

Good morning,

The June 26, 2011 meeting was the one of the shortest in the history of the SEC. The cynic has already posted the tape on his website, www.informedcynic.com. I suggest that all of you view and listen to the actual tape.

President Bustamante and Jack Bruton were absent. David Wade chaired the meeting. There was some confusion in the order of the agenda (copy below) and during the V. Approval of Agenda-Additions/Deletions, Trustee Wagner raised the issue of improper meeting notice which would render the meeting along with all meetings and any actions taken during the meetings since April 17, 2011 null and void. The bylaws call for the meeting notice which would include the meeting agenda to be mailed to the members in their billings and the Open Meetings Act also call for the agenda to be published in the local newspaper along with the meeting notice. You will note that the notices of the meetings of the Socorro City Council and the Socorro County Comm. with their agendas are published in the local newspaper. Judge Mitchell ruled on May 18, 2011 that bylaws and OMA must be followed. Note Trustee Wolberg's comments.

At this point, Mr. Wade jumped over VI. Action on Minutes to VII. Public Comments and there were several in the audience that wished to speak. Mr. Wade was notified of the omission and returned to the minutes. After the minutes were dealt with, Atty. Dennis Francish addressed the Point of Order that Charlie Wagner had raised in connection with the improper meeting notice. Mr. Francish made the point that "if Mr. Wagner intends to hold void the meeting" that there should be a motion to dismiss the meeting as illegal for failure to have proper notice. Trustee Wagner so moved, Trustee Mauldin seconded. The vote was by show of hands instead of by roll call and the tape shows that no trustee voted against and it is difficult to see who voted for except for Wagner and Mauldin. The improper recording of the vote is also a violation of the OMA.

Throughout this discussion, motion, and voting, Atty Francish kept repeating that the meeting had to be dismissed. This raises some questions. Trustee Wagner has been making this same Point of Order for the past 14 months and has been ignored by Board and Attorney. Why now does the lawyer want to dismiss meeting. The Agenda listed several interesting items. The cynic will have the Agenda posted on the website this morning. It might also be posted on the SEC website. Note "RESOLUTION TO RATIFY AND CONFIRM BOARD ACTION" which was a motion to approve in blanket form all of the actions of the past illegal meetings. This is NOT what Judge Mitchell ruled must be done. Also note that the Policy Committee and the Bylaw Committee were scheduled to deliver reports although Judge Mitchell instructed the lawyers on both side of the suit against the members to present a "clean copy" of the bylaws to him.

This was a very strange meeting and presented the appearance of prior planning. The presence of so many members was gratifying and will be important as future actions develop.