. Finally, we are always looking for articles of general interest for SHHA residents also the committee is in need of people to help. If you have an interest in this area please contact the office.

- f. **PARKS & SAFETY COMMITTEE CHAIR (Frances Desonier):**

The Committee worked with the County on the following:

## 2009 Annual Meeting Minutes

- Regularly scheduled road edge trimming, in addition to on-call trimming on an as-needed basis. Homeowners are reminded that they are responsible for trimming the easement areas of their property, but the County will do the trimming when needed. Please notify the office if your property easement areas need trimming. This trimming has provided for better safety for both drivers and pedestrians.
- Requested a speed study for speed hump areas on San Rafael and Tramway Lane.
- Assisted in setting up Town Hall meetings to discuss results of speed studies on San Rafael and Tramway Lane.
- Obtained new markers that are not susceptible to being bladed-up by snowplows to clearly identify fire hydrants.

In addition, we purchased and have been selling reflective vests to members and nonmembers to make them more visible to drivers while they are out walking.

We wrote articles for each GRIT promoting safe pedestrian and driver habits.

Finally, we discussed the increase in break-ins and vandalism in Sandia Heights with the Sheriff's office. The one point that was stressed for homeowners to be proactive in protecting their property was to be sure to put their cars in their garages, assuming they have a garage, and never to leave any valuables in the car or in the trunk. This is particularly true at Christmas time and for those cars with out of state licenses. Also, if homeowners wish to keep their garage doors open during the day, they should keep them closed enough to prevent any unauthorized entry into their garage and home.

g. **BYLAWS COMMITTEE CHAIR (Marsha Thole):**

The Bylaws Committee continues its role in writing draft revisions to the bylaws and advising the president and board members on issues related to the bylaws and other governing documents. Our bylaws are quite old, and haven't been substantially updated for a number of years. The amendments are there to address the fact that articles and sections have hampered the Board from performing its objectives.

This past year the Bylaws committee worked on 9 articles (9, 11, 13-19). We also established voting procedures for the annual meeting, reviewed the Code of Ethics, drafted the proposed amendments to the current bylaws, based on input from the board and members, and gave a parliamentary lesson at each board meeting. The Committee is nearly finished with the Standing Rules and Special Rules, which the Board will vote on in July.

I would like to thank the members of the Bylaws Committee for their due diligence in examining all the proposed changes to the Bylaws, going over them in minute detail. This was the first time, too, that the Association held 3 Q&A sessions to address members' concerns about the proposed amendments. I am seeking more members for our committee. You do not have to be a board member to serve on a committee, just have an interest in helping write bylaws that help the Association to manage its affairs.

## 2009 Annual Meeting Minutes

h. **NOMINATING COMMITTEE CHAIR (Andy Anderson):**

The Nominating Committee's primary job is to recruit candidates for the board, in the form of officers and directors. In addition, when vacancies occur during the year, this Committee also submits nominations to the Board. This year, the President, Secretary, and ACC chair are vacating their positions, and we are, at this time, at the bare minimum for board constitution. We will be ratifying the officers shortly, as well as new directors.

i. **COMMUNITY RELATIONS COMMITTEE CHAIR (Phyllis Moore):**

The Community Relations Committee purpose and responsibility is to build relationships with our local government representatives and to keep them aware of our needs and concerns here within the Sandia Heights Community.

Topics we are pursuing with our representatives at this time include the open space property at Tramway Blvd and Paseo, emergency services response time, recycling, capital outlay monies for improvements to our streets, and potential landscaping beautification for Tramway Blvd.

At this time our committee membership is Ed Whitten, Dick Cline, George Connor and me.

j. **SPECIAL TASK FORCE (George Connor):**

My group of four has met with the County and with our state senator and has been working on this issue for more than a year now. Currently, as of May 8, 2009, the County has begun to bring condemnation proceedings against the owner to declare this land as open space. Commissioner Wiener will be keeping us informed as to the status of this action, and I ask that you keep yourselves informed by reading the GRIT and going to the SHHA website and the commissioner's website.

9. **ELECTIONS:**

- a. Officers of the Board are elected by the Board members themselves. Other members of the board, who are called directors, are elected by the general membership, and serve a 3-year term. While we hope for representation from as many units as possible, we won't exclude volunteers who may come from the same unit. Volunteers, besides serving on the board as a director, are also asked to serve on two committees. Anyone who has served on the Board will tell you that it does take a lot of work and commitment.

Andy Anderson was chairman of the nominating committee. Thank you Andy, for all of your efforts to recruit new BOD members. Now Andy will cover the director elections.

b. **NOMINATING COMMITTEE CHAIR (Andy Anderson):**

The Sandia Heights Homeowners Association Board elects its officers in April, and the homeowners at the Association's annual meeting elect new board members. Any positions on the board that become vacant during the year are filled by a vote of the board members at regular Board of Directors meetings.

## 2009 Annual Meeting Minutes

This year the positions of president, vice-president, and secretary, needed to be filled. I present your Officers for the 2009-2010 Association year. Please stand as I call your name:

Andy Anderson elected president.

Phyllis Moore elected vice-president.

Frances Desonier elected secretary.

Ed Tull elected treasurer.

I have the pleasure to announce the candidates for the vacant director positions. Their bios were published in the Grit, on the website for your information as well as in the packet you received this morning. It is not required but, as I introduce each of you, please feel free to take one minute to say a few words about yourself. After the introductions we will hold the election. As I call the candidate's name, please stand:

(1) Nominees for a second term –

Burt O'Neil, Ed Tull, Mike Winokur

(2) Nominees for first term –

Larry Desonier, Michele Munson, Dick Wavrik

I would like to thank each of the candidates for volunteering for the board.

MOTION: At this time, since we do not have more candidates than we do vacant positions, hearing no objection, I declare these nominees elected.

Seconded. Motion Passed.

2008-06-06-1 GEN-ANN. MTG

### 10. GENERAL ORDER:

#### a. Ratification vote on bylaw amendments

PRESIDENT: The next item of business is ratification of 12 bylaw amendments. In accordance with the bylaws, the Board voted on and approved the amendments at its April meeting. Previous notice was provided to the membership via the association newsletter and the SHHA website.

Both the Bylaws Committee and the Board have spent considerable time drafting these amendments so that the Association can better manage its affairs. The Board recommends adoption of all the amendments. This voting process may take some time, so we ask your patience in order to ensure a fair and honest accounting.

We held three Q&A sessions in order to address any questions or concerns you might have had with the proposed amendments. This was also done to shorten the amount of discussion time at this meeting. During the discussion portion today, please raise your hand so that I can recognize you and then stand and state your name.

## 2009 Annual Meeting Minutes

We will be voting on the 12 amendments individually. I hope you all had a chance to read them online and to take another look at them since you have been here this morning. The Bylaws Committee will present the proposed amendments. If it is obvious by the voting cards that an amendment carries or is lost, we will dispense with actual counting. If there is *any* doubt, however, the tellers will count the votes. Bylaws Committee members Larry Anderson and Jim Irving will present the proposed amendments, and Bylaws Committee chair, Marsha Thole, will present the motions to adopt. I now turn to Larry to start us off.

BYLAWS COMMITTEE (Larry Anderson): The first amendment is to change Article II, Section 2.1, Annual Meeting, from the first Saturday in June to the second Saturday in June. It is hoped that moving the date away from the Memorial Day weekend will allow more members to attend.

BLC CHAIR: I move adoption of the amendment to Article II, section 2.1 as stated in the proposed bylaws document.

PRESIDENT: It is moved and seconded to amend the bylaws Article II, section 2.1 to change the annual meeting from the first Saturday in June to the second Saturday. Is there any discussion? Are you ready for the question? The question is on amending Article II, section 2.1 of the bylaws to change the annual meeting date from the first Saturday in June to the second Saturday in June. Those in favor of the motion, please hold up your yellow cards until the Bylaws Committee Chair okays putting them down.

Motion to adopt the amendment to Article II, Section 2.1, as stated in the proposed bylaws.

ADOPTED

2008-06-06-2 GEN-ANN. MTG

BYLAWS COMMITTEE (Jim Irving): The second amendment is to change Article II, section 2.2, Other Meetings.

BLC CHAIR: I move adoption of the amendment to Article II, section 2.2 as stated in the proposed bylaws document.

PRESIDENT: It is moved and seconded to amend the bylaws Article II, section 2.2. Is there any discussion? Are you ready for the question? The question is on amending Article II, section 2.2 of the bylaws. Those in favor of the motion, please hold up your yellow cards.

Motion to adopt the amendment to Article II, section 2.2, as stated in the proposed bylaws.

ADOPTED

2008-06-06-3 GEN-ANN. MTG

BYLAWS COMMITTEE (Larry Anderson): The third amendment is to change Article III, section 2.3, Quorum.

BLC CHAIR: I move adoption of the amendment to Article III, section 2.3 as stated in the proposed bylaws document.

PRESIDENT: It is moved and seconded to amend the bylaws Article III, section 2.3. Is there any discussion? Are you ready for the question? The question is on amending Article III, section 2.3 of the bylaws. Those in favor of the motion, please hold up your yellow cards.

## 2009 Annual Meeting Minutes

Motion to adopt the amendment to Article III, section 2.3, as stated in the proposed bylaws.

ADOPTED

2008-06-06-4 GEN-ANN. MTG

section 3.5, Nominating/Election Committee.

BLC CHAIR: I move adoption of the amendment to Article III, section 3.5 as stated in the proposed bylaws document.

PRESIDENT: It is moved and seconded to amend the bylaws Article III, section 3.5. Is there any discussion? Are you ready for the question? The question is on amending Article III, section 3.5 of the bylaws. Those in favor of the motion, please hold up your yellow cards.

Motion to adopt the amendment to Article III, section 3.5, as stated in the proposed bylaws.

ADOPTED

2008-06-06-5 GEN-ANN. MTG

BYLAWS COMMITTEE (Larry Anderson): The fifth amendment is to change Article III, section 3.8, Special Board Meetings.

BLC CHAIR: I move adoption of the amendment to Article III, section 3.8 as stated in the proposed bylaws document.

PRESIDENT: It is moved and seconded to amend the bylaws Article III, section 3.8. Is there any discussion? Are you ready for the question? The question is on amending Article III, section 3.8 of the bylaws. Those in favor of the motion, please hold up your yellow cards.

Motion to adopt the amendment to Article III, section 3.8, as stated in the proposed bylaws.

ADOPTED

2008-06-06-6 GEN-ANN. MTG

BYLAWS COMMITTEE (Jim Irving): The sixth amendment is to change Article III, section 3.13, Rules of Procedure.

BLC CHAIR: I move adoption of the amendment to Article III, section 3.13 as stated in the proposed bylaws document.

PRESIDENT: It is moved and seconded to amend the bylaws Article III, section 3.13. Is there any discussion? Are you ready for the question? The question is on amending Article III, section 3.13 of the bylaws. Those in favor of the motion, please hold up your yellow cards.

Motion to adopt the amendment to Article III, section 3.13, as stated in the proposed bylaws.

ADOPTED

2008-06-06-7 GEN-ANN. MTG

BYLAWS COMMITTEE (Larry Anderson): The seventh amendment is to change Article III, section 3.14, Resignation and Removal of Directors.

BLC CHAIR: I move adoption of the amendment to Article III, section 3.14 as stated in the proposed bylaws document.

PRESIDENT: It is moved and seconded to amend the bylaws Article III, section 3.14. Is there any discussion? Are you ready for the question? The question is on amending

## 2009 Annual Meeting Minutes

Article III, section 3.14 of the bylaws. Those in favor of the motion, please hold up your yellow cards.

Motion to adopt the amendment to Article III, section 3.14, as stated in the proposed bylaws.

ADOPTED

2008-06-06-8 GEN-ANN. MTG

BYLAWS COMMITTEE (Jim Irving): The eighth amendment is to change Article V, section 5.1, Standing Committees

BLC CHAIR: I move adoption of the amendment to Article V, section 5.1 as stated in the proposed bylaws document.

PRESIDENT: It is moved and seconded to amend the bylaws Article V, section 5.1. Is there any discussion? Are you ready for the question? The question is on amending Article V, section 5.1 of the bylaws. Those in favor of the motion, please hold up your yellow cards.

Motion to adopt the amendment to Article V, section 5.1, as stated in the proposed bylaws.

ADOPTED

2008-06-06-9 GEN-ANN. MTG

BYLAWS COMMITTEE (Larry Anderson): The ninth amendment is to change Article V, add new section 5.12, Community Relations Committee

BLC CHAIR: I move adoption of the amendment to Article V, add new section 5.12 as stated in the proposed bylaws document.

PRESIDENT: It is moved and seconded to amend the bylaws Article V, add new section 5.12. Is there any discussion? Are you ready for the question? The question is on amending Article V add new section 5.12 of the bylaws. Those in favor of the motion, please hold up your yellow cards.

Motion to adopt the amendment to Article V, section 5.12, as stated in the proposed bylaws.

ADOPTED

2008-06-06-10 GEN-ANN. MTG

BYLAWS COMMITTEE (Jim Irving): The tenth amendment is to change Article V, section 5.12, Other Committees, new renumbered 5.13

BLC CHAIR: I move adoption of the amendment to Article V, section 5.12, Other Committees, new renumbered 5.13 as stated in the proposed bylaws document.

PRESIDENT: It is moved and seconded to amend the bylaws Article V, section 5.12, Other Committees, new renumbered 5.13. Is there any discussion? Are you ready for the question? The question is on amending Article V, section 5.12, Other Committees, new renumbered 5.13 of the bylaws. Those in favor of the motion, please hold up your yellow cards.

Motion to adopt the amendment to Article V, section 5.12, Other Committees, new renumbered 5.13, as stated in the proposed bylaws.

ADOPTED

2008-06-06-11 GEN-ANN. MTG

## 2009 Annual Meeting Minutes

BYLAWS COMMITTEE (Larry Anderson): The eleventh amendment is to change Article V, add new section 5.2, Special Committees.

BLC CHAIR: I move adoption of the amendment to Article V, add new section 5.2, Special Committees as stated in the proposed bylaws document.

PRESIDENT: It is moved and seconded to amend the bylaws Article V, add new section 5.2, Special Committees. Is there any discussion? Are you ready for the question? The question is on amending Article V, add new section 5.2, Special Committees of the bylaws. Those in favor of the motion, please hold up your yellow cards.

Motion to adopt the amendment to Article V, add new section 5.2, Special Committees as stated in the proposed bylaws.

ADOPTED

2008-06-06-12 GEN-ANN. MTG

BYLAWS COMMITTEE (Jim Irving): The twelfth amendment is to change Article V. add new Section 5.15 Special Tasks.

BLC CHAIR: I move adoption of the amendment to Article V. add new Section 5.15 Special Tasks.

as stated in the proposed bylaws document.

PRESIDENT: It is moved and seconded to amend the bylaws Article V. Add new Section 5.15 Special Tasks. Is there any discussion? Are you ready for the question? The question is on amending Article V, add new Section 5.15 Special Tasks of the bylaws. Those in favor of the motion, please hold up your yellow cards.

Motion to adopt the amendment to Article V, add new section 5.15, Special Tasks as stated in the proposed bylaws.

ADOPTED

2008-06-06-13 GEN-ANN. MTG

### 11. NEW BUSINESS:

We move next to new business. I would ask that new business be in the form of a motion, a second, and discussion followed by a vote. If you have general comments, then please present them at the Town Hall Meeting.

Is there any new business? There is none therefore we will proceed.

### 12. ANNOUNCEMENTS:

#### a. Recognition of Departing Directors.

I would like to thank Kerney Bolton, Alyson Clark, Marsha Thole, Sy Caudill for their service on the Board this past year. We thank these directors for their years of service, dedication and hard work on the board.

#### b. Town Hall Meeting Procedures

My second announcement is regarding the procedures for the Town Hall Meeting. If you wish to speak during the Town Hall meeting, please sign up on the list at the sign-in table

## 2009 Annual Meeting Minutes

with your name, unit number, and the topic you wish to speak on. This way we can see what the topics are, the number of people who wish to speak and, if necessary, limit the amount of time each member can talk based on that.

### 13. DOORPRIZES:

Please have your ticket handy, as we will be calling out the winning numbers in a moment. If you signed in before 10 a.m., then you received one doorprize ticket per member household. You must be present to win. We have the following doorprizes from: Trader Joes, Marriott Hotel Buffet, Marriott Hotel weekend, Flying Star, Massage Envy, and County Line Restaurant.

14. ADJOURNMENT: The annual meeting adjourned at 11.36 a.m.

Submitted by:

\_\_\_\_\_  
Sy Caudill, President

\_\_\_\_\_  
Date

\_\_\_\_\_  
Marsha Thole, Secretary

\_\_\_\_\_  
Date

## 2009 Annual Meeting Minutes

### SHHA TOWN HALL MEETING MINUTES

Saturday, June 6, 2009

Church of the Good Shepherd, Albuquerque NM  
Meeting began at 11:54 AM and ended at 1:07 PM

**PRESIDENT:** Thank you for coming to our Town Hall Meeting. This is where you have an opportunity to let us know what is on your mind. You need to have signed in at the back table if you wish to speak, and state your subject. We will collate your comments by subject and, if I or my board members cannot answer your question here today, we will contact you later.

This is a proceeding of the Association, and as such, we need some procedures to make this meeting run smoothly so that everyone who wants to can speak. We will state the subject and call on you as you signed in. Keep in mind that your Association and its board members are volunteers, several of whom are putting in many hours a week of their personal time to help YOUR Association. We need help and would love to have you volunteer—and you don't have to be on the Board to do that.

#### **TOPIC: Speed Bumps**

**Homeowner:** Because speed limits are not always obeyed we do need speed humps to help the speeders to slow down. I also encourage all members here to join the board and participate as a board member. The board oversees many issues as well as a large amount of money.

**IMMEDIATE PAST PRESIDENT:** We have built up the reserve for legal fees and to make sure the association is viable for the long term.

#### **TOPIC: Little Cloud Park Improvements**

**PARKS & SAFETY COMMITTEE CHAIR:** Improvements will be made at the park. George Connor submitted a work order to cut down some Siberian elms and because they saw his name and phone number, they contacted him regarding those improvements. The county will replace the playground equipment and the swing sets to meet code, and they will add some adult exercise stations. Mark Chavez at the County wants input from families who use the park. The information will be put on the website and in a GRIT article.

#### **TOPIC: Garage Sales**

**Homeowner:** Renters are the broad problem. Renters do not care about SHHA. One tenant has had 4 garage sales this summer. Tenants and others are putting out their trash cans several days before trash pick-up and then leave them out for several days after pick-up. The tenants just don't care. What do I do about the particular issue of the one home having garage sales?

**SECRETARY:** The County has a limit on the number of garage sales that can be held each year, but I am not sure what it is.

**PRESIDENT:** You first need to look at your specific covenants. You may file a complaint and then the association can process it.

**CSC CHAIR:** Garage sales are not specifically covered in the covenants; however they may be construed as a nuisance, which is covered by the covenants. I will look into this and consult with the Association attorney and the County.

#### **TOPIC: Transparency of ACC Guidelines**

## 2009 Annual Meeting Minutes

Homeowner: During the report the ACC chairman mentioned that the guidelines for ACC projects were modified. And then someone spoke about the website. Can we see the current guidelines on the website and if we follow these guidelines are we most assured that we will be approved.

ACC CHAIR: The current guidelines do appear on the website. Every project is different. Guidelines are for that purpose, to guide; they are not precise. They also provide a standard within which the Committee can apply fair treatment to applicants. There has to be a certain amount of wiggle room to be fair and equitable. We encourage people to come to the ACC as early in the planning process for guidance, so that we can help you save some money before you commit to a contractor for something that may not be within the covenants or guidelines.

### **TOPIC: Collecting our dues/Communication**

Homeowner: I have been trying to find out how much we pay the Sandia Heights Services for collecting our dues. There is a line item in the GRIT. I was given a general answer. The homeowners ought to realize that some of their dues go to SHS and need to be aware of how much that is.

TREASURER: Yes, of course, some of your dues go to pay for the services that Sandia Heights Services provide to the Association. The 2009 year-to-date report shows that we have paid roughly \$8000. They collect the dues for us, as we do not have the facilities or manpower to perform those services without having to hire more people.

Homeowner: Is there a set contract?

TREASURER: Yes.

### **TOPIC: Undesirable trees**

Homeowner: What trees and weeds are undesirable? I have not seen any article in the GRIT or on the website. I would like to see some pictures or drawing of these undesirable weeds on the website, or in the GRIT, so that homeowners can pull them out as they see them cropping up in their yards. I'd like to see something published.

ACC CHAIR: There are guidelines for landscaping and the covenants address the issue of undue obstruction of view. Some of the covenants do specify specific trees, and Siberian elm is one of them. They are in the category of a weed botanically. Chamisa is also non native to the Albuquerque area above 6000 ft. The County also has published information on vegetation that it has banned. There is no way to know all the weeds.

Homeowner: I attended a board meeting about a year ago in the office. From the homeowners standpoint, who wants to participate and ask questions, I didn't find it very inviting. From my standpoint it isn't conducive to coming back. The ventilation wasn't very good and we were elbow to elbow. Can we no longer reserve the police station?

PRESIDENT: The usual setting includes 15 board members in the room. It is sufficient to do our business and there are chairs around the perimeter of the room for guests.

Homeowner:

The next time we have something important like the bylaws we should consider putting it in the GRIT because not many people go to the internet. I just now found out about them.

CSC CHAIR: The proposed bylaws were posted on the Internet on April 17, well in advance of this meeting. The GRIT for April announced that, and also stated that members could come by

## **2009 Annual Meeting Minutes**

the office to review them. Further, announcements were in the May and June GRITS, and there were three Q&A sessions held to address concerns and questions.

### **TOPIC: Addresses on the curb**

Homeowner: We just had our address number put on our curb. We were very grateful that the ambulance could see our number on the curb when we had several emergencies this year. I encourage others to do the same. It only cost us \$15 and it was well worth it and appreciate it being mentioned in the GRIT.

IMMEDIATE PAST PRESIDENT: New computers should be available to the emergency vehicles. It is an automated system that will help emergency personnel find your house. Having the numbers on the curb and your mailbox as well is encouraged, although most homes in Sandia Heights have no curbs.

### **TOPIC: Finding your house**

Homeowner: When I checked at the Sheriff's Communications Center at Holly and Eubank and the ABQ ambulance GPS systems, my house was a little off. We are trying to get Commissioner Wiener to work on this and will keep bugging them if the GPS doesn't work properly.

### **TOPIC: Loud Traffic on Tramway**

Homeowner: The government will give a tax credit of up to 30% of material cost (max \$1500) for putting in new windows and it has reduced the noise. Tramway becomes a motor cycle speedway on weekends. The board does a great job you are to be complimented.

IMMEDIATE PAST PRESIDENT: We are significantly aware of that situation and we are working with the County regarding the noise and to have the latest paving that reduces a little bit of the noise. Bill Rehm is working with the Sheriff on the motorcycle speeding situation and also Commissioner Michael Wiener will be advised of the situation. You need to call the Sheriff's non-emergency number to report the racing on Tramway Blvd.

### **TOPIC: Double yellow lines**

Homeowner: I am worried about the state of the double yellow lines on Tramway Lane and in Sandia Heights.

IMMEDIATE PAST PRESIDENT: It is up to the County. Same thing with speed limits, so it really depends upon the County. We recommend that people call the County for these issues.

### **TOPIC: Rental issues**

Homeowner: Doesn't the tenant know about the covenants?

OFFICE STAFF: The office does send the tenants a copy.

### **TOPIC: Street signs**

Homeowner: I have noticed that some street signs are not in the right places.

SECRETARY: Call the county commissioner.

### **TOPIC: Skateboarders/landscaping**

Homeowner: We are making progress on walkers walking on the proper side and use the safety vests. I am concerned about the professional skateboards that swing out on our roads.

## **2009 Annual Meeting Minutes**

Homeowner: This past week I had a skateboarder going about 30 mph try to pass me when I was in my truck. I called the Sheriff and John at Sandia Heights Security. I met them both at the Subway and by then the skateboarders had left in their pickups. So if you see skateboarders call the sheriff. They are supposedly not from Sandia Heights. They park one car/truck at the top of San Rafael, and another at the bottom.

### **TOPIC: Landscaping**

Homeowner: People are mowing their yards, bringing mulch and planting grass seeds, I'm confused, is this in the covenants and is it acceptable?

ACC CHAIR: Every covenant reads basically the same in that that after building a house, one should minimally disturb vegetation and restore it to its original natural state when finished building. Flower beds or lawns are to be placed adjacent to the house. The ACC Guidelines take it a bit farther by defining what adjacent is. When you see someone doing something different than that or you do not find the address on the website project log, or you see something being done that is contrary to the covenants, you may call the office and give the address where you see the activity going on; the office then calls the ACC chair, who will then have the office call the homeowner if necessary. Some of the seeding and mulch occurs without our being consulted. A new house went up on Tramway and we received a call that they were planting grass, but when we checked they were just reseeding.

PRESIDENT: The ACC has a significant job to do; it is not their job to police the neighborhood. So if you see violations, we are looking to members to call up and inform the office of something that they see.

ACC CHAIR: There used to be in each unit someone delegated to police their area. But we have done away with that. Our committee volunteers are told specifically not to look for covenant violations because if we were to do that, it could be construed as selective enforcement, meaning we are not enforcing the covenants evenly throughout Sandia Heights.

### **TOPIC: Garden**

Wild Flower Club Member: There is a garden next to the SHHA office that the wildflower club did in memory of a homeowner who recently passed away.

### **TOPIC: Money collected for dues**

Homeowner: How much do we pay Sandia Heights Services for collecting our dues? Please provide that information.

TREASURER: We will put the number in the GRIT.

### **TOPIC: Fire Hydrants**

Homeowner: Who put the brown poles with blue reflectors on them in by fire hydrants?

PRESIDENT: The County, to make the hydrants more visible.

### **TOPIC: Skateboarders**

Homeowner: If you see skateboarders and find a pattern of times and places and have license plates, call the sheriff, who will be more than willing to come out.

## **2009 Annual Meeting Minutes**

### **TOPIC: Commitment to adhere to speed limit**

Homeowner: A letter was presented at a board meeting asking the board to take a pledge as a board member to adhere to the speed limits. What happened to that letter?

IMMEDIATE PAST PRESIDENT: The board looked at it. The board members are law-abiding citizens and there is no need to sign such a pledge.

Homeowner: But I see board members speeding.

IMMEDIATE PAST PRESIDENT: Turn them in.

PARKS & SAFETY COMMITTEE MEMBER: The study showed that on San Rafael the average speed limit is 20 miles per hour. The median went from 29 to 25 and not a single car went over 30 miles an hour on San Rafael.

Homeowner: The strip was 6 ft away from the speed hump so where they placed it makes for a skewed study.

SECRETARY: As a public service announcement, when you take the AARP Driving Safety course, you get a discount on your car insurance if you are 55 years of age or older.

### **TOPIC: Zoning Issues**

Special Task Force Chair: CVS has requested a liquor license. The County is having public comment on Monday 1 pm and we encourage you to go and represent your position. There is an information sheet on the table in the back of the room. Zoning actions that have been originally erroneously requested, have been resubmitted, but we do not know what the new requests are.

We do know that they are asking for relief from both the 16-ft county requirement for sign height and the lighting ordinance, relief from the lighting illumination value, limit of .25. We borrowed SHHA's light meter and we have measured at .6 foot candles, so they are 2 times what they should be. The zoning actions will be heard on the 2<sup>nd</sup> Tuesday of July, the SHHA office will be able to get the agenda by looking at the county website.

IMMEDIATE PAST PRESIDENT: Since we did not have a cohesive position from our membership on the liquor license issue, we did not issue an SHHA position statement opposing the liquor license. We will address the lighting issues. Please relay your information to the chair of our Community Relations Committee so that she can attend the meeting and be prepared.

Special Task Force Chair: Assuming we obtain the open space, there will be a trail from the road onto a perimeter trail.

### **TOPIC: Noise**

SECRETARY: If you have noise complaints, whether from cars, restaurants or other businesses, motorcycles or anything else, there are two numbers you can call: the County Manager at 468-7164 and George Schroeder at 314-0310 in the Environmental Health Department, or call Commissioner Michael Wiener, at 468-7010.

PRESIDENT: Thanks to all of you for attending the meeting.

### **Action items from this meeting:**

## 2009 Annual Meeting Minutes

1. P&SC: Article in GRIT and on the website regarding the Little Cloud park improvements and the name and number of whom to call.
2. CSC: Check with Association attorney and the County regarding garage sales.
3. P&SC: Advise Commissioner Wiener of the motorcycle speedway on Tramway on the weekends.
4. FC: Publish in the GRIT the amount paid to SHS for collecting the dues.
5. CRC: Attend County meeting regarding the CVS liquor license request and lighting issues.
6. TBA: CVS Zoning issues.