

Letters, letters, letters----so you think the members might have the monthly billings of the SEC as a forum for their opinions someday? Not while the current pathway as set forth by the trustee majority, management and lawyers are running the show. Pres. Dorrough's letter in the monthly billing refers to the proposed new by-laws (with the up and down only vote) as "a golden opportunity to overhaul Socorro Electric from the ground up." The only gold in this opportunity is "Fool's Gold" which runs counter to the 4 main issues set forth by Mr. Christensen. These are RATES, SERVICE, TRANSPARENCY AND DEMOCRATIC CONTROL BY THE MEMBERS.

What do the members lose in the way of transparency and democratic control by the members. The following is not a complete list although we hope to have a complete list available before the March 25, 2015 vote on the bylaws.

On April 17, 2010, members passed bylaws setting: 1. [Term limits for trustees](#), 2. [A yearly monetary cap of \\$10,000 per trustee, \\$15,000 for president](#), 3. [One monthly meeting for the Board of Trustees open to member/owners and press with timely notice of the meeting...a section of the meeting agenda shall be reserved for member participation during with member...may address the Board without prior approval of the Board.](#) 4. [SEC Board of trustees and Management shall guarantee transparency of Action with open access to SEC Books, Records, and Audits....](#) 5. [SEC Board of Trustees and Management will account for and notify Members of their Patronage Capital annually as required by existing Bylaws \(but disregarded until 7/2009\)](#) 6. [SEC Board shall make adequate arrangements for and assure fair elections which include VOTING BY MAIL and election administration by a third party accounting firm.](#) 7. [The SEC Board of Trustees shall voluntarily agree to abide by the New Mexico Open Meetings Act and the Inspection of Public Records Act.](#)

Before the end of May, 2010 the Board of Trustees with the exception of Charlie Wagner voted to sue the SEC members to overthrow the newly passed bylaws. Judge Mitchell agreed with the members and awarded judgment to the members as state law gives members the right to pass bylaws. THIS IS A STATE LAW. Remember this as we will return to this law on amending bylaws.

The bylaws of April 17, 2010 are missing from Christensen's proposals. So much for DEMOCRATIC CONTROL BY MEMBERS AND TRANSPARENCY. Passed by the members, approved by a judge, discarded by Ms. Dorrough's "expert."

Another court case brought by Charlene West and Charlie Wagner regarded access to the SEC Membership List. A prior ruling by the New Mexico Supreme Court gives members the right to the list for a proper purpose. Our present lawyers ignored that ruling and Number 4 in blue ink above forcing another hearing, this one before Judge Reynolds. Judge Reynolds ruled for Mrs. West and after a delay, she did receive the list. A search of the Christensen bylaws turns up the attachment SECTION 4.05 which severely limits easy access to the SEC Membership List for all members especially candidates running for the office of trustee. No Inspection of Public Records or member passed bylaw to protect SEC rights.

Back to members passing amendments to bylaw. This is not being allowed on March 25, 2015. The Christensen bylaws speak to the issue as follows. SECTION 4.03 Notice of Member Meetings. (attached). "When notifying Members of any Member Meeting, the Cooperative shall include notice of any matter which a Member may raise or discuss, and intends to raise or discuss, at the Member Meeting if:

1. Requested in writing, by a percentage of the Total Membership entitled to call a Special Member Meeting ([this totals not less than ten percent 10% of the cooperative's total non-suspended Members. See attachment SECTION 4.02](#)) and the Cooperative receives the written request satisfying the member-identification standards set forth in SECTION 4.02 at least thirty (30) days prior to delivering notice of the Member Meeting.....

The Cooperative shall also notice any matter that the Board of Directors intends to raise or discuss at the Member Meeting."

Now the actual amending contained in SECTION 10.01 (attached.) After fulfilling the requirements in the paragraph above a member or “any group of members may by petition containing the names, authenticated signatures, addresses and account numbers of 500 members have a proposed Bylaw amendment included in the agenda and put to vote at the next Annual Meeting, so long as the petition is received by the Cooperative not less than 180 days (“that’s 6 months”) prior to the to the Annual Meeting.

Are there enough hoops for the members to jump through? Enough hard won rights lost? Enough “Democratic Control” and Transparency vanished?

NOTE; SECTION 10.01 mentions “an official written ballot by mail to vote.” Vote by mail is mentioned in a few other places in the Bylaws and Bylaw Analysis but there is no bylaw codifying VOTE BY MAIL. This could present a large problem down the road and member amendment is rendered almost impossible by the Christensen Bylaws. Others are doing an analysis of Mr. Christensen proposed Bylaws which will b made public for the member’s information.

Related documents:

Section 4.02 cont. at Section 4.03

Section 4.03 Notice of Member Meetings

Section 4.05 Member Meeting List

Section 10.01 Bylaw amendments