

Board Meeting

August 29, 2012

Agenda Item XI

Correction to the Agenda: The Chairman must strike this item from the agenda. The records custodian has a duty to release voting lists to all candidates by law. The custodian is accountable despite actions to the contrary by the board. Any action by the board in this regard violates the bylaw **Article VI. Section 5.** and the Court's Order.

(See Inspection of Public records Guide page 33, "The Law" Section D.) "A custodian receiving a written request shall permit the inspection immediately or as soon as is practicable under the circumstances, but not later than fifteen days after receiving a written request. If the inspection is not permitted within three business days, the custodian shall explain in writing when the records will be available for inspection or when the public body will respond to the request. The three-day period shall not begin until the written request is delivered to the office of the custodian requested, the person receiving the request shall promptly forward the request to the custodian of the requested public records, if known, and notify the requester. The notification to the requester shall state the reason for the absence of the records from that person's custody or control, the records' location and the name and address of the custodian."

"F. For the purposes of this section, "written request" includes an electronic communication, including email or facsimile; provided that the request complies with the requirements of Subsection C of this section."

Submitted by Charlie Wagner, Trustee

Socorro Electric Cooperative, Inc.