

Co-op ready to announce job opening for attorney

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Socorro Electric Cooperative is one step closer to hiring a new attorney after the co-op's board of trustees approved the wording for a job announcement during its meeting Wednesday night.

The co-op is looking to replace Albuquerque attorney Dennis Francish, whose two-year contract expires Dec. 31. The action taken Wednesday keeps the co-op on schedule to hire an attorney by the end of the year.

The application deadline is Nov. 16, so the board can decide who will be interviewed at its November meeting and possibly make the hire in December.

On Wednesday, the board tweaked the language of a draft announcement and sample agreement prepared by General Manager Joseph Herrera.

With an eye toward hiring a local attorney, the most significant change to the draft was reducing the number of years experience required from 10 to 15 years to five.

Trustee Milton Ulibarri made the suggestion, saying the co-op would be limiting its pool of local job candidates if it went with the higher figure. He said he felt the majority of attorneys in the Socorro area had at least five years experience, though.

Donald Wolberg thought that maybe the job announcement should simply state "experience" and not attach a years requirement.

"If we're trying to get local folks to apply, we might have problems," he said.

"Wouldn't we want an experienced attorney?" asked Charlie Wagner. "The litigation we're in now warrants someone who can handle the kind of issues we're up against ... I'd hate to see a rookie try to deal with that."

Socorro Electric is currently involved in at least three active court cases. Two of them are lawsuits brought separately last month by former managers Polo Pineda Jr. and Kathy Torres after complaints they made to the Equal Employment Opportunity Commission resulted in orders of non-determination. The other is the extension of a lawsuit the co-op literally brought upon itself last year when the board voted to challenge three new bylaws calling for increased transparency. In order to do so, the co-op filed suit against all of its approximately 10,000 member-owners.

The co-op lost the case and now faces a countersuit that requests class action certification. Trustee Wagner is named as the representative of the class in the countersuit, which names all of his fellow trustees as cross claim defendants.

Judge Albert J. Mitchell Jr., assigned by the New Mexico Supreme Court to preside over the case, this week scheduled a status hearing in the case for Dec. 2. The hearing will be held telephonically.

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The new attorney's involvement in that case will likely be limited. Albuquerque attorneys Paul Kennedy and Darin Foster are representing the co-op in its defense of the countersuit.

The job announcement calls for the new attorney to have experience in corporate law, contract law, public utility law, unemployment compensation, and a familiarity with Roberts Rules of Order, the New Mexico Open Meetings Act and Inspection of Public Records Act.

In Other Business

- The board agreed to pay half of attorney Francish's expenses to next month's National Rural Electric Cooperative Association's Region X meeting in Scottsdale, Ariz. Socorro Electric will split Francish's expenses with Continental Divide Cooperative, which is also represented by Francish.

The motion passed 3-2, with Leroy Anaya, Prescilla Mauldin and Wolberg voting in favor and Ulibarri and Wagner voting against.

Dave Wade, who was chairing the meeting in absence of President Paul Bustamante, did not vote. Trustees Luis Aguilar and Jack Bruton were also absent from the meeting and Leo Cordova left early.

- Duane Baker, director of Puerto Seguro day shelter in Socorro, proposed that the co-op implement a program that would help low-income families pay their electric bills. Co-op customers could voluntarily contribute to a special fund simply by agreeing to round up their bill to the next dollar. Each month the co-op would turn the money over to Puerto Seguro, which would administer the program and distribute the funds to eligible families.

The board voted to direct General Manager Herrera to prepare documents that would establish such a program so that it could be an action item at next month's meeting.

- The board accepted the co-op's audit for fiscal year ending March 31, 2011.

Randy Robbins of the Lubbock, Texas, accounting firm of Bolinger, Segars, Gilbert & Moss described it as a "clean opinion," meaning that everything was deemed to be accurately reported.

While the audit turned up some weaknesses in reconciling accounts, Robbins said it was something current co-op management was in the process of correcting. The firm recommended more training for employees handling the co-op's accounting.

- The board heard a presentation from Albuquerque insurance brokers Tom Frank and Jan Gibson regarding the Presbyterian Health Plan being offered to co-op employees. Frank and Gibson gave an overview of the program and showed how it compared with the current plan and one offered through the NRECA.

No action was taken; the board could approve the plan at next month's meeting and still beat the renewal date.

- Leroy Anaya, Socorro Electric's delegate to Tri-State Generation and Transmission Association, reported that informational meetings were being held in Santa Fe and Elephant Butte this week regarding the new rate design. Anaya said the outlook is for a 4.8 percent increase to begin next year, but that it seems every time the plan has been presented the numbers change.

- Donald Wolberg, the co-op's representative to the New Mexico Rural Electric Cooperative Association, reported that a compromise appears to be in the works on the controversial Environmental Improvement Board's proposed restrictions on greenhouse gases.

- The board set the date of its next regular meeting for Tuesday, Nov. 22, at 5:30 p.m.

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