

April 15, 2012 Commentary on Annual meeting

“Never ascribe to malice that which can adequately be explained by incompetence.” And it raises the question of whether the 2012 Annual Meeting was more a matter of malice, incompetence or a combination of the two. Consider the following:

Many members both officially with the SEC Reform Group and on their own worked very hard in the weeks leading up to the meeting as they realized that informing the entire SEC membership about the pending amendments and their impact was necessary given the method and type of notice and the strange ballot with very little information. Getting the members to the meeting and achieving a quorum was vital. The “tailgate party” was envisioned and all details worked out. There were a lot of details and a long list of supplies. The cost of these supplies was all met by donations. A canopy to house the party was obtained and people set to erect it and set up tables, cooking apparatus, delivery scheduled, etc.

Information was vital for the members to be able to make an informed choice at the ballot box. Sample ballots were developed and the SEC Reform criteria for recommendation was simple. “Would this amendment benefit the members?” Only one of the amendments met this standard – Article V., Section. “Redistricting.” Hundreds of sample ballots were printed and posters made for the information stand that would greet arriving members. We have had such stands at every Annual Meeting at the front of Finley Gym for the past several years with the permission of the Socorro City Gov’t and Police Dept. as well as that of the Socorro Sheriff’s Dept.

Saturday morning is windy but the bulk of the Macey Center helps to block the force somewhat. By 10 a.m. the tent is raised. At 10:30 a call is received from Tech personnel telling us that a complain has been made and the tent must come down and be moved outside of the 100’ radius described by NM Election Laws. Hold everything! The SEC Coop is not under the NM Election Law as it is a member owned, non profit cooperative. Check out these paragraphs from the April 7, 2012 issue of the “El Defensor Chieftain.” concerning legal notice:

“I’m admittedly biased, but Socorro Electric would done its members a better service by publishing notice and the resolutions in El Defensor Chieftain.

“Cities and counties are required by law to publish in what are defined by state law as legal newspapers, of which El Defensor Chieftain is the only one in Socorro and Catron counties, legal notices of what will appear on the ballot in advance of elections.

“No, that law doesn’t apply to co-ops, but if Socorro Electric was sincere and proactive about transparency it would have done it.”

The Tech person was apprised of these facts, did not have the authority to pass judgment but did say that Campus Security would meet us at Macey Ctr. Now one of the really nice things that surfaced from this mess was learning how good, kind and smart the “campus cops” are. They had already put in a call to the Socorro DA for a ruling based on a search of the laws pertaining to elections and non-profits. Now enter into the picture and parking lot, two lawyers from the firm of Wiggins, Wiggins, and ----. Lorna Wiggins is the new attorney for the co-op. Her opinion is that the SEC is under the state election law (see above where the SEC was not). This opinion is based on Article V. Section 14. FAIR ELECTIONS of the bylaws.

This section reads “THE SOCORRO ELECTRIC COOPERATIVE, INC., BOARD OF TRUSTEES SHALL MAKE ADEQUATE ARRANGEMENTS FOR, AND ASSURE FAIR ELECTIONS, WHICH INCLUDE VOTING BY MAIL AND ELECTION ADMINISTRATION BY A THIRD PART ACCOUNTING FIRM.” Since this bylaw mentions “elections,” we are subject to state election law! But we weren’t in regard to printing legal notices. People can only deal with so much illogical reasoning, the DA has not been in touch (he

never was), vehicles are arriving with supplies and time is running short so a deal is struck. The tent stays up for use as a storage area with no posters, etc. A line a 100' feet from the Macey Center door is drawn around the Macey Center and the cooking gear, etc. is moved outside this line. The Information Table cannot be used and people grab stacks of sample ballots and meet members arriving from every direction to give out the ballots and answer questions. Over the years we have learned to expect the unexpected and shift gears quickly in order to meet our objectives.

The tailgate party is underway and a great success. People got information and sample ballots to help them with voting. The registration/voting portion of the 2012 Annual Members Meeting is underway. Now was all this nonsense due to malice or incompetence? The best or the worst is still to come.