

March 30, 2013 – Commentary on the March 28<sup>th</sup> board meeting.

THE ANNUAL MEMBERS MEETING: In January, 2013, the board on a tie vote broken in favor by Pres. Aguilar, set the date of Saturday, May 18<sup>th</sup> at 1 p.m. for voting and registration and 5 p.m. for the business meeting. Last night the board rescinded that motion and reset the Annual Meeting to reg. at **WEDNESDAY, May 15<sup>th</sup>, voting and 1 p.m. ; business meeting at 3 p.m.**

The roll call vote against Wed. was Wagner, Dorough, Mauldin; the vote for Wed. was Wolberg, Cordova, Wade with Pres. Aguilar breaking the tie in favor of Wed. The unfairness of District 3 (Socorro) having 3 votes to the other districts" 1 vote each should be noted. This is a obvious attack on the members in order to stop a quorum by limiting the attendance of working people and especially people who live in the far flung districts. This is unfair beyond belief and there is more.

MEMBERS' RESOLUTIONS FOR THE ANNUAL MEMBERS MEETING: For as long as the co-op has existed, the members meet in their districts, conduct business including the debating upon and voting on resolutions for amendment to the bylaws which are then sent to the "next succeeding Annual Meeting." This happened in Oct. 27, 2012 when District 5 members voted upon a host of amendments to the bylaws but the Board, Management and Attorney are refusing to allow these bylaws to go forth for all sorts of ridiculous reasons all of which boil down to the fact that several of these amendments give more control to the members and curtail the ability of the board, management and attorney to operate secretly and without regard to the members' wishes. This trio would like to forget that the members are owners. The attorney (see video on this website) claims all sort of reasons that don't make a lot of sense especially if ARTICLE 15, RURAL ELECTRIC COOPERATIVES. Section 6 –15-7 is consulted.

**"The original bylaws of a cooperative shall be adopted by its board of trustees. Thereafter bylaws shall be adopted, amended or repealed by the majority of the members present at any regular annual meeting or special meeting called for that purpose, a quorum being present....."** This is a state law was not mentioned during the meeting because this law clearly indicates that members "adopt, amend, or repeal" and the trustees do not. In the SEC's topsy-turvey world, the opposite is being mandated with the defeated 2012 trustee amendments being on the 2013 ballot along with the 3 amendments raised from the floor by members in 2012.

This attorney and/or the board has no right to block the District 5 amendments. It is not their function or right. Neither should a "committee" be established to "overlook" or "correct" their amendments. The bylaw demand an up or down vote without interference. Thankfully there is a video tape of the meeting so other claims as to quorum and meeting behavior can contradict the "draft minutes" by the secretary of the meeting who is a SEC staff member. There will be further action on this matter – remember that Judge Mitchell ruled on member amendments in 2011.

WHAT CAN BE DONE? Let your trustees know what you think with a copy to the newspaper and cynic website. Talk to friends and neighbors for these and other issues are headed straight for a "necessary" rate increase. Donate to the members' legal fund as we will probably have to head for court again.

Most important ..... There are elections scheduled for October, 2013 in District 2 (Magdalena, Alamo, and the west side of Socorro) and District 3 (Socorro). Start thinking about good honest people who will act for the members on the board to run for these slots. Be careful of supposed "reformers" who will turn on the members as soon as they are elected. No person who has served on the board before should ever be elected again. Consider recall for those who have been on the board for years to the members harm. Once the board belongs to the members, things will straighten out and we will be rid of this constant battle.