

## Co-op reform one year later

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It has been one year since the member-owners of Socorro Electric Cooperative passed nearly a dozen new bylaws aimed at reforming the co-op and reining in the board of trustees. Let's take a look at where we're at with these reform measures one year later:

### **1. The business and affairs of the Cooperative shall be managed by a board of five trustees.**

Not there yet, and probably won't be for another couple of years. The co-op has taken the stance that the board will be reduced by attrition. The 10 trustees have the right to serve out the remainder of their four-year terms, which means the board won't be down to five members until 2013. One trustee, Manny Marquez, did resign just prior to last year's annual meeting and was not replaced. So, theoretically, other resignations could hasten the process.

### **2. No member of the board of trustees shall serve more than two consecutive terms.**

See No. 1. While a few trustees have already served more than two terms, they are finishing their current term. The only ones that could run again are Luis Aguilar, Prescilla Mauldin and Donald Wolberg, who won election as reform candidates in 2009.

### **3. All expenses incurred by each trustees shall be limited to \$10,000 per year, with the exception of the co-op president who shall be limited to \$15,000.**

This bylaw was imposed to limit expenses accumulated by the board, which exceeded \$492,000 in 2009. These expenses include travel, lodging, per diem and insurance payments. The co-op put this policy into effect immediately after last year's annual meeting. Based on that 2009 number, members saved the co-op about \$387,000 in the past year.

### **4. The co-op service area shall be divided into five representative voting districts of as equal member population as possible.**

A proposal drawn up by the board of trustees is up for vote at tonight's annual meeting. If it passes, the new districts take effect when the board is reduced to five. If it fails, another plan will presumably be offered at next year's annual meeting.

### **5. The board of trustees shall hold one regular meeting a month.**

The board, which previously held two meetings per month, has faithfully abided by this bylaw since last May.

### **6. Board of trustees meetings shall be open to members and the media with timely notice advertised in monthly billing statements and local newspapers. In addition, a portion of the meeting will be reserved for public comment so members can address the board without prior approval.**

The board has advertised their meetings in El Defensor Chieftain, but I've never seen notice of meetings in my billing statement. It took awhile for the board to get around to allowing public comment without prior approval, but they're doing it now.

### **7. The co-op shall account for and notify members of their patronage capital (capital credits) annually.**

This bylaw was in place before, but the co-op wasn't following it. Capital credit allocations are now being listed on billing statements.

### **8. The co-op shall not make donations to adult or civic organizations.**

This bylaw presumably is being followed.

### **9. To assure fair elections, the co-op shall make adequate arrangements for a third-party to administer elections and allow for mail-in voting.**

The co-op hired an outside firm to conduct tonight's election. Mail-in voting is a part of it. And thanks to Rep. Don Tripp, a bill he introduced in the Legislature that would give co-ops across the state the option of allowing mail-in voting for district elections was signed into law by the governor.

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**10. The co-op voluntarily agrees to abide by the Open Meetings Act and Inspection of Public Records Act.**

Nope. They're not voluntarily doing anything. In fact, this is one of the bylaws the board choose to fight in court, filing a lawsuit against all 12,000 of its member-owners last summer.

In fairness, the board of trustees has been doing a better job with regard to following OMA, adopting some aspects, but they're a long, long way from doing it right. As for inspecting records, they're telling members they can't get records without a court order.

**11. The co-op and management shall allow members access to books, records and audits for non-commercial purpose, with the exception of those records that would violate the Privacy Act.**

See No. 10. The co-op apparently doesn't want you to know how they're spending our money. They'll follow the bylaw only if the court tells them they have to.

The court may ultimately do just that. The lawsuit the co-op filed against us all is slowly progressing. A hearing on the merits of the lawsuit will be held next month in Socorro.

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