

The Ridges Landowners Association Newsletter

Number 43

www.ridgesla.org

Winter 2007

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

A belated Happy New Year. Finally, as I write this, there is enough sun with temperatures in the forties so that snow is beginning to melt. It should, indeed, be a beautiful spring. We may need a community road sweeping party (after the last chance for snow) to clear the very helpful sand that has been spread on Principe de Paz.

Last year was a trying time for our community. The push to update and clarify the Covenants opened a hornet's nest from whose stings those of us involved and concerned with the process are still recovering. We're probably all a bit tired of thinking about it.

The new Board of Directors that took office at the beginning of the year is still committed to the idea that there is a need to examine the Covenants. Obviously, the process by which we presented ideas to the community this past year was flawed, and I, for one, regret the erosion of trust amongst neighbors.

Whatever discussions occur this next year on the Covenants topic you can rest assured that they will be totally open and transparent with information and suggestions going back and forth between everyone in The Ridges. (Please read a couple of new columns in this newsletter along with a letter to the editor).

I hope the goal of everyone in The Ridges is to maintain a community where each of us can live in mutual respect, where each of us as individuals works toward the good of the many, and that The Ridges will always be as beautiful and unique as it is currently.

I recently came across a poem by Wendell Berry that I would like to share with all of you.

The Peace of Wild Things

When despair grows in me
and I wake in the middle of the night at the least sound
in fear of what my life and my children's lives may be,

I go and lie down where the wood drake
rests in his beauty on the water, and the great heron
feeds.

I come into the peace of wild things
who do not tax their lives with forethought
of grief. I come into the presence of still water.
And I feel above me the day-blind stars
waiting for their light. For a time
I rest in the grace of the world, and am free.

Arthur Reeder, President

Neighborhood watch

Neighborhood watch is formed

As most of you know we are establishing a neighborhood watch group in The Ridges. Because of the recent break-ins we feel the need to try to abate this problem. I would first like to thank Eva and Dave Kingston for hosting our inaugural meeting at their beautiful home. I also wish to thank those who attended the meeting and those who volunteered to help me get the neighborhood watch group underway: Patty Sciarrotta, Brigitte Philipp, Karen Embertson and Charlie Whiteley.

My first goal as Block Captain is to acquire Neighborhood Watch signs and place them along Principe de Paz beginning a few feet past The Ridges monuments. It pays to advertise: we are now a "neighborhood watch" area. Karen Embertson has volunteered to get stickers for those of us who wish to advertise as well.

I am looking into the possibility of purchasing and installing two surveillance cameras on each side of Principe de Paz. One camera will face incoming traffic and the other will face outgoing traffic, giving suspicious persons the feeling they are being observed both entering and leaving our neighborhood.

At the first meeting we had two officers from the Santa Fe County Sheriff's Department, Sergeant Ken Johnson and Corporal Clif Coleman. The officers gave handouts offering information on how to protect ourselves as well as our property (property identification on small stolen transportable items is imperative; if they are found these items can be returned to their rightful owner). We hope to have these handouts distributed to those who did not attend soon.

Getting to know your neighbors and recognizing their vehicles is very important. We need to recognize those vehicles that are domestic to the area and those that are not. Vehicles belonging to temporary workers in the area should be identified (make, model, color) and license plate numbers written down as well as the names of all the workers by the person employing them. In some cases, in the event of a robbery or break-in, this information might help find the culprits. We must increase our awareness of possible intruders and unsavory trespassers. If you happen to spy a suspicious vehicle in our area, you might simply follow it or snap a picture of it, making the driver aware of notice. Hence, a potential crime might be foiled. However, at no time should you put yourself in harm's way.

If you have an alarm system in your home make sure it is armed whenever you leave. Common sense tells you an unarmed alarm system does you no good. Make sure to leave interior lights and if possible a radio on. These give the essence of someone being home.

In addition to the newsletter, neighborhood updates will be given at the Pancake Breakfast and the Annual Meeting, as well as via the emergency e-mail list.

Finally, let's take care of each other!

Victor Hesch

Advice from an insurance standpoint

After the recent break-in at a neighbor's house, I contacted my insurance company for some recommendations on facilitating the insurance claim process and helping to maximize any reimbursement. I remember once being reminded that a claims adjuster works for the insurance company and part of that job is to protect the insurance company's assets (limit payouts), so the more complete our documentation, the better the chance for equitable loss reimbursement. Here, in brief, are the recommendations:

- Check the policy—does it include replacement cost for personal property? If not, you will more than likely receive reimbursement based on the depreciated value of the items.
- Consider contacting your insurance company to itemize particularly valuable items (art, jewelry,

high-end electronics) on a separate schedule for coverage.

- Video tape your belongings—Tape a sign on the entrance to each room specifying the room (i.e. "master bedroom") and walk from room to room filming the signs and the room contents.

OR

- Photograph each room in wide-angle photos, with close-up photos of specific items in the room.
- Keep as much documentation for valuable items as possible—purchase receipts, serial numbers, model numbers, professional appraisals, etc.
- Back up your computers regularly and consider password protection for sensitive documents and for access to the computer. Store program disks separately from the computer and in a secure place.

Store the above documentation (video/photos, paper documentation and backup disks/hard drives) in a separate secure location such as a safe deposit box.

Doug Smith

More advice

The Sheriff's deputies stressed two items repeatedly:

- *Identity theft is on the rise. Safeguard all sensitive personal material (e.g., social security number, birth date, financial papers).*
- *Knowing your neighbors and awareness of your surroundings are invaluable in helping deter criminal activity. Become good witnesses.*

Other things we can all do to help:

- *Write down all serial numbers on electronics, weapons, etc. Keep in a safe place.*
- *Place identifying marks on valuables such as the last four digits of your SSN, driver's license number or a code but NEVER your full SSN or birth date. Either use an engraving tool or detectable ink (Google "security marking" + ink).*
- *If you are going away, stop or have a kind neighbor pick up your mail and paper, and check periodically for any packages. Ask a neighbor to drive into your driveway if it snows.*
- *If you see a crime in progress, call 9-1-1.*
- *If you see a suspicious vehicle or person, call 428-3720 or 428-3710. Identify yourself as being in the county.*

Not only have several break-ins occurred here, but also a suspicious person showed up at a home when the

owner was expecting an important delivery from UPS. In another case, expensive tire rims delivered by FedEx were stolen from a front entrance. And many of our mailboxes were rifled over the Veterans Day weekend.

—Ed.

PCB II

Second annual pancake breakfast

Please pencil in Saturday, May 19, 2007 for a repeat of our fun-filled pancake breakfast, this time with coffee promised! Contact Judy Whiteley (466-4138) for donations or other help, such as food or set-up/tear-down of umbrellas and seating, etc. More information will be available at a later date. We hope to see you there.

Tina Lanman

Roads Report, January 2007

The winter started out right on schedule with a light snowfall on December 21. Then during December 28-30 the big one hit—over two feet of heavy snow—stressing the snow readiness of our vehicles, our snow removal resources, and our patience.

The start of a hard winter, and some indications that it might continue, is a reminder to residents that in this climate there will be times when we need to be prepared to drive in snow or stay put for several days. We usually haven't plowed the roads for snow less than 4"-6" deep, depending on snow weight, previous accumulation and the forecast. Navigating through even light snow can be a problem for small or rear wheel drive vehicles without chains.

During the summer we had lined up a local operator for plowing, but then he moved his equipment to Moriarty from where it is not available on short notice or in difficult conditions. The chronology below shows the comings and goings as The Ridges, along with everybody else, tried to get equipment to dig out. We now have several close-by plowers who probably can get to us more reliably, but same-day service is by no means guaranteed.

Sanding the slick hills is a valuable yet inexpensive enhancement to road clearing. Tim Ames of the Roads Committee initiated this effort. A lot can be done with only two hours' work and a few bucks worth of sand, but we have no way to spread the stuff except with private truck or trailer and volunteer labor. Please let Tim know if you can help.

We had the bright idea to help coordinate driveway plowing by facilitating contact between residents and snowplow operators, but our first attempt was snowed

under by storm severity, until Jim and Bernadette Shanaberger stepped in to help make contacts. Probably the available operators are now known to you, but also resident Michele Williams now offers driveway plowing.

During most winters, light snows have melted off within a day or so without plowing, letting us save roads funds for the big projects. Snowplowing costs for the last ten years average about \$400 per year, which would be one or two ordinary jobs per winter. But this post-storm cleanup—scraping the hardpack and pushing back the snow banks to be ready to plow again and to reduce the springtime mud on the side roads—brought the total bill to \$3400, almost two years' worth of funds. Most of this came from the 2007 roads budget, with more snowplowing costs likely this winter.

Because the roads funds are approved by the members as a total rather than several line items, we are able to pay for this snowplowing by drawing from the whole roads maintenance budget. Consequently decisions will have to be made later this year on how much other road work to do, and then as December approaches, how much to reserve for the beginning of the next winter. This raises the topic of a funding mechanism for snowplowing that does not put money in fiscal year boxes ending in December, said topic to be raised with the Board and members this year. Think about it—on December 31, we surplused about \$1700 in 2006 funds, and by January 10 we overspent our 2007 snowplow line by \$1600.

Times such as this winter's stormy onset are a useful reminder on the importance of keeping adequate funds on hand. Another possible expense on the horizon is providing vehicle protection on the arroyo culvert where a truck flipped over. We should think about what should be done at this location.



2006 White Friday Snowstorm Chronology		
Dec 28	Thurs	Snow starts.
Dec 29	Fri	About 12" of snow falls. Snowplow C* makes a pass here. Snowing heavily at sundown.
Dec 30	Sat	15" of heavy snow by morning. Nobody moving. Called snowplows C, J, K, & T with no luck today. Plows L & M unavailable.
Dec 31	Sun	Snowplow C turns back at Amistad/285. Plow T says not today.
2007 Jan 1	Mon	Snowplow T breaks down within first mile. Plow J stuck in Cimarron. Plow D arrives in afternoon, clears 12'-15' path. Plow C also does some side roads.
Jan 2	Tues	Roadgrader B plowing Old Ranch Road, we'd be next, but it breaks down.
Jan 3	Wed	Roadgrader B in repairs, plans to work here tomorrow.
Jan 4	Thurs	Roadgrader B not operational
Jan 5	Fri	Light snow starts.
Jan 6	Sat	2" of new snow. Snowplow E working to push back snow banks, has equipment failure. Roadgrader J scrapes paved road & pushes out snow banks on all roads.
Jan 7	Sun	Roadgrader J finishes. Plow E doing cleanup.
Jan 8	Mon	Plow E finishes cleanup.
Event over. Plowing \$271 (2006) + \$2886 (2007) = \$3157 Sand, about half used. \$300		

*These letters are first initials.

Olin van Dyck, Roads Chairman

Covenants

A year ago, board members met to discuss what projects they might undertake to support and maintain the quality of life in The Ridges. It was noted that the Covenants suffered from many inconsistencies and vague language that often led to difficulties in resolving disputes and enforcing the provisions of these Covenants. It was decided to take on the revision of this document in hopes that a more clearly written version would help all of us operate within its guidelines and aid board and committee members in a more consistent interpretation and fair implementation of its provisions to the benefit of all.

This seemed like a simple process at the time. With 20/20 hindsight, we realize now that this was a very complex task that required much broader participation and community input in order for the result to be truly representative and appreciated. A year later, members of the board met, this time to decide whether to try to go forward with the revision project in a new way or shelve it indefinitely. The original concerns over inconsistencies and vague language remain but the way forward is uncertain. In an attempt to shed light on these issues and find common ground within the whole community, we want to share examples of past dilemmas so that the difficulties are apparent. In this way we might come to consensus, or agree to disagree amicably.

This column which will appear in the next several newsletters is meant to provide a fresh look at the existing Covenants with the goal of highlighting their strengths and weaknesses. In each column, we will present several provisions of the current Covenants and explain how they could lead to unintended consequences. It is hoped that members will respond to the observations made here with constructive analysis that will further understanding and help us move forward together.

• Issue: Sprawl of outbuildings, using the existing Article 6:

ARTICLE 6: PERMITTED USES Upon each lot in The Ridges Subdivision there may be erected a principal residence consisting of one (1) detached single family dwelling together with such structures and outbuildings as are commonly and customarily appurtenant thereto.... All plans for every structure to be built shall be approved as herein provided before construction shall begin.

A number of years ago an owner applied to the Association for permission to build storage shed. The Board consulted an attorney who advised that a storage shed was a common outbuilding and therefore was permissible within the covenants.

The issue here is the vague language in "structures and outbuildings as are commonly and customarily appurtenant." Storage sheds are common outbuildings in some neighborhoods but not others, like carports, large RV enclosures, etc.

Lawyer's opinion in hand, the Board then adopted a resolution to permit sheds with size and style limitations. Under the way our rules are written, this and other outbuilding policies remain open to change by the Board. The question is do members want to leave this type of decision to whoever is currently

...serving on the Board or do they want to see more specific policies that will be more enduring?

• **Issue: A corral or dog run appearing on your lot line, in spite of the setback provision:**

7.02 Set-Backs. No structure shall be built nearer than fifty feet (50') from any lot line.

The application of this rule hinges on the meaning of "structure," which is undefined in the existing covenants. By using the dictionary and researching the Uniform Building Code, the International Building Code, and State and County requirements it is possible to find a variety of meanings for the term *structure* and how the varieties are regulated. In one situation here, a corral was built slightly overlapping the setback. Using a provision in the State's regulations that treats structures under a certain height differently, the ACC ruled that the corral is not in violation of the setback rule. To some, that might appear to be an obscure exception to a simple rule. More importantly, does this create a precedent for any owner to build right up to their lot line as long as the height restriction is observed? Do the members want to leave this as an opening to future arguments?

Your comments and perspectives regarding these issues will be invaluable in helping all members think through what they want to achieve with the restrictive covenants. Please send your opinions to the editor so they can be printed in the next newsletter in the new "Commentary and Opinion" section.

—The 2007 Board of Directors

PNM Los Colinas 13 Project status

In the Fall Newsletter we reported to residents the scope of this project and the actions being taken within the US 285 South Highway Community in opposition to the proposed installation of new overhead utility lines through Los Vaqueros and The Ridges subdivisions. Subsequent to that report, the County Development Review Committee recommended denial of the PNM request for variance and the issue moved to the Santa Fe County Board of County Commissioners for their consideration.

At the Board of County Commissioners Meeting on December 12, 2006, the community spokesperson, John Noble, made an excellent presentation to the Commissioners which among other arguments in opposition to the proposed project challenged the validity of PNM's qualification for a variance as set forth in Article II, Section 3 of the County Land Development Code. This section of the Code details the

criteria and guidelines for granting variances which PNM clearly did not meet.

Commissioners Anaya (District 3) and Vigil (District 2) voiced their concern that if the variances to County Land Development Code were denied, the inherent cost of the project would be passed on to County residents through PRC approved rate increases. Commissioner Anaya stated that he "did not want his constituents to pay higher rates for someone else's' views". He then moved that the new construction portion of the project (2000 feet along Vaquero Road) be required to be underground and that the remainder of the project passing south through the two subdivisions be approved for new overhead construction. No discussion was allowed and his motion was passed unanimously by all five Commissioners. Our District 5 Commissioner, Jack Sullivan, supported the motion. The PNM representative at the meeting attempted to clarify the Board's action stating that the motion would in effect pass on a rate increase of \$0.37 cents per month for 12 months to County rate payers and the Boards' action resulted in a net savings of \$0.01 cent per month from the total project cost. The additional expense to install all the replacement three phase lines underground was only \$5,000. Her statements were not allowed into the record subsequent to the Commissioners' vote.

The Board's action sets a precedent for future overhead lines in the community and in effect renders the County Land Development Code requiring all new and replacement utility lines to be placed underground ineffective and unenforceable. It also brings into question whether the County Commissioners will support the US 285 Highway Corridor Plan approved in Ordinance 2005-08 in future decisions. In this case they clearly chose to ignore community values and the provisions of that ordinance which were intended to give the community a voice in future community development.

In a January 24 phone message received from the PNM Regulatory Project Coordinator, Laurie Moye, she reported that the Government Affairs Office at PNM had requested the County Commissioners to put the project back on the agenda for a future Board of County Commissioners meeting and that request had been denied. She also reported that there are future overhead utility line projects in the US 285 corridor area in the planning phase. Commissioner Sullivan had previously committed to The Ridges point person that if PNM requested the Board to reconsider this project and the Board's decision, he would see that the issue was placed back on the agenda for reconsideration. We are very disappointed that Commissioner Sullivan did not support his constituents as promised. At this time it

is unclear what further actions the community can take regarding this disappointing action by the Board short of a legal challenge of their decision. Any new ideas or strategies are welcome.

Charlie Whiteley

Commentary and Opinion

In the aftermath of the Annual Meeting and the Roads and Covenants controversies and discussion by the Board, we are now providing for a "Commentary and Opinion" section in the newsletter.

The guidelines are:

1. Keep it clean. Language will not be edited, but if not suitable, will be returned to the sender. No attacks on or innuendos about individuals or groups.
2. Keep it germane to The Ridges; county, state and national political issues will be accepted only if they actually relate to our life in and the operation of The Ridges. Outside the immediate issues of Covenants enforcement, roads and dogs, these might include but are not limited to water, law enforcement, surrounding development issues.
3. Keep facts factual. Just because YOU believe it doesn't necessarily make it true. Check it BEFORE you send it.
4. Keep it short and succinct. Overall, the newsletter will be edited and restricted to even numbers of pages, limited by past practice to **eight total pages**; actual business and news of the Association takes precedence. In general, this means no more than 500 words and less is better.
5. Commentary will be edited ONLY to fit the size, two-column, font and paragraph styles of the Newsletter. Spelling, language, and grammar are the concern of the contributor. If many commentaries are received, articles will be shortened as necessary.
6. The name of the contributor will be published. Priority will be given to those who have not yet contributed or to more timely issues.

Here is the first contribution:

Commentary: As I see it

Happy winter everybody! Even with shoveling and trying to get places, it's still fabulous.

While some on the Board took this Covenants discussion quite personally (as if we shouldn't be communicating with each other) it seems that the residents rising to have their say on the issue was what

it should be in a democracy. With strong feelings and individual hot-button issues, emotions were running a bit high, and some residents cared enough to speak out on this important subject.

Do the results of Tim Ames' straw poll indicate a true preference for the original rambling document, or is it a vote of no confidence in the manner in which the revisions were executed? Bob Hayden, along with Tim, has provided comprehensive comments, general and specific, which if adopted could allow this revision to proceed.

Critical to the success of this endeavor is that the membership be confident that they truly *do* understand the change made to each amended article: Have them voted on separately with additions/deletions clearly marked, and reassemble the whole in better order than the original. It can be done.

Yes, ideally it would be nice to think we could get by with no covenants. Although we may be 90 percent built out there will always be additions, renovations, modifications, especially by new owners. And there will always be those lacking taste, good judgement, or who just like to stand out. The challenge is to write the most clear and concise document in order to *protect* not restrict us individually and as an association.

On that note, is the omnipresent threat of lawsuits (as any lawyer would spin it) justification for us to all run to our corners in fear, agonizing over how many bags of money is sufficient for this little nonprofit org to amass "to fully provide for all future known and unknown financial needs?" The main focus should be to Keep It Simple, and that includes the way we look. The more upscale the appearance, the greater the likelihood of burglaries and frivolous lawsuits.

Making the roads picture-perfect will prevent neither accidents nor lawsuits if people don't know how to drive, and moreover it will only encourage speeding. The legal duty is to maintain our roads in reasonably safe condition; well, check out the county roads and ours are pretty darn good—and speed humps the *only* solution to the 25mph speed limit (drive Maez Rd between Cerrillos and Agua Fria for proof).

If the Association agrees to this Roads Committee maintenance plan, might they want to consider selling Lot 11, as it will never be of any community use, would eliminate another "liability," and all the money could go into the roads budget.

I wish to thank Tim for his ongoing attention to our icy main road with applications of sand on the bad spots, and to Olin too for his struggle with the meager "professional" snow removal services the county has to

offer. Ramona, the mail lady, thought we did better than Eldorado.

—Karen Embertson

Stray critters

January 26 Prong Horn Antelope sighting in The Ridges

First sighting him on Principe at the arroyo at 9:00 a.m., I went hunting for him with my camera at 2:00 p.m. and found him a couple hundred yards north of Principe bedded down in the brush. A little later, I found him on the move headed back to the south.



I've seen a couple in the past year or so to the south in Galisteo Basin but never in a developed area like The Ridges. I suspect that he was searching for food since the snow has covered most of his normal forage; I saw him try to feast on a Cholla cactus.

Article and Photo by Charlie Whiteley

Photo in living color on the web site –Ed.

Western Screech Owl

I have mentioned it before but besides the mass of bluebird boxes around, we put up a larger woodpecker box many years ago. In the several years since, we have never had a single woodpecker even check it out to our knowledge. What we DO get every year is a Western Screech Owl that roosts in it at least during the daytime, mostly in the winter. We see it when the box apparently heats up in the sun and the owl sticks its head (and sometimes a lot more) out to cool off.

Unfortunately, I do not have a camera lens long enough to get a good picture of this because it really looks like a cat has gotten stuck in the hole rather than a bird. This photo is from:

<http://www.owlinstitute.org/owls/wscreech.html>

which has more than you probably want to know about owls.



The website says they nest in woodpecker holes and are year round residents but we've not had them nest in this box.

We do have larger birds around such as this owl, flickers and Downy and Hairy Woodpeckers so you might want to consider a few larger boxes.

Jack LaRowe

⇒ Feedback ⇐

There are sometimes issues, concerns, votes, etc., that invite comment, or things said of interest. You are invited to submit—in writing—items of concern, or, goodness, we'll even take praise! A couple of caveats, however: we may edit to a pithy line or two and no attribution will be given.

Found

A camera was found after the annual meeting. Contact Arthur Reeder (474-6707) if it might belong to you.

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.

—Ed.

During and after the recent snowfall, once again it was made clear just how important it is to be a good neighbor. Thanks to all of you who put aside any differences that have occurred over time and called your neighbors, asked if they had enough food, offered to take them to doctor's appointments or supermarkets if you have a four-wheel drive, or just checked up on them periodically. Such weather as we have had the past few weeks can bring out the best in all of us.

As noted in the Roads Report, Michele Williams has offered to plow driveways of residents in case of more

snow. Michele asks that you call her during reasonable hours, i.e., "not all hours of the day and night" as she works full time. She may be reached at 986-1778 or by cell phone at 913-0667.

Speaking of reasonable hours, we'd like to remind you that a request was made last year that you limit your calls to Board and Committee members Monday-Friday from 9:00 a.m. to 7:00 p.m. except if there is an actual emergency. This is still in effect. You can always e-mail them via the web site (www.ridgesla.org) with concerns and will receive an answer.

If you have not yet signed up for The Ridges Emergency E-mail List, please do so at board@ridgesla.org or in writing to our administrator, Carolyn Cochran (see below for her address).

The Board of Directors and the Association officers are listed for your information. Please feel free to call for assistance or information between 9 A.M. and 7 P.M. Monday through Friday, or e-mail

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