

The Ridges Landowners Association Newsletter

Number 37

www.ridgesla.org

Summer 2005

In an effort to keep all landowners in The Ridges informed of the status of the development of the community and issues that may affect you, we are distributing this quarterly newsletter. We hope that you enjoy this periodic update and find it useful.

From the President's desk

Board meeting notes, July 12

The Ridges Board of Directors met at 7 pm with all directors in attendance, plus by invitation our Administrator Carolyn Cochran; newsletter editor Marilyn LaRowe; and Jerry Fornell, chairman-candidate for the architectural committee.

Michel Marx's letter resigning chairmanship of the ACC was shown. Quite a bit on his dedicated service to The Ridges plus an autobiographical note appear separately in this issue.

Jerry Fornell discussed measures underway to ensure thorough review of improvements and construction, such as a four-step inspection schedule. An expanded checklist will also be used. Included on that checklist will be confirmation that the proposing landowner has offered to discuss the project with the adjacent landowners, in the "good neighbor" spirit. There was a discussion tending to favor increasing the construction deposit [limited to \$1,000 in the 1995 amendment to the covenants]. Following this discussion, the Board elected Jerry as the new ACC chairman, effective July 15.

The Board adopted a resolution intended to clarify the setback rule in our covenants. The resolution and the rationale appear as a separate note below.

Olin van Dyck, as Roads Chairman, said that we had about half of the budgeted roads funds left this year. Although a few smaller projects could be considered, the Board recommended accumulating the funds for major resurfacing to be expected in a few years. Carolyn Cochran summarized the results of the speed bump ballot: a strong majority in favor of no additional controls; speed humps preferred over bumps. This will be taken into consideration when resurfacing is performed. Last year's mowing contractor has

disappeared and Olin and Charlie Whiteley have been working on finding a replacement, with many dead ends.

The start of planning for the annual October meeting of all members of the Association was noted. At that meeting, we expect to introduce a number of new residents, a few of which have contributed a few sentences of introduction to this issue.

Can it, please

Many Ridge-ites use the available commercial trash pick up service. In response to recurring problems regarding the little dumpster bins they provide for the homeowner to fill, we'd like to make the following requests to users:

- When placing the bin on the street, please ensure that the lid is securely closed.
- Please take the bin back to your house promptly after dumping, so that it doesn't become an annoyance in the street.
- Please, when the pickup dumps some of your trash, pick it up before it blows around the neighborhood.

The setback rule

Our Restrictive Covenants include the Article 7.02 *Set-Backs*. *No structure shall be built nearer than fifty feet (50') from any lot line...* The term "structure" is not defined in the covenants but examples are given. The examples can be read ambiguously to include or not corrals, fences, and walls. In addition, Article 7.05 arguably can be read to allow a pet enclosure without restriction on location including in the setback. This Article also omits the qualifier "household" on the noun "pet," leaving further interpretation open regarding Article 2.04, which defines "household pets." Article 7.05 could also be read to allow a "privacy fence" within 15' (50' minus 35') of a property line.

The term “screen,” as for screening extra vehicles, is introduced in Article 7.04 and is defined only by examples and without further restriction. Can a “screen” be in the setback?

Trivial or obvious matters? Maybe so, but these have been concerns here, with some strong feelings. In this and other situations, we have not found it possible to apply the covenants without making some interpretations. If the Board and the ACC think through an issue carefully, then leaving a record of their conclusions in the form of a Board resolution might prevent future rehash of the same arguments and help fair and consistent treatment of everyone.

For the setback rule, a broad or inclusive interpretation would help maintain our uncluttered appearance and help protect each resident from a possible close-by annoyance. Therefore the following resolution will be submitted to the Board after comment by the ACC. The landowners could modify the Board’s resolution if they choose by a simple majority vote at the annual meeting.

Resolved, that the Board of Directors hereby advises the Architectural Control Committee (ACC) to use an inclusive interpretation of “structures” with regard to *Article 7.02 Set-Backs* in the Declaration of Restrictive Covenants; specifically, all above-ground manmade features referenced in Articles 6, 7.04, 7.05, and 7.06 should be included. Exceptions to this interpretation may be requested by or through the ACC to the Board.

Thanks, Michel!

Michel Marx, AIA, is a valued member of the Association and a great asset to the Architectural Control Committee. After serving since January 2001 as ACC chairman, he has asked Jerry Fornell to take over but will stay on as a member.

To the position of chairman, Michel brought a lifetime of architectural experience and a willingness to devote many uncompensated hours in the service of the Association. With his credentials, experience, and stature he was able to make professional judgments with unquestioned authority. During his term as chairman, something like half of the properties in The Ridges were built or improved, so we all benefit from his attention to the architectural integrity of our subdivision. A synopsis of his autobiography appears in this newsletter.

The Board extends heartfelt thanks to Michel for his services, and welcomes Jerry as his successor.

Olin Van Dyck, President

Want a response?

Correspondence in writing is crucial. If you have a problem or question and wish an answer, it must be put in writing and forwarded, either via e-mail or hard copy, to the appropriate board or committee member. It will be answered. E-mail addresses appear at the end of the newsletter

It is unfair to talk with someone and expect a response on site, or for the individual to recall exactly what was said in a casual encounter to respond to later. If items are in writing, there is less likelihood that misunderstanding by either party will occur. Also, please be patient with time a response may take. It’s difficult to believe, but board and committee members do have a life outside those responsibilities! And remember, by the way, we all serve without compensation.

–Ed.

The Ridges Landowners Association: what is it?

Sometimes residents ask about the relationships among our governing documents, and how the authority of the Board of Directors fits in. This is my (non-lawyer’s) interpretation.

A useful comparison can be made between our documents and our federal government’s. Our Articles of Incorporation are like the Declaration of Independence: they describe the formation of a new entity. Our corporation, The Ridges Landowners’ Association, is wholly owned by its members but is a distinct legal entity.

Our covenants are like the Constitution: they describe the rights and duties of the members and the Association.

Our bylaws provide operational detail and are like ordinary government legislation except regarding finance. Unlike the federal process, our budget is adopted by direct vote of all members. The bylaws are determined by resolution of the directors (like Congress passing a law) but are also subject to revision by the “people,” as various levels of government do with the referendum system.

Actually, the Association’s governance is more like a parliamentary system than our federal system. The “people” elect the directors who in turn elect the association officers who attend to business.

Again, the Association is a legal entity with a board of directors and officers empowered to manage its affairs within the limits set forth in the Articles of

Incorporation that by reference includes the Declaration of Restrictive Covenants. We do not have direct popular rule. It could be done that way—with every decision of the Association determined by vote of the entire membership—but that’s not the way it is set up. Although some homeowners’ associations do operate as direct democracies, probably most of us prefer to delegate routine community matters to managers who can make sensible decisions and are accountable to us.

So much for generalities. Elsewhere in this issue and in the next newsletter, I’ll discuss several specific matters regarding the covenants and the actions of the Association.

It has been suggested in connection with some Board actions that legal counsel be consulted for consistency with the covenants. We have done that on the occasion of a major issue, but generally isn’t it better to let the landowners themselves provide judgment?

Submitted by Olin Van Dyck

Bylaws

To our Administrator, Carolyn Cochran, was assigned the daunting task of searching all the minutes of annual meetings and board meetings to cull out all references to the bylaws of the landowners’ association. Thank you, Carolyn. –Ed.

The Association’s Bylaws were adopted effective April 27, 1991 and were filed with and approved by the New Mexico Public Regulation Commission (“NMPRC”) on December 4, 1991.

1. The First Amended Bylaws were adopted by written action on January 1, 1992. The revision changed the annual “audit” by a CPA to an annual “review.”
2. The Second Amended Bylaws were adopted by written action on August 24, 1992. The revision changed the notice of meeting provision from 15 days to 10 days as follows: “Section 4. Notice of Meetings. Written notice of each meeting of the Members shall be given...by mailing a copy of such notice, postage prepaid, at least 10 days, but not more than 60 days before such meeting...”
3. The Third Amended Bylaws were adopted on September 3, 1992. The revision changed the number of Directors from 3 to 5.
4. The Board adopted a resolution to amend the Bylaws on September 9, 1993. That resolution revised the Bylaws to limit the President to two consecutive one-year terms in office, changed Board members’ terms from three years to one year and limited Board members to three consecutive one-year. The Fourth

Amended Bylaws were adopted on July 12, 1994 and filed with the NMPRC on May 4, 1995.

5. The Fifth Amended Bylaws were adopted on March 23, 2000 and filed with the NMPRC on April 19, 2000. The revision changed the date of the annual meeting from March to October.
6. On September 7, 2000 the Board passed a resolution to amend Article XI, Section 1 of the Bylaws of the Association, increasing the number of members appointed to the Architectural Control Committee from five (5) to six (6). The Directors also unanimously approved an amendment to Article VI, Section 1 of the Association’s Bylaws, increasing the number of Directors from five (5) to six (6), the sixth member to be the Association’s representative to the US Highway 285 Coalition. The Sixth Amended Bylaws were adopted in October 2000 and delivered to the NMPRC for filing on December 8, 2000. On reviewing the Bylaws, the NMPRC noticed that, according to their records, these Bylaws were the Third Amended Bylaws. Apparently the First, Second and Third Amended Bylaws above were never filed with the Commission and the Commission did not notice that the Fourth and Fifth were numbered incorrectly according to their records. Therefore, the Fourth Amended Bylaws above were officially the “First” Amended Bylaws (that version incorporated all of the changes made previously); the Fifth Amended Bylaws above were the “Second” Amended Bylaws and the Sixth Amended Bylaws were returned to the Association to be renamed the “Third” Amended Bylaws. (NOTE: This appears to be the first time the Commission reviewed the Bylaws because they also rejected them because Article X did not have a Section 7 – the section numbering went from Section 6 to Section 8, as they had in every earlier version.)

The renamed THIRD Amended Bylaws were filed and accepted by the NMPRC on March 20, 2001.

The Fourth Amended Bylaws were adopted on September 4, 2002 and filed and approved by the NMPRC on September 30, 2002. The revisions changed the number of directors from six back to five; stated that the clause in the Declaration against Nuisances shall be interpreted to include a ban on all fireworks or any other activity which may create a fire hazard; and substantially revised Article XI about the composition of the Architectural Control Committee.

In 2003, the legislature changed the laws regulating not-for-profit corporations. As of July 1, 2003, not-for-profit corporations are no longer required to file Bylaws nor can they voluntarily file them.

The Fifth Amended Bylaws were adopted on September 8, 2003. The amendment revised Article VIII Section 1 of the Bylaws to read, "Regular meetings of the Board of Directors shall be held quarterly," rather than specifying "on the first Tuesday of each quarter."

Submitted by Carolyn Cochran

Bump ballot

In response to the ballot enclosed with the last (Spring 2005) Newsletter, the following results have been tabulated by Carolyn Cochran:

There were 55 respondents representing 60 lots. (*It should be noted we seem to have trouble coloring within the lines...some wrote in their own preferences. – Ed.*)

Regardless of number of devices, I would prefer humps to bumps

40 Yes

06 No

(Not on the ballot, but 04 registered no preference, and 10 voted "neither")

Now choose one of the next two options:

38 No additional devices (this ends your vote).

20 Add one device near the power line crossing on Principe (then select a device):

17 25 mph speed hump at location marked with white paint, or

03 rumble bars (three 1" high strips; warns but does not "force" slowdown)

02 no vote registered

Some of the comments returned are listed in the new Feedback section.

A new partnership

The charter meeting of the Galisteo Watershed Partnership took place on Thursday, July, 7, 2005 beginning at 11:30 A.M. at Vista Clara Ranch in Galisteo. The Ridges is in the Galisteo Watershed.

It should be remembered that, like underground oil and minerals, water too is no respecter of manmade political lines. The four key foci of the Partnership are Environment, Land Use, Water, and Transportation, which are central to us all.

The Charter meeting concerned the Galisteo Watershed Partnership and a dialogue on transportation plans. While this meeting has already taken place, persons interested in more information may contact:

bmills@co.santa-fe.nm.us or
earthworks_jan@earthlink.net.

Submitted by Tom Seamster

Snakes in The Ridges

After a couple of rattlesnake sightings in The Ridges last summer, I was asked to write about the snakes that we are likely to see here. For chapter two, probably the most common snake here in my seven-year observation is the Bullsnake, *Pituophis melanoleucus sayi*, also widely known as the Gopher Snake.

This is the largest of the local constrictors and does wonders for controlling the rodent population. See previous article regarding the dangers of rodents. They may reach 110 inches or nine feet although the largest I have seen in this area (near Galisteo) was probably about seven to eight feet long (about half the two lane road it was crossing). Those I have seen in the Ridges have all been under five feet; mostly much smaller.

The following photo was taken in my driveway on May 9 of this year. This snake was approximately three to three and a half feet in length and brightly colored for these snakes indicating that it probably had just shed its old skin. The copy of the Newsletter on The Ridges website will have the photo in full color for those interested.



Bullsnake

For identification purposes, note the rounded rectangular spots on the back and the double row of smaller spots on each side. These are a coppery, metallic brown against the desert beige of the rest of the body. Head is uniformly pale. Also note the pointy tail (as opposed to bulging rattles for instance) and the small rounded head in proportion to the body.

Eggs are laid in clutches of up to 15-20 in July to August and hatch in August to September. Hatchlings are 15 to 20 inches long, marked as the adults and commonly known to the Road Runners and hawks as "breakfast."

While not particularly fast moving (like the racers and coachwhips) these snakes will make every effort to hide by remaining frozen until they are disturbed and try to slither off. While completely harmless to humans and other large animals, this snake may hiss loudly, vibrate its tail (in imitation of a rattlesnake?) and strike if pestered or cornered. In the event, if badgered enough, it may inflict a nasty but non-poisonous bite. Just let them alone.

Contributed by Jack LaRowe, with reference to:

National Audubon Society Field Guide to North American Reptiles and Amphibians (New York: Alfred A. Knoff, 2002);

Jonathon Hanson and Roseann Beggy Hanson, *50 Common Reptiles & Amphibians Of The Southwest* (Tucson: Western National Parks Association, 1997)

Meet some of our officers

The editor allows very wide latitude in what board members and the ACC chair write; she feels this reflects on the many different and interesting personalities who live here. How dull if we all came from the same mold! (And before some eagle-eyed reader says anything, we refer not to the fungus, but to the form into which things are shaped! —Ed.

Arthur Reeder

My wife and I moved to New Mexico four years ago. We had owned our land in The Ridges prior to that and while in the building process we rented a house down near Cerrillos. It was totally off the grid, on 100 acres, back in a beautiful box canyon. It was the perfect antidote to our previous fast lane, city living life in Pasadena, CA, and got our new adventure of living in New Mexico off to a great start.

While we had in mind to retire when we moved here that idea didn't work for a variety of reasons and we bought Allbright & Lockwood--a showroom on Old Santa Fe Trail selling decorative door and cabinet hardware, stone and porcelain tile, lighting of all kinds, fans and bath accessories. We're enjoying the business with its opportunities to work closely with people on design projects.

Luckily it still allows time for other interests such as yoga, skiing, mountain biking, hiking and camping along with concerts, ballet, movies and slowly making our way through all the restaurants in Santa Fe.

Other typical "bio" things include lots of education, lots of work owning our own business in LA, lots of community support for the arts and lots of travel. Now, the pace of life in Santa Fe fits us perfectly.

Doug Svetnicka

Doug Svetnicka and his wife Susan are Wisconsin natives (Madison and Appleton, respectively), relocating to Santa Fe in 1977, to Eldorado in 1986, and to The Ridges in 1998. They have three college-age sons, including identical twins. Doug has worked as communications director for the New Mexico Department of Cultural Affairs for more than 20 years. The department oversees the state-run museums and historic monuments, as well as arts, historic preservation, archaeology and library programs. Doug has assisted with the birth and development of numerous museums in New Mexico, including the Museum of Natural History and Science (the state's most visited museum), Museum of Indian Arts & Culture, Farm and Ranch Heritage Museum, National Hispanic Cultural Center, and the El Camino Real International Heritage Center. He has been a member of the Anderson/Abruzzo Albuquerque International Balloon Museum (which finally opens to public on October 1st) Board of Trustees since 1994. Susan has been a teacher and librarian at El Dorado Elementary School since the late 1980s. Both Susan and Doug are graduates of the University of Wisconsin-Madison.

Michel Marx

Michel was born in prewar Paris. As a boy, he witnessed the invasion of France, her humiliating defeat, the panicky exodus of the people crowding the roads in front of the Panzer tanks, and the occupation of Paris by a foreign power. Although his father had died before the war, his two brothers and his sister joined the Resistance.

The older brother, Jean, was arrested and disappeared behind the wall of silence that hid the extermination camps. The second brother was killed on Rue Bonaparte in Paris trying to escape from a Gestapo trap. His sister was arrested and deported to Ravensbruck.

Alone with his mother, Michel had to make a difficult decision. He was asked to help in the escape of Allied airmen shot down in northern Europe. His youth proved to be a good cover for the very active work involved in the rescue, and the difficult return of the valuable pilots to England through several escape routes. He was able to help over 50 of them cross the channel to reach England and fight again.

He was arrested in March 1944, sent to solitary confinement in the old and notorious prison of Fresnes, then to the Gestapo headquarters for interrogation and torture. The "torture du jour" was repeated drowning and he went through many of these sessions. Pushed by the Allied advance, transport to extermination camps

followed: Birkenau, Auswitch, Buchenwald, Flossenburg. He survived, went back to University of Paris, graduated with a bachelor of science, and attended the school of Beaux Arts to study architecture.

Then one day, an American airman he had helped escape came to see him in Paris with a proposition: The airman knew Frank Lloyd Wright and could help Michel enter into a course of study with him. It took Michel one second to say yes, and two months later a telegram arrived from the famous architect: "Make up your bags and come along!" He did.

This was the best decision he ever made!

Training in New York, Taliesin East and West, and San Francisco followed. In 1955 he earned a California State license to practice architecture. He opened his own offices in 1960, serving clients in California and Washington states.

Then in October 1991 the house he had built in the hills burned, together with several other thousand homes. His wife Bernadette had contracted ALS (she died a few years later) and Michel had enough of earthquakes, mudflows, and fires, so he put his two horses in the trailer, moved to Santa Fe in 1992, and built his house in The Ridges.

Then fate was kind to him again: In May 2001 while waiting for a plane in Charles de Gaulle airport, he saw a woman who seemed lost, went to help her and thus met Olga, a piano teacher from Ukraine. A romance started and they were married a few months later. Olga is happy to live in The Ridges and to be able to teach piano here in NM!

Water Utility Purchase Complete

The purchase of the local water utility (EDU) has been completed (pending further legal difficulties) and the District budgets are starting to be published. The first accounting of the two bond issues and the purchase and repayment are published in the Eldorado Vistas for July 2005. If you have missed it in the New Mexican or other local publications, visit:

<http://www.eldoradocommunity.org/vistas/pdfs/07-05.pdf>

Contributed by Jack LaRowe

A new column: ⇒ Feedback ⇐

There are sometimes issues, concerns, votes, etc., that invite comment, or things said of interest, as in the case of the infamous "Bump Ballot" comments. Starting with this issue, you are invited to submit – in writing – items of concern, or, goodness, we'll even take praise! A couple of caveats, however: we will edit to a pithy

line or two, with no attribution to the contributor (nor will we share with anyone the source) and with no targeted remarks to or about individuals.

We may also fiddle with the format considerably as it wears on.

- From the bump ballot:
 - The only way...is to have real bumps every 100 yards...
 - I already had an accident with a construction car speeding down Principe!
 - I never cease to be amazed that people won't come to the realization that if they, and everyone else, went 25 mph or less, we wouldn't be having this ballot.
 - The first curve on Principe is unsafe due to speeders drifting into the other lane...
 - Humps are the best...in Santa Fe...well constructed humps force all vehicles to maintain 25 mph.
 - We live [near a bump and] hear the screech of brakes, the grind of a diesel engine regaining speed...humps would be much easier on trucks, ears and would accomplish the same objectives.
 - I have bottomed out several times because of the height of the current bumps!
 - Our experience comes from a broken oil pan... [our vehicle] struck the steeper bump...
 - I see no need for additional traffic control.
 - I think what we have works fine!
 - No more devices of any kind.
 - I sincerely hope this issue will be dropped.
 - The homeowners don't need to vote on every issue. The Board of Directors should make decisions such as these. If the majority...don't like the decisions...then you'll be voted out of office and probably be thankful...

- From a lot owner:
 - Please encourage the Board and the Architectural Control Committee to enforce the Covenants as intended so they can protect our subdivision.

- From a prospective resident:
 - The ridgesla.org website is incredibly helpful!

Beautify the roadsides

There are several road cuts in the subdivision that in all the years since development still have little or no vegetation, leading to the possibility of severe erosion should "the big one" ever come, not to mention being rather unsightly. While we don't think kudzu is the answer, there are several wildflowers that flourish on

our lot without the slightest help from us. If you know of others, please let us know. Note, however, on steep slopes particularly, a heavy mulch should be used in conjunction with any planting or seeding, and not until the weather turns cooler, in late September or in October. Oh, and never let it be forgotten that one person's wildflower is another's weed!

Santa Fe Phlox, Perky Sue, Oxeye Daisy, Scarlet Globe Mallow, Sidebells Penstemon (Beardtongue), Mexican Hat (planted from seed the first year we were in our house), Chamisa, native grasses like Blue Grama and Buffalo Grass, Apache Plume, Purple Asters, various yuccas, and Cowpen Daisies are the main ones that come to mind at the present. However, it should be noted that while some of these are listed as desirable wildflowers in a gardening book, they are also considered weeds in a weed book.

On a related note, among others are also plants you should not allow to grow or multiply on your lot: Puncturevine (Goathead), the sticktights, Russian Thistle (tumbleweed), other thistles, and those two well-known water-guzzlers: Siberian Elm and Tamarisk (Saltcedar).

And while I have your attention, please check the roadsides that are on your lot. Trash once more seems to be accumulating as summer marches on.

Contributed by Marilyn LaRowe

Beauty...or beast?

Ravens, those opportunistic and canny birds that can delight with their aerial antics, have decided some of the homes in The Ridges are ideal perching and even roosting sites. One resident has had to install an expensive raven deterrent network. The pest control company contacted by this individual said the ravens are getting food from a location nearby, which is why they hang around. So if you are putting out food, even for your dog, you may be contributing unknowingly to the problem.

Were ravens so prevalent before this area was developed? The answer is probably lost in time. However, if others of you are troubled with the messes the birds make, or even the noise they make on the roof, please let the editor know in writing. Results will be published in the next newsletter.

Contributed by Marilyn LaRowe

Our neighbors

This column is about and for the residents of The Ridges. Input is welcomed from anyone who has news to include. Items may be e-mailed to the editor at any time, titled "newsletter article" and will be included in the subsequent newsletter. We also welcome timely articles.

From Art Merrick, who says it better than your editor can, comes the following good news:

We wanted to let you know that we are – at last – moving to The Ridges home we bought in mid-2002 (25 Immanuel; Lot 19)...after a three-year wait since we bought our home, Velva has improved greatly in her fight against a form of leukemia and we are finally relocating from Mercer Island, Washington. We should be moved in by mid-July and look forward to meeting more neighbors very soon. - Art & Velva Merrick

Several new residents/owners are either building or have moved into The Ridges. Please make welcome not only the Merricks, but the new owners of 124 Principe de Paz (Lot 85), Rory J. and Cherie J. Hayostek; also the welcome mat is out to Larry and Magdalena Socea, on Rey de Reyes (Lot 22), and Frederic and Nancy Strauss, 97 Principe de Paz (Lot 37), who have moved into their new homes recently.

If you see a Santa Fe police car in The Ridges, chances are very good it will be that of one of the new owners of 8 Agua Viviendo (Lot 49), Michele Williams, who moved there with Shari Weinstein recently. We welcome them as well.

On Lots 30, 54, and 58 we see construction activity and often hear the associated sounds that go with building. We hope the by the next issue we can introduce at least some of you as new neighbors.

Frank and Mary Gill, 22 Immanuel (Lot 39), recently returned from a stay in Russia where Frank was teaching International Business Law at the State University of Samara on a Fulbright Lecturing Grant. The major industries of the city are the production of airplanes and automobiles. The city is located 500 miles southeast of Moscow along the Volga River. It was a closed city until 1989. In a short talk with Mary, she had some very interesting observations. Talk with one of the Gills about their experiences if you have the chance.

—Ed.

***The Board of Directors and the Association officers are listed for your information.
Please feel free to call for assistance or information.***

NAME	OFFICE	TELEPHONE	E-MAIL	COMMITTEE CHAIRMAN
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