



Picacho Hills
Property Owners Association
PO Box 51
Fairacres, NM 88033

NEWSLETTER

Volume 20 No. 2

October, 2004



FROM THE PRESIDENT'S DESK

A big THANK YOU is in order to all 63 residents that volunteered on April 17th for the annual PHPOA spring cleanup. They did a fantastic job of cleaning up all the roadsides, ditches and pending areas. The large dumpster was almost full by the end of the day. Thanks again, and remember our fall cleanup coming up October 16th. Watch for a flyer with the details.

I want to take this opportunity to thank the Picacho Hills Property Owners Association Board of Directors for their diligence and hard work developing the survey sent to all residents, and the tallying of the results. Also, I want to thank all who returned their survey and for the thoughtful comments. Your input has been taken seriously. About 22% of the surveys were returned, which in research terms is a very good response. Please see the detailed account in this newsletter. We are now working on the things that received top priority.

Since all the rain we have had in the last month or two, there are many properties in Picacho Hills needing the weeds and other debris cleaned up. We also see many problems with erosion on people's property. It is your responsibility to contain the soil on your property. It takes all of us working together to keep Picacho Hills a beautiful place that benefits all of us by maintaining our property values

The board meetings are open to all and we encourage you to attend. Membership dues cover the calendar year, January 1 to December 31. We all have a stake in the place we live. Help yourself and the community by being active and committed to progress in Picacho Hills. If you are not a member, join today.

Franklin McKay

REMINDER: It is against your covenants to have any sign on your property except those of a realtor.

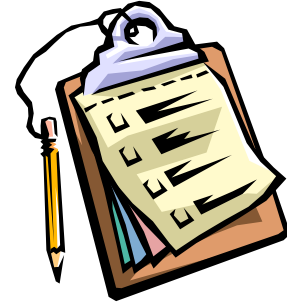


Meetings of the Board

The Board of Directors of the Picacho Hills Property Owners Association meets the first Tuesday of each month. The meetings are held at 4pm at the Picacho Hills Country Club. Meetings are open to all members of the Association.

The Annual Meeting of the Association is held the second Tuesday of March. It starts with a cocktail hour and dinner (at member's expense) followed by a short business meeting that includes the announcement of the newly elected Board members.

Survey Results



- A. Area Beautification (Check 2)
57 Fall and Spring clean up days
51 Roadside areas not in private ownership
62 Contractor's responsibility for site clean up while building
45 Developer's responsibility for clean up during development

We appreciate the favorable comments about clean-up and those activities will be continued. The other items will remain a primary concern. Action has begun (please see *Community Improvements and Roads*).

- B. Roads and Streets (Check 2)
0 Signs
78 Maintenance (pot holes, shoulder stabilization, etc.)
44 Speed Control (pedestrian crossing, speed bumps, enforcement, etc.)
55 Erosion control

Maintenance and Erosion control items are under County control, but the Board is working with their representatives (see *Community Improvements and Roads*). We appreciate the concerns about speed and support the efforts of the Sheriff thus far (see *Sheriff's Incident Report*) and the Board will pursue additional remedies.

- C. Utilities (Check 1)
89 Water/Sewer rates

Most respondents were concerned about our water company. This is the item that receives the greatest time and attention of the Board. The Board has on-going communications with the water company and the New Mexico Utility Regulatory Commission and we will inform residents definite information is received. Please refer to the article on utility billing in this issue.

- D. Social Activities
- | | | | |
|---|----------------|---------------|----------------|
| Social Time at annual meeting | <u>18</u> More | <u>2</u> Less | <u>45</u> Same |
| Organized social activities during the year | <u>18</u> More | <u>1</u> Less | <u>79</u> Same |

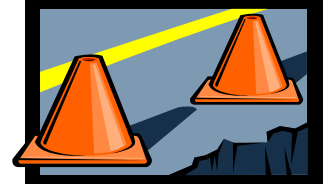
- E. Covenants (Check 1)
16 Legal resources
50 Covenant awareness
45 Enforcement processes

Covenant awareness and enforcement processes are of concern to many. Please refer to the *Covenant Awareness* article and call the Covenants and Safety Committee Chairman with further questions.

- F. Specific areas of Concern (By rank of importance, 1 = highest priority)
3rd Area of Picacho Hills Drive at entrance to Fairway Village
3rd Small strip of shoulder just northwest of the entrance to Las Casitas
1st Golf course maintenance yard on Via Norte
3rd Traffic Control
6th Above ground utilities
2nd Pet control

Some of these items were addressed when the Board representatives met with County officials (please refer to other articles in this newsletter). The Board will address the items as they are prioritized.

Community Improvements and Roads



There has been a great deal of activity in this area of late. A meeting was held by Association representatives Franklin McKay and Ken Eastlack with Mack Wilson, Asst. County Manager, Charles McMahan, Director of Community Planning & Economic Development, Dickie Apodaca, Road's Supervisor, and an engineer from the County. Franklin and Ken led the county representatives on a tour of Picacho Hills pointing out a number of concerns and discussing resolutions with the county team.

Areas covered during the tour and meeting

1. Continuing problem with sand and gravel at the intersection of Via Norte and Via Campestre; as well as several other sites considered in general as "erosion control issues". Solutions include county fixes where appropriate, and county Codes Enforcement intervention where private properties are responsible.
2. The hazardous concrete spillway on Via Norte, which Dickie Apodaca said would be collapsed, and the section on the county right-of-way re-surfaced.
3. The continued problem with traffic flow at the intersection of Picacho Hills Dr. & Fairway Village Dr. where barriers had already been placed to direct traffic onto the paved part of the road instead of having drivers cutting across the unpaved portion of the intersection. The county engineer pointed out that the entire section is actually private right-of-way, and the county is limited in what it can do. However since some portion of county road is at risk of erosion due to people "short-cutting", some additional barriers would be installed. As of this writing this additional work had been done.
4. Clean-up issues directly related to contractors that the county reps said could be handled as part of the codes enforcement effort, but might also be approached by direct involvement by PHPOA, and its members. If you see an infraction by a contractor, confront them directly, report the contractor to the Association and/or the county.
5. The open pit on Picacho Hills Drive with standing water that the county representatives needed time to work out because it is not a PHPOA covered area, but is private property. The area has been sprayed for mosquito control at least once, but we do not know at this time if the county can or will intervene further in view of the pit creating an "attractive nuisance" type hazard.
6. Encroachment of county right-of-ways included such things as basketball hoops, and erosion issues due to people not maintaining their grounds properly to avoid sand and other materials from building up on streets and clogging up drains and culverts. This was considered an issue of codes enforcement and will be handled as such.

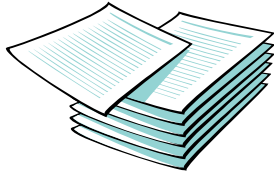
Mr. Wilson requested that a general notice, printed by the county, be included in our next newsletter to alert property owners of violations that codes enforcement personnel have noted since the first of the month. We are asked to check if we are in violation of the standards mentioned in the handout and, if so, voluntarily correct them. If we do not, then the county will take action separately on those who remain in violation of the codes.

Mr. Wilson added that large contributors to the erosion issues i.e. the Country Club and major developers would be contacted separately by the county and asked to take corrective measures. In general everyone would be given a maximum of 60 days to clean things up or face further action from the county.

Although I have been pretty busy trying to keep on top of Improvement and Roads issues, I would hope that property owners will continue to let me, or any Board member, know of issues that apply to this committee whenever they arise. I can be reached by phone at 523-0245, or online at keneastlack@msn.com.

Ken Eastlack

Covenant Awareness



According to our recent survey, there still seems to be questions concerning covenant awareness and enforcement. Covenants are a set of rules governing what you may and may not do regarding the use of your property. When you purchase property in Picacho Hills, you have ALREADY agreed to abide by these covenants. Covenants cover many things regarding the use of your property and it would behoove every property owner to obtain and carefully read these covenants BEFORE doing anything regarding the use of that property.

Covenants cover where you may park your vehicles (including all recreational vehicles), landscaping, easements, lighting, air conditioner placement, boats and other recreational vehicles, dish TV antennas, nuisances, walls and fences, solar panels, yard signs, trash, garage sales, animals and their control, commercial vehicles, variances, type and size of home, color of home, tower and antennas, temporary structures, etc.

Each subdivision within Picacho Hills has its own set of covenants. They are NOT all the same. Many residents of Picacho Hills are not aware of which subdivision they live in. Make this your first order of business before searching for a set of covenants.

If you purchased a NEW home in Picacho Hills, you should have received a copy of the covenants when you closed on the home. Search for all of those closing papers that most of us throw in a drawer and never see again and see if you can find them.

If you purchased a PRE-OWNED home, you may or may not have received a copy of the covenants. If you did not receive a copy, contact your realtor and they should do the "leg work" for you in obtaining a copy. If they do not do this, you can obtain a copy from the developer of your particular subdivision. There should also be a copy on file at the County Clerk's office.

After obtaining a set of covenants, read them very carefully. This may save you a lot of time and money. The enforcement procedures are explained in these covenants.

The by-laws of the PHPOA do not give us the authority to enforce covenants, but they are enforceable by lawsuit with one or more homeowners against a violator. The PHPOA will be glad to answer any remaining questions AFTER you have read your covenants. We will also research any suspected violations and write the violators a letter asking them to correct the problems as soon as possible. This has been sufficient in most cases.

Direct all unanswered questions to: Jerry Stepro 541-8922
Covenants and Safety Committee



and Thank you . . .

to John Moscato of Bright View Development Company for the landscaping on Picacho Hills Drive at West Picacho (US 70).

Fairacres Volunteer Fire Department



Following a discussion concerning PHPOA's annual contribution to our local volunteer fire department (increased to \$600.00 this year), a suggestion to have a representative address the department's need directly with the Board was made.

Jim Williams, Assistant Fire Chief of the Fairacres Volunteer Fire Department, was contacted and he agreed to make a presentation at the June 15th Board meeting.

Following a small interruption regarding a fire call, Mr. Williams returned and made a very informative presentation.

Jim pointed out that the all-volunteer department (District #12) services 12,000 people with a staff of 18 members. He presented a slide show that covered the various vehicles that they employ, and commented that they would be receiving a new engine in the not too distant future.

Asked what the department's most immediate needs were, Mr. Williams surprised us when he replied "more volunteers". He then explained the requirements for volunteers and what kind of training was needed. The training is pretty intense and inclusive, but just about anyone could contribute in some way. Even a retired and somewhat handicapped guy such as myself !

Jim recognized the Association's contribution and acknowledged that money is always needed and welcome. He also agreed to let the Board know directly when a specific need for contributions may arise should the PHPOA wish to contribute.

However, in closing, the Assistant Chief repeated the need for volunteers and asked that anyone interested call him at 642-6134 or contact him on line at JAMES.H.WILLIAMS@nasa.gov.

Ken Eastlack
Community Improvements and Roads



Congratulations

to Dr. Margie Huerta (of Calle Vista Bella) on her selection as Campus Executive Officer of the Dona Ana Branch Community College effective July 1, 2004. Prior to her selection, Margie had served as Chief Academic Officer since coming to DABCC in 2000.

Margie earned her Bachelor's and Master's degrees in English at Michigan State University and her Ph.D. in curriculum and instruction at New Mexico State University. She was an English instructor at NMSU from 1982-1990. Before coming to DABCC, Margie was at Austin Community College in Austin, TX.



Health freaks are going to feel stupid someday, lying in hospitals dying of nothing.
How is it one careless match can start a forest fire, but it takes a whole box to start a barbecue?
I am a nobody; nobody is perfect; therefore I am perfect

PHUC Retains Local Accounting Firm to Do Utility Billing



While the fate of past due utility bills is still in doubt, current billing, starting with August, 2004 is now in the capable hands of the Mesilla Valley Accounting (MVA) of 2990 N. Main Street, Suite 2C, Las Cruces, 88004. Picacho Hills Utility Company, Inc. (PHUC) owner Stephen Blanco has contracted with MVA to do all utility billing and this experienced firm is well on its way to completing the task. According to Doug Joens of MVA, who owns the firm with his wife Cathy, all utility meter readings have been entered into their computerized billing systems and all bills have been calculated. MVA currently does the utility billing for four other area utilities. August bills were set to be mailed on September 24. Issues still remain for MVA, notably ownership changes since June 2003 of residences and new construction. Research is underway to make sure the right bills will eventually go to the correct owners of record.

Past bills, however, are a bigger problem for PHUC. Bills for past due services cannot be sent until the New Mexico Public Regulation Commission rules on the PHUC request for permission to "back bill." As one of about 15 "for profit" water utilities in the State, PHUC is bound by the strict rules and regulations of the Commission. So while the saga of past billing continues for PHUC, and the residents of Picacho Hills, accurate and timely monthly billing will now be the responsibility of MVA. We wish them well.

PHPOA Utility E-Mail Hotline



Any Picacho Hills Utility customer who would like to be kept informed of the activities of the Utility, the new accounting firm, the State of New Mexico proceedings, and related matters by e-mail can do so by sending an e-mail to PHPOA@msn.com. Please include 'Utility E-mail hotline' in the subject line of your message.

PHPOA Drop Box

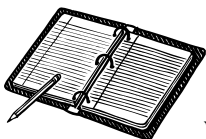


The box that was placed in the lobby of the Club to collect the Association Survey will remain in place. Property owners of Picacho Hill should feel free to drop off suggestions, etc. that they would like the Board to consider. Any communication expecting a Board response must be signed.

IMPORTANT: The box should not be used for Club payments. The box may not be checked in a time frame corresponding to the need for your payment to be delivered to the Club office.

Have you checked your directory?

The Picacho Hills Property Owners Directory was distributed in April. We have discovered a few errors and know that there are some changes we may not have been notified of.



Please take a moment to check your listing. You can either notify your area Hospitality representative or Sheri Wood (541-0259 or mikevwood@zianet.com) with any corrections, changes, additions or deletions.

Sheriff's Department Incident Reports



The following is a synopsis of Dona Ana County Sheriff's Department incident reports for Picacho Hills from October 14th 2003 through August 2004. I can attest to the accuracy since they come directly from the Sheriff's Department dispatchers' records. I cannot say the same for their conclusiveness because of the high rate of growth and continuing list of addresses that required monitoring. However I believe these are close enough to complete to warrant their being accepted as generally accurate.

There were a total of 218 incidents reported over the 10½ months covered. Approximately 30% were responses to residential and commercial alarms. Nearly one fourth were informational which included several "false calls".

The only other sizable categories reported were traffic violations, 14% and animal complaints, 13%. Incidentally, over half of the traffic violations were cited in the last two months of the report.

The full accounting:

62 Residential & Commercial Alarms	5 Traffic Accidents
52 Informational	4 Civil Disturbance
31 Traffic Violations	4 Residential/Auto Burglary
28 Animal Complaints	4 Larceny & Other Felonies
11 Suspicious Vehicles or Persons	3 Criminal Damage to Property
8 Domestic Issues	1 Warrant
5 Civil Matters (neighbor/neighbor)	



Special thanks to Carmen Chavez of the Sheriff's Department records office. Collecting the data would have been impossible without her very generous assistance.

Ken Eastlack
Community Improvements and Roads

Hospitality

A luncheon was held July 26 at the home of Ann Fair honoring the members of the Hospitality Committee. Twenty-five ladies attended. Ann is a Master Gardener and the skills of Ann and her husband, Dale, were evident in the landscaping around the patio and pool. It was a perfect day to sit outside to enjoy it and the delicious lunch catered by El Paisano.

The Hospitality Committee is looking for additional representatives living in the Fairway Village and Coronado Ridge areas. Please call (527-2258) if you would like to represent your area.

ATTENTION NEWCOMERS to Picacho Hills: Our annual Coffee  will be held on  November 12th at the Picacho Hills Country Club at 9am. We hope you'll plan to attend.

Phyllis Taylor
Hospitality Committee



Directory Updates

Welcome to new residents:

Burch	Patsy	523-1018	6845 Via Campestre	
DeArment	Sam & Jeanne	647-1606	1626 Via Turquesa	email morefuntocome@aol.com
Duncan	George & Mitusko	647-4835	6664 Vista Hermosa	
Fanelli	Joseph & Anne	647-9675	6610 Vista de Oro	from New Bern, NC
Florini	Joe	525-0507	6661 Vista Hermosa	
& Klein	Marjorie			
Lopez	Alex & Pricilla	541-5509	1399 Via Norte	
Parkhill	Colin & Ann	541-0117	6875 Via Emma	from Alexandria, VA
Rasmussen	James & Ieva	526-3228	1390 Vista del Cerro	from Ann Arbor, MI
Quigley	Mike & Mo		1390 Via Norte	
Sachs	David & Janet	526-6410	10072 San Savino Court	
Schrock	Sherman & Joan	647-1897	10024 Contana Court;	email jeschrock@cs.com
Valenzuela	Tommy & Cindy	524-4632	1431 Vista del Cerro	email luckiblue7@aol.com
Walch	Andrew & Janey		6865 Via Emma	from Stone Lake, WI
Weston	Robert & Linda	526-2192	10102 Catalonia Court	

Add:

Ellins	Lynn & Nancy	523-0090	10030 Contana Court	email lellins@ziagold.net
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Changes:

Brashear, Jerry & Rosi	not Brasher
Buchanan, Rex	add email srexb@zianet.com
Chaffee, Ralph & Rosemary	change phone: 525-4694 or 640-3156
Cheyre, Fred & Eva Jane	not Cherye
Childs, Elaine	change email elchilds@msn.com
Davis, Stew & Jean	change address to 10100 Tuscany Drive
Eastlack, Ken	change email keneastlack@msn.com
Elavsky, Michael & Dianne	add phone 612/598-5317, email mtelavsky@cs.com & mailing address 1075 124 th Court West, Rosemount MN 55068
Finkelstein, Alan & Martha	phone number correction – 527-9913
Fuller, Terry & Nancy	correction to email thefullers@theonlynet.net
Harper, John & Sandy	change email jnsharper@comcast.net
Kuehn, Peter and Ane	change address to 10120 Tuscany Drive
Matson, Ruth	not Matsom; change street to Camino Nuevo Mejico
Moseley, Norm	change address to 1650 Vista del Cerro
& Arnold, Bernice	
Quigley, Mike & Maureen	not 'Mile'; change phone 647-9203; add cell 720/217-3009
Richardson, John	change phone 647-0565
Siegel, Harold & Sharon	correct mailing address: Chelsea Way & ZIP 08807
Spence, Jim & Kristi	change address 1521 Vista del Cerro
Windels, Virgil & Jean	add phone 525-3501
Woolf, Mark and Norma	add email docwoolf@kidskarepc.com
Street name correction	Castile Court, not Castille Court throughout the directory

Remove:

Bertele, Edward & Dorothy	Cavaliere, John & Maria	Kulick, Christine & Overman, May
Bowyer, John & Karen	Cross, Suzy	McNally, Bob & Lois
Browning, Caroline	Davis, Robert & Wendy	Newcomb, Helen
	Hunt, Glen	Peterson, Annette

