

There is good news and bad news from and about the Christensen Report.

The good news: Much of what he is recommending is very good and should be adopted. Mr. C. stated that the BIG ISSUES are: RATES, SERVICE, TRANSPARENCY, DEMOCRATIC CONTROL. (the entire phrase is DEMOCRATIC CONTROL BY MEMBERS). Keep this criteria in mind as you read the full report which is posted available here and www.socorroelectric.com .

The bad news: Some of what he is recommending is very bad and would restrict the rights of the members while giving much more control to the Board of Trustees. Mr. C.'s idea of democratic control by members is limited to the election of trustees to act for them. He also stated that the bylaws are a take it or leave proposition which the members can not amend or change. This is very odd and I don't think enforceable. SEC money has paid for this report and it should meet the needs of the SEC members. Dictating terms is not the job of Mr. Christensen.

Some of the bylaws are confusing. Insight into them may be gained by reading PART II. BYLAW ANALYSIS for Mr. C.'s reasoning. PART III. BOARD POLICIES contains some very bad sections designed to punish particular trustees and stop any dissent. First amendment rights are discards and all power resides in the Chair. A new board is the only solution to this problem as the members have no say in policies and the current board majority will probably put them into effect very quickly.

Quick actions that would benefit the members are cleansing of member (voting) lists and redistricting if the members accept the 7 trustee proposal.

Good ideas:

1. Art. I. Table of Contents and Index to the bylaws.
2. ART. II. One member, one vote. Yard lights do not count nor do secondary services away from primary residences.
3. ART III. Clean up the membership list to give integrity to voting. The cleaning of the list should begin immediately as it not dependent on acceptance of Report.
4. Art. IV. Members entitled to receive membership list with names and addresses.

Probably good ideas:

1. Art. V. Board to increase to 7 trustees. The present majority of 3 of 5 seems to make 7 a better number. This would require redistricting. Trustees from each district to be voted upon on an "at large" basis with all members voting on all trustees.

Bad ideas:

1. Art. IV. Section 4.03 "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 Meeting (that would be 10%) and the Coop. receives the written request satisfying the member-identification standards set forth in Section 4.02 at least thirty day 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.

Art. X. Section 10.01 – Bylaw Amendments. This section refers to among other issues the amendments that ...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 Coop not less than 180 prior to the Annual Meeting. (This is six months before a date that moves around and is set by the board.)

These sections impose really, really big hoops that members must jump through to propose an amendment. Trustees can just raise what they wish. Democratic control??????
These hoops also go against “ NM law 62-15-7. Bylaws...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.....”

VERY BAD IDEA!

Art. III & Art. VIII. Both of these articles deal with Capital Credits and need to be closely studied by the members. Mr. Christensen’ Bylaw Analysis should also be studied to ascertain fairness or unfairness to members.

Art. IV. Section 4.12- Credentials and Election Committee. The Board appoints and that is a problem while we have the current board. Mr. C. does not seem to understand the total lack of trust that exists between the board and the members. Certain things that would be okay with a respected board should not be attempted with “the majority of three.” Again too much power being shifted to board.

ART. V. Trustees. This entire section raises many questions. Change to 7 trustees from 5, terms change from 4 to 3 years, no term limits, removal of trustees by board with vacancy fill by board. TRUSTEE COMPENSATION “determined in the Board’s reasonable discretion. Section 5.16 Indemnification of Trustees..... Too easily used along with “Removal by Board” to punish disagreement and push private agendas.

ART. VI. Meeting of trustees. As with Art. V, this section raises many questions that might not exist with a more responsible board than the present.

ART VII. Section 7.11 Committees. Appointed by Chair which could “stack” the committee with partisan opinion.

ART X. Miscellaneous. Section 10.01 Bylaw Amendments. This is the 500 members to propose an amendment section. Section 10.04 –Notice. Makes delivery of “Enchanted Magazine” official notice.

Feedback is coming in from members and will be shared in another email.