

October 20 -

Comment on Letter to the Editor, "Show me the records" in the Chieftain -

(<http://mountainmail.blogspot.com/2010/09/wagner-accuses-co-op-president-of.html>)

This letter raises several excellent points not the least of which is the co-op's denial of Ms. Watkins request.

The SEC Bylaw amendment that deals with the Open Records Act reads in full: "The Socorro Electric Cooperative Board of Trustees and Management shall guarantee transparency of action with open access to SEC Books, Records, and Audits for a proper, non-commercial purpose with the exception of those records which would violate the Privacy Act or are prohibited by law. There shall be a limit of thirty (30) days to produce requested information." This amendment comes under the ruling of the Supreme Court of New Mexico in the case of Schein v. North Rio Arriba Electric Cooperative. "New Mexico Law Review 1998 * CORPORATE LAW-FORMULATING AND APPLYING A "PROPER PURPOSE" ANALYSIS TO A BOOK AND RECORDS INSPECTION REQUEST-SCHEIN V. NORTHERN RIO ARRIBA ELECTRIC COOPERATIVE, INC. Aaron C. Viets.

Refusal to hand over the records requested goes against the ruling of the N.M. Supreme Court and the expressed wish of the members as this bylaw was passed by the members overwhelmingly.

October 3 -

A reader comments on the "loan" to X-GM Pineda received from the SEC vendor who provides IT services:

"This reads as a kickback, not a loan. And I guarantee the kickback is figured into the cost of the contract. One wonders who else is getting kickbacks from this contractor, and which other contractors are paying kickbacks? Of course, Clint sees nothing that smacks of illegality here, but the feds might.

Appears to be so much business as usual that the contractor doesn't realize that they could be subject to prosecution and is totally comfortable filing a lawsuit to get their money back from somebody who can no longer help them."



Clint Welborne - Socorro county DA

"As far as I know, a crime has not been committed," Wellborn said. "It's a company matter and they are dealing with it." >> (<http://mountainmail.blogspot.com/2010/09/wagner-accuses-co-op-president-of.html>)