

Charles A. Wagner, Trustee Dist. 5

Socorro Electric Cooperative
P.O. Box 252 Magdalena, NM 87825

June 7, 2010

Mr. Paul Bustamante, President
Socorro Electric Cooperative
215 E. Manzanares Ave.
Socorro, NM 87801

Re: Violations of New Mexico Open Meetings by Socorro Electric
Cooperative, Inc. (SEC) Board of Trustees

Dear Mr. Bustamante:

This is my notice to you and the Board of Trustees of SEC that the bylaw amendments enacted by the Members in their Annual Members' Meeting April 17, 2010 have been in effect since that date. SEC's attorney Mr. Dennis Francich confirmed this in his e-mail to me and other SEC Trustees of April 19, 2010.

Noting that representative governance of the co-op is dependant upon an informed membership, placing the cooperative and its governing body, The SEC Board of Trustees, under the provisions of the New Mexico Open Meetings Act (NMOMA), the membership made clear their intention to enhance the principal of democratic control by members. Just as tax payers have a right to know as much as possible about the actions and deliberations of their governmental agencies, the member/owners of SEC whose capital is used to achieve at cost electricity have a right to the truth of all information possible.

I also give you notice that SEC has held three board meetings which violate several provisions of the NMOMA since April 17, 2010. In its conduct of these meetings the board is not complying with the law or the amended bylaws. This non compliance is unacceptable and renders actions taken in those meetings null and void according to The NMOMA. The dates of the void meetings with their violations are as follows:

- April 23, 2010 Violation Part II, 10-15-1 A. C. F. and G. Failure to make allowances for audio and video recording devices, failure to post proper notice, Failure to provide a timely agenda, failure to record minutes accordingly, failure to deliver timely draft minutes, etc, 10-15-3.
- April 28, 2010 Violation Part II, 10-15-1 A. C. F. G. H. and I. Failure to make allowances for video and audio recording devices, failure to post proper notice, failure to provide a timely agenda, failure to record minutes accordingly, failure to deliver timely draft minutes, Failure to state a proper purpose for closing a meeting, Failure to disclose items discussed and limited to a closed portion of a meeting etc, 10-15-3.

- May 26, 2010 Violation Part II, 10-15-1 A. C. F. G. H. and I. Failure to make allowances for video and audio recording devices, failure to post proper notice, failure to provide a timely agenda, failure to record minutes accordingly, failure to deliver timely draft minutes, Failure to state a proper purpose for closing a meeting, Failure to disclose items discussed and limited to a closed portion of a meeting etc, 10-15-3.

In addition to the above the board of trustees has not complied with other matters proposed, voted on and passed at the Annual Members' Meeting of April 17, 2010.

As President of the Socorro Electric Cooperative, Inc. you have a duty to attend to these violations.

Sincerely,

Charlie Wagner

Attorney General Gary King,
State of New Mexico
P.O. Box 1508
Santa Fe NM 87504-1508

District Attorney Clint Wellborn,
County of Socorro, New Mexico
302 Park St. Socorro, N M 87801

Ms. Sarah Welsh, Executive Director
New Mexico Foundation for Open Government
115 Gold Ave., Suite 201
Albuquerque, NM 87102

Mr. Leopoldo Pineta, Jr., General Manager
Socorro Electric Cooperative, Inc.
P.O. Box H
Socorro, NM 87801