

December 13, 2010 –

The December 11th “Chieftain” article concerns the recall of trustees which is moving from district to district at this time.

(<http://www.dchieftain.com/dc/index.php/news/2519-trustees-targeted-by-reformists.html>)

There is a section in this article in which Mr. Lopez, Interim General Manager, makes several statements about the District 2 recall which has completed the petition phase and is headed for a hearing. These statements are at odds with the SEC Bylaw Article 5, Section 5. "Removal of Trustees" which I will quote:

"Section 5. Removal of Trustees. Any member may bring charges against a trustee of his/her district and by filing with the Secretary such charges in writing together with a petition signed by at least en per centum of the members of the trustee's district, may request the removal of such trustee by reason thereof. Such trustee shall be informed in writing of the charges at least ten days prior to the district meeting" (See Article 3, Section 4. Special District Meetings) "of the members at which time the charges are to be considered and shall have an opportunity at the meeting to be heard in person or by counsel and to present evidence in respect of the charges; and the person or persons bringing the charges against him/her shall have the same opportunity. The question of the removal of such trustee shall be considered and voted upon by majority vote at the district meeting of the members and any vacancy created by such removal may be filled by a vote of the members at such meeting without compliance with the foregoing provisions with respect to nominations."

This bylaw is very clear. The members hear the petitioner's case for removal, the trustee's case against the removal and then the members vote yea or nay for recall. Their decision as expressed in their vote is the only factor. There is no "legal opinion, as to whether the allegations being brought up were valid or invalid." The only judges in this matter are the members.

Other items of interest in this issue of the “Chieftain” are several letters to the editor Found in the Chieftain opinions here: <http://www.dchieftain.com/dc/index.php/opinion/2518-letters-to-the-editor.html>

- 1 - Cost saving measures affected
- 2 - Not in member's best interest
- 3 - Co-op employees earn their bonuses